



# Dakota County

## Legislation Details (With Text)

**File #:** DC-422      **Version:** 1

**Type:** Consent Action      **Status:** Passed

**File created:** 10/18/2021      **In control:** Board of Commissioners

**On agenda:** 11/30/2021      **Final action:** 11/30/2021

**Enactment date:** 11/30/2021      **Enactment #:** 21-565

**Title:** Authorization To Accept Utility Easement Rights Within County Road 96 Right Of Way For County Project 96-07 In Greenvale Township

**Sponsors:** Transportation

**Indexes:**

**Code sections:**

**Attachments:** 1. Location Map, 2. Crossing Location Map, 3. Financial Summary

Date	Ver.	Action By	Action	Result
11/30/2021	1	Board of Commissioners	approved	Pass

**DEPARTMENT:** Transportation

### TITLE

**Authorization To Accept Utility Easement Rights Within County Road 96 Right Of Way For County Project 96-07 In Greenvale Township**

### PURPOSE/ACTION REQUESTED

Authorize acquisition of Northern Natural Gas Company's (NNG) existing utility easement rights within County Road (CR) 96 right of way for County Project (CP) 96-07 in Greenvale Township.

### SUMMARY

To provide a safe and efficient transportation system, Dakota County and Rice County are proceeding with Dakota CP 96-07/Rice CP 101-01, which is the reconstruction of Dakota CR 96/Rice CR 101 from Interstate (I) 35 in Rice County to County State Aid Highway (CSAH) 23 in Greenvale Township in Dakota County (Attachment: Location Map). Dakota County is the lead agency with construction planned for 2022.

As part of the reconstruction of CR 96, additional right of way was acquired to accommodate the paved roadway surface and ditch system. Northern Natural Gas has an existing utility easement that crosses CR 96 at approximately 1,000 feet east of Guam Avenue; NNG has five pipelines that cross County Road 96 within this easement (Attachment: Crossing Location Map). Based on discussions with NNG, they have agreed to quitclaim their easement rights at no cost to Dakota County for the portion that is within County right of way. As part of this process, NNG's remaining utilities will be subject to the Dakota County right of way permitting process and will become a permitted use within County Road 96 right of way.

### RECOMMENDATION

Staff recommends acceptance of the proposed utility easement rights.

### BOARD GOALS

- |                                                                   |                                                       |
|-------------------------------------------------------------------|-------------------------------------------------------|
| <input checked="" type="checkbox"/> A Great Place to Live         | <input type="checkbox"/> A Healthy Environment        |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input type="checkbox"/> Excellence in Public Service |

### PUBLIC ENGAGEMENT LEVEL

- |                                                       |                                  |                                  |                              |
|-------------------------------------------------------|----------------------------------|----------------------------------|------------------------------|
| <input checked="" type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input type="checkbox"/> N/A |
|-------------------------------------------------------|----------------------------------|----------------------------------|------------------------------|

### EXPLANATION OF FISCAL/FTE IMPACTS

- |                                              |                                               |                                |
|----------------------------------------------|-----------------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> None     | <input type="checkbox"/> Current budget       | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | <input type="checkbox"/> New FTE(s) requested |                                |

None at this time (Attachment: Financial Summary).

### RESOLUTION

WHEREAS, to provide a safe and efficient transportation system, Dakota County and Rice County are proceeding with Dakota County Project (DCP) 96-07/Rice County Project (RCP) 101-01; and

WHEREAS, DCP 96-07/RCP 101-01 will reconstruct approximately a half-mile of Rice County Road (RCR) 101 (70th Street West) in Webster Township, Rice County, and approximately four miles of Dakota County Road (DCR) 96 (320th Street West) in Greenvale Township, Dakota County; and

WHEREAS, the purpose and need for the project is to improve roadway quality, increase safety, and provide for multi-modal mobility on RCR 101/DCR 96; and

WHEREAS, to address the purpose and need for this Project, safety will be improved along the corridor by paving the roadway, realigning the roadway to remove horizontal curves, adding turn lanes, and providing paved shoulders; and

WHEREAS, Dakota County is the lead agency for DCP 96-07/ RCP 101-01; and

WHEREAS, Northern Natural Gas Company (NNG) owns a utility easement that crosses DCR 96; and

WHEREAS, DCP 96-07 includes reconstruction and roadway widening of DCR 96, which will cross NNG's utility easement at the following crossing location:

Crossing Location 1: CR 96 about 1,000 feet east of Guam Avenue

; and

WHEREAS, in order to proceed with project development, NNG is proposing to quitclaim its utility easement rights within DCR 96 right of way to Dakota County at no cost; and

WHEREAS, by quitclaiming NNG's easement rights, their remaining utilities will be subject to the Dakota County right of way permitting process and will become a permitted use within DCR 96 right of way; and

WHEREAS, staff recommends acceptance of the NNG's utility easement rights within DCR 96 right of way.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the acceptance of the Northern Natural Gas Company's existing utility easement rights within County Road 96 right of way from Northern Natural Gas Company to the County of Dakota for County Project 96-07, subject to approval by the County Attorney's Office as to form.

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: Location Map

Attachment: Crossing Location Map

Attachment: Financial Summary

**CONTACT**

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