



# Dakota County

## Legislation Details (With Text)

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**Title:** Authorization To Execute Joint Powers Agreement, Approval Of Right Of Way Acquisition, Authorization To Initiate Quick-Take Condemnation, And Amendment Of Transportation Budget For County Project 50-32 In Farmington, County Road 50 Intersection  
**Sponsors:** Transportation

### Indexes:

### Code sections:

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

Date	Ver.	Action By	Action	Result
10/4/2022	1	Board of Commissioners	approved	Pass

**DEPARTMENT:** Transportation

**FILE TYPE:** Consent Action

### TITLE

**Authorization To Execute Joint Powers Agreement, Approval Of Right Of Way Acquisition, Authorization To Initiate Quick-Take Condemnation, And Amendment Of Transportation Budget For County Project 50-32 In Farmington, County Road 50 Intersection**

### PURPOSE/ACTION REQUESTED

Authorize execution of joint powers agreement (JPA) with the City of Farmington for County Project (CP) 50-32; approve acquisition of necessary right of way and authorize quick-take condemnation for CP 50-32 in Farmington, and Amend the 2022 Transportation Capital Program Budget.

### SUMMARY

To provide a safe and efficient transportation system, Dakota County and the City of Farmington are proceeding with CP 50-32, which includes the construction of an offset southbound right turn lane and re-striping of Flagstaff Avenue (Attachment: Location Map). Dakota County is the lead agency, with construction planned for the spring/summer 2023.

One parcel has been identified from which right of way acquisition will be necessary for CP 50-32 (Attachment: Parcel Map). One acquisition appraisal has been prepared by Valbridge Property Advisors.

If timely acquisition by direct negotiation of all required parcels does not appear possible, it is necessary for the County Board to authorize the County Attorney's Office to initiate "quick-take" condemnation of the parcel. Efforts will be made to negotiate an agreeable settlement before and

after the start of the condemnation process.

In order to partner on the project, a JPA is necessary to define project cost shares and responsibilities. The JPA would identify the County as the lead agency for final design and construction. The County would be responsible for all costs associated with final design and construction.

## RECOMMENDATION

Staff recommends approval of the right of way acquisition for one parcel for CP 50-32.

## EXPLANATION OF FISCAL/FTE IMPACTS

The 2022-2026 Transportation Capital Improvement Program ROW Preservation and Management Set-aside budget includes sufficient funds for the anticipated cost of the right of way. A budget amendment is needed to move the funding from the set-aside to the project. (Attachment: Financial Summary).

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

## RESOLUTION

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the City of Farmington are proceeding with County Project (CP) 50-32; and

WHEREAS, CP 50-32 will be changing the intersection geometry of Flagstaff Avenue and County State Aid Highway (CSAH ) 50 to address the safety issues and demonstrated crash issues observed at the intersection; and

WHEREAS, the purpose and need for this Project is to improve safety and traffic operations at the intersection, focusing on southbound traffic on Flagstaff turning onto CSAH 50; and

WHEREAS, Dakota County is the lead agency for CP 50-32; and

WHEREAS, right of way acquisition is needed to allow for construction to begin in 2023; and

WHEREAS, the partial acquisition of the following parcel is necessary to move forward with the Project:

### 14-03400-16-031 - Parcel 1

A permanent easement for highway purposes over, under, and across that part of the following described property:

The Northeast Quarter of the Northeast Quarter of Section 34, Township 114 North, Range 20 West lying North of State Truck Highway No. 50, except that part platted as "Regetta Fields." Included abandoned railroad right of way, Dakota County, Minnesota. Said permanent easement described as follows:

Commencing at corner B14 as shown on Dakota County Road Right of Way Map No. 167 according to the recorded plat thereof Dakota County, Minnesota; thence North 89 degrees 55 minutes 31 seconds East 80.68 feet; thence North 15 degrees 6 minutes 44 seconds East 178.54 feet; thence North 00 degrees 28 minutes 25 seconds East 79.85 feet to a point on the westerly right of way line of Flagstaff Avenue as described by Final Certificate document number 2633064; thence North 89 degrees 43 minutes 33 seconds East 10.00 feet along said

westerly right of way of Flagstaff Avenue; thence South 00 degrees 28 minutes 25 seconds West 208.02 feet along said westerly right of way line of Flagstaff Avenue; thence South 89 degrees 43 minutes 33 seconds West 25.00 feet along said westerly right of way line of Flagstaff Avenue; thence South 00 degrees 28 minutes 25 seconds West 64.10 feet along said westerly right of way line of Flagstaff Avenue to a north line of said CSAH 50 per Dakota County Road Right of Way Map No. 167; thence South 89 degrees 55 minutes 31 seconds West 110.61 feet along the said north line of CSAH 50 to corner B15 of said Dakota County Road Right of Way Map No. 167; thence North 00 degrees 4 minutes 29 seconds West 20.00 feet along the said north line of CSAH 50 to said corner B14 and said permanent easement there terminating.

Permanent Easement containing approximately 7520 square feet.

; and

WHEREAS, one parcel has been appraised by Valbridge Property Advisors, and the offer has been prepared; and

WHEREAS, the project is planned to be included in the 2023 Pavement Preservation and Misc. project package; and

WHEREAS, the approved 2022 Transportation Capital Improvement Program (CIP) ROW Preservation, and Management budget includes sufficient funds for the anticipated cost of the right of way acquisition for CP 50-32; and

WHEREAS, a joint powers agreement between Dakota County and the City of Farmington for CP 50-32 is proposed to outline cost participation and responsibilities for design, right of way acquisition, construction, and maintenance in accordance with the County Transportation Plan and County Policy; and

WHEREAS, if timely acquisition by direct negotiation of the required parcel does not appear possible, it is necessary for the County Board to authorize the County Attorney's Office to initiate quick-take condemnation of the parcel to allow for a spring 2023 start date.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the City of Farmington to outline cost participation and responsibilities for the design, right of way acquisition, construction, and maintenance for County Project 50-32, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of the property described below:

14-03400-16-031 - Parcel 1

A permanent easement for highway purposes over, under, and across that part of the following described property:

The Northeast Quarter of the Northeast Quarter of Section 34, Township 114 North, Range 20 West lying North of State Truck Highway No. 50, except that part platted as "Regetta Fields." Included abandoned railroad right of way, Dakota County, Minnesota. Said permanent easement described as follows:

Commencing at corner B14 as shown on Dakota County Road Right of Way Map No. 167 according to the recorded plat thereof Dakota County, Minnesota; thence North 89 degrees 55 minutes 31 seconds East 80.68 feet; thence North 15 degrees 6 minutes 44 seconds East 178.54 feet; thence North 00 degrees 28 minutes 25 seconds East 79.85 feet to a point on the

westerly right of way line of Flagstaff Avenue as described by Final Certificate document number 2633064; thence North 89 degrees 43 minutes 33 seconds East 10.00 feet along said westerly right of way of Flagstaff Avenue; thence South 00 degrees 28 minutes 25 seconds West 208.02 feet along said westerly right of way line of Flagstaff Avenue; thence South 89 degrees 43 minutes 33 seconds West 25.00 feet along said westerly right of way line of Flagstaff Avenue; thence South 00 degrees 28 minutes 25 seconds West 64.10 feet along said westerly right of way line of Flagstaff Avenue to a north line of said CSAH 50 per Dakota County Road Right of Way Map No. 167; thence South 89 degrees 55 minutes 31 seconds West 110.61 feet along the said north line of CSAH 50 to corner B15 of said Dakota County Road Right of Way Map No. 167; thence North 00 degrees 4 minutes 29 seconds West 20.00 feet along the said north line of CSAH 50 to said corner B14 and said permanent easement there terminating.

Permanent Easement containing approximately 7520 square feet.

; and

for County Project 50-32 at the approved appraised values and in accordance with County policy and authorizes payment from the 2022 Transportation Capital Improvement Program budget; and

BE IT FURTHER RESOLVED, That the 2022 Transportation Capital Improvement budget is hereby amended as follows:

**Expense**

County Project 50-32 - Right of Way	\$100,000
Right of Way Preservation and Management set-aside	<u>(\$100,000)</u>
<b>Total Expense</b>	<b>\$0</b>

**Revenue**

County Funding - County Project 50-32	\$100,000
County Funding - ROW set-aside	<u>(\$100,000)</u>
<b>Total Revenue</b>	<b>\$0</b>

; and

BE IT FURTHER RESOLVED, that the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to initiate quick-take condemnation on the properties identified if timely acquisition by direct negotiations of all properties does not appear possible.

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: Location Map  
Attachment: Parcel Map  
Attachment: Financial Summary

**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
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**CONTACT**

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