



Dakota County

Legislation Text

File #: DC-1831, Version: 1

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

Approval Of Right Of Way Acquisition And Authorization To Initiate Quick-Take Condemnation For Roundabout At Intersection Of County Road 11 And Burnsville Parkway In City Of Burnsville, County Project 11-27

PURPOSE/ACTION REQUESTED

Approve acquisition and authorization to initiate quick-take condemnation of right of way necessary for County Project (CP) 11-27 in the City of Burnsville.

SUMMARY

To provide a safe and efficient transportation system, Dakota County is proceeding with CP 11-27 (see Attachment: Location Map), which consists of installing a roundabout at the intersection of County State Aid Highway (CSAH) 11 and Burnsville Parkway. The intersection of CSAH 11 and Burnsville Parkway exists today as a signalized intersection and has a critical crash rate that exceeds the typical statewide average and a traffic signal nearing the end of its lifecycle. See attachment Geometric Layout for the proposed design. Construction is scheduled for 2024.

Dakota County is the lead agency for CP 11-27 design and right of way acquisition. Acquisition of right of way from one private parcel (see Attachment: Acquisition Map) is recommended to move forward with CP 11-27. Appraisals have been completed by Patchin Messner Valuation Counselors. Appraisal data has been provided to the County Board in a separate confidential spreadsheet, as the appraisal is confidential, non-public data pursuant to Min. Stat. SS Sec. 13.44, subd. 3.

In the event that timely acquisition by direct negotiation of all required parcels does not appear possible, staff recommends that the County Board authorize the County Attorney's Office to initiate quick-take condemnation of the parcels. Efforts will be made to negotiate agreeable settlements before and after the start of the condemnation process.

RECOMMENDATION

Staff recommends approval of right of way acquisition and authorization for potential condemnation for the right of way necessary for CP 11-27.

EXPLANATION OF FISCAL/FTE IMPACTS

The adopted 2022 Transportation Capital Improvement Program (CIP) Budget includes \$325,000 for right of way acquisition in 2023 (see Attachment: Financial Summary). Sufficient funds are available for the recommended right of way acquisition. The County's cost share for the acquisition is 55 percent, with the City responsibilities for 45 percent according to the County cost share policy

guidelines.

- ☐ None ☒ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the City Burnsville (City) are proceeding with County Project (CP) 11-27; and

WHEREAS, CP 11-27 is the reconstruction of the intersection of County State Aid Highway (CSAH) 11 and Burnsville Parkway to a roundabout in the City of Burnsville; and

WHEREAS, Dakota County is the lead agency for CP 11-27 with right of way acquisition necessary in 2023 for construction to begin in the winter of 2024; and

WHEREAS, the County has been utilizing public engagement for this project that was initiated with property owner letters, a public open house hosted on May 12, 2022, a pop-up event on July 21, 2022, and multiple listserv project emails; and

WHEREAS, the acquisition from one parcel as identified in Attachment: Acquisition Map is necessary to move forward with CP 11-27; and

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

02-01700-33-020 - H. INC. - Parcel 2

A permanent easement for highway purposes over that part of the Northeast Quarter of the Northwest Quarter of Section 17, Township 115 North, Range 20 West, Dakota County, Minnesota described as follows:

Commencing at the northeast corner of said Northeast Quarter of the Northwest Quarter; thence on an assumed bearing of North 89 degrees 51 minutes 46 seconds West along the north line of said Northeast Quarter of the Northwest Quarter, a distance of 112.43 feet to the point of beginning of said easement to be described; thence continuing along said north line North 89 degrees 51 minutes 46 seconds West, a distance of 35.12 feet; thence South 04 degrees 36 minutes 22 seconds East, a distance of 180.00 feet; thence North 85 degrees 25 minutes 29 seconds East, a distance of 35.00 feet; thence North 04 degrees 36 minutes 22 seconds West, a distance of 177.11 feet to the point of beginning.

Permanent Easement Area: +/- 6250 square feet

A temporary easement for highway purposes over that part of the Northeast Quarter of the Northwest Quarter of Section 17, Township 115 North, Range 20 West, Dakota County, Minnesota described as follows:

Commencing at the northeast corner of said Northeast Quarter of the Northwest Quarter; thence on an assumed bearing of North 89 degrees 51 minutes 46 seconds West along the north line of said Northeast Quarter of the Northwest Quarter, a distance of 147.56 feet to the

point of beginning of said easement to be described; thence continuing along said north line North 89 degrees 51 minutes 46 seconds West, a distance of 40.14 feet; thence South 04 degrees 36 minutes 22 seconds East, a distance of 225.00 feet; thence North 85 degrees 25 minutes 29 seconds East, a distance of 75.00 feet; thence North 04 degrees 36 minutes 22 seconds West, a distance of 41.70 feet; thence South 85 degrees 25 minutes 29 seconds West, a distance of 35.00 feet; thence North 04 degrees 36 minutes 22 seconds West, a distance of 180.00 feet to the point of beginning.

Temporary Easement Area: +/- 10393 square feet

; and

WHEREAS, the parcel has been appraised, and offers are being prepared for a total appraised value identified in the confidential spreadsheet; and

WHEREAS, the 2023 Transportation Capital Improvement Program Budget includes sufficient funds for CP 11-27 right of way acquisition; and

WHEREAS, in the event that 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 to allow for a winter 2024 start date.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the appraised values prepared by Patchin Messner Valuation Counselors for the acquisition of the right of way for County Project 11-27 and authorizes County staff, in its discretion, to share the appraisal data with the respective landowner, including all or portions of the completed appraisals as part of the negotiation process; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of right of way for County Project 11-27 at the approved appraised values and, in accordance with County policy, authorizes payment from the 2023 Transportation Capital Improvement Program Budget; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to initiate "quick-take" condemnation of the remaining parcels to allow a winter 2023 start date in the event that timely acquisitions by direct negotiations of all parcels do not appear possible.

PREVIOUS BOARD ACTION

20-154; 3/24/20

21-600; 12/14/21

ATTACHMENTS

Attachment: Project Location

Attachment: Geometric Layout

Attachment: Acquisition Map

Attachment: Financial Summary

Attachment: Confidential Memo (given to Board only)

BOARD GOALS

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

PUBLIC ENGAGEMENT LEVEL

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

CONTACT

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