

**RESOLUTION R2021-156**  
**A RESOLUTION OF THE CITY OF SHAKOPEE, MINNESOTA APPROVING APPRAISED VALUES, OFFERS OF**  
**COMPENSATION AND ACQUISITION BY EMINENT DOMAIN FOR THE T.H. 169 PEDESTRAIN BRIDGE**  
**PROJECT**

---

**WHEREAS**, the City Council deemed it necessary and expedient that the City of Shakopee, Minnesota (the “City”) construct certain improvements, to-wit: the T.H. 169 Pedestrian Bridge Project, PR-22-004 (the “Project”), and by Resolution R2021-156 the City Council accepted the recommendation of the Public Works department and authorized the City to enter into certain agreements to facilitate the Project; and

**WHEREAS**, the Project includes additional right of way at the property located at 5800 12<sup>th</sup> Avenue East for the construction of a trail, pedestrian bridge and retaining walls for pedestrian and recreational use to connect existing segments of a planned city-wide trail system; and

**WHEREAS**, the City Council has approved the preferred trail and pedestrian bridge alignment for the Project; and

**WHEREAS**, it is necessary to acquire certain real property interests, as described and depicted in the attached Exhibit C, to construct and maintain the Project (collectively, the “Real Property Interests”); and

**WHEREAS**, the City Council finds that it is reasonably necessary, proper, and convenient, and in the interest of the general welfare that the City acquire title to and possession of the Real Property Interests in furtherance of the Project; and

**WHEREAS**, the City Council finds that the construction schedule for the Project makes it necessary to acquire title to and possession of the Real Property Interests prior to the filing of the final report of the condemnation commissioners to be appointed by the district court; and

**WHEREAS**, the City has engaged independent real estate appraisers to provide the City with the appraisers’ opinions of damages caused by the City’s acquisition of the Real Property Interests needed for the Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHAKOPEE, MINNESOTA AS FOLLOWS:**

1. That the acquisition of the Real Property Interests is necessary and for a public purpose in furtherance of the Project;
2. That the proper City officers and agents are authorized and directed to acquire the Real Property Interests needed for the Project by voluntary negotiation and, if necessary, through the exercise of the power of eminent domain;
3. That the proper City officers and agents are authorized and directed to make offers of compensation to the respective landowner for the Real Property Interests needed for the Project

consistent with the independent appraisals, and to attempt to negotiate the voluntary acquisition of the Real Property Interests;

4. That the law firm of Kennedy & Graven, Chartered, is authorized and directed to take all steps necessary on behalf of the City to acquire through eminent domain the Real Property Interests that are not acquired by voluntary negotiation, including filing an action in eminent domain and using the quick take procedure under Minn. Stat. § 117.042;
5. That the City Engineer is authorized to approve the appraised values for the Real Property Interests if the City Engineer determines that the independent appraisals adequately reflect the fair market values thereof for the purposes of Minn. Stat. § 117.042.

Adopted in regular session of the City Council of the City of Shakopee, Minnesota, held this 3<sup>rd</sup> day of November 2021.

---

Mayor of the City of Shakopee

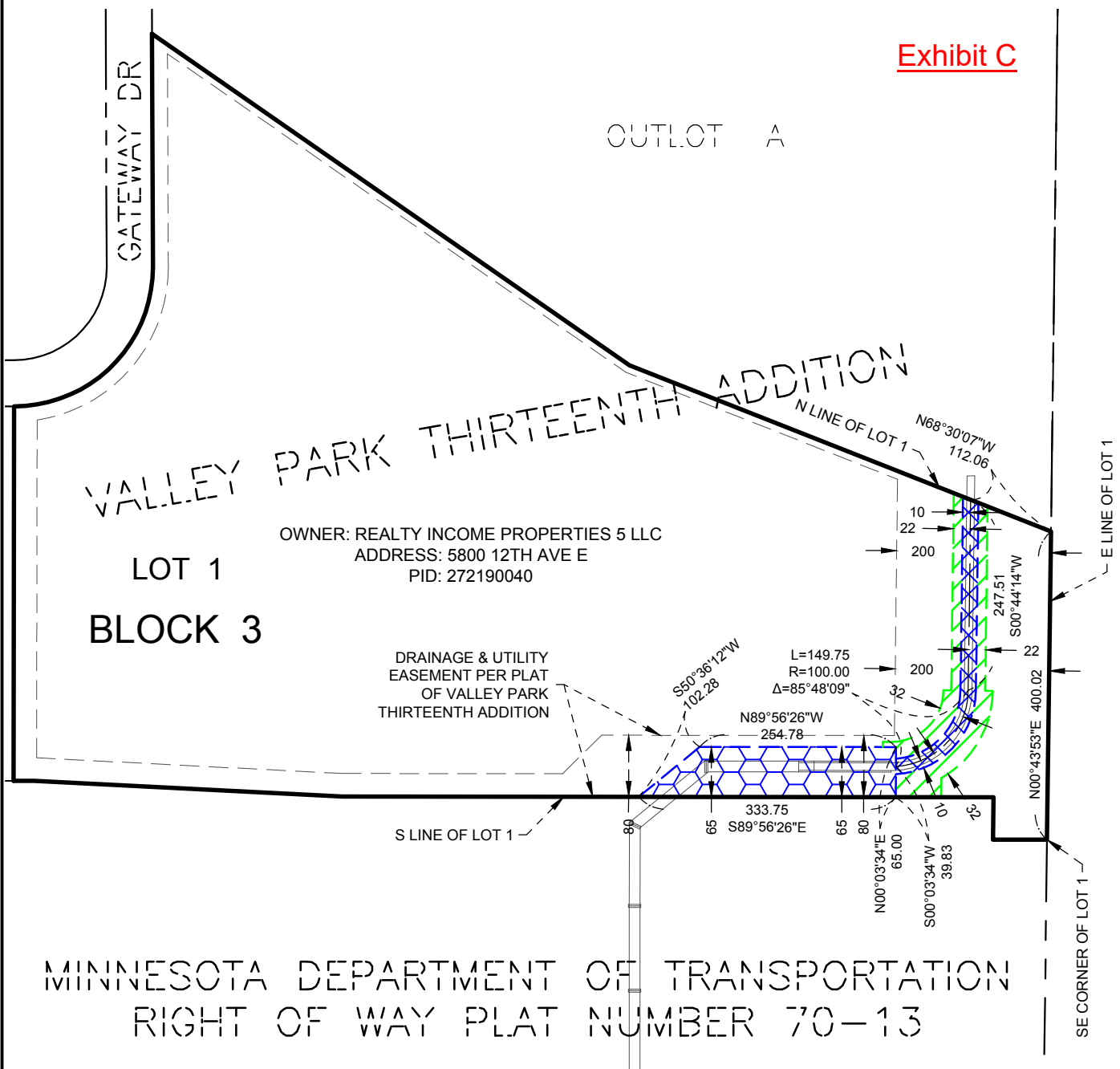
ATTEST:

---

City Clerk

Prepared by:  
City of Shakopee  
485 Gorman Street  
Shakopee, MN 55379

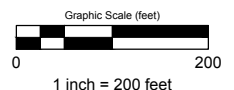
**Exhibit C**



- PERMANENT BRIDGE, TRAIL, & WALL  
EASEMENT AREA = 19,127 SQ. FT.
- PERMANENT TRAIL  
EASEMENT AREA = 7,945 SQ. FT.
- TEMPORARY CONSTRUCTION  
EASEMENT AREA = 13,457 SQ. FT.
- PARCEL LINE

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Jeremy R. Honga, PLS,  
MN License No. 58013



Prepared by:



Permanent Easement Exhibit - Quarry Lake  
Lot 1, Block 3, Valley Park Thirteenth Addition  
Address: 5800 12th Ave E  
PID: 272190040  
City of Shakopee, Minnesota

WSB Project No. 017896-000 Date: 09/30/2021



Location: City of Shakopee

Address: 5800 12th Ave E

PID No: 272190040

WSB Project No: 017896-000

Date: October 5, 2021

### **Description of Permanent Bridge, Trail, and Wall Easement**

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

That part of Lot 1, Block 3, VALLEY PARK THIRTEENTH ADDITION, in Scott County, Minnesota, lying easterly of the following described line:

Commencing at the southwest corner of Lot 1, Block 3, VALLEY PARK THIRTEENTH ADDITION, Scott County, Minnesota, thence north 89 degrees, 16 minutes, 17 seconds east, an assumed bearing along the southerly line of said Lot 1, a distance of 398.90 feet; thence north 89 degrees, 22 minutes, 52 seconds east, along the southerly line of said Lot 1 a distance of 1296.86 feet to the point of beginning of the line to be described; thence north 00 degrees, 37 minutes, 40 seconds west a distance of 486.04 feet, more or less, to the north line of said Lot 1, and there terminating, Scott County, Minnesota.

Said permanent easement described as follows:

Commencing at the southeast corner of said Lot 1; thence North 00 degrees 43 minutes 53 seconds East, assumed bearing along the east line thereof, a distance of 400.02 feet to the north line of said Lot 1; thence North 68 degrees 30 minutes 07 seconds West, along said north line, a distance of 112.06 feet; thence South 00 degrees 44 minutes 14 seconds West, a distance of 247.51 feet; thence southerly and westerly, a distance of 149.75 feet along a tangential curve concave to the northwest having a radius of 100.00 feet and a central angle of 85 degrees 48 minutes 09 seconds; thence South 00 degrees 03 minutes 34 seconds West, not tangent to the last described curve, a distance of 39.83 feet to the south line of said Lot 1 and also being the point of beginning of said easement to be described; thence North 00 degrees 03 minutes 34 seconds East, a distance of 65.00 feet; thence North 89 degrees 56 minutes 26 seconds West, a distance of 254.78 feet; thence South 50 degrees 36 minutes 12 seconds West, a distance of 102.28 feet to said south line; thence South 89 degrees 56 minutes 26 seconds East, along said south line, a distance of 333.75 feet to the point of beginning.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.



---

Jeremy R. Hong, PLS,  
MN License No. 58013

Location: City of Shakopee

Address: 5800 12th Ave E

PID No: 272190040

WSB Project No: 017896-000

Date: October 5, 2021

### **Description of Permanent Trail Easement**

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

That part of Lot 1, Block 3, VALLEY PARK THIRTEENTH ADDITION, in Scott County, Minnesota, lying easterly of the following described line:

Commencing at the southwest corner of Lot 1, Block 3, VALLEY PARK THIRTEENTH ADDITION, Scott County, Minnesota, thence north 89 degrees, 16 minutes, 17 seconds east, an assumed bearing along the southerly line of said Lot 1, a distance of 398.90 feet; thence north 89 degrees, 22 minutes, 52 seconds east, along the southerly line of said Lot 1 a distance of 1296.86 feet to the point of beginning of the line to be described; thence north 00 degrees, 37 minutes, 40 seconds west a distance of 486.04 feet, more or less, to the north line of said Lot 1, and there terminating, Scott County, Minnesota.

Said permanent easement lies 10.00 feet on either side of the following described centerline:

Commencing at the southeast corner of said Lot 1; thence North 00 degrees 43 minutes 53 seconds East, assumed bearing along the east line thereof, a distance of 400.02 feet to the north line of said Lot 1; thence North 68 degrees 30 minutes 07 seconds West, along said north line, a distance of 112.06 feet to the point of beginning of the centerline to be described; thence South 00 degrees 44 minutes 14 seconds West, a distance of 247.51 feet; thence southerly and westerly, a distance of 149.75 feet along a tangential curve concave to the northwest having a radius of 100.00 feet and a central angle of 85 degrees 48 minutes 09 seconds and said centerline there terminating.

Said permanent easement is to extend by its full width from the north line of said Lot 1 to a line having a bearing of North 00 degrees 03 minutes 34 seconds East and passing through the point of termination.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.



---

Jeremy R. Honga, PLS.  
MN License No. 58013