

# REPORT / RECOMMENDATION



**To:** MAYOR AND COUNCIL

**Agenda Item #:** IV. F.

**From:** Chad A. Millner, PE, Director of Engineering

**Action**

**Discussion**

**Date:** February 3, 2015

**Information**

**Subject:** Resolution No. 2015-17 A Resolution of Support for the Acquisition of the Nine Mile Creek Regional Trail

**Action Requested:**

Approve Resolution No. 2015-17 authorizing Mayor and City Manager to sign attached Resolution of Support for the Acquisition of the Nine Mile Regional Trail.

**Information / Background:**

The Three Rivers Park District (TRPD) continues to negotiate with property owners for permanent public trailway and temporary construction easements for the Nine Mile Creek Regional Trail. If TRPD is unable to acquire the easements through direct purchase, in accordance with M.S. 398.09 subd. b1, this Resolution of Support allows them to use condemnation to secure property rights.

Please recall the final alignment of the trail was approved by the City Council on July 15, 2014.

**Attachments:**

Resolution No. 2015-17



**CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA**

**RESOLUTION NO. 2015-17**

**A RESOLUTION OF SUPPORT  
FOR THE ACQUISITION OF THE NINE MILE CREEK REGIONAL TRAIL  
IN THE CITY OF EDINA**

**WHEREAS**, the City of Edina (City) participated in and provided a Resolution of Support for the Nine Mile Creek Regional Trail (Trail) Master Plan on May 22, 2012; and

**WHEREAS**, the City approved the final alignment for the Trail on July 15, 2014; and

**WHEREAS**, the City intends to enter into a Trailway Cooperative Agreement (Agreement) for the Trail with the Park District in February 2015; and

**WHEREAS**, the Agreement will require the Park District to acquire at Park District cost any additional non-public property rights as may be necessary to provide a continuous and contiguous Trail corridor where achievable through direct purchase; and

**WHEREAS**, the Agreement will require the City to approve acquisition by Park District of said property rights and approve condemnation of property rights if Park District is unable to acquire property through direct purchase; and

**WHEREAS**, at this time it is necessary to acquire 11 permanent public trailway easements and 23 temporary construction easements from a total of 22 private property owners in order to provide a continuous and contiguous Trail corridor; and

**WHEREAS**, the Park District is actively negotiating with the property owners with the intent to acquire property rights for the properties described below through direct purchase:

**Permanent Public Trailway Easements**

<b>Location</b>	<b>Description</b>
5901 State Highway 169, Edina, MN 55436 PID 31-117-21-32-0002	8,197 square feet of permanent easement
6400 Tracy Avenue, Edina, MN 55439 PID 05-116-21-24-0011	26,636 square feet of permanent easement
5400 70 <sup>th</sup> Street West, Edina, MN 55439 PID 08-116-21-11-0018	4,919 square feet of permanent easement
4900 77 <sup>th</sup> Street West, Edina, MN 55435 PID 31-028-24-33-0009	7,228 square feet of permanent easement

**ENGINEERING DEPARTMENT**

5309 70 <sup>th</sup> Street West, Edina, MN 55439 PID 08-116-21-11-0029	7,052 square feet of permanent easement
7100 Ohms Lane, Edina, MN 55439 PID 09-116-21-22-0024	4,836 square feet of permanent easement
7101 Ohms Lane, Edina, MN 55439 PID 09-116-21-22-0025	10,489 square feet of permanent easement
7117 Ohms Lane, Edina, MN 55439 PID 09-116-21-22-0027	10,088 square feet of permanent easement
7125 Ohms Lane, Edina, MN 55439 PID 09-116-21-22-0028	2,305 square feet of permanent easement
7171 Ohms Lane, Edina, MN 55439 PID 09-116-21-23-0021	4,922 square feet of permanent easement
Address Unassigned PID 09-116-21-24-0034	1,250 square feet of permanent easement

### Temporary Construction Easements

<b>Location</b>	<b>Description</b>
5901 State Highway 169, Edina, MN 55436 PID 31-117-21-32-0002	27,745 square feet of temporary easement for 18.0168 months
6400 Tracy Avenue, Edina, MN 55439 PID 05-116-21-24-0011	1,982 square feet of temporary easement for 18.0168 months
5400 70 <sup>th</sup> Street West, Edina, MN 55439 PID 08-116-21-11-0018	10,241 square feet of temporary easement for 18.0168 months
4900 77 <sup>th</sup> Street West, Edina, MN 55435 PID 31-028-24-33-0009	11,873 square feet of temporary easement for 18.0168 months
5309 70 <sup>th</sup> Street West, Edina, MN 55439 PID 08-116-21-11-0029	3,678 square feet of temporary easement for 18.0168 months
7100 Ohms Lane, Edina, MN 55439 PID 09-116-21-22-0024	514 square feet of temporary easement for 18.0168 months
7101 Ohms Lane, Edina, MN 55439 PID 09-116-21-22-0025	3,795 square feet of temporary easement for 18.0168 months
7117 Ohms Lane, Edina, MN 55439 PID 09-116-21-22-0027	385 square feet of temporary easement for 18.0168 months
7125 Ohms Lane, Edina, MN 55439 PID 09-116-21-22-0028	90 square feet of temporary easement for 18.0168 months

7171 Ohms Lane, Edina, MN 55439 PID 09-116-21-23-0021	283 square feet of temporary easement for 18.0168 months
Address Unassigned PID 09-116-21-24-0034	232 square feet of temporary easement for 18.0168 months
5902 Killarney Lane, Edina, MN 55436 PID 31-117-21-41-0057	40 square feet of temporary easement for 18.0168 months
5904 Killarney Lane, Edina, MN 55436 PID 31-117-21-41-0058	500 square feet of temporary easement for 18.0168 months
5908 Killarney Lane, Edina, MN 55436 PID 31-117-21-41-0060	345 square feet of temporary easement for 18.0168 months
6000 Killarney Lane, Edina, MN 55436 PID 31-117-21-44-0044	455 square feet of temporary easement for 18.0168 months
6004 Killarney Lane, Edina, MN 55436 PID 31-117-21-44-0045	260 square feet of temporary easement for 18.0168 months
4936 Poppy Lane, Edina, MN 55435 PID 31-028-24-32-0039	1,028 square feet of temporary easement for 18.0168 months
4940 Poppy Lane, Edina, MN 55435 PID 31-028-24-32-0010	1,137 square feet of temporary easement for 18.0168 months
4944 Poppy Lane, Edina, MN 55435 PID 31-028-24-32-0046	1,027 square feet of temporary easement for 18.0168 months
4948 Poppy Lane, Edina, MN 55435 PID 31-028-24-32-0047	798 square feet of temporary easement for 18.0168 months
4952 Poppy Lane, Edina, MN 55435 PID 31-028-24-32-0048	871 square feet of temporary easement for 18.0168 months
7511 West Shore Drive, Edina, MN 55435 PID 31-028-24-33-0022	451 square feet of temporary easement for 18.0168 months
7509 West Shore Drive, Edina, MN 55435 PID 31-028-24-33-0023	323 square feet of temporary easement for 18.0168 months

**WHEREAS,** failure to secure property rights for the aforementioned properties jeopardizes the availability of a \$6.16 Million Federal Surface Transportation Program Grant and ultimately the ability of the Park District to construct the Trail; and

**WHEREAS,** the City continues to support the Park District efforts to design, construct, operate, and maintain the regional trail and acquire any necessary property rights to do so; and

