

BOARD OF COUNTY COMMISSIONERS  
WRIGHT COUNTY, MINNESOTA

Date \_\_\_\_\_ Resolution No. \_\_\_\_\_  
Motion by Commissioner \_\_\_\_\_ Seconded by Commissioner \_\_\_\_\_

**CONDEMNATION RESOLUTION  
CSAH 38**

- WHEREAS,** Wright County proposes to make certain improvements to County State Aid Highway (CSAH) No. 38 from Odean Ave NE to TH 101 in Otsego, and
- WHEREAS,** The improvements include those which will provide for the greater safety of the traveling public, including paved shoulders, additional turn and bypass lanes, and
- WHEREAS,** Permanent highway easements are required to provide for said construction, and
- WHEREAS,** Temporary easements for construction purposes are necessary, and
- WHEREAS,** Permanent drainage easements for construction purposes are also necessary, and
- WHEREAS,** The County of Wright, in order to facilitate the acquisition of right of way for the realignment and construction of County State Aid Highway No. 38; in accordance with Minnesota Statutes 160.085, intend to file in the office of the County Recorder and in the office of the Registrar of Titles, WRIGHT COUNTY HIGHWAY RIGHT-OF-WAY PLAT NO. 72, and
- WHEREAS,** Wright County has the authority to acquire right-of-way for said highway by eminent domain pursuant to Minnesota Statutes, Section 163.02, Subd. 2, and
- WHEREAS,** A portion of the lands required for easement purposes are owned by the following parties, as identified on WRIGHT COUNTY HIGHWAY RIGHT-OF-WAY PLAT NO. 72,

**Parcel 11 – Christ Church of Otsego, and  
Parcel 12 – Matthew H. Niles, and  
Parcel 14 – Donald Praught, and  
Parcel 15 – Christopher & Kari Haeska, and  
Parcel 30 – Carolyn Clark, and  
Parcel 46 – Kim Martin Thiebault, and  
Parcel 47 – Tonya M. Darkenwald Revocable Trust, and  
Parcel 49 – Tonya M. Darkenwald Revocable Trust, and  
Parcel 50 – Parnell Properties, LLC, and**

- WHEREAS,** Wright County has been unable to successfully negotiate the acquisition of the required easements from the above-named parties,

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the County Board of Commissioners of Wright County, Minnesota, that it is both necessary and in the public interest to obtain a highway right of way for a County highway by eminent domain proceedings over the properties described in the attached Exhibit A.

**BE IT FURTHER RESOLVED** that the County Attorney is hereby authorized to use the quick-take procedure as set out in Minnesota Statutes, Section 117.042, should it appear necessary to take title and possession of the above referenced lands prior to the filing of an award by the court appointed commissioners.

**YES**

HUSOM \_\_\_\_\_  
VETSCH \_\_\_\_\_  
DALEIDEN \_\_\_\_\_  
POTTER \_\_\_\_\_  
BORRELL \_\_\_\_\_

**NO**

HUSOM \_\_\_\_\_.  
VETSCH \_\_\_\_\_.  
DALEIDEN \_\_\_\_\_.  
POTTER \_\_\_\_\_.  
BORRELL \_\_\_\_\_.

STATE OF MINNESOTA)

ss.

County of Wright )

I, Lee Kelly, duly appointed and qualified County Coordinator of the County of Wright, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Wright County, Minnesota, at their session held on the 23<sup>rd</sup> day of January, 2018, now on file in my office, and have found the same to be true and correct copy thereof.

Witness my hand and official seal at Buffalo, Minnesota, this 23<sup>rd</sup> day of January, 2018.

\_\_\_\_\_  
Lee Kelly, County Coordinator