

Condemnation & Eminent Domain

fredlaw.com

Related Services

Oil & Gas
Litigation
Real Estate & Construction
Energy Litigation
Energy Regulation & Permitting

Fredrikson excels at eminent domain. Several members of our team are nationally recognized for their expertise in condemnation and eminent domain, including recognition by *The Best Lawyers in America* specific to Eminent Domain and Condemnation Law. We know this work both as a firm representing some of the area's largest utilities in their acquisitions for major transmission and pipeline projects, and for some of its best-known retailers, REITS and real estate owners when their property is subject to condemnation. Our strength is unique: we understand all sides of eminent domain.

Experience

Electric Lines and Pipelines: Fredrikson has represented electric and pipeline companies of all types (natural gas, crude oil, refined products, and more) with acquisitions and disputes over new and re-build projects in the most urban to the most rural settings, in front of federal, state, and tribal courts, and at administrative bodies too. Major linear right-of-way projects have included:

- **Land Rights Counsel—CapX2020:** Fredrikson served as Land Rights Counsel for the CapX2020 transmission projects in Minnesota, North Dakota, Wisconsin and South Dakota. The CapX2020 project involved the construction of three 345 kV transmission lines, and a 230 kV transmission line, totaling over 600 miles of new transmission lines.
- **Land Rights Counsel—MinnCan Pipeline:** Fredrikson represented the Minnesota Pipe Line Company, L.L.C., with respect to right-of-way acquisition for the 305-mile long crude oil MinnCan pipeline project. The representation covered all aspects of land acquisition, including survey access petitions, condemnation petitions, and valuation hearings.
- **U.S. Land Rights Counsel—Alliance Pipeline:** The 36-inch, high-pressure natural gas Alliance Pipeline runs 1,900 miles from British Columbia to Chicago, with approximately 252 miles in Minnesota. Fredrikson commenced condemnation actions in 13 Minnesota counties, involving over 300 parcels of land and over 1,000 respondents, and was also responsible for obtaining numerous permits and authorizations from each county.

Representation of Owners

Continuing Eminent Domain Representations

- Represent a leading national retailer in eminent domain matters across the United States.

- Represent a leading national retail REIT in eminent domain matters in the Upper Midwest.
- Represent a leading national convenience store company in eminent domain matters in Minnesota.
- Represent three leading fast-service restaurant companies (QSRs) in eminent domain matters in Minnesota.

Completed Matters

- Represented the owners of more than 10 separate parcels taken for the Green Line SWLRT in Hennepin County, Minnesota. Awards include one of the largest absolute amounts (more than \$25 million) and one of the largest dollar increases over the initial offer (more than 900%).
- Represented owners of the land taken by eminent domain for Target Field, the Minnesota Twins baseball stadium in downtown Minneapolis. After five weeks of hearings and an award of \$23 million, the matter was settled for more than \$28 million, more than twice the government's pre-condemnation offer.
- Represented the owner of a full block parcel, and the owners of a near full block parcel taken by eminent domain for the Minnesota Vikings football stadium in downtown Minneapolis.
- Represented a nationally branded fast-food restaurant in a successful inverse condemnation action stemming from closure of a nearby access point. Compensation exceeded \$1.1 million.
- Represented owners of lands taken by eminent domain for the new Guthrie Theatre along the Mississippi River in Minneapolis. The award of more than \$5 million exceeded the government's offer by more than \$3 million. The matter involved complex zoning and development issues.
- Represented owners of a large tract of development land in the Northwest suburbs of Minneapolis that was bisected by a large diameter sewer line. The award of more than \$3 million was approximately six times the government's offer. This matter presented unusual legal and geotechnical issues.
- Represented owners of one of the last family farms within the 494-694 loop in a partial condemnation by a school district. The final award of approximately \$4 million was more than double the government's valuation.
- Represented owners of a family farm in Carver County, Minnesota severed by a new highway. Award exceeded offer by a multiple of five.
- Represented a suburban shopping center owner in a partial taking in which loss of visibility and parking impacted tenant rents and occupancy. The award of more than \$4 million was more than five times the government's offer.
- Represented a major retailer in a taking which severely reduced parking. On behalf of the retailer proposed, obtained an amendment to the local zoning ordinances that would allow the store to regain enough parking spaces to continue in operation. Even with this mitigation, the final award of nearly \$3 million was roughly three times the government's offer.