



Mark D. Savin

SHAREHOLDER

Minneapolis

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Services

Condemnation & Eminent Domain

Real Estate Litigation

Understanding complex, difficult condemnations, and knowing how to respond to them is the core of Mark's practice.

Companies with extensive property holdings are a key part of Mark's practice. His work is nationally-known from a presentation he made to the American Law Institute — American Bar Association, *What National Companies Need to Know About Condemnation...and what Condemnors Need to Know About National Companies*. He represents and advises a leading national discount retailer in eminent domain matters across the country; one of the nation's largest convenience store groups and one of the region's largest multi-family residential owners. He regularly handles eminent domain matters in Minnesota for three national quick-service restaurant companies, for one of the nation's largest self-storage companies, and for several large national REITs.

Mark frequently represents owners of Minnesota businesses whose property is being taken for a public project. He has handled takings of all kinds including farms, restaurants, office buildings, and shopping centers, as well as churches, hospitals and specialized agricultural and industrial facilities.

Experience

Owners

- Serves as outside eminent domain counsel for Target Corporation and in that capacity has been involved in more than 250 matters across the United States.
- Represents numerous owners of properties taken for the Southwest Light Rail Transit (SWLRT) project including owners of large multi-family residential developments, office buildings, industrial and manufacturing properties and development properties.
- Represented owner of a multi-family apartment complex part of which was taken for Southwest Light Rail Transit. Award exceeded offer by \$5.8 million.
- Represented owner of a large industrial property taken in its entirety for Southwest Light Rail Transit. Award exceeded offer by more than \$9 million.
- Represented the corporate owner of a full downtown block acquired for the U.S. Bank Vikings Football Stadium. Resolved by a sale of multiple blocks in which

condemned block was valued at approximately \$6,000,000 more than the condemnor's original offer.

- Represented developer-owner of a second downtown block acquired for U.S. Bank Vikings Football Stadium. Award exceeded offer by \$3,000,000.
- Represented owner of a hundred year family farm taken for a roadway project. Award exceeded condemnor's offer by more than \$2 million.
- Represented owner of a downtown Minneapolis office building which lost parking for an expanded bike trail. Award exceeded offer by \$1.1 million.
- Represented owners of lands taken for the new Minnesota Twins Baseball Stadium (with Daniel Rosen, Bruce Malkerson). After five weeks of hearings and an award of \$23 million, the matter was settled for \$28 million. Award exceeded offer by \$15 million.
- Represented owners of lands taken for the new Guthrie Theatre along the Mississippi River in Minneapolis. Award exceeded offer by \$3 million.
- Represented owners of development land in the Northwest suburbs of Minneapolis that was bisected by a trunk sewer line. Award exceeded offer by approximately \$2.5 million.
- Represented owners of one of the last family farms within the 494-694 loop in a partial taking by a school district. Award exceeded offer by \$2.1 million.
- Represented owners of a theatre property on Hennepin Avenue in downtown Minneapolis taken for redevelopment. Award exceeded offer by approximately \$2 million.
- Represented a suburban shopping center owner in a partial taking in which loss of visibility and parking impacted rents and occupancy. Award exceeded offer by more than \$3 million.
- Represented a national discount store retailer in Duluth, Minnesota when a road project cut across its parking lot. On behalf of the retailer, obtained an amendment to local setback ordinances that allowed the store to regain enough parking spaces to continue in operation. In addition, award for damages that could not be cured exceeded offer by \$2 million.
- Represented a Grand Forks, North Dakota homeowner whose property was taken for a flood diversion project. Compensation achieved through both eminent domain and related relocation laws was nearly \$2 million, more than triple the condemnor's offer.
- Represented a Milwaukee, Wisconsin landowner in a federal regulatory takings claim under the Tucker Act against the United States involving the Corps of Engineers refusal to issue permits for development. After eight years of litigation, the matter was resolved by the government paying the owner the as-developed market value of the property and his attorneys' fees.

Work for Developers

- Represented a national developer based in Minnesota in acquiring property for a large west suburban office development. Work included acquisition of approximately 25 properties, both residential and commercial, through negotiation and eminent domain.
- Represented a Minneapolis-based commercial developer in acquiring land for a large office park in Northeast Minneapolis. Work included both acquisition through purchase and coordinating with local development authority on use of eminent domain.
- Represented a national developer based in Minnesota in acquiring land for the corporate headquarters of a major electronics retailer. Work included acquisition of 86 properties and coordination of relocation for owners and tenants, but excluded the litigated eminent domain matter.
- Represented a housing developer in connection with the relocation issues necessary for the reconstruction of one of the Twin Cities' largest and most recognized affordable housing projects. Worked with the developer in forming a plan that allowed for the relocation of more than 1,300 tenants during the project.
- Represented a national developer in acquiring properties on Nicollet Mall for one of the area's premier office towers. Acquisition work included commercial relocation issues and the use of eminent domain.

Work for Utility Companies

- Represented a major natural gas utility in the acquisition of a 12 mile natural gas corridor in the Northern Minneapolis suburbs.
- Represented a large electrical Co-op in the acquisition of a 2.1 mile longitudinal power line easement on an active Minnesota railroad corridor.

Work for Public Authorities

- Represented the Metropolitan Airports Commission in acquiring numerous properties, including two hotels, a motel, commercial properties, industrial properties and an office park.
- Advised the City of Minneapolis on its acquisition of property from K-Mart for the re-opening of Nicollet Avenue.

Credentials

Education

- University of Minnesota Law School, J.D., *cum laude*, 1986
- Stanford University, Ph.D., 1976

- Stanford University, M.A., 1970
- Kenyon College, B.A., 1967

Admissions

- Minnesota, 1986
- U.S. District Court for the District of Minnesota, 1986
- U.S. Court of Appeals for the Eighth Circuit, 1989
- U.S. Court of Federal Claims, 1993
- U.S. Court of Appeals for the Federal Circuit, 2006
- U.S. Supreme Court, 1995

Recognition

- AV Preeminent® Peer Review Rated, Martindale-Hubbell, 2023
- *The Best Lawyers in America*, Eminent Domain and Condemnation Law, 2007-present
- *The Best Lawyers in America*, Real Estate Law, 2023
- *The Best Lawyers in America*, Lawyer of the Year in Minneapolis, Eminent Domain and Condemnation Law, 2013, 2019, 2021
- North Star Lawyer, Minnesota State Bar Association, 2020

Civic & Professional

Professional Activities

- Owners' Counsel of America, Chair, Scholarship Committee, 2021-2022
- Board Member, Owners' Counsel of America, Board Member, 2013-2015
- Ramsey County District Court, Co-Chair, Working Group on Eminent Domain, 2012-2013
- University of Minnesota Law School, Lecturer, 2007-2013
- University of St. Thomas Graduate Program, Lecturer, Real Estate Appraisal, 2007
- Minnesota State Bar Association, Co-Chair, Eminent Domain CLE, 2005-2006
- William Mitchell Law School, Lecturer, 2005-2006
- Jury Instruction Guide Committee, Member, Hennepin County, 2005
- *Minnesota Law Review*, 1984-1986

Community

- Beth Jacob Congregation, President, 2005-2007
- University of Minnesota, Hillel Foundation, President, 1999-2001

Legal Updates

Legal Update | 03.25.2020

Your Private Property Rights Amidst COVID-19

Publications & Presentations

Co-Author, Second Edition, "Minnesota" chapter, *The Law of Eminent Domain—Fifty State Survey*, American Bar Association, forthcoming

Panelist, *'Knick' of Time—A First Look at the Supreme Court's Revising Ripeness: Are Takings a State or Federal Question?*, ALI-CLE, Palm Springs, CA January 2019

Speaker, *Challenges to the Western Idea of Property*, 14th Annual Brigham-Kanner Property Rights Conference, College of William and Mary Law School, Williamsburg, VA, October 13, 2017

Speaker, *Effects of Sea Level Rise on Property Rights*, 13th Annual Brigham-Kanner Property Rights Conference, The Hague, Netherlands, October 21, 2016

Presenter, *Access & Visibility: How to Approach the Case for the Courtroom*, ALI-CLE, Austin, TX, January 2016

Presenter, *Highest and Best Use and the Challenges of the Market*, ALI-CLE, San Francisco, CA, February 2015

Panelist, *The Commissioners A to Z*, Minnesota CLE, Minneapolis, MN, February 2015

Speaker, *Defining the Essence of Property*, 10th Annual Brigham-Kanner Property Rights Conference, College of William and Mary Law School, Williamsburg, VA, October 18, 2013

Presenter, *The Changing Law of Visibility*, 30th Annual ALI-CLE Eminent Domain and Land Valuation Conference, Miami, FL, January 24-26, 2013

Author, "Minnesota" chapter, *The Law of Eminent Domain—Fifty State Survey*, ed. by W. Blake, American Bar Association, 2012

Presenter, *Two Comments on Common Sense and Eminent Domain*, American Law Institute—American Bar Association, San Diego, CA, January 2012

Panelist, *Current Issues: Condemnation, Zoning, Land Use Law And Practice*, Minnesota State Bar Association, Real Estate Institute, St. Paul, MN, November 2010

Co-Author, "Assessing and Mitigating the Zoning Impacts of A Partial Taking," *Condemnation, Zoning and Land Use 2009 Annual Review*, American Bar Association, 2009

Co-Presenter, *Apportionment Of Condemnation Awards Among Lessors, Lessees And Lenders*, American Law Institute – American Bar Association, Miami, FL, January 2009

Presenter, *Extending The Limits Of Just Compensation, The Biggest House in Town*, American Law Institute—American Bar Association, San Francisco, CA, January 2008

Co-Presenter, *A Real Estate Attorneys' Survival Guide: What You Need To Know About Real Property Valuation and Appraisals*, MAI, Minnesota State Bar Association, Real Estate Institute, St. Paul, MN, November 2007

Lecturer, *Legal Issues In Valuation*, University of St. Thomas, Graduate Program in Real Estate, Minneapolis, MN, January 2007

Presenter, *What National Companies Need To Know About Condemnation...And What Condemnors Need To Know About National Companies*, American Law Institute-American Bar Association, Miami, FL, January 2007