

Introduction to Eminent Domain Law in Minnesota
Helpful Cases and Statutes
(Listed in order of mention)

1. U.S. Const., Amend. V. – Federal constitutional provision limited power of eminent domain.
2. *Rum River Boom Co. v. Patterson*, 98 U.S. 403 (1879) – Stands for proposition that the power of eminent domain is inherent in the sovereign.
3. *Kelo v. City of New London*, 545 U.S. 469 (2005) – Economic development is a legitimate public purpose.
4. Minn. Stat. §117.025 – Defines “public use” and “public purpose.”
5. *Hous. & Redev. Auth. of St. Paul v. Greenman*, 96 N.W.2d 673 (Minn. 1959) – The clearing of blight is a public purpose upon which a taking may be based.
6. Minn.Stat. §117.027 – Sets guidelines for determining whether a property is “blighted.”
7. Minn.Stat. §117.055 – Sets out requirements for petition in condemnation.
8. Minn.Stat. §§117.054 and 117.036 – Provides that condemning authority must provide the owner all appraisals obtained and engage in negotiation with owner before commencing condemnation action.
9. *Lundell v. Cooperative Power Association*, 707 N.W.2d 376 (Minn. 2006) – Sets out standard for reviewing public use and necessity determinations of condemning authorities.
10. *Housing and Redevelopment Authority of the City of St. Paul v. ExxonMobil Corporation*, Unpublished decision, Minnesota Court of Appeals, April 18, 2006.
11. Minn.Stat. §117.042 – Sets out the rules of “quick-take.”
12. Minn. Const. Art. I, §13 – Minnesota constitutional provision protecting owners’ right to just compensation.
13. Minn.Stat. §117.075 – Governs appointment of commissioners.
14. Minn.Stat. §§117.085 and 117.105 – Governs commissioners powers and procedure for commissioners’ hearings.
15. *Ramsey County v. Miller*, 316 N.W.2d 917 (Minn.1982) – Provides definition of “Just Compensation” and “Fair Market Value.”
16. *State by Lord v. Pahl*, 95 N.W.2d 85 (Minn. 1959); *State by Lord v. Pearson*, 110 N.W.2d 206 (Minn. 1961) – Provides statement of law on compensation in case of a partial taking.
17. Minn.Stat. §117.175 – Governs jury trial on appeal from commissioners’ award.
18. Minn.Stat. §117.031 – Provides for award of attorneys’ fees if certain thresholds are crossed.
19. Minn.Stat. §117.186 – Provides compensation for lost going concern value.