



# Hennepin County, Minnesota

## ACQUISITION INFORMATION FOR PROPERTY OWNERS

Hennepin County  
Public Works Department  
Land Acquisition Group  
1600 Prairie Drive  
Medina, MN 55340

Main Number: 612-348-4795  
Fax Number: 612-321-3410

A primary responsibility of the Hennepin County Public Works Department is the planning, construction, maintenance and safety control of the County road system.

To carry out this responsibility the acquisition of property rights, most often an easement that allows for construction, however a total take is sometimes necessary. The purpose of this brochure is to inform property owners about the acquisition process and their rights under Minnesota law.

Under Minnesota law the County may acquire property by direct purchase, gift, or eminent domain proceedings.

### APPRAISAL

When the County determines that part or all of your property will be needed for a public road project, an appraisal of the required acquisition will be made to determine the amount of compensation to be offered to you. The amount of property rights required is determined by the project and will be shared with you. You will be offered an opportunity to accompany the appraiser on an inspection of your

property and to provide the appraiser with any information related to your property.

The appraisal is based primarily on studies of recent sales of similar property in your community. A copy will be provided to you at the time of the offer.

You also are entitled to reimbursement for the reasonable costs of an appraisal; up to \$1,500 for a single or two family residential property or up to \$5,000 for industrial, agricultural or commercial property.

### DIRECT PURCHASE

Hennepin County will make a written offer to purchase your property. If the acquisition leaves you with an uneconomic remnant, the County will offer to purchase it.

You will have a reasonable length of time to consider the County's offer.

If you accept the offer, the County will prepare legal documents to convey the required portion of your property to the County. Hennepin County will, at its own expense, examine the title, furnish and record

all documents necessary to complete the acquisition.

If you have a mortgage on your property, your lender may be named as a “co-payee” on the compensation check. You will need to discuss this with your mortgage company.

### **GIFTS OR DONATIONS**

You have the right to receive just compensation for the acquisition of the property being acquired. You are also entitled to have an appraisal made of the property along with an offer of just compensation. However, you may waive your rights from either or both of these obligations.

You may make a gift or donation of the property being acquired by the County.

### **EMINENT DOMAIN**

If, after a reasonable time, the County and you are unable to agree upon a purchase price, the County will begin an eminent domain proceeding. All parties with an interest in the property will receive a Notice of this action.

A project often requires the County to acquire the rights of the property by a specific date. In that event you may elect to have the amount of the County’s offer paid directly to you or deposited with the court, although in some circumstances the County may be required to deposit the funds with the court. Even though a court procedure has begun, the County will continue to make every reasonable effort to work with you to negotiate a settlement.

Under Minnesota law the court will appoint three commissioners experienced in real estate values. If no settlement can be reached, the commissioners will hold a hearing to determine the compensation to be paid to you for the acquisition. Either party can appeal the commissioners’ award which may result in mediation, a jury or court trial.

### **RELOCATION/POSSESSION**

If your home is being acquired, or you must move your business or farm operation because of a County acquisition, you will be given at least 90 days advance written notice and a 30 day written notice of the date you will be required to vacate the

property. You also may be entitled to other relocation benefits. If displaced from your home, a decent, safe and sanitary replacement dwelling must be available to you prior to displacement.

You are not required to surrender possession of your property until:

- 1) You have received the agreed purchase price, or
- 2) The County has paid to you or deposited with the court, the amount of the County’s approved appraisal.

### **FOR ADDITIONAL INFORMATION**

If you desire more information please contact the Hennepin County Land Acquisition Group at 612-348-4795 or [www.hennepin.us](http://www.hennepin.us)