

STATE OF MINNESOTA
COUNTY OF HENNEPIN
IN DISTRICT COURT
FOURTH JUDICIAL DISTRICT
Court File No.:27-CV-18-8457
CASE TYPE: CONDEMNATION
THE HONORABLE LAURIE J. MILLER
State of Minnesota, by its Commissioner of Transportation,
Petitioner,
vs.
Kimberly E. Corey, et al.
Respondents.

**IN THE MATTER OF THE CONDEMNATION OF
CERTAIN LANDS FOR TRUNK HIGHWAY PURPOSES
NOTICE**

To the Respondents hereinabove named:
You, and each of you, are hereby notified that on August 22, 2018, at 9:00 o'clock AM., or as soon thereafter as counsel can be heard, before Judge Laurie J. Miller, Courtroom 1357, in the Government Center at Minneapolis, Hennepin County, Minnesota, the above named petitioner will present to the above named Court a petition now on file herein for the condemnation of certain lands for trunk highway purposes. A copy of said petition is attached hereto and incorporated herein.
YOU, AND EACH OF YOU, ARE FURTHER NOTIFIED, That at the above time and place the above-named petitioner will also move the court for an order transferring title and possession to petitioner of the parcels described in the petition in accordance with Minn. Stat. §117.042, as of September 26, 2018.
YOU, AND EACH OF YOU, ARE FURTHER NOTIFIED, that all persons occupying the property described in the petition must VACATE THE PREMISES AND MOVE ALL OF YOUR PERSONAL PROPERTY FROM SAID PREMISES ON OR BEFORE SEPTEMBER 26, 2018. All advertising signs or devices located on the property being acquired must be removed by September 26, 2018.
YOU, AND EACH OF YOU, ARE FURTHER NOTIFIED, that (1) a party wishing to challenge the public use or public purpose, necessity, or authority for a taking must appear at the court hearing and state the objection or must appeal within 60 days of a court order; and (2) a court order approving the public use or public purpose, necessity, and authority for the taking is final unless an appeal is brought within 60 days after service of the order on the party.
Dated: May 23, 2018
OFFICE OF THE ATTORNEY GENERAL
State of Minnesota
/s/ Dominic J. Haik
DOMINIC J. HAIK
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STATE OF MINNESOTA
COUNTY OF HENNEPIN
DISTRICT COURT
FOURTH JUDICIAL DISTRICT
CASE TYPE: Condemnation
State of Minnesota, by its Commissioner of Transportation,
Petitioner,
vs.
Kimberly E Corey, John J Corey, Lend Smart Mortgage, LLC, Mortgage Electronic Registration Systems, Inc., Suntrust Mortgage Inc., County of Hennepin, TC Real Estate Holdings, L.L.C., Star Bank, Arvest Mortgage Company, doing business as Arvest Central Mortgage Company, also all other persons unknown claiming any right, title, estate, interest or lien in the real estate described in the Petition herein,
Respondents.

**IN THE MATTER OF THE CONDEMNATION OF CERTAIN
LANDS FOR TRUNK HIGHWAY PURPOSES
PETITION**

To the District Court above named the State of Minnesota brings this Petition and respectfully states and alleges:

I.
That Trunk Highway Legislative Route numbered 384, which has been renumbered 62, and which has been located according to law, passes over the lands herein described.
That it is duly covered by Right of Way Plat Order numbered 97269.

II.
That the Commissioner of Transportation deems it necessary that the State of Minnesota for trunk highway purposes obtain the lands herein described in fee simple absolute, together with the following rights: to acquire from the owners whose lands front thereon any existing right of access to said highway in those cases which are herein particularly mentioned, and to keep and have the exclusive control of all access to said highway in accordance with the law governing controlled access highways, and to acquire a temporary easement in those cases which are herein particularly mentioned.
It is the intention of the above-named petitioner to move the court for an order authorizing the Court Administrator to accept and deposit in an interest bearing account payments from the petitioner to the court pursuant to Minnesota statutes.
Further, it is the intention of the above-named petitioner to move the court for an order transferring title and possession of the parcels herein described, prior to the filing of an award by the court appointed commissioners, pursuant to Minnesota Statutes §117.042.
The petitioner reserves its right to recover costs of clean up and testing and all other

damages arising from the presence of pollutants, contaminants, or hazardous materials on the property described herein, from all potential responsible parties, including respondents herein where appropriate, in a separate legal action to the extent permitted by law.
III.
That the following described lands in these proceedings taken are situated in Hennepin County, Minnesota; that the names of all persons appearing of record or known to your petitioner to be the owners of said lands or interested therein, including all whom your petitioner has been able by investigation and inquiry to discover, together with the nature of the ownership of each, as nearly as can be ascertained, are as follows:
FEE ACQUISITION
Parcel 201C C.S. 2774 (62=384) 901
S.P. 2774-23RW

All of the following:
That part of Lot 2, Block 2, PEACEDALE ACRES HOPPE REPLAT, shown as Parcel 201C on Minnesota Department of Transportation Right of Way Plat Numbered 27-231 as the same is on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;
together with other rights as set forth below, forming and being part of said Parcel 201C:
Access:
All right of access as shown on said plat by the access control symbol.
Temporary Easement:
A temporary easement for highway purposes as shown on said plat as to said Parcel 201C by the temporary easement symbol, said easement shall cease on December 1, 2021, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.
Names of parties interested in the above described land and nature of interest:
Kimberly E Corey
John J Corey
Lend Smart Mortgage, LLC
Mortgage Electronic Registration Systems, Inc.
Suntrust Mortgage Inc.
County of Hennepin
FEE ACQUISITION
Parcel 201E C.S. 2774 (62=384) 901
S.P. 2774-23RW

All of the following:
That part of Lot 3, Block 1, REPLAT OF LOTS 5 & 6, BLOCK 1, PEACEDALE ACRES, shown as Parcel 201E on Minnesota Department of Transportation Right of Way Plat Numbered 27-231 as the same is on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;
together with other rights as set forth below, forming and being part of said Parcel 201E:
Temporary Easement:
A temporary easement for highway purposes as shown on said plat as to said Parcel 201E by the temporary easement symbol, said easement shall cease on December 1, 2021, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.
Names of parties interested in the above described land and nature of interest:
TC Real Estate Holdings, L.L.C.
Star Bank
Mortgage Electronic Registration Systems, Inc.
Arvest Mortgage Company,
doing business as Arvest Central Mortgage Company
County of Hennepin
WHEREFORE, Your petitioner prays that commissioners be appointed to appraise the damages which may be occasioned by such taking, and that such proceedings may be had herein as are provided by law.
Dated: May 17, 2018
Respectfully submitted,
OFFICE OF THE ATTORNEY GENERAL
State of Minnesota
/s/ Dominic J. Haik
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ATTORNEY FOR PETITIONER
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MINN. STAT. § 549.211
ACKNOWLEDGMENT
The party or parties on whose behalf the attached document is served acknowledge through their undersigned counsel that sanctions may be imposed pursuant to Minn. Stat. § 549.211.
Dated: May 17, 2018
OFFICE OF THE ATTORNEY GENERAL
State of Minnesota
/s/ Dominic J. Haik
DOMINIC J. HAIK
Assistant Attorney General
Published in the
Edina Sun Current
June 21, 28, July 5, 2018
827081