

A bill for an act

relating to eminent domain; providing for discharge of a portion of an easement
acquired by condemnation; amending Minnesota Statutes 2008, section 117.225.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 117.225, is amended to read:

117.225 EASEMENT DISCHARGE.

Whenever claiming that an easement or portion of an easement acquired by
condemnation is not being used for the purposes for which it was acquired, the underlying
fee owner may apply to the district court of the county in which the land is situated for an
order discharging the easement or portion of the easement, upon such terms as are just and
equitable. Due notice of said application shall be given to all interested parties. Provided,
however, this section shall not apply to easements or portions of easements acquired by
condemnation by a public service corporation now or hereafter doing business in the
state of Minnesota.