

SENATE

STATE OF MINNESOTA

EIGHTY-NINTH SESSION

S.F. No. 117

(SENATE AUTHORS: KOENEN)

DATE	D-PG	OFFICIAL STATUS
01/15/2015	71	Introduction and first reading Referred to Judiciary

A bill for an act  
relating to eminent domain; providing for discharge of a portion of an easement  
acquired by condemnation for trunk highway purposes; amending Minnesota  
Statutes 2014, section 117.225.

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

Section 1. Minnesota Statutes 2014, section 117.225, is amended to read:

**117.225 EASEMENT DISCHARGE.**

Subdivision 1. General. Whenever claiming that an easement acquired by  
condemnation, or portion of an easement described in subdivision 2, 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 acquired by condemnation by a public service corporation  
now or hereafter doing business in the state of Minnesota for any purpose other than  
construction or expansion of:

(1) a high-voltage transmission line of 100 kilovolts or more, including ancillary  
substations; or

(2) a natural gas, petroleum, or petroleum products pipeline, including ancillary  
compressor stations or pumping stations.

For purposes of this section, "pipeline" does not include a natural gas distribution  
line transporting gas to an end user.

Subd. 2. Discharge of portion of easement. A fee owner may apply to the district  
court for an order discharging a portion of an easement that was acquired for trunk

- 2.1 highway purposes if the portion of the easement is not being used for those purposes and
- 2.2 at least 40 years have elapsed since the easement was originally acquired.