

HOUSE RESEARCH

Bill Summary

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Subject: Eminent domain, discharge of a portion of an easement

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Permits the underlying fee owner to apply to the district court for discharge of a portion of an easement acquired but not used for the purposes for which it was acquired.

This section does not apply to condemnation by a public service corporation, such as a utility.

In *Larson v. State*, 790 N.W.2d 700 (Minn. 2010), the Minnesota Supreme Court held that Minnesota Statutes, section 117.225 only allows discharge of an entire easement, not a portion of it.