

# DANIEL J. BEESON

## SHAREHOLDER



### AREAS OF PRACTICE

Eminent Domain/Condemnation  
Real Estate Litigation  
Appellate Practice  
Land Use and Zoning  
Governmental Law  
Independent Hearing Examiner (Contested Relocation Assistance Appeals)

### POSITION

**LeVander, Gillen & Miller, P.A.**  
Shareholder (Since 1981)  
Vice President of the Board  
Member, Finance and Management Committee  
Chair, Eminent Domain Practice Group

### EDUCATION

**William Mitchell College of Law**  
Juris Doctor (J.D.), 1977  
*Honors: Cum Laude*

**University of Minnesota**  
Bachelor of Arts (B.A.), 1972  
*Major: Political Science*  
*Honors: Marshal H. Alworth Scholar  
Frederick Klaeber Scholar*

### BAR ADMISSIONS

Minnesota Supreme Court, 1977  
United States District Court, District of Minnesota, 1978

### APPOINTMENTS, MEMBERSHIPS, AND ASSOCIATIONS

American Trial Lawyers Association  
Minnesota Trial Lawyers Association  
International Right of Way Association  
First Judicial District Ethics Committee  
River Heights Chamber of Commerce

### BAR ASSOCIATION MEMBERSHIP

American Bar Association  
Minnesota State Bar Association  
First Judicial District Bar Association  
Dakota County Bar Association  
Hennepin County Bar Association  
- Eminent Domain Section  
- Civil Jury Instruction Guide Subcommittee

633 SOUTH CONCORD STREET, SUITE 400 • SOUTH SAINT PAUL, MINNESOTA 55075

TEL 651-451-1831 • FAX 651-450-7384 • TOLL FREE 888-451-1831

EMAIL: [DBEESON@LEVANDER.COM](mailto:DBEESON@LEVANDER.COM)

## **VOLUNTEER AND PRO BONO ACTIVITIES**

Dakota County Law Library Board  
Minnesota Hockey District 2 Representative  
Irondale Youth Hockey Association Board  
North Suburban Youth Lacrosse Association Board  
Irondale High School Boys Lacrosse Team  
- Representative and Manager

## **SEMINARS AND PRESENTATIONS**

“An Overview of Inverse Condemnation,” Minnesota Right of Way Professionals Conference, Minnesota Department of Transportation

“Vacation of Public Road Right of Way and Taking of Abutting Owner’s Easements of Air, Light, View and Access,” Minnesota Institute of Legal Education

“Doing the Right Thing: Ethics and Legal Considerations in Condemnation,” Minnesota Right of Way Professionals Conference, Minnesota Department of Transportation

“Condemnation Commissioners in the First Judicial District,” Hennepin County Bar Association, Eminent Domain Section

“Preparation for a Successful Hearing on Petition and Quick Take,” Minnesota Right of Way Professionals Conference, Minnesota Department of Transportation

“The Practice of Law as a Higher Calling,” Minnesota Right of Way Professional Conference, Minnesota Department of Transportation

## **EMINENT DOMAIN EXPERIENCE**

Represented landowner and defeated government’s attempt to condemn one-half of owner’s development parcel at condemnation petition hearing. Subsequent negotiations resulted in successful fair market value sale and favorable high density rezoning of remainder parcel with a multi-million dollar benefit to client.

Successfully represented landowner in a condemnation of undeveloped parcels for construction of a controlled access highway interchange in the metro area. The final seven-figure condemnation award was over 2 ½ times the amount of the condemnor’s quick-take appraisals and deposits.

Represented convenience stores/stations, restaurants, medical offices, office showrooms/office warehouses, and other commercial and retail businesses in various highway access taking condemnation cases resulting in substantial severance damage awards from condemnation commissioners.

Represented landowner of a large parcel of vacant development land. Defeated a partial taking condemnation at petition hearing and successfully negotiated a multi-million dollar total acquisition for fair market value.

Successfully negotiated a damage settlement in excess of \$1 Million for a partial taking of a rural parcel of land. Issues of highest and best use and impact of the highway taking upon sand and gravel mining use resulted in a settlement over six-times the government’s appraisal and quick-take deposit.

## EMINENT DOMAIN EXPERIENCE

(CONTINUED)

Represented church in a partial taking condemnation. Loss of access and parking claims resulted in a six-figure damage award by the condemnation commissioners that was over five-times the government's appraisal and quick-take payment.

Successfully acquired by direct negotiation and condemnation five parcels totaling 225 acres for municipal golf course.

Represented state, county, and city interests in 26-parcel condemnation acquisition to facilitate construction of \$18 Million Highway 52 interchange and infrastructure project.

Represented major oil company in a partial taking condemnation resulting in the district court declaring the city's charter condemnation power unconstitutional, granting inverse condemnation petition and awarding attorneys' fees and costs.

Successfully represented numerous landowners in total and partial takings of property in state, county, and city condemnations throughout the metropolitan area and the State of Minnesota.

## NOTABLE CASES AND APPELLATE EXPERIENCE

*In re the Application for Relocation Benefits of Richard and Janice Pickering v. City of Plymouth,*  
(Minnesota Court of Appeals)  
2004 W.L. A 03-821 (Minn. App. April 6, 2004)

*Sinclair Oil Corporation v. City of St. Paul,*  
(Minnesota Court of Appeals)  
2002 W.L. 19029020 (Minn. App. Aug. 20, 2002)

*Matter of Condemnation of Certain Lands in the City of White Bear Lake,*  
(Minnesota Court of Appeals)  
555 N.W.2d.541 (Minn. App. 1996)

*Odell v. City of Eagan,*  
(Minnesota Court of Appeals)  
348 N.W.2d 792 (Minn. App. 1984)

*Peterson v. City of Inver Grove Heights,*  
(Minnesota Court of Appeals)  
345 N.W.2d 274 (Minn. App. 1984)

## REPRESENTATIVE CLIENTS

Sinclair Oil Corporation, Inc.  
Sears Roebuck and Co.  
Super America, Inc.  
West St. Paul Economic Development Authority  
South St. Paul Housing and Redevelopment Authority  
City of Inver Grove Heights  
Optimum Mortgage Services, Inc.