

**DANIEL BEESON**  
**Shareholder**



**Areas of Practice**

Eminent Domain/Condemnation  
Real Estate Litigation  
Appellate Practice  
Land Use and Zoning  
Governmental Law

**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 Doctorate (J.D.), 1977  
Honors: Cum Laude

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

**Bar Admissions**

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

**Appointments,  
Memberships and  
Associations**

Minnesota Association for Justice  
International Right-of-Way Association  
First Judicial District Ethics Committee, Chair  
Minnesota Eminent Domain Institute (MEDI), Board of Directors

**Bar Association  
Membership**

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 (Eminent Domain)

**Awards, Honors  
& Recognitions**

Recognized as a Super Lawyer,  
Minnesota Law & Politics, Eminent Domain and Condemnation  
(2006-2014)  
Recognized Among the Top 100 Attorneys in Minnesota,  
*Twin Cities Business*  
(2011-2014)

## **Volunteer and Pro Bono Activities**

Dakota County Law Library Board  
Former North Suburban Youth Lacrosse Association Board Member  
Former Minnesota Hockey District 2 Representative

## **Seminars and Presentations**

“Post Kelo v. City of New London: Minnesota Answers the U.S. Supreme Court’s Invitation to Restrict the Exercise of Government Taking Power.”

Minnesota Paralegal Association Convention

“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**

Successfully prepared and negotiated a \$4.2 million government payment for partial taking of a freeway interchange development parcel.

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 secured a significant loss of going concern damage award pursuant to Minn. Stat. Section 117.186 for a national childcare center in a total taking condemnation.

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

Represented landowner with 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.

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

## **Eminent Domain Experience**

(Continued)

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

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.

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

Represented major oil company in a partial taking condemnation resulting in the district court declaring a city’s charter condemnation power unconstitutional, granting inverse condemnation Petition and awarding the client a significant, six- figure judgment for 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 (April 6, 2004)

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

Northern Tier Retail/SuperAmerica  
Menards, Inc.  
White Castle System, Inc.  
Knowledge Universe Education  
KinderCare Learning Centers  
KC Propco, LLC  
Burnsville Motors  
Brown-Campbell Company  
Azure Properties, Inc.  
Summit Bank

## **Representative Clients**

(Continued)

Sinclair Oil Corporation, Inc.  
Speedway SuperAmerica, LLC  
Maplewood Business Center  
Central Bank  
Fourth Street Capital, LLC  
Sears Roebuck and Co.  
Rosemount Aerospace, Inc.  
Goodrich Corporation  
Ashland, Inc.  
Lake States Lumber, Inc.  
Arbor Commercial Group  
311 Properties, LLC  
Roger's Enterprises, Inc./Holiday Franchise  
Greenstreet Partners, L.P.  
Rogers Development Partners, Inc./KinderCare  
Sinclair Marketing, Inc.  
SuperAsh Remainderman, LLC/SuperAmerica  
Church of St. Henry  
RWH Properties, Inc.  
Doctors Park Properties, Inc.  
B & S Land Development, LLC/Holiday Franchise  
Gonyea Land Company  
Life Church  
West St. Paul Economic Development Authority  
South St. Paul Housing and Redevelopment Authority  
City of Inver Grove Heights