

DIRECT TESTIMONY OF

DONALD KORTE,

INTERVENOR

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Q1. Please state your name for the record.

Donald E. Korte, and I am a managing partner of the Korte Farm Partnership Trust of which there are three other partners.

Q2: How long has the Korte Farm Partnership Trust been in existence, approximately?

The trust has only been in existence since a year ago December. The Korte Farm Partnership has been in existence since 1975.

Q3: Ok, a long time. Is it fair to say that the Korte Farm Partnership Trust is a trust set up to hold the farm in real estate.

Yes, in a family name and as we get older for the purpose of making it easier to lessen the tax burden.

Q4. And does the trust hold land that is the subject of the Enbridge petition for Eminent Domain Authority currently pending before the Illinois Commerce Commission?

Yes it does.

Q5: How many acres are in the Korte Farm Partnership Trust that might potentially be involved on a tract that has the pipeline going through it?

158 acres. An additional 40 across the road which would not be impacted.

1 **Q6: What is your relationship to the Korte Farm Partnership Trust? Are you just**
2 **one of the trust beneficiaries or a trustee or what?**

3 We are all four trustees.

4 **Q7: Enbridge has claimed that they have submitted materials to all the people,**
5 **including you and the Korte farms via mail, phone call and in person, that you**
6 **and all the other people have refused to negotiate in good faith and have been**
7 **unwilling and basically stubborn and bull headed. Have you had contacts with**
8 **Enbridge land agents?**

9 I have received phone calls, I have received mailings, I have never met with them
10 in person.

11 **Q8: Ok. What about your family members?**

12 None of them have met in person. All the communication that we have received
13 from them, at least recently have been directed only to me.

14 **Q9: What are some of the things that were communicated over the telephone with**
15 **them?**

16 Ok, let me stop and think about this.

17 **Q10: I am talking about general subjects. Did anyone ever admit they had pipeline**
18 **spills in Michigan or any other place? Romeoville or Minnesota?**

19 The only thing they only communicated was follow ups to mailing. Based on the
20 monetary offers which were, in my opinion, insults. Very low ball and I basically
21 said, "Until you get the numbers up to where they are more realistic of fair
22 market value, there is no purpose in us carrying this conversation any further."

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Q11. Are there things other than simply money that have caused you and the Korte Farm Partnership concerns, for example, environmental issues or cutting tiles?

Sure. And we have considered water supply. How close it is going to be to where the pipeline is allegedly going to go through. They have made no effort to say they will test the water before, during or after the pipeline installation. That is one of the issues that my family put together. Their right of way easement grant is so general that it leaves things wide open for them to do things that are not spelled out. Such as, until the most recent one, it was not limited to a single pipeline. There is no definition in there as to the size of the pipeline that they can lay. There is no definition in there that if they want to lay another one down the road that they will negotiate again. And again, the devaluation of land is going to exist regardless of what they say.

Q12: Have they talked to you about the devaluation of the land, especially for the land that is not under the easement but right next to it?

They never have discussed that.

Q13: They have never been willing to talk about damage to the remainder to you?

No. On the issues, my family got together back in June that we put together that the four of us will need to sit down with you and redo the easement grant agreement before it is even going to be acceptable to look at further.

1 **Q14: Tell me about the offers that they have made you. What kind of offers have**
2 **they made on your property? You said they were low ball figures. Have you**
3 **communicated to them that you did not feel those numbers were valid?**

4 I certainly did communicate to them that they were not sufficient. I felt they
5 were low balling. The amount of acreage I did find here. 1.83 plus 1.83 because
6 we are two different tracts.

7 **Q15: Ok, approximately 3.6?**

8 I did a spreadsheet on the width and the length and so on and the most recent
9 offer was May 22, 2013.

10 **Q16: May 22nd. And, what was that offer on that? Do have it in front of you?**

11 Value per acre - \$15,000. His offer was \$12,000. The one before that was
12 \$7,000.

13 **Q17: Does this conclude your testimony?**

14 Yes.

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