

MEMORANDUM

TO: Finance, Expenditures and Legal Subcommittee

FROM: Amanda Grint, Water Resources Engineer

SUBJECT: West Papillion Regional Basin 6 Surplus Land Sale Agreement

DATE: August 30, 2019

In November 2018, the District closed on a parcel of land with the Haug Family Trust for the West Papillion Regional Basin 6 project (WP6). At the time of the purchase a development was being planned adjacent to the WP6 reservoir and there was a contract on the land. The developer with the contract, BHI, Inc., was a party to the purchase agreement acknowledging that part of the contract land was going to be used for WP6. There was back and forth with the survey on the property line as the development was just in conceptual layout phase. It was agreed that the amount of land that the District initially depicted for the project, 41.614 acres, could be decreased with some grading by the development to 38.92 acres. The intent of the parties was to close on the 38.92 acres however, a mix up occurred and 41.614 acres was deeded to the District during the closing process.

The adjacent land has now closed and BHI, Inc. is the owner. They request, and staff concurs, that the 2.693 acres can be declared surplus and sold back to BHI, Inc. as was originally intended. The development has provided a grading plan that offsets flood storage and therefore there is no reason for the Districts original tract of land to be 41.614 acres. The land would be sold to BHI, Inc. at the price it was purchased, \$44,000 per acre for a total of \$118,492. The proposed purchase agreement is attached.

Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute the purchase agreement with BHI, Inc. for the sale of 2.693 acres of West Papillion Regional Basin 6 Project Surplus Land in the amount of \$118,492, subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

Tract Number	Parcel ID	Total Parcel Area (acres)	Dam/Spillway Area (acres)	Permanent Pool Area (acres)	500-Year Pool Area (acres)	Top of Dam Area (acres)	Additional Purchase (acres)	Total Project Area (acres)
1	010385347	152.7	7.6	31.1	24.5	8.3	4.7	76.2
2	010522298	78.9	---	3.2	13.0	9.5	---	25.7
3	011592009	1.5	---	---	0.2	0.1	---	0.3
4	011592008	6.6	---	---	0.8	0.5	---	1.3
Total Purchase			7.6	34.3	38.4	18.5	---	98.8
Within Existing/Future ROW			---	---	1.2	0.46	---	1.7
Total Project Area			7.6	34.3	39.6	18.9	4.7	105.1

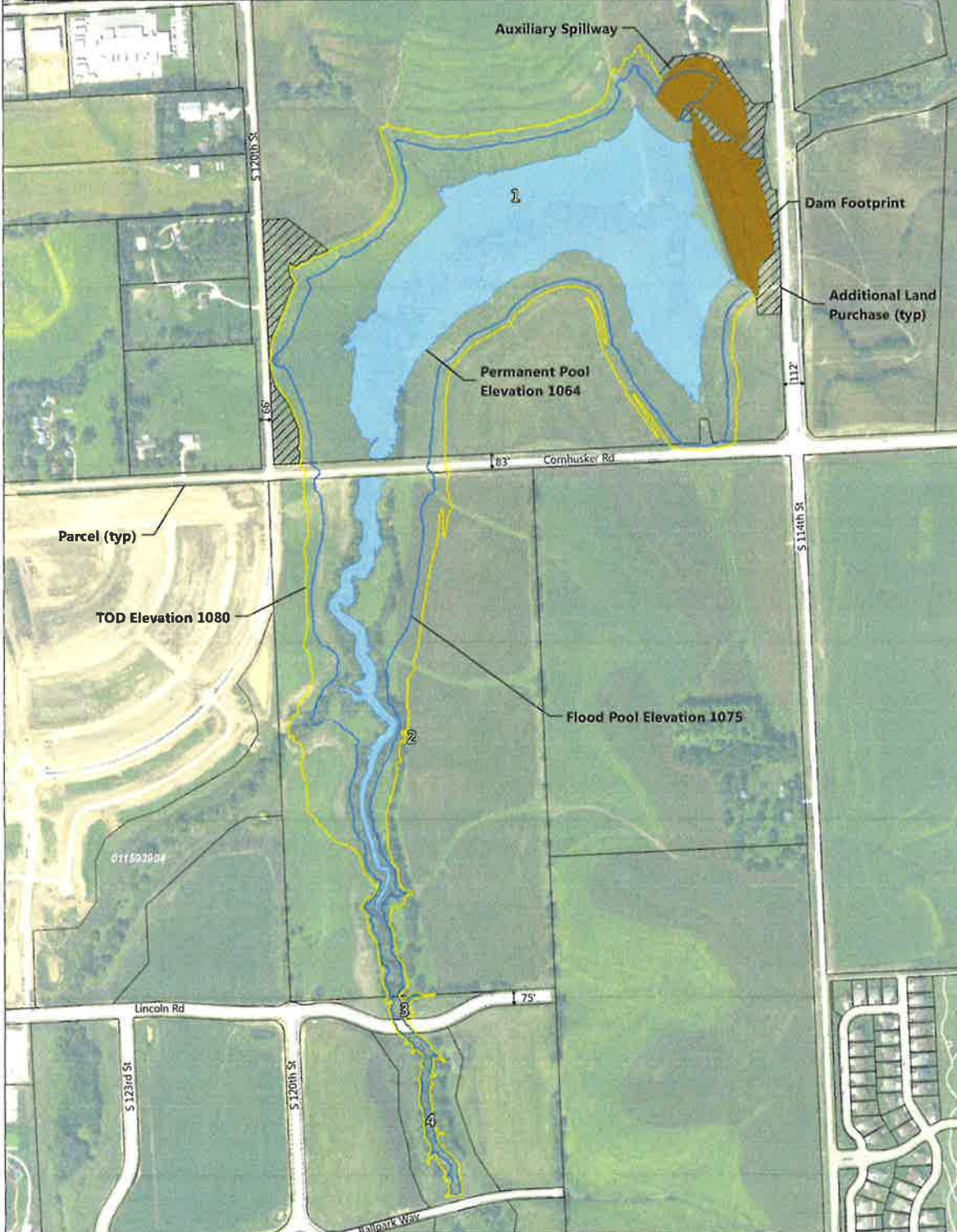
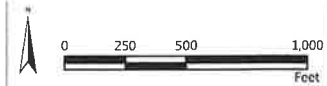


Figure 16. WP-6 Land Rights Map

WP-6&7 Preliminary Design
 Papio-Missouri River NRD

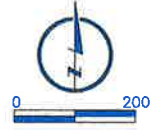


EXHIBIT

NW CORNER NW 1/4
SEC. 29, T14N, R12E
FOUND 3/4" PINCH TOP
PIPE, 0.4' BELOW SURFACE

NE CORNER NW 1/4
SEC. 29, T14N, R12E

CORNHUSKER ROAD
100' PUBLIC RIGHT OF WAY



LEGEND

- EASEMENT LINE
- BOUNDARY LINE
- SECTION CORNER

LEGAL DESCRIPTION

PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SECTION 29, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:
(SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)

W 1/2, NW 1/4, SECTION 29, T14N, R12E
UNPLATTED

NORTH SHORE 2
PLAT BOUNDARY

FUTURE NORTH SHORE 2

2.693 ACRES

PNRD BOUNDARY
PER E&A

E 1/2, NW 1/4, SECTION 29, T14N, R12E

SCHEWE FARMS

POINT OF COMMENCEMENT
SW CORNER NW 1/4
SEC. 29, T14N, R12E
FOUND 2" BRASS CAP
0.2' BELOW SURFACE
SARPY COUNTY GOVT
CORNER

POINT OF BEGINNING
N87°14'31"E
583.16'

SE CORNER W 1/2, NW 1/4
SEC. 29, T14N, R12E
5/8" RB WITH 1 1/4"
YELLOW PLASTIC CAP STAMPED
"LS 692"

LINCOLN STREET

**LAMP
RYNEARSON**

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DESIGNER / DRAFTER
J.C./EAM
REVIEWER
PROJECT NUMBER
0118948.01
DATE
8-28-2019
SURFACE LOCATION
BOOK AND PAGE

EXHIBIT

LEGAL DESCRIPTION

PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SECTION 29, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE NORTH 87°14'31" EAST (BEARINGS REFERENCED TO THE FINAL PLAT OF NORTH SHORE 2) FOR 583.16 FEET ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29 TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 12°40'04" WEST FOR 372.58 FEET;

THENCE NORTH 42°00'20" EAST FOR 88.99 FEET;

THENCE NORTH 06°14'43" EAST FOR 101.46 FEET;

THENCE NORTH 17°36'17" WEST FOR 284.44 FEET;

THENCE NORTH 05°01'41" EAST FOR 201.36 FEET;

THENCE NORTH 10°16'00" EAST FOR 660.71 FEET;

THENCE NORTH 09°34'09" EAST FOR 694.18 FEET;

THENCE NORTH 26°01'50" EAST FOR 155.98 FEET;

THENCE NORTH 04°53'09" WEST FOR 137.08 FEET TO THE SOUTH RIGHT OF WAY LINE OF CORNHUSKER ROAD;

THENCE NORTH 87°16'17" EAST FOR 6.02 FEET ON SAID SOUTH RIGHT OF WAY LINE;

THENCE SOUTH 04°23'56" EAST FOR 166.79 FEET;

THENCE SOUTH 14°56'30" WEST FOR 149.85 FEET;

THENCE SOUTH 38°36'53" WEST FOR 65.04 FEET;

THENCE SOUTH 06°20'30" WEST FOR 889.12 FEET;

THENCE SOUTH 17°22'35" WEST FOR 319.70 FEET;

THENCE SOUTH 06°22'54" WEST FOR 179.00 FEET;

THENCE SOUTH 13°39'10" EAST FOR 219.24 FEET;

THENCE SOUTH 20°48'38" EAST FOR 123.09 FEET;

THENCE SOUTH 07°21'59" EAST FOR 100.38 FEET;

THENCE SOUTH 00°34'14" WEST FOR 228.31 FEET;

THENCE SOUTH 11°36'09" WEST FOR 136.64 FEET;

THENCE SOUTH 23°24'08" EAST FOR 79.66 FEET;

THENCE NORTH 87°49'50" EAST FOR 106.81 FEET;


THENCE SOUTH 25°52'36" EAST FOR 20.67 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE SOUTH 87°14'31" WEST FOR 162.62 FEET TO THE POINT OF BEGINNING

CONTAINS 2.693 ACRES.

SHEET 2 OF 2

A:\Projects\1011048 - Lamp, Ryan - Survey\1011048 - Survey\1011048.dwg - DWG - 8/27/2019 10:41:24 AM DWF & PDF LAMP.RYNEARSON

 <p>14710 W. DODGE RD, STE. 100 OMAHA, NE 68154 402.490.2498 LampRynearson.com</p>	<p>DESIGNER / DRAFTER J.C./EAM</p>	<p>EXHIBIT</p>
	<p>REVIEWER</p>	
<p>PROJECT NUMBER 0118048 01</p>		
<p>DATE 8-28-2019</p>		
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<p>BOOK AND PAGE</p>		