

Agenda Item: 6.

MEMORANDUM

TO: Finance, Expenditures and Legal Subcommittee

FROM: Amanda Grint, Water Resources Engineer

SUBJECT: Right of Way Acquisition for West Papillion Regional Basin  
Number 7

DATE: February 1, 2016

---

In April 2015, the Board approved a professional services contract with FYRA Engineering to design the West Papillion Regional Detention Basin No. 7 (WP7). Public hearings for land acquisition were held in November and December 2015 and final design is underway for the project. See map for tract locations.

The owner of Tracts 4 and 5 has an option on the property with B.H.I. Properties, Inc. (BHI) and the closing is scheduled on March 1, 2016. In order to accommodate that schedule, BHI has presented an offer to the District for the land necessary for the WP7 project. An appraisal was completed on Tracts 4 and 5 and the proposed purchase agreement reviewed. In this arrangement, BHI would close on the entire property and enter in to an agreement with the District for the purchase of the WP7 property concurrently. The proposed purchase price is \$42,000 per acre for approximately 41 acres of land needed for the WP7 project. The total is estimated at is \$1,722,000.00. A legal description is currently underway and the purchase agreement will reflect the surveyed acres.

Since final design and permitting is not complete for the WP7 project, a clause in the agreement allows for additional land to be purchased, if necessary due to permitting, for \$42,000 per acre. This provision would be in effect until December 2016 or submittal of the adjacent development's final plat. If any additional land is needed for the project, the revised agreement will be presented to the Board.

**Management recommends that the Subcommittee recommend to the Board that the General Manager be authorized to execute a purchase agreement for Tracts 4 and 5 for \$42,000 per acre for an estimated 41 acres of land for the West Papillion Regional Basin Number 7 project, subject to such other terms and conditions as the General Manager determines necessary and Legal Counsel approves as to form.**

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	010462740	50.5	0.2	---	---	---	---	0.2
2	010462775	64.6	0.4	---	---	---	0.1	0.5
3	010522662	114.4	---	---	---	0.7	---	0.7
4	010522670	30.6	1.1	10.5	9.6	3.7	5.1	30.0
5	011039329	72.3	1.2	2.2	3.9	3.21	0.46	11.0
6	011596960	5.1	---	---	---	0.1	---	0.1
7	011596993	41.6	---	---	---	0.2	---	0.2
Total Purchase			2.9	12.7	13.5	7.8	5.7	42.6
Within Existing/Future ROW			1.3	---	0.3	1.3	---	2.9
Total Project Area			4.1	12.7	13.8	9.1	5.7	45.5

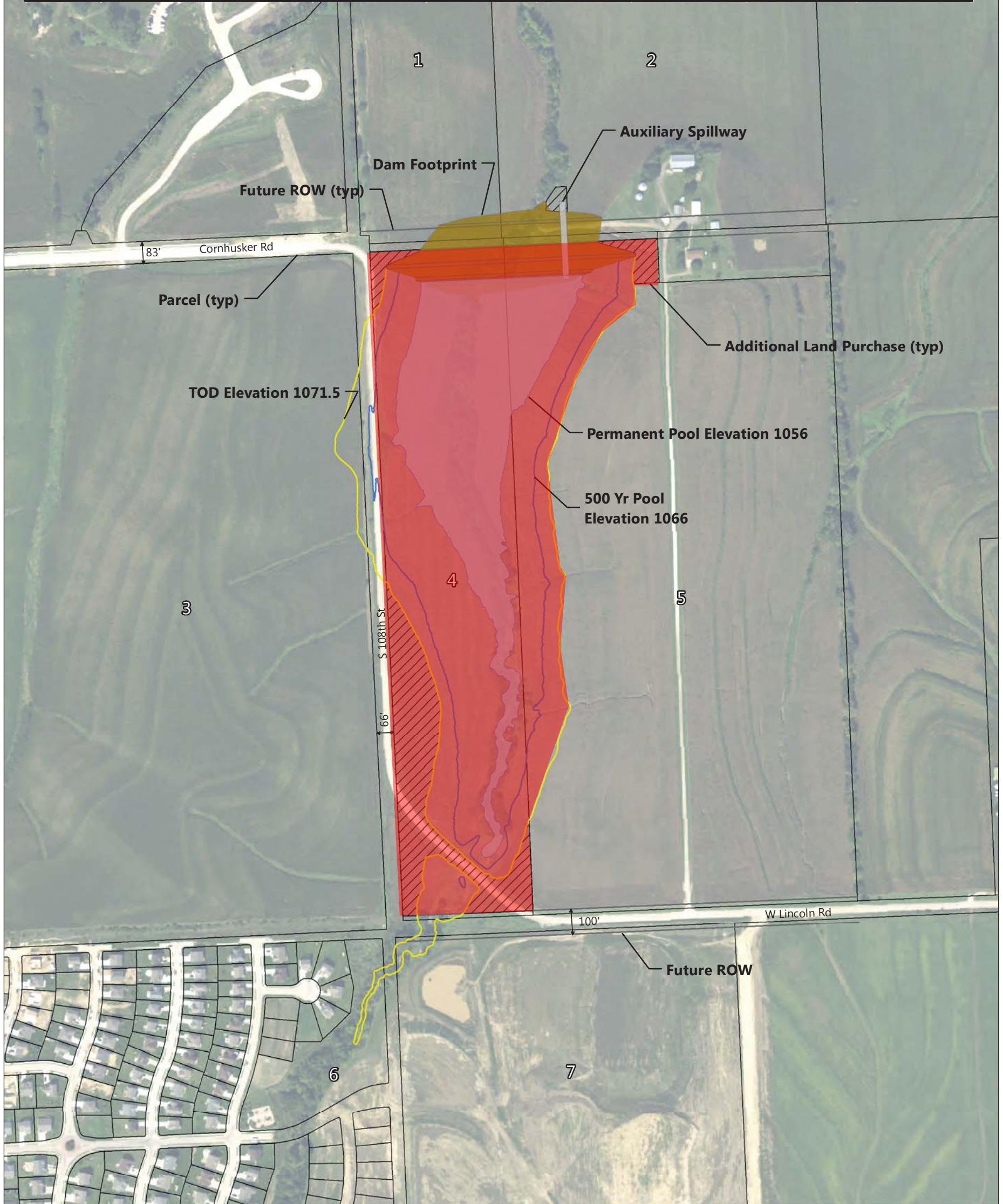


Figure 17. WP-7 Land Rights Map

