

Agenda Item: 6.

MEMORANDUM

TO: Finance, Expenditures and Legal Subcommittee

FROM: Amanda Grint, Water Resources Engineer

SUBJECT: Missouri River Floodway Purchase Program – Iske Place Structures Purchase Agreements

DATE: January 30, 2015 - *Revised February 10, 2015*

The District, in conjunction with the City of Bellevue and Sarpy County, received grant funding through FEMA’s Hazard Mitigation Grant Program (HMGP) to purchase properties affected by the 2011 Missouri River Flooding. This project is a voluntary program based on a willing seller and willing buyer basis. Eminent Domain cannot be exercised for this project. The HMGP grant application included funding to allow for properties to be appraised at pre-flood, non-damaged value. Additionally, fair market value may be determined using information from the Sarpy County Assessor’s Office or through Federal Emergency Management (FEMA) estimating program which determines actual cash value of the structure. HMGP funds will pay for 75% of the project cost and Nebraska Environmental Trust funds will pay for 12.5% of the project costs. The remaining project cost will be split equally between the District, the City of Bellevue, and Sarpy County.

The District hired Ken Alford and Giordano Appraisal Service to perform appraisals of the residences at Iske Place. For each residence, the County’s assessed value, the computed FEMA actual cash value and the pre-flood appraised value were compared and the highest amount was offered as the market value to the resident for the purchase of their structure and leasehold interest. With the approval of the agreements presented, this completes the buyout of the residences at Iske Place and closings will begin as soon as possible. The proposed agreements are summarized below:

- 16621 Iske Place, Robert and Peggy Stewart, market value \$80,000
- 16414 Iske Place, Steve Braesch, market value \$44,000
- 16511 Iske Place, Philip Drickey and Irene Sander, market value \$55,000
- 16401 Iske Place, Dennis and Esther Nowlin, market value \$130,812
- 16801 Iske Place, Bruce Nielsen, market value \$80,000
- 16624 or 16622 Iske Place, Roberta Roth, market value \$26,196 or the FEMA Actual Cash Value, whichever is greater
- 16505 Iske Place, Ron Mahoney, market value \$44,000
- 16615 Iske Place, Larry Strange and Robert Regnas, market value \$5,000
- 16711 Iske Place, Edward Latek, market value \$30,000
- 16709 Iske Place, Michael Collins, market value \$44,000
- 16409 Iske Place, Thomas and Sandy Landsperger, market value \$120,000

Based on these conditions, District staff and legal counsel worked with the owners of the following residences to develop agreements which will give the District the right to purchase the property (structures) for the market value as well as the leasehold interest. In addition to the purchase offer, relocation benefits will be assessed and paid to each resident of Iske Place (up to a maximum of \$22,500

for primary residences and up to a maximum of \$5,250 for secondary residences) and any duplicative benefits already received by the federal government will be deducted from the purchase price.

Management recommends to the Subcommittee that the General Manager be authorized to execute for and on behalf of the District a Purchase Agreements in the form as presented at the meeting providing for the purchase by the District from the following:

- **Robert and Peggy Stewart, the structure and leasehold interest located at 16621 Iske Place in Sarpy County, Nebraska for the purchase price of \$80,000;**
- **Steve Braesch, the structure and leasehold interest located at 16414 Iske Place in Sarpy County, Nebraska for the purchase price of \$44,000;**
- **Philip Drickey and Irene Sander, the structure and leasehold interest located at 16511 Iske Place in Sarpy County, Nebraska for the purchase price of \$55,000;**
- **Dennis and Esther Eby Nowlin, the structure and leasehold interest located at 16401 Iske Place in Sarpy County, Nebraska for the purchase price of \$130,812;**
- **Bruce Nielsen, the structure and leasehold interest located at 16801 Iske Place in Sarpy County, Nebraska for the purchase price of \$80,000;**
- **Roberta Roth, the structure and leasehold interest located at 16624 or 16622 Iske Place in Sarpy County, Nebraska for the purchase price of \$26,196 or the FEMA Actual Cash Value, whichever is greater;**
- **Ron Mahoney, the structure and leasehold interest located at 16505 Iske Place in Sarpy County, Nebraska for the purchase price of \$44,000;**
- **Larry Strange and Robert Regnas, the structure and leasehold interest located at 16615 Iske Place in Sarpy County, Nebraska for the purchase price of \$5,000;**
- **Edward Latek, the structure and leasehold interest located at 16711 Iske Place in Sarpy County, Nebraska for the purchase price of \$30,000;**
- **Michael Collins, the structure and leasehold interest located at 16709 Iske Place in Sarpy County, Nebraska for the purchase price of \$44,000;**
- **Thomas and Sandy Landsperger, the structure and leasehold interest located at 16409 Iske Place in Sarpy County, Nebraska for the purchase price of \$120,000.**

The purchase agreements will be subject to changes deemed necessary by the General Manager and approval as to form by District Legal Counsel.

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- 16621 Iske Place, Robert and Peggy Stewart, market value \$80,000
- 16414 Iske Place, Steve Braesch, market value \$44,000
- 16511 Iske Place, Philip Drickey and Irene Sander, market value \$55,000
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