

Agenda Item: 9.B.



**Papio-Missouri River
Natural Resources District
Public Hearing
On Proposed Right-of-Way Acquisition
Western Sarpy Clear Creek Flood Reduction Project**

**May 8, 2014
7:00 p.m.**

AGENDA

1. Hearing Called to Order – Chairperson Fred Conley
2. Appointment of Hearing Officer – General Manager, John Winkler
3. Evidence of Proof of Publication of Hearing Notice
4. Explanation of the Purpose of the Hearing – Paul Peters
5. Identification of Exhibits
6. Explanation of the Purpose and Scope of the Project – Martin Cleveland
7. Receive Testimony and Statements
8. Reception of Exhibits
9. Hearing Adjournment

NOTICE OF PUBLIC HEARING

Please take notice that on May 8, 2014, at 7:00 p.m. the Board of Directors of the Papio-Missouri River Natural Resources District will hold a public hearing on Western Sarpy Clear Creek Flood Reduction Project ("the Project") in Sarpy County, Nebraska, and on the acquisition by the District of permanent easements for the Project. Such hearing will be held at the principal offices of the District at 8901 South 154th Street, Omaha, Nebraska 68138-3621.

At the hearing, the District shall explain the nature and necessity for the Project, the reasons for selecting the particular location, and the right of each owner of property to be represented by an attorney and to negotiate and accept or reject the offer of damages which will be sustained by the proposed acquisition, and the right to require that such damages be determined pursuant to the procedures for acquisition by eminent domain. The District shall hear and consider any objections from any person.

**Papio-Missouri River Natural Resources District
Notice of Proposed Acquisition and Notice of Public Hearing
Western Sarpy Clear Creek Flood Reduction Project and Associated Conservation Measures**

NOTICE

The Papio-Missouri River Natural Resources District (hereinafter referred to as "the District") proposes to acquire permanent easements (hereinafter referred to collectively as "the Easements") in, on, over and across certain tract(s) of real estate in Sarpy County, Nebraska (hereinafter referred to collectively as "the Property"), in the SW ¼ of Section 5, T13N, R10E, Sarpy County, Nebraska, as surveyed, plated and recorded in Sarpy County, Nebraska, as depicted in existing site plan and incorporated herein by reference, which you own or in which you may have a right or interest.

1. The property proposed to be acquired and the compensation to be given for the property:

The compensation to be offered for the Property will be the damages as appraised by licensed real estate appraisers, generally consisting of the fair market value of the interest in or portion of the property acquired.

2. The authority for the acquisition:

The District's authority for the proposed acquisitions is contained in Nebraska Revised Statutes, Sections 2-3229, et.seq.

3. The nature of and necessity and purpose for which the land shall be used:

The permanent easements proposed to be acquired will be used for the Western Sarpy Clear Creek Flood Reduction Project and Associated Conservation Measures.

4. The right, title or interest in the property to be acquired:

The District proposes to acquire permanent easements to certain lands required for the Project.

5. The amount of property needed: The before mentioned parcels are incorporated herein by reference, are required for the aforesaid levee improvement project.

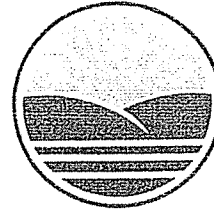
6. The reasons for selecting the proposed location:

The levee project site is already located in the SW ¼ of Section 5, T13N, R10E, Sarpy County, Nebraska, and therefore its improvement is required at the same location.

7. Approval required from other agencies:

None.

PAPIO-MISSOURI RIVER
NATURAL
RESOURCES
DISTRICT



8901 S. 154TH ST.
OMAHA, NE 68138-3621
(402) 444-6222
FAX (402) 895-6543
www.papionrd.org

April 24, 2014

Georgia Hruska
7305 Washington Street
Ralston NE 68127

RE: Western Sarpy Clear Creek Flood Reduction Project
Right-of-Way Acquisition Public Hearing (May 8, 2014 at 7:00 p.m.)

Dear Ms. Hruska:

Enclosed is information related to the scheduled right-of-way acquisition public hearing for the referenced project. The Project is to improve the existing Western Sarpy and Clear Creek Levees that are deficient from a levee safety standpoint and associated conservation measures.

The public hearing is being conducted in order to adhere to Nebraska Statutes for right-of-way acquisition by public entities and is an administrative requirement.

You are welcome to attend the public hearing at the Papio-Missouri River NRD office at 8901 S. 154th Street, Omaha NE 68138, at 7:00 p.m. on May 8, 2014, but your attendance is not required.

Feel free to contact the write at 402-315-1707 with any questions.

Sincerely,

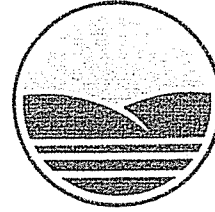
A handwritten signature in black ink, appearing to read 'M. Cleveland'.

Martin P. Cleveland, P.E.
Construction Engineer

Enclosure

CC: John Winkler and Marlin J. Petermann- NRD
Ryan Hruska

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April 24, 2014

Herman and Janice Hruska
c/o Georgia Hruska
7305 Washington Street
Ralston NE 68127

RE: Western Sarpy Clear Creek Flood Reduction Project
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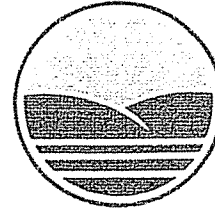
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Martin P. Cleveland, P.E.
Construction Engineer

Enclosure

CC: John Winkler and Marlin J. Petermann- NRD

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April 24, 2014

Anne and Lynn Parsons
c/o Georgia Hruska
7305 Washington Street
Ralston NE 68127

RE: Western Sarpy Clear Creek Flood Reduction Project
Right-of-Way Acquisition Public Hearing (May 8, 2014 at 7:00 p.m.)

Dear Sir/Madam:

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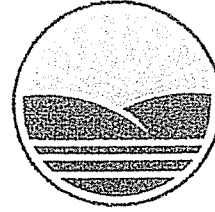
Sincerely,

Martin P. Cleveland, P.E.
Construction Engineer

Enclosure

CC: John Winkler and Marlin J. Petermann- NRD

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April 24, 2014

Georgia Hruska
7305 Washington Street
Ralston NE 68127

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Right-of-Way Acquisition Public Hearing (May 8, 2014 at 7:00 p.m.)

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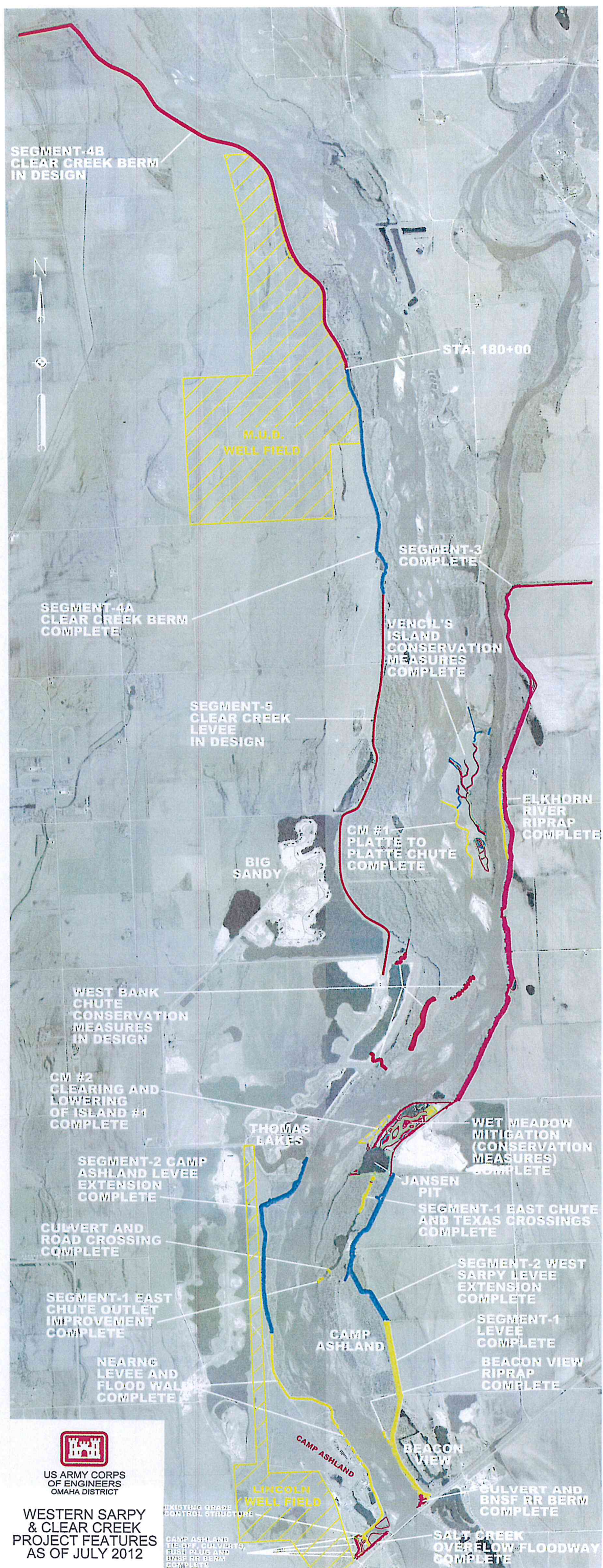
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Sincerely,

Martin P. Cleveland, P.E.
Construction Engineer

Enclosure

CC: John Winkler and Marlin J. Petermann- NRD
Ryan Hruska



US ARMY CORPS
OF ENGINEERS
OMAHA DISTRICT

WESTERN SARPY
& CLEAR CREEK
PROJECT FEATURES
AS OF JULY 2012



Proj No.	Revision
21004-026-026	
Date:	Description
04/17/2014	
Designed By:	
FCE	
Drawn By:	
FCE	
Scale:	
1" = 500'	
Sheet:	of
1	1

CLEAR CREEK
SAUNDERS COUNTY, NEBRASKA



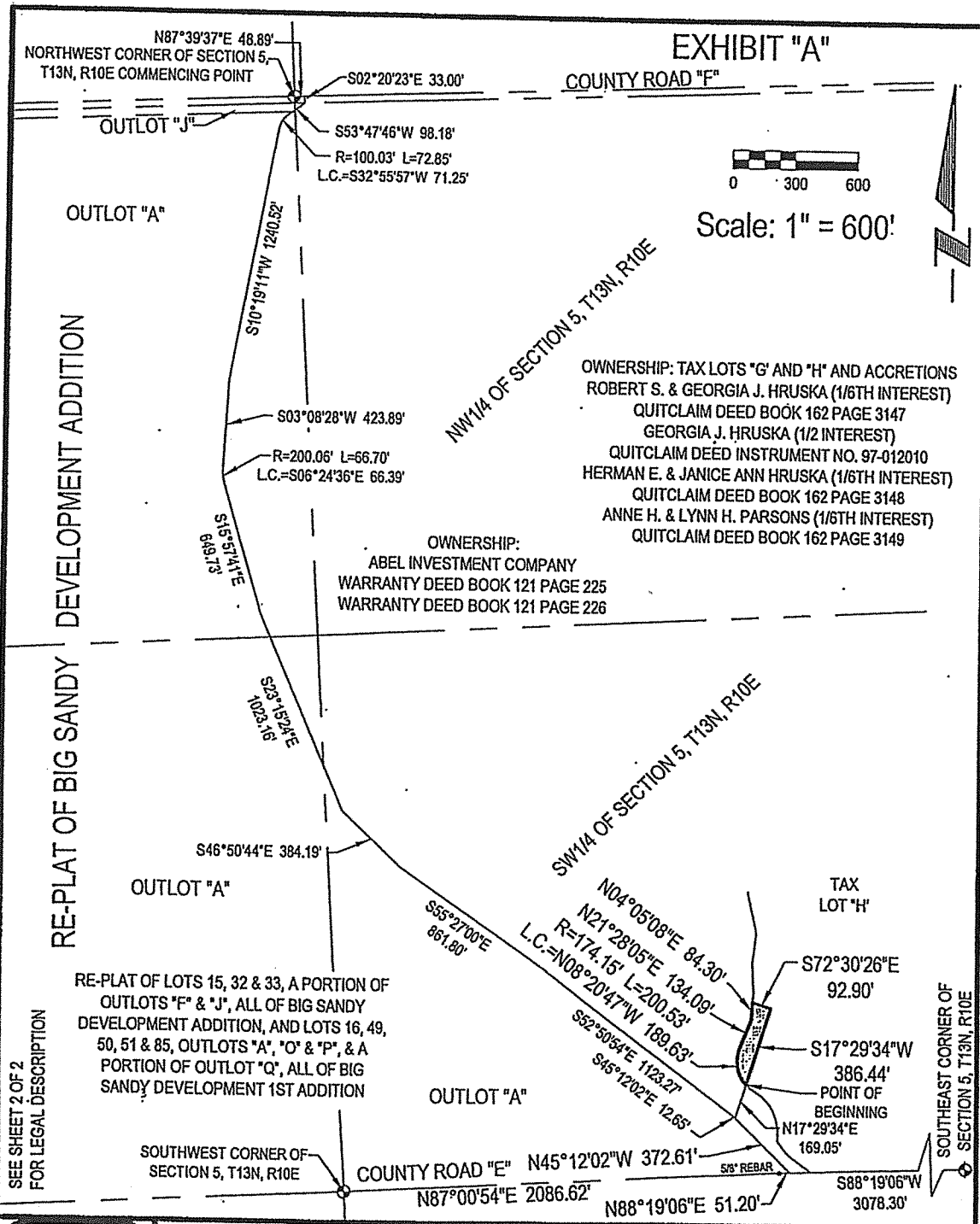
E & A CONSULTING GROUP, INC.
Engineering • Planning • Environmental & Field Services

330 North 117th Street Omaha, NE 68154
Phone: 402.895.4100 Fax: 402.895.2559
www.eaeg.com

Printed: 04/17/2014 10:00 AM N:\Projects\21004-026-026\Drawings\21004-026-026.dwg

WEST BANK CHUTE REAL ESTATE REVISED 4/23/2014





E&A CONSULTING GROUP, INC.
 ENGINEERING • PLANNING • FIELD SERVICES
 333 NORTH 117TH STREET OMAHA, NE 68154 PHONE (402) 855-0700

Drawn by: DAS Chkd by: JH Chkd by:

Job No.: P1994.026.015 Date: 03/15/2010 SHEET 1 OF 2

**PERMANENT CLEAR CREEK DRAINAGE
 DISTRICT DIKE EASEMENT**

SW1/4 OF SECTIONS 5, TOWNSHIP 13 NORTH, RANGE 10 EAST
 OF THE 6TH P.M., SARPY COUNTY, NEBRASKA

CodyV

4/28/2014 9:16:39 AM

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EXHIBIT "A"

LEGAL DESCRIPTION:

OWNERSHIP:

ROBERT S. HRUSKA AND GEORGIA J. HRUSKA

QUITCLAIM DEED BOOK 162 PAGE 3147

GEORGIA J. HRUSKA

QUITCLAIM DEED INSTRUMENT NO. 97-012010

HERMAN E. HRUSKA AND JANICE ANN HRUSKA

QUITCLAIM DEED BOOK 162 PAGE 3148

ANNE H. PARSONS AND LYNN H. PARSONS

QUITCLAIM DEED BOOK 162 PAGE 3149

A PERMANENT CLEAR CREEK DRAINAGE DISTRICT DIKE EASEMENT LOCATED IN PART OF THE SW1/4 OF SECTION 5, TOWNSHIP 13 NORTH, RANGE 10 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 5, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SECTION 6, SAID TOWNSHIP 13 NORTH, RANGE 10 EAST; THENCE N87°39'37"E (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 48.89 FEET; THENCE S02°20'23"E, A DISTANCE OF 33.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD "F", SAID POINT ALSO BEING THE NORTHEAST CORNER OF OUTLOT "J", RE-PLAT OF LOTS 15, 32 & 33, & A PORTION OF OUTLOTS "F" & "J", ALL OF BIG SANDY DEVELOPMENT ADDITION, AND LOTS *49, 50, 51 & 85, OUTLOTS "A", "O" & "P", & A PORTION OF OUTLOT "Q", ALL BIG SANDY DEVELOPMENT 1ST ADDITION, A SUBDIVISION LOCATED IN SAID SECTIONS 5 AND 6; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID OUTLOT "J", RE-PLAT OF LOTS 15, 32 & 33, & A PORTION OF OUTLOTS "F" & "J", ALL OF BIG SANDY DEVELOPMENT ADDITION, AND LOTS *49, 50, 51 & 85, OUTLOTS "A", "O" & "P", & A PORTION OF OUTLOT "Q", ALL BIG SANDY DEVELOPMENT 1ST ADDITION, AND ALSO OUTLOT "A", SAID RE-PLAT OF LOTS 15, 32 & 33, & A PORTION OF OUTLOTS "F" & "J", ALL OF BIG SANDY DEVELOPMENT ADDITION, AND LOTS *49, 50, 51 & 85, OUTLOTS "A", "O" & "P", & A PORTION OF OUTLOT "Q", ALL BIG SANDY DEVELOPMENT 1ST ADDITION ON THE FOLLOWING DESCRIBED COURSES; THENCE S53°47'46"W, A DISTANCE OF 98.18 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 100.03 FEET, A DISTANCE OF 72.85 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S32°55'57"W, A DISTANCE OF 71.25 FEET; THENCE S10°19'11"W, A DISTANCE OF 1240.52 FEET; THENCE S03°08'28"W, 423.89 FEET; THENCE SOUTHERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 200.06 FEET, A DISTANCE OF 66.70 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S06°24'36"E, A DISTANCE OF 66.39 FEET; THENCE S15°57'41"E, A DISTANCE OF 649.73 FEET; THENCE S23°15'24"E, A DISTANCE OF 1023.16 FEET; THENCE S46°50'44"E, A DISTANCE OF 384.19 FEET; THENCE S55°27'00"E, A DISTANCE OF 861.80 FEET; THENCE S52°50'54"E, A DISTANCE OF 1123.27 FEET; THENCE S45°12'02"E, A DISTANCE OF 12.65 FEET; THENCE N17°29'34"E, A DISTANCE OF 169.05 FEET TO THE POINT OF BEGINNING; THENCE NORTHWESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 174.15 FEET, A DISTANCE OF 200.53 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N08°20'47"W, A DISTANCE OF 189.63 FEET; THENCE N21°28'05"E, A DISTANCE OF 134.09 FEET; THENCE N04°05'08"E, A DISTANCE OF 84.30 FEET; THENCE S72°30'26"E, A DISTANCE OF 92.90 FEET; THENCE S17°29'34"W, A DISTANCE OF 386.44 FEET TO THE POINT OF BEGINNING.

SAID PERMANENT CLEAR CREEK DRAINAGE DISTRICT DIKE EASEMENT CONTAINS AN AREA OF 27,915 SQUARE FEET OR 0.641 ACRES, MORE OR LESS.

SEE SHEET 1 OF 2 FOR DRAWING



E&A CONSULTING GROUP, INC.
ENGINEERING • PLANNING • FIELD SERVICES
330 NORTH 117TH STREET OMAHA, NE 68154 PHONE (402) 655-4700

Drawn by: DAS Chkd by: JH Chkd by:

Job No.: P1994.026.015 Date: 03/15/2010 SHEET 2 OF 2

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PERMANENT CLEAR CREEK DRAINAGE DISTRICT DIKE EASEMENT

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OF THE 6TH P.M., SARPY COUNTY, NEBRASKA