



**Public Hearing
On
Heron Haven Wetland Restoration
Proposed Land Acquisition
December 9, 2010
(as a part of the Board of Directors Meeting)**

AGENDA

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

**Papio-Missouri River
Natural Resources
District**

**Notice Of
Public Hearing**

Please take notice that on December 9, 2010, at 7:00 p.m. the Papio-Missouri River Natural Resources District (hereinafter referred to as "the District") will hold a public hearing on the Heron Haven Wetland Restoration Section 206 Project and on the acquisition by the District of real property for the Project. The hearing will be held at the office of the District at 8901 South 154th Street, Omaha, NE, 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. At the hearing the District shall hear and consider any and all testimony from any person.

Proof of publication

AFFIDAVIT

State of Nebraska, County of Douglas, ss:

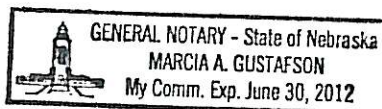
Joyce Sawatzki, being duly sworn, deposes and says that he/she is an employee of The Omaha World-Herald, a legal daily newspaper printed and published in the county of Douglas and State of Nebraska, and of general circulation in the Counties of Douglas, and Sarpy and State of Nebraska, and that the attached printed notice was published in the said newspaper on the 18 day of November 2010, and that said newspaper is a legal newspaper under the statutes of the State of Nebraska. The above facts are within my personal knowledge. The Omaha World-Herald has an average circulation of 161,633 Daily and 203,662 Sunday, in 2010.

(Signed) _____

Joyce Sawatzki

Title: Account Executive

Subscribed in my presence and sworn to before me this 18th day of November, 2010.



Marcia A. Gustafson
Notary Public

Printer's Fee \$ _____

Affidavit _____

Paid By _____

Papio-Missouri River Natural Resources District
Notice of Proposed Acquisitions and Notice of Public Hearing
Heron Haven Wetland Restoration Section 206 Project

NOTICE OF PROPOSED ACQUISITIONS

The Papio-Missouri River Natural Resources District (hereinafter referred to as "the District") proposes to acquire certain parcels of real estate in Douglas County, Nebraska (hereinafter referred to collectively as "the Acquisition Property"), described in the legal descriptions attached to this Notice and incorporated herein by reference, which you may own or in which you may have a right or interest. The authority for this notice is Neb. Rev. Stat. Sec 25-2501, *et seq.*

1. The compensation to be given for the Acquisition Property:

The compensation to be offered for the Acquisition Property will be the damages from the acquisition as appraised by licensed real estate appraisers, consisting of the fair market value of the Acquisition Property as of the date of the acquisition.

2. The authority for the acquisition:

The District's authority for the proposed acquisitions is provided in Neb. Rev. Stat. Sec 2-3229, *et seq.*, which provides as follows, to-wit:

"2-3229. Districts; purposes. The purposes of natural resources districts shall be to develop and execute, through the exercise of powers and authorities granted by law, plans, facilities, works, and programs relating to (1) erosion prevention and control, (2) prevention of damages from flood water and sediment, (3) flood prevention and control, (4) soil conservation, (5) water supply for any beneficial uses, (6) development, management, utilization, and conservation of ground water and surface water, (7) pollution control, (8) solid waste disposal and sanitary drainage, (9) drainage improvement and channel rectification, (10) development and management of fish and wildlife habitat, (11) development and management of recreational and park facilities, and (12) forestry and range management."

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

The Acquisition Property will be used for the restoration, construction, operation, maintenance and use of the Heron Haven Wetland Restoration Section 206 Project which will improve and expand the existing Heron Haven Wetlands Project. Besides providing wetlands restoration and expansion, the proposed Heron Haven Wetland Restoration Section 206 Project will provide for limited public entry for purposes of recreation and environmental education.

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

The District proposes to acquire the Acquisition Property in fee simple,

5. The amount of property needed:

6. The Acquisition Property described in the attached legal description(s) is needed for the aforesaid purposes of the Heron Haven Wetland Restoration Section 206 Project.

7. The reasons for selecting the proposed location:

The proposed location is comprised of the existing Heron Haven Wetland, which will be restored and expanded by the Heron Haven Wetland Restoration Section 206 Project to include adjacent lands and wetlands. A map showing the Acquisition Property and planned modifications to be made by the Project is attached hereto and incorporated herein by reference.

8. Approval required from other agencies:

The design, construction, operation, maintenance, operation and use of the Heron Haven Wetland Restoration Section 206 Project will be as agreed upon by the District and the United States Army Corps of Engineers.

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At the hearing the District shall hear and consider any and all testimony from any person.

Heron Haven Wetland Restoration Section 206 Project

LEGAL DESCRIPTION:

Lot 1, Lake Forest Estates, an Addition to the City of Omaha, as surveyed, platted and recorded in Douglas County, Nebraska

Address: 11306 Evans Street, Omaha, NE 68164

HERON HAVEN

CITY OF OMAHA
DOUGLAS COUNTY NE



T 15 N, R 12 E
5th Principal Meridian



- Easements
- Highways
- Creeks & Streams
- Sections

Disclaimer: The Government furnishes this data and the required reports and users of this data with the express understanding that the United States Government makes no warranty, express or implied, as to the accuracy, completeness, reliability, or suitability for any particular purpose of the information furnished. The United States shall be under no liability whatsoever to any person by reason of any use made hereof. Data displayed on this map are approximations derived from GIS layers and should NOT be used in place of survey data or legal land descriptions.

Real Estate CENWORE.S	
Prepared by Jesse Olterson	US Army Corps of Engineers © Omaha District
Project Name April 19, 2010	
Revised by	
Revision Date	
File Location C:\esol\Heron_Haven\ProjectFiles\HeronHaven.mxd	

ID	OWNER	ACRES	REMARKS
1	11402 Evans Omaha Lic	3.42	Fee Simple
2	Greenhall Investments Lic	1.97	Temporary Construction Easement
3	Papio Missouri River Natural	4.51	Channel Improvement Easement
4	Papio Missouri River Natural	5.97	Channel Improvement Easement
5	City Of Omaha	1.68	Channel Improvement Easement
6	Papio Missouri River Natural	1.38	Temporary Construction Easement
7	DELETED		
8	Nebraska Department of Roads	0.66	Temporary Construction Easement

