

Agenda Item: 9

Public Hearing
On
Proposed Right-of-Way Acquisition
Mopac Trail (Hwy 50 to Chalco Hills)
Papio-Missouri River Natural Resources District
February 10, 2011
7:00 p.m.

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 the Purpose of the Hearing – Paul Peters
5. Identification of Exhibits
6. Explanation of the Purpose and Scope of the Project – Gerry Bowen
7. Receive Testimony and Statements
8. Reception of Exhibits
9. Hearing Adjournment

Papio-Missouri River Natural Resources District

Notice of Proposed Acquisition and Notice of Public Hearing

Mopac Trail (Highway 50 to Chalco Hills)

The Papio-Missouri River Natural Resources District (hereinafter referred to as "the District") proposes to acquire certain tract(s) of real estate in Section 34, Township 14 North, Range 11 East of the 6th P.M., and Sections 2 and 3, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, which you own or in which you may have a right or interest (such tracts hereinafter referred to collectively as "the Property", whether one tract or more).

1. The property 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 Property, or the fair market value of the interest in or portion of the Property acquired plus any difference between the fair market value of the remainder of the Property before and after the acquisition.

2. The authority for the acquisition:

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

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

The property proposed to be acquired will be used for the construction, operation, and maintenance of the Mopac Trail (Highway 50 to Chalco Hills) Trail Project.

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

The District proposes to acquire fee simple title to certain lands required for the project, including the land upon which the Project's improvements will be constructed, operated and maintained; and proposes to acquire temporary and permanent easements over adjacent lands as required for the Project.

5. The amount of property needed:

The square footage amounts, set out in the legal descriptions attached to this notice and incorporated herein by reference, are required for the Project.

6. The reasons for selecting the proposed location or route:

The Project will generally follow Schramm Road to connect Highway 50 with Chalco Hills Recreation Area. A map of the proposed route for the trail is attached hereto and incorporated herein by reference.

7. Approval required from other agencies:

None.

January 25, 2011

Mr. Tim Weander
Nebraska Department of Roads
4425 S. 108th Street
Omaha, Nebraska 68145-0461
CERTIFIED MAIL: 70100290000082690714

PAPIO-MISSOURI RIVER
NATURAL
RESOURCES
DISTRICT



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

Re: Mopac Trail Project (Highway 50 to Chalco Hills) Public Hearing

Dear Mr. Weander:

This letter and the enclosed information are to inform you of a project public hearing scheduled for Thursday, February 10, 2011 at 7:00 p.m. at the NRD Headquarters at 8901 South 154th Street, Omaha, Nebraska. The project consists of the construction of a public recreation trail on the south side of Schramm Road and the east side of 168th Street between Highway 50 and the Chalco Hills Recreation Area.

Within the next 60 days, you should be contacted by the following District consultants regarding the NRD's project and the associated right-of-way acquisition.

Property Appraisals:

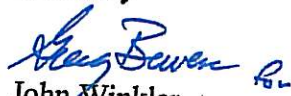
Ag One Appraisal Services
Ken Beckstrom
15429 Hamilton Street
Omaha, Nebraska 68154
402-493-8897

Right-of-way Acquisition:

Midwest Right-of-Way Services
Jack Borgmeyer
13425 A Street
Omaha, Nebraska 68144
402-955-2900

If you have any questions, please contact Gerry Bowen, Mopac Trail Project Manager at 402-444-6222.

Sincerely


John Winkler
General Manager

cc: NRD Directors
Jack Borgmeyer, Midwest Right-of-Way Services
Ken Beckstrom, Ag One Appraisal Service
Marlin Petermann, Gerry Bowen, Paul Peters P-MRNRD

Western Land Company, LLC
10580 S. 147th Street
Omaha, Nebraska 68138

Duane J. Dowd
220 N. 89th Street, Ste. 201
Omaha, Nebraska 68114

Elvera M Eggers, Trustee
16615 Schram Road
Gretna, Nebraska 68028

Donna L. Krambeck, Trustee
5512 S. 91st Street
Omaha, Nebraska 68127

Richard L. Krambeck, Trustee
5512 S. 91st Street
Omaha, Nebraska 68127

Schewe Farms, Inc.
1753 S. 49th Street
West Des Moines, Iowa 50265

Lynann, LLC
5156 S. 149th Court
Omaha, Nebraska 68137

Dan Gardner
88581 528th Avenue
Vertigre, Nebraska 68783

Bargar, Patterson, Winters Farm, LLC
21 Rail Way
Hollis, New Hampshire 03049

Dennis Wilson
Sarpy County Engineer
15100 S. 84th Street
Papillion, Nebraska 68046

Mr. Tim Weander
Nebraska Department of Roads
4425 S. 108th Street
Omaha, Nebraska 68145-0461

Papio-Missouri River Natural Resources District
Notice of Proposed Acquisition and Notice of Public Hearing

Mopac Trail (Highway 50 to Chalco Hills)

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

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The square footage amounts, set out in the legal descriptions attached to this notice and incorporated herein by reference, are required for the Project.

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The Project will generally follow Schramm Road to connect Highway 50 with Chalco Hills Recreation Area. A map of the proposed route for the trail is attached hereto and incorporated herein by reference.

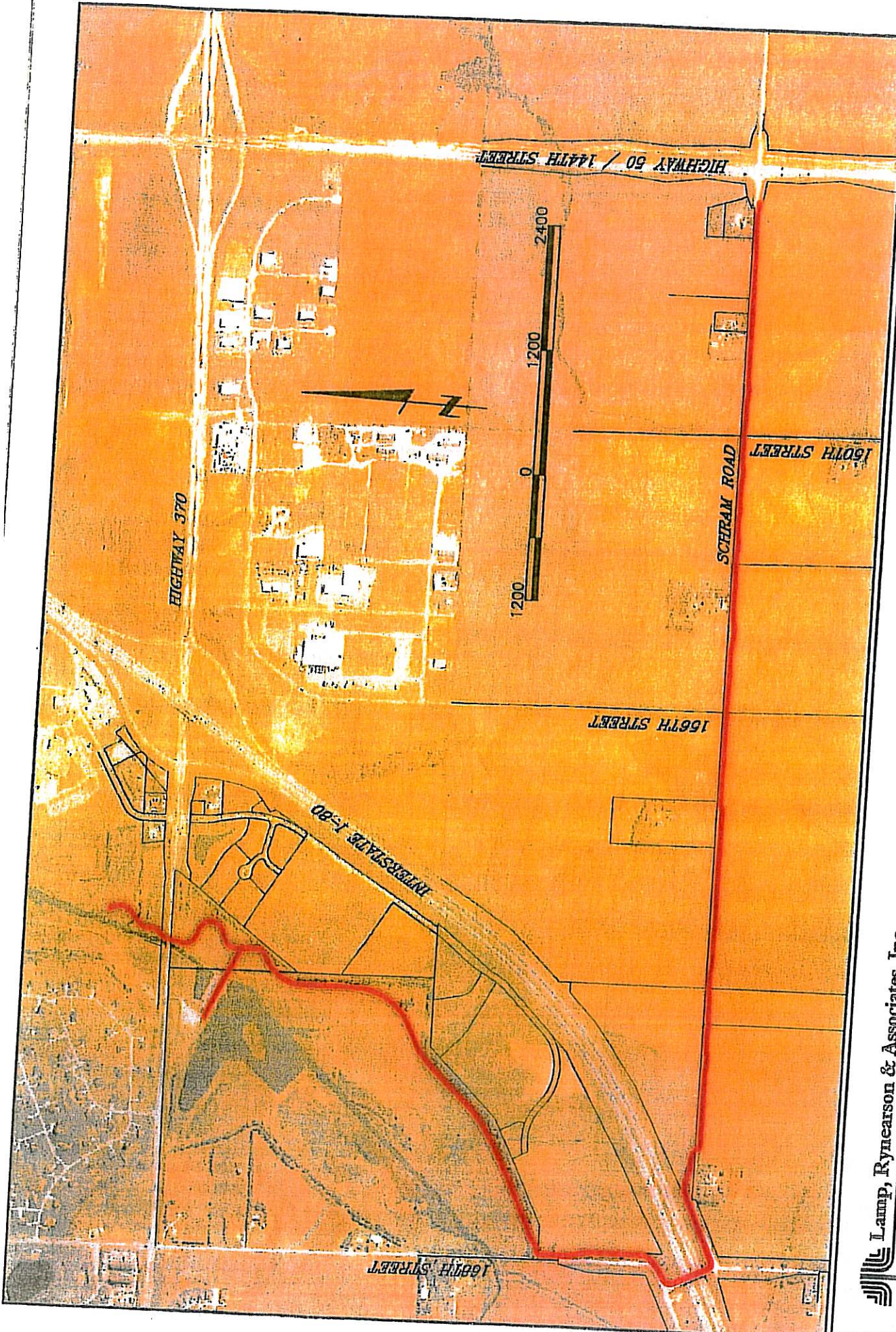
7. Approval required from other agencies:

None.

NOTICE OF PUBLIC HEARING

Please take notice that on February 10, 2011, at 7:00 p.m., the Board of Directors of the Papio-Missouri River Natural Resources District will hold a public hearing on the Mopac Trail Project which is located between Highway 50 and Chalco Hills Recreation Area, and on the acquisition of real property 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.



Lamp, Rynearson & Associates, Inc.
14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027

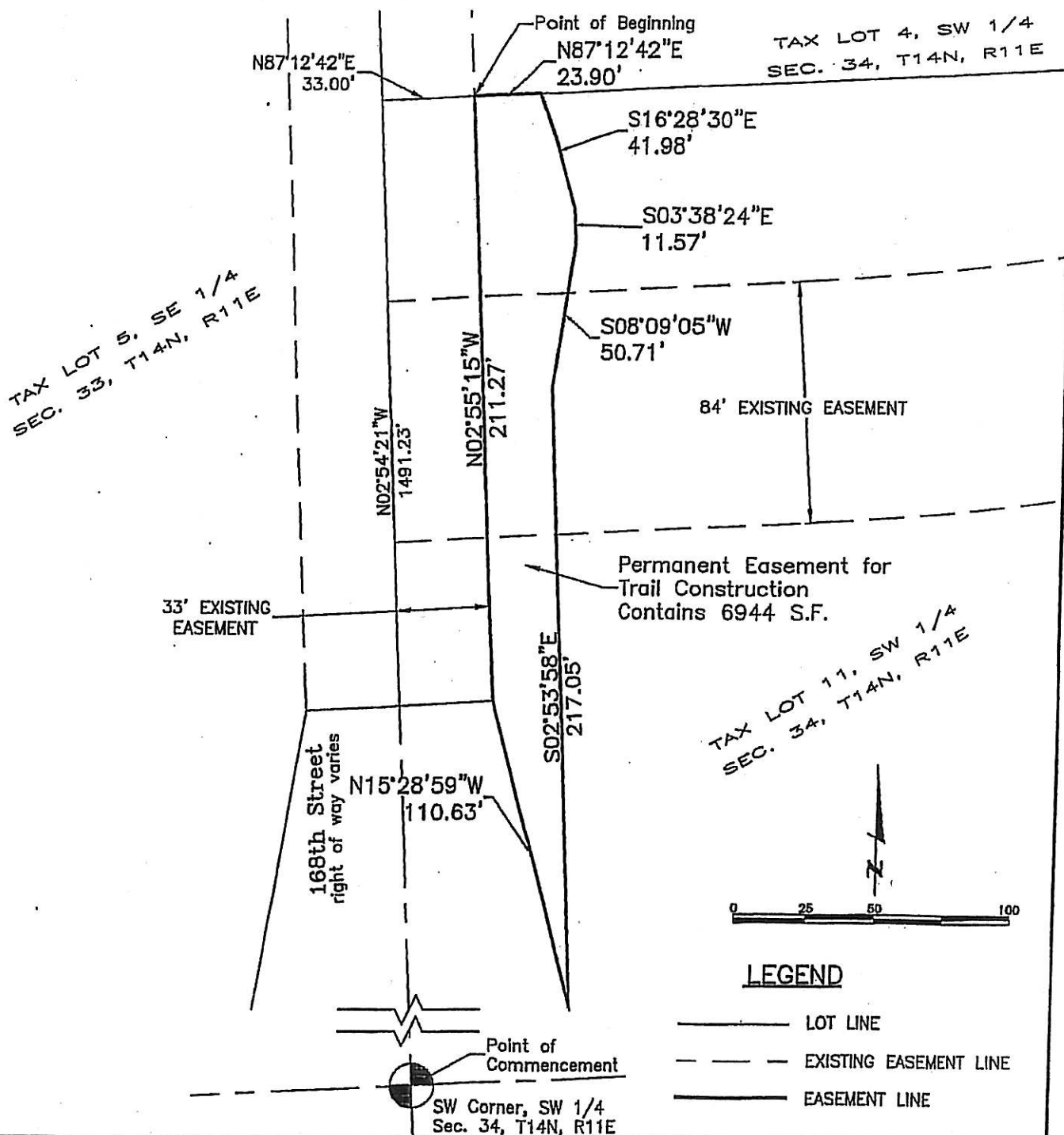
WWW.LRA-INC.COM
(Ph) 402.496.2498
(Fax) 402.496.2730

drawn by: ARJ
designer: SWA
job number-task: 06100.01-110
date: 06-30-2009
book: MOPAC RAIL
file name: EXHIBIT.dwg

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of trail over that part of Tax Lot 11 in the Southwest Quarter of Section 34, Township 14 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)



LEGEND

- LOT LINE
- - - EXISTING EASEMENT LINE
- EASEMENT LINE

Lamp, Rynearson & Associates, Inc.
 14710 West Dodge Road, Suite 100
 Omaha, Nebraska 68154-2027

WWW.LRA-INC.COM

(Ph) 402.496.2498.
 (Fax) 402.496.2730

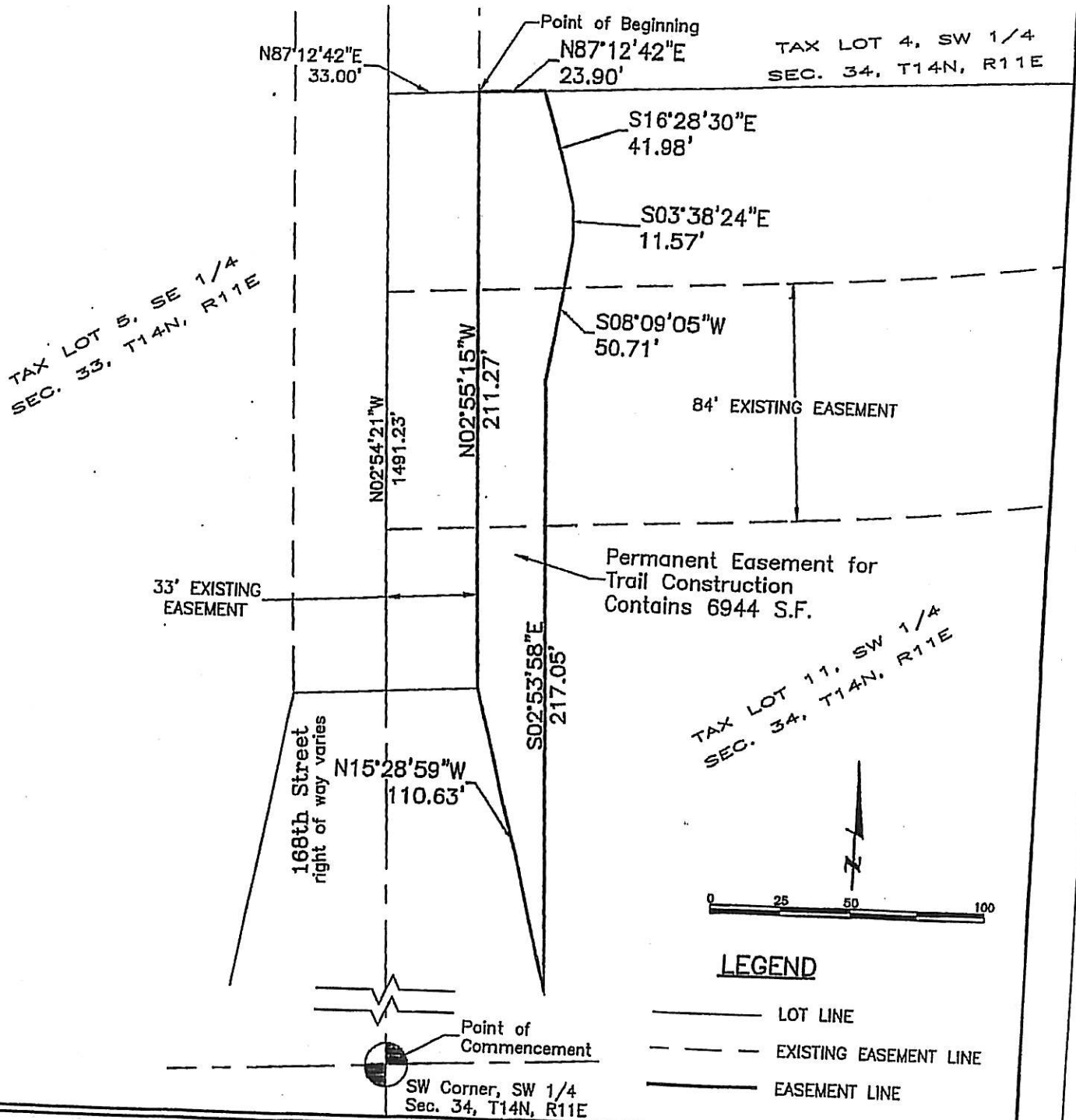
drawn by: ARJ
 designer: SWA
 job number-task: 06100.01-110
 date: 12-22-2010
 book: page:
 file name: EASEMENT1.dwg

WESTERN PARCEL

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of trail over that part of Tax Lot 11 in the Southwest Quarter of Section 34, Township 14 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)



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(Fax) 402.496.2730

drawn by: ARJ
designer: SWA
job number-task: 06100.01-110
date: 12-22-2010
book: _____ page: _____
file name: EASEMENT1.dwg

WESTERN PARCEL

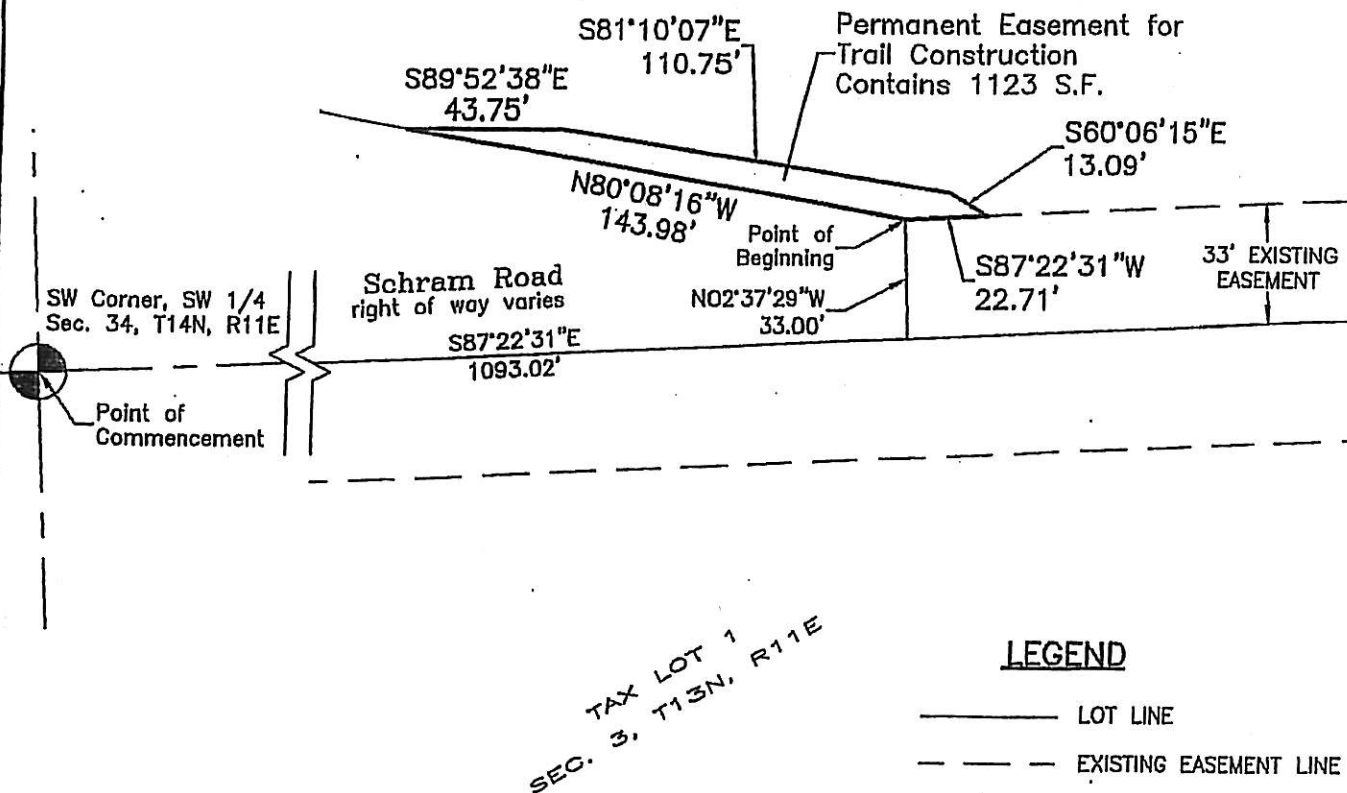
EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of trail over that part of the South Half of the Southwest Quarter of Section 34, Township 14 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)



PT S 1/2, SW 1/4,
SEC. 34, T14N, R11E



LEGEND

- LOT LINE
- - - EXISTING EASEMENT LINE
- EASEMENT LINE

 **Lamp, Rynearson & Associates, Inc.**
14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027

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(Fax) 402.496.2730

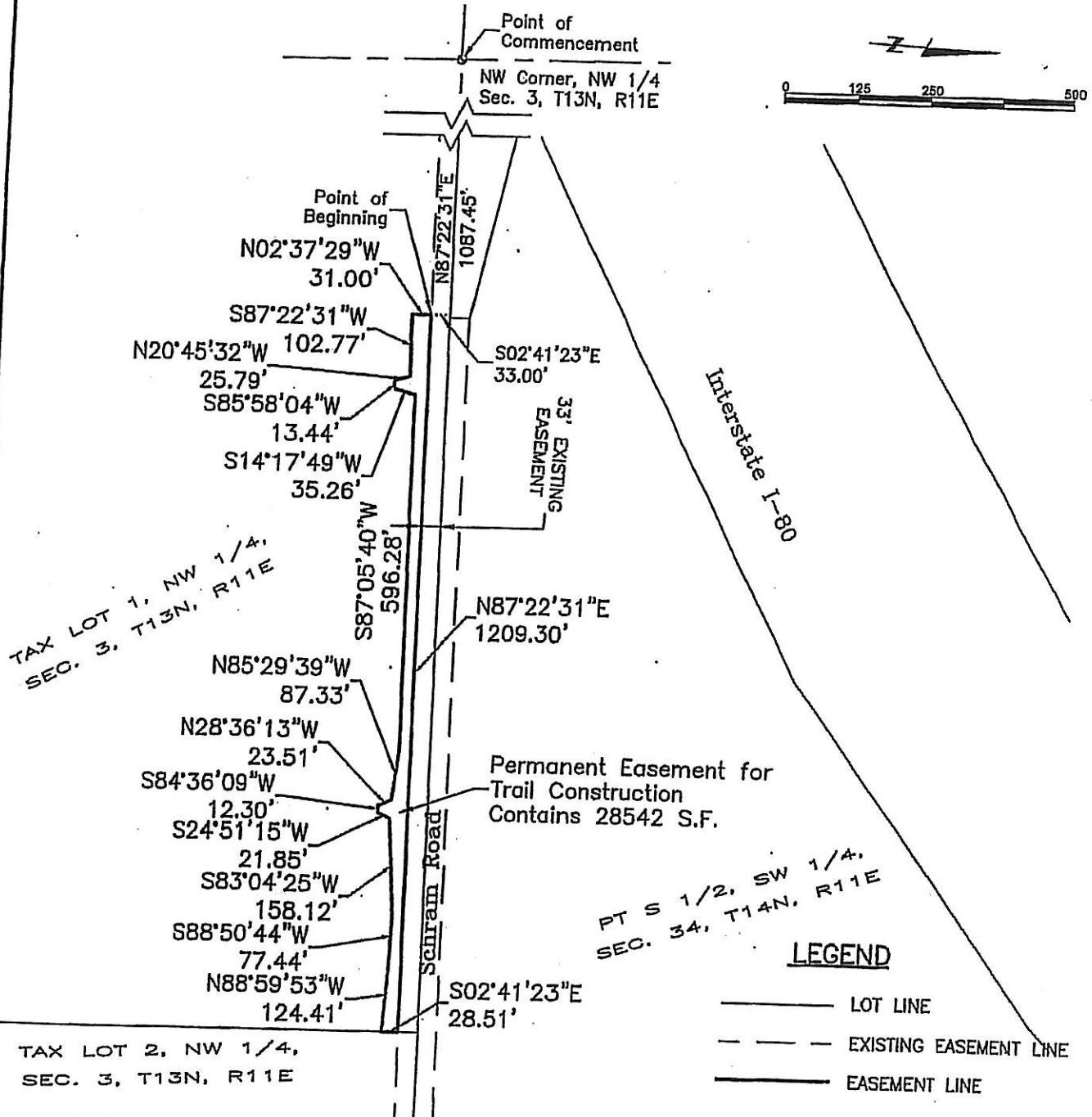
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designer: SWA
job number-task: 06100.01-110
date: 12-22-2010
book: page:
file name: EASEMENT2.dwg

DOWD PARCEL

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of trail over that part of Tax Lot 1 in the Northwest Quarter of Section 3, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)



Lamp, Rynearson & Associates, Inc.

14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027

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(Ph) 402.496.2498
(Fax) 402.496.2730

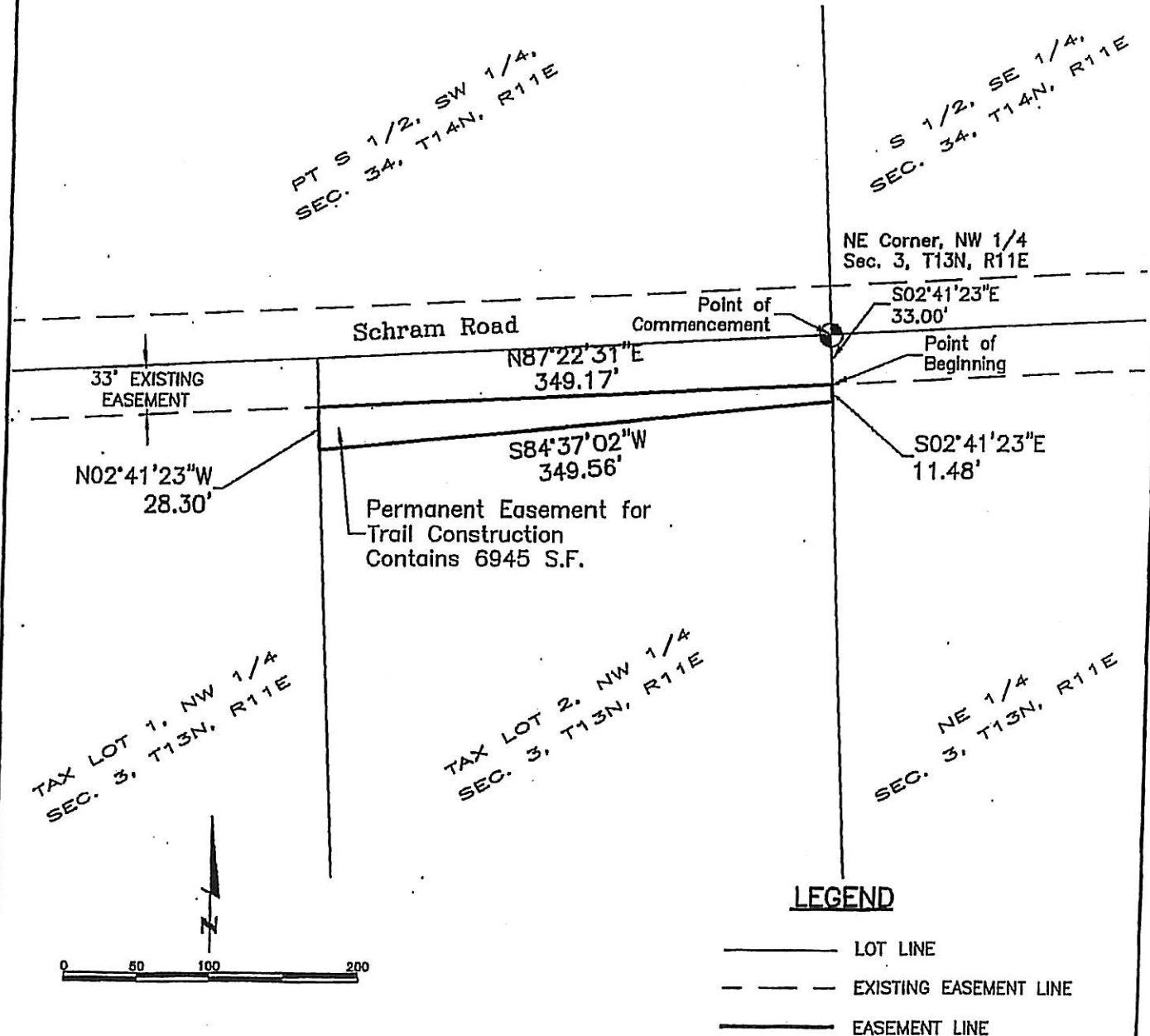
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designer: SWA
job number-lake: 06100.01-110
date: 12-22-2010
book: page:
file name: EASEMENT3.dwg

EGGERS PARCEL

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of a trail over that part of Tax Lot 2 in the Northwest Quarter of Section 3, Township 13 North, Range 11 East of the 8th P.M., Sarpy County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)



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14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027

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(Ph) 402.496.2498
(Fax) 402.496.2730

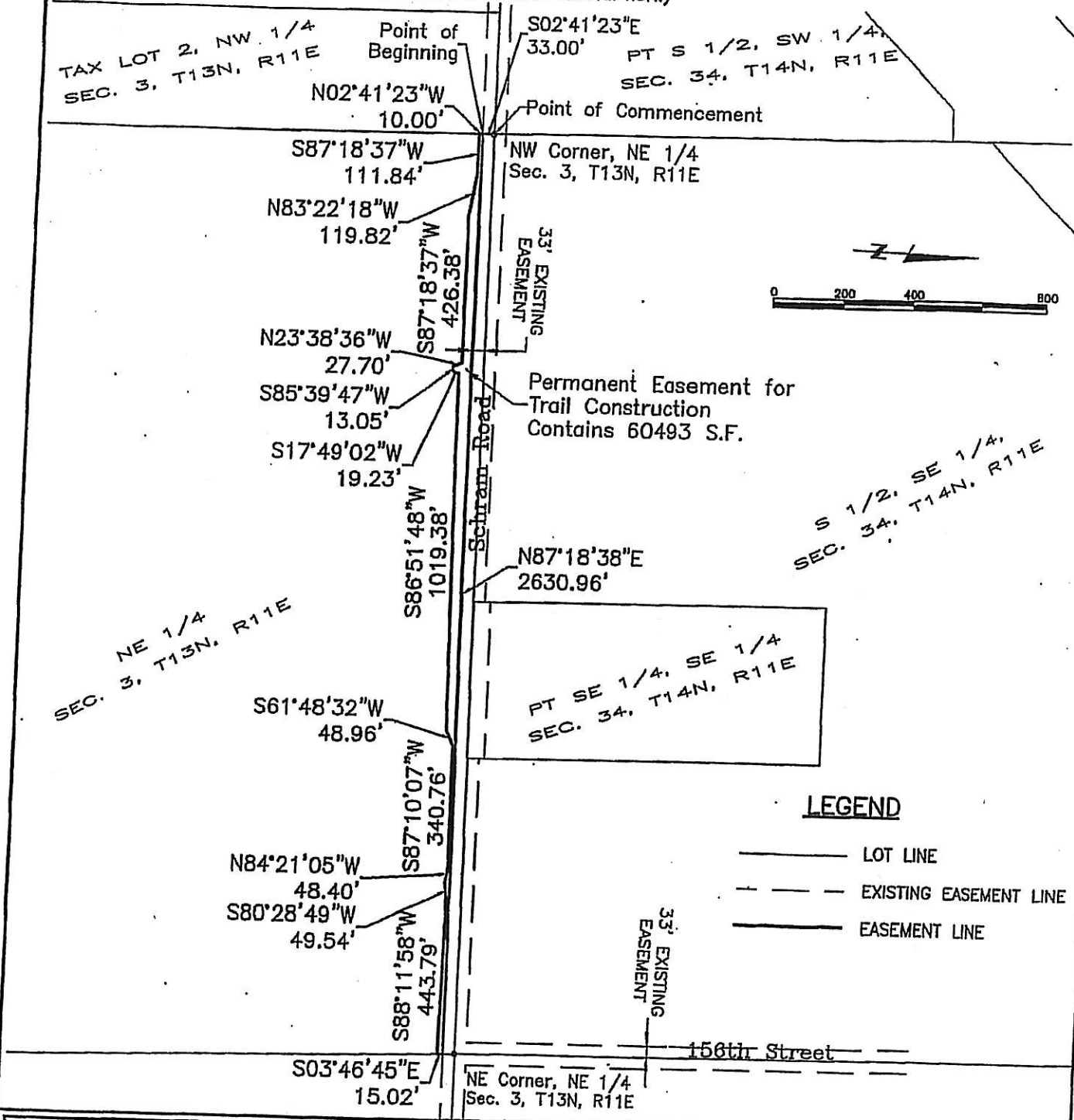
drawn by: ARJ
designer: SWA
job number-task: 06100.01-110
date: 12-22-2010
book: page:
file name: EASEMENT4.dwg

KRAMBECK PARCEL

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of trail over that part of the Northeast Quarter of Section 3, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)



LEGEND

- LOT LINE
- - - EXISTING EASEMENT LINE
- EASEMENT LINE

Lamp, Rynearson & Associates, Inc.
 14710 West Dodge Road, Suite 100
 Omaha, Nebraska 68154-2027

WWW.LRA-INC.COM

(Ph) 402.496.2498
 (Fax) 402.496.2730

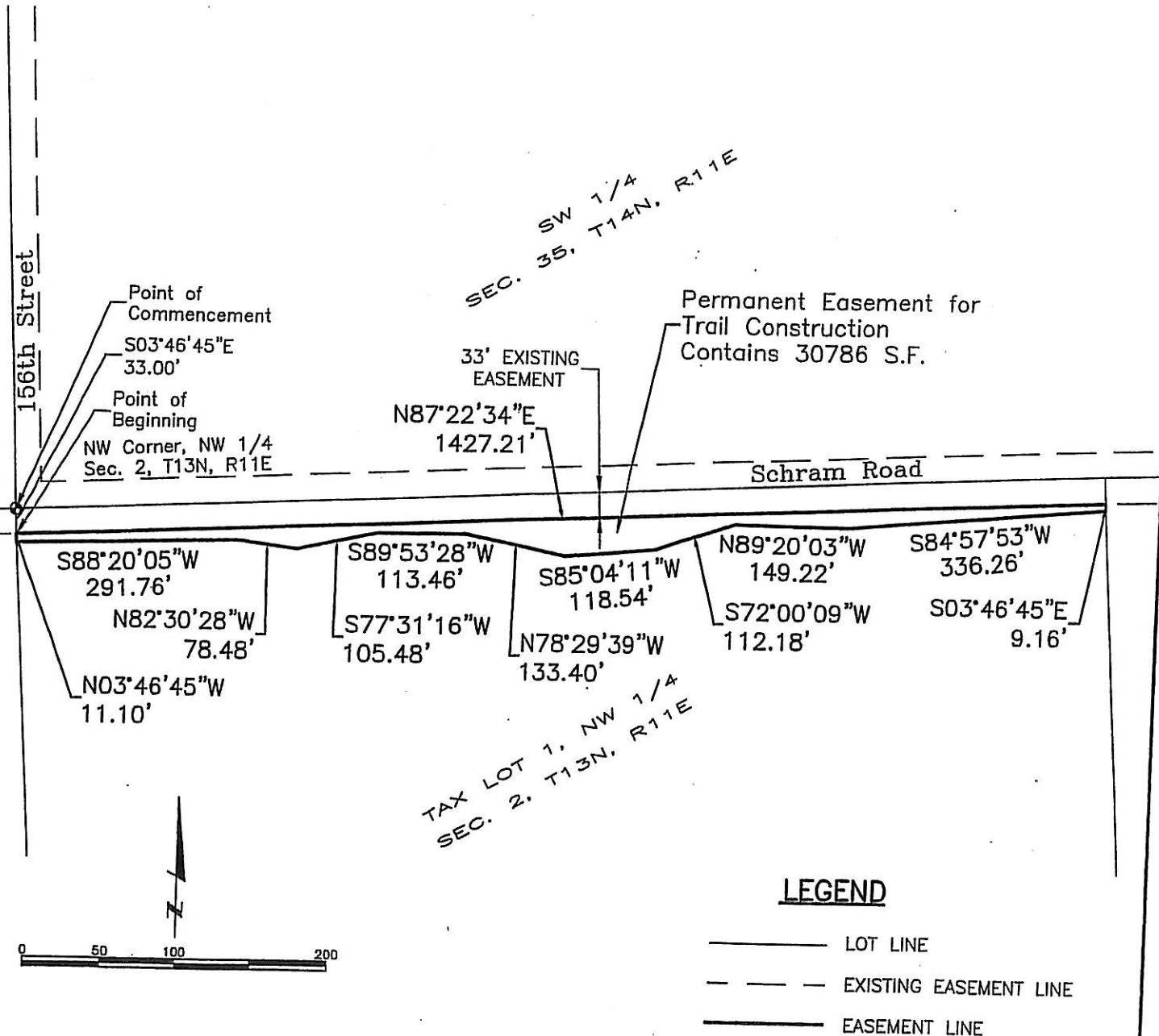
drawn by: ARJ
 designer: SWA
 job number-task: 06100.01-110
 date: 12-22-2010
 book: page:
 file name: EASEMENTS.dwg

SCHEWE PARCEL

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of trail over that part of Tax Lot 1 in the Northwest Quarter of Section 2, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)



LEGEND

LYNNAN PARCEL

Lamp, Rynearson & Associates, Inc.
 14710 West Dodge Road, Suite 100
 Omaha, Nebraska 68154-2027

WWW.LRA-INC.COM

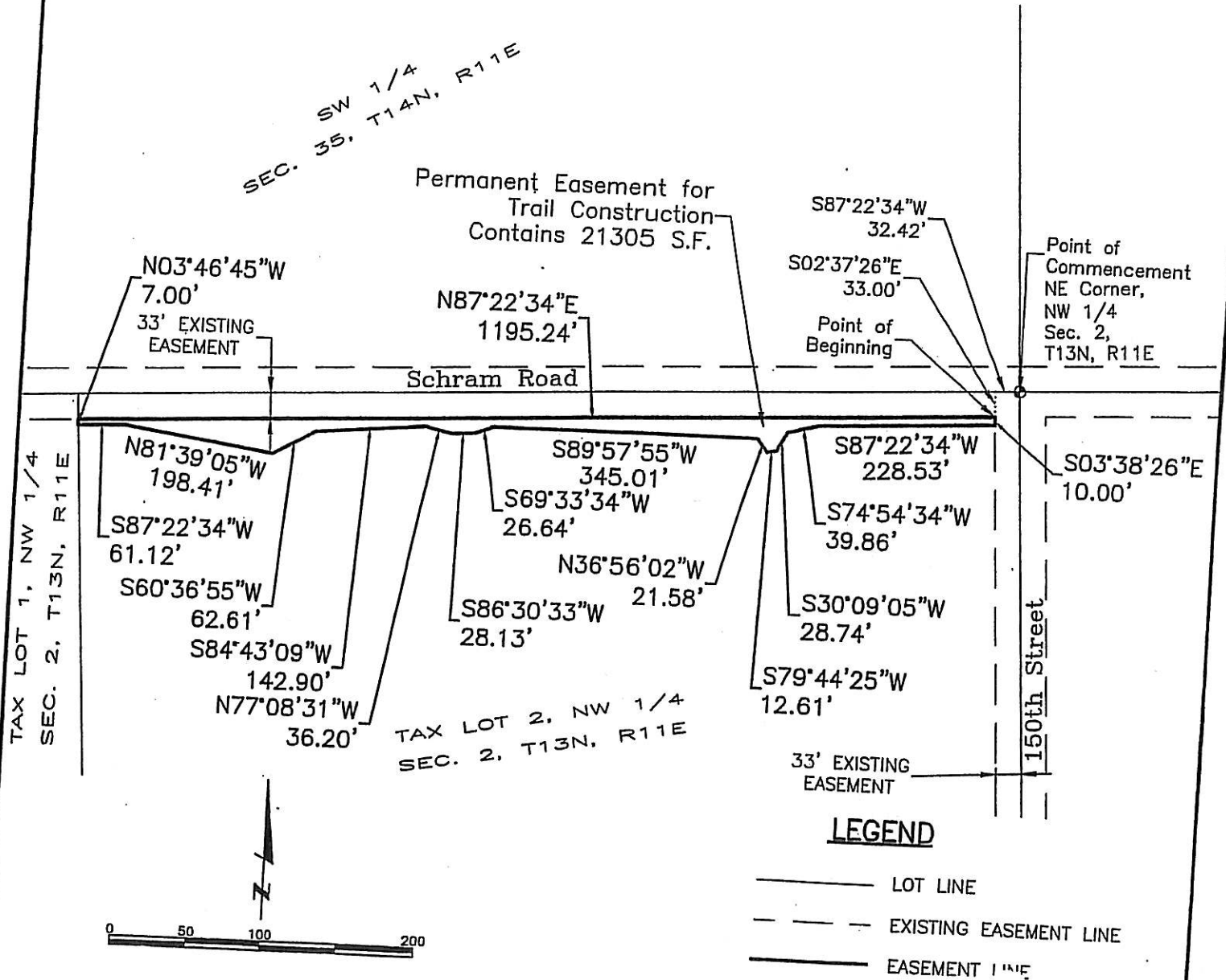
(Ph) 402.496.2498
 (Fax) 402.496.2730

drawn by: ARJ
 designer: SWA
 job number-task: 06100.01-110
 date: 12-22-2010
 book: page:
 file name: EASEMENT6.dwg

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of a trail over that part of Tax Lot 2 in the Northwest Quarter of Section 2, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)



GARDNER PARCEL

Lamp, Rynearson & Associates, Inc.
14710 West Dodge Road, Suite 100
Omaha, Nebraska 68154-2027

WWW.LRA-INC.COM

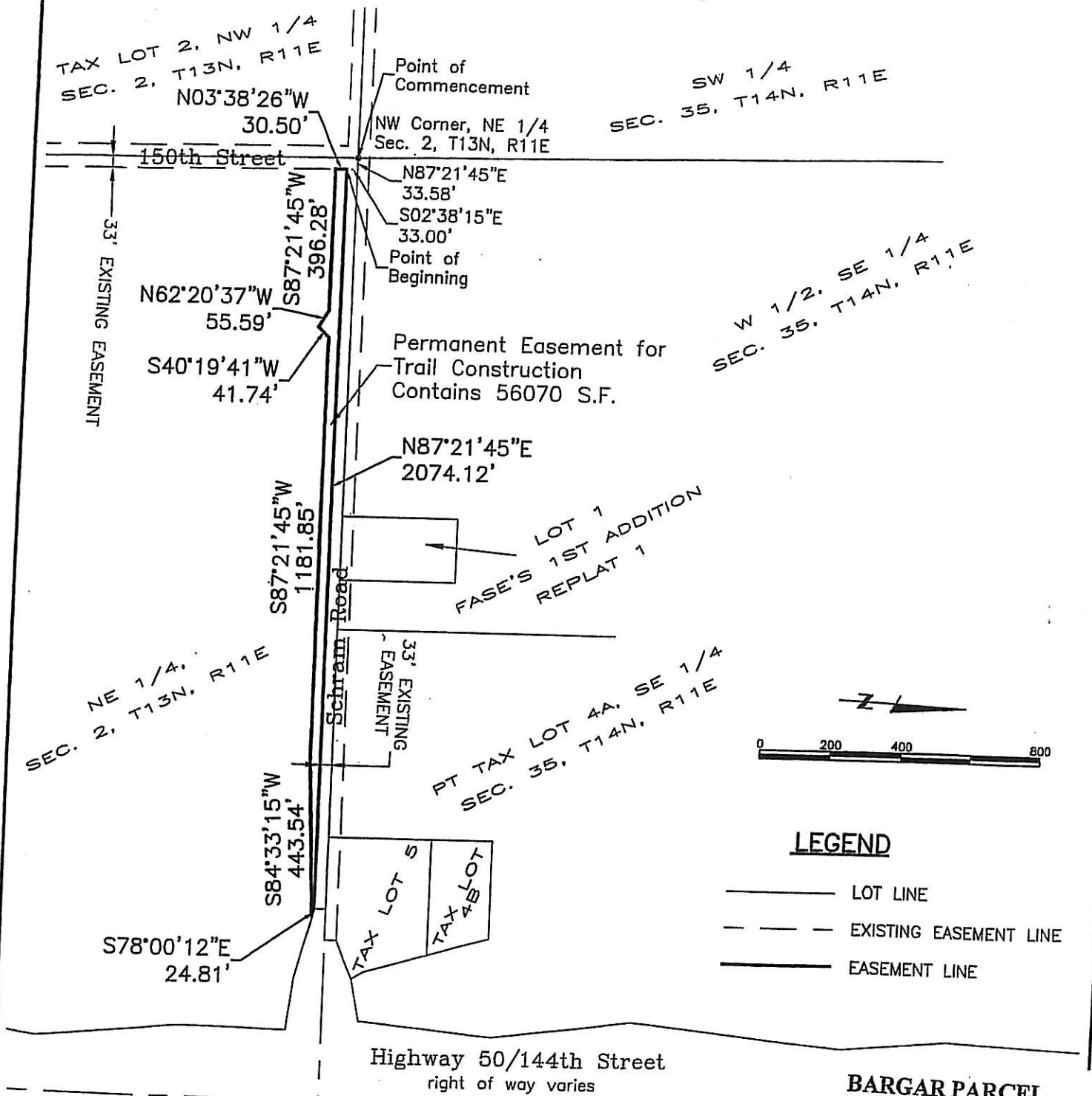
(Ph) 402.496.2498
(Fax) 402.496.2730

drawn by: ARJ
designer: SWA
job number-task: 06100.01-110
date: 12-22-2010
book: page:
file name: EASEMENT7.dwg

EASEMENT EXHIBIT

LEGAL DESCRIPTION

A permanent easement for the construction and maintenance of a trail over that part of the Northeast Quarter of Section 2, Township 13 North, Range 11 East of the 6th P.M., Sarpy County, Nebraska, described as follows: (SEE ATTACHED SHEET FOR COMPLETE LEGAL DESCRIPTION.)



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 14710 West Dodge Road, Suite 100
 Omaha, Nebraska 68154-2027

WWW.LRA-INC.COM

(Ph) 402.496.2498
 (Fax) 402.496.2730

drawn by: ARJ
 designer: SWA
 job number-tasks: 06100.01-110
 date: 12-22-2010
 book: page:
 file name: EASEMENT8.dwg