

## BOARD OF COUNTY COMMISSIONERS SARPY COUNTY, NEBRASKA

**RESOLUTION AUTHORIZE USE OF EMINENT DOMAIN AUTHORITY FOR SANITARY SEWER EXTENSION (Travelers Data Center Project)**

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104 (Reissue 2012), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103 (Reissue 2012), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, Sarpy County has constructed an outfall sewer pursuant to the County Industrial Sewer Act, found at Neb. Rev. Stat. §23-3601, *et seq.* (Reissue 2012); and

WHEREAS, pursuant to Resolution 2013-385, approved by the County Board on October 29, 2013, the Sarpy County Industrial Sewer will be extended for the future needs of planned commercial and industrial uses in the area of Highway 50 and Schram Road; and,

WHEREAS, in order to extend the sewer, temporary and permanent easements must be obtained along the sanitary sewer extension route as shown in exhibit A; and,

WHEREAS Sarpy County is authorized to exercise the power of eminent domain pursuant to Neb. Rev. Stat. Sect. 23-3604 (Reissue 2012); and,

WHEREAS, Sarpy County and its agents are negotiating in good faith with the owners of the affected properties for the purchase of the aforementioned interests in land. As part of a development agreement with Travelers Indemnity Company, approved at Resolution 2013-333, Sarpy County has agreed to install the sewer by June 30, 2014. As such, in order to meet the deadline requirements, it may be necessary to exercise the power of eminent domain in order to begin construction in a timely manner.

NOW, THEREFORE, BE IT RESOLVED BY THE SARPY COUNTY BOARD OF COMMISSIONERS (hereinafter "Board") that said Board does hereby make the following determinations, to wit:

- A. Pursuant to the County Industrial Sewer Act, the sewer extension improvements are designed to attract and retain large commercial and industrial businesses to Sarpy County for the purpose of meeting the future needs of said commercial and industrial users. Further, said improvements will promote the public health, safety and welfare.
- B. That for the purposes of these improvements, it is necessary that the County acquire certain legal interests in real property, including the taking of portions of the following parcels as temporary easements and permanent easements: Block 18 Westmont 2<sup>nd</sup> Platting—Parcel No. 010764712, Tax lot G, 36-14-11—Parcel No. 010465669, Pt Tax lot H, 36-14-11—Parcel No.010432035, Pt Tax lot 4A 35-14-11—Parcel No. 011058110 and W1/2 SE ¼ 35-14-11—Parcel No. 010467467.
- C. That the County has negotiated in good faith with the owners of the property, in that the County offered to such owners an amount of money equal to the fair market value of the property, that the County has made a reasonable effort to induce such owners to

accept the County's offer and gave such owners a reasonable amount of time to consider said offer.

- D. Public health, safety and welfare concerns, as well as economic and physical feasibility, necessitate that the improvements be made in the locations described in Exhibit A.
- E. The acquisition of the property is necessary for the purposes of the improvements, and no unnecessary acquisitions have been proposed.

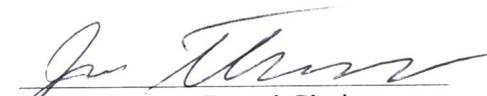
NOW, THEREFORE BE IT FURTHER RESOLVED THAT the Sarpy County Attorney is herewith authorized and directed to file a petition for the appointment of appraisers to ascertain and determine the damages to the owners which will result from the taking of such property by County, and such other legal proceedings, including but not limited to an appeal of the findings of the appraisers, if such petition and proceedings are, in the best judgment of the County Attorney, necessary to protect the interests of the County in taking the property and making the improvements.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 18<sup>th</sup> day of March 2014.

Attest

SEAL



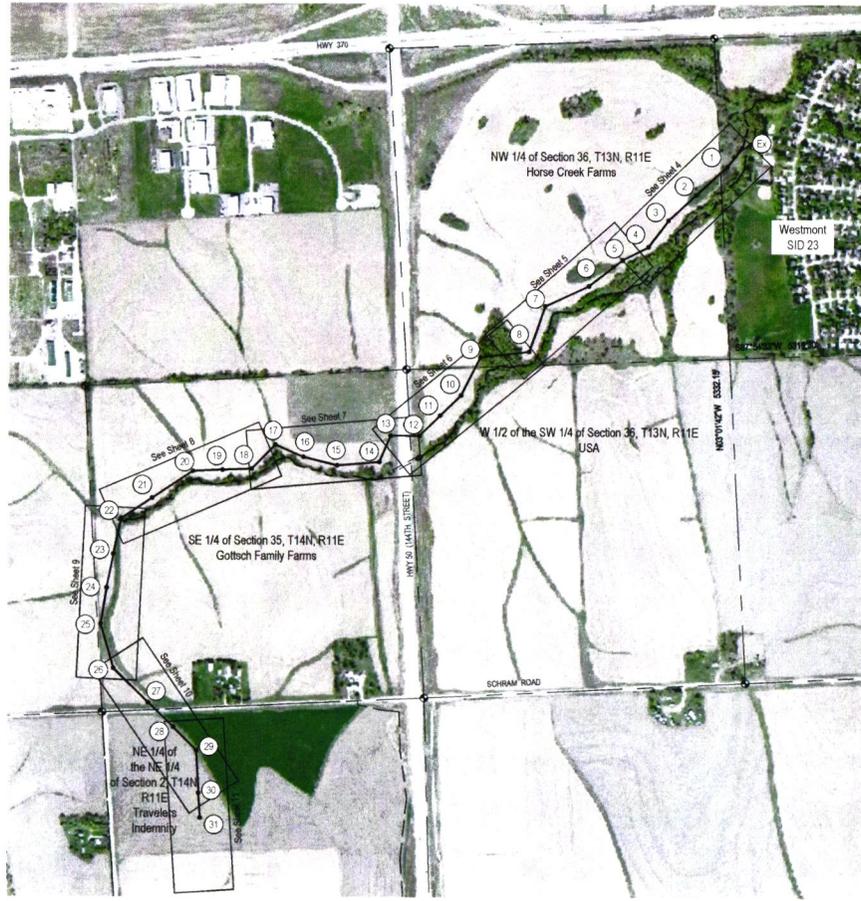
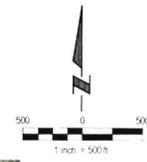
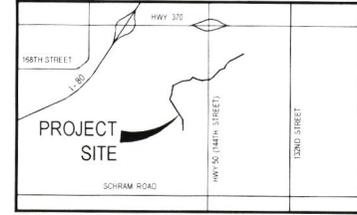
  
Sarpy County Board Chairman

  
County Clerk



# SARPY COUNTY

## CONSTRUCTION PLANS FOR: TRAVELERS DATA CENTER SANITARY SEWER OUTFALL



INDEX OF SHEETS

SHEET NO.	DESCRIPTION
1	Cover Sheet
2	Notes & Details
3	Basin Map & Flow Calculations
4	Plan & Profile Sta 0+00 to Sta 13+00
5	Plan & Profile Sta 13+00 to Sta 26+00
6	Plan & Profile Sta 26+00 to Sta 39+00
7	Plan & Profile Sta 39+00 to Sta 52+00
8	Plan & Profile Sta 52+00 to Sta 65+00
9	Plan & Profile Sta 65+00 to Sta 78+00
10	Plan & Profile Sta 78+00 to Sta 91+00
11	Plan & Profile Sta 91+00 to Sta 93+56.84

APPROXIMATE BID QUANTITIES

ITEM	DESCRIPTION	QUANTITY	UNIT
1	Cleaning and Grubbing	1	LS
2	21" Sanitary Sewer Pipe	870	LF
3	18" Sanitary Sewer Pipe	1,300	LF
4	15" Sanitary Sewer Pipe	2,150	LF
5	12" Sanitary Sewer Pipe	2,400	LF
6	10" Sanitary Sewer Pipe	2,000	LF
7	8" Sanitary Sewer Pipe	850	LF
8	Jack and Bore 24" Steel Casing Pipe (0.281" min thickness)	235	LF
9	60" Sanitary Sewer Manhole	450	VF
10	Concrete Ring Retainer	31	EA
11	Connect to Existing Sanitary Sewer	1	EA
12	3/4" Aggregate for Unstable Manhole Trench (if necessary)	200	TN
13	Geotextile Fabric for Unstable Manhole Trench (if necessary)	200	SY
14	Install Silt Fence	7,400	LF
15	TV Inspection	1	LS
16	Air Pressure Testing	1	LS
17	Earth Stockpile Removal (Established Quantity)	5,900	CY
18	Seeding Type B	85	AC
19	Construct Stabilized Construction Entrance	3	EA

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

**E & A**  
Engineering Answers

**TRAVELERS DATA CENTER SANITARY SEWER OUTFALL**  
SARPY COUNTY, NEBRASKA

Cover Sheet

**PROFESSIONAL CIVIL ENGINEER**  
MARK A. WESTERGARD  
6-1434  
STATE OF NEBRASKA

Project No. 19012488.000  
Date 1/26/2021  
Designed by MAB  
Drawn by BRC  
Scale 1" = 500'  
Sheet 1 of 11

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