



Williams / Fischer

RESOLUTION NO. 6784

**ACQUISITION OF PROPERTY RIGHTS
FOR UTILITY OPERATIONS INFRASTRUCTURE PROJECTS**

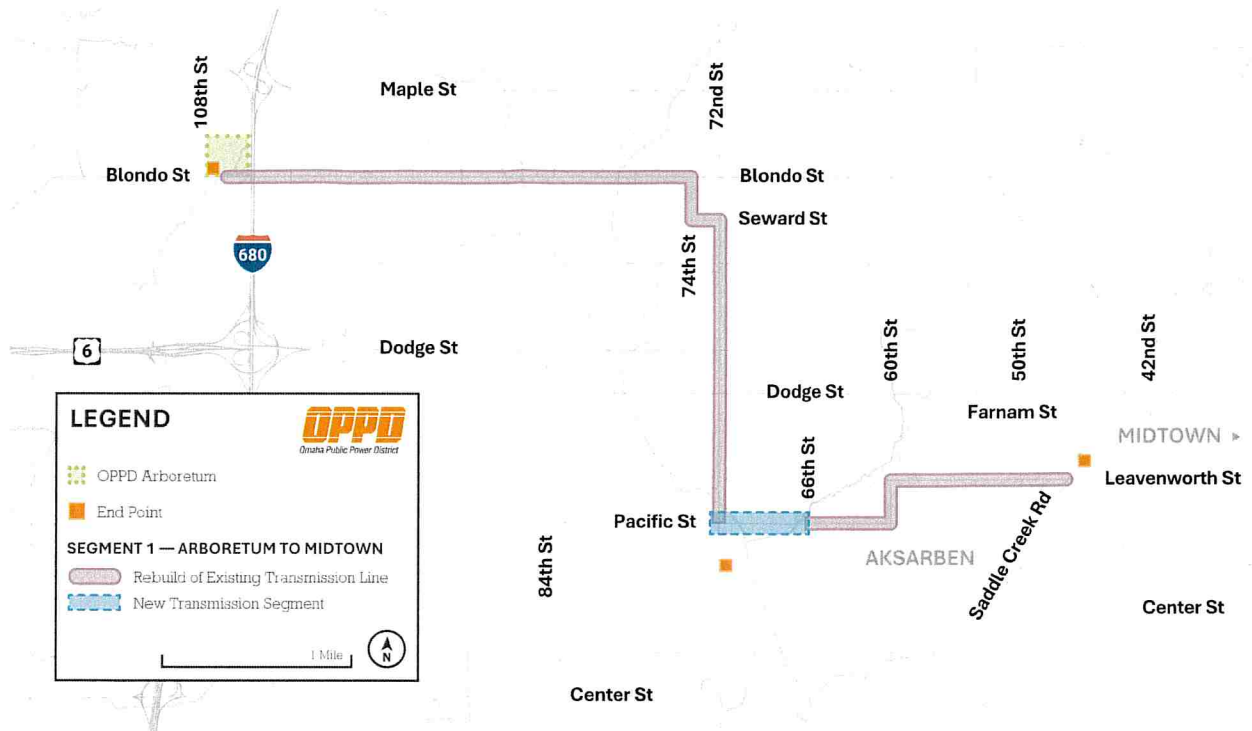
WHEREAS, the District must acquire property rights necessary for the Arboretum to Midtown Transmission Project, as such project will ensure a more reliable and resilient electric system and support growth within OPPD's service area in the Midtown area of Omaha; and

WHEREAS, the District is authorized by Nebraska Law to acquire property by eminent domain; and

WHEREAS, the use of eminent domain may become necessary to acquire property rights that cannot be obtained voluntarily through negotiations by the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Omaha Public Power District that Management and the District's General Counsel are authorized by the Board of Directors to commence eminent domain proceedings for all property rights necessary for the Project not acquired voluntarily after all reasonable efforts have been made, with this authorization extending through the duration of the Arboretum to Midtown Transmission Project.

Final Route Map Segment 1



Final Route Map Segment 2





Omaha Public Power District
BOARD OF DIRECTORS

Action Item

October 13, 2026

ITEM

Acquisition of Property Rights for Utility Operations Infrastructure Projects

PURPOSE

Authorize use of eminent domain, as may be necessary, to acquire property rights for electric transmission and distribution facilities associated with the approved Arboretum to Midtown Transmission Project, ensuring a more reliable and resilient electric system while supporting growth within Omaha Public Power District's (OPPD) service area. The project will support load growth and long-range planning of OPPD's balanced portfolio of energy resources.

FACTS

- a. This requested eminent domain authorization covers property rights that need to be acquired for utility operations infrastructure to enhance system resiliency and reliability, and support load growth.
- b. As part of the Arboretum to Midtown Transmission Project, OPPD is planning to rebuild an existing transmission line and construct a new transmission line.
- c. Segment 1 - Arboretum to Midtown Transmission Line will rebuild roughly five (5) miles of existing transmission line from the OPPD Arboretum, located near 108th and Blondo streets, to 72nd and Pacific streets into a double-circuit 69/161-kV transmission line. Additionally, OPPD will build a new half-mile line along Pacific Street from 72nd to 66th streets and will rebuild roughly two miles of existing single-circuit 161-kV transmission line from 66th Street to Saddle Creek Road and Leavenworth Street.
- d. Segment 2 - Aksarben to Midtown Transmission Line will build roughly 3.2 miles of new 161-kV transmission line from 72nd and Pine streets to Saddle Creek Road and Leavenworth Street.
- e. Approximately 230 permanent easements, and other property rights, are required for the construction, operation, and maintenance of transmission and distribution facilities relating to this project. Temporary easements may be required for pre-engineering survey access as well as temporary construction needs.

- f. There has been Public Involvement throughout the routing and siting process. Engagement with landowners will continue through the property rights acquisition process.
- g. OPPD will commence negotiations to voluntarily acquire the necessary property rights for the transmission and distribution facilities following appropriate notices being sent to landowners and after any required public hearing(s).
- h. OPPD will undertake reasonable efforts to voluntarily acquire the necessary property rights through good faith negotiations. However, the use of eminent domain may be necessary if a voluntary agreement cannot be achieved between the District and landowners.
- i. Management will report the filing of eminent domain actions to the Board.
- j. This requested authorization extends through the duration of the Arboretum to Midtown Transmission Project. Any additional authorizations for the covered project(s) will be requested as needed.

ACTION

Authorization by the Board of Directors to commence eminent domain proceedings for necessary property rights not acquired voluntarily after all reasonable efforts have been made.

RECOMMENDED:



Peter M. Fischer
Vice President – General Counsel

APPROVED FOR BOARD CONSIDERATION:



L. Javier Fernandez
President and Chief Executive Officer

PMF:jdf

Attachments: Route Maps
Resolution