

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 533**

Introduced by Avery, 28.

Read first time January 23, 2013

Committee: Judiciary

A BILL

- 1 FOR AN ACT relating to eminent domain; to require oil or gas pipeline
- 2                   condemners to provide notice to property owners as
- 3                   prescribed.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) Any person authorized to exercise the  
2 power of eminent domain pursuant to section 57-1101 shall provide the  
3 notice in subsection (2) of this section to property owners ten days  
4 prior to commencing negotiation for the property.

5           (2) The notice shall be provided to each owner of  
6 property over or across which any right or interest is to be acquired  
7 and shall be deemed properly provided if delivered personally or  
8 mailed by registered or certified mail addressed to the property  
9 owner at the address shown on the tax records in the office of the  
10 county treasurer, except that such notice shall be sufficient if  
11 given to the administrator or executor of the estate of a deceased  
12 person, the trustee of a trust estate, the guardian of the estate of  
13 a minor or incompetent person, or a conservator. The notice shall:

14           (a) Describe the property proposed to be acquired and the  
15 compensation to be given for such property;

16           (b) Include a statement of the authority for the  
17 acquisition;

18           (c) Include the nature of and necessity and purpose for  
19 which the land shall be used;

20           (d) Include the title, right, or interest in the property  
21 to be acquired;

22           (e) Specify the amount of property needed for the  
23 project;

24           (f) Include reasons for selecting the proposed location  
25 or route and include a map showing the proposed location or route of

1 the project;

2           (g) Include a list of the property owner's rights,  
3 including but not limited to, the right to retain counsel for  
4 negotiation of just compensation and the proper jurisdiction to  
5 appeal the proposed location or route of the project; and

6           (h) If approval of any agency is required, identify such  
7 agency.