

Some Tomlinson Woods' trees beginning to get the ax

By Barb Richardson

Cutting and transplanting of trees on the Tomlinson Woods property began last Wednesday, according to a spokesman for Creative Land Consultants development firm, owner of the property.

Tomlinson Woods, 114th and Pacific Streets, is 34 and one-half acres of about 100 varieties of mature trees.

Controversy over the land has occurred since a citizen's arboretum group offered to buy the land from the developer. Creative Land Consultants gave the group until September 15 to raise \$1.7 million to purchase the land.

The group failed to collect the money, but was able to convince the United States Fish and Wildlife Service to consider buying the land.

The Omaha City Council delayed rezoning of Tomlinson Woods until November 7 to give the federal government time to make a commitment. The developer, without the rezoning decision, has already begun work on the land.

Thirty trees destroyed

John Schmidt of Creative Land Consultants, said that 30 trees had been destroyed as of last Friday.

"The trees we permanently remove are already dead. If a tree shows signs of life we relocate it to a different spot on the property."

If the Omaha City Council approves

rezoning, Creative Land Consultants have taken a measure to conserve the trees on the property, according to Schmidt.

"After people buy lots on Tomlinson Woods, they must put up a \$5,000 bond to insure security of the trees. If the new owners of the lot remove a tree without consulting our firm, they forfeit their bond," Schmidt said.

"The property owners, Creative Land Consultants, are within their legal rights to cut down the trees," Omaha City Council President Steve Rosenblatt said.

Schmidt said, "the Omaha City Planning Department approved the removal and relocation of the trees. Legally, we could chop down every tree on the property."

Schmidt added that Creative Land Consultants need the council's rezoning approval to pave or build houses on the property.

Legality questioned

Attorney Steve Riekes, a spokesman for the arboretum group, said the legality of the developers' actions is questionable.

"It appears that the developers want to destroy the land so the federal government won't be interested in purchasing it," Riekes said.

"We (the arboretum group) thought the developers would be more prudent and honorable. Prudent because the developers will receive the same amount of money whether the government buys the land or if they sell lots to build homes on. Honorable because they gave their word to the council that they would wait for the rezoning vote before beginning work on

the land."

"We, the arboretum group, are still trying to save the land," Riekes added.

Rep. John Cavanaugh, D.-Neb., who recommended Tomlinson Woods to the United States Fish and Wildlife Service for purchase, is disturbed by the property owners' actions.

"While John respects the rights of the property owners, he is distressed that the property owners did not have respect for the community's interests, a Cavanaugh spokesman said.

He added that Cavanaugh received a positive letter last Friday, concerning the federal purchase of Tomlinson Woods from Lynn A. Greenwalt, director of the United States Fish and Wildlife Service.

"Although trees are being removed from Tomlinson Woods, John will continue to seek funds to preserve the land," the spokesman said.

No zoning change

Rosenblatt said that rezoning of the property will not be approved by the coun-

cil. He added that the removal of the trees will have no impact on the council's decision because most of the members have already made up their minds on the issue.

"I think that the developers are starting work on the land to get the councilmembers upset," Rosenblatt said. The developers want to get the members upset so they will vote against rezoning now instead of on November 7.

He said after the Council votes rezoning down, the developer will take the decision to court, he said.

"If this is his plan, it's working because some councilmembers want to vote on rezoning now," Rosenblatt said.

"They're falling right into a trap, and they don't realize it."

"It would be advantageous to vote on November 7. If the vote is delayed, the United States Fish and Wildlife Service will be able to make a commitment and the council will be able to tell what the developer's plans are." Rosenblatt said.

UNL student charged

A 19-year-old UNL student has been charged with trespassing following several incidents in a women's locker room at Mabel Lee Hall, police said.

Hung the Dinh, 927 Harper Hall, was arrested after being chased by a female University Police officer who was waiting inside the locker room

when Dinh allegedly entered.

Police said she and another officer outside chased Dinh to Henzlik Hall where he was arrested.

Police said they have received two reports over the past few weeks of a fully-clothed man standing in the locker room at night.

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