

## INDUSTRIAL AND OPEN SPACE PLAN

2110 HARPER

LAWRENCE KS 66046

ECO<sup>2</sup> Commission

Trudy Rice – Chairman

Larry McElwain – Vice-Chairman March 6, 2008

Roger Boyd

Rex Buchanan

Bruce Liese

RoxAnne Miller

John Pendleton

Robert Rhoton

To: Douglas County Commission  
Lawrence City Commission

From: ECO<sup>2</sup> Commission  
Trudy M. Rice, Chair

Subject: ECO<sup>2</sup> Commission Implementation Report

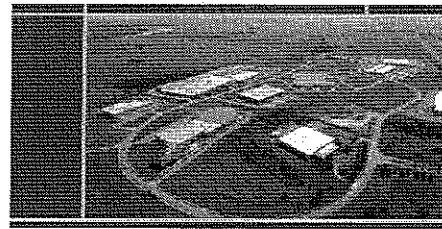
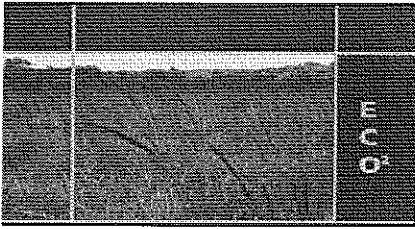
Attached you will find a packet of information related to our upcoming presentation on March 11, 2008 to the Lawrence City Commission and March 26, 2008 to the Douglas County Commission. This information is in relation to the Implementation Phase of the ECO<sup>2</sup> Plan which was formally adopted by each of your Commissions in the spring of 2007. This report represents many hours of work from a variety of community volunteers during the last several months. We would especially like to express our appreciation for the involvement of Amy Miller from the Lawrence Douglas County Planning Department. It is our hope that you will give this information careful consideration and continue to move towards accomplishing both an ECO<sup>2</sup> Business/Industrial and Open Space Project for our community in the very near future.

Again, thanks for your continued support of this initiative to advance both business/industrial and open space initiatives for the benefit of all who live in Douglas County. If you have questions before the meeting feel free to contact one of the ECO<sup>2</sup> Commissioners.

Established  
2003

**ECO<sup>2</sup> = The exponential benefits of economic development + ecological preservation**





**INDUSTRIAL AND OPEN SPACE PLAN**  
2110 HARPER  
LAWRENCE KS 66046

March 6, 2008

To: Lawrence City Commission  
Douglas County Commission

From: ECO<sup>2</sup> Commission  
Trudy Rice, Chair

Subject: ECO<sup>2</sup> Implementation Recommendations

In accordance with the Implementation Phase of the ECO<sup>2</sup> Plan, adopted by your Commissions in the spring of 2007, the ECO<sup>2</sup> Commission would like to submit the following findings related to potential business/industrial and open space projects in Douglas County. The supporting documentation is attached.

**Open Space Project(s):** The ECO<sup>2</sup> Commission facilitated a RFP process, sponsored by the City and County Commissions, to receive proposals for open space projects in Douglas County. Two requests were received. One request was for the Baldwin Woods Project and was submitted by the Kansas Land Trust with individual landowner consent. Using the criteria outlined in the ECO<sup>2</sup> Plan, this proposal scored a 4.10 on a 5.0 scale by the Open Space Implementation Committee. The Business/Industrial Implementation Committee noted no significant conflicts with this project. The second proposal was incomplete (lacking landowner consent) and was not scored at this time.

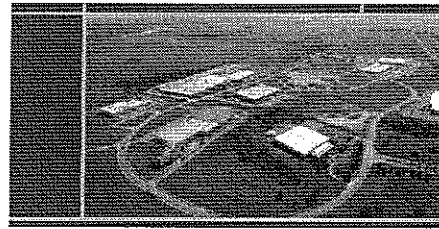
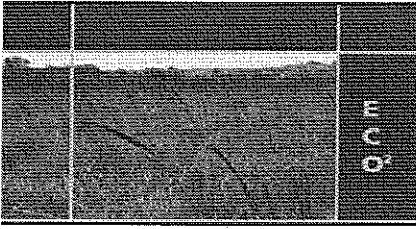
The ECO<sup>2</sup> Commission voted to accept the Baldwin Woods Proposal as recommended by the Open Space Committee and forward it to the City and County Commissions for your consideration. In addition to this we would like to recommend that there is a continued process to receive additional open space proposals. We would be glad to continue to facilitate this process.

**Business/Industrial Project(s):** The Business/Industrial Implementation Committee applied the scoring criteria as outlined in the ECO<sup>2</sup> Plan to twelve potential areas that have either been identified for future business development in our comprehensive plan and/or are sites of active proposals for business/industrial development in our community. The scoring criteria in six categories plus a cumulative score are attached. The Open Space Implementation Committee reviewed the scores and provided a statement of potential conflicts on the three sites that currently had specifically defined boundaries.

The ECO<sup>2</sup> Commission voted to accept the report from the Business/Industrial Committee as presented on the 12 sites. The three sites with specific boundaries were reviewed and the potential conflicts will be noted in detail on the final scoring matrix. This is to be forwarded to the City and County Commissions.

**ECO<sup>2</sup> = The exponential benefits of economic development + ecological preservation**





INDUSTRIAL AND OPEN SPACE PLAN  
2110 HARPER  
LAWRENCE KS 66046

These recommendations were developed using the implementation process outlined in the ECO<sup>2</sup> Plan and are offered in an advisory capacity to your Commissions to take action on. We will continue to be available for this type of review in the future as projects come forward for consideration. In addition to this we are committed to continue to build public understanding and support for the ECO<sup>2</sup> Plan. During the next year we will be conducting a review of the plan to ensure that it is working as originally proposed and suggesting any minor revision that might be necessary.

**ECO<sup>2</sup> = The exponential benefits of economic development + ecological preservation**



**ECO2 Commission Implementation Phase**  
**August 30, 2007**

1. ECO<sup>2</sup> Commission will appoint two committees:
  - a. ECO<sup>2</sup> Business/Industrial Review Committee and
  - b. ECO<sup>2</sup> Openspace Review Committee Committee.
  - c. Each committee will be made up of 8 persons (7 committee members and one ad-hoc member) as follows:
    - i. Two ECO<sup>2</sup> Commissioners to serve as co-chairs.
    - ii. One additional ECO<sup>2</sup> Commissioner will serve on an ad-hoc basis, but will not vote.
    - iii. Five persons from the community representing industrial interests groups, openspace interest groups and agricultural interest groups.
2. ECO<sup>2</sup> Commission will approve an openspace request for proposals, developed by the openspace committee, and submit it to the City and County Commission for review. If the City and Commission approve, the City & County Commission will jointly issue the Openspace request for proposals.
3. Industrial site review:
  - a. The ECO<sup>2</sup> Industrial Committee cooperate with Lawrence/Douglas County Planning Staff to review all geographic areas that have been designated for industrial development in the comprehensive plans.
  - b. ECO<sup>2</sup> Industrial Committee will evaluate each geographic area applying the ECO<sup>2</sup> Industrial criteria and formula and will develop a report for the geographic area. ECO<sup>2</sup> Industrial Committee will submit the report for each geographic area to the ECO<sup>2</sup> Commission, for review and consideration.
  - c. The ECO<sup>2</sup> Openspace Committee will review the ECO<sup>2</sup> Industrial Committee geographic area report for conflicts with openspace priorities and will submit a report regarding possible conflicts with openspace to the ECO<sup>2</sup> Commission
  - d. The ECO<sup>2</sup> Commission will review the Committee reports and make a written recommendation to the Douglas County and Lawrence City Commissions regarding the geographic areas suitability for industrial development based on the ECO<sup>2</sup> objective criteria. The ECO<sup>2</sup> Commission recommendation will be made in an advisory capacity.
4. Openspace proposal review:
  - a. The Openspace Committee will develop a openspace request for proposal and submit it to the ECO<sup>2</sup> for their approval. Upon approval it will be forwarded to the Douglas County and Lawrence City Commission for action.
  - b. The ECO<sup>2</sup> Openspace Committee will review and evaluate the Openspace proposals applying the ECO<sup>2</sup> Openspace criteria and formula and will develop a report to the ECO<sup>2</sup> Commission
  - c. The ECO<sup>2</sup> Industrial Committee will review the ECO<sup>2</sup> Openspace Committee report for conflicts with industrial priority areas and will submit a report to the



ECO<sup>2</sup> Commission regarding possible conflicts with industrial areas to the ECO<sup>2</sup> Commission

- d. The ECO<sup>2</sup> Commission will then make a written recommendation to the Lawrence City Commission regarding the openspace proposals. The ECO<sup>2</sup> Commission recommendation will be made in an advisory capacity.

Timeline:

- October 1, 2007-Open Space committee will have a recommended request for proposal to the ECO<sup>2</sup> Commission for their consideration.
- December 15, 2007-Industrial committee will have a report to the ECO<sup>2</sup> Commission on the geographic areas proposed for industrial development in the comprehensive plan.
- February 8, 2008 the Open Space Committee will have reviewed the evaluated Industrial sites and the report will be reviewed by the ECO<sup>2</sup> Commission.
- March 1, 2008 the Open Space and Industrial Committees will have reviewed the RFP's for Open Space and reported to the ECO<sup>2</sup> Commissions.
- Spring of 2008-the ECO<sup>2</sup> Commission will have a comprehensive report for the County/City Commissions that encompasses all above steps.

Note: It is anticipated that the committees appointed at this time will serve through June 30, 2008. All would be eligible for re-appointment at that time.

Open Space Committee  
Rex Buchanan, Co-Chair  
Bob Rhoton, Co Chair  
Bev Worster  
Joyce Wolf  
Norman Leary  
Ryan Wedel  
Bill Busby  
Bruce Leise, ad hoc

Industrial Committee  
John Pendleton, Co Chair  
Larry McElwain, Co Chair  
Stacey White  
Ted Boyle  
Mark Gonzales  
John Naramore  
Frank Male  
Roger Boyd, ad hoc



The following details the scoring of the Baldwin Woods project based on the ECO<sup>2</sup> Plan criteria as applied by the Open Space Implementation Committee:

| Criteria                             | Score Summary         | Score | Weight | Final Score |
|--------------------------------------|-----------------------|-------|--------|-------------|
| 1. Water quality protection          | Medium                | 3     | 0.10   | 0.30        |
| 2. Multiple Conservation Values      | 7 categories I.D.ed*  | 7     | 0.10   | 0.70        |
| 3. Floodplain                        | Not in 100 yr plain   | 0     | 0.10   | 0.00        |
| 4. Proximity to intact natural areas | Adjacent to one       | 5     | 0.10   | 0.50        |
| 5. High risk of urban development    | within less than 2mi. | 5     | 0.10   | 0.50        |
| 6. High risk of rural development    | within 1/2mi.         | 4     | 0.10   | 0.40        |
| 7. Accessibility to public           | Limited access        | 5     | 0.10   | 0.50        |
| 8. Proposal with partner funding     | 16-30% @ 19.4%        | 2     | 0.10   | 0.20        |
| 9. Size of tract                     | 255.82 acres          | 5     | 0.10   | 0.50        |
| 10. High quality natural areas       | Contains forest       | 5     | 0.10   | 0.50        |

#### **TOTAL SCORING OF ALL CRITERIA**

**4.10**

\*Categories IDed: mature forest, riparian lands, habitat for protected species, agricultural lands, scenic lands, historic sites and lands promoting integration since it connects to other preserved land.

Statement of potential conflicts from the Business/Industrial Implementation Committee: This project poses no conflicts to the potential of industrial sites on any of the twelve sites that have been studied.



**ECO<sup>2</sup> Industrial Subcommittee**  
**Sample Scorecard of Potential Areas Using Recommended Evaluation Formula**  
**January 2008**

**Transportation Proximity**

| <b>Areas of Interest</b>       | <b>Criteria*</b> | <b>Initial Score</b> | <b>Weight</b> | <b>Final Score</b> |
|--------------------------------|------------------|----------------------|---------------|--------------------|
| Baldwin, west city limits      | US-56            | 1                    | .25           | .25                |
| Baldwin, US-56/59              | US-59            | 2                    | .25           | .5                 |
| Eudora, North K-10             | K-10             | 3                    | .25           | .75                |
| Eudora, South K-10             | K-10             | 3                    | .25           | .75                |
| Lawrence, Airport              | I-70             | 5                    | .25           | 1.25               |
| Lawrence, Midland Junction     | I-70             | 4                    | .25           | 1.00               |
| Lawrence, Farmland             | K-10             | 3                    | .25           | .75                |
| Lawrence, SE Area              | K-10             | 3                    | .25           | .75                |
| Lawrence, 6 <sup>th</sup> /SLT | I-70             | 4                    | .25           | 1.00               |
| Lawrence, I-70 Interchange     | I-70             | 5                    | .25           | 1.25               |
| Lawrence, Airport 140 Acres    | I-70             | 5                    | .25           | 1.25               |
| Lawrence Airport 550 Acres     | I-70             | 5                    | .25           | 1.25               |
| Lawrence, WWRF                 | Floodplain/Slope |                      |               |                    |

**Initial Score Criteria** (\*based on the City/County Major Thoroughfares Maps of Transportation 2025)

- 5- Access to interstate (I-70) less than 1 mile      2- Access to US 59 less than 3 miles
- 4- Access to interstate 1.1 to 3 miles      1- Access to US 56 less than 3 miles
- 3- Access to K-10 less than 3 miles      0- More than 3 miles to state or interstate



**ECO<sup>2</sup> Industrial Subcommittee**  
**Sample Scorecard of Potential Areas Using Recommended Evaluation Formula**  
**January 2008**

| <b><u>Total Potential Acreage</u></b> |                         |                             |                      |                           |
|---------------------------------------|-------------------------|-----------------------------|----------------------|---------------------------|
| <b><u>Areas of Interest</u></b>       | <b><u>Criteria*</u></b> | <b><u>Initial Score</u></b> | <b><u>Weight</u></b> | <b><u>Final Score</u></b> |
| Baldwin, west city limits             | 218 acres               | 3                           | .17                  | .51                       |
| Baldwin, US-56/59                     | 402 acres               | 5                           | .17                  | .85                       |
| Eudora, North K-10                    | 337 acres               | 5                           | .17                  | .85                       |
| Eudora, South K-10                    | 607 acres               | 5                           | .17                  | .85                       |
| Lawrence, Airport                     | 319 acres               | 5                           | .17                  | .85                       |
| Lawrence, Midland Junction            | 381 acres               | 5                           | .17                  | .85                       |
| Lawrence, Farmland                    | 280 acres               | 3                           | .17                  | .51                       |
| Lawrence, SE Area                     | 720 acres               | 5                           | .17                  | .85                       |
| Lawrence, 6 <sup>th</sup> /SLT        | 218 acres               | 5                           | .17                  | .85                       |
| Lawrence, I-70 Interchange            | 320 acres               | 5                           | .17                  | .85                       |
| Lawrence, Airport 140 Acres           | 140 acres               | 2                           | .17                  | .34                       |
| Lawrence Airport 550 Acres            | 550 acres               | 5                           | .17                  | .85                       |

**Initial Score Criteria** (*\*based on the Douglas County parcel ownership information*)

5- 300 or more acres  
 4- no criteria identified  
 3- 200-299 acres

2- 100-199 Acres

1- no criteria identified  
 0- less than 99 acres



**ECO<sup>2</sup> Industrial Subcommittee**  
**Sample Scorecard of Potential Areas Using Recommended Evaluation Formula**  
**January 2008**

**Average Slope of Site**

| <b>Areas of Interest</b>       | <b>Criteria*</b> | <b>Initial Score</b> | <b>Weight</b> | <b>Final Score</b> |
|--------------------------------|------------------|----------------------|---------------|--------------------|
| Baldwin, west city limits      | 5.5%             | 4                    | .17           | .68                |
| Baldwin, US-56/59              | 5%               | 4                    | .17           | .68                |
| Eudora, North K-10             | 1.8%             | 3                    | .17           | .51                |
| Eudora, South K-10             | 1.5%             | 3                    | .17           | .51                |
| Lawrence, Airport              | less than 1%     | 0                    | .17           | 0                  |
| Lawrence, Midland Junction     | less than 1%     | 0                    | .17           | 0                  |
| Lawrence, Farmland             | 3%               | 5                    | .17           | .85                |
| Lawrence, SE Area              | 5%               | 4                    | .17           | .68                |
| Lawrence, 6 <sup>th</sup> /SLT | 5%               | 4                    | .17           | .68                |
| Lawrence, I-70 Interchange     | 4%               | 5                    | .17           | .85                |
| Lawrence, Airport 140 Acres    | less than 1%     | 0                    | .17           | 0                  |
| Lawrence, Airport 550 Acres    | Less than 1%     | 0                    | .17           | 0                  |

**Initial Score Criteria** (\*based on USGS topographical maps for Douglas County)

5- 3% to 4.99%

4- 2% to 2.99% or 5% to 5.99%

3- 1% to 1.99% or 6% to 6.99%

2- 7% to 7.99%

1- no criteria identified

0- less than .99% or more than 8%



**ECO<sup>2</sup> Industrial Subcommittee**  
**Sample Scorecard of Potential Areas Using Recommended Evaluation Formula**  
**January 2008**

**Extraordinary Costs**

| <b>Areas of Interest</b>       | <b>Criteria*</b> | <b>Initial Score</b> | <b>Weight</b> | <b>Final Score</b> |
|--------------------------------|------------------|----------------------|---------------|--------------------|
| Baldwin, west city limits      | \$1,404,506      | 5                    | .17           | <b>.85</b>         |
| Baldwin, US-56/59              | \$5,400,696      | 3                    | .17           | <b>.51</b>         |
| Eudora, North K-10             | \$4,167,140      | 4                    | .17           | <b>.68</b>         |
| Eudora, South K-10             | \$7,670,040      | 2                    | .17           | <b>.34</b>         |
| Lawrence, Airport              | \$4,692,000      | 4                    | .17           | <b>.68</b>         |
| Lawrence, Midland Junction     | \$5,899,500      | 3                    | .17           | <b>.51</b>         |
| Lawrence, Farmland             | \$15,135,150     | 0                    | .17           | <b>0</b>           |
| Lawrence, SE Area              | \$1,515,700      | 5                    | .17           | <b>.51</b>         |
| Lawrence, 6 <sup>th</sup> /SLT | \$2,001,000      | 4                    | .17           | <b>.68</b>         |
| Lawrence, I-70 Interchange     | \$3,386,750      | 4                    | .17           | <b>.68</b>         |
| Lawrence, Airport 140 Acres    | \$4,692,000      | 4                    | .17           | <b>.68</b>         |
| Lawrence, Airport 550 Acres    | \$4,692,000      | 4                    | .17           | <b>.68</b>         |

**Initial Score Criteria** (*\*based on estimated external site development costs – i.e., costs to extend infrastructure, etc.*)

5- less than \$2 million  
 4- \$2 to \$4.9 million  
 3- \$5 to \$6.9 million

2- \$7 to \$9.9 million  
 1- \$10 to \$14.9 million  
 0- \$15 million or more



**ECO<sup>2</sup> Industrial Subcommittee**  
**Sample Scorecard of Potential Areas Using Recommended Evaluation Formula**  
**January 2008**

**Existing Local/Regional Plans**

| <b>Areas of Interest</b>       | <b>Criteria*</b> | <b>Initial Score</b> | <b>Weight</b> | <b>Final Score</b> |
|--------------------------------|------------------|----------------------|---------------|--------------------|
| Baldwin, west city limits      | Adjacent         | 4                    | .17           | .68                |
| Baldwin, US-56/59              | 11-25 years      | 1                    | .17           | .17                |
| Eudora, North K-10             | Adjacent         | 4                    | .17           | .68                |
| Eudora, South K-10             | Adjacent         | 4                    | .17           | .68                |
| Lawrence, Airport              | Existing         | 5                    | .17           | .85                |
| Lawrence, Midland Junction     | 25+ years        | 0                    | .17           | 0                  |
| Lawrence, Farmland             | Existing         | 5                    | .17           | .85                |
| Lawrence, SE Area              | Existing         | 5                    | .17           | .85                |
| Lawrence, 6 <sup>th</sup> /SLT | Existing         | 5                    | .17           | .85                |
| Lawrence, I-70 Interchange     | 25+ years        | 0                    | .17           | 0                  |
| Lawrence, Airport 140 Acres    | Existing         | 5                    | .17           | .85                |
| Lawrence, Airport 550 Acres    | existing         | 5                    | .17           | .85                |

**Initial Score Criteria** (\*based on planning efforts of Douglas County communities)

- 5- area located in at least one existing plan +
- 4- area located adjacent to existing plan +
- 3- area to be planned within 5 years
- 2- area to be planned within 6 to 10 years
- 1- area to be planned within 11 to 25 years
- 0- area not expected to be planned within 25 years

**+an existing plan is one that is formally adopted (or one that is in draft form to be adopted) by a governing body**



**ECO<sup>2</sup> Industrial Subcommittee**  
**Sample Scorecard of Potential Areas Using Recommended Evaluation Formula**  
**January 2008**

| <b>Number of Owners</b> | <b>Areas of Interest</b>       | <b>Criteria*</b> | <b>Initial Score</b> | <b>Weight</b> | <b>Final Score</b> |
|-------------------------|--------------------------------|------------------|----------------------|---------------|--------------------|
|                         | Baldwin, west city limits      | 2 owners         | 5                    | .07           | .35                |
|                         | Baldwin, US-56/59              | 2 owners         | 5                    | .07           | .35                |
|                         | Eudora, North K-10             | 2 owners         | 5                    | .07           | .35                |
|                         | Eudora, South K-10             | 1 owner          | 5                    | .07           | .35                |
|                         | Lawrence, Airport              | 8 owners         | 2                    | .07           | .14                |
|                         | Lawrence, Midland Junction     | 12 owners        | 1                    | .07           | .07                |
|                         | Lawrence, Farmland             | 4 owners         | 4                    | .07           | .28                |
|                         | Lawrence, SE Area              | 22 owners        | 0                    | .07           | 0                  |
|                         | Lawrence, 6 <sup>th</sup> /SLT | 5 owners         | 3                    | .07           | .21                |
|                         | Lawrence, I-70 Interchange     | 5 owners         | 3                    | .07           | .21                |
|                         | Lawrence, Airport 140 Acres    | 1 owner*         | 5                    | .07           | .35                |
|                         | Lawrence, Airport 550 Acres    | 9 owners         | 2                    | .07           | .14                |

**Initial Score Criteria** (\*based on Douglas County parcel ownership information)

5- fewer than 3 owners

4- 3-4 owners

3- 5-6 owners

\*Same family

2- 7-9 owners

1- 10-12 owners

0- over 12 owners



**ECO<sup>2</sup> Industrial Subcommittee**  
**Sample Scorecard of Potential Areas Using Recommended Evaluation Formula**  
**January 2008**

**Final Scoring and Ranking**

| <b>Areas of Interest</b>        | <b>Trans.</b> | <b>Acreage</b> | <b>Slope</b> | <b>Costs</b> | <b>Plans</b> | <b>Owners</b> | <b>SCORE</b> |
|---------------------------------|---------------|----------------|--------------|--------------|--------------|---------------|--------------|
| Baldwin, west city limits       | .25           | .51            | .68          | .85          | .68          | .35           | <b>3.32</b>  |
| Baldwin, US-56/59               | .5            | .85            | .68          | .51          | .17          | .35           | <b>3.06</b>  |
| Eudora, North K-10              | .75           | .85            | .51          | .68          | .68          | .35           | <b>3.82</b>  |
| Eudora, South K-10              | .75           | .85            | .51          | .34          | .68          | .35           | <b>3.48</b>  |
| Lawrence, Airport               | 1.25          | .85            | 0            | .68          | .85          | .14           | <b>3.77</b>  |
| Lawrence, Midland Junction      | 1.00          | .85            | 0            | .51          | 0            | .07           | <b>2.43</b>  |
| * Lawrence, Farmland            | .75           | .51            | .85          | 0            | .85          | .28           | <b>3.24</b>  |
| Lawrence, SE Area               | .75           | .85            | .68          | .51          | .85          | 0             | <b>3.64</b>  |
| Lawrence, 6 <sup>th</sup> /SLT  | 1.00          | .85            | .68          | .68          | .85          | .21           | <b>4.27</b>  |
| ** Lawrence, I-70 Interchange   | 1.25          | .85            | .85          | .68          | 0            | .21           | <b>3.84</b>  |
| *** Lawrence, Airport 140 Acres | 1.25          | .34            | 0            | .68          | .85          | .35           | <b>3.47</b>  |
| Lawrence, Airport 550 Acres     | 1.25          | .85            | 0            | .68          | .85          | .14           | <b>3.77</b>  |

**Potential Open Space conflicts to be noted:**

\* Farmland Tract: There is a small amount of prime agricultural land. This prime agricultural land was on the tract that lies north of the railroad. The remaining portion of this tract is free of other conflicts. The triangle tract north of the railroad is a minor portion of the over-all site.

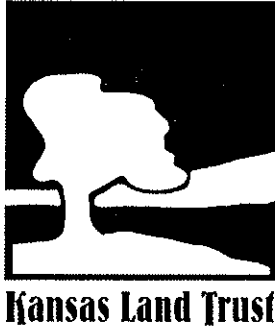
\*\* I-70 Interchange Tract: This tract has prime agricultural land. There are no other conflicts directly associated with this tract.

\*\*\* Airport Tract (approximately 140 acres): The entire tract is prime agricultural land. Some of the northwest portion of the tract lies in the floodplain. There are no other conflicting categories on this tract.



**ECO<sup>2</sup> Industrial Subcommittee**  
**Sample Scorecard of Potential Areas Using Recommended Evaluation Formula**  
**January 2008**





January 31, 2008

ECO<sup>2</sup> Commission  
1100 Massachusetts Street  
Lawrence, KS 66044

**Board of Directors**

Lynn Byczynski  
Myrl Duncan  
Julie Elfving  
Catherine Hauber, *V.P.*  
Chelsi Hayden  
Kelly Kindscher, *Sec.*  
donna luckey  
Bryan Welch, *Treas.*  
Beverley Worster, *Pres.*

RoxAnne Miller,  
*Executive Director*  
RoxAnne.Miller@klt.org

16 E. 13th Street  
Lawrence, Kansas  
66044-3502

(785) 749-3297  
www.klt.org

Dear ECO<sup>2</sup> Commission:

I am pleased to present the Kansas Land Trust's ECO<sup>2</sup> Open Space Preservation proposal for funding ("KLT ECO<sup>2</sup> Proposal"). For your convenience we have enclosed ten hard copies and one digital copy of the proposal.

The proposal is for two permanent conservation easements totaling 256 acres of mature forest and pasture land. This funding request is for \$464,000 out of a total project cost of \$576,000.

|                                   |                  |
|-----------------------------------|------------------|
| Total Project Cost:               | \$576,000        |
| <u>Matching Funds Identified:</u> | <u>\$112,000</u> |
| Total Funding Request:            | \$464,000        |

To facilitate your review of the KLT ECO<sup>2</sup> Proposal, the RFP Form language is in bold text and the KLT ECO<sup>2</sup> Proposal language is in non-bold text. If you have any questions or need any further information, please do not hesitate to contact me.

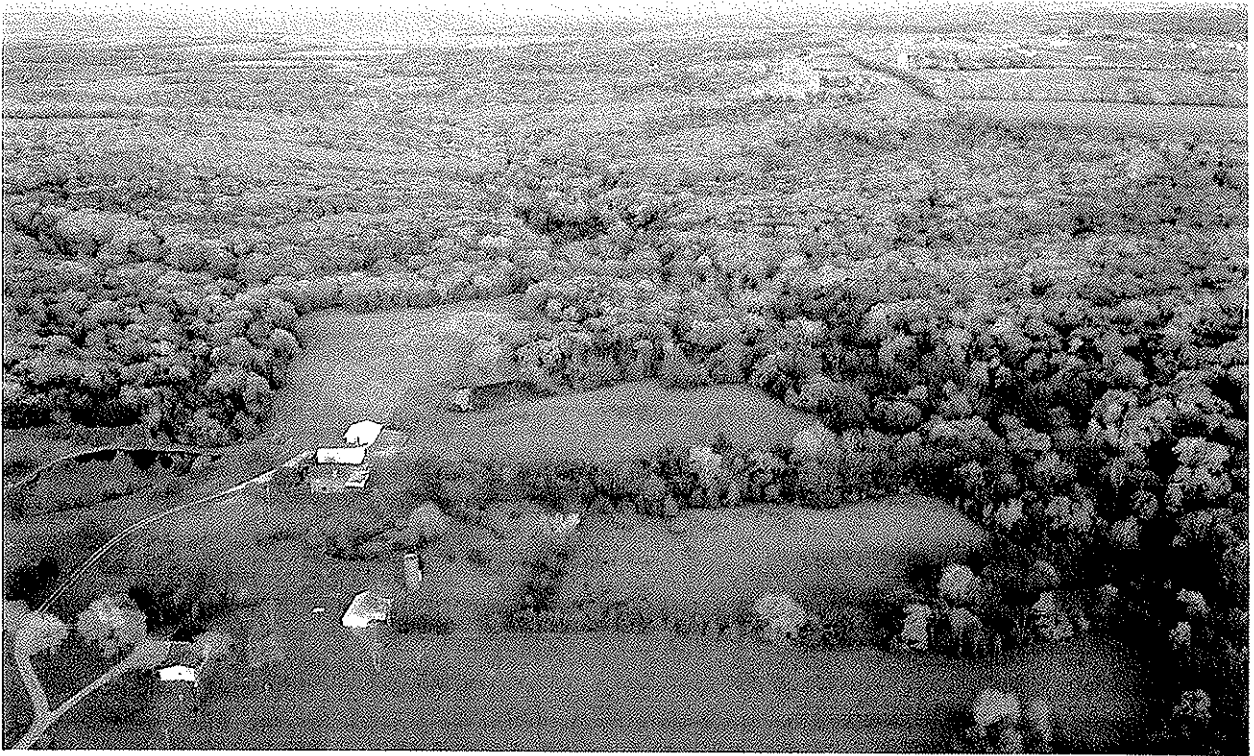
Sincerely,

RoxAnne Miller  
Executive Director

Enclosures



# ECO<sup>2</sup> Open Space Preservation Program



Kansas Land Trust  
Baldwin Woods Proposal  
January 31, 2008



# Kansas Land Trust

## Open Space Preservation

### Proposal For ECO<sup>2</sup> Funding

*The Douglas County Commission and the Lawrence City Commission are soliciting proposals for flagship projects—those that contain significant open space values and would be eligible for future funding as an ECO<sup>2</sup> Open Space Project.*

*For more information including criteria for evaluating Open Space projects see page 16 in the ECO<sup>2</sup> Plan at [www.douglas-county.com](http://www.douglas-county.com)*

**Contact information of nominating individual or organization  
(please provide primary contact person if organization):**

**Name:** Kansas Land Trust ("KLT")  
RoxAnne Miller, Executive Director  
**Address:** 16 E. 13<sup>th</sup> Street  
Lawrence, KS 66044

**Phone number(s):** (785) 749-3297

**E-mail address:** [roxanne.miller@klt.org](mailto:roxanne.miller@klt.org)

**Name of proposed Open Space project:** Baldwin Woods Project

**Please provide the name(s) and contact information of all owner(s) of the proposed open space property:**

Tract One: Ray Wilber & Cathy Dwigans  
502 E 1600 Road  
Baldwin City, KS 66006  
(785) 594-3801

Tract Two: Common Land Farm, L.L.C.

|          |                            |                        |
|----------|----------------------------|------------------------|
| Members: | Ray Wilber & Cathy Dwigans | John & Gloria Hood     |
|          | 502 E 1600 Road            | 507 E 1600 Road        |
|          | Baldwin City, KS 66006     | Baldwin City, KS 66006 |
|          | (785) 594-3801             | (785) 594-2564         |

**Have all owners been consulted with and consented to this proposal?** Y X N   

See **Appendix A** for signed Letters of Intent from the landowners. Ray Wilber and Cathy Dwigans own two of the three parcels that comprise Tract One and they are purchasing the third parcel from Roger Doudna under a Contract of Sale dated August 28, 1999. Common Land Farm, L.L.C. is purchasing the two



parcels that comprise Tract Two from Ruth Cutler under Contracts of Sale dated December 29, 1999. The proceeds from the sale of the conservation easements will be used to pay off those contracts and the recording of the deeds will occur pursuant to the contracts. The contracts allow for early payoff. Therefore, Roger Doudna and Ruth Cutler are not parties to this application; however, the landowners have informed them of this proposal.

**Approximate size of the open space project is 256 acres.**

**What is the current use of the proposed open space site:**

Tract One: Mature Forest and Conservation Reserve Program (CRP) Native Grass  
Tract Two: Mature Forest and Fescue Pasture/Hayfield

**Estimated cost of project (including initial cost and maintenance costs):**

|                     |   |                 |
|---------------------|---|-----------------|
| Tract One:          | Appraised Conservation Easement Purchase Price: | \$288,000       |
|                     | Stewardship Contribution:                       | \$ 20,000       |
|                     | Estimated Project Costs:                        |                 |
|                     | - Boundary Survey                               | \$ 10,000       |
|                     | - Title Insurance, recording and escrow fees    | \$ 1,200        |
|                     | - Environmental Phase I Assessment              | \$ 1,000        |
|                     | - Conservation Easement Appraisal               | \$ 1,500        |
|                     | - KLT Staff Costs                               | <u>\$ 4,300</u> |
|                     |   | \$326,000       |
| Tract Two:          | Appraised Conservation Easement Purchase Price: | \$212,000       |
|                     | Stewardship Contribution:                       | \$ 20,000       |
|                     | Estimated Project Costs:                        |                 |
|                     | - Boundary Survey                               | \$ 10,000       |
|                     | - Title Insurance, recording and escrow fees    | \$ 1,200        |
|                     | - Environmental Phase I Assessment              | \$ 1,000        |
|                     | - Conservation Easement Appraisal               | \$ 1,500        |
|                     | - KLT Staff Costs                               | <u>\$ 4,300</u> |
|                     |   | \$250,000       |
| Total Project Cost: |   | \$576,000       |

Note: See **Appendix B** for conservation easement appraisal summaries for both tracts of the Proposed Open Space Property.

**If you have secured some funding already, please specify how much and what source.**

The landowners of Tract One will give a 25% bargain sale  
( $\$288,000 \times 25\% = \$72,000$ )

Stewardship Contributions for both tracts will be donated by the landowners  
( $\$20,000 \times 2 = \$40,000$ )

Total Funding Secured:  $\$112,000 = 19.4\%$  of Total Project Cost



Would you anticipate allowing public access to the property? Y X N\_\_\_\_  
If so, please describe any restrictions to the access.

Landowners plan to allow public access after their lifetimes in a manner that is appropriate for the conservation values of the Proposed Open Space Property.

Type of project anticipated? Conservation Easement Y X N\_\_\_\_;  
Ownership Transfer Y\_\_\_\_N X\_\_\_\_;  
Partnership (Public/Private Ownership) Y\_\_\_\_N\_\_\_\_

**Project location – All land for this project must be located in Douglas County:**  
(please be as precise as possible; i.e. project is bounded by which streets/and or roads and attach map, preferably shown on a U.S. Geological Survey 1:24,000 scale topographic map or an equivalent. (Digital maps of Douglas County are available at [http://mackinaw.kgs.ku.edu/dg\\_co/dg\\_basemap.cfm](http://mackinaw.kgs.ku.edu/dg_co/dg_basemap.cfm)):

Both tracts of the Proposed Open Space Property are east of E 1600 Road, north of N 450 Road, and south of N 600 Road. See **Appendix C** for a full legal description of each tract.

Tract One is in Section 21, Township 14, Range 20 and is comprised of three parcels with the following PIDs:

|           |                             |             |
|-----------|-----------------------------|-------------|
| Parcel 1: | 023-175-21-0-00-00-011.01-0 | 37.65 acres |
| Parcel 2: | 023-175-21-0-00-00-013.00-0 | 48.56 acres |
| Parcel 3: | 023-175-21-0-00-00-017.00-0 | 55.11 acres |

Tract Two is in Section 28, Township 14, Range 20 and is comprised of two parcels with the following PIDs:

|           |                             |              |
|-----------|-----------------------------|--------------|
| Parcel 1: | 023-175-21-0-00-00-017.00-0 | 104.50 acres |
| Parcel 2: | 023-178-28-0-00-00-002.00-0 | 10.00 acres  |

See attached maps and photographs of the Proposed Open Space Property:  
**Appendix D:** map showing parcel boundaries and proximity to Baldwin City limits  
**Appendix E:** map showing nearby protected lands in the Baldwin Woods area  
**Appendix F:** photographs of the Proposed Open Space Property

**The following categories of "open space" best match this proposal:**

X ***Scenic Areas – Lands of 10 acres or more that provide scenic views of natural landscapes.***

The Proposed Open Space Property lies at the top of a ridge that runs east-west just south of N 600 Road; the ridge is visible from the north for many miles. Scenic views of the forest and pastures are also easily accessible to the public from E 1600 Road. Placing conservation easements on the Proposed Open Space Property would protect the undeveloped character of land in close proximity to a population center in Douglas County.



**X Historic Sites – Those sites listed on the local, state, or national registers of historic places or unlisted sites with significant historical attributes, such as Santa Fe Trail ruts.**

A railroad line formerly ran through Tract Two of the Proposed Open Space Property and trains often stopped on the property. At the base of the sandstone cliffs on the Proposed Open Space Property and near Coal Creek, there was a mesic prairie that was a popular picnic site and community recreation area for special events, such as graduation, during the years 1870-1940.

**X Lands Providing Integration – Lands that are important because they serve as enhancements of or linkages between significant parcels of land.**

The Proposed Open Space Property is directly adjacent to the Wall and Breidenthal preserved areas and would serve as a connector between those two protected parcels (see **Appendix E**). Conservation easements on the Proposed Open Space Property would also expand the area of mature forest protected. Non-forested areas of the Proposed Open Space Property would provide a buffer to the mature forest. Combined, the four university reserves, state park, and the proposed conservation easements would protect 1,031 acres of the Baldwin Woods.

**X Natural Areas – Native prairies, mature forests, wetlands, riparian areas, or parcels that provide habitat for rare, threatened or endangered species of plants and animals.**

In 1980, the Secretary of the Interior designated the Baldwin Woods a National Natural Landmark in recognition of its ecological features and exemplary conditions. Natural features on the Proposed Open Space Property include mature forest, habitat for rare and threatened species, and rock outcrops. Tract Two of the Proposed Open Space Property also includes a riparian area along a tributary of Coal Creek. Plant surveys on the University of Kansas' preserves have documented sixteen plant species considered rare by the Kansas Biological Survey. Two state designated Species in Need of Conservation (SINC) are known to occur in the Baldwin Woods: Whip-poor-will and Cerulean Warbler. A Kansas threatened species, the redbelly snake, has also been recorded in the Baldwin Woods. These species are likely to occur on the Proposed Open Space Property.

**In 500 words or less, please describe your proposed project, your rationale for submitting this particular space, and necessary steps needed to preserve it as open space.**

**Important: Please include a discussion of community benefits, issues and concerns that you might anticipate if this proposal is funded.**

See attached Detailed KLT Baldwin Woods Project Description.

**Please mail this form to:  
1100 Massachusetts Street  
Lawrence, Kansas 66044**

**Applications due January 31, 2008**



## **Detailed KLT Baldwin Woods Project Description**

The Kansas Land Trust (KLT) proposes the purchase of two conservation easements in the Baldwin Woods area of Douglas County. The first conservation easement tract, owned by Ray Wilber and Cathy Dwigans, is 141 acres of mature oak-hickory forest and replanted native grass. The second conservation easement tract, owned by Common Land Farm, L.L.C., is 115 acres of mature oak-hickory forest and fescue pasture. Preservation of these tracts fits four of the designated "Open Space" categories: Scenic, Historic, Integration, and Natural Areas.

The Baldwin Woods was part of the historic landscape of Douglas County and is at the western edge of the eastern deciduous forest. Surveys from the 1850s show that the Baldwin Woods area comprised approximately 3,700 acres of forest. In 1980, the Secretary of the Interior designated the Baldwin Woods a National Natural Landmark in recognition of its ecological features and exemplary conditions. The Kansas Biological Survey has documented especially high levels of both plant and animal diversity in the area. However, a report by the Biological Survey mentions increasing development and fragmentation of the Baldwin Woods ecosystem as serious concerns.

Several tracts of land are already protected in the Baldwin Woods. The University of Kansas owns three reserves: the Wall Woods, the Breidenthal Biological Reserve, and the Rice Woodland. Baker University manages a preserve known as the Ivan L. Boyd Woods. The Douglas State Fishing Lake and Wildlife Area also protects a large area of the Baldwin Woods.

In 2001, the landowners of the Proposed Open Space Property approached KLT about their desire to preserve the land through the sale of a conservation easement. Further indication of the landowners' conservation ethic is the enrollment of former agricultural land on Tract One of the Proposed Open Space Property in the Conservation Reserve Program.

There is an urgency to complete this Open Space project due to the increasing development pressures in the vicinity. The Proposed Open Space Property is less than one mile from the Signal Oak Estates twenty home subdivision within Baldwin City limits. In addition, twenty-one residential building permits were granted in rural Palmyra Township in 2007, where the Proposed Open Space Property is located. E 1600 Road, which provides access to the Proposed Open Space Property, has been designated a minor collector road and a water line is located along the road. These factors mean the Proposed Open Space Property is under significant development pressure.

Upon approval of funding, KLT will conduct due diligence and negotiate the conservation easements. At the closing of the conservation easements, KLT will record the Deeds of Conservation Easement with the Douglas County Register of Deeds. Stewardship Contributions provided by the landowners will support the long term stewardship and enforcement of the conservation easements, to be held by KLT.

ECO<sup>2</sup> has identified protection of natural resources as a priority, and high-quality forests are a rare component of Kansas' ecosystems. The multiple conservation values of the Proposed Open Space Property makes it an excellent candidate for open space preservation in Douglas County.



## ECO<sup>2</sup> Open Space Proposal Appendices

- A-1. Letter of Intent signed by the landowners of Tract One
- A-2. Letter of Intent signed by the landowners of Tract Two
- B-1. Appraisal Summary for Tract One
- B-2. Appraisal Summary for Tract Two
- C-1. Legal Description of Tract One
- C-2. Legal Description of Tract Two
- D. Map showing parcel boundaries and proximity to the city limits of Baldwin City
- E. Map showing nearby protected lands in the Baldwin Woods area
- F. Photographs of the Proposed Open Space Property



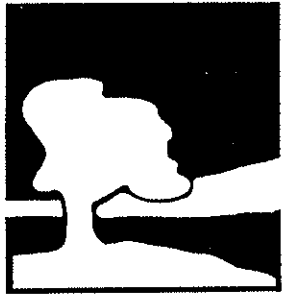
Letter of Intent

January 28, 2008

Ray Wilber & Cathy Dwigans  
502 E 1600 Road  
Baldwin City, KS 66006

Re: ECO<sup>2</sup> Proposal and Sale of Conservation Easement

Dear Ray and Cathy:



**Kansas Land Trust**

**Board of Directors**

Lynn Byczynski  
Myrl Duncan  
Julie Elfving  
Catherine Hauber, *V.P.*  
Chelsi Hayden  
Kelly Kindscher, *Sec.*  
donna luckey  
Bryan Welch, *Treas.*  
Beverly Worster, *Pres.*

RoxAnne Miller,  
*Executive Director*  
RoxAnne.Miller@klt.org

16 E. 13th Street  
Lawrence, Kansas  
66044-3502

(785) 749-3297  
www.klt.org

This letter, after signature by all parties, shall document the intent of the Kansas Land Trust, Inc. to purchase, and Ray Wilber and Cathy Dwigans ("Landowner") intent to sell, an agricultural and open space conservation easement on approximately 141.32 acres of land located in Douglas County, Kansas, legally described on Appendix "A", subject to the terms and contingencies stated in this letter.

The purchase price for the conservation easement shall be \$ 288,000 (\$2,037.93 per acre x 141.32 acres)("Purchase Price") and has been determined by an appraisal effective December 19, 2007, prepared by Ronald D. Aul, MAI, Aul & Hatfield Appraisals, L.C., 543 Lawrence Ave., Lawrence, KS 66049, certifying the value of the conservation easement. The purchase of the conservation easement shall be subject to the following conditions:

(1) The Kansas Land Trust receives at least 75% of the Purchase Price and all project costs from the City of Lawrence and/or Douglas County pursuant to the ECO<sup>2</sup> Kansas Land Trust project proposal (Proposal) dated January 31, 2008;

(2) Landowners will donate 25% of the value of the Purchase Price;

(3) Landowner will make a stewardship contribution pursuant to the KLT Stewardship Policy effective April 1, 2008, such contribution is estimated to be and shall be no less than \$20,000 to the Kansas Land Trust on the closing date of the purchase of the conservation easement, for the stewardship of the easement; and

(4) The conservation easement shall include the following terms and shall otherwise be in form and content acceptable to all parties: (a) allows continued agricultural uses of the land of the pasture area; (b) restricts uses of the forest area; (c) the landowner may engage in best management practices for the forest area; (d) the landowner may engage in agricultural uses of the pasture area in accordance with sound, generally accepted practices, such uses may include activities relating to farming or the breeding, raising and grazing livestock; (e) the pasture can be burned, hayed, mowed, and rested, in accordance with good grass management practices; (f) cutting and removal of



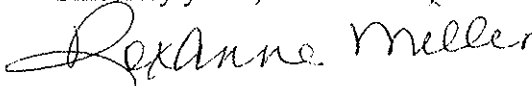
Ray Wilber and Cathy Dwigans  
January 28, 2008

Page 2

trees and brush will be encouraged in the pasture area as a means of the maintaining the pasture and other open areas and to manage the forest; (g) permitted and prohibited uses will depend on the condition of the land and the needs of the landowner; (h) the management of the pasture and the related agricultural practices on the property may be addressed in a voluntary conservation plan prepared by NRCS; (i) the management of the forest and the related best management practices may be addressed in a voluntary forest management plan prepared by University of Kansas Biological Survey; (j) the easement will be recorded in the Douglas County Register of Deeds office and will be a permanent encumbrance on the land and will apply to all future landowners; (k) commercial and residential development will be prohibited by the easement in perpetuity; and (l) the form of easement as may be amended from time to time and shall otherwise comply with the forms customarily used by the Kansas Land Trust for conservation easements, a copy of the most recent form is enclosed.

In the event the terms and conditions stated above are not met on or prior to two years after the approval of the ECO<sup>2</sup> proposal or the ECO<sup>2</sup> proposal is denied, then this letter of intent shall be null and void and the parties shall have no further obligations hereunder. To indicate agreement with the terms of this letter, please sign and date below.

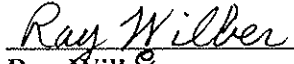
Sincerely yours,

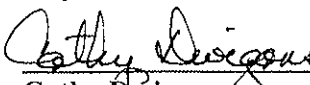
  
RoxAnne Miller  
Executive Director

Kansas Land Trust, Inc.

 01-29-08  
RoxAnne Miller, Executive Director/ date

Landowners:

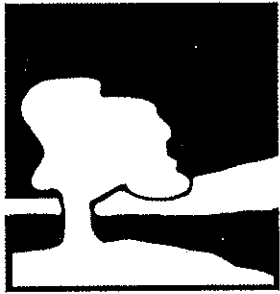
 1/29/2008  
Ray Wilber

 1/29/2008  
Cathy Dwigans



**Letter of Intent**

January 28, 2008



**Kansas Land Trust**

Common Land Farms, L.L.C.  
c/o Ray Wilber & Cathy Dwigans, members  
502 E 1600 Road  
Baldwin City, KS 66006

Common Land Farms, L.L.C.  
c/o John & Gloria Hood, members  
507 E 1600 Road  
Baldwin City, KS 66006

Re: Farm and Ranch Lands Protection Program  
Conservation Easement

**Board of Directors**

Lynn Byczynski  
Myrl Duncan  
Julie Elfving  
Catherine Hauber, *V.P.*  
Chelsi Hayden  
Kelly Kindscher, *Sec.*  
donna luckey  
Bryan Welch, *Treas.*  
Beverly Worster, *Pres.*

RoxAnne Miller,  
*Executive Director*  
RoxAnne.Miller@klt.org

16 E. 13th Street  
Lawrence, Kansas  
66044-3502

(785) 749-3297  
www.klt.org

Dear CLF Members:

This letter, after signature by all parties, shall document the intent of the Kansas Land Trust, Inc. to purchase, and Common Land Farms, L.L.C. ("Landowner") intent to sell, an agricultural and open space conservation easement on approximately 114.50 acres of land located in Douglas County, Kansas, legally described on Appendix "A", subject to the terms and contingencies stated in this letter.

The purchase price for the conservation easement shall be \$ 212,000 (\$1,851.53 per acre x 114.50 acres)("Purchase Price") and has been determined by an appraisal effective December 19, 2007, prepared by Ronald D. Aul, MAI, Aul & Hatfield Appraisals, L.C., 543 Lawrence Ave., Lawrence, KS 66049, certifying the value of the conservation easement. The purchase of the conservation easement shall be subject to the following conditions:

(1) The Kansas Land Trust receives the Purchase Price and project costs from the City of Lawrence and/or Douglas County pursuant to the ECO<sup>2</sup> Kansas Land Trust project proposal (Proposal) dated January 31, 2008;

(2) Landowner will make a stewardship contribution pursuant to the KLT Stewardship Policy effective April 1, 2008, such contribution is estimated to be and shall be no less than \$20,000 to the Kansas Land Trust on the closing date of the purchase of the conservation easement, for the stewardship of the easement; and

(3) The conservation easement shall include the following terms and shall otherwise be in form and content acceptable to all parties: (a) allows continued agricultural uses of the land of the pasture area; (b) restricts uses of the forest area; (c) the landowner may engage in best management practices for the forest area; (d) the landowner may engage in agricultural uses of the pasture area in accordance with sound, generally accepted practices, such uses may include activities relating to farming or the breeding, raising and grazing livestock; (e) the pasture can be burned, hayed, mowed, and rested, in accordance with good grass management practices; (f) cutting and removal of



Common Land Farms, L.L.C.  
c/o Ray Wilber and Cathy Dwigans, members &  
c/o John Hood and Gloria Hood, members

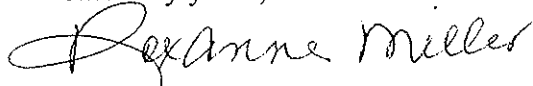
January 28, 2008

Page 2

trees and brush will be encouraged in the pasture area as a means of the maintaining the pasture and other open areas and to manage the forest; (g) permitted and prohibited uses will depend on the condition of the land and the needs of the landowner; (h) the management of the pasture and the related agricultural practices on the property may be addressed in a voluntary conservation plan prepared by NRCS; (i) the management of the forest and the related best management practices may be addressed in a voluntary forest management plan prepared by University of Kansas Biological Survey; (j) the easement will be recorded in the Douglas County Register of Deeds office and will be a permanent encumbrance on the land and will apply to all future landowners; (k) commercial and residential development will be prohibited by the easement in perpetuity; and (l) the form of easement as may be amended from time to time and shall otherwise comply with the forms customarily used by the Kansas Land Trust for conservation easements, a copy of the most recent form is enclosed.

In the event the terms and conditions stated above are not met on or prior to two years after the approval of the ECO<sup>2</sup> proposal or the ECO<sup>2</sup> proposal is denied, then this letter of intent shall be null and void and the parties shall have no further obligations hereunder. To indicate agreement with the terms of this letter, please sign and date below.

Sincerely yours,



RoxAnne Miller  
Executive Director

**Kansas Land Trust, Inc.**



**RoxAnne Miller, Executive Director/ date**



Common Land Farms, L.L.C.  
c/o Ray Wilber and Cathy Dwigans, members &  
c/o John Hood and Gloria Hood, members

January 28, 2008

Page 3

Ray Wilber, Cathy Dwigans, John Hood, and Gloria Hood, all members  
of the Common Land Farms, L.L.C. represent and warrant that they are authorized to  
execute this Letter of Intent on behalf of Common Land Farms, L.L.C.

Common Land Farms, L.L.C.

Ray Wilber 1/1-29-2008  
Ray Wilber, Member

Cathy Dwigans 1/1/29/2008  
Cathy Dwigans, Member

John Hood 1-29-08  
John Hood, Member

Gloria Hood 1/1/29/2008  
Gloria Hood, Member





## A Self Contained Appraisal Report

of:

Conservation Easement  
Wilber/Dwigans Property  
502 East 1600 Road  
Baldwin City, Kansas 66006

Prepared For:  
Ms. RoxAnne Miller  
Executive Director  
Kansas Land Trust  
16 East 13<sup>th</sup> Street  
Lawrence, Kansas 66044

Prepared By:  
Ronald D. Aul, MAI  
Aul & Hatfield Appraisals, L.C.

Date of Inspection:  
December 19, 2007

Effective Date of Valuation:  
December 19, 2007



January 14, 2008

Ms. RoxAnne Miller  
Executive Director  
Kansas Land Trust  
16 East 13<sup>th</sup> Street  
Lawrence, Kansas 66044

RE:           **Self Contained Appraisal Report**  
                  Conservation Easement  
                  Wilber/Dwigans Property  
                  502 East 1600 Road  
                  Baldwin City, Kansas 66006  
                  File No. C-770

Dear Ms. Miller:

In accordance with your request, I have personally inspected the subject property identified above and prepared a **Self Contained Appraisal Report** in compliance with the Uniform Standards of Professional Appraisal Practice. This transmittal letter is accompanied by a Self Contained Appraisal Report. In addition, this report also is prepared in conformance with the Uniform Appraisal Standards for Federal Land Acquisitions.

The purpose and intended use of this appraisal is to provide my client, Ms. RoxAnne Miller, Executive Director of the Kansas Land Trust, with my opinion of the market value of the subject property both before and after the conservation easement. If the proposed conservation easement is purchased it is anticipated it will be done with a combination of ECO2 funds (local Douglas County entity) and U.S. Fish and Wildlife Service funds.

The subject property represents a 141.32 acre parcel located approximately 2 miles north of Baldwin City, Kansas and 8 miles to the south of Lawrence, Kansas. The property is a mixture of residential improvements, grasses, timber and CRP former cropland area. The improvements on the property will be allowed to remain or be replaced with similar improvements as part of the proposed conservation easement. The reader is referred to the following report for detailed subject property information.



Ms. RoxAnne Miller

January 14, 2008

Page 2

The final Deed of Conservation Easement document has not been drafted for the subject property. However, the appraiser was provided with a draft of a Deed of Conservation Easement by RoxAnne Miller, Executive Director of the Kansas Land Trust. A copy of this draft document has been retained in the addenda to this report. The document is lengthy but the highlights would include the following non allowable uses assuming the conservation easement was filed on the subject property: subdividing, residential subdivisions, mining, minerals and gas, creating wetlands, no basic altering of topography, new roads, dumping and timber harvest. The allowable activity highlights would include farming, ranching, wildlife habitat, ecological research, public education, recreation and hunting and fishing if the owner voted for in the final CE. The subject property does currently contain a single family residential improvement and some outbuildings of which the appraiser was instructed to assume there will be a 4 acre building envelope reserved. The existing improvements will be allowed to be repaired, restored, rebuilt or replaced within the building envelope.

This is a *Self Contained Appraisal Report* which is intended to comply with the reporting requirements set forth under the Uniform Standards of Professional Appraisal Practice (USPAP). As such, it presents adequate discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the opinions of value. The depth of discussion contained in this report is specific to the needs of the client and for the intended use as noted herein.

This appraisal report is written in conformance with my interpretation of the Uniform Standards of Professional Appraisal Practice and in addition my interpretation of the Uniform Standards for Federal Land Acquisitions. I have appraised a number of similar properties in this market, and affirm that I am competent to complete this appraisal in accordance with the Competency Rule of the Uniform Standards of Professional Appraisal Practice.

My final opinions of value are based on the facts and circumstances pertinent to the analysis, the definition of value used, the purpose of the appraisal, the contingent and limiting conditions, and all aspects of the property and market information contained in the attached report. *This Letter of Transmittal must remain attached to appraisal report # C-770 in order for the value opinions set forth to be considered valid.*



Ms. RoxAnne Miller

January 14, 2008

Page 3

This appraisal estimates the market value of the surface rights of both the before and after conservation easement. This would exclude air rights and subsurface rights and reflects the remainder or surface rights. The subject property and the comparable sales in the area do not include any premium being paid by buyers for air rights or subsurface rights so in essence the remainder or the entirety left is for surface rights.

My opinion of the market value of the subject property before the conservation easement, surface rights only (no improvement value), as of December 19, 2007 (in accordance with USPAP and Uniform Appraisal Standards for Federal Land Acquisitions), is as follows:

**\$671,000**

**SIX HUNDRED SEVENTY-ONE THOUSAND DOLLARS**

My opinion of the market value of the subject property after the conservation easement, surface rights only (no improvement value) , as of December 19, 2007 (in accordance with USPAP and Uniform Appraisal Standards for Federal Land Acquisitions), is as follows:

**\$383,000**

**THREE HUNDRED EIGHTY-THREE THOUSAND DOLLARS**

The conclusion difference between the before and after valuation opinions referenced above is **\$288,000.**

**Special/Extraordinary Assumptions and Hypothetical Conditions:**

- The market value opinion after the conservation easement would reflect the hypothetical condition that the conservation easement restrictions are in place on the subject property.
- The above conclusions do not reflect an amount for the building improvements located at the subject property. The subject property does currently contain a single family residential improvement and some outbuildings under which the appraiser was instructed to assume there will be a 4 acre building envelope reserved. However, based on the proposed conservation easement, the existing improvements will be allowed to be repaired, restored, rebuilt or replaced within the building envelope. Therefore, the appraiser has not reflected the improvement value in the above conclusions which represents surface rights only.



Ms. RoxAnne Miller

January 14, 2008

Page 4

I thank you for the opportunity to be of service and provide this appraisal report for the Kansas Land Trust. If you have any questions in regards to this appraisal assignment please notify me at your convenience.

Respectfully submitted,

AUL & HATFIELD APPRAISALS, L.C.



---

Ronald D. Aul, MAI  
General Certified Real Estate Appraiser  
Kansas No. G-1241





## A Self Contained Appraisal Report

of:

Conservation Easement  
Common Land Farm Property  
1603 & 1607 North 474 Road  
Baldwin City, Kansas 66006

Prepared For:  
Ms. RoxAnne Miller  
Executive Director  
Kansas Land Trust  
16 East 13<sup>th</sup> Street  
Lawrence, Kansas 66044

Prepared By:  
Ronald D. Aul, MAI  
Aul & Hatfield Appraisals, L.C.

Date of Inspection:  
December 19, 2007

Effective Date of Valuation:  
December 19, 2007



January 14, 2008

Ms. RoxAnne Miller  
Executive Director  
Kansas Land Trust  
16 East 13<sup>th</sup> Street  
Lawrence, Kansas 66044

RE:               **Self Contained Appraisal Report**  
Conservation Easement  
Common Land Farm Property  
1603 & 1607 North 474 Road  
Baldwin City, Kansas 66006  
File No. C-771

Dear Ms. Miller:

In accordance with your request, I have personally inspected the subject property identified above and prepared a **Self Contained Appraisal Report** in compliance with the Uniform Standards of Professional Appraisal Practice. This transmittal letter is accompanied by a Self Contained Appraisal Report. In addition, this report also is prepared in conformance with the Uniform Appraisal Standards for Federal Land Acquisitions.

The purpose and intended use of this appraisal is to provide my client, Ms. RoxAnne Miller, Executive Director of the Kansas Land Trust, with my opinion of the market value of the subject property both before and after the conservation easement. If the proposed conservation easement is purchased it is anticipated it will be done with a combination of ECO2 funds (local Douglas County entity) and U.S. Fish and Wildlife Service funds.

The subject property represents a 114.50 acre parcel located approximately 2 miles north of Baldwin City, Kansas and 8 miles to the south of Lawrence, Kansas. The property is a mixture of residential improvements, grasses and timber. The improvements on the property will be allowed to remain or be replaced with similar improvements as part of the proposed conservation easement. The reader is referred to the following report for detailed subject property information.



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The final Deed of Conservation Easement document has not been drafted for the subject property. However, the appraiser was provided with a draft of a Deed of Conservation Easement by RoxAnne Miller, Executive Director of the Kansas Land Trust. A copy of this draft document has been retained in the addenda to this report. The document is lengthy but the highlights would include the following non allowable uses assuming the conservation easement was filed on the subject property: subdividing, residential subdivisions, mining, minerals and gas, creating wetlands, no basic altering of topography, new roads, dumping and timber harvest. The allowable activity highlights would include farming, ranching, wildlife habitat, ecological research, public education, recreation and hunting and fishing if the owner voted for in the final CE. The subject property does currently contain two single family residential improvements and some outbuildings of which the appraiser was instructed to assume there will be two 4 acre building envelopes reserved. The existing improvements will be allowed to be repaired, restored, rebuilt or replaced within the building envelopes.

This is a *Self Contained Appraisal Report* which is intended to comply with the reporting requirements set forth under the Uniform Standards of Professional Appraisal Practice (USPAP). As such, it presents adequate discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the opinions of value. The depth of discussion contained in this report is specific to the needs of the client and for the intended use as noted herein.

This appraisal report is written in conformance with my interpretation of the Uniform Standards of Professional Appraisal Practice and in addition my interpretation of the Uniform Standards for Federal Land Acquisitions. I have appraised a number of similar properties in this market, and affirm that I am competent to complete this appraisal in accordance with the Competency Rule of the Uniform Standards of Professional Appraisal Practice.

My final opinions of value are based on the facts and circumstances pertinent to the analysis, the definition of value used, the purpose of the appraisal, the contingent and limiting conditions, and all aspects of the property and market information contained in the attached report. *This Letter of Transmittal must remain attached to appraisal report # C-771 in order for the value opinions set forth to be considered valid.*



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This appraisal estimates the market value of the surface rights of both the before and after conservation easement. This would exclude air rights and subsurface rights and reflects the remainder or surface rights. The subject property and the comparable sales in the area do not include any premium being paid by buyers for air rights or subsurface rights so in essence the remainder or the entirety left is for surface rights.

My opinion of the market value of the subject property before the conservation easement, surface rights only (no improvement value), as of December 19, 2007 (in accordance with USPAP and Uniform Appraisal Standards for Federal Land Acquisitions), is as follows:

**\$544,000**

**FIVE HUNDRED FORTY-FOUR THOUSAND DOLLARS**

My opinion of the market value of the subject property after the conservation easement, surface rights only (no improvement value), as of December 19, 2007 (in accordance with USPAP and Uniform Appraisal Standards for Federal Land Acquisitions), is as follows:

**\$332,000**

**THREE HUNDRED THIRTY-TWO THOUSAND DOLLARS**

The conclusion difference between the before and after valuation opinions referenced above is \$212,000.

**Special/Extraordinary Assumptions and Hypothetical Conditions:**

- The market value opinion after the conservation easement would reflect the hypothetical condition that the conservation easement restrictions are in place on the subject property.
- The above conclusions do not reflect an amount for the building improvements located at the subject property. The subject property does currently contain two single family residential improvement and some outbuildings under which the appraiser was instructed to assume there will be two 4 acre building envelopes reserved. However, based on the proposed conservation easement, the existing improvements will be allowed to be repaired, restored, rebuilt or replaced within the building envelope. Therefore, the appraiser has not reflected the improvement value in the above conclusions which represents surface rights only.



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I thank you for the opportunity to be of service and provide this appraisal report for the Kansas Land Trust. If you have any questions in regards to this appraisal assignment please notify me at your convenience.

Respectfully submitted,

AUL & HATFIELD APPRAISALS, L.C.



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Ronald D. Aul, MAI

General Certified Real Estate Appraiser

Kansas No. G-1241



Wilber-Dwigans Legal Description

Parcel 1:

Beginning at a point on the South line of Section 21, Township 14 South, Range 20 East of the Sixth Principal Meridian, which is 61 rods East of the Southwest corner of said Section; thence running West 61 rods to the Southwest corner of said Section; thence North 73 rods, thence East 77.5 rods; thence South 43 rods; thence West 8.5 rods; thence Southwesterly to a point 19 rods North of the place of beginning; thence South 19 rods to the place of beginning; in Douglas County, Kansas

LESS the following tracts:

The south five (5) acres, more or less, of the tract of land bounded by a line beginning at a point fifty (50) rods east of the northwest corner of the southwest quarter of Section 21, Township 14, Range 20; thence east 27 1/2 rods, thence South 87 rods, thence west 27 1/2 rods, thence north 87 rods to point of beginning.

AND

Commencing at the Northwest corner of the Southwest Quarter of Section 21, Township 14 South, Range 20 East of the Sixth Principal Meridian, Douglas County, Kansas, thence East along the North line of said Southwest Quarter a distance of 50 rods, thence South 87 rods, thence West 440 feet to the true point of beginning; thence South from the true point of beginning a distance of 25 feet, thence West parallel with the North line of said Southwest Quarter to the East right of way line of the existing county road, thence in a northerly direction along the East right of way line of said county road to a point that is 87 rods South of the North line of said Southwest Quarter, thence East parallel with the North line of said Southwest Quarter to the true point of beginning.



Parcel 2:

Beginning at a point  $24 \frac{1}{3}$  rods West of the Southeast corner of the Southwest Quarter of Section 21, Township 14 South, Range 20 East of the 6th P.M., thence North  $98 \frac{1}{3}$  rods, thence West  $32 \frac{1}{6}$  rods, thence North  $62 \frac{1}{3}$  rods, thence West 26 rods to the Northeast corner of tract described in the Deed recorded in Book 328, Page 371, thence South 130 rods along the East line of said tract, and along the East line of tract described in Affidavit recorded in Book 327, Page 1386, thence West along boundary line of tract described in Book 327, Page 1386 a distance of  $8 \frac{1}{2}$  rods, thence following the boundary line of said tract Southwesterly to a point 19 rods north of the South line and 61 rods East of the West line of said Quarter section; thence South along the boundary line of said tract 19 rods to a point on the South line of said Quarter section 61 rods East of the Southwest corner of said Quarter section, thence East  $74 \frac{2}{3}$  rods along said South line to a place of beginning, in Douglas County, Kansas.

Parcel 3:

Beginning at the Southeast Corner of the Southwest Quarter of Section 21, Township 14 South, Range 20 East of the 6th P.M., thence North  $98 \frac{1}{3}$  rods, thence West  $24 \frac{1}{3}$  rods, thence South  $98 \frac{1}{3}$  rods, thence East  $24 \frac{1}{3}$  rods to point of beginning, in Douglas County, Kansas, also the Southwest Quarter of the Southeast Quarter of Section 21, Township 14 South, Range 20 East of the 6th P.M., in Douglas County, Kansas.



## Common Land Farm Legal Description

### Parcel 1:

All that part of the Northwest Quarter of Section 28, Township 14 South, Range 20 East of the Sixth P.M., lying North and West of the center line of the former Right of Way of the Atchison, Topeka and Santa Fe Railroad.

**LESS** a tract of land described as follows:

A tract of land located in the Northwest Quarter of Section 28, Township 14 South, Range 20 East of the 6th P.M., Douglas County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest Quarter; thence North 00° 10' 29" East, 982.25 feet to the point of beginning, said point being on the West line of the Northwest Quarter; thence continuing along said West line North 00° 10' 29" East, 403.58 feet; thence South 89° 23' 41" East, 1090.46 feet; thence South 00° 10' 29" West, 395.39 feet; thence North 89° 49' 31" West, 1090.43 feet to the point of beginning.

### Parcel 2:

A tract of land located in the Northwest Quarter of Section 28, Township 14 South, Range 20 East of the 6th P.M., Douglas County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the Northwest Quarter; thence North 00° 10' 29" East, 982.25 feet to the point of beginning, said point being on the West line of the Northwest Quarter; thence continuing along said West line North 00° 10' 29" East, 403.58 feet; thence South 89° 23' 41" East, 1090.46 feet; thence South 00° 10' 29" West, 395.39 feet; thence North 89° 49' 31" West, 1090.43 feet to the point of beginning.