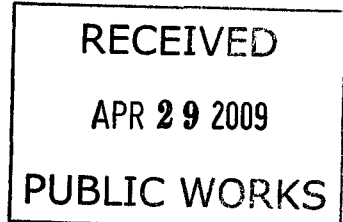




Kathleen Sebelius, Governor
Deb Miller, Secretary

<http://www.ksdot.org>



April 27, 2009

RE: 23 U-2041-01

Mr. Soules
Director of Public Works
City of Lawrence
P.O. Box 708
Lawrence, Kansas 66044

Dear Mr. Soules:

Enclosed are D.O.T. Form 1304 and D.O.T. Form 1306 for project number 23 U-2041-01.

In addition, the Real Property Acquisition Review check list is enclosed. When the right-of-way has been secured and the utility agreements completed and executed, the following should be returned to the Bureau of Local Projects as soon as possible but **no later than** four (4) months prior to the letting:

1. The executed D.O.T. Form 1306 w/original signatures.
2. The executed D.O.T. Form 1304 w/original signatures. All appropriate columns on D.O.T. Form 1304 must be completed and **DATES** inserted where indicated for all utilities located within the right-of-way of the project regardless of previous project). If there are none, so indicate with the word **NONE**.
3. A written agreement with owners of each utility to be adjusted, relocated or which occupies highway right-of-way. If a franchise agreement exists, so note on the 1304. A copy of franchise agreement is not required.

Please note that all of the items included in the Real Property Acquisition Review checklist must be addressed for each tract of land that is acquired, including easements. We would strongly recommend that this checklist be completed and retained in your files for each tract of right-of-way acquired.

Schedule Dates	
Right of Way Cleared By:	8/1/09
Utilities Cleared By:	8/1/09

Ronald J. Seitz, P.E.
Chief of Local Projects

Eric G. Deitcher, PSE I
Local Liaison

Enclosure

BUREAU OF LOCAL PROJECTS
Ronald J. Seitz, P.E., Chief
Dwight D. Eisenhower State Office Building
700 S.W. Harrison Street; Topeka, KS 66603-3745 • (785) 296-3861 • Fax: (785) 296-2079
Hearing Impaired - 711 • e-mail: publicinfo@ksdot.org • Public Access at North Entrance of Building

STATE OF KANSAS
CITY FEDERAL AID PROJECTS
RIGHT-OF-WAY CLEARANCE

CERTIFICATION BY THE CITY TO THE KANSAS DEPARTMENT OF TRANSPORTATION
OF REAL PROPERTY ACQUISITION PROCEDURES
AND UTILITY ARRANGEMENTS

April 27, 2009

PROJECT NUMBER 23 U-2041-01
CITY City of Lawrence

WHEREAS: Said improvement is located Reconst. 2nd/Locust Intersection, and

WHEREAS: Said improvement consists of ARRA, hereinafter referred to as Project, and

WHEREAS: The Secretary of Transportation of the State of Kansas, hereinafter referred to as the Secretary, as agent for the City of Lawrence, Kansas, hereinafter referred to as the City, has reviewed said plans, specification and estimates which are ready for final approval by the Secretary, and has entered into an agreement with the City, and

WHEREAS: The above referenced agreement requires the City to certify compliance with Kansas Department of Transportation and Federal Highway Administration Right-of-Way Acquisition procedures.

NOW THEREFORE, THE CITY HEREBY CERTIFIES:

1. That all of the right-of-way (R/W) and easements for borrow pits, channel changes, and/or other construction as indicated on the plans as necessary for the construction of the Project have been acquired, including legal and physical possession, evidenced by said documents being recorded in the Register of Deeds office. All acquisitions were completed by the City in compliance with the Federal Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 (42 U.S.C. 4601 et seq.) and amendments thereto, BLP MEMOS 99-2 and 02-11 and Attachments 1 through 9, and the Federal Highway Administration's booklet entitled, *Real Estate Acquisition Guide for Local Public Agencies*.

2. That the total number of tracts acquired equals

A:	Number of tracts purchased	<u>0</u>
B:	Number of tracts condemned	<u> </u>
C:	Number of tracts donated	<u> </u>

3. If buildings, structures, or other improvements owned by a tenant or landowner were acquired or relocated, the Bureau of Right of Way of the Kansas Department of Transportation was contacted for guidance as to the proper procedures.

A:	Number of tracts with relocation	<u>0</u>
B:	Were buildings, structures, or other improvements involved in this project?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

4. If the new R/W or permanent easement acquired for the Project is adjacent to, along, or abutting KDOT highway R/W, copies of the deeds and plan sheets showing the applicable R/W tracts shall be submitted to KDOT Bureau of Local Projects.

Was new R/W or permanent easement
acquired adjacent to, along, or abutting
KDOT highway R/W?

YES ☐ NO ☒

5. Records will be maintained on file for at least three (3) years after the acquiring agency has been notified that the Project has been accepted by the Kansas Department of Transportation.
6. Any companies owning or operating utilities or other facilities within the limits of the Project, have been contacted and the facilities have been relocated, or arrangements made and/or plan notes indicating the moving, removing, or adjusting of such facilities, as may be necessary, upon due notification of such companies by the City, (D.O.T. Form No. 1304, attached hereto, lists such companies with headquarters' addresses and gives the status of relocations
7. That City funds will be available for the matching of State and/or Federal funds to finance construction work on this Project.

BE IT RESOLVED: The City makes the above certification and the Secretary can proceed in accordance with the provisions of the agreement for the above referenced Project.

Adopted this _____ day of _____, 20_____, at _____, Kansas.

Approved:



City Engineer

Mayor - Chairperson City Commission/Council

City Clerk

Commission/Council Member

SEAL

KANSAS DEPARTMENT OF TRANSPORTATION

Bureau of Local Projects

1 Copy to KDOT

City/County: City of Lawrence
 Project Number: 40-23 U-2041-01
 Location: at intersection of N. 2nd (US-40) and Locust

LIST OF UTILITIES AND STATUS OF SAME

Name of Company	Address	Type of Utility	Location		Agreement Signed Date	Estimated Starting Date	Estimated Completion Date	% of Work Completed	Moves Complete Date
			Lt.	Rt.					
			Sta. to Sta.						
Note: Please review the notes below before listing any utility or entering any dates.									
Wester Energy Lightcore	746 E. 27th St. Lawrence, KS 66046 14567 Outer 40 Rd., Chesterfield, MO 63017	Electric	20+00				completed June 15, 2009		
			17+00 to 24+00						
Southern Star Central Pipeline Sunflower Broadband	20031 207th St. Tonganoxie, KS 66086 110 Riverfront Plaza, Suite 301 Lawrence, KS 66044	Communications	No Conflict						
			No Conflict						
AT&T	220 SE 6th Ave, Room 360 Topeka, KS 66603	Telephone	15+00 to 16+75				June 15, 2009		
Aquila Networks	110 E. 9th St. Lawrence, KS 66044	Gas	20+00				completed		
City of Lawrence	6 E. 6th Street Lawrence	Water Sewer	Relocate with project No Conflict						No Conflict No Conflict

Note: If no utilities are within the limits of the project R/W, indicate NONE.
 USE ONLY actual calendar month, day, year. DO NOT use 30 days, 60 days, etc.
 Utilities are to be moved as outlined under the KDOT BRUD Memo 84-10
 This form should be returned to the Bureau of Local Projects when Forms 1303 & 1303A are submitted.

Submitted by: *Charles F. Sparks*
 Authorized City/County Official
 Date: 4/30/09

NOT APPLICABLE

REAL PROPERTY ACQUISITION CHECKLIST

City of Lawrence

Project Number: 23 U-2041-01

	<u>Yes</u>	<u>No</u>
1. Property owner provided written information about acquisition (brochure)?	_____	_____
2. Appraiser Name: _____ (Qualified)	_____	_____
3. Review Appraiser Name: _____ (Qualified)	_____	_____
4. KDOT suggested Forms utilized?	_____	_____ *
5. Owner given opportunity to accompany the appraiser?	_____	_____
6. Review appraisal completed and just compensation established?	_____	_____
7. Valuation "Uncomplicated and \$10,000 or Less'	_____	_____ *
7a) KDOT Form utilized?	_____	_____
8. Written offer of compensation made?	_____	_____
9. Correct interest acquired and recorded?	_____	_____
10. Written log kept of contact with owner?	_____	_____ *
11. Payment made prior to possession?	_____	_____
12. Uneconomic remnant involved on project?	_____	_____
13. Offer made to acquire remnants?	_____	_____
14. Any partial or full donation?	_____	_____ *
15. Any person unduly pressured to sign?	_____	_____ *
16. Any displaced person or personal property required?	_____	_____ *
16a) KDOT advised prior to negotiations?	_____	_____
17. Number of Tracts on Projects: _____		
18. Tract Number Reviewed: _____		
* "No" Answers are acceptable		