



**Certification by the Local Public Authority to the  
Kansas Department of Transportation of  
Real Property Acquisition Procedures, Right of Way  
Clearance, Utility Arrangements and other Matters**

|                   |   |
|-------------------|---|
| KDOT Project No.: | 46N-0648-01   |
| Project Name:     | Metcalf Avenue Improvements, 159th Street to 167th Street |
| Location:         | Overland Park, Kansas                                     |
| Date:             | 12/04/2017  |

WHEREAS: Said improvement is located  and

WHEREAS: Said improvement consists of

herein 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 Local Public Authority (LPA) , Kansas, hereinafter referred to as

the LPA have entered into agreement number  and

WHEREAS: The above referenced agreement requires the LPA to provide to the Kansas Department of Transportation its certification of certain federal and state requirements prior to commencement of the Project.

**NOW THEREFORE, THE LPA HEREBY CERTIFIES:**

Right of Way

1. That all right-of-way (R/W), easements, and other property interests 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 LPA in compliance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC 4601 et seq.), and amendments thereto; KDOT Bureau of Local Projects "LPA Project Development Manual", Section 6.0 - Right of Way; and the Federal Highway Administration's publication entitled, "Real Estate Acquisition Guide for Local Public Agencies".

|  |              |
|--|--------------|
| 2. That the total number of tracts acquired equals (A + B + C + D) .....                   | 19           |
| A: Number of Tracts Purchased without using Administrative Settlements .....               | 9            |
| B: Number of Tracts Purchased using Administrative Settlements .....                       | 8            |
| C: Number of Tracts Condemned .....  | 2            |
| D: Number of Tracts Donated .....  | 0            |
| Total amount paid to landowner(s) / tenant(s) by agency for the acquisition of properties: | \$705,403.00 |



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3. If buildings, structures, or other improvements owned by a tenant or landowner were acquired or relocated, was the Bureau of Local Projects consulted for guidance as to the proper procedures?  Yes  No  N/A

A1: Report the number of households that were permanently displaced during the fiscal year by project or program activities and moved to a replacement dwelling. The term "households" includes all families and individuals. A family shall be reported as "one" household, not by the number of people in the family unit. 0

A2: Report the total amount paid for residential moving expenses (actual expense and fixed payment). \$0.00

A3: Report the total amount paid for residential replacement housing payments including payments for replacement housing of last resort provided pursuant to 49 CFR 24.404 of this part. \$0.00

A4: Report the number of households in Line A1 who were permanently displaced during the fiscal year by project or program activities and moved to their replacement dwelling as part of last resort housing assistance. 0

A5: Report the number of tenant households in Line A1 who were permanently displaced during the fiscal year by project or program activities, and who purchased and moved to their replacement dwelling using a down payment assistance payment under this part. 0

B1: Report the number of businesses, nonprofit organizations, and farms who were permanently displaced during the fiscal year by project or program activities and moved to their replacement location. This includes businesses, nonprofit organizations, and farms, that upon displacement, discontinued operations. 0

B2: Report the total amount paid for nonresidential moving expenses (actual expense and fixed payment.) \$0.00

B3: Report the total amount paid for nonresidential reestablishment expenses. \$0.00

B4: Report the total sum costs of nonresidential relocation expenses and payments (excluding Agency administrative expenses) in Lines B2 and B3. (Amount automatically calculated.) \$0.00

C1: Report the total number of relocation appeals filed during the fiscal year by aggrieved persons (residential and nonresidential). 0

D1: Were buildings, structures, or other improvements involved in this project?  Yes  No

Total amount paid to landowner(s)/tenant(s) by agency for relocation benefits:  
(A2 + A3 + B4) (Amount automatically calculated.) \$0.00

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.



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**Utility Arrangements**

- 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 LPA (DOT Form Number 1304, attached hereto, lists such companies with headquarters addresses and gives the status of relocations.)

**Compliance with Applicable Regulations and Absence of Legal Impediments**

- 7. The LPA certifies that no known or foreseeable legal impediments exist that would prohibit completion of the Project and that the Project complies with all applicable codes, standards and/or regulations required for completion.

**Right of Way Certification Program – ROWCP**

- 8. List all LPA representatives certified in accordance with the ROWCP requirements as stated in BLP Memo 16-06. Any acquisition Contractors involved with the RW Acquisition process for this Project must also be certified and listed below.

| Name       | Organization              | Date of Certification |
|------------|---------------------------|-----------------------|
| Renee Hall | Donoho Appraisals         | 01/12/2017            |
| Al Donoho  | Donoho Appraisals         | 11/01/2017            |
| Tony Rome  | City of Overland Park, KS | 01/11/2017            |
|            |                           |                       |
|            |                           |                       |
|            |                           |                       |
|            |                           |                       |
|            |                           |                       |



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

Signed this 5<sup>th</sup> day of December, 2017 at Overland Park, Kansas

Certified By:

Attest:

City/County Engineer / Road Supervisor

**SALLY H. WACHTEL**  
Notary Public - State of Kansas  
My Appt. Expires 5/31/19