

CERTIFICATION OF REAL PROPERTY ACQUISITION PROCEDURES

The City of Lawrence, Kansas certifies that all real property for project number 23 U-1956-01 was acquired, including legal and physical possession*, in compliance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and amendments thereto (42 U.S.C. 4601 et seq.), and BLP MEMOS 92-10 and 92-15 and attached forms and procedures, and the items listed below.

- 1) Real property shall be appraised and reviewed before the initiation of negotiations and the owner or his/her designated representative shall be given an opportunity to accompany the appraiser during his/her inspection of the property.
- 2) Before the initiation of negotiations for real property, an amount shall be established by the acquiring agency which is reasonably believed to be just compensation therefore, and a prompt written offer shall be made to acquire the property for the full amount so established. In no event shall such amount be less than the approved appraisal of fair market value of such property.
- 3) Any decrease or increase of the fair market value of real property prior to the date of valuation caused by the project for which such property is acquired or by the likelihood that the property would be acquired for such project, other than due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property.
- 4) Every reasonable effort shall be made to acquire, expeditiously, real property by negotiation.
- 5) The owner of the real property to be acquired shall be provided with a written statement of, and summary of the basis for, the amount established as just compensation. On partial acquisitions, the compensation for the real property to be acquired and the compensation for damages, if any, to the remaining real property shall be separately stated.
- 6) In no event shall coercive action be taken to compel an agreement on the price to be paid for the property.
- 7) No owner shall be required to surrender possession of real property before the agreed purchase price is paid or before there is deposited with the court the amount of the award of compensation in the condemnation proceeding for such property.
- 8) If an interest in real property is to be acquired by exercise of the power of eminent domain, formal condemnation proceeding shall be instituted. The acquiring authority shall not intentionally make it necessary for an owner to prove the fact of taking his real property.
- 9) The project shall be so scheduled that, to the greatest extent practicable, no person lawfully occupying real property shall be required to move from a dwelling or to move his business or farm operation without at least (90) ninety days written notice from the date by which such move is required.

* This requires the conveyance document for R/W and/or permanent easement to be recorded in the Register of Deeds office.

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- 10) If acquisition of only part of a property would leave its owner with an uneconomic remnant, an offer shall be made to acquire the remnant. The Bureau of Local Projects will be contacted should this situation arise.
- 11) If there are buildings, structures, or other improvements owned by a tenant or landowner which are to be acquired or relocated, the Bureau of Local Projects will be the contact for guidance as to proper procedures.

Buildings, structures, or other improvements are involved in this project.

Yes _____ No _____

- 12) Property owners are to be reimbursed to the extent determined fair and reasonable for expenses necessarily incurred for: (1) recording fees, transfer taxes, and similar expenses incidental to conveying such real property: (2) penalty costs for prepayment of any pre-existing recorded mortgage encumbering such real property: (3) the eligible pro-rata portion of paid real property taxes.
- 13) If the final judgment is that the property cannot be acquired by condemnation or the proceeding is abandoned by the, or if a property owner successfully maintains an inverse condemnation action, the property is to be reimbursed for reasonable costs awarded to the owner by the court for such items as attorney, appraiser and engineering fees actually incurred because of the condemnation proceedings. The Bureau of Local Projects will be contacted before payment is made to the landowner should this situation arise.
- 14) Property owners may donate right of way after they have been fully informed of their right to have the property to be acquired, appraised and to receive an offer of just compensation based on the appraisal. The appropriate donation or partial donation form signed by grantor(s) must be placed in the file for any donated parcel.
- 15) Records will be maintained on file for at least three years after City of Lawrence has been notified that the project has been accepted by the Kansas Department of Transportation.
- 16) Total number of tracts acquired _____
 a: Number of tracts purchased _____
 b: Number of tracts condemned _____
- 17) 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 - Submit deeds and plan sheets along with this form.
☐ No

 City Clerk

 Mayor/City Administrator

 Date