



City of Lawrence

CITY ATTORNEY'S OFFICE

THOMAS M. MARKUS
CITY MANAGER

City Offices
PO Box 708 66044-0708
www.lawrenceks.org

6 East 6th St
785-832-3000
FAX 785-832-3405

Via email: eric@structrestruct.com

CITY COMMISSION

MAYOR
LESLIE SODEN

COMMISSIONERS
STUART BOLEY
MATTHEW J. HERBERT
LISA LARSEN
MIKE AMYX

April 3, 2017

Eric Jay & Matthew Jones
Struct/Restruct
1146 Haskell Ave.
Lawrence, KS 66044

Re: *Block 1, Lot 9 & Tract A Burroughs Creek Addition*

Dear Eric and Mathew,

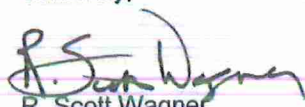
Thank you for your patience regarding the City's interest in preserving the large burr oak tree located on Lot 9 of Burroughs Creek Addition (1224 E. 12th Street, Plate No. U13467C09) and for meeting with City staff last week. The City's final offer for the acquisition of this tract is below.

The appraisal report from Aul Appraisals valued Lot 9 at \$58,000. The City cannot offer more than the appraised value for acquisition of the lot. The City Parks and Recreation Department also has an interest in acquisition of Tract A of Burroughs Creek Addition as it will add to the adjacent park property owned by the City and provide continuity between Brook Creek Park and the Burroughs Creek linear park and trail. According to the final plat of Burroughs Creek Addition, Tract A will need to be maintained via a homeowner's association or by the developer. City acquisition of this tract would alleviate this burden upon current or future property owners.

At this time, the City is prepared to offer \$58,000 for the acquisition of Block 1, Lot 9. This offer is conditioned upon a donation to the City of Tract A of Burrough's Creek Addition. This offer is subject to approval of the Governing Body of the City of Lawrence. In order to claim a possible tax deduction, an appraisal of Tract A would be needed and execution of IRS form 8283 - which requires signature by an appraiser and acknowledgement of the donation by the City. The City would pay for the appraisal of Tract A should you decide to donate the tract. You are encouraged to speak with your tax preparer regarding the possible tax benefits of a land donation to the City.

If you decide to accept the City's offer, I would ask that you please sign and return the Acceptance of Offer. Upon receipt of the acceptance, City Attorney's staff would prepare a contract document for the acquisition. City Parks and Recreation staff would prepare this item for City Commission consideration and approval. If you have questions about this final offer, feel free to contact me at (785) 832-3467 or Brandon McGuire, Assistant to the City Manager at (785) 832-3466.

Sincerely,


R. Scott Wagner
Management Analyst

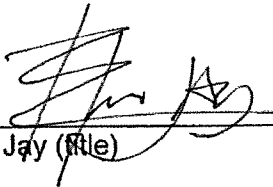
Cc: Brandon McGuire, Assistant to the City Manager
Ernie Shaw, Director – Parks and Recreation
Mark Hecker, Asst. Director – Parks and Recreation
Crystal Miles, Horticulture & Forestry Manager, Parks and Recreation


ACCEPTANCE OF OFFER

Eric Jay and Matthew Jones, acting on behalf of Burrough's Creek Addition LLC, hereby accepts the City's offer of compensation dated April 3, 2017 in the amount of \$58,00 as compensation for the Block 1, Lot 9 which includes donation of Tract A of the Burrough's Creek Addition. This offer is subject to final approval of the Governing Body of the City of Lawrence, Kansas.

Dated this 15 day of MAY, 2017.

ON BEHALF OF BURROUGH'S CREEK ADDITION, LLC.

 , owner
Eric Jay (title)

 , owner
Matthew Jones (title)