



KENTUCKY TRANSPORTATION CABINET
Department of Highways
DIVISION OF RIGHT OF WAY AND UTILITIES

TC 62-8
Rev. 05/2019
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APPLICATION TO PURCHASE STATE RIGHT OF WAY

INSTRUCTIONS:

- A. The Applicant is required to provide, at his expense, the following attachments to this Application to Purchase State Right of Way.
 - 1. A copy of the Applicant's deed to the property fronting and adjacent to the application area.
 - 2. A copy of the Commonwealth's deed to the right of way requested.
 - 3. A typed bearing and distance legal description of the application area to be submitted in both hardcopy and electronic Word format.
 - 4. Two (2) stamped/signed copies of a land surveyor's plat, 8 ½ " x 14" in size, showing the application area along with the applicant's adjacent property lines to establish that the applicant is the fronting adjacent property owner. The plat is to meet the minimum standards as per the attached sample plat and requirements. All survey work shall be staked in the field.
 - 5. Sufficient color photographs to show the entire application area. Transportation Cabinet personnel will use these photographs to establish the condition of the application area at the time of your application to purchase state right of way, should you make improvements to the application area by means of an approved encroachment permit prior to preparation of an appraisal report.
 - 6. Two (2) sets of highway plan and profile sheets with the application area marked in yellow.
 - 7. A copy of your application for an encroachment permit if application has been made, and a copy of any approved permit issued as a result of your application.
 - 8. Two (2) sets of site plans, if development on the application area and/or the adjacent property will effect or alter the present topography, drainage or access points. The site plan may be substituted by submitting Transportation Cabinet Form TC 99-1(A), *Application for Encroachment Permit*, to begin the application process. (An approved permit may be required before property will be declared surplus.)
 - 9. Three (3) hard copies and one (1) PDF of an appraisal report prepared by an appraiser that has been prequalified by the Transportation Cabinet. DO NOT have the appraisal prepared until the Cabinet tentatively approves your request to purchase state right of way. The appraisal is to establish the contributory and entity value of the application area. The appraisal report must be accompanied by an Appraisal Summary Sheet approved by the KYTC Appraisal Branch Manager.
- B. The application area will be appraised as to its entity value and its contributory value to the adjacent property, as outlined in the Cabinet's *Right of Way Guidance Manual*. You will be required to pay the higher of the two values.
- C. Should you make any improvement to the application area prior to the date of the application, then these improvements will be reflected into the appraisal report.
- D. Improvements made to the application area by means of an approved permit after the approval date of the permit, but prior to the appraisal report, will not be taken into consideration in establishing the appraised value. For appraisal purposes, the condition of the application area shall be established by the photographs cited in Item D of these instructions along with information contained in an approved encroachment permit.
- E. All applications to purchase state right of way must be reviewed and approved by the District Office, Central Office, and may require the Federal Highway Administration or the Turnpike Authority of Kentucky, if applicable.
- F. All sales of state-owned right of way are subject to approval of the Secretary of the Finance and Administration Cabinet and the Governor, pursuant to KRS 45A.

I have read and understand the instructions.

APPLICANT SIGNATURE

Linda Gordon

DATE

9/21/2021



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SECTION 2: PROJECT IDENTIFICATION *(To be completed by District Property Management Agent)*

INSTRUCTIONS: Review application and attachments. Complete form TC 62-222, *District Checklist for Surplus Property Disposal*. Prior to valuation authorization, forward the completed application packet to Central Office for review.

COUNTY	ITEM NO.	PARCEL	NAME
PROJECT NO.	FEDERAL NUMBER	PROJECT	
ROAD	MILE POINT	ACCESS CONTROL	
		<input type="checkbox"/> By Permit <input type="checkbox"/> Partial <input type="checkbox"/> Full	

SECTION 3: ACQUISITION INFORMATION & APPROVAL *(To be completed by District Right of Way Section)*

NOTE: All information must be provided OR marked as not applicable.

ACQUISITION COST	DEED BOOK	PAGE	DATE
\$0.00 <input type="checkbox"/> Per Acre <input type="checkbox"/> Per Sq. Ft.			

REASON ACQUIRED:

REASON NO LONGER REQUIRED:

APPROVAL SIGNATURE <i>(Chief District Engineer)</i>	DATE

NOTES:

WAIVER

THIS waiver is executed on this the 30th day of March, 2021, by Ryan & Tara Cecil, Property Owner(s) of 2961 Summerfield Drive, Lexington KY 40511 (the "Property Owner"), for the benefit of the Transportation Cabinet, Department of Highways, District No 7, P.O. Box 11127, Lexington, KY 40512 (the "DOT") at the request of Michelle Kosieniak, Superintendent of Planning & Design, Lexington Parks and Recreation, whose address is 469 Parkway Drive, Lexington KY 40504 ("Parks and Recreation").

The Property Owner(s) and Parks and Recreation own separate but adjacent properties to a DOT-owned parcel located at 2931 Leestown Rd. Parks and Recreation has advised the Property Owner(s) of their interest to add the DOT property to the already existing adjacent owned property, operated as Masterson Station Park.

The Property Owner(s) understands that the property is no longer needed by the DOT for improvements on Leestown Rd., and under current regulations, can be sold by the DOT to the Property Owner(s) and/or Parks and Recreation as adjacent property owners at the appraised value. Parks and Recreation has advised DOT and the Property Owner(s) that their agency would like to purchase the DOT property. In order to do so, Parks and Recreation has requested the Property Owner(s) sign this Waiver which confirms that the Property Owner(s) have no interest in purchasing the DOT property.

Accordingly, in view of the foregoing, and at the request of Lexington Parks and Recreation, by and through its Supt. of Planning & Design, Michelle Kosieniak, the Property Owner(s) do hereby waive their right to purchase the DOT property situated at 2931 Leestown Road, Lexington, KY 40511; further, the Property Owner(s) do hereby authorize Lexington Parks and Recreation to present this Waiver to DOT as evidence of the Property Owner's position in this regard.

PROPERTY OWNER(S), 2961 SUMMERFIELD DR

Tara Cecil
Ryan Cecil

Attest:

Witnessed by:

Kristina Cornell



Overview



Legend

- Parcels
- Roads

Parcel ID	38235750	Physical Address	2931 LEESTOWN RD	Fair Cash Value	\$40,000	Last 2 Sales Date		Reason		Qual
Class Code	E	Owner	COMMONWEALTH OF KENTUCKY	Agricultural Land Value	\$0	3/30/2011	\$40000	FORCED SALES/GOVT AGCY/NON-PROFIT		U
Taxing District	02		FBO TRANSPORTATION CABINET	Agricultural Total Value	\$0	4/21/1954	\$3500	FORCED SALES/GOVT AGCY/NON-PROFIT		U
Acres	0.228		200 MERO ST FRANKFORT KY 40622	Taxable Value	\$0					

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Developed by Schneider
GEO SPATIAL