

MEMORANDUM-NOTICE TO PROCEED

TO: Cecil Smith
Right of Way Supervisor
District 7-Lexington

FROM: Dean M. Loy 
Division Director of Right of Way & Utilities

DATE: March 27, 2018

RE: Fayette County, No. 7-3103.00
12F0 FD52 034 8528701R; STPE 3003 (340)
Legacy Trail Phase III

Right of Way activities may proceed based on the submitted plans entered into projectwise. Attached are copies of the TC-10 No. 85287 *and* a copy of FHWA's approval for project authorization. All right of way charges on this project are made to:

12F0 FD52 034 8528701R; STPE 3003 (340)
12F0 FD52 034 8528702R; STATE FORCES

This project has been entered in the RWUMS System. The NOTICE OF PROPOSED ACQUISITION letter shall be sent in accordance to instructional memorandum (IM 2017-05).

COMMONWEALTH OF KENTUCKY
TRANSPORTATION CABINET

DIVISION OF RIGHT OF WAY

OFFICIAL ORDER NO. 111102

SUBJECT: Fayette County, Item No. 7-3103.00
Legacy Trail Phase III
Acquisition of Right of Way

The Transportation Cabinet has determined that the subject project is a needed public highway improvement.

Whereupon, it is ordered that:

1. The subject project is hereby authorized and shall be constructed in accordance with plans and specifications or revisions thereof on file in the Transportation Cabinet Office, Frankfort, Kentucky.
2. The Transportation Cabinet is hereby authorized and directed to acquire right of way needed for this project according to the alignment and widths shown on the plans or revisions thereof, and is authorized to institute condemnation proceedings for acquisition of such right of way if necessary. Title to all property acquired for this project will be in accordance with Official Order No. 56202 dated September 3, 1958. Transportation Cabinet funds are hereby authorized to be used for approved purposes for this project pursuant to Chapter 177 of the Kentucky Revised Statutes.
3. The acquisition of right of way for this project is hereby declared to be for a public use and is necessary for construction, reconstruction and maintenance of an adequate system of highways.

Signed and approved this the 25 day of April, 2018.

APPROVED AS TO FORM
AND LEGALITY:

Kevin Moore
OFFICE OF LEGAL SERVICES

Greg Thomas
GREG THOMAS,
SECRETARY OF TRANSPORTATION

PROJECT AUTHORIZATION

AUTHORIZATION NO. 85287 004

IT IS HEREBY ORDERED THAT THE PROJECT HEREIN DESCRIBED BE UNDERTAKEN AND ACCOMPLISHED WITHIN THE FUNDING LEVEL AUTHORIZED

1. PROJECT ID	A: PROJECT ID NUMBER	B: FEDERAL PROJECT NO. STPE 3003 283 STPE 3003 340	C: DISTRICT HWY ADD 07	D: COUNTY FAYETTE	E: 8 YRP ITEM NUMBER 07-03103
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F: TYPE OF PROJECT 093 - TRANS ENHANCEMENT	G: ROUTE NUMBER	H: FACILITY NAME LEGACY TRAIL PHASE III	I: SYSTEMS
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J: PROJECT LENGTH	K: SCOPE OF PROJECT INSTALLATION OF TRAIL AND AMENITIES INCLUDING LIMESTONE HARDSCAPES, CROSSWALK ENHANCEMENTS, BENCHES, BIKE RACKS, LANDSCAPING, VERTICAL PATH MARKERS & INTERPRETIVE SIGNAGE. WORK WILL OCCUR ON LEGACY TRAIL BEGINNING AT JEFFERSON ST, 3RD ST, & FOURTH ST & ENDS AT THE ISAAC MURPHY MEMORIAL GARDENS AT MIDLAND AVE.
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L: NO OF BRIDGES	M: PROGRAM PRIORITY	N: RS ITEM NUMBER	O: 8 YR PLAN PARENT NUMBER 09 00195 12 2010
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2. PROJECT PHASE AND RESPONSIBILITY	A. PLANNING	B. DESIGN LFUCG	C. RIGHT OF WAY LFUCG	D. UTILITIES
	E. CONSTRUCTION LFUCG	F. TITLE DEEDED TO:	G. MAINTENANCE	H. OTHER

3. FUNDING & TIME ACCOUNTABILITY	PARTICIPATING AGENCIES FEDERAL <u>FHWA</u> STATE _____ LOCAL <u>LFUCG</u> OTHER _____			
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REQUESTED FUNDS FOR THIS AUTHORIZATION

ITEM NUMBER SUFFIX	PHASE	FUND	PROGRAM	FISCAL YEAR		FEDL APPR. CODE	ENACTED BYR PLAN AMOUNT	% DIFFERENCE VS BYP AMT	CURRENT FUNDING REQUEST
				FEDERAL	STATE				
07-03103.00	C	1200	FD52	2018	2018	L220			-92,650.00
07-03103.00	R	1200	FD52	2018	2018	L220			101,915.00
CURRENT ESTIMATE APPROVED BY: <u>JMJ</u> DATE <u>01/17/2018</u>									CURRENT FUNDING REQUEST TOTAL 9,265.00

AUTHORIZATION SUMMARY FOR THIS 10-1 SERIES

PHASE	INITIAL PROJECT ESTIMATE	CURRENT PROJECT ESTIMATE	TOTAL AUTHORIZATION TO DATE (INCL. CURRENT REQUEST)
NON-HIGHWAY	\$ 0.00	\$ 0.00	\$ 0.00
PLANNING	\$ 0.00	\$ 0.00	\$ 0.00
DESIGN	\$ 234,900.00	\$ 366,195.00	\$ 366,195.00
RIGHT OF WAY	\$ 0.00	\$ 101,915.00	\$ 101,915.00
UTILITIES	\$ 0.00	\$ 0.00	\$ 0.00
CONSTRUCTION	\$ 2,501,800.00	\$ 2,109,150.00	\$ 2,109,150.00
TOTAL	\$ 2,736,700.00	\$ 2,577,260.00	\$ 2,577,260.00

4. REMARKS: THIS MODIFICATION MOVES \$92,650 OF PREVIOUSLY AUTHORIZED FEDERAL TE FUNDS FROM THE CONSTRUCTION PHASE TO THE RIGHT OF WAY PHASE (MATCH PROVIDED BY LFUCG) AND PROVIDES \$9,265 OF FEDERAL TE FUNDS FOR PROJECT OVERSIGHT BY STATE FORCES (TOLL CREDIT MATCH). LPA CONTRACT. SAC

PROJECT APPROVAL RECOMMENDED BY:

Paul C. Jones 1/23/18
SIGNATURE DATE

SIGNED AND APPROVED BY:

[Signature] 1.23.18
SECRETARY OF TRANSPORTATION OR DESIGNATED REPRESENTATIVE

Run Date: 03/09/2018
 Run Time: 08:16:26

**U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION
 FEDERAL-AID PROJECT AGREEMENT**

Report: FMISD05A
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RECIPIENT: 21-Kentucky

FEDERAL PROJECT NO: 3003340

RECIPIENT PROJ. NO(S): 07-03103.00

1. The State through its department of transportation, or other recipient, has complied, or hereby agrees to comply, with the applicable terms and conditions set forth in (a) Title 23, U.S. Code, highways, (b) The regulations issued pursuant thereto, and the policies and procedures promulgated by the Federal Highway Administration, and (c) All other applicable federal laws and regulations. 2. The State, or other recipient, stipulates that as a condition to payment of the Federal funds obligated, it accepts and will comply with the provisions set forth in 23 CFR 630.112. These provisions incorporate by reference all other federal laws and regulations pertaining to the project or the activity for which the funds are obligated. Solely for the purposes of emphasis, such applicable provisions include, but are not limited to, the requirements of Appendix A to 2 CFR Part 170—Award terms for Reporting subaward and executive compensation information, and 2 CFR 200, including for those funds for which such amount will be subawarded to a subrecipient, 2 CFR 200.331.3. Relative to the above designated project, the FHWA has authorized certain work to proceed as evidenced by the date entered opposite the specific item of work. For such authorized work, the federal funds obligated or advance-construction authorized, are not to exceed the amount shown herein. The balance of the estimated total project cost is an obligation of the State or other direct recipient. 4. Such authorization of Federal funds extends only to project costs incurred by the State, or other recipient, following Federal Highway Administration's authorization to proceed with the project.

PROJECT TITLE: Fayette - Right of way acquisition for Legacy Trail Phase III
 PROJECT DESCRIPTION: Right of way acquisition for Legacy Trail Phase III
 DUNS#: 188593644

CLASSIFICATION OF PHASE OF WORK TO BE PUT UNDER AGREEMENT	EFFECTIVE DATE OF AUTHORIZATION
HIGHWAY PLANNING & RESEARCH	
PRELIMINARY ENGINEERING	
RIGHT-OF-WAY	03/07/2018
CONSTRUCTION	
OTHER	

PROGRAM CODE	FAIN	URBAN/ WITH	TOTAL COST	FEDERAL SHARE	FEDERAL FUNDS UNDER AGREEMENT	ADVANCED CONST. FUNDS
L22E	213003340L 22E		\$125,077.50	80.00%	\$101,915.00	\$0.00
TOTAL			\$125,077.50		\$101,915.00	\$0.00

ESTIMATED TOTAL COST: \$125,077.50
 TOTAL AUTHORIZED FOR PROJECT: \$101,915.00

EXECUTIVE OFFICE OF THE COMMONWEALTH OF KENTUCKY

AVAILABLE FUNDS CERTIFIED BY:	Selena Curry	DATE	01/29/2018
APPROVED AND REQUESTED BY:	Erin Clouse	DATE	02/09/2018
AGRMT/MODIFY REQUESTED BY:	Ronald Rigney	DATE	02/13/2018

FEDERAL HIGHWAY ADMINISTRATION

PROJECT INFORMATION REVIEWED BY:	Jessica Gordon	DATE	03/05/2018
APPROVAL RECOMMENDED BY:	David Whitworth	DATE	03/07/2018
APPROVED AND AUTHORIZED BY:	Steven Jacobs	DATE	03/07/2018

RECIPIENT REMARKS:

New Toll Credits total=\$1,853.00
 eMARS#- 8528701R,8528702R KYTC#- STPE,3506
 Indirect Cost Rate- 0%, CFDA#- 20.205, Project End Date- 12/31/2019
 OBLIGATE \$92,650 (L22E) FOR THE RIGHT OF WAY PHASE (MATCH PROVIDED BY LFUCG) AND
 OBLIGATE \$9,265 (L22E) FOR PROJECT
 OVERSIGHT BY STATE FORCES (TOLL CREDIT MATCH) LPA CONTRACT.
 The State agrees that as a condition to payment of Federal funds obligated, it accepts and will comply with the agreement provisions set forth in 23 CFR 630.112, and its signature constitutes the making of certifications. This agreement is subject to the following award terms: <http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf> and <http://edocket.access.gpo.gov/2010/pdf/2010-22706.pdf>

DIVISION REMARKS: