



US Army Corps
of Engineers®

JOHNSON COUNTY, KENTUCKY SECTION 202 PROJECT

SUPPORTING DOCUMENTATION FOR ALTERNATIVE #2 AND ALTERNATIVE #4

VOLUME 4: REAL ESTATE PLAN



FEBRUARY 2020

U.S. ARMY CORPS OF ENGINEERS

LOUISVILLE DISTRICT

Contents

Purposed of the Real Estate Plan	2
Project Authority.....	2
Project Location and TSP Description.....	2
Lands Required for Construction, Operation, Maintenance, Repair, Replacement and Rehabilitation	2
Lands Owned by the Non-Federal Sponsor	7
Standard Estates	8
Existing Federal Lands or Projects	9
Navigation Servitude	9
Induced Flooding	9
Cemetery Relocations	9
Facility/ Utility Relocations	9
Relocation Assistance (Public Law 91-646).....	10
Acquisition Schedule	12
Environmental and Cultural Considerations	12
Non-Federal Sponsor Responsibilities.....	13
Non-Federal Sponsor Real Estate Acquisition Capability Assessment	13

Tables

Table REP-1. Real Estate Requirements – Structural Measures.....	6
Table REP-2. Real Estate Requirements – Nonstructural Measures.....	7
Table REP-3. Baseline Cost Estimate for Real Estate – Structural Measures.....	11
Table REP-4. Baseline Cost Estimate for Real Estate – Nonstructural Measures.....	12

Exhibits

Exhibit REP-A. NFS Real Estate Acquisition Capability Assessment
Exhibit REP-B. Real Estate Mapping
Exhibit REP-C. Structural Measure Tract Listing

Purpose of the Real Estate Plan

This Real Estate Plan (REP) will identify the real estate interests required to implement the Johnson County, Kentucky, Section 202 Flood Risk Management Project in accordance with Engineering Regulation 405-1-12, Chapter 12 and subsequent guidance specific to implementation of the Supplemental Appropriations in the Bipartisan Budget Act of 2018. This REP is tentative in nature and preliminary for planning purposes only. Property ownerships and boundary lines used to prepare this report were referenced from parcel data provided by the Johnson County Property Valuation Administrator (PVA) and were not verified through actual deed description reviews or field surveys. Final real property acquisition lines and estimates of value are subject to change even after approval of the report. This REP will accompany the Detailed Project Report (DPR) of the same name.

Project Authority

This project is authorized by Section 202 of the Energy and Water Development Appropriations Act of 1981 (Public Law 96-367), Fiscal Year 1982 Supplemental Appropriation Act (Public Law 97-257), and Public Law 104-206 (30 September 1996).

The non-Federal Sponsor is the Johnson County Fiscal Court. They have expressed in writing its willingness to participate in the project and understand the general scope of the project.

Project Location and TSP Description

The real estate interests required to implement the project are located in Johnson County in eastern Kentucky. The structural measures of the project are located within the city of Paintsville along the Levisa Fork of the Big Sandy River and Paint Creek. The nonstructural measures will be implemented within Johnson County and outside the city-limits of Paintsville. The recommended plan (RP) for the project consists of the construction of a main floodwall along the Levisa Fork, a gate closure structure at the confluence of Paint Creek and the Levisa Fork, an interior drainage floodwall along the north bank of Paint Creek from Broadway Street to the CSX rail line, earthen levees at Blackberry Branch, Walnut Avenue, Flat Rock Branch and State Street south of Paint Creek, an additional small levee in the Kings Addition subdivision, an earthen levee at the county courthouse and detention center complex, storm sewer interceptor pipes, headwalls, and flap gates at various locations north and south of Paint Creek, and implementing non-structural measures for eight properties within the city-limits of Paintsville. In addition, the RP includes nonstructural measures for the remainder of Johnson County outside of Paintsville to reduce life safety risks and property damage.

Lands Required for Construction, Operation, Maintenance, Repair, Replacement and Rehabilitation

Structural Measures within Paintsville (Alternative 2)

Main Floodwall (North of Paint Creek)

The main floodwall north of Paint Creek will be located across property currently occupied by a commercial self-storage facility. Removal of the facility will be necessary to construct, operate and maintain the proposed floodwall. A road closure structure will be located across Kentucky Highway 40 (Euclid Avenue).

Additionally, the floodwall will terminate on a residential property and tie-in to high ground near the CSX rail line and Greentown Lane. A perpetual flood protection easement will be required to construct, operate and maintain the floodwall. The commercial self-storage facility will be acquired in fee.

Main Floodwall (South of Paint Creek)

The main floodwall south of Paint Creek is to be located between the CSX rail yard and the left descending bank of the Levisa Fork. The majority of the property in which the wall will be situated is currently a narrow service road (River Road) used to access the south end of the rail yard and additional railroad operations buildings and laydown areas. The property to the east of the wall alignment is occupied by CSX operations and storage buildings. The northern portion of CSX's property is leased by the city of Paintsville as a storage space for municipally-owned vehicles and equipment. The property immediately adjacent to Paint Creek is owned by the city of Paintsville and is the location of derelict wastewater treatment plant. Upon construction of the floodwall, service and inspection roads will be constructed on the east and west sides of the wall. Construction staging will occur on CSX Railroad and city-owned property. Access to all existing railroad facilities will be available after construction is complete. A perpetual flood protection easement will be required to construct, operate and maintain the floodwall.

Paint Creek/Levisa Closure Structure

The Paint Creek closure structure will be located on property currently owned by the city of Paintsville with a possible tie-in to CSX Railroad property on the south bank and the aforementioned storage facility property on the north bank.

Euclid Avenue Floodwall (North Bank of Paint Creek)

The proposed interior drainage floodwall will be located along the north bank of Paint Creek between Broadway Street to the west and the CSX rail line near its intersection with Kentucky Highway 40 (Euclid Avenue) to the east. The floodwall will range in height from a few feet to near 10' feet above current grade. East of Depot Road, the floodwall will be located along the rear portion of several commercial properties and an existing apartment complex. It will be necessary to remove one of the four apartment buildings to accommodate construction; the apartment building to be removed contains 7 rental units. No damages to the remaining complex will be incurred. West of Depot Road, the remainder of the floodwall will sever the rear one-third of approximately 19 residential lots, 5 commercial properties and the Paintsville Fire Department, all located along Euclid Avenue and Main Street. The alignment of the floodwall will require the acquisition of fee due to uneconomic remnants that will result on the Paint Creek side of the proposed wall. Additionally, two residential structures and seven detached garages and storage structures will be required to be removed to accommodate the alignment. The floodwall will tie-in to high ground along a vacant lot across Euclid Avenue (closure structure) to Highland Avenue. The vacant property between Frank Street and Preston Street will be utilized as a construction staging area; a temporary work area easement will be required for the staging site.

Blackberry Branch Levee (South of Paint Creek)

An earthen levee will be constructed across Blackberry Branch south of Paint Creek and north and east of Broadway Street. The levee will be located behind a commercial office building, a residential property and

a church campus. The construction is not expected to require the removal of any existing buildings. Access to the site will be gained from Broadway Street. Perpetual flood protection easements will be required to construct, operate and maintain the levee.

Walnut Avenue Branch Levee (South of Paint Creek)

A small earthen levee will be constructed across an unnamed drain between Paint Creek and Walnut Avenue at its intersection with 11th Street. The levee will be located between two residential structures and is not expected to require the removal of any existing buildings. Access to the site will be gained directly from Walnut Avenue. Perpetual flood protection easements will be required to construct, operate and maintain the levee.

Flat Rock Branch Levee (South of Paint Creek)

An earthen levee will be constructed across Flat Rock Branch between 12th Street and Pine Street south of Paint Creek. The levee will be constructed partially on a vacant residential lot and in the rear portions of five occupied residential properties. Construction is not expected to require the removal of any structures. Site access will be gained directly from 12th Street. Fee and Perpetual flood protection easements will be required to construct, operate and maintain the levee.

State Street Levee (South of Paint Creek)

An earthen levee will be constructed between State Street and Paint Creek and will tie-in to Depot Road to the west and the main CSX rail line to the east. Chessie Lane will be partially rerouted to the north side of the new levee and will connect to State Street at its intersection with Depot Road. Construction of the levee will require the removal of approximately seven residential structures currently located on the north side of State Street. All properties will be acquired in fee along the north side of State Street between Depot Road and Chessie Lane. A perpetual flood protection easement will be required for the portion of the levee situated on CSX property.

Kings Addition Levee

An earthen levee will be constructed across an unnamed drain in the Kings Addition subdivision east of downtown Paintsville between Auxier Avenue and Kentucky Lane. Construction will likely require the removal of a storage shed and access to the site will be gained from Auxier Avenue. Perpetual flood protection easements will be required for construction, operation and maintenance of the levee.

Courthouse/Jail Levee

An earthen levee will be constructed partially around the municipal courthouse and detention center complex west of downtown Paintsville at the southwest corner of the intersection of US Highway 460 (Third Street) and KY Highway 321. Access to the construction site will be gained from US Highway 460 via Detention Center Road. The site is owned by the local government; no acquisitions are anticipated to be required.

Storm Sewer Interceptor Pipes, Headwalls, and Flap Gates

Interceptor pipes will be installed at various locations to include Sixth Street and Eleventh Street south of Paint Creek and along 3rd Street, Euclid Avenue and Highland Avenue north of Paint Creek. All work will be conducted within existing city-owned rights-of-way. No additional real estate interest are expected to be required.

Borrow/Spoil Area

The borrow/spoil area identified to support the project is located on the west side of Paintsville on vacant property at the northwest corner of the intersection of US Highway 460 and KY Highway 321. The property has been previously utilized as a borrow site for non-Federal projects and has sufficient access from Hidden Valley Road. The site is located approximately 3 miles from the State Street Levee, the largest earthwork measure of the project. A temporary work area easement will be required to accommodate use of the site for borrow and spoil. A secondary borrow site is located at the site of a landslide that occurred in the spring of 2019 on the north side of 5th Street. If the property is used during construction, a temporary work area easement will be need to be obtained.

Nonstructural Separable Element within Paintsville

Upon completion of the above structural elements within Paintsville, it is estimated there will be four residences and four commercial businesses, including a local utility company at continued risk of flooding during certain storm events. As a result, those eight properties are eligible for non-structural measures to be implemented. For cost estimating purposes, the costs for implementing those measures were compared and the lowest cost measure was selected. The cost comparison resulted in acquisition (buy-out) of two of the residential properties and implementing raise-in-place and dry flood-proofing measures for the other six properties. In any case, each structure will be analyzed individually and the most practicable solution for each specific structure will be implemented.

Table REP-1. Real Estate Requirements – Structural Measures (Alternative 2)

A summary of the estates and acreages required to construct the structural measures described above is included in the following table:

Feature	Estate	Fee Acres	Permanent Easement Acres	Temporary Easement Acres
Main Floodwall	Fee	4.64		
	Flood Protection Easement		3.53	
	Temp Work Area E'smt			0.24
Euclid Avenue Floodwall (Paint Creek North)	Fee	1.59		
	Flood Protection Easement		9.30	
	Temp Work Area E'smt			2.91
Blackberry Branch Levee	Flood Protection Easement		0.81	
	Temp Work Area E'smt			1.00
Walnut Avenue Levee	Flood Protection Easement		0.23	
	Temp Work Area E'smt			0.29
Flat Rock Branch Levee	Fee	0.49		
	Flood Protection Easement		0.67	
State Street Levee	Fee	2.74		
	Flood Protection Easement		0.45	
	Temp Work Area E'smt			0.57
Kings Addition Levee	Flood Protection Easement		0.62	
	Temp Work Area E'smt			0.31
Storm Sewer Interceptors	Pipeline Easement		1.30	
	Temp Work Area E'smt			0.89
Borrow/Spoil Area	Temp Work Area E'smt			14.07*
Non-Structural (Paintsville Only)	Fee	0.54		6.98
TOTALS		10.00	16.91	27.26

*Does not include secondary (landslide) borrow site. No government-owned property is included in the above table.

Nonstructural Measures within Johnson County (Alternative 4)

Nonstructural measures implemented within Johnson County (outside of the city-limits of Paintsville) will include voluntary acquisitions (buy-outs) for structures within the floodway and voluntary acquisitions, raise-in-place and dry floodproofing for structures that sustained damages during the 1977 flood event, or are located within the FEMA 1% Annual Exceedance Probability (AEP) Zone. Priority will be given to properties determined to have the highest risks to health and human safety and to property damage due to flooding. Raise-in-place and dry floodproofing will be conducted under a Right-of-Entry for Construction. Under Section 202, although the nonstructural acquisition program is voluntary, eminent domain proceedings may be utilized to clear title encumbrances, or settle price differences once an owner agrees to participate. However, owners may withdraw their application to the program at any time up to an acceptance of an offer to sell. Owners and tenant-occupants are displaced persons under the voluntary acquisition program and will be eligible for full benefits under the provisions of Public Law 91-646. Properties occupied by tenants will not be acquired unless the tenants and the owners of the properties apply for participation.

Prior to the implementation of Alternative 4, a relocation plan and survey will be prepared to estimate available replacement housing to meet the needs of homeowners that will be displaced. It is estimated at this time that a sufficient number of decent, safe and sanitary housing does exist within Johnson County and the surrounding areas. Upon approval of this DPR, a non-structural landowners’ meeting will be held with the Non-Federal Sponsor. The meeting will begin the two-year period for landowners to decide to sign-up for the program.

Flood-proofing agreements will be required between the landowner and the Non-Federal Sponsor prior to any disbursement of program funds to implement raise-in-place or other floodproofing measures. No real estate rights will be acquired under those circumstances.

Table REP-2. Real Estate Requirements – Nonstructural Measures

Inventory Category	Nonstructural Measure
	Acquisition (Buy-out)
Residences	89
Businesses	10
Total	99

*Total estimate of properties eligible for nonstructural measures (buyout, raise-in-place, floodproof) is 192. Approximately 99 of those properties are estimated to have a lower cost to acquire and remove than to raise-in-place/floodproof.

For more detailed information on the implementation of Alternative 4, please refer to Volume 6 (Non-Structural Plan) of this DPR.

Lands Owned by the Non-Federal Sponsor

Although the Johnson County Fiscal Court is the Non-Federal Sponsor, the government-owned property in the project area is owned by the City of Paintsville, with the exception of the courthouse and jail complex. It is not anticipated that the title of city-owned property will be transferred to the county. Rather, a local agreement between the city and the county will be required to ensure the property is and remains available

for the life of the project. In addition, it is the intent of the project to require other public entities that hold title to lands necessary to construct the project to provide those lands at no cost to the Non-Federal Sponsor.

Standard Estates

The standard estates of Fee, Flood Protection Levee/Floodwall Easement, Utility/Pipeline Easement and Temporary Work Area Easement will be required to implement the project.

Fee

The fee simple title to (the land described in Schedule A) (Tracts Nos. _____, _____ and _____), subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

Flood Protection (Levee/Wall) Easement

A perpetual and assignable right and easement in the land described in Exhibit(s) ____ to construct, maintain, repair, operate, patrol and replace a flood protection (levee/wall), including all appurtenances thereto; reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the land as may be used without interfering with or abridging the rights and easement hereby (acquired/reserved); subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

Utility and/or Pipeline Easement

A perpetual and assignable easement and right-of-way in, on, under, across and through the land described in Exhibit ____ for the location, construction, operation, maintenance, alteration, repair and patrol of an underground pipeline; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

Temporary Work Area Easement (TWAE)

A temporary easement and right-of-way in, on, over and across (the land described in Schedule A) (Tracts Nos. _____, _____ and _____), for a period not to exceed _____, beginning with date possession of the land is granted to the United States, for use by the United States, its representatives, agents, and contractors as a (borrow area) (work area), including the right to (borrow and/or deposit fill, spoil and waste material thereon) (move, store and remove equipment and supplies, and erect and remove temporary structures on the land and to perform any other work necessary and incident to the construction of the _____ Project, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

No non-standard estates are anticipated to be required to complete the project.

Existing Federal Lands or Projects

No Federally-owned real estate interests exist within the project area.

Navigation Servitude

Navigation Servitude does not apply to this project.

Induced Flooding

The purpose of the project is to reduce damages associated with flood events. The project is not expected to induce flooding.

Cemetery Relocations

No known cemeteries are expected to be impacted by implementation of the project.

Facility/ Utility Relocations

City and county owned roads, streets, alleys and bridges intersect the alignment of the proposed floodwalls and levees and will be relocated or modified as a part of the project. The following publically owned (city or county) roadways will be altered as part of the project:

Feature	Road	Relocation Type
Main Floodwall	Greentown Lane/KY-581 (100 Block)	Closure Structure Installed
Main Floodwall	Euclid Avenue (700 Block)	Closure Structure Installed
Euclid Ave Floodwall	Depot Road (100 Block)	Closure Structure Installed
Euclid Ave Floodwall	Preston Street (100 Block)	Closed
Euclid Ave Floodwall Tie-In	Euclid Avenue (100 Block)	Closure Structure Installed
State Street Levee	Chessie Lane	Partially Re-routed

In addition, existing underground and overhead utilities will likely be in conflict with some of the proposed project features. The locations of many of the existing public utilities is unknown at the time of this report. As a result, whether additional easements will be required to relocate the impacted utilities is also unknown. It is expected that at least a portion will require the acquisition of new utility rights-of-way. In comparison to the overall project cost estimate, the acquisition costs of these additional rights-of-way are anticipated to be minimal. For all utility relocations required to implement the project, Attorney's Opinions of Compensability will be prepared, the Non-Federal Sponsor will execute relocation contracts with the utility owners, and the utilities will be relocated either by the owner or as part of the Government construction contract. An assessment has been made of the potentially affected utilities and they are generally of the type that are eligible for compensation under the substitute facilities doctrine.

Any conclusion or categorization contained in this real estate plan, or elsewhere in this project report, that an item is a utility or facility relocation to be performed by the non-federal sponsor as part of its LERRD responsibilities is preliminary only. The government will make a final determination of the relocations

necessary for the construction, operation, or maintenance of the project after further analysis and completion and approval of final attorney's opinions of compensability for each of the impacted utilities and facilities.

Relocation Assistance (Public Law 91-646)

The Non-Federal Sponsor (and its representatives and contractors) shall comply with the applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public 91-646, as amended by Title IV of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (Public Law 100-17), and the Uniform Regulations contained in 49 C.F.R. Part 24 (the “Uniform Act”), in acquiring lands, easements, and rights-of-way required for the construction, operation, and maintenance of the Project, including those necessary for relocations, and shall inform all affected persons of applicable benefits, policies, and procedures in connection with said Act.

The Uniform Act authorizes payment of relocation benefits to persons displaced from their homes, businesses or farms by federal and federally assisted programs. Those benefits are separate from and in addition to the acquisition payments for real property. Estimated benefits for residential displacements include moving expenses and replacement housing. Owner-occupants and tenant-occupants of mobile homes will be afforded the same benefits as occupants of conventional dwellings with respect to P.L. 91-646. Relocation benefits for non-residential displacements are limited to moving and related expenses, including search expenses and, if applicable, reestablishment expenses.

It is estimated that an adequate number of decent, safe, and sanitary replacement dwellings exist within the City of Paintsville and the surrounding area to accommodate the number of displaced persons contemplated by the structural measures of the project. Relocation assistance payments are based on a case-by-case basis and can vary widely depending on the individual needs of displaced persons and businesses. The following table estimates the number of anticipated relocation assistance beneficiaries required to implement the project.

Structural Measures within Paintsville (includes NS separable element)

<i>Relocation Assistance Type</i>	No. of Displaced Persons
<i>Residential (Owner-Occupant)</i>	13
<i>Residential (Tenant-Occupant)</i>	7
<i>Business</i>	5

Nonstructural Measures outside of Paintsville

<i>Relocation Assistance Type</i>	No. of Displaced Persons
<i>Residential (Owner-Occupant)</i>	89
<i>Business</i>	10

Table REP-3. Baseline Cost Estimate for Real Estate – Structural Measures

01 Lands & Damages			
Lands	98 Acquisitions	\$2,706,850 + 30%*	\$3,518,905
Damages			\$110,000
P.L. 91-646 Relocation Benefits	Residential	20 @ \$31,000 [†]	\$620,000
	Business	5 @ \$100,000	\$500,000
Non-Fed Sponsor Incidental Costs	Acquisitions	98 @ \$8,000	\$784,000
	Relo Admin	20 res. @ \$5,000	\$100,000
	Relo Admin	5 bus. @ \$10,000	\$50,000
	Admin Expenses		\$100,000
Contingency		25%	\$1,445,726
		Subtotal	\$7,228,631
Federal Real Estate Admin Costs			\$399,000
02 Relocations*			
Additional Utility Rights-of-Way to be Acquired			TBD
Structural Real Estate Total			\$7,630,000

*30% added to tax assessment value to more closely reflect estimated market value

[†]Maximum residential relocation benefit

• Costs of utility/facility relocations will be included in Construction costs; project is to be implemented at full-Federal expense Estimate does not include any property owned by the Sponsor or other government entities.

Table RE-4. Baseline Cost Estimate for Real Estate – Nonstructural Measures

01 Lands & Damages			
Lands	99 Acquisitions		\$8,739,426*
Damages			N/A
P.L. 91-646 Relocation Benefits	Residential	89 @ \$31,000 ⁺	\$2,759,000
	Business	10 @ \$100,000	\$1,000,000
Non-Fed Sponsor Incidental Costs	Acquisitions	99 @ \$8,000	\$792,000
	Relo Admin	89 res. @ \$5,000	\$445,000
	Relo Admin	10 bus. @ \$10,000	\$100,000
	Administrative	99 @ \$3,000	\$297,000
Contingency		25%	\$3,533,107
		Subtotal	\$17,665,533
Federal Real Estate Admin Costs		99 @ \$5,000	\$450,000
02 Relocations			N/A
Nonstructural Real Estate Total			\$18,200,000

*does not include demolition costs; assumes 100% participation, ⁺maximum residential relocation benefit

Acquisition Schedule

Activity – Structural Measures Only	Duration
Notice to Proceed with Real Estate Acquisitions Issued	Upon PPA Execution
Real Estate Acquisitions	24-36 Months (excluding condemnations)
Certification of Real Estate Interests (RTA)	1 Month
Process LERRD Reimbursement Requests	On-going throughout the Acquisition Phase

Implementation of the nonstructural measures is anticipated to occur after construction of the Paintsville project is complete. Depending upon receipt of additional funding, it is estimated to take 10 years, averaging 10 acquisitions per year, to fully realize the nonstructural measures of the project.

Environmental and Cultural Considerations

In accordance with established policies, Phase I Hazardous, Toxic, Radioactive Waste (HTRW) investigations were conducted at all geotechnical drilling locations and proposed soil borrowing areas. Phase I HTRW investigations will be conducted on all properties reasonably anticipated to be disturbed as part of the project. Several boring locations were relocated to avoid HTRW concerns.

All required environmental assessments, evaluations, and documentation (National Environmental Policy Act (NEPA), Section 404 of the Clean Water Act, Endangered Species Act, Section 106 of the National Historic Preservation Act, and Executive Order (EO) 11988) will be conducted during the detailed design

phase of the proposed project. The environmental compliance review will be completed prior to commencement of construction activities. An Environmental Assessment has been prepared as part of this Detailed Project Report.. A Finding of No Significant Impact (FONSI) statement will be executed prior to commencement of any construction activities.

Non-Federal Sponsor Responsibilities

The Johnson County Section 202 project is to be implemented at full-Federal expense. However, the Non-Federal Sponsor is still required to furnish all lands, easements, rights-of-way, and suitable borrow and dredged or excavated material disposal areas, and perform or ensure the performance of all utility and facility relocations (LERRD) determined by the Government to be necessary for the construction, operation, maintenance, repair, replacement or rehabilitation of the project. Upon execution of the Project Partnership Agreement (PPA), the Non-Federal Sponsor will be reimbursed for its costs associated with LERRD acquisition. Incidental real estate acquisition costs and land payments may be reimbursed on a rolling basis as the Non-Federal Sponsor incurs the costs and submits a reimbursement request.

The Non-Federal Sponsor will be required to conduct real estate acquisitions in accordance with the Uniform Act. All lands, easements and rights-of-way determined by the Government to be necessary for work to be performed under a construction contract must be furnished prior to the solicitation of that particular construction contract. Contract phasing may be utilized to account for the expected duration of real estate acquisitions.

Non-Federal Sponsor Real Estate Acquisition Capability Assessment

A detailed assessment has been completed and is attached hereto. It has been determined that the Johnson County Fiscal Court is fully capable of performing the Real Estate acquisition requirements of the proposed project. It is anticipated that the Non-Federal Sponsor will obtain a real estate services contract in order to acquire the necessary interests to support the project as well as administer benefits to eligible displaced person and businesses in accordance with the Uniform Act.

Real Estate Plan Prepared by:

Jason E. Meyer
Realty Specialist
Louisville District

This REP is in compliance with applicable regulations, policy, and delegations.

Veronica A. Hiriams
Chief, Real Estate Division
Louisville District