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Governor



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Commissioner of Education and Chief Learner

KENTUCKY DEPARTMENT OF EDUCATION
300 Sower Boulevard • Frankfort, Kentucky 40601
Phone: (502) 564-3141 • www.education.ky.gov

September 20, 2022

Mr. Mike Borchers, Superintendent
Ludlow Independent Schools
525 Elm Street
Ludlow, KY 41016

**RE: LUDLOW IND.: Property Acquisition (DFP Priority 2c.3; 0.36 acres)
Ludlow School Campus Expansion
479 Victoria Street
Ludlow, KY 41016**

Dear Superintendent Borchers:

Pursuant to **702 KAR 4:050 Building sites: inspection, approval**, the district has submitted a written request to acquire the referenced property to accommodate projects at the Ludlow School Campus.

A virtual site inspection was performed using available satellite and roadway imagery. The property is an unused parcel near the corner of Victoria Street and Adela Avenue; approximately 300 feet to the northwest of the Ludlow School Facility (Ludlow High School / Mary A. Goetz Elementary School) and directly across Victoria Street from the district athletic complex. The district intends to utilize the property for staff parking and building expansion per DFP Priority 2c.3.

Pursuant to 702 KAR 4:050, tentative approval is hereby granted to the Ludlow Independent Board of Education to acquire the referenced site.

For final approval, the following information shall be submitted to this office:

1. Letter from attorney indicating fee simple title may be obtained. The title opinion shall be for a period of sixty (60) years. Should the mineral rights not be acquired, a forbearance agreement to ensure surface support shall be required.
2. Commitment for Title Insurance.
3. Plat by a registered surveyor indicating property boundaries, acreage, road access, easements, and certification that property is above the 100 year flood plain. Commitments to relocate easement from traversing site to perimeter shall be considered. Consideration may be given if filling of the site will bring building floor level and appurtenances above 100-year elevation.
4. Letter from KYTC confirming road adequacy of the state-maintained roadway network providing access to the Ludlow Independent School campus and a funding commitment for any improvements required in the right of way of KY 8 (Elm Street).

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5. Letter from local agency (presumed to be City of Ludlow) confirming road adequacy of the locally-maintained roadway network providing access to the Ludlow Independent School campus and a funding commitment should any improvements be proposed in any impacted rights of way.
6. Letter from architect or engineer regarding any potential environmental or safety hazards in the vicinity of the proposed site.
7. Appraisal by a certified general property appraiser commissioned by the district.
8. Proposed Purchase agreement.

PROPERTY ACQUISITION IS NOW TO BE ADMINISTERED THROUGH FACPAC

Property acquisition is now being administered through our FACPAC (Facilities Planning and Construction) system. To accomplish this request, please proceed as follows:

Create a "Site Acquisition" Project in FACPAC (see instructions below). DO NOT SUBMIT the BG-1 Project Application until AFTER our office has issued the "Final Approval" Letter.

1. Click on "Create Project" on your District's FACPAC Home Page (left hand side of screen).
2. Follow the steps to create a project as described in the User Guide on pages 17 and 18.
 - a. You may access the User Guide on the far-left hand side of your screen after you click "Create Project."
 - i. The FACPAC system will assign the BG-Number to the property acquisition project. Please reference the assigned BG-Number on all future correspondence.
3. Submit the required documents (items 1 through 7 listed above) under "My Document Submissions" in SharePoint.

After the complete submission of the above required items, contact Gary Leist, your KDE project architect, so he may coordinate the review process.

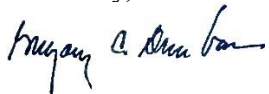
Upon evaluation of the submitted documentation, KDE will provide a final approval to acquire the property or disapprove the acquisition.

Upon receipt of final approval, submit an Initial BG-1 Project Application Form identifying the proposed fund source(s). Please note that the proposed acquisition is not on the district's current DFP, therefore, the fund sources are limited to unrestricted funds (general fund cash) or (as a district that has not adopted HB 678 (2022 reg) restricted cash (capital outlay and/or building funds) with a KDE approved Capital Funds Request (CFR).

Please note that 702 KAR 4:050 requires the district to provide a notarized copy of the executed deed and title insurance certificate within thirty (30) days after closing of the property purchase.

If you have any questions about any of the above, please call us at (502) 564-4326.

Sincerely,



Gregory C. Dunbar, AIA, Manager
District Facilities Branch/ Division of District Support

ec: Ricky Sizemore - KYTC, Gary Leist - KDE, DFB Site Acquisition File/District Correspondence File