

**WOODFORD COUNTY BOARD OF EDUCATION
AGENDA ITEM**

ITEM #: VIII F **DATE:** June 17, 2024

TOPIC/TITLE: Utility Easements

PRESENTER: Shane Smith

ORIGIN:

- TOPIC PRESENTED FOR INFORMATION ONLY (No board action required.)
- ACTION REQUESTED AT THIS MEETING
- ITEM IS ON THE CONSENT AGENDA FOR APPROVAL
- ACTION REQUESTED AT FUTURE MEETING: (DATE)
- BOARD REVIEW REQUIRED BY

- STATE OR FEDERAL LAW OR REGULATION
- BOARD OF EDUCATION POLICY
- OTHER:

PREVIOUS REVIEW, DISCUSSION OR ACTION:

- NO PREVIOUS BOARD REVIEW, DISCUSSION OR ACTION
- PREVIOUS REVIEW OR ACTION

- DATE:
- ACTION:

BACKGROUND INFORMATION:

For the new Woodford County High School project utility easements, KDE requires the local Board's assurance that the disposal (easement) will not affect the integrity or usefulness of the property crucial to the educational needs of the district.

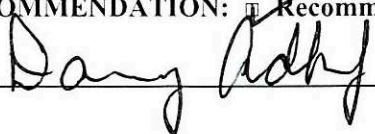
I have attached KDE's requests for your review. Under "Required Documents for KDE Review" Item #1 for both easements. I have attached a statement for each easement that if approved should satisfy the requirement. The motion would be to approve the assurances.

SUMMARY OF MAJOR ELEMENTS:

IMPACT ON RESOURCES:

TIMETABLE FOR FURTHER REVIEW OR ACTION:

SUPERINTENDENT'S RECOMMENDATION: Recommended Not Recommended



Andy Beshear
Governor



Jamie Link
Secretary, Education and
Labor Cabinet

Robin Fields Kinney
Interim Commissioner of Education

KENTUCKY DEPARTMENT OF EDUCATION

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

May 15, 2024

Mr. Danny Adkins, Superintendent
Woodford County Schools
330 Pisgah Pk.
Versailles, KY 40383-9214

**RE: WOODFORD CO. Property Disposition by Easement (702 KAR 4:090 Section 2)
Easement for Underground Electrical Service – Kentucky Utilities
New Woodford County High School
145 School House Road
Versailles, KY**

Superintendent Adkins:

SURPLUS PROPERTY – DISPOSITION BY EASEMENT

On April 15, 2024, KDE received an email from Shane Smith, the district's chief operations officer / chief financial officer, informing us of a proposed easement to be granted to Kentucky Utilities (KU) for underground electric service at the new Woodford County High School campus. Per Mr. Smith's email, KU expects to receive the easement for no cost.

In support of this disposition by easement, the district provided the following:

- Kentucky Utilities Company – Terms and Conditions. Customer Responsibilities, dated July 20, 2021

Contingent approval is hereby granted by the district to start the disposition process. For final approval, the following information shall be submitted to this office:

REQUIRED DOCUMENTS FOR KDE REVIEW

(Refer to the attached instructions for the submittal process)

1. **Local Board's Assurance** that disposal will not affect the integrity or usefulness of property crucial to the educational needs of the district.
2. **Proposed Easement Agreement** – reviewed by the local district's board attorney. The proposed agreement shall include the following:
 - a. The parties to the agreement.
 - b. A legal description of the easement.
 - c. Documentation of receipt of fair market value.
 - i. *If the easement benefits the school district **only**, the utility will not need to pay for the easement.*
 - d. A reversionary clause that reverts the property back to the exclusive unrestricted control of the local board of education when the need for the easement no longer exists.
 - e. A plat by a licensed surveyor indicating the easement boundaries, acreage, and its relationship to the larger property.

Mr. Danny Adkins, Superintendent

May 15, 2024

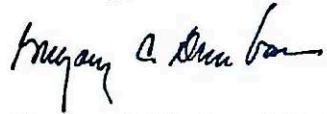
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After you have uploaded all the required items, please contact Gary Leist, to initiate KDE's review process.

After review and evaluation of the submitted documents, we will advise you regarding final approval, steps needed for final approval, or disapproval.

If you have any questions regarding the site disposal process, please call us at (502) 564-4326.

Sincerely,



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

GTL/GCD

Enclosure: FACPAC Submittal Process

c: Shane Smith – Woodford County Schools
Gary Leist & Tanesha Keene - KDE
Woodford Co. Surplus Property / District Correspondence File

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Woodford County Schools
330 Pisgah Pk.
Versailles, KY 40383-9214

**RE: WOODFORD CO. Property Disposition by Easement (702 KAR 4:090 Section 2)
Easement for Underground Gas Line – Columbia Gas of Kentucky
New Woodford County High School
145 School House Road
Versailles, KY**

Superintendent Adkins:

SURPLUS PROPERTY – DISPOSITION BY EASEMENT

On November 28, 2023, KDE received an email from Shane Smith, the district's chief operations officer / chief financial officer, informing us of a proposed easement to be granted to Columbia Gas for an underground gas line at the new Woodford County High School campus.

Mr. Smith's email included a copy of a proposed Right-of-Way (Easement) Agreement between the Woodford County School District Finance Corporation and Columbia Gas of Kentucky, Inc. for the consideration of \$1.00.

On April 16, 2024, in support of this disposition by easement, the district provided the following:

- Updated proposed Right-of-Way (Easement) Agreement between the Woodford County School District Finance Corporation and Columbia Gas of Kentucky, Inc. for the consideration of \$3,650.00.
- Appraisal by William L. Berley (Kentucky Certified General Appraiser # 721) with Bluegrass Valuation Group, LLC indicating a fair market value opinion of \$3,650.00. The appraisal included the following:
 - Un-signed and un-dated plat of the easement by Columbia Gas of Kentucky indicated the selected portion of the property where the easement is to be located.
 - Site Plan Sheet UM2.0 by Ross Tarrant Architects.The plat and the site plan are not consistent with one another.
- December 11, 2023, Board Meeting Minutes indicating the local board's approval of the Columbia Gas Easement.

Contingent approval is hereby granted by the district to start the disposition process. For final approval, the following information shall be submitted to this office:

REQUIRED DOCUMENTS FOR KDE REVIEW
(Refer to the attached instructions for the submittal process)

Mr. Danny Adkins, Superintendent

May 15, 2024

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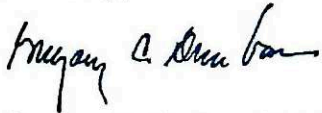
1. **Local Board's Assurance** that disposal will not affect the integrity or usefulness of property crucial to the educational needs of the district.
2. **Plat** by a licensed surveyor (sealed and signed) indicating the easement boundaries, acreage, and the easement's relationship to the larger property that reconciles the discrepancies between the above submitted documents.

After you have uploaded all the required items, please contact Gary Leist, to initiate KDE's review process.

After review and evaluation of the submitted documents, we will advise you regarding final approval, steps needed for final approval, or disapproval.

If you have any questions regarding the site disposal process, please call us at (502) 564-4326.

Sincerely,



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

GTL/GCD

Enclosure: FACPAC Submittal Process

c: Shane Smith – Woodford County Schools
Gary Leist & Tanesha Keene - KDE
Woodford Co. Surplus Property / District Correspondence File

