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Sam Brownback, Governor

**TESTIMONY BEFORE
JOINT COMMITTEE ON STATE BUILDING CONSTRUCTION
RELATING TO KDOT INVENTORY SYSTEMS
October 4, 2016**

Good morning Madam Chair, members of the committee. I am Catherine Patrick, State Transportation Engineer for the Kansas Department of Transportation (KDOT), here today to report on KDOT's system of keeping inventory records of real property and real estate transactions, in accordance with K.S.A. 75-3516.

KDOT's Bureau of Right of Way maintains an inventory system of all real property, from buildings to highway right-of-way holdings, in order to keep accurate records and locate potential excess property. Non-infrastructure inventory includes all land which is not part of the highway system, such as KDOT district, area and sub-area offices and facilities, and is in a separate inventory system from infrastructure inventory.

In April 2014, the Bureau of Right of Way upgraded its right-of-way inventory system. KDOT continues to look for and make upgrades to its right-of-way inventory system as appropriate.

KDOT's Bureau of Right of Way is also responsible for the disposal of excess right of way. Requests to purchase or release excess property are received from the public, including individuals, other government entities and KDOT District staff. We identify these as "Phase 1 - Public Requests" Please see the attached table for an overview of progress to-date. In FY 2016, 45 public requests were received. 19 Phase 1 tracts were sold and 16 tracts were released at no charge.

As of the end of FY 2016, KDOT has identified 1,260 potential excess tracts of land. We classify these potential excess right-of-way tracts as Phase II - Project Plan Review. In FY 2016, 42 potential excess right-of-way sites were reviewed and eight Phase II tracts were sold.

→ As tracts are identified as potential excess right-of-way, they are reviewed internally to determine whether they may be needed for future highway purposes and whether they were acquired in a way that allows KDOT to sell them. As of the end of FY 2016, 620 tracts had completed agency review. Of these, 261 tracts were determined to be "Excess" in that they no longer have potential for use as right of way, while 324 were to be retained for future use.

Excess tracts are then analyzed for marketability and will be sold if marketable. This involves two primary considerations. First, the size, shape and location of the tracts are not always desirable to buyers, making them difficult to market. Second, KDOT can only sell Excess right-of-way when it owns the fee interest in the tract. Where KDOT holds only an easement for highway right of way purposes in a tract, it cannot sell the tract without first purchasing the underlying fee interest, or selling (or releasing

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the easement) to the owner of the underlying property. KDOT does not own fee interest in approximately 40% of tracts identified as excess right of way.

In summary, in FY 2016, including public requests (Phase I) and project plan reviews, (Phase II), 27 properties were sold for a total of \$233,778.56.

Thank you for the opportunity to update the committee on KDOT's inventory systems and excess right-of way. I would be happy to answer questions at the appropriate time.