

FACTSHEET

TITLE: **STREET & ALLEY VACATION NO. 17006** - Vacate a portion of the 17th Street right-of-way between Vine Street and approximately 300 feet north of R Street. (17th Street vacation)

BOARD/COMMITTEE: Planning Commission

APPLICANT: University of Nebraska-Lincoln, Board of Regents

RECOMMENDATION: A finding of conformance with the Comprehensive Plan, (7-0: Corr, Edgerton, Harris, Finnegan, Joy, Scheer, and Hove voting 'yes'; Beckius and Washington absent).

STAFF RECOMMENDATION: A finding of conformance with the Comprehensive Plan

OTHER DEPARTMENTS AFFECTED: N/A

SPONSOR: Planning Department

OPONENTS: None present at hearing.

REASON FOR LEGISLATION:

This is a request to vacate North 17th Street south of Vine Street and approximately 300 feet north of R Street with the intent to convert 17th Street to a private roadway for the University of Nebraska. The area to be vacated includes 1.84 acres, more or less.

DISCUSSION/FINDINGS OF FACT:

1. On June 21, 2017, this street and alley vacation had public hearing before the Planning Commission.
2. The staff recommendation to find the proposed vacation to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.2, concluding that the public rights-of-way will become a private street that will still serve for local access to the University of Nebraska campus while nearby north to south public streets of North 16th Street and Antelope Valley Parkway still provide sufficient north-south connectivity for the transportation system. The staff presentation can be found on p.10.
3. Testimony on behalf of the applicant is found on pp.10-11. There was no testimony in support or in opposition to this street and alley vacation request.
4. On June 21, 2017, the Planning Commission agreed with the staff recommendation and voted 7-0 to find the proposed vacation to be in conformance with the 2040 Comprehensive Plan.
5. The appraisal memo by Michelle Backemeyer of the Housing Rehab & Real Estate Division of the Urban Development Department is found on p.12, recommending that the vacated rights-of-way be sold to the abutting property owner for \$80,352.
6. The funds for the vacated right-of-way in the amount of \$80,352 have been paid to the City Clerk, thus the requirements of provisions of Chapter 14.20 of the Lincoln Municipal Code have been satisfied.

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: January 12, 2018

REVIEWED BY: David R. Cary, Director of Planning

DATE: January 12, 2018

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Street and Alley Vacation #17006	FINAL ACTION? No	DEVELOPER/OWNER The Board of Regents of the University of Nebraska
PLANNING COMMISSION HEARING DATE June 21, 2017	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION N. 17 th Street south of Vine Street and approximately 300 feet north of R Street

RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

This is a request to vacate North 17th Street south of Vine Street and approximately 300 feet north of R Street with the intent to convert 17th Street to a private roadway for the University of Nebraska. The area to be vacated includes 1.84 acres, more or less.



JUSTIFICATION FOR RECOMMENDATION

The public rights-of-way will become a private street that will still serve for local access to the University of Nebraska campus while nearby north to south public streets of N 16th Street and Antelope Valley Parkway still provide sufficient north-south connectivity for the transportation system.

APPLICATION CONTACT

John Jensen, (402) 472-4810 or john.jensen@unl.edu

STAFF CONTACT

George Wesselhoft, (402) 441-6366 or gwesselhoft@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

Vacation of the public rights-of-way will not negatively impact the transportation system and subject to the conditions of approval, this request is in conformance with the Comprehensive Plan.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

- P. 8.2 - Encourage cooperative planning and site development between the City and public and private educational institutions.
- P. 10.14 - The right of way is shown as a major collector on the Functional Street and Road Classification plan.

ANALYSIS

1. This is a request to vacate North 17th Street between Vine Street and approximately 300 feet north of R Street. The area to be vacated includes 1.84 acres, more or less.
2. The University of Nebraska owns all the property that is abutting the proposed vacation area. The rights-of-way in question will become a private roadway that will still serve as local campus access. In order for N. 17th Street to become a private roadway, a final plat will be required prior to the transfer of the title for the rights-of-way property.
3. Roadway improvements planned in relation to the proposed vacation area and vicinity include:
 - Closing N. 17th Street to through traffic between R Street and Vine Street.
 - Converting N. 16th Street from one-way to two-way traffic flow between Q Street and W Street.
 - Converting N. 17th Street from one-way to two-way traffic flow between Q Street and R Street.
 - Implementing bike lanes in N. 16th Street between R Street and X Street.
 - Implementing bike lanes in Vine Street between N. 16th Street and Antelope Valley Parkway.
 - Removing traffic signals at the following locations with intersections converted to stop sign control:
 - N. 16th & W Streets
 - N. 16th & Vine Streets
 - N. 17th & Vine Streets
 - N. 16th & S Streets
 - N. 17th Street (pedestrian signal at approximately S Street)
 - N. 16th & R Streets
 - N. 17th & R Streets
 - Adding metered, parallel parking along R Street between N. 16th and N. 17th Streets
4. Once N. 17th Street is vacated and during the demolition of Cather Hall and Pound Hall, construction activity will prohibit through traffic. Once the demolition is complete, the University will consider measures that will physically prohibit through traffic. Implementation of the 16th Street improvements are scheduled to commence in mid-July pending approval of the vacation request and finish prior to the start of Fall semester.
5. Lincoln Municipal Code Chapter 14.20 requires the City to establish the proper price to be paid for the right-of-way, as well as any amounts necessary to guarantee required reconstruction within the right-of-way. These values must be established and deposited with the City Clerk prior to scheduling the vacation request with the City Council.
6. North 17th Street is a major collector street in the 2040 Comprehensive Plan.
7. The proposed vacation of North 17th Street subject to conditions will not be of detriment to Lincoln's transportation system and would be in conformance with the Comprehensive Plan.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Public Collector Street; P Public.

SURROUNDING LAND USE & ZONING

North: University/Parking Lot; P Public/B-1 Commercial
South: University; P Public

East: University; P Public
West: University; P Public

APPROXIMATE LAND AREA: 1.84 acres.

LEGAL DESCRIPTION: See attached.

Prepared by

George Wesselhoft, Planner
(402) 441-6366 or gwesselhoft@lincoln.ne.gov
June 8, 2017

Applicant: The Board of Regents of the University of Nebraska
3835 Holdrege Street
Lincoln, NE 68583

Contact: John Jensen
(402) 472-4810
john.jensen@unl.edu

Owner: City of Lincoln
555 South 10th Street
Lincoln, NE 68508

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CONDITIONS OF APPROVAL - STREET AND ALLEY VACATION #17006

BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.
- 1.2 Submit and complete final plat prior to transfer of title to property. The final plat shall convert N. 17th Street to a private roadway which will include the following:
 - A) Retention of easements for Black Hills Energy, Charter Communications and LES.
 - B) Retention of easements for sanitary sewer lines.
 - C) Retention of easements for water mains.
 - D) Maintain accessibility and driving ability for all types of Fire Department apparatus.



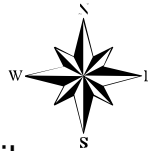
**Street and Alley Vacation #: SAV17006
N 17th St & Vine St**




Zoning:

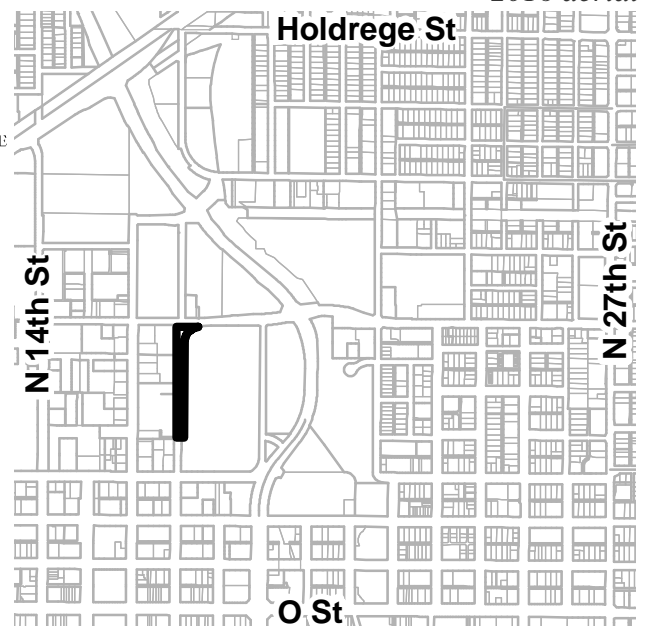
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

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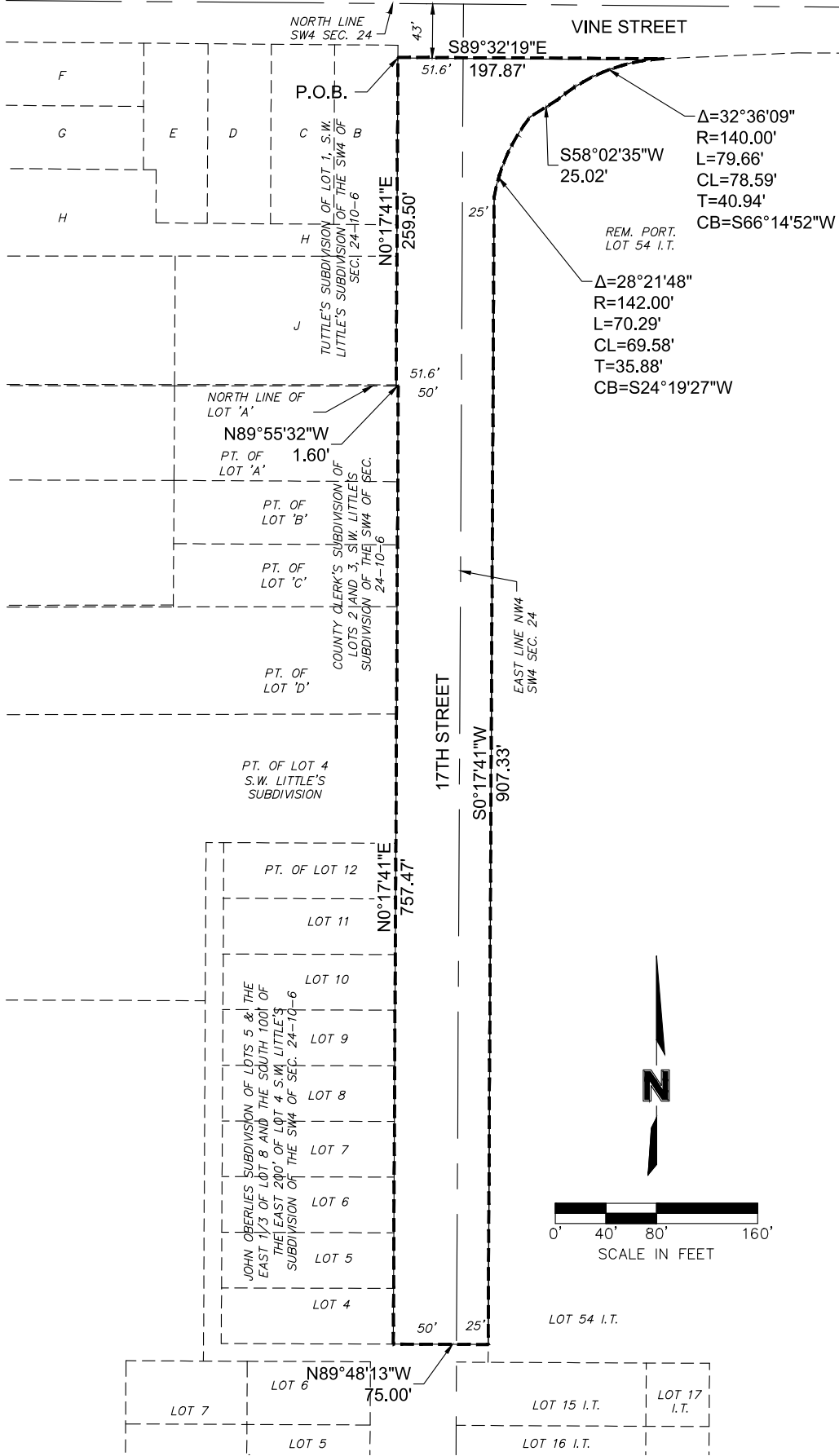
One Square Mile:
Sec.24 T10N R06E



	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction



DWC: F:\2017\1001-1500\017-1444\40-Design\Survey\SRV\Xref\Vacation-17th_and_Vine\017-1444.dwg
 DATE: Jun 05, 2017 8:28am XREFS: YSREASTCAMP V_SURVEY_160847 110609_SR 1241006
 USER: dthomson 1251006



PROJECT NO: 014-1444
 DRAWN BY: dat
 DATE: 06.05.17

17TH AND VINE STREETS
 VACATION EXHIBIT



601 P Street, Suite 200
 P.O. Box 84608
 Lincoln, NE 68508
 TEL. 402.474.6311
 FAX 402.474.5160

EXHIBIT

**LEGAL DESCRIPTION
RIGHT-OF-WAY VACATION**

A TRACT OF LAND COMPOSED OF A PORTION OF 17TH STREET RIGHT-OF-WAY LOCATED BETWEEN JOHN OBERLIES SUBDIVISION OF LOT 5 AND THE EAST 1/3 OF LOT 8 AND THE SOUTH 100 FEET OF THE EAST 200 FEET OF LOT 4, S. W. LITTLE'S SUBDIVISION OF THE SW 1/4 OF SECTION 24, TOWNSHIP 10, RANGE 6 EAST, THE NORTH 100 FEET OF THE WEST 142 FEET OF THE EAST 192 FEET OF LOT 4, S. W. LITTLE'S SUBDIVISION OF THE SW 1/4 OF SECTION 24, TOWNSHIP 10, RANGE 6 EAST, LOTS A, B, C & D, COUNTY CLERK'S SUBDIVISION OF LOTS 2 AND 3, S. W. LITTLE'S SUBDIVISION OF THE SW 1/4 OF SECTION 24, TOWNSHIP 10, RANGE 6 EAST, AND TUTTLE'S SUBDIVISION OF LOT 1, S.W. LITTLE'S SUBDIVISION OF THE SW 1/4 OF SECTION 24, TOWNSHIP 10, RANGE 6 EAST, ON THE WEST SIDE OF 17TH STREET AND THE REMAINING PORTION OF LOT 54 I.T. ON THE EAST SIDE OF 17TH STREET, ALL IN THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBER AS FOLLOW:

BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF 17TH STREET THAT IS LOCATED ON THE EAST LINE OF LOT B, TUTTLE'S SUBDIVISION OF LOT 1, S. W. LITTLE'S SUBDIVISION OF THE SW4 OF SECTION 24-10-6 AND THAT IS 43.00 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24; THENCE ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 32 MINUTES 19 SECOND EAST, ALONG A LINE THAT IS 43.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 197.87 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF 17TH STREET AS REFERRED TO IN INST. NO. 2003-11765, RECORDS OF LANCASTER COUNTY, SAID POINT BEING A POINT OF NON-TANGENT CURVATURE; THENCE ALONG A CURVE TO THE LEFT, ALONG THE EAST RIGHT-OF-WAY LINE OF 17TH STREET AS REFERRED TO IN SAID INST. NO. 2003-11765, HAVING A RADIUS OF 140.00 FEET, A DELTA ANGLE OF 32 DEGREES 36 MINUTES 09 SECONDS , A CHORD BEARING OF SOUTH 66 DEGREES 14 MINUTES 52 SECONDS WEST, AND A CHORD LENGTH OF 78.59 FEET TO A POINT; THENCE SOUTH 58 DEGREES 02 MINUTES 35 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 25.02 FEET TO A POINT ON SAID RIGHT-OF-WAY LINE AS REFERRED TO IN INST. NO. 70-3499, RECORDS OF LANCASTER COUNTY, SAID POINT BEING A POINT OF NON-TANGENT CURVATURE; THENCE ALONG A CURVE TO THE LEFT, ALONG THE EAST RIGHT-OF-WAY LINE OF 17TH STREET AS REFERRED TO IN SAID INST. NO. 70-3499, HAVING A RADIUS OF 142.00 FEET, A DELTA ANGLE OF 28 DEGREES 21 MINUTES 48 SECONDS , A CHORD BEARING OF SOUTH 24 DEGREES 19 MINUTES 27 SECONDS WEST, AND A

CHORD LENGTH OF 69.58 FEET TO A POINT; THENCE SOUTH 00 DEGREES 17 MINUTES 41 SECONDS WEST ALONG THE EAST RIGHT-OF-WAY LINE OF SAID 17TH STREET, SAID LINE BEING 25 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 907.33 FEET TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE SOUTH LINE OF LOT 4, JOHN OBERLIES SUBDIVISION OF LOT 5 AND THE EAST 1/3 OF LOT 8 AND THE SOUTH 100 FEET OF THE EAST 200 FEET OF LOT 4, S. W. LITTLE'S SUBDIVISION OF THE SW 1/4 OF SECTION 24, TOWNSHIP 10, RANGE 6 EAST; THENCE NORTH 89 DEGREES 48 MINUTES 13 SECONDS WEST, ALONG THE EXTENSION OF SAID LOT 4, A DISTANCE OF 75.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 4, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF 17TH STREET, SAID POINT BEING 50 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 17 MINUTES 41 SECONDS EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF 17TH STREET, SAID LINE BEING 50 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 757.47 FEET TO A POINT ON THE NORTH LINE OF LOT 'A', COUNTY CLERK'S SUBDIVISION OF LOTS 2 AND 3, S. W. LITTLE'S SUBDIVISION OF THE SW 1/4 OF SECTION 24, TOWNSHIP 10, RANGE 6 EAST; THENCE NORTH 89 DEGREES 55 MINUTES 32 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 'A', A DISTANCE OF 1.60 FEET TO A POINT THAT IS 51.60 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE NORTH 00 DEGREES 17 MINUTES 41 SECONDS EAST, ALONG THE EAST RIGHT-OF-WAY LINE OF 17TH STREET, SAID LINE BEING 51.60 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 24, A DISTANCE OF 259.50 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 80,352.15 SQUARE FEET OR 1.84 ACRES, MORE OR LESS.

To whom it may concern:

The Board of Regents of the University of Nebraska (“Applicant”) seeks to vacate a portion of 17th Street within the University of Nebraska-Lincoln Campus. Applicant’s master plan has included ownership of 17th Street since construction of Antelope Valley Parkway through the eastern border of its City Campus.

Prior to this application, Applicant partnered with the City of Lincoln Public Works Department to produce a traffic study of 16th and 17th Streets. That study considered Applicant’s ownership, through the vacation process, of 17th Street, and this application is filed towards that end. Applicant is again partnering with the City of Lincoln regarding 16th and 17th Streets. Both parties envision a “complete street” environment on these streets that will facilitate several modes of transportation. In addition to slowing traffic through campus, the proposal includes designated lanes for the increasing number of students/faculty and staff who ride their bikes to and from campus.

The City of Lincoln, through its Public Works department, has expressed an interest for Applicant to own the portion of 17th street relevant here. This serves the City of Lincoln’s goals, which include diverting traffic away from pedestrian-heavy City Campus, and onto the nearby and relatively recently constructed Antelope Valley Parkway. Such diversion of traffic serves the additional purpose of reducing entrance points to Antelope Valley Parkway from City Campus, thus creating a more consistent traffic flow.

Vacating 17th Street north of the Cather-Pound dorms to Vine Street allows Applicant to move forward with the implementation of our Master Plan to create a pedestrian friendly environment. The current proposal calls for the area in front of Cather-Pound to be closed while the buildings are abated and demolished. Once the demolition is complete, the area in front of the new Cather dining hall will be open for pedestrian traffic only. In the long term, Applicant envisions a new residence hall on west side of the street, with a pedestrian plaza between it and the dining hall. This will facilitate safe pedestrian traffic from the east side of campus through to the west. Currently there are over 2000 students residing in university housing in this area. In addition, many Greek houses are in the immediate location. Construction of a nursing college and health center, which has already begun, will add foot traffic. Applicant’s goal is to provide a safe pedestrian environment in this eastern student-centric core of our campus.

In sum, the vacation of 17th street will help create a safer, more pedestrian friendly environment and will facilitate the creation of multi-modal “complete streets” on 16th and Vine streets. This vacation tracks Applicant’s master plan, suits the stated desires of the City of Lincoln’s Planning department to Applicant, and fits the best programming emerging from the above-mentioned partnership and traffic study.

STREET AND ALLEY VACATION NO. 17006

STREET AND ALLEY VACATION NO. 17006, TO VACATE A PORTION OF 17TH STREET RIGHT-OF-ROADWAY, GENERALLY LOCATED AT 17TH STREET BETWEEN VINE STREET AND NORTH R STREET: June 21, 2017

Staff recommendation: Conformance with the Comprehensive Plan.

Members present: Corr, Edgerton, Finnegan, Harris, Hove, Scheer and Weber; Beckius and Washington absent.

There were no ex parte communications disclosed on this item.

Staff Presentation: George Wesselhoft of the Planning Department the area of this vacation includes all of N. 17th Street between Vine and R Streets, except roughly 300 feet near R Street. The intent is that UNL will convert this to private roadway. There are improvements planned including changes to 16th Street, which Public Works can talk about. In short, N. 17th Street will close to the public and 16th will be converted to 2-way traffic. Once N. 17th is vacated, demolition will begin on Cather and Pound Hals. Once that is complete, UNL will look at measure to block through traffic. There are utility easements requested including private utilities and water and sewer. This project should be completed by the start of the fall semester.

Corr asked how the conversion of 16th Street will work. Randy Hoskins of the Public Works Department said that there is one lane planned in each direction, flanked by bike lanes. On the outside of that will be parallel parking. Corr asked if there will be a bike lane on Vine Street. Hoskins said yes, on both sides, running from Antelope Valley Parkway to 16th Street.

Edgerton asked if the improvements on 16th Street will happen before or after vacation of 17th is complete. Hoskins said that is still up in the air. The intent is that the vacation will happen first, but even without the vacation, the City can do this. A goal of the Antelope Valley development included an effort to direct traffic out of campus. We think this project will accomplish that.

Corr observed that she still uses 16th and 17th Street due to the poor timing of the lights. Hoskins said there is an ongoing project retiming lights. The volume on Vine Street will be reduced, so that will also help to cut down on time needed at those signals. Finnegan noted that traffic will be forced from the big 'X' to P Street.

Hove asked if 16th will be 2-way from R Street. Hoskins said from Q Street. 17th will also be 2-way from the same spot. Hove asked if 17th will dead-end, or continue to support parking. Hoskins said there are fraternities that have access off the street and alley.

Proponents:

1. Jennifer L. Dam, Campus Planning and Space Management, University of Nebraska, 335 Canfield Administration Building, came stated this has been a UNL plan since 1998, in conjunction with the Antelope Valley project. One purpose was to get traffic out of campus. There is a new Health and Nursing College building under construction and lots of students

traversing this part of campus. Vine will become more Complete Streets oriented. There has been a tremendous increase in the number of bikers. The area in front of the dining center will become a pedestrian mall similar to other vacated street areas on campus. There will be a turnaround to provide for a drop-off/pick-up area.

STREET AND ALLEY VACATION NO. 17006

ACTION BY PLANNING COMMISSION:

June 21, 2017

Corr moved for Conditional Approval, seconded by Edgerton.

Edgerton finds this to be a great project, improving safety for UNL students, which will be important as campus grows and students move from east to west. This concept makes a lot of sense and is doable. The continuing development will be exciting.

Finnegan said this has been a long time coming. She mourns the loss of the streets, but she will adjust and it is the right thing to do.

Motion carried, 7-0: Corr, Edgerton, Finnegan, Harris, Scheer, Weber and Hove voting 'yes'; Beckius and Washington absent.

INTEROFFICE MEMORANDUM

TO: Mayor Beutler
& City Council Members

FROM: Michelle R. Backemeyer
Real Estate & Relocation
Assistance Agent

DEPARTMENT: City Council Office

DEPARTMENT: Housing Rehab & Real Estate Division

ATTENTION:

DATE: June 22, 2017

COPIES TO: Teresa J. Meier
David Cary, Planning
Jeff Kirkpatrick, City Attorney
Byron Blum, Public Works
Geri Rorabaugh, Planning
Soulinnee Phan, City Clerk's Office
Jamie Phillips, Mayor's Office

SUBJECT: Street Vacation No.17006
N. 17th Street, South of Vine to
approximately 300 feet North of "R"
Street

A request has been made by the University of Nebraska to vacate 17th Street from approximately 300 feet North of "R" Street to just south of Vine Street. The intent is for the area to become a private roadway that will serve as local access to the UNL Campus. The area to be vacated is 75 feet in width at the south end and widens out to 197 feet at Vine Street because of the turn/merge lane onto Vine Street. There are multiple roadway improvements planned in relation to the vacation of this area and are noted in the Planning Staff report. The Fire Department will still have driving ability and accessibility to the area for their vehicles and apparatus.

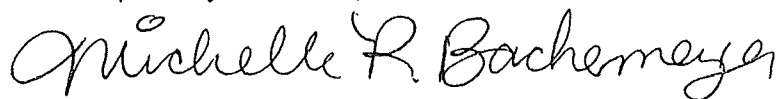
The area was viewed by the writer and consists of a paved concrete road, bikepath, parking areas for University buildings some of which will be demolished and minimal grassed areas and landscaping trees. From the staff report, it appears easements for multiple utilities are located in the vacated area and all will be retained if the area is to be vacated. A final plat will also have to be completed prior to the transfer of title to the University and closure of the street.

Land in this area in and of itself might be of some value but with the imposition of the multiple easements for private and public utilities, and the need for accessibility for emergency purposes it doesn't leave much area left, if any, to be used for the construction of any new buildings. Since it is entirely surrounded by UNL property, it's real value is for assemblage with their adjacent properties. Previous estimates by a former employee used \$1.00 a square foot, and with the imposition of the easements seems reasonable. This number was also used for estimation purposes during discussions with the University regarding the vacation process and associated changes to the varying streets within and near 17th Street. With that, the area to be vacated is calculated as follows:

$$80,352.15 \text{ sf} \times \$1.00 = \$80,352\text{®}$$

Therefore, if the area is to be vacated, it is recommended that the area be sold to the applicant for \$80,352.

Respectfully submitted,



Michelle R. Backemeyer
Real Estate & Relocation
Assistance Agent