**Local Public Agency (LPA) Real Estate Assessment Form**

The LPA Real Estate Assessment Form is designed to collect real estate information related to condemnation limitations as stated in [s.32.015](https://docs.legis.wisconsin.gov/statutes/statutes/32/i/015): **“Property may not be acquired by condemnation to establish or extend a recreational trail; bicycle way, as defined in** [**s.340.01(5s)**](https://docs.legis.wisconsin.gov/statutes/statutes/340/01/5s)**; a bicycle lane, as defined in** [**s.340.01(5e)**](https://docs.legis.wisconsin.gov/statutes/statutes/340/01/5e)**; or a pedestrian way, as defined in** [**s.346.02(8)(a)**](https://docs.legis.wisconsin.gov/1999/statutes/statutes/346/02/8)**.”** Per the Supreme Court decision filed on June 19, 2024 regarding *Sojenhomer v. Egg Harbor*, 2024 WI 25, [s.32.015](https://docs.legis.wisconsin.gov/statutes/statutes/32/i/015) does not apply to sidewalks and thus curb ramps.

This form provides a process for the LPA to document their assessment of projects involving any or all of the limitations noted in [Statute 32.015](https://docs.legis.wisconsin.gov/statutes/statutes/32/i/015), as discussed above. This form also establishes a space for the Wisconsin Department of Transportation (WisDOT) to provide guidance for parcels in question and provides WisDOT with the appropriate documentation for project oversite. The framework for WisDOT oversight is provided in Federal Code ([23 CFR 710](https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-710) and [49 CFR 24](https://www.ecfr.gov/current/title-49/subtitle-A/part-24)), [FHWA Order 5020.2](https://www.fhwa.dot.gov/legsregs/directives/orders/50202.cfm), and the Federal Highway Administration and Wisconsin Department of Transportation Stewardship & Oversight Agreement. The LPA must provide to WisDOT for review and acknowledgement, their documentation, reasoning, and plan for all parcels on a project involving condemnation limitations relating to [Statute 32.015](https://docs.legis.wisconsin.gov/statutes/statutes/32/i/015).

It is strongly recommended that the LPA confer with their legal counsel to develop the official plan regarding parcel by parcel determinations. The LPA may collaborate with their consultants and contractors to develop the assessment. However, the consultant/contractor may NOT make the determinations. The LPA must have a meeting with their acquisition agents, design team, and WisDOT’s Regional Local Program Real Estate Project Manager (LPREPM) to discuss parcel determinations. This form must be signed by the LPA’s approving authority and acknowledged by WisDOT’s Statewide Local Program Real Estate Manager (LPREM).

**SUBMIT ASSESSMENTS DIRECTLY TO WISDOT’S LPREPM.**

The LPREPM will forward onto the LPREM for acknowledgement.

|  |  |  |
| --- | --- | --- |
| **Region** | **LPREPM** | **Contact Information** |
| Northwest (NW) | Kathy Bruflat | (715) 836-3908 |
| North Central (NC) | Sara Jewell | (715) 365-5799 |
| Northeast (NE) | Joua Dorner | (920) 492-5997 |
| Southeast (SE) \*interim assistance | Cindy Michalski | (715) 450-4462 |
| Southwest (SW) | Angie Kneip | (608) 245-2623 |

**FOR LPA COMPLETION:**

**(Please fill ALL fields with as much detail as possible.)**

**Time Sensitivity:** [ ]  High [ ]  Moderate [ ]  Low

**Project ID(s):** Click here to enter IDs.

**PSE Date:** Click here to enter a date.

**LET Date:** Click here to enter a date.

**WisDOT Region:** Click here to choose a region.

**LPA Sponsor:** Click here to enter text.

**LPA Contact Name:** Click here to enter name.

**Contact Email:** Click here to enter email.

**Contact Phone:** Click here to enter phone.

1. **LIMITATIONS - Indicate the Statute 32.015 Limitations subject to this project (check all that apply):**

Establishment of new or extension of existing:

[ ]  Bicycle Way [ ]  Recreational Trail

[ ]  Bicycle Lane [ ]  Pedestrian Way (non-sidewalk)

1. **IMPACTS - List ALL project parcel(s). Denote and provide reasoning for each parcel(s) whether it is subject to Statute 32.015 Limitations or not. Outline/highlight those parcel(s) involving Statute 32.015 limitations on the plat and plans and attach the plat and plans to this form.**

Click here to enter parcel list and descriptions.

1. **CHALLENGES - For parcels subject to Statute 32.015 Limitations, indicate any challenges anticipated during negotiations. \*Complete a thorough review of the title search(s) for all non-condemnable parcels prior to completing this section.** (e.g., property interests such as mortgages, liens, judgements, easements; specific property owners; unknown owners; etc)**:**

Click here to enter anticipated challenges.

1. **ACQUISITION STAGE - Indicate what stage of the acquisition process the project is at:**

Click here to enter the acquisition stage.

1. **PLAN TO PROCEED - How has the LPA and their Legal Counsel determined to proceed** **regarding parcels with condemnation limitations, per Statute 32.015, that cannot be cleared via negotiations? Include timeframes / specific dates indicating when each phase of the plan would occur.** (e.g., remove outstanding parcels from the plat 2 months prior to PSE; redesign plans adjusting sidewalk of outstanding parcels to be constructed entirely within the existing right of way 4 months prior to PSE, etc)**:**

Click here to enter LPA’s plan to proceed.

1. **CONTACT - If clarifications are needed, what is the name and contact information of the LPA’s legal counsel?**

**LPA Legal Counsel Contact Name:** Click here to enter name.

**Contact Email:** Click here to enter email.

**Contact Phone:** Click here to enter phone.

***LPA Acknowledgement of Assessment Completion:***

|  |  |
| --- | --- |
|  | Click here to enter a date. |
| Signature of LPA | Date |
| Click here to enter name and title. |  |
| Print Name & Title |  |

**FOR WISDOT COMPLETION:**

***WisDOT Review & Acknowledgment of Receipt:***

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WisDOT LPREM Signature (Megan Munden) Date