



**OKLAHOMA DEPARTMENT OF TRANSPORTATION**

**200 N.E. 21<sup>st</sup> Street**

**Oklahoma City, OK 73105-3204**

June 10, 2013

Mr. Shawn O'Leary, P.E.  
Director of Public Works  
City of Norman  
201 West Gray, Bldg. A  
Norman, OK 73069

Re: Robinson Street Grade Separation Project over the BNSF Company's Tracks in Norman, Oklahoma

Dear Mr. O'Leary:

The Department received your inquiry regarding the disposal of right-of-way acquired for the subject project that has now been determined to be surplus property. I apologize for the delayed response to the City of Norman's request. The right-of-way was purchased with local funds, but those funds were utilized as an in-kind match for a federally funded project. As such, there was some question as to whether or not a federal interest was created. After internal discussion and conversation with the FHWA it has been determined that there is no federal or state interest in the right-of-way that the City of Norman is proposing to dispose of at this time.

Further review of the project has also determined that none of the property proposed as surplus is necessary for the ongoing operation & maintenance of the federally funded project. However, it is recommended that the City of Norman review Tracts A & B to ensure that sufficient ability to maintain the storm sewer system constructed as part of the subject project is retained. With that said, the Department has no objection to the City of Norman proceeding as described in your correspondence, copy attached.

Had federal or state funds been utilized to acquire the right-of-way for the project, then repayment of the federal or state financial interest would have been required subsequent to the disposal of the property. It has been a pleasure to partner with the City of Norman on a successful public project. If you have questions or require additional information, please do not hesitate to contact me at (405)521-2661.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt A. Harms".

Kurt A. Harms  
Chief, Right of Way & Utilities Division

Attachments: Letter from Norman to ODOT dated February 18, 2013 (w/o attachments)

cc: David Streb, Director of Engineering  
Tim Gatz, Director of Capitol Programs  
Shannon Sheffert, Division Engineer, Local Government Division  
Kevin Stout, Assistant Chief, Right of Way & Utilities Division  
Project Correspondence File  
Division Reading File