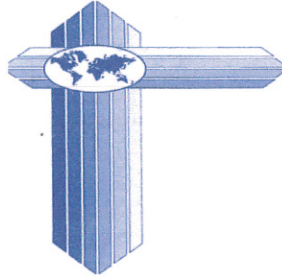


CITY OF SHELBY
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Mayor: Larry J. Bonderud
Council: Cindy Doane, Eugene Haroldson,
Harvey Hawbaker, Lyle Kimmet,
Don Lee, John "Chip" Miller, Jr.
Attorney: William E. Hunt, Jr.
Bldg Inspector/Planner: Jim Yeagley
Finance Officer: Teri Ruff
Judge: Sherrie Murphy
Superintendent: Bill Moritz
Community Development: Lorette Carter

October 20, 2011

RIGHT-OF-WAY CERTIFICATION

As per title 23 CFR, Part 635, Section 309, Para (c), right of way has been acquired in accordance with current FHWA Directives covering the acquisition of real property and the following applies:

I hereby certify that all necessary rights of way, including control of access rights (when pertinent) have been acquired including legal and physical possession.

AND

All occupants have vacated the lands and improvement and the agency has physical possession and the right to remove, salvage or demolish these improvements and enter upon all lands.

AND

I further certify that there were no individuals or families displaced by the above cited project. Therefore, the provisions of current FHWA Directives covering the relocation of displaces to DS&S housing and availability of adequate replacement housing is not applicable to this project.

Project Description: This project involves the construction of 3 rail spurs totaling 10,860 lineal feet; the construction of 3,600 feet of new road, the construction of a 20-acre laydown yard pad and delivery of natural gas, power, storm water, wastewater and drinking water to the project site. Construction will include grading, hard surfacing, installation of drainage facilities and other related work to construct to current standards.

Total parcels required for project: 2
Parcel(s) with Relocation: 0

A handwritten signature in blue ink that reads "Larry Bonderud". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Larry Bonderud
Mayor