

EXAMPLE OPINION OF COUNSEL

SFY 2022

Date

Name and
Address of Applicant

Dear (Responsible Official for Applicant):

This communication will serve as the requisite opinion of counsel to be filed with the Kentucky Transportation Cabinet and United States Department of Transportation, in connection with applications of (Applicant) for financial assistance pursuant to the provisions of Section 5311 of the Fixing America's Surface Transportation Act (FAST Act). The legal authority for (Applicant) ability to carry out financial projects directly, by lease, contract, or otherwise is set forth below:

1. (Applicant) is authorized under (cite and quote from legal authority to provide and assist public transportation by acquisition, construction, and operation of existing or additional transit facilities. This assistance may be provided directly by (Applicant) or by lease agreements with other parties.
2. The authority of (Applicant) to provide for its share of project funds is set forth in (city source and provide a copy of, for example, local ordinance passed by City Council making local funds available for the Section 5311 projects. NOTE If the applicant is not providing local share, a description of the anticipated sources (s) of local funding should be provided.
3. I have reviewed the pertinent federal, state, and local laws, and I am of the opinion that there is no legal impediment to your making for Section 5311 financial assistance. Furthermore, as a result of my examinations, I find that there is no pending or threatened litigation which might in any way adversely affect the proposed projects, or the ability of (Applicant) to carry out such projects.

Sincerely,

Legal Counsel