



Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

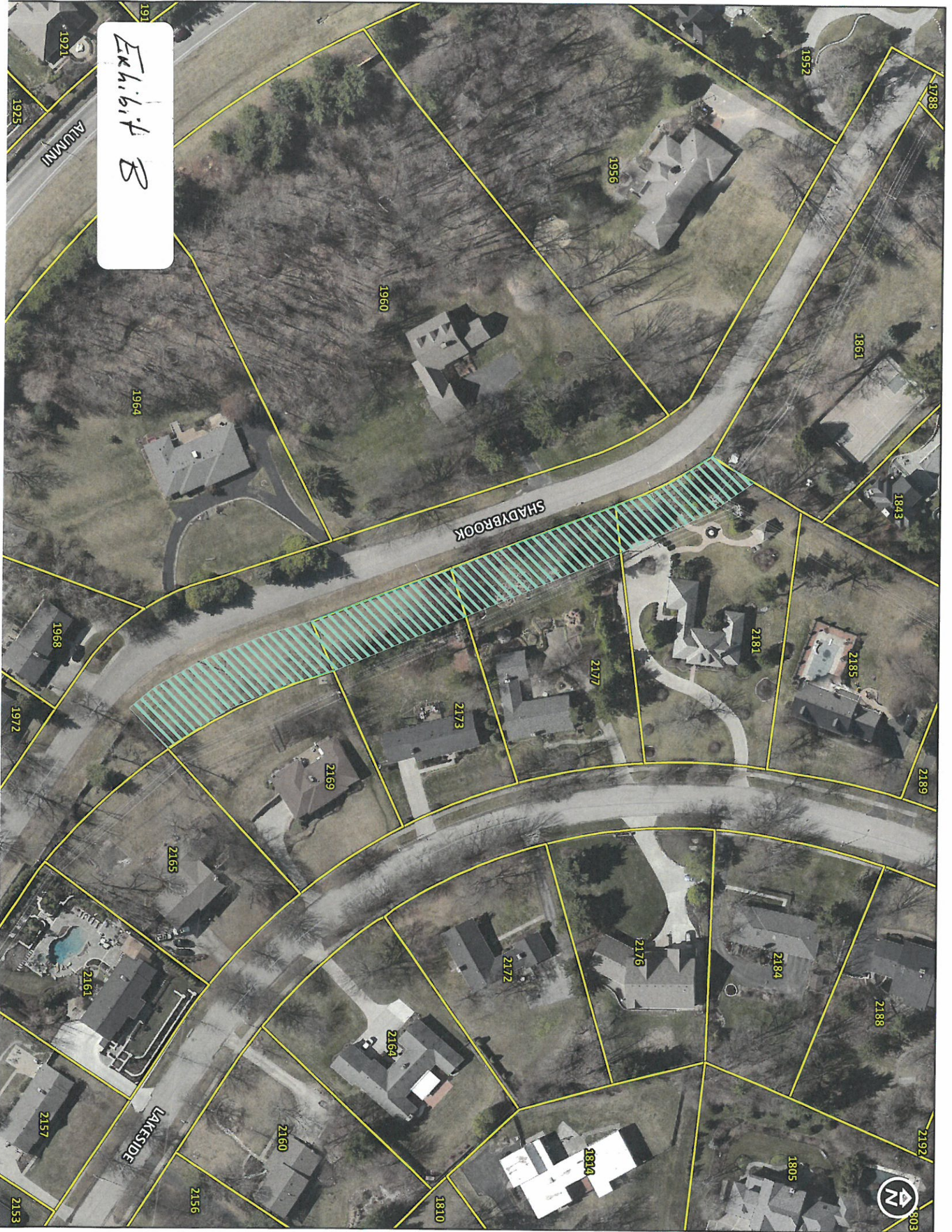
MEMORANDUM

To: Keith Horn, Attorney Sr.
From: Kevin Wentz, Administrative Officer
Date: December 16, 2013
RE: Proposed transfer of public right-of-way to private - Shadybrook Lane

This memorandum is to request the legal review of the proposed transfer of public right-of-way to private among the following property owners: 2169, 2173, 2177 and 2181 Lakeside Dr. The appropriate LFUCG Divisions and utility company representatives have consented to this transfer requested by the Lakeside property owners. Property owners will assume full responsibility of the maintenance and repair of the right-of-way and retain or create any easements necessary within the subject property. Additionally, there should be noted a restriction of any construction within 15 feet from the northern edge of the curb along Shadybrook Lane among the Lakeside residents' assuming the property. Should you have any questions regarding this request please feel free to contact me at 258-3407.

Kevin Wentz, Administrative Officer

Exhibit B



The 40' of right of way was dedicated in 1966 per the referenced plat to allow for the relocation of this section of Mt. Tabor Road now known as Shadybrook Lane. It appears the road was not relocated per the final record plat and this would explain the deed discrepancy with the GIS information per the exhibits provided.

There exists a 25' utility, gas line and planting easement on the rear of the lots. This will create a considerable gap in the rear yards that may affect utilization of the additional space provided by the right of way transfer. In particular, the planting easement's intended purpose may require additional research.

Access to Shadybrook Lane (Mt. Tabor Road) from these lots should be restricted per the original final record plat and in conformance with the Land Subdivision Regulations.