



TO: Michael Cravens
Managing Attorney, Department of Law

FROM: Nathan Dickerson
Administrative Officer, Department of EQPW

DATE: February 5, 2024

RE: Legal review of requested rejection of ROW

This memorandum is to request the legal review of a request to reject a portion of public right of way denoted in the attachments. LFUCG divisions and utility representatives have responded with comments, and those comments are summarized below for your review. Should you have any questions regarding this request, please feel free to contact me at (859) 258-3407.

LFUCG INTERNAL

Emergency Services

Division of E911 & Addressing: Addressing is good with transferring this old ROW area to parcels in question. (Robert Poage)

Division of Fire: The Division of Fire has no issue with this request going forward. (Captain Greg Lengal)

Environmental Quality & Public Works Divisions

Division of Engineering: No deal breakers for the adjacent development so no objections from that standpoint. (Doug Burton)

Division of Environmental Services: No comments from DES. (Jennifer Carey)

Division of Streets & Roads: No objections. (Robert Allen)

Division of Traffic Engineering: As long as the utility easements are protected, TE will not be impacted in any way. (Jeff Neal)

Division of Water Quality: I don't see any reason (from DWQ's perspective) to not grant the closure. (Greg Lubeck)



Other LFUCG Divisions

Division of Planning: The Transportation Planning Division has no objections to the ROW closure. (Christopher Evilia)

Planning Services has no objection to the right-of-way closure. (Traci Wade)

EXTERNAL

NISOURCE (Columbia Gas): Please retain an easement for existing gas lines and utilities. (James A. "Tony" Tipton)

Kentucky American Water: I have reviewed this request and since Kentucky American has a Private Water Line Easement in the area in question, we have NO reason to disallow this request. (Tobey J. Adams)

Kentucky Utilities: In exchange for the [owner's] binding obligation to grant Kentucky Utilities Company ("KU") an easement accommodating KU's existing facilities in the area of the proposed road closure, which easement must be in a manner and form agreeable to KU in its sole discretion, KU is willing to provide any requisite consents or approvals with respect to the proposed closure. (Jordan Kiser)

Windstream: Approval for closure is fine with us. (Jean Hadley)

MetroNet: We do not have any underground plant in the area, Metronet has no concerns. (Lori Kemper)

