



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

Jim Gray  
Mayor

David L. Homes  
Commissioner

**MEMORANDUM**

To: Mayor Gray and City Council Members  
From: Chester Hicks, Administrative Officer  
Date: January 28, 2015  
RE: Rejection of Dedication of Right-of-Way: Corner of Devonshire Avenue and Pyke Road

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This memorandum is to request the approval of the Devonshire Avenue and Pyke Road proposed permanent right-of-way closing. The appropriate LFUCG Division Directors and utility company representatives have responded with comments and those comments are enclosed for your review. The property owner (Flying Dutchman, LLC) will accept full responsibility of the maintenance and repair of the right-of-way. Should you have any questions regarding this request please feel free to contact me at 258-3407.

The request and pertinent support materials were circulated among various divisions and utility representatives to determine impacts to current operations. The comments can be summarized as follows:

**LFUCG Divisions:**

Div. of Planning: The Division of Planning has no objection to this closure. (Chris King)

Div. of Engineering: Engineering does not object to the closing. We note the following points:

- We assume the closure will be permanent
- Easements should be maintained on any utilities existing in this corridor. This includes but is not limited to a collector sanitary sewer line running down the middle of the property servicing properties on Red Mile Rd.
- If the right-of-way is released we would prefer for it to be released in its entirety. We would not be supportive of only releasing ½ of the right-of-way. The property at 1125 Red Mile Road would have an interest in this property because the portion to be closed abuts their property. (Brad Frazier)

Div. of Water Quality: We have reviewed the conditions on Pyke Road at Devonshire and found an 8" sanitary sewer main running through the approximate center of this right of way.

If this section of Pyke Road is to be closed and deeded back to the adjoining property owner, a 15' easement (7 ½' on either side of this existing sanitary main) along the entire corridor will have to be dedicated to the LFUCG. Please see the attached map for clarification. (Steve Farmer)

Fire Department: The Fire Department has no objections to the closure of ROW. (Cpt. Greg Lengal)

Lexington Enhanced 911: E911 does not have any opposition to this request. (Robert Stack)

Department of Law: We have received the necessary consent certificates to proceed with the closing of the unused right-of-way at 509 Pyke Road.

**Utilities:**

Kentucky Utilities: Kentucky Utilities Company does not have facilities, neither overhead or underground, on the area of interest at this time. Kentucky Utilities Company respectfully acknowledges that closing will not have any adverse effect upon our operations or facilities. Please convey to any and all prospective parties that all clearances must be maintained from existing facilities located on the surrounding properties of the area.. (Harold L. Elliott Jr.)

Windstream: We have reviewed the plat for the closure of Pyke Road as described and Windstream has no objection to this closure. (Lezlie Allison)

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Chester Hicks, Administrative Officer