



**MEMORANDUM**

To: Keith Horn, Managing Attorney  
From: Chester Hicks, Administrative Officer  
Date: March 16, 2016  
RE: Proposed closing of Higbee Mill. ROW

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This memorandum is to request the legal review of the Higbee Mill Rd proposed partial right-of-way (ROW) permanent 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 (Realty Unlimited Blue Grass LLC) is requesting that LFUCG abandon the right-a-way to the adjoining property owners. 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 four Sections of the LFUCG Division of Planning have reviewed the proposal to close a portion of Higbee Mill Rd. Row and find that this action will have no adverse effects. (Max Conyers)

Div. of Engineering: Subject to reserving necessary easements, we have no objection. (Robert Bayert)

Div. of Water Quality: The Division of Water Quality has no issues with closing this portion of Higbee Mill Road ROW. (Steve Farmer)

Fire Department: The Division of Fire has no issue with this request for right-of-way closure. (Cpt. Greg Lengal)

Lexington Enhanced 911: This would not be an issue for 911. (Paul Hockensmith)

Traffic Engineering: The Division of Traffic Engineering has no objections to the proposed closure of a portion of (what was previously planned to be a future section of), Higbee Mill Road.. (Jim Woods)



**Utilities:**

Kentucky Utilities: Kentucky Utilities Company has existing facilities in the area of interest. Kentucky Utilities Company respectfully acknowledges that the closing should not have an adverse effect upon our operations or facilities. Kentucky Utilities Company wishes to retain any and all existing utility easements, and/or prescriptive rights for the existing facilities on the mentioned properties. If no utility easement is on said property, Kentucky Utilities Company would ask that a 25' platted easement be granted to incorporate the existing facilities in said right of way. Please convey to any and all prospective parties that all NESC clearances must be maintained from existing facilities located on the mentioned properties and surrounding properties of the area. (Harold L. Elliott Jr.)

Kentucky American Water: Kentucky American has a Private Water Line Easement already in place here. Therefore we have no reason to disallow this request. (Tobey Adams)

Columbia Gas: We have a line there and require an easement. (Tony Tipton)

Windstream: Windstream does not have a problem with the street closure of Higbee Mill Rd. However, we are concerned with access to our pole line and cross connect box in this area. I don't know what the process would be as this is the first one that there is any sort of issue with that I've been involved with, but we would need access to this pole line and cross connect box somehow. (Ashley L. Sanders)



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Chester Hicks, Administrative Officer

