



**MEMORANDUM**

To: Keith Horn, Managing Attorney  
From: Chester Hicks, Administrative Officer  
Date: December 3, 2018  
RE: Proposed closing portion of Tucker St., Old Manchester St, Old Merino St. and Old Water St.

---

This memorandum is to request the legal review of the Tucker St., Old Manchester St, Old Merino St. and Old Water St. proposed 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 (Lexington Convention Center) 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 concerns related to the street closures in these locations because the lots adjacent to these right-of-way will be consolidated with other lots that do have frontage along a public street. Also, these closures are in steps towards the development of Town Branch Park, Town Branch Trail, and the Lexington Civic Center expansion. (Max Conyers)

Div. of Engineering: Engineering staff have reviewed the proposed closure of the these streets and has no concerns. (Doug Burton)

Div. of Water Quality: Please see the attached map as you review my comments. If I have correctly interpreted the exhibit from AJC, my comments are:

1. Old Manchester- no objection
2. Old Merino- it appears we have an active storm sewer in that right of way from High St. to the TB culvert. An easement would need to be established on that line (if it is to remain).
3. Tucker St.- the TB culvert appears to be within that right of way. A significant easement is needed to be established on the culvert.
4. Old Water Street west of Broadway – Should maintain the 10' sanitary sewer easement



5. Jefferson Street between High and Main – No sanitary sewer easements

6. Prescriptive easements – I could not interpret the drawings well enough to really determine where they were located. Generally a prescriptive easement exists where there is no recorded easement but there is an existing facility in the ground. If this is the case, then these prescriptive easements should remain in place. (Greg Lubeck and Steve Farmer)

Lexington Enhanced 911: E911 doesn't oppose the changes. (Robert Stack)

Police Department: I have reviewed the proposed closures and believe that these closures will not have an adverse impact on the operations of the Lexington Police Department. (Commander Thomas Curtsinger)

Traffic Engineering: Traffic Engineering has no facilities within the described, R/W closure boundaries. Street lights on the Jefferson Street bridge have already been removed. (Jeffrey Neal)

Utilities:

Kentucky Utilities: KU Distribution has no issues with the proposed ROW closing. (Kevin Long)

Kentucky American Water: On Tucker Street we have a Hydrant that is in the right of way. We would require an easement. (Tobey Adams)

Windstream: Windstream is ok with this closure. (Ashley L. Sanders)



---

Chester Hicks, Administrative Officer

