

**CASE**

**NUMBER:**

99-275

INDEX FOR CASE: 99-275  
GTE WIRELESS OF THE MIDWEST  
Construct

CELL SITE - US HIGHWAY 127 - GLENCOE, GALLATIN

IN THE MATTER OF THE APPLICATION OF SBA TOWERS, INC. AND GTE WIRELESS OF THE MIDWEST INCORPORATED FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY IN THE CINCINNATI-DAYTON MAJOR TRADING AREA WHICH INCLUDES BOONE KENTON, CAMPBELL GALLATIN, GRANT, PENDLETON, BRACKEN MASON, LEWIS, GREENUP, CARTER, BOYD, ELLIOTT, LAWRENCE, JOHNSON, MARTIN, FLOYD AND PIKE COUNTIES, KENTUCKY  
(GLENCOE FACILITY)

SEQ NBR	ENTRY DATE	REMARKS
0001	06/29/99	Application.
0002	06/30/99	Acknowledgement letter.
0003	07/09/99	No deficiency letter.
M0001	07/09/99	GRAVES BOGARDUS CITIZEN-LETTER IN FAVOR OF TOWER
M0002	07/20/99	BRENT RICE/GTE WIRELESS OF MIDWEST-RETURN RECEIPTS FOR CORRESPONDENCE FORWARDED VIA CERTIFI
0004	08/18/99	FINAL ORDER GRANTING CONSTRUCTION



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

CERTIFICATE OF SERVICE

RE: Case No. 99-275  
GTE WIRELESS OF THE MIDWEST

I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the following by U.S. Mail on August 18, 1999.

See attached parties of record.

*Stephanie J. Bell*

Secretary of the Commission

SB/sa  
Enclosure

Ms. Charon Harris  
Director, Regulatory Matters  
GTE Wireless of the Midwest  
1200 Ashwood Parkway  
Third Floor  
Atlanta, GA. 30338

SBA Towers, Inc.  
One Town Center Road  
3rd Floor  
Boca Raton, FL. 33486

SBA Towers, Inc.  
2310 Valletta Lane  
Louisville, KY. 40205

Honorable W. Brent Rice  
Attorney at Law  
McBrayer, McGinnis,  
Leslie & Kirkland  
163 West Short Street  
Suite 300  
Lexington, KY. 40507 1361

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF SBA TOWERS, INC. AND GTE )  
WIRELESS OF THE MIDWEST INCORPORATED )  
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO CONSTRUCT )  
A WIRELESS COMMUNICATIONS FACILITY IN ) CASE NO. 99-275  
THE CINCINNATI-DAYTON MAJOR TRADING )  
AREA ("MTA") WHICH INCLUDES BOONE, )  
KENTON, CAMPBELL, GALLATIN, GRANT, )  
PENDLETON, BRACKEN, MASON, LEWIS, GREENUP, )  
CARTER, BOYD, ELLIOTT, LAWRENCE, JOHNSON, )  
MARTIN, FLOYD, AND PIKE COUNTIES, KENTUCKY )  
("GLENCOE/01-1551 FACILITY") )

O R D E R

On June 29, 1999, SBA Towers, Inc. ("SBA"), as ultimate owner, and GTE Wireless of the Midwest Incorporated ("GTE Wireless"), filed an application seeking a Certificate of Public Convenience and Necessity to build and operate a wireless radio telecommunications antenna tower for the Cincinnati-Dayton Major Trading Area ("MTA"). SBA has requested authorization to construct a cell site in Gallatin County.

The proposed cell site consists of a 380-foot or less guyed antenna tower to be located at U. S. Highway 127, Glencoe, Gallatin County, Kentucky ("Glencoe/01-1551 site"). The coordinates for the Glencoe/01-1551 site are North Latitude 38° 44' 37.42" by West Longitude 84° 49' 33.85".

SBA has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the Glencoe/01-1551 site. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and a Registered Professional Engineer has certified the plans.

Pursuant to 807 KAR 5:063, Section 1, SBA notified the Gallatin County Judge/Executive of the pending construction. SBA has filed applications with and received approvals from the Federal Aviation Administration and the Kentucky Airport Zoning Commission for the construction and operation of the Glencoe/01-1551 site.

SBA has filed notices verifying that each person who owns property within 500 feet of the Glencoe/01-1551 site has been notified of the pending construction. The notice solicited any comments and informed the property owners of their right to intervene. In addition, notices were published in a newspaper of general circulation in Gallatin County and were posted in a visible location on the proposed site and on the nearest public road. The posted notices remained posted for at least two weeks after SBA's application was filed. To date, no intervention requests have been received.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, SBA should notify the Commission if it does not use this antenna tower to provide cellular radio telecommunications services in the manner set out in its application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to

consider the proper practices, including removal of the unused antenna tower, which should be observed by SBA.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that SBA should be granted a Certificate of Public Convenience and Necessity to construct and operate the Glencoe/01-1551 site in MTA under its previously approved tariff.

IT IS THEREFORE ORDERED that:

1. SBA is granted a Certificate of Public Convenience and Necessity to construct and operate the Glencoe/01-1551 site.
2. SBA shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of 3 months in the manner authorized by this Order.

Done at Frankfort, Kentucky, this 18th day of August, 1999.

By the Commission

ATTEST:

  
Executive Director

**McBRAYER, MCGINNIS, LESLIE & KIRKLAND PLLC**

163 WEST SHORT STREET

SUITE 300

LEXINGTON, KENTUCKY 40507-1361

606-231-8780

FACSIMILE 606-231-6518

REAL ESTATE FAX 606-255-9777

WWW.MMLK.COM

W. TERRY McBRAYER  
JOHN R. MCGINNIS  
PHILLIP BRUCE LESLIE \*  
WILLIAM D. KIRKLAND  
J. D. ATKINSON, JR.  
JAMES G. AMATO  
GEORGE D. GREGORY \*\*  
BRENT L. CALDWELL  
W. BRENT RICE  
JAMES H. FRAZIER, III +  
STEPHEN C. CAWOOD  
LISA ENGLISH HINKLE  
WILLIAM R. PALMER, JR.  
BRUCE W. MACDONALD \*  
LUKE BENTLEY III  
STEPHEN G. AMATO  
MARY ESTES HAGGIN  
R. STEPHEN MCGINNIS ++  
JON A. WOODALL  
MARIA S. BUCKLES  
MARGARET M. YOUNG  
MELINDA G. WILSON  
REBECCA L. BRIGGS  
MARY ELIZABETH CUTTER  
J. BRADFORD DERIFIELD ++  
JARON P. BLANDFORD

\* ALSO ADMITTED IN OHIO  
\*\* ALSO ADMITTED IN COLORADO  
+ ALSO ADMITTED IN TEXAS & FLORIDA  
++ ALSO ADMITTED IN WEST VIRGINIA

WATSON CLAY (1908-1985)  
OSCAR SAMMONS (1908-1985)

MAIN & HARRISON STREETS  
P. O. BOX 280  
GREENUP, KENTUCKY 41144-0280  
606-473-7303  
FACSIMILE 606-473-9003

300 STATE NATIONAL  
BANK BUILDING  
P. O. BOX 1100  
FRANKFORT, KENTUCKY 40602-1100  
502-223-1200  
FACSIMILE 502-227-7385

DIRECTOR OF GOVERNMENTAL RELATIONS  
MIKE HELTON  
STATE NATIONAL BANK BUILDING  
305 ANN STREET  
SUITE 308  
FRANKFORT, KENTUCKY 40601-2847  
502-875-1176  
FACSIMILE 502-226-6234

July 19, 1999

RECEIVED

JUL 20 1999

PUBLIC SERVICE  
COMMISSION

Ms. Helen C. Helton, Executive Director  
Public Service Commission  
730 Schenkel Lane  
Frankfort, KY 40602

RE: **SBA Towers, Inc. and GTE Wireless of the Midwest Incorporated**  
**PSC Case No. 99-275 (The Glencoe/01-1551 Facility)**

Dear Ms. Helton:

Please find enclosed the originals and one copy each of return receipts for correspondence forwarded via certified mail, return receipt requested, to the Gallatin County Judge and all property owners within 500' of the proposed facility referenced above. The following property owners have been notified:

Graves & Sarah Bogardus  
305 Fairway Road  
Sanford, FL 32773

Sarah Bogardus Estate  
c/o Graves Bogardus  
305 Fairway Road  
Sanford, FL 32773

Please file the enclosed with the Commission at your earliest convenience. Thank you for your attention to this matter.

Sincerely,  


W. Brent Rice  
Counsel for SBA Towers, Inc. and  
GTE Wireless of the Midwest  
Incorporated

WBR/dkw  
Enclosures



Z 463 757 302

US Postal Service  
Receipt for Certified Mail  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to <b>GRAVES &amp; SARAH BOGARDUS</b>	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	6/29/99 7634-6

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
2.  Restricted Delivery  
Consult postmaster for fee.

3. Article Addressed to:  
**GRAVES & SARAH BOGARDUS**  
305 FAIRWAY ROAD  
SANFORD, FL 32773

4a. Article Number  
Z 463 757 302 (7634-6)

4b. Service Type

Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
7-3

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

8. Signature: (Addressee or Agent)  
*Sarah Bogardus*

PS Form 3811, December 1994 102595-99-8-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

Z 463 757 303

US Postal Service  
Receipt for Certified Mail  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to <b>SARAH BOGARDUS ESTATE</b>	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	6/29/99 7634-6

PS Form 3800, April 1995

Z 463 757 301

US Postal Service  
Receipt for Certified Mail  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to <b>HON. CLARENCE DAVIS</b>	
Street & Number	
Post Office, State, & ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	6/29/99 7634-6

PS Form 3800, April 1995

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3. Article Addressed to:  
**HON. CLARENCE DAVIS**  
GALLATIN COUNTY JUDGE EXECUTIVE  
100 N. MAIN STREET  
WARSAW, KY 41095

4a. Article Number  
Z 463 757 301 (7634-6)

4b. Service Type

Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
6/30/99

5. Received By: (Print Name)  
Lillian Smith

8. Addressee's Address (Only if requested and fee is paid)

8. Signature: (Addressee or Agent)  
*Lillian Smith*

PS Form 3811, December 1994 102595-99-8-0229 Domestic Return Receipt

Thank you for using Return Receipt Service.

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Consult postmaster for fee.

3. Article Addressed to:  
**SARAH BOGARDUS ESTATE**  
c/o GRAVES GOBARDUS  
305 FAIRWAY ROAD  
SANFORD, FL 32773

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Z 463 757 303 (7634-6)

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7-3

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8. Signature: (Addressee or Agent)  
*Sarah Bogardus*

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**SANFORD, FL 32773**

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**Z 463 757 303 (7634-6)**

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
**7-3**

5. Received By: (Print Name)  
 \_\_\_\_\_

8. Addressee's Address (Only if requested and fee is paid)  
 \_\_\_\_\_

Signature: (Addressee or Agent)  
*Sarah Bogardus*

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

Z 463 757 303

US Postal Service  
**Receipt for Certified Mail**  
 No Insurance Coverage Provided.  
 Do not use for International Mail (See reverse)

Sent to  
**SARAH BOGARDUS ESTATE**

Street & Number  
 \_\_\_\_\_

Post Office, State, & ZIP Code  
 \_\_\_\_\_

Postage \$ \_\_\_\_\_

Certified Fee \$ \_\_\_\_\_

Special Delivery Fee \$ \_\_\_\_\_

Restricted Delivery Fee \$ \_\_\_\_\_

Return Receipt Showing to Whom & Date Delivered  
 \_\_\_\_\_

Return Receipt Showing to Whom, Date, & Addressee's Address  
 \_\_\_\_\_

TOTAL Postage & Fees \$ \_\_\_\_\_

Postmark or Date  
**6/29/99 7634-6**

PS Form 3800, April 1995

Thank you for using Return Receipt Service.

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 \_\_\_\_\_

8. Addressee's Address (Only if requested and fee is paid)  
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Signature: (Addressee or Agent)  
*Sarah Bogardus*

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 Do not use for International Mail (See reverse)

Sent to  
**GRAVES & SARAH BOGARDUS**

Street & Number  
 \_\_\_\_\_

Post Office, State, & ZIP Code  
 \_\_\_\_\_

Postage \$ \_\_\_\_\_

Certified Fee \$ \_\_\_\_\_

Special Delivery Fee \$ \_\_\_\_\_

Restricted Delivery Fee \$ \_\_\_\_\_

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Postmark or Date  
**6/29/99 7634-6**

PS Form 3800, April 1995

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**GALLATIN COUNTY JUDGE EXECUTIVE**  
**100 N. MAIN STREET**  
**WARSAW, KY 41095**

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 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
**6/30/99**

5. Received By: (Print Name)  
**Lillian Smith**

8. Addressee's Address (Only if requested and fee is paid)  
 \_\_\_\_\_

Signature: (Addressee or Agent)  
*Lillian Smith*

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return Receipt

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US Postal Service  
**Receipt for Certified Mail**  
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 Do not use for International Mail (See reverse)

Sent to  
**HON. CLARENCE DAVIS**

Street & Number  
 \_\_\_\_\_

Post Office, State, & ZIP Code  
 \_\_\_\_\_

Postage \$ \_\_\_\_\_

Certified Fee \$ \_\_\_\_\_

Special Delivery Fee \$ \_\_\_\_\_

Restricted Delivery Fee \$ \_\_\_\_\_

Return Receipt Showing to Whom & Date Delivered  
 \_\_\_\_\_

Return Receipt Showing to Whom, Date, & Addressee's Address  
 \_\_\_\_\_

TOTAL Postage & Fees \$ \_\_\_\_\_

Postmark or Date  
**6/29/99 7634-6**

PS Form 3800, April 1995

Thank you for using Return Receipt Service.

July 5, 1999

Executive Director's Office  
Public Service Commission of Kentucky  
Post Office Box 615  
Frankfort, Kentucky 40602

RECEIVED  
JUL - 9 1999  
PUBLIC SERVICE  
COMMISSION

Re: Public Notice - Public Service Commission of Kentucky,  
Case no. 99-275 (The Glencoe/01-1551 Facility)

To Whom It May Concern:

I have received a certified letter dated June 29, 1999, from McMray, McGinnis, Leslie & Kirkland PLLC, inviting comments regarding the proposed construction on the Sarah Bogardus property off U.S. Highway 127, Glencoe, Gallatin County, Kentucky.

I would like the Commission to know that I am in favor of the erection of the proposed GTE Wireless Tower.

Sincerely,

*Graves Bogardus*  
Graves Bogardus

No  
address

*(JB)*

July 5, 1999

Executive Director's Office  
Public Service Commission of Kentucky  
Post Office Box 615  
Frankfort, Kentucky 40602

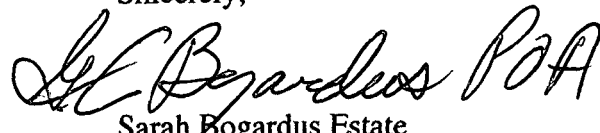
Re: Public Notice – Public Service Commission of Kentucky,  
Case no. 99-275 (The Glencoe/01-1551 Facility)

To Whom It May Concern:

I have received a certified letter dated June 29, 1999, from McMray, McGinnis, Leslie & Kirkland PLLC, inviting comments regarding the proposed construction on the Sarah Bogardus property off U.S. Highway 127, Glencoe, Gallatin County, Kentucky.

I would like the Commission to know that I am in favor of the erection of the proposed GTE Wireless Tower.

Sincerely,



Sarah Bogardus Estate  
G.C. Bogardus P.O.A.

including that under this power my said agent and attorney can sell, convey or mortgage real estate, or he may and can, under this power, rent out and lease any real estate for such terms or years and upon such conditions as he may think best and to my interest that is, to sell and dispose of any personal property that I may own wheresoever situated, and to collect and dispose of the proceeds thereof, to collect any and all debts due me, sign my name to checks, on any bank account of mine, and execute and deliver any and all papers for me and in my name that I myself could execute related to my personal business and my personal estate. I hereby ratify and confirm whatever he may think best and to my interest, and I hereby ratify and confirm whatever my said agent and attorney may do for me in my name in the premises.

This power of attorney shall not be affected by the disability of the principal (KRS 389.093). A photocopy may serve as an original. IN WITNESS WHEREOF I hereunto set my hand this 21 day of July, 1991, Sarah Bogardus  
SARAH BOGARDUS

STATE OF KENTUCKY  
COUNTY OF GALLATIN  
SUBSCRIBED AND SWORN TO in my presence by the said SARAH BOGARDUS on this 22 day of July, 1991.  
MY COMMISSION EXPIRES: 8-7-93  
Prepared by: Sarah K. Lister  
John G. Wright  
JOHN G. WRIGHT  
FESSLER AND WRIGHT  
502 East Main St.  
Warsaw, KY 41095  
(606) 567-5555

Fessler  
and  
Wright  
Attorneys  
at  
Law

Sarah K. Lister  
NOTARY PUBLIC, STATE OF LARGE

STATE OF KENTUCKY, COUNTY OF GALLATIN  
I, Laverne Johns, Clerk of Gallatin County hereby certify the foregoing Power of Attorney was filed in my office for record on the 4th day of Jan 1993 at 11:30AM whereupon the foregoing and this certificate are duly recorded.

Witness my hand this the 9th day of Jan. 1993.

Laverne Johns clerk  
Gallatin County

Casefile



COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**

730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KY. 40602  
(502) 564-3940

July 9, 1999

To: All parties of record

RE: Case No. 99-275  
GTE WIRELESS OF THE MIDWEST

The Commission staff has reviewed your application in the above case and finds that it meets the minimum filing requirements. Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell  
Secretary of the Commission

SB  
Enclosure

Ms. Charon Harris  
Director, Regulatory Matters  
GTE Wireless of the Midwest  
1200 Ashwood Parkway  
Third Floor  
Atlanta, GA. 30338

SBA Towers, Inc.  
6001 Broken Sound Parkway, 4th Floor  
Boca Raton, FL. 33487

SBA Towers, Inc.  
2320 Valletta Lane  
Louisville, KY. 40205

Honorable W. Brent Rice  
Attorney at Law  
McBrayer, McGinnis,  
Leslie & Kirkland  
163 West Short Street  
Suite 300  
Lexington, KY. 40507 1361

McBRAYER, MCGINNIS, LESLIE & KIRKLAND PLLC

163 WEST SHORT STREET  
SUITE 300

LEXINGTON, KENTUCKY 40507-1361

606-231-8780

FACSIMILE 606-231-6518

REAL ESTATE FAX 606-255-9777

WWW.MMLK.COM

WATSON CLAY (1908-1985)  
OSCAR SAMMONS (1908-1985)

MAIN & HARRISON STREETS  
P. O. BOX 280  
GREENUP, KENTUCKY 41144-0280  
606-473-7303  
FACSIMILE 606-473-9003

300 STATE NATIONAL  
BANK BUILDING  
P. O. BOX 1100  
FRANKFORT, KENTUCKY 40602-1100  
502-223-1200  
FACSIMILE 502-227-7385

DIRECTOR OF GOVERNMENTAL RELATIONS  
MIKE HELTON  
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305 ANN STREET  
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502-875-1176  
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W. TERRY McBRAYER  
JOHN R. MCGINNIS  
PHILLIP BRUCE LESLIE \*  
WILLIAM D. KIRKLAND  
J. D. ATKINSON, JR.  
JAMES G. AMATO  
GEORGE D. GREGORY \*\*  
BRENT L. CALDWELL  
W. BRENT RICE  
JAMES H. FRAZIER, III +  
STEPHEN C. CAWOOD  
LISA ENGLISH HINKLE  
WILLIAM R. PALMER, JR.  
BRUCE W. MACDONALD \*  
LUKE BENTLEY III  
STEPHEN G. AMATO  
MARY ESTES HAGGIN  
R. STEPHEN MCGINNIS ++  
JON A. WOODALL  
MARIA S. BUCKLES  
MARGARET M. YOUNG  
MELINDA G. WILSON  
REBECCA L. BRIGGS  
MARY ELIZABETH CUTTER  
J. BRADFORD DERIFIELD ++  
JARON P. BLANDFORD

\* ALSO ADMITTED IN OHIO  
\*\* ALSO ADMITTED IN COLORADO  
+ ALSO ADMITTED IN TEXAS & FLORIDA  
++ ALSO ADMITTED IN WEST VIRGINIA

FILED

JUN 29 1999

June 29, 1999

PUBLIC SERVICE  
COMMISSION

RECEIVED

JUN 29 1999

PUBLIC SERVICE  
COMMISSION

HAND DELIVERED

Ms. Helen C. Helton, Executive Director  
Public Service Commission  
730 Schenkel Lane  
Frankfort, KY 40602

RE: Application of SBA Towers, Inc. and GTE Wireless of the Midwest Incorporated for Issuance of a Certificate of Public Convenience and Necessity to Construct A Wireless Communications Facility in The Cincinnati-Dayton Major Trading Area ("MTA") which Includes Boone, Kenton, Campbell Gallatin, Grant, Pendleton, Bracken, Mason, Lewis, Greenup, Carter, Boyd, Elliott, Lawrence, Johnson, Martin, Floyd And Pike Counties, Kentucky - PSC Case No. 99-275 ("Glencoe/01-1551 Facility")

Dear Ms. Helton:

Please be advised that the undersigned represents SBA Towers, Inc. and GTE Wireless of the Midwest Incorporated in regard to the above-referenced application which I am filing on their behalf today with the Commission.

Pursuant to 807 KAR 5:063, the original and five copies of the application are submitted for filing. Additionally, three Site Plans are submitted with the application. Any comments or questions in regard to the application should be forwarded to the undersigned.

Thank you for your assistance in this matter.

Sincerely,



W. Brent Rice  
Counsel for SBA Towers, Inc. and GTE  
Wireless of the Midwest Incorporated

WBR/dkw

Enclosures





COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
730 SCHENKEL LANE  
POST OFFICE BOX 615  
FRANKFORT, KENTUCKY 40602  
www.psc.state.ky.us  
(502) 564-3940  
Fax (502) 564-3460

**Ronald B. McCloud, Secretary**  
**Public Protection and**  
**Regulation Cabinet**

**Helen Helton**  
**Executive Director**  
**Public Service Commission**

**Paul E. Patton**  
**Governor**

June 30, 1999

To: All parties of record

RE: Case No. 99-275  
GTE WIRELESS OF THE MIDWEST  
& SBA TOWERS, INC.  
(Construct) CELL SITE – U.S. HIGHWAY 127 – GLENCOE, GALLATIN

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received June 29, 1999 and has been assigned Case No. 99-275. In all future correspondence or filings in connection with this case, please reference the above case number.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell  
Secretary of the Commission

SB/jc



AN EQUAL OPPORTUNITY EMPLOYER M/F/D

Ms. Charon Harris  
Director, Regulatory Matters  
GTE Wireless of the Midwest  
1200 Ashwood Parkway  
Third Floor  
Atlanta, GA. 30338

SBA Towers, Inc.  
6001 Broken Sound Parkway, 4th Floor  
Boca Raton, FL. 33487

SBA Towers, Inc.  
2320 Valletta Lane  
Louisville, KY. 40205

Honorable W. Brent Rice  
Attorney at Law  
McBrayer, McGinnis,  
Leslie & Kirkland  
163 West Short Street  
Suite 300  
Lexington, KY. 40507 1361

**McBRAYER, MCGINNIS, LESLIE & KIRKLAND PLLC**

163 WEST SHORT STREET

SUITE 300

LEXINGTON, KENTUCKY 40507-1361

606-231-8780

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\* ALSO ADMITTED IN OHIO  
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+ ALSO ADMITTED IN TEXAS & FLORIDA  
++ ALSO ADMITTED IN WEST VIRGINIA

**FILED**

JUN 29 1999

June 29, 1999

**PUBLIC SERVICE  
COMMISSION**

WATSON CLAY (1908-1985)  
OSCAR SAMMONS (1908-1985)

MAIN & HARRISON STREETS  
P. O. BOX 280  
GREENUP, KENTUCKY 41144-0280  
606-473-7303  
FACSIMILE 606-473-9003

300 STATE NATIONAL  
BANK BUILDING  
P. O. BOX 1100  
FRANKFORT, KENTUCKY 40602-1100  
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Ms. Helen C. Helton, Executive Director  
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730 Schenkel Lane  
Frankfort, KY 40602

**RECEIVED**

JUN 29 1999

**PUBLIC SERVICE  
COMMISSION**

**HAND DELIVERED**

**RE: Application of SBA Towers, Inc. and GTE Wireless of the Midwest Incorporated for Issuance of a Certificate of Public Convenience and Necessity to Construct A Wireless Communications Facility in The Cincinnati-Dayton Major Trading Area ("MTA") which Includes Boone, Kenton, Campbell Gallatin, Grant, Pendleton, Bracken, Mason, Lewis, Greenup, Carter, Boyd, Elliott, Lawrence, Johnson, Martin, Floyd And Pike Counties, Kentucky - PSC Case No. 99-275 ("Glencoe/01-1551 Facility")**

Dear Ms. Helton:

Please be advised that the undersigned represents SBA Towers, Inc. and GTE Wireless of the Midwest Incorporated in regard to the above-referenced application which I am filing on their behalf today with the Commission.

Pursuant to 807 KAR 5:063, the original and five copies of the application are submitted for filing. Additionally, three Site Plans are submitted with the application. Any comments or questions in regard to the application should be forwarded to the undersigned.

Thank you for your assistance in this matter.

Sincerely,



W. Brent Rice  
Counsel for SBA Towers, Inc. and GTE  
Wireless of the Midwest Incorporated

WBR/dkw

Enclosures

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED  
JUN 29 1999  
PUBLIC SERVICE  
COMMISSION

In the Matter of:

APPLICATION OF SBA TOWERS, INC. AND GTE )  
WIRELESS OF THE MIDWEST INCORPORATED )  
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO CONSTRUCT )  
A WIRELESS COMMUNICATIONS FACILITY IN )  
THE CINCINNATI-DAYTON MAJOR TRADING )  
AREA ("MTA") WHICH INCLUDES BOONE )  
KENTON, CAMPBELL GALLATIN, GRANT, )  
PENDLETON, BRACKEN MASON, LEWIS, GREENUP, )  
CARTER, BOYD, ELLIOTT, LAWRENCE, JOHNSON, )  
MARTIN, FLOYD AND PIKE COUNTIES, KENTUCKY )  
("GLENCOE/01-1551 FACILITY") )

CASE NO. 99-275

APPLICATION

SBA Towers, Inc. ("SBA"), as ultimate owner, and GTE Wireless of the Midwest Incorporated ("GTE Wireless"), as a licensed public utility in the Commonwealth of Kentucky, through counsel, applies for a Certificate of Public Convenience and Necessity to construct and operate a Wireless Communications Facility (the "WCF") to serve the customers of GTE Wireless and other wireless service provider colocations in the Cincinnati-Dayton Major Trading Area. In support of this Application, SBA and GTE Wireless (hereinafter collectively referred to as "Applicants") respectfully state that:

1. The complete names, addresses and telephone numbers of the Applicants are:

SBA Towers, Inc.  
6001 Broken Sound Parkway, 4<sup>th</sup> Floor  
Boca Raton, FL 33487  
(561)995-7670

and SBA also has a local address:

2320 Valletta Lane  
Louisville, KY 40205  
(502)419-0907

GTE Wireless of the Midwest Incorporated  
245 Perimeter Center Parkway  
Atlanta, Georgia 30346  
(770)391-8000

2. SBA Towers, Inc. is a Florida corporation, which constructs, owns, maintains and operates independent communication networks and is a wireless communications consulting firm. A copy of SBA's Articles of Merger were provided to the Commission in Case Number 99-241 UAC. Com-Net Construction Services, Inc. is a wholly owned subsidiary of SBA Towers, Inc. A certified copy of its Articles of Incorporation and Certificate of Authority were provided to the Commission in Case No. 99-241 UAC.

3. GTE Wireless is an Indiana corporation. A certified copy of its Articles of Incorporation, as amended, of GTE Mobilnet Incorporated, the parent corporation of GTE Wireless, have been provided to the Commission in Case No. 96-338 in which it applied for a Certificate of Public Convenience and Necessity to provide personal communications service ("PCS") in Kentucky. The Commission has previously found that the parent corporation of GTE Wireless had the financial, technical and managerial ability to provide PCS in the Cincinnati-Dayton Major Trading Area in its order dated August 20, 1996 in Case No. 96-338.

4. SBA proposes to construct a WCF in Gallatin County, Kentucky situated in the Cincinnati-Dayton MTA in which GTE Wireless is licensed by the Federal Communications Commission ("FCC") to provide PCS in this area. The WCF will be comprised of a 350' guyed

tower with attached antennas extending upwards for a total height of 380' and an equipment shelter.

The equipment shelter will contain the transmitters and receivers required to connect the cell facility with PCS users, which will link the WCF with GTE Wireless' other PCS facilities. The WCF will be fenced with a secured access gate. Three (3) sets of Index of Drawings for the proposed facility are being submitted with this Application. A detailed description of the manner in which the WCF will be constructed is included as the Property Map and Site Plan (scale: no more than two miles per inch). A reduced copy of the Index of Drawings are attached as Exhibit A. The referenced drawings are signed and sealed by Lawrence L. Baumann, a professional engineer registered in Kentucky. They depict the proposed location of the tower and all easements and existing structures on the property on which the tower will be located. A vertical tower profile and its foundation, each signed and sealed by a professional engineer registered in Kentucky are attached as Exhibit B. The tower design plans include a description of the standard according to which the tower was designed.

5. After completion of the proposed tower construction, SBA will lease or license space on said tower and the surrounding site to allow GTE Wireless to locate and operate its PCS facility, including all required antennas and appurtenances. SBA will locate the proposed site in a manner such that other wireless communications service providers will desire to co-locate on the completed WCF.

6. A geotechnical investigation report performed by ATC Associates, Inc. of Cincinnati, Ohio, dated December 21, 1998 is attached as Exhibit C. The geotechnical investigation report is signed and sealed by James P. Kapsho, a professional engineer registered in Kentucky. The geotechnical investigation report includes boring logs, foundation design recommendations, and a

statement in regard to flood hazard areas.

7. As noted on the Property Map attached as Exhibit A, the surveyor has determined that the property is outside the 500 year flood plain.

8. The possibility of a strong ground shaking has been considered in the design of this self-supporting tower. Formulas are given in codes for earthquake loading. The formulas are for lateral loads, and they take into account the seismic zone, ground motion and structure. The two most important components of the structure are its weight and shape. Applying all of the factors to the formula, the resultant earthquake load is less than the design wind load. Seismic loading has been considered in the design of this tower, although it is regarded as secondary to the wind loading.

Even if the tower would fall as result of an earthquake, it should not damage any occupied buildings. In the event of failure of the tower mast, all of the debris will most likely lie within a circle whose center is the tower base and whose radius is no more than 60% of the tower height.

9. Similarly, the possibility of a strong wind has been considered in the design of this tower. It has been designed and engineered by professional engineers using computer assistance and the same accepted codes and standards as are typically used for high-rise building construction. This tower has been designed in accordance with the Electronic Industries Association ("EIA") Standard RS-222E, which has been accepted and approved by ANSI and is a nationally recognized tower design standard. The ANSI/EIA standard utilizes a "stepped" wind loading in tower design. This means that a standardized wind speed (the "basic wind speed") is applied to the structure at the 33-foot level and then is "increased" with increments of its height. In this case, the design wind speed is 70 mph. Using the appropriate wind speed for each antenna level, the thrust of the antenna and

its corresponding waveguide load are applied to the structure for maximum member loads.

10. Personnel directly responsible for the design and construction of the proposed tower are qualified and experienced. The soil testing and part of the foundation recommendation was performed by ATC Associates, Inc., under the supervision of James P. Kapsho, a registered professional engineer in the Commonwealth of Kentucky. His specialty is geotechnical engineering which includes sub-surface exploration and foundation design. He has served as project and principal engineer on various projects similar to the applicant's. These projects include construction, tower crane foundations, and nexrad doppler radar towers, other mobile telephone towers and elevated water towers. Foundation types for these towers have included drilled piers, auger-cast piles, driven piles and spread footings. Design of the tower and foundation was performed by Sabre Communications Corporation of Sioux City, Iowa, which designs, manufactures and installs such communications towers, monopoles and antenna systems that mount to them. Sabre has designed and installed worldwide hundreds of towers in all climates. This tower was designed by Chi S. Lee, who additionally certified the design. Mr. Lee is a registered engineer in the Commonwealth of Kentucky. SBA uses qualified installation crews and site inspectors for construction of its towers.

In the event the initial design of the tower and foundation is subsequently revised, the Applicants will amend this Application accordingly and will file with the Commission original and final drawings pursuant to applicable laws and regulations.

11. The Public Convenience and Necessity require the construction of the WCF. The WCF will provide a necessary link in GTE Wireless' system to meet the increasing demands for wireless services in its licensed area. The WCF will further enhance the public's access to wireless



telecommunications services.

SBA's construction of the WCF is also required by the Public Convenience and Necessity as it allows for the colocation of additional wireless services for this area of Kentucky. The WCF will be available to governmental agencies and providers of emergency services. The WCF will provide a necessary link in SBA's wireless network and it will further provide increasing competition in the Kentucky telecommunications market.

The process that was used in selecting the site for the proposed WCF by the Applicants' radio frequency engineers was consistent with the process used for selecting generally all other existing and proposed WCF's within the proposed network design area. The Applicants evaluated the location of the required facility for possible co-location opportunities, upon existing structures, before starting the acquisition process. Radio frequency engineers used computer programs to evaluate the most effective coverage design for facilitating co-location potential on this proposed tower.

The engineers select the optimum vicinity in terms of elevation and location to provide the best quality service to customers in the service area. All existing towers and suitable structures upon which to locate the communications antennas were considered in this search, which is detailed in Exhibit D. No suitable towers or structures were found which meet the technical requirements for this element of the telecommunications network. Although there are several structures within a one-mile radius of the proposed facility, none are suitable in height or sufficient from a structural standpoint to accommodate the technical requirements for this proposed site. A map of the area in which the tower is proposed to be located, that is drawn to scale and that clearly depicts the

necessary search within which a site should be located as determined by the applicant's Radio Frequency Engineer is additionally attached as Exhibit D.

12. The WCF will serve an area totally within GTE Wireless' current service area in the Cincinnati-Dayton MTA.

13. Since the proposed WCF will serve an area completely within GTE Wireless' licensed service area in the Cincinnati-Dayton MTA, no further approvals by the FCC are required. See 47 C.F.R. §24.11(b), "[b]lanket licenses are granted for each market and frequency block. Applications for individual sites are not required and will not be accepted."

14. The Federal Aviation Administration ("FAA") determined on December 17, 1998 that the proposed construction would not exceed FAA obstruction standards and would not be a hazard to air navigation. The determination from the FAA is attached as Exhibit E. The Kentucky Airport Zoning Commission ("KAZC") determined on January 27, 1999 that GTE Wireless' application for a permit to construct the proposed facility was approved. A copy of the KAZC determination is attached as Exhibit F.

15. The proposed location of the tower is not within a jurisdiction that has adopted planning and zoning regulations in accordance with KRS Chapter 100. Powertel has notified the Gallatin County Judge Executive, by certified mail, return receipt requested, of the proposed construction. Applicants included in the notice the Commission docket number under which the application will be processed and informed said person of his right to request intervention. A copy of the notice is attached as Exhibit G.

16. The WCF will be located on the Sarah Bogardus property off U.S. Highway 127,

Glencoe, Gallatin County, Kentucky. Appropriate notices 2' X 4' with the word "TOWER" in letters at least four inches high, have been posted in a visible location on the proposed site and on the nearest public road and shall remain posted for at least two (2) weeks after the Application is filed. The location of the proposed WCF has been published in a newspaper of general circulation in Gallatin County, Kentucky. The WCF's coordinates are: Latitude: 38° 44' 37.42"; Longitude: 084° 49' 33.85".

17. Clear directions from the county seat to the proposed site, including highway numbers and street names are set forth on the Cover Sheet to the Index of Drawings submitted with this Application. The telephone number of the person who prepared the directions is 513-755-3222. The Property Map attached as exhibit A depicts the proposed location of the tower and all easements and existing structures within 500' of the proposed site on the property on which the tower will be located, and all easements and existing structures within 200' of the access drive, including the intersection with the public street system. A map, drawn to a scale no less than one inch = 200', that identifies every structure and every owner of real estate within 500' of the proposed tower is depicted as the Project Area on the Property Map attached as Exhibit B.

18. The Applicants have notified every person who owns property within 500' of the proposed tower by certified mail, return receipt requested, of the proposed construction. The Applicants included in the notice the Commission docket number under which the Application will be processed and informed each person of his or her right to request intervention. Copies of the certified letters sent to each are attached as Exhibit H. Copies of the return receipts will be filed with the Commission when received.

19. The area as depicted on the Site Survey in which the proposed WCF is to be constructed is not zoned. The area is primarily pasturelands and wooded; to the north is Interstate 71 and pasturelands and wooded area; to the east pasturelands and woods; to the south pasturelands and woods; to the west pasturelands, woods and a truck stop.

20. The Applicants have considered the likely effects of the installation on nearby land uses and values and has concluded that there is no more suitable location reasonably available from which adequate service can be provided, and that there are no reasonable available opportunities to collocate. The Applicants attempted to collocate on towers designed to host multiple wireless service providers facilities or existing structures, such as a telecommunications tower or another suitable structure capable of supporting GTE Wireless' facilities. There is an existing AmeriTech tower approximately 280' in height which is approximately 1,000' east of the proposed tower, however, said tower is not suitable for collocation purposes due to its insufficient height.

21. The site for the WCF is to be leased from Sarah Bogardus. The lease provides a method that the applicant will follow in dismantling and removing the tower including a timetable for such removal in the case of abandonment pursuant to KRS 100.987(2)(b). A copy of the Option and Lease Agreement is additionally attached as Exhibit I.

22. The names of all public utilities, corporations, or persons with whom the proposed new construction is likely to compete is NextWave, Inc.; Mercury PCS II; BellSouth Wireless Cable, Inc.; BellSouth Mobility, Inc.; AT&T Wireless; Sprint PCS; Ameritech and Nextel Communications.

23. GTE Wireless plans to finance the construction of the collocation of its PCS facility

to the WCF through the use of working capital. If sufficient funds are not available from this source, the company will obtain funds through short-term loans payable within two years.

24. Any customer complaints may be reported to GTE Wireless by dialing 513-326-8100 on the customer's phone, which is the main telephone number in the applicant's Cincinnati area office which serves the northern Kentucky counties in the Cincinnati-Dayton MTA.

WHEREFORE, Applicants request that the Commission, pursuant to KRS 278.020, grant a Certificate of Public Convenience and Necessity to construct and operate the WCF at the location set forth herein for the respective networks in Kentucky and providing for such other relief as is necessary and appropriate pursuant to all applicable rules and regulations of the Public Service Commission.

Respectfully submitted,



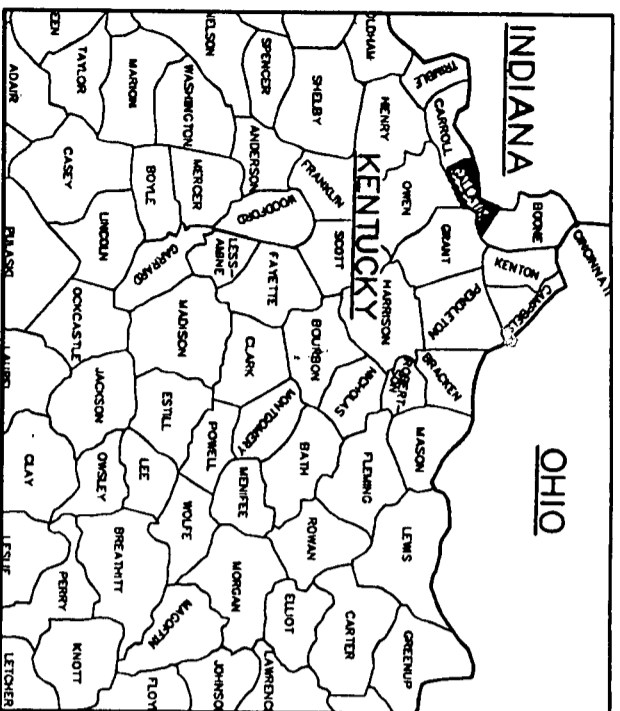
W. Brent Rice  
MCBRAYER, MCGINNIS, LESLIE & KIRKLAND  
163 West Short Street, Suite 300  
Lexington, KY 40507-1361  
Phone: 606/231-8780

COUNSEL FOR SBA TOWERS, INC. AND GTE  
WIRELESS OF THE MIDWEST INCORPORATED

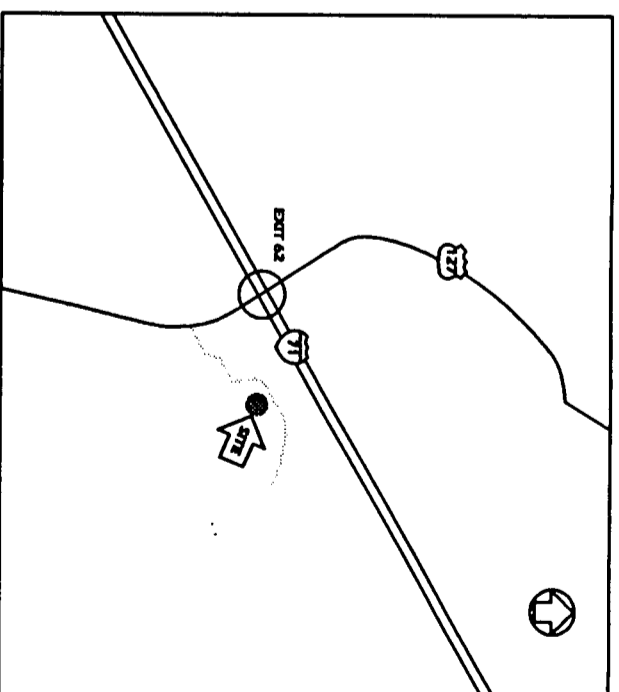
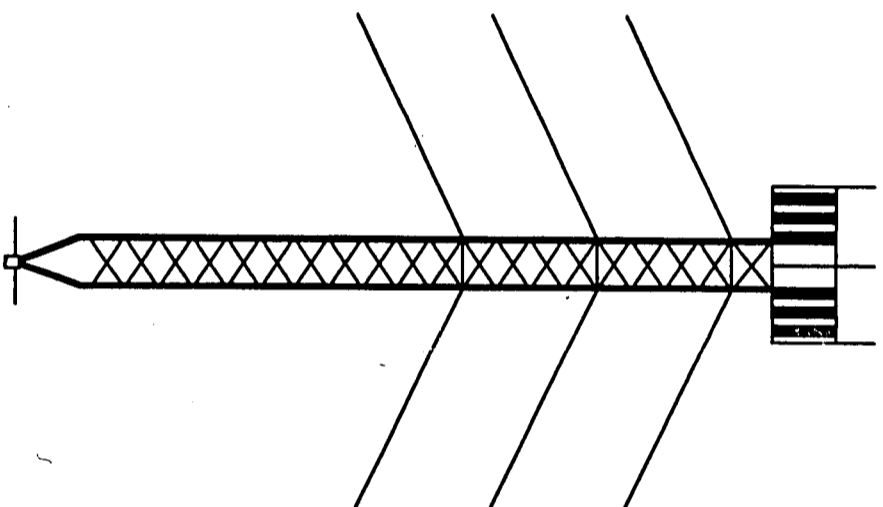
wbr\sba\glencoe\01-1551\psc application

**LIST OF EXHIBITS**

Exhibit A	Property Map, Site Plan - Grounding and Power, and Electrical Specifications
Exhibit B	Tower and Foundation Profile
Exhibit C	Geotechnical Investigation Report
Exhibit D	Search Area Map
Exhibit E	FAA Determination
Exhibit F	KAZC Determination
Exhibit G	Notification to Gallatin County Judge Executive
Exhibit H	Notice to Adjoining Property Owners
Exhibit I	Option and Lease Agreement



VICINITY MAP  
(NTS)



LOCATION MAP  
(NTS)

DRIVE TO DIRECTIONS:  
FROM CINCINNATI TAKE I-71 SOUTH TO US 127/GLENCOE (EXIT 62), SOUTH ON US 127 FOR 0.2 MILES TO TRUCK STOP/GAS STATION ON LEFT. ACCESS ROAD TO SITE IS SECURED WITH CABLE GATE. BEYOND THE GATE TAKE THE ACCESS ROAD FOR APPROXIMATELY 0.5 MILES TO SITE ON THE SOUTH SIDE OF ACCESS ROAD.

**NOTE:**  
THE CONTRACTOR SHALL CONTACT THE PROPERTY OWNER FIRST TO ANY WORK AND SHALL PROVIDE THE PROPERTY OWNER WITH A WORK SCHEDULE. THE CONTRACTOR SHALL PROVIDE THE PROPERTY OWNER WITH A WORK SCHEDULE. THE CONTRACTOR SHALL PROVIDE THE PROPERTY OWNER WITH A WORK SCHEDULE.

**3 WORKING DAYS BEFORE YOU DIG**  
CALL TOLL FREE 800-752-6007  
AT NON-EMERGENCY HOURS OR CALL 502-622-1111

**NOTICE**  
LOCATION OF ALL UTILITIES AND UNDERGROUND STRUCTURES SHOWN ARE APPROXIMATE AND ARE NOT NECESSARILY ALL OF THE UTILITIES AND STRUCTURES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION AND DEPTH OF ALL UTILITIES AND UNDERGROUND STRUCTURES.

THE CONTRACTOR(S) OR anyone using these documents is advised to LAYOUT their work and verify the ACTUAL FIELD CONDITIONS IN THE AREA TO BE SHOWN ON THE DRAWINGS AND DISCREPANCIES ENCOUNTERED THAT WOULD EFFECT THE PROPER INSTALLATION OR CONSTRUCTION OF THE PROPOSED IMPROVEMENTS SHALL BE REPORTED TO THE OWNER AND/OR ENGINEER IN ORDER TO ALLOW FOR NECESSARY ADJUSTMENTS IN THE PLANS.

THE CONTRACTOR SHALL LAYOUT IN THE FIELD ALL THE DIMENSIONS OF THE IMPROVEMENTS PRIOR TO AND WELL AHEAD OF CONSTRUCTION TO BE SURE THAT NO CONFLICTS EXIST BETWEEN ANY UNDERGROUND SERVICE UTILITIES OR DRAIN LINES, INCLUDING THEIR UNUSUAL DEPTHS BELOW FINISHED SURFACE, THE SURFACE ELEVATIONS OF ALL MANHOLES AND CATCH BASINS RELATIVE TO FINISHED GRADE, AND THE PLANNED DISCREPANCIES ENCOUNTERED SHALL BE REPORTED TO THE OWNER AND/OR ENGINEER IN ORDER TO ALLOW FOR NECESSARY ADJUSTMENTS IN THE PLANS.

THE CONTRACTOR(S) SHALL MAINTAIN ACCURATE AND LEGIBLE RECORDS OF ALL INSTALLATIONS, AND SHALL BE THE SOLE RESPONSIBLE PARTY FOR ANY ADJUSTMENTS TO RECORDS. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR THE ACCURACY OF ALL RECORDS AND SHALL BE RESPONSIBLE FOR THE ACCURACY OF THESE RECORDS AND SUBJECT TO THE APPROVAL OF THE OWNER.

# GLENCOE COM-NET #: 01-1551 GALLATIN COUNTY, KENTUCKY I-71 CINCINNATI TO LOUISVILLE

- INDEX OF DRAWINGS**
- 1 - TITLE SHEET
  - 2 - PROJECT AREA
  - 3 - PROPERTY MAP
  - 4 - SITE PLAN
  - 5 - TOWER ELEVATION & DETAILS

**UTILITY LIST**

UTILITY	CLASSIFICATION	PROPERTY OWNER
OPEN ELECTRIC COOPERATIVE	910 SOUTH MAIN STREET CINCINNATI, KY 45202	ENGINEERING DEPARTMENT (502) 572-7812
OPEN ELECTRIC COOPERATIVE	308 FRESHVY ROAD SAVYON, FL 32775	(407) 321-7277
CHICKENHAT BEL	201 EAST FOURTH ST CINCINNATI, OH 45202	LOU GERDING (613) 397-6317
CHICKENHAT BEL	201 EAST FOURTH ST CINCINNATI, OH 45202	LOU GERDING (613) 397-6317
BALMAIN ENGINEERING	7000 GERRARD AVENUE ROAD, 2E L WEST CHESTER, OH 45381	LAWRENCE L. BALMAIN, P.E., P.L.S. (613) 750-3222
GLLENCOE ENGINEERING	1000 W. 10TH ST P.O. BOX 11000 CINCINNATI, OH 45202	GLLENCOE ENGINEERING (502) 645-1000

**CON NET**  
Construction Services, Inc.  
111 St. Louis Ave.  
Cincinnati, OH 45202

**BALMAIN ENGINEERING**  
CIVIL ENGINEERING - LAND PLANNING  
LAND SURVEYING  
7700 CINCINNATI-DAYTON ROAD  
SUITE L  
WEST CHESTER, OH 45381  
PHONE (513) 755-3222  
FAX (513) 755-3776  
EMAIL LBALMAIN@ANNONCE.NET

LAWRENCE L. BALMAIN  
KENTUCKY REG. # 16004  
ENGINEER'S SEAL

LAWRENCE L. BALMAIN  
KENTUCKY REG. # 16004  
ENGINEER'S SEAL

PROJECT: GLENCOE  
COM-NET #: 01-1551  
GALLATIN COUNTY, KENTUCKY

PROJECT LOCATION:  
U.S. HWY 127  
GLENCOE, KY 41044

ISSUE DATE: 12.9.98  
PROJECT NO.: 98343  
SCALE: NO SCALE  
DRAWN: MEB  
CHECKED: LIB  
DATE: 11.23.98

DRAWING TITLE: TITLE SHEET

1 / 5



111 3rd Street, Louisville, KY 40202  
 Phone: (502) 582-1111  
 Fax: (502) 582-1112



CIVIL ENGINEERING - LAND PLANNING  
 LAND SURVEYING

7708 CINCINNATI/DANTON ROAD  
 SUITE L  
 WEST CHESTER, OHIO 45389  
 PHONE: (513) 753-3272  
 FAX: (513) 753-3778  
 EMAIL: LBAILLANT@COM-NET.COM

GENERAL NOTES

10

REV.	DESCRIPTION	DATE
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8		
9		

SURVEYOR'S SEAL

THIS DRAWING IS BASED ON A SURVEY MADE UNDER MY DIRECTION.

LAVRENCE L. BAUMANN  
 KENTUCKY LS #3362

PROJECT  
 GLENCOE  
 COMAHEIT #: 01-1551  
 GALLATIN COUNTY, KENTUCKY

PROJECT LOCATION  
 U.S. HWY. 127  
 GLENCOE, KY 41046

DRAWING TITLE

PROJECT AREA

ISSUE DATE: 12.9.98	PROJECT NO: 98343
SCALE: 1" = 200'	2
DRAWN: MEB	
CHECKED: LLB	
DATE: 11.23.98	5

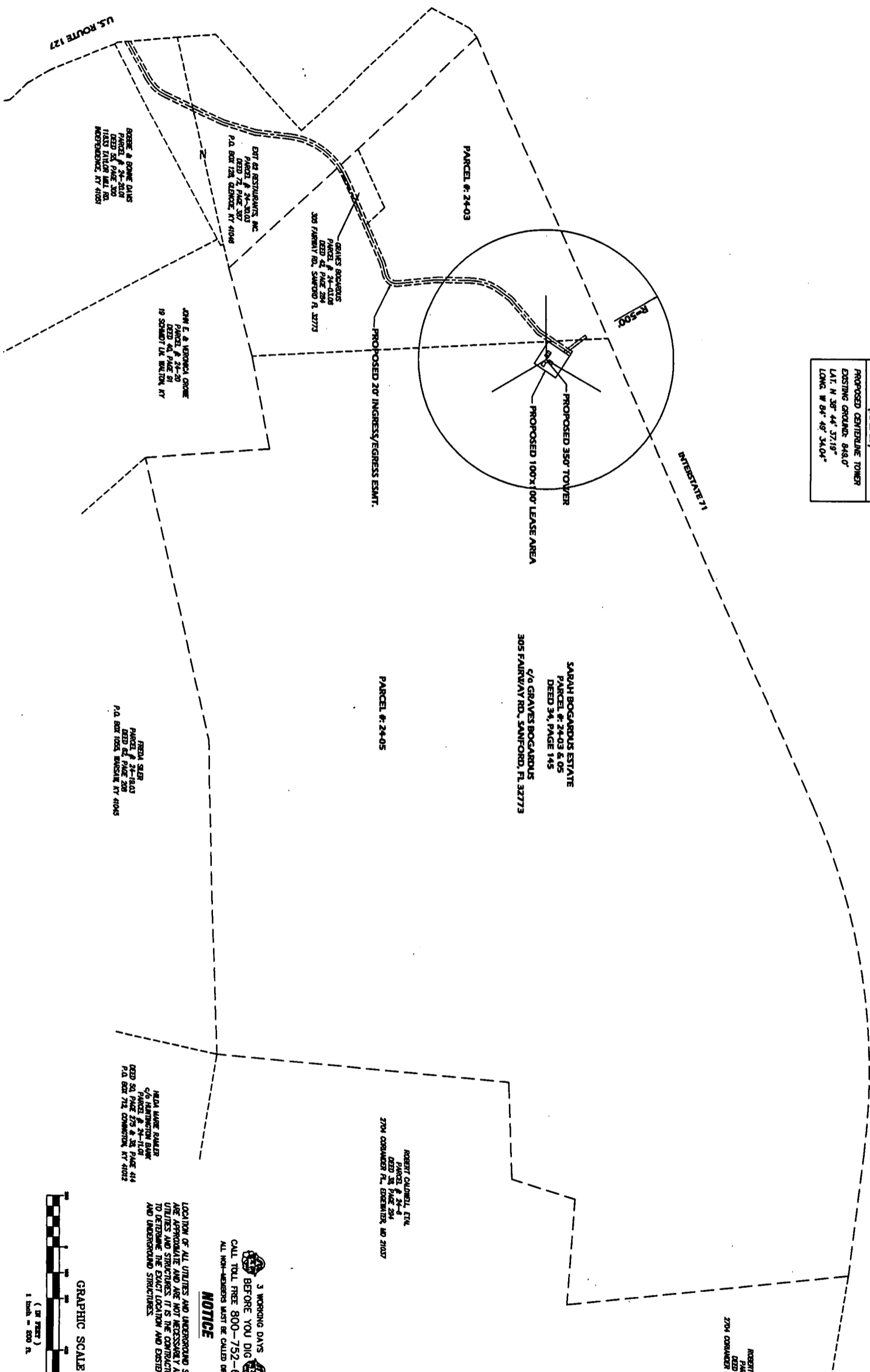
EXISTING	PROPOSED	DESCRIPTION
—	—	PROPERTY/LEASE BOUNDARY
—	—	ESSENTIALS
—	—	CONTOUR
—	—	LEGEND
—	—	ROD AND NAIL
—	—	ROD AND OLD
—	—	CALCULATED POINT
—	—	TELEPHONE & POWER POLE
—	—	BENCH MARK
—	—	EXISTING
—	—	FINISHED SPOT ELEVATION

073°30'



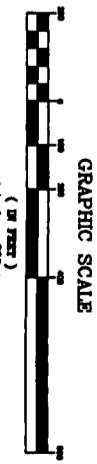
(MAD 27)

GEOGRAPHIC COORDINATES  
 (MAD 27)  
 PROPOSED CENTERLINE TOWER  
 EXISTING GROUND: 848.0'  
 LAT. N 38° 44' 37.19"  
 LONG. W 84° 48' 34.04"



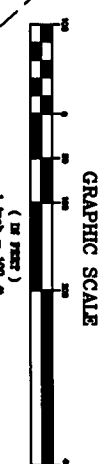
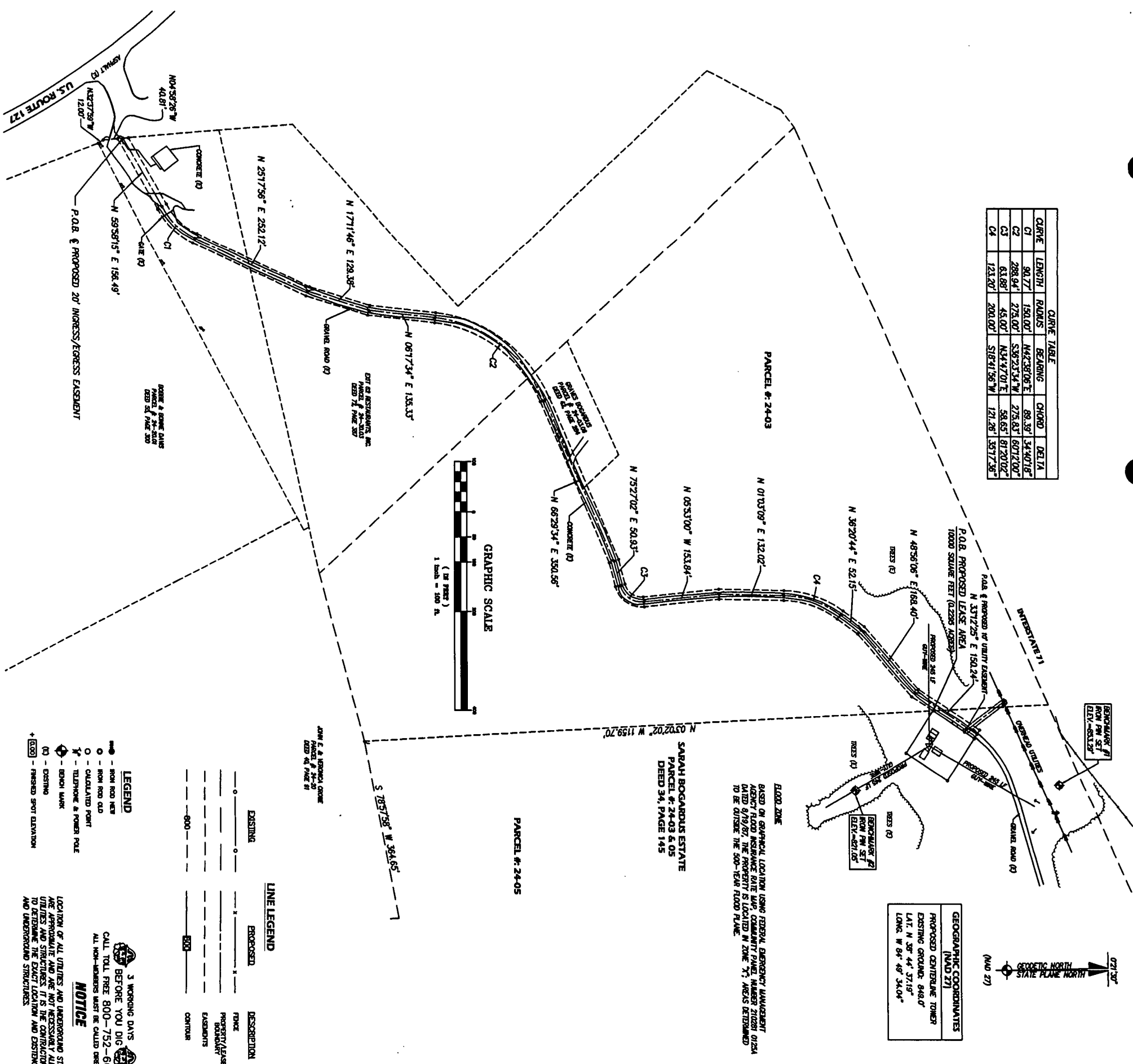
3 WORKING DAYS  
 BEFORE YOU DIG  
 CALL TOLL FREE 800-752-6007  
 ALL NON-MEMBERS MUST BE CALLED ORIENTAL.

**NOTICE**  
 LOCATION OF ALL UTILITIES AND UNDERGROUND STRUCTURES SHOWN ARE APPROXIMATE AND ARE NOT NECESSARILY ALL OF THE EXISTING UTILITIES AND STRUCTURES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION AND EXISTENCE OF ALL UTILITIES AND UNDERGROUND STRUCTURES.





CURVE	LENGTH	RADIUS	BEARING	CHORD	DELTA
C1	94.77	150.00	N42°38'06"E	69.39	34.4076°
C2	298.94	273.00	S39°23'34"W	275.83	6072.00°
C3	63.88	45.00	N34°47'01"E	58.65	8120.00°
C4	123.20	200.00	S18°41'56"W	121.26	3577.35°



**LEGEND**

- - ROW ROAD NEW
- - ROW ROAD OLD
- - CALCULATED POINT
- ⊕ - TELEPHONE & POWER POLE
- ⊕ - BENCH MARK
- ⊕ - EXISTING
- ⊕ - FINISHED SPOT ELEVATION

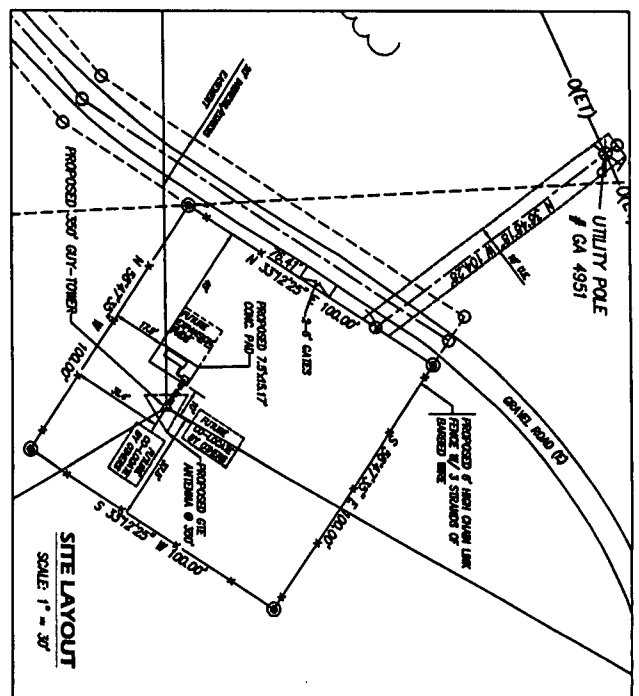
**LINE LEGEND**

EXISTING	PROPOSED	DESCRIPTION
---	---	TRAIL
---	---	PROPERTY/LEASE BOUNDARY
---	---	EASEMENTS
---	---	CONTOUR

**NOTICE**

3 WORKING DAYS BEFORE YOU DIG  
CALL TOLL FREE 800-752-6007  
ALL NON-RESIDENTS MUST BE CALLED DIRECTLY.

LOCATION OF ALL UTILITIES AND UNDERGROUND STRUCTURES SHOWN ARE APPROXIMATE AND ARE NOT NECESSARILY ALL OF THE EXISTING UTILITIES AND STRUCTURES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION AND EXISTENCE OF ALL UTILITIES AND UNDERGROUND STRUCTURES.



**LEGAL DESCRIPTION - PROPOSED LEASE AREA**

SITUATED IN GALLATIN COUNTY, STATE OF KENTUCKY, AND AS DESCRIBED IN DEED 34, PAGE 145 OF THE GALLATIN COUNTY CLERK'S OFFICE.

COMMENCING FROM THE SOUTHWEST CORNER OF A PARCEL DESCRIBED AS TRACT "A" IN SAID DEED, THENCE ALONG THE WESTERLY LINE OF SAID PARCEL IN 03-02-02 W 1159.70 FEET TO THE POINT OF BEGINNING FOR THE PROPOSED LEASE AREA;

THENCE LEAVING SAID LINE N 33-12-25 E 100.00 FEET TO A POINT;

THENCE S 56-47-35 E 100.00 FEET TO A POINT;

THENCE S 33-12-25 W 100.00 FEET TO A POINT;

THENCE N 59-47-35 W 100.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1000 SQUARE FEET (0.2286 ACRES) MORE OR LESS.

**LEGAL DESCRIPTION - CENTERLINE PROPOSED 20' INGRESS/EGRESS EASEMENT**

SITUATED IN GALLATIN COUNTY, STATE OF KENTUCKY, AND BEING PART OF PARCELS 24-01, 24-02, 24-03, AND 24-05, AS DESCRIBED BY THE PROPERTY VALUATION OFFICE OF GALLATIN COUNTY, KENTUCKY.

COMMENCING FROM THE SOUTHWEST CORNER OF PARCEL 24-03, AS DESCRIBED IN DEED 72, PAGE 307 OF THE GALLATIN COUNTY CLERK'S OFFICE, SAID POINT ALSO BEING IN THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 172, THENCE ALONG SAID RIGHT-OF-WAY LINE N 33-37-59 W 12.00 FEET TO A POINT, THENCE CONTINUING ALONG SAID LINE N 04-58-28 W 46.81 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE FOR THE PROPOSED 20' INGRESS/EGRESS EASEMENT;

THENCE LEAVING SAID RIGHT-OF-WAY LINE N 59-59-15 E 158.40 FEET TO A POINT;

THENCE ALONG A CURVE TO THE LEFT 047.77 FEET WITH A RADIUS OF 150.00 FEET, AND A LONG CHORD BEARING N 45-39-08 E 83.30 FEET TO A POINT;

THENCE N 25-17-58 E 282.12 FEET TO A POINT;

THENCE N 17-11-46 E 129.38 FEET TO A POINT;

THENCE N 08-17-34 E 135.33 FEET TO A POINT;

THENCE ALONG A CURVE TO THE RIGHT 288.94 FEET WITH A RADIUS OF 273.00 FEET, AND A LONG CHORD BEARING N 36-23-34 E 273.83 FEET TO A POINT;

THENCE N 66-29-34 E 350.58 FEET TO A POINT;

THENCE N 75-27-42 E 50.93 FEET TO A POINT;

THENCE ALONG A CURVE TO THE LEFT 63.88 FEET WITH A RADIUS OF 45.00 FEET, AND A LONG CHORD BEARING N 34-47-01 E 58.65 FEET TO A POINT;

THENCE N 05-53-00 W 153.84 FEET TO A POINT;

THENCE N 01-03-09 E 132.02 FEET TO A POINT;

THENCE ALONG A CURVE TO THE RIGHT 123.20 FEET WITH A RADIUS OF 200.00 FEET, AND A LONG CHORD BEARING N 18-41-58 E 121.26 FEET TO A POINT;

THENCE N 48-56-08 E 168.40 FEET TO A POINT;

THENCE N 33-12-25 E 150.24 FEET TO A POINT TERMINATING SAID CENTERLINE.

**LEGAL DESCRIPTION - CENTERLINE PROPOSED 10' UTILITY EASEMENT**

SITUATED IN GALLATIN COUNTY, STATE OF KENTUCKY, AND AS DESCRIBED IN DEED 34, PAGE 145 OF THE GALLATIN COUNTY CLERK'S OFFICE.

COMMENCING FROM THE SOUTHWEST CORNER OF A PARCEL DESCRIBED AS TRACT "A" IN SAID DEED, THENCE ALONG THE WESTERLY LINE OF SAID PARCEL IN 03-02-02 W 1159.70 FEET TO THE SOUTHWEST CORNER OF SAID LEASE AREA, THENCE ALONG THE NORTHERLY LINE OF SAID LEASE AREA N 33-12-25 E 76.41 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE FOR THE PROPOSED 10' UTILITY EASEMENT;

THENCE N 36-49-18 W 104.28 FEET TO A POINT TERMINATING SAID CENTERLINE.

**GEOGRAPHIC COORDINATES (NAD 27)**

PROPOSED CENTERLINE TOWER

EXISTING GROUND: 848.0'

LAT. N 38° 44' 37.19"

LONG. W 84° 49' 34.04"

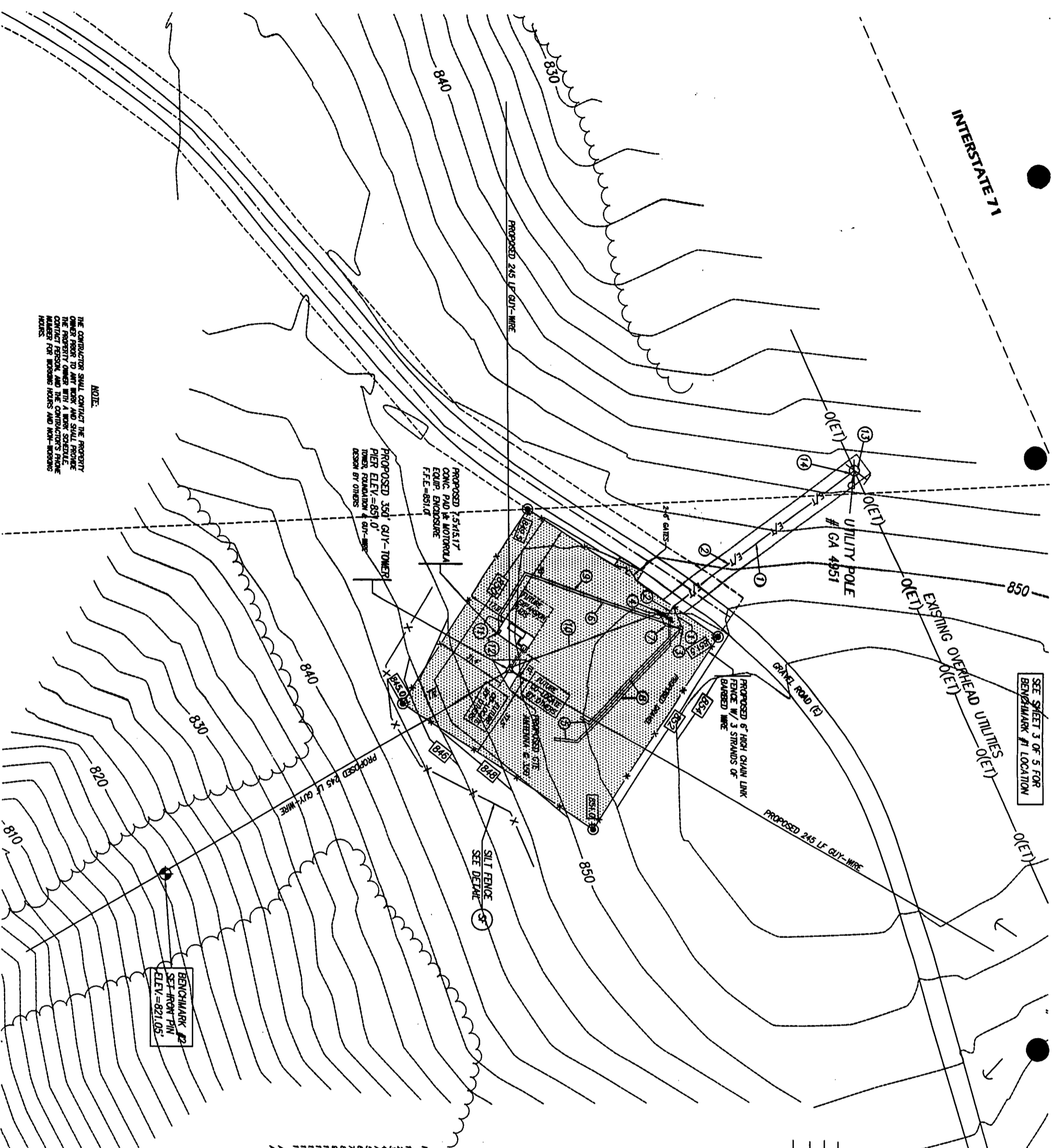
**FLOOD ZONE**

BASED ON AERIAL LOCATION USING FEDERAL EMERGENCY MANAGEMENT AGENCY 1:25000 SCALE FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 20285 DATED 8/19/87, THE PROPERTY IS LOCATED IN ZONE "X" AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLANE.

<b>BAUMANN ENGINEERING</b> CIVIL ENGINEERING - LAND PLANNING LAND SURVEYING 7708 CINCINNATI/DAVINTON ROAD WEST CHESTER, OHIO 45381 PHONE (513) 753-3222 FAX (513) 753-3276 EMAIL LBALU@BAUMANNENGINEERING.COM	
<b>GENERAL NOTES</b>	
PROJECT NO: 98343 ISSUE DATE: 12.9.98 SCALE: 1" = 100' DRAWING NO: 3 CHECKED: LIB DATE: 11.23.98	DRAWING TITLE <b>PROPERTY MAP</b>
PROJECT LOCATION U.S. HWY. 127 GLENCOE, KY 41046	PROJECT GLENCOE COMMET #1: 01-1551 GALLATIN COUNTY, KENTUCKY
SURVEYOR'S SEAL LAURENCE L. BAUMANN KENTUCKY LS #3362	THIS DRAWING IS BASED ON A SURVEY MADE UNDER MY DIRECTION.

INTERSTATE 71

SEE SHEET 3 OF 5 FOR BENCHMARK #1 LOCATION



**NOTE:**  
THE CONTRACTOR SHALL CONTACT THE PROPERTY OWNER TO VERIFY THE LOCATION AND SIZE OF ALL EXISTING UTILITIES AND STRUCTURES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION AND EXISTENCE OF ALL UTILITIES AND UNDERGROUND STRUCTURES.

BENCHMARK #2  
SET-IRON PIN  
ELEV.=821.05'

- LEGEND**
- ROAD NEW
  - ROAD OLD
  - CALCULATED POINT
  - T— TELEPHONE & POWER POLE
  - X— BENCH MARK
  - (E)— EXISTING
  - (O)— PROPOSED SPOT ELEVATION
  - (T)— FIRE HYDRANT

**LINE LEGEND**

EXISTING	PROPOSED	DESCRIPTION
—	—	FENCE
—	—	PROPERTY/LEASE BOUNDARY
—	—	UTILITIES
—	—	CONDUIT
—	—	UNDERGROUND TELEPHONE
—	—	UNDERGROUND TELE. & ELEC.

**GEOGRAPHIC COORDINATES**  
(NAD 27)  
PROPOSED CENTRELINE TOWER  
EXISTING GROUND: 848.0'  
LAT. N 38° 44' 37.19"  
LONG. W 84° 49' 34.04"

- KEY NOTES:**
- 1 - PROPOSED 4" CONDUIT WITH PULL STRING FOR TELEPHONE.
  - 2 - PROPOSED SECONDARY ELECTRIC CONDUCTOR IN 4" CONDUIT.
  - 3 - PROPOSED PULL BOX FOR TELEPHONE.
  - 4 - PROPOSED MULTI METER BOARD WITH MOUNTING FOR COW-LET TOWER LIGHTING AND ALARMING SYSTEMS.
  - 5 - PROPOSED 4" CONDUIT FOR FUTURE TELEPHONE.
  - 6 - PROPOSED 4" CONDUIT WITH PULL STRING FOR GIE WIRELESS TELEPHONE SERVICE.
  - 7 - PROPOSED 4" CONDUIT FOR FUTURE GIE WIRELESS TELEPHONE SERVICE.
  - 8 - PROPOSED 4" CONDUIT FOR FUTURE GIE WIRELESS TELEPHONE SERVICE.
  - 9 - PROPOSED 4" CONDUIT FOR FUTURE GIE WIRELESS TELEPHONE SERVICE.
  - 10 - PROPOSED 2" CONDUIT FOR TOWER LIGHTING SYSTEM.
  - 11 - PROPOSED 2" CONDUIT FOR TOWER LIGHTING SYSTEM.
  - 12 - PROPOSED 4" FIBER OPTIC CONDUIT FOR GIE WIRELESS TELEPHONE SERVICE.
  - 13 - ELECTRIC COMPANY TO ADD TRANSFORMER TO EXISTING POLE.
  - 14 - TERMINATE PROPOSED CONDUITS AT EXISTING POLE.
- ALL CONDUIT TO BE SCHEDULE 40 PVC UNLESS OTHERWISE NOTED.  
ALL EXISTING CONDUIT TO BE STUBBED UP AND CAPPED 6" ABOVE FINISH GRADE.

**NOTICE**  
LOCATION OF ALL UTILITIES AND UNDERGROUND STRUCTURES SHOWN ARE APPROXIMATE AND ARE NOT NECESSARILY ALL OF THE EXISTING UTILITIES AND STRUCTURES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION AND EXISTENCE OF ALL UTILITIES AND UNDERGROUND STRUCTURES.

3 WORKING DAYS  
BEFORE YOU DIG  
CALL TOLL FREE 800-752-6007  
ALL NON-MEMBERS MUST BE CALLED DIRECTLY.



**CON NET**  
Construction Services, Inc.  
Regional Office  
111 St. George Parkway  
Cincinnati, Ohio 45244

**BAUMANN ENGINEERING**  
CIVIL ENGINEERING - LAND PLANNING  
LAND SURVEYING  
7708 CINCINNATI-DAYTON ROAD  
WEST CHESTER, OHIO 45389  
PHONE (513) 752-8222  
FAX (513) 752-8778  
EMAIL LB@BAUMANNENGINEERING.COM

**REVISIONS**

REV.	DESCRIPTION	DATE
1		
2		
3		
4		
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**LAWRENCE L. BAUMANN**  
REGISTERED PROFESSIONAL ENGINEER  
KENTUCKY REG. # 15006

**PROJECT**  
GLENCOE  
COM-LET # 01-1551  
GALLATIN COUNTY, KENTUCKY

**PROJECT LOCATION**  
U.S. HWY. 127  
GLENCOE, KY 41046

**DRAWING TITLE**  
SITE PLAN

**ISSUE DATE:** 12.9.98  
**PROJECT NO.:** 98343  
**SCALE:** 1" = 20'  
**DRAWN:** MEB  
**CHECKED:** LIB  
**DATE:** 11.23.98

**5**

GENERAL NOTES

REV.	DESCRIPTION	DATE
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1		

ENGINEER'S SEAL

LAWRENCE L. BAUMANN  
 REGISTERED PROFESSIONAL ENGINEER  
 PROJECT NO. 98343  
 GLENCOE  
 CALL-NET # 01-1551  
 GALLATIN COUNTY, KENTUCKY

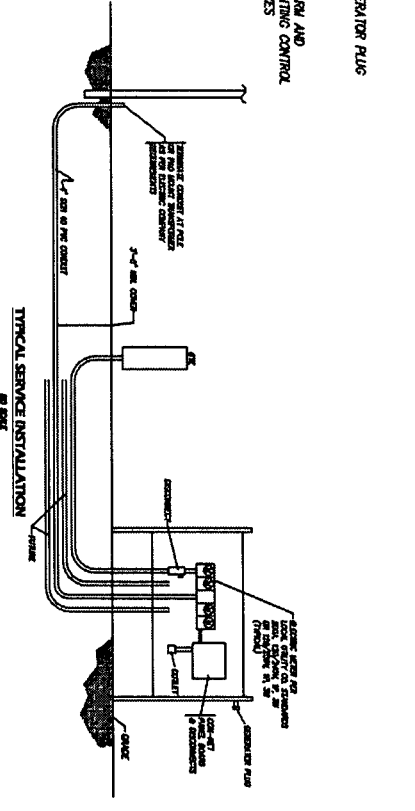
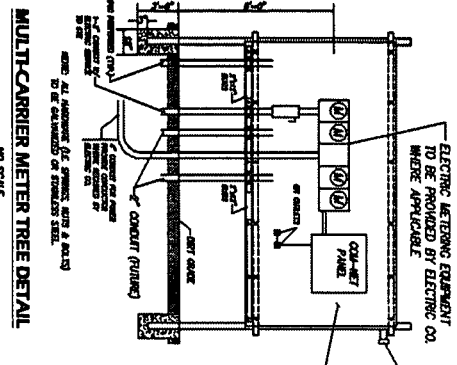
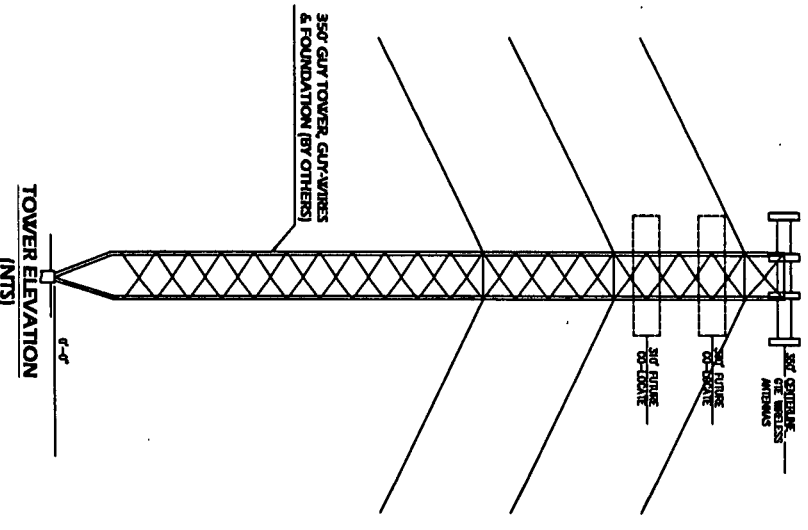
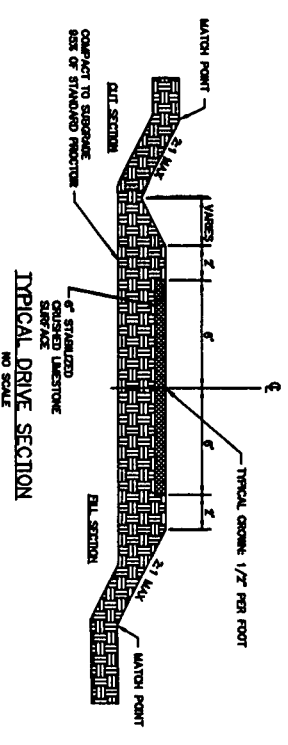
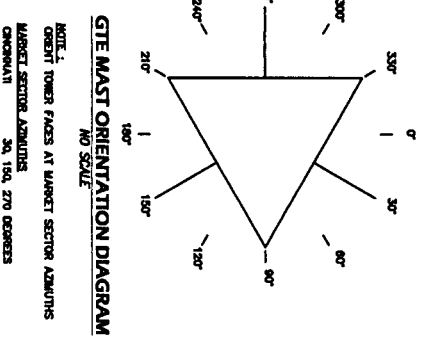
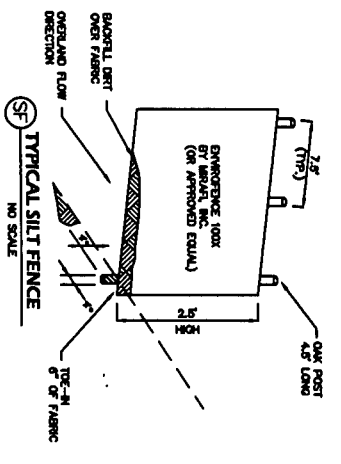
PROJECT LOCATION  
 U.S. HWY. 127  
 GLENCOE, KY 41046

ISSUE DATE: 12.9.98  
 PROJECT NO.: 98343  
 SCALE: NO SCALE  
 DRAWN: MEB  
 CHECKED: LLB  
 DATE: 11.23.98

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**5**



- GENERAL NOTES**
1. THE CONTRACTOR SHALL MAINTAIN AND INSTALL BROADCAST CONTROL DEVICES FROM TO CONSTRUCTION IN ACCORDANCE WITH THE LOCAL AGENCIES.
  2. BROADCAST CONTROL DEVICES SHALL BE MAINTAINED AND/OR REPAIRED AS NECESSARY DURING AND AFTER CONSTRUCTION UNTIL PERMANENT RESTORATION IS ESTABLISHED ON ALL DISTURBED AREAS.
  3. THE PROJECT AREA WITHIN THE CONSTRUCTION LIMITS WILL REQUIRE CLEANING AND GRASSING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL, AND DISPOSAL, AT AN APPROVED LOCATION, OF ALL BUILDERS' WASTE, EXCESS SOIL, DEBRIS, AND ALL MISCELLANEOUS ITEMS BROUGHT INTO OR BROUGHT OUT DURING THE CONSTRUCTION OF THIS PROJECT.
  4. TOWER SHALL BE SPRAYED TO A MINIMUM LENGTH OF 4' WITHIN THE FEED AREA. THE TOWER SHALL BE PROTECTED AND COVERED (WINDY CONSTRUCTION) FOLLOWING FROM GRASSING. THE TOWER SHALL BE USED TO RESTORE DISTURBED AREAS.
  5. THE CONTRACTOR SHALL GUIDE TO THE LINES SHOWN ON THE PLAN. ALL GUIDES SHALL BE PROTECTED. THE PROJECT AREA WITHIN THE FEED AREA SHALL BE CONSIDERED TO BE UNDER CONSTRUCTION AS DETERMINED BY ESTABLISHED CONSTRUCTION LIMITS. ALL CONSTRUCTION SHALL BE CONFINED TO THE PROJECT AREA AS DETERMINED BY ESTABLISHED CONSTRUCTION LIMITS.
  6. THE CONTRACTOR WILL BE REQUIRED TO STAY WITHIN THE ESTABLISHED LIMITS AND PROPERTY LINES AS SHOWN ON THE PLAN. DEVIATION AS OTHERWISE APPROVED BY THE ENGINEER.
  7. THE CONTRACTOR SHALL VERIFY MEASUREMENTS, ANGLES, AND SPACING DISTANCES FROM TO CONSTRUCTION, HORIZONTAL AND VERTICAL PROJECT REFERENCE POINTS WILL BE PROVIDED BY THE ENGINEER.
  8. FROM TO ESTABLISHED CONSTRUCTION PLACEMENT (DO NOT EXCEED 4\"/>
  9. ALL STAKES EXCEEDING A SIZE OF 1/2\"/>
  10. ALL MATERIALS AND WORK NECESSARY TO ESTABLISH A PERMANENT COVER INCLUDING WATER, FERTILIZERS, AND TOWER SHALL BE PROVIDED.
  11. THE CONTRACTOR SHALL MAINTAIN AND INSTALL WATER FACILITIES PER LOCAL ELECTRIC SERVICE COMPANY REQUIREMENTS.
  12. THIS PROJECT SHALL BE CONSIDERED IN ACCORDANCE WITH LATEST EDITION OF THE WIRELESS COMMUNICATIONS REGULATIONS FOR CELL SITE CONSTRUCTION.
  13. CONSTRUCTION SHALL BE 2 FEET.
  14. THE CONTRACTOR SHALL COORDINATE THE LOCATION AND INSTALLATION OF UTILITIES WITH APPLICABLE UTILITY COMPANIES AND THE OWNER.

**NOTE:** THE CONTRACTOR SHALL CONTACT THE PROPERTY OWNER PRIOR TO ANY WORK AND SHALL PROVIDE THE PROPERTY OWNER WITH A WORK SCHEDULE. CONTACT PERSON AND THE CONTRACTOR'S PHONE NUMBER FOR WORKING HOURS AND NON-WORKING HOURS.

**3 WORKING DAYS BEFORE YOU DIG**  
 CALL TOLL FREE 800-752-6007  
 ALL NON-WORKING DAYS MUST BE CALLED DIRECTLY.

**NOTICE**  
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B





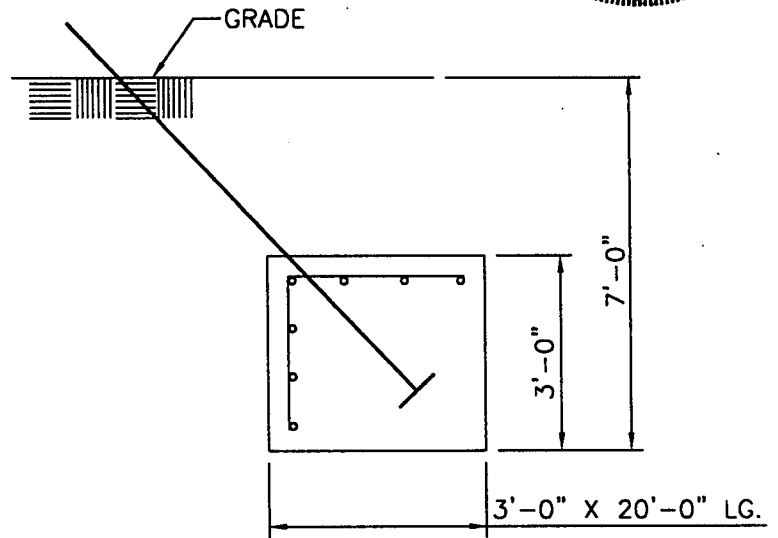
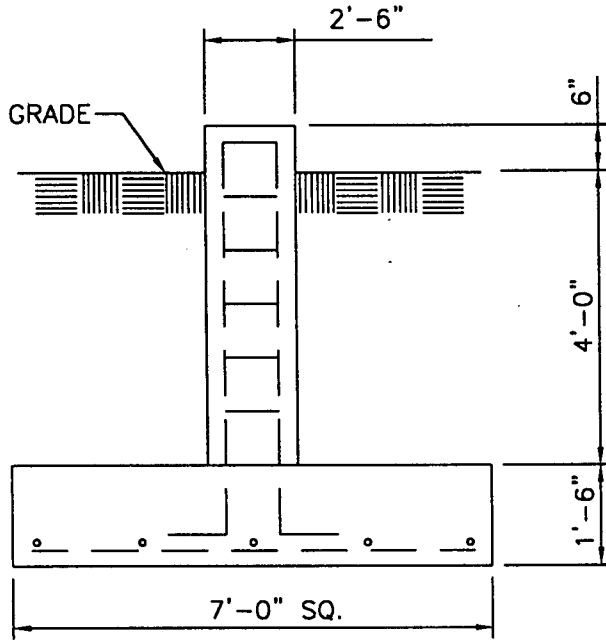
**SABRE COMMUNICATIONS CORPORATION**  
 2101 MURRAY STREET P.O. BOX 858 SIOUX CITY, IOWA 51102  
 PHONE: (712) 258-6690 FAX: (712) 258-8250

NO. SA1727-G  
 COVER PAGE 2  
 DATE 2/12/99  
 BY KJT/MLC

CUSTOMER: COM-NET CONSTRUCTION SERVICES

SITE: GLENCOE, KY

TITLE: 350 FT. MODEL 3600 SRW GUYED TOWER (36" FACE) AT  
 70 MPH WIND + 1/2" ICE PER EIA-222-F-1996.  
 ANTENNA LOADING PER PAGE 1 OF STRESS ANALYSIS.



TOWER BASE

(3.54 CU. YDS. EACH)

GUY ANCHOR

(6.67 CU. YDS. EACH)

REBAR SCHEDULE PER TOWER BASE AND GUY ANCHOR	
TOWER BASE	PIER: (6) #7 V-BARS W/ #3 TIES @ 12" C/C PAD: (8) #7 H-BARS EA. WAY EVENLY SPACED BOT ONLY
GUY ANCHOR	(7) #7 H-BARS X 19'-6" (20) #3 BENT BARS EVENLY SPACED

NOTES

- 1). CONCRETE SHALL HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 3000 PSI, IN ACCORDANCE WITH ACI 318-95.
- 2). 3" MINIMUM CONCRETE COVER.
- 3). REBARS PER ASTM A615 GR. 60.
- 4). FOUNDATION DESIGNS ARE BASED ON SOILS REPORT (JOB NO. 05910.0204) BY ATC, DATED 12/21/98

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ENGINEERING SERVICES OF OHIO L.P.

ENVIRONMENTAL, GEOTECHNICAL AND MATERIALS PROFESSIONALS

11121 Canal Road  
Cincinnati, OH 45241-1861  
(513) 771-2112  
FAX (513) 782-6908

December 21, 1998

Com-Net Construction Services, Inc.  
Attention Mr. Frank Messer  
111 Tri-County Parkway  
Cincinnati, Ohio 45246

RE: Geotechnical Investigation Report  
Tower Site 01-1551  
U.S. Route 127  
Glencoe, Kentucky  
ATC File Number: 05910.0204


Gentlemen:

In compliance with your recent request, we have completed a subsurface investigation and evaluation for the above referenced project. It is our pleasure to transmit herewith three (3) copies of our written report of the result of this investigation. This work was performed in accordance with our written proposal dated May 5, 1998, and was authorized by Ms. Laura Messer on October 13, 1998.

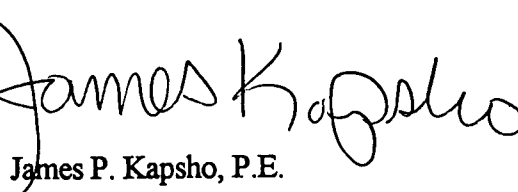
If you should have any questions regarding this site or our report, please feel free to call us at your convenience. It has been a pleasure working with you on this project.

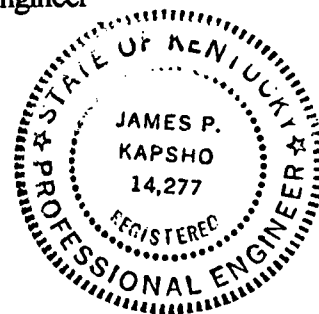
Very Truly Yours,

ATC Engineering Services of Ohio, L.P.

  
Malcolm D. Hargraves, P.E.  
Staff Engineer I

MDH/mlw

  
James P. Kapsho, P.E.  
Principal Engineer





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## **GEOTECHNICAL INVESTIGATION REPORT**

**TOWER SITE 01-1551  
U.S. ROUTE 127  
GLENCOE, KENTUCKY**

**ATC FILE NUMBER: 05910.0204**

### **1.0 INTRODUCTION**

This report presents the results of a geotechnical investigation and soils evaluation for the proposed telecommunication tower. This study was performed in response to the written proposal dated May 5, 1998 and was authorized by Ms. Laura Messer on October 13, 1998.

The purpose of this investigation was to determine the types of subsoils and bedrock present at the proposed site and to evaluate their suitability for the present tower foundation. Also, selected comments and recommendations relative to the design of the foundation and proposed construction are provided.

The scope of this investigation included a review of available geologic and soils data for the project area, a subsurface investigation consisting of six (6) standard test borings, five of which are located as shown on the attached Boring Location Plan in the Appendix, field and laboratory soil testing, and an engineering analysis and evaluation of the subsurface conditions encountered at this site.

## **2.0 PROJECT AND SITE CHARACTERISTICS**

The tower comprising this project is to be constructed on a parcel of land near the Interstate 71-U.S. Route 127 intersection roughly  $\frac{3}{4}$  mile north of Glencoe, Kentucky. The actual site is a 100 feet by 100 feet lease area approximately 2,500 northeast of a gas station and truck stop complex at the aforementioned intersection, in a grassy, open to moderately wooded field.

Present information indicates that the proposed tower is a guy supported structure about 350 feet in height. The tower is to be connected by guy wires to reinforced concrete anchor blocks at three discrete points and will presumably rest on a reinforced concrete pad. No structural loads have been provided to ATC as of the writing of this report.

## **3.0 GENERAL SUBSURFACE CONDITIONS**

Using standard rotary drill equipment, ATC made six (6) standard test borings plus rock coring for this investigation. Two of these borings, Borings 2 and 4, were originally incorrectly located in the field and replaced by Borings 2A and 4A, respectively. All of these borings with the exception of Boring 4, are shown on the attached Boring Location Plan in this report. The soil and rock samples obtained in these borings were returned to our laboratory in Cincinnati, Ohio, for the required analysis, testing and evaluation.

It should be noted that stratification lines shown on the boring logs represent approximate transitions between material types. In-situ strata changes could occur gradually or at slightly different levels. Also, it should be noted that the borings depict conditions at the particular location and times indicated. Some conditions, particularly groundwater levels, could change with time.

The subsurface profile and groundwater conditions are described in detail on the boring logs located in the Appendix to this report, but in general terms consist of the following:

### **3.1 Soil Profile**

The soil borings encountered light brown to orange-brown and trace beige silty clay with traces of root hairs and oxide stains to depths ranging from 3 to 11.5 feet below the present surface. Standard Penetration (N) values in this material generally ranged from 12 to 24 blows per foot (bpf) indicative of a stiff to very stiff soil consistency. Exceptions were noted in Borings 1, 2 and 4A, where N-values ranging from 6 to 10 bpf were recorded, indicative of medium stiff subsurface conditions.

Light olive brown/tan to olive silty clay with traces of limestone lens fragments and oxide stains was observed and sampled below about 3 to 6 feet deep and disclosed to depths ranging from 9 to 12.0 feet below the surface. Exceptions were noted in Boring 4, where the light olive brown material was not encountered and in Boring 2A, where the material was evident just below the ground surface. N-values in this material, a residual soil derived from weathering of the local bedrock, varied from 18 to greater than 60 bpf, denoting very stiff to hard subsurface conditions. The higher N-values usually occurred deeper in the soil profile where limestone lenses became more evident.

Rock coring methods were employed to advance the holes below the depth of auger refusal at Borings 1 and 2. Interbedded, weathered, soft to very soft, olive to gray shale and moderately hard to hard, light gray to white limestone was cored for a vertical distance of 10 feet. Limestone layer thicknesses in the core runs ranged from 0.5 to 5 inches and the olive shale, indicative of a higher degree of weathering, was evident in the top 24 to 25 inches of the respective core runs. A Rock Quality Designation (RQD) of 20 to 30 percent was measured in the recovered samples, reflective of a very poor to poor rock quality.

### **3.2 Groundwater Conditions**

Observations concerning groundwater were made during the drilling operations. No water was noted in the boreholes or on the drilling and sampling tools, prior to rock coring operations.

The observed groundwater level depends on normal variations in precipitation and surface runoff amounts. Fluctuations in groundwater can only be determined through observations made in cased holes, the construction of which was beyond the scope of this investigation.

## **4.0 GEOTECHNICAL CONCLUSIONS & TOWER FOUNDATION RECOMMENDATIONS**

Based upon the field and laboratory tests on the subsurface materials, the following conclusions and material parameters were developed. At present the subsurface conditions revealed at this site are considered suitable for the proposed development. If there are any subsequent changes, ATC should be allowed to review the revised plans to determine if the conclusions of this report need to be modified.

### **4.1 Tower Base Foundation**

The soil borings encountered medium stiff to stiff soils underlain by generally very stiff silty clay materials below about 3 feet deep. Field and laboratory tests of these materials indicate that a spread type foundation is feasible for the tower base foundation. Based upon this information, it is recommended that the medium stiff soils be undercut to expose stiffer soils. Once stiffer soils are exposed, the tower base foundation bearing in the stiff to very stiff silty clay soils can be designed for a maximum net allowable bearing pressure of 3,000 pounds per square foot (psf).

In using net allowable soil pressures, the weight of the footings and backfill over the footings need not be used for dimensioning. Furthermore, isolated footings should be at least 24 inches square, (or as per applicable building code requirements, whichever is larger) for protection of shear punch through the foundation soils. The above stated recommended soil bearing value should be considered an upper limit, and any values less than that listed above would be acceptable for the foundation system.

## 4.2 Guy Anchors

The guy anchors have to resist vertical and horizontal ("pull out") loadings resulting from the guy wires that will be in tension during wind events. Borings 2A, 3, and 4A, drilled at the locations of the respective anchors, revealed variable subsurface conditions. Medium stiff to stiff light brown silty clays were disclosed to about 3 feet deep at Borings 2 and 4A. These were underlain by stiff to very stiff silty soils that varied from the light brown material, similar to the upper fragments, which is a residual soil. This is in contrast to the conditions observed at Boring 2A where the stiff to hard light olive brown residual soil was evident immediately below the ground surface.

Based on this information and assuming an undrained (rapid) failure for transient loadings, a maximum allowable passive pressure of 800 psf is recommended for the light brown/beige to orange brown silty clays encountered above 3 feet deep and 1,500 psf for the very stiff silty clay soils below about 3 feet deep, for the anchors at Borings 3 and 4A. In the area of Boring 2A, an allowable passive pressure of 1,500 psf may be used above 6.0 feet deep. In all three locations, an allowable pressure of 2,000 psf may be used for depths exceeding 6.0. These allowable pressures include a factor of safety equal to 3 against lateral failure. A soil adhesion of 800 psf on the base of the block resting on very stiff silty clay below about 3 feet deep can also be utilized for sliding resistance. A reduction to 85 percent of this value should be applied to adhesion resistance on the sides of the anchor block.

Vertical forces on the anchor are primarily resisted by soil weight and the dead weight of the concrete block. This resistance force should be calculated assuming a soil unit weight of 120 pounds per cubic foot (pcf) and a concrete unit weight of 150 pcf.

#### **4.3 General Foundation Comments**

All foundation elements and anchor blocks should be placed at a minimum depth of 2.5 feet or greater below finished exterior grades for frost protection. If any soft, wet, organic or loose soil, or any old fill is encountered, the excavations should be extended downward so that the footings rest on firm soils.

All foundation bearing surfaces should be protected against freezing, the surface water and undue disturbance as the cohesive soils will tend to soften and increase settlements in such cases. If at all possible, the footing concrete should be placed the same day that the excavation takes place. If this is not feasible, proper protection of the footing excavations should be provided. All footing excavations should be inspected to assure that adequate bearing is achieved before placing concrete for the foundations.



## 5.0 FIELD AND LABORATORY INVESTIGATIONS

### 5.1 Scope

Field investigations to determine the general engineering characteristics of the foundation materials for this project included the performance of six (6) test borings with rock coring, five of which are located approximately as shown on the enclosed Boring Location Plan, and the performance of standard penetration tests on the in-situ soils. The apparent groundwater level at the boring locations were also determined.

The types of foundation materials encountered in the test borings have been visually classified by ATC engineering staff, and are described in detail on the boring logs. The results of the field penetration tests, strength tests and water level observations are present on the boring logs. Representative samples of the soils and bedrock encountered in the field were placed in sample jars or core boxes and are now stored in our laboratory for further analysis, if desired. Unless we are notified to the contrary, all samples will be disposed of 30 days from the date of this report.

### 5.2 Field Investigations

The borings were performed with a truck-mounted drilling rig equipped with a rotary head. Conventional hollow-stem augers were used to advance the holes. Representative samples of the in-situ soils and rock were obtained employing split-barrel and diamond core sampling procedures in accordance with ASTM Procedures D-1586 and D-2113.

### 5.3 Laboratory Investigations

In conjunction with the field investigations, a supplemental laboratory investigation was conducted to determine additional pertinent engineering characteristics of the subsurface materials necessary for analyzing the behavior of the foundation for the proposed structure. The laboratory testing program included supplementary visual classification tests on all samples. Hand penetrometer, moisture content and Atterberg Limits tests were made on selected samples of soil. All phases of the laboratory investigation were conducted in general accordance with applicable ASTM specifications and procedures.

## 6.0 LIMITATIONS OF STUDY

### Differing Conditions

Our recommendations for this project were developed utilizing subsurface information obtained from the test boring that was made at the proposed site. At this time we would like to point out that test boring only depicts the subsurface conditions at the specific location and time at which it was made. The subsurface conditions at other locations on the site may differ from those occurring at the boring locations. If deviations from the noted subsurface conditions are encountered during construction, they should be brought to the attention of the geotechnical engineer.

### Changes in Plans

The conclusions and recommendations herein have been based upon the available subsurface information and the preliminary design details furnished by a representative of the owner of the proposed project and/or as assumed herein. Any revision in the plans for the proposed construction from those anticipated in this report should be brought to the attention of the geotechnical engineer to determine whether any changes in the foundation or earthwork recommendations are necessary.

### Recommendations vs. Final Design

This report and the recommendations included within are not to be considered a final design, but rather as a basis for the final design to be completed by others (architect, civil or structural engineer, etc.). It is the client's responsibility to insure that the recommendations of the geotechnical engineer are properly integrated into the design, and that the geotechnical engineer is provided the opportunity for design input and comment after the submittal of this report, as needed. We recommend that this firm be retained to review the final construction documents to confirm that the proposed project design sufficiently considers our geotechnical recommendations. We also suggest that our firm be represented at pre-bid and/or pre-construction meetings regarding this project to offer any needed clarification of the geotechnical information to all involved.

### Construction Issues

Although general constructability issues have been considered in this report, the means, methods, techniques, sequences and operations of construction, safety precautions, and all items incidental thereto and consequences of, are the responsibility of parties to the project other than ATEC. This office should be contacted if additional guidance is needed in these matters.

### Report Interpretation

This company is not responsible for the conclusions, opinions, or recommendations made by others based upon the data included herein. It is the client's responsibility to seek any guidance and clarifications from the geotechnical engineer needed for proper interpretation of this report.

### Environmental Considerations

The scope of our services does not include any environmental assessment or investigation for the presence or absence of hazardous or toxic materials in the soil, groundwater, or surface water within or beyond the site studied. Any statements in this report or on the test boring logs regarding odors, staining of soils, or other unusual conditions observed are strictly for the information of our client. Unless complete environmental information regarding the site is already available, an environmental assessment is recommended prior to the development of this site.

### Standard of Care

Our professional services have been performed, our findings obtained, and our recommendations prepared in accordance with generally accepted geotechnical engineering principles and practices. This statement is made in lieu of all other warranties either express or implied.

**APPENDIX**

Boring Location Plan

Logs of Borings

Unified Soil Classification

Field Classification of System for Soil Exploration

Important Information About Your Report



CLIENT Com-Net Construction Services, Inc.  
PROJECT NAME Tower Site 01-1551  
PROJECT LOCATION U.S. Route 127  
Glencoe, Kentucky

BORING # 1  
JOB # 05910.0204  
DRAWN BY mlw  
APPROVED BY MDA

### DRILLING and SAMPLING INFORMATION

Date Started 11/3/98 Hammer Wt. 140 lbs.  
Date Completed 11/3/98 Hammer Drop 30 in.  
Drill Foreman R. Blakney Spoon Sampler OD 2 in.  
Inspector \_\_\_\_\_ Rock Core Dia. \_\_\_\_\_ in.  
Boring Method HSA Shelby Tube OD \_\_\_\_\_ in.

### TEST DATA

SOIL CLASSIFICATION	Stratum Depth	Depth Scale	Sample No.	Sample Type	Sampler Graphics Recovery Graphics	Groundwater	Standard Penetration Test, N - blows/foot	QU- <sub>tsf</sub> Unconfined Compressive Strength	PP- <sub>tsf</sub> Pocket Penetrometer	Moisture Content %	Liquid Limit (LL)	Plastic Limit (PL)	Remarks
Topsoil	0.3												
Light brown/orange-brown with trace gray SILTY CLAY with traces of root hairs and oxide stains. (CL) moist, medium stiff to stiff			1	SS			7		2.0	30.3			
			2	SS			12		2.5	27.3			
	5.5	5											
Tan/olive brown SILTY CLAY with traces of oxides and limestone lenses. (CL) [residual soil] moist, very stiff			3	SS			25			21.6			
	9.0												
Auger refusal at 9.0 feet depth.			4	SS			50/0.1						
Interbedded, very soft to soft, weathered olive to gray SHALE (58%) and moderately hard to hard, light gray to white LIMESTONE (42%).			5	RC									
RQD = 20% - Very Poor Rock Quality													
-Olive shale evident in to 2 feet of core run.													
-Limestone thickness 0.5" to 5".		15											
	20.0	20											
Boring discontinued at 20.0 feet depth.													

#### Sample Type

SS - Driven Split Spoon  
ST - Pressed Shelby Tube  
CA - Continuous Flight Auger  
RC - Rock Core  
CU - Cuttings  
CT - Continuous Tube

#### Depth to Groundwater

● Noted on Drilling Tools \_\_\_\_\_ ft.  
⊕ At Completion (in augers) \_\_\_\_\_ ft.  
⊗ At Completion (open hole) \_\_\_\_\_ ft.  
∇ After \_\_\_\_\_ hours \_\_\_\_\_ ft.  
∇ After \_\_\_\_\_ hours \_\_\_\_\_ ft.  
⊠ Cave Depth \_\_\_\_\_ ft.

#### Boring Method

HSA - Hollow Stem Augers  
CFA - Continuous Flight Augers  
DC - Driving Casing  
MD - Mud Drilling

CLIENT Com-Net Construction Services, Inc.  
 PROJECT NAME Tower Site 01-1551  
 PROJECT LOCATION U.S. Route 127  
Glencoe, Kentucky

BORING # 2  
 JOB # 05910.0204  
 DRAWN BY mlw  
 APPROVED BY MDH

### DRILLING and SAMPLING INFORMATION

Date Started 11/3/98 Hammer Wt. 140 lbs.  
 Date Completed 11/3/98 Hammer Drop 30 in.  
 Drill Foreman R. Blakney Spoon Sampler OD 2 in.  
 Inspector \_\_\_\_\_ Rock Core Dia. \_\_\_\_\_ in.  
 Boring Method HSA Shelby Tube OD \_\_\_\_\_ in.

### TEST DATA

SOIL CLASSIFICATION	Stratum Depth	Depth Scale	Sample No.	Sample Type	Sampler Graphics Recovery Graphics	Groundwater	Standard Penetration Test, N - blows/foot	Qu-tsif Unconfined Compressive Strength	PP-tsif Pocket Penetrometer	Moisture Content %	Liquid Limit (LL)	Plastic Limit (PL)	Remarks
Light brown/beige SILTY CLAY with traces of root hairs and oxides. (CL) moist, medium stiff			1	SS			10		2.5	20.8	41	22	
Light olive brown/tan SILTY CLAY with traces of limestone lens fragments. (CL) [residual soil] moist, very stiff	3.0		2	SS			21			18.7			
		5	3	SS			29		3.0	14.3			
Olive brown SILTY CLAY with traces of limestone lens fragments. (CL) [residual soil] moist, hard	8.0		4	SS			67/0.9'			6.6			
		10	5	RC									
Auger refusal at 11.0' Interbedded, weathered to very weathered, very soft to soft, olive to gray SHALE (50%) and hard, light gray to white, LIMESTONE (50%). RQD = 30% - Poor Rock Quality -Limestone thicknesses 1" to 4" -olive shale in top 25" of core run.	11.0												
		15											
		20											
Boring discontinued at 21.0 feet depth.	21.0												

#### Sample Type

SS - Driven Split Spoon  
 ST - Pressed Shelby Tube  
 CA - Continuous Flight Auger  
 RC - Rock Core  
 CU - Cuttings  
 CT - Continuous Tube

#### Depth to Groundwater

● Noted on Drilling Tools \_\_\_\_\_ ft.  
 ⊕ At Completion (in augers) \_\_\_\_\_ ft.  
 ⊕ At Completion (open hole) \_\_\_\_\_ ft.  
 ∇ After \_\_\_\_\_ hours \_\_\_\_\_ ft.  
 ∇ After \_\_\_\_\_ hours \_\_\_\_\_ ft.  
 ⊠ Cave Depth \_\_\_\_\_ ft.

#### Boring Method

HSA - Hollow Stem Augers  
 CFA - Continuous Flight Augers  
 DC - Driving Casing  
 MD - Mud Drilling

CLIENT Com-Net Construction Services, Inc.  
PROJECT NAME Tower Site 01-1551  
PROJECT LOCATION U.S. Route 127  
Glencoe, Kentucky

BORING # 2A  
JOB # 05910.0204  
DRAWN BY mlw  
APPROVED BY MDH

**DRILLING and SAMPLING INFORMATION**

Date Started 12/5/98 Hammer Wt. 140 lbs.  
Date Completed 12/5/98 Hammer Drop 30 in.  
Drill Foreman D. Fisher Spoon Sampler OD 2 in.  
Inspector \_\_\_\_\_ Rock Core Dia. \_\_\_\_\_ in.  
Boring Method HSA Shelby Tube OD \_\_\_\_\_ in.

**TEST DATA**

SOIL CLASSIFICATION	Stratum Depth	Depth Scale	Sample No.	Sample Type	Sampler Graphics Recovery Graphics	Groundwater	Standard Penetration Test, N - blows/foot	Qu-tst Unconfined Compressive Strength	PP-tst Pocket Penetrometer	Moisture Content %	Liquid Limit (LL)	Plastic Limit (PL)	Remarks
Topsoil	0.2												
Light olive brown/tan SILTY CLAY with traces of rock fragments. (CL) [residual soil] moist, very stiff			1	SS			18		2.0	16.4			
—mostly limestone lens fragments noted in Sample 2.			2	SS			50/0.5'						
	6.0												
Brown to olive brown and trace gray SILTY CLAY with traces of small rock fragments and oxide stains. (CL) [residual soil] slightly moist, hard			3	SS			38		3.0	18.8			
—laminated structure noted in Sample 4.			4	SS			38		4.0	13.0			
	12.0												
Soft, gray weathered SHALE.													
	14.0												
Boring discontinued at 14.0 feet depth due to Auger Refusal.			5	SS			50/0.0'						

**Sample Type**

- SS - Driven Split Spoon
- ST - Pressed Shelby Tube
- CA - Continuous Flight Auger
- RC - Rock Core
- CU - Cuttings
- CT - Continuous Tube

**Depth to Groundwater**

- ☉ Noted on Drilling Tools Dry ft.
- ⊕ At Completion (in augers) \_\_\_\_\_ ft.
- ⊗ At Completion (open hole) \_\_\_\_\_ ft.
- ⚡ After \_\_\_\_\_ hours \_\_\_\_\_ ft.
- ⚡ After \_\_\_\_\_ hours \_\_\_\_\_ ft.
- ⚡ Cave Depth \_\_\_\_\_ ft.

**Boring Method**

- HSA - Hollow Stem Augers
- CFA - Continuous Flight Augers
- DC - Driving Casing
- MD - Mud Drilling



CLIENT Com-Net Construction Services, Inc.  
PROJECT NAME Tower Site 01-1551  
PROJECT LOCATION U.S. Route 127  
Glencoe, Kentucky

BORING # 3  
JOB # 05910.0204  
DRAWN BY mlw  
APPROVED BY MDH

### DRILLING and SAMPLING INFORMATION

Date Started 11/3/98 Hammer Wt. 140 lbs.  
Date Completed 11/3/98 Hammer Drop 30 in.  
Drill Foreman R. Blakney Spoon Sampler OD 2 in.  
Inspector \_\_\_\_\_ Rock Core Dia. \_\_\_\_\_ in.  
Boring Method HSA Shelby Tube OD \_\_\_\_\_ in.

### TEST DATA

SOIL CLASSIFICATION	Stratum Depth	Depth Scale	Sample No.	Sample Type	Sampler Graphics Recovery Graphics	Groundwater	Standard Penetration Test, N - blows/foot	Qu- <sub>tsf</sub> Unconfined Compressive Strength	PP- <sub>tsf</sub> Pocket Penetrometer	Moisture Content %	Liquid Limit (LL)	Plastic Limit (PL)	Remarks
Topsoil	0.3												
Light brown/orange-brown SILTY CLAY with traces of oxide stains and root hairs. (CL) moist, stiff to very stiff			1	SS			13		3.5	21.3			
			2	SS			20		3.5	37.2			
	5												
Light olive brown/tan SILTY CLAY with traces of limestone lens fragments and oxide stains. (CL) [residual soil] moist, very stiff	6.0		3	SS			20		4.0	4.8			
	8.0		4	SS			46		3.0	6.7			
Olive brown SILTY CLAY with traces of limestone lens fragments. (CL) [residual soil] moist, hard													
	10												
	11.5												
Boring discontinued at 11.5 feet depth.													

#### Sample Type

SS - Driven Split Spoon  
ST - Pressed Shelby Tube  
CA - Continuous Flight Auger  
RC - Rock Core  
CU - Cuttings  
CT - Continuous Tube

#### Depth to Groundwater

☉ Noted on Drilling Tools \_\_\_\_\_ ft.  
⊕ At Completion (in augers) \_\_\_\_\_ ft.  
⊕ At Completion (open hole) \_\_\_\_\_ ft.  
⏴ After \_\_\_\_\_ hours \_\_\_\_\_ ft.  
⏴ After \_\_\_\_\_ hours \_\_\_\_\_ ft.  
⊠ Cave Depth 6.0 ft.

#### Boring Method

HSA - Hollow Stem Augers  
CFA - Continuous Flight Augers  
DC - Driving Casing  
MD - Mud Drilling

CLIENT Com-Net Construction Services, Inc.  
 PROJECT NAME Tower Site 01-1551  
 PROJECT LOCATION U.S. Route 127  
Glencoe, Kentucky

BORING # 4  
 JOB # 05910.0204  
 DRAWN BY mlw  
 APPROVED BY MDH

**DRILLING and SAMPLING INFORMATION**

Date Started 11/3/98 Hammer Wt. 140 lbs.  
 Date Completed 11/3/98 Hammer Drop 30 in.  
 Drill Foreman R. Blakney Spoon Sampler OD 2 in.  
 Inspector \_\_\_\_\_ Rock Core Dia. \_\_\_\_\_ in.  
 Boring Method HSA Shelby Tube OD \_\_\_\_\_ in.

**TEST DATA**

SOIL CLASSIFICATION	Stratum Depth	Depth Scale	Sample No.	Sample Type	Sampler Graphics Recovery Graphics	Groundwater	Standard Penetration Test, N - blows/foot	Qu- <u>tsf</u> Unconfined Compressive Strength	PP- <u>tsf</u> Pocket Penetrometer	Moisture Content %	Liquid Limit (LL)	Plastic Limit (PL)	Remarks
SURFACE ELEVATION													
Light brown/orange-brown SILTY CLAY with traces of oxide stains and fine sand. (CL) moist, stiff to very stiff			1	SS			15		2.0	15.3			
			2	SS			24		3.0	24.7			
		5	3	SS			20		1.5	24.0			
			4	SS			17		2.5	42.1			
	10												
	11.5												
Boring discontinued at 11.5 feet depth due to auger refusal.													

**Sample Type**

- SS - Driven Split Spoon
- ST - Pressed Shelby Tube
- CA - Continuous Flight Auger
- RC - Rock Core
- CU - Cuttings
- CT - Continuous Tube

**Depth to Groundwater**

- Noted on Drilling Tools \_\_\_\_\_ ft.
- ⊕ At Completion (in augers) \_\_\_\_\_ ft.
- ⊕ At Completion (open hole) \_\_\_\_\_ ft.
- ∇ After \_\_\_\_\_ hours \_\_\_\_\_ ft.
- ∇ After \_\_\_\_\_ hours \_\_\_\_\_ ft.
- ⊕ Cave Depth 6.0 ft.

**Boring Method**

- HSA - Hollow Stem Augers
- CFA - Continuous Flight Augers
- DC - Driving Casing
- MD - Mud Drilling

CLIENT Com-Net Construction Services, Inc.  
PROJECT NAME Tower Site 01-1551  
PROJECT LOCATION U.S. Route 127  
Glencoe, Kentucky

BORING # 4A  
JOB # 05910.0204  
DRAWN BY mlw  
APPROVED BY MDH

**DRILLING and SAMPLING INFORMATION**

Date Started 12/5/98 Hammer Wt. 140 lbs.  
Date Completed 12/5/98 Hammer Drop 30 in.  
Drill Foreman D. Fisher Spoon Sampler OD 2 in.  
Inspector \_\_\_\_\_ Rock Core Dia. \_\_\_\_\_ in.  
Boring Method HSA Shelby Tube OD \_\_\_\_\_ in.

**TEST DATA**

SOIL CLASSIFICATION	Stratum Depth	Depth Scale	Sample No.	Sample Type	Sampler Graphics Recovery Graphics	Groundwater	Standard Penetration Test, N - blows/foot	Qu-1sf Unconfined Compressive Strength	PP-1sf Pocket Penetrometer	Moisture Content %	Liquid Limit (LL)	Plastic Limit (PL)	Remarks
Topsoil	0.2												
Light brown SILTY CLAY with traces of oxide stains and fine sand. (CL) moist, medium stiff	3.0		1	SS			6		2.5	29.6			
Light olive brown/tan SILTY CLAY with traces of root hairs and rock fragments. (CL) [residual soil] moist, stiff	5.5		2	SS			14		3.0	27.4			
Olive brown with trace light orange-brown SILTY CLAY with traces of limestone lens fragments. (CL) [residual soil] moist, hard	7.5		3	SS			50/0.4'		2.5	14.3			
Boring discontinued at 7.5 feet depth due to Auger Refusal.													

**Sample Type**

- SS - Driven Split Spoon
- ST - Pressed Shelby Tube
- CA - Continuous Flight Auger
- RC - Rock Core
- CU - Cuttings
- CT - Continuous Tube

**Depth to Groundwater**

- ☉ Noted on Drilling Tools \_\_\_\_\_ ft.
- ⊕ At Completion (in augers) \_\_\_\_\_ ft.
- ⊕ At Completion (open hole) \_\_\_\_\_ ft.
- ⌚ After \_\_\_\_\_ hours \_\_\_\_\_ ft.
- ⌚ After \_\_\_\_\_ hours \_\_\_\_\_ ft.
- ⊠ Cave Depth \_\_\_\_\_ ft.

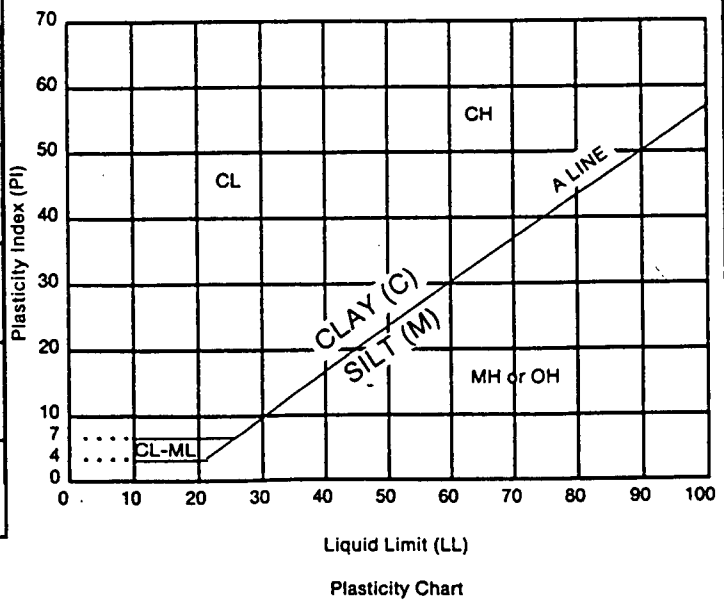
**Boring Method**

- HSA - Hollow Stem Augers
- CFA - Continuous Flight Augers
- DC - Driving Casing
- MD - Mud Drilling

# Unified Soil Classification System

Major Divisions		Group Symbol	Typical Names	Laboratory Classifications Criteria		
<b>COARSE GRAINED SOILS</b> (More than half of material is larger than No. 200 sieve)	<b>Gravels</b> (More than half of coarse fraction is larger than No. 4 sieve)	Clean gravels	GW	Well graded gravels, gravel-sand mixtures, little or no fines.	$C_u = \frac{D_{60}}{D_{10}} > 4 : 1$ $C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}} < 3$	
		Gravels with fines	GP	Poorly graded gravels, gravel-sand mixtures, little or no fines		Not meeting all gradation requirements for GW
		Gravels with fines	GM	Silty gravels, gravel-sand-silt mixtures	Atterberg limits below "A" line or P.I. less than 4	Above "A" line with P.I. between 4 and 7 are borderline cases requiring use of dual symbols
			GC	Clayey gravels, gravel-sand-clay mixtures		
	<b>Sands</b> (More than half of coarse fraction is smaller than No. 4 sieve)	Clean sands	SW	Well graded sands, gravelly sands, little or no fines	$C_u = \frac{D_{60}}{D_{10}} > 6 : 1$ $C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}} < 3$	
			SP	Poorly graded sands, gravelly sands, little or no fines		Not meeting all gradation requirements for SW
		Sands with fines	SM	Silty sands, sand-silt mixtures	Atterberg limits below "A" line or P.I. less than 4	Limits plotting in hatched zone with P.I. between 4 and 7 are borderline cases requiring the use of dual symbols
			SC	Clayey sands, sand-clay mixtures	Atterberg limits above "A" line with P.I. greater than 7	
					Determine percentages of sand and gravel from grain size curve. Depending on percentage of fines (fraction smaller than No. 200 sieve size), coarse grained soils, are classified as follows: Less than 5% ..... GW, GP, SW, SP More than 12% ..... GM, GC, SM, SC 5 to 12% ..... Borderline cases requiring dual symbols	

FINE GRAINED SOILS		Group Symbol	Typical Names	Laboratory Classifications Criteria
(More than half of material is smaller than No. 200 sieve)	Silts and Clays (LL less than 50)	ML	Inorganic silts, very fine sands, rock flour, silty or clayey fine sands or clayey silts with slight plasticity	1. Plot intersection of PI and LL as determined from Atterberg Limits tests. 2. Points plotted above A line indicate clay soils, those below the A line indicate silt.
		CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays	
		OL	Organic silts and organic silty clays of low plasticity	
	Silts and Clays (LL greater than 50)	MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts	
		CH	Inorganic clays of high plasticity, fat clays	
		OH	Organic clays of medium to high plasticity, organic silts	
Highly Organic Soil	Pt	Peat or other highly organic soils		



Unified Soil Classification System  
 ASTM Designation D - 2487

# FIELD CLASSIFICATION SYSTEM FOR SOIL EXPLORATION

## NON COHESIVE SOILS (Silt, Sand, Gravel and Combinations)

### Density

Very Loose	- 5 blows/ft. or less
Loose	- 6 to 10 blows/ft.
Medium Dense	-11 to 30 blows/ft.
Dense	-31 to 50 blows/ft.
Very Dense	-51 blows/ft. or more

### Particle Size Identification

Boulders	-8 inch diameter or more
Cobbles	-3 to 8 inch diameter
Gravel	-Coarse -1 to 3 inch
	Medium -½ to 1 inch
	Fine -¼ to ½ inch
Sand	-Coarse 2.00mm to ¼ inch (dia. of pencil lead)
	Medium 0.42 to 2.00mm (dia. of broom straw)
	Fine 0.074 to 0.42mm (Dia. of human hair)
Silt	0.074 to 0.002mm (Cannot see particles)

### Relative Proportions

Descriptive Term	Percent
Trace	1 -10
Little	11-20
Some	21-35
And	36-50

## COHESIVE SOILS (Clay, Silt and Combinations)

### Consistency

Very Soft	- 3 blows/ft. or less
Soft	- 4 to 5 blows/ft.
Medium Stiff	- 6 to 10 blows/ft.
Stiff	-11 to 15 blows/ft.
Very Stiff	-16 to 30 blows/ft.
Hard	-31 blows/ft. or more

### Plasticity

Degree of Plasticity	Plasticity Index
None to slight	0- 4
Slight	5- 7
Medium	8-22
High to Very High	over 22

Classification on logs are made by visual inspection of samples.

**Standard Penetration Test**—Driving a 2.0" O.D., 1-¾" I.D., sampler a distance of 1.0 foot into undisturbed soil with a 140 pound hammer free falling a distance of 30.0 inches. It is customary for ATEC to drive the spoon 6.0 inches to seat into undisturbed soil, then perform the test. The number of hammer blows for seating the spoon and making the test are recorded for each 6.0 inches of penetration (Example—6/8/9). The standard penetration test result can be obtained by adding the last two figures (i.e. 8 + 9 = 17 blows/ft.). (ASTM D-1586-67)

**Strata Changes** — In the Column "Soil Descriptions" on the drill log the horizontal lines represent strata changes. A solid line ( \_\_\_\_\_ ) represents an actually observed change a dashed line ( - - - - - ) represents an estimated change.

**Ground Water** observations were made at the times indicated. Porosity of soil strata, weather conditions, site topography, etc., may cause changes in the water levels indicated on the logs.



ENVIRONMENTAL, GEOTECHNICAL AND MATERIALS PROFESSIONALS

# IMPORTANT INFORMATION ABOUT YOUR GEOTECHNICAL ENGINEERING REPORT

As the client of a consulting geotechnical engineer, you should know that site subsurface conditions cause more construction problems than any other factor. ASFE/The Association of Engineering Firms Practicing in the Geosciences offers the following suggestions and observations to help you manage your risks.

## **A GEOTECHNICAL ENGINEERING REPORT IS BASED ON A UNIQUE SET OF PROJECT-SPECIFIC FACTORS**

Your geotechnical engineering report is based on a subsurface exploration plan designed to consider a unique set of project-specific factors. These factors typically include: the general nature of the structure involved, its size, and configuration; the location of the structure on the site; other improvements, such as access roads, parking lots, and underground utilities; and the additional risk created by scope-of-service limitations imposed by the client. To help avoid costly problems, ask your geotechnical engineer to evaluate how factors that change subsequent to the date of the report may affect the report's recommendations.

Unless your geotechnical engineer indicates otherwise, do not use your geotechnical engineering report:

- when the nature of the proposed structure is changed, for example, if an office building will be erected instead of a parking garage, or a refrigerated warehouse will be built instead of an unrefrigerated one;
- when the size, elevation, or configuration of the proposed structure is altered;
- when the location or orientation of the proposed structure is modified;
- when there is a change of ownership; or
- for application to an adjacent site.

Geotechnical engineers cannot accept responsibility for problems that may occur if they are not consulted after factors considered in their report's development have changed.

## **SUBSURFACE CONDITIONS CAN CHANGE**

A geotechnical engineering report is based on conditions that existed at the time of subsurface exploration. Do not base construction decisions on a geotechnical engineering report whose adequacy may have been affected by time. Speak with your geotechnical consultant to learn if additional tests are advisable before construction starts. Note, too, that additional tests may be required when subsurface conditions are affected by construction operations at or adjacent to the site, or by natural events such as floods, earthquakes, or ground water fluctuations. Keep your geotechnical consultant apprised of any such events.

## **MOST GEOTECHNICAL FINDINGS ARE PROFESSIONAL JUDGMENTS**

Site exploration identifies actual subsurface conditions only at those points where samples are taken. The data were extrapolated by your geotechnical engineer who then applied judgment to render an opinion about overall subsurface conditions. The actual interface between materials may be far more gradual or abrupt than your report indicates. Actual conditions in areas not sampled may differ from those predicted in your report. While nothing can be done to prevent such situations, you and your geotechnical engineer can work together to help minimize their impact. Retaining your geotechnical engineer to observe construction can be particularly beneficial in this respect.

## **A REPORT'S RECOMMENDATIONS CAN ONLY BE PRELIMINARY**

The construction recommendations included in your geotechnical engineer's report are preliminary, because they must be based on the assumption that conditions revealed through selective exploratory sampling are indicative of actual conditions throughout a site. Because actual subsurface conditions can be discerned only during earthwork, you should retain your geotechnical engineer to observe actual conditions and to finalize recommendations. Only the geotechnical engineer who prepared the report is fully familiar with the background information needed to determine whether or not the report's recommendations are valid and whether or not the contractor is abiding by applicable recommendations. The geotechnical engineer who developed your report cannot assume responsibility or liability for the adequacy of the report's recommendations if another party is retained to observe construction.

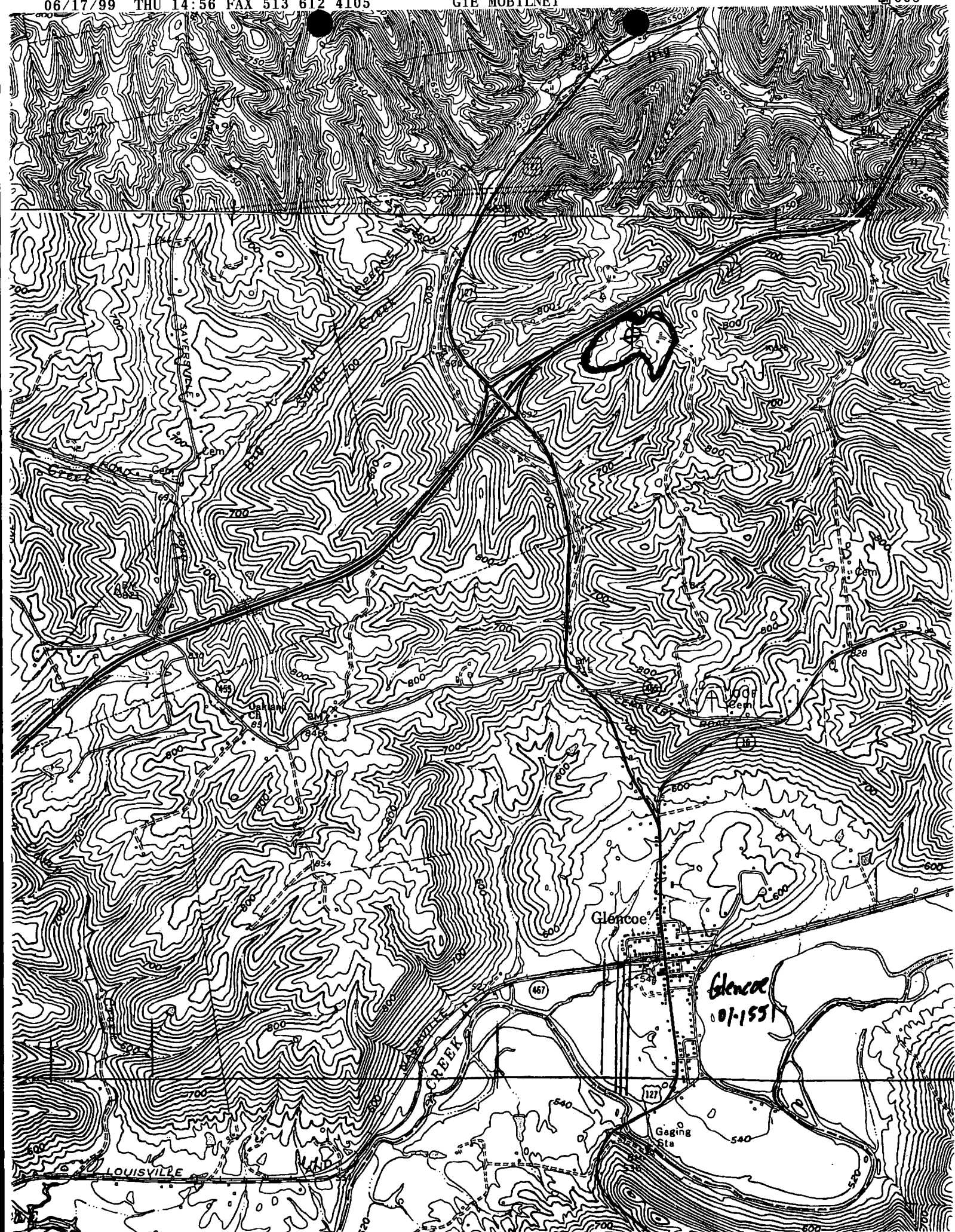
## **GEOTECHNICAL SERVICES ARE PERFORMED FOR SPECIFIC PURPOSES AND PERSONS**

Consulting geotechnical engineers prepare reports to meet the specific needs of specific individuals. A report prepared for a civil engineer may not be adequate for a construction contractor or even another civil engineer. Unless indicated otherwise, your geotechnical engineer prepared your report expressly for you and expressly for purposes you indicated. No one other than you should apply this report for its intended purpose without first conferring with the geotechnical engineer. No party should apply this report for any purpose other than that originally contemplated without first conferring with the geotechnical engineer.

## **GEOENVIRONMENTAL CONCERNS ARE NOT AT ISSUE**

Your geotechnical engineering report is not likely to relate any findings, conclusions, or recommendations





LOUISVILLE

CREEK

Glencoe

Glencoe  
001-1551

Gaging  
Sta

(467)

(127)

Oakland  
Ch

Cem





Glencoe 01-1551

Federal Aviation Administration  
Southern Region  
Air Traffic Division, ASO-520  
P. O. Box 20636  
Atlanta, GA 30320

2

ACKNOWLEDGEMENT OF NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

CITY	STATE	LATITUDE/LONGITUDE		MSL	AGL	AMSL
GLENCOE	KY	38-44-37.42	084-49-33.85	849	380	1229

COM-NET CONSTRUCTION  
KELLY VAUGHN  
111 TRI-COUNTY PARKWAY  
SPRINGDALE, OH 45246

AERONAUTICAL STUDY  
No: 98-ASO-7436-OE

Type Structure: ANTENNA TOWER 1951.2 MHz 1600 WATTS

The Federal Aviation Administration hereby acknowledges receipt of notice dated 11/23/98 concerning the proposed construction or alteration contained herein.

A study has been conducted under the provisions of Part 77 of the Federal Aviation Regulations to determine whether the proposed construction would be an obstruction to air navigation, whether it should be marked and lighted to enhance safety in air navigation, and whether supplemental notice of start and completion of construction is required to permit timely charting and notification to airmen. The findings of that study are as follows:

The proposed construction would not exceed FAA obstruction standards and would not be a hazard to air navigation. However, the following applies to the construction proposed:

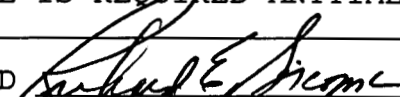
The structure should be obstruction marked and lighted per FAA Advisory Circular AC 70/7460-1J, 'Obstruction Marking and Lighting. CHAPTERS: -3 -4 -5 -6 -7 Dual: Medium Intensity -8 -9 -10 -11 -12 -13. White & Red

Supplemental notice is required ~~at least 10 days before the start of construction~~ and within five days after construction reaches its greatest height (use the enclosed FAA form).

This determination expires on 06/18/99 unless application is made, (if subject to the licensing authority of the Federal Communications Commission), to the FCC before that date, or it is otherwise extended, revised or terminated.

If the structure is subject to the licensing authority of the FCC, a copy of this acknowledgement will be sent to that agency.

NOTICE IS REQUIRED ANYTIME THE PROJECT IS ABANDONED OR THE PROPOSAL IS MODIFIED

SIGNED  Specialist, Airspace Branch.  
Mary Z. Mc Burney (404) 305-5585-~~SD3~~  
ISSUED IN: College Park, Georgia ON 12/17/98

F



Kentucky Airport Zoning Commission  
125 Holmes Street  
Frankfort, KY 40622

Glencoe 01-1551  
(502) 564-4480

fax: (502) 564-7953

No.: AS-039-CVG-98-280  
*Construction*

Glencoe 01-15510

January 27, 1999

APPROVAL OF APPLICATION

APPLICANT:  
COM-NET CONSTRUCTION  
111 TRI-COUNTY PARKWAY  
Springdale, OH 45246

SUBJECT: AS-039-CVG-98-280

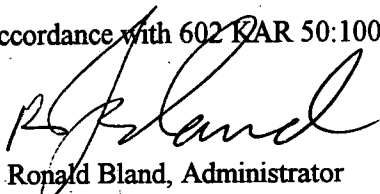
STRUCTURE: Antenna Tower  
LOCATION: Glencoe, KY  
COORDINATES: 38°44'37.0"N / 84°49'34.0"W  
HEIGHT: 380' AGL/1,229' AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct (380' AGL/1,229' AMSL) Antenna Tower near Glencoe, KY 38°44'37"N, 84°49'34"W.

This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit.

A copy of the approved application is enclosed for your files.

Dual obstruction lighting is required in accordance with 602 KAR 50:100..

  
Ronald Bland, Administrator

**McBRAYER, MCGINNIS, LESLIE & KIRKLAND PLLC**

163 WEST SHORT STREET

SUITE 300

LEXINGTON, KENTUCKY 40507-1361

606-231-8780

FACSIMILE 606-231-6518

REAL ESTATE FAX 606-255-9777

WWW.MMLK.COM

June 29, 1999

W. TERRY McBRAYER  
JOHN R. MCGINNIS  
PHILLIP BRUCE LESLIE \*  
WILLIAM D. KIRKLAND  
J. D. ATKINSON, JR.  
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WATSON CLAY (1908-1985)  
OSCAR SAMMONS (1908-1985)

MAIN & HARRISON STREETS  
P. O. BOX 280  
GREENUP, KENTUCKY 41144-0280  
606-473-7303  
FACSIMILE 606-473-9003

300 STATE NATIONAL  
BANK BUILDING  
P. O. BOX 1100  
FRANKFORT, KENTUCKY 40602-1100  
502-223-1200  
FACSIMILE 502-227-7385

DIRECTOR OF GOVERNMENTAL RELATIONS  
MIKE HELTON  
STATE NATIONAL BANK BUILDING  
305 ANN STREET  
SUITE 308  
FRANKFORT, KENTUCKY 40601-2847  
502-875-1176  
FACSIMILE 502-226-6234

Hon. Clarence Davis  
Gallatin County Judge Executive  
100 N. Main Street  
Warsaw, KY 41095

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**


Re: **Public Notice - Public Service Commission of Kentucky,  
Case No. 99-275 (The Glencoe/01-1551 Facility)**

Dear Judge Davis:

SBA Towers, Inc. and GTE Wireless of the Midwest Incorporated have applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a wireless communications facility. The facility will be comprised of a 350' guyed tower with attached antennas extending upwards for a total height of 380' and an equipment shelter to be located on the Sarah Bogardus property off U.S. Highway 127, Glencoe, Gallatin County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent pursuant to 807 KAR 5:063.

The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission within 20 days of the date of this letter as shown above.

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, Post Office Box 615, Frankfort, KY 40602. Please refer to Case No. 99-275 in your correspondence.

Sincerely,  
  
W. Brent Rice  
Counsel for SBA Towers, Inc. and GTE  
Wireless of the Midwest Incorporated

WBR/dkw



90000 SERIES  
10% P.C.W.

H

**McBRAYER, MCGINNIS, LESLIE & KIRKLAND PLLC**

163 WEST SHORT STREET

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\* ALSO ADMITTED IN OHIO

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P. O. BOX 280  
GREENUP, KENTUCKY 41144-0280  
606-473-7303  
FACSIMILE 606-473-9003

300 STATE NATIONAL  
BANK BUILDING  
P. O. BOX 1100  
FRANKFORT, KENTUCKY 40602-1100  
502-223-1200  
FACSIMILE 502-227-7385

DIRECTOR OF GOVERNMENTAL RELATIONS  
MIKE HELTON  
STATE NATIONAL BANK BUILDING  
305 ANN STREET  
SUITE 308  
FRANKFORT, KENTUCKY 40601-2847  
502-875-1176  
FACSIMILE 502-226-6234

June 29, 1999

Graves & Sarah Bogardus  
305 Fairway Road  
Sanford, FL 32773

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

RE: **Public Notice - Public Service Commission of Kentucky,  
Case No. 99-275 (The Glencoe/01-1551 Facility)**

Dear Mr. and Mrs. Bogardus:

SBA Towers, Inc. and GTE Wireless of the Midwest Incorporated have applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a wireless communications facility. The facility will be comprised of a 350' guyed tower with attached antennas extending upwards for a total height of 380' and an equipment shelter to be located on the Sarah Bogardus property off U.S. Highway 127, Glencoe, Gallatin County, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you own property within a 500' radius of the proposed facility. You may also contact your local planning commission.

The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission within 20 days of the date of this letter as shown above.

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, Post Office Box 615, Frankfort, KY 40602. Please refer to Case No. 99-275 in your correspondence.

Sincerely,



W. Brent Rice  
Counsel for SBA Towers, Inc. and GTE  
Wireless of the Midwest Incorporated

WBR/dkw

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+ ALSO ADMITTED IN TEXAS & FLORIDA  
++ ALSO ADMITTED IN WEST VIRGINIA

June 29, 1999

Sarah Bogardus Estate  
c/o Graves Bogardus  
305 Fairway Road  
Sanford, FL 32773

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

RE: **Public Notice - Public Service Commission of Kentucky,  
Case No. 99-275 (The Glencoe/01-1551 Facility)**

Dear Sir or Madam:

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Sincerely,

W. Brent Rice  
Counsel for SBA Towers, Inc. and GTE  
Wireless of the Midwest Incorporated

WBR/dkw



## OPTION AND LEASE AGREEMENT

THIS OPTION AND LEASE AGREEMENT ("Agreement") is made this 28 day of SEPT, 1998, by and between V ("Optionor") and Com-Net Construction Services, Inc. ("Optionee").  
SARAH C. BOGARDUS BY GRAVES L. BOGARDUS, P.O.A.

### I. OPTION TO LEASE

1. Grant of Option. For good and valuable consideration and the mutual promises herein set forth Optionor hereby gives and grants unto Optionee and its assigns, an exclusive and irrevocable option to lease a certain parcel or parcels of real property more particularly described on Exhibit "A" attached hereto ("Property") together with an easement for ingress, egress and utilities for the duration of the lease on the property which is more particularly described on Exhibit "B" attached hereto ("Easement"). Optionor agrees and acknowledges that Optionee may at Optionee's sole cost and expense have a metes and bounds survey prepared of the Property and the Easement and that the legal description of the Property and the Easement as shown on the survey shall thereafter become the legal description of the Property and the Easement.

2. Option Initial Term. The initial term of this Option shall be for six (6) months from the date this Option is executed by Optionee ("Option Initial Term").

3. Consideration for Option. Consideration for the Initial Term of the Option granted hereunder shall be /00 and No/100 Dollars (\$/00) ("Option Consideration"). This payment by Optionee to Optionor shall be credited in full to the first year's rental payment due Optionor if this Option is exercised by Optionee.

4. Extension of Option. This Option can be extended at the discretion of Optionee for / (ONE) additional period(s) of six (6) months each ("Option Renewal Term(s)") by Optionee paying to Optionor the additional consideration of /00 and No/100 Dollars (\$/00) prior to the expiration of the then existing term of this Option. Any consideration paid by Optionee to extend the term of this Option shall be credited in full to the first year's rental due Optionor if this Option is exercised by Optionee.

5. Optionor's Representations and Warranties. As an inducement for Optionee to enter into and be bound by the terms of this Option, Optionor represents and warrants to Optionee and Optionee's successors and assigns that:

(a) Optionor has good and marketable title to the Property and the Easement free and clear of all liens and encumbrances other than those liens and encumbrances shown on Exhibit "C" attached hereto. Optionee may at Optionee's sole cost and expense procure an abstract of title or a commitment to issue a policy of title insurance on the Property. In the event that Optionee objects to any defect or cloud on title to the Property, Optionee may declare this Option and any

1

Com-Net Construction  
Option and Lease

Site Name: GLENCOE  
Site # ONE

01-1551

obligation of Optionee to lease the Property or acquire the Easement to be void and of no further force or effect whereupon this Option shall become null and void and there shall be no further liability of Optionee to Optionor;

(b) Optionor has the authority to enter into and be bound by the terms of this Option;

(c) There are no pending or threatened administrative actions including bankruptcy or insolvency proceedings under state or federal law, suits, claims or causes of action against Optionor or which may otherwise affect the Property; and

(d) The Property is not presently subject to an option, lease or other contract which may adversely affect Optionor's ability to fulfill its obligations under this Option and Optionor covenants that it shall not grant an option or enter into any contract which will affect the Property or the Easement until this Option expires or is terminated by Optionee.

These representations and warranties of Optionor shall survive the exercise of the Option and the closing anticipated by the exercise of this Option.

6. Taxes. Any ad valorem taxes or other special assessment taxes attributable to the Property and the Easement during the Initial Term and any Renewal Term of the Option shall be paid by Optionor.

7. Liquidated Damages. In the event the closing does not occur due to a default or breach of this Option by Optionee, Optionor's damages shall be fixed and liquidated to the sums paid by Optionee to Optionor as consideration for this Option. Optionor hereby expressly waives any other remedies it may have for a breach of this Option by Optionee including specific performance and damages for breach of contract.

8. Inspections and Investigations. Optionor hereby grants to Optionee, its officers, agents, employees and independent contractors the right and privilege to enter upon the Property and the Easement at any time after the date of this Option, to perform or cause to be performed test borings of the soil, environmental audits, engineering studies and to conduct a survey of the Property and the Easement. Optionor shall provide Optionee with any necessary keys or access codes to the Property if needed for ingress and egress, Optionee shall not unreasonably interfere with Optionor's use of the Property or the Easement in conducting these activities.

9. Further Acts. Optionor shall cooperate with Optionee in executing any documents necessary to protect Optionee's rights under this Option or Optionee's use of the Property and the Easements and to take such action as Optionee may reasonably require to effect the intent of this Option. Optionor hereby irrevocably appoints Optionee or Optionee's agent as Optionor's agent to file applications on behalf of Optionor with federal, state and local governmental authorities which applications relate to Optionee's intended use of the Property including but not limited to land use

and zoning applications.

## II. LEASE AGREEMENT

10. **Exercise of Option.** Upon the tender of written notice of Optionee's intent to exercise the Option, the terms of this Agreement applying to the lease of the Property and grant of the Easements shall govern the relationship of the parties and Optionor shall thereafter be referred to as Lessor and Optionee shall thereafter be referred to as Lessee. The date of the written notice to exercise the Option shall constitute the commencement date of the Lease ("Commencement Date").

11. **Use.** The Property may be used by Lessee for the transmission and receipt of wireless communication signals in any and all frequencies and the construction and maintenance of towers, antennas, or buildings, and related facilities and activities. Lessor agrees to cooperate with Lessee in obtaining, at Lessee's expense, all licenses and permits required for Lessee's use of the Property (the "Governmental Approvals"). Lessee may construct additional improvements, demolish and reconstruct improvements, or restore replace and reconfigure improvements at any time during the Initial Term or any Renewal Term of this Lease.

12. **Initial Term.** The term of this Lease shall be five (5) years commencing on the Commencement Date, as that term is defined in paragraph 10, and terminating on the fifth anniversary of the Commencement Date ("Initial Term").

13. **Renewal Terms.** Lessee shall have the right to extend this Lease for five (5) additional five (5) year terms ("Renewal Terms"). Each Renewal Term shall be on the same terms and conditions as set forth in this Lease except that Rent shall increase as provided in paragraph 14(c). This Lease shall automatically be renewed for each successive Renewal Term unless Lessee notifies Lessor of Lessee's intention not to renew the Lease at least 30 days prior to the expiration of the Initial Term or the Renewal Term which is then in effect.

14. **Consideration.**

(a) Upon the Commencement Date, Lessee shall pay Lessor the sum of \$500 and ~~No~~ /100 Dollars (\$500) per month as rental ("Rent"). Rent shall be payable on the Commencement Date in advance beginning on the first day of the calendar month following the Commencement Date and on the first day of each calendar month thereafter during the Initial Term and any Renewal thereafter to Lessor at Lessor's address as specified in Paragraph 27 below;

(b) If this Lease is terminated at a time other than on the anniversary of the Commencement Date, Rent shall be prorated as of the date of termination ("Termination Date"), and in the event of termination for any reason other than nonpayment of Rent, all Rents paid in advance of the Termination Date for that period after the Termination Date shall be refunded to Lessee; and

(c) In the event that Lessee elects to renew this Lease as provided in paragraph 13, Rent shall increase at the inception of each Renewal Term by ~~TEN~~ percent (10%) over the rate at which Rent accrued in the immediately prior term.

15. **Lessor's Representations and Warranties.** Lessor represents and warrants that Lessee's intended use of the Property as a site for the transmission and receipt of wireless communication signals; for the construction and maintenance of towers, antennas or buildings; and related facilities ("Intended Use") is not prohibited by any covenants, restrictions, reciprocal easements, servitudes, subdivision rules or regulations. Lessor further represents and warrants that there are no easements, licenses, rights of use or other encumbrances on the Property which will interfere with or constructively prohibit Lessee's Intended Use of the Property. Lessor further represents and warrants that the execution of this Lease by Lessor will not cause a breach or an event of default of any other agreement to which Lessor is a party.

16. **Conditions Subsequent.** In the event that Lessee's Intended Use of the Property is actually or constructively prohibited through no fault of Lessee or the Property is, in Lessee's opinion, unacceptable to Lessee then this Lease shall terminate and be of no further force or effect and Lessee shall be entitled to a refund from Lessor of any deposits or Rent paid in advance to Lessor which sums were paid prior to the date upon which Lessee gives Lessor notice of its intent to terminate this Lease pursuant to this paragraph.

17. **Interference.** Lessor shall not use, nor shall Lessor permit its lessees, licensees, invitees or agents to use any portion of adjacent real property owned by Lessor in any way which interferes with the wireless communications operations of Lessee. Such interference shall be deemed a material breach of this Lease by Lessor and Lessor shall have the responsibility to terminate said interference. In the event any such interference does not cease or is not promptly rectified, Lessor acknowledges that continuing interference will cause irreparable injury to Lessee, and Lessee shall have the right, in addition to any other rights that it may have at law or in equity, to bring action to enjoin such interference or to terminate this Lease immediately upon notice to Lessor.

18. **Improvements; Utilities; Access.**

(a) Lessee shall have the right, at Lessee's sole cost and expense, to erect and maintain on the Property improvements, personal property and facilities, including without limitation, towers, a structural tower base, radio transmitting and receiving antennas, communications equipment, equipment cabinets or shelter and related facilities (collectively the "Tower Facilities"). The Tower Facilities shall remain the exclusive property of the Lessee throughout the term and upon termination of this Lease. Lessee shall have the obligation to remove all of the above ground portions of the Tower Facilities following any termination of this Lease. Lessor grants Lessee the right to clear all trees, undergrowth, or other obstructions and to trim, cut, and keep trimmed and cut all tree limbs which may interfere with or fall upon Lessee's tower or Lessee's other improvements, communications equipment or Easement rights. Lessor grants Lessee a non-exclusive easement in, over, across and through other real property owned by Lessor as reasonably required for construction, installation, maintenance, and operation of the Tower Facilities. In the event that the

tower to be constructed by Lessee on the Property is a guyed tower, Lessor also grants Lessee an easement over Lessor's real property during the Initial Term and any Renewal Term of this Lease for any guy wires and guy wire anchors.

(b) Lessee shall have the right to install utilities, at Lessee's expense, and to improve present utilities on the Property (including but not limited to the installation of emergency power generators). Lessee shall have the right to permanently place utilities on (or to bring utilities across or under) the Easement to service the Property and the Tower Facilities. In the event that utilities necessary to serve the equipment of Lessee or the equipment of Lessee's licensee(s) or sublessee(s) cannot be located within the Easement for ingress and egress, Lessor agrees to cooperate with Lessee and to act reasonably in allowing the location of utilities on other real property owned by Lessor without requiring additional compensation from Lessee or Lessee's licensee(s) or sublessee(s). Lessor shall, upon Lessee's request, execute a separate written easement to the utility company providing the service or Lessee in a form which may be filed of record evidencing this right.

(c) Lessor represents and warrants to Lessee that Lessee shall at all times during this Lease enjoy ingress, egress, and access from the Property to an open and improved public road which presently exists and which Easement shall be adequate to service the Property and the Tower Facilities. If no such public road exists or ceases to exist in the future, Lessor will grant an appropriate easement to Lessee, Lessee's sublessees and assigns so that Lessee may, at its own expense, construct a suitable private access drive to the Property and the Tower Facilities. To the degree such access is across other property owned by Lessor, Lessor shall execute an easement evidencing this right and Lessor shall maintain access to the Easement in a free and open condition so that no interference is caused to Lessee by other lessees, licensees, invitees or agents of the Lessor which may utilize the Easement.

19. **Termination.** Except as otherwise provided herein, this Lease may be terminated, without any penalty or further liability upon written notice as follows:

(a) By either party upon a default of any covenant or term hereof by the other party which default is not cured within 60 days of receipt of written notice of default (without, however, limiting any other rights available to the parties pursuant to any other provisions hereof); provided, that if the defaulting party commences efforts to cure the default within such period the non-defaulting party shall no longer be entitled to declare a default;

(b) Upon 30 days' written notice by Lessee to Lessor if Lessee is unable to obtain or maintain through no fault of Lessee any license, permit or other Governmental Approval necessary to the construction and operation of the Tower Facilities or Lessee's business; or

(c) By Lessee for any reason or no reason at all upon six (6) months advance written notice from Lessee to Lessor, *BUT NO SUCH RIGHT TO TERMINATE WITHOUT CAUSE EXISTS IF IT WOULD SHORTEN THE TIME OF THE INITIAL TERM.*

20. Subleases. Lessee at its sole discretion shall have the right without any need to obtain the consent of Lessor to license or sublease all or a portion of the Property and the Tower Facilities to others whose business includes the provision of wireless communication services. Lessee's licensee(s) and sublessee(s) shall be entitled to modify the Tower and to erect additional improvements on the Property including but not limited to antennas, dishes, cabling, additional equipment cabinets, storage buildings and equipment shelters on the Property as are reasonably required for the operation and maintenance of the communications equipment to be installed on the Property by said licensee(s) and sublessee(s) together with rights of ingress and egress to the Property and the right to install utilities on the Property as if said licensee or sublessee were the Lessee under this Lease.

21. Taxes. Lessee shall pay any personal property taxes assessed on, or any portion of such taxes attributable to, the Tower Facilities. Lessor shall pay when due all real property taxes and all other fees and assessments attributable to the Property. Lessee shall pay as additional Rent any increase in real property taxes levied against Property which are directly attributable to Lessee's use of the Property and Lessor agrees to furnish proof of such increase to Lessee. In the event that Lessor fails to pay when due any taxes affecting the Property or the Easement, Lessee shall have the right but not the obligation to pay such taxes and deduct the full amount of the taxes paid by Lessee on Lessor's behalf from future installments of Rent.

22. Destruction of Premises. If the Property or the Tower Facilities are destroyed or damaged so as to hinder the effective use of the Tower Facilities in Lessee's judgment, Lessee may elect to terminate this Lease as of the date of the damage or destruction by so notifying the Lessor. In such event, all rights and obligations of Lessee to Lessor shall cease as of the date of the damage or destruction and Lessee shall be entitled to the reimbursement of any Rent prepaid by Lessee.

23. Condemnation. If a condemning authority takes all of the Property, or a portion sufficient in Lessee's determination, to render the Property in the opinion of Lessee unsuitable for the use which Lessee was then making of the Property, this Lease shall terminate as of the date the title vests in the condemning authority. Lessor and Lessee shall share in the condemnation proceeds in proportion to the values of their respective interests in the Property (which for Lessee shall include, where applicable, the value of its Tower Facilities, moving expenses, prepaid rent and business dislocation expenses). A sale of all or part of the Property to a purchaser with the power of eminent domain in the face of the exercise of eminent domain power shall be treated as a taking by condemnation for the purposes of this paragraph.

24. Insurance. Lessee shall purchase and maintain in full force and effect throughout the Initial Term and any Renewal Term such public liability and property damage policies as Lessee may deem necessary. Said policy of general liability insurance shall provide a combined single limit of \$1,000,000.

25. Environmental Compliance. Lessor warrants and represents that the Property, the

Easement and the improvements thereon are free of contaminants, oils, asbestos, PCB's, hazardous substances or wastes as defined by federal, state or local environmental laws, regulations or administrative orders or other materials the removal of which is required or the maintenance of which is prohibited, regulated or penalized by any federal, state or local government authority ("Hazardous Materials"). This Lease shall at the option of Lessee terminate be void and of no further force or effect if Hazardous Materials are discovered to exist on the Property through no fault of Lessee after Lessee takes possession of the Property and Lessee shall be entitled to a refund of all the consideration given Lessor under this Lease.

26. Environmental Indemnities. Lessor, its heirs, grantees, successors, and assigns shall indemnify, defend, reimburse and hold harmless Lessee from and against any and all environmental damages arising from the presence of Hazardous Materials upon, about or beneath the Property or migrating to or from the Property or arising in any manner whatsoever out of the violation of any environmental requirements pertaining to the Property and any activities thereon, which conditions exist or existed prior to or at the time of the execution of this Lease or which may occur at any time in the future through no fault of Lessee.

27. Notices. All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed given if personally delivered or mailed, certified mail, return receipt requested, to the following addresses or to such other addresses as may be specified in writing at any time during the term of this Agreement:

If to Lessor, to:

Name SARAH C. BOGARJUS, c/o GRAVES C. BOGARJUS, P.O.A.  
Address 305 FAIRWAY RD., SANFORD, FLORIDA 32773

(Area Code) Phone Number (407) 321-7277  
Federal I.D. or Social Security No.:

If to Lessee, to:

Com-Net Construction Services, Inc.  
121 Boone Ridge Drive  
Johnson City, Tennessee 37615  
Attention: Dan Eldridge

With a copy to:  
Lewellen & Frazier, PLC  
415 North McKinley, Suite 1240

7

Com-Net Construction  
Option and Lease

Site Name: GLENSE  
Site # DW

Little Rock, AR 72205  
Attn: Todd A. Lewellen

28. **Title and Quiet Enjoyment.** Lessor warrants and represents that (i) it has the full right, power, and authority to execute this Lease; (ii) it has good and marketable fee simple title to the Property and the Easement free and clear of any liens, encumbrances or mortgages except those liens and encumbrances disclosed in Exhibit "C" attached hereto; and (iii) the Property constitutes a legal lot that may be leased without the need for any subdivision or platting approval. Lessor covenants that Lessee shall have the quiet enjoyment of the Property during the term of this Lease. Lessor shall indemnify Lessee from and against any loss, cost, expense or damage including attorneys fees associated with a breach of the foregoing covenant of quiet enjoyment.

29. **Assignment.** Lessee may assign this Lease without the consent of Lessor. Any sublease, license or assignment of this Lease that is entered into by Lessor or Lessee shall be subject to the provisions of this Lease. Additionally, Lessee may, upon notice to Lessor, mortgage or grant a security interest in this Lease and the Tower Facilities, and may assign this Lease and the Tower Facilities to any such mortgagees or holders of security interests including their successors and assigns (hereinafter collectively referred to as "Secured Parties"). In such event, Lessor shall execute such consent to leasehold financing as may reasonably be required by Secured Parties. Lessor agrees to notify Lessee and Lessee's Secured Parties simultaneously of any default by Lessee and to give Secured Parties the same right to cure any default as Lessee except that the cure period for any Secured Party shall not be less than 10 days after the receipt of the default notice. If a termination, disaffirmance or rejection of the Lease pursuant to any laws (including any bankruptcy or insolvency laws) by Lessee shall occur, or if Lessor shall terminate this Lease for any reason, Lessor will give to the Secured Parties prompt notice thereof and Lessor will give the Secured Parties the right to enter upon the Property during a 30-day period commencing upon the Secured Party's receipt of such notice for the purpose of removing any Tower Facilities. Lessor acknowledges that the Secured Parties shall be third-party beneficiaries of this Lease.

30. **Successors and Assigns.** This Lease shall run with the Property described on Exhibit "A" and shall be binding upon and inure to the benefit of the parties, their respective heirs, successors, personal representatives and assigns.

31. **Waiver of Lessor's Lien.** Lessor hereby waives any and all lien rights it may have, statutory or otherwise, in and to the Tower Facilities or any portion thereof, regardless of whether or not same is deemed real or personal property under applicable laws.

32. **Waiver of Incidental and Consequential Damages.** Lessor will not assert any claim whatsoever against Lessee for loss of anticipatory profits or any other indirect, special, incidental or consequential damages incurred by Lessor as a result of the construction, maintenance, operation or use of the Property or the Easement by Lessee.

33. **Miscellaneous.**



(a) The substantially prevailing party in any litigation arising hereunder shall be entitled to its reasonable attorney's fees and court costs, including appeals, if any.

(b) Each party agrees to furnish to the other, within 10 days after request, such truthful estoppel information as the other may reasonably request.

(c) This Lease constitutes the entire agreement and understanding of Lessor and Lessee with respect to the subject matter of this Lease, and supersedes all offers, negotiations and other agreements. There are no representations or understandings of any kind not set forth herein. Any amendments to said Lease must be in writing and executed by Lessor and Lessee.

(d) If either Lessor or Lessee is represented by a real estate broker in this transaction, that party shall be fully responsible for any fees due such broker and shall hold the other party harmless from any claims for commission by such broker.

(e) Lessor agrees to cooperate with Lessee in executing any documents necessary to protect Lessee's rights under this Lease or Lessee's use of the Property and to take any further action which Lessee may reasonably require as to effect the intent of this Lease.

(f) This Lease shall be construed in accordance with the laws of the state in which the Property is situated.

(g) If any term of this Lease is found to be void or invalid, such invalidity shall not affect the remaining terms of this Lease, which shall continue in full force and effect.

(h) Lessee may file of record in the property records in the county in which the Property and Easement(s) are located a Memorandum of Lease which sets forth the names and addresses of Lessor and Lessee, the legal description of the Property and the Easement(s), the duration of the Initial Term and the quantity and duration of the Renewal Terms.

(i) Lessor shall cooperate with Lessee in executing any documents necessary to protect Lessee's rights under this Lease or Lessee's use of the Property and the Easements and to take such action as Lessee may reasonably require to effect the intent of this Lease. Lessor hereby irrevocably appoints Lessee or Lessee's agent as Lessor's agent to file applications on behalf of Lessor with federal, state and local governmental authorities which applications relate to Lessee's intended use of the Property including but not limited to land use and zoning applications.

(j) This Lease may be executed in two or more counterparts, all of which shall be considered one and the same agreement and shall become effective when one or more counterparts have been signed by the each of the parties, it being understood that all parties need not sign the same counterpart.

IN WITNESS WHEREOF, Optionor and Optionee have executed this Option and Lease as of the date first written above.

**OPTIONOR/LESSOR:**

[Corporation]

ATTEST:

By: *Justin L. Logardus*

By: *Sarah C. Byardus*

Title: *Witness*

Title: *SA. Byardus POA*

\_\_\_\_\_  
[Individual]

**OPTIONEE/LESSEE:**

**Com-Net Construction Services, Inc.**

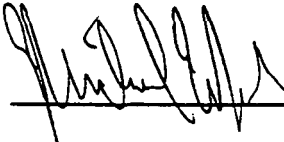
By: *WL Bryant*

Title: *CONTROLLER*

**Acknowledgments**

State of Ohio )  
County of Franklin ) ss

Before me, a notary public, in and for said county, personally appeared the above named Graves C. Bissness, who acknowledged that he did sign the foregoing instrument, and that the same is his free act and deed. In testimony whereof, I have hereunto subscribed my name at Hamilton, Ohio, this 28<sup>th</sup> day of September, 1998.

  
\_\_\_\_\_  
Notary Public MICHAEL ERIC JACOBS, ESC  
NOTARY PUBLIC, STATE OF OHIO

My Commission Expires:  
\_\_\_\_\_

**Form for corporation in representative capacity must be substantially as follows:**

State of Ohio )  
County of \_\_\_\_\_ ) ss

Before me, a notary public, in and for said county in said state, personally appeared \_\_\_\_\_ and \_\_\_\_\_, known to me to be the persons who, as president and secretary (or other proper officers), respectively, of \_\_\_\_\_, the corporation which executed the foregoing instrument, signed the same, and acknowledged to me that they did so sign said instrument in the name and upon behalf of said corporation as such officers, respectively, and the free and corporate act and deed of said corporation; that they were duly authorized thereunto by its board of directors; and that the seal affixed to said instrument is the corporate seal of said corporation. In testimony whereof, I have hereunto subscribed my name, and affixed my official seal, at \_\_\_\_\_, this \_\_\_ day of \_\_\_\_\_, 1998.

My Commission Expires: \_\_\_\_\_ Notary Public

*Individual*

STATE OF KENTUCKY )  
 )  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_

STATE OF KENTUCKY )  
 )  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ and \_\_\_\_\_, husband and wife.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_

*Corporation*

STATE OF Tennessee )  
 )  
COUNTY OF Washington )

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of October, 1998 by William L. Bryant, Controller of Com-Net Const. on behalf of the Corporation.

Jammy P. Cloud  
NOTARY PUBLIC  
My Commission Expires: 1-31-01

EXHIBIT "A"

LEGAL DESCRIPTION OF  
PROPERTY

THE PROPERTIES DESCRIBED IN THE COUNTY PROPERTY VALUATION  
ADMINISTRATION OFFICE WITH MAP/PARCEL NUMBERS 24-3 WITH  
DEED REFERENCE 34-145; 24-5 WITH DEED REFERENCE POSSIBLY BEING  
24-395 AND 34-145, ABUTTING THE EAST SIDE OF 24-3; THE  
OWNER OF RECORD OF BOTH PARCELS BEING SARAH BOGARDUS OF  
SANTFORD, FLORIDA. THE "EAST" PROPERTY IS 24-5, THE "WEST"  
PROPERTY IS 24-3. EASEMENTS FOR ACCESS MAY BE REQUIRED  
INVOLVING PROPERTIES WITH MAP/PARCEL NUMBERS 24-3.07,  
24-3.03, 24-20.01, AND 24-20.02.

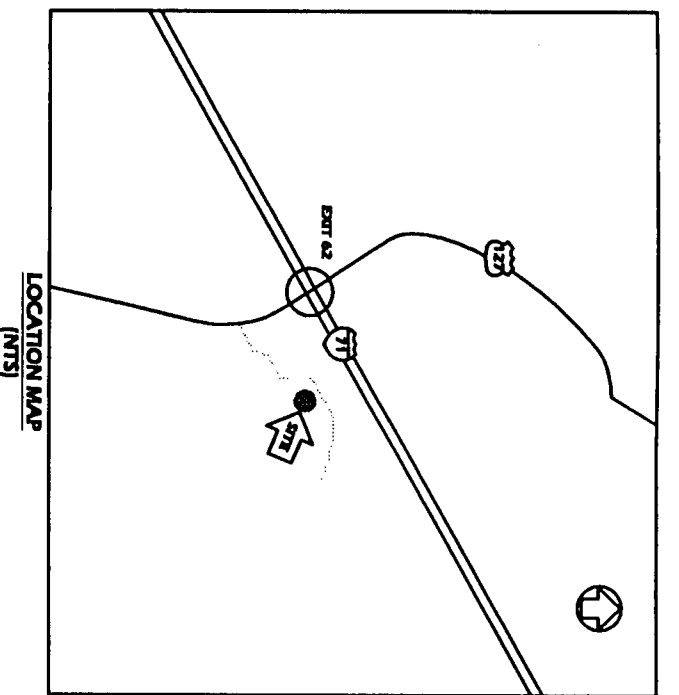
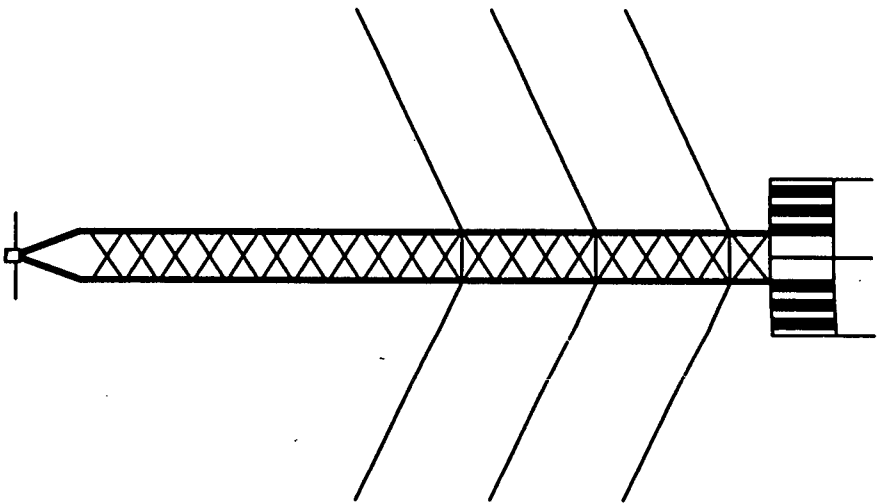
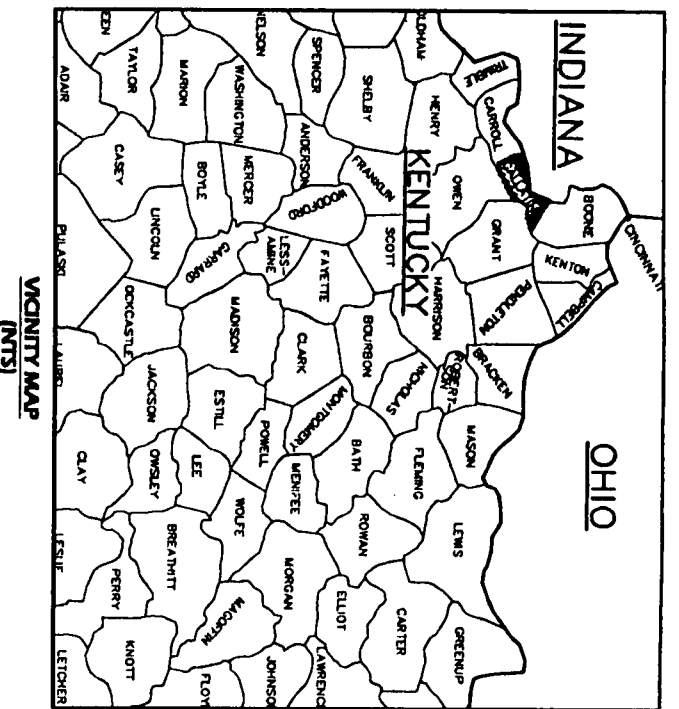
EXHIBIT "B"

LEGAL DESCRIPTION OF  
EASEMENT(S)



EXHIBIT "C"  
LIENS AND ENCUMBRANCES

ONLY THOSE AS RECORDED AS OF DATE OF THIS AGREEMENT



DRIVE TO DIRECTIONS:  
 FROM CINCINNATI, TAKE I-71 SOUTH TO US 127/GLENCOE (EXIT 62), SOUTH ON US 127 FOR 0.2 MILES TO TRUCK STOP/GAS STATION ON LEFT. ACCESS ROAD TO SITE IS SECURED WITH CABLE GATE. BEYOND THE GATE TAKE THE ACCESS ROAD FOR APPROXIMATELY 0.5 MILES TO SITE ON THE SOUTH SIDE OF ACCESS ROAD.

**3 WORKING DAYS BEFORE YOU DIG**  
 CALL TOLL FREE 800-752-8007  
 ALL NON-EMERGENCY WORK BE CALLED AHEAD.

**NOTICE**  
 THE CONTRACTOR SHALL CONTACT THE PROPERTY OWNER AND OBTAIN ALL NECESSARY PERMITS AND APPROVALS PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO ANY CONSTRUCTION.

THE CONTRACTOR(S) OR ANYONE USING THESE DOCUMENTS IS ADVISED TO LAY OUT THEIR WORK AND VERIFY THE ACTUAL FIELD CONDITIONS RELATIVE TO THE DESIGN SHOWN ON THE DRAWINGS. ANY DISCREPANCIES ENCOUNTERED THAT WOULD AFFECT THE PROPER INSTALLATION OR CONSTRUCTION OF THE PROPOSED IMPROVEMENTS SHALL BE REPORTED TO THE OWNER AND/OR ENGINEER IN ORDER TO ALLOW FOR NECESSARY ADJUSTMENTS IN THE PLANS.

THE CONTRACTOR SHALL LAY OUT IN THE FIELD ALL THE ELEMENTS OF THE IMPROVEMENTS PRIOR TO AND WELL AHEAD OF CONSTRUCTION TO INSURE THAT NO CONFLICTS EXIST BETWEEN ANY UNDERGROUND SERVICE UTILITIES OR EXISTING STRUCTURES AND THE PROPOSED IMPROVEMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO ANY CONSTRUCTION.

# GLENCOE

## COM-NET #: 01-1551

### GALLATIN COUNTY, KENTUCKY

### I-71 CINCINNATI TO LOUISVILLE

- INDEX OF DRAWINGS**
- 1 - TITLE SHEET
  - 2 - PROJECT AREA
  - 3 - PROPERTY MAP
  - 4 - SITE PLAN
  - 5 - TOWER ELEVATION & DETAILS

UTILITY	AGENCY	PROPERTY OWNER	
NAME 1	OMEN ELECTRIC COOPERATIVE	NAME 1	OMEN ELECTRIC COOPERATIVE
ADDRESS 1	510 SOUTH MAIN STREET	ADDRESS 1	510 SOUTH MAIN STREET
CITY 1	CINCINNATI, OH 45202	CITY 1	CINCINNATI, OH 45202
PHONE 1	(600) 372-7912	PHONE 1	(407) 321-7277

UTILITY	AGENCY	PROPERTY OWNER	
NAME 1	CINCINNATI BELL	NAME 1	GALLATIN COUNTY
ADDRESS 1	201 EAST FOURTH ST	ADDRESS 1	WINDYBELL, KY
CITY 1	CINCINNATI, OH 45202	CITY 1	WINDYBELL, KY
PHONE 1	(613) 377-4317	PHONE 1	(606) 877-9411

UTILITY	AGENCY	PROPERTY OWNER	
NAME 1	BAUMANN ENGINEERING	NAME 1	BAUMANN ENGINEERING
ADDRESS 1	7000 GREENWAY-DAVATON ROAD, STE. L	ADDRESS 1	7000 GREENWAY-DAVATON ROAD, STE. L
CITY 1	WINDYBELL, KY 40380	CITY 1	WINDYBELL, KY 40380
PHONE 1	(613) 788-3222	PHONE 1	(606) 877-9411

**COM NET**  
 Construction Services, Inc.  
 National Regional Office  
 111 East Liberty Street  
 Cincinnati, OH 45219

**BAUMANN ENGINEERING**  
 CIVIL ENGINEERING - LAND PLANNING  
 LAND SURVEYING  
 7700 CINCINNATI-DAVATON ROAD  
 WEST CHESTER, OHIO 45380  
 PHONE (613) 788-3222  
 FAX (613) 788-3222  
 EMAIL LBAUMANN@BAUMANN.COM

REV.	DESCRIPTION	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

LAURENCE L. BAUMANN  
 KENTUCKY PE # 11005  
 ENGINEER'S SEAL

PROJECT  
 GLENCOE  
 COM-NET #: 01-1551  
 GALLATIN COUNTY, KENTUCKY

PROJECT LOCATION  
 U.S. HWY 127  
 GLENCOE, KY 41046

DRAWING TITLE  
 TITLE SHEET

ISSUE DATE: 12.6.98  
 PROJECT NO: 98343

SCALE: NO SCALE  
 DRAWN: MEB  
 CHECKED: LIB  
 DATE: 11.23.98





Blair & Regional Offices  
 Cincinnati, Ohio  
 Louisville, Kentucky  
 Lexington, Kentucky



CIVIL ENGINEERING - LAND PLANNING  
 LAND SURVEYING

7708 CINCINNATI DAYTON ROAD  
 SUITE 1  
 WEST CHESTER, OHIO 45069  
 PHONE 513 755-3222  
 FAX 513 755-3776  
 EMAIL LB@BAUMANNENGINEERING.COM  
 GENERAL NOTES

REV.	DESCRIPTION	DATE
10		
9		
8		
7		
6		
5		
4		
3		
2		
1		

DATE SURVEYOR'S SEAL

THIS DRAWING IS BASED ON A SURVEY MADE UNDER MY DIRECTION.

DAVIDENCE L. BAUMANN  
 LICENSED SURVEYOR  
 LICENSE NO. 98343

PROJECT  
 GLENCOE  
 COMMERCE #. 01-1551  
 GALLATIN COUNTY, KENTUCKY

PROJECT LOCATION  
 U.S. HWY. 127  
 GLENCOE, KY 41046

DRAWING TITLE  
 PROJECT AREA

ISSUE DATE: 12.9.98  
 PROJECT NO: 98343

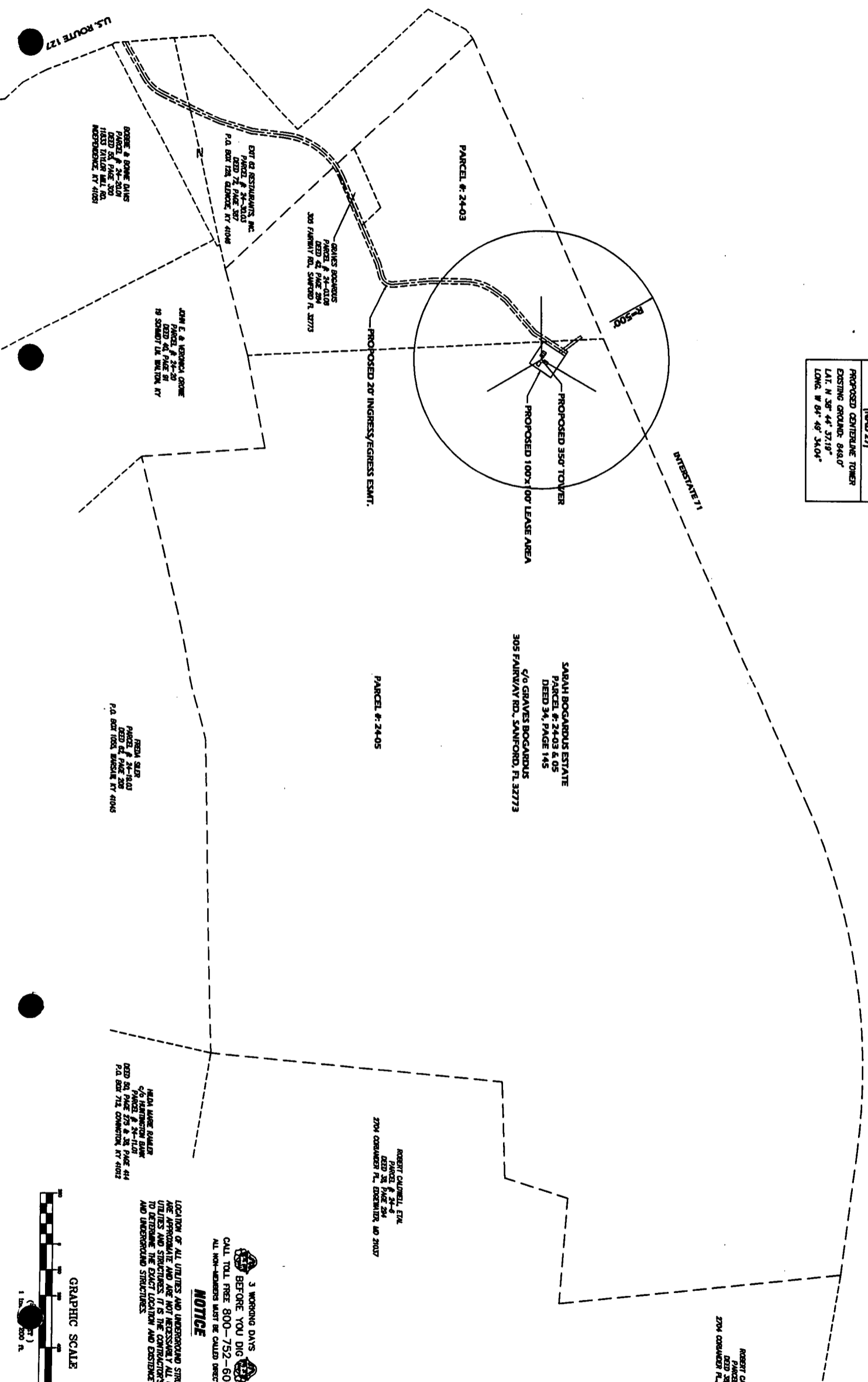
SCALE: 1" = 200'	2
DRAWN: MEB	
CHECKED: LLB	
DATE: 11.23.98	

EXISTING	PROPOSED	DESCRIPTION
—○—	—○—	ROAD
—○—	—○—	ROAD OLD
—○—	—○—	PROPOSED ALLEY
—○—	—○—	ESSENTIALS
—○—	—○—	CONTROL

LEGEND	DESCRIPTION
—○—	ROAD NEW
—○—	ROAD OLD
—○—	CALCULATED POINT
—○—	TELEPHONE & POWER POLE
—○—	BENCH MARK
—○—	EXISTING
—○—	FINISHED SPOT ELEVATION

GEOGRAPHIC COORDINATES  
 (NAD 27)  
 PROPOSED CENTERLINE TOWER  
 EXISTING GROUND: 848.0'  
 LAT. N 38° 44' 37.19"  
 LONG. W 84° 48' 34.04"



3 WORKING DAYS  
 BEFORE YOU DIG 800-752-6007  
 ALL NON-NUMBERS MUST BE CALLED DIRECTLY.

**NOTICE**

LOCATION OF ALL UTILITIES AND UNDERGROUND STRUCTURES SHOWN ARE APPROXIMATE AND ARE NOT NECESSARILY ALL OF THE EXISTING UTILITIES AND STRUCTURES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION AND EXISTENCE OF ALL UTILITIES AND UNDERGROUND STRUCTURES.



GRAPHIC SCALE

INTERSTATE 71

SEE SHEET 3 OF 5 FOR  
BENCHMARK #1 LOCATION

EXISTING OVERHEAD UTILITIES (E)(1)

UTILITY POLE  
# GA 4951

GAME ROAD (E)

PROPOSED 6' HIGH CHAIN LINK  
FENCE W/ 3 STRANDS OF  
BARBED WIRE

PROPOSED 245 LF GUY-WIRE

PROPOSED 245 LF GUY-WIRE

PROPOSED 1.5"x1.5" 17'  
CONC. PAD & MOTOROLA  
EQUIP. ENCLOSURE  
F.F.E. = 851.0'

PROPOSED 350' GUY-TOWER  
PIER ELEV. = 851.0'  
TOWER FOUNDATION & GUY-WIRE  
DESIGN BY OTHERS

SILT FENCE  
SEE DETAIL (S)

BENCHMARK #2  
SET-ARROW PIN  
ELEV. = 821.05'

- LEGEND**
- FROM ROAD NEW
  - FROM ROAD OLD
  - CALCULATED POINT
  - ⊕ TELEPHONE & POWER POLE
  - ⊕ BENCH MARK
  - (1) - EXISTING
  - (2) - PROPOSED SPOT ELEVATION
  - ⊕ - FIRE HYDRANT

**LINE LEGEND**

EXISTING	PROPOSED	DESCRIPTION
---	---	FENCE
---	---	PROPERTY/LINE BOUNDARY
---	---	EASEMENTS
---	---	CONTOUR
---	---	UNDERGROUND ELECTRIC
---	---	UNDERGROUND TELEPHONE
---	---	UNDERGROUND TEL. & CBL.



**GEOGRAPHIC COORDINATES (NAD 27)**

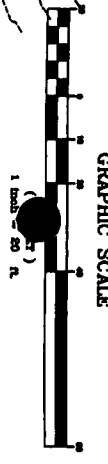
PROPOSED CENTERLINE TOWER  
EXISTING GROUND: 848.0'  
LAT. N 38° 44' 37.19"  
LONG. W 84° 49' 34.04"

- KEY NOTES**
- 1 - PROPOSED 4" CONDUIT WITH PULL STRING FOR TELEPHONE
  - 2 - PROPOSED SECONDARY ELECTRIC CONDUCTOR IN 4" CONDUIT
  - 3 - PROPOSED 4" CONDUIT WITH PULL STRING FOR GUY-WIRE
  - 4 - PROPOSED 4" CONDUIT WITH PULL STRING FOR GUY-WIRE
  - 5 - PROPOSED 4" CONDUIT WITH PULL STRING FOR GUY-WIRE
  - 6 - PROPOSED 4" CONDUIT WITH PULL STRING FOR GUY-WIRE
  - 7 - PROPOSED 4" CONDUIT WITH PULL STRING FOR GUY-WIRE
  - 8 - PROPOSED 4" CONDUIT WITH PULL STRING FOR GUY-WIRE
  - 9 - PROPOSED 4" CONDUIT WITH PULL STRING FOR GUY-WIRE
  - 10 - PROPOSED 4" CONDUIT WITH PULL STRING FOR GUY-WIRE
  - 11 - PROPOSED 4" CONDUIT WITH PULL STRING FOR GUY-WIRE
  - 12 - PROPOSED 4" CONDUIT WITH PULL STRING FOR GUY-WIRE
  - 13 - PROPOSED 4" CONDUIT WITH PULL STRING FOR GUY-WIRE
  - 14 - TERMINATE PROPOSED CONDUITS AT EXISTING POLE
- ALL CONDUIT TO BE SCHEDULE 40 PVC UNLESS OTHERWISE NOTED.  
ALL GUY-WIRE TO BE SCHEDULE 40 GALV. STEEL W/ 3 STRANDS OF 1/8" GALV. WIRE.

**NOTICE**

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3 WORKING DAYS  
BEFORE YOU DIG  
CALL TOLL FREE 800-752-6007  
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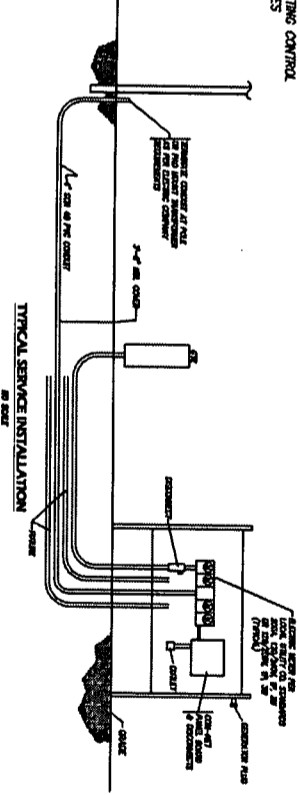
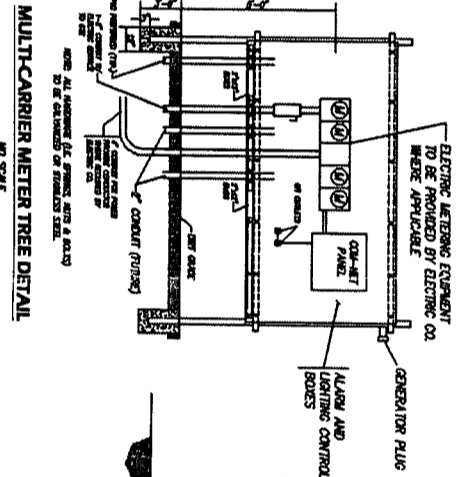
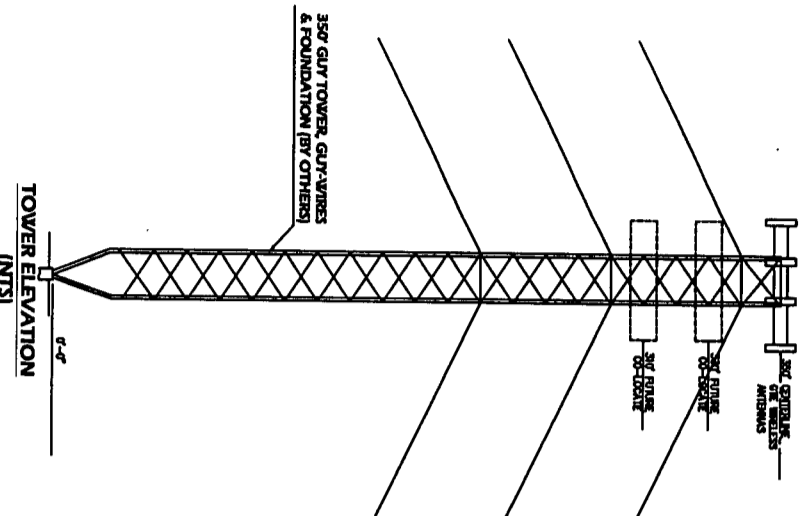
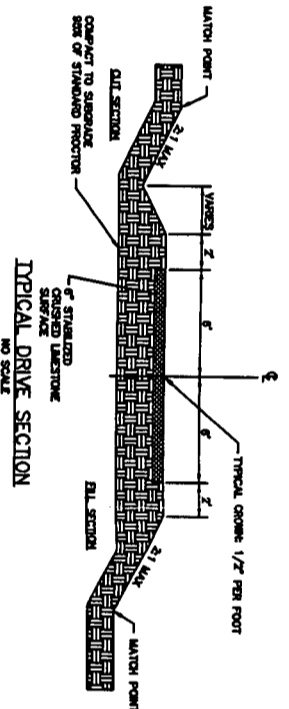
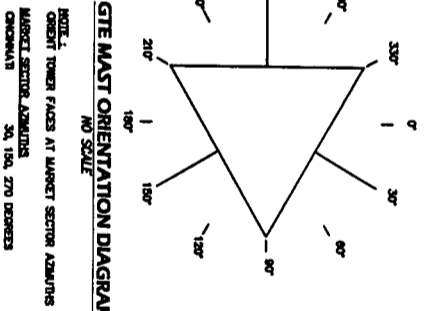
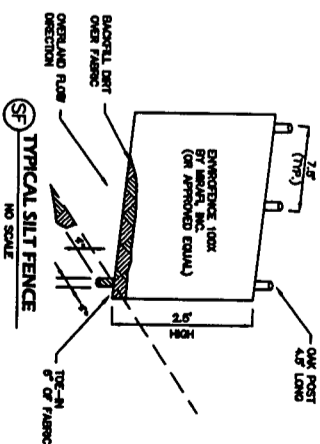
**NOTE:**  
THE CONTRACTOR SHALL CONTACT THE PROPERTY OWNER PRIOR TO ANY WORK AND SHALL PROVIDE THE PROPERTY OWNER WITH A WORK SCHEDULE. CONTACT PERSON, AND THE CONTRACTOR'S PHONE NUMBER FOR WORKING HOURS AND NON-WORKING HOURS.

<p>Midwest Regional Office 11100 S. W. 27th Ave. Oklahoma City, OK 73160</p>		<p>CIVIL ENGINEERING - LAND PLANNING LAND SURVEYING</p> <p>7708 CINCINNATI/DAVISON ROAD SHELBYVILLE, KY 40381 WEST CHESTER, OHIO 45382 PHONE (513) 755-8222 FAX (513) 755-8776 EMAIL LB@BAUWANN.COM</p> <p>GENERAL NOTES</p>																																				
<p>PROJECT LOCATION U.S. HWY. 127 GLENCOE, KY 41046</p>	<p>PROJECT GLENCOE COM-NET #.: 01-1551 GALLATIN COUNTY, KENTUCKY</p>	<p>ISSUE DATE: 12.9.98 PROJECT NO: 98343</p>	<p>SCALE: 1" = 20' DRAWN: MEB CHECKED: LLB DATE: 11.23.98</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> <tr> <td>10</td> <td></td> <td></td> </tr> <tr> <td>9</td> <td></td> <td></td> </tr> <tr> <td>8</td> <td></td> <td></td> </tr> <tr> <td>7</td> <td></td> <td></td> </tr> <tr> <td>6</td> <td></td> <td></td> </tr> <tr> <td>5</td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> </tr> <tr> <td>2</td> <td></td> <td></td> </tr> <tr> <td>1</td> <td></td> <td></td> </tr> </table> <p>ENGINEER'S SEAL</p>	NO.	DESCRIPTION	DATE	10			9			8			7			6			5			4			3			2			1			<p style="text-align: center;">DRAWING TITLE</p> <p style="text-align: center;"><b>SITE PLAN</b></p>
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GENERAL NOTES

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ENGINEER'S SEAL



- GENERAL NOTES**
1. THE CONTRACTOR SHALL FINISH AND INSTALL SIGNAL CONTROL DEVICES PRIOR TO CONSTRUCTION IN ACCORDANCE WITH THE LOCAL AGENCIES.
  2. SIGNAL CONTROL DEVICES SHALL BE MAINTAINED AND/OR REPAIRED AS NECESSARY DURING AND AFTER CONSTRUCTION WITH PROPER SIGNAL VERIFICATION IS ESTABLISHED ON ALL CONTROLLED AREAS.
  3. THE PROJECT AREA WITHIN THE CONSTRUCTION LIMITS WILL BECOME CLOSURE AND TRAFFIC. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGNALS AND CONTROL AT AN APPROVED LOCATION OF ALL SIGNALS. THE SIGNALS SHALL BE MAINTAINED AND ALL SIGNALS SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION OF THIS PROJECT.
  4. SIGNALS SHALL BE STAFFED TO A MINIMUM DEPTH OF 4 HOURS THE 24 HOUR PERIOD. THE SIGNALS SHALL BE STAFFED AND COVERED DURING CONSTRUCTION. FOLLOWING FROM DURING THE PERIOD SHALL BE USED TO RESTORE SIGNALS.
  5. THE CONTRACTOR SHALL OBTAIN THE LINES SHOWN ON THE PLAN. ALL SIGNALS SHOWN ARE FINISHED SIGNALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGNALS AND CONTROL AT AN APPROVED LOCATION OF ALL SIGNALS. THE SIGNALS SHALL BE MAINTAINED AND ALL SIGNALS SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION OF THIS PROJECT.
  6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGNALS AND CONTROL AT AN APPROVED LOCATION OF ALL SIGNALS. THE SIGNALS SHALL BE MAINTAINED AND ALL SIGNALS SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION OF THIS PROJECT.
  7. THE CONTRACTOR SHALL VERIFY DIMENSIONS, ANGLES, AND SIZE DURING FROM TO CONSTRUCTION. HORIZONTAL AND VERTICAL POINTS SHALL BE PROVIDED BY THE CONTRACTOR.
  8. FROM TO THE SIGNALS SHALL BE PROVIDED BY THE CONTRACTOR.
  9. FROM TO THE SIGNALS SHALL BE PROVIDED BY THE CONTRACTOR.
  10. THE CONTRACTOR SHALL FINISH AND INSTALL WATER FINISHES FOR LOCAL ELECTRICAL SERVICE REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGNALS AND CONTROL AT AN APPROVED LOCATION OF ALL SIGNALS. THE SIGNALS SHALL BE MAINTAINED AND ALL SIGNALS SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION OF THIS PROJECT.
  11. THE PROJECT SHALL BE CONDUCTED IN ACCORDANCE WITH LOCAL ELECTION SERVICE COMPANY REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SIGNALS AND CONTROL AT AN APPROVED LOCATION OF ALL SIGNALS. THE SIGNALS SHALL BE MAINTAINED AND ALL SIGNALS SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION OF THIS PROJECT.
  12. CONTRACT AREA - 1 FOOT.
  13. THE CONTRACTOR SHALL COORDINATE THE LOCATION AND INSTALLATION OF UTILITIES WITH APPLICABLE UTILITY COMPANIES AND THE OWNER.

**NOTE:** THE CONTRACTOR SHALL CONTACT THE PROPERTY OWNER PRIOR TO ANY WORK AND SHALL PROVIDE THE PROPERTY OWNER WITH A WORK SCHEDULE. THE CONTRACTOR SHALL PROVIDE THE PROPERTY OWNER WITH A WORK SCHEDULE. THE CONTRACTOR SHALL PROVIDE THE PROPERTY OWNER WITH A WORK SCHEDULE. THE CONTRACTOR SHALL PROVIDE THE PROPERTY OWNER WITH A WORK SCHEDULE.

**3 WORKING DAYS BEFORE YOU DIG 800-752-6007**  
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**NOTICE**

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**TOWER ELEVATION & DETAILS**

ISSUE DATE:	12.9.98
PROJECT NO:	98343
SCALE:	NO SCALE
DRAWN:	MIB
CHECKED:	LIB
DATE:	11.23.98

**McBRAYER, MCGINNIS, LESLIE & KIRKLAND PLLC**

163 WEST SHORT STREET  
SUITE 300  
LEXINGTON, KENTUCKY 40507-1361  
606-231-8780  
FACSIMILE 606-231-6518  
REAL ESTATE FAX 606-255-9777  
WWW.MMLK.COM

WATSON CLAY (1908-1985)  
OSCAR SAMMONS (1908-1985)

MAIN & HARRISON STREETS  
P. O. BOX 280  
GREENUP, KENTUCKY 41144-0280  
606-473-7303  
FACSIMILE 606-473-9003

300 STATE NATIONAL  
BANK BUILDING  
P. O. BOX 1100  
FRANKFORT, KENTUCKY 40602-1100  
502-223-1200  
FACSIMILE 502-227-7385

DIRECTOR OF GOVERNMENTAL RELATIONS  
MIKE HELTON  
STATE NATIONAL BANK BUILDING  
305 ANN STREET  
SUITE 308  
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FACSIMILE 502-226-6234

W. TERRY McBRAYER  
JOHN R. MCGINNIS  
PHILLIP BRUCE LESLIE \*  
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J. D. ATKINSON, JR.  
JAMES G. AMATO  
GEORGE D. GREGORY \*\*  
BRENT L. CALDWELL  
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JAMES H. FRAZIER, III +  
STEPHEN C. CAWOOD  
LISA ENGLISH HINKLE  
WILLIAM R. PALMER, JR.  
BRUCE W. MACDONALD \*  
LUKE BENTLEY III  
STEPHEN G. AMATO  
MARY ESTES HAGGIN  
R. STEPHEN MCGINNIS \*\*  
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MARIA S. BUCKLES  
MARGARET M. YOUNG  
MELINDA G. WILSON  
REBECCA L. BRIGGS  
MARY ELIZABETH CUTTER  
J. BRADFORD DERIFIELD \*\*  
JARON P. BLANDFORD

\* ALSO ADMITTED IN OHIO  
\*\* ALSO ADMITTED IN COLORADO  
+ ALSO ADMITTED IN TEXAS & FLORIDA  
\*\* ALSO ADMITTED IN WEST VIRGINIA

June 29, 1999

RECEIVED

JUL - 2 1999

PUBLIC SERVICE  
COMMISSION

Ms. Stephanie Bell  
Secretary of the Commission  
Kentucky Public Service Commission  
P.O. Box 615  
730 Schenkel Lane  
Frankfort, KY 40601

RE: **Case Number 99-275**  
**SBA Towers, Inc. and GTE Wireless of the Midwest Incorporated**  
**(Glencoe/01-1551 Facility)**

Dear Ms. Bell:

This letter is to follow up my request for a case number on June 29, 1999. The application is on behalf of SBA Towers, Inc. and GTE Wireless of the Midwest Incorporated for a cell site located on the Sarah Bogardus property off U.S. Highway 127, Glencoe, Gallatin County, Kentucky. I was given Case Number 99-275. We intend to file the application no later than June 30, 1999. If there are any questions, you may contact the undersigned at our Lexington office (606)231-8780. Thank you for your attention to this matter.

Sincerely,



W. Brent Rice

WBR/dkw