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2/27/2006

Executive Director's Office
Public Service Commission of Kentucky
P.O. Box 615
Frankfort, KY., 40602

RECEIVED

MAR - 1 2006

PUBLIC SERVICE
COMMISSION

In Re: Case #2006-00052

Dear Sir or Madam,

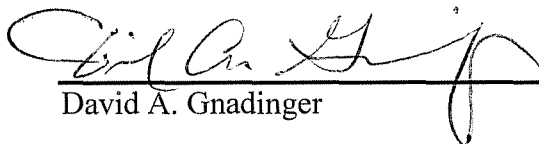
This project cannot proceed forward at this time. My wife, Gabrielle, and I have a deeded easement on Lot #15W of the proposed site of the tower – Lots #12-15W. This easement was missed somehow in the surveying of the proposed site, and provides us with access to our garage, which is inaccessible from any other spot on our property.

In this matter, I refer you to Deed Book 216, page 329, in the Courthouse of Russell Co., in Jamestown - our deed of ownership which refers to the easement - and Deed Book 65, page 377, also in the Courthouse of Russell Co., in Jamestown, which describes the easement. I have enclosed a copy of the first page of our deed which references the easement, and a copy of the easement description itself.

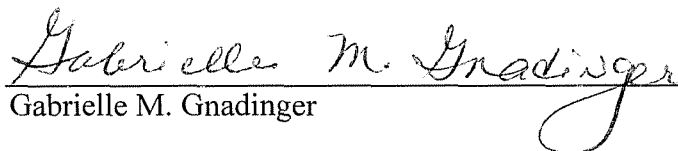
The cellular company does not, at this time, have clear title to this land, and we have not given any written consent to use this easement.

This matter notwithstanding, we find it reprehensible that a site has been selected in the middle of our small residential area, when, literally, thousands of acres of open farmland are all around us. Surely, this can't be fair to the surrounding property owners, their health, and their property values.

Thank you for your attention in this matter.



David A. Gnadinger



Gabrielle M. Gnadinger

General Warranty Deed

Book 216
Pg. 329

THIS DEED OF CONVEYANCE is made and entered into on this the 18th day of July, 2003, by and between **WILLIAM H. HATFIELD & MARY FRANCES HATFIELD**, Husband & Wife, of 8005 Columbine Drive, Louisville, Kentucky 40258, Party of the First Part, and **DAVID A. GNADINGER & GABRIELLE GNADINGER**, Husband & Wife, of 5513 Pico Lane, Louisville, Kentucky 40219, Party of the First Second Part.

WITNESSETH: That for and in consideration of the full amount of **FIFTY-FIVE THOUSAND (\$55,000.00) DOLLARS**, cash in hand paid, the receipt and sufficiency of which is hereby acknowledged, the Party of the First Part has bargained and sold and does hereby grant, sell, and convey to the Party of the Second Part, for and during their joint lives, with the remainder in fee simple, to the survivor of them, their heirs and assigns, the following described real property, lying and being in Russell County, Kentucky, and more particularly described as follows, to-wit:

TRACT I:

BEING Lot Nos. 37 and 38 in Block "A" of the Kirk R. Corlett Subdivision No. 1. For a complete description of same, reference is made to plat of said subdivision which is of record in Deed Book 58, Page 602, Russell County Court Clerk's Office, Jamestown, Kentucky.

THERE IS ALSO CONVEYED herein the right of second parties to use roadway easement that Kirk R. Corlett acquired from Charles E. Peck, et al., by Deed of Easement of record in Deed Book 65, Page 377, Russell County Court Clerk's Office, Jamestown, Kentucky, and for description of same, reference is made to said Deed of Easement.

THIS DEED OF EASEMENT made and entered into on this the 22nd day of July, 1971, by and between Charles Peck and Kathleen Peck, his wife, and William Don Peck and Marilyn Peck, his wife, all parties of the first part, and Kirk R. Corlett of Russell Springs, Kentucky, party of the second part,

Deed Tax Pd. 3-21-72

WITNESSETH: That said parties of the first part for and in consideration of the sum of FIFTY (\$50.00) DOLLARS cash in hand paid, and no other consideration, the receipt of which is hereby acknowledged, do hereby grant unto the said party of the second part, his heirs and assigns forever, a right of way on and over a certain tract of land owned by the first parties, and described as follows:

A parcel of land being in Russell County, Kentucky in the Indian Hills Sub-Division and described as follows:

Being Lot No. 15W of the Indian Hills Sub-Division Sheet No. II, a plat of same being of record in Deed Book No. 30, Page 300, Russell County Court Clerk's Office. The right of way herein given shall be along the existing road across said Lot #15W from Sag Wah Trail to the property of second party herein, for second party, his heirs and assigns, to use as a roadway.

BEING part of the same property conveyed to first parties by Deed of Record in Deed Books ⁵⁴ ~~54~~, Page ⁶³⁹ ~~335~~, Russell County Court Clerk's Office.

IN WITNESS WHEREOF the parties have hereunto set their hands on this the day and year first above written.

Charles Peck, MD
Charles Peck

Kathleen Peck
Kathleen Peck

William Don Peck
William Don Peck

Marilyn Peck
Marilyn Peck

STATE OF KENTUCKY
COUNTY OF RUSSELL...Sct:

The foregoing Instrument was acknowledged before me this the 22nd day of July, 1971 by Charles Peck, Kathleen Peck, William Don Peck and Marilyn Peck.

Edward E. [Signature]
Notary Public, Russell Co., Ky.

BOOK 65

PG. 377

3-188