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PUBLIC SERVICE
COMMISSION

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

**APPLICATION OF CUMBERLAND CELLULAR
PARTNERSHIP FOR ISSUANCE OF A CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY TO
CONSTRUCT A CELL SITE (MONTICELLO WEST)
IN RURAL SERVICE AREA #5 (WAYNE) OF THE
COMMONWEALTH OF KENTUCKY**

CASE NO. 2006-00320

**APPLICATION FOR A CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY (MONTICELLO WEST)**

Cumberland Cellular Partnership (“Cumberland Cellular”), through counsel, pursuant to KRS 278.020 and 278.040, hereby submits this application for a certificate of public convenience and necessity to construct a cell site to be known as the Monticello West cell site in and for rural service area (“RSA”) #5 of the Commonwealth of Kentucky, namely the counties of Barren, Monroe, Metcalfe, Adair, Cumberland, Russell, Clinton, Wayne, McCreary and Hart, Kentucky.

1. As required by 807 KAR 5:001 Sections 8(1) and (3), and 807 KAR 5:063, Cumberland Cellular states that it is a Kentucky limited liability partnership whose full name and post office address are: Cumberland Cellular Partnership, 2902 Ring Road, Elizabethtown, Kentucky, 42701.
2. Pursuant to 807 KAR § 1 (1)(b), a copy of the applicant’s applications to the Federal Aviation Administration and Kentucky Airport Zoning Commission are Exhibit “A”. Written authorizations from these agencies will be supplied to the Commission upon their approval.
3. Pursuant to 807 KAR 5:063 §1(1)(d), applicant is submitting as Exhibit “B” a geotechnical investigation report, signed and sealed by a professional engineer registered in Kentucky, that includes boring logs, foundation design recommendations, and a finding as to the susceptibility of the area surrounding the proposed site to flood hazard.

4. Pursuant to 807 KAR 5:063 §1(1)(e), clear directions from the county seat to the proposed site, including highway numbers and street names, if applicable, with the telephone number of the person who prepared the directions are Exhibit “C”.

5. Pursuant to 807 KAR 5:063 §1(1)(f), a copy of the lease for the property on which the tower is proposed to be located, is Exhibit “D”.

6. Pursuant to 807 KAR §1(1)(g), experienced personnel will manage and operate the Monticello West cell site. The President of Bluegrass Cellular Inc., Mr. Ron Smith, is ultimately responsible for all construction and operations of the cellular system of Cumberland Cellular, of which system the Monticello West cell site will be a part. Bluegrass Cellular Inc. provides management services to Cumberland Cellular under a management contract, just as it does with three (3) other wireless carriers in the Commonwealth. And, Bluegrass Cellular Inc. has been providing these management services to these other wireless carriers for well over a decade. This extensive management experience with Bluegrass Cellular demonstrates that Bluegrass Cellular Inc.'s management and technical ability to supervise the operations of a wireless carrier.

7. Pursuant to 807 KAR §1(1)(g), Eastpointe Engineering Group, LLC is responsible for the design specifications of the proposed tower (identified in Exhibit “B”).

8. Pursuant to 807 KAR 5:063 §1(1)(h), a site development plan or survey, signed and sealed by a professional engineer registered in Kentucky, that shows the proposed location of the tower and all easements and existing structures within 500 feet of the proposed site on the property on which the tower will be located, and all easements and existing structures within 200 feet of the access drive, including the intersection with the public street system, is Exhibit “B”.

9. Pursuant to 807 KAR 5:063 §1(1)(i), a vertical profile sketch of the tower, signed and sealed by a professional engineer registered in Kentucky, indicating the height of the tower and the placement of all antennas; is Exhibit “B”.

10. Pursuant to 807 KAR 5:063 §1(1)(j), the tower and foundation design plans and a description of the standard according to which the tower was designed, signed and sealed by a professional engineer registered in Kentucky, is Exhibit “B”.

11. Pursuant to 807 KAR 5:063 § 1 (1)(k), a map, drawn to a scale no less than one (1) inch equals 200 feet, that identifies every structure and every owner of real estate within 500 feet of the proposed tower, is Exhibit “E”.

12. Pursuant to 807 KAR 5:063 § 1 (1)(l), applicant’s legal counsel hereby affirms that every person who owns property within 500 feet of the proposed tower has been: (i) notified by certified mail, return receipt requested, of the proposed construction; (ii) given the commission docket number under which the application will be processed; and (iii) informed of his right to request intervention.

13. Pursuant to KRS 278.665(2), applicant’s legal counsel hereby affirms that every person who, according to the records of the property valuation administrator, owns property contiguous to the property where the proposed cellular antenna tower will be located has been: (i) notified by certified mail, return receipt requested, of the proposed construction; (ii) given the commission docket number under which the application will be processed; and (iii) informed of his right to request intervention.

14. Pursuant to 807 KAR 5:063 §1(1)(m), a list of the property owners who received the notice together with copies of the certified letters sent to listed property owners, is Exhibit “F”.

15. Pursuant to 807 KAR 5:063 § 1 (1)(n), applicant’s legal counsel hereby affirms that the Wayne County Judge Executive has been: (i) notified by certified mail, return receipt requested, of the proposed construction; (ii) given the commission docket number under which the application will be processed; and (iii) informed of its right to request intervention.

16. Pursuant to 807 KAR 5:063 §1(1)(o), a copy of the notice sent to the Wayne County Judge Executive is Exhibit “G”.

17. Pursuant to 807 KAR 5:063 § 1 (1)(p), applicant’s legal counsel hereby affirms that (i) two written notices meeting subsection two (2) of this section have been posted, one in a visible location

on the proposed site and one on the nearest public road; and (ii) the notices shall remain posted for at least two weeks after the application has been filed.

18. Pursuant to 807 KAR 5:063 § 1 (2)(a), applicant's legal counsel affirms that:

(a) A written notice, of durable material at least two (2) feet by four (4) feet in size, stating that "***Cumberland Cellular Partnership proposes to construct a telecommunications tower on this site***", including the addresses and telephone numbers of the applicant and the Kentucky Public Service Commission, has been posted and shall remain in a visible location on the proposed site until final disposition of the application; and

(b) A written notice, of durable material at least two (2) feet by four (4) feet in size, stating that "***Cumberland Cellular Partnership proposes to construct a telecommunications tower near this site***", including the addresses and telephone numbers of the applicant and the Kentucky Public Service Commission, has been posted on the public road nearest the site.

A copy of each sign is attached as Exhibit "H"

19. Pursuant to 807 KAR 5:063 § 1 (1)(q), a statement that notice of the location of the proposed construction has been published in a newspaper of general circulation in the county in which the construction is proposed, is Exhibit "I".

20. Pursuant to 807 KAR 5:063 § 1(1)(r), the cell site, which has been selected, is in a relatively undeveloped area in Monticello, Kentucky.

21. Pursuant to 807 KAR 5:063 §1(1)(s), Cumberland Cellular has 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 to the area can be provided, and that there is no reasonably available opportunity to co-locate. Cumberland Cellular has attempted to co-locate 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 the utility's facilities.

22. Pursuant to 807 KAR 5:063 § 1(1)(t), a map of the area in which the tower is proposed to be located, that is drawn to scale and that clearly depicts the search area in which a site should, pursuant to radio frequency requirements, be located is Exhibit "J".

23. Pursuant to KRS 100.987(2)(a), a grid map, that is drawn to scale, that shows the location of all existing cellular antenna towers and that indicates the general position of proposed construction sites for new cellular antenna towers is Exhibit "K".

24. No reasonably available telecommunications tower, or other suitable structure capable of supporting the cellular facilities of Cumberland Cellular and which would provide adequate service to the area exists.

25. Correspondence and communication with regard to this application should be addressed to:

John E. Selent
1400 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202
(502) 540-2300
john.selent@dinslaw.com

WHEREFORE, Cumberland Cellular Partnership requests the Commission to enter an order:

1. Granting a certificate of public convenience and necessity to construct the Monticello West cell site; and
2. Granting all other relief as appropriate.

Respectfully submitted,



John E. Selent
DINSMORE & SHOHL, LLP
1400 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202
(502) 540-2300
(502) 540-2207
john.selent@dinslaw.com

LUKAS, NACE, GUTIERREZ & SACHS

CHARTERED

1650 TYSONS BOULEVARD, SUITE 1500

MCLEAN, VIRGINIA 22102

703 584 8678 • 703 584 8696 FAX

WWW.FCCLAW.COM

RUSSELL D. LUKAS*
DAVID L. NACE
THOMAS GUTIERREZ*
ELIZABETH R. SACHS*
GEORGE L. LYON, JR.
PAMELA L. GIST
DAVID A. LAFURIA
B. LYNN F. RATNAVALE*
TODD SLAMOWITZ*
STEVEN M. CHERNOFF*

CONSULTING ENGINEERS
ALI KUZEHKANANI
LEROY A. ADAM
LEILA REZANAVAZ
SUMEET K. BHALOTIA
—
OF COUNSEL
JOHN J. MCAVOY*
J.K. HAGE III*
LEONARD S. KOLSKY*
HON. GERALD S. MCGOWAN*
TAMARA DAVIS-BROWN*
—
*NOT ADMITTED IN VA

June 7, 2006

Doug

(703)584-8668

FACSIMILE

(703) 584-8692

Via Federal Express

Mr. John Houlihan
Kentucky Airport Zoning Commission
200 Mero Street
Frankfort, Kentucky 40622

Dear Mr. Houlihan:

Enclosed please find two completed TC 56-50 forms, Application for Permit to Construct or Alter a Structure, for a new tower (Monticello West) near Monticello, Kentucky. The Structure, including top-mounted antennas will have an overall height of 255 feet Above Ground Level.

Enclosed Form TC 56-50 and the attached exhibit include all the pertinent information for this existing tower structure. Also enclosed are copies of the completed FAA Form 7460-1 for the proposed site, a non-reduced 7-1/2' U.S. Geological Survey map indicating the exact location of the site, and a copy of the 1A Certification survey.

Please do not hesitate to contact the undersigned if there are questions regarding this matter.

Sincerely,

Leila Rezanavaz
Leila Rezanavaz
Consulting Engineer

Enclosures

CC: Scott McCloud

Kentucky Transportation Cabinet, Kentucky Airport Zoning Commission, 125 Holmes Street, Frankfort KY 40622

Kentucky Aeronautical Study Number

APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

1. APPLICANT - Name, Address, Telephone, Fax, etc.

Scott McCloud
Bluegrass Cellular
2902 Ring Road
Elizabethtown, KY 42702
Tel: 270-769-0339
Fax: 270-737-0580

2. Representative of Applicant - Name, Address, Telephone, Fax

Leila Rezanavaz
Lukas, Nace, Gutierrez & Sachs, Chartered
1650 Tysons Blvd., Suite 1500
McLean, VA 22102
T: 703-584-8668

3. Application for: New Construction Alteration Existing

4. Duration: Permanent Temporary (Months _____ Days _____)

5. Work Schedule: Start 7/20/06 End 7/25/06

6. Type: Antenna Tower Crane Building Power Line
 Landfill Water Tank Other _____

7. Marking/Painting and/or Lighting Preferred:

Red Lights and Paint Dual - Red & Medium Intensity White
 White - Medium Intensity Dual - Red & High Intensity White
 White - High Intensity Other _____

8. FAA Aeronautical Study Number 2006-ASO-3448-OE

9. Latitude: 36 ° 49 ' 2 . 26 "

10. Longitude: 84 ° 54 ' 11 . 63 "

11. Datum: NAD 83 NAD 27 Other _____

12. Nearest Kentucky City Monticello County: Wayne

13. Nearest Kentucky public use or Military airport:
Wayne County Airport

14. Distance from #13 to Structure: 3.7 miles

15. Direction from #13 to Structure: Southwest

16. Site Elevation (AMSL): 1013 Feet

17. Total Structure Height (AGL): 255 Feet

18. Overall Height (#16 + #17) (AMSL): 1268 Feet

19. Previous FAA and/or Kentucky Aeronautical Study Number(s):
N/A

20. Description of Location: (Attach a USGS 7.5 minute Quadrangle Map or an Airport Layout Drawing with the precise site marked and any certified survey)

Site is located 2.0 miles west of Monticello, KY.

21. Description of Proposal:

Structure: Tower including top-mounted antennas with overall height of 255' AGL.

Max ERP: 200 watts

Frequency: Cellular band B

22. Has a "NOTICE OF CONSTRUCTION OR ALTERATION" (FAA Form 7460-1) been filed with the Federal Aviation Administration?

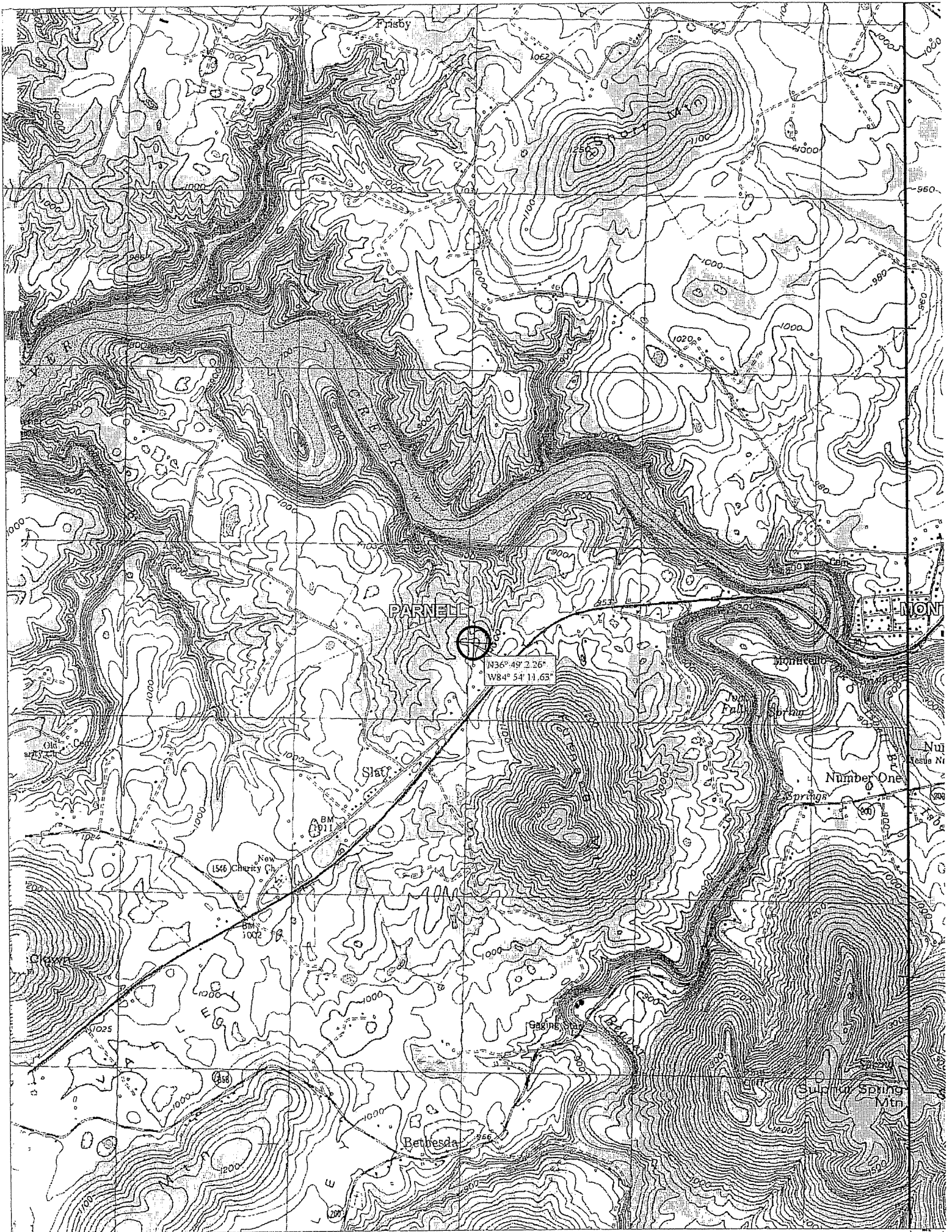
No
 Yes, When 6/7/06

CERTIFICATION: I hereby certify that all the above statements made by me are true, complete and correct to the best of my knowledge and belief.

Leila Rezanavaz / Consulting Engineer Leila Rezanavaz 6/7/06
Printed Name Signature Date

PENALTIES: Persons failing to comply with Kentucky Revised Statutes (KRS 183.861 through 183.990) and Kentucky Administrative Regulations (602 KAR 050: Series) are liable for fines and/or imprisonment as set forth in KRS 183.990(3). Non-compliance with Federal Aviation Administration Regulations may result in further penalties.

Commission Action: Chairman, KAZC Administrator, KAZC
 Approved Disapproved _____ Date _____



PARNELL



N36° 49' 2.26"
W84° 54' 11.63"

MONT

Slater

Number One

1546 Charley Ch

Bethesda

Spring Mt

**BLUEGRASS CELLULAR
2902 Ring Road
Elizabethtown, KY 42702**

1A Letter

Date: May 22, 2006
FSTAN Project No: 06-4017

Site Name: **Monticello West**

For Aeronautical Study No.

Location: City Monticello, KY
County Wayne

U.S.G.S. Quadrangle: Parnell, KY

(NAD 27) LATITUDE 36° 49' 02.01"
LONGITUDE 84° 54' 11.82"

(NAD 83) LATITUDE 36° 49' 02.26"
LONGITUDE 84° 54' 11.63"

SITE ELEVATION (NAVD 88) 1013' ± AMSL
PROPOSED TOWER HEIGHT 240' ± FAA AGL
TOWER HEIGHT WITH ANTENNA 265' ± FAA AGL
OVERALL HEIGHT ELEVATION 1278' ± AMSL

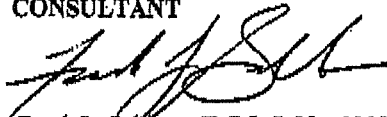
I Certify, to the best of my knowledge and belief, that the horizontal and vertical datum as established from the referenced U.S.G.S. Quadrangle, Parnell, is accurate to 1A Reporting requirements of ± 20 feet horizontally and ± 3 vertically.

The horizontal datum (coordinates) are in terms of the North American Datum of 1927 (NAD 27) and 1983 (NAD 83) and expressed as degrees, minutes and seconds.

The vertical datum (heights) are in terms of the National Geodetic Vertical Datum of 1988 and are determined to the nearest foot.

Kentucky State Plane Coordinates (South Zone) were established with Trimble Global Positioning Systems (GPS) receivers. This site has ties to the National Geodetic Reference System established by the National Geodetic Survey, formerly the U.S. Coast & Geodetic Survey by measurements to PID Station "GB2665", designated as "WAYNPORT".

CONSULTANT



Frank L. Sellinger II, P.L.S. No. 3282
FSTAN Land Surveyors and Consulting Engineers
2313/2315 Crittenden Drive, Louisville, Ky. 40217
Phone: 502-635-5866 Fax: 502-636-5263



Notice of Proposed Construction or Alteration (7460-1)

Project Name: BLUGR-000042186-06

Sponsor: Blugrass Cellular, Inc.

Details for Case : Monticello West

Show Project Summary

Case Status

ASN: 2006-ASO-3448-OE

Date Accepted: 06/07/2006

Status: Accepted

Date Determined:

Letters: None

Construction / Alteration Information

Notice Of: Construction

Structure Summary

Structure Name: Monticello West

Duration: Permanent

Structure Type: Tower

if Temporary : Months: Days:

Other :

Work Schedule - Start: 07/20/2006

FCC Number:

Work Schedule - End: 07/25/2006

Prior ASN:

State Filing: Filed with State

Structure Details

Latitude: 36° 49' 2.26" N

Common Frequency Bands

Low Freq	High Freq	Freq Unit	ERP	ERP Unit
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W

Longitude: 84° 54' 11.63" W

Horizontal Datum: NAD83

Site Elevation (SE): 1013 (nearest foot)

Structure Height (AGL): 255 (nearest foot)

Marking/Lighting: Dual-red and medium intensity

Other :

Nearest City: Monticello

Nearest State: Kentucky

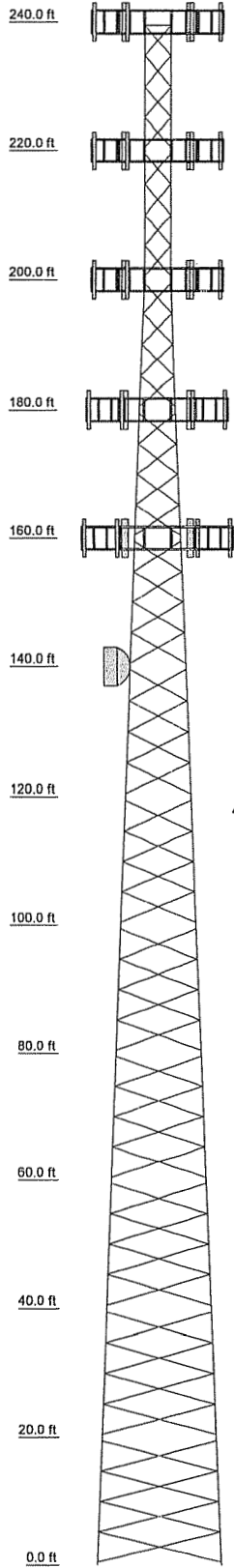
Traverseway: No Traverseway

Description of Location: Site is located 2 miles west of Monticello, KY

Description of Proposal: Tower including top-mounted antennas will have an overall height of 255'.

Specific Frequencies

Section	T1	T2	T3	T4	T5	T6	T7	T8	T9	T10	T11	T12
Legs	SR 1 3/4	SR 2 1/4	SR 2 1/2	SR 2 3/4	SR 3	SR 3 1/4	SR 3 1/2	SR 3 1/2	SR 3 3/4	SR 3 3/4	SR 4	
Leg Grade	A572-50											
Diagonals	L1 3/4x1 3/4x3/16											
Diagonal Grade	A36											
Top Girts	N.A.											
Face Width (ft)	4	5.5	7	8.5	10	11.5	13	14.5	16	17.5	19	
# Panels @ (ft)	48 @ 4.75											
Weight (K)	0.9	1.2	1.4	1.6	2.0	2.3	2.6	3.0	3.1	3.7	3.8	4.6



DESIGNED APPURTENANCE LOADING

TYPE	ELEVATION	TYPE	ELEVATION
(6) D100-0042-0041	240	(6) RWB 80014/120 (Future)	180
Lightning Rod 1"x10' (Initial)	240	(3) T frame sector Mount (Future Carrier 3)	180
Flash Beacon Lighting (Initial)	240	(6) RWB 80014/120 (Future)	160
(3) T frame sector Mount (Initial)	240	(3) T frame sector Mount (Future Carrier 4)	160
(6) RWB 80014/120 (Future)	220	HP6-122	140
(3) T frame sector Mount (Future Carrier 1)	220		
(6) RWB 80014/120 (Future)	200		
(3) T frame sector Mount (Future Carrier 2)	200		

MATERIAL STRENGTH

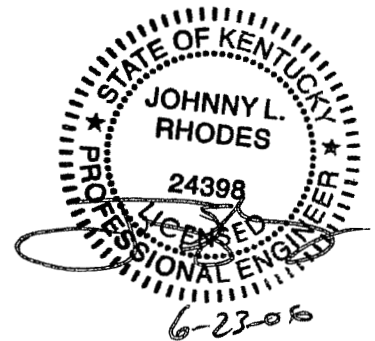
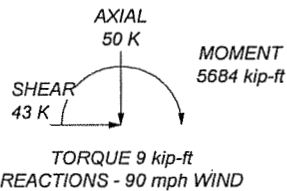
GRADE	Fy	Fu	GRADE	Fy	Fu
A572-50	50 ksi	65 ksi	A36	36 ksi	58 ksi

TOWER DESIGN NOTES

1. Tower designed for Exposure B to the TIA-222-G Standard.
2. Tower designed for a 90 mph basic wind in accordance with the TIA-222-G Standard.
3. Deflections are based upon a 60 mph wind.
4. Tower designed as Structure Class I
5. Tower designed as Topo Category 3 w/ Crest Height of 100 ft
6. In no case shall more than (6) lines be exposed to wind. Feedlines may be stacked in up to (2) rows on the inside and outside face of the tower.

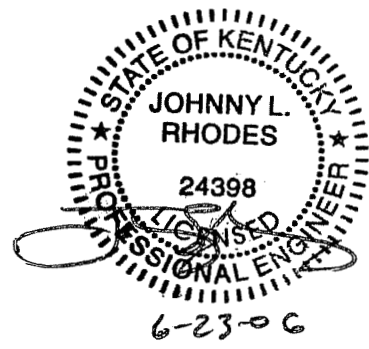
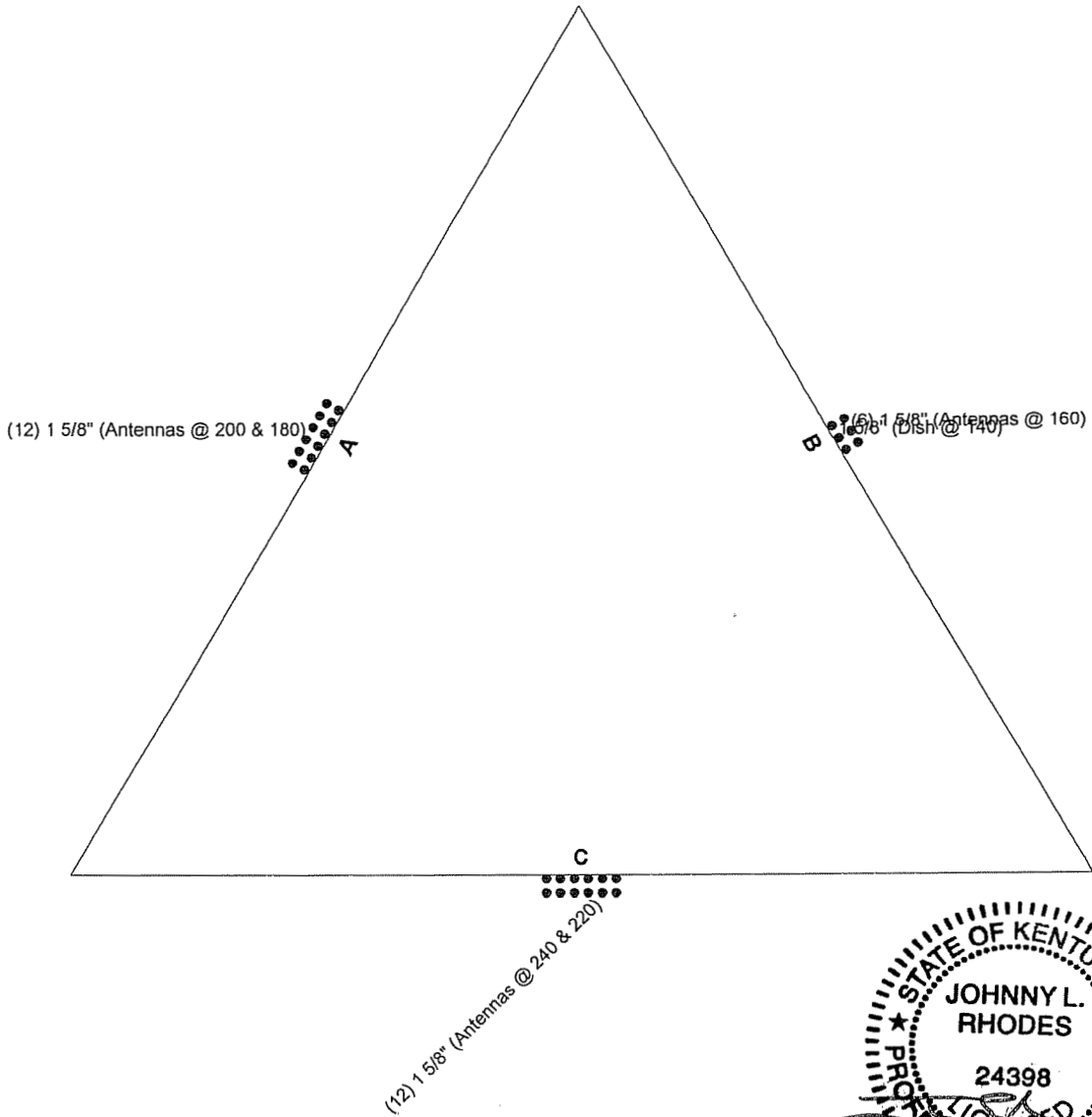
MAX PIER FORCES:

DOWN: 362 K
 UPLIFT: -321 K
 SHEAR: 26 K



Eastpointe Engineering Group, LLC
 4020 Tull Ave.
 Muskogee, OK 74403
 Phone: 918.683.2169
 FAX: 918.682.7618

Job: EII Job #2290-Monticello West	
Project: 240' SST/Wayne County, KY	
Client: Bluegrass Cellular	Drawn by: Johnny L. Rhodes, P.E.
Code: TIA-222-G	Date: 06/23/06
Path:	Scale: N
	Dwg No:

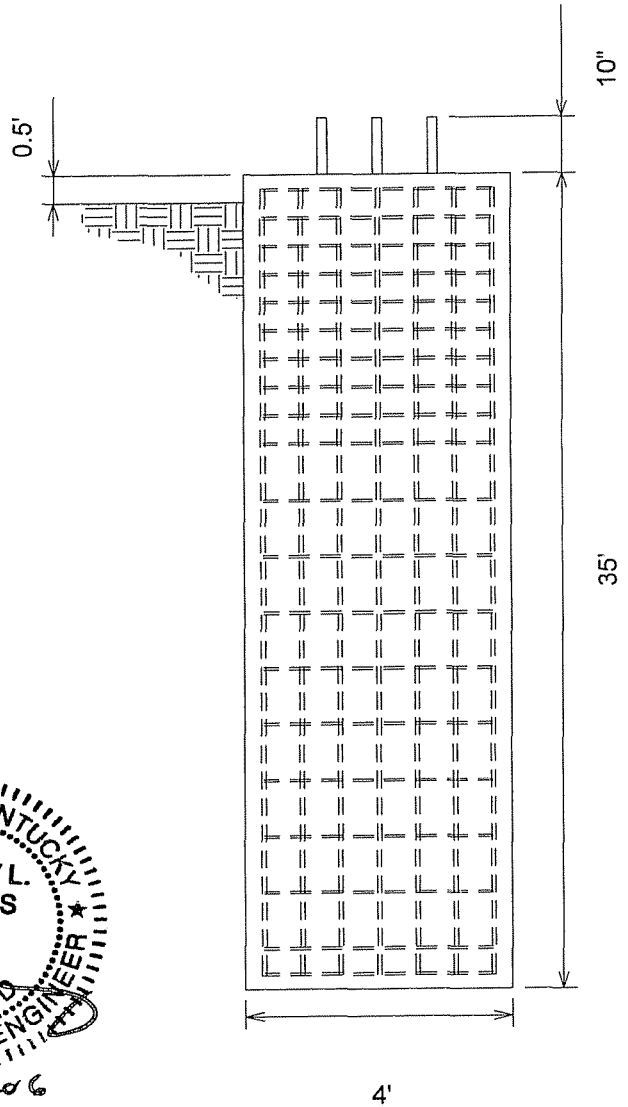


Eastpointe Engineering Group, LLC 4020 Tull Ave. Muskogee, OK 74403 Phone: 918.683.2169 FAX: 918.682.7618	Job: EII Job #2290-Monticello West		
	Project: 240' SST/Wayne County, KY		
	Client: Bluegrass Cellular	Drawn by: Johnny L. Rhodes, P.E.	App'd:
	Code: TIA-222-G	Date: 06/23/06	Scale: N
	Path:		Dwg No. E

Z:\Drafting\Drawings\Jobs\2200-2299\2290\Final Tower Design\240ast.erl

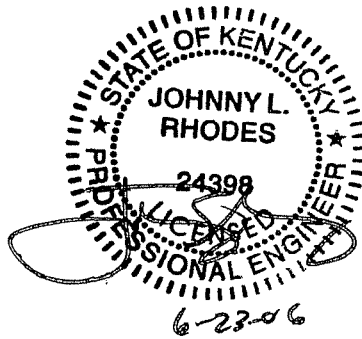
CAISSON DESIGN

Vertical Bars	(14) #9 bars, 34.5' long
Ties	#5 bars @ 6" c/c for the first 6.5' then 12" c/c thereafter



General Notes

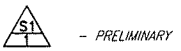
1. Concrete shall be placed in accordance with ACI318-02, latest revision.
2. Concrete shall have a minimum 28 day compressive strength of 4000 PSI.
3. Rebar to conform to ASTM A615 grade 60.
4. Rebar used for ties may be A615 grade 40.
5. All rebar to have a minimum of 3" clear cover.
6. All exposed concrete corners to have 3/4" chamfer.
7. Bottom and side surfaces to rest on undisturbed soil.
8. Contractor shall be responsible to review and follow all recommendations of the geotechnical report.



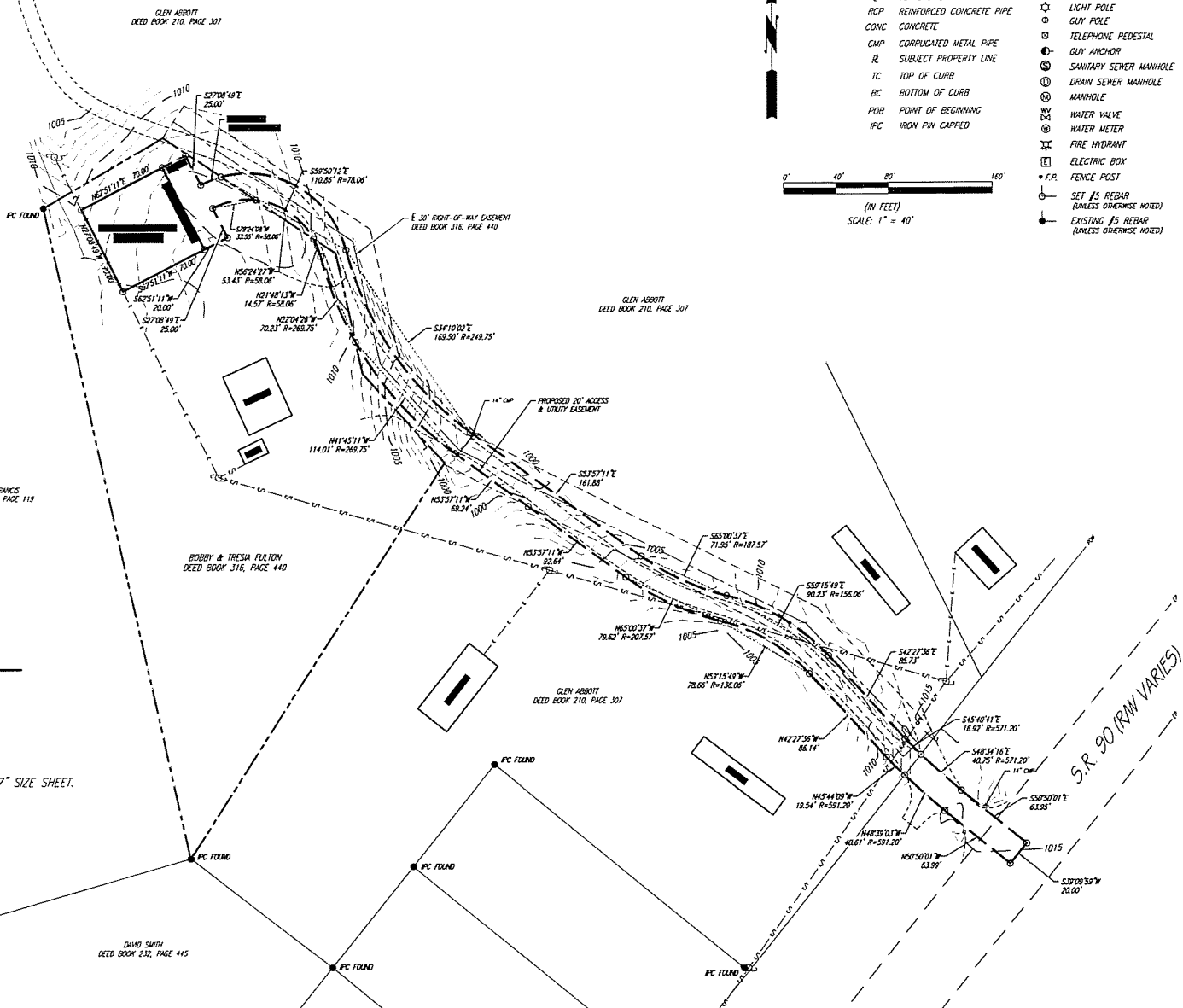
Supplemental Notes

Soil values obtained from Terracon soils report #57067437G Dated 06/14/06
Use (6) 1 1/2" x 72" 50ksi anchor bolts

EASTPOINTE ENGINEERING GROUP, LLC 4020 Tull Ave. Muskogee, OK 74403--Phone 918.683.2169--Fax:918.682.7618	Client: Bluegrass Cellular	
	Site: Monticello West	
	Job: 2290	Drawn by: JLR
	Scale: NTS	Date: 06/23/06



- PRELIMINARY

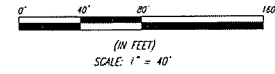


ABBREVIATIONS

- EP EDGE OF PAVEMENT
- ROW RIGHT OF WAY
- CL CENTERLINE
- RCP REINFORCED CONCRETE PIPE
- CONC CONCRETE
- CMP CORRUGATED METAL PIPE
- SL SUBJECT PROPERTY LINE
- TC TOP OF CURB
- BC BOTTOM OF CURB
- POB POINT OF BEGINNING
- IPC IRON PIN CAPPED

SYMBOL LEGEND

- ⊞ WOOD POWER POLE
- CONCRETE POWER POLE
- ⊙ METAL TRAFFIC POLE
- ⊕ LIGHT POLE
- ⊖ GUY POLE
- ⊗ TELEPHONE PEDESTAL
- ⊘ GUY ANCHOR
- ⊙ SANITARY SEWER MANHOLE
- ⊙ DRAIN SEWER MANHOLE
- ⊙ MANHOLE
- ⊕ WATER VALVE
- ⊕ WATER METER
- ⊕ FIRE HYDRANT
- ⊕ ELECTRIC BOX
- ⊕ F.P. FENCE POST
- ⊕ SET 1/2 REBAR (UNLESS OTHERWISE NOTED)
- ⊕ EXISTING 1/2 REBAR (UNLESS OTHERWISE NOTED)



PRELIMINARY NOTES

TITLE REPORT WAS NOT REFERENCED.
 IA-LETTER WAS NOT COMPLETED.
 "NOT FOR RECORDING OF ANY TYPE"
 ORIGINAL FORMATTED TO FIT 11" BY 17" SIZE SHEET.

BLUEGRASS CELLULAR

2902 RING ROAD
 ELIZABETHTOWN, KY 42702



F.S. Land Company
 T. Alan Neal Company
 Land Surveyors and Consulting Engineers
 PO Box 17546 2313/2315 Cottenden Drive
 Louisville, KY 40217
 Phone: (502) 635-5866 (502) 636-5111
 Fax: (502) 636-5263

SITE NUMBER:

SITE NAME:
 MONTICELLO WEST

SITE ADDRESS:

PROPOSED LEASE AREA:
 AREA = 4,900 sq. ft.

PROPERTY OWNER:
 BOBBY & TRESIA FULTON
 125 SOUTH ALBANY ROAD
 MONTICELLO, KY 42633

TAX MAP NUMBER:
 39

LOT NUMBER:
 69.01

SOURCE OF TITLE:
 DEED BOOK 316, PAGE 440

DWG BY: DJG	CHKD BY: FSH	DATE: 06.08.06
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FSTAN PROJECT NO.:
 06-4017

SHEET 1 OF 1

REVISIONS:

PRELIMINARY

GEOTECHNICAL ENGINEERING REPORT
MONTICELLO WEST TELECOMMUNICATION TOWER
HIGHWAY 90
MONTICELLO, KENTUCKY
TERRACON PROJECT NO. 57067437G
June 14, 2006

Prepared For:

BLUEGRASS CELLULAR PARTNERSHIP
Elizabethtown, Kentucky

Prepared by:

Terracon
Louisville, Kentucky

Terracon

June 14, 2006



Mr. Doug Updegraff
Bluegrass Cellular Partnership
2902 Ring Road
Elizabethtown, Kentucky 42702

4545 Bishop Lane, Suite 101
Louisville, Kentucky 40218
Phone 502.456.1256
Fax 502.456.1278
www.terracon.com

Attn: Mr. Doug Updegraff

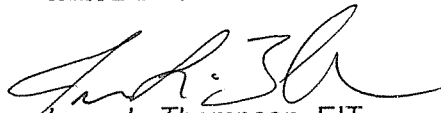
**Re: Geotechnical Engineering Report
Proposed Monticello West Telecommunication Tower
Highway 90
Monticello, Kentucky
Terracon Project No. 57067437G**

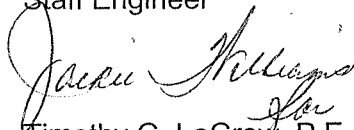
Dear Mr. Updegraff:

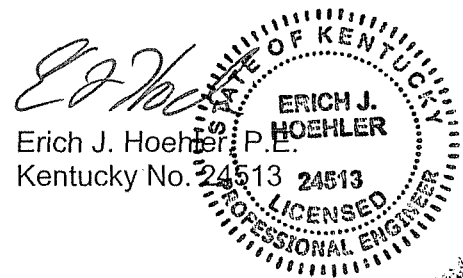
The results of our subsurface exploration are attached. The purpose of this exploration was to obtain information on subsurface conditions at the proposed project site and, based on this information, to provide recommendations regarding the design and construction of foundations for the proposed tower.

We appreciate the opportunity to be of service to you on this project. If you have any questions concerning this report, or if we may be of further service to you in any way, please feel free to contact us.

Sincerely,
Terracon


Jason L. Thompson, EIT
Staff Engineer


Timothy G. LaGrow, P.E.
Regional Manager



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Attachments: Geotechnical Engineering Report

Copies: (4) Addressee

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GEOTECHNICAL ENGINEERING REPORT

PROPOSED MONTICELLO WEST TELECOMMUNICATION TOWER HIGHWAY 90 MONTICELLO, KENTUCKY TERRACON PROJECT NO. 57067437G June 14, 2006

1.0 INTRODUCTION

The purpose of this report is to describe the subsurface conditions encountered in the boring, analyze and evaluate the test data, and provide recommendations regarding the design and construction of foundations and earthwork for the proposed tower. One boring extending to a depth of about 50 feet below the existing ground surface was drilled at the site. An individual boring log and a boring location plan are included with this report.

2.0 PROJECT DESCRIPTION

Terracon understands the proposed project will consist of the construction of a 240-foot self supporting tower. Exact tower loads are not available, but based on our past experience are anticipated to be as follows:

Vertical Load:	600 kips
Horizontal Shear:	80 kips
Uplift:	500 kips

A small, lightly loaded equipment building will also be constructed. Wall and floor loads for this building are not anticipated to exceed 1 kip per linear foot and 100 pounds per square foot, respectively. At the time of the site visit, the property was an undeveloped grass covered area of land with approximately 2 to 3 feet of elevational relief across the staked tower compound. Based on the proposed tower construction and site observations, 1 to 3 feet of cut and/or fill may be necessary to reach the planned site grade.

3.0 EXPLORATION PROCEDURES

3.1 Field Exploration

The subsurface exploration consisted of drilling and sampling one boring at the site to a depth of about 50 feet below existing grade. The boring was advanced at the center of the tower, staked by the project surveyor. Ground surface elevations were not available at the time of this report and have been omitted from the boring log. The location of the boring should be considered accurate only to the degree implied by the means and methods used to define them.

The boring was drilled with an ATV-mounted rotary drill rig using hollow stem augers to advance the borehole. Representative soil samples were obtained by both the split-barrel and thin-walled tube sampling procedures in general accordance with the appropriate ASTM standard. In the split-barrel sampling procedure, the number of blows required to advance a standard 2-inch O.D. split-barrel sampler the last 12 inches of the typical total 18-inch penetration by means of a 140-pound hammer with a free fall of 30 inches, is the standard penetration resistance (SPT) value (N-Value). This value is used to estimate the in-situ relative density of cohesionless soils and the consistency of cohesive soils. In the thin-walled tube sampling procedure, a thin-walled, seamless steel tube with a sharp cutting edge is pushed hydraulically into the soil to obtain a relatively undisturbed sample of cohesive or moderately cohesive soil. The sampling depths, penetration distance, and SPT N-Values are shown on the boring log. The samples were sealed and delivered to the laboratory for testing and classification.

A field log of the boring was prepared by a subcontract driller. This log included visual classifications of the materials encountered during drilling as well as the driller's interpretation of the subsurface conditions between samples. The final boring log included with this report represents an interpretation of the driller's field log and a visual classification of the soil samples made by the Geotechnical Engineer.

3.2 Laboratory Testing

The samples were classified in the laboratory based on visual observation, texture and plasticity. The descriptions of the soils indicated on the boring log are in accordance with the enclosed General Notes and the Unified Soil Classification System. Estimated group symbols according to the Unified Soil Classification System are given on the boring log. A brief description of this classification system is attached to this report.

The laboratory testing program consisted of performing water content tests and an Atterberg Limits test on representative soil samples. A representative sample of cohesive soil, which was obtained by the thin-walled tube sampling procedure, was tested for unconfined compressive strength, water content and density. Information from these tests was used in conjunction with field penetration test data to evaluate soil strength in-situ, volume change potential, and soil classification. Results of these tests are provided on the boring log.

4.0 EXPLORATORY FINDINGS

4.1 Subsurface Conditions

Conditions encountered at the boring location are indicated on the boring log. Stratification boundaries on the boring log represent the approximate location of changes in soil types and the transition between materials may be gradual. Water levels shown on the boring log represent the conditions only at the time of our exploration. Based on the results of the boring, subsurface conditions on the project site can be generalized as follows.

Underlying approximately 6 inches of topsoil, our boring encountered Elastic Silt (MH) to a depth of approximately 23½ feet below the existing ground surface. Fat Clay (CH) was encountered below the silt to a boring termination depth of about 50 feet. The elastic silt exhibited a stiff to very stiff consistency based on SPT N-Values ranging from 10 to 22 blows per foot (bpf) and an unconfined compressive strength of 3,900 psf. The fat clay exhibited a very stiff consistency based on SPT N-Values ranging from 18 to 25 bpf. The higher SPT N-Values observed below a depth of about 23½ feet are likely inflated by the presence of chert fragments within the soil matrix.

Refusal material was not encountered in our borings.

4.2 Site Geology

A review of the Geologic Map of the Parnell, Wayne County, Kentucky Quadrangle published by the United States Geological Survey (USGS), indicates that the site is underlain by St. Louis Limestone. St. Louis Limestone consists of very dark gray to light gray limestone, commonly cherty with some interbedded siltstone. The siltstone is commonly more abundant in the lower part of the formation. The bedrock of this formation weathers very dark red to maroon soil containing abundant fragments of chert. The formation ranges from 95 to 160 feet thick.

It should be noted that the site is underlain by a limestone formation that is highly susceptible to dissolution along joints and bedding planes in the rock mass. This results in voids and solution channels within the rock strata and a highly irregular bedrock surface. The weathering of the bedrock and subsequent collapse or erosion of the overburden into these openings results in what is referred to as a karst topography. Any construction in karst topography is accompanied by some degree of risk for future internal soil erosion and ground subsidence that could affect the stability of the proposed structures. Our review of the available topographic and geologic mapping noted karst topography within an approximate 1-mile radius of the property. However, the boring drilled at the site did not disclose any obvious signs of impending overburden collapse.

4.3 Groundwater Conditions

Groundwater was not observed in the boring during or immediately after completion of drilling operations. At the time the boring was drilled, the groundwater table at the boring location was apparently below the maximum drilling depth. However, fluctuations in the groundwater table can occur and perched water can develop over low permeability soil or rock strata following periods of heavy or prolonged precipitation. This possibility should be considered when developing plans and specifications for the project. Long term monitoring in cased holes or piezometers would be necessary to accurately evaluate the potential range of groundwater conditions on the site.

5.0 ENGINEERING RECOMMENDATIONS

Based on the encountered subsurface conditions, the tower can be constructed on drilled piers or a mat foundation. The lightly loaded equipment building can be supported on shallow spread footings. Shallow foundation and drilled pier foundation recommendations are presented in the following paragraphs.

5.1 Tower Foundation

Drilled Pier Alternative: Based on the results of the boring, the following tower foundation design parameters have been developed:

Table 1 - Drilled Pier Foundation Design Parameters

Depth (feet) *	Description **	Allowable Skin Friction (psf)	Allowable End Bearing Pressure (psf)	Allowable Passive Pressure (psf)	Internal Angle of Friction (Degree)	Cohesion (psf)	Lateral Subgrade Modulus (pci)	Strain, & ₅₀ (in/in)
0 – 3	Topsoil and Lean to Fat Clay	Ignore	Ignore	Ignore	-	-	Ignore	Ignore
3 – 23½	Elastic Silt	425	3,000	1,500	0	1,500	120	.007
23½ – 50	Fat Clay	450	4,000	1,750	0	1,750	140	.006

* Pier inspection is recommended to adjust pier length if variable soil conditions are encountered.

** A total unit weight of 120 pcf can be assumed for the elastic silt and fat clay.

The above indicated cohesion, friction angle, lateral subgrade modulus and strain values have no factors of safety, and the allowable skin friction and the passive resistances have factors of safety of 2. The cohesion, internal friction angle, lateral subgrade modulus and strain values given in the above table are based on the boring, published correlation values and Terracon's past experience with similar soil types. These values should, therefore, be considered approximate. The allowable end bearing pressure provided in the table has an approximate factor of safety of at least 3. Total settlement of drilled piers designed using the above parameters is not anticipated to exceed 1 inch.

The upper 3 feet of topsoil and silt should be ignored due to the potential affects of frost action and construction disturbance. To avoid a reduction in lateral and uplift resistance caused by variable subsurface conditions, we recommend that drawings instruct the contractor to notify the engineer if subsurface conditions significantly different than those encountered in the boring are disclosed during the drilled pier installations. Under these circumstances, it may be necessary to adjust the overall length of the pier. To facilitate these adjustments and assure that the pier is embedded in suitable materials, it is recommended that a Terracon representative observe the drilled pier excavations.

A drilled pier foundation should be designed with a minimum shaft diameter of 30 inches to facilitate clean out and possible dewatering of the pier excavation. Temporary casing may be required during the pier excavation in order to control possible groundwater seepage and support the sides of the excavation in weak soil zones. Care should be taken so that the sides and bottom of the excavations are not disturbed during construction. The bottom of the shaft should be free of loose soil or debris prior to reinforcing steel and concrete placement.

A concrete slump of at least 6 inches is recommended to facilitate temporary casing removal. It should be possible to remove the casing from a pier excavation during concrete placement provided that the concrete inside the casing is maintained at a sufficient level to resist any earth and hydrostatic pressures outside the casing during the entire casing removal procedure.

Mat Foundation Alternative: The mat foundation can be designed using the following natural soil/engineered fill parameters. These parameters are based on the findings of the boring, a review of published correlation values and Terracon's experience with similar soil conditions. These design parameters also assume that the base of the mat foundation will rest on natural soils or well-graded crushed stone that is compacted and tested on a full time basis.

Table 2 – Mat Foundation Design Parameters

Depth (feet)	Description	Allowable Contact Bearing Pressure (psf)	Allowable Passive Pressure (psf)	Coefficient of Friction, Tan δ	Vertical Modulus of Subgrade Reaction (pci)
0 – 3	Topsoil and Elastic Silt	Ignore	Ignore	-	
≥ 3	Elastic Silt or Crushed Stone Fill	3,000	Ignore	0.35	150

To assure that soft soils are not left under the mat foundation, it is recommended that a geotechnical engineer observe the foundation subgrade prior to concrete placement. Provided the above recommendations are followed, total mat foundation settlements are not anticipated to exceed about 1 inch. Differential settlement should not exceed 50 percent of the total settlement.

5.2 Equipment Building Foundations

The proposed equipment shed may be supported on shallow footings bearing on stiff natural soils. The equipment building foundations should be dimensioned using a net allowable soil bearing pressure of 2,000 pounds per square foot (psf). In using net allowable soil pressures for footing dimensioning, the weight of the footings and backfill over the footings need not be considered. Furthermore, the footings should be at least 12 inches wide and a minimum of 2 feet square.

The geotechnical engineer or a qualified representative should observe the foundation excavations to verify that the bearing materials are suitable for support of the proposed loads. If, at the time of such observation, any soft soils are encountered at the design foundation elevation, the excavations should be extended downward so that the footings rest on stiff soils. If it is inconvenient to lower the footings, the proposed footing elevations may be re-established by backfilling after the undesirable material has been removed.

The recommended soil bearing value should be considered an upper limit, and any value less than that listed above would be acceptable for the foundation system. Using the value given, total settlement would be about 1 inch or less with differential settlements being less than 75 percent of total settlement. Footings should be placed at a depth of 2 feet, or greater, below finished exterior grade for protection against frost damage.

5.3 Parking and Drive Areas

The drive that accesses the site will be surfaced with crushed stone. Parking and drive areas that are surfaced with crushed stone should have a minimum thickness of 6 inches and be properly placed and compacted as outlined herein. The crushed stone should meet Kentucky Transportation Cabinet specifications and applicable local codes.

A paved section consisting only of crushed graded aggregate base course should be considered a high maintenance section. Regular care and maintenance is considered essential to the longevity and use of the section. Site grades should be maintained in such a manner as to allow for adequate surface runoff. Any potholes, depressions or excessive rutting that may develop should be repaired as soon as possible to reduce the possibility of degrading the soil subgrade.

5.4 Site Preparation

Site preparation should begin with the removal of any topsoil, loose, soft or otherwise unsuitable materials from the construction area. The geotechnical engineer should evaluate the actual stripping depth, along with any soft soils that require undercutting at the time of construction.

Any fill and backfill placed on the site should consist of approved materials that are free of organic matter and debris. Suitable fill materials should consist of well graded crushed stone below the tower foundation and well graded crushed stone or low plasticity cohesive soil elsewhere. Low-plasticity cohesive soil should have a liquid limit of less than 45 percent and a plasticity index of less than 25 percent. The on-site soils are considered marginally suitable for re-use as fill. If these soils are used as fill, they should be further tested and evaluated prior to use. Fill should not contain frozen material and it should not be placed on a frozen subgrade.

The fill should be placed and compacted in lifts of 9 inches or less in loose thickness. Fill placed below structures or used to provide lateral resistance should be compacted to at least 98 percent of the material's maximum standard Proctor dry density (ASTM D-698). Fill should be placed, compacted, and maintained at moisture contents within minus 1 to plus 3 percent of the optimum value determined by the standard Proctor test.

The geotechnical engineer should be retained to monitor fill placement on the project and to perform field density tests as each lift of fill is placed in order to evaluate compliance with the design requirements. Standard Proctor and Atterberg limits tests should be performed on the representative samples of fill materials before their use on the site.

5.5 Resistivity Analysis

Resistivity of the subsurface soils was not complete at the time of this report. The results of the resistivity analysis will be forwarded under separate cover.

6.0 GENERAL COMMENTS

Terracon should be retained to review the final design plans and specifications so comments can be made regarding interpretation and implementation of our geotechnical recommendations in the design and specifications. Terracon also should be retained to provide testing and observation during excavation, grading, foundation and construction phases of the project.

The analysis and recommendations presented in this report are based upon the data obtained from the boring performed at the indicated location and from other information discussed in this report. This report does not reflect variations that may occur across the site, between the tower legs or due to the modifying effects of weather. The nature and extent of such variations may not become evident until during or after construction. If variations appear, we should be immediately notified so that further evaluation and supplemental recommendations can be provided.

The scope of services for this project does not include either specifically or by implication any environmental or biological (e.g., mold, fungi, bacteria) assessment of the site or identification or prevention of pollutants, hazardous materials or conditions. If the owner is concerned about the potential for such contamination or pollution, other studies should be undertaken.

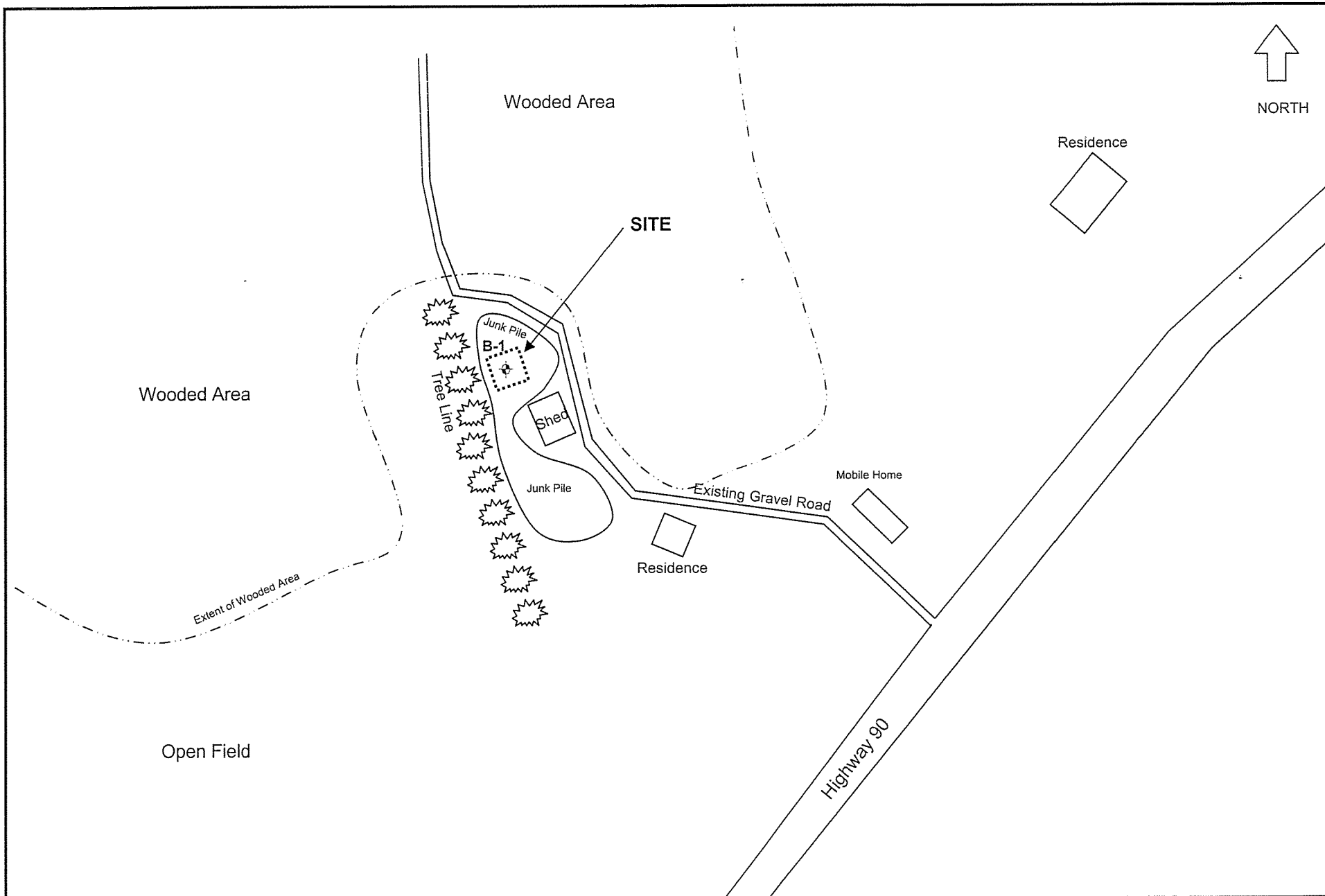
This report has been prepared for the exclusive use of our client for specific application to the project discussed and has been prepared in accordance with generally accepted geotechnical engineering practices. No warranties, either express or implied, are intended or made. Site safety, excavation support, and dewatering requirements are the responsibility of others. In the event that changes in the nature, design, or location of the

Proposed Monticello West Telecommunication Tower
Monticello, Kentucky
Terracon Project No.: 57067437G
June 14, 2006

Terracon

project as outlined in this report are planned, the conclusions and recommendations contained in this report shall not be considered valid unless Terracon reviews the changes and either verifies or modifies the conclusions of this report in writing.

APPENDIX



BORING LOCATION DIAGRAM
SCALE: NTS



Bluegrass Cellular Partnership
Monticello West Site
Monticello, Kentucky
PROJECT NO. 57067437G

LOG OF BORING NO. B-1

CLIENT
Bluegrass Cellular Partnership

SITE
**Highway 90
Monticello, Kentucky**

PROJECT
Proposed Monticello West Tower

GRAPHIC LOG

DESCRIPTION

DEPTH, ft.	USCS SYMBOL	SAMPLES				TESTS		
		NUMBER	TYPE	RECOVERY, in.	SPT - N BLOWS / ft.	WATER CONTENT, %	DRY UNIT WT pcf	UNCONFINED STRENGTH, psf
0.5								
	MH	1	SS	18	14	21		6000*
	MH	2	SS	18	22	25		7000*
	MH	3	SS	18	15	28		7000*
	MH	4	ST	24		26	106	3900
	MH	5	SS	17	20			8000*
	MH	6	SS	18	15	25		6000*
	MH	7	SS	18	10	25		3000*
	CH	8	SS	18	21	20		
	CH	9	SS	15	19	35		
	CH	10	SS	12	25			
	CH	11	SS	15	20	30		
	CH	12	SS	18	18			
	CH	13	SS	3	20	32		
50								

0.5 **TOPSOIL**
ELASTIC SILT, reddish brown, stiff to very stiff

23.5 **FAT CLAY**, reddish brown, stiff to very stiff
-with varying amounts of chert below 23.5 feet

50 **Boring Terminated at 50 feet**

The stratification lines represent the approximate boundary lines between soil and rock types: in-situ, the transition may be gradual.

*Calibrated Hand Penetrometer

WATER LEVEL OBSERVATIONS, ft	
WL	▽ N/E
WL	▽
WL	



BORING STARTED	6-1-06
BORING COMPLETED	6-1-06
RIG CME-550	FOREMAN MW
LOGGED JLT	JOB # 57067437G

BOREHOLE 99 57067437G.GPJ TERRACON.GDT 6/15/06

GENERAL NOTES

DRILLING & SAMPLING SYMBOLS:

SS:	Split Spoon - 1- ³ / ₈ " I.D., 2" O.D., unless otherwise noted	HS:	Hollow Stem Auger
ST:	Thin-Walled Tube - 2" O.D., unless otherwise noted	PA:	Power Auger
RS:	Ring Sampler - 2.42" I.D., 3" O.D., unless otherwise noted	HA:	Hand Auger
DB:	Diamond Bit Coring - 4", N, B	RB:	Rock Bit
BS:	Bulk Sample or Auger Sample	WB:	Wash Boring or Mud Rotary

The number of blows required to advance a standard 2-inch O.D. split-spoon sampler (SS) the last 12 inches of the total 18-inch penetration with a 140-pound hammer falling 30 inches is considered the "Standard Penetration" or "N-value".

WATER LEVEL MEASUREMENT SYMBOLS:

WL:	Water Level	WS:	While Sampling	N/E:	Not Encountered
WC:	Wet Cave in	WD:	While Drilling		
DC:	Dry Cave in	BCR:	Before Casing Removal		
AB:	After Boring	ACR:	After Casing Removal		

Water levels indicated on the boring logs are the levels measured in the borings at the times indicated. Groundwater levels at other times and other locations across the site could vary. In pervious soils, the indicated levels may reflect the location of groundwater. In low permeability soils, the accurate determination of groundwater levels may not be possible with only short-term observations.

DESCRIPTIVE SOIL CLASSIFICATION: Soil classification is based on the Unified Classification System. Coarse Grained Soils have more than 50% of their dry weight retained on a #200 sieve; their principal descriptors are: boulders, cobbles, gravel or sand. Fine Grained Soils have less than 50% of their dry weight retained on a #200 sieve; they are principally described as clays if they are plastic, and silts if they are slightly plastic or non-plastic. Major constituents may be added as modifiers and minor constituents may be added according to the relative proportions based on grain size. In addition to gradation, coarse-grained soils are defined on the basis of their in-place relative density and fine-grained soils on the basis of their consistency.

CONSISTENCY OF FINE-GRAINED SOILS

<u>Unconfined Compressive Strength, Qu, psf</u>	<u>Standard Penetration or N-value (SS) Blows/Ft.</u>	<u>Consistency</u>
< 500	<2	Very Soft
500 - 1,000	2-4	Soft
1,001 - 2,000	5-7	Medium Stiff
2,001 - 4,000	8-15	Stiff
4,001 - 8,000	16-30	Very Stiff
8,000+	30+	Hard

RELATIVE DENSITY OF COARSE-GRAINED SOILS

<u>Standard Penetration or N-value (SS) Blows/Ft.</u>	<u>Relative Density</u>
0 - 3	Very Loose
4 - 9	Loose
10 - 29	Medium Dense
30 - 49	Dense
50+	Very Dense

RELATIVE PROPORTIONS OF SAND AND GRAVEL

<u>Descriptive Term(s) of other constituents</u>	<u>Percent of Dry Weight</u>
Trace	< 15
With	15 - 29
Modifier	> 30

GRAIN SIZE TERMINOLOGY

<u>Major Component of Sample</u>	<u>Particle Size</u>
Boulders	Over 12 in. (300mm)
Cobbles	12 in. to 3 in. (300mm to 75 mm)
Gravel	3 in. to #4 sieve (75mm to 4.75 mm)
Sand	#4 to #200 sieve (4.75mm to 0.075mm)
Silt or Clay	Passing #200 Sieve (0.075mm)

RELATIVE PROPORTIONS OF FINES

<u>Descriptive Term(s) of other constituents</u>	<u>Percent of Dry Weight</u>
Trace	< 5
With	5 - 12
Modifiers	> 12

PLASTICITY DESCRIPTION

<u>Term</u>	<u>Plasticity Index</u>
Non-plastic	0
Low	1-10
Medium	11-30
High	30+

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UNIFIED SOIL CLASSIFICATION SYSTEM

Criteria for Assigning Group Symbols and Group Names Using Laboratory Tests^A

Criteria for Assigning Group Symbols and Group Names Using Laboratory Tests ^A				Soil Classification	
				Group Symbol	Group Name ^B
Coarse Grained Soils More than 50% retained on No. 200 sieve	Gravels More than 50% of coarse fraction retained on No. 4 sieve	Clean Gravels Less than 5% fines ^C	Cu ≥ 4 and 1 ≤ Cc ≤ 3 ^E	GW	Well-graded gravel ^F
			Cu < 4 and/or 1 > Cc > 3 ^E	GP	Poorly graded gravel ^F
		Gravels with Fines More than 12% fines ^C	Fines classify as ML or MH	GM	Silty gravel ^{F,G,H}
		Fines classify as CL or CH	GC	Clayey gravel ^{F,G,H}	
	Sands 50% or more of coarse fraction passes No. 4 sieve	Clean Sands Less than 5% fines ^D	Cu ≥ 6 and 1 ≤ Cc ≤ 3 ^E	SW	Well-graded sand ^I
			Cu < 6 and/or 1 > Cc > 3 ^E	SP	Poorly graded sand ^I
Sands with Fines More than 12% fines ^D		Fines classify as ML or MH	SM	Silty sand ^{G,H,I}	
		Fines Classify as CL or CH	SC	Clayey sand ^{G,H,I}	
Fine-Grained Soils 50% or more passes the No. 200 sieve	Silt and Clays Liquid limit less than 50	inorganic	PI > 7 and plots on or above "A" line ^J	CL	Lean clay ^{K,L,M}
			PI < 4 or plots below "A" line ^J	ML	Silt ^{K,L,M}
		organic	Liquid limit - oven dried < 0.75	OL	Organic clay ^{K,L,M,N}
			Liquid limit - not dried	OH	Organic silt ^{K,L,M,O}
	Silt and Clays Liquid limit 50 or more	inorganic	PI plots on or above "A" line	CH	Fat clay ^{K,L,M}
			PI plots below "A" line	MH	Elastic Silt ^{K,L,M}
		organic	Liquid limit - oven dried < 0.75	OH	Organic clay ^{K,L,M,P}
			Liquid limit - not dried	OH	Organic silt ^{K,L,M,O}
Highly organic soils	Primarily organic matter, dark in color, and organic odor		PT	Peat	

^ABased on the material passing the 3-in. (75-mm) sieve

^BIf field sample contained cobbles or boulders, or both, add "with cobbles or boulders, or both" to group name.

^CGravels with 5 to 12% fines require dual symbols: GW-GM well-graded gravel with silt, GW-GC well-graded gravel with clay, GP-GM poorly graded gravel with silt, GP-GC poorly graded gravel with clay.

^DSands with 5 to 12% fines require dual symbols: SW-SM well-graded sand with silt, SW-SC well-graded sand with clay, SP-SM poorly graded sand with silt, SP-SC poorly graded sand with clay

$$^E C_u = D_{60}/D_{10} \quad C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}}$$

^FIf soil contains ≥ 15% sand, add "with sand" to group name.

^GIf fines classify as CL-ML, use dual symbol GC-GM, or SC-SM.

^HIf fines are organic, add "with organic fines" to group name.

^IIf soil contains ≥ 15% gravel, add "with gravel" to group name.

^JIf Atterberg limits plot in shaded area, soil is a CL-ML, silty clay.

^KIf soil contains 15 to 29% plus No. 200, add "with sand" or "with gravel," whichever is predominant.

^LIf soil contains ≥ 30% plus No. 200 predominantly sand, add "sandy" to group name.

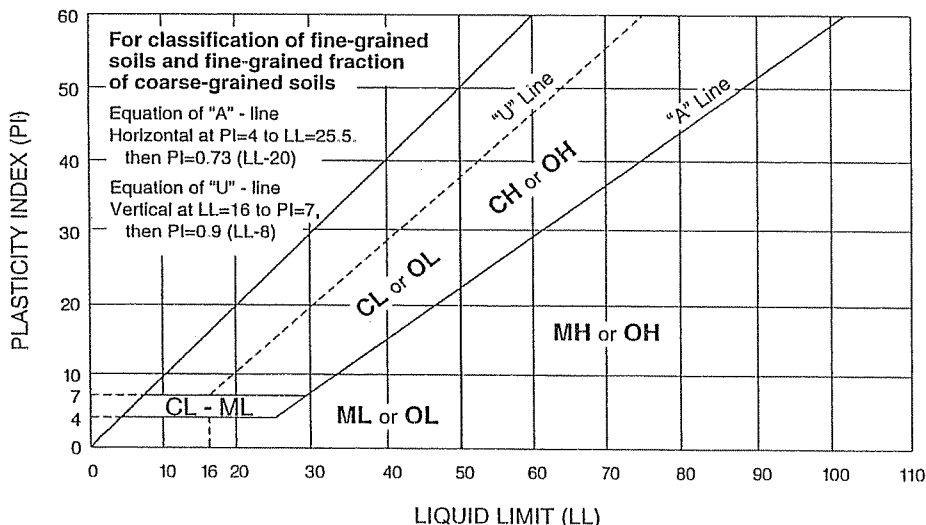
^MIf soil contains ≥ 30% plus No. 200, predominantly gravel, add "gravelly" to group name.

^NPI ≥ 4 and plots on or above "A" line.

^OPI < 4 or plots below "A" line.

^PPI plots on or above "A" line.

^QPI plots below "A" line.



COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

**APPLICATION OF CUMBERLAND CELLULAR
PARTNERSHIP FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO
CONSTRUCT A CELL SITE (MONTICELLO WEST) IN RURAL
SERVICE AREA #5 (WAYNE) OF THE COMMONWEALTH
OF KENTUCKY** **CASE NO. 2006-00320**

AFFIDAVIT OF JOHN E. SELENT

I, John E. Selent, being duly sworn, depose and state as follows:

1. My name is John E. Selent and I am a member of the Kentucky Bar Association.

I am legal counsel to Cumberland Cellular Partnership and am submitting this affidavit in conjunction with the above referenced matter.

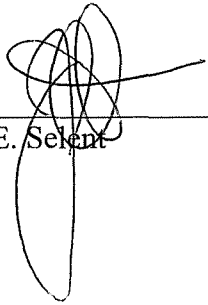
2. In order to demonstrate compliance with 807 KAR 5:063 §1(1)(l), Exhibit 1 identifies, with the exception of those individuals identified in paragraph 4, the names of the residents/tenants and property owners within 500 feet of the proposed tower who have been: (i) notified by written notice of the proposed construction, sufficient postage prepaid, by United States Certified Mail, return receipt requested; (ii) given the Commission docket number under which the application will be processed; and (iii) informed of the right to request intervention.

3. Attached as Exhibit 2 is a copy of the United States Certified Mail return receipts that demonstrate proof of service of the written notice (See Exhibit 1) of the proposed construction upon Bobby and Tresia Fulton, Glen and Dorothy Abbott, Donald and Wanda Thompson, Steven Thompson, and Glenn and Lucy Abbott.

4. Attached as Exhibit 3 is a copy of the United States Express Mail return receipts that demonstrates proof of service of the written notice (See Exhibit 1) of the proposed construction upon Mack Peercy, Dallas and Connie Piercy, David and Linda Smith, Willadean

Brake, Paul and Vicki Parmley. The addresses for Mack Peercy, Dallas and Connie Piercy, David and Linda Smith, Willadean Brake, Paul and Vicki Parmley are P.O. Boxes and therefore could not be served by United States Certified Mail in compliance with 807 KAR 5:063 § 1(l) and (m).

Further Affiant saith not.

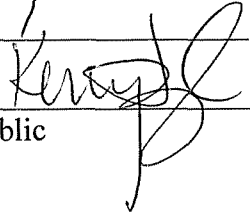


John E. Seibert
)
)SS:
)

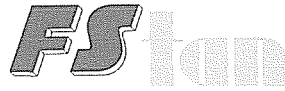
COMMONWEALTH OF KENTUCKY)
COUNTY OF JEFFERSON)

SUBSCRIBED AND SWORN to before me this 8th day of August, 2006.

My commission expires: 11/20/07



Notary Public



Land Surveyors and Consulting Engineers
Formerly F.S. Neal & E. John Neal Companies

Site Name: MONTICELLO WEST

500' RADIUS & ADJOINING LANDOWNER LIST

Map 39, Lot 69.01
Fulton, Bobby & Tresia
125 South Albany Road
Monticello, KY 42633
Deed Book 316, Page 440
No Zoning

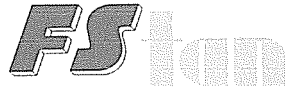
Map 39, Lot 74
Parmley, Paul & Vicki
RR 3, Box 217
Monticello, KY 42633
Deed Book 312, Page 657
No Zoning

Map 39, Lot 69
Abbott, Glen & Dorothy
111 Center Street
Monticello, KY 42633
Deed Book 210, Page 307
No Zoning

Map 39, Lot 66
Brake, Willadean
RR 4, Box 133
Monticello, KY 42633
Deed Book 307, Page 001
No Zoning

Map 39, Lot 72
Smith, David & Linda
RT 3, Box 278-D
Monticello, KY 42633
Deed Book 232, Page 445
No Zoning

Map 39, Lot 70
Thompson, Donald & Wanda;
Thompson, Steven
213 Branch Road
Monticello, KY 42633
Deed Book 292, Page 685
No Zoning



Land Surveyors and Consulting Engineers

Formerly F.S. Land & Y. Allen Neal Companies

Map 39, Lot 67
Percy, Dallas & Connie
RR 4, Box 238 H
Monticello, KY 42633
Deed Book 304, Page 023
No Zoning

Map 39, Lot 71
Percy, Mack
RR 6, Box 1299
Monticello, KY 42633
Deed Book 144, Page 25
No Zoning

Map 39, Lot 68
Abbott, Glenn & Lucy
111 Center Street
Monticello, KY 42633
Commissioner's Deed
Book 10, Page 524
No Zoning

July 5, 2006

Bobby and Tresia Fulton
Route 6, Box 1300
Monticello, Kentucky 42633

Public Notice

Cumberland Cellular Partnership is a Kentucky general partnership that markets its services as Bluegrass Cellular. Bluegrass Cellular has been serving Central Kentucky with wireless communications services for over 15 years.

Bluegrass Cellular is applying to the Public Service Commission of the Commonwealth of Kentucky (the "Commission") for a Certificate of Public Convenience and Necessity to construct and a new cell facility to provide cellular telephone service. This facility will include a 240 foot tower to be located at Route 6, Box 1301, Monticello, Kentucky, 42633. A map showing the location is attached.

The Commission invites your comments regarding this proposed construction. Also, the Commission wants you to be aware of your right to intervene in this matter. Your comments and request for intervention should be addressed to:

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

Please refer to case number 2006-00320 in your correspondence.

Bluegrass Cellular welcomes the opportunity to serve and provide wireless service in your community! (For more information, please check us out online at www.myblueworks.com)

June 28, 2006

Paul and Vicki Parmley
RR 3, Box 217
Monticello, Kentucky 42633

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June 28, 2006

Glen and Dorothy Abbott
111 Center Street
Monticello, Kentucky 42633

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June 28, 2006

Willadean Brake
RR 4, Box 133
Monticello, Kentucky 42633

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June 28, 2006

David and Linda Smith
Route 3, Box 278-D
Monticello, Kentucky 42633

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June 28, 2006

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June 28, 2006

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RR 4, Box 238-H
Monticello, Kentucky 42633

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June 28, 2006

Mack Peercy
RR 6, Box 1299
Monticello, Kentucky 42633

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July 20, 2006

Steven Thompson
213 Branch Road
Monticello, Kentucky 42633

Public Notice

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <i>Steve Thompson</i> <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Steve Thompson</i></p> <p>C. Date of Delivery <i>7-24-06</i></p>
<p>1. Article Addressed to:</p> <p><i>Steven Thompson 213 Branch Road Monticello, KY 42633</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7006 0100 0000 9010 5472</p>

July 5, 2006

Bobby and Tresia Fulton
Route 6, Box 1300
Monticello, Kentucky 42633

Public Notice

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1. Article Addressed to: Bobbyd Tresia Fulton 125 S. Albany Road Monticello, KY 42633	B. Received by (Printed Name) Talbatha Garrett C. Date of Delivery 7/4/06
2. Article Number (Transfer from service label)	D. Is delivery address different from item 12? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below: R6 BX 1300
PS Form 3811, February 2004	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
	7006 0100 0000 9010 5793

June 28, 2006

Glen and Dorothy Abbott
111 Center Street
Monticello, Kentucky 42633

Public Notice

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1. Article Addressed to: <i>Glen & Dorothy Abbott 111 Center Street Monticello, KY 42633</i>	B. Received by (Printed Name) <i>Lucy Abbott</i> C. Date of Delivery <i>6-30</i>
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input checked="" type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. <input type="checkbox"/> Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
PS Form 3811, February 2004	Domestic Return Receipt 7006 0100 0000 9000 5809 102595-02-M-1540

June 28, 2006

Donald and Wanda Thompson
213 Branch Road
Monticello, Kentucky 42633

Public Notice

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1. Article Addressed to: <i>Donald & Wanda Thompson 213 Branch Road Monticello, KY 42633</i>	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
2. Article Number (Transfer from service label)	7006 0100 0000 9010 5816

June 28, 2006

Glen and Lucy Abbott
111 Center Street
Monticello, Kentucky 42633

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1. Article Addressed to: <i>Glen & Lucy Abbott 111 Center Street Monticello, KY 42633</i>	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
2. Article Number (Transfer from service label)	7006 0100 0000 9010 5823

June 28, 2006

Mack Peercy
RR 6, Box 1299
Monticello, Kentucky 42633

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Track & Confirm

Search Results

Label/Receipt Number: ER28 3588 640U S
Status: **Delivered**

Your item was delivered at 11:06 am on June 29, 2006 in MONTICELLO, KY 42633. The item was signed for by M PEERCY.

[Additional Details >](#)

[Return to USPS.com Home >](#)

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Enter Label/Receipt Number.

Notification Options

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Get current event information or updates for your item sent to you or others by email. [Go >](#)

Proof of Delivery

Verify who signed for your item by email, fax, or mail. [Go >](#)



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Track & Confirm

Search Results

Label/Receipt Number: ER28 3588 640U S

Detailed Results:

- Delivered, June 29, 2006, 11:06 am, MONTICELLO, KY 42633
- Arrival at Unit, June 29, 2006, 7:03 am, MONTICELLO, KY 42633
- Enroute, June 29, 2006, 4:18 am, SOMERSET, KY 42501
- Enroute, June 28, 2006, 7:46 pm, LOUISVILLE, KY 40231
- Acceptance, June 28, 2006, 2:10 pm, LOUISVILLE, KY 40270

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June 28, 2006

Dallas and Connie Piercy
RR 4, Box 238-H
Monticello, Kentucky 42633

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Frankfort, Kentucky, 40602.**

Please refer to case number 2006-00320 in your correspondence.

Bluegrass Cellular welcomes the opportunity to serve and provide wireless service in your community! (For more information, please check us out online at www.myblueworks.com)



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Detailed Results:

- Delivered, June 29, 2006, 10:35 am, MONTICELLO, KY 42633
- Arrival at Unit, June 29, 2006, 7:03 am, MONTICELLO, KY 42633
- Enroute, June 29, 2006, 4:18 am, SOMERSET, KY 42501
- Enroute, June 28, 2006, 7:46 pm, LOUISVILLE, KY 40231
- Acceptance, June 28, 2006, 2:07 pm, LOUISVILLE, KY 40270

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June 28, 2006

David and Linda Smith
Route 3, Box 278-D
Monticello, Kentucky 42633

Public Notice

Cumberland Cellular Partnership is a Kentucky general partnership that markets its services as Bluegrass Cellular. Bluegrass Cellular has been serving Central Kentucky with wireless communications services for over 15 years.

Bluegrass Cellular is applying to the Public Service Commission of the Commonwealth of Kentucky (the "Commission") for a Certificate of Public Convenience and Necessity to construct and a new cell facility to provide cellular telephone service. This facility will include a 240 foot tower to be located at Route 6, Box 1301, Monticello, Kentucky, 42633. A map showing the location is attached.

The Commission invites your comments regarding this proposed construction. Also, the Commission wants you to be aware of your right to intervene in this matter. Your comments and request for intervention should be addressed to:

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

Please refer to case number 2006-00320 in your correspondence.

Bluegrass Cellular welcomes the opportunity to serve and provide wireless service in your community! (For more information, please check us out online at www.myblueworks.com)



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Label/Receipt Number: ER28 3588 622U S

Detailed Results:

- Delivered, June 29, 2006, 11:00 am, MONTICELLO, KY 42633
- Arrival at Unit, June 29, 2006, 7:03 am, MONTICELLO, KY 42633
- Enroute, June 29, 2006, 4:18 am, SOMERSET, KY 42501
- Enroute, June 28, 2006, 7:46 pm, LOUISVILLE, KY 40231
- Acceptance, June 28, 2006, 2:08 pm, LOUISVILLE, KY 40270

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June 28, 2006

Willadean Brake
RR 4, Box 133
Monticello, Kentucky 42633

Public Notice

Cumberland Cellular Partnership is a Kentucky general partnership that markets its services as Bluegrass Cellular. Bluegrass Cellular has been serving Central Kentucky with wireless communications services for over 15 years.

Bluegrass Cellular is applying to the Public Service Commission of the Commonwealth of Kentucky (the "Commission") for a Certificate of Public Convenience and Necessity to construct and a new cell facility to provide cellular telephone service. This facility will include a 240 foot tower to be located at Route 6, Box 1301, Monticello, Kentucky, 42633. A map showing the location is attached.

The Commission invites your comments regarding this proposed construction. Also, the Commission wants you to be aware of your right to intervene in this matter. Your comments and request for intervention should be addressed to:

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

Please refer to case number 2006-00320 in your correspondence.

Bluegrass Cellular welcomes the opportunity to serve and provide wireless service in your community! (For more information, please check us out online at www.myblueworks.com)



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Label/Receipt Number: **ER28 3588 619U S**
Status: **Delivered**

Your item was delivered at 12:38 pm on June 29, 2006 in MONTICELLO, KY 42633. The item was signed for by J BRAKE.

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Label/Receipt Number: ER28 3588 619U S

Detailed Results:

- Delivered, June 29, 2006, 12:38 pm, MONTICELLO, KY 42633
- Arrival at Unit, June 29, 2006, 7:03 am, MONTICELLO, KY 42633
- Enroute, June 29, 2006, 4:18 am, SOMERSET, KY 42501
- Enroute, June 28, 2006, 7:46 pm, LOUISVILLE, KY 40231
- Acceptance, June 28, 2006, 2:09 pm, LOUISVILLE, KY 40270

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June 28, 2006

Paul and Vicki Parmley
RR 3, Box 217
Monticello, Kentucky 42633

Public Notice

Cumberland Cellular Partnership is a Kentucky general partnership that markets its services as Bluegrass Cellular. Bluegrass Cellular has been serving Central Kentucky with wireless communications services for over 15 years.

Bluegrass Cellular is applying to the Public Service Commission of the Commonwealth of Kentucky (the "Commission") for a Certificate of Public Convenience and Necessity to construct and a new cell facility to provide cellular telephone service. This facility will include a 240 foot tower to be located at Route 6, Box 1301, Monticello, Kentucky, 42633. A map showing the location is attached.

The Commission invites your comments regarding this proposed construction. Also, the Commission wants you to be aware of your right to intervene in this matter. Your comments and request for intervention should be addressed to:

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

Please refer to case number 2006-00320 in your correspondence.

Bluegrass Cellular welcomes the opportunity to serve and provide wireless service in your community! (For more information, please check us out online at www.myblueworks.com)



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Label/Receipt Number: **ER28 3588 653U S**

Status: **Delivered**

Your item was delivered at 4:12 pm on July 03, 2006 in MONTICELLO, KY 42633. The item was signed for by V PARMLEY.

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- Delivered, July 03, 2006, 4:12 pm, MONTICELLO, KY 42633
- Notice Left, June 29, 2006, 12:10 pm, MONTICELLO, KY 42633
- Arrival at Unit, June 29, 2006, 7:03 am, MONTICELLO, KY 42633
- Enroute, June 29, 2006, 4:18 am, SOMERSET, KY 42501
- Enroute, June 28, 2006, 7:46 pm, LOUISVILLE, KY 40231
- Acceptance, June 28, 2006, 4:22 pm, LOUISVILLE, KY 40270

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Dinsmore & Shohl LLP
ATTORNEYS

Kerry W. Ingle
(502) 540-2354 (Direct Dial)
kerry.ingle@dinslaw.com

June 28, 2006

Via Certified Mail

Wayne County Judge Executive
Courthouse
109 North Main Street
Monticello, Kentucky 42633

RE: Public Notice - Public Service Commission of Kentucky
Case No. 2006-00320

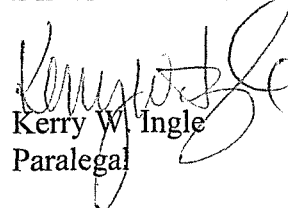
Cumberland Cellular Partnership is applying to the Public Service Commission of Kentucky (the Commission) for a Certificate of Public Convenience and Necessity to propose construction and operation for a new facility to provide cellular radio telecommunications service in rural service area (RSA) #5 in Wayne County. The facility will include a 240 ft. tower and an equipment shelter to be located at Route 6, Box 1301, Monticello, Kentucky, 42633. A map showing the location of the proposed new facility is enclosed.

The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter.

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission, P.O. Box 615, Frankfort, Kentucky 40602. Please refer to case number 2006-00320 in your correspondence.

Very truly yours,

DINSMORE & SHOHL LLP


Kerry W. Ingle
Paralegal

enclosure

KWI

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Wayne County Judge Executive
Courthouse
109 N. Main St.
Monticello, KY
42633

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Reggie Edwards* Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number

(Transfer from service label)

7006 0100 0000 9010 5502

PUBLIC NOTICE

**Cumberland Cellular Partnership
proposes to
construct a cellular
communications**

TOWER

**on this site If you have any
questions please contact:**

**Cumberland Cellular
Partnership
P. O. Box 5012
2902 Ring Road
Elizabethtown, KY 42701**

or

**Executive Director,
The Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, KY 40602**

**Please refer to P.S.C.
Case #2006-00320
in your correspondence.**

PUBLIC NOTICE

**Cumberland Cellular Partnership
proposes to
construct a cellular
communications**

TOWER

**near this site. If you have any
questions please contact:**

**Cumberland Cellular
Partnership
P. O. Box 5012
2902 Ring Road
Elizabethtown, KY 42701**

OR

**Executive Director,
The Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, KY 40602**

**Please refer to P.S.C.
Case #2006-00320
in your correspondence.**

CAPE & DESIGN
Residential
21 599-9427 Chris First (502) 387-70

Wayne County

The Outlook

109 East Columbia Avenue • P.O. Box 432

Monticello, KY 42633 • Phone (606) 348-3338 • Fax (606) 348-8848

Melinda Jones, President & Publisher

Newspaper Affidavit

I, Melinda Jones, Publisher of The Wayne County Outlook published at Monticello, Kentucky do solemnly swear that from my own personal knowledge and reference to the files of said publication, the advertisement of:

Dinomare & Shohl - Amended Notice Cumberland

was inserted on the following dates in this newspaper:

Cellular

<u>Date</u>	<u>Page</u>	<u>Column</u>
<u>7-19-06</u>	<u>16A</u>	<u>3</u>
<u>7-26-06</u>	<u>13B</u>	<u>4</u>

Melinda Jones
Publisher

Subscribed and sworn before me this 27th day of

July, ~~19~~ 2006, A.D.
My commission expires 9-28-09.

Nicki G. Dishman
Notary Public

PUBLIC NOTICE

AMENDED NOTICE

Cumberland Cellular Partnership is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular radio telecommunications service in rural service area #5 of the Commonwealth of Kentucky (Monticello West Cell Site). The facility is a 240 foot tower and an equipment shelter to be located at Route 6, Box 1301, Monticello, Kentucky, 42633. Your comments and requests for intervention should be addressed to: Executive Director's Office, Public Service Commission, Post Office Box 615, 211 Sower Boulevard, Frankfort, Kentucky 40602. Please refer to Case No. 2006-00320 in your correspondence.

PUBLISHER'S NOTICE

All real estate advertising in this newspaper is subject to the Fair Housing Act which makes it illegal to advertise "any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin, or an intention to make any such preference, limitation or discrimination." Familial status includes children under the age of 18 living with parents or legal custodians, pregnant women and people securing custody of children under 18.

This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis. To complain of discrimination call HUD toll-free at 1-800-669-9777. The toll free telephone number for the hearing impaired is 1-800-927-9275.

PUBLIC NOTICE

ing severed from and a part of the same land as conveyed to Jay D. Roberts et ux, from James W. Flynn et ux, dated July 13th, 1967, and of record in Deed Book 123, Page 107, in the Wayne County Court Clerk's Office.

BEGINNING on a pipe, set this survey at the right-of-way of KY 790, being the beginning corner to Byron Shimel, and located (reference lines, N 86 deg. 39 min. 49 sec. W 437.52 ft. from the 9th corner of Tract No. 2 of the above referenced parent deed, and also N 80 deg. 13 min. 03 sec. W 233.77 ft. from Roberts residence), and running with the South right-of-way of KY 790, N 79 deg. 52 min. 15 sec. E 177.80 feet to a pipe, set this survey. Thence, leaving the said right-of-way, and running a new severing line, S 32 deg. 42 min. 13 sec. W 110.37 ft. to a pipe, set this survey. Thence, still a new severing line, S 27 deg. 09 min. 10 sec. W 63.56 ft. to a pipe, set this survey at the drive. Thence, still a new severing line, S 02 deg. 25 min. 12 sec. E 70.45 ft. to a pipe, set this survey at a drive. Thence, still a new severing line, S 84 deg. 32 min. 48 sec. E 219.62 ft. to a pipe, set this survey. Thence, still a new severing line, S 12 deg. 06 min. 29 sec. E 164.58 ft. to a cedar at the fence. Thence, still a new severing line, S 17 deg. 57 min. 31 sec. W 232.20 ft. to a cedar in the fence in the line of Glen Keith. Thence with the said Keith line, N 83 deg. 28 min. 16 sec W 258.97 ft. to a pipe, set this survey at the fence corner. Thence still with Keith line, N 00 deg. 39 min. 42 sec. E 262.24 ft. to a pipe, set this survey, a corner to Glen Keith, and Byron Shimel. Thence with the Shimel line, N 03 deg. 10 min. 51 sec. W 300.02 ft. to the beginning. Containing 3.13 acres more or less.

Together with and subject to covenants, ease-

PUBLIC NOTICE

pared to promptly comply with the aforesaid terms and conditions.

**JOHN PAUL JONES II
MASTER COMMISSIONER,
WAYNE CIRCUIT COURT
7/12, 7/19 & 7/26/06**

**COMMONWEALTH OF
KENTUCKY
57TH JUDICIAL CIRCUIT
WAYNE CIRCUIT COURT
CASE NO. 06-CI-00078
COUNTRYWIDE HOME
LOANS INC. d/b/a
AMERICA'S WHOLESALE
LENDER, PLAINTIFF, VS.
DIANNE COLLINS
a/k/a DIANNE STRINGER
a/k/a DIANNE L. STRINGER;
and JIMMY COLLINS,
DEFENDANTS
**NOTICE OF MASTER
COMMISSIONER'S SALE****

Pursuant to a Judgment and Order of Sale entered on July 10, 2006, by the Wayne Circuit Court in Civil Action No. 06-CI-00078, I will sell at public auction, to the highest and best bidder, the following real property,:

Being a part of Lot #12 of Ruby Upchurch Estate Plat of which is of record in Plat Cabinet B, Slide 26, in the office of the Wayne County Court Clerk at Monticello, Kentucky, and being bounded and described as follows, to wit:

Unless stated otherwise, any monument referred to herein as a rebar and cap is a set 1/2" x 18" rebar with red plastic cap stamped "Al Cross L.S. 2614." Bearings being correlated to existing monumentation found.

Beginning on a rebar and cap set this survey in the right of way intersection of Upchurch Road and Murl Road (County Road) 20 feet from centerline, said rebar being located South 36 deg. 48 min. 17 sec. East 134.27 feet from the Southeast corner of residence located on tract herein described. Thence running with the North right of way of Murl Road North 84 deg. 20

8-1429 or
96-3958.

LANEOUS SALE

Saws w/stands.
an Band Saw,
250. 10" Black
ter Saw, excel-
0. 348-9696

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8-3338
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E. Minorities

to: American
Kendra Tall-

OR
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AMENDED NOTICE

Cumberland Cellular Partnership is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular radio telecommunications service in rural service area #5 of the Commonwealth of Kentucky (Monticello West Cell Site). The facility is a 240 foot tower and an equipment shelter to be located at Route 6, Box 1301, Monticello, Kentucky, 42633. Your comments and requests for intervention should be addressed to: Executive Director's Office, Public Service Commission, Post Office Box 615, 211 Sower Boulevard, Frankfort, Kentucky 40602. Please refer to Case No. 2006-00320 in your correspondence.

Wayne County Outlook
news@wcoutlook.com
wcclass@alltel.net
advertising@wcoutlook.com

accepted until Tuesday, August 8, 2006, 4:00 p.m. central time.

The Lake Cumberland Area Development District, Inc. reserves the right to reject any or all bids.

YARD SALES

3 FAMILY YARD SALE
Saturday, July 22
7 a.m.
Frank Bell Road at
Bellaire Estates
Kid's Clothes, Toys,
Furniture & Lots of
Miscellaneous

GARAGE SALE
Friday & Saturday
July 21 & 22
7 a.m. to 4 p.m.
903 Castle Street
Household Items, Camping
Equipment, Toys, Shoes,
Sporting Goods, Appliances,
Girl's Clothing
(18 months - size 18)

HORIZON YACHTS

East Hwy. 90 • Monticello, KY

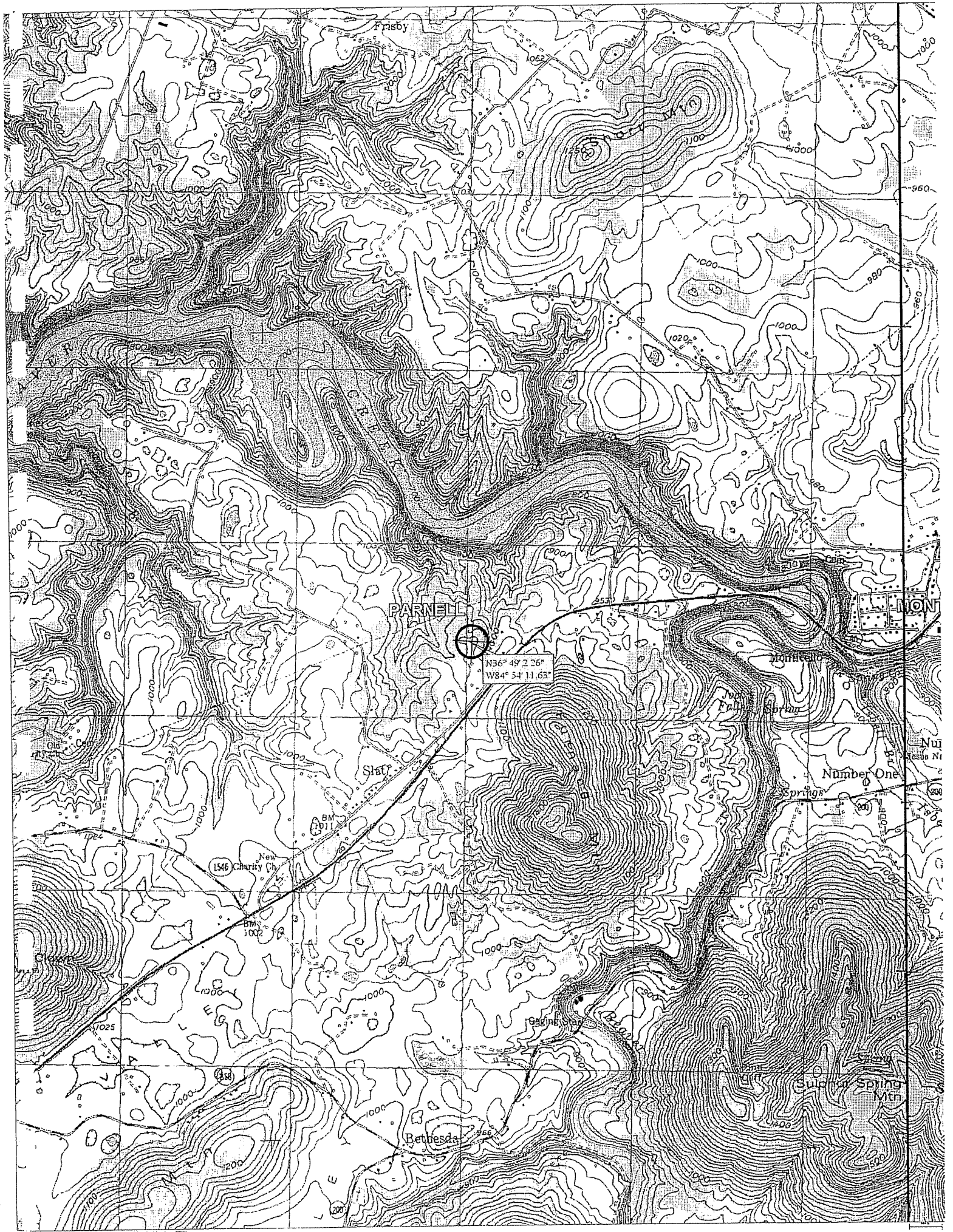
NOW HIRING

**EXPERIENCED FIBERGLASSER
& ELECTRICIANS**

APPLICATIONS BEING ACCEPTED
MONDAY THRU FRIDAY
8:00 A.M. TO 3:00 P.M.

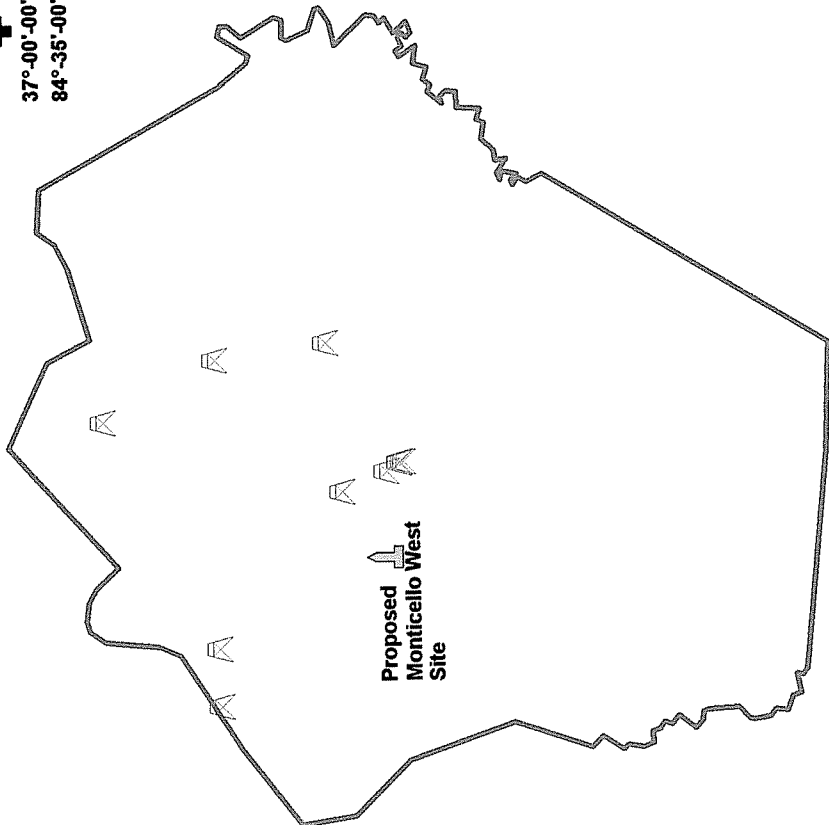
Boat Building Experience Required





We offer: Health



37°-00'-00" N
84°-35'-00" W

36°-35'-00" N
85°-00'-00" W



	Wayne County Boundary
	Constructed Towers Registered with the FCC
	Proposed Tower Location
	Tick Marks

Prepared By: LNCS Engineering 6/9/2006



**Information on Towers Registered with the FCC
in Wayne County and 1/2 Mile Area Outside of the County Boundary**

FCC Tower Reg. No.	North Latitude	West Longitude	City, State	Tower Owner
1004214	36-48-34	84-50-46	Monticello, KY	Cumberland Cellular Partnership
1009398	36-48-36	84-50-49	Monticello, KY	Staples Jr, BDA=WKYM FM
1042205	36-53-48	84-59-32	Parnell, KY	Global Tower, LLC
1043974	36-48-58	84-51-7	Monticello, KY	Monticello Wayne Co. Telecommunications Board
1044810	36-50-40	84-46-27	Parkers, KY	Kentucky Commonwealth DBA= KEWS
1059114	36-50-14.3	84-51-49.8	Monticello, KY	Staples Jr, BDA=WFLW FM
1065830	36-48-29	84-50-46	Monticello, KY	Monticello Wayne Co. Media Inc. DBA= WMKZ FM
1200492	36-53-50	84-57-27	Monticello, KY	Cumberland Cellular Partnership
1203422	36-57-6.3	84-49-13.8	Monticello, KY	Global Tower, LLC
1238700	36-53-52.1	84-47-2.5	Monticello, KY	Diamond Towers, LLC.



Land Surveyors and Consulting Engineers

Formerly F.S. Land & Surveying Companies

Site Name: MONTICELLO WEST

DRIVE TO DIRECTIONS

FROM MONTICELLO, KY, TAKE SR-92 NORTHWEST 1.4 MILES TO SR-90. TURN LEFT ONTO SR-90 AND CONTINUE SOUTHWEST 3.7 MILES TO OLD KEY 90 LOOP. TURN RIGHT ONTO OLD KEY 90 LOOP, AND PROCEED NORTHWEST 0.6 MILES TO SITE.

OPTION TO LEASE AND LEASE AGREEMENT

I.

OPTION TO LEASE REAL PROPERTY

THIS OPTION TO LEASE REAL PROPERTY (the “Option Agreement”) is made and entered into this 10 day of May, 2006, by and between **Tresia Fulton and her husband, Bobby Fulton** whose address is **125 South Albany Road, Monticello, KY 42633** (the “Optionor (s)”) and **Cumberland Cellular Partnership, d/b/a Bluegrass Cellular, a Kentucky general partnership** with principal office and place of business at **2902 Ring Road, Elizabethtown, KY 42701** (the “Optionee”).

WITNESSETH:

WHEREAS, the Optionor(s) is the owner of certain real property located in **Wayne** County, **Kentucky** as more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, the Optionor(s) wishes to grant to the Optionee, and the Optionee wishes to obtain from the Optionor(s), an option to lease the Property upon the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration, the mutuality, receipt and sufficiency of which are hereby acknowledged, the parties hereto do agree as follows.

1. In consideration of **One Thousand Two Hundred Dollars and Zero Cents (\$1,200.00)** paid by the Optionee to the Optionor(s) (the "Option Consideration"), the receipt of which is hereby acknowledged by the Optionor(s), the Optionor(s) hereby grants to the Optionee an exclusive and irrevocable option to lease the Property (the "Option"), upon the terms and conditions hereinafter set forth, upon the exercise of the Option at any time before 4:00 p.m. prevailing time on 5-10-07, (the "Option Period") as set forth in Paragraph 5 thereof.
2. The parties hereto anticipate that the Property comprises approximately a **One Hundred Foot by One Hundred Foot** area, and that a right of way will be given by the Optionor(s) for the purposes of ingress and egress throughout the term of the lease. The Optionee shall obtain an accurate survey of the Property by a registered land surveyor licensed in the Commonwealth of Kentucky at the sole expense of the Optionee. A copy of the survey shall be provided to the Optionor(s). The description of the Property shall include the number of acres determined by the surveyor. The Optionee shall obtain said survey within a reasonable time following the date of the Option Agreement.
3. During the term of the Option, the Optionee may enter onto the Property at its own risk to obtain soil samples and to bore soil for the purposes of determining the suitability of the Property for a communications tower.
4. Upon the Optionee's proper exercise of the Option in accordance with Paragraph 5 hereof, the Optionor(s) shall be deemed to have immediately executed, acknowledged and delivered to the Optionee the Lease Agreement contained in Section II hereof. The description of the Property shall be that determined by the registered land surveyor in accordance with Paragraph 2 hereof.

5. If the Optionee elects to exercise the Option in accordance with the terms hereof, notice of such election shall be deemed sufficient if personally delivered or sent by registered or certified mail, return receipt requested, to the address of the Optionor(s) set forth in Paragraph 14 hereof.
6. The Optionor(s) agrees not to sell, lease or offer for sale or lease the Property during the term of this Option or any renewal or extension of the Option.
7. In the event the Optionee fails to exercise the Option as set forth herein (unless such failure is due to the discovery of a defect in the Property or other matter unsatisfactory to the Optionee), the Optionor(s) shall have the right to retain the Option Consideration.
8. The Optionee may assign this Option with written consent of the Optionor(s), which consent shall not be unreasonably withheld, and upon any assignment such assignee shall have all the rights, remedies and obligations as if it were the original Optionee hereunder. From and after any such assignment, the term "Optionee" shall refer to such assignee.
9. Each party hereto shall bear any and all of its own expenses in connection with the negotiation, execution or settlement of this Option.
10. Risk of loss with respect to the Property during the term of this Option and during the term of the lease shall be upon the Optionor(s). If, during the term of the Option, any portion of the Property shall be acquired by public authority under the right or threat of eminent domain, the Optionee may, at its sole option, either (i) exercise the

Option, and in such event, all sums received from the public authority by the Optionor(s) by reason of the taking of a portion of the Property shall reduce the rent due under the lease, or (ii) terminate this Option and thereupon the Optionor(s) shall be obligated to return to the Optionee the full amount of the Option Consideration previously paid to the Optionor(s) in "good and collected funds."

11. The parties hereto represent to each other that neither has engaged any broker to represent their interests in connection with the transactions contemplated hereby, and each agrees to indemnify the other against any and all claims made by any brokers engaged or purported to be engaged by the other for brokerage commissions or fees in connection with the transactions contemplated hereby.
12. The Optionor(s) represents, warrants and covenants to the Optionee that the Optionor(s) has not caused or permitted, and shall not cause or permit, and to the best of Optionor(s)' knowledge no other person has caused or permitted any hazardous material (as defined by any applicable federal, state or local law, rule or regulation) to be brought upon, placed, held, located or disposed of at the Property. In the event any such contamination occurs for which the Optionee becomes legally liable, the Optionor(s) shall indemnify the Optionee against all claims, damages, judgments, penalties and costs and expenses, including reasonable attorneys' fees, which Optionee may incur.
13. This Option Agreement and the rights and obligations of the parties hereto shall be construed in accordance with the laws of the Commonwealth of Kentucky.

Site Name: Monticello West

14. For the purposes of giving notice as permitted or required herein, the address of the Optionor(s) shall be: 125 South Albany Road, Monticello, KY 42633; the Optionee's address shall be: 2902 Ring Road, Elizabethtown, KY 42701.
15. The Optionee shall have the right, in its sole discretion, to record this Option in the Office of the Clerk of the County Court of Wayne County, Kentucky.

II.

LEASE AGREEMENT

16. In the event the Optionee elects to exercise the Option to lease the Property, the terms of the Lease Agreement ("Lease Agreement" or "Lease") shall become immediately effective upon such exercise and shall be as follows.
 1. The term of the Lease shall commence on the date that the Optionor(s) receives proper notice that the Optionee has exercised the Option, pursuant to Paragraph 5 therein. The initial term shall expire five (5) year(s) from the commencement date of the Lease Agreement and shall include three (3) additional five (5)-year terms per the Lease Agreement. Optionee may, by providing written notice at least sixty (60) days prior to the expiration of the original or any renewal Lease term, elect to unilaterally terminate this Lease at the end of any original or renewal Lease term. Such notice must be personally delivered or sent via registered or certified mail, return receipt requested, to the address of the Optionor(s) set forth in Paragraph 14 hereof. The Lease amount shall be adjusted at the end of each term by an increase of 12%.

Site Name: Monticello West

2. The Optionee shall pay to the Optionor(s) rent for the Property in the sum of **Six Thousand Dollars and Zero Cents (\$6,000.00)** yearly, to be paid in advance. Optionee shall pay the first two years in advance. Accordingly, Optionee shall pay a total of **Twelve Thousand Dollars and No Cents (\$12,000)** on or before June 1, 2006. Said payment shall represent rent for the first two years of the initial term of the Lease. Optionee shall make no rent payment in 2007. Commencing June 1, 2008, Optionee shall pay Optionor the annual rent payment of Six Thousand Dollars and Zero Cents (\$6,000). All rent payments shall be personally delivered or mailed to the Optionor(s) at the address set forth in Paragraph 14 hereof. Any check payment of the rent due under the Lease shall be payable to the order of Optionor(s).

3. The Optionee shall be entitled to use and occupy the Property for the purpose of erecting, maintaining and operating a communications tower and communications facilities thereon and for all such other uses as Optionee may, in its sole discretion, deem necessary in connection therewith.

4. The Optionor(s) shall be responsible for the payment of all real estate taxes which shall be assessed against the Property during the term of the lease. The Optionee shall pay all charges for heat, water, gas, electricity, sewer use charges and any other utility used or consumed on the Property. The Optionee shall, at its own cost and expense, maintain and keep in full force and effect during the term of the lease public liability insurance with coverage in the amount of at least one million dollars (\$1,000,000.00) per person for bodily injury, disease, or death and shall maintain property insurance on any property the Optionee located on the Property.

5. The Optionee may assign the lease. The Optionee may sublet all or part of the space on the tower or ground space.
6. The Optionor(s) covenants that upon the Optionee's payment of the rent agreed upon herein, as well as Optionee's observing and performing all of the covenants and conditions contained in the Lease, the Optionee may peacefully and quietly enjoy the Property subject to the terms and conditions set forth in the Lease.
7. The Optionee agrees to maintain an access road in a passable manner for the term of the lease.
8. Licensee's Payment of Taxes, Fees and Assessments. Optionee shall pay directly to the applicable federal, state or local governmental unit or agency ("Governmental Entity") or to Optionor if Optionor is invoiced by such Governmental Entity, all taxes, fees, assessments or other charges assessed by any Governmental Entity directly against Optionee's Equipment and/or Optionee's use of the Facility. Optionee shall also pay to Optionor Optionee's Pro Rata Share of all taxes, fees, assessments or charges including, but not limited to, personal property taxes attributable to Optionee's equipment and antenna(s), municipal franchise fees, use fees, municipal application fees, installation fees and increases thereof. "Pro Rata Share" shall mean the fraction of decimal equivalent of dividing one (1) by the total number of then existing users occupying a tower on the last day of the applicable calendar year.



Site Name: Monticello West

17. This Option and Lease Agreement contains the entire agreement between the parties hereto and no modification or amendment shall be binding upon any party unless made in writing and signed by each of the parties hereto.
18. Upon the termination or other end of this Lease Agreement, Optionee shall have the right to remove any and all of its property (real or personal) from the Property regardless of whether or not such property may be considered a fixture thereto.
19. Upon abandonment of the property, Optionee shall have thirty (30) days to dismantle and remove the cellular antenna tower and any/all equipment located on Optionor's property.

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EXECUTION OF AGREEMENT(S)

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their respective seals.

Tresia Fulton

Date: 5/10/06

Bobby Fulton

Date: 5/10/06

Ron Smith

Date: 5-9-06

("Optionor(s)")

By: Tresia Fulton
By: Bobby Fulton
Property Owner(s)

("Optionee")

By: Ron Smith
Authorized Representative

STATE OF KENTUCKY

COUNTY OF State at Large

The foregoing instrument was acknowledged before me this 10 day of May, 2006, by Tresia Fulton to be his/her free act and deed.

Jessie Vici
NOTARY PUBLIC STATE AT LARGE
My commission expires: 1-21-09

STATE OF KENTUCKY

COUNTY OF State at Large

The foregoing instrument was acknowledged before me this 10 day of May, 2006, by Bobby Fulton to be his/her free act and deed.

Julie Vici
NOTARY PUBLIC STATE AT LARGE
My commission expires: 1-21-09

STATE OF Kentucky

COUNTY OF Hardin

The foregoing instrument was acknowledged before me this 9 day of May, 2006, by Ron Smith, to be his free act and deed.

Julie Vici
NOTARY PUBLIC STATE OF LARGE
My commission expires: 1-21-09

This instrument prepared by:

John Selent

John E. Selent

DINSMORE & SHOHL LLP

1400 PNC Plaza / 500 West Jefferson Street

Louisville, KY 40202

(502) 540-2300

