## COMMONWEALTH OF KENTUCKY

## In the Matter of:

# APPLICATION OF BLUEGRASS WIRELESS LLLC FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A CELL SITE (LILY II) IN RURAL SERVICE AREA \#6 (LAUREL) OF THE COMMONWEALTH OF KENTUCKY 

CASE NO. 2005-00320

## APPLICATION FOR A CERTIFICATE

 OF PUBLIC CONVENIENCE AND NECESSITY (LILY II)Bluegrass Wireless LLC ("Bluegrass Wireless"), 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 Lily II cell site in and for rural service area ("RSA") \#6 of the Commonwealth of Kentucky, namely the counties of Boyle, Casey, Garrard, Laurel, Lincoln, Madison, Pulaski, and Rockcastle, Kentucky.

1. As required by $807 \mathrm{KAR} 5: 001$ Sections 8 (I) and (3), and $807 \mathrm{KAR} 5: 063$, Bluegrass Wireless states that it is a Kentucky limited liability company whose full name and post office address are: Bluegrass Wireless LLC, 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 $807 \mathrm{KRS} 5: 063$ §1(1)(d), 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 proximity of the proposed site to flood hazard areas, except that the utility may file findings prepared by a land surveyor as to the proximity of the proposed site to flood hazard areas, is Exhibit " B ".
4. Pursuant to 807 KRS 5:063 $\S 1(1)(\mathrm{e})$, 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 $807 \mathrm{KRS} 5: 063$ §1(1)(f), a copy of the lease (or sale agreement) for the property on which the tower is proposed to be located, is Exhibit "D".
6. Pursuant to $807 \mathrm{KAR} \S 1(1)(\mathrm{g})$, experienced personnel will manage and operate the Lily II cell site. The President of Bluegrass Cellular Inc., Mr. Ron Smith, is ultimately responsible for all construction and operations of the cellular system of Bluegrass Wireless, of which system the Lily II cell site will be a part. Bluegrass Cellular Inc. provides management services to Bluegrass Wireless 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 $\S 1(1)(g)$, DI Electric is responsible for the design specifications of the proposed tower (identified in Exhibit "B").
8. Pursuant to 807 KRS 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 KRS 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 $807 \mathrm{KRS} 5: 063 \S 1(1)(\mathrm{j})$, 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 $807 \mathrm{KRS} 5: 063 \S 1(1)(\mathrm{k})$, 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 KRS 5:063 § 1 (1)(1), 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 $807 \mathrm{KRS} 5: 063 \S 1(1)(\mathrm{m})$, 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 KRS 5:063 § 1 (1)(n), applicant's legal counsel hereby affirms that the Pulaski 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 KRS 5:063 §1(1)(o), a copy of the notice sent to the Pulaski County Judge Executive is Exhibit "G".
17. Pursuant to 807 KRS 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 "Bluegrass Wireless, LLC 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 "Bluegrass Wireless, LLC 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 $807 \mathrm{KRS} 5: 063 \S 1(1)(\mathrm{q})$, 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 $807 \mathrm{KRS} 5: 063 \S 1(1)(\mathrm{r})$, the cell site which has been selected is in a relatively undeveloped area in Eubank, Kentucky.
21. Pursuant to 807 KRS 5:063 $\S 1(1)(s)$, Bluegrass Wireless 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, including documentation of attempts to co-locate, if any, with supporting radio frequency analysis, where applicable, and a statement indicating that the utility 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 KRS 5:063 § $1(1)(\mathrm{t})$, 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 Bluegrass Wireless 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
selent@dinslaw.com
WHEREFORE, Bluegrass Wireless Partnership requests the Commission to enter an order:

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



July 14, 2005

Telephone

Via Federal Express
(703) 584-8692

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 (Lily II) near London, Kentucky. The Structure 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
Consulting Engineer

[^0]CC: Scott McCloud

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 42701

T：270－769－0339
2 Representative of Applicant－Name，Address，Telephone，Fax
Leila Rezanavaz
Lucas，Nace，Gutierrez \＆Sachs，Chartered 1650 Tysons Blvd．，Suite 1500
McLean，VA 22102
＇T：703－584－8668
3．Application for．$⿴ 囗 ⿰ 丿 ㇄$
4．Duration：
$\square$ Permanent $\square$ Temporary（Months $\qquad$ Days $\qquad$ 5．Work Schedule：Start 7／25／05 End 7／30／05
6．Type：$\quad \square$ Antenna Tower $\square$ Crane $\square$ Building $\square$ Power Line $\square$ Landfill $\square$ Water Tank $\square$ other

7．Marking／Painting and／or Lighting Preferred：
$\square$ Red Lights and Paint
X Dual－Red \＆Medium Intensity White
$\square$ White－Medrum Intensity
$\square$ Dual－Red \＆High Intensity White
$\square$ White－High Intensity
$\square$ other
8．FAA Aeronautical Study Number $\qquad$

9．Latitude
37 。

10．Longitude： $\qquad$ $03^{\circ}$ $\qquad$
11．Datum e $\mathbb{D}$ NAD 83
 NAD $27 \square$ Other

12 Nearest Kentucky City
London
County． $\qquad$
13．Nearest Kentucky public use or Military airport London－Corbin Airport－Magee Field

14．Distance from \＃13 to Structure： $\qquad$ 2.5 miles

15．Direction from \＃13 to Structure： SE

16．Site Elevation（AMSL）：
17．Total Structure Height（AGL）：
1248.0 Fee 255.0 Feet

18．Overall Height（ $\# 16+\# 17$ ）（ASL）： 1503．0 Feat

19．Previous FAA and／or Kentucky Aeronautical Study Numbers）： N／A

20．Description of Location：（Attach a USGS 75 minute Quadrangle Map or an Aport Layout Drawing with the precise site marked and any certified survey）
The Lily II site is located 5.0 miles South of London，KY

21．Description of Proposal：
Structure：the overall height of the structure will be $255^{\circ}$ AGL．
Max ERP： 200 Watts
Frequency： $1977.5-1982.5 \mathrm{MHz}$

22．Has a＂NOTICE OF CONSTRUCTION OR ALTERATION＂（FAA Form 7460－1）
been filed with the Federal Aviation Administration？
$\square$ No
囚 Yes，When 7／14／2005 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


 Series）are liable further penalties．

## Commission Action：

$\square$ Chairman，KAZC
$\square$ Administrator，KAZC
$\square$ Approved
Date
$\square$ Disapproved

## 1ACertification

June 27. 2005

Designation: Lily If
Site ID No.: Not Available
Tower Type: Proposed Self-Support Tower
Location: 449 Shackle Road, London, Kantucky 40744

I certfy that the latitude, longitude. ground elevalion and height of the proposed self-support tower are as follows:

| Latilude: | 37 degrees 03 minutes 11.19 seconds North | (NAD 1983) |
| :---: | :---: | :---: |
| Longitude: | 84 degrees 03 minutes 35.34 seconds West | (NAD 1983) |
| Ground Elevation: | 1.248 .0 teet or 380.4 meters | (NAVD 1988) |
| Proposed Structure Helght: | 240 feet or 73.2 meters | (above ground level) |
| Proposed Overall Structure Heigh | not available | (above ground level) |

The accuracy of the lattude and longituds of the proposed self-support tower is $\pm 15$ feet or $\pm 5$ meters. The ground devation and structure height are accurate to within $\pm 3$ feet or $\pm 1$ meter.

The information shown above is Dased upon field observations made on June 14, 2005 using the National Geodetic Survay monument "FAA LOZ C" and the Kentucky Stale Plane Coordinate System, South Zone. NAD 1983 (1993). The field obscrvations were completed using Sokkia GPS receivers and a Topcon GPT-8005A robotlc total station. Geodetic computations were completed using Sokkia's Locus software and Autodesk Land Dosktop 3 sofware.

Landmark Surveying Co. Inc.

Darren L. Helms, Kenucky Professional Land Surveyor No. 3386

# LUKAS, NACE GUTIERREZ \& SACHS 

CHARTERED

1650 TYSONS BOULEVARD, SUITE 1500
MCLEAN, VIrginia 22102
$7035848678 \cdot 7035848696$ FAX
WWW.FCCLAW.COM

```
RUSSELL D. LUKAS*
DAvid L. NACE*
Thomas Gutierrez*
Elizabeth R. Sachs*
GEORGE L. LYON, JR.
FAMEla L. Gist*
DAVID A. LAFURIA
B. LynN F. Ratnavale*
TODD SLAMOWITZ*
STEVEN M. CHERNOFF*
DAVID L. Nace*
```

AlI KUZEHKANANI<br>LEROY A. ADAM<br>CONSULTING ENGINEERS LEROY A. ADAM Leila rezanavaz SUMEET K. Bhalotia of COUNSEL John J. McAvor* J.K. Hage III* LEONARD S. KOLSKY* hon. Gerald s. McGowan*

July 14, 2005

Via Federal Express
Tel: 703-584-8668
EXPRESS PROCESSING CENTER
Federal Aviation Administration
Southwest Regional Office
Air Traffic Airspace Branch, ASW-520
2601 Meacham Blvd.
Fort Worth, TX 76137-4298

## Dear FAA Evaluator:

Enclosed please find a completed FAA Form 7460-1, Notice of Proposed Construction/Alteration, for a new tower structure (Lily II) near London, Kentucky. The height of the structure, including top-mounted PCS antennas, will be 255 feet Above Ground Level ("AGL").

The enclosed FAA Form 7460-1 and the attached Exhibit include all the pertinent information for the new structure at this site. Also enclosed is a non-reduced copy of a portion of the $7-1 / 2^{\prime}$ US Geological Survey map illustrating the location of the proposed cell site. Additionally, the copy of the 1A Certification is enclosed. Please do not hesitate to contact the undersigned if there are questions regarding this matter.

Sincerely,


Enclosures
cc: Scott McCloud
S. Department of Transportation -deral Avlation Administration

## Notice of Proposed Construction or Alteration

FOR FAA USE ONLY Aeronautical Study Number

1. Sponsor (person, company, etc. proposing this action):
th. of. Scott McCloud
.ame: Bluegrass Cellular
Address: 2902 Ring Road
ity: Elizabethtown State: KY_Zip: 42702
Telephone: (270) 769-0339
Fax: (270) 737-0580

2. FCC Antenna Structure Registration Number (if applicable):

N/A

## :1. Complete Description of Proposal:

The structure has an overall height of $255^{\prime}$ AGL.

| Frequency/Power (kW) |  |
| :--- | :--- |
| $1977.5-$ <br> 1982.5 <br> MHz | 0.2 |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

Notice is required by 14 Code of Federal Regulations, part 77 pursuant to 49 U.S.C., Section 44718 . Persons who knowingly and willingly violate the notice requirements of part 77 are subject to a civil penalty of $\$ 1,000$ per day until the notice is received, pursuant to 49 U.S.C., section 46301 (a).
I hereby certify that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to mark and/or light the structure in accordance with established marking and lighting standards as necessary.

| Date <br> 07/14/2005 | Typed or Printed name and Title of Person Filing Notice <br> Leila Rezanavaz / Consulting Engineer | Signature Leila kezanarz |
| :---: | :---: | :---: |



## 1A.Certification

June 27. 2005

Designation: Lily I
Site ID No.: Not Available
Tower Type: Proposed Self-Support Tower
Location: 449 Shackle Road, London, Kentucky 40744

I certlfy that the latitude, longitude. ground elevation and height of the proposed self-support tower are as follows:

| Letilude: | 37 degrees 03 minutes 19.19 seconds North | (NAD 1883) |
| :--- | :--- | ---: |
| Longitude: | 84 degrees 03 minutes 35.34 seconds West | (NAD 1983) |
| Ground Elevation: | 1.248 .0 teet or 380.4 meters | (NAVD 1988) |
| Proposed Structure Helght: | 240 feet or 73.2 meters | (above ground level) |
| Proposed Overall Structure Height: | not available | (above ground level) |

The accuracy of the latitude and longituds of the proposed self-support tower is $\pm 15$ feet or $\pm 5$ meters. The ground elevation and structure height are accurata to within $\pm 3$ feet or $\pm 1$ meter.

The information shown above is based upon field observations made on June 14, 2005 using the National Geodetic Survay monument "FAA LOZ C" and the Kentucky State Plane Coordinate Systerm, South Zone. NAD 1983 (1993). The field observations were completed using Sokkis GPS receivers and a Topcon GPT-8005A robotlc total station. Geodatic computations were completed using Sokkia's Locus software and Autodesk Land
Dosktop 3 software.

Landmark Surveying Co. Inc.

[^1]
# GEOTECHNICAL ENGINEERING REPORT <br> PROPOSED LILY TOWER 395 SHACKLE ROAD LONDON, LAUREL COUNTY, KENTUCKY <br> TERRACON PROJECT NO.: 57057334 G August 29, 2005 

Prepared For:
RSB DESIGN/BLUEGRASS CELLULAR
Louisville, Kentucky

Prepared by:
7 Ferracon
Louisville, Kentucky

Form 101-1.87

Bluegrass Cellular c/o RSB Design

Terracon Consultants, Inc. 5217 Linbar Drive, \#309 6403 Mercury Drive

Attention: Mr. Robin Becker

## Re: Geotechnical Engineering Report <br> Proposed Lily Tower <br> 395 Shackle Road <br> London, Laurel County, Kentucky <br> Terracon Project No. 57057334G

Dear Mr. Becker:

We are submitting, herewith, the results of our subsurface exploration for the referenced project. 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, <br> Tlerracon



Shaikh Z. Rahman, EIT.
Staff Engineer
n:\projects\20051towers\57057334Glily\geo57057334G.doc

Attachments: Geotechnical Engineering Report


Copies: (4) RSB Design
Cover Letter ..... i
1.0 INTRODUCTION ..... 1
2.0 PROJECT DESCRIPTION ..... 1
3.0 EXPLORATION PROCEDURES ..... 1
3.1 Field Exploration ..... 1
3.2 Laboratory Testing ..... 2
4.0 EXPLORATORY FINDINGS ..... 2
4.1 Subsurface Conditions. ..... 2
4.2 Site Geology ..... 3
4.3 Groundwater Conditions ..... 3
5.0 ENGINEERING RECOMMENDATIONS ..... 3
5.1 Tower Foundation ..... 3
5.2 Equipment Building Foundations ..... 5
5.3 Parking and Drive Areas ..... 6
5.4 Site Preparation ..... 6
5.5 Resistivity Analysis ..... 7
6.0 GENERAL COMMENTS ..... 7
APPENDIX
Boring Location Plan
Boring L.og
Soil Resistivity Test Results Sheet
General Notes
Unified Soil Classification System

# GEOTECHNICAL ENGINEERING REPORT 

PROPOSED LILY TOWER 395 SHACKLE ROAD<br>LONDON, LAUREL COUNTY, KENTUCKY TERRACON PROJECT NO.: 57057334G<br>August 29, 2005

### 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 lattice. 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 a steeply sloping, wooded hillside. Existing grades within the tower leasehold area were not available as of this writing. Based on visual observation and the proposed construction, moderate grading operations are anticipated except for the access road that will likely require significant cut and fill at various locations along the 800 -foot right-of-way.

### 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 proposed tower, as staked by the project surveyor. Ground surface elevation at the tower was provided by the client. The location and elevation 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 a truck-mounted rotary drill rig using hollow stem augers to advance the borehole. Representative soil samples were obtained by the split-barrel sampling procedure 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. The sampling depths, penetration distance, and standard penetration resistance 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 on representative soil samples. 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.

The boring encountered about 6 inches of topsoil over sandy clay (CL), clayey sand (SC), and sand (SP) that transitioned into weathered shale at about 42 feet below grade. The shale extended to boring termination at about 50 feet below existing ground surface. The
sandy clay exhibited a very stiff consistency as evidenced by the standard penetration test $(\mathrm{N})$ value of 21 blows per foot. The clayey sand and sand appeared to be dense to very dense based on N -values in the range of 44 to over 50 blows per foot. The underlying weathered shale exhibited a hard soil consistency based on N -values in the range of 42 to 78 bpf.

### 4.2 Site Geology

Based on the geologic information published by the Geologic Map of Kentucky, U.S. Geological Survey, dated 1988, the site is underlain by the lower Breathitt Formation of the Pennsylvanian Period. This formation consists largely of gray siltstone and shale, and minor amounts of ironstone and limestone. The Breathitt Formation is about 550 to 3,700 feet thick and overlies the Lee Formation which is characterized by massive pebbly sandstone that locally contains lenses of conglomerate with quartz pebbles as much as 2.5 inches in diameter. The sandstone in the Lee Formation is mostly thick bedded, moderately well sorted, and fine to coarse grained.

### 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. Based on the increased moisture in Sample 10, it appears that some limited water is perched above the weathered shale. 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 proposed tower can be either founded on drilled piers or on a mat foundation. The equipment building may be supported on shallow spread footings. Design recommendations for the tower drilled pier and mat foundations as well as shallow footings for the equipment building are presented in the following paragraphs.

### 5.1 Tower Foundation

Tower Foundations - Drilled Pier Alternative: The proposed tower can be supported on drilled pier foundations. Based on the results of the boring, the following tower foundation design parameters have been developed:

# Drilled Pier Foundation Design Parameters 

| Depth* <br> (feet) | Description <br> $* *$ | Allowable <br> Skin <br> Friction <br> (psf) | Allowable <br> End <br> Bearing <br> Pressure <br> (psf) | Allowable <br> Passive <br> Pressure <br> (psf) | Internal <br> Angle of <br> Friction <br> (Degree) | Cohesion <br> (psf) | Lateral <br> Subgrade <br> Modulus <br> (pci) | Strain, <br> $\mathbf{R}_{50}$ <br> (in/in) |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| $0-3^{\prime}$ | Topsoil and <br> Sandy Clay | Ignore | Ignore | Ignore | - | - | Ignore | Ignore |
| $3-20^{\prime}$ | Clayey Sand | $100-500$ <br> $* * *$ | 4,000 | $0-4,500$ <br> $* * *$ | 34 | 0 | 225 | 0.001 |
| $20-42^{\prime}$ | Fine Sand <br> and Clayey <br> Sand | $500-700$ <br> $* * *$ | 7,000 | $4,500-$ <br> 10,000 <br> $* * * *$ | 36 | 0 | 225 | 0.001 |
| $42-50^{\prime}$ | Weathered <br> Shale | 700 | 7,000 | 10,000 | 0 | 3,500 | 275 | 0.004 |

* Pier inspection is recommended to adjust pier length if variable soil/rock conditions are encountered.
${ }^{* *}$ A total unit weight of 125 and 130 pcf can be estimated for the clayey sand and shale, respectively.
*** Increases linearly. Skin friction values for sands assume uplift controls design. Compression skin friction values for sands can be increased by $50 \%$, if necessary.
**** Assumes the bearing depth will be at least 4 pier diameters below grade.
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/rock 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 $1 / 2$ inch.

The upper 3 feet of topsoil and sandy clay 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.

Although our boring was able to penetrate the clayey sand overburden, there is a possibility that larger diameter drilled pier equipment will refuse on sandstone ledges at higher elevations than shown in our boring. The contractor should recognize the hardness of the material and be prepared to use rock teeth or other means to extend through these layers.

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.

Tower Foundations - Mat Foundation Alternative: If desired, a mat foundation can be used to support the proposed tower. 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.

Mat Foundation Design Parameters

| Depth <br> (feet) | Description | Allowable Contact <br> Bearing Pressure (psf) | Allowable Passive <br> Pressure (psf) | Coefficient of <br> Friction, Tan $\delta$ | Vertical Modulus of <br> Subgrade Reaction (pci) |
| :--- | :--- | :--- | :---: | :---: | :---: |
| $0-3$ | Topsoil and <br> Lean Clays | Ignore | - |  |  |
| $\geq 3$ | Clayey Sand <br> or Crushed <br> Stone Fill | 4,000 | 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 3,000 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 2.0 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 2.0 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 material should consist of either granular material or low-plasticity cohesive soil (equipment building and roads only). 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 suitable for re-use as fill. It is recommended that during construction these soils should be further tested and evaluated prior to use as fill. 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 2 to plus 2 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 measured at the site using a Nilsson Model 400 soil resistivity meter. The Wenner Vertical Profiling Method was used. With this array, potential electrodes are centered on a traverse line between the current electrodes and an equal "A" spacing between electrodes is maintained. Resistivity measurements were taken along 2 traverses located along the perimeter of the staked tower compound. Individual resistivity values at $5,10,15,20,30$ and 40 foot spacings are presented on the soil resistivity test sheet in the Appendix.

### 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, 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.

Terracon Project No.: 57057334G
August 29, 2005
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 expressed 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 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

Form 101-1. 1.87


RSB Design/Bluegrass Cellular
SITE
Lily, Kentucky

GRAPHIC LOG

|  | Lily, Kentucky |
| :---: | :---: |
| 0 <br> 0 <br> 0 <br> 0 <br> 1 <br> $\frac{0}{1}$ <br> $\frac{1}{5}$ <br> 0 | DESCRIPTION <br> Approx. Surface Elev.: 1240 ft |

SANDY CLAY trace roots, brown, very
stiff, slightly moist
CLAYEY SAND fine grained, orange brown, very dense, slightly moist to moist
apparent sandstone ledge at 8.5 ft .

22
SAND fine grained, orange brown, very dense, moist

27
CLAYEY SAND, orange brown to dark orange brown, very dense to dense, moist
very moist at 38.5 ft .

42
1198
HIGHLY WEATHERED SHALE, dark olive, hard, moist

1190
BORING TERMINATED

The stratification lines represent the approximate boundary lines between soil and rock types: in-situ, the transition may be gradual.
 Soil Resistivity
ASTM G57 Test Method for Field Measurement of Soil Resistivity Using Wenner Four - Electrode Method
At-Grade Measurements (equal rod spacing)

| Location | Depth of Interest (feet) | Electrode Spacing from <br> Center (feet) |  | Resistance (ohms) |  | Resistivity (ohm-cm) |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  | $\begin{gathered} \text { Dial } \\ \text { Reading } \\ \hline \end{gathered}$ | Range Switch |  |
|  |  | Inner | Outer |  |  |  |
| A- $\mathrm{A}^{\prime}$ | 5 | 2.5 | 7.5 | 4.3 | 100.0 | 411725 |
|  | 10 | 5 | 15 | 2.3 | 100.0 | 440450 |
|  | 15 | 7.5 | 22.5 | 1.6 | 100.0 | 459600 |
|  | 20 | 10 | 30 | 1.2 | 100.0 | 459600 |
|  | 30 | 15 | 45 | 6.1 | 10.0 | 350445 |
|  | 40 | 20 | 60 | 5.8 | 10.0 | 444280 |
|  | 60 | 30 | 90 |  |  |  |
|  | 80 | 40 | 120 |  |  |  |
|  | 100 | 50 | 150 |  |  |  |
| B-B' | 5 | 2.5 | 7.5 | 3.6 | 100.0 | 344700 |
|  | 10 | 5 | 15 | 3.4 | 100.0 | 651100 |
|  | 15 | 7.5 | 22.5 | 3.0 | 100.0 | 861750 |
|  | 20 | 10 | 30 | 1.1 | 100.0 | 421300 |
|  | 30 | 15 | 45 | 7.2 | 10.0 | 413640 |
|  | 40 | 20 | 60 | 4.5 | 10.0 | 344700 |
|  | 60 | 30 | 90 |  |  |  |
|  | 80 | 40 | 120 |  |  |  |
|  | 100 | 50 | 150 |  |  |  |

Resisitivity (ohm-cm) $=2 * \pi * a * R * 30.48$
$R=$ resistivity (dial reading*range switch)
$a=$ electrode spacing
Equipent Usage: Nilsson Soil Resistance Meter - Model 400
Additional Notes: $\qquad$ B-B' North - South


ASTM G57 Test Method for Field Measurement of Soil Resistivity Using Wenner Four - Electrode Method

At-Grade Measurements (equal rod spacing)

| Location | Depth of Interest (feet) | Electrode Spacing from Center (feet) |  | Resistance (ohms) |  | Resistivity (ohm-cm) |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  | Dial Reading | Range Switch |  |
|  |  | Inner | Outer |  |  |  |
| C- $\mathrm{C}^{\prime}$ | 5 | 2.5 | 7.5 | 4.4 | 100.0 | 421300 |
|  | 10 | 5 | 15 | 1.5 | 100.0 | 287250 |
|  | 15 | 7.5 | 22.5 | 10.0 | 10.0 | 287250 |
|  | 20 | 10 | 30 | 4.2 | 10.0 | 160860 |
|  | 30 | 15 | 45 | 4.0 | 10.0 | 229800 |
|  | 40 | 20 | 60 | 2.8 | 10.0 | 214480 |
|  | 60 | 30 | 90 |  |  |  |
|  | 80 | 40 | 120 |  |  |  |
|  | 100 | 50 | 150 |  |  |  |
| D-D' | 5 | 2.5 | 7.5 | 4.5 | 100.0 | 430875 |
|  | 10 | 5 | 15 | 2.8 | 100.0 | 536200 |
|  | 15 | 7.5 | 22.5 | 3.4 | 100.0 | 976650 |
|  | 20 | 10 | 30 | 2.6 | 100.0 | 995800 |
|  | 30 | 15 | 45 | 8.2 | 10.0 | 471090 |
|  | 40 | 20 | 60 | 4.8 | 10.0 | 367680 |
|  | 60 | 30 | 90 |  |  |  |
|  | 80 | 40 | 120 |  |  |  |
|  | 100 | 50 | 150 |  |  |  |

Resisitivity (ohm-cm) $=2 * \pi * a * R * 30.48$
$R=$ resistivity (dial reading*range switch)
$\mathrm{a}=$ electrode spacing
Equipent Usage: Nilsson Soil Resistance Meter - Model 400

Additional Notes:
C-C' East-West
D-D' Southwest - Northeast

## GENERAL NOTES

DRILLING \& SAMPLING SYMBOLS:

| SS: | Split Spoon $-1^{3} / 8^{\prime \prime}$ I.D., 2" O.D., unless otherwise noted |
| :--- | :--- |
| ST: | Thin-Walled Tube-2"O.D., unless otherwise noted |
| RS: | Ring Sampler $-2.42^{\prime \prime}$ I.D., 3" O.D., unless otherwise noted |
| DB: | Diamond Bit Coring - 4 ", N, B |
| BS: | Bulk Sample or Auger Sample |


| HS: | Hollow Stem Auger |
| :--- | :--- |
| PA: | Power Auger |
| HA: | Hand Auger |
| RB: | Rock Bit |
| 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 |
| :--- | :--- | :--- | :--- |
| WCl: | Wet Cave in | WD: | While Drilling |
| DCl: | 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
Standard

| Unconfined <br> $\frac{\text { Compressive }}{}$ | $\frac{\text { Standard }}{\text { Penetration or }}$ <br> Strength, Qu, psf | $\frac{\text { N-value(SS) }}{\text { Blows/Ft. }}$ |
| :---: | :---: | :---: |
| $<500$ | $<2$ | Consistency |
| $500-1,000$ | $2-3$ | Very Soft |
| $1,001-2,000$ | $4-6$ | Soft |
| $2,001-4,000$ | $7-12$ | Medium Stiff |
| $4,001-8,000$ | $13-26$ | Stiff |
| $8,000+$ | $26+$ | Very Stiff |
|  |  | Hard |

RELATIVE PROPORTIONS OF SAND AND GRAVEL
Descriptive Term(s) of other constituents

Trace
With Modifier

RELATIVE PROPORTIONS OF FINES

## Descriptive Term(s) of other constituents

| Trace | $<5$ |
| :--- | :---: |
| With | $5-12$ |
| Modifiers | $>12$ |

RELATIVE DENSITY OF COARSE-GRAINED SOILS

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

## GRAIN SIZE TERMINOLOGY

Maior Component of Sample

Boulders
Cobbles Gravel Sand Silt or Clay

## PLASTICITY DESCRIPTION

| Term | Plasticity Index |
| :---: | :---: |
| Non-plastic | 0 |
| Low | $1-10$ |
| Medium | $11-30$ |
| High | $30+$ |

## UNIFIED SOIL CLASSIFICATION SYSTEM

Criteria for Assigning Group Symbols and Group Names Using Laboratory Tests^
Soil Classification

|  |  |  |  | Group Symbol | Group Name ${ }^{\text {B }}$ |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Coarse Grained Soils More than $50 \%$ retained on No. 200 sieve | Gravels <br> More than $50 \%$ of coarse fraction retained on No. 4 sieve | Clean Gravels Less than 5\% fines ${ }^{\text {c }}$ | $\mathrm{Cu} \geq 4$ and $1 \leq \mathrm{Cc} \leq 3^{\text {E }}$ | GW | Well-graded gravel ${ }^{\text {F }}$ |
|  |  |  | $\mathrm{Cu}<4$ and/or $1>\mathrm{Cc}>3^{\mathrm{E}}$ | GP | Poorly graded gravel ${ }^{\text {F }}$ |
|  |  | Gravels with Fines More than $12 \%$ fines ${ }^{\text {c }}$ | Fines classify as ML or MH | GM | Silty gravel $\mathrm{f}^{\text {f, , } \mathrm{H}}$ |
|  |  |  | Fines classify as CL or CH | GC | Clayey gravel ${ }^{\text {Fo,H }}$ |
|  | Sands <br> 50\% or more of coarse <br> fraction passes <br> No. 4 sieve | Clean Sands <br> Less than 5\% fines ${ }^{\text {D }}$ | $\mathrm{Cu} \geq 6$ and $1 \leq \mathrm{Cc} \leq 3^{\mathrm{E}}$ | SW | Well-graded sand' |
|  |  |  | $\mathrm{Cu}<6$ and/or $1>\mathrm{Cc}>3^{\mathrm{E}}$ | SP | Poorly graded sand ${ }^{\prime}$ |
|  |  | Sands with Fines More than $12 \%$ fines $^{\circ}$ | Fines classify as ML or MH | SM | Silty sand ${ }^{\text {6,H3 }}$ |
|  |  |  | Fines Classify as CL or CH | SC | Clayey sand ${ }^{\text {ar, }}$ |
| Fine-Grained Soils $50 \%$ or more passes the No. 200 sieve | Silts and Clays <br> Liquid limit less than 50 | inorganic | $\mathrm{PI}>7$ and plots on or above " $\mathrm{A}^{\prime}$ line ${ }^{\text {d }}$ | CL | Lean clay ${ }^{\text {k }}$, M |
|  |  |  | $\mathrm{PI}<4$ or plots below " $\mathrm{A}^{\prime}$ line ${ }^{\text {J }}$ | ML | Silt ${ }^{\times 1 \mu}$ |
|  |  | organic | Liquid limit - oven dried $<0.75$ | OL | Organic clay ${ }^{\text {x+2, }}$ |
|  |  |  | Liquid limit - not dried $<0.75$ |  | Organic sill ${ }^{\text {K/M. }}$ O |
|  | Silts and Clays <br> Liquid limit 50 or more | inorganic | Pl plots on or above "A" line | CH | Fat clay ${ }^{\text {enem }}$ |
|  |  |  | Pl lots below "A" line | MH | Elastic Silt ${ }^{\text {K }, 1, M}$ |
|  |  | organic | Liquid limit - oven dried $<0.75$ | OH | Organic clay ${ }^{\text {x }}$ (4,p |
|  |  |  | Liquid limit - not dried |  | Organic sill ${ }^{\text {x } L \text {, } 0}$ |
| Highly organic soils | Primarily organic matter, dark in color, and organic odor |  |  | PT | Peat |

${ }^{\text {A }}$ Based on the material passing the 3 -in. ( $75-\mathrm{mm}$ ) sieve
${ }^{B}$ If field sample contained cobbles or boulders, or both, add "with cobbles or boulders, or both" to group name.
${ }^{\text {c }}$ Gravels 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.
${ }^{D}$ Sands with 5 to $12 \%$ fines require dual symbols: SW-SM well-graded sand with sill, SW-SC well-graded sand with clay, SP-SM poorly graded sand with sill, SP-SC poorly graded sand with clay
${ }^{E} C u=D_{60} / D_{10} \quad C c=\frac{\left(D_{30}\right)^{2}}{D_{10} \times D_{80}}$
${ }^{F}$ If soil contains $\geq 15 \%$ sand, add "with sand" to group name.
${ }^{G}$ If fines classify as CL-ML, use dual symbol GC-GM, or SC-SM.
$H_{\text {If fines are organic, add "with organic fines" to group name. }}$
' If soil contains $\geq 15 \%$ gravel, add "with gravel" to group name.
${ }^{J}$ If 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.
${ }^{L}$ If soil contains $\geq 30 \%$ plus No. 200 predominantly sand, add "sandy" to group name.
M If soil contains $\geq 30 \%$ plus No. 200, predominantly gravel, add "gravelly" to group name.
${ }^{N} \mathrm{PI} \geq 4$ and plots on or above " A " line.

- $\mathrm{PI}<4$ or plots below " $A$ " line.
${ }^{P} \mathrm{PI}$ plots on or above " $A$ " line.
- PI plots below " $A$ " line.





:S3ION NOIIDIS


NOISAG GLVTdNGL





| V/N | V/N | V/N | $0 \dagger \tau$ | OSLE. 0 | V/N | V/N | 0SLE'0 | $\varepsilon$ | V | $000^{\circ} \mathrm{I}$ | 0S's | 0S*L | SL8'I | 0sL0 | $0+2$ | dOL. | I |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  | OSLE0 | V/N | V/N | OSLE: | $\varepsilon$ | - | $000 \cdot \mathrm{~T}$ | $0 S^{\prime} \mathrm{S}$ | $0 S^{\circ} \mathrm{L}$ | S $28^{\circ} \mathrm{I}$ | $0 \leq 10$ | $0 \pi \tau$ | WOLLOG | T |
| 00 E | SL8.0 | 21 | $02 \tau$ | OSLE 0 | V/N | V/N | OSLE'0 | $\varepsilon$ | $b$ | $000 \%$ | $0 \mathrm{~S} \subseteq$ | 0S* | SL8' | $0 \leq L 0$ | $02 \tau$ | d0L | Y |
|  |  |  |  | 00050 | V/N | VIN | OSLE0 | $\varepsilon$ | b | StI't | OS'S | $0 S^{\circ} L$ | SL8I | 000 I | 002 | WOLLOG | X |
| 0s' | 000. | 21 | 002 | 00050 | VIN | V/N | OSLE0 | $\varepsilon$ | b | SII'I | 0 S 5 | 0S\% | ¢29\% | 000 I | 002 | dOL | I |
|  |  |  |  | $0005^{\circ} 0$ | V/N | V/N | OSLE. 0 | $\varepsilon$ | $\dagger$ | SZI'I | OSS | $05^{\circ} \mathrm{L}$ | ¢ $29 \%$ | 000 I | 08I | NOLLIOQ | f |
| $0 S^{\prime \prime} \varepsilon$ | 000* | 21 | 081 | 00050 | V/N | VIN | OSLE0 | $\varepsilon$ | b | STI.I | $0 S^{5} 5$ | $05^{\circ} \mathrm{L}$ | S $28 \%$ | 000'I | 081 | 10 L | 1 |
|  |  |  |  | $0 \mathrm{Sz9} 0$ | V/N | V/N | $0005^{\circ} 0$ | $\varepsilon$ | 9 | S21.1 | $0 S^{\prime} L$ | 0001 | SL8' | $0 \leq z^{\prime}$ | 091 | WOLLLOS | 1 |
| 00'* | 000'I | 81 | 09I | 0sz90 | V/N | V/N | 000s0 | $\varepsilon$ | 9 | SZITI | $0 S^{\circ} \mathrm{L}$ | 0000 L | STIE | $0 \leq 5 \cdot T$ | 091 | dOI | H |
|  |  |  |  | 05790 | V/N | V/N | $000 \mathrm{~S}_{0}$ | $\varepsilon$ | 9 | SZI'I | $0^{\circ} \mathrm{S} L$ | 0001 | SZİE | OST'I | 0 OL | WOLLOA | H |
| 00' | 000 I | 81 | 0ti | 05290 | V/N | V/N | 00050 | $\varepsilon$ | 9 | StII | $0 S^{\circ} L$ | 00.01 | StI'E |  | 0ヵI | dOL | 3 |
|  |  |  |  | 05290 | V/N | V/N | 000S 0 | $\varepsilon$ | 9 | StI. | OS'L | 00.01 | szic | 0st'I | 021 | WOLLOA | 3 |
| 00\% | 000' | 81 | 02 I | 05290 | V/N | $\mathrm{V} / \mathrm{N}$ | 000S 0 | $\varepsilon$ | 9 | SZIT | $0 S^{\prime} L$ | 00.01 | $S \angle \varepsilon^{\prime \prime} \varepsilon$ | 0ST'I | 021 | dOL | $\underline{1}$ |
|  |  |  |  | 05890 | V/N | V/N | 000S 0 | $\varepsilon$ | 9 | SII'I | $0 S^{\circ} \mathrm{L}$ | 0001 | SLEE | OST'I | 001 | WOLLOG ${ }^{\text {a }}$ | 1 |
| $00 \%$ | 000'I | 81 | 00 I | 05290 | V/N | V/N | 000S 0 | $\varepsilon$ | 9 | sti I | $0 S^{2} L$ | 0000 | SLEE | 0SC'I | 001 | dOL | H |
|  |  |  |  | 05290 | V/N | V/N | 000S 0 | $\varepsilon$ | 9 | StII | $0 S^{\circ} \mathrm{L}$ | 0000 | SLE'E | 0ST'I | 08 | NOLLOG | T |
| 00't | 000. | 81 | 08 | 05890 | V/N | V/N | 000S0 | $\varepsilon$ | 9 | sul'I | $0 S^{\circ} \mathrm{L}$ | 000 L | ¢z9\% | 0S\%'I | 08 | 102 | (1) |
|  |  |  |  | 0sz900 | V/N | V/N | 000S 0 | $\varepsilon$ | 9 | STI'I | $0 S L$ | 0000 I | ¢ 29 ¢ | OST'I | 09 | WOLLLOS | I |
| $00 \%$ | 000 I | 81 | 09 | 05290 | V/N | V/N | 00050 | $\varepsilon$ | 9 | StIT | $05^{\circ} \mathrm{L}$ | 0001 | ¢ $29 . \varepsilon$ | 0 St 'I | 09 | dOL | $\bigcirc$ |
|  |  |  |  | 05290 | F/N | V/N | $000 \mathrm{~S}^{\circ} 0$ | $\varepsilon$ | 9 | 0ST'I | $0 S^{\prime} L$ | 0001 | ¢z9E | $052 \cdot 1$ | 0 t | WOLLIOS | 5 |
| sz* | SZİI | 81 | 0 0 | 05790 | V/N | V/N | 000s0 | $\varepsilon$ | 9 | $0 \mathrm{OSC}^{1} \mathrm{I}$ | 0 St | 0001 | S $28 . \mathrm{E}$ |  | 07 | doL | 4 |
|  |  |  |  | 05290 | V/N | V/N | 000s0 | $\varepsilon$ | 9 | OST: | OS'L | 0001 | SL8 ${ }^{\circ}$ | 0SZ'I | 02 | WOLLOG | I |
| St't |  | 8I | $0 z$ | 05790 | V/N | V/N | 00050 | $\varepsilon$ | 9 | OSZ'I | $0 S^{\circ} \mathrm{L}$ | $00^{\circ} 01$ | S $18 . \mathrm{E}$ | OSTI | $0 \chi$ | $\mathrm{dOL}^{2}$ | H |
| 0069 | sfi'I | 81 | 0 | 0S2900 | V/N | V/N | 0005 0 | $\varepsilon$ | 9 | 0st'I | OS'L | 0001 | S $\angle 8 . \mathrm{E}$ | 0sz'I | 0 | WOLILOA | F |
| HLSNTI | 3ZIS | SLIOA \# | ATTII | MZIS/GTAM | G7SM | 3ZIS/GI3M | वT3M | CiOKX | STIOH\# | TIMALT08 |  | व0: | OI | SSTNXTOIH.L | \% 3 \% | NOLLVDOT | NOLDAS |
| STIVLIG LTOA |  |  |  |  | LatTh 'm0 | THAT8 ${ }^{\text {N }}$ | LITTLA NI | STIVLAGTKNVTH |  |  |  |  |  |  |  |  |  |


| VIN | V/N | V/N | V/N | N | V/N | V/N | V/N | V/N | V/N | V/N | $0 z z$ | NOLLOE | 1 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| V/N | V/N | V/N | V/N | N | V/N | V/N | V/N | V/N | V/N | V/N | $02 z$ | dol | $\boldsymbol{\gamma}$ |
| V/N | V/N | V/N | V/N | N | $V / \mathrm{N}$ | $\mathrm{V} / \mathrm{N}$ | V/N | V/N | V/N | V/N | 002 | WOLLOS | 3 |
| V/N | V/N | V/N | V/N | N | V/N | V/N | V/N | $\mathrm{V} / \mathrm{N}$ | V/N | V/N | 002 | dOL | r |
| V/N | V/N | V/N | V/N | N | V/N | $\mathrm{V} / \mathrm{N}$ | V/N | V/N | V/N | V/N | 081 | WOLLOG | r |
| V/N | V/N | V/N | V/N | N | V/N | V/N | V/N | V/N | V/N | V/N | 081 | doL | I |
| V/N | V/N | V/N | V/N | N | V/N | VIN | V/N | V/N | V/N | $V / \mathbb{N}$ | 091 | WOLLOE | 1 |
| V/N | V/N | V/N | V/N | $N$ | V/N | V/N | V/N | V/N | V/N | V/N | 091 | dOL | H |
| VIN | $\mathrm{V} / \mathrm{N}$ | V/N | $\mathrm{V} / \mathrm{N}$ | N | V/N | VIN | VIN | V/N | V/N | V/N | $0+1$ | WOLLOg | H |
| V/N | V/N | V/N | V/N | N | V/N | $\mathrm{V} / \mathrm{N}$ | V/N | V/N | $\mathrm{V} / \mathrm{N}$ | V/N | 0 DI | dOL | 0 |
| V/N | V/N | V/N | V/N | N | V/N | V/N | V/N | V/N | $\forall 1 \mathrm{~N}$ | V/N | $0 z \mathrm{I}$ | WOLLOS | 0 |
| V/N | V/N | V/N | V/N | N | V/N | V/N | V/N | V/N | V/N | V/N | 02 I | dol | 4 |
| V/N | V/N | V/N | V/N | N | V/N | V/N | V/N | V/N | $\mathrm{V} / \mathrm{N}$ | VIN | 001 | WOLLOA | S |
| V/N | V/N | V/N | V/N | N | V/N | $\mathrm{V} / \mathrm{N}$ | V/N | V/N | V/N | V/N | 001 | dol. | 3 |
| V/N | VIN | VIN | V/N | N | V/N | VIN | V/N | V/N | V/N | V/N | 08 | WOLLOG | 3 |
| V/N | V/N | V/N | V/N | N | V/N | $\mathrm{V} / \mathrm{N}$ | V/N | V/N | V/N | $\mathrm{V} / \mathrm{N}$ | 08 | dO.L | 0 |
| V/N | VIN | V/N | V/N | N | V/N | $\mathrm{V} / \mathrm{N}$ | V/N | V/N | V/N | V/N | 09 | WOLLOG | a |
| V/N | V/N | V/N | V/N | N | V/N | V/N | V/N | V/N | V/N | V/N | 09 | do. | 3 |
| V/N | V/N | V/N | V/N | N | V/N | V/N | V/N | VIN | V/N | V/N | $0{ }^{1}$ | WOLLOS | 0 |
| $\mathrm{V} / \mathrm{N}$ | $\boldsymbol{V} / \mathbf{N}$ | V/N | V/N | N | V/N | V/N | V/N | V/N | V/N | V/N | 0 p | do.L | 9 |
| V/N | VIN | V/N | V/N | N | V/N | VIN | V/N | V/N | V/N | $V \mathrm{~N}$ | 02 | WOLLOA | g |
| V/N | V/N | V/N | V/N | N | V/N | V/N | V/N | V/N | V/N | V/N | 02 | dol | V |
| V/N | V/N | V/N | V/N | N | V/N | V/N | V/N | V/N | V/N | V/N | 0 | WOLLOQ | V |
| (SaD-L79) ITDNY | (47D) L709 / SnS | (\%าว) 57 / SกO | G19M | $\mathrm{N} / \mathrm{s} / \mathrm{H}$ | O.OTX TVLOL |  | $\cdots$ |  | "V\% | SSaNYOIHL | 73 | NOLLVOOT | NOLLOMS |









". Flatwashers Are To Be Used At Al Sintted Hole Locations !! "





##  <br> 




| V/N |  | 18 | 1-96-914 |
| :---: | :---: | :---: | :---: |
| (7y bs ) oves | NOLLİJSJ | ('saij 1:211] | CM IN |
| LH9:M |  |  |  |
















 12) THE CONTTACTOR RESPONSBLE FOR ANY SEED AND STRAW








 3 , nit sux



 AvN 4 ost $1 . . .$.








ole ni yoern to strazivn Tiv zivelass 0100 .




 aw smess woulos se surusi





 -





 TRAPEZE KIT TO BE SUPPLIED AND INSTALLED BY
GENERAL CONTRACTOR. GENERAL CONTRACTOR. (Additional Ice Bridge if needed)


GENERAL CONTRACTOR TO MOUNT ANTENNA MOUNTS A
TOP OF SRUCTURE OR TOWER BY BLUEGRASS
CELLULAR SPECIFICATIONS.
GROUNDED TO GROUND BAR INSIIE BULDING AT WAVE
GUIDE ENTRANCE. GO TO SUPPLY GROUND CABLE \&
LUGS.
POLYPHASERS OR LIKE UNITS TO BE INSTALLED AND
GROUNDED TO GROUND BAR INSIDE BUILDING AT WAVE
CONTRACTOR TO EXTEND HARDLINES INTO BUILDING 12"
\& INSTAL POLYPHASERS, PER INSTRUCTION OF
PROUECT MANAGER.
ALL TRASH AND REFUGE IS TO BE PROPERLY
DISPOSED OF
INVENTORY OF ALL MATERIAL IS TO BE DONE PRIOR
TO INSTALLATION BY CONTRACTOR. (LIST WILL BE
PROVIDED)
ALL COAX CONNECTIONS are to be weather proofed
WAVE-GUIDE BOOTS ARE TO BE INSTALLED ON ALL
LINES (BOTH INSIDE AND OUTSIDE)
Lines are to be secured to ice bridge
ALL LINES TO BE GROUNDED AT ENTRANCE OF
SHETTER BEFORE WAVE GUIDE PORTS.
(EXTERIOR OF BULLDING)
ALL LINES TO BE GROUNDED AT THE TOP AND
BASE OF STRUCTURE OR TOWER.
ALL GROUND BARS TO BE INSTALLED AND CAD
WELDED TO GROUND FIELD (WHERE REQURED)
ALL LINES AND ANTENNAS TO BE PROPERLY
MOUNTED TO TOWER OR STUUCTURE PER
BLUEGRASS CELLULAR SPECIFICATIONS.









|  |  | BLUEGRASS CELLULAR, INC. STANDARD CELLULAR SITE LILLY II <br> 449 SHACKLE RD. LONDON, KY. 40744 | **. | DATE | REvisiom |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  | SCALE: LISTED |  |  |  |  |  |








|  | drawn by: <br> R. BECKER |
| :---: | :---: |
|  | ISSUE DATE: $07-15-05$ |
|  | SCALE: LISTED |






|  | DRAWNGY: R. BECKER |
| :---: | :---: |
|  | ISSUE DAIE: |
|  | 07-15-05 |
|  | scale: LISted |

BLUEGRASS CELLULAR, INC.
STANDARD CELLULAR SITE
LILLY YII
449 SHACKLE RD. LONDON, KY. 40744

| NO. | DAIE | REVISIIN |
| :---: | :---: | :---: |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |




## Landmark Surveying Co., Inc.

Darren L. Helms, R.L.S., President
Dennis N. Helms, R.L.S., Vice President


15 N.E. 3rd Street
Washington, Indiana 47501
Phone: 812-257-0950
Fax: 812-257-0953
E-mail: landmark@dmrtc.net

## Directions to the Site

## From the County Seat of Laurel County, Kentucky

Lily II Site<br>Laurel County, Kentucky

From the Laurel County courthouse in London, Kentucky: travel south on U.S. Highway 25 for about 4.7 miles to Fariston Road near the small village of Fariston; turn right onto Fariston Road and travel southwesterly 0.6 miles to Shackle Road; turn left onto Shackle Road and travel southeasterly 0.4 miles to the proposed lane for the tower site on the right near the residence at 395 Shackle Road. The tower site is on the wooded ridge behind the residence, and it is about 650 feet from Shackle Road. The address of the tower site is 449 Shackle Road, London, Kentucky.


Darren L. Helms, Kentucky Professional Land Surveyor No. 3386
$\qquad$
Date
 ESTMEGENTUNY
冬:OASRENL L HELAS: 3380

LIC PROWMESEORAT



# OPTION TO LEASE AND LEASE AGREEMENT 

## I. <br> OPTION TO LEASE REAL PROPERTY

THIS OPTION TO LEASE REAL PROPERTY (the "Option Agreement") is made and entered into this 18 day of $17 / 4 \ldots, 2005$, by and between Daryl Harris and Debbie Harris whose address is 395 Shackle Road, London, Kentucky 40741 (the "Optionor (s)") and Bluegrass Wireless LLC, a Kentucky limited liability company, 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 Laurel 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 $\mathbf{( \$ 1 , 2 0 0 . 0 0 )}$ 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 18 M4p $200{ }^{2}$ 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 $\underline{\mathbf{5}}$ 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.

# 14. For the purposes of giving notice as permitted or required herein, the address of the Optionor(s)shall be: $\mathbf{3 9 5}$ Shackle Road, London, KY 40741; 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 Laurel 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 shall become immediately effective upon such exercise and shall be as follows.
17. 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 $\underline{5}$ 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 Optioner(s) set forth in Paragraph 14 hereof. The lease amount shall be adjusted at the end of each term by an increase of $12 \%$.
18. The Optionee shall pay to the Optionor(s) rent for the Property in the sum of Five Thousand Four Hundred Dollars and Zero Cents $(\$ 5,400.00)$ yearly, to be paid in advance. All rent payments shall be personally delivered or mailed to the Optionor(s) at the address set forth in Paragraph $\underline{14}$ hereof. Any check payment of the rent due under the lease shall be payable to the order of Optionor(s).
19. The Optionee shall be entitled to use and occupy the Property for the purpose of erecting and maintaining a communications tower thereon and for such other uses as Optionee may deem necessary in connection therewith.
20. 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.
21. The Optionee may assign the lease. The Optionee may sublet all or part of the space on the tower or ground space.

Site Name: Lilly

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. 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.
9. 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.
[Remainder of Page Intentionally Left Blank]

## EXECUTION OF AGREEMENT(S)

IN TESTIMONY WHEREOF, witness the signatures of the Optionor(s) and the Optionee as of the date first above written, as proof that the parties enter into the Option to Lease Real Property and the Lease Agreement set out in Sections I and II hereof .

## Durgl Elaria Afebbiv Narres ("Optionor(s)")

By:
Property Owner
Daryl and Debbie Harris


By: Ron Smith
Authorized Representative
Bluegrass Wireless LLC, a Kentucky limited
liability company
STATE OF foutuch,
COUNTY OF HAled

The foregoing instrument was acknowledged before me this 18 day of $\qquad$ , 2005, by DAbyland Debbie Hares $\qquad$ to be his/her free act and deed.


My commission expires: $\qquad$

## STATE OF Kentucky

## COUNTY OF Hardin

The foregoing instrument was acknowledged before me this 17 day of $M \mathrm{May}$, 2005, by Ron Smith, to be his/her free act and deed.


This instrument prepared by:


DINSMORE \& SHOHL LL
2000 Meidinger Tower
Louisville, KY 40202
(502) 585-2450

## Amendment to Lease Agreement

This Amendment is made and entered into this 7 of Quell, 2005 by and between Daryl Harris and Debbie Harris ("Lessor"), whose address is 395 Shackle Road, London, KY 40741 and Bluegrass Wireless LLC, a Kentucky limited liability company ("Lessee"), with its principal office and place of business at 2902 Ring Road, Elizabethtown, Kentucky, 42701, to the Lease Agreement between Lessor and lessee dated as of May 18, 2005. (the "Lease")

## WITNESSETH:

WHEREAS, Lessor and Lessee now desire to amend the Lease to comply with MRS 100.987 § 2(b);

NOW, THEREFORE, in consideration of the provisions set forth below and for other good and valuable considerations the receipt and sufficing of which are hereby acknowledged, it is agreed between Lessor and Lessee to amend the Lease as follows.

1. Upon abandonment of the property, Lessee shall have thirty (30) days to dismantle and remove the cellular antenna tower and any/all equipment located on Lessor's property

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed as of the date first above written.

By:
By:
Date:


Bluegrass Wireless LLC, a Kentucky limited liability company
By: Ron Smith
Its: Authorized Representative
Date:


## STATE OF KENTUCKY

COUNTY OF $\qquad$
The foregoing instrument was acknowledged before me this $\underline{I}$ day of $\qquad$ , 2005, by Alkyl + Reblic HAiti to be h/s/her free act and deed.

NOTARY PUBLIC
My commission expires: $1-23-05$

## STATE OF KENTUCKY <br> COUNTY OF HARDIN

This foregoing instrument was acknowledged before me this 3 day of Que 2005, by Ron Smith to be his free act and deed, with full authority to et on behalf of Bluegrass Wireless LLC, a Kentucky limited liability company.


NOTARY PUBLIC
My commission expires: $1-2 / .09$


## COMMONWEALTH OF KENTUCKY

## BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:


#### Abstract

APPLICATION OF BLUEGRASS WIRELESS LLC FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO CONSTRUCT A CELL SITE (LILY II) IN RURAL SERVICE AREA \#6 (LAUREL) OF THE COMMONWEALTH OF KENTUCKY


CASE NO. 2005-00320

## 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 Bluegrass Wireless LLC and am submitting this affidavit in conjunction with the above referenced matter.
2. Pursuant to 807 KAR 5:063 §1(1)(1), the attached list containing the names of the residents/tenants and property owners within 500 feet of the proposed tower 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. A copy of the certified mail return receipts for each of the above property owners that show proof of service is attached hereto.
4. The written notice of the proposed construction which was sent to Delores Joyce Jackson was returned to me marked "Return to Sender-Unclaimed-Unable to Forward". A copy of the certified mail receipt and returned envelope is attached hereto.
5. The written notice of the proposed construction which was sent to Jeremy Wayne and Heather Sweet was returned to me marked "Return to Sender-Unclaimed-Unable to Forward". A copy of the certified mail receipt and returned envelope is attached hereto.
6. The addresses for Sally M. Moore and Gregory \& Jewelene Evert are P.O. Boxes and therefore cannot be served by U.S. Certified Mail, pursuant to 807 KAR 5:063 § 1 (l) and (m).
7. For the reason set forth in paragraph 6 , the written notices of the proposed construction for Sally M. Moore and Gregory \& Jewelene Evert were sent via U.S. Express Mail. The proof of service for Gregory \& Jewelene Evert is attached hereto.
8. The written notice of the proposed construction which was sent to Sally M. Moore was returned to me marked "Return to Sender-Unclaimed". A copy of the U.S. Express Mail receipt and returned envelope is attached hereto.
9. Due to the circumstances set forth in paragraphs 4,5 and 8 , the written notice of the proposed construction was therefore mailed again to: (1) Delores Joyce Jackson, (2) Jeremy Wayne and Heather Sweet, and (3) Sally M. Moore by first class United States mail, sufficient postage prepaid, but not by certified mail, return receipt requested.

Further Affiant saith not.

COMMONWEALTH OF KENTUCKY COUNTY OF JEFFERSON


SUBSCRIBED AND SWORN to before me this $\qquad$ day of August, 2005.

My commission expires: $\qquad$

Notary Public

## Landmark Surveying Co., Inc.

Darren L. Helms, R.L.S., President
Dennis N. Helms, R.L.S., Vice President


15 N.E. 3rd Street Washington, Indiana 47501

Phone: 812-257-0950
Fax: 812-257-0953
E-mail: landmark@dmrtc.net

## Landowner and Adjacent Landowner List

Lily II Site
Laurel County, Kentucky

Delores Joyce Jackson 1131 McFarland Lane Bowling Green, KY 42101

Pleasie Triplett 1005 Fariston Road London, KY 40741-8317

Glenn L. \& Sue Shadoan
550 Shackle Road
London, KY 40744
Daryl \& Debbie Harris
395 Shackle Road
London, KY 40741
Starling K. \& Lorena Donaldson
361 Shackle Road
London, KY 40741
Thomas J. \& Rosia Philpot
305 Shackle Road
London, KY 40744-8333
Jeremy Wayne \& Heather Sweet
305 Shackle Road
London, KY 40744

Roger A. Gibbs \& Teressa Runyon 251 Circle Street
London, KY 40741
John M. \& Margie Robinson
1606 Fariston Road
London, KY 40741-8321
Gregory \& Jewelene Evert
P.O. Box 58

Lily, KY 40740
Danny Sizemore
151 Sizemore Road
London, KY 40744
Sally M. Moore
P.O. Box 352

Pittsburg, KY 40755
Jeffery Sizemore
81 Sizemore Road
London, KY 40744
Cleda Mayne
1760 Fariston Road
London, KY 40744

## Landmark Surveying Co., Inc.

Darren L. Helms, R.L.S., President
Dennis N. Helms, R.L.S., Vice President


15 N.E. Ord Street Washington, Indiana 47501

Phone: 812-257-0950
Fax: 812-257-0953
E-mail: landmark@dmrtc.net

Landowner and Adjacent Landowner List
Lily II Site
Laurel County, Kentucky

Jackie DeWayne Fields
1818 Fariston Road
London, KY 40744-7925
Alberta Adams
1858 Fariston Road
London, KY 40744
James Derrick \& Ruby Fay Adams
8596 South U.S. Hwy. 25
Corbin, KY 40701


Darren L. Helms, P.L.S. 3386



## PUBLIC NOTICE

TO: Sally M. Moore
P.O. Box 352

Pittsburg, KY 40755
Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>Public Service Commission of Kentucky<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.


CAL 1－800－222－181\％FOR PAGKUP OR TRACKING OF ALL YOUR PACKAGES
INEDUA K7ヨWヨ\＆IXヨ

## PUBLIC NOTICE

TO：Jeremy Wayne \＆Heather Sweet 305 Shackle Road<br>London，KY 40744

Bluegrass Wireless LLC，is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service．The facility would include a 240 foot tower to be located at 449 Shackle Road，London，Kentucky，40741．A map showing the location is attached．This notice is being sent to you because you either own property and／or reside on property that is located within a 500 ft ．radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located．

The Commission invites your comments regarding the utility＇s 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<br>Public Service Commission of Kentucky<br>P．O．Box 615

Frankfort，Kentucky 40602

## 




70ロ4 2510 वロロ己 1ロ19 51ロ8


Jeremy Wayne \＆Heather Sweet 305 Shackle Road London．KY 40744



## PUBLIC NOTICE

TO: Delores Joyce Jackson<br>1131 McFarland Lane<br>Bowling Green, KY 42101

Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>Public Service Commission of Kentucky<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to com number 200500320 in your correspondence.


Delores Joyce Jackson 1131 McFarland Lane Bowling Green KY 40101



## PUBLIC NOTICE

TO: Gregory \& Jewelene Evert
P.O. Box 58

Lily, KY 40744
Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>Public Service Commission of Kentucky<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.

## Track \& Confirm

## Search Results

Label/Receipt Number: ER28 9497 195U S
Status: Delivered

## Track 8 Conifm

Your item was delivered at 9:03 am on August 15, 2005 in LILY, KY 40740. The item was signed for by J EVERT.

Enter Label/Receipt Number.

Additional Detaifs $>$ Retwm to USPS.com Home >

Notification Options
Track \& Confirm by email
Get current event information or updates for your item sent to you or others by email. GoD
Proof of Delivery
Verify who signed for your item by email, fax, or mail. $\operatorname{Cos}$

POSTALINSPECTORS site map contact us government services jobs National \& Premier Accounts Preserving the Trust

## Track \& Confirm

## Search Results

Label/Receipt Number: ER28 9497195 U S
Detailed Results:

- Delivered, August 15, 2005, 9:03 am, LILY, KY 40740

Track \& Confirm

- Notice Left, August 13, 2005, 6:43 am, LILY, KY 40740

Enter Label/Receipt Number

- Notice Left, August 12, 2005, 6:47 am, LILY, KY 40740
- Arrival at Unit, August 12, 2005, 6:46 am, LILY, KY 40740
- Enroute, August 12, 2005, 3:01 am, LONDON, KY 40741
- Enroute, August 11, 2005, 7:31 pm, LOUISVILLE, KY 40231
- Acceptance, August 11, 2005, 4:25 pm, LOUISVILLE, KY 40270

```
*Back
Refum to USPScom Hoave >
```

Notification Options
Track \& Confirm by email
Get current event information or updates for your item sent to you or others by email. G0\%
Proof of Delivery
Verify who signed for your item by email, fax, or mail. GOD

POSTALINSPECTORS site map contact us government services jobs National \& Premier Accounts Preserving the Trust

## PUBLIC NOTICE

TO: James Derrick \& Ruby Fay Adams<br>8596 South U.S. Highway 25<br>Corbin, KY 40701

Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.

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:

James Derrick \& Ruby Fay Adams 8596 South U.S. Highway 25 Corbin, KY 40701

## COMPLETE THIS SECTION ON DELIVERY



| 3. Seryice Type  <br> Q Certified Mail $\square$ Express Mail <br> $\square$ Registered $\square$ Retuin Receipt for Merchandise <br> $\square$ Insured Mail $\square$ c.O.D. |  |  |
| :---: | :---: | :---: |
| 4. Restricted Delivery? (Extra Fee) |  | $\square$ |

## PUBLIC NOTICE

TO: Alberta Adams<br>1858 Fariston Road<br>London, KY 40744

Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>Public Service Commission of Kentucky<br>P.O. Box 615

Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.


## PUBLIC NOTICE

TO: Jackie DeWayne Fields 1818 Fariston Road<br>London, KY 40744-7925

Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
| :---: | :---: |
| Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <br> - 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: | D. Is delivery address different from item 1 ? $\square$ yes If YES, enter delivery address below: $\square$ No |
| Jackie DeWayne Fields 1818 Fariston Rn ${ }^{\text {? }}$ ? |  |
| London, $\mathrm{Fryr}^{\text {r }}$ :-1923 | 3. Senyice Type |
| , | 4. Restricted Delivery? (Extra Fee) $\square$ Yes |
|  |  |
|  |  |

## PUBLIC NOTICE

TO: Cleda Mayne
1760 Fariston Road
London, KY 40744
Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>Public Service Commission of Kentucky<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.


## PUBLIC NOTICE

## TO: Jeffery Sizemore

81 Sizemore Road
London, KY 40744
Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>Public Service Commission of Kentucky<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.


## PUBLIC NOTICE

TO: Danny Sizemore 151 Sizemore Road<br>London, KY 40744

Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>Public Service Commission of Kentucky<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.


## PUBLIC NOTICE

TO: John M. \& Margie Robinson 1606 Fariston Road London, KY 40741-8321

Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>Public Service Commission of Kentucky<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.


## PUBLIC NOTICE

TO: Roger A. Gibbs \& Teressa Runyon<br>251 Circle Street<br>London, KY 40741

Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>Public Service Commission of Kentucky<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.


Roger A. Gibbs \& Teressa Runyoi 251 Circle Street
London, KY 40741



## PUBLIC NOTICE

TO: Thomas J. \& Rosia Philpot 305 Shackle Road London, KY 40744-8333

Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>Public Service Commission of Kentucky<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.


## PUBLIC NOTICE

TO：Starling K．\＆Lorena Donaldson
361 Shackle Road
London，KY 40741
Bluegrass Wireless LLC，is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service．The facility would include a 240 foot tower to be located at 449 Shackle Road，London，Kentucky，40741．A map showing the location is attached．This notice is being sent to you because you either own property and／or reside on property that is located within a 500 ft ．radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located．

The Commission invites your comments regarding the utility＇s 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<br>Public Service Commission of Kentucky<br>P．O．Box 615<br>Frankfort，Kentucky 40602

Please refer to case number 2005－00320 in your correspondence．

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：

Starling K．\＆Lorena Donaldsoi： 361 Shackle Road COMPLETE THIS SECTION ON DELIVERY


| 3．Servige－Type |  |  |
| :--- | :--- | :--- |
| qCerified Mail | $\square$ Express Mail |  |
| $\square$ Registered | $\square$ Retuim Receipt for Merchandise |  |
| $\square$ insured Mail | $\square$ c．O．D． |  |
| 4．Restricfed Delivery？（Extra Fee） | $\square$ Yes |  |


| 2．Article Number | 7004 | ㄷ5］口 | ロロロ己 |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| （Transfer from service label） |  |  |  |  |  |

## PUBLIC NOTICE

TO: Daryl \& Debbie Harris 395 Shackle Road London, KY 40741

Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>Public Service Commission of Kentucky<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.


## PUBLIC NOTICE

TO: Glenn L. \& Sue Shadoan<br>550 Shackle Road<br>London, KY 40744

Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.


## PUBLIC NOTICE

TO: Pleasie Triplett 1005 Fariston Road London, KY 40741-8317

Bluegrass Wireless LLC, is applying to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity for construction and operation as a new cell facility to provide cellular radio service. The facility would include a 240 foot tower to be located at 449 Shackle Road, London, Kentucky, 40741. A map showing the location is attached. This notice is being sent to you because you either own property and/or reside on property that is located within a 500 ft . radius of the proposed tower or you own property contiguous to the property where the proposed tower will be located.

The Commission invites your comments regarding the utility's 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<br>Public Service Commission of Kentucky<br>P.O. Box 615<br>Frankfort, Kentucky 40602

Please refer to case number 2005-00320 in your correspondence.


# Dinsmore\&Shohlup <br> ATTORNEYS <br> Kerry W. Ingle <br> (502) 540-2354 (Direct Dial) <br> kerry.ingle@dinslaw.com 

August 4, 2005

## Via Certified Mail

London and Laurel County Planning Commission
501 South Main Street
London, Kentucky 40741
Via Certified Mail
Laurel County Fiscal Court
101 South Main Street
London, Kentucky 40741

## RE: Amended Public Notice - Public Service Commission of Kentucky Case No. 2005-00320

Bluegrass Wireless LLC 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 Laurel County. The facility will include a 240 ft . tower and an equipment shelter to be located at 449 Shackle Road, London, Kentucky, 40741. 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 2005-00320 in your correspondence.

Very truly yours,

enclosure
KWI

SENDER: COMPLETETHS 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:
london d laurel County Planning cominission
sol s. Main street
London, ky 40741

COMPLETE THIS SECTION ON DELIVERY

D. Is delivery address different from item 1 ?$\square \mathrm{N}$


## SENDER: COMPLETE THIS SECTION

m 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.
m Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 London, KY 40741

COMPLETE THIS SECTION ON DELIVERY

B. Received by (Printed Name) C. Date of Delivery DARLENE BADEN
D. Is delivery address different from item 1 ?
 If YES, enter delivery address below:

| 3. Service Type |  |  |
| :--- | :--- | :--- |
| $\square$ Certified Mail | $\square$ Express Mail |  |
| $\square$ Registered | $\square$ Return Receipt for Merchandise |  |
| $\square$ Insured Mail | $\square$ C.O.D. |  |
| 4. Restricted Delivery? (Extra Fee) | $\square$ Yes |  |

2. Article Number

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540


P.O. 830•123 West Fifth St. London, KY 40743-0830 606-878-7400
FAX 606-878-7404

## NEWSPAPER AFFIDAVIT

I, Karen Brummett, Production Assistant/Legal Clerk, of The Sentinel-Echo
Newspaper published at London, Kentucky and having the largest general circulation of any newspaper in Laurel County, Kentucky, do hereby certify that from my own knowledge and a check of the files of this newspaper that the advertisement of Construction and operation of a new facility to provide cellular radio telecommunications service in rural Laurel County by Bluegrass Wireless LLC for Dinsmore \& Shohl LLP was published in the legal section of our newspaper on Wednesday. August 17 and Friday. August 19. 2005.

Signature: $\qquad$

Subscribed and sworn before me by

 noun $\pi$ this $\qquad$ , 2005

Notary Public



My commission expires


## Cemetery Donations Sought

If the caretaker or persons collecting money for mow ing and upkeep of the ceme tery has changed please call Sue Minton at $878-7400$; ext
32, and we will make a
season is over, put your
flowers on the graves. At
the beginning of mowing season again they will be haiuled away, Contact Minhie Burnett at $864-7114$ for

One buried in East Colony Cemetery. Please send the cemetery to wand henbuhl, 663 Moriah Church Rd., London, Ky., 40741
$d o$
344
don
info
-

3444 Old Salem Road, Lon-
don, Ky, 40741 . For more don, Ky., 40741. For more
nformatlon, call 8644576 .

Freedom Cemetery
way 229 on Hopper Creek
Road, between Rob Creek 2840. All donations will be Creek and Blackwater. Donations should be made to Hons should be made to Hale Cemetery and mailed
greatly appreclated.
Landrum Cemetery
The Landrum Cemetery

|  |
| :---: |
|  |  |
|  |  |
|  |  |
|  |  |
|  |
|  |
|  |
|  |
|  |







in Laurel County and $\$ / 2$ Mile Area Outside of the County Boundary



[^0]:    Enclosures

[^1]:    Darren L. Helms, Kentueky Professional Land Surveyor No. 3386

