

---

*J. Hunt Perkins and Associates*

*Petroleum Geologist*

*3319 Tates Creek Road, Suite 205*

*Lexington, KY 40502*

*Phone: 859-269-3386 Fax: 859-269-3388*

*E-Mail: huntperkins@petrohuntky.com*

May 9, 2007

RECEIVED  
MAY 10 2007  
PUBLIC SERVICE  
COMMISSION

Ms. Beth O'Donnell  
Executive Director  
Public Service Commission  
P.O. box 615  
Frankfort, KY 40602-0615

RE: Case No. 2007-00144  
Cliffview Development, LLC  
Water System

Dear Ms. O'Donnell:

I am in receipt of an Executive Order dated April 27, 2007, relative to the Cliffview Development, LLC Water System in Lee and Wolfe Counties, Kentucky (PSC Case No. 2007-00144).

In 2003, Cliffview Development, LLC lost jurisdiction over all matters pertaining to Cliffview Resort, including its water system, by foreclosure proceedings initiated by the Whitaker Bank, Stanton, Kentucky. Mr. Thomas M. Dorman, Executive Director of the Public Service Commission, was informed of this fact in my letter dated October 1, 2003 (copy enclosed).

To provide a brief history of these matters, a copy of the pertinent correspondence and documents are enclosed as follows:

- 1) Letter, dated August 11, 2003, from Steve Hale, President of Whitaker Bank, NA, to Cliffview Resort Village, LLC (i.e., Cliffview Development, LLC), with copy of the Court Order relative to receivership.
- 2) Letter, dated September 25, 2003, from David Brown, PSC Director of Filings, to J. Hunt Perkins, Cliffview Development, LLC, with copy of the Final Order relative to negotiation of a reduced wholesale price for water purchased from the City of Campton.

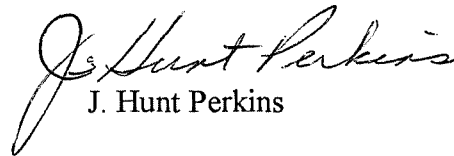
Ms. Beth O'Donnell  
May 9, 2007  
Page 2

- 3) Letter, dated October 1, 2003, from J. Hunt Perkins, Cliffview Development, LLC, to Thomas M. Dorman, PSC Executor Director, relative the appointment of Whitaker Bank, NA, as receiver of Cliffview Development, LLC.
- 4) Advertisement of Sale, dated November 24, 2003, giving notice of the Judgment and Order of Sale of the properties of Cliffview Development, LLC, on December 13, 2003, at 11 A.M.

Whitaker Bank, NA, assumed all responsibility for all matters pertaining to the purchase of the Cliffview Development assets by terms issued by the Court upon their purchase on December 13, 2003. Thus, all future correspondence concerning the Cliffview Development Water System should be directed to Mr. Steve Hale, as previously requested in my letter to PSC Executive Director Thomas M. Dorman on October 1, 2003.

Please advise if we can be of further assistance to you in this matter.

Respectfully,

  
J. Hunt Perkins

JHP/ejw

Enclosures (4)

RECEIVED  
MAY 10 2007  
PUBLIC SERVICE  
COMMISSION



**Whitaker Bank, NA**  
A Subsidiary of Whitaker Bank Corporation

AUG 13 2003

August 11, 2003

RECEIVED  
MAY 10 2007  
PUBLIC SERVICE  
COMMISSION

Cliffview Resort Village, LLC  
3319 Tates Creek Road  
Lexington, KY 40502

Dear Cliffview Resort Village LLC,

This is to inform you that per order of Lee Circuit Court, Whitaker Bank has been appointed receiver of Cliffview Development, LLC. A copy of the order is enclosed.

Please begin immediately to send any moneys due Cliffview Development, LLC to Whitaker Bank, P.O. Box 10, Stanton, KY 40380. This includes maintenance fees, water bills and any other money owed to Cliffview Development. Checks should be payable to Cliffview Development.

Our intentions are to operate the resort in a legal and positive manner. At this time, I am unable to provide any other details.

Please feel free to call if you have questions.

Best regards,

Steve Hale  
President

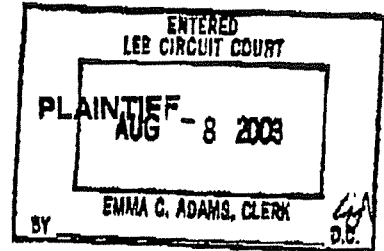
SH/tg

COMMONWEALTH OF KENTUCKY  
LEE CIRCUIT COURT  
CIVIL ACTION NO. 03-CI-00098

WHITAKER BANK, N.A.

VS.

ORDER



CLIFFVIEW DEVELOPMENT, LLC, ET AL

DEFENDANTS

RECEIVED

MAY 10 2007

PUBLIC SERVICE  
COMMISSION

\*\*\*\*\*

This matter having come before the Lee Circuit Court on August 6, 2003, upon Motion of Plaintiff, Whitaker Bank, N.A., seeking for the Court to appoint a receiver over the subject property, (described in more particular detail in Plaintiff's Complaint), during the pendency of this action, and the Court having reviewed the record, having heard arguments of counsel, having reviewed the file and the pleadings, and otherwise being sufficiently advised, it is hereby Ordered as follows:

1. That the Plaintiff, Whitaker Bank, N.A., is hereby appointed as receiver pursuant to KRS 425.600, over the subject property with which this legal proceeding is concerned, with said receivership to take place immediately, and with said receiver to take charge of the estate and effects of the Defendants, J. Hunt Perkins and Cliffview Development, LLC, as it relates to the subject matter of this proceeding. The receiver is empowered and directed to do all acts necessary to protect, preserve, maintain in good repair and effectively manage said property.

2. It is further ordered that the Defendants, J. Hunt Perkins and Cliffview Development, LLC, its officers, servants and agents shall turn over to said receiver all the property, estates, effects, receivable books of accounts, and all other assets of the Defendants, J. Hunt Perkins and Cliffview Development, LLC. Said Defendants are

restrained from exercising any control over such property, assets, or books of accounts or from interfering in any manner with the title, possession or control of the receiver.

3. The Receiver shall pay out of such rents, issues, profits and other incoming funds, the normal expenses of operation of the property described in the Plaintiff's Complaint, including without limitation its fees, maintenance fees, utilities, and maintenance of fire and extended coverage insurance as may be required on the property in an amount not less than said Plaintiff's claim set out in their Complaint.

4. That the Receiver shall maintain an accounting of all funds received by the Receiver as well as expenditures made from said funds, and be able to give an accounting to the Court upon request.

5. That the Receiver is hereby empowered to employ such individuals as may be reasonably necessary to effectuate this Order.

So Ordered this the 4<sup>th</sup> day of August, 2003.

W. T. T.  
HON. WILLIAM TRUDE, JUDGE  
LEE CIRCUIT COURT

**CLERK'S CERTIFICATE**

I hereby certify that a true and correct copy of the foregoing Order was served by mailing a copy of same this the 08 day of August, 2003, to the following: B. Scott Graham, 331 East College Avenue, P.O. Box 637, Stanton, Kentucky 40380; Cliffview Development, LLC, 3318 Tates Creek Road, Lexington, Kentucky 40502; J. Hunt Perkins, 3318 Tates Creek Road, Lexington, Kentucky 40502; Hon. Stephen R. Johnson, Wolfe County Attorney, P.O. Box 250, Campton, Kentucky 41301; Hon. Leah Hawkins, 29 South Mayeville Street, Mt. Sterling, Kentucky 40383; Hon. Thomas K. Hellen, P.O. Box 116, Beattyville, Kentucky 41311; and Hon. Tom Jones, P.O. Drawer 111, Beattyville, Kentucky 41311.

Emma Adams, Clerk  
LEE CIRCUIT CLERK

# CLIFFVIEW DEVELOPMENT, LLC

3319 Tates Creek Road, Suite 205  
Lexington, Kentucky 40502  
Phone: (859) 269-3386; Fax: (859) 269-3388  
www.cliffviewresort.com

RECEIVED

MAY 10 2007

PUBLIC SERVICE  
COMMISSION

October 1, 2003

Thomas M. Dorman  
Executive Director  
Kentucky Public Service Commission  
P. O. Box 615  
Frankfort, Kentucky 40602

Re: Case No. 2002-00300  
First Reminder Letter

Dear Mr. Dorman:

Cliffview Development, LLC is in receipt of the First Reminder Letter from the Public Service Commission, dated September 25, 2003.

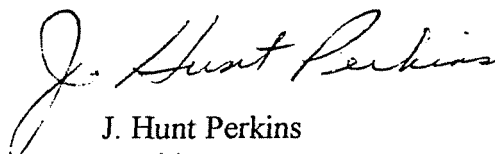
No efforts have been made in attempting to negotiate a reduced wholesale rate of purchase of water from the City of Campton.

As of August 6, 2003, Whitaker Bank, NA was appointed receiver of Cliffview Development, LLC. Cliffview Development, LLC is currently attempting to rectify financial matters so that it may again control operations of Cliffview Resort. Until that is done, all correspondence regarding Cliffview Resort should be directed to:

Mr. Steve Hale, President  
Whitaker Bank, NA  
P. O. Box 10  
Stanton, KY 40380  
Phone: 1-606-663-2283

Please feel free to call if you have questions regarding this matter.

Sincerely,



J. Hunt Perkins  
President



SEP 25 2003

**Paul E. Patton, Governor**

**Janie A. Miller, Secretary  
Public Protection and  
Regulation Cabinet**

**Thomas M. Dorman  
Executive Director  
Public Service Commission**

COMMONWEALTH OF KENTUCKY  
**PUBLIC SERVICE COMMISSION**  
211 SOWER BOULEVARD  
POST OFFICE BOX 615  
FRANKFORT, KENTUCKY 40602-0615  
www.psc.state.ky.us  
(502) 564-3940  
Fax (502) 564-3460

**Martin J. Huelsmann  
Chairman**

**Gary W. Gillis  
Vice Chairman**

**Robert E. Spurlin  
Commissioner**

September 25, 2003

J. Hunt Perkins, President  
Cliffview Development LLC  
3319 Tates Creek Road  
Lexington, Kentucky 40502

RECEIVED

MAY 10 2007

PUBLIC SERVICE  
COMMISSION

RE: Case No. 2002-00300  
First Reminder Letter

Dear Mr. Perkins:

The Commission entered the enclosed Final Order in this case on November 18, 2002. It was ordered that "Within 6 months from the date of this Order, Cliffview shall file a status report discussing its efforts to negotiate a reduced wholesale rate." To date the Commission has not received this filing. Please make the filing referencing the case number 2002-00300 not later than 15 days from the date of this letter.

If you have questions concerning this letter, please contact Jack Kaninberg, of the Financial Analysis Division, at 502-564-3940, extension 453. Otherwise, please mail the required filing to Thomas M. Dorman, Executive Director, **ATTN: Carolyn Jones**, Public Service Commission, Post Office Box 615, Frankfort, Kentucky 40602.

Sincerely,

David Brown  
Director Division of Filings

Enclosure

/cj



COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF CLIFFVIEW  
DEVELOPMENT, LLC FOR APPROVAL  
OF INITIAL RATES  
)  
) CASE NO. 2002-00300  
)

O R D E R

On July 31, 2002, Cliffview Development, LLC ("Cliffview") filed an application with the Commission to establish initial water rates. Cliffview owns a resort development that is located in Wolfe and Lee counties, and purchases water from the city of Campton at a rate of \$4.94 per 1,000 gallons for resale to Cliffview's customers. The majority of Cliffview's customers use their resort properties as vacation homes, and therefore their usage is minimal. For this reason, Cliffview proposes a rate design that includes a monthly service charge to recoup its fixed operating costs, as well as a monthly usage rate for actual water use.

TEST PERIOD

Since Cliffview's water operations are new, test-period financial information does not exist. Estimated *pro forma* expenses have been utilized for the determination of Cliffview's revenue requirement.

PROJECTED REVENUES AND EXPENSES

Cliffview projected operating expenses on the basis of providing water service to 54 customers. The Commission is of the opinion that the projected operating expenses are generally proper.



## REVENUE REQUIREMENT

Cliffview's requested water rates are based on its projected operating expenses and do not include depreciation expense or a surplus to allow for equity growth. In start-up water operations, it is difficult to estimate or project operating revenues and expenses until the system has actual operating results for 12 months. Therefore, the Commission has granted the rates requested by Cliffview but advises that Cliffview should review its financial position after 12 months of operations. Should Cliffview deem it necessary to make adjustments, it should apply to the Commission for authority to do so.

In addition, the Commission is concerned that the wholesale rate of \$4.94 per 1,000 gallons that Cliffview pays to the city of Campton is high when compared to statewide rates, as well as the wholesale rate of \$1.98 per 1,000 gallons that Campton charges to the Morgan County Water District. Cliffview has expressed interest in having Campton acquire its water system, but if that acquisition does not occur, Cliffview should file a status report with the Commission discussing its efforts to negotiate a reduced wholesale rate.

The Commission, having reviewed the record and being sufficiently advised, finds that:

1. Cliffview currently provides water service to 54 customers.
2. Cliffview has provided proper and adequate justification for the proposed rates for water service.
3. The proposed rates for water service are fair, just, and reasonable.

4. Cliffview should file a status report with the Commission, within 6 months of the date of this Order, discussing its efforts to negotiate a reduced wholesale rate.

IT IS THEREFORE ORDERED that:

1. The water rates proposed by Cliffview, attached as Appendix A, are hereby approved for services rendered on and after the date of this Order.

2. Within 20 days from the date of this Order, Cliffview shall file a tariff with the proper effective date.

3. Within 6 months from the date of this Order, Cliffview shall file a status report discussing its efforts to negotiate a reduced wholesale rate.

Done at Frankfort, Kentucky, this 18<sup>th</sup> day of November, 2002.

By the Commission

ATTEST:

  
Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2002-00300 DATED November 18, 2002

The following rates and charges are prescribed for the customers in the area served by Cliffview Development, LLC. All other rates and charges not specifically mentioned herein shall remain the same as those in effect under authority of the Commission prior to the date of this Order.

Monthly Usage Rates

All Usage	\$5.43 per 1,000 gallons
-----------	--------------------------

Monthly Customer Charge

5/8 Inch Connection	\$13.31 Minimum Bill
---------------------	----------------------

COMMONWEALTH OF KENTUCKY  
23RD JUDICIAL CIRCUIT  
LEE CIRCUIT COURT  
ACTION # 03-CI-00098

RECEIVED  
MAY 10 2007  
PUBLIC SERVICE  
COMMISSION

WHITAKER BANK, N.A.

PLAINTIFF

V.

ADVERTISEMENT OF SALE

CLIFFVIEW DEVELOPMENT, LLC,  
J. HUNT PERKINS; COMMONWEALTH  
OF KENTUCKY; LEE COUNTY KENTUCKY,  
WOLFE COUNTY KENTUCKY  
COMMONWEALTH OF KENTUCKY

DEFENDANTS

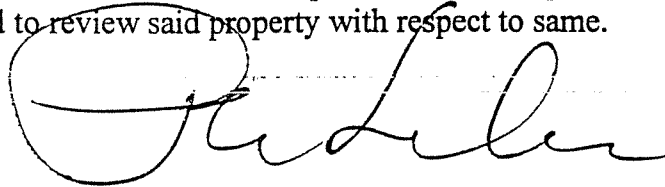
\* \* \* \* \*

By virtue of Judgment and Order of Sale entered by the Lee Circuit Court in the above cause, I will on Saturday, December 13, 2003, at the hour of 11:00 A.M. offer the the real property described in Exhibit "A" attached hereto for sale at public auction to be conducted on the premises.

The property will be sold to the highest bidder subject to any and all rights of redemption. The purchaser shall pay the full purchase price on the day of sale or may deposit 10% of the purchase price and execute a bond, with sufficient surety, to secure the unpaid portion for THIRTY (30) days, said bond having the force and effect of a judgment with interest on the unpaid portion at 12% per annum. All sales shall be final and shall be subject to any and all other liens, claims, assessments, taxes or other encumbrances if any and unless otherwise indicated herein with no warranty on the quality of the title of the property sold however the property will be sold free of all claims of the parties hereto. Taxes for all years including 2003 shall be paid from the proceeds of sale and taxes for the year 2004 and beyond shall be the responsibility of the purchaser, his successors, heirs or assigns. All persons are advised to inspect the court record herein in the office of the Lee Circuit Court Clerk and the record of the property in the offices of the Lee and Wolfe County Court Clerks prior to the date of sale. The property shall be open for inspection on Thursday, December 11, 2003 from 11:00 A.M. to 3:00 P.M., Friday, December 12, 2003 from 11:00 A.M. to 4:00 P.M. and Saturday Morning, December 13, 2003 beginning at 9:00 A.M to 10:30 A.M.. Other information may be viewed at [www.cliffviewresorts.com](http://www.cliffviewresorts.com).

Risk of loss passes to the purchaser on the date of sale regardless of when title is transferred and despite objections. It is expected that the high bidder will secure adequate insurance to protect against such losses. If the purchaser defers the purchase price as herein provided, no waste or removal may be committed to any part of the property until the full purchase price shall have been paid, with interest, in full. Checks returned unpaid, shall be considered to be a bond as herein described and full payment or a bond with approved surety

will be required to defer the immediate payment of the purchase price with an approved deposit of 10% of the purchase price. Failure to comply with the terms of the bond, including the return of the deposit check unpaid, will result in a judgment, upon motion and notice by the Commissioner, against the purchaser and surety for the full purchase price with interest and upon default of payment of said judgment, the Commissioner will seek an order of sale and again offer said property for sale at public auction at the cost of the purchaser and surety. The deposit from the original sale shall be retained and applied, if necessary to all costs, fees and deficiency of the original sale should the proceeds from same be inadequate. Compliance with all federal and state health, safety, building and fire codes shall be the responsibility of the purchaser and all prospective bidders are encouraged to review said property with respect to same.



Philip M. Owens, Special Commissioner  
Lee Circuit Court  
226 Covey Road  
P.O. Box 478  
Irvine, Kentucky 40336  
Tel (606)723-8093  
Fax (606)726-9643

**CERTIFICATE OF SERVICE**

I certify that the forgoing was served by mailing a true copy thereof to the following this 24 day of November, 2003:

Hon. B. Scott Graham  
PO Box 637  
Stanton, Kentucky 40380

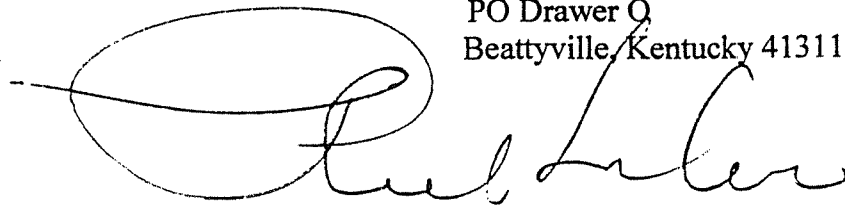
Hon. Jeffery M. Stiles,  
PO Box 189  
Stanton, Kentucky 40380

Hon. Thomas K. Hollon  
PO Box 116  
Beattyville, Kentucky 41311

Hon. Leah Hawkins  
29 S. Maysville St.  
Mt. Sterling, Kentucky 40353

Hon. Stephen R. Johnson  
PO Box 250  
Campton, Kentucky 41301

Hon. Tom Jones  
PO Drawer Q  
Beattyville, Kentucky 41311



Philip M. Owens

EXHIBIT "A"  
Advertisement of Sale  
Whitaker Bank v. Cliffview, et al.

WALKERS CREEK TRACT / Wolfe County and Lee County, Kentucky

960 1/4 acres

Known as the Walker's Creek Tract, and bounded by. beginning at a large Chestnut Oak, corner to Meadow's Tract in the Old Bush line; thence N 11 W 18 poles to a stake and Gum pointers; thence N 2 W 34 poles to a stake and small Hickory pointer; thence N 21 E 32 poles to a set stone marked J.T.D. ; thence leaving the ridge N 80 W 23 poles to the center of the County Road, one pole from a large rock, marked J.T.D.; thence :58 W 12 poles to a spruce pine on a large rock on top of the second falls, of Graining Block Fork of Red River; thence down said fork with its meanders, N 50 W 26 poles to a White Walnutstump; thence N 66 1/2 E 20 poles to four lynns; thence N 60 E 34 1/2 poles to a Spruce Pine; thence N 77 1/2 E 8 poles to a large poplar stump and stone marked J.T. D.; thence N26 1/4 E12 poles to a pine stump and beech in a small, drain: thence N 50 E 34 poles to a spruce pine; thence N 20 E 43 poles to a beech; thence N 42 E 29 1/2 poles to a beech and cucumber; thence N 57 E 14 3/4 poles to a large spruce pine and large maple pointer; thence leaving said fork, S 16 1/2 E 15 poles to a white and spruce pine on top of a cliff: thence S 24 1/2 E 15 poles to a stake, two sourwoods and black oaks pointers; thence S 29 1/2 E 20 Poles to a small black oak and maple; thence N 17 1/2' E 20 poles to a stake and two small chestnuts and black oak pointers; thence s 15 E 14 poles; thence S 18 1/2 E 25 poles to a set stone lettered J.T.D. and J.F.M. thence 37 1/2 W 41 poles to a black oak; thence S 30 E 24 poles to two dogwoods, two black oaks and two chestnuts; thence S 36 W 18 poles to a chestnut; thence S 14 3/4 W 37 poles to a large white pine; .thence S 12 W 18 3/4 poles to a pointer' of cliff lettered J.T.D.; thence S 31. E 31 1/2 .poles to a chestnut; thence N 42 E 34 Doles to a chestnut; thence N'24 E 34 poles to a .double chestnut; thence N 75 1/2 E 20 poles to a black oak and white oak; thence N 64 E 14 poles to a stake and chestnut and black oak pointer; thence N 7 1/2 W 10 poles to a stake and chestnut oak pointer; thence N 31 1/2 E 17 poles to a small hickory in line of K.U. Land Co., thence \$ 71 1/2 E 44 poles to a stake and black oak pointer in the old Bush line; thence with said Bush line N 73 3/4 E 125 poles (crossing the L. & E. R.R. at 63 Poles) to two chestnuts and white oak lettered A.D.C. and J.D.T. corner to P.R.L.; thence with P.R.. Legg's line S 7 1/2 E 74 poles to a point of cliff marked J.T.D.; thence N 70 1/2 E 41 poles to a beech and sourwood marked .J.L.A. and J.T.D. and corner to A.J. Legg; thence with his line S 52 E 62 roles to a set stone on the west side of Bush Fork of Walkers Creek and East of the L. & E. R.R. Co., thence down said Bush Fork as it meanders S 9 1/2 E 143 poles; thence S 25 1/2 E 27 poles S 8 1/4 w 8 1/2 poles s 11 1/2 E 15 poles; thence S 61 E 2 3/4 poles; thence S 17 3/10; thence S 42 E 7 1/5 poles; thence S 10 3/4 W 13 2/10 poles; thence S 45 1/2 W 5 2/10 poles; thence S 33 1/2 E 14 poles; thence 22 3/4 E 20 Poles; thence S 23 1/2 W 12 poles; thence S 22 1/2 E 7 2/10 poles; thence S 8 1/2 E 20 1/2 poles; thence **S 39 1/2 W 11.2 poles**; thence S 8 3/4 E 15 poles; thence S 50 W 58 poles; thence s 8 1/2 E 14 poles to the north of Trestle Branch corner to Wm. Treadway; thence up said branch N 74 1/2 W 14 poles; thence N 37 1/2 W 24 poles; thence N 29 1/2 W 44 poles to a large rock marked J.T.D.; thence N

23 W 10 poles to a spruce pine of top of the cliff, thence with the top of said cliff and it meanders S 12 1/2 W 3.6 poles; thence S 16 1/2 E 5 poles; thence S 12 1/2 E 5 poles; .thence S 9 E 10 poles; thence **S 50 W 5/2 (?) poles**; thence S 46 E 11.2 poles; thence **S 19 (?) 13 6/10 poles**; thence S 36 1/2 E 6 poles; thence S 18.5 Poles; thence S 6 W 4 poles; thence S 16 1/4 E 4 poles; ~~thence S 1 w 4 poles~~; thence s 27 1/2 E 4 poles; thence S 17 1/2 E 4 poles; ~~thence~~ S 31 1/2 E 4 poles; thence S 7E 3 poles; thence 72 1/2 E 6 Poles; thence S 49 E 5.4 poles; thence S 43 1/2 E 8 Poles; thence S 12 1/2 W 5 1/2 poles; thence S 35 1/2 W 11.4 poles; thence N 47 1/2 W 6 poles; thence N 75 1/2 W 5 poles; thence N 30 3/4 W 6 poles; thence N 10 1/2 E 5.2 poles; thence S 71 1/2 W 5.2 poles; thence N 40 1/2 W 9.2 poles; thence S 19 W 1 4/10 poles; thence N 63 1/2 W 4 8/10 poles; thence N 5 1/2 W 3 6/10 poles; thence N 64 1/2 W 3 poles; thence S 16 1/2 W 13 2/10 poles; thence S 10 3/4 E 4 poles; thence S 7 3/4 E 6 8/10 poles; thence S 2 W 4 poles; thence S 8 E 4 1/2 poles; thence S 11 1/2 E 6 poles; thence S 1 1/2 W 8 1/2 poles; thence S 38 1/2 E 6 poles; thence S 6 1/2 W 3 2/10 poles; thence S 62 E 5 2/10 poles; thence S 39 E 4 poles; thence S 20 W 3 poles; thence N 55 1/2 W 5 6/10 poles; thence N 70 1/2 W 10 poles: thence S 62 W 7.6 poles; thence S 14 3/4 E 7 6/10 Poles; thence S 12 W 13 6/10 poles; thence S 48 1/2 E 5 poles; thence S 5 1/2 W 4 poles; thence S 72 W 4 8/10 poles; thence N 22 1/2 W 2 poles; thence S 82 1/2 W 3 2/10 poles; thence N 73 W 7 poles; thence S 17 1/2 W 1 1/2 poles; thence S 39 1/9 W 9 poles; thence S 2 1/2 W 2 1/2 poles; thence S 11 1/2 E 11 1/2 poles; thence S 36 E 9 2/10 poles; thence S 67 E 40 4/10 poles; thence S 4 1/2 poles; thence S 65 E 2 poles; thence S 41 1/2 E 6 poles; thence N 86 1/2 E 5 6/10 poles; thence S 1 3/4 E 4 6/10 poles; s 35 1/4 E 3 2/10 poles; S 7 1/2 E 2 1/2 poles; thence S 21 W 3 poles; thence S 78 1/2 W 3 2/10 poles; thence S 54 W 5 2/10 poles; thence N 55 1/2 W 5 poles; thence S Lo W 5 6/10 poles; thence S 1/2 E 7.2 poles; thence S 9 E 8 Poles; thence S 55 1/2 E 7 6/10 poles; thence S 23 3/4 E 4 1/2 poles: thence S 28 3/4 W 4 poles; thence S 8 1/2 E 14.8 poles; thence S 25 1/2 W 4 1/2 Poles; thence S 11 W 11 poles; thence S 35 3/4 W 4 poles; thence S 42 W 6 poles; thence S 3 E 1 1/2 poles; thence S 72 W 3 6/10 poles; thence S 6 1/2 E 4 1/2 poles; thence S 32 W 6 poles; thence S 4 E 7 6/10 poles to a large rock marked J.T.D. 1898 on top of the point above Walkers Creek School House and Church House same Course continued one pole to a chestnut under the cliff corner to Wm. Clinger; thence with the foot of the cliff N 25 W 3 2/10 poles; thence N 52 W 3 2/10 poles; thence N 28 1/3 W 3 2/10 poles; thence 79 1/2 W 4 Poles; thence N 25 W 10 1/2 poles; thence N 31 E 7 2/10 poles; thence N 7 E 7 6/10 poles; thence N 46 1/2 W 5 2/10 poles; thence N 44 W 5 2/10 poles; thence N 6 E 4 poles; thence N 12 1/2 W 3 poles; thence N 6 1/2 E 5 6/10 poles; thence N 20 E 3 6/10 poles; thence N 2 3/4 W 8 poles to three small maples at a point in the cliff at the letters C.& J.T.D. corner to James M. Clinger; thence leaving the cliff with said Clinger's line N 89 W 57 poles crossing Conway Fork of Walkers 'Creek (at 20 poles) at the point of a Cliff between said Conway Fork and Mill Fork; thence with the cliff N 49 W 11 poles; thence N 7 3/4 W 3 poles; thence N 27 1/2 W 9 poles; thence N 7 W 2 Poles to a black gum at the point of cliff marked J.T.D.; thence Leaving the cliff S 75.1/2 W 21 poles to the Mill. Fork of Walker's Creek near a large rock marked J.T.D. and corner to G.W. Gourley; thence N 21 1/2 NW 554 poles to the beginning containing 960 1/8 acres by survey.

There is excepted therefrom 74 acres conveyed by Golden Day to Claude B. Johnson as shown by deed recorded in Deed Book 117, Page 481, in the Office of the Lee County Clerk.

**C, E. BUSH TRACT/ Lee County, Kentucky**

**268 Acres**

A certain tract of land situated on the Zachariah Fork of Walkers Creek, a tributary of Kentucky River in Lee and Wolfe counties and more fully described as follows:

Beginning at a black oak and spruce pine to the Congleton and McLin property, S 74 30 W to a chestnut stake and gum pointer in the Day Lumber: and Coal Company line (red Painted line), now Golden Day; thence with the Day Lumber and Coal Company or Golden Day red painted line N 17 50 W 3710 feet to where once stood the old chestnut oak corner in the Jeff Bush-Meadows tract, now Day Lumber and Coal Company or Golden Day Tract and McLin, Sullivan and Congleton; thence with the Jeff Bush line S 50 W 126 feet to two black oaks, S 49 West 195 feet 4-30 W 350 feet to a gum tree, S 73 W 216 feet, N 70 W 84 feet to a persimmon tree, N 46-30 W 235 feet, S 65 15 W 557 feet, N 20-15 W 349 feet to an old stone-corner; marked "JTD"; thence with the Bush line S 74-45 W to a marked black oak tree on the bank of the creek; thence turning south and southwesterly direction with the meanders of the Zachariah Fork of Walkers Creek and running with the center of said Creek to the point of beginning, being a point opposite the Black Oak And Spruce pine and being a corner to the Congleton and McLin property and Ray Eastin, containing 268 acres, more or less.

The oil and gas rights have heretobefore been reserved by former grantors.

**DAVID STRONG TRACT/Lee County, Kentucky**

**90 Acres**

A certain tract of land situs and on the Zachariah Fork of Walkers Creek, a tributary of the Kentucky River in Lee County, Kentucky about one mile from Zachariah Post Office and bounded and described as follows:

Beginning at a pine sappling where a black oak once stood, called for in the Grigsby and Elkin's line; thence out the ridge road S 87 feet East 277 feet N 60 E 410 S 67 E 250 feet to a pine stump on the point of a cliff; thence crossing the valley and where the McLin and Congleton line S 74 30 W 3700, feet to a chestnut stake and gum pointer in the Day-Lumber and Coal Company line (red painted line) now Golden Day; thence with the Day Lumber and Coal Company or Golden Day red painted line N 17-50 W 3710 feet to where once stood the old chestnut oak corner in the Jeff Bush -Meadows tract now Day Lumber and Coal Company or Golden Day tract and McLin, Sullivan and Congleton; thence with the Jeff Bush line S 50 W 126 feet to two black oaks S 49 W 195 feet S 49 West 195 feet 4-30 W 350 feet to a gum tree, S 73 W 216 feet N 70 W 84 feet to a persimmon tree, N 46-30 W 235 feet S 6515 feet N 20-15 W 348 feet to an old stone corner, marked "JTD"; thence with the Bush line S 74-45 W 2569 feet to a stake at the old Bush corner, also a stone in the Grigsby and Elkins line; thence S 5-30 E 3879 feet to the beginning, containing 365 acres, more or less. After the four exceptions listed below, the tract hereby conveyed contains 90 acres, more or less.

The oil and gas rights have hertobefore been reserved by former grantors.



There is excepted from and not included in this conveyance the following:

1. Deed to Ernest Bush recorded in Deed 'Book 105, Page 401, consisting of 265 acres.
2. Deed to State of Kentucky, recorded in Deed Book 123 Page 590, consisting of 15.39 acres.
3. Deed to Greg Shackelford recorded in Deed Book 133 Page 422, consisting of 3.2 acre.
4. All that property lying on the right side of Kentucky 11 traveling from Zachariah to Beattyville, Kentucky.

This Deed conveys all interest of the late J. Ray Eastin and to the remainder of the above described property and the minerals in, on and under the remainder.

**WILLIAM ABNER. JR. TRACTS/ Wolfe County Kentucky**  
**149 Acres**

**FIRST TRACT:** A certain tract or parcel of land lying and being on the Chalibiate fork of Walkers creek and bounded and described as follows, to wit: BEGINNING on the Chalibiate fork of Walkers. Creek at the mouth of a branch on William Treadway's corner; thence an Eastward course with William Treadway's line to .a point Of the cliff near the Horse Gap; thence a Northward course with the meanders of the cliff to a white pine and black gum opposite a Chalibiate spring near the first trestle below the foot of the hill on the tram road; thence down the branch as it meanders to the BEGINNING, containing fifty (50) acres, be the same more or less, less one and three-fourths (1-3/4) acres claimed by Lillie Crow and Willie Crow, her husband.

There is reserved from this conveyance by prior grantors (Green Adams and Lucinda Adams) the right-of-way for tram road where it is now located through said tract of land, and also the right to build tram road to William Treadway's line, also the right—of-way for one railroad span and a coal tipple, and all minerals and gas and oil rights are reserved under the foregoing tract of land only.

**SECOND TRACT:** A certain tract or parcel of land lying and being on the waters of Walkers Creek on the Joe Lewis branch in the county of Wolfe and State of Kentucky, commencing as follows:

Near a little drain on the left hand side of the said branch, just below a small fall in Said branch running up the cliff Southwardly; thence with the cliff to a corner; thence back to the branch a small distance above the waterfalls in the branch to a stake; thence down the branch to

the BEGINNING, containing one hundred acres and three - fourths (100 3/4).

**There is excepted from the forgoing described property, the following conveyances of record in the Wolfe County Clerk's office:**

1. Property conveyed to Sherrn Murphree, by deed dated January 14, 1998, and recorded in Deed Book 101, Page 116.
2. Property conveyed to David B. Winston, by deed dated January 14, 1998, and recorded in Deed Book 101, Page 119.
3. Property conveyed to Richard White Wood Products, by deed dated March 21, 1998, recorded in Deed Book 101, Page 471.
4. Property conveyed to J.O. Briggs and Rachel Briggs, by deed dated March 31, 1998, and recorded in Deed Book 101, Page 550.
5. Property conveyed to J.O. Briggs and Rachel Briggs, by deed dated May 7, 1998, and recorded in Deed Book 101, Page 554.
6. Property conveyed to Richard O. Hensley and Sandra J. Hensley, by deed dated May 15, 1998, and recorded in Deed Book 101, Page 720. -,
7. Property conveyed to Edwin H. Riddlebarger and Suzanne J. Riddlebarger, by deed dated July 13, 1998, and recorded in Deed Book 102, Page 91; and by Deed of Correction recorded in Deed Book 105, Page 715.
8. Property conveyed to Bill Boyd and Susie Boyd, by deed recorded in Deed Book 103, Page 99.
9. Property conveyed to Charles Keller and Lela Keller, husband and wife, and Joe Broadwell and Jackie Broadwell, husband and wife, by deed dated July 15, 1998, and recorded in Deed Book 102, Page 140; and by Deed of Correction recorded in Deed Book 105, Page 715 (for Lot 54 only). -
10. Property conveyed to Paul A. Hamann and Nancy A. Hamann, by deed dated August 25, 1998, and recorded in Deed Book 102, Page 341; and by Deed of Correction recorded in Deed Book 105, Page 715.
11. Property conveyed to David E. Camey and Wanda L. Camey, by deed dated August 27, 1998, and recorded in Deed Book 102, Page 348.
12. Property conveyed to Paul R. Hamann and Nancy A. Hamann, by deed dated August 25, 1998, and recorded in Deed Book 102, Page 358; and by Deed of Correction recorded in Deed Book 105, Page 715.
13. Property conveyed to Jimmy W. Diamond and Ruth Diamond, husband and wife, and Jackie Ruth, by deed dated July 20, 1998~ and recorded in Deed Book 102, Page 146, (lot 74 was again recorded in Deed Book 107, Page 45) ; and by Deed of Correction recorded in Deed Book 105, Page 715.
14. Property conveyed to John Riley, Jr. and Ruby Riley, by deed dated September 25, 1995, and recorded in Deed Book 102, Page 441; and by Deed of Correction recorded in Deed Book 105, Page 715.
15. Property conveyed to Jack Veach and Jane Buclner, by deed dated October 20, 1998, and recorded in Deed Book 107, Page 554; and by Deed of Correction recorded in Deed Book 105, Page 715.
16. Property conveyed to Camey and Debra K. Chavis Family Trust, by deed dated November 3, 1998, and recorded in Deed Book 103, Page 7; and by Deed of Correction recorded in Deed

Book 103, Page 808.

17. Property conveyed to Denver Kinder, by deed dated December 18, 1998 and recorded in Deed Book 103, Page 104; and by Deed of Correction recorded in Deed Book 105, Page 715.
18. Property conveyed to The White Cemetery, by deed dated Détember 30, 1998 and recorded in Deed Book 103, Page 126; and by Deed of Correction recorded in Deed Book 105, Page 715.
19. Property conveyed to Sammy Hall, Sr. and Carla Hall, by deed dated December 18, 1993, and recorded in Deed Book 103, Page 133; and by Deed of Correction recorded in Deed Book 105, Page 715.
20. Property conveyed to Sammy Hall, Sr. and Carla Hall, by deed dated December 18, 1998, and recorded in Deed Book 103, Page 138; and by Deed of Correction recorded in Deed Book 105, Page 715.
21. Property conveyed to Medi-Cab Co., dated January 21, 1999, recorded in Deed Book 1031 Pages 12 and 156.
22. Property conveyed to Arthur Shackelford and Vicky L Shackelford, dated February 4, 1999, recorded in Deed Book 103, Page 212, and re-recorded in Deed Book 103, Page 661.
23. Property conveyed to John Riley, Jr. and Ruby Riley, by deed dated February 5, 1999, and recorded in Deed Book 103, Page 240..
24. Property conveyed to Gail Brandenburg, by deed dated January 29, 1999, and recorded in Deed Book 103, Page 254; and by Deed of Correction recorded in Deed Book 105, Page 715.
25. Property conveyed to Glenn Shackelford, by deed dated January 29, 1999, and recorded in Deed Book 103, Page 259; and by Deed of Correction recorded in Deed Book 105, Page 715.
26. Property conveyed to Richard L. Gabbard, by deed dated blank (recorded February 27, 1999), and recorded in Deed Book 103, Page 313.
27. Property conveyed to Drew Baden and Katrina Baden, by deed dated March 10, 1999, and recorded in Deed Book 103, Page 422.
28. Property conveyed to James B. King, Jr., by deed dated April 5, 1999, and recorded in Deed Book 103, Page 636; and by Deed of Correction recorded in Deed Book 105, Page 715.
29. Property conveyed to Don Sharp and Peggy Sharp, by deed dated April 26, 1999, and recorded in Deed Book 103, Page 799; and by Deed of Correction recorded in Deed Book 105, Page 715.
30. Property conveyed to James Banks and Freda Banks, by deed dated July 25, 1998, and recorded in Deed Book 103, Page 868; and by Deed of Correction recorded in Deed Book 105, Page 715.
31. Property conveyed to Rick Barnett and Karen Barnett and Mike Crawford and Sharon Crawford, by deed dated May \_\_\_\_ 1999, and recorded in Deed Book 103, Page 911; and by Deed of Correction recorded in Deed Book 105, Page 715.
32. Property conveyed to Sandy Gilchrist and Dale Warren, by deed dated May 31, 1999, and recorded in Deed Book 103, Page 927; and by Deed of Correction recorded in Deed Book 105, Page 715.
33. Property conveyed to David Terrill, by deed dated May 31, 1999, and recorded in Deed Book 103, Page 70, and by Deed of Correction recorded in Deed Book 103, Page 932.
34. Property conveyed to William C. Stillwell and Linda J. Stillwell, by deed dated June 16, 1999, and recorded in Deed Book 104, Page 64; and by Deed of Correction recorded in Deed Book 105, Page 715.

35. Property conveyed Sandi Gilchrist and Dale R. Warren, by deed dated June 1, 1999, and recorded in Deed Book 104, Page 74; and by Deed of Correction recorded in Deed Book 105, Page 715.
36. Property conveyed to Don Sharp and Peggy Sharp, by deed dated June 29, 1999, and recorded in Deed Book 104, Page 232.
37. Property conveyed to Steve Sprague and Mike Sprague, by deed dated July 1, 1999 and recorded in Deed Book 104, Page 261; and by Deed of Correction recorded in Deed Book 105, Page 715.
38. Property conveyed to Jeff Nitzel and Linda Nitzel, by deed dated June 1, 1999, and recorded in Deed Book 104, Page 269; and by Deed of Correction recorded, in Deed Book 105, Page 715.
39. Property conveyed to Paul J. Dupree and Grace H. Dupree, by deed dated July 3, 1999, and recorded in Deed Book 104, Page 274; and by Deed of Correction recorded in Deed Book 105, Page 715.
40. Property conveyed to Kevin Daw, by deed dated June 25, 1999, and recorded in Deed Book 104, Page 279; and by Deed of Correction recorded in Deed Book 105, Page 715.
41. Property conveyed to Keven Daw, by deed dated June 25, 1999, and recorded in Deed Book 104, Page 283; and by Deed of Correction recorded in Deed Book 105, Page 715.
42. Property conveyed to Bill Hurst, by deed dated July 6, 1999, and recorded in Deed Book 104, Page 288; and by Deed of Correction recorded in Deed Book 105, Page 715.
43. Property conveyed to Wilson Scott Marhefka, by deed dated July 16, 1999, and recorded in Deed Book 104, Page 319; and by Deed of Correction recorded in Deed Book 105, Page 715.
44. Property conveyed to Wilson Marhefka and Toni Marhefka, by deed dated June 5, 1999, and recorded in Deed Book 104, Page 323; and by Deed of Correction recorded in Deed Book 105, Page 715.
45. Property conveyed to Jack Veacti and Jane Buckner, by deed dated August 7, 1999, and recorded in Deed Book 104, Page 415; and by Deed of Correction recorded in Deed Book 105, Page 715.
46. Property conveyed to Robert Deaton and Rita A. Deaton, by deed dated June 1, 1999, and recorded in Deed Book 104, Page 536; and by Deed of Correction recorded in Deed Book 105, Page 715.
47. Property conveyed to Delmos Lumpkins and Scarlet Lumpkins, by deed dated September 5, 1999, and recorded in Deed Book 104, Page 551; and by Deed of Correction recorded in Deed Book 105, Page 715.
48. Property conveyed to Carolyn J. Winters, by deed dated September 6, 1999, and recorded in Deed Book 104, Page 607; and by Deed of Correction recorded in Deed Book 105, Page 715.
49. Property conveyed to Timothy R. Benett and Katherine M. Benett, by deed dated - September 15, 1999, and recorded in Deed Book 104, Page 722; and by Deed of Correction recorded in Deed Book 105, Page 715.
50. Property conveyed to Danny Justice, by deed dated October 31, 1999, and recorded in Deed Book 105, Page 143; and by Deed of Correction recorded in Deed Book 109, Page 181.
51. Property conveyed to Carolyn J. Winters and Peter P. Birchmeier, by deed dated November 6, 1999, and recorded in Deed Book 105, Page 171.

52. Property conveyed David C. Mckenzie and David Lassiter by deed dated January \_\_\_ 2000, and recorded in Deed Book 105, Page 669.
53. Property conveyed to Michael P. McNulty, by deed dated August \_\_\_, 2000, and recorded in Deed Book 106, Page 696.
54. Property conveyed to James King, Jr., by deed dated July 23, 2000, and recorded in Deed Book 107, Page 41.
55. Property conveyed to Sid Allen and Londa Allen, by deed dated September 8, 2000, and recorded in Deed Book 107, Page 64, (rerecording of Deed Book 107, Page 119.
56. Property conveyed to Patrick Michael Briggs and Tammy Briggs, by deed dated February 2, 2001, and recorded in Deed Book 109, Page 15.
57. Property conveyed to David Keating and Betsy Keating, by deed dated June 24, 2001, and recorded in Deed Book 109, Page 384.

**There is excepted from the foregoing described property, the following conveyances of record in the Lee County Clerks office:**

1. Property conveyed to Kevin Reedy, by deed dated May 19, 1999, and recorded in Deed Book 158, Page 101; and by that Deed of Correction recorded in Deed Book 160, Page 109.
2. Property conveyed to Burley Stevens, by deed dated May 7, 1999, and recorded in Deed Book 158, Page 12; and by that Deed of Correction recorded in Deed Book 160, Page 109.
3. Property conveyed to Wilson Marhefka and Toni Marhefka, by deed dated June 5, 1999, and recorded in Deed Book 158, Page 368; and by that Deed of Correction recorded in Deed Book 160, Page 109.
4. Property conveyed to Walter David Mathews and Bonnie J. Mathews, by deed dated June 25, 1999, and recorded in Deed Book 158, Page 442; and by that Deed of Correction recorded in Deed Book 160, Page 109.
5. Property conveyed to Larry Botts and Grace Ann Botts, by deed dated August 18, 1999, and recorded in Deed Book 156, Page 670; and by that Deed of Correction recorded in Deed Book 160, Page 109.
6. Property conveyed to Lee Meyer and Victoria Meyer, by deed dated March 12, 1999, and recorded in Deed Book 157, Page 360; and by that Deed of Correction recorded in Deed Book 160, Page 109.
7. Property conveyed to Aster Fraley and Linda M. Fraley, husband and wife, and James Fraley, by deed dated December 18, 1998, and recorded in Deed Book 156, Page 616; and by that Deed of Correction recorded in Deed Book 160, Page 109.
8. Property conveyed to Gregory S. Snowden, by deed dated August 8, 1998, and recorded in Deed Book 156, Page 531; and by that Deed of Correction recorded in Deed Book 160, Page 109.
9. Property conveyed to Gary A. Kehne and Yvette Jan Kehne, by deed dated November 19, 1998, and recorded in Deed Book 156, Page 428; and by that Deed of Correction recorded in Deed Book 160, Page 109.
10. Property conveyed to Danny C. Justice, by deed dated October 9, 1998, and recorded in Deed Book 156, Page 410; and by that Deed of Correction recorded in Deed Book 160, Page 109; and by that Deed of Correction recorded in Deed Book 163, Page 186.
11. Property conveyed to L. Wayne Berryman and Sandra A. Berryman, Monty Berryman and

Cherie Berryman, Marvin Berryman and Rebecca Berryman, by deed dated September 30, 1998, and recorded in Deed Book 156, Page 300, and by that Deed of Correction recorded in Deed Book 160, Page 109.

12. Property conveyed to Jack Veach and Jane Buckner, by deed dated October 20, 1998, and recorded in Deed Book 156, Page 252; and by that Deed of Correction recorded in Deed Book 160, Page 109.
13. Property conveyed to Jacob Henson, Jr., by deed dated September 26, 1998, and recorded in Deed Book 156, Page 211; and by that Deed of Correction recorded in Deed Book 160, Page 109.
14. Property conveyed to Paul J. Dupree and Grace H. Dupree, by deed dated October 10, 1998, and recorded in Deed Book 156, Page 204.
15. Property conveyed to Anthony Sylvester and Jacqueline Sylvester, by deed dated September 25, 1998, and recorded in Deed Book 156, Page 110; and by that Deed of Correction recorded in Deed Book 160, Page 109.
16. Property conveyed to David Zimmer and Rose Zimmer, by deed dated September 7, 1998, and recorded in Deed Book 156, Page 50; and by that Deed of Correction recorded in Deed Book 160, Page 109.
17. Property conveyed to David Zimmer and Rosé Zimmer, by deed dated September 13, 1998, and recorded in Deed Book 156, Page 47; and by that Deed of Correction recorded in Deed Book 160, Page 109.
18. Property conveyed to Robert Ballman and Debbie Ballman, by deed dated September 3, 1996, and recorded in Deed Book 156, Page 15; and by that Deed of Correction recorded in Deed Book 160, Page 109.
19. Property conveyed to Texas Roadhouse, LLC, by deed dated September 4, 1998, and recorded in Deed Book 156, Page 4; and by that Deed of Correction recorded in Deed Book 160, Page 109.
20. Property conveyed to Julia A. Ballard, by deed dated July \_\_, 1998, and recorded in Deed Book 155, Page 617; and by that deed of Correction recorded in Deed Book 160, Page 109.
21. Property conveyed to Catherine Luhmenkuler, by deed dated August 28, 1998, and recorded in Deed Book 155, Page 613; and by that Deed of Correction recorded in Deed Book 160, Page 109.
22. Property conveyed to Paul J. Dupree and Grace H. Dupree, by deed dated August 29, 1998, and recorded in Deed Book 155, Page 578; and by that Deed of Correction recorded in Deed Book 160, Page 109.
23. Property conveyed to PWB Inc., by deed dated July 24, 1998, and recorded in Deed Book 155, Page 519; and by that Deed of Correction recorded in Deed Book 160, Page 109.
24. Property conveyed to Russell W. Coomer, by deed dated July 25, 1998, and recorded in Deed Book 155, Page 461; and by that Deed of Correction recorded in Deed Book 160, Page 109.
25. Property conveyed to Jackie Ruth, by deed dated July 20, 1998, and recorded in Deed Book 155, Page 424; and by that Deed of Correction recorded in Deed Book 160, Page 109.
26. Property conveyed to Charles Keller and Lela Keller, husband and wife, and Joe Broadwell and Jackie Broadwell, husband and wife, by deed dated July 15, 1998, and recorded in Deed Book 155, Page 418; and by that Deed of Correction recorded in Deed Book 160, Page 109.
27. Property conveyed to Edwin H. Riddlebarger and Suzanne J. Riddlebarger, by deed dated July 13, 1998, and recorded in Deed Book 155, Page 385; and by that Deed of Correction recorded in Deed Book 160, Page 109.

28. Property conveyed to Charles Keller and Lela Keller, husband and wife, and Joe Boradwell and Jackie Broadwell, husband and wile, by deed dated December 30, 1998, and recorded in Deed Book 156, Page 516; and by that Deed of Correction recorded in Deed Book 160, Page 109.
29. Property conveyed to Mike Smith, by deed dated March 5, 1999, and recorded in Deed Book ~~157, Page 309; and by that Deed of Correction recorded in Deed Book 160, Page 109.~~
30. Property conveyed to Bruce Hatton, by deed dated October 16, 1998, and recorded in Deed Book 156, Page 243; and by that Deed of Correction recorded in Deed Book 160, Page 109.
31. Property conveyed to David Terrill, by deed dated December 29, 1998, and recorded in Deed Book 156, Page 512; rerecorded in Deed Book 156, Page 542; and by that Deed of Correction recorded in Deed Book 160, Page 109.
32. Property conveyed to Joe Curd, Jr. and Jane S. Curd, by deed dated October 23, 1996, and recorded in Deed Book 156, Page 279; and by that Deed of Correction recorded in Deed Book 160, Page 109.
33. Property conveyed to Kenneth Allen Murray, by deed dated November 19, 1998, and recorded in Deed Book 156, Page 400; and by that Deed of Correction recorded in Deed Book 160, Page 109.
34. Property conveyed to John M. Spencer and Judy. S. Spencer, by deed dated November 19, 1998, and recorded in Deed Book 156, Page 405; and by that Deed of Correction recorded in Deed Book 160, Page 109. -
35. Property conveyed to Barbara B. Webster, by deed dated December 1, 1998, and recorded in Deed Book 156, Page 441; and by that Deed of Correction recorded in Deed Book 160, Page 109.
36. Property conveyed to Michael Hamann and Anne Hamann, by deed dated August 1, 1999, and recorded in Deed Book 158, Page 631; and by that Deed of Correction recorded in Deed Book 160, Page 109.
37. Property conveyed to Carney Chavis and Debra Chavis, by deed dated June 1, 1999, and recorded in Deed Book 158, Page 253; and by that Deed of Correction
38. Property conveyed to Soil Tech, LLC, by deed dated May 24, 1999, and recorded in Deed Book 158, Page 151; and by that Deed of Correction recorded in Deed Book 160, Page 109.
39. Property conveyed to Michael Moehring, by deed dated (date is blank), recorded on September 22, 1999, and recorded in Deed Book 159, Page 161; and by that Deed of Correction recorded in Deed Book 160, Page 109.
40. Property conveyed to Byron Spencer, by deed dated September 30, 1998, q9d recorded in Deed Book 156, Page 335; and by that Deed of Correction recorded in Deed Book 160, Page 109.
41. Property conveyed to Dennis O'Brien, LLC, by deed dated March 2, 1999, and recorded in Deed Book 157, Page 445; and by that Deed of Correction recorded in Deed Book 160, Page 109.
42. Property conveyed to James McRae and Sheila McRae, by deed dated November 2, 1998, and recorded in Deed Book 156, Page 304; and by that Deed of Correction recorded in Deed Book 160, Page 109.
43. Property conveyed to Louis Martin and Deborah Martin, by deed dated March 12, 1999, and recorded in Deed Book 157, Page 378; and by that Deed of Correction recorded in Deed Book 160, Page 109.

44. Property conveyed to Jacob Henson, Jr., by deed dated (recorded September 4, 1998, and recorded in Deed Book 155, Page 646; and by deed of correction recorded in Deed Book 158, Page 550.
45. Property conveyed to Charles Edwaard Hensley and Shirley Hensley, by deed dated March 12, 1999, and recorded in Deed Book 157, Page 384.
46. Property conveyed to Joe Land, by deed dated December 1, 1998, and recorded in Deed Book 156, Page 413.
47. Property conveyed to John Spencer and Judy Spencer, by deed dated December 1, 1998, and recorded in Deed Book 156, Page 417.
48. Property conveyed to Judith W. Douglas, by deed dated December 18, 1997, and recorded in Deed Book 154, Page 362.
49. Property conveyed to Paul R. Hamann and Nancy A. Hamann, by deed dated August 25, 1998, and recorded in Deed Book 155, Page 620.
50. Property conveyed to Richard D. Hensley and Sandra J. Hensley, by deed dated May 15, 1998, and recorded in Deed Book 155, Page 141.
51. Property conveyed to David C. Peyton and Sue Peyton, by deed dated June 12, 1998, and recorded in Deed Book 155, Page 375.
52. Property conveyed to Bruce Hatton, by deed dated October 28, 1998, recorded in Deed Book 156, Page 288; and by that Deed of Correction recorded in Deed Book 160, Page 109.
53. Property conveyed to Harold Lee White, II and Tonya White, by deed dated January 20, 1998, recorded in Deed Book 154, Page 298, and by deed of correction recorded in Deed Book 157, Page 671.
54. Property conveyed to Gabriel I. Alderman and Willa S. Alderman, by deed dated January 23, 1998, recorded in Deed Book 154, Page 306; and by deed of correction recorded in Deed Book 154, Page 573.

---

55. Property conveyed to Ed Koops, by deed dated May 25, 2001, recorded in Deed Book 163, Page 247, and Deed Book 163, Page 244.
56. Property conveyed to Sherri Murphree, by deed dated January 14, 1998, recorded in Deed Book 154, Page 261.
57. Property conveyed to David B. Winston, by deed dated January 14, 1998, recorded in Deed Book 154, Page 264.
58. Property conveyed to James McClean and Linda McClean, by deed dated November 6, 1997, recorded in Deed Book 153, Page 660.
59. Property conveyed to Robbin Quatlen and Paul Quallen, by deed dated December 8, 1997, recorded in Deed Book 154, Page 93.
60. Property conveyed to Sammy Hall Jr. and Carla Hall, by deed dated November 6, 1997, recorded in Deed Book 154, Page 100.
61. Property conveyed to Joseph Doutaz and Barbara L Moon, dated November 11, 1997, recorded in Deed Book 154, Page 112.
62. Property conveyed to William Mark Miller and Dortha Miller, dated December 9, 1997, recorded in Deed Book 154, Page 134.
63. Property conveyed to William J. Kumpf and Marilyn Kumpi, by deed dated November 30, 1997, recorded in Deed Book 154, Page 232.
64. Property conveyed to Daniel D. Jaworski and Karen L. Jaworski, by deed dated January 24, 1997, recorded in Deed Book 154, Page 302.



1997, recorded in deed Book 154, Page 302.

65. Property conveyed to Judith W. Douglas, Christopher C. Douglas and Deaidra C. Douglas, by deed dated January 16, 1998, recorded in Deed Book 154, Page 351.
66. Property conveyed to Michael Moehring, by deed dated April 9, 1999, recorded in Deed Book 157. Page 528.
67. Property conveyed to Harold White and Barbara White by deed dated November 5, 1997, recorded in Deed Book 154, Page 83.

**LOT # 8A - WHITE OAK LANE - CLIFFVIEW RESORT VILLAGE**

Beginning at an iron pin found a corner to Lot #4 and Lot #8; thence with the line of Lot #8, South 49 degrees 03 minutes 41 seconds West a distance of 122.49 feet to an iron pin found a corner to Cliffview Resort LLC (Deed Book 154, page 373); thence with the line of Cliffview Resort LLC north 82 degrees 27 minutes 26 seconds West a distance of 17.78 feet to an iron pin found a corner to Lot #3; thence with the line of Lot #3 North 88 degrees 07 minutes 35 seconds West a distance of 135.49 feet to an iron pin found; thence North 1 degree 55 minutes 34 seconds East a distance of 96.07 feet to an iron pin found a corner to Cliffview Resort LLC (Deed Book 154, page 373) thence with the line of Cliffview Resort LLC North 1 degrees 57 minutes 44 seconds East a distance of 25.00 feet to a point at Harold's Fishin' Hole; thence North 88 degrees 02 minutes 16 seconds West a distance 100.03 feet to a point in Harold's Fishin' Hole thence South 67 degrees, 51 minutes 11 seconds West a distance of 187.11 feet to gas valve; thence North 54 degrees 54 minutes 20 seconds East a distance of 435.05 feet to a point a corner to Lot #4 Revised; thence with the line of Lot #4 Revised, South 5 degrees 02 minutes 40 seconds West a distance 50.15 feet; thence South 10 degrees 39 minutes 11 seconds East a distance of 56.07 feet; thence South 1 degree 15 minutes 50 seconds East a distance of 39.08 feet; thence South 10 degrees 33 minutes 11 seconds West a distance of 37.59 feet; thence South 72 degrees 43 minutes 07 seconds East a distance of 166.39 feet to the point of beginning, containing 1.14 acres, as surveyed by Markus Johnson Professional Land Surveyor #3303 on March 28, 1999. There is reserved a 25' right of way through the above described subject property, and this property is also subject to all legal right of ways and easements of record

The above described property has an easement along Harold's Fishin' Hole in front of Lot 14 for the use of the lake.

There is excepted from the foregoing described property all of that property conveyed to Jacob Henson, Jr., by deed recorded September 4, 1998, in Deed Book 155, Page 646, and by Deed of Correction recorded in Deed Book 158, Page 550, in the Lee County Clerk's office.

**LOT # 71 - CLIFFVIEW RESORT LLC - 490 CLIFFVIEW DRIVE OLD HICKORY  
CABIN AND LOT CONTAINS 1.76 ACRES AND THE ADDITIONAL ACREAGE CONTAINS  
12.2 ACRES AND CAN BE DIVIDED INTO FOUR (4) LOTS IF DESIRED**

Beginning at an iron pin found a corner to Lakeview Cabin (Cliffview Resort LLC Book 107 page 152) thence with the of Lakeview Cabin North 70 degrees 23 minutes 09 seconds West a distance Of 397.30 feet to an iron pin found in the right of way line of Cliffview Drive; thence with the line of Cliffview Drive North 5 degrees 38 minutes 06 seconds East a distance of 305.31 feet to an iron pin found; thence North 19 degrees 08 minutes 24 seconds West, a distance of 109.57 feet to an iron pin found; thence leaving the right of way line of Cliffview Drive and following the line of Cliffview Resort LLC North 65 degrees 26 minutes 06 seconds West a distance of 168.08 feet to an iron pin found; thence North 71 degrees 30 minutes 30 seconds East a distance of 414.42 feet to an iron pin found; thence North 71 degrees 30 minutes 30 seconds East a distance of 206.98 feet to an iron pin set in the right of way line of Lake Drive; thence with the right of way of Lake Drive South 67 degrees 40 minutes 51 seconds East a distance Of 173.48 feet; thence South 22 degrees 09 minutes 38 seconds East a distance of 343.90 feet; thence South 26 degrees 47 minutes 36 seconds East a distance of 69.46 feet; thence South 42 degrees 09 minutes 17 seconds East a distance of 188.08 feet; thence South 17 degrees 46 minutes 31 seconds East a distance of 376.78 feet to an iron pin set a corner to Cliffview Resort LLC; thence with the line of Cliffview Resort LLC South 73 degree 55 minutes 29 seconds West a distance Of 324.93 feet to an iron pin found of a cliff a corner to Lakeview Cabin Lot; thence with the line of Lakeview Cabin lot and the cliff North 45 degrees 16 minutes 39 seconds East a distance of 38.83 feet; thence North 26 degrees 07 minutes 47 seconds West a distance of 114.20 feet; thence North 36 degrees 13 minutes 29 seconds West a distance of 39.08 feet; thence North 28 degrees 50 minutes 07 seconds West a distance of 60.29 feet; thence North 60 degrees 22 minutes 41 seconds West a distance of 103.75 feet; thence South 74 degrees 46 minutes 38 seconds West a distance of 146.89 feet to the point of beginning, containing 13.96 acres, subject to all legal right of ways and casements of record, as shown on a plat dated December 28, 1998, by Marcus Johnson Land surveyor #3303, Johnson's Land Surveying This lot may be into four lots.

Beginning at a steel pin on top of a cliff and in the line of Cliffview Resort; thence with the line of Cliffview Resort South 76°21'00" East, a distance of 107.50 feet to a power pole; thence South 64°36'00" East, a distance of 98.95 feet to a steel pin on top of the cliff; thence with the top of the cliff and continuing with the Cliffview Resort line for nineteen (19) calls: South 52°23'00" West, a distance of 237.60 feet; South 36° 11 '00" West, a distance of 132.37 feet; South 42°05'00" West a distance of 213.21 feet; South 43°17' 00" West, a distance of 151.34 feet; South 52°02' 00" West, a distance of 169.11 feet; South 1°52'00" East, a distance of 29.80 feet; South 54°28'00" West, a distance of 120.33 feet; South 83° 16' 00" West, a distance of 116.58 feet; North 68° 31' 00" West, a distance of 46.15 feet; North 3°35'09' West, a distance of 55.61 feet; North 25°16'00" East, a distance of 68.42 feet; North 44°11'00", a distance of 75.65 feet; North 26°55'00" East, a distance of 55.32 feet; North 65°18'00" East, a distance of 108.18 feet; North 35°24'00 East, a distance of 96.79 feet; North 52°33'00" East, a distance of 146.58 feet; North 43°03'00" East, A distance of 176.86 feet; North 51°46'00" East, a distance of 163.43 feet; North 34°26'00" East. a distance of 150.75 feet to the point of

beginning said described tract containing 4.20 acres.

**BEING LOT #210**

**BEGINNING** at an iron pin found a corner to Stanley Carson' (Deed Book 81, page 38); thence with the Carson line North 25 degrees 13 minutes 14 seconds, West a distance of 519.53 feet to a JTD Carving on a rock cliff corner to Richard White (Deed Book 98, page 619); thence with the White line South 82 degrees 54 minutes 06 seconds East a distance of 414.85 feet to an iron pin set in the right of way line of Eagle Ridge Road; thence with the right of way of Eagle Ridge Road South 38 degrees 59 minutes 47 seconds West a distance of 81.42 feet; thence South 20 degrees 21 minutes 28 seconds West a distance of 66.61 feet; thence South 5 degrees 51 minutes 39 seconds West a distance of 67.13 feet; thence South 9 degrees 03 minutes 52 seconds East a distance of 101.12 feet; thence South 40 degrees 12 minutes 51 seconds East a distance of 9.44 feet to an iron pin set a corner to Stanley Carson (Deed Book 81 page 38), thence with the Carson line South 47 degrees 43 minutes 21 seconds West a distance of 177.15 feet to the point of beginning, containing 2.24 acres, and is subject to all legal right of ways and easements of record, as surveyed by Marcus Johnson, Professional Land Surveyor #3303, on January 20, 1999.

**LOT # 4**

Beginning at a steel pin, said pin being North 50 44'22" East, a distance of 151.17 feet from the northern corner of Lot #8; thence South 77 degrees 10' 33" West a distance of 212.92 feet to a steel pin; thence North 4 degrees 56' 15" West a distance of 195.93 feet to a steel pin; thence North 43 degrees 27'34" East a distance of 67.43 feet to a steel pin; thence North 60 degrees 36'56" East a distance of 242.25 feet to a steel pin; thence South 41 degrees 38' 22" East a distance of 170.13 feet to a steel pin; thence South 63 degrees 58' 54" West, a distance of 75.56 feet to a steel pin; thence South 44 degrees 26' 02" West a distance of 105.80 feet to a steel pin; thence South 2 degrees 55' 40" West a distance of 79.99 feet to the point of beginning, containing 1.701 acres and being Lot #4 as surveyed by Staggs General Surveys, Inc., October 6, 1997.

There is excepted from the foregoing described property all of that property conveyed to Jacob Benson, Jr., by deed recorded September 4, 1998, in Deed Book 155, Page 646, and by Deed of Correction recorded in Deed Book 158, Page 550, in the Lee County Clerk' office.

**BEING LOT #212 IN THE CLIFFVIEW RESORT VILLAGE**

**BEGINNING** at an iron pin found in the right of way line of Village Drive and a corner to the Inn and Conference Center (Cliffview Resort LLC Deed Book 101, page 152) thence with the line of the Inn and Conference Center North 71 degrees 11 minutes 20 seconds West a distance of 179.06 feet to an iron pin found on the cliff; thence with the -top of the cliff South 54 degrees 57 minutes 06 seconds West, a distance of 902.20 feet; thence South 36 degrees 43 minutes 26 seconds West a distance of 398.39 feet; thence leaving the top of the cliff

**Lying and being on The waters of Walkers Creek on Village Drive and being part of the same property conveyed to Cliffview Resort LLC as recorded in Deed Book 154, page 373 in the office of the Clerk of Lee County, Kentucky and being more particularly described as follows**

**BEGINNING** at an iron pin found a corner to Cliffview Resort LLC (Deed Book 154, page 373) and a corner to Gary King (Deed Book 150, page 411), said pin being South 34 Deg 58 Min 57 Sec West a distance of 5185.20 feet from an iron pin found in front of the store; thence with the King line South 75 Deg 44 Min 49 Sec West, a distance of 3888.74 feet to an iron pin found; thence North 63 Deg 50 Mm 29 Sec West, a distance of 25.00 feet to an iron pin found; thence South 63 Deg 09 Min 31 Sec West, a distance of 410.00 feet to an iron pin found; thence North 83 Deg 50 Min 29 Sec West, a distance of 277.00 feet to an iron pin found; thence leaving the King line North 01 Deg 40 Min 31 Sec West, a distance of 800.00 feet to an iron pin set a corner to Cliffview Resort LLC (Deed Book 154, page 373); thence with the Resort line North 77 Deg 38 Min 00 Sec East, a distance of 4561.22 feet to an iron pin set; thence South 14 Deg 40 Min 29 Sec East, a distance of 800.00 feet to the **POINT OF BEGINNING**; said described tract containing 91.72 Acres.

**THE WHITE FAMILY CEMETERY**

**Beginning** at an iron pin set a corner to Cliffview Resort LLC, (Deed Book 101, page 152) and a corner to Lot #91 (Cliffview Resort LLC Deed Book 101, page 152); thence with the line of Lot #91 North 22 degrees 28 minutes 16 seconds West, a distance of 119.44 feet to an iron pin set; thence North 41 degrees 35 minutes 17 second West a distance of ~~80.90 feet to an iron pin set; thence North 39 degrees 49 Minutes 20 seconds West a distance Of~~ 90.64 feet to an iron pin set in the right of way line of Village Drive North 62 degrees 42 minutes 07 seconds East a distance of 116.74 feet; thence North 58 degrees 22 minutes 07 Seconds East, a distance of 96.27 feet; thence North 51 degrees 00 minutes 20 seconds East, a distance of 57.07 feet; thence North 45 degrees 27 minutes 45 second East a distance of 71.88 feet to an iron pin set; said pin being South 4 degrees 00 minutes 12 seconds West a distance of 967.41 feet from an iron pin in front of the store, said pin being a corner to Cliffview Resort LLC (Deed Book 101, page 152); thence South 41 degrees 58 minutes 52 seconds East, a distance a distance of 52.73 feet to an iron pin found; thence South 41 dégrees 58 minutes 52 seconds East a distance of 69.31 feet to an iron pin found; thence South 41 degrees 58 minutes 52 seconds East a distance of 250.00 feet to an iron pin set; thence South 67 degrees 30 minutes 53 seconds West a distance of 403.42 feet to the point of beginning, containing 2.59-acres as surveyed by Markus Johnson Professional LandSurveyor #3303, Johnson's Land Surveying on December 26, 1998.

There is excepted from the foregoing property all of that property conveyed by deed to James King, Jr., by deed dated July 23, 2000, recorded Ia Deed Book 107, Page 41, in the Wolfe County Clerk's office.

Being the same property conveyed Cliffview Development, LLC. by deeds dated November 8, 2001, from: (1) Cliffvlew Resort, LLC. recorded in Deed Book 164. Page 583 in the Lee County Clerk's office and Deed Book \_\_\_\_\_ • Page \_\_\_\_\_ - in the Wolfe County Clerk's office; (2) Richard White and Valerie White, recorded in Deed Book 164. Page 626 in the Lee County Clerk's office and Deed Book \_\_\_\_\_ Page \_\_\_\_\_. In the Wolfe County Clerks office; (3) Richard White Wood Products, Inc., recorded in Deed Book 164 Page 607. in the Lee County Clerk's office and Deed Book \_\_\_\_\_ Page \_\_\_\_ In the Wolfe County Clerks office; (4) Richard White and Valerie White, dba and ala TheWhite Cemetery, recorded in Deed Book \_\_\_\_\_ page \_\_\_\_\_ in the Wolfe County Clerk's office and Deed book 164, Page 636 in the lee County Clerks office.

**There is excepted from the above property the following described tract or parcel of real property, which lies in Lee County, Kentucky, and is more particularly describe as follows:**

Lying and being on the headwaters of Hell for Certain Creek (fornierly called Zachariah Fork), a tributary of Walker Creek and lying on the east side of new Kentucky 11, a state highway, approxImately 1,2 miles south of Zacharlah, In Lee County. Kentucky, being more particularly desalbed as follows:

Beginning at a concrete right of way monument found on the east side of Kentucky 11 on top of a ridge 208.55 feet right (east) of new KY 11 centerline station 511+71.88 as shown on the Transportation Cabinet's 1980s plans for Its construction, said monument being a corner to Cliffview Development, LLC (Deed Book 164, Pages 583 and 626), thence continuing along a common line with Clifffview Development, LLC and a red and white painted line along the center of a ridge, the following seven (7) calls:

- 1) North 71° 42' 09" East a distance of 264.14 feet to a point In the center of the ridge;
- 2) North 76° 14' 21' East a distance of 154.22 feet to a point in the center of the ridge;
- 3) North 68° 18' 03' East a distance of 94.37 feet to a point in the center of the ridge;
- 4) North 81° 38' 05" East a distance of 63.53 feet to a point in the center of the ridge;
- 5) North 38° 42' 49' East a distance of 107.25 feet to a point In the center of the ridge;
- 6) North 29° 44' 51' East a distance of 151.80 feet to a point in the center of the ridge;

and 7) North 52° 00' 51" East a distance of 125.18 feet to a point at the end of the ridge; thence continuing along a common line with Clifffview Development, LLC over the hill with the red and white painted line, the following three (3) calls:

- 1) North 76° 56' 21" East a distance of 145.69 feet to a point on a steep slope;
- 2) North 71° 09' 09" East a distance, of 261.96 feet to a point on a steep slope; and

and 3) North 75° 54' 18" East a distance of 177.68 feet to a point at a 20 inch black oak marked with red and white paint on the east bank of Zachariah Fork of Walker's Creek; thence continuing along a common line with Cliffview Development, LLC along a red and white painted line, the following nine (9) calls:

- 1) North 73° 23' 04' East a distance of 158.51 feet to a point;
- 2) North 75° 59' 24' East a distance of 208.98 feet to a point;
- 3) North 64° 58' 58" East a distance of 142.70 feet to a point;
- 4) North 73° 25' 47' East a distance of 306.88 feet to a point;
- 5) North 72° 48' 36' East a distance of 607.36 feet to a point;
- 6) North 70° 52' 57' East a distance of 38.03 feet to a point;
- 7) North 65° 51' 31' East a distance of 77.09 feet to point;
- 8) North 70° 19' 54' East a distance of 308.08 feet to a point;

and 9) North 78° 07' 15' East a distance of 1249.90 feet to a point on a ridge where an Iron pipe was previously located, said point being a corner in the former Golden Day line now owned by Cliffview Development LLC (Deed Book 164, Page, 583 and 626), thence continuing along a common line with Cliffview Development, LLC and a red painted line South 20° 12' 48" East a distance of 800.00 feet to a rebar and plastic cap staitiped RLS 317, ~~said rebar being a common corner to the remainder of the tract Gary King purchased from the Lee Congleton Heirs (Deed Book 150, Page 411);~~ thence continuing along a common line with King, said line as established by Richard Staggs 1997 survey for Richard White the following four (4) calls:

- 1) South 70° 12' 29' West a distance of 3888.74 feet to a rebar and plastic cap stamped RLS 317;
- 2) North 69° 22' 49" West a distance of 250.00 feet to a rebar and plastic cap stamped RLS 317;
- 3) South 57° 37' 11" West a distance of 410.00 feet to a rebar and plastic cap stamped RLS 317;

and 4) North 89° 22' 49" West a distance of 266.51 feet to a point in the east right of way line of Kentucky 11; thence continuing along the east right of way line of KY 11 North 2° 41' 25" West a distance of 360.21 feet to a concrete right of way monument 192.00 feet right of Kentucky 11 centerline station 508+00, thence continuing along the east right of way line of KY 11 North 12° 02' 58" West a distance of 378.37 feet to point of beginning, containing 99.856 acres.