# RECEIVED

#### COMMONWEALTH OF KENTUCKY

MAR 08 2018

# BEFORE THE PUBLIC SERVICE COMMISSION PUBLIC SERVICE COMMISSION

In the matter of:

# THE APPLICATION OF EAST KENTUCKY NETWORK)LLC FOR THE ISSUANCE OF A CERTIFICATE OF)PUBLIC CONVENIENCE AND NECESSITY TO)CONSTRUCT A TOWER IN KNOX COUNTY, KENTUCKY)

East Kentucky Network, LLC d/b/a Appalachian Wireless, was granted authorization to provide Personal Communications Service ("PCS") in the Corbin, KY Basic Trading Area (BTA098) by the Federal Communications Commission (FCC). The FCC license is included as Exhibit 1. East Kentucky Network, LLC merger documents were filed with the Commission on February 2, 2001 in Case No. 2001-022. East Kentucky Network, LLC is a Kentucky limited liability company that was organized on June 16, 1998. East Kentucky Network, LLC is in good standing with the state of Kentucky.

In an effort to improve service in Knox County, pursuant to KRS 278.020 Subsection 1 and 807 KAR 5:001, East Kentucky Network, LLC is seeking the Commission's approval to construct a 300 foot self-supporting tower on a tract of land located near 523 KY 223, Flat Lick, Knox County, Kentucky (36°51'37.8565"N 83°46'57.4684"W). A map and detailed directions to the site can be found in Exhibit 7.

Exhibit 2 is a list of all Property owners or residents according to the Property Valuation Administrator's record who own property within 500 feet of the proposed Tower and all property owners that own property contiguous to the property upon which construction is proposed in accordance with the Property Valuation Administrator's record.

Pursuant to 807 KAR 5:063 Section 1(1)(1), Section 1(m) and Section 2, all affected property owners according to the Property Valuation Administrator's records who own property

within 500 feet of the proposed Tower or who own property contiguous to the property upon which construction is proposed were notified by certified mail return receipt requested of East Kentucky Network, LLC's proposed construction and informed of their right to intervene. They were given the docket number under which this application is filed. Enclosed in Exhibit 2 is a copy of that notification.

Knox County has no formal local planning unit. In absence of this unit, the Knox County Judge Executive's office was notified by certified mail, return receipt requested of East Kentucky Network, LLC's proposal and informed of their right to intervene. The Knox County Judge Executive's Office was also given the docket number under which this application is filed. Enclosed in Exhibit 3 is a copy of that notification.

Notice of the location of the proposed construction was published in the Barbourville Mountain Advocate, March 8, 2018 edition. Enclosed is a copy of that notice in Exhibit 3. The Barbourville Mountain Advocate is the newspaper with the largest circulation in Knox County.

A geologist was employed to determine soil and rock types and to ascertain the distance to solid bedrock. The geotechnical report is enclosed as Exhibit 4.

A copy of the tower design information is enclosed as Exhibit 5. The proposed tower has been designed by engineers at World Tower and will be constructed under their supervision. Their qualifications are evidenced in Exhibit 5 by the seal and signature of the registered professional engineer responsible for this project.

The tower will be erected by S & S Tower Services of St. Albans, West Virginia. S & S Tower Services has vast experience in the erection of communications towers.

FAA and Kentucky Airport Zoning Commission applications are included as Exhibit 6.

No Federal Communications Commission approval is required prior to construction of this facility. Once service is established from this tower we must immediately notify the Federal

Communications Commission of its operation. Prior approval is needed only if the proposed facility increases the size of the cellular geographic service area. This cell site will not expand the cellular geographic service area.

East Kentucky Network, LLC will finance the subject Construction with earned surplus in its General Fund.

Estimated Cost of Construction	\$3	350,000.00
Annual Operation Expense of Tower	\$	12,500.00

Two notice signs meeting the requirements prescribed by 807 KAR 5:063, Section 1(2), measuring at least two (2) feet in height and four (4) feet in width and containing all required language in letters of required height, have been posted, one at a visible location on the proposed site and one on the nearest public road. The two signs were posted on March 7, 2018, and will remain posted for at least two weeks after filing of this application as specified.

Enclosed in Exhibit 8 is a copy of East Kentucky Network, LLC's Memorandum of Lease for the site location along with a lot description.

The proposed construction site is on a mountaintop some feet from the nearest structure. Prior to construction, the site was wooded.

Due to the steep hillside surrounding the proposed site, the property in close proximity is unsuitable for any type of development. East Kentucky Network, LLC's operation will not affect the use of nearby land nor its value. No more suitable site exists in the area. A copy of the search area map is enclosed in Exhibit 7. One other tower exists within the half-mile search area, however, the current access road to the tower would prevent construction and proper maintenance of the site. Additionally, co-location is not economically feasible due to the pricing of rent.

Enclosed, and filed as Exhibit 9 is a survey of the proposed tower site signed by a Kentucky registered professional engineer.

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Exhibit 10 is a map in one (1) inch equals 200 feet scale identifying every structure and every owner of real estate within 500 feet of the proposed tower and all property owners who own contiguous property to the property upon which construction is proposed

Exhibit 11 contains a vertical sketch of the tower supplied by James W. Caudill, Kentucky registered professional engineer.

## [THE REMAINER OF THIS PAGE INTENTIONALLY LEFT BLANK.]

WHEREFORE, Applicant, having met the requirements of KRS 278.020(1), 278.650, 278.665, and all applicable rules and regulations of the PSC, respectfully requests that the PSC accept the foregoing Application for filing and grant a Certificate of Public Convenience and Necessity to construct and operate the proposed tower.

The foregoing document was prepared by Krystal Branham, Regulatory Compliance Attorney for East Kentucky Network, LLC d/b/a Appalachian Wireless. All related questions or correspondence concerning this filing should be mailed to East Kentucky Network, LLC d/b/a/ Appalachian Wireless, Attn: Regulatory Compliance Department, 101 Technology Trail, Ivel, KY 41642.

SUBMITTED BY: Lynn Hanney DATE: 3/6/18

Lynn Haney, Regulatory Compliance Director

APPROVED BY:

IND

DATE: <u>3/6/18</u>

W.A. Gillum, General Manager

ATTORNEY:

Branham DATE: 3/6/18

Hon. Krystal Branham, Attorney

## **CONTACT INFORMATION:**

W.A. Gillum, General Manager Phone: (606) 477-2355, Ext. 111 Email: wagillum@ekn.com

Lynn Haney, Regulatory Compliance Director Phone: (606) 477-2355, Ext. 1007 Email: lhaney@ekn.com

Krystal Branham, Attorney Phone: (606) 477-2355, Ext. 1009 Email: kbranham@ekn.com

**Mailing Address:** 

East Kentucky Network, LLC d/b/a Appalachian Wireless Attn: Regulatory Compliance Department 101 Technology Trail Ivel, KY 41642

# ULS License PCS Broadband License - WQHG464 - East Kentucky Network, LLC d/b/a Appalachian Wireless

Call Sign	WQHG464	Radio Service	CW - PCS Broadband	
Status	Active	Auth Type	Regular	
Rural Service	Provider Bidding Credit			
Is the Applicant s (RSP) bidding cre	eeking a Rural Service Provider dit?			
Reserved Spec	ctrum			
Reserved Spectru	ım			
Market				
Market	BTA098 - Corbin, KY	Channel Block	F	
Submarket	0	Associated Frequencies (MHz)	001890.0000000-001895.0000000 001970.0000000-001975.0000000	
Dates				
Grant	06/29/2017	Expiration	07/23/2027	
Effective	06/29/2017	Cancellation		
<b>Buildout Dead</b>	lines			
1st	07/23/2012	2nd		
Notification Da	ates			
1st	05/24/2012	2nd		
Licensee				
FRN	0001786607	Туре	Limited Liability Company	
Licensee				
East Kentucky Network, LLC d/b/a Appalachian Wireless 101 Technology Trail Ivel, KY 41642 ATTN W.A. Gillum, General Manager/CEO		P:(606)477-2355 E:compliance@ekn.com		
Contact				
Lukas, LaFuria, Pamela L Gist E 8300 Greensbor Tysons, VA 221	Gutierrez & Sachs, LLP sq ro Drive 02	P:(703)584- F:(703)584- E:pgist@fccl	8665 8695 aw.com	

#### **Ownership and Qualifications**

Radio Service Type Fixed, Mobile

Regulatory Status Common Carrier, Interconnected Yes Non-Common Carrier

#### Allen Ownership

The Applicant answered "No" to each of the Alien Ownership questions.

#### **Basic Qualifications**

The Applicant answered "No" to each of the Basic Qualification questions.

#### **Tribal Land Bidding Credits**

This license did not have tribal land bidding credits.

#### Demographics

Race

Ethnicity

Gender

# **EXHIBIT 2 – LIST OF PROPERTY OWNERS**

# Statement Pursuant to Section 1 (1) (I) 807 KAR 5:063

**Section 1 (1)(I) 1.** The following is a list of every property owner who according to property valuation administrator's records, owns property within 500 feet of the proposed tower and each have been: notified by certified mail, return receipt requested, of the proposed construction,

**Section 1 (1)(1) 2.** Every person listed below who, according to the property valuation administrator's records, owns property within 500 feet of the proposed tower has been: Given the Commission docket number under which the application will be processed: and

**Section 1 (1)(1) 3.** Every person listed below who, according to property valuation administrator's records owns property within 500 feet of the proposed tower has been: Informed of his right to request intervention.

<u>Section 2.</u> If the construction is proposed for an area outside the incorporated boundaries of a city, the application shall state that public notices required by Section 1(1)(L) have been sent to every person who, according to the property valuation administrator, owns property contiguous to the property upon which the construction is proposed

## LIST OF PROPERTY OWNERS

Thomas S. Stewart 176 Dogwood Trail London, KY 40741

James S., III and Maryanne Stewart 545 KY 223 Flat Lick, KY 40935

> Chris and Sallie Broughton 8035 Autumn Lane Westchester Lane , 45069

Robie, Gladys and Hoyt D. Gambrel 228 Creek Mart Road Flat Lick, KY 40935

> Beulah Mills 1307 Turkey Creek Road Barbourville, KY 40906

William S. Stewart, Jr. P.O. Box 160 Pineville, KY 40977





PUBLIC NOTICE

March 8, 2018

Thomas S. Stewart 176 Dogwood Trail London, KY 40741

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2018-00053)

East Kentucky Network, LLC d/b/a Appalachian Wireless has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new facility to provide cellular telecommunications service in Knox County. The facility will include a 300'-foot self-supporting tower with attached antennas extending upwards, and an equipment shelter located on a tract of land near 523 KY 223, Flat Lick, Kentucky. A map showing the location of the proposed new facility is enclosed. This notice is being sent to you because you may own property within a 500' radius of the proposed tower or own property contiguous to the property upon which construction is proposed.

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

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2018-00053 in your correspondence.

If you have any questions for East Kentucky Network, LLC, please direct them to my attention at the following address: East Kentucky Network, LLC, 101 Technology Trail, Ivel, KY 41642 or call me at 606-477-2355, Ext. 1007.

oyun Haney

Lynn Haney, CPA Regulatory Compliance Director Enclosure 1





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March 8, 2018

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Lynn Haney, CPA Regulatory Compliance Director Enclosure 1





PUBLIC NOTICE

March 8, 2018

Beulah Mills 1307 Turkey Creek Road Barbourville, KY 40906

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

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2018-00053 in your correspondence.

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per Haney

Lynn Haney, CPA Regulatory Compliance Director Enclosure 1







March 8, 2018

J.M. Hall P.O. Box 173 Barbourville, KY 40906

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2018-00053)

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

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, P.O. Box 615, Frankfort, KY 40602. Please refer to Case No. 2018-00053 in your correspondence.

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Seque Acurey

Lynn Haney, CPA Regulatory Compliance Director Enclosure 1

# Old Flat Lick

## Location:

523 KY 223 Flat Lick, KY 40935

#### Coordinates:

Fortney Bra

es Plant

N 36°51'37.86" W 83°46'57.47"



25E

3000 ft

dba Appalachian Wireless 101 Technology Trail Ivel, KY 41642 Phone: 606-477-2355 Fax: 606-791-2225



To:	Barbourville Mountain Advocate	From:	Raina Helton
	Attn: Classifieds		Regulatory Compliance Assistant
Email:	news@mountainadvocate.com	Date:	March 1, 2018
Re:	PUBLIC NOTICE ADVERTISEMENT	Pages:	1

Please place the following Public Notice Advertisement in the Barbourville Mountain Advocate to be ran on March 8, 2018.

#### PUBLIC NOTICE:

RE: Public Service Commission of Kentucky (CASE NO. 2018-00053)

Public Notice is hereby given that East Kentucky Network, LLC, dba Appalachian Wireless has applied to the Kentucky Public Service Commission to construct a cellular telecommunications tower on a tract of land located at 523 KY 223, Flat Lick, Kentucky. The proposed tower will be a 300 foot self-supporting tower with attached antennas. If you would like to respond to this notice, please contact the Executive Director, Public Service Commission, 211 Sower Boulevard, PO Box 615, Frankfort, Kentucky 40602. Please refer to Case No. 2018-00053.

If you have any questions about the placement of the above mentioned notice, please call me at 606-477-2375, ext. 1005.

Thank you,

Raina Helton Regulatory Compliance Assistant

The message above and the information contained in the documents transmitted are confidential and intended only for the person(s) named above. Dissemination, distribution or copying of this communication by anyone other than the person(s) named above is prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the address listed above via regular mail. Thank you.

#### Next Generation Communications



# APPALACHIAN WIRELESS Old Flat Lick Tower Site Knox County, Kentucky EKYENG Project No. 165-000-0054

PREPARED FOR: Appalachian Wireless. 101 Technology Trail Ivel, Kentucky 41642

PREPARED BY: Richard Dirk Smith PE, PLS President East Kentucky Engineering 230 Swartz Drive Hazard, Kentucky 41701





#### **EXECUTIVE SUMMARY**

#### 1.0 INTRODUCTION

#### 2.0 PROJECT DESCRIPTION

#### 3.0 SITE DESCRIPTION

- 3.1 GENERAL INFORMATION
- 3.2 SURFACE MINING
- 3.3 UNDERGROUND MINING

# 4.0 FIELD EXPLORATION

- 4.1 SITE INFORMATION
- 4.2 TEST PITS
- **4.3 GROUNDWATER**
- **4.4 SEISMIC SITE CLASSIFICATION**

#### 5.0 DISCUSSION AND RECOMMENDATIONS

- 5.1 GENERAL
- **5.2 FOUNDATIONS**
- **5.3 SUBSIDENCE**
- **5.4 SHALLOW FOUNDATIONS**
- 5.5 DRILLED PIERS
- **5.6 BURIED UTILITIES**

#### 6.0 WARRANTY

- 6.1 SUBSURFACE EXPLORATION
- 6.2 LABORATORY AND FIELD TESTING
- 6.3 ANALYSIS AND RECOMMENDATIONS
- 6.4 CONSTRUCTION MONITORING
- 6.5 GENERAL

#### SPECIFICATIONS

I – GENERAL

- II ENGINEERED FILL BENEATH STRUCTURES
- **III GUIDELINES FOR EXCAVATIONS AND TRENCHING**
- **IV DRILLED PIER INSTALLATIONS**
- **V GENERAL CONCRETE SPECIFICATIONS**

APPENDIX A – PHOTOGRAPHS APPENDIX B – SEISMIC DATA APPENDIX C – MAPS



## EXECUTIVE SUMMARY

A geotechnical investigation has been performed on the Old Flat Lick Site, located in Knox County, Kentucky. This site is not readily accessible. A location map is shown in Figure 1 of this report. Field inspections were completed by digging open pits by hand.

The following geotechnical considerations were identified:

- The open pits for this study encountered sandstone.
- The provided base elevation of tower mat foundation is 1694 ft.
- This site is in an undisturbed forest area.
- The allowable bearing capacities of the underlying rock estimated at 6 TSF.
- The 2015 International Building Code seismic site classification for this site is "A."
- If during the foundation design it becomes necessary to change the base of the footer, alternate design recommendations are included in the recommendation section of this report.
- There are no underground mines that will influence this site, based upon our research.
- Close monitoring of the construction operations discussed herein will be critical in achieving the design subgrade support. We, therefore, recommend that EKYENG is retained to monitor this portion of the work.

This executive summary is included to provide a general overview of the project and should not be relied upon except for the purpose it was prepared. Please rely on the complete report for the information on the findings, recommendations, and all other concerns.

## 1. INTRODUCTION

East Kentucky Engineering (EKYENG) was retained by Mr. Marty Thacker of Appalachian Wireless to prepare a geotechnical engineering report for the proposed tower site located at Old Flat Lick, in Knox County, Kentucky. A site location map is shown in Figure No. 1.

Five pits were opened by hand excavations. The purpose of these services is to provide information and geotechnical engineering recommendations about subsurface conditions, earthwork, seismic considerations, groundwater conditions and foundation design.

# 2.0 PROJECT DESCRIPTION

The proposed communication facility will consist of a self-supporting tower of undetermined height and ancillary support areas. The footing area will be approximately 43.5 x 43.5 feet, with an estimated base of the tower footer elevation at 1694 ft. Based on information provided, we estimate the structural loads will be similar to the following conditions;

# TABLE NO. 1

CONDITION	LOAD	
Total Shear	40 Kips	
Axial Load	50 Kips	





We anticipate that overturning will govern the structural design. If the loading is significantly different than these expected values, EKYENG should be notified to re-evaluate the recommendations provided in this report.

# 3.0 SITE DESCRIPTION & HISTORICAL MINING

# 3.1 GENERAL INFORMATION

The site location is on a forested slope. EKYENG reviewed available historical mine maps from the Kentucky Division of Mine Safety, Kentucky Mine Mapping Information System ("KMMIS"). Based on available data, historical mining has occurred.

## 3.2 SURFACE MINING

This site in on an undisturbed forest area. Some prelaw mining was noted in the Jellico seam 1500 ft north of this site. Surface Contour Mining has been conducted 1150 ft to the west of the site in the Blue Gem Seam. No other nearby surface or auger mining activities were found during our site investigation during our research that would impact this site.

## 3.3 UNDERGROUND MINING

One underground mine was found during this research. Room and pillar mining was conducted in the Blue Gem Seam at an elevation of 1195ft approximately 1200 ft North West of this site. Issues from subsidence are not anticipated at this site.



![](_page_27_Picture_0.jpeg)

# 4.0 FIELD EXPLORATION

## 4.1 SITE INFORMATION

A boundary survey was conducted on the Old Flat Lick Site and provided to EKYENG. The proposed tower location was established and tied to the existing boundary. An estimated footer location was determined, and trenching was conducted through the slope at the proposed tower site.

## 4.2 TEST PITS

This investigation was conducted by excavating five pits by hand. Test holes are shown on the attached maps in Appendix C. The combinations of pits, and visual inspections were conducted to evaluate the site lithology and type of materials immediately below the proposed tower site. The following soils and rock properties were found.

TABLE NO. 2

Depth (Ft.)	Base Elevation (Ft.)	Strata
Varies	1717.8	Top Soils / Clays
Jaries - 47.5	1670.0	Sandstone

A cross-section of this information is in Appendix C of this report

#### 4.3 GROUNDWATER

Groundwater in Eastern Kentucky is characterized by water flowing through a system of internal fractures that lead to an alluvial aquifer near the bottom of valley floors. Large, defined aquifers other than the alluvium are not common, especially in higher elevations such as where this tower site is proposed. Therefore, groundwater should not be a concern in this area. During the site investigation, no groundwater resources were observed.

#### 4.4 SEISMIC SITE CLASSIFICATION

![](_page_28_Picture_0.jpeg)

Based on the encountered soil conditions at the project site, the site classification was determined to be "Site Class A" per the 2015 Kentucky Building Code. In addition, a  $S_{DS}$  coefficient of 0.142 g was calculated, and an  $S_{D1}$  coefficient of 0.055 g was also calculated for design based on the aforementioned building code.

#### 5.0 DISCUSSION AND RECOMMENDATIONS

#### 5.1 GENERAL

The structure will be a self-supporting free-standing tri-pole tower. Due to wind loading, lattice tower foundations can experience both vertical loads and horizontal loads. The vertical loads act in both an upward and downward direction as the tower attempts to overturn and can act in any directions.

#### 5.2 FOUNDATIONS

It is our understanding that the foundations for these structures can be designed to bear on low bearing pressure soils. This report demonstrates the different expected bearing capacities based upon the type of material encountered from the trenching test holes and visible observations at the site. The approximate elevation of the surface of the site is 1710 ft. with an expected base of the footer at 1614 in elevation.

#### 5.3 SUBSIDENCE

Based on our research, there are no underground mines beneath this proposed tower site. Therefore no issues with subsidence are expected.

#### **5.4 SHALLOW FOUNDATIONS**

Based on the laboratory and field testing, visual inspection of the materials, and practical experience we have estimated that the **allowable bearing capacity of the sandstone is 6 tsf**, at an elevation of 1694 ft.

![](_page_29_Picture_0.jpeg)

It is furthermore recommended that the slabs-on-grade be supported on 4 to 6inch layer of relatively clean granular material such as sand and gravel or crushed stone. This is to help distribute concentrated loads and equalize moisture conditions beneath the slab. Proper drainage must be incorporated into this granular layer to preclude future wet areas in the finished slab-on-grade. However, all topsoil and/or other deleterious materials encountered during site preparation must be removed and replaced with 4000 psi. concrete below the foundation base. Provided that a minimum of 4 inches of granular material is placed below the new slab-on-grade, a modulus of subgrade reaction (k30) of 100 lbs./cu. in. can be used for the design of the slabs.

Support structure for this tower can be placed as needed. It is recommended that test pits are examined to ensure that any of these structures are on the competent materials. If pockets of soft, loose, or otherwise unsuitable material are encountered in the footing excavations, and 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 undercut excavation beneath each footing should extend to suitable bearing soils, and the dimensions of the excavation base should be determined by imaginary planes extending outward and down on a 1 (vertical) to 1 (horizontal) slope from the base perimeter of the footing. The entire excavation should then be refilled with a wellcompacted engineered fill, or lean concrete (Please note that the width of the lean concrete zone should be equal or wider than the width of the overlying footing element). Special care should be exercised to remove any sloughed, loose or soft materials near the base of the excavation slopes. In addition, special care should be taken to "tie-in" the compacted fill with the excavation slopes, with benches as necessary, to ensure that no pockets of loose or soft materials will be left in place along the excavation slopes below the foundation bearing level. All Federal, State, and Local regulations should be strictly adhered to relative to excavation side-slope geometry.

![](_page_30_Picture_0.jpeg)

![](_page_30_Picture_1.jpeg)

## 5.5 DRILLED PIER FOUNDATION

We have found that drilled piers can be used in lieu of mat foundation in areas that are restricted in space. Based on the available data and experience, we recommend the following design parameters.

Approx. Depth	Allowable	Allowable	Effective	Cohesion	Internal
(ft.)	Skin	End	Unit		Angle of
	Friction	Bearing	Weight		Friction
	(psf.)	Pressure	(pcf.)		(Degrees)
		(psf.)			
0-5.0	Ignoro	lanoro	Ignoro		Ignoro
Topsoil	ignore	ignore	ignore		ignore
5.0- 47.5	2 200*	16.000*	150*		30*
Sandstone	2,200	10,000	130		50

TAE	BLE	NO.	3

According to the information provided the first 30 ft. of rock and soils will be removed during site construction. The values noted with (\*) are presented if the proposed pad elevation is changed during the design process. We recommend placing the end bearing area of the drilled pier in the sandstone unit at the interval of 5.0 ft. to 47.5 ft. The skin friction and passive resistance have a factor of safety of 2. The allowable end bearing pressure has an approximate safety factor of 3. If the drilled piers are designed using the above design parameters, settlements are not anticipated to exceed 1/4 inch.

#### **5.6 BURIED UTILITIES**

Excavations for buried utility pipelines should follow the guidelines outlined in this report. Depending on the pipeline material, a minimum thickness of at least 0.5 feet of select fine-grained granular bedding material should be used beneath all below-grade pipes, with a minimum cover thickness of at least 3 feet to afford an

![](_page_31_Picture_1.jpeg)

"arching" effect and reduce stresses on the pipe. The cover thickness may be reduced if the external loading condition on the pipe is relatively light or if the pipe is designed to withstand the external loading condition. It is not recommended that "pea-gravel" or other "open-work" aggregates be used for trench backfill since these materials are nearly impossible to compact and tend to pond water within their interstices.

## 6.0 WARRANTY

Our professional services have been performed, our findings obtained and our recommendations prepared in accordance with generally accepted geotechnical engineering principles and practices. No other warranty, express or implied, is made.

While the services of EKYENG are a valuable and integral part of the design and construction teams, we do not warrant, guarantee, or insure the quality or completeness of services provided by other members of those teams, the quality, completeness, or satisfactory performance of construction plans and specifications which we have not prepared, nor the ultimate performance of building site materials.

#### 6.1 SUBSURFACE EXPLORATION

Subsurface exploration is normally accomplished by test borings, although test pits are sometimes employed. The method of determining the boring location and the surface elevation at the boring is noted in the report and is presented on the Boring Location Plan or on the boring log. The location and elevation of the boring should be considered accurate only to the degree inherent with the method used.

The boring log includes sampling information, description of the materials recovered, approximate depth of boundaries between soil and rock strata and

![](_page_32_Picture_0.jpeg)

groundwater data. The boring log represents conditions specifically at the location and time the boring was made. The boundaries between different soil strata are indicated at specific depths; however, these depths are in fact approximate and are somewhat dependent upon the frequency of sampling (The transition between soil strata is often gradual). Free groundwater level readings are made at times of drilling and under conditions stated on the boring logs (Groundwater levels change with time and season). The borehole does not always remain open sufficiently long enough for the measured water level to coincide with the groundwater table.

#### 6.2 LABORATORY AND FIELD TESTS

Laboratory and field tests are performed by specific ASTM standards unless otherwise indicated. All determinations included in each ASTM standard are not always required and performed. Each test report indicates the measurements and determinations made.

#### 6.3 ANALYSIS AND RECOMMENDATIONS

The geotechnical report is prepared primarily to aid in the engineering design of site work and structural foundations. Although the information in the report is expected to be sufficient for these purposes, it is not intended to determine the cost of construction or to stand alone as a construction specification.

Our engineering report recommendations are based primarily on data from test borings made at the locations shown in a boring location drawing included. Soil variations may exist between borings, and these variations may not become evident until construction. If significant variations are then noted, the geotechnical engineer should be contacted so that field conditions can be examined and recommendations revised if necessary.

The geotechnical engineering report states our understanding as to the location, dimensions and structural features proposed for the site. Any significant changes in the nature, design, or location of the site improvements MUST be communicated to the geotechnical engineer such that the geotechnical analysis,

![](_page_33_Picture_0.jpeg)

conclusions, and recommendations can be appropriately adjusted. The geotechnical engineer should be given the opportunity to review all drawings that have been prepared based on their recommendations.

#### 6.4 CONSTRUCTION MONITORING

Construction monitoring is a vital element of complete geotechnical services. The field engineer/inspector is the owner's "representative" observing the work of the contractor, performing tests as required in the specifications, and reporting data developed from such tests and observations. The field engineer or inspector does not direct the contractor's construction means, methods, operations or personnel. The field inspector/engineer does not interfere with the relationship between the owner and the contractor and, except as an observer, does not become a substitute owner on site. The field inspector/engineer is responsible for his own safety but has no responsibility for the safety of other personnel at the site. The field inspector/engineer is an important member of a team whose responsibility is to watch and test the work being done and report to the owner whether that work is being carried out in general conformance with the plans and specifications.

#### 6.5 GENERAL

The scope of our services did not include an environmental assessment for the presence or absence of hazardous or toxic materials in the soil, surface water, groundwater or air, on, within or beyond the site studied. Any statements in the report or on the boring logs regarding odors, staining of soils or other unusual items or conditions observed are strictly for the information of our client.

To evaluate the site for possible environmental liabilities, we recommend an environmental assessment, consisting of a detailed site reconnaissance, a record review, and report of findings. Additional subsurface drilling and samplings, including groundwater sampling, may be required.

![](_page_34_Picture_0.jpeg)

This report has been prepared for the exclusive use of Appalachian Wireless, for specific application to the proposed cellular tower located on the Belfry Property located in Pike County, Kentucky. Specific design and construction recommendations have been provided in the various sections of the report. The report shall, therefore, be used in its entirety. This report is not a bidding document and shall not be used for that purpose. Anyone reviewing this report must interpret and draw their conclusions regarding specific construction techniques and methods were chosen. EKYENG is not responsible for the independent conclusions, opinions or recommendations made by others based on the field exploratory and laboratory test data presented in this report.

![](_page_35_Picture_0.jpeg)

# SPECIFICATIONS

I – GENERAL

## 1.0 STANDARDS AND DEFINITIONS

- 1.1 STANDARDS All standards refer to latest edition unless otherwise noted.
  - 1.1.1 ASTM D-698-70 (Method C) "Standard Test Methods for Moisture. Density Relations of Soils and Soil Aggregate Mixtures Using 5.5-lb (2.5 kg.) Rammer and 12-inch (305mm) Drop".
  - 1.1.2 ASTM D-2922 "Standard Test Method for Density of Soil and Soil Aggregate in Place by Nuclear methods (Shallow Depth)".
  - **1.1.3** ASTM D-1556 "Standard Test Method for Density of Soil in place by the Sand-Cone Method".

## 1.2 DEFINITIONS

- **1.2.1** Owner In these specifications the word "Owner" shall mean Appalachian Wireless.
- **1.2.2** Engineer In these specifications the word "Engineer" shall mean the Owner designated engineer.
- 1.2.3 Design Engineer In these specifications the words "Design Engineer" shall mean the Owner designated design engineer.
- **1.2.4** Contractor In these specifications the word "Contractor" shall mean the firm or corporation undertaking the execution of any work under the terms of these specifications.
- **1.2.5** Approved In these specifications the word "approved" shall refer to the approval of the Engineer or his designated representative.
1.2.6 As Directed - In these specifications the words "as directed" shall refer to the directions to the Contractor from the Owner or his designated representative.

## 2.0 GENERAL CONDITIONS

2.1 The Contractor shall furnish all labor, material and equipment and perform all work and services except those set out and furnished by the Owner, necessary to complete in a satisfactory manner the site preparation, excavation, filling, compaction, grading as shown on the plans and as described therein.

This work shall consist of all mobilization clearing and grading, grubbing, stripping, removal of existing material unless otherwise stated, preparation of the land to be filled, filling of the land, spreading and compaction of the fill, and all subsidiary work necessary to complete the grading of the cut and fill areas to conform with the lines, grades, slopes, and specifications.

This work is to be accomplished under the observation of the Owner or his designated representative.

2.2 Prior to bidding the work, the Contractor shall examine, investigate and inspect the construction site as to the nature and location of the work, and the general and local conditions at the construction site, including, without limitation, the character of surface or subsurface conditions and obstacles to be encountered on and around the construction site; and shall make such additional investigation as he may deem necessary for the planning and proper execution of the work.

If conditions other than those indicated are discovered by the Contractor, the Owner should be notified immediately. The material which the Contractor believes to be a changed condition should not be disturbed so that the owner can investigate the condition.



**2.3** The construction shall be performed under the direction of an experienced engineer who is familiar with the design plan.



# II - ENGINEERED FILL BENEATH STRUCTURES CLEARING AND GRADING SPECIFICATIONS

# 1.0 GENERAL CONDITIONS

The Contractor shall furnish all labor, materials, and equipment, and perform all work and services necessary to complete in a satisfactory manner the site preparation, excavation, filling, compaction and grading as shown on the plans and as described therein.

This work shall consist of all clearing and grading, removal of existing structures unless otherwise stated, preparation of the land to be filled, filling of the land, spreading and compaction of the fill, and all subsidiary work necessary to complete the grading of the cut and fill areas to conform with the lines, grades, slopes, and specifications.

This work is to be accomplished under the constant and continuous supervision of the Owner or his designated representative.

In these specifications, the terms "approved" and "as directed" shall refer to directions to the Contractor from the Owner or his designated representative.

## 2.0 SUBSURFACE CONDITIONS

Prior to bidding the work, the Contractor shall examine, investigate and inspect the construction site as to the nature and location of the work, and the general and local conditions at the construction site, including without limitation, the character of surface or subsurface conditions and obstacles to be encountered on and around the construction site; and shall make such additional investigation as he may deem necessary for the planning and proper execution of the work. Borings and/or soil investigations shall have been made. Results of these borings and studies will be made available by the Owner to the Contractor upon his request, but the Owner is not responsible for any interpretations or conclusions with respect thereto made by the Contractor based on such information, and the Owner further has no responsibility for the accuracy of the borings and the soil investigations.



If conditions other than those indicated are discovered by the Contractor, the Owner should be notified immediately. The material which the Contractor believes to be a changed condition should not be disturbed so that the Owner can investigate the condition.

## 3.0 SITE PREPARATION

Within the specified areas, all trees, brush, stumps, logs, tree roots, and structures scheduled for demolition shall be removed and disposed of.

All cut and fill areas shall be properly stripped. Topsoil will be removed to its full depth and stockpiled for use in finish grading. Any rubbish, organic and other objectionable soils, and other deleterious material shall be disposed of off the site, or as directed by the Owner or his designated representative if on site disposal is provided. In no case shall such objectionable material be allowed in or under the fill unless specifically authorized in writing.

Prior to the addition of fill, the original ground shall be compacted to job specifications as outlined below. Special notice shall be given to the proposed fill area now. If wet spots, spongy conditions, or groundwater seepage is found, corrective measures must be taken before the placement of fill.

## 4.0 FORMATION OF FILL AREAS

Fills shall be formed of satisfactory materials placed in successive horizontal layers of not more than eight (8) inches in loose depth for the full width of the cross-section. The depth of lift may be increased if the Contractor can demonstrate the ability to compact a larger lift. If compaction is accomplished using hand-tamping equipment, lifts will be limited to 4-inch loose lifts. Engineered fill placed below the structure bearing elevation shall be compacted to at least 95% of the maximum dry unit weight with a moisture content within 2% of the optimum moisture content as determined by the modified Proctor test. The top size of the material placed shall not exceed 4 inches.

All material entering the fill shall be free of organic matter such as leaves, grass, roots, and other objectionable material.

The operations on earth work shall be suspended at any time when satisfactory results cannot be obtained because of rain, freezing weather, or other



unsatisfactory conditions. The Contractor shall keep the work areas graded to provide the drainage always.

The fill material shall be of the proper moisture content before compaction efforts are started. Wetting or drying of the material and manipulation to secure a uniform moisture content throughout the layer shall be required. Should the material be too wet to permit proper compaction or rolling, all work thus affected shall be delayed until the material has dried to the required moisture content. The moisture content of the fill material should be no more than two (2) percentage points higher or lower than optimum unless otherwise authorized. Sprinkling shall be done with equipment that will satisfactorily distribute the water over the disced area. Any areas inaccessible to a roller shall be operated in such a manner that hardpan, cemented gravel, clay or other chunky soil material will be broken up into small particles and become incorporated with the other material in the layer.

In the construction of filled areas, starting layers shall be placed in the deepest portion of the fill, and as placement progresses, additional layers shall be constructed in horizontal planes. Original slopes shall be continuously, vertically benched to provide horizontal fill planes. The size of the benches shall be formed so that the base of the bench is horizontal and the back of the bench is vertical. As many benches as are necessary to bring the site to final grade shall be constructed. Filling operations shall begin on the lowest bench, with the fill being placed in horizontal eight (8) inch thick loose lifts unless otherwise authorized. The filling shall progress in this manner until the entire first bench has been filled, before any fill is placed on the succeeding benches. Proper drainage shall be maintained always during benching and filling of the benches, to ensure that all water is drained away from the fill area.

Frozen material shall not be placed in the fill nor shall the fill be placed upon frozen material.

The Contractor shall be responsible for the stability of all fills made under the contract, and shall replace any portion, which in the opinion of the Owner or his



designated representative, has become displaced due to carelessness or negligence on the part of the Contractor. Fill damaged by inclement weather shall be repaired at the Contractor's expense.

# 5.0 SLOPE RATIO AND STORM WATER RUN-OFF

Slopes shall not be greater than 2 (horizontal) to 1 (vertical) in both cut and fill, or as illustrated on the construction drawings. Excavations shall be constructed in accordance with all Federal, State and local codes relative to slope geometry.

## 6.0 GRADING

The Contractor shall furnish, operate, and maintain such equipment as is necessary to construct uniform layers, and control smoothness of grade for maximum compaction and drainage.

## 7.0 COMPACTING

The compaction equipment shall be approved equipment of such design, weight, and quantity to obtain the required density in accordance with these specifications.

# 8.0 TESTING AND INSPECTION SERVICES

Testing and inspection services will be provided by the Owner.



# III GUIDELINES FOR EXCAVATIONS AND TRENCHES

The following represents some general guidelines relative to the design and construction of excavations and trenches. It must be emphasized that these guidelines are not intended to represent a "safety plan," but rather are presented herein to provide general guidance regarding the design characteristics and safety measures for excavations and trenches.

- 1. Check with the following utilities prior to breaking ground:
  - Sewer
  - Telephone
  - Fuel
  - Electric
  - Water
  - Gas
  - Cable

When utility companies or owners do not respond to your request within 48 hours, the contractor may only then proceed provided the contractor does so with caution by using detection equipment or other acceptable means to locate utility installations.

Once the excavation is open, the contractor should protect and support the exposed underground utilities or remove installations to safeguard workers and prevent damage to exposed utilities.

- Access and egress ramps must be designed by a "competent person" and structural ramps used for equipment must be designed by a "competent person" with qualified knowledge in structural design. In addition:
  - Ramps must be secured to prevent displacement;
  - Ramps used in lieu of steps must have cleats to prevent slipping; and



- Trenching excavations four feet or greater in depth must have a stairway, ladder, ramps or other safe means to egress with lateral travel no more than 25 feet.
- Workers must be provided with reflector garments, such as warning orange or red vests, when exposed to vehicular traffic.
- Contractors must not allow workers to work under or near equipment when there is danger of falling debris, spillage or equipment-related injuries.
- 5. Mobile equipment, operating adjacent to an open excavation or approaching the edge of an excavation, must have one of the following when the operator's view is obstructed:
  - Warning System
  - Mechanical Signals
  - Barricades
  - Stop Logs
  - Hand Signals
- 6. The contractor must check the atmosphere for hazardous gases and oxygen deficiencies when excavating four feet or greater around landfills, or when hazardous substances are stored nearby, and when the contractor expects there could be any exposure to the workers.
- 7. When hazardous atmospheric conditions exist, or when conditions could change, the contractor must make emergency rescue equipment readily available including breathing apparatus, safety harnesses with life lines and a basket stretcher.
- 8. When workers enter bell-bottom pier holes or other deep and confined excavations, the worker must wear (always while performing work in the



confined space) a separate life line attached to a harness. The line must be attended by someone above while work is being performed. The worker must check for hazardous atmospheric conditions prior to entry.

- 9. The contractor must ensure that water does not accumulate in open excavations and must inspect the excavation prior to allowing workers to re-enter after heavy rains.
- Adjacent structures (buildings, walls, etc.) must be supported or secured to prevent worker exposure to unsafe conditions and damage to existing structures.
- **11.** A registered professional engineer must approve operations when a contractor underpins existing structures to ensure worker safety and prevent damage to existing structures.
- 12. Workers must not be exposed to loose soil and rock or materials in and around excavations. Materials, such as removed soil and rock, must not be stored closer than two feet from the edge of the excavation.
- 13. Daily inspections of the excavation, the adjacent areas and protective systems must be made by a "competent person" for evidence of possible cave-ins, indications of failure of protective systems, hazardous atmospheres or other hazardous conditions. The "competent person" must stop work immediately and remove workers from the excavation when conditions change and pose a threat to their safety.
- Workers must not be exposed to fall hazards associated with excavations. Protective walkways or bridges with standard guard rails must be provided.



**15.** All wells, pits, shafts etc. must be barricaded or covered. After completion of work, all wells, pits, shafts etc. must be backfilled.



# **IV - DRILLED PIER INSTALLATION**

# 1.0 DRILLING PROCEDURE

- 1.1 Drilled piers will be installed with large caisson drill rigs capable of torque and crowd forces sufficient to install drilled piers at the project site given the in-situ soil conditions.
- **1.2** The drill rig kelly bar and auger will be carefully and accurately placed over the centerline of the drilled pier. The Contractor is responsible for providing necessary surveying to verify drilled pier location before, during, and after the drilled pier installation.
- **1.3** The augers are advanced downwards as they are rotated such that drilling of the soil mass is efficiently accomplished. Depending on the subsurface conditions, and the requirements for the given project, a temporary steel casing should be installed at this time to preclude caving of the soil and/or broken rock mass being penetrated.

## 2.0 CASING INSTALLATION

- 2.1 The casing will be checked for centerline accuracy and plumbness by the Contractor's survey crew. During casing installation, the Contractors survey crew will verify alignment with instruments. If plumbness and alignment are not within tolerance as determined by the Contractors survey crew, the casing will be extracted and realigned as necessary.
- 2.2 The drill rig will remove soil and bedrock material from within the casing to the drilled pier design tip elevation. A steel casing or "Sonotube" shall be inserted into the borehole to preclude cave-ins and/or instability in the borehole.



2.3 The bearing surface within the drilled pier will be inspected by a registered Professional Engineer before being approved for structural concreting.

## 3.0 INSTALLATION OF THE REBAR CAGE

- **3.1** An epoxy coated spiral reinforcing steel cage will be installed while in the drilled pier borehole.
- 3.2 To assist in assuring that the reinforcing steel cage does not settle during concrete pumping, a mat of reinforcing steel bars will be installed across the bottom of the reinforcing steel cage perpendicular to the vertical axis of the cage. The exact number of bars will be determined and installed by the Structural Engineer. The number of rebar boots used on the bottom of the cage will also be determined by the Structural Engineer.
- 3.3 The reinforcing steel cage will be lowered into the drilled pier borehole, while drilled pier spacers are placed at intervals as required by the Structural Engineer. The reinforcing steel cage will be checked for alignment by the Contractors survey crew.
- **3.4** The crane will remain attached to the reinforcing steel cage while the concrete pump outlet pipe is lowered to just above the bottom of the drilled pier. The concrete pump pipe sections will be welded together to assure that do not separate during pumping.

#### 4.0 CONCRETING OF THE DRILLED PIER

**4.1** Concrete pumping may commence once the bearing surface has been approved in accordance with Clause 2.3



- **4.2** A three-inch trash pump will be used to pump slurry and/or water from within the casing and from above the newly pumped concrete.
- **4.3** The concrete pump outlet pipe will maintain at least ten (10) feet of embedment into the fresh concrete. The concrete level in the casing will be monitored.
- 4.4 The casing will be completely extracted with the crane and/or vibratory hammer. Caisson clamps on the vibratory hammer (if applicable) will be adjusted to the proper dimension to withdrawal the casing.
- **4.5** The concrete will be terminated at the top of drilled pier elevation and screeded flat.
- 4.6 The upper reinforcing steel dowel cage will be lowered into the concrete to the embedment elevation. If necessary, the concrete will be vibrated to assist in placement. Alignment will be verified by the Contractors survey crew and the cage will be sufficiently braced.



## **V - GENERAL CONCRETE SPECIFICATIONS**

#### 1.0 GENERAL

It is the intent of this specification to secure, for every part of the work, concrete of homogenous structure which, when hardened, will have the required strength and resistance to weathering. To this end, the limiting values of concrete and the requirements hereinafter specified must be met. Standard tests of the cement, aggregates, concrete and reinforcement will be made by the Owner as it sees fit. The Contractor shall furnish the material for all required samples plus such labor as required to obtain samples. The Contractor shall provide to authorized representatives of the Owner, convenient access to all parts of the work of all concreting operations for the purpose of sampling and inspection.

### 2.0 SCOPE

Contractor shall furnish all materials, labor, services, transportation, tools, equipment, and related items required to complete work indicated on the drawings and/or specified.

Unless otherwise noted or as modified by more stringent requirements specified herein, all plain and reinforced concrete work shall be performed in full compliance with applicable requirements of the Building Code Requirements for Reinforced Concrete ACI 318.

Contractor shall obtain Owner's approval of all subgrades, footing bottoms, forms, and reinforcement just prior to placing concrete.

Contractor shall coordinate the work specified in this section with that specified in other sections so that all anchors, pipes and other embedded items are properly installed before concrete is placed.

Contractor shall clean all exposed concrete surfaces and obtain approval of Owner for method of cleaning.

#### 3.0 MATERIALS



All materials shall be of the respective quality specified herein, delivered, stored, and handled as to prevent inclusion of foreign matter and damage by dampness or breakage. Packaged material shall be stored in original container until ready for use. Materials showing evidence of dampness or other damage may be rejected.

- A. <u>Fine and Coarse Aggregates:</u> Coarse and fine aggregates shall conform to ASTM Specification C33. The maximum size of aggregate shall not be larger than one-fifth (1/5) of the narrowest dimensions between forms, or larger than three fourths (3/4) of the minimum clear spacing between reinforcement.
  - <u>Fine Aggregate:</u> Sand shall be composed essentially of clean, hard, strong, durable grains free of structurally weak grains, organic matter, loam, clay, silt, salt, mica or other fine materials that may affect bonding of the cement paste.
  - <u>Coarse Aggregate:</u> Cement concrete shall consist of crushed rock or screened gravel and shall be composed essentially of clean, hard, strong and impermeable particles, resistant to wear and frost and free from deleterious amounts of organic matter, loam, clay, salts, mica, and soft, thin, elongated, laminated or disintegrated stone, and shall be inert to water and cement.
- B. <u>Portland Cement:</u> Portland cement shall conform to ASTM Specification C150. Type I or Type II Portland Cement shall be used provided that they are not intermixed during any one batch. Type II Portland Cement shall <u>not</u> be used unless indicated on the plans.
- C. <u>Water:</u> Water for mixing and curing shall be clean, fresh, and free from deleterious materials.
- D. <u>Metal Reinforcement:</u> Rebar shall be Grade 60 and with deformations conforming to ASTH Specification A305. Welded wire mesh shall conform to W4 x W4 size and be of Grade 60 steel.

- E. <u>Admixtures:</u> Except as herein noted, admixtures shall not be used.
  - Under adverse weather conditions only retarding or accelerating agents containing no chloride may be used.
  - Air-Entraining Agent shall be used for all concrete will give an entrained air range of not less than 4 percent but no greater than 8 percent in the finished product. Under no circumstances shall the air-entraining be interground with cement.
  - 3. Approval in writing shall be required from Owner prior to the use of any admixture.

### 4.0 FORM

Forms shall be constructed with proper shoring and cross-bracing, safeguarding the total structure and specifically lateral stability and sufficiently strong to stand vibrations of concrete and to carry, without appreciable deflection or displacement, all dead and live loads to which they may be subjected.

## 5.0 INSERTS, ETC.

Anchors, bolts, dowels, conduit, water stops, vent pipes and other similar built-in or concreted-in items shall be properly located, accurately positioned and secured. The Contractor shall cooperate in placing of such items with other contractors who require a fastening device for their work and he shall maintain them in proper location during the progress of his work.

#### 6.0 REINFORCEMENT

Reinforcement at the time concrete is placed shall be free from rust, scale or other coatings that will destroy or reduce the bond.



Reinforcement shall be accurately placed and securely tied at intersections and shall be securely held in position during the placing of concrete by pacers, chairs, or other approved supports.

The reinforcement of foundations, footings and other principal structural members in which the concrete is deposited against the ground shall not have less than three (3) inches of concrete between it and the ground contact surface. If concrete surfaces after removal of the forms are to be exposed to the weather or to be in contact with the ground or rock, reinforcement shall be protected with not less than two (2) inches of concrete,

## 7.0 CONCRETE

Concrete for the various parts of the work shall be of 4000 pounds per square inch compressive strength with a minimum 28-day cure. Contractor is responsible to provide a mix of not less than 6 bags of cement per yard of concrete and not more than 7 gallons of water per bag of cement, producing a minimum slump of 2-1/2 inches and a maximum slump of 4-1/2 inches. Concrete that exceeds the above range of maximum or minimum slump requirements may be rejected by the Owner. All concrete shall be air-entrained. Contractors are required to furnish the name or names of the company(s) that will be providing the mix. The Owner reserves the right to disapprove any concrete supplier that has been known to supply an undesirable material to the Owner on previous occasions.

#### 8.0 DEPOSITING CONCRETE

- 4.1. <u>Preparation for Placing Concrete:</u> Before depositing concrete, the Contractor shall:
- Remove from space to be occupied by concrete all debris, including snow, ice, and water unless otherwise permitted by Owner.



- Provide diversion, satisfactory to Owner, of any flow of water to an excavation to avoid washing the freshly deposited concrete.
- Coal the forms prior to placing of reinforcing steel as required in form work.
- Secure firmly in correct position, all reinforcement and other items to be encased and remove therefrom all coating including ice and frost.
- B. <u>Transportation of Concrete from Batch Plant</u>: The concrete shall be delivered to the site of the work and discharge shall be completed within 90 minutes after addition of the cement and water to the aggregates. Each batch of concrete delivered at the job site shall be accompanied by a time slip issued at the batching plant, bearing the time of charging of the mixer drum with the cement and aggregates.
- C. <u>Transporting of Concrete from Mixer to Place of Final Deposit:</u> Transportation shall be done as rapidly as practical by means which shall prevent the separation or loss of the ingredients. If chutes are used, they shall be at a slope not flatter than one vertical to two horizontal. Buggies or carts shall be equipped with pneumatic rubber tires or surfaces of runways shall be sufficiently smooth or both so as not to cause separation or segregation of concrete ingredients. Concrete shall not be allowed to drop freely more than 4 feet. Where greater drops are required, canvas "elephant trunks" or galvanized iron chutes equipped with suitable hopper heads shall be employed and a sufficient number placed to ensure that the concrete may be effectively compacted into



horizontal layers not exceeding 12 inches in thickness with minimum lateral movements.

- D. <u>Depositing of Concrete</u>: Depositing of concrete shall:
  - Proceed continuously after once starting until reaching the end of a section of construction joint location shown on the drawings, or as approved by the Owner. The operations shall be conducted so that no concrete is deposited on concrete sufficiently hardened to cause formation of seams, and planes of weakness.
  - 2. Be as near as practical to its final position in the forms.
  - 3. Proceed to maintain constantly a top surface which is approximately level.
  - Be placed before initial set has occurred, and in no event after it has contained its water content for more than 90 minutes.
  - 5. Be thoroughly worked and compacted by means of suitable tools to provide impermeability, durability and strength and shall be thoroughly worked around reinforcements and embedded items and into corners of forms and to be free from voids, pockets or honeycombing. Care shall be taken to provide impermeability.
- E. <u>Vibration Equipment:</u> Vibration equipment shall be of the appropriate type and shall, always, be adequate in number of units and power of each unit to properly consolidate all concrete.



F. <u>Monolithic Pours:</u> Proper delivery of concrete shall be the Contractor's responsibility to make a mono-lithic pour without delays and changes of cold joints.

## 9.0 CURING

All concrete work shall be protected from injurious action by the sun, rain, flowing water, frost and other injury and shall be covered with plastic after application of curing compound for three (3) days on pours located above ground.

Contractor shall not remove any formwork for a minimum period of 24 hours after a concrete pour without written approval of the Owner.

#### **10.0 CONCRETE FINISHES**

Finishes of all exposed concrete shall be free of defects which impair its durability or adversely affect is appearance. All such surfaces when stripped, shall be uniform in appearance and any surfaces displaying any deviations from adjacent uniform surfaces shall be rejected and subject to removal.

Finished work shall be level and plumb, true to lines, and dimensions. Finished plane surfaces shall be smooth, and as nearly perfect as practical; however, deviations from a true plane shall not exceed 1/8 inch when measured from a 6-foot straight edge placed against the surface to any point on the surface and under the straight edge.

All exposed surfaces shall have deflects corrected, protrusions removed, and holes filled.



APPENDIX A PHOTOGRAPHS





Test Pit



Sandstone Rock





Site Area



Site Area



APPENDIX B SEISMIC

# **EUSGS** Design Maps Summary Report

**User-Specified Input** 

 

 Report Title
 Old Flat Lick Tue January 30, 2018 15:57:43 UTC

 Building Code Reference Document
 2012/2015 International Building Code (which utilizes USGS hazard data available in 2008)

 Site Coordinates
 36.86052°N, 83.78263°W

 Site Soil Classification
 Site Class A – "Hard Rock"

 Risk Category
 IV (e.g. essential facilities)



#### **USGS**-Provided Output

$S_s =$	0.267 g	S <sub>MS</sub> =	0.213 g	$S_{DS} =$	0.142 g
<b>S</b> <sub>1</sub> =	0.103 g	<b>S</b> <sub>M1</sub> =	0.082 g	<b>S</b> <sub>D1</sub> =	0.055 g

For information on how the SS and S1 values above have been calculated from probabilistic (risk-targeted) and deterministic ground motions in the direction of maximum horizontal response, please return to the application and select the "2009 NEHRP" building code reference document.



Although this information is a product of the U.S. Geological Survey, we provide no warranty, expressed or implied, as to the accuracy of the data contained therein. This tool is not a substitute for technical subject-matter knowledge.



APPENDIX C MAPS





World Tower

1213 Compressor Drive P.O. Box 508 Mayfield, KY 42066 270-247-3642 FAX: 270-247-0909 E-mail: <u>worldtower@worldtower.com</u> Web: <u>www.worldtower.com</u>

# 300' MODEL WSST TOWER FOR: APPALACHIAN WIRELESS SITE: OLD FLAT LICK KNOX COUNTY, KY DESIGN PACKAGE



Fabrication, Installation, and Maintenance of TV, AM, FM, & Wireless Communications Towers









#### DESIGNED APPURTENANCE LOADING

TYPE	ELEVATION	TYPE	ELEVATION	
Beacon Lighting	300	(4) Commecope NN-65A-M w/ mL	285	
Lightning Rod 5/8x4	300	pipe" (54.9" x 28.9" x 7.1")	1	
WD13X53 Antenne Mounting Frame	295	(4) Commscope NN-65A-M w/ mt.	265	
WD13X53 Antenna Mounting Frame	295	- ppe (54.9 x 26.9 x 7.1 )		
WD13X53 Antenna Mounting Frame	295	(4) Commiscope NN-55A-M W/ mt. nine* (54.8" x 26.9" x 7.1")		
(4) Commscope NN-65A-M w/ mt. pipe* (54.9" x 25.9" x 7.1")	295	(4) RRU-12	265	
(4) Commecone NN-65A-M w/ mt.	295	(4) RRU-12	265	
pipe" (54.9" x 28.9" x 7.1")		(4) RRU-12	265	
(4) Commecape NN-65A-M w/ mL pipet (54.9" x 28.9" x 7.1")	295	Dish Mount	240	
(4) RBI L12	295	AFTDISH	240	
(4) RPI L12	295	AFT DISH	240	
(4) RBI L12	295	(4) Commercine NNL654-M w/ mt	200	
WD13X53 Antenne Mountinn Freme	285	pipe" (54.9" x 26.9" x 7.1")		
WD13X53 Animum Mounting Frame	285	(4) Commiscope NN-65A-M w/ mt.	200	
WD13X53 Antenna Mounting Frame	285	- pipe* (54.9* x 26.9* x 7.1*)	<b>.</b>	
(4) Commercene NNL65A-M w/ mt	285	(4) RRU-12	200	
pipe" (54.9" x 28.9" x 7.1")		(4) RRU-12	200	
(4) Commicope NN-65A-M w/ mt.	285	(4) RRU-12	200	
pipe" (54.9" x 26.9" x 7.1")		WD13X53 Antenna Mounting Frame	200	
(4) Commiscope NN-65A-M w/ mt.	265	WD13X53 Antenna Mounting Frame	200	
pipe" (54.9" x 26.9" x 7.1")		WD13X53 Antenna Mounting Frame	200	
(4) RRU-12	285	(4) Commecope NN-65A-M w/ mt.	200	
(4) RRU-12	285	pipe" (54.9" x 26.9" x 7.1")		
(4) RRU-12	285	(4) Commecope NN-65A-M w/ mt.	190	
WD13X53 Antenna Mounting Frame	275			
WD13X53 Antenna Mounting Frame	275	(4) Commecope NN-63/		
WD13X53 Antenna Mounting Frame	275	(4) FR1112	190	
(4) Commecope NN-65A-M w/ mt.	275	(4) RRU-12	190	
(4) Commences Nill 650 May ret	278	(4) BBU-12	190	
piper (54.9" x 26.9" x 7.1")	213	WD13X53 Antenne Mounting Frame	190	
(4) Commecope NN-65A-M w/ mt.	275	WD13X53 Antenna Mounting Frame	190	
pipe" (54.9" x 26.9" x 7.1")		WD13X53 Antenna Mounting Frame	190	
(4) RRU-12	275	(4) Commecope NN-65A-M w/ mt.	190	
(4) RRU-12	275	pipe* (54.9" x 26.9" x 7.1")		
(4) RRU-12	275	8 FT DISH	180	
WD13X53 Antenne Mounting Frame	265	8 FT DISH	180	
WD13X53 Antenna Mounting Frame	265	Dish Mount	180	
WD13X53 Antenne Mounting Frame	265	Dish Mount	160	

#### MATERIAL STRENGTH

GRADE	Fy	Fu	GRADE	Fy	Fu
72-50	50 kal	65 kad	A36	36 kal	58 kal

ALL REACTION	TOWER DESIGN NOTES
ARE FACTORE1.	Tower is located in Knox County, Kentucky.
2.	Tower designed for Exposure C to the TIA-222-G Standard.
MAX. CORNER3.	Tower designed for a 89.00 mph basic wind in accordance with the TIA-222-G Standard.
DOWN: 7114.	Tower is also designed for a 30.00 mph basic wind with 0.75 in ice. Ice is considered to
SHEAR: 61 K	increase in thickness with height.
5.	Deflections are based upon a 60.00 mph wind.
UPLIFT: -61 <sup>6.</sup>	Tower Structure Class II.
SHEAR: 52 /.	Topographic Category 1 with Crest Height of 0.00 ft
8. 0	Unimate 3-second gust wind speed or 115 mpn converted to a nominal 3-second gust wind
AXIAL 1	
338 K	
ar 🔪	MOMENT
	1919 kip-ft 00/00/40
	1111111102/20/10
TORQUE 7 klp-ft	OF KEN
mph WIND - 0.75	In ICE
ΑΧΙΔΙ	~ X ~ 1



World Tower Company	ab 300' WSST Tower	/ Run Q181	63
1213 Compressor Drive	Project: Old Flat Lick		
Mayfield, KY	Client: Appalachian Wireless	Drewn by: WBH	App'd:
Phone: (270) 247-3842	Code: TIA-222-G	Date: 02/23/18	Scale: NTS
FAX:	Path: 015Mont/ Tower/KY1018163 Old First L	kkWnebeleXQ18163.eri	Dwg No. E-1



Mail Processing Center Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 10101 Hillwood Parkway Fort Worth, TX 76177

Issued Date: 11/30/2017

Ali Kuzehkanani East Kentucky Network, LLC 8300 Greensboro Drive, Suite 1200 Tysons, VA 22102

## **\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Tower Flatlick	
Location:	Flatlick, KY	
Latitude:	36-51-37.85N NAD 83	
Longitude:	83-46-57.46W	
Heights:	1710 feet site elevation (SE)	
	310 feet above ground level (AGL)	
	2020 feet above mean sea level (AMSL)	

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 L Change 1, Obstruction Marking and Lighting, 24-hr med-strobes - Chapters 4,6(MIWOL),&12.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

\_\_\_\_\_ At least 10 days prior to start of construction (7460-2, Part 1) \_\_\_X\_\_\_ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

The use of a 24-hour medium intensity flashing white light system in urban and rural areas often results in complaints.

This determination expires on 05/30/2019 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination does not constitute authority to transmit on the frequency(ies) identified in this study. The proponent is required to obtain a formal frequency transmit license from the Federal Communications Commission (FCC) or National Telecommunications and Information Administration (NTIA), prior to on-air operations of these frequency(ies).

This determination of No Hazard is granted provided the following conditional statement is included in the proponent's construction permit or license to radiate:

Upon receipt of notification from the Federal Communications Commission that harmful interference is being caused by the licencee's (permittee's) transmitter, the licensee (permittee) shall either immediately reduce the power to the point of no interference, cease operation, or take such immediate corrective action as is necessary to eliminate the harmful interference. This condition expires after 1 year of interference-free operation.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.This determination includes all previously filed frequencies and power for this structure.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (202) 267-0105, or j.garver@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-ASO-22989-OE.

# Signature Control No: 348844959-350248707

Jay Garver Specialist

Attachment(s) Frequency Data Map(s)

cc: FCC

# Frequency Data for ASN 2017-ASO-22989-OE

LOW	HIGH	FREQUENCY		ERP
FREQUENCY	FREQUENCY	UNIT	ERP	UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W




#### **KENTUCKY AIRPORT ZONING COMMISSION**

MATTHEW BEVIN Governor 421 Buttermilk Pike Covington, KY 41017 www.transportation.ky.gov 859-341-2700

December 28, 2017

APPROVAL OF APPLICATION

APPLICANT: East Kentucky Network, LLC. East Kentucky Network, LLC. 8300 Greensboro Drive/Suite 1200 McLean, VA 22102

SUBJECT: AS-061-1A6-2017-143

STRUCTURE:Antenna TowerLOCATION:Flatlick, KYCOORDINATES:36° 51' 37.85" N / 83° 46' 57.46" WHEIGHT:310' AGL/2020'AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 310'AGL/ 2020'AMSL Antenna Tower near Flatlick, KY 36° 51' 37.85" N / 83° 46' 57.46" W.

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

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

Medium Intensity White Obstruction Lighting is required in accordance with 602 KAR 50:100.

John Houlihan

Administrator



An Equal Opportunity Employer M/F/D

SIGNATURE/TITLE\_\_\_\_\_



\_

An Equal Opportunity Employer M/F/D



KENTUCKY AIRPORT ZONING COMMISSION

MATTHEW BEVIN Governor 421 Buttermilk Pike Covington, KY 41017 www.transportation.ky.gov 859-341-2700

#### CONSTRUCTION/ALTERATION STATUS REPORT

December 28, 2017

AERONAUTICIAL STUDY NUMBER: AS-061-1A6-2017-143

East Kentucky Network, LLC. East Kentucky Network, LLC. 8300 Greensboro Drive/Suite 1200 McLean, VA 22102

This concerns the permit which was issued to you by the Kentucky Airport Zoning Commission on December 28, 2017. This permit is valid for a period of 18 Month(s) from its date of issuance. If construction is not completed within the said 18-Month period, this permit shall lapse and be void, and no work shall be performed without the issuance of a new permit. When appropriate, please indicate the status of the project in the place below and return this letter to John Houlihan, Administrator, Kentucky Airport Zoning Commission, 421 Buttermilk Pike, Covington, KY, 41017. 859-341-2700.

STRUCTURE:Antenna TowerLOCATION:Flatlick, KYCOORDINATES:36° 51' 37.85" N / 83° 46' 57.46" WHEIGHT:310' AGL /2020'AMSL

CONSTRUCTION/ALTERATION STATUS 1. The project () is abandoned. () is not abandoned.

2. Construction status is as follows: Structure reached its greatest height of \_\_\_\_\_\_ft. AGL ft. AMSL on \_\_\_\_\_\_(date).

Date construction was completed.

Type of obstruction marking/painting.

Type of obstruction lighting.

As built coordinates.

Miscellaneous Information.

DATE



An Equal Opportunity Employer M/F/D

2017-143



### KENTUCKY TRANSPORTATION CABINET

TC 56-50 Rev. 07/2010 Page 2 of 2

#### KENTUCKY AIRPORT ZONING COMMISSION

#### **APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE**

APPLICANT (name)	PHONE	FAX	KY AERONAUTICA	STUDY #	
East Kentucky Network, LLC c/o LLGS	703-584-8667	703-584-8692	AS-061-146	-2017-143	
ADDRESS (street)	CITY		STATE	ZIP	
8300 Greensboro Dr, #1200	Tysons		VA	22102	
APPLICANT'S REPRESENTATIVE (name)	PHONE	FAX			
Ali Kuzehkanani	703-584-8667	703-584-8692			
ADDRESS (street)	CITY		STATE	ZIP	
8300 Greensboro Dr, #1200	McLean		VA	22102	
APPLICATION FOR New Construct	PLICATION FOR New Construction Alteration Existing			WORK SCHEDULE	
DURATION Permanent Temporary (months days ) Start 12/01/17 End 12/05/17					
TYPE Crane Building	MARKING/PAINTING/LIGHTING PREFERRED				
🛛 Antenna Tower	Red Lights & Paint White- medium intensity White- high intensity				
Power Line Water Tank	Dual- red & medium intensity white Dual- red & high intensity white				
Landfill Other	Other				
LATITUDE	LONGITUDE			83 NAD27	
36 <sup>0</sup> 51'37.85"	83 <sup>0</sup> 46'57.46"		Other	_	
NEAREST KENTUCKY	NEAREST KENTUCKY PUBLIC USE OR MILITARY AIRPORT				
ity Flatlick County Knox Middleboro-Bell County Airport					
SITE ELEVATION (AMSL, feet)	TOTAL STRUCTURE HEIGHT (AGL, feet) CURRENT (FAA aeronautical study #)				
1710	310				
OVERALL HEIGHT (site elevation plus total structure height, feet) PREVIOUS (FAA aeronautical stud				ronautical study #)	
2020					
DISTANCE (from nearest Kentucky public use or Military airport to structure) PREVIOUS (KY aeronautical study #)					
17.5 mi					
DIRECTION (from nearest Kentucky public use or Military airport to structure)					
North					
DESCRIPTION OF LOCATION (Attach USGS 7.5 minute guadrangle map or an airport layout drawing with the precise site					
marked and any certified survey.)					
Approximately 1.4 miles north of Flatlick (Knox), KY					
DESCRIPTION OF PROPOSAL					
A new 300' tower with top-mounted antennas (overall height of 310' AGL)					
FAA Form 7460-1 (Has the "Notice of Construction or Alteration" been filed with the Federal Aviation Administration?)					
No XYes, when? 11/10/17					
CERTIFICATION (I hereby certify that all the above entries, made by me, are true, complete, and correct to the best of					
my knowledge and belief.)					
PENALITIES (Persons failing to comply with KRS 183.861 to 183.990 and 602 KAR 050 are liable for fines and/or					
imprisonment as set forth in KRS 183.990(3). Noncompliance with FAA regulations may result in further penalties.)					
NAME TITLE	SIGNATURE	1.1	DATE		
Ali Kuzehkanani Dir of Engineer	ing Milar	2 Menni	11/10/17		
Chairperson KAZC					
COMMISSION ACTION					
			DATE	18-17	
Disapproved SIGNATURE	~		DATE /L		
L Disapproved					

Driving Directions for the Old Flat Lick cell site

Beginning in Barbourville in front of the Knox County courthouse on Court Square at the intersection of Court Square & Knox Street. Turn right onto Knox Street and drive .4 tenths of a mile and turn right onto 25E South. Drive 7 miles and exit to your left onto 223 North. Staying on 223 North drive .4 tenths of a mile and turn left onto the gravel lot (sign will be posted). This is where the proposed road will start up the hill follow the survey ribbon for approximately 1 mile and you will have arrived (sign will be posted).

Prepared by: Daryl Bartley CELL SITE COMPLIANCE AGENT East Kentucky Network, LLC D/b/a Appalachian Wireless (606) 791-0310 (cell) dbartley@ekn.com



#### MEMORANDUM OF LEASE

THIS MEMORANDUM OF LEASE is made and entered into on this \_\_\_\_\_\_ day of October , 2017, with a commencement date of <u>November</u> 1<sup>ed</sup> , 2017 (the "Commencement Date"), by and between JAMES S. STEWART, III and MARYANNE B. 545 KY 223 STEWART, his wife, with an address of HC 76 Box 556, Flat Lick, Kentucky 40935, hereinafter referred to as "Lessors", and EAST KENTUCKY NETWORK, LLC D/B/A APPALACHIAN WIRELESS, a Kentucky limited liability company, with a mailing address of 101 Technology Trail, Ivel, Kentucky, 41642, hereinafter referred to as "Lessee."

#### WITNESSETH

1. Demised Premises. For good and valuable consideration, Lessors leased to Lessee, and Lessee has leased from Lessors that certain tract of real estate located in Knox County, Kentucky, and being a portion of the same land conveyed to Lessors by Deed dated September 14, 1994, and recorded in Deed Book 277, Page 245, in the Knox County Clerk's Office. Said property is more particularly described in the description **attached** hereto and made a part hereof as **Exhibit A** and the plat **attached** hereto and made a part hereof as **Exhibit B**, prepared by J.W. Caudill, Licensed Professional Land Surveyor (hereinafter referred to as the "Premises"). The Lessors have also granted unto Lessee full and complete rights of ingress, egress and regress to and from the Premises over any property owned by Lessors by Deed dated June 28, 2001 and recorded in Deed Book 321, Page 24 of the Knox County Clerk's Office, and other associated rights for installation of utilities, maintenance, and other purposes.

 Term. The initial term of the Lease is for a period of five (5) years from the Commencement Date set forth above. 3. Renewals. The Lease shall automatically renew for an additional seven (7) terms of five (5) years each, unless Lessee provides sixty (60) days written notice prior to the end of the current term that it does not wish to renew.

4. Binding Effect. All of the terms, conditions, and covenants hereof shall be binding and inure to the benefit of the parties and their respective heirs, representatives, successors, and assigns.

5. **Purpose**. This Memorandum of Lease is prepared solely for the purpose of recordation, and is not intended to, nor shall it be deemed to, modify any of the terms and conditions set forth in the Lease, nor to construe any of the rights, duties or responsibilities of Lessors and Lessee. In the event of any conflict between the terms and conditions of this Memorandum and the terms and conditions of the Lease, the terms and conditions of the Lease shall supersede and control.

IN WITNESS WHEREOF, Lessors and Lessee have caused their names to be signed hereto, as of the day and year first above written.

**LESSORS:** 

JAMES S. STEWART, III

Waryanne.

COMMONWEALTH OF KENTUCKY, COUNTY OF \_\_\_\_\_\_, TO WIT;

The foregoing instrument was acknowledged before me on this and day of October, 2017, by James S. Stewart, III and Maryanne B. Stewart, Lessors.

My Commission Expires 2-6-2020



LESSEE:

EAST KENTUCKY NETWORK, LLC D/B/A APPALACHIAN WIRELESS

By: W.A. Gillum

Its: CEO/ General Manager

COMMONWEALTH OF KENTUCKY

The foregoing instrument was acknowledged before me on this <u>30</u><sup>th</sup> day of <u>Chober</u>, 2017, by W.A. Gillum, CEO/General Manager of East Kentucky Network, LLC d/b/a Appalachian Wireless, Lessee.

Jotary Public

My Commission Expires <u>ک ح م م ح</u> م

This instrument was prepared by:

Cindy D. McCarty, Attorney 101 Technology Trail Ivel, Kentucky 41642 (606) 339-1006



#### LOT DESCRIPTION

Property of James S. III & Maryanne Stewart 545 KY 223 Flat Lick, KY 40935 Near Old Flat Lick in Knox County September 6, 2017

A portion of the property located on Ridge on the north side of Stinking Creek and U.S. Highway 223 near Flat Lick, KY. Being the same land conveyed by deed dated September 14, 1994 from William S. Stewart to James S. Stewart, III and his wife Maryanne B. Stewart 545 KY 223, Flat Lick, KY 40935 and recorded in Deed Book 277 Page 245 of the Knox County Court Clerk's Office.

#### Lot EKN1

Beginning on the top of the ridge between Stinking Creek and Bailey Branch of Turkey Creek at a set iron pin with cap marked 1s2259 at an old wire fence being a corner to the land of James S. & Maryanne Stewart and Thomas S. Stewart (DB:341 P:332); thence running with the wire fence and the line of Thomas S. Stewart South 75 deg 57 min 27 sec East, 102.56 feet to a set iron pin with cap marked 1s2259 on ridge at old fence line; thence leaving the Thomas S. Stewart Line and severing the property of James S. & Maryanne Stewart (DB:277 P:245) by running down the hill South 36 deg 27 min 06 sec West, 131.54 feet to a set iron pin with cap marked 1s2259 on hillside; thence up the hill North 48 deg 30 min 09 sec West, 128.24 feet to a set iron pin with cap marked 1s2259 on ridge point; thence up the ridge point North 58 deg 32 min 10 sec East, 87.59 feet to the point of the beginning. Containing a calculated area of 11605.5 square feet, or 0.27 acres.

Also to be included is a right of way from the Highway 223 to the proposed tower site. The road is to be located partially on the property described in DB:277 P:245 and partially on the property described in DB:321 P:024. If for any reason this road becomes blocked or inaccessible, then additional right of way will be provided for access to the lot site.

Unless stated otherwise, any monument referred to herein as "set iron pin with cap" is a set  $\frac{1}{2}$ " diameter rebar, at least eighteen (18") in length, with a plastic cap stamped "LS-2259". All bearings stated herein are referred to NAD83, KY single zone of the Kentucky state plane system.

This survey was performed on September 6, 2017 by James W. Caudill, a Kentucky Licensed Professional Land Surveyor No. 2259.



Catholication STATE of KENTUCKY JAMES W. CAUDILL LS 2259 LICENSED PROFESSIONAL LAND SURVEYOR

ames W. Caudill, PLS #2259 9-16.

DOCUMENT NO: 230093 RECORDED:November 09,2017 09:58:00 AM TOTAL FEES: \$20.00 COUNTY CLERK: MIKE COREY DEPUTY CLERK: BEVERLY ANN DIAMOND COUNTY: KNOX CO CLERK BOOK: L110 PAGES: 731 - 734





# Filing

# CONTAINS

## LARGE OR OVERSIZED

# MAP(S)

RECEIVED ON: (03/08/2018)

