RECEIVED

#### COMMONWEALTH OF KENTUCKY

AUG 3 0 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 ) CASE NO. 2018-00282 CONSTRUCT A TOWER IN CLAY COUNTY, KENTUCKY)

East Kentucky Network, LLC d/b/a Appalachian Wireless, was granted authorization to provide cellular service in the KY-11 Cellular Market Area (CMA453) 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 Clay 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 300foot self-supporting tower on a tract of land located at 10101 N. Hwy. 421, Manchester, Clay County, Kentucky (37°16'08.86"N 83°48'57.23"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.

Clay County has no formal local planning unit. In absence of this unit, the Clay 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 Clay 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 Manchester Enterprise, August 29, 2018 edition. Enclosed is a copy of that notice in Exhibit 3. The Manchester Enterprise is the newspaper with the largest circulation in Clay 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 Allstate Tower, Inc. 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 approvals 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 \$ 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 August 27, 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 Lease Agreement 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.

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. No other tower capable of supporting East Kentucky Network, LLC's load exists in the general area; therefore, there is no opportunity for co-location of our facilities with anyone else.

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

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.

Enclosed as Exhibit 12 is a list of utilities, corporations, or persons with whom the tower is likely to compete.

[THE REMAINDER 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: Legue Howey DATE: 8/27/19

Lynn Haney, Regulatory Compliance Director

APPROVED BY: WA Silly DATE: 127/18

W.A. Gillum, General Manager

ATTORNEY: Kuystal Branham DATE: 8/27/18

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**

### 700 MHz Lower Band (Blocks C, D) License - WPWV284 - East Kentucky Network, LLC d/b/a Appalachian Wireless

Call Sign

WPWV284

Radio Service

WZ - 700 MHz Lower Band (Blocks C,

D)

Status Active

Auth Type

Regular

#### **Rural Service Provider Bidding Credit**

Is the Applicant seeking a Rural Service Provider

(RSP) bidding credit?

#### **Reserved Spectrum**

Reserved Spectrum

Market

Market

CMA453 - Kentucky 11 - Clay (

Channel Block C

Submarket

0

Associated Frequencies 000710.00000000-000716.00000000

000740.00000000-000746.00000000

(MHz)

Dates

Grant

01/24/2003

Expiration

06/13/2019

Effective

11/02/2013

Cancellation

**Buildout Deadlines** 

1st

06/13/2019

2nd

**Notification Dates** 

1st

2nd

Licensee

FRN

0001786607

Type

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

Contact

Lukas, Nace, Gutierrez & Sachs, LLP Pamela L Gist Esq

8300 Greensboro Drive McLean, VA 22102 P:(703)584-8665 F:(703)584-8695 E:pgist@fcclaw.com

#### **Ownership and Qualifications**

Radio Service Type Fixed, Mobile, Radio Location

Regulatory Status Common Carrier, Interconnected Yes

Non-Common

Carrier

#### Alien 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)(I) 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)(I) 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.

**Section 2.** 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

Virgie White 10340 North Highway 421 Manchester, KY 40962

Jake T. and Linda Sandlin John W. and Doris Watkins 75 Highway 1350 Manchester, KY 40962

Hugh and Ruby Parker Heirs 12711 Beddingfield Drive Charlotte, NC 28278

Carl and Lucy McDaniel 9880 N HWY 421 Manchester, KY 40962

Clarence Douglas and Penny Carol Cupp 9928 N HWY 421 Manchester, KY 40962





## VIA: <u>U.S. CERTIFIED MAIL</u> PUBLIC NOTICE

August 29, 2018

Virgie White 10340 North Highway 421 Manchester, KY 40962

RE: Public Notice-Public Service Commission of Kentucky (Case No. 2018-00282)

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 Clay 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 10101 N HWY 421, Manchester, Clay County. 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. 2018-00282 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.

Sincerely,

Lynn Haney, CPA

Regulatory Compliance Director





### VIA: <u>U.S. CERTIFIED MAIL</u>

#### PUBLIC NOTICE

August 29, 2018

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Regulatory Compliance Director

Legue Harrey





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Lynn Haney





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Lynn Haney, CPA

Regulatory Compliance Director





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Sincerely,

Lynn Haney, CPA

Regulatory Compliance Director



dba Appalachian Wireless 101 Technology Trail Ivel, KY 41642

Phone: 606-477-2355 Fax: 606-791-2225



To:

The Manchester Enterprise

From:

Raina Helton

Attn: Classifieds

Regulatory Compliance Assistant

Email:

jbowling@manchesterenterprise.com

Date:

August 22, 2018

Re:

PUBLIC NOTICE ADVERTISEMENT

Pages:

1

Please place the following Public Notice Advertisement in The Manchester Enterprise to be ran on August 29, 2018.

#### PUBLIC NOTICE:

RE: Public Service Commission of Kentucky (CASE NO. 2018-00282)

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 10101 N Highway 421, Manchester, Clay County, 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. 2018-00282.

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.





August 29, 2018

Joe L. Asher, Judge Executive 102 Richmond Road Suite 201 Manchester, KY 40962

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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. 2018-00282 in your correspondence.

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Sincerely,

Lynn Haney

Regulatory Compliance Director

Lym Haney



#### 230 Swartz Drive • Hazard • Kentucky • 41701 Phone (606) 551-1050

#### EAST KENTUCKY ENGINEERING, LLC.

APPALACHIAN WIRELESS
Geotechnical Investigation on the
Burning Springs Site
Clay County, Kentucky
EKYENG Project No. 165-000-0066

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

, <u>20215,</u> June 25th, 2018

# ENG

#### EAST KENTUCKY ENGINEERING, LLC.

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- 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 TRENCHING AND TEST HOLE DATA
  - 4.3 GROUNDWATER
  - 4.4 SEISMIC SITE CLASSIFICATION
- 5.0 DISCUSSION AND RECOMMENDATIONS
  - 5.1 GENERAL
  - 5.2 FOUNDATIONS
  - 5.3 SHALLOW FOUNDATIONS
  - 5.4 BURIED UTILITIES
- 6.0 WARRANTY
  - **6.1 SUBSURFACE EXPLORATION**
  - 6.2 LABORATORY AND FIELD TESTS
  - 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 GENERAL CONCRETE SPECIFICATIONS**

APPENDIX A - SEISMIC DATA

**APPENDIX B - PHOTOGRAPHS** 

APPENDIX C - MAPS

# ENG

#### EAST KENTUCKY ENGINEERING, LLC.

#### **EXECUTIVE SUMMARY**

A geotechnical investigation has been performed on the Burning Springs Tower Site, located in Clay County, Kentucky. This site is not readily accessible. A location map is shown in Figure 1 of this report. Trenching was conducted with the assistance of Wendell Gay Construction. The following geotechnical considerations were identified:

- Trenching utilized for this study encountered soils and sandstone.
- The recommended base elevation of tower mat foundation is 1064 ft.
- This site is on 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 can be provided.
- No underground or surface mining was found during our research that would impact this tower site.
- 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 on the Burning Springs Property, in Clay County, Kentucky. A site location map is shown in Figure No. 1.

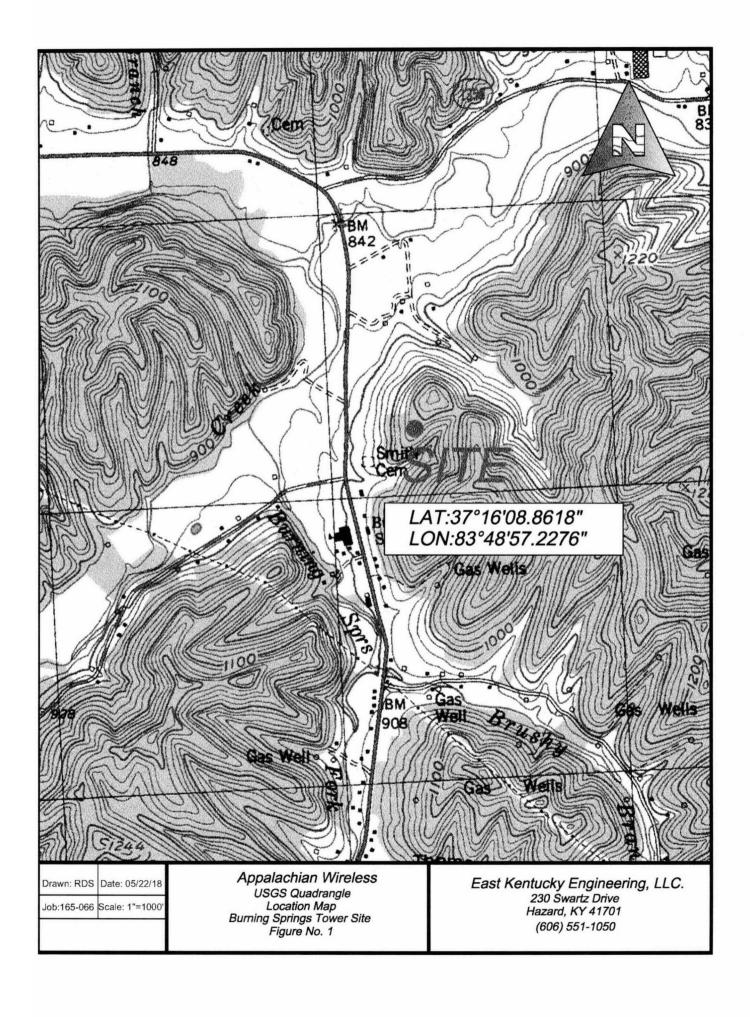
Trenching was conducted with the assistance from Wendall Gay Construction. The purpose of these services is to provide information and geotechnical engineering recommendations about subsurface conditions, earthwork, seismic considerations, groundwater conditions and foundation design.

#### 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 is estimated to be approximately 43.5 x 43.5. with an estimated base of the tower footer elevation at 1064 ft. Based upon information provided, we estimate the structural loads will be similar to the following conditions:

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

#### 3.1 GENERAL INFORMATION

The site location is on a forested point. EKYENG reviewed available historical mine maps from the Kentucky Division of Mine Safety, Kentucky Mine Mapping Information System ("KMMIS"). Based on available data, no historical mining has occurred at or near this site.

#### 3.2 SURFACE MINING

This site in on an undisturbed forest area. No other nearby surface mining activities were found on our site investigation and during our research that would impact this site.

#### 3.3 UNDERGROUND MINING

Our research found no underground mining that would impact this site. All underground mining activities found during our research are outside the area of influence for subsidence to be a concern.

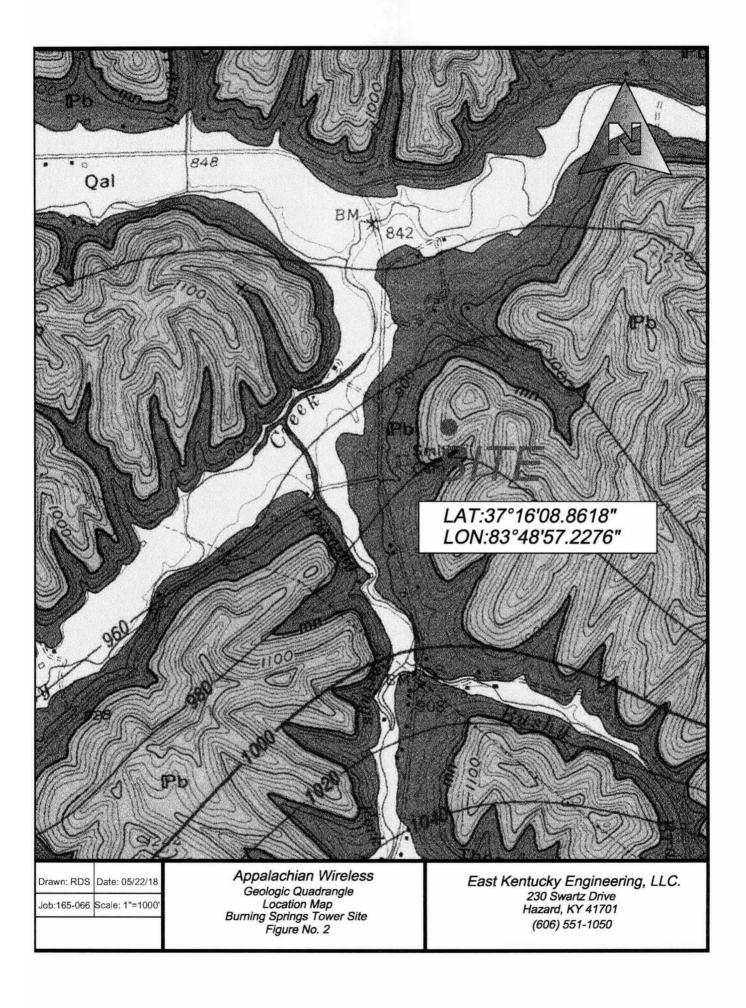
#### 4.0 FIELD EXPLORATION

#### 4.1 SITE INFORMATION

A boundary survey was conducted on the Burning Springs property 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 TRENCHING & TEST HOLE DATA

This investigation was conducted with trenching with an excavator. The combinations of trenching and visual inspections were used 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
0.0 – 4.0	1068	Top Soils / Clays
4.0 – 15.0	1057	Sandstone

A cross section demonstrating 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

Based on the encountered subsurface 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 0.113 g, and a  $S_{D1}$  coefficient of 0.050 g is provided for design based on the aforementioned building code.

#### 5.0 DISCUSSION AND RECOMMENDATIONS

#### 5.1 GENERAL

The structure will be a self-supporting freestanding 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.

# ENG

#### EAST KENTUCKY ENGINEERING, LLC.

#### 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 and visible observations at the site. The approximate elevation of the surface of the site is 1072 ft. with an expected base of the footer at 1064 ft. in elevation.

#### **5.3 SHALLOW FOUNDATIONS**

Based upon the laboratory and field testing, visual inspection of the materials, and practical experience we have estimated that the **allowable bearing** capacity of the sandstone to be a minimum of 6 tsf, between the elevations of 1064 ft. to 1058 ft. The upper limit is determined by topography of the site to ensure that the entire footer is on the sandstone strata.

It is furthermore recommended that the slabs-on-grade be supported on 4 to 6-inch 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 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 well-compacted 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, lose 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.

#### **5.4 BURIED UTILITIES**

Excavations for buried utility pipelines should follow the guidelines set forth 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 "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 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 the times and under conditions stated on the boring logs (Groundwater levels change with time and season). The borehole does not

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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, 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.

This report has been prepared for the exclusive use of Appalachian Wireless, for specific application to the proposed cellular tower located on the Burning Springs Property located in Clay 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 that 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.

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#### **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 (305-mm) 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.

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#### 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

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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 consolidated and compacted by mechanical tampers. The equipment 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.

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#### 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.

- 2. 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

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- 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.
- 3. Workers must be provided with reflector garments, such as warning orange or red vests, when exposed to vehicular traffic.
- 4. 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

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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.
- 10. 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 lose 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.
- 14. 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.

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#### **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.

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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.

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#### 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.
  - Fine Aggregate: 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.
  - 2. <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.

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- 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.

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#### 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.
- 3. 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. Transportation of Concrete from Batch Plant: 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. Transporting of Concrete from Mixer to Place of Final Deposit:

  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.
  - 4. 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 defects corrects, protrusions removed, and holes filled.



APPENDIX A	SEISMIC DATA	 _	
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# SGS Design Maps Summary Report

### **User-Specified Input**

Report Title Burning Springs

Tue June 26, 2018 19:24:07 UTC

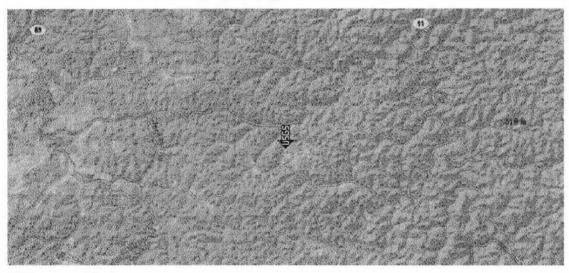
Building Code Reference Document 2012/2015 International Building Code

(which utilizes USGS hazard data available in 2008)

Site Coordinates 37.26908°N, 83.81592°W

Site Soil Classification Site Class A - "Hard Rock"

Risk Category IV (e.g. essential facilities)



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

$$S_s = 0.211 g$$

$$S_{MS} = 0.169 g$$

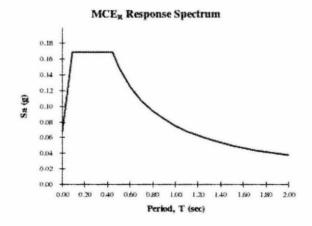
$$S_{DS} = 0.113 g$$

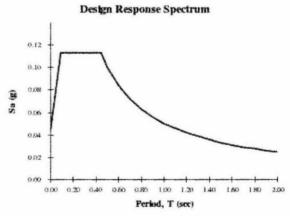
$$S_1 = 0.094 g$$

$$S_{M1} = 0.075 g$$

$$S_{p1} = 0.050 g$$

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.





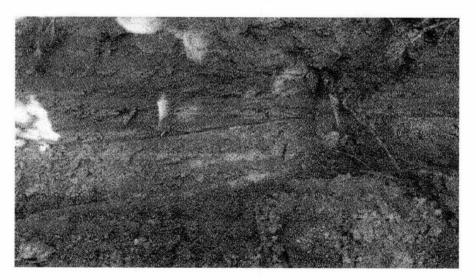
Although this information is a product of the U.S. Geological Survey, we provide no warranty, expressed or implied, as to the accuracy of the data contained therein. This tool is not a substitute for technical subject-matter knowledge.



## APPENDIX B PHOTOGRAPHS



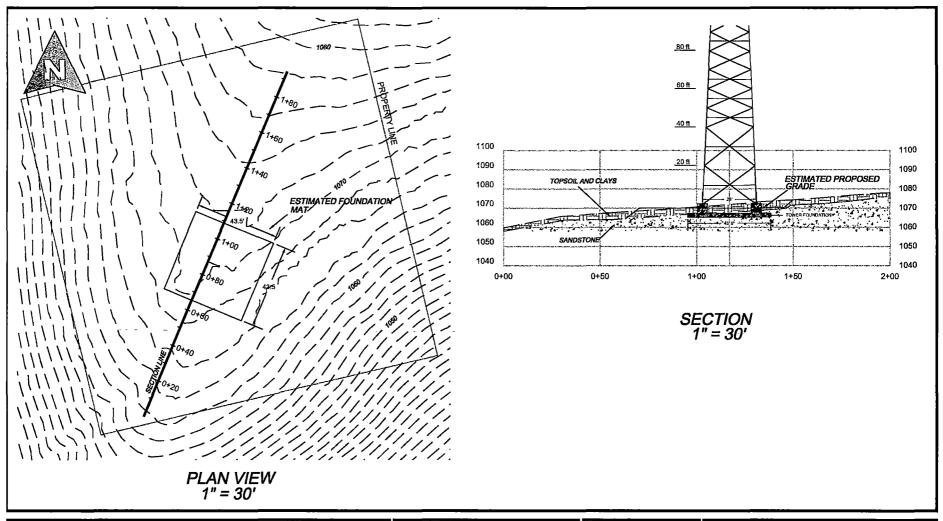
Sandstone Bottom of Trench



Sandstone Bottom of Trench



APPENDIX C	MAPS	



East Kentucky Engineering, LLC

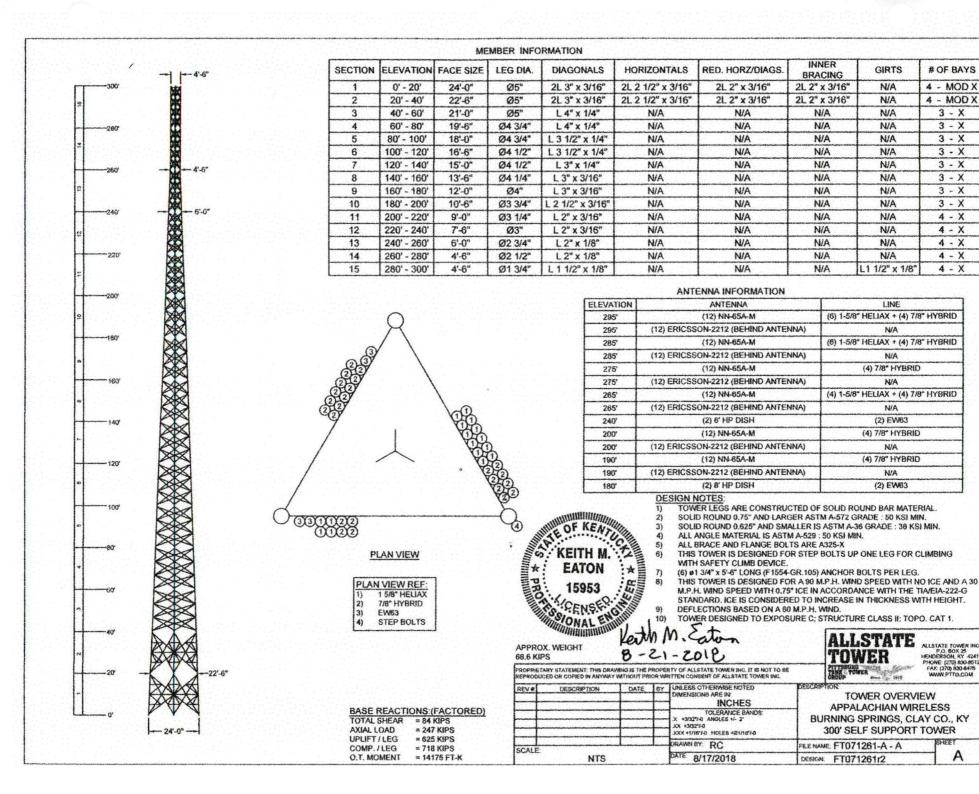
Hazard Location 230 Swartz Hazard, KY 41701 (606) 551-1050

Email: rdsskyeng@outlook.com



0'	30'	60,
Drawn by: RDS	Date: 6/25	5/2018
Job #; 165-0064	Scale: NO	TED
File Location:		

APPALACHIAN
WIRELESS
BURNING SPRINGS SITE
CLAY COUNTY KENTUCKY



# OF BAYS

4 - MOD X

4 - MOD X

3 - X

3 - X

3 - X

3 - X

3 - X

3 - X

3 - X

3 - X

4 - X

4 - X

4 - X

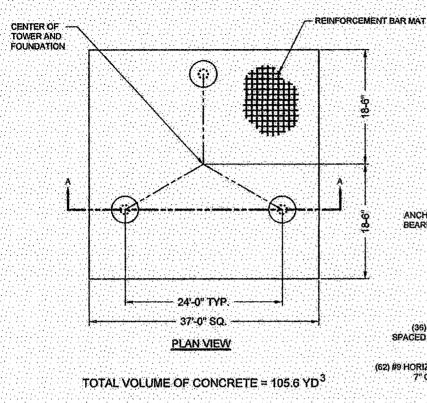
4 - X

4 - X

P.O. BOX 25 HENDERSON, KY 42419

PHONE: (270) 830-8612 FAX: (270) 830-8475

A



24'-0" C/C OF LEGS SEE DETAIL "A" **84'-0" PIER** LEVEL GRADE IS A MINIMUM OF 3' BEYOND PAD EDGE **SECTION A-A** 

(6) ø1 3/4" X 5'-6" OVERALL LENGTH ANCHOR BOLTS (F1554-GR105) W 1"THK BEARING PLATE AT THE BOTTOM OF THE ANCHOR BOLT CLUSTER (4'-6" MIN. ANCHOR BOLT EMBEDMENT).

> USE EPOXY BONDING AGENT. WHEN POURED SEPERATELY

(28) #9 VERTICAL BARS W/6" HOOK WITH (4) #4 TIES EQUALLY SPACED

(36) #6 HORIZONTAL BARS x 36'-6" LONG SPACED 12" O.C. EACH WAY AT TOP OF MAT. (TOTAL=72)

(62) #9 HORIZONTAL BARS x 36'-6" LONG SPACED 7" O.C. EACH WAY AT BOTTOM OF MAT. (TOTAL=124)

11" MIN A.B. PROTRUSION DETAIL "A"

#### FOUNDATION INSTALLATION/DESIGN NOTES:

- 1. THIS FOUNDATION IS DESIGNED TO MEET ALL STANDARDS SET FORTH BY ACI 318: AMERICAN CONCRETE INSTITUTE, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE, ANSI/TIA/EIA 222-G: STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND ANTENNA SUPPORTING STRUCTURES.
- THIS FOUNDATION IS DESIGNED UTILIZING THE GEOTECHNICAL REPORT PERFORMED BY EAST KENTUCKY ENGINEERING, LLC; DATED 6-25-2018; EKYENG PROJECT NO. 185-000-0066. THE FOUNDATION CONTRACTOR SHALL INSTALL THE FOUNDATIONS IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL REPORT.
- ALL WORK PERFORMED FROM THESE DRAWINGS SHOULD BE BY QUALIFIED CONTRACTORS EXPERIENCED IN TOWER FOUNDATION CONSTRUCTION.
- ALL FOOTING EXCAVATIONS SHALL BE MANUALLY CLEANED PRIOR TO PLACING CONCRETE. COMPACT THE EXPOSED SOIL SURFACE AND ANY GRANULAR FILL UNDER THE FOUNDATION TO 90% OF THE MODIFIED PROCTOR DENSITY.
- ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI AFTER 28 DAYS. COPIES OF THE CONCRETE CYLINDER TEST REPORTS SHALL BE SENT TO THE RESIDENT ENGINEER / INSPECTOR.
- MINIMUM CONCRETE COVER FOR REINFORCING BARS SHALL BE 3". ALL REINFORCING BARS SHALL BE GRADE 60 REBAR (MIN YIELD = 60KSI).
- FIELD BENDING OR WELDING OF REINFORCEMENT BARS IS NOT PERMITTED.
- PROVIDE CHAMFERS AT ALL EXPOSED CORNERS OF CONCRETE.
- BACKFILL NEAR AND AROUND THE FOUNDATIONS SHALL BE A WELL GRADED FILL MATERIAL PLACED IN 8" THICK LAYERS THAT HAS BEEN COMPACTED TO 90% OF THE MODIFIED PROCTOR DENSITY PER ASTM D1567.
- SOME DETAIL HAS BEEN PURPOSELY OMITTED TO CLARIFY ILLUSTRATION,

#### REINFORCEMENT BAR SPLICING:

- 1. ALL LAP SPLICES SHALL CONFORM TO ACI 318 REQUIREMENTS. 2. REFER TO CHART BELOW WHEN
- REINFORCMENT BAR SPLICING IS NECESSARY.

REINI	ORCING	LAPS	PLICE
	SIZE	LEN	
	4		7"
	5		P.
	7	2 جم و بندون 3 3	
		3	6"
	g	4	6"
	In		55)



proprietary statement: this drawing is the property of alletate tower mc, it is not to be

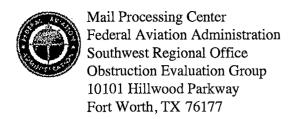
W.C.L.IOX	ACCES OF COLUMN SANIES AND S	ertector rans		HISTORIAN CO. PLANTING CONTRACTOR	Ĺ
REV#	DESCRIPTION	DATE	BY	UNLESS OTHERWISE NOTED	į
				DIMENSIONS ARE IN:	l
				INCHES	l
				TOLERANCE PANDS: X +3/32/-6 ANGLES 4-27	l
		2 1 1 1 1 1		3 XX 82/32 1-0	İ
				JOOX +1607 -O HOLES + DIMET (-O	ł
				DRAWN BY: RC	l
SCAL					ŀ
	NTS		114	OATE 8/17/2018	ŀ

ACLISTATE TOWER INC. P.O. BOX 25 HENDERSON, KY 42410 PHONE (270) 530-5512 FAX: (270) 530-5475

PAD & PIER FOUNDATION DESIGN APPALACHIAN WIRELESS BURNING SPRINGS, CLAY CO., KY FILENAUE FT-071281-A - B

DEGICN: FT-07126112

В



Issued Date: 05/23/2018

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 Burning Springs** 

Location:

Burning Springs, KY

Latitude:

37-16-08.86N NAD 83

Longitude:

83-48-57.22W

Heights:

1071 feet site elevation (SE)

310 feet above ground level (AGL)

1381 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 d	ays prior to	start of cor	nstruction (	7460-2, Part 1	1)	
_X_	Within 5 day	ys after the	construction	n reaches it	s greatest hei	ght (7460-2	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 11/23/2019 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.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

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) 267-5281, or lynnette.farrell@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-ASO-7319-OE.

### Signature Control No: 361780002-366036397

(DNE)

Lynnette Farrell Technician

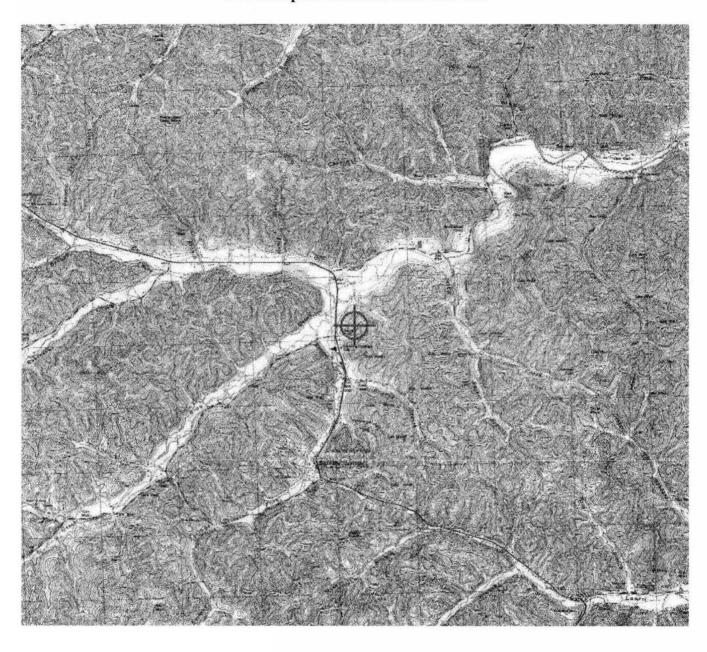
Attachment(s) Frequency Data Map(s)

cc: FCC

# Frequency Data for ASN 2018-ASO-7319-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
	<u>,</u>			
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	$\operatorname{GHz}$	55	dBW
17.7	19.7	$\operatorname{GHz}$	42	dBW
21.2	23.6	$\operatorname{GHz}$	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	$\mathbf{W}^{-1}$
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

# TOPO Map for ASN 2018-ASO-7319-OE





#### KENTUCKY AIRPORT ZONING COMMISSION

MATTHEW BEVIN Governor

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

June 22, 2018

APPROVAL OF APPLICATION

APPLICANT:

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

SUBJECT: AS-026-LOZ-2018-048

STRUCTURE:

Antenna Tower

LOCATION:

Burning Springs, KY

COORDINATES: 37° 16' 8.86" N / 83° 48' 57.22" W

HEIGHT:

310' AGL/1381'AMSL

The Kentucky Airport Zoning Commission has approved your application for a permit to construct 310'AGL/1381'AMSL Antenna Tower near Burning Springs, KY 37° 16' 8.86" N / 83° 48' 57.22" 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



#### KENTUCKY AIRPORT ZONING COMMISSION

MATTHEW BEVIN
Governor

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

#### CONSTRUCTION/ALTERATION STATUS REPORT

June 22, 2018

AERONAUTICIAL STUDY NUMBER: AS-026-LOZ-2018-048

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 June 22, 2018. 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 Houliban, Administrator, Kentucky Airport Zoning Commission, 421 Butternilk Pike, Covington, KY, 41017. 859-341-2700.

STRUCTURE: Antenna Tower
LOCATION: Burning Springs, KY
COORDINATES: 37\* 16' 8.86" N / 83° 48' 57.22" W
HEIGHT: 310' AGL/1381' AMSL

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

Structure reached its greatest height offt. AMSL on	ft. AGL (date).
Date construction was completed.	
Type of obstruction marking/painting.	
Type of obstruction lighting.	
As built coordinates.	
Miscellaneous Information.	
DATE	



2018-048



#### KENTUCKY TRANSPORTATION CABINET

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

#### KENTUCKY AIRPORT ZONING COMMISSION

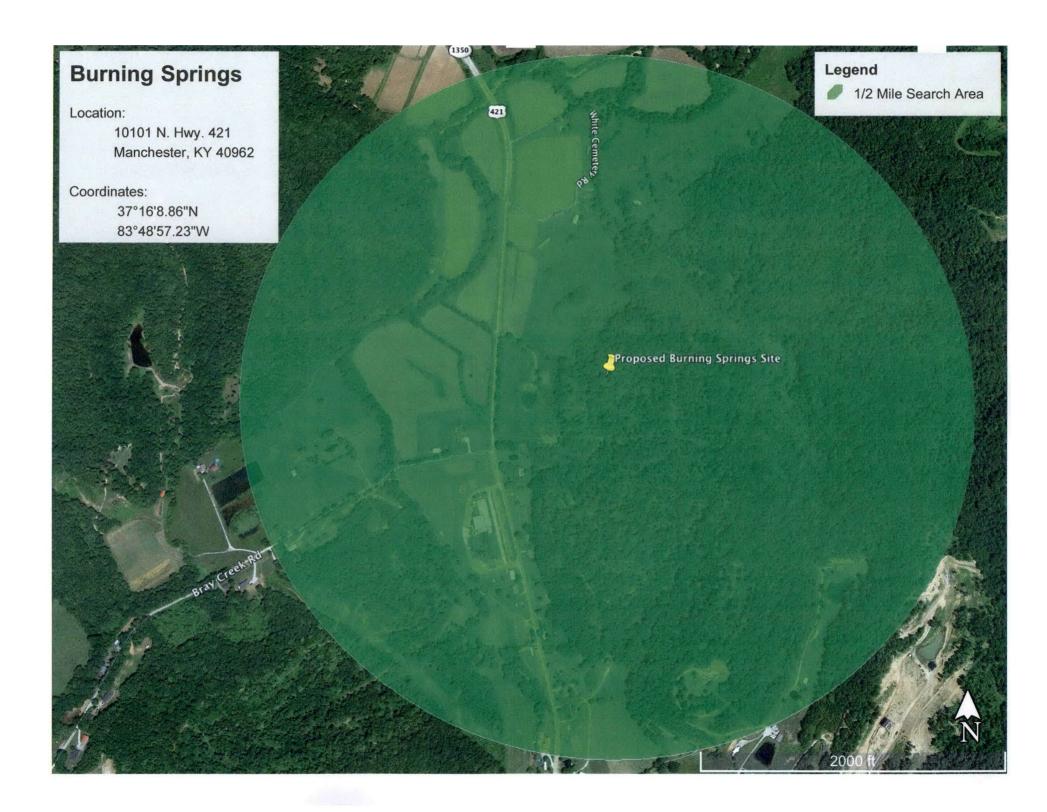
APPLICATION FOR PERMIT TO CONSTRUCT OR ALTER A STRUCTURE

APPLICANT (name)	PHONE	FAX		ITICAL STUDY #
East Kentucky Network, LLC c/o LLGS	703-584-8667	703-584-8692	National Contraction of the Cont	26-602-2018-098
ADDRESS (street)	CITY		STATE	ZIP
8300 Greensboro Dr. #1200	Tysons		VA	22102
APPLICANT'S REPRESENTATIVE (name)		FAX		
Ali Kuzehkanani	703-584-8667	703-584-8692		
ADDRESS (street)	CITY		STATE	ZIP
8300 Greensboro Dr, #1200	Tysons		VA	22102
APPLICATION FOR New Construction Permanent Terr		on Existing days	WORK SCHEI Start 05/15/1	DULE 18 End 05/20/18
TYPE Crane Building		TING/LIGHTING PREFI		
Antenna Tower	4			White-high intensity
Power Line Water Tank	1==	nealum intensity white	s Mai- Le	d & high intensity white
Landfill Other	Other		Inamia K	laispea Lilaispea
LATITUDE	LONGITUDE			NAD83 NAD27
37°16'08.86"	83°48'57.22"	CW NUNICUES OF	Other	NOT
NEAREST KENTUCKY		CKY PUBLIC USE OR N	MILITAKY AIKPC	
City Burning Springs County Clay	Tucker-Guthrie N	THE RESERVE OF THE PARTY OF THE	CUDDENT /C/	AA aeronautical study #)
SITE ELEVATION (AMSL, feet) 1071	310	HE HEIGHT (AGL, Jeet)	CORRENT	A deronautical study # j
OVERALL HEIGHT (site elevation plus to		it, feet)	PREVIOUS (F	AA aeronautical study #)
1381				
DISTANCE (from nearest Kentucky publi	c use or Military a	irport to structure)	PREVIOUS (K	Y aeronautical study #)
19.1 mi				79912
DIRECTION (from nearest Kentucky pub	lic use or Military	airport to structure)		
NE CONTROL OF LOCATION (Assert US	CF 7 C m-lander and			7
DESCRIPTION OF LOCATION (Attach US marked and any certified survey.)	135 7.5 minute que	orangie mop or an all	rport layout ard	iwing with the precise site
Approximately 1.3 miles NNE of Burning	s Springs (Clau) Ki			
White or property T.2 thines raise or profitting	s springs (Clay), K			
DESCRIPTION OF PROPOSAL				مسميد نوم دونون <u>في سينيون و دو دوه في نوم سو</u> ر نو مدونون و دونونون و دونونون و دونونون و دونونون و دونونون و دونونونون
A new 300' tower with top-mounted an	tennas (overali he	ight of 310' AGL)		
FAA Form 7460-1 (Has the "Notice of Co	nstruction or Alte	ration" been filed with	h the Federal A	viation Administration?\
No				
CERTIFICATION (I hereby certify that all	the above entries	, made by me, are true	e. complete. an	d correct to the best of
my knowledge and belief.)				
PENALITIES (Persons failing to comply v	with KRS 183.861 t	o 183.990 and 602 KA	R 050 are liable	for fines and/or
Imprisonment as set forth in KRS 183.99				
NAME TITLE	SIGNATURE	the state of the s	DATE	
Ali Kuzehkanani Dir of Engineer	The state of the s	30 Monning	04/06/18	
CONABASESION ACTION	Chairper:	ion, KAZC		
COMMISSION ACTION	↑ 🛛 Administ			
Approved SIGNATURE	1//		DATE G -	22+18
Disapproved	W			
Approved SIGNATURE	Administ Administ	rator, KAZC	DATE 6 -	22418

### Driving Directions for Burning Springs

Beginning in front of the Courthouse in Manchester, Clay County, Kentucky on Main Street South drive .2 miles to the intersection of Main Street and 421, turn right onto 421. Drive 9.7 miles to exit 421. Exit 421 will be the beginning of our access road (a sign will be posted). From here its foot traffic only. Walk .2 miles to the top of the hill following the old road (sign will be posted here).

Prepared By: Daryl Bartley Appalachian Wireless (606) 791-0310



#### **MEMORANDUM OF LEASE**

THIS MEMORANDUM OF LEASE is made and entered into on this day of Morch, 2018, with a commencement date of April , 2018 (the "Commencement Date"), by and between JAKE T. SANDLIN and LINDA K. SANDLIN, husband and wife, with an address of 475 Hwy. 1350, Manchester, Kentucky 40962, and DORIS E. WATKINS, widow, with an address of 115 Beechwood Drive, London, Kentucky 40744, 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 Clay County, Kentucky, and being a portion of the same land conveyed to Lessors by Deed dated October 11, 1998, and recorded on October 15, 1998, in Deed Book 246, Page 421, in the Clay 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 James 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 and other associated rights for installation of utilities, maintenance, and other purposes.

2. 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 date(s) indicated below.

LESSORS:

JAKE TASANDLIN

LINDA K. SANDLIN

DORIS E. WATKINS

COMMONWEALTH OF KENTUCKY, COUNTY OF Clay To WIT;  The foregoing instrument was acknowledged before me on this 20th day of March 2018, by Jake T. Sandlin, Linda K. Sandlin, and Doris E. Watkins, Lessors.  Notary Public  LESSEE:  EAST KENTUCKY NETWORK, LLC D/B/A APPALACHIAN WIRELESS  By: W.A. Gillum Its: CEO/ General Manager  COMMONWEALTH OF KENTUCKY COUNTY OF Floor  The foregoing instrument was acknowledged before me on this 2nd day of Plant 2018, by W.A. Gillum, CEO/General Manager of East Kentucky Network, LLC d/b/a Appalachian Wireless, Lessee.  My Commission Expires Telo (e, 2000)  My Commission Expires Telo (e, 2000)  My Commission Expires Telo (e, 2000)	
My Commission Expires Commonwealth of Kentucky  Commonwealth of Kentuc	
My Commission Expires Commonwealth of Kentucky  Commonwealth of Kentuc	The foregoing instrument was acknowledged before me on this 29th day of
Notary Public  Notary	
EAST KENTUCKY NETWORK, LLC D/B/A APPALACHIAN WIRELESS  WA Jillum  By: W.A. Gillum  Its: CEO/ General Manager  COMMONWEALTH OF KENTUCKY COUNTY OF Flags  The foregoing instrument was acknowledged before me on this and day of flags.  , 2018, by W.A. Gillum, CEO/General Manager of East Kentucky Network, LLC d/b/a Appalachian Wireless, Lessee.	NOTARY PUBLIC PUBLIC ID NO. 5494/95
APPALACHIAN WIRELESS  By: W.A. Gillum Its: CEO/ General Manager  COMMONWEALTH OF KENTUCKY COUNTY OF Flags  The foregoing instrument was acknowledged before me on this and day of the company of the comp	LESSEE:
The foregoing instrument was acknowledged before me on this and day of the control of the contro	APPALACHIAN WIRELESS  WA Sillum  By: W.A. Gillum
	The foregoing instrument was acknowledged before me on this and day of the control of the contro

This instrument was prepared by:

Krystal Branham, Attorney
101 Technology Trail

Ivel, Kentucky 41642 (606) 477-2355

#### LOT DESCRIPTION

Property of

Jake T. Sandlin & Linda K. Sandlin and John W. & Doris E. Watkins 475 Hwy 1350

Manchester, KY 40962
Off State Highway 421 Near Burning Springs
in Clay County, KY
March 07, 2018



A certain tract or parcel of land lying and being in Clay County, Kentucky, and being a portion of the property conveyed to Jake T. & Linda K. Sandlin and John W. & Doris E. Watkins, by Deed of Conveyance dated October 11, 1998, from W. J. Watkins, Jr. and Lucy W. Watkins, by and through her attorney in fact Jake T. Sandlin, and of record in Deed Book 246 Page 421, in the office of the Clay County Clerk, Manchester, Kentucky and being more particularly described as follows:

#### Lot 1A

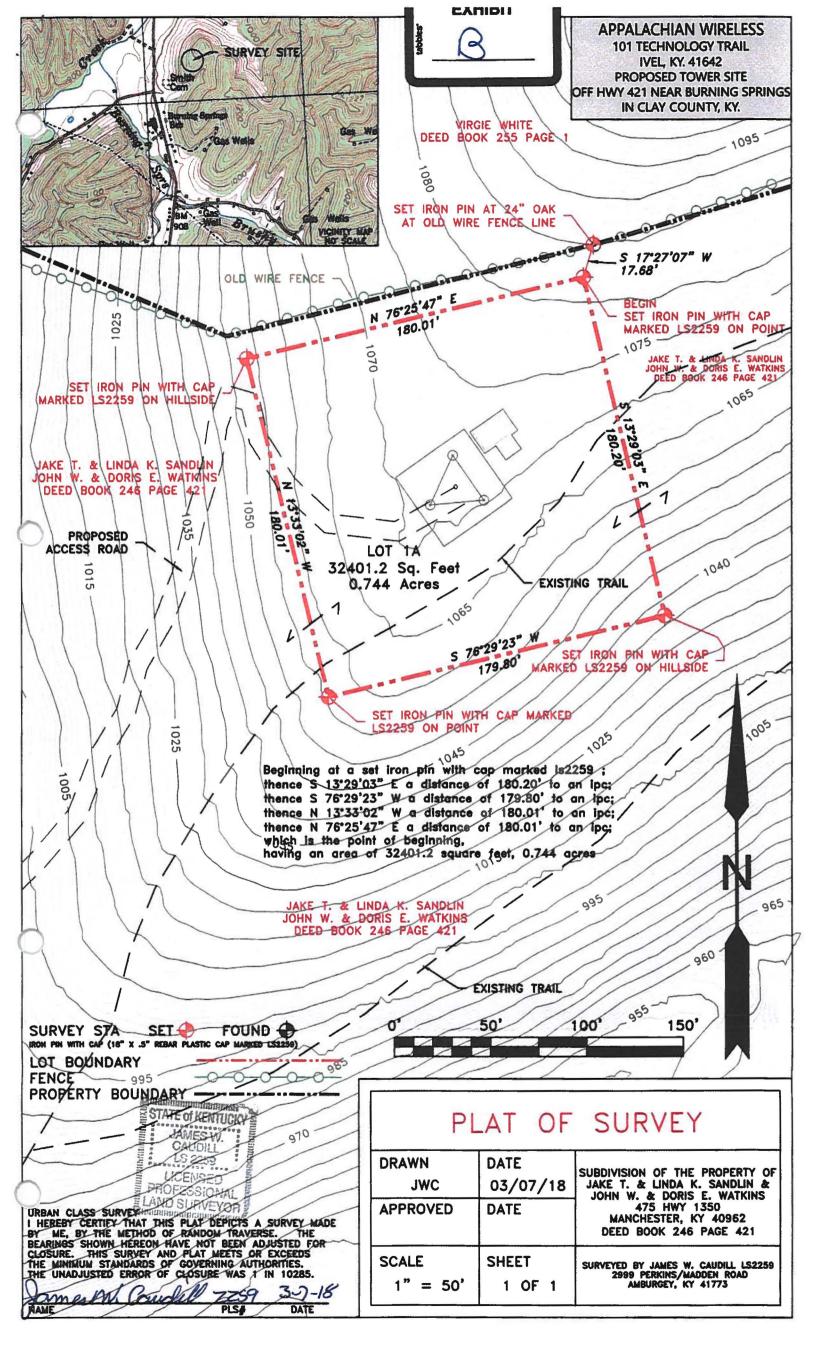
Beginning on a set iron pin with cap marked 1s2259 which is located South 17 deg 27 min 07 sec West, 17.68 feet from an iron pin set in old wire fence at 24" oak on the line between Virgie White (DB:255 PG:1) and Sandlin/Watkins tract (DB:246 PG:421); thence severing the land of Jake & Linda Sandlin and John & Doris Watkins (DB:246 Pg:421)by running down the hill South 13 deg 29 min 03 sec East, 180.20 feet to a set iron pin with cap marked 1s2259; thence running up and around the hill South 76 deg 29 min 23 sec West, 179.80 feet to a set iron pin with cap marked 1s2259 on the point; thence running around the hill North 13 deg 33 min 02 sec West, 180.01 feet to a set iron pin with cap marked 1s2259 on the hillside; thence running up the hill North 76 deg 25 min 47 sec East, 180.01 feet to the point of beginning. Containing a calculated area of 32401.2 sq ft or 0.744 Acres.

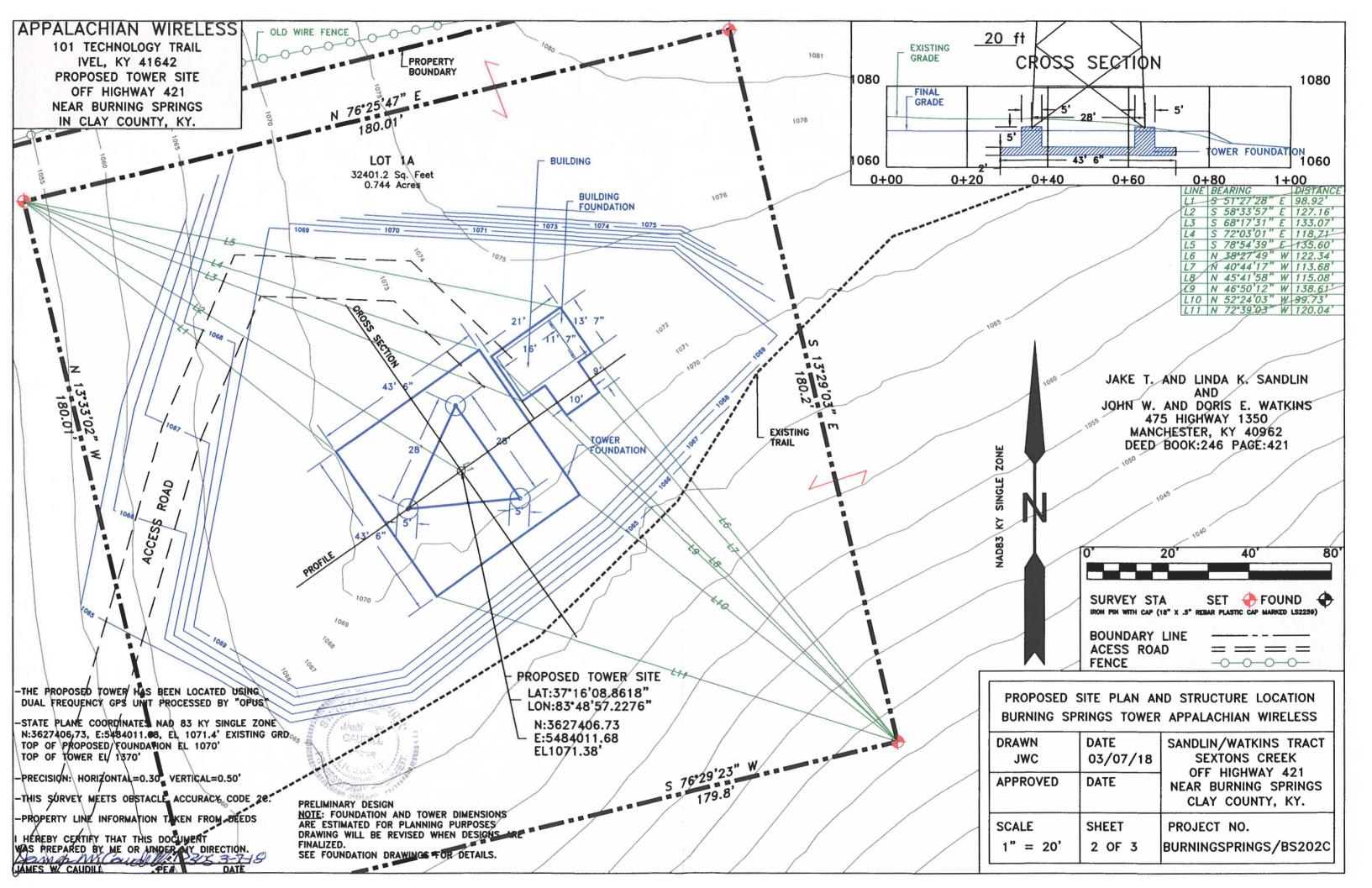
Also to be included is an access road right of way from highway 421 to Lot 1A.

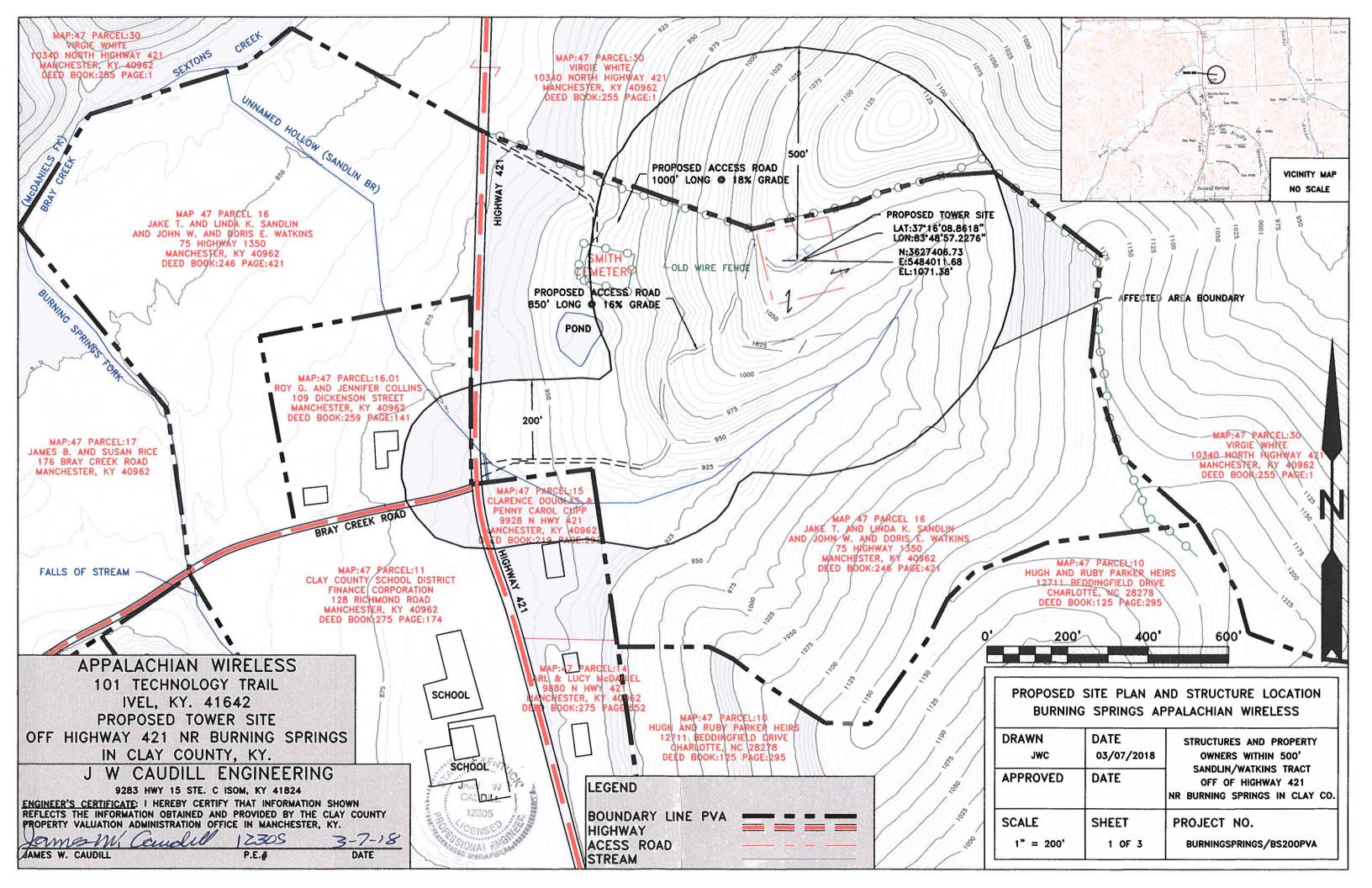
Unless stated otherwise, any monument referred to herein as "set iron pin with cap" is a set ½" diameter rebar, at least eighteen (18") in length, with a plastic cap stamped "LS-2259". All bearings stated herein are referred to NAD83, KY single zone of the Kentucky state plane system.

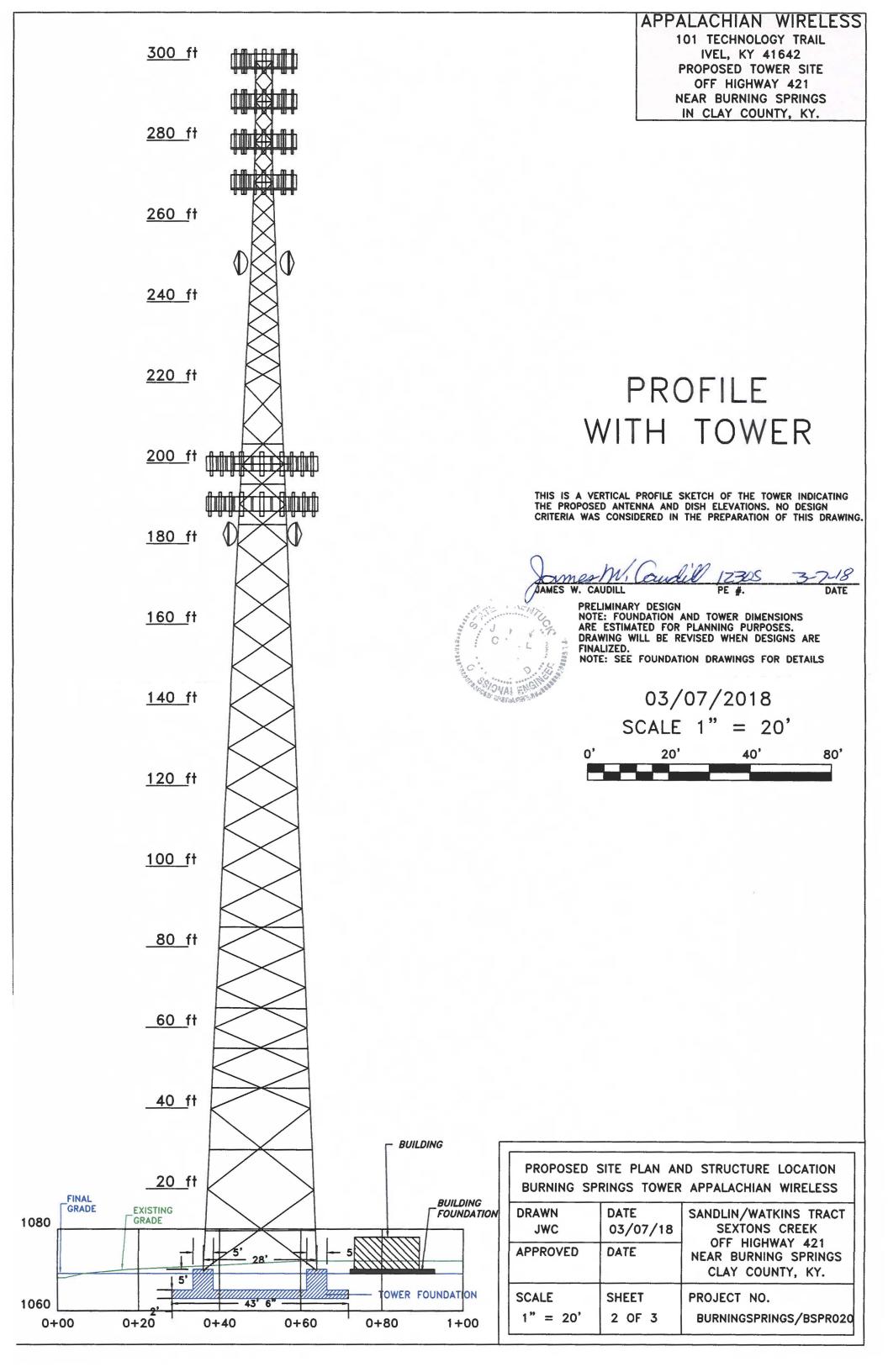
This survey was performed on March 7, 2018 by James W. Caudill, a Kentucky Licensed Professional Land Surveyor No. 2259.

James W. Caudill, PLS #2259









Utility ID	Utility Name	<b>Utility Type</b>	Class	City	State
4107900	365 Wireless, LLC	Cellular	D	Atlanta	GA
4109300	Access Point, Inc.	Cellular	D	Cary	NC
4108300	Air Voice Wireless, LLC	Cellular	Α	Bloomfield Hill	MI
4110650	Alliant Technologies of KY, L.L.C.	Cellular	С	Morristown	NJ
44451184	Alltel Communications, LLC	Cellular	Α	Basking Ridge	NJ
4110850	AltaWorx, LLC	Cellular	С	Fairhope	AL
4107800	American Broadband and Telecommunications Company	Cellular	С	Toledo	ОН
4108650	AmeriMex Communications Corp.	Cellular	D	Dunedin	FL
4105100	AmeriVision Communications, Inc. d/b/a Affinity 4	Cellular	D	Virginia Beach	VA
	Andrew David Balholm dba Norcell	Cellular	С	Clayton	WA
4108600	BCN Telecom, Inc.	Cellular	D	Morristown	NJ
	Blue Casa Mobile, LLC	Cellular	D	Santa Barbara	CA
	Blue Jay Wireless, LLC	Cellular	С	Carrollton	TX
	BlueBird Communications, LLC	Cellular	С	New York	NY
	Bluegrass Wireless, LLC	Cellular	A	Elizabethtown	KY
	Boomerang Wireless, LLC	Cellular	В	Hiawatha	IA
	BullsEye Telecom, Inc.	Cellular	D	Southfield	MI
	CampusSims, Inc.	Cellular	D	Boston	MA
	Cellco Partnership dba Verizon Wireless	Cellular	Α	Basking Ridge	NJ
	Cintex Wireless, LLC	Cellular	D	Rockville	MD
	ComApp Technologies LLC	Cellular	С	Melrose	MA
	Consumer Cellular, Incorporated	Cellular	A	Portland	OR
	Credo Mobile, Inc.	Cellular	A	San Francisco	CA
	Cricket Wireless, LLC	Cellular	A	San Antonio	TX
	CTC Communications Corp. d/b/a EarthLink Business I	Cellular	D	Grand Rapids	MI
	Cumberland Cellular Partnership	Cellular	A	Elizabethtown	KY
	East Kentucky Network, LLC dba Appalachian Wireless	Cellular	A	ivel	KY
	Easy Telephone Service Company dba Easy Wireless	Cellular	D	Ocala	FL
	Enhanced Communications Group, LLC	Cellular	D	Bartlesville	ОК
	Excellus Communications, LLC	Cellular	D	Chattanooga	TN
	Flash Wireless, LLC	Cellular	C	Concord	NC
	France Telecom Corporate Solutions L.L.C.	Cellular	D	Oak Hill	VA
	Global Connection Inc. of America	Cellular	D	Norcross	GA
	Globalstar USA, LLC	Cellular	В	Covington	LA
	Google North America Inc.	Cellular	A	Mountain View	
	Granite Telecommunications, LLC	Cellular	D	Quincy	MA
	GreatCall, Inc. d/b/a Jitterbug	Cellular	A	San Diego	CA
10630	GTE Wireless of the Midwest dba Verizon Wireless	Cellular		Basking Ridge	NI
	Horizon River Technologies, LLC	Cellular	C	Atlanta	GA
	i-Wireless, LLC	Cellular	A	Newport	KY
	IM Telecom, LLC d/b/a Infiniti Mobile	Cellular	D	Tulsa	OK
	KDDI America, Inc.	Cellular	D	New York	NY
	Kentucky RSA #1 Partnership	Cellular	A	Basking Ridge	NJ
	Kentucky RSA #1 Partnership Kentucky RSA #3 Cellular General	Cellular	A	Elizabethtown	KY
	Kentucky RSA #4 Cellular General	Cellular	A	Elizabethtown	KY
	Konatel, Inc. dba telecom.mobi	Cellular	D	Johnstown	PA
	Lunar Labs, Inc.	Cellular	C	Detroit	MI
4110000		Cellular	D	Newark	NJ
		Cilulai	In .		-
4107300	Lycamobile USA, Inc.		Α	ROHOVIA	
4107300 4108800	MetroPCS Michigan, LLC	Cellular	A	Bellevue	WA AZ
4107300 4108800 4109650	MetroPCS Michigan, LLC Mitel Cloud Services, Inc.	Cellular Cellular	D	Mesa	AZ
4107300 4108800 4109650 4202400	MetroPCS Michigan, LLC Mitel Cloud Services, Inc. New Cingular Wireless PCS, LLC dba AT&T Mobility, PCS	Cellular Cellular Cellular	D A	Mesa San Antonio	AZ TX
4107300 4108800 4109650 4202400 10900	MetroPCS Michigan, LLC Mitel Cloud Services, Inc.	Cellular Cellular	D	Mesa	AZ

4001800 OnStar, LLC	Cellular	Α	Detroit	MI
4110750 Onvoy Spectrum, LLC	Cellular	С	Plymouth	MN
4109050 Patriot Mobile LLC	Cellular	D	Southlake	TX
4110250 Plintron Technologies USA LLC	Cellular	D	Bellevue	WA
33351182 PNG Telecommunications, Inc. dba PowerNet Global Communications	Cellular	D	Cincinnati	OH
4202100 Powertel/Memphis, Inc. dba T-Mobile	Cellular	Α	Bellevue	WA
4107700 Puretalk Holdings, LLC	Cellular	A	Covington	GA
4106700 Q Link Wireless, LLC	Cellular	Α	Dania	FL
4108700 Ready Wireless, LLC	Cellular	В	Hiawatha	ΙÀ
4110500 Republic Wireless, Inc.	Cellular	D	Raleigh	NC
4111100 ROK Mobile, Inc.	Cellular	С	Culver City	CA
4106200 Rural Cellular Corporation	Cellular	Α	Basking Ridge	NJ
4108550 Sage Telecom Communications, LLC dba TruConnect	Cellular	D	Los Angeles	CA
4109150 SelecTel, Inc. d/b/a SelecTel Wireless	Cellular	D	Freemont	NE
4106300 SI Wireless, LLC	Cellular	Α	Carbondale	ΙL
4110150 Spectrotel, Inc. d/b/a Touch Base Communications	Cellular	D	Neptune	lИ
4200100 Sprint Spectrum, L.P.	Cellular	Α	Atlanta	GA
4200500 SprintCom, Inc.	Cellular	Α	Atlanta	GA
4109550 Stream Communications, LLC	Cellular	D	Dallas	TX
4110200 T C Telephone LLC d/b/a Horizon Cellular	Cellular	Ď	Red Bluff	CA
4202200 T-Mobile Central, LLC dba T-Mobile	Cellular	Α	Bellevue	WA
4002500 TAG Mobile, LLC	Cellular	D	Carroliton	ΤX
4109700 Telecom Management, Inc. dba Pioneer Telephone	Cellular	D	South Portland	ME
4107200 Telefonica USA, Inc.	Cellular	D	Miami	FL.
4108900 Telrite Corporation dba Life Wireless	Cellular	D	Covington	GA
4108450 Tempo Telecom, LLC	Cellular	D	Kansas City	MC
4109950 The People's Operator USA, LLC	Cellular	D	New York	NY
4109000 Ting, Inc.	Cellular	Α	Toronto	ON
4110400 Torch Wireless Corp.	Cellular	D	Jacksonville	FL
4103300 Touchtone Communications, Inc.	Cellular	D	Whippany	NJ
4104200 TracFone Wireless, Inc.	Cellular	D	Miami	FL
4002000 Truphone, Inc.	Cellular	D	Durham	NC
4110300 UVNV, Inc.	Cellular	D	Costa Mesa	CA
4105700 Virgin Mobile USA, L.P.	Cellular	Α	Atlanta	GA
4110800 Visible Service LLC	Celiular	С	Lone Tree	$\overline{\omega}$
4106500 WiMacTel, Inc.	Cellular	D	Palo Alto	CA
4110950 Wing Tel Inc.	Cellular	С	New York	NY
4109900 Wireless Telecom Cooperative, Inc. dba theWirelessFreeway	Cellular	D	Louisville	KY