

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

THE APPLICATION OF )  
NEW CINGULAR WIRELESS PCS, LLC, )  
A DELAWARE LIMITED LIABILITY COMPANY, )  
D/B/A AT&T MOBILITY )  
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC ) CASE NO.: 2020-00306  
CONVENIENCE AND NECESSITY TO CONSTRUCT )  
A WIRELESS COMMUNICATIONS FACILITY )  
IN THE COMMONWEALTH OF KENTUCKY )  
IN THE COUNTY OF BREATHITT )

SITE NAME: CLAYHOLE

\* \* \* \* \*

**RESPONSE TO COMMENTS FROM JANICE NOBLE**

Applicant New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility ("AT&T Mobility"), by counsel, makes this Response to the comments submitted by Janice Noble in the within proceeding. Applicant respectfully states that Janice Noble has voiced generalized concerns to the Kentucky Public Service Commission regarding the location of the facility proposed in the within Application. Specifically, she states that she has not given permission for Applicant to enter her property. However, as demonstrated by the attached survey, filed in the within Application as part of Exhibit B thereto, the Applicant's access easement, utility easement and lease area are located entirely on property leased by Applicant from Kentucky River Properties, LLC, and therefore, does not require Applicant to enter property owned by Janice Noble. As presented in the subject Application, there is no ground for denial of the subject application, and substantial evidence supports approval of the requested Certificate of Public Convenience and Necessity ("CPCN").

**WHEREFORE**, there being no ground for denial of the subject application and substantial evidence in support of the requested CPCN, Applicant respectfully requests the Kentucky Public Service Commission:

- (a) Accept this Response for filing;
- (b) Issue a Certificate of Public Convenience and Necessity to construct and operate the WCF at the location set forth herein without further delay; and
- (c) Grant Applicant any other relief to which it is entitled.

Respectfully submitted,



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David A. Pike  
Pike Legal Group, PLLC  
1578 Highway 44 East, Suite 6  
P. O. Box 369  
Shepherdsville, KY 40165-0369  
Telephone: (502) 955-4400  
Telefax: (502) 543-4410  
Email: dpike@pikelegal.com

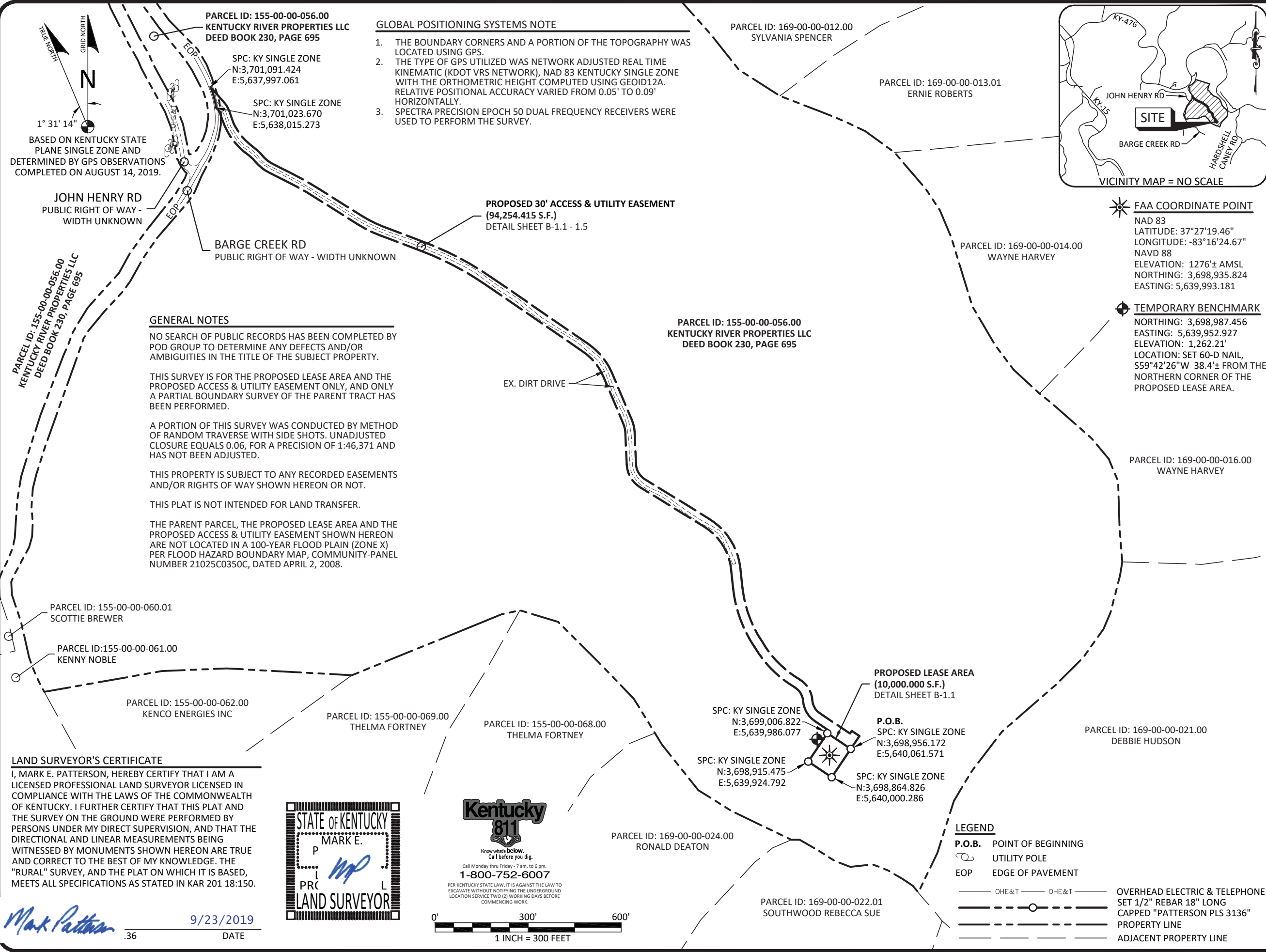
#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 13th day of November 2020, a true and accurate copy of the foregoing was sent by U.S. Postal Service first class mail, postage prepaid, to Carol Hott-Schlyer (POA), Janice Noble, 4163 Wenbrook, Dr, Sharonville, OH 45241.

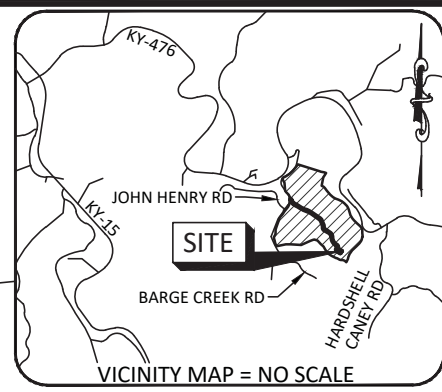


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David A. Pike  
Attorney for Applicant



TRAIL NORTH  
GRID NORTH  
N  
1° 31' 14"  
BASED ON KENTUCKY STATE PLANE SINGLE ZONE AND DETERMINED BY GPS OBSERVATIONS COMPLETED ON AUGUST 14, 2019.



**GENERAL NOTES**

NO SEARCH OF PUBLIC RECORDS HAS BEEN COMPLETED BY POD GROUP TO DETERMINE ANY DEFECTS AND/OR AMBIGUITIES IN THE TITLE OF THE SUBJECT PROPERTY.

THIS SURVEY IS FOR THE PROPOSED LEASE AREA AND THE PROPOSED ACCESS & UTILITY EASEMENT ONLY, AND ONLY A PARTIAL BOUNDARY SURVEY OF THE PARENT TRACT HAS BEEN PERFORMED.

A PORTION OF THIS SURVEY WAS CONDUCTED BY METHOD OF RANDOM TRAVERSE WITH SIDE SHOTS. UNADJUSTED CLOSURE EQUALS 0.06, FOR A PRECISION OF 1:46,371 AND HAS NOT BEEN ADJUSTED.

THIS PROPERTY IS SUBJECT TO ANY RECORDED EASEMENTS AND/OR RIGHTS OF WAY SHOWN HEREON OR NOT.

THIS PLAT IS NOT INTENDED FOR LAND TRANSFER.

THE PARENT PARCEL, THE PROPOSED LEASE AREA AND THE PROPOSED ACCESS & UTILITY EASEMENT SHOWN HEREON ARE NOT LOCATED IN A 100-YEAR FLOOD PLAIN (ZONE X) PER FLOOD HAZARD BOUNDARY MAP, COMMUNITY-PANEL NUMBER 21025C0350C, DATED APRIL 2, 2008.

PARCEL ID: 155-00-00-060.01  
SCOTTIE BREWER

PARCEL ID: 155-00-00-061.00  
KENNY NOBLE

PARCEL ID: 155-00-00-062.00  
KENCO ENERGIES INC

PARCEL ID: 155-00-00-069.00  
THELMA FORTNEY

PARCEL ID: 155-00-00-068.00  
THELMA FORTNEY

**LAND SURVEYOR'S CERTIFICATE**

I, MARK E. PATTERSON, HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE COMMONWEALTH OF KENTUCKY. I FURTHER CERTIFY THAT THIS PLAT AND THE SURVEY ON THE GROUND WERE PERFORMED BY PERSONS UNDER MY DIRECT SUPERVISION, AND THAT THE DIRECTIONAL AND LINEAR MEASUREMENTS BEING WITNESSED BY MONUMENTS SHOWN HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. THE "RURAL" SURVEY, AND THE PLAT ON WHICH IT IS BASED, MEETS ALL SPECIFICATIONS AS STATED IN KAR 201 18:150.



*Mark Patterson*  
DATE 9/23/2019

PREPARED BY:  
**POD**  
POWER OF DESIGN  
11490 BLUEGRASS PARKWAY  
LOUISVILLE, KY 40299  
502-437-5252

PREPARED FOR:  
**MasTec**

PREPARED FOR:  
**at&t**

**REVISION**

REV.	DATE	DESCRIPTION
A	8.30.19	PRELIM ISSUE W/ TITLE
0	9.23.19	ISSUED AS FINAL

**SITE INFORMATION:**

**CLAYHOLE**  
0 BARGE CLAYHOLE  
JACKSON, KY 41339  
BREATHITT COUNTY

**TAX PARCEL NUMBER:**  
155-00-00-056.00

**PROPERTY OWNER:**  
KENTUCKY RIVER PROPERTIES LLC  
P.O. BOX 269  
HAZARD, KY 41702

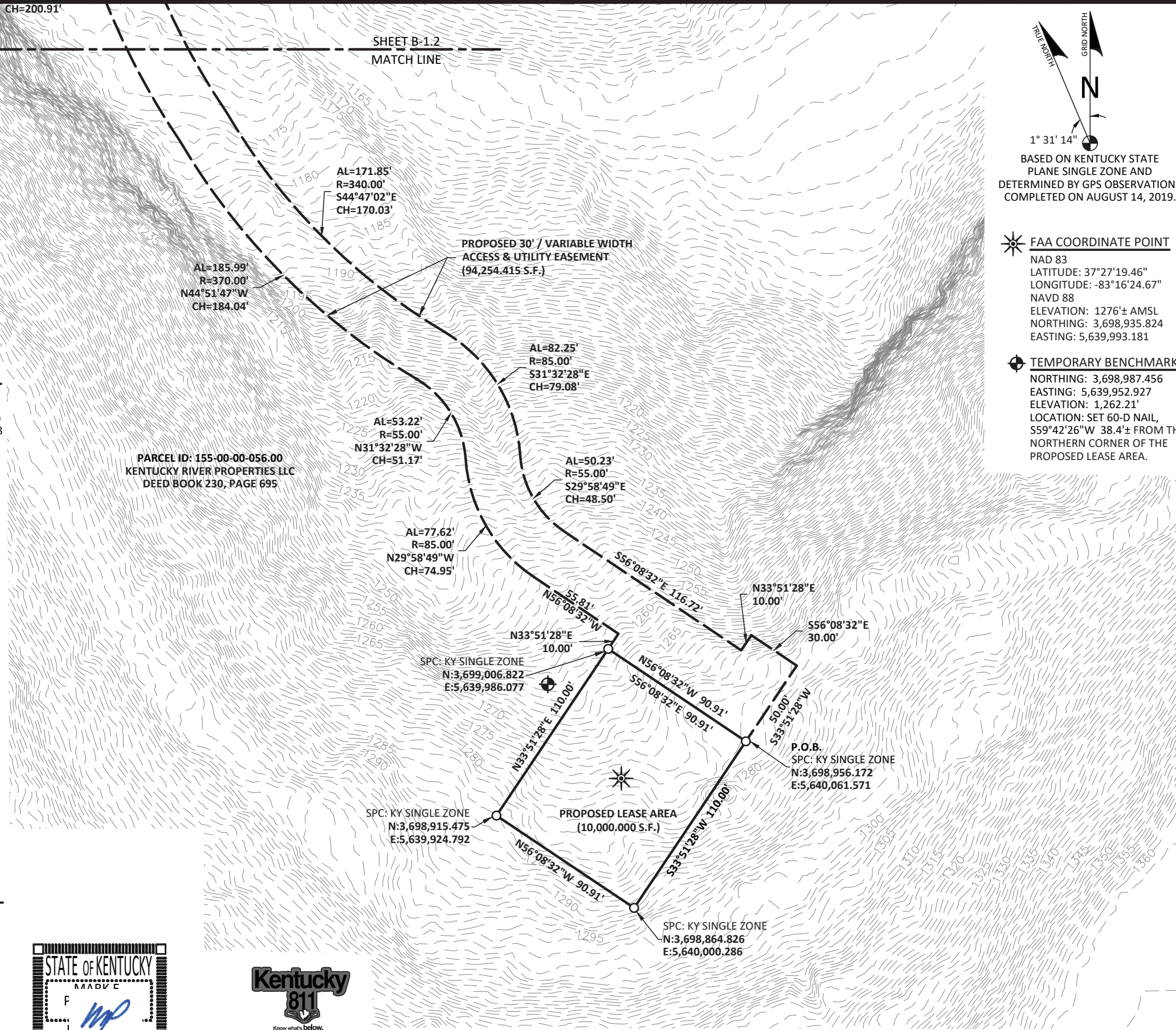
**SOURCE OF TITLE:**  
DEED BOOK 230, PAGE 695

**SITE NUMBER:**

POD NUMBER: 18-29369  
DRAWN BY: JRS  
CHECKED BY: MEP  
SURVEY DATE: 8.14.19  
PLAT DATE: 8.30.19

**SHEET TITLE:**  
**SITE SURVEY**  
THIS DOES NOT REPRESENT A BOUNDARY SURVEY OF THE PARENT PARCEL

SHEET NUMBER: (8 pages)  
**B-1**



TRUE NORTH  
GRID NORTH  
N  
1° 31' 14"

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LONGITUDE: -83°16'24.67"  
NAVD 88  
ELEVATION: 1276± AMSL  
NORTHING: 3,698,935.824  
EASTING: 5,639,993.181

TEMPORARY BENCHMARK  
NORTHING: 3,698,987.456  
EASTING: 5,639,952.927  
ELEVATION: 1,262.21'  
LOCATION: SET 60-D NAIL, S59°42'26"W 38.4' FROM THE NORTHERN CORNER OF THE PROPOSED LEASE AREA.

**GLOBAL POSITIONING SYSTEMS NOTE**

1. THE BOUNDARY CORNERS AND A PORTION OF THE TOPOGRAPHY WAS LOCATED USING GPS.
2. THE TYPE OF GPS UTILIZED WAS NETWORK ADJUSTED REAL TIME KINEMATIC (KDOT VRS NETWORK), NAD 83 KENTUCKY SINGLE ZONE WITH THE ORTHOMETRIC HEIGHT COMPUTED USING GEOID12A. RELATIVE POSITIONAL ACCURACY VARIED FROM 0.05' TO 0.09' HORIZONTALLY.
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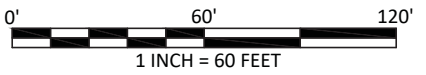
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**LEGEND**  
P.O.B. POINT OF BEGINNING

SET 1/2" REBAR 18" LONG CAPPED "PATTERSON PLS 3136"

PREPARED BY:  
**POD**  
POWER OF DESIGN  
11490 BLUEGRASS PARKWAY  
LOUISVILLE, KY 40299  
502-437-5252

PREPARED FOR:  
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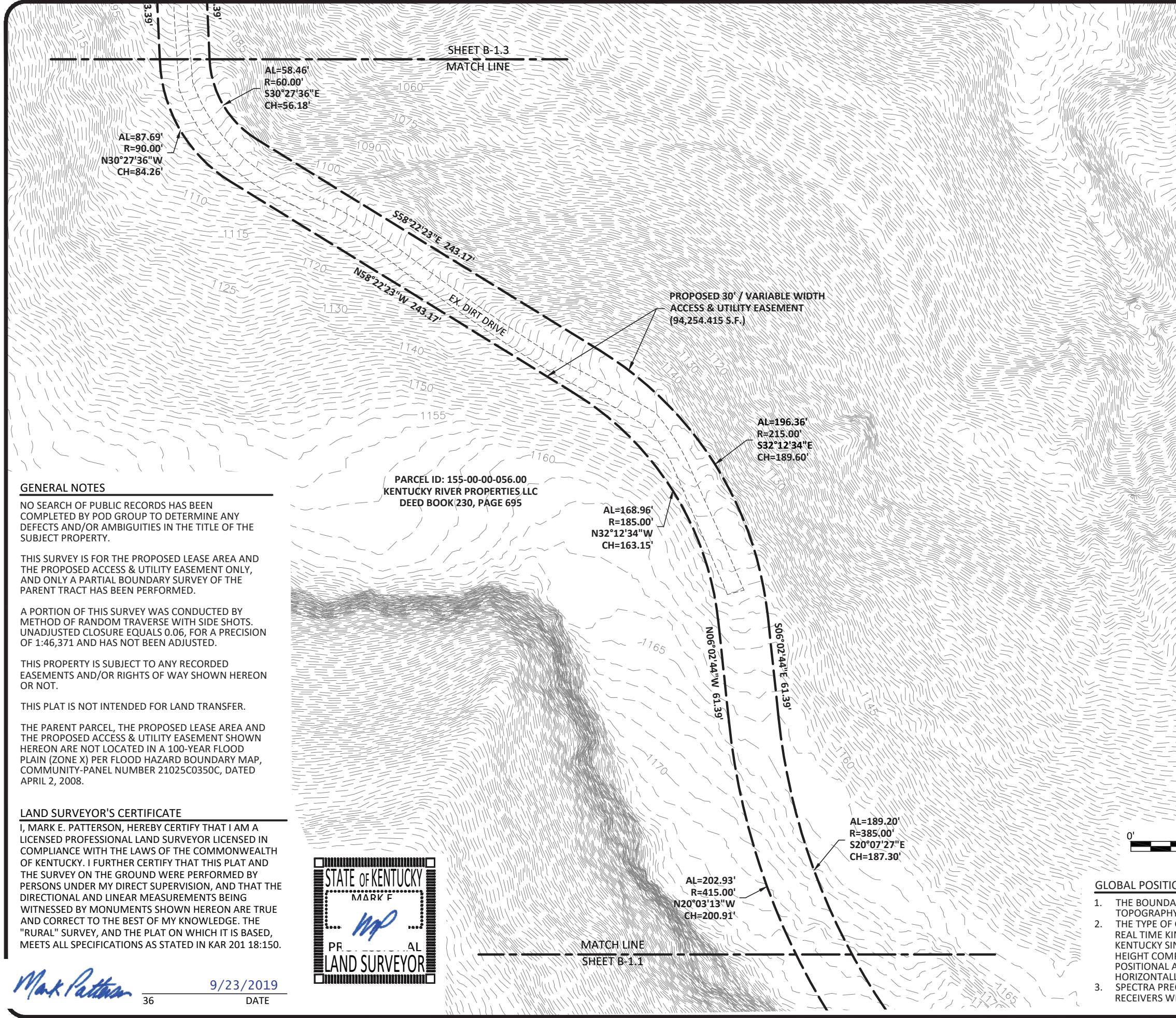
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**B-1.1**

*Mark Patterson*  
DATE: 9/23/2019



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 SHEET NUMBER: (8 pages)  
**B-1.2**

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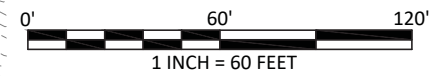
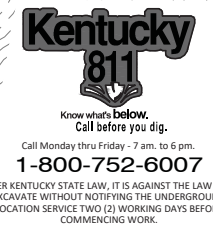
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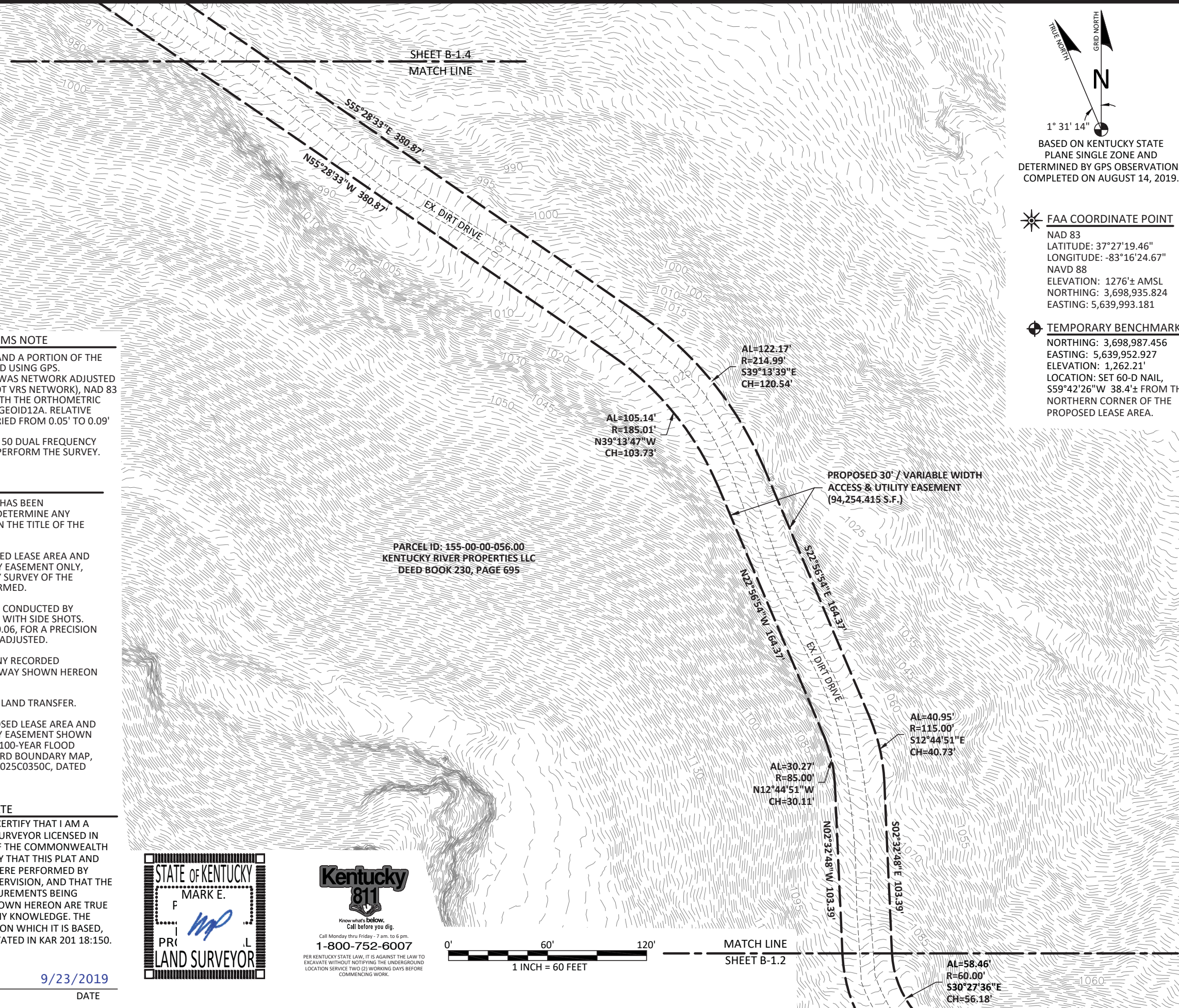


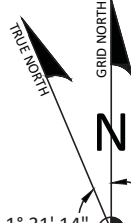
**Mark Patterson**  
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 DEED BOOK 230, PAGE 695

SITE NUMBER:

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 DRAWN BY: JRS  
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SHEET NUMBER: (8 pages)  
**B-1.3**

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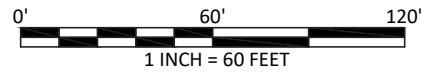
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PER KENTUCKY STATE LAW, IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.



MATCH LINE  
 SHEET B-1.2

  
 9/23/2019  
 DATE

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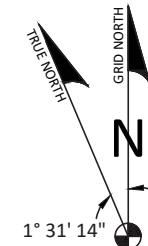
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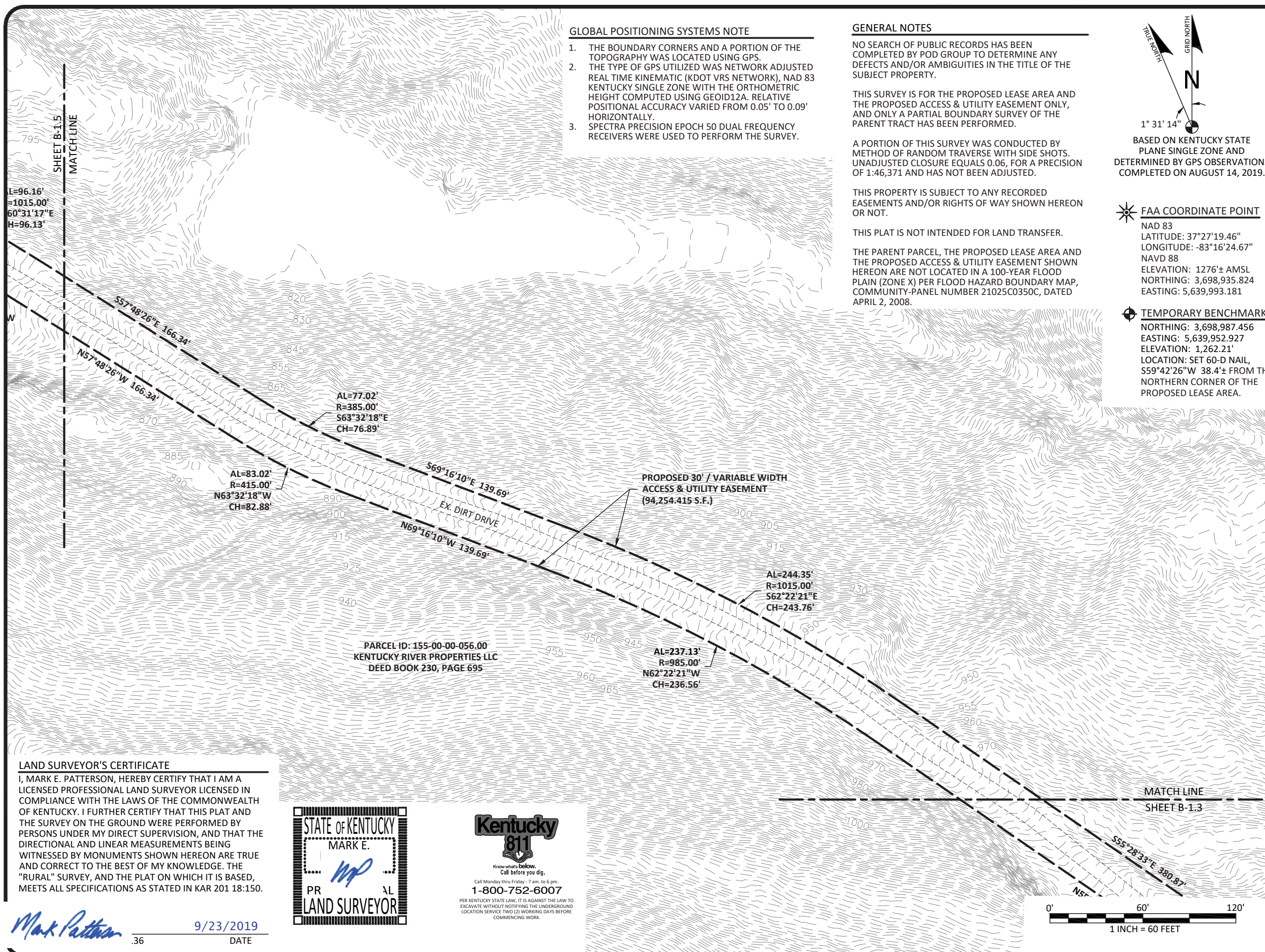
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**B-1.4**



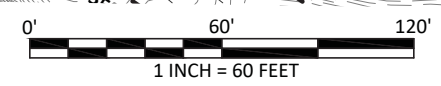
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KENTUCKY RIVER PROPERTIES LLC  
DEED BOOK 230, PAGE 695

**LAND SURVEYOR'S CERTIFICATE**  
I, MARK E. PATTERSON, HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE COMMONWEALTH OF KENTUCKY. I FURTHER CERTIFY THAT THIS PLAT AND THE SURVEY ON THE GROUND WERE PERFORMED BY PERSONS UNDER MY DIRECT SUPERVISION, AND THAT THE DIRECTIONAL AND LINEAR MEASUREMENTS BEING WITNESSED BY MONUMENTS SHOWN HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. THE "RURAL" SURVEY, AND THE PLAT ON WHICH IT IS BASED, MEETS ALL SPECIFICATIONS AS STATED IN KAR 201 18:150.



PER KENTUCKY STATE LAW, IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.

*Mark Patterson*  
36 DATE 9/23/2019



**GLOBAL POSITIONING SYSTEMS NOTE**

1. THE BOUNDARY CORNERS AND A PORTION OF THE TOPOGRAPHY WAS LOCATED USING GPS.
2. THE TYPE OF GPS UTILIZED WAS NETWORK ADJUSTED REAL TIME KINEMATIC (KDOT VRS NETWORK), NAD 83 KENTUCKY SINGLE ZONE WITH THE ORTHOMETRIC HEIGHT COMPUTED USING GEOID12A. RELATIVE POSITIONAL ACCURACY VARIED FROM 0.05' TO 0.09' HORIZONTALLY.
3. SPECTRA PRECISION EPOCH 50 DUAL FREQUENCY RECEIVERS WERE USED TO PERFORM THE SURVEY.

**GENERAL NOTES**

NO SEARCH OF PUBLIC RECORDS HAS BEEN COMPLETED BY POD GROUP TO DETERMINE ANY DEFECTS AND/OR AMBIGUITIES IN THE TITLE OF THE SUBJECT PROPERTY.

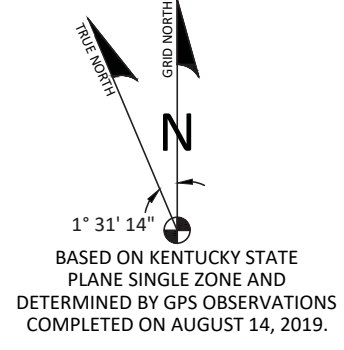
THIS SURVEY IS FOR THE PROPOSED LEASE AREA AND THE PROPOSED ACCESS & UTILITY EASEMENT ONLY, AND ONLY A PARTIAL BOUNDARY SURVEY OF THE PARENT TRACT HAS BEEN PERFORMED.

A PORTION OF THIS SURVEY WAS CONDUCTED BY METHOD OF RANDOM TRAVERSE WITH SIDE SHOTS. UNADJUSTED CLOSURE EQUALS 0.06, FOR A PRECISION OF 1:46,371 AND HAS NOT BEEN ADJUSTED.

THIS PROPERTY IS SUBJECT TO ANY RECORDED EASEMENTS AND/OR RIGHTS OF WAY SHOWN HEREON OR NOT.

THIS PLAT IS NOT INTENDED FOR LAND TRANSFER.

THE PARENT PARCEL, THE PROPOSED LEASE AREA AND THE PROPOSED ACCESS & UTILITY EASEMENT SHOWN HEREON ARE NOT LOCATED IN A 100-YEAR FLOOD PLAIN (ZONE X) PER FLOOD HAZARD BOUNDARY MAP, COMMUNITY-PANEL NUMBER 21025C0350C, DATED APRIL 2, 2008.



**FAA COORDINATE POINT**

NAD 83  
 LATITUDE: 37°27'19.46"  
 LONGITUDE: -83°16'24.67"  
 NAVD 88  
 ELEVATION: 1276± AMSL  
 NORTHING: 3,698,935.824  
 EASTING: 5,639,993.181

**TEMPORARY BENCHMARK**

NORTHING: 3,698,987.456  
 EASTING: 5,639,952.927  
 ELEVATION: 1,262.21'  
 LOCATION: SET 60-D NAIL, S59°42'26"W 38.4'± FROM THE NORTHERN CORNER OF THE PROPOSED LEASE AREA.

PREPARED BY:

11490 BLUEGRASS PARKWAY  
 LOUISVILLE, KY 40299  
 502-437-5252

PREPARED FOR:

PREPARED FOR:

REVISION		
REV.	DATE	DESCRIPTION
A	8.30.19	PRELIM ISSUE W/ TITLE
0	9.23.19	ISSUED AS FINAL

**SITE INFORMATION:**

**CLAYHOLE**  
 0 BARGE CLAYHOLE  
 JACKSON, KY 41339  
 BREATHITT COUNTY

**TAX PARCEL NUMBER:**  
 155-00-00-056.00

**PROPERTY OWNER:**  
 KENTUCKY RIVER PROPERTIES LLC  
 P.O. BOX 269  
 HAZARD, KY 41702

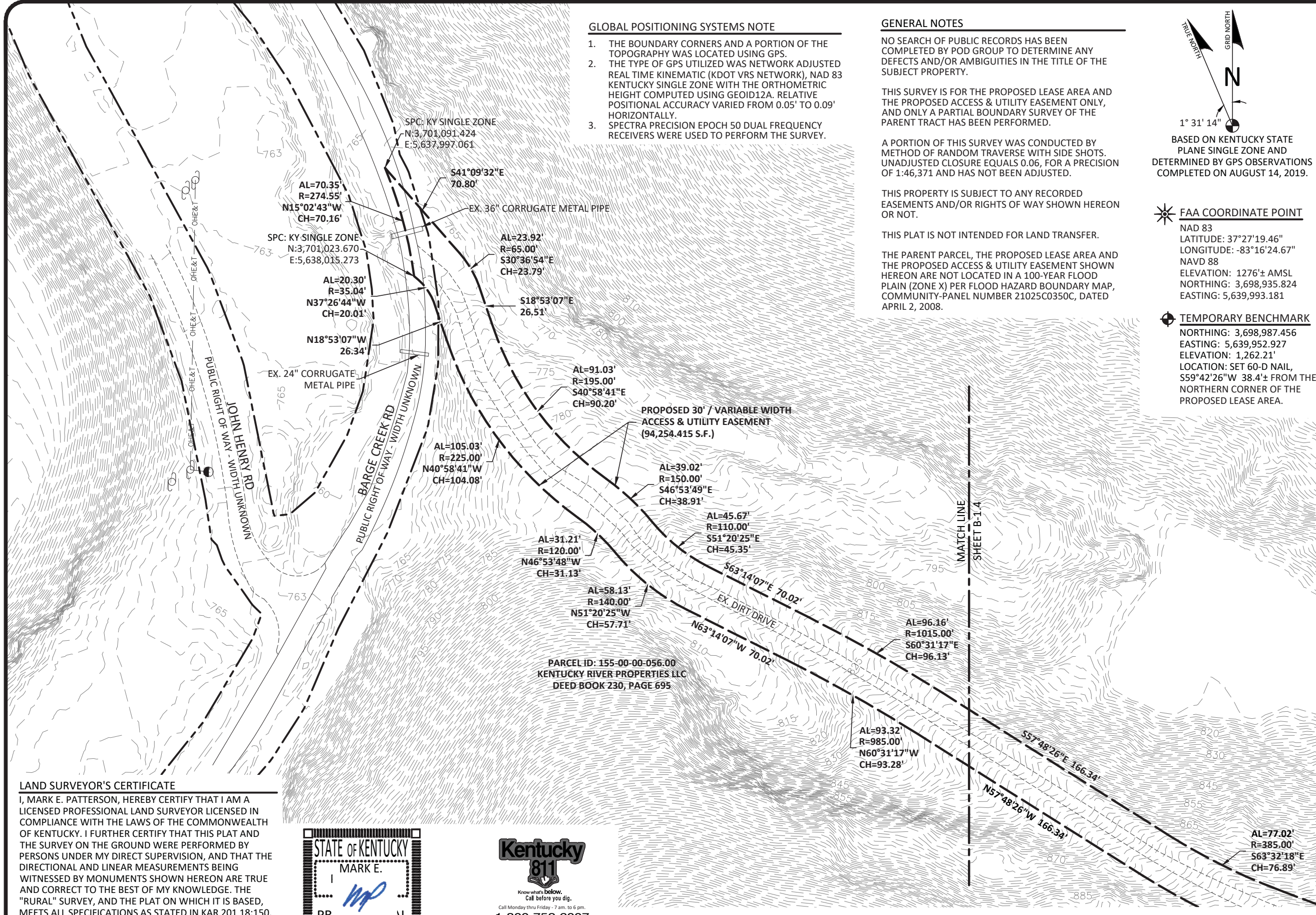
**SOURCE OF TITLE:**  
 DEED BOOK 230, PAGE 695

**SITE NUMBER:**

POD NUMBER: 18-29369  
 DRAWN BY: JRS  
 CHECKED BY: MEP  
 SURVEY DATE: 8.14.19  
 PLAT DATE: 8.30.19

**SHEET TITLE:**  
**SITE SURVEY**  
 THIS DOES NOT REPRESENT A BOUNDARY SURVEY OF THE PARENT PARCEL

**SHEET NUMBER:** (8 pages)  
**B-1.5**

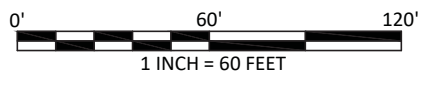


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PER KENTUCKY STATE LAW, IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.



**LEGEND**

- EX. UTILITY POLE
- EX. GUY ANCHOR
- EX. OVERHEAD ELECTRIC & TELEPHONE

*Mark Patterson*  
 9/23/2019  
 DATE



### LEGAL DESCRIPTIONS

#### PARENT PARCEL, LEGAL DESCRIPTION, DEED BOOK 230 PAGE 695 (NOT FIELD SURVEYED)

LYING AND BEING ON THE WATERS OF BARGE BRANCH OF TROUBLESOME CREE BREATHITT COUNTY, KENTUCKY. AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS

##### TRACT 1:

BEGINNING AT THE MOUTH OF THE COAL HOLLOW ON THE SOUTH BANK OF TROUBLESOME CREEK A SHORT DISTANCE ABOVE WHERE A. A. COMBS NOW LIVES; THENCE UP SAID CREEK AS IT MEANDERS NORTH 87½ EAST 11 2/10 POLES NORTH 72 EAST 28 POLES NORTH 76 EAST 22 6/10 POLES. NORTH 89½ EAST 30 6/10 POLES TO A WATER BIRCH AT THE MOUTH OF THE BARGE, NORTH 65½ EAST 23 1/10 POLES NORTH 44 EAST 40 POLES TO A STAKE ON THE BANK OF THE CREEK OPPOSITE TWO LARGE ROCKS IN THE CREEK AT THE LOWER END OF THE OLD JAMES MCINTOSH FARM; THENCE UP THE HILL WITH A LINE OF SAME SOUTH 55½ EAST 30 2/10 POLES W TO A STAKE ON THE POINT BETWEEN WHITE OAK AND SPOTTED OAK POINTERS. THENCE UP THE POINT AND RIDGE NORTH 81 EAST 17 POLES, NORTH 86 EAST 26 4/10 POLES TO A CHESTNUT OAK ON THE RIDGE BETWEEN TROUBLESOME AND THE BARGE, THENCE WITH THE TOP OF SAID RIDGE SOUTH 15 WEST 23 4/10 POLES SOUTH 31 WEST 14 TO A BLACK OAK. SOUTH 9 WEST 9 4/10 MILES TO A DOGWOOD AND WHITE OAK SOUTH 42 1/4 EAST 38 POLES SOUTH 50½ EAST 16 POLES TO A SMALL BLACK OAK SOUTH 43 1/4 EAST 25 7/10 POLES SMALL D, SOUTH 36 EAST 18 2110 POLES SOUTH 52½ EAST 12 POLES SOUTH 23½ EAST 29 POLES TO A DOGWOOD, SOUTH 27 WEST 18 POLES SOUTH 30½ WEST 12 POLES TO A SOURWOOD AND CHESTNUT SOUTH 20½ WEST 19 POLES TO A CHESTNUT OAK, SOUTH 29 WEST 33 POLES (SIC ACTUALLY 23 POLES) TO A CROSS MARK ON A ROCK ON A KNOB AT THE HEAD OF WET FIELD HOLLOW OF CANEY AND HEAD OF NELSON SOUTHWOOD'S HOLLOW; THENCE DOWN THE FORK SPUR WITH SOUTHWOOD'S LINE SOUTH 82½ WEST 10 POLES TO A CHESTNUT OAK; NORTH 60 3/4 WEST 32 POLES TO A WHITE OAK; NORTH 22 WEST 25 POLES TO A CHESTNUT OAK AND BLACK OAK, NORTH 70 3/4 WEST 37 POLES SOUTH 48 WEST 20½ WEST TO A STAKE NEAR THREE PINES ON TOP OF THE RIDGE; THENCE DOWN THE POINTS SOUTH 76½ WEST 11 POLES TO TOP OF HIGH ROCK; NORTH 84½ WEST 26 POLES TO A BLACK OAK ON THE POINT NORTH 75½ WEST 14 POLES NORTH 83½ WEST 22 POLES CROSSING MAIN BARGE BRANCH JUST ABOVE THE MOUTH OF ROAD FORK; THENCE UP THE POINT ABOVE ROAD FORK, SOUTH 39½ WEST 18 POLES TO A BEECH, SOUTH 51 WEST 14½ POLES TO A BEECH OPPOSITE BOHANAN'S CORNER; THENCE DOWN THE HILL NORTH 20 WEST 26 POLES TO AN ASH WHERE BOHANAN'S LINE CROSSES ROAD FORK NORTH 24 3/4 WEST 17½ POLES TO A BEECH AND HICKORY CORNER TO BOHANAN'S PATENT; THENCE UP ROAD FORK AROUND THE HILLSIDE AND REVERSING SAID PATENT LINE NORTH 52½ WEST 25 POLES TO A STAKE AND TWO HICKORY POINTERS, SOUTH 69 3/4 WEST 36 PALES TO STAKE IN COVE FIELD, SOUTH 34 WEST 66 POLES TO A BEECH AND BIRCH OLD MARKED EARNER, SOUTH 5 EAST 36 8/10 POLES BEECH OLD COMER SOOTH 55 EAST 12 POLES TO A BEECH AN THE POINT ABOVE I. B. COMBS' HOUSE WHERE STEVE ALLEN NOW LIVES; THENCE LEAVING SAID PATENT LINE AND UP THE POINT WITH I. B. COMBS' LINE, SOUTH 51½ WEST 12 POLES, SOUTH 39½ WEST 9 4/10 POLES SOUTH 14½ WEST 12 6/10 POLES TO A CHESTNUT SOUTH 4½ WEST 15 6/10 POLES SOUTH 23½ WEST 16 4/10 POLES TA A BLACK OAK TOP OF POINT; 38 WEST 10 6/10 POLES SOUTH 21½ WEST 10 7/10 POLES SOUTH 51½ WEST 22 4/10 POLES TO DOGWOOD AND HICKORY; NORTH 85½ WEST 14 3/10 POLES TO A CHESTNUT AND OAK ON TOP OF THE RIDGE BETWEEN LAST CREEK AND BARGE AND IN ALFRED ROBERT'S LINE: THENCE WITH THE TAP OF SAID RIDGE AND SAID LINE, NORTH 12 WEST 23 8/10 POLES TO A WHITE OAK IN A GAP NORTH 32½ WEST 23 POLES TO A PINE, SOUTH 76½ WEST 23 2/10 PALES TO A SMALL PINE, NORTH 63½ WEST 26 PALES, NORTH 13½ WEST 17 6/10, NORTH 33 WEST 20 POLES, NORTH 26 WEST 12 4/10 POLES TO A SOURWOOD SOUTH 36 WEST 37 8/10 POLES (SIC ACTUALLY NORTH 36 WEST) TO A BLACK LOCUST, NORTH 15½ EAST 30 7110 POLES, NORTH 34½ EAST 23 2/10 POLES TO A BLACK OAK ON A KNOB BETWEEN SPRING FORK OR BARGE AND LOST CREEK SOUTH 59½ EAST 20 5/10 POLES SOUTH 71 1/4 EAST 32 4 /10 POLES TO A BLACK OAK TOP OF RIDGE BETWEEN LOST CREEK, BARGE AND TROUBLESOME; THENCE WITH THE TOP OF THE RIDGE BETWEEN BARGE AND TROUBLESOME, NORTH 45½ EAST 16½ POLES NORTH 30 EAST 26 POLES NORTH 18 ½ EAST 14 2/10 POLES TO SMALL MAPLE, NORTH 41½ EAST 10 9/10 POLES TO A SPOTTED OAK ON TOP OF A KNOB, NORTH 85 EAST 29 3/10 POLES TO A STAKE AND SPOTTED OAK POINTER ON TOP OF A KNOB BETWEEN MAIN TROUBLESOME COAL HOLLOW AND BARGE; THENCE DOWN THE SPUR NORTH 44½ EAST 17 7/10 POLES TO A CHESTNUT OAK, NORTH 21 EAST 12 6/10 POLES NORTH 34 WEST 5 TO A MAPLE AN TOP OF A BIG ROCK; THENCE DOWN THE HILL CROSSING A DRAIN NORTH 11½ EAST 90 POLES TO A BEECH ON THE SOUTH BANK OF TROUBLESOME CREEK, JUST BELOW THE MOUTH OF RILEY; THENCE UP SAID CREEK SOUTH 68½ EAST 20 POLES SOUTH 62½ EAST 30 POLES, SOUTH 76½ EAST 22 POLES TO THE BEGINNING, CONTAINING FOUR HUNDRED SIXTY-ONE (461) ACRES.

##### TRACT 2:

LOCATED ON BARGE BRANCH OF TROUBLESOME CREEK, BEGINNING ON THE BRANCH OPPOSITE TWO WHITE WALNUTS STANDING ON THE BANK OF THE POLLY SOUTHWOOD FORK OF BARGE BRANCH, ABOUT 85 POLES FROM ITS MOUTH AT MAIN BARGE BRANCH; THENCE UP THE HILL SOUTH 87 WEST 61 POLES TO A STAKE BETWEEN TWO BLACK PINES ON TOP OF THE RIDGE BETWEEN POLLY FORK AND ROAD FORK; THENCE UP WITH THE TOP OF THE RIDGE AND BINDING THEREON AROUND HEAD OF SAID FORK, SOUTH 9 EAST 12 6/10 POLES; SOUTH 9 WEST 18 4/10 POLES TO A PINE SOUTH 45½ WEST 42 6/10 POLES TO A SPOTTED OAK AND SOURWOOD, SOUTH 5 EAST 22 POLES SOUTH 12 WEST 18 POLES TO A PINE, SOUTH 26½ WEST 18 POLES TO A SMALL BLACK OAK, SOUTH 55½ WEST 43 4/10 POLES TO A DOGWOOD AND CHESTNUT OAK ON TOP OF THE DIVIDING RIDGE BETWEEN SAID FORK AND LOST CREEK; THENCE CONTINUING WITH THE TOP OF SAID RIDGE AND WITH BEN FUGATE'S LINE: SOUTH 10 EAST 15 3/10 POLES TO A CHESTNUT OAK, SOUTH 36½ EAST 31 POLES TO A BLACK OAK OLD CORNER, SOUTH 74½ EAST 16 4/10 POLES NORTH 68½ EAST 40 6/10 POLES NORTH 81 EAST 8 POLES TO A BEECH, SOUTH 83 EAST 34 POLES TO A CHESTNUT OAK, SOUTH 60 EAST 15 POLES TO TWO MAPLES ON THE RIDGE BETWEEN POLLY FORK AND MAIN BARGE AT D.L. COMBS CORNER; THENCE WITH THE TOP OF THE RIDGE BETWEEN POLLY FORK AND MAIN BARGE WITH SAID COMBS' LINE NORTH 44 EAST 18 POLES TO THE TOP OF POTATO KNOB NORTH 2½ WEST 26 4/10 POLES TO A CHESTNUT NORTH 71½ EAST 24 POLES TO A WHITE OAK AND DOGWOOD NEAR SAID COMBS' FIELD NORTH 50 1/4 EAST 20 8/10 POLES, NORTH 57 EAST 16 POLES NORTH 57 EAST 16 POLES, NORTH 40 3/4 EAST 24 6/10 POLES TO A LARGE CHESTNUT OAK, NORTH 27½ WEST 17 6/10 POLES, NORTH 6 EAST 37 POLES TO A SMALL BLACK OAK AND HICKORY POINTER, NORTH 70 3/4 WEST 24 POLES TO SOURWOOD, NORTH 47 WEST 16 4/10 POLES NORTH 30½ WEST 29 POLES TO A CROOKED CHESTNUT OAK; WITH CHESTNUT OAK; AND BLACK OAK POINTERS; THENCE DOWN THE HILL SOUTH 87 WEST 25 POLES TO THE BEGINNING, CONTAINING ONE HUNDRED FORTY-NINE (149) ACRES.

THERE IS EXCEPTED FROM TRACT ONE IN THIS DEED AND THIS DEED DOES NOT INCLUDE OR CONVEY THE FOLLOWING PROPERTY:

EXCLUSION NO. 1: THAT CERTAIN SURFACE TRACT CONVEYED BY DEED FROM JALIA T. ALLEN, ET AL. TO LOGAN COMBS, ET AL. DATED JULY 31, 1940. AND RECORDED IN DEED BOOK 76, PAGE 260; AND

EXCLUSION NO. 2: THE GEORGE ALLEN HOMEPLACE LOCATED ON THE NORTH SIDE OF TROUBLESOME CREEK BETWEEN TROUBLESOME CREEK AND KENTUCKY HIGHWAY 476 ACROSS FROM THE OLD CLAYHOLE POST OFFICE.

TRACTS ONE AND TWO BEING ALL THE SAME PROPERTY ACQUIRED BY GEORGE ALLEN FROM CONTINENTAL REALTY COMPANY BY DEED DATED OCTOBER 7, 1932, AND RECORDED IN DEED BOOK 69, PAGE 222. THE SAID GEORGE ALLEN, A/K/A GEORGE ALLEN, JR. DIED TESTATE ON OR ABOUT MAY 22, 1935, SURVIVED BY HIS WIDOW, JALIA T. ALLEN AND HIS CHILDREN, EUGENE DORSE ALLEN, JOHN MORGAN ALLEN, LEIGHTON CHASE ALLEN AND JOY LAVON ALLEN FLETCHER, AS EVIDENCED BY THAT AFFIDAVIT OF DESCENT RECORDED IN DEED BOOK 92, PAGE 391. AND IN DEED BOOK 154, PAGE 399. THE SAID JALIA T. ALLEN DIED TESTATE ON OR ABOUT MARCH 14, 1980, SURVIVED BY HER CHILDREN, EUGENE DORSE ALLEN, JOHN MORGAN ALLEN, LEIGHTON CHASE ALLEN AND JOY LAVON ALLEN FLETCHER, AS EVIDENCED BY THAT AFFIDAVIT OF DESCENT RECORDED IN DEED BOOK 154, PAGE 398. THE SAID EUGENE DORSE ALLEN DIED TESTATE IN 1997, A RESIDENT OF FLORIDA, AND DEVEISED HIS INTEREST IN THE SUBJECT PROPERTY TO HIS SISTER, JOY ALLEN FLETCHER, AND HIS BROTHER, L. CHASE ALLEN, AS SET FORTH IN HIS WILL RECORDED IN WILL BOOK 7, PAGE 711. THE SAID JOHN M. ALLEN AND DOROTHY ALLEN. HIS WIFE, CONVEYED THEIR UNDIVIDED INTEREST IN THE PROPERTY TO H. B. NOBLE, BY DEED DATED JUNE 14, 1972, AND RECORDED IN DEED BOOK 123, PAGE 163. ZENA NOBLE, THE WIDOW AND DEVISEE OF H. B. NOBLE, CONVEYED THIS INTEREST BACK TO JOHN M. ALLEN AND DOROTHY ALLEN, HIS WIFE, BY DEED DATED MAY 6, 1987, AND RECORDED IN DEED BOOK 158, PAGE 191. THE SAID JOHN MORGAN ALLEN DIED TESTATE IN 1998 A RESIDENT OF FAYETTE COUNTY, KENTUCKY, AND DEVEISED HIS INTEREST IN THE SUBJECT PROPERTY AS FOLLOWS, TO WIT: ONE-HALF TO HIS WIFE, DOROTHY GARDINER ALLEN, AND ONE-HALF IN TRUST FOR THE LIFETIME OF HIS WIFE, DOROTHY GARDINER ALLEN, WITH REMAINDER TO HIS LIVING ISSUE, AS SET FORTH IN HIS WILL RECORDED IN WILL BOOK 9, PAGE 583. SEE ALSO THAT AFFIDAVIT OF TRANSFER OF REAL PROPERTY BY WILL RECORDED IN DEED BOOK 197, PAGE 117. THE SAID DOROTHY GARDINER ALLEN DIED TESTATE ON OR ABOUT SEPTEMBER 5, 2001, A RESIDENT OF FAYETTE COUNTY, KENTUCKY, AND DEVEISED HER INTEREST IN THE SUBJECT PROPERTY TO HER SURVIVING DESCENDANTS, AS SET FORTH IN HER WILL RECORDED IN WILL BOOK 10, PAGE 696. SEE ALSO THAT AFFIDAVIT OF TRANSFER OF REAL PROPERTY RECORDED IN DEED BOOK 204, PAGE 123. PURSUANT TO SAID AFFIDAVIT, THE SURVIVING DECEDENTS OF DOROTHY GARDINER ALLEN WERE KIMBERLY ALLEN ROSS, CECILIA ALLEN HAGAN, AND KATHLEEN GARDINER ALLEN. MARY KIMBERLY ALLEN ROSS APPOINTED CECILIA ALLEN HAGAN HER ATTORNEY-IN-FACT UNDER THAT CERTAIN POWER OF ATTORNEY DATED MAY 14, 2009, AND RECORDED IN MISC. BOOK 54, PAGE 738; CHARLES B. ROSS (HUSBAND OF MARY KIMBERLY ALLEN ROSS) APPOINTED CECILIA ALLEN HAGAN AS HIS ATTORNEY-IN-FACT UNDER THAT CERTAIN POWER OF ATTORNEY DATED MAY 14, 2009, AND RECORDED IN MISC. BOOK 54, PAGE 738; KATHLEEN GARDINER ALLEN, SINGLE, APPOINTED CECILIA ALLEN HAGAN AS HER ATTORNEY-IN-FACT UNDER THAT CERTAIN POWER OF ATTORNEY DATED MAY 14, 2009, AND RECORDED IN MISC. BOOK 54, PAGE 741; AND TIMOTHY W. HAGAN (HUSBAND OF CECILIA ALLEN HAGAN) APPOINTED CECILIA ALLEN HAGAN HIS ATTORNEY-IN-FACT UNDER THAT CERTAIN POWER OF ATTORNEY NOTARIZED MAY 20, 2009, AND RECORDED IN MISC. BOOK 54, PAGE 744, ALL RECORDS OF THE BREATHITT COUNTY CLERK'S OFFICE.

IT IS THE INTENTION OF THE PARTIES THAT THIS DEED CONVEY ALL OF THE PROPERTY AND ANY INTEREST THEREIN OWNED BY THE GRANTERS ON THE SOUTH SIDE OF TROUBLESOME CREEK ON OR NEAR THE WATERS OF BARGE BRANCH OF TROUBLESOME CREEK, BREATHITT COUNTY, KENTUCKY, BY DEED OR POSSESSION, WHETHER OR NOT SPECIFICALLY INCLUDED IN THE ABOVE DESCRIPTIONS, TO THE GRANTEE.

#### PROPOSED LEASE AREA

THE FOLLOWING IS A DESCRIPTION OF THE PROPOSED LEASE AREA TO BE LEASED FROM THE PROPERTY CONVEYED TO KENTUCKY RIVER PROPERTIES LLC AS RECORDED IN THE CLERKS OFFICE OF BREATHITT COUNTY, KENTUCKY IN DEED BOOK 230, PAGE 695, PARCEL ID: 155-00-00-056.00, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARING DATUM USED HEREIN IS BASED UPON KENTUCKY STATE PLANE COORDINATE SYSTEM, SINGLE ZONE, NAD 83, FROM A REAL TIME KINEMATIC GLOBAL POSITIONING SYSTEM OBSERVATION USING THE KENTUCKY TRANSPORTATION CABINET REAL TIME GPS NETWORK COMPLETED ON AUGUST 14, 2019.

BEGINNING AT A SET 1/2" REBAR 18" LONG CAPPED "PATTERSON PLS 3136", HEREAFTER REFERRED TO AS A "SET IPC", IN THE EASTERN CORNER OF THE PROPOSED LEASE AREA, SAID REBAR HAVING A KENTUCKY STATE PLANE SINGLE ZONE COORDINATE OF N:3,698,956.172, E:5,640,061.571; THENCE S33°51'28"W 110.00' TO A "SET IPC" HAVING A KENTUCKY STATE PLANE SINGLE ZONE COORDINATE OF N:3,698,864.826, E:5,640,000.286; THENCE N56°08'32"W 90.91' TO A "SET IPC", HAVING A KENTUCKY STATE PLANE SINGLE ZONE COORDINATE OF N:3,698,915.475, E:5,639,924.792; THENCE THENCE N33°51'28"E 110.00' TO A "SET IPC" HAVING A KENTUCKY STATE PLANE SINGLE ZONE COORDINATE OF N:3,699,006.822, E:5,639,986.077; THENCE S56°08'32"E 90.91'; TO THE POINT OF BEGINNING CONTAINING 10,000.000 SQUARE FEET AS PER SURVEY BY MARK PATTERSON, PLS #3136 WITH POWER OF DESIGN GROUP, LLC DATED FEBRUARY 22, 2019.

#### PROPOSED 30' ACCESS & UTILITY EASEMENT

THE FOLLOWING IS A DESCRIPTION OF THE PROPOSED 30' ACCESS & UTILITY EASEMENT TO BE LEASED FROM THE PROPERTY CONVEYED TO KENTUCKY RIVER PROPERTIES LLC AS RECORDED IN THE CLERKS OFFICE OF BREATHITT COUNTY, KENTUCKY IN DEED BOOK 230, PAGE 695, PARCEL ID: 155-00-00-056.00, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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BEGINNING AT A SET 1/2" REBAR 18" LONG CAPPED "PATTERSON PLS 3136", HEREAFTER REFERRED TO AS A "SET IPC", IN THE EASTERN CORNER OF THE PROPOSED LEASE AREA, SAID REBAR HAVING A KENTUCKY STATE PLANE SINGLE ZONE COORDINATE OF N:3,698,956.172, E:5,640,061.571; THENCE ALONG SAID LEASE AREA N56°08'32"W 90.91' TO A SET IPC; THENCE LEAVING SAID LEASE AREA N33°51'28"E 10.00'; THENCE N56°08'32"W 55.81'; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 77.62', HAVING A RADIUS OF 85.00', SAID CURVE HAVING A CHORD LENGTH OF 74.95' BEARING N29°58'49"W; THENCE ALONG THE ARC OF A REVERSE CURVE TO THE LEFT WITH AN ARC LENGTH OF 53.22', HAVING A RADIUS OF 55.00', SAID CURVE HAVING A CHORD LENGTH OF 51.17' BEARING N31°32'28"W; THENCE ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT WITH AN ARC LENGTH OF 185.99', HAVING A RADIUS OF 370.00', SAID CURVE HAVING A CHORD LENGTH OF 184.04' BEARING N44°51'47"W; THENCE ALONG THE ARC OF A COMPOUND CURVE TO THE RIGHT WITH AN ARC LENGTH OF 202.93', HAVING A RADIUS OF 415.00', SAID CURVE HAVING A CHORD LENGTH OF 200.91' BEARING N20°03'13"W; THENCE N06°02'44"W 61.39'; THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH AN ARC LENGTH OF 168.96', HAVING A RADIUS OF 185.00', SAID CURVE HAVING A CHORD LENGTH OF 163.15' BEARING N32°12'34"W; THENCE N58°22'23"W 243.17'; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 87.69', HAVING A RADIUS OF 90.00', SAID CURVE HAVING A CHORD LENGTH OF 84.26' BEARING N30°27'36"W; THENCE N02°32'48"W 103.39'; THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH AN ARC LENGTH OF 30.27', HAVING A RADIUS OF 85.00', SAID CURVE HAVING A CHORD LENGTH OF 30.11' BEARING N12°44'51"W; THENCE N22°56'54"W 164.37'; THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH AN ARC LENGTH OF 105.14', HAVING A RADIUS OF 185.01', SAID CURVE HAVING A CHORD LENGTH OF 103.73' BEARING N39°13'47"W; THENCE N55°28'33"W 380.87'; THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH AN ARC LENGTH OF 237.13', HAVING A RADIUS OF 985.00', SAID CURVE HAVING A CHORD LENGTH OF 236.56' BEARING N62°22'21"W; THENCE N69°16'10"W 139.69'; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 83.02', HAVING A RADIUS OF 415.00', SAID CURVE HAVING A CHORD LENGTH OF 82.88' BEARING N63°32'18"W; THENCE N57°48'26"W 166.34'; THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH AN ARC LENGTH OF 93.32', HAVING A RADIUS OF 985.00', SAID CURVE HAVING A CHORD LENGTH OF 93.28' BEARING N60°31'17"W; THENCE N63°14'07"W 70.02'; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 58.13', HAVING A RADIUS OF 140.00', SAID CURVE HAVING A CHORD LENGTH OF 57.71' BEARING N51°20'25"W; THENCE ALONG THE ARC OF A REVERSE CURVE TO THE LEFT WITH AN ARC LENGTH OF 31.21', HAVING A RADIUS OF 120.00', SAID CURVE HAVING A CHORD LENGTH OF 31.13' BEARING N46°53'48"W; THENCE ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT WITH AN ARC LENGTH OF 139.27', HAVING A RADIUS OF 225.00', SAID CURVE HAVING A CHORD LENGTH OF 137.06' BEARING N36°37'05"W; THENCE N18°53'07"W 26.34'; THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH AN ARC LENGTH OF 20.30', HAVING A RADIUS OF 35.04', SAID CURVE HAVING A CHORD LENGTH OF 20.01' BEARING N37°26'44"W TO A POINT IN THE CENTER LINE OF BARGE CREEK ROAD HAVING A KENTUCKY STATE PLANE SINGLE ZONE COORDINATE OF N:3,701,023.670, E:5,638,015.273; THENCE WITH SAID CENTER LINE ALONG THE ARC OF A COMPOUND CURVE TO THE LEFT WITH AN ARC LENGTH OF 70.35', HAVING A RADIUS OF 274.55', SAID CURVE HAVING A CHORD LENGTH OF 70.16' BEARING N15°02'43"W HAVING A KENTUCKY STATE PLANE SINGLE ZONE COORDINATE OF N:3,701,091.424, E:5,637,997.061; THENCE LEAVING CENTER LINE S41°09'32"E 70.80'; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 23.92', HAVING A RADIUS OF 65.00', SAID CURVE HAVING A CHORD LENGTH OF 23.79' BEARING S30°36'54"E; THENCE S18°53'07"E 26.51'; THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH AN ARC LENGTH OF 120.70', HAVING A RADIUS OF 195.00', SAID CURVE HAVING A CHORD LENGTH OF 118.79' BEARING S36°37'05"E; THENCE ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT WITH AN ARC LENGTH OF 39.02', HAVING A RADIUS OF 150.00', SAID CURVE HAVING A CHORD LENGTH OF 38.91' BEARING S46°53'49"E; THENCE ALONG THE ARC OF A REVERSE CURVE TO THE LEFT WITH AN ARC LENGTH OF 45.67', HAVING A RADIUS OF 110.00', SAID CURVE HAVING A CHORD LENGTH OF 45.35' BEARING S51°20'25"E; THENCE S63°14'07"E 70.02'; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 96.16', HAVING A RADIUS OF 1015.00', SAID CURVE HAVING A CHORD LENGTH OF 96.13' BEARING S60°31'17"E; THENCE S57°48'26"E 166.34'; THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH AN ARC LENGTH OF 77.02', HAVING A RADIUS OF 385.00', SAID CURVE HAVING A CHORD LENGTH OF 76.89' BEARING S63°32'18"E; THENCE S69°16'10"E 139.69'; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 244.35', HAVING A RADIUS OF 1015.00', SAID CURVE HAVING A CHORD LENGTH OF 243.76' BEARING S62°22'21"E; THENCE S55°28'33"E 380.87'; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 122.17', HAVING A RADIUS OF 214.99', SAID CURVE HAVING A CHORD LENGTH OF 120.54' BEARING S39°13'39"E; THENCE S22°56'54"E 164.37'; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 40.95', HAVING A RADIUS OF 115.00', SAID CURVE HAVING A CHORD LENGTH OF 40.73' BEARING S12°44'51"E; THENCE S02°32'48"E 103.39'; THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH AN ARC LENGTH OF 58.46', HAVING A RADIUS OF 60.00', SAID CURVE HAVING A CHORD LENGTH OF 56.18' BEARING S30°27'36"E; THENCE S58°22'23"E 243.17'; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 196.36', HAVING A RADIUS OF 215.00', SAID CURVE HAVING A CHORD LENGTH OF 189.60' BEARING S32°12'34"E; THENCE S06°02'44"E 61.39'; THENCE ALONG THE ARC OF A CURVE TO THE LEFT WITH AN ARC LENGTH OF 189.20', HAVING A RADIUS OF 385.00', SAID CURVE HAVING A CHORD LENGTH OF 187.30' BEARING S20°07'27"E; THENCE ALONG THE ARC OF A COMPOUND CURVE TO THE LEFT WITH AN ARC LENGTH OF 171.85', HAVING A RADIUS OF 340.00', SAID CURVE HAVING A CHORD LENGTH OF 170.03' BEARING S44°47'02"E; THENCE ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT WITH AN ARC LENGTH OF 82.25', HAVING A RADIUS OF 85.00', SAID CURVE HAVING A CHORD LENGTH OF 79.08' BEARING S31°32'28"E; THENCE ALONG THE ARC OF A REVERSE CURVE TO THE LEFT WITH AN ARC LENGTH OF 50.23', HAVING A RADIUS OF 55.00', SAID CURVE HAVING A CHORD LENGTH OF 48.50' BEARING S29°58'49"E; THENCE S56°08'32"E 116.72'; THENCE N33°51'28"E 10.00'; THENCE S56°08'32"E 30.00'; THENCE S33°51'28"W 50.00' TO THE POINT OF BEGINNING CONTAINING 94,254.415 SQUARE FEET AS PER SURVEY BY MARK E. PATTERSON, PLS #3136 DATED AUGUST 14, 2019.

#### LAND SURVEYOR'S CERTIFICATE

I, MARK E. PATTERSON, HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE COMMONWEALTH OF KENTUCKY. I FURTHER CERTIFY THAT THIS PLAT AND THE SURVEY ON THE GROUND WERE PERFORMED BY PERSONS UNDER MY DIRECT SUPERVISION, AND THAT THE DIRECTIONAL AND LINEAR MEASUREMENTS BEING WITNESSED BY MONUMENTS SHOWN HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. THE "RURAL" SURVEY, AND THE PLAT ON WHICH IT IS BASED, MEETS ALL SPECIFICATIONS AS STATED IN KAR 201 18:150.



*Mark Patterson*

9/23/2019

36

DATE

PREPARED BY:



PREPARED FOR:



PREPARED FOR:



### REVISION

REV.	DATE	DESCRIPTION
A	8.30.19	PRELIM ISSUE W/ TITLE
0	9.23.19	ISSUED AS FINAL

#### SITE INFORMATION:

##### CLAYHOLE

0 BARGE CLAYHOLE  
JACKSON, KY 41339  
BREATHITT COUNTY

TAX PARCEL NUMBER:  
155-00-00-056.00

PROPERTY OWNER:  
KENTUCKY RIVER PROPERTIES LLC  
P.O. BOX 269  
HAZARD, KY 41702

SOURCE OF TITLE:  
DEED BOOK 230, PAGE 695

#### SITE NUMBER:

POD NUMBER: 18-29369

DRAWN BY: JRS  
CHECKED BY: MEP  
SURVEY DATE: 8.14.19  
PLAT DATE: 8.30.19

#### SHEET TITLE:

### SITE SURVEY

THIS DOES NOT REPRESENT A  
BOUNDARY SURVEY OF THE  
PARENT PARCEL

SHEET NUMBER: (8 pages)

# B-1.6

REPORT OF TITLE - PARCEL ID: 155-00-00-056.00 - DEED BOOK 230, PAGE 695

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY POD GROUP, LLC AND AS SUCH WE ARE NOT RESPONSIBLE FOR THE INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, UNRECORDED EASEMENTS, AUGMENTING EASEMENTS, IMPLIED OR PRESCRIPTIVE EASEMENTS, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. INFORMATION REGARDING THESE MATTERS WERE GAINED FROM U.S. TITLE SOLUTIONS, FILE NO. 63499-KY1906-5030, REFERENCE NO. 13800698, DATED JULY 30, 2019 PREPARED FOR MASTEC NETWORK SOLUTIONS - KY/TN ON BEHALF OF AT&T. THE FOLLOWING COMMENTS ARE IN REGARD TO SAID REPORT AND THE NUMBERS IN THE COMMENTS CORRESPOND TO THE NUMBERING SYSTEM IN SAID REPORT.

SCHEDULE B

1. TAXES, TAX LIENS, TAX SALES, WATER RATES, SEWER AND ASSESSMENTS SET FORTH IN SCHEDULE HEREIN. TAX ID: 155-00-00-056.00 - PERIOD :2018 - PAYMENT STATUS: PAID - TAX AMOUNT : \$432.35 (NOT A LAND SURVEYING MATTER, THEREFORE POD GROUP, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM.)
2. MORTGAGES RETURNED HEREIN. (-0-). SEE SEPARATE MORTGAGE SCHEDULE. NONE WITHIN PERIOD SEARCHED.
3. ANY STATE OF FACTS WHICH AN ACCURATE SURVEY MIGHT SHOW OR SURVEY EXCEPTIONS SET FORTH HEREIN. (POD GROUP, LLC DID NOT PERFORM A BOUNDARY SURVEY OF THE PARENT PARCEL, THEREFORE CANNOT ADDRESS THIS ITEM.)
4. RIGHTS OF TENANTS OR PERSON IN POSSESSION. (RIGHTS ARE NOT A LAND SURVEYING MATTER, THEREFORE POD GROUP, LLC DID NOT EXAMINE OR ADDRESS THIS ITEM.)

(JUDGMENTS, LIENS AND UCC)

5. NONE WITHIN PERIOD SEARCHED

(COVENANTS/RESTRICTIONS)

6. NONE WITHIN PERIOD SEARCHED

(EASEMENTS AND RIGHTS OF WAY)

7. NONE WITHIN PERIOD SEARCHED

PREPARED BY:



11490 BLUEGRASS PARKWAY  
LOUISVILLE, KY 40299  
502-437-5252

PREPARED FOR:



PREPARED FOR:




REVISION		
REV.	DATE	DESCRIPTION
A	8.30.19	PRELIM ISSUE W/ TITLE
0	9.23.19	ISSUED AS FINAL

SITE INFORMATION:

**CLAYHOLE**  
0 BARGE CLAYHOLE  
JACKSON, KY 41339  
BREATHITT COUNTY

TAX PARCEL NUMBER:  
155-00-00-056.00

PROPERTY OWNER:  
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P.O. BOX 269  
HAZARD, KY 41702

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POD NUMBER: 18-29369

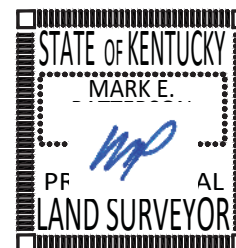
DRAWN BY: JRS  
CHECKED BY: MEP  
SURVEY DATE: 8.14.19  
PLAT DATE: 8.30.19

SHEET TITLE:  
**SITE SURVEY**  
THIS DOES NOT REPRESENT A BOUNDARY SURVEY OF THE PARENT PARCEL

SHEET NUMBER: (8 pages)  
**B-1.7**

LAND SURVEYOR'S CERTIFICATE

I, MARK E. PATTERSON, HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE COMMONWEALTH OF KENTUCKY. I FURTHER CERTIFY THAT THIS PLAT AND THE SURVEY ON THE GROUND WERE PERFORMED BY PERSONS UNDER MY DIRECT SUPERVISION, AND THAT THE DIRECTIONAL AND LINEAR MEASUREMENTS BEING WITNESSED BY MONUMENTS SHOWN HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. THE "RURAL" SURVEY, AND THE PLAT ON WHICH IT IS BASED, MEETS ALL SPECIFICATIONS AS STATED IN KAR 201 18:150.



*Mark Patterson*

9/23/2019  
DATE