

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 1:

Submit a copy of the leases or purchase agreements, including options, separate agreements, or deeds which Hummingbird Solar has entered into in connection with the proposed solar facility, including the agreements for each of the parcels of the project.

Response No. 1:

Due to file size limitations, please find the Project's redacted lease, purchase, and easement agreements attached as separate documents.

Responding Witness: Orla Lavender

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 2:

Detail any contracts by which Hummingbird Solar has paid, has negotiated to pay, or any compensation paid to non-participating landowners, whether cash or otherwise, near the project. Include the terms of the agreements and which properties are involved in terms of distance to the project boundaries.

Response No. 2:

Hummingbird has not entered into any negotiations, contracts, or agreements with nonparticipating landowners.

Responding Witness: Orla Lavender

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 3:

Explain why Hummingbird Solar has chosen a site with so many noncontiguous parcels.

Response No. 3:

As shown in Hummingbird's parcel map in SAR Exhibit C, the Project site consists of contiguous parcels, though photovoltaic (PV) infrastructure will be situated non-contiguously on the parcels. Project parcels without PV infrastructure will host the Project's feeder lines, secured pursuant to easement agreements with participating landowners, which will collect and deliver the electricity generated by the Project's solar panels to the Point of Interconnection (POI). Hummingbird's final site configuration is based on the location of the participating landowner's properties relative to the Project's POI.

Responding Witness: Jayce Walker

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 4:

Explain how a non-contiguous Project site can be developed and function as a single integrated Project.

Response No. 4:

As noted in Response No. 3, the Project site consists of contiguous parcels, though PV infrastructure will be situated non-contiguously on the parcels. The Project's parcels with PV infrastructure will be connected together, where applicable, via feeder lines pursuant to easement agreements executed between Hummingbird and participating landowners.

Responding Witness: Jayce Walker

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 5:

Explain how power generated within the non-contiguous portions of the Project site will be delivered to the substation.

Response No. 5:

Pursuant to easement agreements executed between the Project and applicable participating landowners, feeder lines will deliver power generated on participating Project parcels to the Project's POI, located in the central portion of the site.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
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Request No. 6:

Refer to the Site Assessment Report (SAR), Exhibit A-1, Conceptual Layout Site Map. Explain what the Exclusion Areas are within the Project site.

Response No. 6:

The exclusion areas depicted on the Conceptual Layout Site Map are areas of a participating landowner property that will not be a part of the Hummingbird Project.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
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Request No. 7:

Provide a narrative description of the location of each of the following site features:

- a. Each construction entrance.
- b. Each entrance to be used in operations.
- c. O&M area.
- d. Meteorological station.

Response No. 7:

- a. There will be a single entrance to each parcel/group of parcels, using public roads to get between parcels. Access roads and laydown yards are depicted on the Conceptual Layout Site map.
- b. The same access roads used for construction will be used for access during operations. All access roads are depicted on the Conceptual Layout Site map.
- c. The exact location of the O&M area will be determined pursuant to future coordination with the EPC firm.
- d. The meteorological station is located on a participating Project parcel, with Tax ID 057-00-00-009.00.

Responding Witness: Karol Kamasinski, Orla Lavender

Hummingbird Energy LLC
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Case No. 2022-00272

Request No. 8:

Explain whether the construction and operational entrances will be locked outside of normal working hours.

Response No. 8:

Construction and operational entrances will be locked outside of normal working hours.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
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Request No. 9:

Provide a narrative description of the location of each laydown area to be used during construction.

Response No. 9:

Each group of parcels contains one laydown yard for construction equipment and supplies, including a laydown yard for northeast, northwest, east, central, west, and south parcel groups.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
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Request No. 10:

Refer to SAR, Exhibit A (Project Site Maps). State whether the proposed access roads referred to in the legend as thick orange lines are marked by thick black lines on the site maps. If not, identify on a map the locations of the proposed access roads.

Response No. 10:

The proposed access roads are depicted as thick black lines.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
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Request No. 11:

Provide the security measures for the operations and maintenance (O&M) area and substation.

Response No. 11:

The Project site, including the O&M area and the substation, will be secured by chain-link security fencing (minimum 6-foot in height with 1-foot barb wire on top) and locked gates. Once operational, the site will be automated and monitored remotely at all times, with personnel located onsite as needed to perform duties related to operations, maintenance, repairs, and security as needed.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
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Request No. 12:

Explain how Hummingbird Solar will coordinate with local law enforcement and fire services regarding security and emergency protocols during construction and operations.

Response No. 12:

Prior to construction, Hummingbird will coordinate with Fleming County law enforcement and fire services to answer questions regarding security and emergency protocols, and provide first responder training.

Responding Witness: Adam Peterson

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
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Request No. 13:

Provide a detailed table listing all residential structures located within 2,000 feet of the Project boundary line. For each structure, provide: the distance to the boundary line; the distance to the closest solar panel; the distance to the nearest inverter; and the distance to the substation.

Response No. 13:

A 1,000 foot radius search for residential structures was utilized for Project analyses. This 1,000 foot radius is based on noise modeling sets with 1,000 feet as the threshold for any Project noise to diminish to 55 dBA and/or EPA-acceptable levels. A revised table that accounts for a 2,000-foot boundary line is being produced and will be submitted to the Siting Board by August 25, 2023.

Responding Witness: Adam Peterson, Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
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Request No. 14:

Provide a detailed table listing all non-residential structures located within 2,000 feet of the Project boundary line. For each structure, provide: a description of the structure (barn, commercial building, warehouse, church, etc.); the distance to the boundary line; the distance to the closest solar panel; the distance to the nearest inverter; and the distance to the substation.

Response No. 14:

See Hummingbird's Response No. 13.

Responding Witness: Adam Peterson, Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
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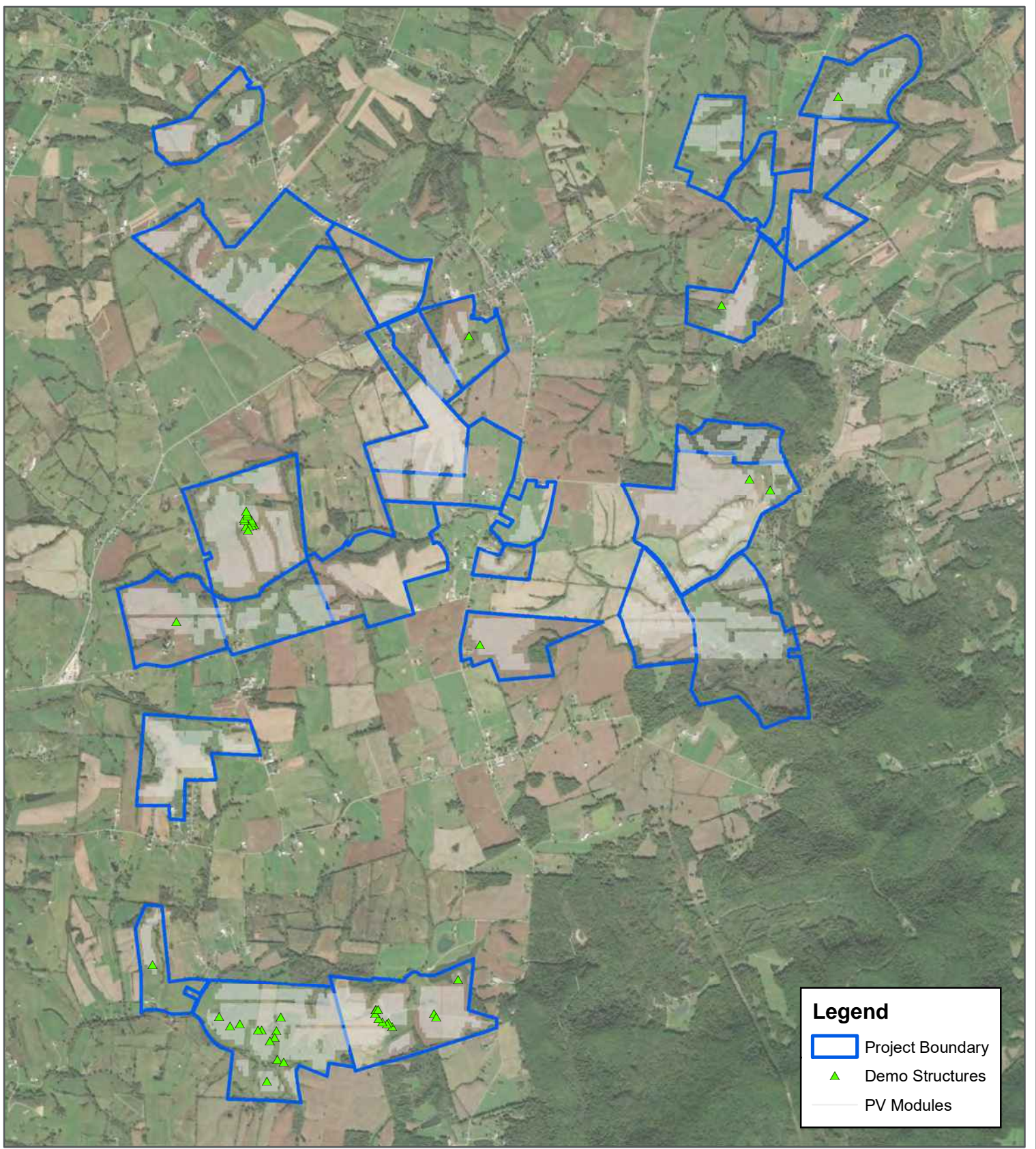
Request No. 15:

Clarify whether any existing structures on the Project site will be demolished or removed in order to accommodate the Project.




Response No. 15:

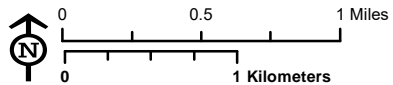
Hummingbird is engaged in ongoing communications with participating landowners regarding the potential demolition or removal of existing structures on each landowner's respective parcel, according to their individual preferences. Please see the attached map, which shows locations of structures currently projected to be demolished or removed from the Project site. This map is subject to change prior to construction of the Project in accordance with landowner preferences.

Responding Witness: Adam Peterson, Chad Martin, Orla Lavender



Legend

-  Project Boundary
-  Demo Structures
-  PV Modules



7.5' Quadrangles:
 Flemingsburg, KY (2022)
 Burtonville, KY (2022)
 Tolleboro, KY (2022)
 Orangeburg, KY (2022)

PLSS: unsectioned

This map and all data contained within are supplied as is with no warranty. Stantec, expressly disclaims responsibility for damages or liability from any claims that may arise out of the use or misuse of this map. It is the sole responsibility of the user to determine if the data on this map meets the user's needs. This map was not created as survey data, nor should it be used as such. It is the user's responsibility to obtain proper survey data.

KYSB Request #15

Structures Proposed for Demolition
Hummingbird Solar, LLC
Fleming County, Kentucky

 **Stantec**

76 San Marcos Street
 Austin, TX 78702 USA
 Phone (+1) 512.745.8129
 www.stantec.com

Hummingbird Energy LLC
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Request No. 16:

Describe any utilities that will be required during construction or operations and what utility will provide the service.

Response No. 16:

Electrical, water, and telecommunication utilities will be required during Project construction and operations, and would likely be obtained from Fleming-Mason Electric Cooperative, Fleming County Water Association, and Spectrum or Windstream, respectively, which are the utilities that provide services for the participating landowner properties and surrounding region.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
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Request No. 17:

Provide any communication with the Fleming County Road Department relating to traffic plans and mitigation measures. If no communication has been initiated, explain when that contact will occur.

Response No. 17:

Assuming Siting Board approval of the Project, Hummingbird will coordinate with the Fleming County Road Department prior to commencing construction.

Responding Witness: Adam Peterson

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
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Request No. 18:

Explain the justification for requesting a deviation from the 2,000-foot setback requirement for residential neighborhoods.

Response No. 18:

Please refer to the Motion for Deviation filed July 12, 2023, which details the justification for the setback reduction.

Responding Witness: Jayce Walker

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 19:

Explain whether the solar panels and other structures could be reconfigured within the site boundaries to comply with the 2,000-foot setback.

Response No. 19:

The Project would not be able to be reconfigured to account for a 2,000 foot setback and remain viable.

Responding Witness: Jayce Walker

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
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Request No. 20:

Refer to the SAR which states that the site consists of 42 parcels secured pursuant to 38 real estate agreements. Confirm that the statement is consistent with the information provided in Exhibit H, Appendix C (Legal Property Description).

Response No. 20:

Please see the attached revised Desktop Survey and Legal Descriptions provided by Westwood. This report documents that the Project is composed of 41 parcels secured pursuant to 38 real estate agreements. The reason for the decrease from 42 to 41 parcels is because a parcel previously identified as 058-00-00-41.02 has been combined with 058-00-00-035.00 to form one APN (see Pages 3 and 13 of revised report). Additionally, the updated report corrected other minor discrepancies including mislabeled parcel property owners and parcels with missing legal descriptions.

Responding Witness: Orla Lavender

HUMMINGBIRD SOLAR PROJECT PARCEL CONSTRAINTS MAP

FLEMING COUNTY, KENTUCKY

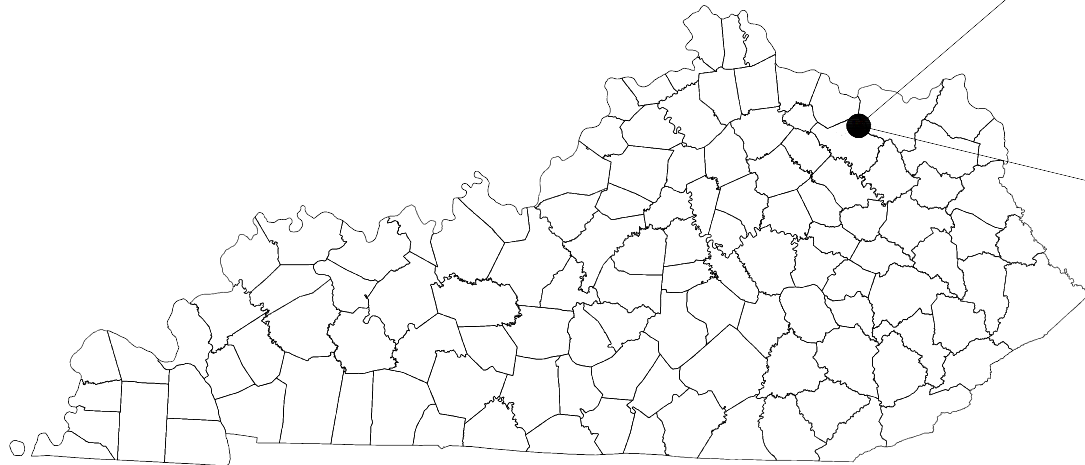


Westwood

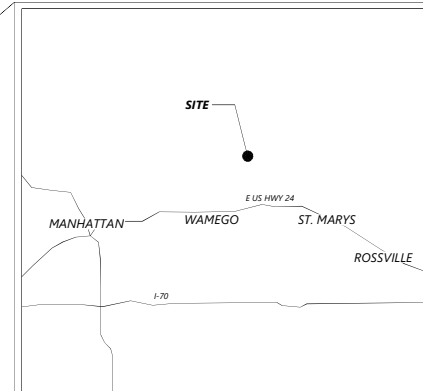
Phone: (703) 511-8844 10170 Quail Run, Suite 1001
 100 Hwy 2080, Suite 1100 Westlake, CA 90909
 westwoodps.com
 Westwood Professional Services, Inc.

GENERAL DRAWINGS

DWG. NO.	TITLE
SHEET 1	COVER / VICINITY MAP
SHEET 2	INDEX, GENERAL NOTES (TABLE A ITEMS)
SHEETS 3-7	PARCEL DETAILS
SHEETS 8-20	SCHEDULE A LEGAL DESCRIPTIONS & SCHEDULE B-II EXCEPTIONS



VICINITY MAP
(NOT TO SCALE)



**Hummingbird
Solar Project**
Fleming County, Kentucky

PREPARED FOR:

**RECURRENT
ENERGY**

123 Mission Street, # 18
San Francisco, CA 94105

REVISIONS:

NO.	DATE	DESCRIPTION
1	08/15/2023	UPDATE SURVEY AS PER CLIENT COMMENT

DATE: 08/15/2023

SHEET: 01 OF 20

SHEET INDEX:

*NOT TO SCALE



GENERAL NOTES

- THIS MAP WAS PREPARED USING TITLE FROM OLD REPUBLIC NATIONAL TITLE COMPANY COMMITMENT AND DATE NUMBERS. (COMMITMENT NO. 304387NCT-1, COMMITMENT DATE: FEBRUARY 25, 2022), (COMMITMENT NO. 304387NCT-3, COMMITMENT DATE: FEBRUARY 25, 2022), (COMMITMENT NO. 304387NCT-4, COMMITMENT DATE: DECEMBER 04, 2019), (COMMITMENT NO. 304387NCT-5, COMMITMENT DATE: FEBRUARY 25, 2022), (COMMITMENT NO. 304387NCT-8, COMMITMENT DATE: DECEMBER 02, 2019), (COMMITMENT NO. 304387NCT-11, COMMITMENT DATE: FEBRUARY 25, 2022), (COMMITMENT NO. 304387NCT-14, COMMITMENT DATE: DECEMBER 02, 2019), (COMMITMENT NO. 304387NCT-15, COMMITMENT DATE: DECEMBER 02, 2019), (COMMITMENT NO. 304387NCT-16, COMMITMENT DATE: DECEMBER 04, 2019), (COMMITMENT NO. 304387NCT-13, COMMITMENT DATE: DECEMBER 10, 2019), (COMMITMENT NO. 304387NCT-18, COMMITMENT DATE: DECEMBER 23, 2019), (COMMITMENT NO. 304387NCT-19, COMMITMENT DATE: DECEMBER 23, 2019), (COMMITMENT NO. 304387NCT-32, COMMITMENT DATE: JUNE 30, 2020), (COMMITMENT NO. 304387NCT-28, COMMITMENT DATE: JULY 1, 2020), (COMMITMENT NO. 304387NCT-20, COMMITMENT DATE: JULY 1, 2020), (COMMITMENT NO. 304387NCT-26, COMMITMENT DATE: JULY 1, 2020), (COMMITMENT NO. 304387NCT-29, COMMITMENT DATE: JULY 1, 2020), (COMMITMENT NO. 304387NCT-35, COMMITMENT DATE: JULY 1, 2020), (COMMITMENT NO. 304387NCT-25, COMMITMENT DATE: JULY 1, 2020), (COMMITMENT NO. 304387NCT-37, COMMITMENT DATE: JULY 1, 2020), (COMMITMENT NO. 304387NCT-30, COMMITMENT DATE: JULY 1, 2020), (COMMITMENT NO. 304387NCT-25, COMMITMENT DATE: JULY 1, 2020), (COMMITMENT NO. 304387NCT-32, COMMITMENT DATE: JULY 1, 2020), (COMMITMENT NO. 304387NCT-23, COMMITMENT DATE: JULY 20, 2020), (COMMITMENT NO. 304387NCT-26, COMMITMENT DATE: JULY 1, 2020), (COMMITMENT NO. 304387NCT-39, COMMITMENT DATE: FEBRUARY 24, 2021), (COMMITMENT NO. 304387NCT-40, COMMITMENT DATE: FEBRUARY 24, 2021), (COMMITMENT NO. 304387NCT-41, COMMITMENT DATE: FEBRUARY 25, 2021), (COMMITMENT NO. 304387NCT-42, COMMITMENT DATE: MARCH 24, 2021), ALSO USING TITLE FROM FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. NCS-940646-01-CHAR, COMMITMENT DATE: JANUARY 29, 2019.
- BEARING AND DISTANCES SHOWN HEREON ARE N285°20'11" KENTUCKY STATE PLANE COORDINATE SYSTEM, NORTH ZONE, US SURVEY FOOT.
- NO ADDRESSES WERE PROVIDED TO THE SURVEYOR. (TABLE A, ITEM 2).
- SUBJECT PROPERTY APPEARS TO BE CLASSIFIED AS FOLLOWS, AS DEPICTED ON FLOOD INSURANCE RATE MAP COMMUNITY - MAP NUMBER(S) 21069C0125C DATED 05/20/2010, 21069C0150C DATED 5/20/2010, 21161C0195E DATED 05/20/2010. (TABLE A, ITEM 3)
 - SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY 1% ANNUAL CHANCE FLOOD ZONE A - NO BASE FLOOD ELEVATION DETERMINED
- GROSS AREA: 4,148,880.385 SQ. FT. = 94.3178 ACRES (TABLE A, ITEM 4)
- BUILDING INFORMATION, ALL BUILDING FROM AERIAL PHOTOGRAPHY HAVE BEEN OUTLINED AND SHOWN HEREON (TABLE A, ITEM 7).
- SUBSTANTIAL FEATURES SUCH AS ROADS, DRIVES, ACCESS, RIVERS, PONDS, OVERHEAD POWER, AND BUILDINGS HAVE BEEN DRAFTED FROM AERIAL PHOTOGRAPHY OR SOURCE FROM VIRGINIA CLEARING HOUSE, AND USGS NHD GIS DATA. NOTE: ANY GIS DATA THAT DIFFERED FROM THE AERIAL PHOTOGRAPHY WAS ADJUSTED TO MATCH AERIAL. (TABLE A, ITEM 8).
- NO UTILITY MAPPING INFORMATION PROVIDED TO THE SURVEYOR. (TABLE A, ITEM 11).
- AS OF THE DATE OF THIS SURVEY, THERE WAS NO INFORMATION PROVIDED TO THE SURVEYOR FOR PROPOSED CHANGES IN STREET RIGHT OF WAY LINES, ROAD IMPROVEMENTS ARE SHOWN TO BE TAKING PLACE ON THE 2019 AERIAL PHOTOGRAPHY USED TO COMPLETE THIS PROJECT (TABLE A, ITEM 17).

LIST OF POSSIBLE ENCROACHMENTS:

- P.E. (1): OVERHEAD POWER LINES WITHOUT THE BENEFIT OF AN EASEMENT (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-28)
- P.E. (2): OVERHEAD POWER LINES WITHOUT THE BENEFIT OF AN EASEMENT (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-33)
- P.E. (3): OVERHEAD POWER LINES WITHOUT THE BENEFIT OF AN EASEMENT (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-42)
- P.E. (4): DRIVEWAY EXTENDS BEYOND PROPERTY LINE (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-42)
- P.E. (5): DRIVEWAY EXTENDS BEYOND PROPERTY LINE (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-42)
- P.E. (6): DRIVEWAY EXTENDS BEYOND PROPERTY LINE (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-32)
- P.E. (7): DRIVEWAY EXTENDS BEYOND PROPERTY LINE (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-16)
- P.E. (8): DRIVEWAY EXTENDS BEYOND PROPERTY LINE (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-17)
- P.E. (9): THREE GRAIN SILOS EXTENDS BEYOND PROPERTY LINE (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-13)
- P.E. (10): DRIVEWAY EXTENDS BEYOND PROPERTY LINE (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-10)
- P.E. (11): AGRICULTURAL USE EXTENDS BEYOND PROPERTY LINE (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-10)
- P.E. (12): DRIVEWAY EXTENDS BEYOND PROPERTY LINE (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-10)
- P.E. (13): DRIVEWAY EXTENDS BEYOND PROPERTY LINE (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-10)
- P.E. (14): POLE BARN EXTENDS BEYOND PROPERTY LINE (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-10)
- P.E. (15): OVERHEAD POWER LINES WITHOUT THE BENEFIT OF AN EASEMENT (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-9)
- P.E. (16): OVERHEAD POWER LINES WITHOUT THE BENEFIT OF AN EASEMENT (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-36)
- P.E. (17): OVERHEAD POWER LINES WITHOUT THE BENEFIT OF AN EASEMENT (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-35)
- P.E. (18): POLE BARN EXTENDS BEYOND PROPERTY LINE (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-35)
- P.E. (19): DRIVEWAY EXTENDS BEYOND PROPERTY LINE (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-37)
- P.E. (20): DRIVE TO CEMETERY WITHOUT THE BENEFIT OF AN EASEMENT (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-6)
- P.E. (21): OVERHEAD POWER LINES WITHOUT THE BENEFIT OF AN EASEMENT (SEE PARCEL - TITLE COMMITMENT NO. 304387NCT-13)

PREPARED FOR:



123 Mission Street, Fl 18
 San Francisco, CA 94105

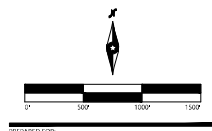
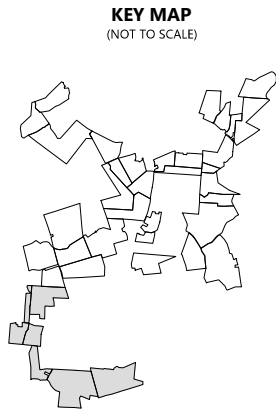
REVISIONS:

NO.	DATE	DESCRIPTION
1	08/15/2023	UPDATE SURVEY AS PER CLIENT COMMENTS

Hummingbird Solar Project
 Fleming County, Kentucky

DATE: 08/15/2023

SHEET: 02 OF 20

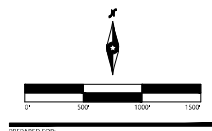
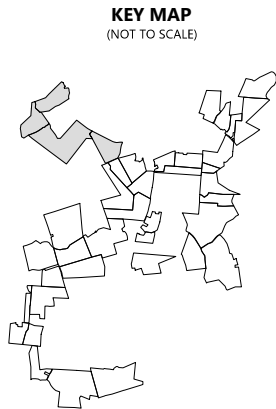
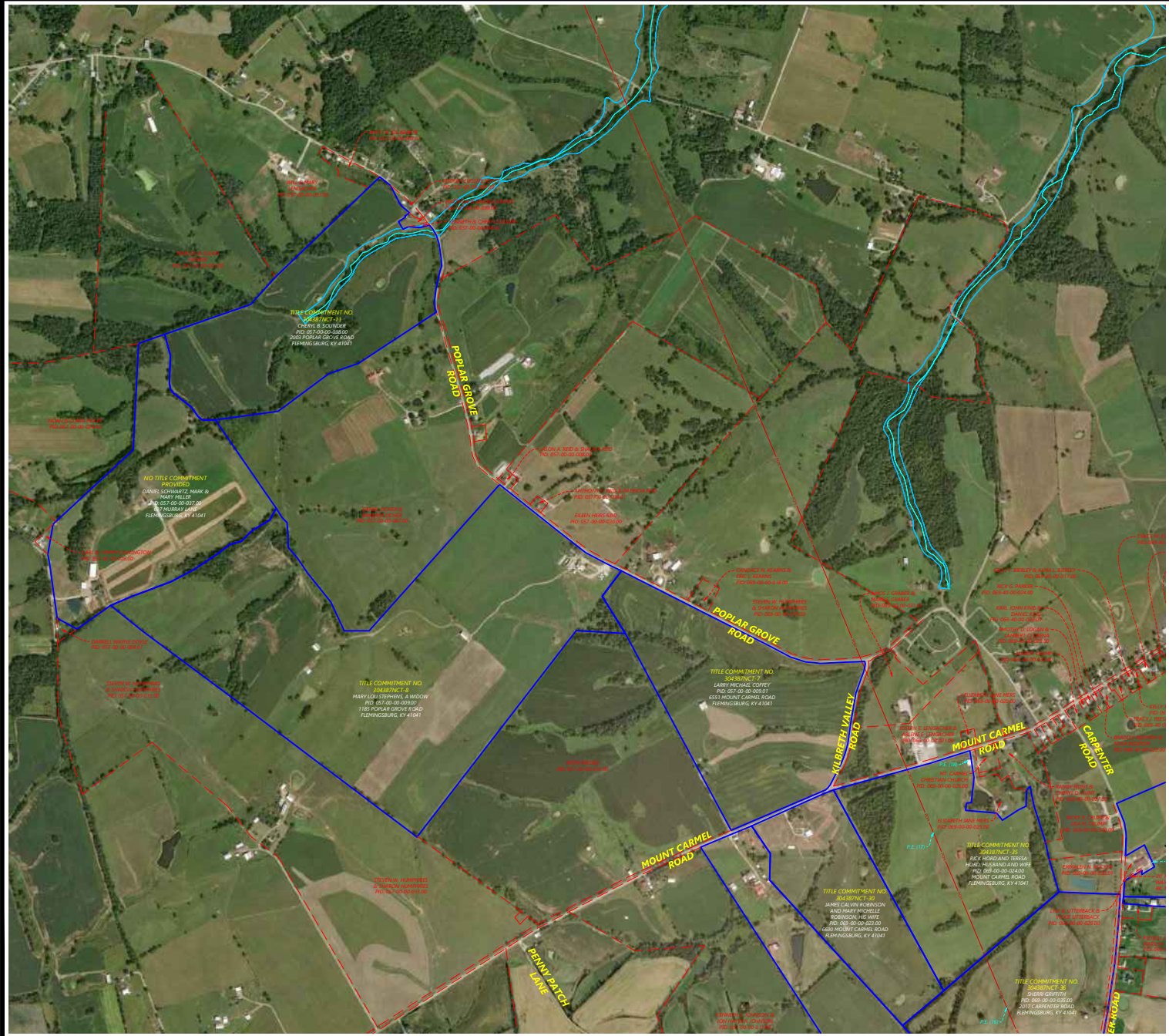


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RECURRENT ENERGY
 123 Mission Street, Fl 18
 San Francisco, CA 94105

REVISIONS:
 1 08/15/2023 UPDATE SURVEY AS PER CLIENT COMMENTS

- LEGEND:**
- BOUNDARY LINE
 - - - EASEMENT LINE
 - POWER OVERHEAD
 - POI
 - STREAM / RIVER CENTERLINE
 - FEMA FLOOD ZONE 1%
 - HAZARD BOUNDARY
 - NON-PARTICIPATING PROPERTY

Hummingbird Solar Project
 Fleming County, Kentucky

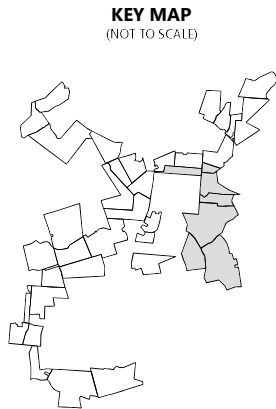


PREPARED FOR:
RECURRENT ENERGY
 123 Mission Street, Fl 18
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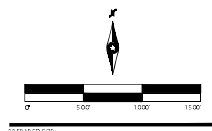
REVISIONS:
 1 08/15/2023 UPDATE SURVEY AS PER CLIENT COMMENTS

- LEGEND:**
- BOUNDARY LINE
 - - - EASEMENT LINE
 - POWER OVERHEAD
 - POI
 - STREAM RIVER CENTERLINE
 - FEMA FLOOD ZONE 'A'
 - HAZARD BOUNDARY
 - ▨ NON-PARTICIPATING PROPERTY

Hummingbird Solar Project
 Fleming County, Kentucky



KEY MAP
(NOT TO SCALE)



PREPARED FOR:

RECURRENT ENERGY

123 Mission Street, Fl. 18
 San Francisco, CA 94105

PREPARED BY:

WESTWOOD PROFESSIONAL SERVICES, INC.

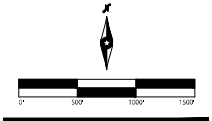
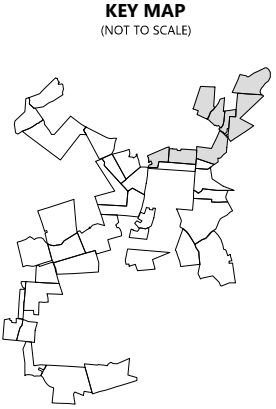
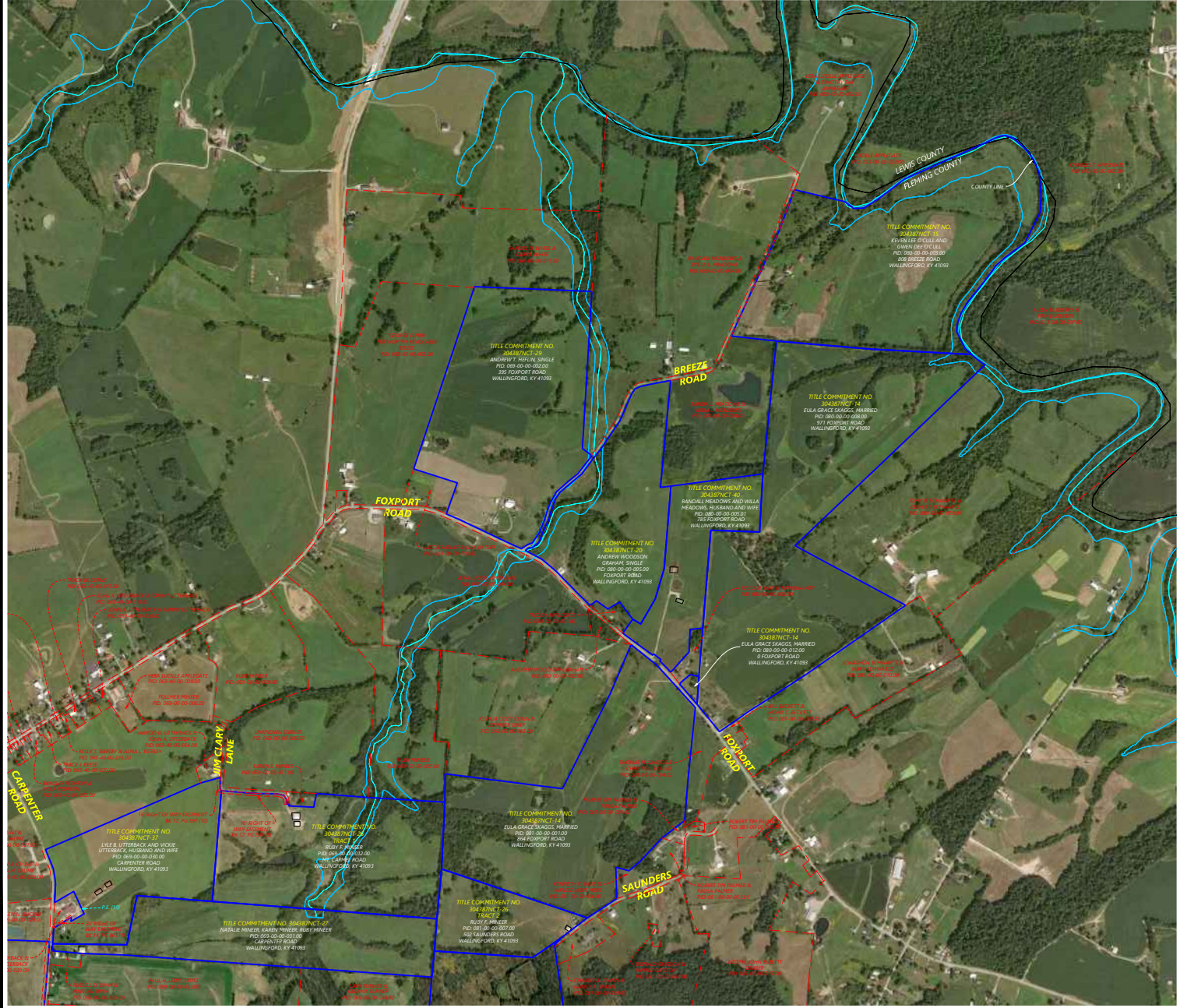
LEGEND:

- BOUNDARY LINE
- EASEMENT LINE
- POWER OVERHEAD
- SHIELDED WIRE LATERALING
- FEMA FLOOD ZONE #1
- HAZARD BOUNDARY
- NON-PARTICIPATING PROPERTY

Hummingbird Solar Project
 Fleming County, Kentucky

DATE: 08/15/2023

SHEET: 06 OF 20



PREPARED FOR:

RECURRENT ENERGY

123 Mission Street, FJ 18
 San Francisco, CA 94105

REVISIONS:

NO.	DATE	DESCRIPTION
1	08/15/2023	UPDATE SURVEY AS PER CLIENT COMMENTS

LEGEND:

- BOUNDARY LINE
- - - EASEMENT LINE
- POWER OVERHEAD
- STREAM/RIVER CENTERLINE
- FEMA FLOOD ZONE "A"
- - - HAZARD BOUNDARY
- / / / NON-PARTICIPATING PROPERTY

Hummingbird Solar Project
 Fleming County, Kentucky

GENEVA EARLS

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO:304387NCT-4, EFFECTIVE DATE: DECEMBER 4, 2019

OWNER: GENEVA EARLS, A WIDOW
TAX ID NO: 058-00-00-031.00

BEGINNING IN THE CENTER OF THE MATTOX TURNPIKE ROAD, AND CORNER TO OWEN TAYLOR; THENCE LEAVING ROAD WITH HIS LINE N 73 1/4 S 8133 FEET TO A POST; CORNER TO TAYLOR IN THE _____ DEBELI LAND; THENCE WITH THE DEBELI LINE N 25 3/4 W 190 FEET TO A POST, CORNER TO THE MARSHALL LAND; THENCE WITH A LINE OF SAKE S 59 1/4 W 1071 FEET TO A POST; THENCE S 8 1/2 E 113 FEET TO A POST; THENCE S 70 1/4 W 59 FEET; S 52 W 200 FEET TO A POST; THENCE S 71 1/4 W 184 FEET TO A POST; THENCE S 13 1/2 W 163 FEET; S 31 W 66 FEET TO A HICKORY; THENCE S 78 1/4 W 841 FEET TO A HEDGE TREE; THENCE N 60 W 488 FEET TO A POST; THENCE S 19 W 157 FEET TO THE CENTER OF OLD ROAD; THENCE DOWN SAME S 19 E 100 FEET; S 17 1/4 E 1007 FEET TO THE BEGINNING, CONTAINING 109.84 ACRES.

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: **(NOT A SURVEY MATTER)**
TAX ID: 058-00-00-031.00
DUE AND OWING: \$993.39
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. **(NOT A SURVEY MATTER)**
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCRoACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. **(NOT A SURVEY MATTER)**
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. **(NOT A SURVEY MATTER)**
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. **(NOT A SURVEY MATTER)**
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. **(NOT A SURVEY MATTER)**
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. **(NOT A SURVEY MATTER)**

ERIC CARPENTER AND AILEEN M. CARPENTER

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO:304387NCT-9, EFFECTIVE DATE: DECEMBER 2, 2019

OWNER: ERIC CARPENTER AND AILEEN M. CARPENTER, HIS WIFE
TAX ID NO: 069-00-00-043.00

TRACT ONE:

BEGINNING AT AN OLD GATE POST IN THE OLD ABANDONED DIRT ROAD, CORNER TO MRS. TURNER AND PAD EMMONS' LINE; THENCE WITH HIS LINE S 19 E 14.30 CHS. TO A SET STONE IN SAID EMMONS' LINE; THENCE S 86 1/2 E 49.76 CHS. TO A POINT IN THE CENTER OF THE MT. CARMEL AND BECHBURG TURNPIKE; THENCE DIVIDING THE PIECE ABOUT EQUALLY N 5 E 14.10 CHS. TO A POINT IN THE CENTER OF THE PINE CREEK ROAD TO POST 2 DESCRIBED HERIN; THENCE WITH A LINE OF TRACT NO. 2 S 86 5/8 E 79.52 RODS TO CENTER OF PIKE; THENCE N 13 1/4 E 34.88 RODS N 7 1/4 E 31.96 RODS TO THE BEGINNING, CONTAINING 7.3 ACRES, 1 QUARTER AND 33 POLES.

TRACT TWO:

BEGINNING IN THE CENTER OF THE MT. CARMEL BECHBURG TURNPIKE AND CORNER TO DELONG; THENCE WITH HIS LINE N 59 W 73.2 RODS TO A SET STONE; THENCE S 57 1/4 W 29.88 RODS TO A TURN IN THE OLD DIRT ROAD; THENCE S 5 W 79.28 RODS TO A POST AT END OF FENCE IN THE ABANDONED END OF A DIRT ROAD, CORNER TO MRS. TURNER, AND IN LINE OF TRACT ONE; THENCE WITH TRACT ONE S 86 5/8 E 79.52 RODS TO CENTER OF PIKE; THENCE N 13 1/4 E 34.88 RODS N 7 1/4 E 31.96 RODS TO THE BEGINNING, CONTAINING 45 ACRES AND 8 POLES.

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE TRACTS DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: **(NOT A SURVEY MATTER)**
TAX ID: 069-00-00-043.00
POSTED PAID: \$92.39
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. **(NOT A SURVEY MATTER)**
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCRoACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. **(NOT A SURVEY MATTER)**
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. **(NOT A SURVEY MATTER)**
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. **(NOT A SURVEY MATTER)**
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. **(NOT A SURVEY MATTER)**
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. **(NOT A SURVEY MATTER)**

EULA GRACE SKAGGS

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO:304387NCT-14, EFFECTIVE DATE: DECEMBER 2, 2019

OWNER: EULA GRACE SKAGGS, MARRIED

TRACT ONE:

BING A 0.867 ACRE TRACT OF LAND LOCATED SOUTHEAST OF KY HWY 57 AND ON THE NORTHEAST SIDE OF KY HWY 344 (FOXPORT ROAD) IN FLEMING COUNTY, KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN & CAP SET NEAR THE NORTH RIGHT OF WAY OF KY HWY 344 CORNER TO ROSCOE & MILLER DB 115 PG 162 AND CORNER TO JULIUS R. & RAMONA MAY DB 0150 PG 16;
THENCE ALONG THE MAY LINE N 22-52-15 E 156.19' TO AN IRON PIN & CAP SET CORNER TO MILLER;
THENCE CONTINUING ALONG THE MAY LINE S 73-27-59 E 98.04' TO AN IRON PIN & CAP SET NEAR THE WEST SIDE OF A GRAVEL PASSWAY IN THE LINE OF GEORGE JR. & EULA P. SKAGGS DB 132 PG 48;

THENCE ALONG THE SKAGGS LINE S 07-14-45 W 303.17' TO A POINT CORNER TO MILLER AND SKAGGS AT THE NORTH RIGHT OF WAY OF KY HWY 344;
THENCE ALONG THE NORTH RIGHT OF WAY OF KY HWY 344 N 37-34-02 W (PASSING A REFERENCE IRON PIN & CAP SET AT 19.89') A TOTAL DISTANCE OF 295.60' TO THE POINT OF BEGINNING, CONTAINING 0.867 ACRES ACCORDING TO THE SURVEY BY TRAVIS A. MCGLOONE PL S 919 OF BUFFALO TRACE SURVEYING LLC 5/30/2014. (FIELD SURVEY COMPLETED ON 5/16/14 WITH AN UNADJUSTED TRAVERSE CLOSURE OF 115.963) ALL IRON PIN & CAPS SET WERE "A" X "B" REBAR WITH AN ORANGE PLASTIC CAP STAMPED "T. MCGLOONE PLS 3919"

BEARINGS COORDINATED TO THE "A" IRON PIN & CAPS FOUND (WRIGHT 2808) MICHAEL A. & HEATHER DAWN HUGHES DB 229 PG 187, 30.811 ACRE TRACT.

TAX ID NO: 080-00-00-012.00

TRACT TWO:

THREE CERTAIN TRACTS OF LAND LYING AND BEING IN FLEMING COUNTY, KENTUCKY, ON THE WATERS OF TROTTERS BRANCH, NEAR MT. CARMEL, AND WHICH ARE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FIRST TRACT:
ADJOINING ELIZABETH ADAMS LANDS ON THE WEST AND BOUND ON THE EAST BY OAK STUMP BEING CORNER N.A. GLASCOCK AND J.C. LUKENS LAND ON THE NORTH BY DIRT ROAD CONTAINING TWO ACRES, MORE OR LESS.

SECOND TRACT:
ALSO ANOTHER TRACT OF LAND LYING IN FLEMING COUNTY, KENTUCKY, SITUATED ABOUT ONE MILE SOUTHWEST OF THE TOWN OF MT. CARMEL AND BOUNDED AS FOLLOWS, TO-WIT:

BEGINNING AT A STAKE CORNER TO LD. TOLLE;
THENCE EAST 46 POLES TO A STAKE;
THENCE SOUTH 1 POLE TO A STAKE;
THENCE EAST 31 POLES TO A STAKE ONE POLE SOUTH WEST OF THE WIDOW POWERS' CORNER;
THENCE 1 POLE SOUTH 11 EAST PARALLEL WITH THEIR LINE 60 SOUTH POLES TO A RED OAK AND WHITE OAK;
THENCE EAST 27 POLES TO A STAKE;
THENCE SOUTH 7 1/4 EAST 14 POLES TO A STAKE;
THENCE SOUTH 54 WEST 22 POLES TO A STAKE;
THENCE NORTH 74 1/4 POLES WEST 102 POLES TO A STAKE IN G. CLARY'S LINE;
THENCE NORTH 60 POLES TO THE BEGINNING, CONTAINING 41 ACRES, 2 RODS AND 38 POLES, MORE OR LESS.

THIRD TRACT:
ALSO ANOTHER TRACT OR PARCEL OF LAND LYING AND BEING IN THE COUNTY AND STATE AFORESAID AND BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A SET STONE ON THE MT. CARMEL AND ESCALAPIA AND KINNICKONICK TURNPIKE ABOUT 73 FEET SOUTH EAST FROM A WHITE LOCUST CORNER OF JOHN DAVID IN J.S. WALLINGFORD'S LINE AND ACROSS THE TURNPIKE AND RUNNING NEARLY SOUTH TO A SET STONE IN THE LINE OF MARY L. LUKENS AND J.W. MILLER CORNER AND THENCE ALONG THE OLD ROAD TO J.S. WALLINGFORD'S LINE AND RUNNING ALONG WITH SAID WALLINGFORD'S LINE AND THE LINE OF THE MULCHER LAND TO THE MT. CARMEL, ESCALAPIA AND KINNICKONICK TURNPIKE AND WITH SAID TURNPIKE TO THE BEGINNING, CONTAINING 30 ACRES, MORE OR LESS.

THIS IS CERTIFIED AND NOT CONVEYED HERBY THAT CERTAIN RIGHT OF PASSWAY RESERVED FOR TRAVELING AND HAULING OVER SAID LAND AND A STRIP NOT TO EXCEED ONE THIRTY TWO FEET WIDE RUNNING ALONG THE TRAVELED ROAD OR PORTION THEREOF WHICH IS ACCUSTOMED TO GO NEAREST THE LINE OF JOS. LINDS.

AND EXCEPTING THEREFROM A CERTAIN TRACT OF LAND CONTAINING 1.527 ACRES AND MORE PARTICULARLY DESCRIBED ON THE PLAT OF SURVEY PERFORMED BY ROY A. WRIGHT ON DECEMBER 15, 2002.

BEING A PART OF THE SAME REAL ESTATE IN WHICH AN UNDIVIDED ONE-THIRD (1/3) INTEREST WAS CONVEYED TO JUNIOR SKAGGS, MARRIED, BY DEED FROM CYNTHIA SKAGGS, WIDOW, DATED THE 7TH DAY OF MAY, 1991, AND OF RECORD IN D.B. 171, PAGE 683; AND THE SAID JUNIOR SKAGGS HAVING ACQUIRED THE REMAINING UNDIVIDED TWO-THIRDS (2/3) INTEREST IN THE ABOVE-DESCRIBED PROPERTY BY DEED FROM MATTHEW LANCASTER, ET AL, DATED THE 7TH DAY OF MAY, 1991, AND OF RECORD IN D.B. 171, PAGE 686; ALSO BEING A PART OF THE SAME REAL ESTATE CONVEYED JUNIOR SKAGGS AND EULA SKAGGS, HUSBAND AND WIFE, JOINTLY AND EQUALLY FOR LIFE WITH REMAINDER IN FEE SIMPLE TO THE SURVIVOR OF THEM BY STRAW DEED FROM TOM MACDONALD, ET AL, DATED THE 7TH DAY OF MAY, 1991, AND OF RECORD IN D.B. 171, PAGE 689; JUNIOR SKAGGS DIED TESTATE ON OR ABOUT THE 16TH DAY OF JUNE, 2002, LEAVING EULA SKAGGS THE SOLE OWNER OF THE HEREIN DESCRIBED PROPERTY PURSUANT TO THE SURVIVORSHIP CLAUSE IN SAID DEED. ALL CITATIONS TO THE OFFICE OF THE FLEMING COUNTY CLERK.

ALSO EXCEPTING THEREFROM, A CERTAIN TRIANGULAR-SHAPED TRACT OF LAND LOCATED IN FLEMING COUNTY, KENTUCKY, ON THE SAUNDERS ROAD, AND WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN OAK TREE IN THE RIGHT-OF-WAY OF SAUNDERS ROAD, AND CORNER OF LANDS RETAINED BY SKAGGS;
THENCE ALONG THE LINE OF SKAGGS IN A GENERAL SOUTHEASTERN DIRECTION FOR A DISTANCE OF 247.0 FT. TO A STEEL POST; THENCE CONTINUING ALONG THE LINE OF SAID SKAGGS IN A GENERAL NORTHWESTERN DIRECTION A DISTANCE OF 310.0 FT TO AN OAK TREE CORNER OF LANDS OWNED BY VIRGINIA HATHFIELD;
THENCE TURNING ALONG THE LINE OF SAID HATHFIELD, AND THEN ROBERT PALMER, FOR A DISTANCE OF 182.0 FT. TO A CORNER POST IN THE RIGHT-OF-WAY OF SAUNDERS ROAD;
THENCE FOLLOWING THE RIGHT-OF-WAY OF SAUNDERS ROAD A DISTANCE OF 122.0 FT. TO THE POINT OF BEGINNING, AND SUPPOSED TO CONTAIN APPROXIMATELY 1.002 ACRES, MORE OR LESS.

TAX ID NO: 081-00-00-001.00

TRACT THREE AND FOUR:

FIRST TRACT:

THE FOLLOWING PARCEL OF LAND, LYING ON THE WATERS OF NORTH FORK OF CINCINNATI RIVER IN FLEMING COUNTY, KENTUCKY:
BEGINNING AT A SET STONE IN THE COUNTY ROAD AT JAMES WILLIAMS CORNER;
THENCE S WITH HIS LINE J. S. WALLINGFORD TO A CORNER OF THE LAND BELONGING TO JOHN CASSIDY;
THENCE WITH SAID LINE TO THE LINE OF WILLIAM HARBES';
THENCE WITH SAID HARBES' LINE TO THE NORTH FORK CREEK;
THENCE DOWN SAID CREEK TO THE COUNTY ROAD;
THENCE DOWN SAID COUNTY ROAD TO THE BEGINNING, CONTAINING 69 ACRES, MORE OR LESS.

SECOND TRACT:

BEGINNING AT A CORNER OF THE LINE OF A. MCADOWS'S LINE;
THENCE S WITH LINE OF LAWSON'S POWER TO MCADOWS'S LINE;
THENCE WITH COUNTY ROAD TO MCADOWS'S LINE;
THENCE WITH HIS LINE TO THE BEGINNING, CONTAINING 10 ACRES, MORE OR LESS.

TAX ID NO: 081-00-00-001.00

TRACT FOUR:

A CERTAIN TRACT OR PARCEL OF LAND LOCATED ON THE MT. CARMEL-FOXPORT ROAD IN FLEMING COUNTY, KENTUCKY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING IN THE CENTER OF THE MT. CARMEL-FOXPORT ROAD AND CENTER OF A PASSWAY, CORNER TO THE LANDS OF P. E. MILLIEN;
THENCE WITH HIS LINE N 5 1/2 DEGREES E 150.16 RODS;
THENCE N 62 1/4 DEGREES W 80 RODS;
THENCE N 60 DEGREES W 26 RODS TO A GATPOST AT A PASSWAY;
THENCE OUT SAID PASSWAY, WITH ITS APPROXIMATE CENTER, N 87 DEGREES W 33.04 RODS AND S 6 1/4 DEGREES W 117.64 RODS TO CENTER OF ABOVE NAMES ROAD;
THENCE UP SAID ROAD S 41 DEGREES E 22 RODS TO THE PLACE OF BEGINNING, CONTAINING 63.45 ACRES, MORE OR LESS, ACCORDING TO SURVEY OF MAY 5, 1949, BY C. H. EVANS, SURVEYOR, FLEMING COUNTY, KENTUCKY.

TAX ID NO: 080-00-00-008.00

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE TRACTS DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: **(NOT A SURVEY MATTER)**
PERMANENT PARCEL NUMBER: 080-00-00-012.00
POSTED PAID: \$49.89
PERMANENT PARCEL NUMBER: 081-00-00-001.00
POSTED PAID: \$957.85
PERMANENT PARCEL NUMBER: 081-00-00-001.00
POSTED PAID: \$149.91
PERMANENT PARCEL NUMBER: 080-00-00-008.00
POSTED PAID: \$640.57
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. **(NOT A SURVEY MATTER)**
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCRoACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. **(NOT A SURVEY MATTER)**
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. **(NOT A SURVEY MATTER)**
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. **(NOT A SURVEY MATTER)**
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. **(NOT A SURVEY MATTER)**
- REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- RESERVATION OF RIGHT OF PASSWAY FOR TRAVELING AND HAULING, AS DESCRIBED IN DEED DATED FEBRUARY 11, 1948, GRANTED BY H. C. CARPENTER AND GERTUDE CARPENTER, HUSBAND AND WIFE TO GEORGE SKAGGS AND CYNTHIA SKAGGS, JOINTLY AND EQUALLY, RECORDED MARCH 3, 1948 IN BOOK 105, PAGE 194; FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. **(BLANKET IN NATURE, NOT PLOTTABLE)**

JIMMY D. KEGLEY AND GERALDINE V. KEGLEY

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO:304387NCT-10, EFFECTIVE DATE: DECEMBER 2, 2019

OWNER: JIMMY D. KEGLEY AND GERALDINE V. KEGLEY, HUSBAND AND WIFE
TAX ID NO: 009-00-00-041.00

A CERTAIN TRACT OF LAND FRONTING ON COUNTY ROAD NO. 1027, THE MT. CARMEL-BECHBURG ROAD AND COUNTY ROAD NO. 1023, THE BLACK DIAMOND ROAD AND ALSO LYING UPON THE WATERS OF FLEMING CREEK IN FLEMING COUNTY, KENTUCKY AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT A P.K. NAIL (SET) IN THE CENTER OF THE EXISTING BRIDGE OVER FLEMING CREEK ON THE MT. CARMEL-BECHBURG ROAD, SAID POINT BEING THE NORTHWEST CORNER OF TRACT NO. 2;
THENCE ALONG THE CENTER OF SAID ROAD FOR THE FOLLOWING TEN (10) CALLS: 219 PG 602
(1)NORTH 44 DEG. 10 MIN. 08 SEC. EAST, 1080.02 FT. TO A NAIL (SET);
(2)NORTH 44 DEG. 22 MIN. 11 SEC. EAST, 699.69 FT. TO A NAIL (SET);
(3)NORTH 39 DEG. 40 MIN. 45 SEC. EAST, 1000.00 FT. TO A NAIL (SET);
(4)NORTH 39 DEG. 01 MIN. 31 SEC. EAST, 49.95 FT. TO A NAIL (SET);
(5)NORTH 38 DEG. 16 MIN. 32 SEC. EAST, 90.00 FT. TO A NAIL (SET);
(6)NORTH 28 DEG. 33 MIN. 55 SEC. EAST, 49.95 FT. TO A NAIL (SET);
(7)NORTH 22 DEG. 50 MIN. 34 SEC. EAST, 104.61 FT. TO A NAIL (SET);
(8)NORTH 25 DEG. 55 MIN. 00 SEC. EAST, 69.99 FT. TO A NAIL (SET);
(9)NORTH 28 DEG. 42 MIN. 59 SEC. EAST, 69.99 FT. TO A NAIL (SET);
(10)NORTH 08 DEG. 56 MIN. 44 SEC. EAST, 250.39 FT. TO A .35 INCH X 2.9 INCH STEEL NAIL MARKER (SET), SAID POINT BEING THE SOUTHWEST CORNER OF TRACT NO. 4;
THENCE WITH THE LINE OF TRACT NO. 4 AND ALONG THE EXISTING FENCE FOR THE FOLLOWING TWO (2) CALLS;

(1)SOUTH 62 DEG. 38 MIN. 15 SEC. EAST, 19.13 FT. TO A 1/2 INCH REBAR (SET);
(2)NORTH 21 DEG. 42 MIN. 35 SEC. EAST, 214.55 FT. TO A CORNER POST, SAID POINT BEING SOUTHEAST CORNER OF ELWOOD H. KEGLEY AND BARBARA KEGLEY (D.B. 162 P. 412);
THENCE ALONG THE LINE OF ELWOOD H. KEGLEY AND BARBARA KEGLEY FOR THE FOLLOWING TWO (2) CALLS:
(1)NORTH 20 DEG. 19 MIN. 55 SEC. EAST, 125.71 FT. TO A 1/2 INCH REBAR (SET);
(2)NORTH 14 DEG. 11 MIN. 33 SEC. EAST, 181.41 FT. TO A .35 INCH X 2.9 INCH STEEL NAIL MARKER (SET) IN THE CENTER OF THE BLACK DIAMOND ROAD;
THENCE ALONG THE CENTER OF BLACK DIAMOND ROAD FOR THE FOLLOWING TWO (2) CALLS:

(1)SOUTH 82 DEG. 13 MIN. 30 SEC. EAST, 381.87 FT. TO A NAIL (SET);
(2)NORTH 83 DEG. 17 MIN. 30 SEC. EAST, 125.74 FT. TO A .35 INCH X 2.9 INCH STEEL NAIL MARKER (SET), SAID POINT BEING THE NORTHWEST CORNER OF JIMMIE AND GERALDINE KEGLEY (D.B. 159, P. 317);
THENCE WITH THE LINE OF JIMMIE AND GERALDINE KEGLEY FOR THE FOLLOWING THREE (3) CALLS:

(1)SOUTH 7 DEG. 00 MIN. 22 SEC. WEST, 1500.00 FT. TO A POINT;
(2)NORTH 82 DEG. 59 MIN. 38 SEC. EAST, 200.00 FT. TO A POINT;
(3)NORTH 7 DEG. 00 MIN. 22 SEC. EAST, 1500.00 FT. TO A POINT IN THE CENTER OF SAID ROAD;
THENCE CONTINUING ALONG THE CENTER OF BLACK DIAMOND ROAD FOR THE FOLLOWING FOUR (4) CALLS:

(1)SOUTH 82 DEG. 59 MIN. 38 SEC. EAST, 92.52 FT. TO A .35 INCH X 2.9 INCH STEEL NAIL MARKER;
(2)NORTH 82 DEG. 54 MIN. 20 SEC. EAST, 476.64 FT. TO A NAIL (SET);
(3)NORTH 82 DEG. 54 MIN. 33 SEC. EAST, 439.39 FT. TO A NAIL (SET);
(4)NORTH 82 DEG. 54 MIN. 51 SEC. EAST, 296.27 FT. TO A .35 INCH X 2.9 INCH STEEL NAIL MARKER (SET), SAID POINT BEING THE NORTHWEST CORNER OF TRACT NO. 5;

Westwood

Phone: (708) 251-4830 (MT) Clevin Beach Way, Suite 2001
Web Site: (800) 955-9100 (Westwood, IL 60091)
www.westwood.com

Westwood Professional Services, Inc.

FILED REF: FOR

RECURRENT ENERGY

123 Mission Street, Fl 18
San Francisco, CA 94105

REVISED: 11/05/2023 UPDATE SURVEY AS PER CLIENT COMMENTS

REVISED:	DATE	DESCRIPTION
1	11/05/2023	UPDATE SURVEY AS PER CLIENT COMMENTS

Hummingbird Solar Project

Fleming County, Kentucky

DATE: 08/15/2023

SHEET: 08 OF 20

JIMMY D. KEGLEY AND GERALDINE V. KEGLEY (CONTINUED)

THENCE WITH THE LINE OF TRACT NO. 5 AND ALONG THE EXISTING FENCE FOR THE FOLLOWING EIGHT (8) CALLS:

(1)SOUTH 0 DEG. 07' MIN. 59 SEC. WEST, 163.26 FT. TO A POST;
(2)THENCE SOUTH 1 DEG. 34' MIN. 49 SEC. EAST, 35.54 FT. TO A POST;
(3)THENCE SOUTH 1 DEG. 26' MIN. 08 SEC. WEST, 75.47 FT. TO A POST;
(4)THENCE SOUTH 0 DEG. 29' MIN. 36 SEC. WEST, 350.28 FT. TO A POST;
(5)THENCE SOUTH 3 DEG. 30' MIN. 35 SEC. WEST, 151.04 FT. TO A POST;
(6)THENCE SOUTH 3 DEG. 46' MIN. 27 SEC. WEST, 253.26 FT. TO A POST;
(7)THENCE SOUTH 3 DEG. 39' MIN. 27 SEC. WEST, 249.92 FT. TO A POST;
(8)THENCE SOUTH 4 DEG. 21' MIN. 02 SEC. WEST, 446.79 FT. TO A CORNER/GATE POST, SAID POINT A CORNER TO TRACT NO. 6;
THENCE WITH THE LINE OF TRACT NO. 6 AND ALONG THE EXISTING FENCE FOR THE FOLLOWING FIVE (5) CALLS:

(1)SOUTH 83 DEG. 08' MIN. 33 SEC. WEST, 543.85 FT. TO A POST;
(2)THENCE SOUTH 87 DEG. 30' MIN. 53 SEC. WEST, 55.13 FT. TO A POST;
(3)THENCE SOUTH 83 DEG. 13' MIN. 38 SEC. WEST, 486.02 FT. TO A POST;
(4)THENCE NORTH 79 DEG. 36' MIN. 37 SEC. WEST, 28.77 FT. TO A POST ON THE EAST SIDE OF FLEMING CREEK;
(5)THENCE CROSSING FLEMING CREEK SOUTH 4 DEG. 54' MIN. 38 SEC. WEST, 50.93 FT. TO A POST, SAID POINT A CORNER TO TRACT NO. 1;
THENCE WITH THE LINE OF TRACT NO. 1 AND ALONG THE EXISTING FENCE FOR THE FOLLOWING ELEVEN (11) CALLS:

(1)SOUTH 88 DEG. 29' MIN. 33 SEC. WEST, 381.56 FT. TO A POST;
(2)THENCE SOUTH 87 DEG. 46' MIN. 48 SEC. WEST, 438.41 FT. TO A POST;
(3)THENCE SOUTH 83 DEG. 08' MIN. 46 SEC. WEST, 113.21 FT. TO A CORNER/GATE POST;
(4)THENCE NORTH 8 DEG. 27' MIN. 15 SEC. EAST, 159.07 FT. TO A POST ON THE SOUTH SIDE OF FLEMING CREEK;
(5)THENCE CROSSING FLEMING CREEK NORTH 4 DEG. 08' MIN. 22 SEC. EAST, 117.51 FT. TO A 1/2 INCH REBAR (SET);
(6)THENCE SOUTH 74 DEG. 09' MIN. 10 SEC. WEST, 179.84 FT. TO A POST;
(7)THENCE SOUTH 65 DEG. 33' MIN. 48 SEC. WEST, 175.27 FT. TO A POST;
(8)THENCE NORTH 74 DEG. 25' MIN. 35 SEC. WEST, 44.26 FT. TO A POST;
(9)THENCE NORTH 77 DEG. 41' MIN. 36 SEC. WEST, 128.52 FT. TO A POST;
(10)THENCE NORTH 68 DEG. 14' MIN. 02 SEC. WEST, 113.20 FT. TO A POST;
(11)THENCE NORTH 70 DEG. 10' MIN. 12 SEC. WEST, 215.60 FT. TO A 1/2 INCH REBAR (SET);
THENCE LEAVING SAID FENCE SOUTH 38 DEG. 48' IN. 49 SEC. WEST, 84.67 FT. TO THE CENTER OF FLEMING CREEK, SAID POINT BEING THE NORTHEAST CORNER OF TRACT NO. 2;
THENCE WITH THE LINE OF TRACT NO. 2 AND GENERALLY ALONG THE CENTER OF FLEMING CREEK FOR THE FOLLOWING THREE (3) CALLS:

(1)NORTH 40 DEG. 46' MIN. 09 SEC. WEST, 59.19 FT. TO A POINT AT THE WATER GAP;
(2)THENCE NORTH 27 DEG. 02' MIN. 59 SEC. WEST, 231.39 FT. TO A POINT;
(3)THENCE NORTH 39 DEG. 19' MIN. 31 SEC. WEST, 333.53 FT. TO A POINT OF BEGINNING, CONTAINING 107.3330 ACRES

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: **(NOT A SURVEY MATTER)**
TAX ID: 069-00-047-00
POSTED PAID: \$645.57
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. **(NOT A SURVEY MATTER)**
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. **(NOT A SURVEY MATTER)**
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. **(NOT A SURVEY MATTER)**
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. **(NOT A SURVEY MATTER)**
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. **(NOT A SURVEY MATTER)**
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- EASEMENT DATED FEBRUARY 20, 1976, GRANTED BY ELWOOD KEGLEY AND GEORGIA KEGLEY TO EAST KENTUCKY POWER COOPERATIVE, INC., RECORDED AUGUST 21, 1976 IN BOOK 12, PAGE 389, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. **(SHOWN HEREON)**

MARY LOU STEPHENS

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO.304387NCT-8, EFFECTIVE DATE: DECEMBER 2, 2019

OWNER/MARY LOU STEPHENS, A WIDOW
TAX ID NO. 057-00-00-009-00

TRACT ONE:

A CERTAIN PARCEL OR TRACT OF LAND LYING ON SITUATED APPROXIMATELY 0.07 MILE SOUTHWEST OF COUNTY ROAD NO. 1041, THE MT. GLEAD ROAD, LOCATED APPROXIMATELY 1.5 MILE WEST OF MT. CARMEL, FLEMING COUNTY, KENTUCKY AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH REBAR AND CAP (SET) AT THE EXISTING COMMON CORNER OF LARRY MICHAEL COFFEY (D.B. 182, PAGE 135) AND RUSK FOWWORTHY, ET UX, THE PARCEL TRACT (D.B. 181, PAGE 545), SAID POINT BEING IN THE LINE OF OWEN STEPHENS, JR., ET UX, (D.B. 133, PAGE 560),
THENCE WITH THE LINE OF COFFEY SOUTH 29 DEG. 27' MIN. 55 SEC. EAST, 492.87 FEET TO A 1/2 INCH REBAR AND CAP (SET) AT THE BASE OF A CORNER POST, SAID POINT A NEW CORNER TO THE PARENT TRACT;
THENCE WITH A NEW DIVISION LINE OF THE SAME NORTH 84 DEG. 16' MIN. 41 SEC. WEST, 543.39 FEET TO A 1/2 INCH REBAR AND CAP (SET) AT THE BASE.

TRACT TWO:

THAT CERTAIN FARM PROPERTY LOCATED ON THE SOUTH SIDE OF KENTUCKY #24 ABOUT 1 1/2 MILES WEST OF MT. CARMEL, KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING IN CENTER OF HIGHWAY #24, CORNER TO P.J. DOYLE,
THENCE EAST CENTER OF HWY. 204 N 63 DEG. 50' MIN. W. 245.5 FT.
THENCE N. 56 DEG. 00' MIN. W. 151.5 FT. FT.
THENCE WITH THE LINE OF COFFEY SOUTH 29 DEG. 27' MIN. 55 SEC. EAST, 492.87 FEET TO A 1/2 INCH REBAR AND CAP (SET) AT THE BASE OF A CORNER POST, SAID POINT A NEW CORNER TO THE PARENT TRACT;
THENCE S. 83 DEG. 04' MIN. W. 182.0 FT. TO POST;
THENCE N. 39 DEG. 51' MIN. W. 93.0 FT. TO POST;
THENCE N. 23 DEG. 38' MIN. W. 62.0 FT. TO POST;
THENCE N. 27 DEG. 16' MIN. W. 29.0 FT. TO POST CORNER TO THOMAS BIRLEY (DIVISION LINE OF FARM);
THENCE WITH HIS LINE, S. 59 DEG. 10' MIN. W. 193.0 FT. TO STAKE;
THENCE S. 64 DEG. 30' MIN. W. 78.0 FT. TO POST CORNER TO J. R. GLASCOCK;
THENCE WITH HIS LINE, S. 51 DEG. 45' MIN. E. 428.0 FT. TO POST CORNER AT INTERSECTION OF FARM ROAD LEADING TO HIGHWAY #57, (FARM ROAD CONTINUES S. 51 DEG. 45' MIN. E. 186.5 FT. TO HWY. #57 AND IS 16.5 FT. WIDE);
THENCE CROSSING ROAD AT FARM INTERSECTION N. 38 DEG. 35' MIN. E. 16.5 FT. TO POST CORNER TO MRS. LILLIE LYONS,
THENCE WITH HER LINE, S. 58 DEG. 35' MIN. E. 390.5 FT. TO POST CORNER TO P. U. DOYLE
THENCE WITH HIS LINE (SAME BEARING N. 38 DEG. 35' MIN. E.) 383.0 FT. TO CENTER OF HIGHWAY #24, THE BEGINNING, CONTAINING 224.13 ACRES.

LESS AND EXCEPT A CERTAIN PARCEL OR TRACT OF REAL ESTATE CONVEYED TO ELMER FOXWORTHY AND CAROL FOXWORTHY, HUSBAND AND WIFE BY DEED RECORDED APRIL 27, 2005 IN VOLUME 225, PAGE 520, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A CERTAIN FARM ROAD COMMENCING WITH OTHER PROPERTY OF OWEN STEPHENS, JR., ET UX, AND CONTINUING WITH A BEARING OF S 51 DEG. 45' MIN. E A DISTANCE OF 1665 FEET TO THE RIGHT OF WAY OF HIGHWAY 57 AND BEING A WIDTH OF 16.5 FEET AND CONTAINING APPROXIMATELY 0.65 ACRE.

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE TRACTS DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: **(NOT A SURVEY MATTER)**
TAX ID: 001-00-00-000-00
POSTED DUE: \$2114.66
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. **(NOT A SURVEY MATTER)**
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. **(NOT A SURVEY MATTER)**
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. **(NOT A SURVEY MATTER)**
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. **(NOT A SURVEY MATTER)**
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. **(NOT A SURVEY MATTER)**
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. **(NOT A SURVEY MATTER)**

THOMAS M. SKAGGS

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO.304387NCT-12, EFFECTIVE DATE: DECEMBER 2, 2019

OWNER/THOMAS M. SKAGGS, A SINGLE MAN

TAX ID NO. 069-00-00-022-00

THREE CONTIGUOUS TRACTS OF LAND LOCATED ON THE SOUTHEAST SIDE OF KENTUCKY HIGHWAY NO. 57, APPROXIMATELY 7 MILE SOUTHWEST OF MT. CARMEL AND 6.3 MILES NORTHEAST OF FLEMINGBURG IN FLEMING COUNTY, KENTUCKY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

TRACT ONE:

BEGINNING AT A SET STONE IN THE LINE OF DEBELL FARM (FORMERLY W. P. EMMONS);
THENCE WITH A LINE OF SAME SOUTH 18 1/2 DEGREES EAST 66 POLES TO A STAKE, CORNER TO MARSHALL;
THENCE WITH HIS LINE SOUTH 87 DEGREES EAST 155 1/4 POLES TO A SET STONE CORNER TO SAME;
THENCE WITH ANOTHER LINE OF SAME NORTH 4 1/2 DEGREES EAST 62 POLES TO A SET STONE CORNER TO TRACT NUMBER TWO;
THENCE WITH A LINE OF SAME AND PASSING AT 57 1/2 POLES TO A SET STONE CORNER TO DOWNER;
THENCE WITH SAME NORTH 87 DEGREES WEST IN ALL 180.6 POLES TO THE BEGINNING, CONTAINING 65 ACRES, MORE OR LESS.

TRACT TWO:

BEGINNING AT A SET STONE IN THE CENTER OF THE HIGHWAY OPPOSITE A LOCUST ON THE SOUTH SIDE OF THE ROAD AND OUTSIDE OF THE FENCE MARKED AS A CORNER TO DOWNER;
THENCE WITH THE LINE OF SAME SOUTH 27 1/4 DEGREES EAST 28 1/2 POLES TO A SET STONE;
THENCE SOUTH 68 DEGREES EAST 26 1/2 POLES TO A SET STONE FROM WHICH AN ELM ABOVE THE SPRING BEARS SOUTH 43 DEGREES WEST 47 LINKS;
THENCE SOUTH 32 1/2 DEGREES EAST 163.6 POLES TO A SET STONE, A CORNER TO DOWNER AND ALSO IN THE LINE OF TRACT NUMBER ONE;
THENCE WITH THE LINE OF SAME SOUTH 87 DEGREES EAST 57.1 POLES TO A SET STONE AT FIG. 20 AND IN MARSHALL'S LINE;
THENCE WEST OF SAME NORTH 4 1/2 DEGREES EAST 104.4 POLES TO A STAKE WEST OF A BECH;
THENCE WITH ANOTHER LINE OF SAME NORTH 41 DEGREES WEST 56.2 POLES TO A SET STONE CORNER TO MARSHALL AND ALSO CORNER TO TRACT NUMBER THREE, FIG. 2;
THENCE WITH A LINE OF TRACT NUMBER THREE NORTH 42 1/2 DEGREES WEST 137 1/2 POLES TO A SET STONE SOUTHWEST CORNER TO TOLL HOUSE LOT;
THENCE WITH THE LINE OF SAME NORTH 43 DEGREES WEST 27 POLES NORTH 30 DEGREES WEST 7.70 POLES TO THE CENTER OF THE PINE; THENCE WITH SAME SOUTH 66 1/4 DEGREES WEST 36 POLES TO BEGINNING, CONTAINING 60 ACRES, MORE OR LESS.

SAVE AND EXCEPT A SMALL TRACT HERETOFORE CONVEYED BY LUTHE TURNER TO C. G. LYTEL AND NOW OWNED BY PORTER AND LYONS, BOUNDING AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A STAKE IN THE CENTER OF THE TURNPIKE OPPOSITE A LOCUST UPON THE SOUTH SIDE OF THE PIKE OUTSIDE OF THE FENCE AND ORIGINAL CORNER AND IN THE DOWNER LINE
THENCE WITH THE DOWNER LINE SOUTH 27 1/2 DEGREES EAST 78 POLES TO A SET STONE;
THENCE SOUTH 68 DEGREES EAST 26 1/2 POLES TO A SET STONE NEAR THE SPRING;
THENCE NORTH 32 1/2 DEGREES WEST 48 POLES IN THE CENTER OF THE PIKE OPPOSITE A SET STONE ON THE SOUTH SIDE OF SAME;
THENCE WITH THE CENTER OF THE PIKE SOUTH 66 1/4 DEGREES WEST 13 POLES TO THE BEGINNING, CONTAINING THREE ACRES, THREE QUARTERS AND 31 POLES, MORE OR LESS.

TRACT THREE:

BEGINNING AT A SET STONE IN THE SOUTH SIDE OF THE FLEMINGBURG AND MT. CARMEL HIGHWAY IN CHARLES NUTTS LINE,
THENCE WITH NUTTS LINE SOUTH 30 DEGREES EAST 7.7 POLES;
THENCE SOUTH 45 DEGREES EAST 27 POLES AND 3 LENGTHS 70 A CORNER OF NUTTS AND MRS. O'BANNON'S LINE;
THENCE NORTH 33 1/2 DEGREES EAST 9 POLES AND 4 LENGTHS TO A STAKE IN O'BANNON'S LINE;
THENCE NORTH 32 DEGREES WEST 28 POLES AND 15 LENGTHS TO THE CENTER OF THE PIKE.
THENCE SOUTH 66 1/4 DEGREES WEST 14 POLES AND 8 LENGTHS TO THE BEGINNING, CONTAINING TWO ACRES THREE QUARTERS, AND 13 POLES, MORE OR LESS.

ALL SUBJECT TO THE POLE LINE AGREEMENT GRANTED TO THE KENTUCKY RURAL ELECTRIFICATION COMPANY ON APRIL 9, 1936, OF RECORD AT MISC. EASEMENT BOOK S, PAGE 44, FLEMING COUNTY CLERK'S OFFICE.

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE TRACTS DESCRIBED ABOVE:

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE TRACTS DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: **(NOT A SURVEY MATTER)**
TAX ID NUMBER: 069-00-00-022-00
POSTED PAID: \$1711.18
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. **(NOT A SURVEY MATTER)**
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. **(NOT A SURVEY MATTER)**
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. **(NOT A SURVEY MATTER)**
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. **(NOT A SURVEY MATTER)**
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. **(NOT A SURVEY MATTER)**
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. **(NOT A SURVEY MATTER)**

LARRY M. COFFEY AND DAVETTA COFFEY

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO.304387NCT-7, EFFECTIVE DATE: DECEMBER 4, 2019

OWNER/ LARRY M. COFFEY AND DAVETTA COFFEY, HUSBAND AND WIFE
TAX ID NO. 057-00-00-009-01

THE LAND REFERRED TO IN THIS COMMITMENT IS LOCATED IN THE COUNTY OF FLEMING, STATE OF KENTUCKY, DESCRIBED AS FOLLOWS:

TRACT 1:

A CERTAIN PARCEL OR TRACT OF LAND LOCATED IN FLEMING COUNTY, KENTUCKY ON THE WATERS OF FLEMING CREEK AND DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A STAKE CHAS. NUTTS' FORMER AND IN A LINE OF SAID HENDERSON' FORMER TRACT; THENCE WITH A LINE OF SAME N 36-38 E 23 POLES AND 14 LINKS TO A STAKE UPON THE CENTER OF THE MAINSVILLE AND MT. CARMEL TURNPIKE; THENCE WITH THE CENTER OF SAME S 64-1/4 E 130 POLES S 76 E 10 POLES IN 85 E 39-1/2 POLES TO THE FORKS OF THE TWO RIVERS; THENCE WITH THE CENTER OF FLEMINGBURG PIKE S 22-12 W 24 POLES S 67-8 W 41 POLES S 24 E 26 POLES S 63-1/4 W 37-1/2 POLES TO A STAKE ON THE SOUTH EAST SIDE OF THE TURNPIKE CORNER TO SAID CHAS. NUTTS; THENCE WITH HIS LINE N 36-38 W 48 POLES TO A SET STONE IN SAID LINE; THENCE N 59-5/8 E 1 POLES TO A SET STONE ON THE DIRT ROAD; THENCE N 30-38 W 127-8/10 POLES TO THE BEGINNING, CONTAINING 95 ACRES, 2 QUARTERS AND 2 POLES.

BEING A PART OF THE SAME REAL ESTATE, REFERRED TO AS TRACT II, CONVEYED TO OWEN STEPHENS, JR. AND MARY LU STEPHENS, HIS WIFE, FROM NOEL HESTER EXECUTOR OF THE ESTATE OF P.J. DOYLE BY DEED DATED MAY 29, 1976, SAME BEING OF RECORD IN DEED BOOK 148, PAGE 732, FLEMING COUNTY CLERK'S OFFICE, FLEMINGBURG, KENTUCKY.

TRACT 2:

LYING AND BEING NEAR KENTUCKY ROUTE 57 AND BEING A PART OF THE SAME PROPERTY CONVEYED TO LARRY M. COFFEY AS RECORDED IN DEED BOOK 182, PAGE 135 IN THE OFFICE OF THE CLERK OF FLEMING COUNTY, KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

NORTH BASED ON A PREVIOUS SURVEY DATED MARCH 15, 2002.

ALL IRON PINS SET ARE 1/2" X 18" REBAR WITH ORANGE PLASTIC SURVEYORS CAP STAMPED PLS 3303.

BEGINNING AT AN IRON PIN SET A CORNER TO LARRY M. COFFEY (DEED BOOK 182, PAGE 135); THENCE WITH THE COFFEY LINE NORTH 23 DEG. 30' MIN. 07 SEC. WEST, A DISTANCE OF 281 1/2 FEET TO AN IRON PIN SET, THENCE NORTH 63 DEG. 15' MIN. 37 SEC. EAST, A DISTANCE OF 146.78 FEET TO AN IRON PIN SET; THENCE SOUTH 27 DEG. 47' MIN. 14 SEC. EAST, A DISTANCE OF 273.08 FEET TO AN IRON PIN SET, SAID PIN BEING NORTH 78 DEG. 19' MIN. 48 SEC. WEST, A DISTANCE OF 118.8 7 FEET FROM THE INTERSECTION OF STATE ROUTE 57 AND KLEBETH VALLEY ROAD AND ALSO NORTH 02 DEG. 21' MIN. 54 SEC. WEST, A DISTANCE OF 580.43 FEET FROM A FENCE POST A CORNER TO COFFEY AND FOXWORTHY, THENCE CONTINUING WITH THE COFFEY LINE SOUTH 60 DEG. 39' MIN. 19 SEC. WEST, A DISTANCE OF 167.82 FEET TO THE POINT OF BEGINNING, SAID DESCRIBED TRACT CONTAINING 1.00 ACRE.

THERE IS ALSO CONVEYED A 1/2' RIGHT-OF-WAY ALONG AN EXISTING GRAVEL ROADWAY FROM STATE ROUTE 57 TO THE ABOVE DESCRIBED PROPERTY.

SUBJECT TO ALL LEGAL RIGHT-OF-WAYS AND EASEMENTS BEING OF RECORD OR NOT OF RECORD.

THE TRACT IS MORE FULLY SHOWN ON A MAP OR PLAN AS SURVEYED, DRAWN AND DATED MAY 27, 2003 BY MARKUS JOHNSON PROFESSIONAL LAND SURVEYOR NO. 3303 JOHNSON'S LAND SURVEYING AND ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

BEING A PART OF THE SAME REAL ESTATE CONVEYED LARRY MICHAEL COFFEY, THEN SINGLE, BY DEED FROM OWEN STEPHENS, JR., ET UX DATED THE 4TH DAY OF APRIL, 1995 AND OF RECORD IN D.B. 182, PAGE 135, FLEMING COUNTY CLERK'S OFFICE.

THERE IS ALSO CONVEYED HEREBY A CERTAIN 2006 28X72 CLAYTON DOUBLE-WIDE MOBILE HOME BEARING VIN #CA01901N4S WHICH IS SITUATED UPON THE ABOVE-DESCRIBED REAL ESTATE.

(CONTINUED ON SHEET 10)

Westwood

Phone: (708) 251-4830 10770 Clybourn Ave., Suite 200
Fax: (708) 251-1111 Westwood, IL 60091

Westwood Professional Services, Inc.

REF: 86270706

RECURRENT
ENERGY

123 Mission Street, Fl 18
San Francisco, CA 94105

REVISED: 1 18/15/2023 UPDATE SURVEY AS PER CLIENT COMMENTS

Hummingbird Solar Project

Fleming County, Kentucky

DATE: 08/15/2023

SHEET: 09 OF 20

LARRY M. COFFEY AND DAVETTA COFFEY (CONTINUED)

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE TRACTS DESCRIBED ABOVE:

1. GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: (NOT A SURVEY MATTER)
PERMANENT PARCEL NUMBER: 057-00-00-009.01
POSTED PAID: \$1,319.49
2. EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. (NOT A SURVEY MATTER)
3. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. (NOT A SURVEY MATTER)
4. ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. (NOT A SURVEY MATTER)
5. ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. (NOT A SURVEY MATTER)
6. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. (NOT A SURVEY MATTER)
7. THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. (NOT A SURVEY MATTER)
8. ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. (NOT A SURVEY MATTER)
9. REAL ESTATE DEED OF TRUST DATED APRIL 11, 2012, EXECUTED BY LARRY MICHAEL COFFEY AND DAVETTA COFFEY, HUSBAND AND WIFE TO PEOPLES BANK OF KENTUCKY, INC., SECURING A NOTE IN THE ORIGINAL PRINCIPAL SUM OF \$30,000.00, RECORDED APRIL 23, 2012 IN MORTGAGE BOOK 286, PAGE 495, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)
10. REAL ESTATE DEED OF TRUST DATED JANUARY 17, 2018, EXECUTED BY LARRY MICHAEL COFFEY AND DAVETTA COFFEY, HUSBAND AND WIFE TO FARM SERVICE AGENCY, SECURING A NOTE IN THE ORIGINAL PRINCIPAL SUM OF \$77,400.00, RECORDED JANUARY 25, 2018 IN MORTGAGE BOOK 348, PAGE 484, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)
11. REAL ESTATE DEED OF TRUST DATED MAY 22, 2019, EXECUTED BY LARRY MICHAEL COFFEY AND DAVETTA COFFEY, HUSBAND AND WIFE TO FARM SERVICE AGENCY, SECURING A NOTE IN THE ORIGINAL PRINCIPAL SUM OF \$14,000.00, RECORDED MAY 22, 2019 IN MORTGAGE BOOK 360, PAGE 777, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)

JOHNNY TUCKER

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO-3048387NC-6, EFFECTIVE DATE: DECEMBER 4, 2019

OWNER: JOHNNY TUCKER
TAX ID NO. 070-00-00-002.00

THE LAND REFERRED TO IN THIS COMMITMENT IS LOCATED IN THE COUNTY OF FLEMING, STATE OF KENTUCKY, DESCRIBED AS FOLLOWS:

A TRACT OF LAND FRONTING ON BLACK DIAMOND ROAD ALSO KNOWN AS GORMAN PKE, APPROXIMATELY 1.7 MILES SOUTHEAST OF MT. CARMEL, FLEMING COUNTY, KENTUCKY, AND WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS-

CONSISTING OF 419.92 ACRES LOCATED IN FLEMING COUNTY, KENTUCKY, AND DESCRIBED AS FOLLOWS:

BEGINNING IN THE CENTER OF OLD ROAD AND CORNER OF DUARD CARPENTER; THENCE WITH THE LINE SOUTH 20 1/4 DEGREES WEST 2071 FEET TO A POST; THENCE SOUTH 17 1/4 DEGREES EAST 922 FEET TO A POST; THENCE SOUTH 17 1/4 DEGREES EAST 922 FEET TO A POST; THENCE SOUTH 45 DEGREES EAST 100 FEET; THENCE SOUTH 11 1/4 DEGREES EAST 490 FEET TO A POST; THENCE SOUTH 75 DEGREES EAST 126 FEET TO A POST; THENCE NORTH 84 DEGREES EAST 1580 FEET TO A POST; THENCE SOUTH 9 DEGREES WEST 300 FEET; SOUTH 12 DEGREES WEST 100 FEET; SOUTH 20 1/4 DEGREES WEST 225 FEET; SOUTH 5 DEGREES WEST 211 FEET TO A WILD CHERRY; THENCE SOUTH 15 DEGREES EAST 519 FEET TO A STUMP; THENCE NORTH 84 1/2 DEGREES EAST 750 FEET TO A HICKORY; THENCE SOUTH 70 DEGREES EAST 532 FEET TO A CROOKED WHITE OAK; THENCE SOUTH 10 DEGREES EAST 246 FEET; SOUTH 10 DEGREES EAST 458 FEET; SOUTH 35 DEGREES EAST 152 FEET; SOUTH 18 DEGREES EAST 198 FEET; SOUTH 88 DEGREES EAST 390 FEET; SOUTH 86 1/2 DEGREES EAST 1155 FEET; THENCE NORTH 3 DEGREES WEST 1875 FEET TO A POST; THENCE NORTH 18 DEGREES EAST 1550 FEET; THENCE NORTH 3 DEGREES WEST 1875 FEET TO A POST; THENCE NORTH 18 DEGREES EAST 165 FEET TO CENTER OF OLD ROAD; THENCE WITH THE CENTER OF THE OLD ROAD NORTH 22 1/2 DEGREES WEST 660 FEET; NORTH 10 DEGREES WEST 1320 FEET; DUE WEST 99 FEET; NORTH 12 DEGREES WEST 924 FEET; NORTH 6 DEG. WEST 253 FEET; WITH THE LINE OF SAME SOUTH 59 DEGREES WEST 483 FEET; SOUTH 52 1/2 DEGREES WEST 300 FEET; SOUTH 74 1/2 DEGREES WEST 226 FEET; SOUTH 56 DEGREES WEST 192 FEET; SOUTH 42 DEGREES WEST 572 FEET; SOUTH 52 1/2 DEGREES WEST 174 FEET; SOUTH 60 DEGREES WEST 400 FEET TO FORKS OF ROAD; THENCE NORTH 25 1/4 DEGREES WEST 858 FEET; NORTH 38 DEGREES WEST 485 FEET AND NORTH 55 DEGREES WEST 693 FEET TO THE BEGINNING, CONTAINING 421 ACRES, MORE OR LESS, BUT SUBJECT TO LEGAL HIGHWAYS.

THERE IS EXCEPTED AND NOT CONVEYED A CERTAINLY LOCATED ON THE ABOVE PROPERTY AND DESCRIBED AS FOLLOWS: BEGINNING IN CENTER OF OLD ROAD 165 FEET FROM BEGINNING OF O'CALL NORTH 22 1/2 DEGREES WEST 660 FEET; THENCE LEAVING ROAD WITH LINE OF CENTER; SOUTH 71 1/4 DEGREES WEST 223 FEET TO A POST; THENCE NORTH 30 1/4 DEGREES WEST 219 FEET TO A POST; THENCE NORTH 72 DEG. EAST 213 FEET TO A CENTER OF OLD ROAD; THENCE UP ROAD SOUTH 22 1/2 DEGREES EAST 216 FEET TO THE BEGINNING, CONTAINING 1.08 ACRES, LEAVING IN SAID TRACT 419.92 ACRES.

THERE IS ALSO EXCEPTED AND CONVEYED HERIN A CERTAIN TRACT OF LAND CONVEYED TO ARTHUR CAUDILL COMPANY FROM CHARLES E. NOBLE AND MAY L. NOBLE, HUSBAND AND WIFE, BY DEED DATED THE 17TH DAY OF NOVEMBER, 1964, AND OF RECORD IN DEED BOOK 122, PAGE 154, FLEMING COUNTY CLERK'S OFFICE.

BEGINNING IN THE CENTER OF THE ROAD, AND CORNER TO DUARD CARPENTER; THENCE LEAVING THE ROAD WITH THE LINE S. 20 DEGREES 30' W. 2019 FEET TO A POST; THENCE S. 16 DEGREES E. 6170 FEET TO A POST; THENCE S. 25 DEGREES 15' E. 3110 FEET TO A POST; THENCE S. 38 DEGREES E. 920 FEET TO A WHITE OAK; THENCE S. 14 DEG. 39' E. 2530 FEET TO A HICKORY; THENCE S. 2 DEG. 15' E. 2620 FEET TO A POST; THENCE S. 18 DEG. 10' E. 1500 FEET TO A POST; THENCE N. 34 DEG. 30' E. 1579 FEET TO A GATE; THENCE N. 2 DEG. W. 1207 FEET TO A POST; THENCE N. 36 DEG. W. 493.5 FEET TO A POST; THENCE N. 1 DEG. 30' W. 2000 FEET TO A POST; THENCE N. 11 DEG. E. 280 FEET TO CENTER OF ROAD; THENCE N. 29 DEG. 30' W. 10000 FEET WITH CENTER OF ROAD; THENCE N. 18 DEG. 30' W. 1345 FEET WITH CENTER OF ROAD; THENCE N. 44 DEG. 30' W. 100 FEET WITH CENTER OF ROAD; THENCE N. 31 DEG. W. 1070 FEET TO THE BEGINNING, CONTAINING 196.4 ACRES, MORE OR LESS, WITH SAID TRACT OF LAND BEING SOLD BY THE BOUNDARY AND NOT BY THE ACRE.

(THIS CONVEYANCE DESCRIBED THE ACRES AS BEING 120 ACRES, HOWEVER, A LATER SURVEY SHOWED THE CORRECT ACREAGE AS BEING 106.4 ACRES, FOR FURTHER REFERENCE SEE A DEED DATED MAY 30, 1970 AND OF RECORD IN DEED BOOK 131, PAGE 436, FLEMING COUNTY CLERK'S OFFICE.)

SAVE AND EXCEPT:

BEING A 30.702 ACRE PARCEL OF THAT LARGER TRACT OF LAND CONVEYED TO JOHNNY TUCKER (D.B. 213 PG. 493) LOCATED ON THE SOUTH SIDE OF BLACK DIAMOND ROAD IN FLEMING COUNTY, KY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MAG NAIL SET IN THE EXISTING CENTER OF BLACK DIAMOND ROAD AND BEING A CORNER TO JOHNNY TUCKER (D.B. 213 PG. 493) AND FRED & TERESA GARRETT (D.B. 159 PG. 133); THENCE LEAVING SAID ROAD AND WITH THE CENTER OF A GRAVEL ROAD AND WITH THE LINE OF TUCKER AND GARRETT S 85° 17' 25" E A DISTANCE OF 460.12' TO A POINT; THENCE S 84° 01' 00" E A DISTANCE OF 481.80' TO AN IRON PIN SET IN THE GRAVEL ROAD AT ITS JUNCTION WITH AN OLD DIRT ROAD; THENCE LEAVING THE GRAVEL ROAD CONTINUING WITH THE LINE OF TUCKER AND GARRETT AND WITH THE CENTER OF THE OLD DIRT ROAD S 07° 22' 51" E A DISTANCE OF 257.88' TO AN IRON PIN SET; THENCE S 04° 00' 59" E A DISTANCE OF 980.32' TO AN IRON PIN SET; THENCE S 04° 00' 59" E A DISTANCE OF 281.15' TO A POINT; THENCE S 73° 42' 01" E A DISTANCE OF 1115.91' TO A POINT IN THE CENTER; THENCE S 36° 09' 08" E A DISTANCE OF 2.273' TO AN IRON PIN SET; THENCE S 07° 04' 14" E A DISTANCE OF 922.77' TO AN IRON PIN SET; THENCE LEAVING SAID ROAD AND OLD ROAD AND WITH A NEW DIVISION LINE OF TUCKER S 64° 05' 49" W A DISTANCE OF 236.50' TO AN IRON PIN SET; THENCE N 17° 58' 00" W A DISTANCE OF 523.00' TO AN IRON PIN SET; THENCE N 75° 05' 40" W A DISTANCE OF 236.30' TO AN IRON PIN SET NEAR A 4" MAPLE; THENCE N 80° 06' 52" W A DISTANCE OF 249.56' TO AN IRON PIN SET; THENCE N 32° 39' 38" W A DISTANCE OF 474.00' TO AN IRON PIN SET; THENCE N 41° 15' 32" W A DISTANCE OF 319.90' TO AN IRON PIN SET; THENCE N 41° 15' 32" W A DISTANCE OF 23.00' TO A POINT IN THE EXISTING CENTER OF BLACK DIAMOND ROAD; THENCE WITH THE CENTER OF THE SAME, N 60° 18' 48" E A DISTANCE OF 128.62' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 74.85' WITH A RADIUS OF 380.00' WITH A CHORD BEARING OF N 50° 07' 15" E, WITH A CHORD LENGTH OF 73.87', TO THE POINT OF BEGINNING, CONTAINING 30.702 ACRES AS SURVEYED BY MICHAEL D. RUGGLES, PLS #3487 IN SEPTEMBER OF 2011.

NOTES:
PROPERTY SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS AND CONVEYANCES, PROPERTY SUBJECT TO THE RIGHT OF-WAY OF BLACK DIAMOND ROAD.
ALL IRON PINS SET WITHIN DIAMETER BY 20" LONG REBAR WITH IDENTIFICATION CAP
STAMPED M.D.R. 3487.
BEARINGS CORRELATED TO TRUE NORTH BY THE METHOD OF GPS OBSERVATION. COMPLETION DATE OF FIELD SURVEY WAS 9-22-2011.

BEING PART OF THE SAME PROPERTY CONVEYED JOHNNY R. TUCKER AND MARY SUE TUCKER, HIS WIFE, FROM CHARLES A. NOBLE ET AL., BY DEED DATED JUNE 8, 1985, AND RECORDED IN DEED BOOK 182, PAGE 514, AND ALSO BEING A PART OF THE SAME PROPERTY IN WHICH MARY SUE TUCKER, SPOUSE, CONVEYED HER INTEREST TO JOHNNY R. TUCKER, SINGLE, BY DEED DATED DECEMBER 5, 2002, AND RECORDED IN DEED BOOK 213, PAGE 493, ALL OF RECORD IN THE F. W. WELLS COUNTY CLERK'S OFFICE. SEE PLAT RECORDED IN PLAT CABINET 3, SLIDE, FLEMING COUNTY CLERK'S OFFICE (DEED BOOK 245, PAGE 448)

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

1. GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: (NOT A SURVEY MATTER)
TAX ID: 070-00-00-020.00
POSTED PAID: \$1,487.59
2. EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. (NOT A SURVEY MATTER)
3. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. (NOT A SURVEY MATTER)
4. ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. (NOT A SURVEY MATTER)
5. ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. (NOT A SURVEY MATTER)
6. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. (NOT A SURVEY MATTER)
7. THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. (NOT A SURVEY MATTER)
8. ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. (NOT A SURVEY MATTER)

KEVEN LEE O'CALL AND GWEN DEE O'CALL

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO-3048387NC-15, EFFECTIVE DATE: DECEMBER 5, 2019

OWNER: KEVEN LEE O'CALL AND GWEN DEE O'CALL

THE LAND REFERRED TO IN THIS COMMITMENT IS LOCATED IN THE COUNTY OF FLEMING, STATE OF KENTUCKY, DESCRIBED AS FOLLOWS:

TRACT NO. 8 - A CERTAIN TRACT OF LAND LYING IN FLEMING COUNTY, KENTUCKY, AND BOUNDED AND DESCRIBED AS FOLLOWS-

BEGINNING AT A SET STONE IN A FORK OF THE STATE ROAD CORNER TO JAMES WILLIAMS, NOW H. C. BREEZE; THENCE WITH A LINE OF SAME BOUNDING THE ROAD EQUALLY N 19 3/4 E 148 1/4 POLES TO A STAKE; THENCE N 28 1/2 E TO A THORN BUSH ON THE EAST SIDE OF THE ROAD; THENCE WITH DIVISION FENCE TO A WATER GAP ACROSS THE NORTH FORK; THENCE DRIVING THE CREEK EQUALLY TO THE LINE OF JESSE RUGLES, NOW A T. WARDER, TO A STAKE IN THE CENTER OF THE CREEK; THENCE WITH THE SAME W 65 3/4 E 43 POLES S 59 E 12 POLES S 39 1/2 E 19 POLES S 22 1/4 E 14 POLES S 4 1/2 E 20 POLES S 12 1/2 W 10 3/4 POLES S 47 3/4 W 42 POLES S 8 1/2 W 40 POLES S 12 E 8 POLES S 1 E 18 3/4 POLES TO A STAKE IN THE CENTER OF THE CREEK, CORNER TO ROBERTS; THENCE WITH THE CENTER OF A LANE N 88 1/2 W 164 20' POLES TO THE BEGINNING, CONTAINING 112 1/2 ACRES AND 35 POLES.

TRACT NO. 10 - ANOTHER TRACT OF LAND ADDING THE ABOVE LYING IN THE COUNTY OF KENTUCKY, KENTUCKY, AND BOUNDED AS FOLLOWS:- BEGINNING AT A SET STONE ON THE NORTH SIDE OF CREEK IN RUGLES; (NOW WARDER'S LINE); THENCE DUE NORTH THE CREEK 150 POLES TO A WATER GAP AT A SET STONE AND WIDE ENOUGH TO CONTAIN 1 1/2 ACRES, MORE OR LESS.

BEING THE SAME LAND CONVEYED TO STEVE W. WELLS AND ODA JEAN WELLS, HIS WIFE (BY TROY WARDER, ET AL.) BY DEED DATED SEPTEMBER 28, 1970, AND RECORDED IN D.B. 131, PAGE 197; AND STEVE W. WELLS HAVING DIED ON AUGUST 13, 1987, LEAVING THE GRANTOR HEREIN THE SOLE OWNER THEREOF. ALL OF RECORD IN THE FLEMING COUNTY COURT CLERK'S OFFICE.

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

1. GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: (NOT A SURVEY MATTER)
PERMANENT PARCEL NUMBER: 086-00-00-003.00
POSTED PAID: \$1,165.77
2. EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. (NOT A SURVEY MATTER)
3. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. (NOT A SURVEY MATTER)

4. ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. (NOT A SURVEY MATTER)
5. ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. (NOT A SURVEY MATTER)
6. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. (NOT A SURVEY MATTER)
7. THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. (NOT A SURVEY MATTER)
8. ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. (NOT A SURVEY MATTER)
9. REAL ESTATE DEED OF TRUST DATED MAY 23, 1977, EXECUTED BY KEVIN LEE O'CALL AND WIFE, GWEN DEE O'CALL TO FARMERS HOME ADMINISTRATION, SECURING A NOTE IN THE ORIGINAL PRINCIPAL SUM OF \$64,000.00, RECORDED MAY 16, 1988 IN MORTGAGE BOOK 95, PAGE 751, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)
10. REAL ESTATE DEED OF TRUST DATED JULY 11, 1977, EXECUTED BY KEVIN LEE O'CALL AND WIFE, GWEN DEE O'CALL TO FARMERS HOME ADMINISTRATION, SECURING A NOTE IN THE ORIGINAL PRINCIPAL SUM OF \$54,200.00, RECORDED MAY 16, 1988 IN MORTGAGE BOOK 95, PAGE 751, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)
11. REAL ESTATE DEED OF TRUST DATED SEPTEMBER 8, 1981, EXECUTED BY KEVIN LEE O'CALL AND WIFE, GWEN DEE O'CALL TO FARMERS HOME ADMINISTRATION, SECURING A NOTE IN THE ORIGINAL PRINCIPAL SUM OF \$46,300.00, RECORDED MAY 16, 1988 IN MORTGAGE BOOK 95, PAGE 751, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)
12. REAL ESTATE DEED OF TRUST DATED MAY 16, 1988, EXECUTED BY KEVIN LEE O'CALL AND WIFE, GWEN DEE O'CALL TO FARMERS HOME ADMINISTRATION, SECURING A NOTE IN THE ORIGINAL PRINCIPAL SUM OF \$7,300.00, RECORDED MAY 16, 1988 IN MORTGAGE BOOK 95, PAGE 751, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)

DOTTIE A. LIST & ROBERT A. LIST

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO-3048387NC-16, EFFECTIVE DATE: DECEMBER 10, 2019

OWNER: DOTTIE A LIST & ROBERT A LIST

A CERTAIN TRACT OR PARCEL OF LAND LOCATED ABOUT FOUR (4) MILES NORTHEAST OF FLEMINGBURG, ON MATTOX PIKE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE CENTER OF MATTOX PIKE, A CORNER TO W.R. LUMMAN; THENCE WITH THE CENTER OF MATTOX PIKE OR NEARLY SO, NORTH 64° EAST 4.71 CHAINS SOUTH 80-3/4° EAST 8.85 CHAINS, AND NORTH 73° EAST 27.99 CHAINS TO A POINT IN THE CENTER OF SAME OPPOSITE OF CLOVER OAK ROAD; THENCE SAID DIRT ROAD NORTH 16- 1/20 WEST 20.55 CHAINS TO AN OLD SET STONE ON EAST SIDE OF SAID ROAD; THENCE WITH FURNELS, ONE CORNER TO FURNELS, LINE NORTH 15° EAST 2.10 CHAINS TO AN OLD SET STONE ON SOUTH BANK OF FLEMING CREEK AS IT MEANDERS, NORTH 46° WEST 8.85 CHAINS; NORTH 50° WEST 2.98 CHAINS; NORTH 89-12° WEST 4.52 CHAINS; SOUTH 57-12° WEST 4.75 CHAINS; NORTH 54° WEST 8.80 CHAINS TO A STONE ADJUTING ON THE SOUTH SIDE OF THE CREEK; THENCE NORTH 70-1/2° WEST 1.52 CHAINS TO A FENCE POST, A CORNER TO COOPER; THENCE WITH SAID COOPER'S LINE, SOUTH 48-1/4° WEST 4.88 CHAINS TO ASSET STONE, THENCE SOUTH 72-1/4° WEST 14.2 CHAINS TO A SET STONE, A CORNER TO MEADOWS; THENCE WITH SAID MEADOWS LINE SOUTH 13° EAST PASSING STORES' CORNER AT 3.86 CHAINS; LUMMAN'S AT 28.31 CHAINS, IN ALL 34.53 CHAINS TO THE POINT OF BEGINNING, CONTAINING 138.04 ACRES.

BEING THE SAME PROPERTY CONVEYED TO GILBERT E. LIST AND DOTTIE A. LIST, HUSBAND AND WIFE, BY DEED FROM WILLIAM A. RUDICILL AND MARY SUE RUDICILL, HUSBAND AND WIFE, AND DANIEL D. CUPPS AND SANDRA K. CUPPS, HUSBAND AND WIFE, AND BANK OF MARYSBLE, AS QUALIFIED INTERMEDIARY, DATED NOVEMBER 15, 2009, AND RECORDED IN DEED BOOK 225, PAGE 239, FLEMING COUNTY COURT CLERK'S RECORDS.

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

1. GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: (NOT A SURVEY MATTER)
PERMANENT PARCEL NUMBER: 058-00-00-024.00
POSTED PAID: \$2,239.89
2. EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. (NOT A SURVEY MATTER)
3. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. (NOT A SURVEY MATTER)
4. ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. (NOT A SURVEY MATTER)
5. ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. (NOT A SURVEY MATTER)
6. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. (NOT A SURVEY MATTER)
7. THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. (NOT A SURVEY MATTER)
8. ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. (NOT A SURVEY MATTER)

Westwood

Phone: (703) 251-4830 (800) 251-4830
14800 Westwood Blvd., Suite 200
Westwood, CA 90262
www.westwood.com

Westwood Professional Services, Inc.

RECURRING:

RECURRENT ENERGY

123 Mission Street, Fl 18
San Francisco, CA 94105

REVISED: 11/05/2023 UPDATE SURVEY AS PER CLIENT COMMENTS

REVISED:	DATE	DESCRIPTION
1	11/05/2023	UPDATE SURVEY AS PER CLIENT COMMENTS

Hummingbird Solar Project

Fleming County, Kentucky

DATE: 08/15/2023

SHEET: 10 OF 20

SANDRA D. CAUDILL

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO.304387NCT-18, EFFECTIVE DATE: DECEMBER 23, 2019

OWNER: SANDRA D. CAUDILL

A CERTAIN TRACT OF LAND LYING OR SITUATED ON THE EAST SIDE OF COUNTY ROAD NO. 1027, THE MT. CARMEL-BEECHBURG ROAD AND UPON THE WATERS OF THE FLEMING COUNTY CREEK, LOCATED APPROXIMATELY 0.50 MILE SOUTH OF COUNTY ROAD NO. 1028, THE BLACK DIAMOND ROAD IN FLEMING COUNTY, KENTUCKY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3/8 INCH X 2.9 INCH STEEL NAIL MARKER (SET) IN THE CENTER OF THE MT. CARMEL BEECHBURG ROAD, SAID POINT BEING IN THE NORTHWEST CORNER OF CHARLES R. MARSHALL ET AL. (DEED BOOK 163, PAGE 750);

THENCE ALONG THE CENTER OF SAID ROAD FOR THE FOLLOWING SIX (6) CALLS:

- 1. NORTH 15 DEG 25 MIN. 48 SEC. EAST, 65.02 FT. TO A NAIL (SET);
2. THENCE NORTH 16 DEG. 24 MIN. 47 SEC. EAST, 65.00 FT. TO A NAIL (SET);
3. THENCE NORTH 18 DEG. 35 MIN. 15 SEC. EAST, 415.56 FT. TO A NAIL (SET);
4. THENCE NORTH 16 DEG. 41 MIN. 11 SEC. EAST, 99.98 FT. TO A NAIL (SET);
5. THENCE NORTH 14 DEG. 43 MIN. 55 SEC. EAST, 100.04 FT. TO A NAIL (SET);
6. THENCE NORTH 16 DEG. 05 MIN. 27 SEC. EAST, 16.49 FT. TO A 3/8 INCH X 2.39 INCH STEEL NAIL MARKER (SET) SAID POINT THE SOUTHWEST CORNER OF TRACT NO. 7;

THENCE WITH THE SOUTH LINE OF TRACT NO. 7 FOR THE FOLLOWING FIVE (5) CALLS:

- 1. SOUTH 65 DEG. 28 MIN. 29 SEC. EAST, 27.46 FT. TO A 1/2 INCH REBAR (SET WITNESS CORNER);
2. THENCE CONTINUING SOUTH 65 DEG. 28 MIN. 29 SEC. EAST, 169.82 FT. TO A 1/2 INCH REBAR (SET) IN LINE WITH THE SOUTHWEST SIDE OF THE EXISTING BARN AND _____ FT. FROM (WESTERLY) AND THE SOUTHWEST CORNER OF SAID BARN;
3. THENCE SOUTH 19 DEG. 09 MIN. 42 SEC. WEST, 18.00 FT. TO A 1/2 INCH REBAR (SET);
4. THENCE SOUTH 70 DEG. 43 MIN. 14 SEC. EAST, RUNNING 18 FT. FROM AND PARALLEL TO THE SOUTH SIDE OF SAID BARN 144.47 FT. TO A 1/2 INCH REBAR (SET);
5. THENCE SOUTH 71 DEG. 33 MIN. 59 SEC. EAST, 270.69 FT. TO A 1/2 INCH REBAR (SET), SAID POINT BEING THE SOUTHEAST CORNER OF TRACT NO. 7;

THENCE WITH THE EAST LINE OF TRACT NO. 7, NORTH 36 DEG. 43 MIN. 49 SEC. EAST, 112.34 FT. TO A POST, CORNER TO TRACT NO. 2, SAID POINT WITNESSED BY A 1/4 INCH REBAR NORTHEAST 61 DEG. 27 MIN. 06 SEC. WEST AT A DISTANCE OF 0.24 FT.; THENCE CONTINUING NORTH 36 DEG. 43 MIN. 49 SEC. EAST, ALONG THE EAST LINE OF TRACT NO. 2, PASSING A 1/4 INCH REBAR (SET WITNESS CORNER) AT 129.36 FT. FOR A TOTAL DISTANCE OF 175.51 FT. TO THE CENTER OF FLEMING CREEK, SAID POINT BEING THE NORTHEAST CORNER OF TRACT NO. 2 AND IN THE LINE OF TRACT NO. 3, THENCE CONTINUING NORTH 36 DEG. 43 MIN. 49 SEC. EAST, 54.67 FT. ALONG THE LINE OF TRACT NO. 3 TO A 1/4 INCH REBAR (SET) IN THE EXISTING FENCE LINE.

THENCE CONTINUING WITH TRACT NO. 1 AND ALONG THE EXISTING FENCE FOR THE FOLLOWING EIGHT (8) CALLS:

- 1. SOUTH 70 DEG. 10 MIN. 12 SEC. EAST, 215.86 FT. TO A POST;
2. THENCE SOUTH 68 DEG. 14 MIN. 02 SEC. EAST, 1 1/2 TO FT. TO A POST;
3. THENCE SOUTH 77 DEG. 41 MIN. 36 SEC. EAST, 128.52 FT. TO A POST;
4. THENCE SOUTH 84 DEG. 25 MIN. 35 SEC. EAST, 44.26 FT. TO A POST;
5. THENCE NORTH 65 DEG. 33 MIN. 48 SEC. EAST, 175.27 FT. TO A POST;
6. THENCE NORTH 74 DEG. 09 MIN. 10 SEC. EAST, 179.84 FT. TO A 1/2 INCH REBAR (SET);
7. THENCE CROSSING THE FLEMING CREEK SOUTH 4 DEG. 08 MIN. 22 SEC. WEST, 117.51 FT. TO A POST ON THE SOUTH SIDE OF SAID CREEK;
8. THENCE SOUTH 6 DEG. 37 MIN. 15 SEC. WEST, 159.07 FT. TO A POST IN THE NORTH LINE OF TRACT NO. 8;

THENCE WITH THE LINE OF TRACT NO. 8 FOR THREE (3) CALLS:

- 1. SOUTH 75 DEG. 19 MIN. 07 SEC. WEST, 11.02 FT. TO A 1/2 INCH REBAR (SET);
2. THENCE SOUTH 27 DEG. 02 MIN. 06 SEC. WEST 26.93 FT. TO A 1/2 INCH REBAR (SET);
3. THENCE SOUTH 14 DEG. 17 MIN. 18 SEC. WEST, 730.74 FT.

TO A POINT IN THE LINE OF AFORESAID MARSHALLS, SAID POINT

A COMMON CORNER TO TRACT NO. 1 AND TRACT NO. 8, WITH SAID LINE PASSING A 1/4 INCH REBAR (SET WITNESS CORNER) AT NORTH 14 DEG. 17 MIN. 18 SEC. EAST, A DISTANCE OF 8.00 FT. FROM SAID CORNER

THENCE WITH THE LINE OF SAID MARSHALLS NORTH 80 DEG. 06 MIN. 34 SEC. WEST, 1599.74 FT. TO THE POINT OF BEGINNING, CONTAINING 29.3635 ACRES.

BEING A PART OF THE SAME REAL ESTATE CONVEYED TO ELWOOD KEGLEY (AKA ELWOOD C. KEGLEY) AND GEORGIA KEGLEY, HIS WIFE, BY DEED FROM VIRGINIA W. CARPENTER, DATED SEPTEMBER 27, 1976, AND RECORDED IN DEED BOOK 142, PAGE 146, FLEMING COUNTY CLERK'S OFFICE.

ALSO, BEING A PART OF PARCEL NO.2 OF THE SAME PROPERTY CONVEYED TO ELWOOD KEGLEY (AKA ELWOOD C. KEGLEY) AND GEORGIA KEGLEY, HIS WIFE, BY DEED FROM VIRGINIA K. CARPENTER, WIDOW, DATED JULY 13, 1966, AND RECORDED IN DEED BOOK 124, PAGE 240, FLEMING COUNTY CLERK'S OFFICE.

THIS IS A REVISED SURVEY COMPLETED BY W.T. (TOMMY) CARPENTER, R.L.S. 2380 ON SEPTEMBER 30, 1996. THE PROPERTY DESCRIBED IN THIS DOCUMENT IS DEFINED AS TRACT NO. 1 ON THE REVISION PLAT OF THE SURVEY OF THE ELWOOD KEGLEY, SR. AND GEORGIA KEGLEY PROPERTIES, SAID PLAT IS INTENDED TO BECOME A PART OF THIS DESCRIPTION AND IS ON FILE IN PLAT CABINET NO. 1, SLIDE NO. 125, FLEMING COUNTY CLERK'S OFFICE.

THE 1/2 INCH REBARS CALLED FOR IN THIS DESCRIPTION ARE A MINIMUM OF 18 INCHES IN LENGTH AND BEAR A ONE (1) INCH DIAMETER PLASTIC CAP STAMPED "W.T.C., R.L.S. 2380". THE 3/8 INCH X 2.9 INCH STEEL NAIL MARKERS ARE STAMPED "SURVEY MARK".

TAX ID NO.: 069-00-00-045.00

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- 1. GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS. (NOT A SURVEY MATTER)
PERMANENT PARCEL NUMBER: 069-00-00-045.00
POSTED PAID: \$199.56
2. EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. (NOT A SURVEY MATTER)
3. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. (NOT A SURVEY MATTER)

- 4. ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. (NOT A SURVEY MATTER)
5. ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. (NOT A SURVEY MATTER)
6. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. (NOT A SURVEY MATTER)
7. THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. (NOT A SURVEY MATTER)
8. ANY REFERENCES TO ACRES IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. (NOT A SURVEY MATTER)

SPENCER RAPP AND REBECCA RAPP

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO.304387NCT-18, EFFECTIVE DATE: DECEMBER 23, 2019

OWNER: SPENCER RAPP AND REBECCA RAPP

TRACT NO. I
PARCEL NO. I

A CERTAIN TRACT OF LAND LOCATED IN FLEMING COUNTY, KENTUCKY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT THE EDGE OF KENTUCKY HIGHWAY #3301 AND CORNER TO SECOND PARTIES OTHER PROPERTY; THENCE N 75 DEG. W 84.85 FEET; THENCE N 09 DEG. E 1811 FEET; THENCE S 88 DEG. W 77.45 FEET; THENCE S 63 DEG. W 438 FEET; THENCE S 02 DEG. W 48 FEET; THENCE N 84 DEG. W 425 FEET; THENCE N 54 DEG. W 120 FEET; THENCE N 83 DEG. W 200 FEET; THENCE S 45 DEG. W 172 FEET; THENCE S 16 DEG. E 208 FEET; THENCE S 13 DEG. E 400 FEET; THENCE S 52 DEG. E 57 FEET; THENCE S 22 DEG. E 200 FEET; THENCE S 60 DEG. E 600 FEET; THENCE S 07 DEG. E 839 FEET; THENCE N 76 DEG. E 1644 FEET; THENCE N 0 DEG. E 70 FEET TO THE BEGINNING, CONTAINING 67.136 ACRES, MORE OR LESS.

PARCEL NO. II

A TRACT OF LAND FRONTING ON KENTUCKY HIGHWAY 3301 AND ON THE EAST SIDE THEREOF AND BORDERED BY THE PROPERTY OF ADRIAN WILLIAMS AND SHIRLEY WILLIAMS, AND CONTAINING .30 ACRES, MORE OR LESS.

BEING THE SAME PROPERTY CONVEYED TO LEROY YODER, JR. AND MARY A. YODER, HIS WIFE, FROM STOVE FEARN AND CATHY FEARN, HIS WIFE, BY A DEED OF CONVEYANCE DATED APRIL 1, 1993, OF RECORD IN DEED BOOK 176, PAGE 393, OF THE FLEMING COUNTY CLERK'S OFFICE.

THERE IS EXCEPTED AND NOT HEREBY CONVEYED, THE FOLLOWING DESCRIBED PROPERTY:

A CERTAIN TRACT OR PARCEL OF LAND LOCATED IN FLEMING COUNTY, KENTUCKY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OF LAND FRONTING ON KENTUCKY HIGHWAY 3301 AND ON THE EAST SIDE THEREOF AND BORDERED BY THE PROPERTY OF ADRIAN WILLIAMS AND SHIRLEY WILLIAMS AND SALVERS AND CONTAINING 0.30 ACRES, MORE OR LESS.

BEING THE SAME PROPERTY CONVEYED TO ADRIAN WILLIAMS AND SHIRLEY WILLIAMS, HUSBAND AND WIFE, FROM LEROY YODER, JR. AND MARY A. YODER, HUSBAND AND WIFE, BY A DEED OF CONVEYANCE DATED APRIL 1, 1993, OF RECORD IN DEED BOOK 176, PAGE 396, OF THE FLEMING COUNTY CLERK'S OFFICE.

TRACT NO. II

PROPERTY LOCATED IN FLEMING COUNTY, KENTUCKY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT POST, CORNER TO CLARENCE GRAY; THENCE WITH HIS LINES N 63 1/2 W 600 FEET TO A SYCAMORE; THENCE N 24 W 194 FEET TO A POST; THENCE N 44 W 68 FEET TO AN ELM; THENCE N 13 SW 200 FEET TO A POST; THENCE N 39 1/2 W 182 FEET TO A POST; THENCE N 79 1/2 W 234 FEET TO A WALNUT; THENCE S 82 W 253 FEET TO A WALNUT; THENCE N 41 1/2 W 107 FEET TO A BUCKEYE; THENCE N 86 W 106 FEET TO A DEAD ASH; THENCE N 30 W 30 FEET TO AN ELM; THENCE S 58 W 50 FEET; N 80 W 145 FEET; N 55 W 136 FEET TO A SYCAMORE; THENCE CROSSING THE BRANCH S 52 W 48 FEET TO AN ASH; THENCE S 69 1/4 FEET TO A OAK; THENCE N 85 W 1133 FEET TO A POST; THENCE S 13 1/2 E 2738 FEET TO A POST CORNER TO IRVIN HAM'S; THENCE N 71 1/2 E 600 FEET TO THE WESTERN SIDE OF PASSWAY; THENCE S 17 1/2 E 1563 FEET TO THE CENTER OF COUNTY ROAD; THENCE N 71 1/2 E 24 FEET; THENCE N 17 W 1563 FEET TO A POST; CORNER TO HOWARD SOUSLEY; THENCE WITH HIS LINE N 71 1/2 E 1718 FEET TO A POST; THENCE S 17 E 18 FEET TO A POST; THENCE N 71 1/2 E 176 FEET TO A POST; THENCE N 11 W 831 FEET TO THE BEGINNING, CONTAINING 124.93 ACRES PLUS THE ROADWAY 0.87 ACRE.

BEING SAME PROPERTY CONVEYED TO LEROY YODER, JR. AND MACY A. YODER, HIS WIFE, FROM ABE TROYER, JR. AND MATTIE TROYER, HIS WIFE, BY A DEED OF CONVEYANCE DATED MAY 12, 1997, OF RECORD IN DEED BOOK 189, PAGE 607, OF THE FLEMING COUNTY CLERK'S OFFICE.

TRACT NO. III

A CERTAIN TRACT OF LAND FRONTING ON KENTUCKY HIGHWAY NO. 3301, LOCATED NEAR BEECHBURG & FLEMING COUNTY, KENTUCKY, AND WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON CORNER OF ADRIAN AND SHIRLEY WILLIAMS AND IN THE RIGHT OF WAY FENCE LINE OF KENTUCKY 3301; THENCE WITH THE WILLIAMS LINE N 73 DEG. 50' 11" W FOR 256.87 FEET; THENCE N 63 DEG. 52' 02" W FOR 255.84 FEET TO A STAKE; THENCE N 66 DEG. 21' 05" W FOR 283.02 FEET TO A STAKE; THENCE S 13 DEG. 47' 52" W FOR 230.39 FEET TO A POINT; THENCE WITH THE N.E. CORNER LINE FENCE S 73 DEG. 51' 14" E 816.53 FEET TO A POINT IN THE RIGHT OF WAY OF KENTUCKY 3301 AND BEING 30.00 FEET FROM CENTER OF SAID ROAD; THENCE N 3 DEG. 08' 20" E FOR 180.11 FEET TO THE BEGINNING AT AN IRON ROD 35.00 FEET FROM CENTER OF KENTUCKY 3301. THIS PARCEL CONTAINS 3.6394 ACRES.

BEING THE SAME PROPERTY CONVEYED TO LEROY S. YODER, JR. AND MARY A. YODER, HUSBAND AND WIFE, FROM ADRIAN WILLIAMS AND SHIRLEY WILLIAMS, HUSBAND AND WIFE, BY A DEED OF CONVEYANCE DATED FEBRUARY 24, 1993, OF RECORD IN DEED BOOK 176, PAGE 286, OF RECORD IN THE FLEMING COUNTY CLERK'S OFFICE.

SAVE AND EXCEPT THAT CERTAIN TRACT OR PARCEL OF LAND IN DEED DATED AUGUST 18, 2019, RECORDED AUGUST 28, 2019 IN DEED BOOK 272, PAGE 390, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A 0.866 1/2 ACRE TRACT OF LAND LOCATED ALONG BOTKINS LANE APPROXIMATELY 0.7 MILES NORTH OF KY HWY 559 IN FLEMING COUNTY, KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN & CAP SET ON THE EAST SIDE OF THE GRAVEL DRIVE CORNER TO SPENCER & REBECCA RAPP DEED BOOK 236, PAGE 57 AT THE NORTH WEST CORNER OF MARVIN & VIOLET LENGACHER DEED BOOK 237, PAGE 223 (PC 1 SLIDE 156); THENCE ALONG THE LENGACHER LINE AND THE EAST SIDE OF THE GRAVEL DRIVE S10737799 E A DISTANCE OF 564.37 TO A 1/2 INCH IRON PIN AND CAP FOUND (LS 2380); THENCE CONTINUING ALONG THE LENGACHER LINE S1192741 E A DISTANCE OF 689.83 TO AN IRON PIN AND CAP SET; THENCE S1197724 E A DISTANCE OF 316.51 TO A 1/2 INCH IRON PIN AND CAP FOUND (LS 2380) NEAR THE TURN IN BOTKINS LANE; THENCE LEAVING THE LENGACHER LINE AND CROSSING THE GRAVEL LINE S 78°12'20" W A DISTANCE OF 24.03 TO AN IRON PIN AND CAP SET NEAR THE WEST SIDE OF GRAVEL AND CORNER TO KIMBERLY D. JONES DB 255 PG 513 WB 7 PG 74; THENCE WITH A LINE PARALLEL TO THE LENGACHER LINE ALONG THE JONES LINE AND THE WEST SIDE OF 11 GRAVEL DRIVE N 13°19'74" W A DISTANCE OF 317.03 TO AN IRON PIN & CAP SET; THENCE CONTINUING ALONG THE SAME N 11°59'14" W A DISTANCE OF 690.32 TO AN IRON PIN AND CAP SET; THENCE N 10°37'29" W A DISTANCE OF 564.09 TO AN IRON PIN AND CAP SET CORNER TO RAPP AND JONES; THENCE ALONG THE NEW LINE OF RAPP AND CROSSING THE GRAVEL DRIVE N10°15'29" E A DISTANCE OF 24.03 TO THE POINT OF BEGINNING CONTAINING 0.866 ACRES ACCORDING TO THE SURVEY BY TRAVIS A. MCGLOONE PLS 2919 OF BUFFALO TRACE SURVEYING, LLC 8/7/2019 (FIELD SURVEY COMPLETED ON 8/17/2019 WITH A TOPCON 238W TOTAL STATION AS AN URBAN CLASS SURVEY HAVING AN UNADJUSTED TRAVERSE CLOSURE OF 1:28,707 AS SHOWN IN FILE 2019LOWE.MARK AND REVIEWED 9/7/2019).

ALL IRON PIN & CAPS SET WERE 1/2" X 18" REBAR WITH AN ORANGE PLASTIC CAP STAMPED "T. MCGLOONE PLS 3919"

MAGNETIC NORTH BEARING OBSERVED ALONG A RANDOM TRAVERSE LINE ON DATE OF SURVEY 5/1/2019 (NSW).

PROPERTY SUBJECT TO ALL LEGAL RIGHT OF WAYS, EASEMENTS OF RECORD, UNRECORDED CONVEYANCES AND EXISTING RIGHT OF WAY

FOR BOTKINS LANE FOR BENEFIT OF THE FLEMING COUNTY FISCAL COURT (ORDINANCE 05-00-407 TOTAL R/W).

BEING A PORTION OF THE PROPERTY CONVEYED TO SPENCER & REBECCA RAPP BY DEED RECORDED AT THE FLEMING COUNTY CLERK'S OFFICE IN DEED BOOK 226, PAGE 57.

TAX ID NO.: 071-00-00-004.00

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- 1. GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS. (NOT A SURVEY MATTER)
PERMANENT PARCEL NUMBER: 071-00-00-004.00
POSTED PAID: \$3,150.95
2. EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. (NOT A SURVEY MATTER)
3. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. (NOT A SURVEY MATTER)
4. ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. (NOT A SURVEY MATTER)
5. ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. (NOT A SURVEY MATTER)
6. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. (NOT A SURVEY MATTER)
7. THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. (NOT A SURVEY MATTER)
8. ANY REFERENCES TO ACRES IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. (NOT A SURVEY MATTER)
9. MORTGAGE DATED JANUARY 13, 2006, IN THE PRINCIPAL AMOUNT OF \$450,000.00, EXECUTED BY SPENCER RAPP AND WIFE, REBECCA RAPP, IN FAVOR OF FARM CREDIT SERVICES, RECORDED JANUARY 13, 2006 IN BOOK 234, PAGE 720, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)
10. MORTGAGE DATED APRIL 4, 2008, IN THE PRINCIPAL AMOUNT OF \$384,284.00, EXECUTED BY SPENCER RAPP AND WIFE, REBECCA RAPP, IN FAVOR OF FARM CREDIT SERVICES, RECORDED APRIL 5, 2008 IN BOOK 260, PAGE 635, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)
11. MORTGAGE DATED OCTOBER 28, 2019, IN THE PRINCIPAL AMOUNT OF \$500,000.00, EXECUTED BY SPENCER RAPP AND WIFE, REBECCA RAPP, IN FAVOR OF FARM CREDIT SERVICES, RECORDED APRIL 5, 2008 IN BOOK 385, PAGE 329, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)
12. EASEMENT DATED SEPTEMBER 17, 1992, GRANTED BY R.T. FEARNIN & NELLE, HIS WIFE TO FLEMING COUNTY WATER ASSOCIATION, RECORDED NOVEMBER 12, 1992 IN BOOK 17, PAGE 5, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. (BLANKET IN NATURE, NOT PLOTTABLE)
13. EASEMENT DATED SEPTEMBER 29, 1992, GRANTED BY ADRIAN WILLIAMS & SHIRLEY, HIS WIFE TO FLEMING COUNTY WATER ASSOCIATION, RECORDED NOVEMBER 12, 1992 IN BOOK 17, PAGE 7, FLEMING COUNTY COURT CLERK, FLEMING COUNTY, KENTUCKY. (BLANKET IN NATURE, NOT PLOTTABLE)



Phone: 708.514.8330 10770 Cluett Ranch Way, Suite 2001
Web Site: 800.155.1110 Westwood, CA 90047
www.westwood.com
Westwood Professional Services, Inc.

PREPARED FOR:



123 Mission Street, Fl 18
San Francisco, CA 94105

REVISIONS:
1 08/15/2023 UPDATE SURVEY AS PER CLIENT COMMENTS

Table with 2 columns: REVISIONS, COMMENTS

Hummingbird Solar Project

Fleming County, Kentucky

DATE: 08/15/2023
SHEET: 12 OF 20

LESLIE LITZLER & KELLEY SMITH (CONTINUED)

LEGAL DESCRIPTION (CONTINUED)

ALL IRON PIN AND CAPS SET WERE 1/4" X 18" REBAR WITH A YELLOW PLASTIC CAP STAMPED "MCGLOONE PLS 3919".

BEARINGS COORDINATED TO THE 1/2" IRON PIN AND CAPS FOUND (WVC 2380) WEST LINE OF NEIL DARE DB 232, PAGE 144.

PROPERTY SUBJECT TO ALL LEGAL RIGHT OF WAYS, EASEMENTS OF RECORD AND UNRECORDED CONVEYANCES.

PROPERTY SUBJECT TO THE EXISTING RIGHT OF WAY FOR KY HWY 3301 (BEECHTREE PKE) FOR BENEFIT OF THE COMMONWEALTH OF KENTUCKY DB 91 C PG 473.

BEING A 4.012 ACRE PORTION OF THE PROPERTY CONVEYED TO KELLEY SMITH & LESLIE LITZLER BY DEED RECORDED IN THE FLEMING COUNTY CLERK'S OFFICE IN DEED BOOK 258, PAGE 734.

TAX ID NO.: 069-00-00-005-00

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: (NOT A SURVEY MATTER)
PERMANENT PARCEL NUMBER: 059-00-00-005-00
POSTED PAID: \$1,637.34
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. (NOT A SURVEY MATTER)
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. (NOT A SURVEY MATTER)
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. (NOT A SURVEY MATTER)
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. (NOT A SURVEY MATTER)
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. (NOT A SURVEY MATTER)
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. (NOT A SURVEY MATTER)
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. (NOT A SURVEY MATTER)
- RIGHT OF WAY EASEMENT DATED MAY 26, 1986, GRANTED BY HELEN DEARBING AND KENNETH DEARBING, TO FLEMING COUNTY WATER ASSOCIATION, INC., RECORDED JULY 18, 1986 IN BOOK 135, PAGE 456, OFFICIAL PUBLIC RECORDS, FLEMING COUNTY, KENTUCKY. (BLANKET IN NATURE, NOT PLOTTABLE)

LYLE B. UTTERBACK AND VICKIE UTTERBACK

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO.304387NCT-37, EFFECTIVE DATE: JULY 1, 2020

OWNER: LYLE B. UTTERBACK AND VICKIE UTTERBACK

BEING A .4632 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF EY HWY 57 AND THE EAST SIDE OF CARPENTER ROAD NEAR THE TOWN OF MOUNT CARMEL IN FLEMING COUNTY, KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN & CAP SET CORNER TO JOHN ANTHONY UTTERBACK & LYLE B. UTTERBACK DB 185, PG. 684, IN THE LINE OF JAMES & RUBY MINEER DB 245 PG. 295 AND THE SOUTHWEST CORNER OF LYLE B. & VICKIE UTTERBACK DB 152, PAGE 620; THENCE WITH THE UTTERBACK LINE N 04-46-54 E 236.61' TO AN IRON PIN & CAP SET NEW CORNER TO UTTERBACK TRACTS 2 & 3; THENCE WITH THE NEW DIVISION LINE OF UTTERBACK TRACTS 2 & 3 N 59-09-57 E 165.79' TO AN IRON PIN & CAP SET NEW CORNER TO UTTERBACK TRACTS 2 & 3; THENCE CONTINUING WITH THE NEW DIVISION LINE OF UTTERBACK TRACTS 2 & 3 N 24-04-20 W 269.81' TO AN IRON PIN & CAP SET NEW CORNER TO UTTERBACK TRACTS 2 & 3; THENCE S 28-41-26 W PASSING AN IRON PIN & CAP SET AT 239.60' A TOTAL DISTANCE OF 265.50' TO A POINT IN THE CENTERLINE OF CARPENTER ROAD NEW CORNER TO UTTERBACK TRACTS 2 & 3; THENCE WITH SAID ROAD N 03-15-43 E 133.47; THENCE CONTINUING WITH SAID ROAD ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 731.50' AND A CHORD BEARING AND DISTANCE OF N 06-36-35 W 265.57; THENCE N 18-34-34 W 181.97; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2479.72' AND A CHORD BEARING AND DISTANCE OF N 16-45-15 W 5.11' TO A POINT IN SAID ROAD NEW CORNER TO UTTERBACK TRACTS 1 & 2; THENCE ALONG THE NEW DIVISION LINE OF TRACTS 1 & 2 N 65-47-08 E PASSING AN IRON PIN & CAP SET AT 20.00' AND AT 1000.00' A TOTAL DISTANCE OF 186.68' TO A 1/2" IRON PIN & CAP FOUND (WILLIAMS 316) AT THE SOUTHWEST CORNER OF ROGER STEVEN UTTERBACK DB 188, PG. 558; THENCE WITH UTTERBACK LINE N 74-01-11 E 238.00' TO A 1/2" IRON PIN & CAP FOUND (WILLIAMS 316) AT THE SOUTH EAST CORNER OF UTTERBACK DB 188, PG. 558 ON THE WEST SIDE OF JM CLARY LANE IN THE LINE OF ROSCOE NOLAN MILLER DB 7 PG. 198; THENCE WITH THE MILLER AND MINEER LINE S 09-46-23 W PASSING AN IRON PIN & CAP SET AT 284.37' A TOTAL DISTANCE OF 1394.37' TO AN IRON PIN & CAP SET IN THE LINE OF JAMES & RUBY MINEER DB 245 PG. 290; THENCE WITH THE MINEER LINE N 85-49-43 W 844.77' TO AN IRON PIN & CAP SET CORNER TO UTTERBACK & MINEER; THENCE CONTINUING WITH THE MINEER LINE S 12-22-54 W 543.72' TO AN IRON PIN & CAP SET CORNER TO UTTERBACK & MINEER; THENCE N 68-15-57 W 616.60' TO THE POINT OF BEGINNING CONTAINING 46.82 ACRES ACCORDING TO THE SURVEY BY TRAVIS A. MCGLOONE PLS 3919 OF BUFFALO TRACT SURVEYING LLC 3/21/2013.

BEARINGS COORDINATED TO KENTUCKY STATE PLANE COORDINATE SYSTEM NAD 83 NORTH ZONE, ALL IRON PIN & CAPS SET WERE 1/2" X 18" REBAR WITH AN ORANGE PLASTIC CAP STAMPED "MCGLOONE PLS 3919".

ALL MAG NAILS SET WERE 2-1/4" WITH A 1-1/2" BRASS WASHER STAMPED "MCGLOONE PLS 3919".

PROPERTY SUBJECT TO ALL LEGAL RIGHT OF WAYS, EASEMENTS OF RECORD AND UNRECORDED CONVEYANCES.

PROPERTY SUBJECT TO ALL UTILITIES.

PROPERTY SUBJECT TO EXISTING RIGHT OF WAY FOR CARPENTER ROAD FOR BENEFIT OF THE FLEMING COUNTY FISCAL COURT ORDINANCE ORDERS 03-005, PUBLISHED 1/26/2005 (407 TOTAL R.M.)

PROPERTY SUBJECT TO AN UNDIVIDED INTEREST TO JM CLARY LANE AS RECORDED IN DB 185, PG 684.

AND

BEGINNING AT A POINT CORNER OF COUNTY ROAD AND CRUMP PROPERTY; THENCE NORTH 9 DEG. EAST 160.7 FEET TO A STAKE; THENCE NORTH 64 DEG. EAST 227.6 FEET TO A STAKE; THENCE SOUTH 9 DEG. 59' WEST 284 FEET TO A STAKE; THENCE NORTH 83 DEG. 30' WEST 102 FEET TO THE BEGINNING, AND CONTAINING 0.34 ACRES.

TOGETHER WITH AN EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS ACROSS THE JOHN AND DERMA F. UTTERBACK PROPERTY WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:-

THERE IS A 20 FOOT WIDE EASEMENT FOR THE PURPOSE OF ACCESS THROUGH THE LAND OF JOHN UTTERBACK, THE CENTER OF SAID EASEMENT BEGINS NORTH 9 DEG. EAST A DISTANCE OF 10.0 FEET FROM THE NORTHWESTERLY CORNER OF SAID LOT; THENCE NORTH 64 DEG. EAST A DISTANCE OF 227.6 FEET TO A POINT 1.00 FEET FROM THE NORTHEASTERLY CORNER OF SAID LOT.

BEING A PORTION OF THE LAND CONVEYED TO JOHN UTTERBACK AND DORMA F. UTTERBACK, HIS WIFE, FROM L. L. EMMONS AND THERESA EMMONS, HIS WIFE, AND WILLIAM B. MINEER AND JANICE MINEER, HIS WIFE, BY DEED DATED THE 25TH DAY OF MARCH, 1973, AND RECORDED IN D.B. 135, PAGE 733, FLEMING COUNTY COURT CLERKS OFFICE.

TAX ID NO.: 069-00-00-030-00

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: (NOT A SURVEY MATTER)
PERMANENT PARCEL NUMBER: 069-00-00-030-00
POSTED PAID: \$929.57
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. (NOT A SURVEY MATTER)
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. (NOT A SURVEY MATTER)
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. (NOT A SURVEY MATTER)
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. (NOT A SURVEY MATTER)
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. (NOT A SURVEY MATTER)
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. (NOT A SURVEY MATTER)
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. (NOT A SURVEY MATTER)
- QUIT CLAIM AND BOUNDARY LINE AGREEMENT DATED MAY 2, 2006, BY AND BETWEEN JOHN ANTHONY UTTERBACK AND TAMMY S. UTTERBACK, HIS WIFE AND LYLE B. UTTERBACK AND VICKIE UTTERBACK, HIS WIFE AND MT. CARMEL VOLUNTEER FIRE DEPARTMENT, INC., RECORDED JUNE 2, 2006 IN BOOK 227, PAGE 572, OFFICIAL PUBLIC RECORDS, FLEMING COUNTY, KENTUCKY. (AFFECTS SUBJECT PROPERTY - UNABLE TO PLOT) (DOCUMENT DESCRIBES A SURVEY PLAT RECORDED AT CABINET 2, SUBD 185 WAS NOT FURNISHED AT THE TIME OF SURVEY.)
- RIGHT OF WAY DATED MAY 23, 1997, GRANTED BY LYLE B. UTTERBACK AND VICKIE UTTERBACK, HIS WIFE AND JOHN A. UTTERBACK AND TAMMY UTTERBACK, HIS WIFE TO FLEMING COUNTY WATER ASSOCIATION, INC., RECORDED JUNE 4, 1997 IN BOOK 17, PAGE 597, OFFICIAL PUBLIC RECORDS, FLEMING COUNTY, KENTUCKY. (AFFECTS SUBJECT PROPERTY - UNABLE TO PLOT)
- EASEMENT DATED MAY 7, 1981, GRANTED BY JOHN UTTERBACK AND DORMA F. UTTERBACK TO LYLE UTTERBACK AND VICKIE UTTERBACK, RECORDED MAY 21, 1981 IN BOOK 14, PAGE 96, OFFICIAL PUBLIC RECORDS, FLEMING COUNTY, KENTUCKY. (SHOWN HEREON)

NATALIE MINEER, KAREN MINEER, AND RUBY MINEER

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO.304387NCT-37, EFFECTIVE DATE: JULY 1, 2020

OWNER: NATALIE MINEER, KAREN MINEER, & RUBY MINEER

BEGINNING AT A WALNUT CORNER TO LW HARDYMAN'S CORNER; THENCE WITH SAME N 12-1/4 E 32.56 RODS TO A POST IN LINE OF SAME AND CORNER TO GARRETT MINEER; THENCE WITH HIS LINE S 85 E 197.6 RODS TO A POST CORNER TO JOHN CLARA AND BERNARD MARTIN; THENCE WITH MARTIN'S AND LITTLETON'S LINE S 5 W 33.84 RODS TO A STONE CORNER TO TRACT NO. 2; THENCE WITH SAME N 85 W 248.94 RODS TO CENTER OF MT. CARMEL-RECREATING TURNPIKE; THENCE N S E 5.08 RODS TO CORNER OF HARDYMAN; THENCE WITH SAME S 89 E 48.84 RODS TO THE BEGINNING CONTAINING 50 ACRES, SUBJECT TO RIGHT OF PASSWAY FOR TRACTS NO. 1, 2, 3 AND 4 TO THE TURNPIKE; BEING THE SAME PROPERTY CONVEYED ELBERT CRUMP AND AUDREY CRUMP, HIS WIFE, FROM EVERETT E. LEWIS AND RUBY LEWIS, HIS WIFE, BY DEED DATED MARCH 18, 1961, AND RECORDED IN DEED BOOK 118, PAGE 545, FLEMING COUNTY CLERK'S OFFICE. SALLY R. MINEER (ONE AND THE SAME AS SALLY MINEER) HAVING CONVEYED ANY INTEREST SHE HAD IN THE PROPERTY TO DANNY W. MINEER (ONE AND THE SAME AS DANNY MINEER), BY QUITCLAIM DEED DATED AUGUST 11, 2005, AND RECORDED IN DEED BOOK 224, PAGE 447, FLEMING COUNTY CLERK'S OFFICE.

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: (NOT A SURVEY MATTER)
PERMANENT PARCEL NUMBER: 069-00-00-031-00
POSTED PAID: \$370.23
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. (NOT A SURVEY MATTER)

- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. (NOT A SURVEY MATTER)
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. (NOT A SURVEY MATTER)
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. (NOT A SURVEY MATTER)
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. (NOT A SURVEY MATTER)
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. (NOT A SURVEY MATTER)
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. (NOT A SURVEY MATTER)
- NOTICE OF JUDGMENT LIEN DATED OCTOBER 3, 2019, AGAINST DARRELL A. MINEER, DEBTOR, BY JOHN DEERE FINANCIAL F.S.B. F/K/A PFC FINANCIAL, F.S.B., CREDITOR, IN THE AMOUNT OF \$50,040.77, RECORDED OCTOBER 7, 2019 IN BOOK 28, PAGE 320, OFFICIAL PUBLIC RECORDS, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)
- NOTICE OF JUDGMENT LIEN DATED SEPTEMBER 26, 2018, AGAINST KAREN MINEER, DEFENDANT, BY CAVALRY SPV I, LLC, PLAINTIFF, IN THE AMOUNT OF \$40,135.38, RECORDED OCTOBER 1, 2018 IN BOOK 27, PAGE 508, OFFICIAL PUBLIC RECORDS, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)

JAMES CALVIN ROBINSON AND MARY MICHELLE ROBINSON

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO.304387NCT-30, EFFECTIVE DATE: JULY 1, 2020

OWNER: JAMES CALVIN ROBINSON AND MARY MICHELLE ROBINSON

A CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN FLEMING COUNTY, KENTUCKY, ABOUT 5 MILES NORTHEAST OF FLEMINGSBURG ON THE MT. CARMEL TURNPIKE ROAD AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN (SET THIS SURVEY) CORNER TO THOMAS SKAGGS (D.B. 165, PG. 293), SAID POINT ALSO BEING IN THE SOUTH ROW OF EX. 57, 30 FEET FROM THE CENTER OF SAID RY. 57; THENCE WITH SAID SKAGGS PROPERTY LINE SOUTH 26 DEGREES 39 MINUTES 44 SECONDS EAST, 290.78 FEET TO AN IRON PIN (SET THIS SURVEY); THENCE NORTH 80 DEGREES 40 MINUTES 33 SECONDS WEST, 213.65 FEET TO AN IRON PIN (SET THIS SURVEY); THENCE NORTH 21 DEGREES 04 MINUTES 02 SECONDS WEST, 185.72 FEET TO AN IRON PIN (SET THIS SURVEY); THENCE NORTH 70 DEGREES 33 MINUTES 10 SECONDS EAST, 156.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 0.909 ACRES AS SURVEYED BY ROY A. WRIGHT, L.S. #2808, FEBRUARY 23, 1998. ALL IRON PINS SET THIS SURVEY ARE 1/2" RE-BAR WITH AN ORANGE PLASTIC CAP STAMPED "PROPERTY CORNER, R.A. WRIGHT, L.S. #2808".

BEING PART OF THE SAME PROPERTY CONVEYED JAMES CALVIN ROBINSON AND MARY MICHELLE ROBINSON, HIS WIFE, FROM MARK A. FOLLMER, SINGLE, BY DEED DATED THE 29TH DAY OF AUGUST, 1997, AND RECORDED IN DEED BOOK 190, PAGE 655, FLEMING COUNTY CLERK'S OFFICE.

AND

BEGINNING AT A STAKE UPON THE CENTER OF THE TURNPIKE, THE NORTHWEST CORNER OF THE NUTE FARM; THENCE WITH THE CENTER OF THE PKE S 45-1/2 W 8 POLES; S 65 W 24-3/4 POLES TO A CORNER OF TOLL HOUSE LOT; THENCE WITH A LINE OF SAME S 29 E 28-1/2 POLES TO A STAKE; THENCE S 36 W 84-1/10 POLES TO A SET STONE CORNER TO LOT NO. 2; THENCE WITH THE 1/8th OF SAME S 42-1/2 E 132-1/2 POLES TO A SET STONE CORNER TO SAME AND ALSO TO MARSHALL; THENCE WITH HIS LINE N 48-1/4 E 24-1/2 POLES TO A STONE CORNER TO FOXWORTHY; THENCE WITH HIS AND COOK'S LINE N 78-1/4 W 157-1/4 POLES TO THE BEGINNING, CONTAINING 53 ACRES.

BEING THE SAME PROPERTY CONVEYED MARK A. FOLLMER AND DEBBIE A. FOLLMER, HIS WIFE, FROM JEAN W. DENNY, GUARDIAN FOR LINDY WATTS, BY DEED DATED FEBRUARY 22, 1988, RECORDED IN D.B. 96, PAGE 162, AND THE SAME PROPERTY CONVEYED MARK A. FOLLMER, SINGLE, FROM DEBBIE A. FOLLMER, SINGLE, BY DEED DATED JULY 14, 1995, AND RECORDED IN DEED BOOK 183, PAGE 44, ALL OF RECORD IN THE FLEMING COUNTY CLERK'S OFFICE.

TAX ID NO.: 069-00-00-023-00

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: (NOT A SURVEY MATTER)
PERMANENT PARCEL NUMBER: 069-00-00-023-00
POSTED PAID: \$711.68
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. (NOT A SURVEY MATTER)
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. (NOT A SURVEY MATTER)
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. (NOT A SURVEY MATTER)
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. (NOT A SURVEY MATTER)
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. (NOT A SURVEY MATTER)
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. (NOT A SURVEY MATTER)
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. (NOT A SURVEY MATTER)
- MORTGAGE DATED NOVEMBER 7, 2013, IN THE PRINCIPAL AMOUNT OF \$42,000.00, EXECUTED BY MARY MICHELLE ROBINSON, HUSBAND, AND JAMES CALVIN ROBINSON, HER HUSBAND, IN FAVOR OF COMMUNITY TRUST BANK, INC., WITH A MATURITY DATE OF NOVEMBER 7, 2028, RECORDED DECEMBER 19, 2013 IN BOOK 313, PAGE 181, OFFICIAL PUBLIC RECORDS, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)
- MORTGAGE DATED APRIL 21, 2008, IN THE PRINCIPAL AMOUNT OF \$102,711.00, EXECUTED BY JAMES CALVIN ROBINSON AND MARY MICHELLE ROBINSON, HUSBAND AND WIFE, IN FAVOR OF COMMUNITY TRUST BANK, INC., WITH A MATURITY DATE OF APRIL 21, 2023, RECORDED DECEMBER 19, 2013 IN BOOK 261, PAGE 258, OFFICIAL PUBLIC RECORDS, FLEMING COUNTY, KENTUCKY. (NOT A SURVEY MATTER)

Westwood

Phone: (708) 251-4330 (707) 270-0400
Fax: (708) 251-1100 (707) 270-0400
www.westwoodcs.com

Westwood Professional Services, Inc.

FILED/PDF FOR:

RECURRENT ENERGY

123 Mission Street, Fl 18
San Francisco, CA 94105

REVISED: 1 08/15/2023 UPDATE SURVEY AS PER CLIENT COMMENTS

Hummingbird Solar Project

Fleming County, Kentucky

DATE: 08/15/2023

SHEET: 16 OF 20

JASON SCHWARTZ

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO:304387NC-25, EFFECTIVE DATE: JULY 1, 2020

OWNER: JASON SCHWARTZ

BEING A 89.13 ACRE TRACT LOCATED AT THE END OF SAUNDERS ROAD NEAR PLEASURVILLE IN FLEMING COUNTY, KENTUCKY AND BEING MORE APPROPRIATELY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808) ON THE NORTH SIDE OF SAUNDERS ROAD CORNER TO OTHIEL L. JR. & DORA JEAN COOKSEY AND MARCIA D. & CARMEN D. FIELDS 219 PG 377 AND CORNER TO JAMES W. & RUBY F. MINNER DB 133 PG 720; THENCE CROSSING SAUNDERS ROAD 537'32"4" A DISTANCE OF 38.37 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808) CORNER TO JOMAS E. & MARCIA SCHWARTZ AND JONATHAN E. SCHWARTZ DB 250 PG 230 PARCEL II; THENCE ALONG THE SCHWARTZ LINE S46°54'24"W A DISTANCE OF 85.80 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808); THENCE CONTINUING ALONG THE SCHWARTZ LINE S08°57'47"E A DISTANCE OF 350.17 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808); THENCE S07°41'01"E A DISTANCE OF 453.09 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808); THENCE S51°42'31"E (PASSING A REFERENCE IRON PIN & CAP SET AT 969.57) A TOTAL DISTANCE OF 1308.44 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808); THENCE S65°44'42"E A DISTANCE OF 73.29 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808); THENCE S08°14'52"E A DISTANCE OF 61.17 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808); THENCE S70°15'22"E A DISTANCE OF 153.01 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808); THENCE S68°49'47"E A DISTANCE OF 193.57 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808); THENCE S67°58"4" A DISTANCE OF 71.67 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808); THENCE S66°29'27"E A DISTANCE OF 389.89 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808); THENCE S50°51'26"E A DISTANCE OF 31.36 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808) CORNER TO LARRY & DONNA SMITH DB 222 PG 106 AND NEW CORNER TO COCKSEY & FIELDS TRACTS 1 & 2; THENCE CONTINUING ALONG THE NEW LINE OF COCKSEY & FIELDS TRACTS 1 & 2 S88°25'02"W A DISTANCE OF 48.11 TO AN IRON PIN & CAP SET; THENCE S87°50'15" W A DISTANCE OF 48.09 TO AN IRON PIN & CAP SET; THENCE N85°12'00"W (PASSING 12" WHITE GALT-PAINTED AT 4.09) A TOTAL DISTANCE OF 1003.73 TO AN IRON PIN & CAP SET; THENCE N85°14'32" W A DISTANCE OF 273.00 TO AN IRON PIN & CAP SET; THENCE S51°46'00"W A DISTANCE OF 452.10 TO AN IRON PIN & CAP SET; THENCE S32°51'48" W A DISTANCE OF 170.12 TO A 12" DOUBLE CEDAR (PAINTED); THENCE S33°39'14" W A DISTANCE OF 40.99 TO AN IRON PIN & CAP SET; THENCE S33°19'53" W A DISTANCE OF 67.70 TO AN IRON PIN & CAP SET; THENCE S54°50'26" W A DISTANCE OF 118.00 TO AN IRON PIN & CAP SET; THENCE S54°27'25" W A DISTANCE OF 130.99 TO AN IRON PIN & CAP SET; THENCE N49°02'00" W A DISTANCE OF 265.27 TO AN IRON PIN & CAP SET AT A 10" DOUBLE HONEY LOCUST; THENCE N67°34'14" W A DISTANCE OF 215.82 TO AN IRON PIN & CAP SET NEW CORNER TO COCKSEY & FIELDS TRACTS 1 & 2 IN THE LINE OF GARY & GLENNA TURNER AND GARY LEE II & JAMIE TURNER DB 227 PG 185; THENCE ALONG THE TURNER LINE N03°24'38"E (PASSING A REFERENCE IRON PIN & CAP SET AT 722.71) A TOTAL DISTANCE OF 1657.41 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808) CORNER TO DARRELL & KAREN MINER AND JAMES & RUBY MINNER DB 245 PG 290; THENCE ALONG THE MINER LINE N03°30'35"E A DISTANCE OF 305.02 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808) CORNER TO MINNER DB 133 PG 720; THENCE ALONG THE MINNER DB 133 PG 720 LINE S88°18'19"E A DISTANCE OF 85.80 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808); THENCE CONTINUING ALONG THE MINNER DB 133 PG 720 LINE S87°20'31"E A DISTANCE OF 50.20 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808); THENCE N75°40'31"E A DISTANCE OF 22.39 TO A 1/2" IRON PIN & CAP FOUND (WRIGHT 2808); THENCE N56°30'51"E A DISTANCE OF 344.38 TO THE POINT OF BEGINNING CONTAINING 89.13 ACRES ACCORDING TO THE SURVEY BY TRAVIS A. MCGLONE PLS 3919 OF BUFFALO TRACE SURVEYING LLC 3/26/2017 (FIELD SURVEY COMPLETED ON 3/29/2017 AS A RURAL CLASS SURVEY).

ALL IRON PIN & CAPS SET WERE 1/2" X 18" REBAR WITH AN ORANGE PLASTIC CAP STAMPED "T. MCGLONE PLS 3919."

BEARINGS COORDINATED TO THE KENTUCKY STATE PLANE COORDINATE SYSTEM KY1Z (SINGLE ZONE, INAD 83) PER GPS OBSERVATIONS ON DATE OF SURVEY 3/18/2017.

PROPERTY SUBJECT TO ALL LEGAL RIGHT OF WAYS, EASEMENTS OF RECORD AND UNRECORDED CONVEYANCES.

PROPERTY SUBJECT TO EXISTING RIGHT OF WAY OF SAUNDERS ROAD FOR BENEFIT OF THE FLEMING COUNTY FISCAL COURT (ORDINANCE 09405).

TREES MARKED WITH 3 ORANGE HORIZONTAL PAINTED LINES, BEING A PORTION OF THE PROPERTY CONVEYED TO OTHIEL L. JR. & DORA JEAN COOKSEY AND MARCIA D. & CARMEN D. FIELDS BY DEED RECORDED AT THE FLEMING COUNTY CLERK'S OFFICE IN DEED BOOK 219, PAGE 372. ALSO BEING A PORTION OF THE SAME PROPERTY CONVEYED TO OTHIEL L. COOKSEY, JR. SINGLE FROM DORA JEAN COOKSEY, ET AL BY DEED DATED THE 7TH DAY OF APRIL, 2017, AND OF RECORD IN DEED BOOK 263, PAGE 679, FLEMING COUNTY CLERK'S OFFICE.

TAX ID NO.: 081-00-00-042.00

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: **(NOT A SURVEY MATTER)**
PERMANENT PARCEL NUMBER: 081-00-00-042.00
POSTED PAID: \$444.65
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. **(NOT A SURVEY MATTER)**
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. **(NOT A SURVEY MATTER)**
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. **(NOT A SURVEY MATTER)**
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. **(NOT A SURVEY MATTER)**
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREBY, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. **(NOT A SURVEY MATTER)**
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- COMMERCIAL MORTGAGE DATED MAY 30, 2017, IN THE PRINCIPAL AMOUNT OF \$165,000.00, EXECUTED BY JON SCHWARTZ, SINGLE, IN FAVOR OF PEOPLES BANK OF KENTUCKY, INC., RECORDED MAY 31, 2017 IN BOOK 342, PAGE 676, OFFICIAL PUBLIC RECORDS, FLEMING COUNTY, KENTUCKY. **(NOT A SURVEY MATTER)**

DONALD EUGENE YOUNG AND SHARON K. YOUNG

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO:304387NC-33, EFFECTIVE DATE: JULY 1, 2020

OWNER: DONALD EUGENE YOUNG AND SHARON K. YOUNG

TRACT 1

TWO TRACTS OF LAND SITUATED IN FLEMING COUNTY, KENTUCKY, ON THE WATERS OF WILSON RUN AND BEGINNING AT A SET STONE ON THE WEST SIDE OF WILSON RUN ROAD AND WILSON RUN BRANCH, CORNER TO TRACT NO. 3 IN LOUIS BOWER LINE (NOW ROE JOHNSON);

THENCE WITH SAID LINE UP THE ROAD AND BRANCH N 81 3/4 W 7.06 CHS. TO A SET STONE CORNER TO SAID JOHNSON; THENCE S 77-1/4 E 5.25 CHS. TO A SET STONE ON THE WEST BANK OF THE ROAD AND BRANCH CORNER TO SAID; THENCE N 87 3/4 E 10.89 CHS. TO A SET STONE IN THE SOUTHWEST CORNER OF THE INTERSECTION OF A SMALL BRANCH AND WILSON RUN, A CORNER TO SAID JOHNSON; THENCE WITH HIS LINE N 32 E 4.62 CHS. TO A SET STONE ON THE S.E. SIDE OF THE ROAD; THENCE S 26-1/4 W 6.76 CHS. TO A POINT AT THE JUNCTION OF THE FENCE CORNER TO SAME; THENCE WITH SAID JOHNSON'S LINE, CROSSING THE ROAD AND CONTINUING WITH THE LINE OF LEIIZE CARRIERS HEBS, IN ALL AND 81 1/2 E 16.42 CHS. TO A POINT CORNER TO SAME; THENCE WITH ANOTHER LINE OF SAME N 5 E 2.53 CHS. TO A SET STONE CORNER TO THE ABOVE MENTIONED CARRIER LINE AND IN TRIPLETT'S LINE; THENCE WITH SAME N 88-1/4 W 9.29 CHS. CROSSING THE WILSON RUN ROAD AND BRANCH TO A POINT CORNER TO DONALD EUGENE YOUNG AND SHARON K. YOUNG; TO A TURN IN THE FENCE, THENCE S 80 W 22.02 CHS. TO A POST CORNER TO SAID DONALD EUGENE YOUNG AND SHARON K. YOUNG; THENCE WITH THE LINE S 2 E 11.96 CHS. TO THE BEGINNING, CONTAINING ACCORDING TO THE OLD DEED 74 ACRES AND 15 POLES, FROM WHICH THERE IS EXCEPTED TWO SMALL TRACTS SOLD BY E. J. CARPENTER TO LOUIS BOWER ON OCTOBER 23, 1917 AND OF RECORD IN DEED BOOK 81, PAGE 394, FLEMING COUNTY COURT CLERK'S OFFICE.

LESS AND EXCEPT:

BEGINNING AT A BRUNCH OF SWAMP ASH BUSHES STANDING JUST AT THE FORK OF GRADE OF TURNPIKE; THENCE WITH THE OLD LINE OF BOWER (NOW JOHNSON N 82-1/2 E 39 POLES, 77 E 21 POLES, N 87 E 39 POLES) TO A STONE IN THE BRANCH, THENCE N 3 W 1.33 POLES TO THE CENTER OF THE TURNPIKE; THENCE FOLLOWING GENERALLY THE CENTER OF THE TURNPIKE S 64-1/2 W 26-1/2 POLES, N 75 W 28 POLES, N 85 W 14 POLES, N 74 W 28 POLES, S 54-1/2 E 6.7 POLES TO A POINT IN THE PKE IN THE LINE OF SAID CARRIERS, THENCE S 2 E 1 POLE TO THE BEGINNING, CONTAINING 1 ACRE AND 35 POLES.

AND, LESS AND EXCEPT:

BEGINNING AT A STAKE ON THE SOUTHEAST BANK OF JOSEPHUS EARLS ROAD, CORNER TO THE LAND OWNED BY JOHNSON; THENCE WITH THE GENERAL COURSE OF THE OLD WORN FENCE S 25 W 27.2 POLES TO THE JUNCTION OF THE FENCE, THENCE S 87 E 20 POLES TO A STAKE ON THE S.E. SIDE OF THE BRANCH, THENCE DOWN THE BRANCH N 37-1/2 W 26.7 POLES TO A STAKE IN THE CENTER OF THE ROAD, THENCE N 28 W 5.7 POLES TO THE BEGINNING, CONTAINING 2 ACRES, 2 QUARTERS AND 2 POLES, LEAVING THE NET AMOUNT CONVEYED TO CHARLES G. CARPENTER 70 ACRES AND 18 POLES.

AND, ALSO, LESS AND EXCEPT:

BEGINNING IN THE WILSON RUN ROAD, CORNER TO BERT JORDAN IN THE LINE OF CARPENTER, THENCE WITH JORDAN LINE S 50 E 17.16 POLES TO A POINT IN THE LAND LEADING TO EDMONDS PROPERTY (NOW KATHARINE ANDREWS); THENCE S 25 E 34 POLES, S 39 E 12 POLES, S 32-1/4 E 10 POLES, S 54 E 16 POLES TO THE CORNER OF KATHARINE ANDREWS; THENCE WITH A LINE OF SAME S 86-1/2 E 34.8 POLES TO A POST, THENCE IN A LINE 108 POLES TO MRS. KATHARINE LINE (NOW LANDRETH ANDREWS); THENCE WITH HIS LINE N 76-1/2 W 31.72 POLES, THENCE N 58 W 5 POLES TO AN ELM TREE, THENCE S 35 W 3.2 POLES TO A SET STONE; THENCE N 86 1/2 W 13.32 POLES TO THE CENTER OF THE WILSON RUN ROAD; THENCE DOWN THE CENTER OF SAID FENCE S 23-1/2 W 7 POLES, S 27-3/4 W 10 POLES, S 79-1/2 W 18 POLES, S 29-1/2 W 24 POLES, S 86-1/2 E 2 POLES TO THE BEGINNING, CONTAINING 38 ACRES AND 40 POLES, WHICH DEED IS OF RECORD IN DEED BOOK 93, PAGE 226, FLEMING COUNTY COURT CLERK'S OFFICE. LEAVING 34 ACRES AND 10 POLES HEREBY CONVEYED TO SECOND PARTY.

TRACT 2

LOCATED ON THE WILSON RUN ROAD IN FLEMING COUNTY, KENTUCKY AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POST IN LINE OF MELDY BROWN; THENCE N 61-1/2 W 126.54 RODS TO A STAKE 2 FEET WEST OF A LOCUST; THENCE N 84-1/2 W 29.84 RODS TO A STONE IN WALKER MIDWELL'S (NOW ASA SKAGGS) LINE; THENCE WITH HIS LINES S 21 W 43.12 RODS TO A BLACK WALNUT TREE; THENCE S 2-1/2 E 4.80 RODS TO A POST; THENCE S 6 E 16 RODS; THENCE S 7 7/8 E 26 RODS TO A POST; THENCE S 8-1/4 E 27.4 RODS, S 1-1/2 E 20 RODS TO A POST; THENCE LEAVING KIDWELLS (NOW SKAGGS) LINE AND WITH THE BROWN LINE N 81-1/4 E 49.88 RODS TO THE BEGINNING, CONTAINING 37.87 ACRES.

BEING THE SAME LAND CONVEYED BY B. YOUNG FROM GEORGE D. FISHER AND ADDIE L. FISHER BY DEED DATED SEPTEMBER 3, 1964, SAME BEING OF RECORD IN B. 112, PAGE 211, FLEMING COUNTY CLERK'S OFFICE, HELMINGSBURG, KENTUCKY.

TAX ID NO.: 059-00-00-012.00

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: **(NOT A SURVEY MATTER)**
PERMANENT PARCEL NUMBER: 059-00-00-012.00
POSTED PAID: \$695.40
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. **(NOT A SURVEY MATTER)**
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. **(NOT A SURVEY MATTER)**
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. **(NOT A SURVEY MATTER)**
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. **(NOT A SURVEY MATTER)**
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREBY, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. **(NOT A SURVEY MATTER)**
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- RIGHT OF WAY EASEMENT DATED JULY 25, 1987, GRANTED BY DONALD EUGENE YOUNG AND SHARON K. YOUNG, CONVEYED TO FLEMING COUNTY WATER ASSOCIATION, INC., RECORDED APRIL 5, 1988 IN EASEMENT BOOK 15, PAGE 623, OFFICIAL PUBLIC RECORDS, FLEMING COUNTY, KENTUCKY. **(DOCUMENT WAS NOT FURNISHED AT THE TIME OF SURVEY)**

MICHAEL HILL AND BARBARA L. HILL

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO:304387NC-23, EFFECTIVE DATE: JULY 20, 2020

OWNER: MICHAEL HILL AND BARBARA L. HILL

TRACT NO. 1, A CERTAIN TRACT OF LAND SITUATED AND BEING ON THE WATERS OF FLEMING CREEK, BEGINNING AT A SET STONE UPON THE NORTH SIDE OF THE ROAD OPPOSITE THE NORTH-WEST CORNER OF THE ORCHARD AND CORNER TO THE LAND HERETOFORE CONVEYED TO NANCY B. CORVELL; THENCE WITH HER LINE S 20-1/4 E 16 POLES TO A SET STONE AT THE SOUTHWEST CORNER OF THE ORCHARD; THENCE S 83-1/2 E 12.6 POLES TO A SET STONE AT THE BARS OF THE STABLE; THENCE S 18-1/8 E 35.8 POLES TO A SET STONE IN THE WOODS; THENCE N

69-4/4 E 54 POLES TO A SET STONE IN THE CENTER OF THE OLD CLOVER ROAD, ALSO IN THE LINE OF THE NASH FARM; THENCE DIVIDING THE ROAD EQUALLY S 18-3/4 E 65.3 POLES TO A STAKE CORNER TO JON CARPENTER; THENCE WITH HIS LINE WEST 129.1 POLES TO A STAKE IN A DRAIN IN THE OLD STRODE LAND; THENCE N 50-1/4 POLES TO A SET STONE E OF THE POINT IN THE CENTER OF THE FENCE; THENCE N 69-3/4 E 24.6 POLES TO THE BEGINNING, CONTAINING 50 ACRES, THERE BE EXCEPTED AND NOT CONVEYED IN THE ABOVE BOUNDARY A PASSWAY 15 FEET WIDE HERETOFORE SOLD TO C. S. NORTON.

TRACT NO. 2, BEGINNING AT A SET STONE UPON THE NORTH SIDE OF THE ROAD OPPOSITE THE N.E. CORNER OF THE ORCHARD AND CORNER TO THE LAND CONVEYED TO MRS. LULA K. CALDWELL; THENCE WITH HER LINE S 20-1/4 E 2 POLES TO A SET STONE AT THE S.W. CORNER OF THE ORCHARD; THENCE S 69-1/2 E 13.6 POLES TO A SET STONE AT THE BARS OF THE STABLE LOT; THENCE S 18-1/8 E 35.8 POLES TO A SET STONE IN THE WOODS; THENCE N 69-3/4 E 54 POLES TO A SET STONE IN THE OLD CLOVER ROAD, ALSO IN THE LINE OF THE NASH FARM; THENCE DIVIDING SAID ROAD EQUALLY AS IT MEASURES N 18-3/4 W 5.7 POLES TO A TURN; THENCE N 22-1/4 W 49-1/4 POLES TO A STAKE CORNER TO THE HOME TRACT OF MRS. ELIZA STRODE; THENCE N 10-1/8 W 12.6 POLES; THENCE WITH LINE OF SAME ALONG NORTH SIDE OF THE ROAD S 69-3/4 W 67 POLES TO THE BEGINNING, CONTAINING 26 ACRES.

(THE ABOVE DESCRIPTION IS INTENDED TO INCLUDE LOTS NO. 11 AND 12 AS DESCRIBED ON A PLAT WHICH IS RECORDED IN DEED BOOK 133, PAGE 784, AND FURTHER IS INTENDED TO INCLUDE A STRIP OF LAND EXCEPTED OUT OF DEED TO WENDELL L. EARLS AND JUDY L. EARLS, HIS WIFE FROM CLARENCE E. JONES AND CHESTER J. JONES, DATED NOVEMBER 14, 1917, RECORDED IN DEED BOOK 144, PAGE 766, SAID STRIP HAVING BEEN EXCEPTED OUT OF LOT NO. 6, ON PLAT RECORDED IN DEED BOOK 153, PAGE 794, AND 15 FEET IN WIDTH COMMENCING IN THE CENTER OF THE MATTON PKE AND EXTENDING S 15 DEG. E 150 FEET ALONG THE BOUNDARY LINE OF LOT NO. 5 AS SHOWN ON THE AFOREMENTIONED PLAT, ALL OF RECORD IN THE FLEMING COUNTY CLERK'S OFFICE.)

THERE BE EXCEPTED FROM THE FOREGOING LOTS NO'S 1,2,3,4,5,6,7,8,9 AND 10 AS DESCRIBED ON PLATS RECORDED IN DEED BOOK 133, PAGE 785 AND DEED BOOK 132, PAGE 311, FLEMING COUNTY CLERK'S OFFICE.

TAX ID NO.: 058-00-00-033.00

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: **(NOT A SURVEY MATTER)**
PERMANENT PARCEL NUMBER: 058-00-00-033.00
POSTED PAID: \$1,074.14
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. **(NOT A SURVEY MATTER)**
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. **(NOT A SURVEY MATTER)**
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. **(NOT A SURVEY MATTER)**
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. **(NOT A SURVEY MATTER)**
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREBY, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. **(NOT A SURVEY MATTER)**
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. **(NOT A SURVEY MATTER)**

Westwood

Phone: (703) 531-6100
1-800-441-1111
10772 Church Branch Way, Suite 200
Houston, TX 77040
www.westwoodpro.com

Westwood Professional Services, Inc.

RECURRING

RECURRING ENERGY

123 Mission Street, Fl 18
San Francisco, CA 94105

REVISED: 1-18/15/2023 UPDATE SURVEY AS PER CLIENT COMMENTS

Hummingbird Solar Project

Fleming County, Kentucky

DATE: 08/15/2023

SHEET: 17 OF 20

RUBY F. MINEER

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO.304387NCT-26, EFFECTIVE DATE: JULY 20, 2020

OWNER: RUBY F. MINEER

TRACT 1:

A TRACT OF 70 ACRES OF LAND MORE OR LESS, LOCATED SOUTHEAST OF THE TOWN OF MT. CARMEL, KENTUCKY, BOUNDED GENERALLY AS FOLLOWS:

ON THE NORTH BY THE LAND OF GILMER RIGDON, EAST AND WEST BY THE LANDS OF GARRET MINEER AND ON THE SOUTH BY THE MARY GODDARD LANDS, CONTAINING 70 ACRES, MORE OR LESS TOGETHER WITH A PASSWAY TO THE STATE HIGHWAY, SAID PASSWAY BEING DESCRIBED AS FOLLOWS:

MRS. MATILDA CLARY'S PASSWAY FROM RIGDON'S PASSWAY AT WEBB LINE AND MINEER CORNER TO RIGDON'S GARDEN CORNER, SAID PASSWAY TO BE 18 FEET WIDE, SAID PASSWAY IS TO BE FENCED BY RIGDON STARTING AT RIGDON'S GARDEN CORNER (N.W. CORNER) TO MRS. CLARY'S LINE. SEE M.B. 32, PAGE 486, FLEMING COUNTY COURT CLERK'S OFFICE AND ALL OTHER PASSWAYS OR RIGHT OF WAYS THAT ARE APPURTENANT TO THIS TRACT OF LAND TO REACH THE HIGHWAY IN CONNECTION WITH SAID LANDS.

BEING THE SAME PROPERTY CONVEYED TO GRANTORS BY DEED FROM ALICE FORDWORTH, ET AL, DATED 29 APRIL 1983, RECORDED IN DEED BOOK 156, PAGE 222.

SAVE AND EXCEPT THAT TRACT OF PARCEL OF LAND IN DEED DATED NOVEMBER 15, 1993, RECORDED NOVEMBER 19, 1993 IN BOOK 178, PAGE 226, OFFICIAL PUBLIC RECORDS, FLEMING COUNTY, KENTUCKY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH PROPERTY LINE OF GRANTORS, BEING THE LINE BETWEEN GRANTORS AND MILLER, BEING 600 FEET EAST OF THE GRANTORS' PROPERTY CORNER AND I.M. CLARY RD.; THENCE WITH MILLERS LINE S 80 DEG. 40' 04" E 321.6026 FEET TO AN IRON POST; THENCE LEAVING MILLERS LINE WITH NEW DIVIDING LINE OF GRANTERS S 10 DEG. 29' 53.59" W, 145.0575 FEET TO AN IRON POST; THENCE N 78 DEG. 21' 39.21" W 291.8724 FEET TO A POINT IN THE CENTER OF A GRAVEL FARM ROAD; THENCE N 2 DEG. 05' 58.62" W 136.6249 FEET TO THE POINT OF BEGINNING, CONTAINING .9811 ACRES.

THE GRANTORS ALSO GRANT TO THE GRANTEEES A 20 FOOT EASEMENT RUNNING WITH THE EXISTING DRIVEWAY FOR THE PURPOSE OF INGRESS AND EGRESS TO THE ABOVE DESCRIBED LOT.

BEING PART OF THE SAME PROPERTY CONVEYED JAMES W. MINEER AND RUBY F. MINEER, FROM CARL BURKHOLDER AND ROSETTA BURKHOLDER, HUSBAND AND WIFE, BY DEED DATED FEBRUARY 12, 1985, RECORDED IN D.B. 159, PAGE 622, FLEMING COUNTY CLERK'S OFFICE.

TAX ID NO.: 069-00-00-012.00

TRACT 2:

A CERTAIN TRACT OF LAND LOCATED IN FLEMING COUNTY, KENTUCKY ABOUT 1 MILE EAST OF MT. CARMEL, NEAR THE MAVSVILLE AND MT. CARMEL TURNPIKE ROAD AND BOUNDED AS FOLLOWS:-

BOUNDED ON THE WEST BY THE LANDS OF GEORGE A. CLARY, ON THE NORTH BY THE LANDS OF GARRETT MINEER, ON THE EAST BY THE LANDS OF HARRY HONEYFELT, AND ON THE SOUTH BY THE LANDS OF SIKAS POLLITT, AND CONTAINING ABOUT 25 ACRES, MORE OR LESS.

TAX ID NO.: 081-00-00-007.00

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2019, AS FOLLOWS: **(NOT A SURVEY MATTER)**
PERMANENT PARCEL NUMBER: 069-00-00-012.00 (TRACT 1)
POSTED PAID: \$544.71
PERMANENT PARCEL NUMBER: 081-00-00-007.00 (TRACT 2)
POSTED PAID: \$118.10
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. **(NOT A SURVEY MATTER)**
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. **(NOT A SURVEY MATTER)**
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL, HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. **(NOT A SURVEY MATTER)**
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. **(NOT A SURVEY MATTER)**
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. **(NOT A SURVEY MATTER)**
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- RIGHT OF WAY EASEMENT DATED MAY 27, 1997, GRANTED BY JAMES W. MINEER AND RUBY F. MINEER, HUSBAND AND WIFE, TO FLEMING COUNTY WATER ASSOCIATION, INC., RECORDED JUNE 4, 1997 IN BOOK 17, PAGE 591, OFFICIAL PUBLIC RECORDS, FLEMING COUNTY, KENTUCKY. **(SHOWN HEREBY)**

RANDALL MEADOWS AND WILLA MEADOWS

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO.304387NCT-40, EFFECTIVE DATE: FEBRUARY 24, 2021

OWNER: RANDALL MEADOWS AND WILLA MEADOWS

A CERTAIN TRACT OF LAND LYING AND BEING IN FLEMING COUNTY, KENTUCKY NEAR MT. CARMEL ON THE NORTH SIDE OF KY 324 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN (SET THIS SURVEY) CORNER TO JULIUS R. MAY (D.B. 160, PG. 16, AND D.B. 151, PG. 557 AND BRING IN THE

NORTH RIGHT OF WAY LINE OF KY 324 (30' FROM CENTER); THENCE WITH THE SAID KY 324 RIGHT OF WAY LINE THE FOLLOWING FIVE CALLS 173.44 FEET ALONG AN ARC TO THE LEFT, HAVING A RADIUS OF 1231.39 FEET, THE CHORD OF WHICH IS NORTH 40 DEGREES 55 MINUTES 11 SECONDS WEST, 178.39 FEET TO AN IRON PIN (SET THIS SURVEY); THENCE NORTH 42 DEGREES 30 MINUTES 05 SECONDS EAST, 149.77 FEET TO AN IRON PIN (SET THIS SURVEY); THENCE NORTH 47 DEGREES 15 MINUTES 43 SECONDS WEST, 100.00 FEET TO AN IRON PIN (SET THIS SURVEY); THENCE SOUTH 42 DEGREES 33 MINUTES 49 SECONDS WEST, 20.01 FEET TO AN IRON PIN (SET THIS SURVEY); THENCE NORTH 50 DEGREES 06 MINUTES 50 SECONDS WEST, 405.47 FEET TO AN IRON PIN (SET PRIOR SURVEY) CORNER TO FREDDY APPLEGATE, (D.B. 218, PG. 224); THENCE WITH APPLEGATE NORTH 38 DEGREES 42 MINUTES 23 SECONDS EAST, 187.60 FEET TO AN IRON PIN (SET THIS SURVEY) CORNER TO GRANTORS' REMAINING PROPERTY; THENCE WITH GRANTORS' REMAINING AND A NEW DIVIDING LINE THE FOLLOWING FOUR CALLS SOUTH 35 DEGREES 32 MINUTES 48 SECONDS EAST, 100.48 FEET TO AN IRON PIN (SET THIS SURVEY); THENCE NORTH 33 DEGREES 43 MINUTES 31 SECONDS EAST, 313.59 FEET TO AN IRON PIN (SET THIS SURVEY); THENCE NORTH 19 DEGREES 49 SECONDS EAST, 106.86 FEET TO AN IRON PIN (SET THIS SURVEY) IN EULINE M. MEADOWS (D.B. 208, PG. 527) FENCE LINE; THENCE WITH MEADOWS THE FOLLOWING TWO CALLS NORTH 85 DEGREES 14 MINUTES 17 SECONDS EAST, 573.53 FEET TO AN IRON PIN (SET THIS SURVEY) BY CORNER POST, CORNER TO GEORGE SHAGGS, JR. (D.B. 132, PG. 40); THENCE WITH SHAGGS THE FOLLOWING FOUR CALLS SOUTH 6 DEGREES 24 MINUTES 19 SECONDS WEST, 627.31 FEET TO A WITNESS IRON PIN (SET THIS SURVEY) BY OLD GATE POST; THENCE SOUTH 6 DEGREES 24 MINUTES 19 SECONDS WEST, 10.00 FEET TO A POINT IN THE CENTER OF PASS WAY AS CALLED FOR IN D.B. 132, PG. 40; THENCE WITH THE CENTER OF SAID PASS WAY NORTH 84 DEGREES 41 MINUTES 39 SECONDS WEST, 533.66 FEET TO AN IRON PIN (SET THIS SURVEY) BY POST; THENCE SOUTH 7 DEGREES 56 MINUTES 41 SECONDS WEST, 1073.50 FEET TO AN IRON PIN (SET THIS SURVEY) CORNER TO SAID JULIUS MAY; THENCE WITH MAY THE FOLLOWING THREE CALLS: SOUTH 87 DEGREES 07 MINUTES 19 SECONDS WEST, 189.96 FEET TO AN IRON PIN (SET THIS SURVEY); THENCE SOUTH 5 DEGREES 48 MINUTES 25 SECONDS WEST, 245.31 FEET TO AN IRON PIN (SET THIS SURVEY); THENCE SOUTH 44 DEGREES 58 MINUTES 05 SECONDS WEST, 301.47 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 30.811 ACRES AS SURVEYED BY ROPY A. WRIGHT L.S. #2808, MAY 15, 2006. ALL IRON PINS SET THIS SURVEY AND PRIOR SURVEY ARE 1/2" RE-BAR WITH AN ORANGE PLASTIC CAP STAMPED "PROPERTY CORNER, R.A. WRIGHT, L.S. #2808". ALL WITNESS IRON PINS SET THIS SURVEY ARE 1/2" RE-BAR WITH A YELLOW PLASTIC CAP STAMPED "WITNESS CORNER, R.A. WRIGHT, L.S. #2808". ALL BEARINGS STATED HEREBY ARE REFERRED TO MAGNETIC MERIDIAN AS ORIENTED TO SEPTEMBER 28, 2002 SURVEY OF FREDDY APPLEGATE PROPERTY BY THE CONVEYOR.

BEING THE SAME PROPERTY CONVEYED MICHAEL A. HUGHES AND HEATHER DAWN HUGHES, HIS WIFE, FROM WILL LENGACHER AND MARY LENGACHER, HIS WIFE, BY DEED DATED THE 7TH DAY OF NOVEMBER 2006 AND RECORDED IN DEED BOOK 229, PAGE 187, FLEMING COUNTY CLERK'S OFFICE.

TAX ID NO.: 080-00-00-005.01

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2020, AS FOLLOWS: **(NOT A SURVEY MATTER)**
TAX ID: 080-00-00-005.01
POSTED PAID: \$1,576.49
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. **(NOT A SURVEY MATTER)**
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. **(NOT A SURVEY MATTER)**
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL, HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. **(NOT A SURVEY MATTER)**
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. **(NOT A SURVEY MATTER)**
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. **(NOT A SURVEY MATTER)**
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. **(NOT A SURVEY MATTER)**

DUANE R. LOWE

LEGAL DESCRIPTIONS:

TITLE COMMITMENT NO.304387NCT-41, EFFECTIVE DATE: FEBRUARY 25, 2021

OWNER: DUANE R. LOWE

THIS PARCEL OF LAND IS A PORTION OF THE SHIRLEY BREWER PROPERTY LOCATED ON KY HWY 3301 IN FLEMING COUNTY, KENTUCKY, THE PARENT TRACT IS ON RECORD IN DEED BOOK 144, PAGE 724 LOCATED IN THE FLEMING COUNTY CLERK'S OFFICE AND IS MORE EXACTLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET IN THE RIGHT-OF-WAY LINE OF KY HWY 3301 A CORNER TO THE WILLIAM AND GILBERTA COLGAN PROPERTY (D.B. 171, PAGE 614); THENCE N 04 DEG. 36 MIN. 28 SEC. E, 1001.02 FEET WITH THE COLGAN LINE TO AN IRON PIN SET A CORNER TO THE COLGAN PROPERTY; THENCE N 04 DEG. 19 MIN. 46 SEC. E, 1589.74 FEET WITH THE COLGAN LINE TO AN IRON PIN SET A CORNER TO THE COLGAN PROPERTY (D.B. 160, PAGE 348); THENCE WITH THE SAME LINE FOR THE FOLLOWING CALLS: THENCE S 86 DEG. 28 MIN. 02 SEC. E, 442.81 FEET TO AN IRON PIN SET; THENCE N 21 DEG. 35 MIN. 50 SEC. W, 92.72 FEET TO AN IRON PIN SET AT A 14" ELM; THENCE N 20 DEG. 56 MIN. 08 SEC. W, 130.57 FEET TO A P.K. NAIL SET IN A 24" WALNUT; THENCE N 28 DEG. 08 MIN. 46 SEC. W, 10.81 FEET TO AN IRON PIN SET AT A 12" TRIPLE HEDG; THENCE N 24 DEG. 09 MIN. 57 SEC. W, 97.82 FEET TO AN IRON PIN SET; THENCE N 18 DEG. 09 MIN. 41 SEC. W, 58.47 FEET TO AN IRON PIN SET; THENCE N 15 DEG. 34 MIN. 20 SEC. W, 237.22 FEET TO AN IRON PIN SET A CORNER TO THE SAVER PROPERTY AND THE DAVID AND MARY LINDBERG PROPERTY (D.B. 164, PAGE 544); THENCE N 86 DEG. 26 MIN. 27 SEC. E, 25.09 FEET WITH THE LINDBERG LINE TO AN IRON PIN SET A CORNER TO THE LINDBERG PROPERTY; THENCE S 88 DEG. 36 MIN. 46 SEC. E, 287.08 FEET WITH THE LINDBERG LINE TO AN IRON PIN SET A CORNER TO THE LINDBERG PROPERTY AND THE REMAINDER OF THE SHIRLEY BREWER PROPERTY (D.B. 144, PAGE 159); THENCE WITH THE BREWER LINE FOR THE FOLLOWING CALLS: THENCE S 09 DEG. 32 MIN. 15 SEC. W, 668.13 FEET TO AN IRON PIN SET; THENCE S 05 DEG. 56 MIN. 32 SEC. W, 1099.48 FEET TO AN IRON PIN SET; THENCE S 04 DEG. 58 MIN. 39 SEC. W, 1521.00 FEET TO AN IRON PIN SET IN THE RIGHT-OF-WAY LINE OF KY HWY 3301 TO THE BREWER PROPERTY; THENCE WITH THE RIGHT-OF-WAY LINE OF KY HWY 3301 FOR THE FOLLOWING CALLS: THENCE N 80 DEG. 24 MIN. 38 SEC. W, 97.42 FEET TO AN IRON PIN SET; THENCE N 82 DEG. 59 MIN. 40 SEC. W, 172.40 FEET TO AN IRON PIN SET; THENCE N 83 DEG. 43 MIN. 01 SEC. W, 170.18 FEET TO THE POINT OF BEGINNING CONTAINING AN AREA OF 1,305,624.9 SQUARE FEET (30.00 ACRES).

THIS PARCEL OF LAND WAS SURVEYED BY ALAN JUSTICE ENGINEERING AND SURVEYING, INC. DURING THE MONTH OF JULY 2001. ALL IRON PINS SET ARE 1/2" REBAR MARKED WITH I.D. CAPS. THE BASIS OF BEARING FOR THIS SURVEY WAS A PARENT TRACT BEARING OFF THE SOUTH EAST SIDE OF THE BREWER PROPERTY AND THE NORTH WEST SIDE OF THE MARK IV PROPERTIES (D.B. 189, PAGE 3) 65.02 DEG. 00 MIN. 00 SEC. W. THIS IS A CLASS B SURVEY AND THE UNADJUSTED ERROR OF CLOSURE OF THE RANDOM TRAVERSE WAS 1 IN 18,949.

A PLAT OF SAID PROPERTY IS RECORDED IN PLAT CABINET 2, SLIDE 56 FLEMING COUNTY CLERK'S OFFICE TO WHICH REFERENCE IS MADE FOR A MORE PARTICULAR DESCRIPTION.

BEING THE SAME PROPERTY CONVEYED TO SHIRLEY H. BREWER, SINGLE, FROM THE PETRA CORPORATION, BY DEED DATED JULY 27, 2001, AND RECORDED IN DEED BOOK 198, PAGE 634, FLEMING COUNTY CLERK'S OFFICE; ALSO BEING A PART OF THE SAME PROPERTY CONVEYED TO CLARENCE MCCULLEN "MACC" BREWER FROM CLAUDE R. BREWER AND JESSIE E. BREWER, HIS WIFE, BY DEED DATED NOVEMBER 8, 1977, AND RECORDED IN DEED BOOK 144, PAGE 724, FLEMING COUNTY CLERK'S OFFICE; CLARENCE MCCULLEN "MACC" BREWER DEWEED SAID PROPERTY TO HIS WIFE, SHIRLEY BREWER (AKA SHIRLEY H. BREWER) BY HIS LAST WILL AND TESTAMENT RECORDED IN WILL BOOK X, PAGE 680, FLEMING COUNTY CLERK'S OFFICE.

TAX ID NO.: 038-00-00-041.01

SCHEDULE B-II EXCEPTIONS:

THE FOLLOWING MATTERS AFFECT THE PARCEL DESCRIBED ABOVE:

- GENERAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2020, AS FOLLOWS: **(NOT A SURVEY MATTER)**
TAX ID: 058-00-00-041.01
POSTED PAID: \$159.56
- EASEMENTS, CLAIMS OF EASEMENTS AND RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS. **(NOT A SURVEY MATTER)**
- DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGES IN AREA, ENCROACHMENTS AND ANY FACTS WHICH A SURVEY AND INSPECTION OF THE PREMISES WOULD DISCLOSE. **(NOT A SURVEY MATTER)**
- ANY LIEN OR RIGHT TO A LIEN IMPOSED BY LAW FOR SERVICES, LABOR OR MATERIAL, HERETOFORE OR HEREAFTER FURNISHED, EXCEPT FOR ANY SUCH LIEN THE ASSERTION OF WHICH BY A CLAIMANT IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY. **(NOT A SURVEY MATTER)**
- ANY AND ALL INTEREST IN AND TO ALL OF THE WATER, OR OIL, GAS, COAL, METALLIC ORES, AND OTHER MINERALS IN, UNDER OR ON THE LAND AND ALL RIGHTS PERTAINING THERETO. **(NOT A SURVEY MATTER)**
- DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD, FOR VALUE, THE ESTATE OR INTEREST OR MORTGAGE THEREON, COVERED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- THE FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THE DOCUMENTS INSURED UNDER SCHEDULE A. **(NOT A SURVEY MATTER)**
- ANY REFERENCES TO ACREAGE IN THE LAND DESCRIBED IN SCHEDULE A IS FOR TRACT IDENTIFICATION ONLY AND ARE NOT TO BE CONSTRUED AS ANY PART OF THE COVERAGE AFFORDED BY THIS POLICY. **(NOT A SURVEY MATTER)**
- SUBJECT TO THOSE MATTERS DESCRIBED IN PLAT OF SURVEY DATED AUGUST 3, 2001, RECORDED AUGUST 31, 2001 IN PLAT BOOK 2, PAGE 56, OFFICIAL PUBLIC RECORDS, FLEMING COUNTY, KENTUCKY. **(PLAT CONTAINS NO SURVEY RELATED MATTERS TO PLOT.)**

Westwood

Phone: (708) 521-4200 (0770) Clutch Branch Way, Suite #201
148 Rose (800) 755-5100 (Westchester, IL 60091)
www.westwood.com

Westwood Professional Services, Inc.

FILED BY FOR:

RECURRENT ENERGY

123 Mission Street, FJ 18
San Francisco, CA 94105

REVISIONS:

1 08/15/2023 UPDATE SURVEY AS PER CLIENT COMMENTS

DATE: 08/15/2023

SHEET: 18 OF 20

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 21:

Explain whether participating landowners will continue to use property not leased to the Applicant for residential or agricultural purchases.

Response No. 21:

Hummingbird has entered into site control agreements with participating landowners, and the portions of each landowner's property committed for Project will be used pursuant thereto. Hummingbird has no knowledge regarding the participating landowners' uses for their lands not included in the Project.

Responding Witness: Orla Lavender

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 22:

Refer to the Application, Exhibit G, Property Value Impact Analysis. Also refer to the SAR, Exhibit D, Noise Assessment Report. Explain the discrepancy between Exhibit G that stated the closest adjoining home is 500 feet from the closest solar panel and Exhibit D that stated the nearest residence is approximately 260 feet from the nearest solar panel.

Response No. 22:

Please see the attached letter from Kirkland Appraisals ("Kirkland") dated August 9, 2023. Exhibit G's Property Value Impact Analysis was initially completed during the early stages of designing the Project's site layout, which has since been revised. Hummingbird contacted Kirkland to analyze the Project's impact to the nearest residential structure located 260 feet away from Project infrastructure, and Kirkland concluded that the revised distance does not change the overall assessment described in the Property Value Impact Analysis report.

Responding Witness: Adam Peterson, Chad Martin



Kirkland Appraisals

Richard C. Kirkland, Jr., MAI
9408 Northfield Court
Raleigh, North Carolina 27603
Phone (919) 414-8142
rkirkland2@gmail.com
www.kirklandappraisals.com

August 9, 2023

Chad Martin
Cardno
76 San Marcos Street
Austin, TX 78702

RE: Hummingbird Solar Project, Fleming County, KY

Mr. Martin,

The purpose of this letter is to address questions from neighbors that were brought to my attention related to the Hummingbird Solar Project, Fleming County, Kentucky.

This letter is a limited report of a real property appraisal consulting assignment and subject to the limiting conditions attached to this letter. This letter should be attached to the original impact study completed with a date of March 15, 2022. My client is Cardno represented to me by Chad Martin. My findings support the Kentucky Siting Board Application. The effective date of this consultation is August 9, 2023.

I was asked to explain a difference in measured distance to the closest home used in the Hummingbird Solar Project Impact Analysis in my report versus what was used in the noise study on the same project. My report identified a closest home at 500 feet, while the noise study identified a mobile home at 260 feet from the nearest panel. The guidelines for the assignment provided to me included a stipulation that once design was complete the closest adjoining home would be 500 feet from the nearest panel. This apparently did not happen.

Given the data included in the original impact study, a separation of 260 feet from the nearest home would not change the outcome or conclusion of that impact study as the paired sales includes a home at 250 feet showing no impact for the Kentucky and adjoining states data. Furthermore, the data for the Southeast shows five sales closer than 260 feet including sales as close as 145 feet from the nearest panel. My larger set of data includes homes as close as 105 feet showing no impact on property value for a stick-built home in a new subdivision.

For these reasons, the change in distance to 260 feet from the 500 feet used in the original impact analysis does not change the conclusion. There remains significant data supporting a finding of no impact on property value.

Sincerely,

Richard C. Kirkland, Jr., MAI
Kirkland Appraisals, LLC



Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

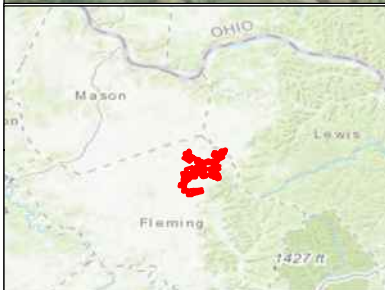
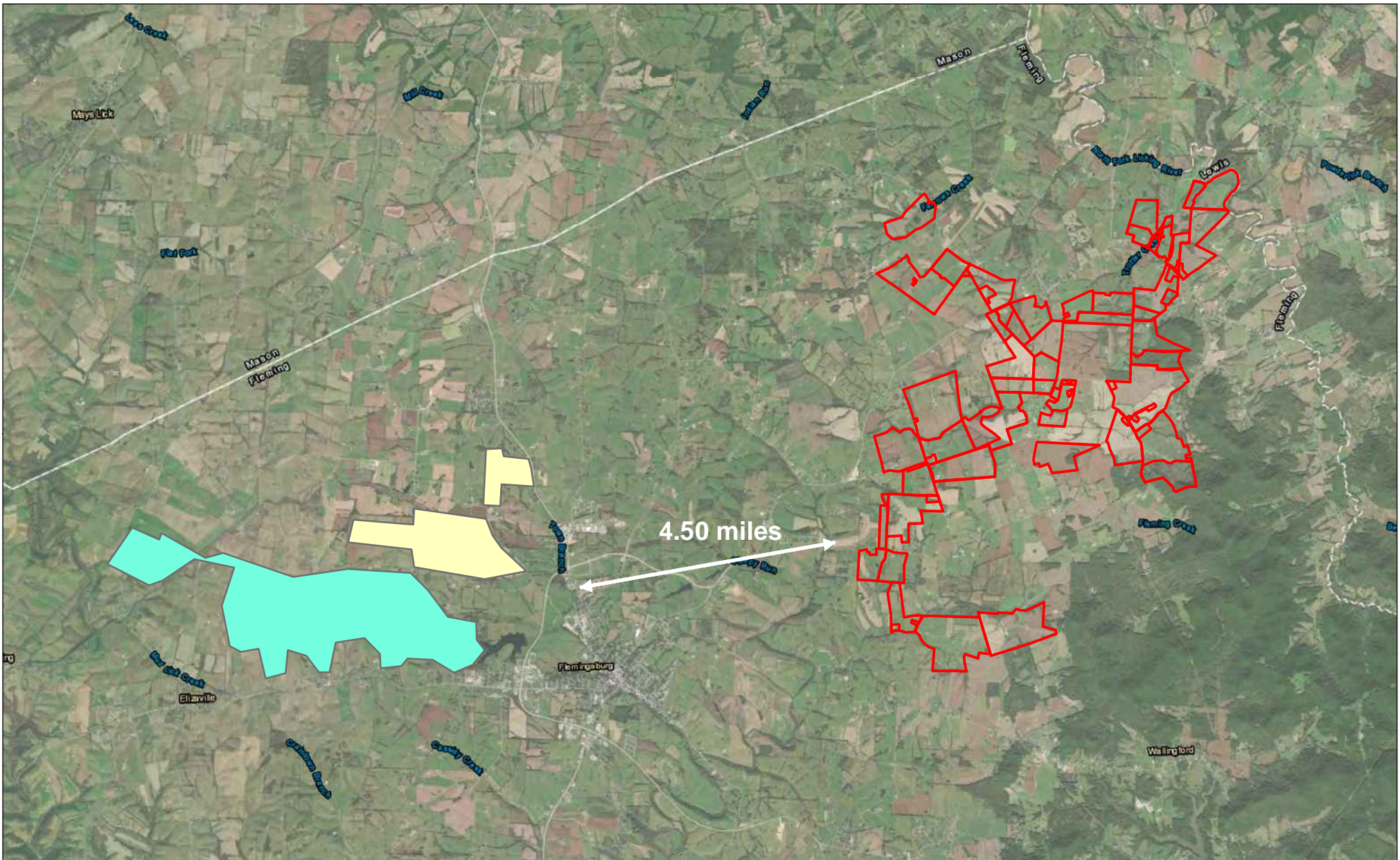
Request No. 23:

Provide the number of miles between the Hummingbird Solar project and the project in Case No. 2020-00206.

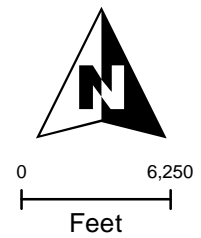
Response No. 23:

The Project will be approximately 4.5 miles away from the solar project in Case No. 2020-00206; please see the attached map which details the distance between the Project and other merchant electric generating facilities located in Fleming County.

Responding Witness: Adam Peterson, Chad Martin



- Project Area
- Core Fleming Solar
- AEUG Fleming Solar



Stantec

Hummingbird Energy LLC Solar Project
Phase I ESA
Fleming County, Kentucky

SSB Data Request #23

Date: June 2023	Project No: 237800383	Appendix: A
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Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 24:

Provide the number of miles between the Hummingbird Solar project and the Project in Case No. 2020-00370.

Response No. 24:

Please refer to the map attached to Response No. 23. The Project is approximately 4.5 miles away from the solar project in Case No. 2020-00370.

Responding Witness: Adam Peterson, Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 25:

Provide any overlaps in the projected construction schedules of the three projects in Fleming County, Kentucky.

Response No. 25:

Although Fleming Solar, LLC ("Fleming Solar") and AEUG Fleming Solar, LLC ("AEUG Solar") submitted construction schedules in their respective dockets, the projects have not provided construction commencement dates. As such, Hummingbird cannot confirm the degree of overlap between the three projects' construction schedules, if any. Currently, Hummingbird's anticipated construction commencement date is December 2024.

Responding Witness: Jayce Walker

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 26:

Describe the potential for cumulative effects on noise from construction activities of the three projects, and any steps to minimize these effects.

Response No. 26:

There would be no cumulative effects from construction or operational noise given the 4.5 mile distance between projects. At 1,000 feet, the noise levels are below EPA-acceptable levels for all proposed projects.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 27:

Describe the potential for cumulative effects on traffic and roadways from construction activities of the three projects, and any steps planned to minimize these effects.

Response No. 27:

The proposed Fleming Solar LLC (Case No. 2020-00370) and AEUG Fleming Solar (Case No. 2020-00206) projects are located on the west side of Flemingsburg and will utilize north/south and west/southeast major highways, while the Project will be located east of Flemingsburg. There is potential overlap only on the south to northeast section of Highway 57 during peak hours. This section of road is currently operating at level of service (LOS) A and is proposed to continue at LOS A during construction. Additional commuting traffic is not expected to negatively impact traffic below LOS B, which is within the accepted LOS range.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 28:

Describe the potential for cumulative effects on property values and land uses from the construction and operation of the three projects.

Response No. 28:

The Property Value Impact Analysis for Hummingbird concluded that there would be no effect to adjoining property values. While the results for similar studies on the other projects are unknown, the distance (4.5 miles) between Hummingbird and these projects limits the potential for any cumulative effects.

Responding Witness: Adam Peterson, Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 29:

Describe what steps have been taken, or will be taken, to communicate with the developers of AEUG Fleming Solar, LLC and Fleming Solar, LLC.

Response No. 29:

There has been no communication between Hummingbird and these two projects, and no communications are planned at this time.

Responding Witness: Ben Kerr, Jayce Walker

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 30:

Refer to SAR, Exhibit E, Traffic and Road Study, Appendix A. Explain if more recent data is available to analyze peak morning and evening traffic data. If more recent data is not available, explain how traffic patterns have changed since 2009.

Response No. 30:

The most recent data available was utilized to compute the LOS for applicable roadways. In most scenarios, the Annual Average Daily Traffic has decreased from around 2017 to 2022 at chosen Station IDs.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 31:

Refer to SAR Exhibit E, Traffic and Road Study, page 1. Provide a summary data table including AADT, AM Peak, PM peak, lane count, functional class, and posted speed limit for the 15 Kentucky Transportation Cabinet Count Stations listed under 2.0 Data Collection.

Response No. 31:

Please see attached.

Responding Witness: Chad Martin

Station ID	Route	Route Description	AADT	AM Peak Vol Average	PM Peak Vol Average	Lane Count	Functional Class	Posted Speed Limit	Notes
035080	CR 1027	Carpenter Road	358	26.00	36.50	2	NA	25	
035150	CR 1030	Colgan Road	88	12.50	14.00	2	NA	25	
035049	CR 1036	Wilson Run Road	92	15.50	15.50	2	NA	25	
035083	CR 1037	Maddox Pike	178	19.00	24.50	2	NA	25	
068811	KY 57	Fleming/Lewis County Line to KY 1237	2186	168.67	205.67	2	R Major Collector	35 - 55	Speed limit is 35 in Segment 7 (Out of 13 segments)
035002	KY 57	KY 344 to KY 3301	2263	148.50	187.00	2	R Major Collector	35 - 55	Speed limit is 35 in Segment 7 (Out of 13 segments)
035104	KY 57	KY 3301 to KY 57X	3398	281.00	394.00	2	R Major Collector	35 - 55	Speed limit is 35 in Segment 7 (Out of 13 segments)
035001	KY 344	KY 57 to KY 989	1027	75.00	117.50	2	R Minor Collector	35 - 55	Speed limit is 35 in Segment 1 (Out of 10 segments)
035091	KY 344	KY 989 to Licking River	906	61.00	95.00	2	R Minor Collector	35 - 55	Speed limit is 35 in Segment 1 (Out of 10 segments)
035054	KY 559	Stewart Lane to Dudley Hollow Road	1039	77.00	108.00	2	R Minor Collector	35 - 45 - 55	Speed limit is 45 in Segment 8, 35 in Segment 9 (Out of 9 segments)
068516	KY 989	Fleming/Lewis County Line to KY 1237	186	16.67	27.33	2	R Local System	55	
068517	KY 1237	KY 989 to Ribolt-Epworth Road	370	29.33	43.33	2	R Minor Collector	55	
068761	KY 1237	Ribolt-Epworth Road to KY 57	729	54.33	73.00	2	R Minor Collector	55	
035087	KY 3301	KY 57 to Colgan Road	443	43.00	52.00	2	R Minor Collector	55	
035081	KY 3301	Colgan Road to KY 559	371	39.50	41.50	2	R Minor Collector	55	
									Speed limits in BOLD are the dominant speed limits.
									Speed limits are based off of existing posted speed limits, not during construction
									AM/PM Peak volume are averages based off of aggregated data collected from several dates
									Stations with N/A for functional class do not have it listed on Appendix A, assumed to be R Minor Collectors

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 32:

Provide the portion of construction traffic, including workers and delivery trucks, will access roads from the following:

- a. The north on State Road 57 from Lewis County.
- b. The south on State Road 57 from Flemingsburg.
- c. Local roads from State Road 344 from Lewis County.

Response No. 32:

- a. This information will be obtained in coordination with the EPC firm closer to the start of construction.
- b. Please see Response No. 32(a).
- c. Please see Response No. 32(a).

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 33:

Provide weight limit ratings for each local roadway to be used by Project construction traffic.

Response No. 33:

Please see attached. KY 57 is classified as Class AAA and has an 80,000 Gross Vehicle Weight (GVW) rating. KY 344 and KY 3301 are both classified as Class A, and have a 44,000 GVW rating. Roads not listed with a specific class rating are assumed to be Class A.

Responding Witness: Chad Martin

KENTUCKY TRUCK WEIGHT CLASSIFICATION

LEGEND

"AAA" 80,000 LBS Gross Vehicle Weight

— "AA" 62,000 LBS Gross Vehicle Weight

— Interstates/Parkways

— Other "AAA" Highways

— "A" 44,000 LBS Gross Vehicle Weight

AU Audubon Parkway

HR Hal Rogers Parkway

MTN Bert T. Combs Mountain Parkway

BG Martha Layne Collins Blue Grass Parkway

JC Julian M. Carroll Purchase Parkway

WK Wendell H. Ford Western Kentucky Parkway

EB Edward T. Breathitt Pennyryle Parkway

LN Louis B. Nunn Cumberland Parkway

WN William H. Natcher Parkway

Kentucky Revised Statute (KRS) 189.222 requires weight limits on the state-maintained highway system. To implement the statute, Kentucky Administrative Regulations (KAR) designating the weight limits are promulgated and updated frequently. The KARs should be consulted as the correct legal authority.

This map is designed for weight classification purposes only. Not all road segments may be labeled or shown due to map size and/or space constraints. A listing of highways by Truck Weight Classification can be obtained by fax to 502-564-3532, by telephone to 502-564-4556, or by mail to:

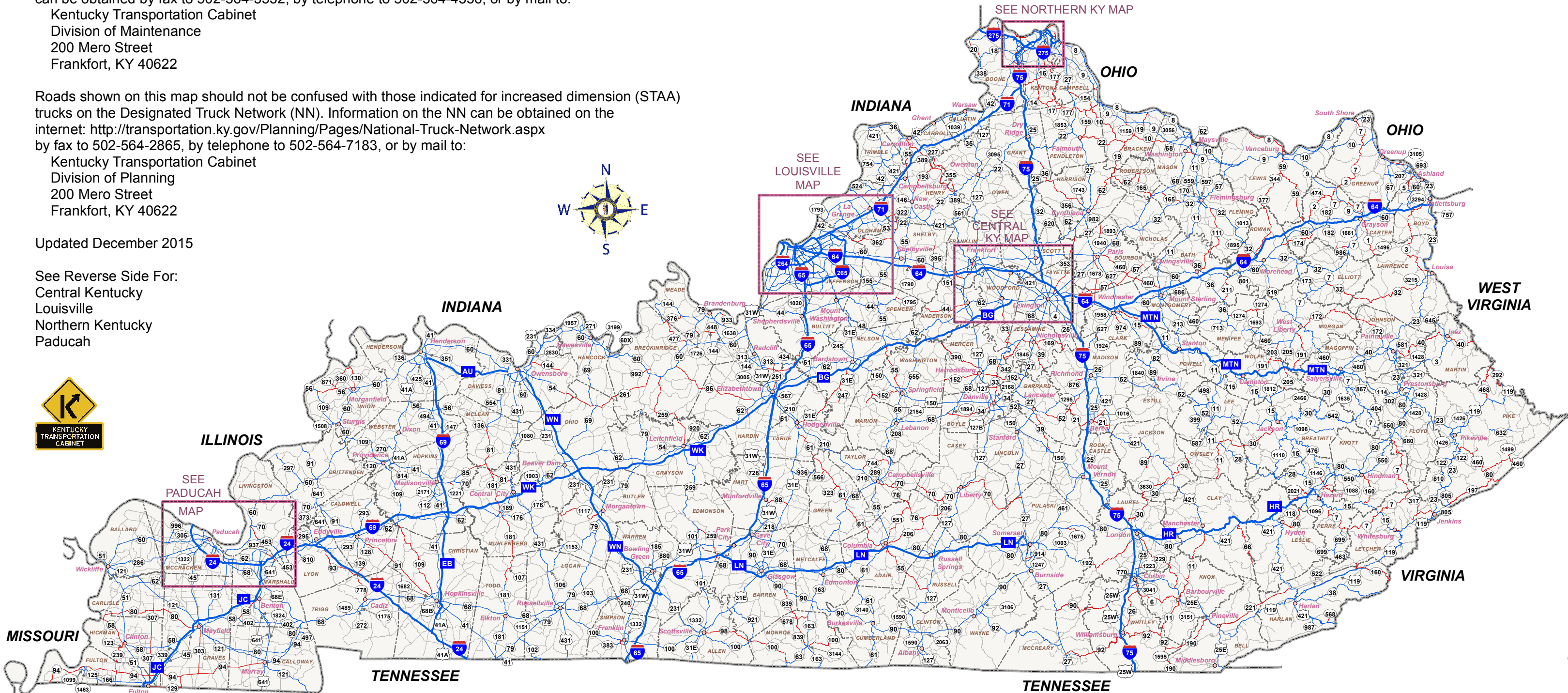
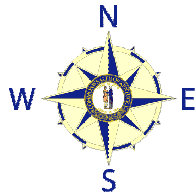
Kentucky Transportation Cabinet
Division of Maintenance
200 Mero Street
Frankfort, KY 40622

Roads shown on this map should not be confused with those indicated for increased dimension (STAA) trucks on the Designated Truck Network (NN). Information on the NN can be obtained on the internet: <http://transportation.ky.gov/Planning/Pages/National-Truck-Network.aspx> by fax to 502-564-2865, by telephone to 502-564-7183, or by mail to:

Kentucky Transportation Cabinet
Division of Planning
200 Mero Street
Frankfort, KY 40622

Updated December 2015

See Reverse Side For:
Central Kentucky
Louisville
Northern Kentucky
Paducah



Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 34:

Provide the assumption of the number of workers per vehicle traveling to the Project site during an average construction day.

Response No. 34:

The analysis in the Traffic and Road Study was based on an assumption of one worker per vehicle.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 35:

Provide the assumption of how many monthly trips for each type of delivery truck will be needed on average over the Project construction period and during the peak construction period.

Response No. 35:

The analysis in the Traffic and Road Study was based on a 50% increase in vehicles during peak hours, which is assumed to be an overestimation. While the analysis did not assume a quantity of monthly trips or type of truck, the analysis did assume a "worst-case" scenario that showed no issues related to traffic.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 36:

Provide the maximum expected load weights for each type of delivery truck, including cement and water trucks, heavy equipment, gravel for access roads, panels, inverters, and the transformer.

Response No. 36:

Assuming that the Siting Board approves Hummingbird's application, this information will be obtained in coordination with the EPC firm closer to the construction commencement date. Regardless, the Project will not exceed road weight limit ratings without proper notification and permitting from applicable county and state road authorities.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 37:

Explain whether any oversize or overweight deliveries will require special permits from the Fleming County Road Department of the Kentucky Department of Transportation.

Response No. 37:

The Project anticipates that delivery of the Project's transformer may require a special permit. The Project will not exceed road weight limit ratings without proper notification and permitting from applicable county and state road authorities.

Responding Witness: Adam Peterson, Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 38:

Identify the specific roadways used by heavy trucks, including for delivery of the transformer.

Response No. 38:

Hummingbird has identified three roadways that may be potentially utilized by heavy trucks:

Foxport Road, Mount Carmel Road, and Carpenter Road.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 39:

Explain any specific mitigation measures to be implemented on Carpenter Road if the road will be utilized for project construction.

Response No. 39:

Assuming that the Siting Board approves Hummingbird's application, this information will be obtained in coordination with the EPC firm closer to the construction commencement date.

Responding Witness: Adam Peterson

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 40:

Explain whether Project-related construction traffic is anticipated to cause damage to existing roadways or infrastructure.

Response No. 40:

All vehicular traffic, including traffic related to large-scale construction projects, causes a variable degree of road degradation and the extent of wear and tear on roads is highly variable. Hummingbird does not anticipate any damage to roads and transportation infrastructure. However, given the size and scope of the proposed Project, Hummingbird anticipates some degree of road degradation. Hummingbird will secure any necessary roadway permits related to heavy or oversize loads prior to commencing construction of the Project.

Responding Witness: Adam Peterson

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 41:

Explain any specific traffic management strategies to be employed during construction.

Response No. 41:

Assuming that the Siting Board approves Hummingbird's application, this information will be obtained in coordination with the EPC firm closer to the construction commencement date.

Responding Witness: Adam Peterson

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 42:

Explain whether any traffic stoppages will be necessary to accommodate large truck deliveries. If yes, provide the expected locations, frequency and length of those stoppages.

Response No. 42:

Assuming that the Siting Board approves Hummingbird's application, this information will be obtained in coordination with the EPC firm closer to the construction commencement date.

Responding Witness: Adam Peterson

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 43:

If applicable, describe odor impacts from diesel fumes or other sources from construction vehicles that may be noticeable to nearby residents.

Response No. 43:

Hummingbird does not anticipate odor impacts resulting from the Project based on the distance of Project infrastructure to nearby residential receptors. Furthermore, Hummingbird will comply with provisions related to odor set forth in 401 KAR 53:010.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 44:

Refer to SAR, page 18. Provide a copy of the Stormwater Pollution Prevention Plan (SWPPP).

Response No. 44:

Assuming that the Siting Board approves Hummingbird's application, the SWPPP will be compiled by the EPC firm prior to construction and will be based on the final site design.

Responding Witness: Adam Peterson

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 45:

Refer to SAR, page 3. Explain if the AC collection system will be underground, aboveground, or both. If the AC collection system will be underground and above ground, provide a map that shows which segments are above ground and which segments are above ground.

Response No. 45:

Assuming the Siting Board approves Hummingbird's application, this information will be obtained in coordination with the EPC firm closer to the construction commencement date. Both aboveground and belowground options will likely be considered, and the final design will depend on a combination of site characteristics and cost estimates at time of construction.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 46:

Refer to SAR, page 17. Provide a copy of the aeronautical report conducted by the Federal Aviation Administration (FAA) that found that the Project would have no effect on navigable airspace or air navigation.

Response No. 46:

Please see attached.

Responding Witness: Adam Peterson



Notice Criteria Tool

[Notice Criteria Tool - Desk Reference Guide V_2018.2.0](#)

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference [CFR Title 14 Part 77.9](#).

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the slope ratio
- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the [FAA Co-location Policy](#)
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

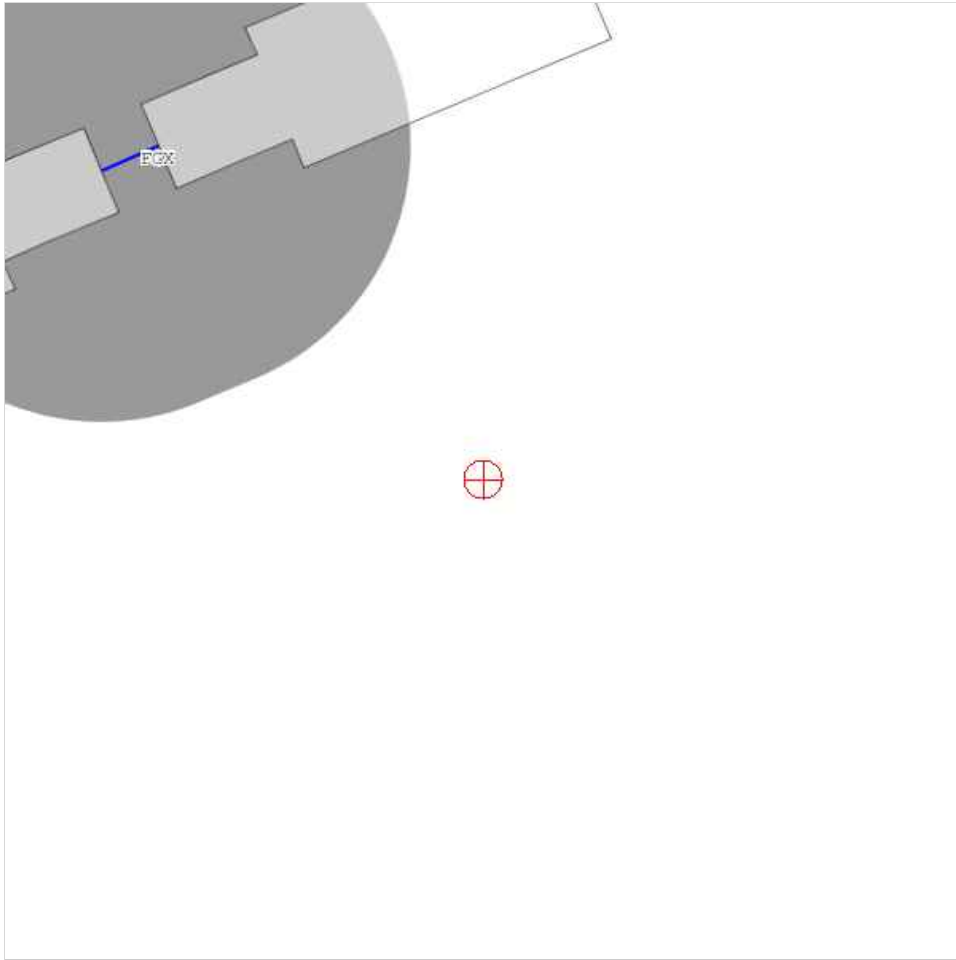
If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the [Air Traffic Areas of Responsibility map](#) for Off Airport construction, or contact the [FAA Airports Region / District Office](#) for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

Latitude:	<input type="text" value="38"/> Deg <input type="text" value="28"/> M <input type="text" value="16.42"/> S <input type="button" value="N ▼"/>
Longitude:	<input type="text" value="83"/> Deg <input type="text" value="38"/> M <input type="text" value="42.32"/> S <input type="button" value="W ▼"/>
Horizontal Datum:	<input type="button" value="NAD83 ▼"/>
Site Elevation (SE):	<input type="text" value="940"/> (nearest foot)
Structure Height :	<input type="text" value="120"/> (nearest foot)
Traverseway:	<input type="button" value="No Traverseway ▼"/> (Additional height is added to certain structures under 77.9(c)) User can increase the default height adjustment for Traverseway, Private Roadway and Waterway
Is structure on airport:	<input checked="" type="radio"/> No <input type="radio"/> Yes

Results

You do not exceed Notice Criteria.



Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 47:

Provide any geotechnical reports indicating the location of karst formations within the project boundaries.

Response No. 47:

Hummingbird has commissioned several geotechnical investigations related to the potential for karst formations. The initial study was a desktop investigation, which is attached. Additional reporting is in progress from completed field studies and will be provided by August 25, 2023.

Responding Witness: Karol Kamasinski

December 23, 2021

Canadian Solar (USA) Inc.
545 Speedvale Ave. West
Guelph, ON, Canada N1K 1E6



Attn: Mr. Karol Kamasinski – Manager, Development Engineering, EPC
P: (519) 837-1881
E: karol.kamasinski@canadiansolar.com

Re: Karst Survey Desktop Review Letter
Hummingbird Solar
Fleming County, Kentucky
Terracon Project No. 57215138

INTRODUCTION

The proposed Hummingbird Solar site in Fleming County, Kentucky was assessed for potential karst geohazards underlying the property, which encompasses a total of approximately 2,180 acres. A majority of the property is mapped as underlain by soluble carbonate bedrock forming a regional karst terrain (i.e. a landscape characterized by the presence of sinkholes, caves, sinking and losing streams, and a highly irregular “pinnacled” overburden/bedrock interface). Due to the challenges that karst terrain can present to development projects of this kind, the objective of the desktop review was to identify suspect karst features for characterization and delineation during field reconnaissance.

SETTING AND GEOLOGIC BACKGROUND

Physiography – The Hummingbird Site is located in Fleming County, Kentucky. The site encompasses approximately 2,185 acres. For ease of discussion the site is divided roughly into a western section comprised of parcels 057-3800, 057-0900, 057-0901, 069-2400, 069-2300, 069-2200, 069-4300, 069-4700, 069-4500, 07-0600, 058-1500, 058-3100, 058-2400, 058-00-00-041.02, 059-1200, 059-1000, 071-0400, 071-0400; and an eastern section comprised of parcels 08-0300, 08-0800, 069-0200, 08-0500, 081-0100, 07-0100, and 07-0200.

The proposed Hummingbird site is located within the Interior Plains Division of the Physiographic Map of the United States¹, and in the Lexington Plain Section of the Interior Low Plateaus Province. Referencing the physiographic map of Kentucky, the site is at the northeastern edge of the Outer Bluegrass Physiographic Region². The Outer Bluegrass is bordered by the Inner Bluegrass Region to the west, and the Knobs Region to the east.

¹ Fenneman, Nevin M. (January 1917). "Physiographic Subdivision of the United States"

² <https://kygeonet.ky.gov/StoryMaps/KyPhysiographicRegions/>



The Outer Bluegrass is underlain by carbonate (limestone and dolomite) units and clastic rock (shale) dated to the Early Paleozoic Era (Ordovician and Silurian geologic periods) which erode more readily than the carbonates of the Inner Bluegrass Region. This has resulted in the formation of a landscape with deeper valleys and less flat land than the Inner Bluegrass. The Knobs Region to the immediate east of the Hummingbird Site is characterized by conical and linear hills capped by erosion resistant sandstone and limestone dated to the Mississippian Geologic Period. The most significant caves in eastern Kentucky are located at Carter Caves State Resort Park in Carter County, in the Mississippian Newman Limestone formation of the Knobs Region.

Topography – Referencing the USGS 7.5-minute topographic quadrangle index, the western portion of the site is mapped within the Flemingsburg 7.5-minute topographic quadrangle (38083-D6), and the eastern portion is within the Burtonville 7.5-minute quadrangle (38083-D5). The western section has an average elevation of EL893 and is deeply dissected along the valleys of the Turkey Run, the Fleming Creek, and the Wilson Run, all three of which have a base level ranging from EL814 to EL825. The steepest slopes in this section are along the valley walls of these three streams, in particular the Fleming Creek. The eastern section has an average elevation of EL858, and is less dissected than the western section, with a high point located at crest of Sugarloaf Mountain (EL1014) located between parcels 081-0100 and 07-0100 of the eastern section.

Geology – The site is mapped³ as underlain by a series of geological units dating from the Ordovician through Silurian geologic periods of the Early Paleozoic Era. The geology of each unit from oldest to youngest is summarized as follows.

Bull Fork Formation (Ob) – The Bull Fork Formation is dated to the Late Ordovician Period of the Ordovician System. The unit consists of interbedded limestone and shale. The limestone comprises 40 to 60 percent of the unit, reaching 80 percent near the base but decreasing to 20 percent or less near the top. The limestone interbeds are 1 to 8 inches in thickness, planar and consisting of whole and fragmentary fossils. The shale member can be up to 60 percent of the unit and is dominant mostly in the upper part. The shale is fissile to lumpy, calcareous, and plastic when wetted. This unit is exposed primarily along the stream valley bottoms. The unit ranges from 35 to 195 feet in thickness.

Preachersville Member, Drakes Formation (Odp) – This unit dates to the Late Ordovician Period of the Ordovician System and overlies the Bull Fork Formation. It is composed primarily of mudstone, shale and minor dolomite. The mudstone unit is dolomitic, grayish-green weathering to grayish-yellow. Shale is greenish-gray and calcareous to dolomitic. Calcitic dolomite is present primarily in the lower part of the unit and comprises 10 to 25 percent of the member. The entire

³Petersen, C, Sparks, T. N., and W. H. Anderson, 2006, *Geologic Map of the Morehead 30 x 60 Minute Quadrangle, Northeastern Kentucky, Geologic Map 13, Series XII*

unit ranges from 30 to 90 feet in thickness in the project area. The Drakes Formation is exposed primarily along the stream valley slopes above the Bull Fork Formation.

Drowning Creek Formation (Sd) – This unit dates to the Early Silurian Period of the Silurian System, and is often classified as the Lower part of the Crab Orchard Group rocks. It contains four individual members, from top to bottom as the Oldham, Dayton Dolomite, Plum Creek Shale and Brassfield Members. These four members are not mapped separately. The Oldham, Dayton and Brassfield members are all dominated by dolomite. The Plum Creek is primarily shale with minor dolomitic interbeds and forms an aquitard within the overall formation. This unit ranges from 35 to 65 feet in thickness

Estill Shale (Se) – The Estill Shale dates to the Middle Silurian Period of the Silurian System and comprises the upper part of the Crab Orchard Group. It is primarily a greenish-gray and gray shale with thin partings of red, brown and yellow shale. The shale is clayey, and partially dolomitic. It is considered impermeable and forms an aquiclude where it contacts the underlying Drowning Creek Formation. The Estill shale is very plastic when wet. The Estill Shale ranges from 80 to 150 feet in thickness.

It is of note that all of the bedrock formations described above are relatively flat-bedded. They dip gently from northwest to southeast, so that the oldest rock is present in the western section of the site, and the youngest in the southern part of the eastern section. There are no mapped faults identified within or between any of the parcels.

Finally, the deeper stream valleys are mapped as floored by Quaternary age alluvium (Qal), consisting of unconsolidated silt, sand, clay and gravel. These alluvial deposits vary in thickness from less than 1 foot to 50 feet in thickness, depending on the size of the stream valley in which they are found. Within the site area the alluvial deposits are the most extensive along the valley bottom of the Fleming Creek in the western section and the Trotter Creek in the northern part of the eastern section.

Karst Geology – Referencing the USGS National Karst Map⁴, the majority of the site parcels are mapped as “carbonate rocks at or near the surface in a humid climate”. It should be noted that the National Karst Map does not divide the Crab Orchard Group into its subordinate upper and lower parts, as described in the previous geology section. Thus, the Estill Shale is included in the karst area. However, this unit does not form karst terrain due to it being primarily composed of insoluble clastic rock⁵.

⁴Weary, D.J., and Doctor, D.H., 2014, Karst in the United States: A digital map compilation and database: U.S. Geological Survey Open-File Report 2014–1156, 23 p.

⁵A landform characterized by the presence of sinkholes, caves, large springs and an irregular “pinnacled” bedrock/soil interface.

Referencing the Kentucky karst sinkhole database⁶, there are no mapped sinkholes within any of the proposed project parcels. There are two sinkholes mapped to the south of parcel 071-0400. In addition, the Kentucky Geological Survey indicates most of Fleming County as having “low karst potential”. Based on rock mineralogy and lithology the greatest probability of the presence of karst features at the site would be in those parcels underlain by the Drowning Creek Formation (Sd) of the Crab Orchard Group, and in the Bull Fork (Ob) and lower part of the overlying Preachersville Member of the Drakes Formation (Odp).

FINDINGS

A review of the LiDAR derived shaded relief map and 2-foot contour interval map across the site resulted in the identification of 42 suspect karst features where 25 are point features and 17 are area features (Exhibit 1). The number of the suspect karst features per parcel are shown in the table below.

Parcel ID	Suspect Point Karst Features	Suspect Area Karst Features
057-0900	1	2
057-0901	0	0
057-3800	1	0
058-00-00-041.02	1	1
058-1500	1	1
058-2400	1	0
058-3100	0	0
059-1000	5	3
059-1200	1	1
069-0200	1	0
069-2200	0	1
069-2300	1	1
069-2400	1	0
069-4300	0	1
069-4500	0	0
069-4700	0	0
07-0100	2	0
07-0100	0	0
07-0200	0	0
07-0600	0	2
071-0400	1	0
08-0300	4	4
08-0500	2	0
08-0800	0	0
081-0100	2	0

⁶<http://kgs.uky.edu/kgsweb/download/karst/kysinks.zip>

The shaded relief map derived from LiDAR data indicate that the majority of suspect karst features are related to springs and water moving upwards instead of down into the subsurface. In Figure 1, significant springs were identified at various locations (red arrows), and it is possible that caves or conduits move significant water to these features. In the right image of Figure 1, broad and shallow closed depressions (light blue polygons) were identified upgradient of one of the largest springs identified onsite and may be a source of the aquifer recharge. Although springs are lower risk than karst features that receive water, there are still conduits and a karst network present which is susceptible to negative impacts during construction. It is important to identify and characterize these features (e.g. seeps, major springs, observable cave entrances, etc.) to determine the impact to planning and development.

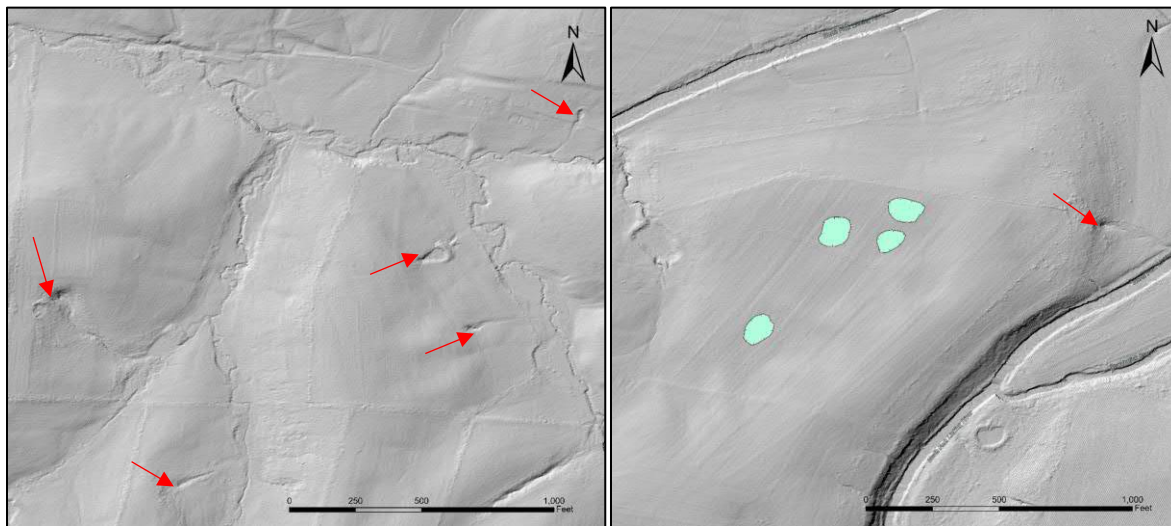


Image 1. Identified springs located around the same elevation onsite where prominent outfalls lead towards the nearby tributaries (left). Major spring with shallow sinkhole located upgradient (right).

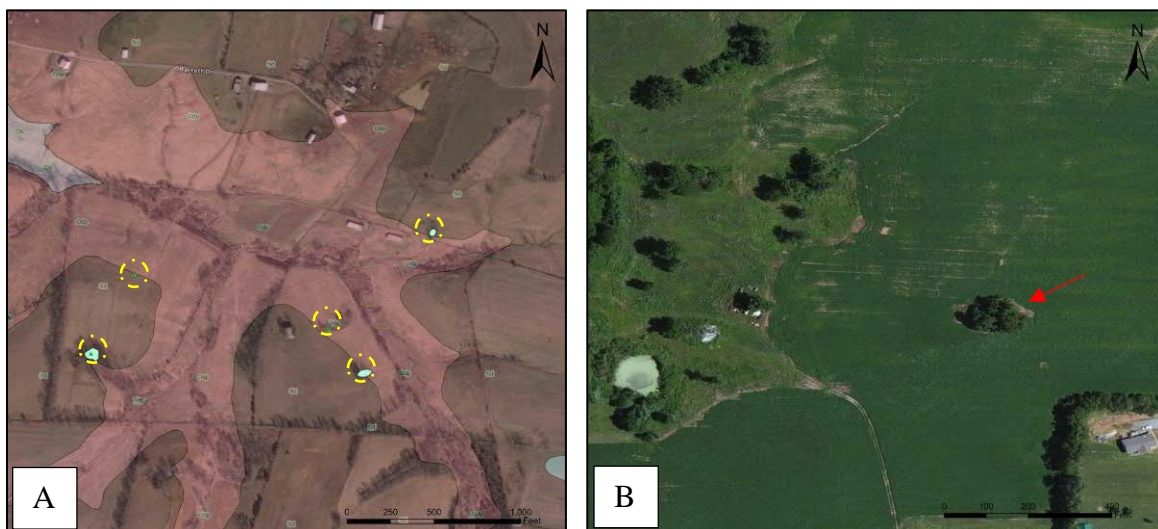


Image 2. (A) Karst features (yellow dashed circles) located along the geologic contact of the Drowning Creek Formation (brown color) and the Preachersville Member and Drakes Formation (pink color). (B) Isolated groups of trees (red arrow) are typically suspect areas for potential karst features.

As stated in the geology section above, the Drowning Creek Formation (brown color) has the most carbonate layers and thus the highest probability to develop karst features (Image 2A). The underlying unit of the Preachersville Member and Drakes Formation (pink color) is predominantly shale. It is possible that water readily flows through karst conduits within the Drowning Creek Formation but cannot proceed deeper than the shale units which function as an aquitard⁷. This relationship results in water coming to the surface along the contact of these units, which is where we observed the majority of the springs and karst features in support of this hypothesis.

The high-resolution imagery of the site also provides further evidence to suggest the presence of sinkholes, even when the LiDAR and 2-foot contour data does not suggest a closed depression. For example, the presence of small groups or single trees in an otherwise developed agricultural field (red arrows), suggests that the landowner avoided these areas for a reason (Image 2B). In karst prone terrains such as this site these avoidance areas are often either karst features or shallow and/or exposed bedrock, which are both important to investigate during the field survey.

CLOSURE

Our services and any correspondence or collaboration are intended for the sole benefit and exclusive use of our client for specific application to the project discussed and are accomplished in accordance with generally accepted geotechnical and geological engineering practices with no third-party beneficiaries intended. Any third-party access to services or correspondence is solely for information purposes to support the services provided by Terracon to our client. Reliance upon the services and any work product is limited to our client and is not intended for third parties. Any use or reliance of the provided information by third parties is done solely at their own risk. No warranties, either express or implied, are intended or made.

This letter outlines the findings and opinions of our initial step in the proposed preliminary karst survey. Information presented herein is based on the review of publicly available information. No site or project-specific information has been reviewed for the preparation of this memo. Field reconnaissance will be required as the next step to locate and characterize suspect karst features from our desktop review as well as identify other features at the site in the field based on observations from the ground surface. This memo is representative only of surficial indications from remote sensing data observable at the time the data was collected. It should be noted that karst is a dynamic landform and significant changes can occur over time. Absence of a mapped resource does not mean that it is not present.

Our opinions of the site surface and subsurface geologic conditions are very preliminary in nature. Confirmation of opinions stated in this document is essential. These opinions must be validated with site-specific field reconnaissance, exploration, and testing. In order to characterize the subsurface conditions, we recommend geotechnical explorations of the site. Geotechnical explorations will provide the necessary sampling and testing to provide design parameter

⁷A poorly permeable underground layer that limits the flow of groundwater from one aquifer to another.

recommendations. In conjunction with borings, a geophysical survey could also correlate depth of rock and offer some reduction to the potential number of necessary explorations, thus reducing our impact on any given site. Additionally, the results of the geophysical survey can be used to more broadly characterize the subsurface conditions and potential karst features.

All parties are advised that any decisions or actions taken by any party based on the information contained herein, including decisions with financial implications are done solely at the risk of that party. By providing this information in this preliminary form, Terracon expressly disclaims any duties or obligations associated with the usage of this information for decision-making or design purposes.

In the event that changes to the nature, design, or location of the project, as outlined in this report, are planned, the preliminary conclusions and recommendations contained in this report shall not be used unless Terracon reviews the changes and either verifies or modifies the conclusions of this report in writing. As the project moves into the design phase, Terracon should be retained to develop and complete a scope of work that includes site-specific explorations.

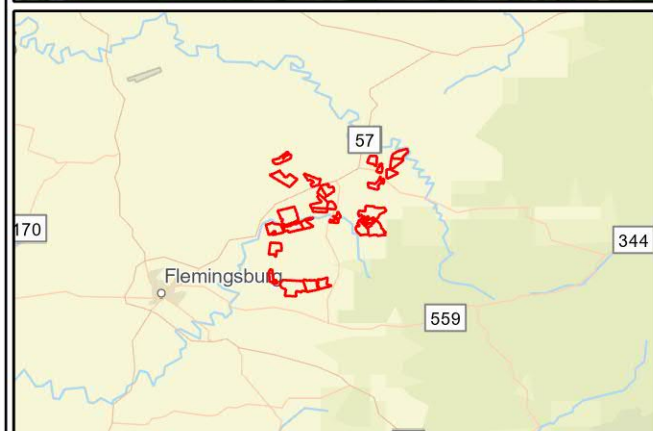
Sincerely,
Terracon Consultants, Inc.

Joshua Valentino, PhD, PG
Project Geologist

Benjamin W. Taylor, P.E., P.G.
Principal, Regional Manager

Robert K. Denton Jr., CPG
Senior Geologist

ATTACHMENTS:
Exhibit 1 – Suspect Karst Feature Map
Exhibit 2 – Topography Map
Exhibit 3 – Geology Map



Legend

- Project Parcels
- ▲ Suspect Karst Points
- Suspect Karst Areas

DATA SOURCES:
 ESRI WMS - World Aerial Imagery, OpenStreetMap
 Parcel data and site plans referenced from "2021-09-29_Hummingbird_Fence with new notes.kmz"



Project No.:
57215138
 Date:
Dec 2021
 Drawn By:
JDV
 Reviewed By:
BWT

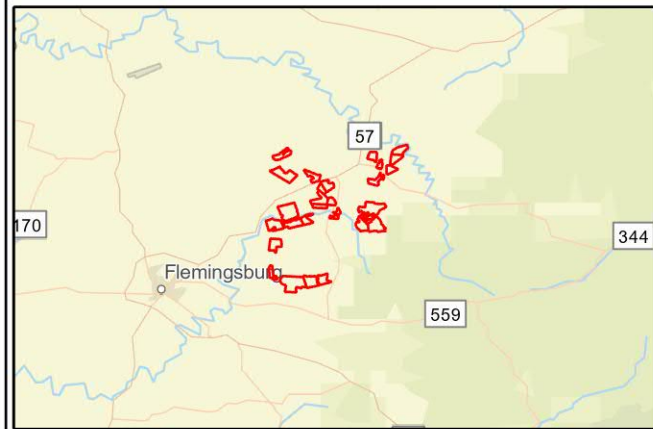
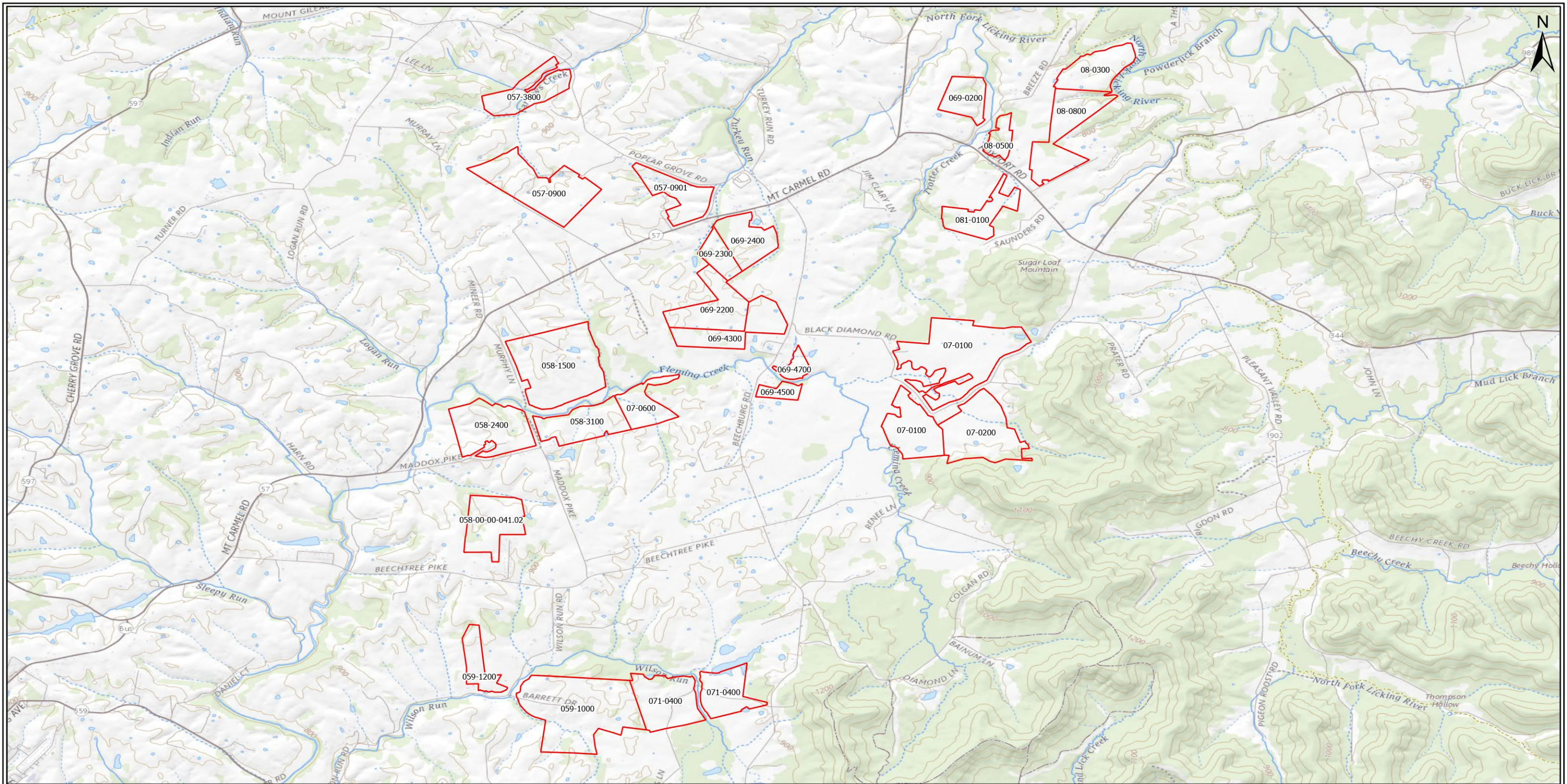
Terracon
 13050 Eastgate Park Way,
 Suite 101
 Louisville, KY 40223
 PH. (502) 456-1256
 terracon.com

Site Map

Desktop Karst Survey
 Hummingbird Solar
 Fleming County

Exhibit

1



Legend

Project Parcels

DATA SOURCES:
 ESRI WMS - World Aerial Imagery, OpenStreetMap
 Parcel data and site plans referenced from "2021-09-29_Hummingbird_Fence with new notes.kmz"

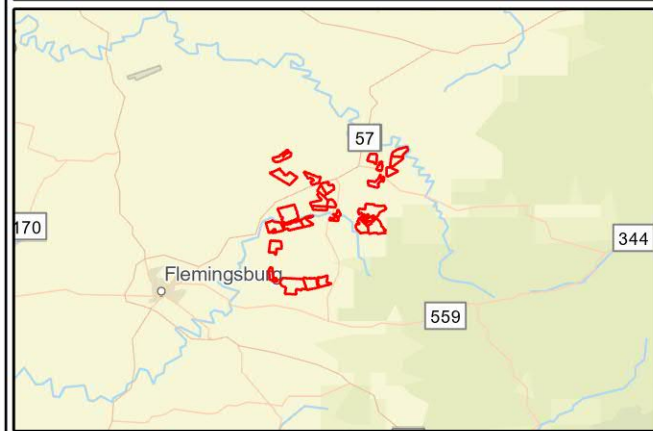
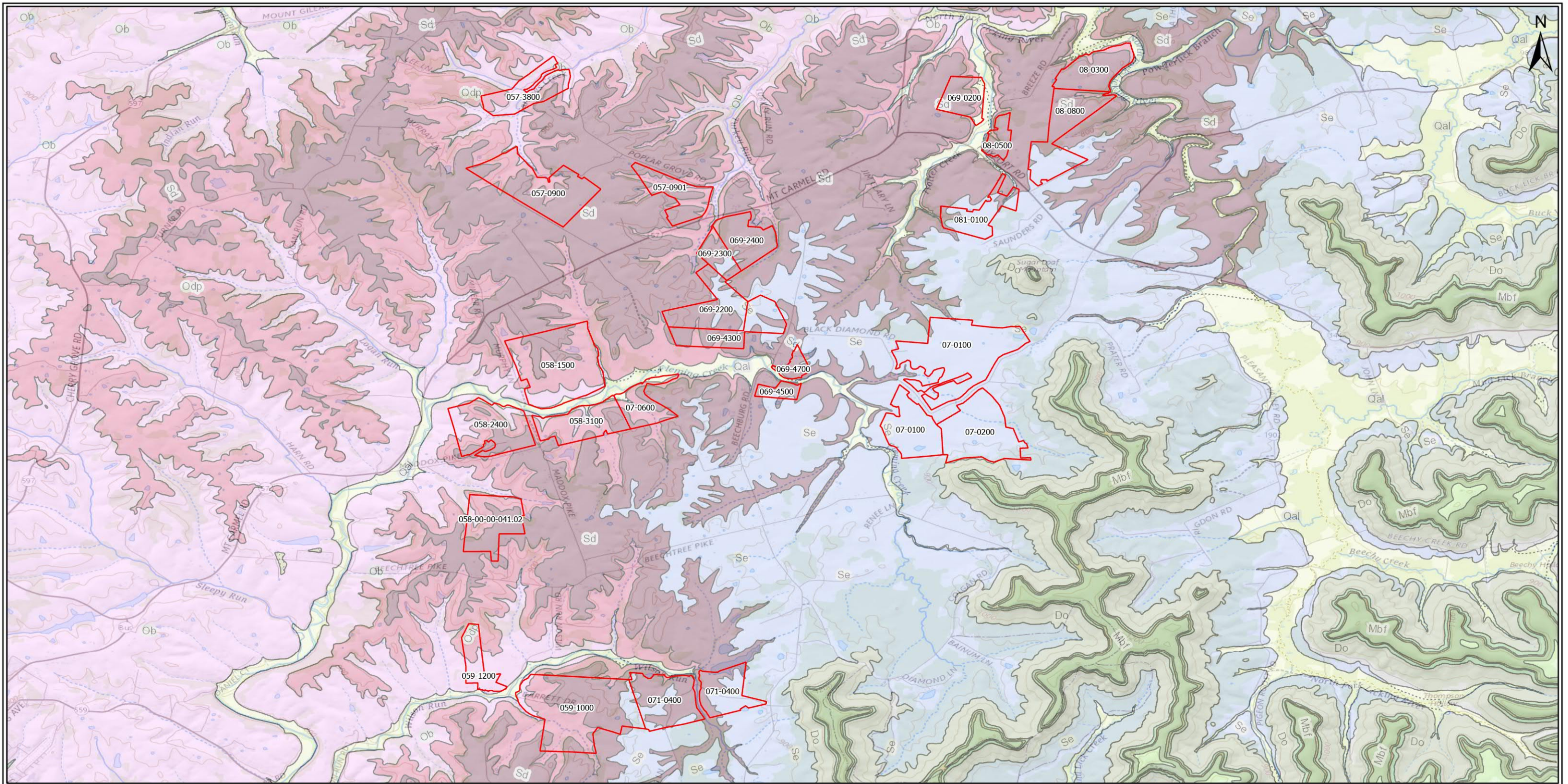


Project No.:
57215138
 Date:
Dec 2021
 Drawn By:
JDV
 Reviewed By:
RKD

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 terracon.com

Topography Map
 Desktop Karst Survey
 Hummingbird Solar
 Fleming County

Exhibit
 2



Legend

- Project Parcels
- (Qal) Alluvium
- (Ob) Bull Fork Formation
- (Odp) Preachersville Member, Drakes Formation
- (Sd) Drowning Creek Formation
- (Se) Estill Shale

DATA SOURCES:
 ESRI WMS - World Aerial Imagery, OpenStreetMap
 Parcel data and site plans referenced from "2021-09-29_Hummingbird_Fence with new notes.kmz"
 Kentucky Geologic Survey 1:24000 Geology Maps



Project No.:
57215138
 Date:
Dec 2021
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JDV
 Reviewed By:
RKD

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Louisville, KY 40223
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Geology Map
Desktop Karst Survey Hummingbird Solar Fleming County

Exhibit
3

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 48:

Explain how construction will be completed and phased for the noncontiguous parcels, i.e., will the construction be completed fully on each parcel before moving to the next, or will each phase of construction occur on each parcel before moving to the next phase of construction.

Response No. 48:

Construction will be conducted via a phased plan. Assuming that the Siting Board approves Hummingbird's application, this information will be obtained in coordination with the EPC firm closer to the construction commencement date.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 49:

Provide the construction timeline for the project that includes each phase of construction, including the anticipated start date.

Response No. 49:

Currently, Hummingbird anticipates that construction will begin approximately December 2024 with a construction period of up to approximately 18 months. Assuming, among other factors, the Siting Board approves Hummingbird's application, the exact timing and phasing of construction will be determined in coordination with the EPC firm.

Responding Witness: Jayce Walker, Ben Kerr

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 50:

Provide when peak construction activity will occur.

Response No. 50:

Hummingbird anticipates construction will commence approximately December 2024, with a construction period lasting up to approximately 18 months. Pending future coordination with the EPC firm, construction is anticipated to proceed in phases and will likely not have a period peak construction.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 51:

Provide the average number of construction workers on-site each day over the course of the construction period.

Response No. 51:

The average number of construction workers on-site each day will be approximately 250.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 52:

Provide the number of construction workers on-site each day during the peak period.

Response No. 52:

The projected maximum number of workers at one time onsite will be approximately 300 workers.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 53:

Refer to SAR, Exhibit D. Hummingbird Solar indicated construction related activity is expected to occur mainly between 7am and 7pm (sunrise and sunset). Explain what construction related activity includes.

Response No. 53:

Construction related activities are expected to include, but are not limited to, safety meetings, organization and management of trades, site grading, pile driving or other alternate method, PV panel installation, security fence construction, landscape buffer planting, stormwater control installation, and miscellaneous construction and installation of any infrastructure needed for the solar facility.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 54:

Explain if Hummingbird Solar plans for construction, or construction related activities will occur on Saturdays or Sundays.

Response No. 54:

Once secured, the EPC is likely to determine optimal construction hours. Generally, Hummingbird anticipates that the majority of work shall occur Monday-Friday, but Saturday and Sunday may be utilized to offset construction delays.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 55:

Refer to SAR, Exhibit D, Noise Assessment. Provide a map with the construction site outlined and all noise sensitive receptors within 1,500 feet of the project boundaries with ID labels. Also include whether the noise receptors are residences or other types of structures.

Response No. 55:

A 1,000 foot radius search for residential structures was utilized for project analyses. It is Hummingbird's understanding that the 1,000 foot radius is based on noise modeling that sets 1,000 feet as the threshold for any project noise to diminish to 55 dBA and/or EPA-acceptable levels. Any estimate of noise impacts past 1,000 feet would be minimis.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 56:

Provide a chart with the expected noise level during pile driving at each noise receptor within 1,500 feet of the project boundaries.

Response No. 56:

These would be variable throughout the life of the Project at each receptor and dependent upon natural factors and number of pile drives being used at any one time. Stantec, the Project's noise consultant, modeled one pile driver and three simultaneous pile drivers to create sound contours applicable to the Project. The 1,000-foot buffer is the approximate 55 dBA sound contour. Receptors outside the 1000-foot buffer would likely not have noise impacts above 55 dBA during daylight construction hours.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 57:

Detail any communications with members of the public, including neighboring landowners, regarding construction noise.

Response No. 57:

Hummingbird hosted multiple informational meetings regarding the proposed Project prior to submitting its application and answered questions related to general construction noise. See Exhibit B of the Application that further details the Project's communications with the public.

Responding Witness: Adam Peterson

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 58:

Provide estimates of existing ambient noise levels, during the daytime and during nighttime at different receptors surrounding the Project site.

Response No. 58:

The best estimate Stantec found for rural residential ambient noise levels is from ANSI S12.9 Part 3, which provides a daytime noise level of 43 dBA and a nighttime noise level of 37 dBA. Noise levels for quiet urban and normal suburban residential (neighborhoods) are 53 dBA during the day and 47 dBA at night. The Project's noise study modeled daytime noise levels of 40 dBA and nighttime noise levels of 34 dBA.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 59:

Refer to SAR, Exhibit D, Noise Assessment, Table 5. For each nonresidential receptor, provide a table with operational sound pressure levels similar to Table 5.

Response No. 59:

Hummingbird has contacted Stantec to produce the requested table and will submit the table to the Siting Board by August 25, 2023.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 60:

Refer to SAR, Exhibit D, Noise Assessment, Table 5. Explain whether the sound pressure levels presented in this table reflect both Project facility operations and existing ambient noise levels. If Table 5 represents only Project generated noise, provide a revised table that presents total daytime noise levels at each receptor.

Response No. 60:

Sound levels are presented using Project facility operations only. Ambient noise levels would only affect receptor sound levels that are over 40 dBA; for example, R105 at 49.7 dBA would change to 50.1 dBA when factoring in ambient sound. This difference is undiscernible to the human ear and would be the same at all receptors with sound levels greater than 40 dBA.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 61:

Refer to SAR, Exhibit D, Noise Assessment, Table 3. Provide the same table with typical noise levels at 250 feet from the source.

Response No. 61:

A revised table that will extrapolate noise levels to 250 feet will be submitted to the Siting Board by August 25, 2023.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 62:

Refer to SAR, Exhibit D, Noise Assessment, Table 4. Provide additional calculated noise levels reflecting the cumulative levels of construction related and ambient noise for the following noise receptors:

- a. R105.
- b. R52.
- c. R91.

Response No. 62:

The Project's Noise Assessment will be revised to reflect the cumulative levels of construction related and ambient noises for noise receptors R105, R53, and R91 and will be provided to the Siting Board by August 25, 2023.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 63:

Explain any mitigation measures for time of day and day of the week for pile driving, or other construction activities that produce the same level of sound.

Response No. 63:

Pursuant to prior Siting Board conditions of approval for similar-sized solar facilities, the Project understands that noise mitigation measures will be required when pile driving occurs within 1,500 feet of a sensitive noise receptor. Assuming that the Siting Board approves Hummingbird's application, Hummingbird will coordinate with the EPC firm to meet this anticipated requirement.

Responding Witness: Adam Peterson, Karol Kamasinski

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 64:

Describe any specific measures to be taken to reduce noise impacts for nearby residents during construction.

Response No. 64:

See Response No. 63.

Responding Witness: Adam Peterson

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 65:

Refer to SAR, Exhibit F, Visual Resource Assessment and Mitigation Plan. Explain any additional visual impacts or mitigation measures beyond those described in the report that will be used to shield the project from view.

Response No. 65:

Mitigation measures will consist of landscape screening and setbacks for the Project's solar panels.

Responding Witness: Adam Peterson, Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 66:

Refer to SAR, Exhibit F, Visual Resource Assessment and Mitigation Plan, Table 3-3. Define the term OGS Cemeteries.

Response No. 66:

The term "OGS Cemeteries" was a typographical error. The correct term is "KGS Cemeteries," which stands for Kentucky Genealogical Society Cemeteries.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

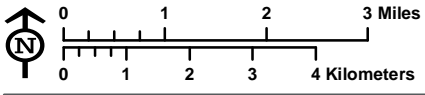
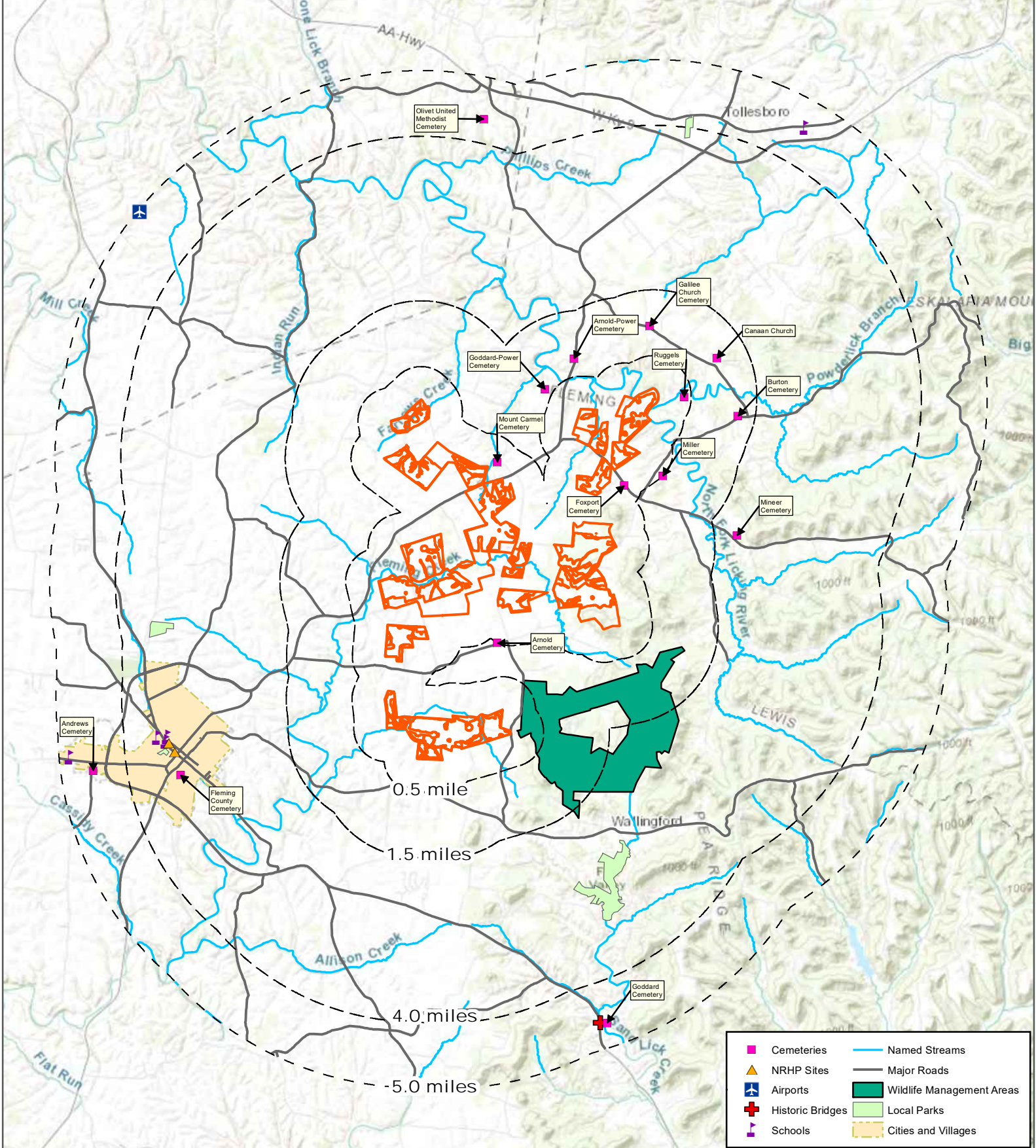
Request No. 67:

Refer to SAR Exhibit F, Visual Resource Assessment and Mitigation Plan, Figure 1-3. Also refer to the SAR, Exhibit F, Visual Resource Assessment, Appendix C. Provide a revised map that labels each of the cemeteries indicated in the graphic that includes all of the cemeteries listed in Appendix C.

Response No. 67:

See attached.

Responding Witness: Adam Peterson



- Cemeteries
- Named Streams
- ▲ NRHP Sites
- Major Roads
- ✈ Airports
- Wildlife Management Areas
- + Historic Bridges
- Local Parks
- Schools
- Cities and Villages

- Visibility Range Rings
- Project Area

7.5' Quadrangles:
 Cynthiana, KY (1984)
 Shady Nook, KY (1984)
 Shawhan, KY (1984)
 Millersburg, KY (1984)

PLSS: unsectioned

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3-2: Visually Sensitive Resources within 5 Miles

Visual Resource Assessment for the Hummingbird Solar Project

Hummingbird Solar, LLC
 Fleming County, Kentucky

Cardno
 76 San Marcos Street
 Austin, TX 78702 USA
 Phone (+1) 512.745.8129
www.cardno.com

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 68:

Refer to SAR, Exhibit F, Visual Resource Assessment and Mitigation Plan, Appendix C. Also refer to SAR, Exhibit D, Noise Assessment. Explain the discrepancy between SAR, Exhibit F, Appendix C that stated the Fleming County Cemetery is 3.27 miles from the nearest solar array and SAR, Exhibit D that stated the Mt. Carmel Christian Church, located near the Fleming County Cemetery, is within 1,000 feet of the Project boundary.

Response No. 68:

This reference was in error. The reference to "...Mt. Carmel Christian Church, located near the Fleming County Cemetery" should read "...Mt. Carmel Christian Church, located near Mt. Carmel Cemetery."

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

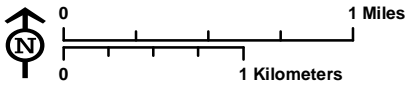
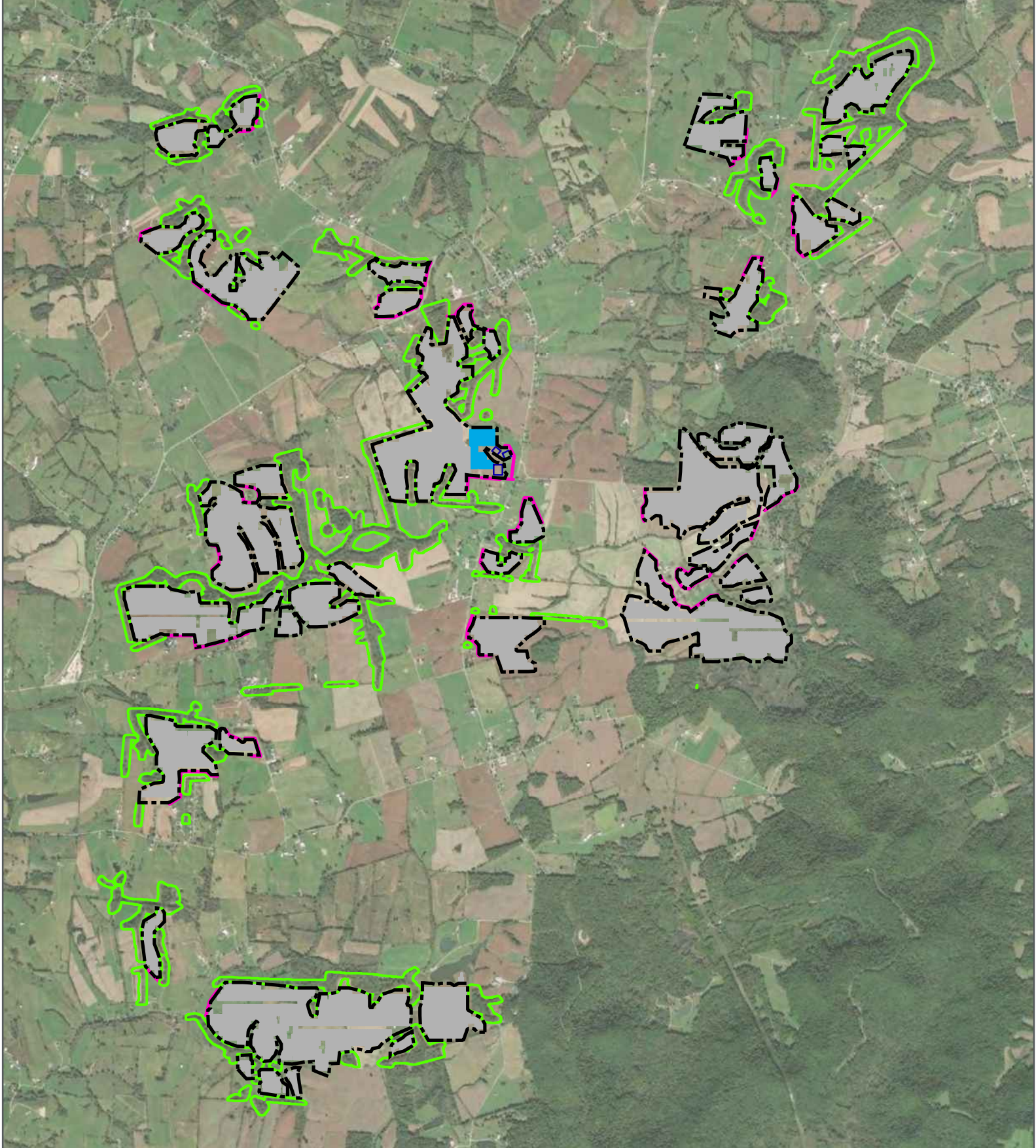
Request No. 69:

Refer to SAR, Exhibit G, Landscape Plan, Appendix A. Explain the rationale for proposing screening modules at specific locations.

Response No. 69:

Modules were screened from structures believed to be residential or commercial, heavily traveled roads, and any areas that may result in glint/glare to adjacent receptors. A map detailing the locations and rationale for the proposed screening modules is attached.

Responding Witness: Adam Peterson, Chad Martin



Fence
 PV_Modules
 Existing_Buffer
 Screening
 Substation
 BESS

7.5' Quadrangles:
 Flemingsburg, KY (2019)
 Orangeburg, KY (2019)
 Burtonville, KY (2019)

PLSS: unsectioned

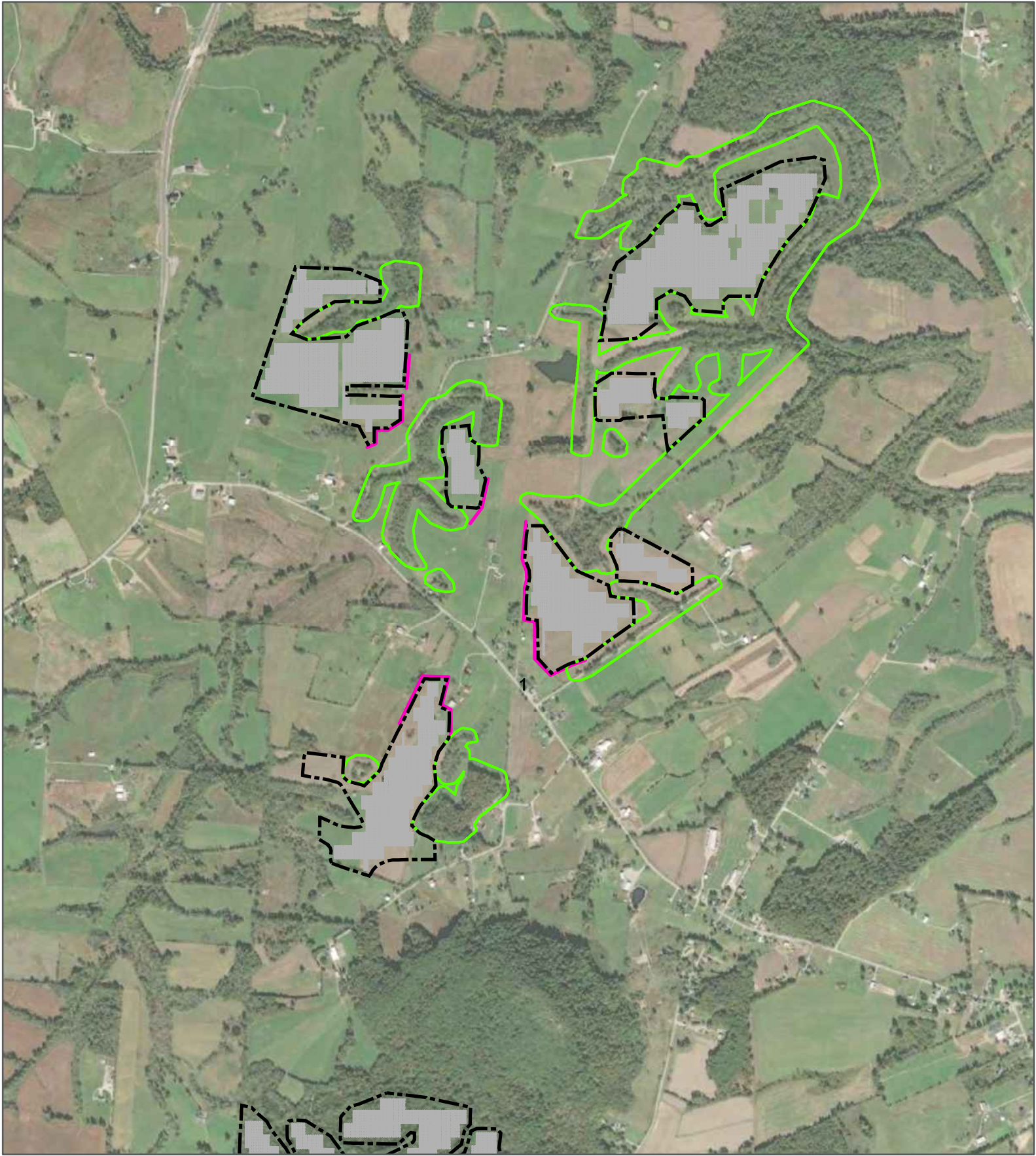
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C202: Preliminary Landscaping Plan

Visual Resource Assessment for the Hummingbird Solar Project

Hummingbird Solar, LLC
Fleming County, Kentucky

76 San Marcos Street
 Austin, TX 78702 USA
 Phone (+1) 512.745.8129
www.cardno.com



1

--- Fence — PV_Modules — Existing_Buffer — Screening — BESS

7.5' Quadrangles:
 Flemingsburg, KY (2019)
 Orangeburg, KY (2019)
 Burtonville, KY (2019)

PLSS: unsectioned

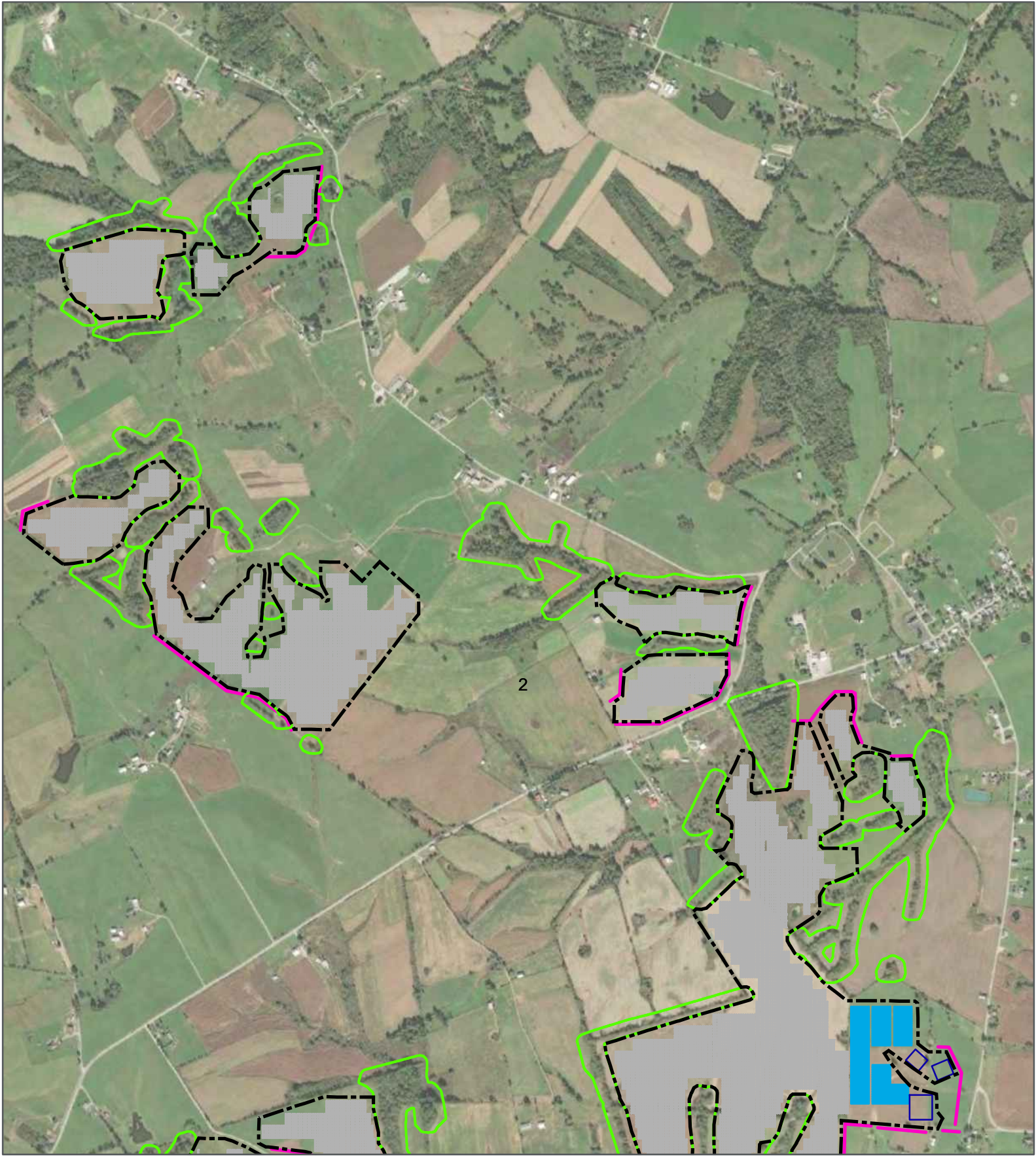
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C202: Preliminary Landscaping Plan

Visual Resource Assessment for the Hummingbird Solar Project

Hummingbird Solar, LLC
 Fleming County, Kentucky

76 San Marcos Street
 Austin, TX 78702 USA
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2

--- Fence — PV_Modules — Existing_Buffer — Screening — Substation — BESS

7.5' Quadrangles:
 Flemingsburg, KY (2019)
 Orangeburg, KY (2019)
 Burtonville, KY (2019)

PLSS: unsectioned

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C202: Preliminary Landscaping Plan

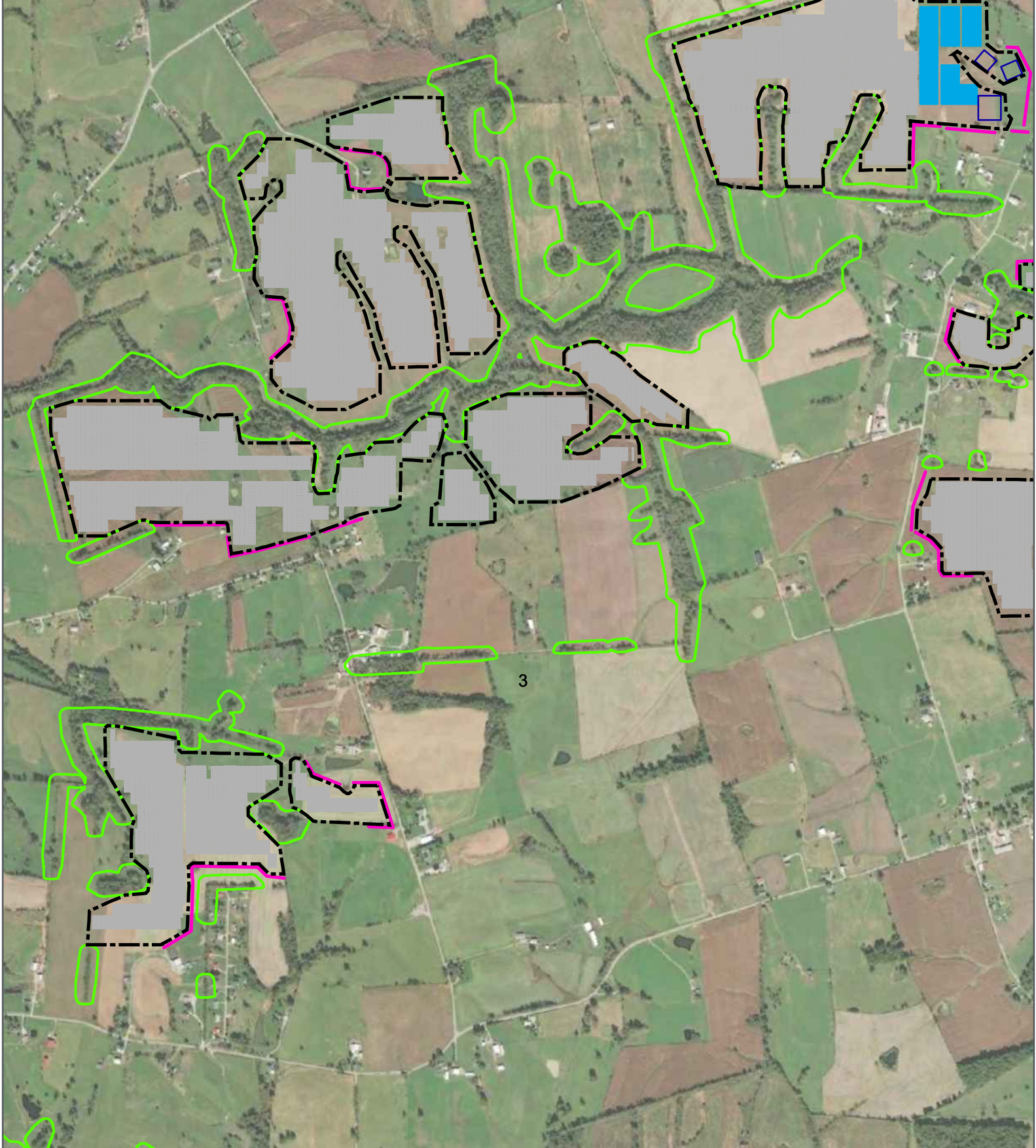
Visual Resource Assessment for the Hummingbird Solar Project

Hummingbird Solar, LLC

Fleming County, Kentucky

Cardno — **Stantec**

76 San Marcos Street
 Austin, TX 78702 USA
 Phone (+1) 512.745.8129
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3

--- Fence — PV_Modules — Existing_Buffer — Screening — Substation — BESS

7.5' Quadrangles:
 Flemingsburg, KY (2019)
 Orangeburg, KY (2019)
 Burtonville, KY (2019)

PLSS: unsectioned

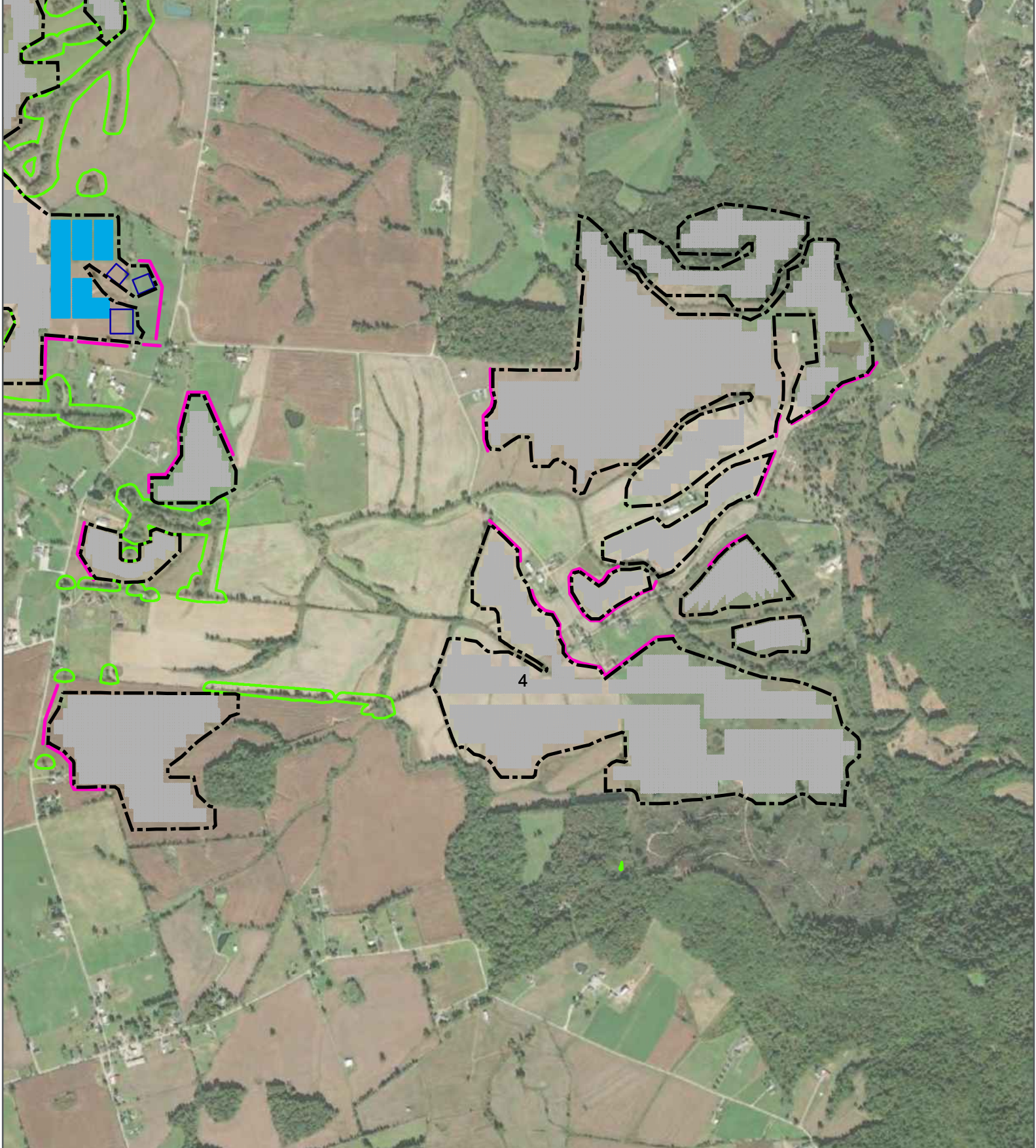
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C202: Preliminary Landscaping Plan

Visual Resource Assessment for the Hummingbird Solar Project
 Hummingbird Solar, LLC
 Fleming County, Kentucky

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4

--- Fence — PV_Modules — Existing_Buffer — Screening — Substation — BESS

7.5' Quadrangles:
 Flemingsburg, KY (2019)
 Orangeburg, KY (2019)
 Burtonville, KY (2019)

PLSS: unsectioned

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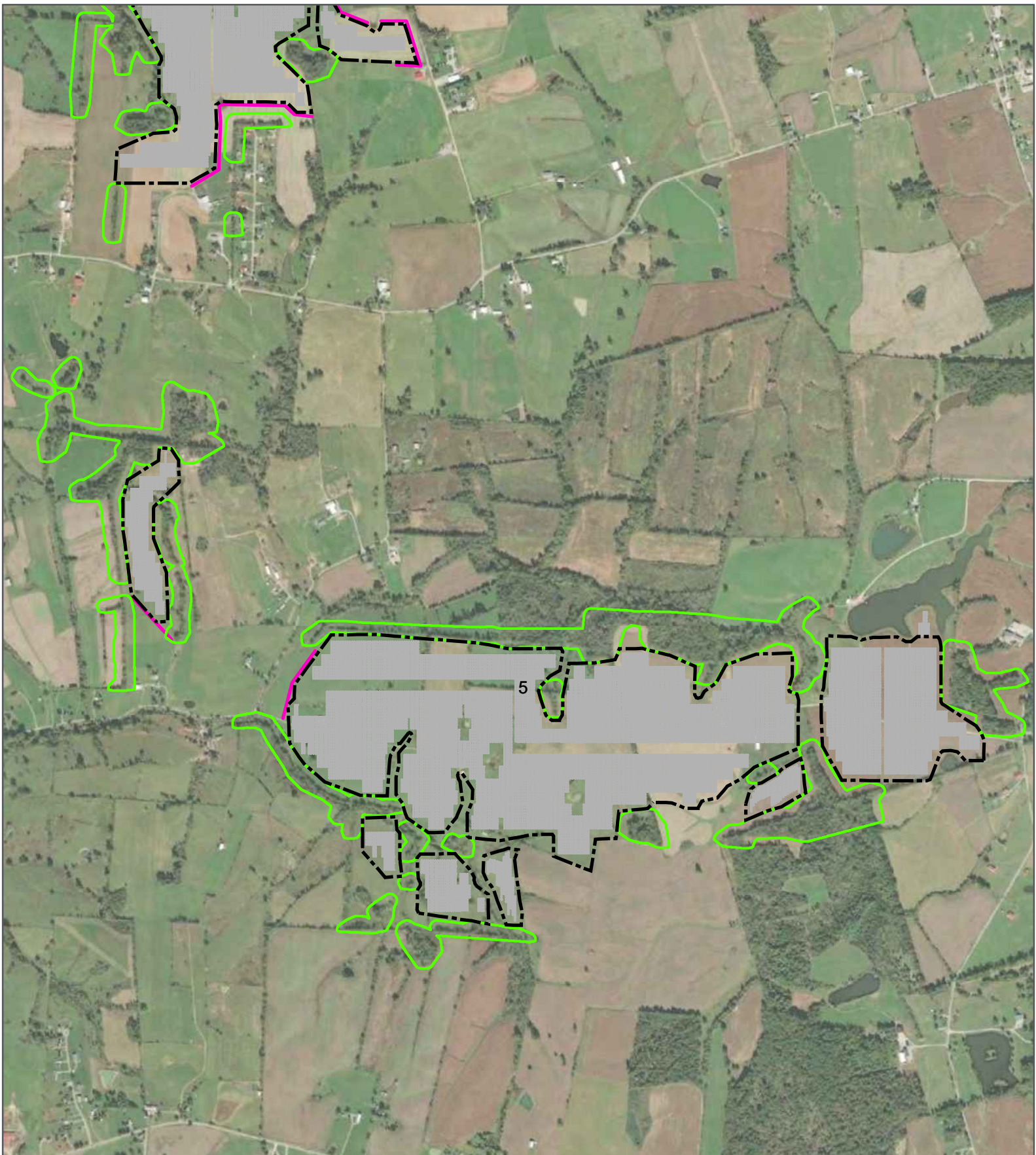
C202: Preliminary Landscaping Plan

Visual Resource Assessment for the Hummingbird Solar Project

Hummingbird Solar, LLC
 Fleming County, Kentucky

Cardno **Stantec**

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 Austin, TX 78702 USA
 Phone (+1) 512.745.8129
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5

--- Fence — PV_Modules — Existing_Buffer — Screening — BESS

7.5' Quadrangles:
 Flemingsburg, KY (2019)
 Orangeburg, KY (2019)
 Burtonville, KY (2019)

PLSS: unsectioned

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C202: Preliminary Landscaping Plan

Visual Resource Assessment for the Hummingbird Solar Project

Hummingbird Solar, LLC

Fleming County, Kentucky

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76 San Marcos Street
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Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 70:

Refer to SAR Exhibit G, Landscape Plan, Appendix A. Explain why no landscape screening is proposed for some areas in which no existing buffer is identified.

Response No. 70:

Project infrastructure would not be viewable from public roads or sensitive receptors. In some cases, the distance from viewer to infrastructure is too great to make the Project discernable or topography inhibits a view.

Responding Witness: Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 71:

Refer to SAR, Exhibit F, Visual Resource Assessment and Mitigation Plan, Appendix C, Visually Sensitive Resource Analysis. Also refer to SAR, Exhibit G, Landscape Plan, Appendix A. Explain whether the proposed landscape screening will reduce the view of the Project for each of the visually sensitive resources listed as visible or partially visible.

Response No. 71:

The proposed landscape screening will reduce the view of the Project for each of the visually sensitive resources listed as visible or partially visible.

Responding Witness: Adam Peterson, Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 72:

State the number of years it will take for planted trees and shrubs to reach mature height.

Response No. 72:

The time to maturity varies by species and region and may range from 10 to 30 years. If trees are planted at a height of approximately 6 feet (~5 years old) then we assume maturity may be reached within 5 years.

Responding Witness: Adam Peterson, Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 73:

Describe any other forms of visual barrier to be implemented between the time of vegetation planting and the time when trees and shrubs will reach mature height.

Response No. 73:

No additional visual barrier will be implemented prior to the planted vegetation reaching mature height.

Responding Witness: Adam Peterson

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 74:

State whether the Project panels will be coated with an anti-reflective coating.

Response No. 74:

The Project will utilize solar panels with an anti-reflective coating.

Responding Witness: Karol Kamasinski

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 75:

Refer to SAR, Exhibit F, Appendix D, Glint and Glare Analysis. Explain any mitigation measures to be implemented to reduce glare levels at the small number of structures and roads affected by green glare.

Response No. 75:

Glare along roads will be mitigated using landscape screening. Other occurrences are of short duration during a month-long time of the year.

Responding Witness: Adam Peterson, Chad Martin

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 76:

Refer to Application, Exhibit B. Provide any documents that have presented to the community that are not included in Exhibit B.

Response No. 76:

Exhibit B to the Application represents all the documents that have been provided to date to the community.

Responding Witness: Adam Peterson, Jayce Walker

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 77:

Provide any transcripts of the public meetings.

Response No. 77:

The public meetings were conducted as an "open house" to facilitate discussion between the public and Hummingbird staff, consultants, and other 3rd parties. As such, no transcripts are available; however, attendance sign-in sheets for the public meetings are attached.

Responding Witness: Adam Peterson

HUMMINGBIRD ENERGY COMMUNITY MEETING - MAY 24, 2022**LIST OF ATTENDEES**

First Name	Last Name	Phone	Email	Mailing Address
Cheryl	Souder	6067485063		
Kenneth	Souder		ksouder2013@yahoo.com	68 Souder Lane Flemingsburg KY 41041
Eugene	Schwartz	6068492136	codeman845@hotmail.com	938 Maddox Pike Flemingsburg KY 41041
Keith	Reeder	6065840056	keithreederab@hotmail.com	717 Mount Gillead Rd Maysville KY 41056
Anthony	Suarez	6062919718	a.suarez@mqsstructures.com	7990 Mt Carmel Road Flemingsburg KY 41041
Tim and Puala	Palmer	6068450022	n/a	164 Saunders Road Wallingford KY 41093
Eric	Carpenter	6068492188		1423 Carpenter Rd Wallingford KY 41093
Jim and Gerry	Kegley	6068492516	jimgerkeg@windstream.net	170 Black Diamond Rd Wallingford 41093
Kim	McKisson	6068450688		1375 Carpenter Rd. Wallingford 491093
John	Schwartz			1033 Foxport Road Wallingford ky 41093
Jacob	Schwartz			1033 Foxport Road Wallingford KY 4193
Jane	Mers	6067484697	janemers@windstream.net	7108 Mt. Carmel Road Flemingsburg KY 41041
Kevin	O'Cull	6063164226		808 Breeze Road Wallingford KY 41093
Willa and Randell	Meadows	6068492086	wmeadows@hotmail.com	785 Forport Rd Wallingford KY 41093
Terry	Earls	6068457721		470 Kendal Lane, Flemingsburg KY 41041
Gwen	O'Cull	6063151418	gdocull@uky.edu	682 Breeze Road wallingford KY 41093
James	Price			

First Name	Last Name	Phone	Email	Mailing Address
Wally	Thomas	606-782-7824	wallythomas83@gmail.com	PO box 61 ewing 41039
Jerry	Vice	606-748-9071		
Jeanie	Strode	606-849-2601		4699 Mt Carmel Rd. Flemingsburg KY 41041
Ervin	Gardner	606-748-4935		527 clover rd wallingford 41093
Sam	Schwartz			1100 Clover rd wallingford 41093
Matthew	Graber			162 Garrett Dr Wallingford 41093
Tom	Skaggs	606-748-2606		6582 Mt. Carmel Rd. flemingsburg 41041
Eula	Skaggs			
Mary Lou	Stephens			
Eric	Carpenter			
Leon	Esh	606-209-1498		1199 Carpenter rd wallingford 41093
Carolyn & Gene	Schwartz			938 Maddox Pike Flemingsburg 41041
Wendell	Earls			
Keith	Reeder		keithreederab@icloud.com	710 Mount Gilliad, Maysville, KY 45056
Meadows	Randall and Willow			

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 78:

Provide any written comments, or a summary of oral comments, offered by the public or government agencies.

Response No. 78:

The U.S. Fish and Wildlife Service (Kentucky Ecological Services Field Office) performed a project-specific review at the request of Hummingbird. See attached.

Responding Witness: Adam Peterson



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Kentucky Ecological Services Field Office
330 West Broadway, Suite 265
Frankfort, Kentucky 40601
(502) 695-0468

April 21, 2022

Sam Waltman
Cardno, Inc.
76 San Marcos Street
Austin, Texas 78734

Subject: FWS 22-002873; Hummingbird Solar Facility; Fleming County, Kentucky

Dear Sam Waltman:

The U.S. Fish and Wildlife Service's Kentucky Field Office (KFO) has reviewed your request for site-specific environmental review received on April 6, 2022. The KFO offers the following comments related to federally listed species for your consideration. The Hummingbird Solar Facility proposes to establish a solar facility within an approximate 4,139-acre area in Fleming County, Kentucky.

On behalf of the Hummingbird Solar Facility, Cardno Inc. (Cardno), conducted a habitat assessment. Based on this assessment, Cardno determined that the proposed project will have "no effect" on the gray bat (*Myotis grisescens*), Short's Goldenrod (*Solidago shortii*), and Virginia spiraea (*Spiraea virginianus*) due to lack of suitable habitat within the project area. Cardno also determined that the project will have "no effect" on the Indiana bat (*Myotis sodalis*), northern long-eared bat (*Myotis septentrionalis*), Pink Mucket (*Lampsilis abrupta*), and Snuffbox (*Epioblasma triquetra*) because the project will not impact suitable habitat for these species. The KFO acknowledges these determinations and has no additional comments or concerns regarding these species.

If the proposed action is subsequently modified or new information indicates that the proposed action may affect listed species or their habitat in a manner not previously considered, we recommend additional coordination with our office.

If you have any questions, please contact Carrie Allison at Carrie_Allison@fws.gov.

Sincerely,

for Virgil Lee Andrew, Jr.
Field Supervisor

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 79:

Explain any plans to coordinate with local landowners or others in case of complaints or other issues that might arise during the course of construction or operations.

Response No. 79:

There will be a clearly defined point of contact from Hummingbird, or via the EPC firm, designated to respond to questions or concerns. This point of contact will be designated as part of the Complaint Resolution Program Hummingbird intends to implement. This point of contact will be shared with representatives from the Fleming County Fiscal Court, Fleming County Fire and Police, and other local stakeholders.

Responding Witness: Adam Peterson, Jayce Walker

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 80:

Provide any communications, or summary of conversations, with representatives of the Mt Carmel Christian Church, Mt. Carmel Bible Fellowship or other churches or religious facilities in the area.

Describe any concerns and the resolution.

Response No. 80:

The Mt. Carmel Bible Fellowship is located at 1061 Carpenter Road and is adjacent to the Project. As such, church members have been invited to Hummingbird's public meetings. While no formal comments from a representative of the church have been received, at the November 15, 2022, public meeting, Mr. Leon Esh of 1199 Carpenter Road attended and stated he was a member of this church. Mr. Esh discussed with Hummingbird staff his concern that the church's viewshed would be affected as the panels are proposed to be placed in a pasture east of the church, across Carpenter Road. Hummingbird staff replied that the Landscape Screening Plan would account for the location of the church and vegetative a buffer of trees and shrubs would be planted on the east side of Carpenter Road, west of the proposed panels. See page 3 of the map attached to Response No. 69 for the Landscape Screening Plan's rationale for this area.

Responding Witness: Jayce Walker

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 81:

Provide a list of permits from other local, state, or federal agencies that have been or will be obtained prior to construction or operations.

Response No. 81:

See attached list of potential permit and compliance items for federal, state, and local regulatory agencies.

Responding Witness: Adam Peterson

HUMMINGBIRD ENERGY

FLEMING COUNTY, KENTUCKY

POTENTIAL PERMIT & COMPLIANCE ITEMS

Federal

- Federal Energy Regulatory Commission (FERC) Interconnection Service Agreement
- U.S. Environmental Protection Agency (EPA) SPCC
- U.S. Department of Energy (DOE) EIA Form 860 and Extension Form 860-M
- U.S. Army Corps of Engineers Nationwide Permit for Stream/Wetland Crossings
- U.S. Fish and Wildlife Service (potential consultation on recently and upcoming endangered listed bat species).

State

- KPDES General Permit for Stormwater Discharges Associated with Construction Activity
- Kentucky State Siting Board Certificate of Construction
- Kentucky Transportation Cabinet: Driveway, Utility Crossings, and Oversize/Overweight Permits

Local

- Fleming County Road Department Coordination on Driveways and Road Crossings
- Fiscal Court Approval of Decommissioning Plan

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 82:

Provide copies of any documents submitted to the other agencies, other than what is provided in the application.

Response No. 82:

In addition to the U.S. Fish and Wildlife Service correspondence detailed in the response to Request No. 78, Hummingbird also submitted a request for a Jurisdictional Determination to the U.S. Army Corps of Engineers (Louisville District). Due to size limitations, please find Hummingbird's Jurisdictional Determination request attached as a separate file.

Responding Witness: Adam Peterson

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 83:

Refer to the Application, Exhibit F, Economic & Fiscal Contribution Report, Table 1 and Table 2.

Explain whether the construction phase Employment estimates are full time equivalents.

Response No. 83:

Yes, the employment estimates applicable to the Project's construction phase listed in Tables 1 and 2 of the referenced report describe full-time equivalent jobs.

Responding Witness: Ben Kerr

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 84:

Refer to the Application, Exhibit F, Economic & Fiscal Contribution Report Table 2. Confirm that the average earnings per construction job will be \$49,000 over the entire construction period.

Response No. 84:

Hummingbird has contacted Mangum Economics to revise Table 2 to reflect the average earnings per construction job, and will submit the updated table to the Siting Board by August 25, 2023.

Responding Witness: Ben Kerr

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 85:

Refer to the Application, Exhibit F, Economic & Fiscal Contribution Report, Table 3. Confirm that the average earnings per operational job will be \$24,120 per year. Explain whether these are part-time or full-time positions.

Response No. 85:

Hummingbird has contacted Mangum Economics to revise Table 3 to provide the average earnings per operational job and clarify whether the average earnings figure reflects part-time or full-time positions. Hummingbird will submit the updated table to the Siting Board by August 25, 2023.

Responding Witness: Ben Kerr

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 86:

Refer to the Application, Exhibit F, Economic & Fiscal Contribution Report, Table 8 and Table 10. Explain if the net fiscal benefit to Fleming County and Kentucky would be the estimated cumulative tax revenue of the Project shown in Table 8 minus the estimated tax revenue generated under agricultural use shown in Table 10.

Response No. 86:

Hummingbird has contacted Mangum Economics to revise its report to clarify the figures used to calculate the net fiscal benefit to Fleming County and Kentucky through tax revenue generation. An updated figure will be submitted to the Siting Board by August 25, 2023.

Responding Witness: Ben Kerr

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 87:

Explain whether Hummingbird Solar will pursue an Industrial Revenue Bond with Fleming County. If so, explain how that might change the cumulative tax revenues of the Project.

Response No. 87:

The Project is currently in communication with local stakeholders regarding a potential Industrial Revenue Bond (IRB) and will pursue one if Fleming County officials indicate interest in an IRB for the Project. The impact to the cumulative tax revenues of the Project would depend on the specifics of the IRB.

Responding Witness: Ben Kerr

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 88:

State the expected operational life of the Project.

Response No. 88:

The operational life of the Project is expected to be 40 years.

Responding Witness: Ben Kerr

Hummingbird Energy LLC
Responses to Siting Board Staff's First Request for Information
Case No. 2022-00272

Request No. 89:

Explain any commitments regarding infrastructure removal or land restoration during decommissioning included in the landowner lease agreements.

Response No. 89:

Hummingbird has included decommissioning commitments in its lease agreements with participating landowners. Please see Response No. 1 for redacted landowner leases and Exhibit I of the Application for the Decommissioning Plan.

Responding Witness: Orla Lavender