#### COMMONWEALTH OF KENTUCKY

#### BEFORE THE PUBLIC SERVICE COMMISSION OF KENTUCKY

T۳	. +1	ha	1/	latter	<u></u>	r.
ır	1 11	110	١V	ıaner	O	ľ

Electronic Application Of Kentucky Power Company	)	
For A Certificate of Public Convenience And	)	
Necessity Authorizing The Applicant To Apply For	)	Case No. 2023-00357
And Obtain A Franchise From The City Of Raceland	)	
In Greenup County, Kentucky	)	

#### **APPLICATION**

Kentucky Power Company applies to the Public Service Commission of Kentucky pursuant to KRS 278.020(4) and 807 KAR 5:001, Section 15(1) for an Order **to be issued on or before**November 13, 2023 for a Certificate of Public Convenience and Necessity authorizing the Company to apply for and obtain a franchise to use the streets and rights-of-way of the City of Raceland, located in Greenup County, Kentucky, for the provision of retail electric service, and in support thereof states:

#### APPLICANT

1. Kentucky Power was incorporated in 1919 under the laws of the Commonwealth of Kentucky and is in good standing in the Commonwealth. The Company's mailing address is 1645 Winchester Avenue, Ashland, Kentucky 41101. Its electronic mail address is <a href="mailto:kentucky regulatory\_services@aep.com">kentucky regulatory\_services@aep.com</a>. Kentucky Power is engaged in the generation, purchase, transmission, distribution and sale of electric power.

<sup>&</sup>lt;sup>1</sup> A certified copy of the Company's Articles of Incorporation and all amendments thereto was attached to the Joint Application in *In the Matter Of: The Joint Application Of Kentucky Power Company, American Electric Power Company, Inc. And Central And South West Corporation Regarding A Proposed Merger*, P.S.C. Case No. 99-149. The Company's November 6, 2023 Certificate of Existence is attached as **EXHIBIT 1**.

2. The Company serves approximately 163,000 retail customers in the following 20 counties of eastern Kentucky: Boyd, Breathitt, Carter, Clay, Elliott, Floyd, Johnson, Knott, Lawrence, Leslie, Letcher, Lewis, Magoffin, Martin, Morgan, Owsley, Perry, Pike, and Rowan. In addition, the Company also supplies electric power at wholesale to other utilities and municipalities in Kentucky for resale. Kentucky Power is a utility as defined by KRS 278.010.

#### PUBLIC CONVENIENCE AND NECESSITY

- 3. The Company currently is rendering, and for a number of years has been rendering, retail electric service in and to the City of Raceland in Greenup County, Kentucky.
- 4. The provision of retail electric service in and to the City of Raceland requires that Kentucky Power place its facilities on, under, above, and along the streets, alleys, public grounds, and rights of way, or otherwise make use of the streets, alleys, public grounds, and rights of way, of the City of Raceland.
- 5. The public convenience and necessity requires that Kentucky Power continue to provide retail electric service to and in the City of Raceland. The City of Raceland lies within the certified territory of Kentucky Power, as that term is defined in Chapter 278 of the Kentucky Revised Statutes, and such as Kentucky Power possesses the exclusive right to provide retail electric service in and to the City of Raceland. KRS 278.018(1).
- 6. Kentucky Power's existing franchise to place its facilities on, under, above, and along the streets, alleys, public grounds, and rights of way, or otherwise make use of the streets, alleys, public grounds, and rights of way, of the City of Raceland for the purpose of providing retail electric service will expire December 8, 2023.

7. The Company desires to bid for a franchise to use the streets, alleys, public grounds, and rights of way of the City of Raceland for the provision of retail electric service to and in the City of Raceland. Kentucky Power respectfully requests the Commission issue its Order on or before November 13, 2023 granting the Company a certificate of public convenience and necessity so that it may bid for the required franchise on November 14, 2023.

8. A copy of the ordinance providing for the advertisement and sale of the City of Raceland franchise is attached hereto as **EXHIBIT 2**.

9. The advertisement to receive bids on the City of Raceland franchise was published in a newspaper of general circulation in Greenup County on November 2, 2023. A copy of the published advertisement is attached hereto as **EXHIBIT 3**.

10. If successful in obtaining a franchise from the City of Raceland, Kentucky Power will file a copy of the franchise with the Commission using the Commission's electronic tariff filing system.

#### COMMUNICATIONS

11. Kentucky Power respectfully requests that communications in this matter be delivered to:

Katie M. Glass Stites & Harbison PLLC kglass@stites.com

Hector Garcia Santana hgarcia1@aep.com

Kentucky Power Company Kentucky regulatory services@aep.com Kentucky Power and the persons indicated above possess the facilities to receive electronic transmissions. Kentucky Power waives service by United States mail.

WHEREFORE, Kentucky Power Company respectfully requests that the Public Service Commission of Kentucky issue an Order on or before November 13, 2023:

- (a) Granting the Company a certificate of public convenience and necessity authorizing Kentucky Power to bid upon and obtain a franchise from the City of Raceland, Greenup County, Kentucky to use the streets, alleys, public grounds and rights of way to provide retail electric service in the city; and
  - (b) Granting the Company all further relief to which it may appear entitled.

Respectfully submitted,

Katie M. Glass

STITES & HARBISON PLLC

421 West Main Street

P.O. Box 634

Frankfort, Kentucky 40602-0634

Telephone: (502) 223-3477

kglass@stites.com

COUNSEL FOR KENTUCKY POWER COMPANY

### Exhibit 1

# Commonwealth of Kentucky Michael G. Adams, Secretary of State

Michael G. Adams Secretary of State P. O. Box 718 Frankfort, KY 40602-0718 (502) 564-3490 http://www.sos.ky.gov

#### **Certificate of Existence**

Authentication number: 299914

Visit <a href="https://web.sos.ky.gov/ftshow/certvalidate.aspx">https://web.sos.ky.gov/ftshow/certvalidate.aspx</a> to authenticate this certificate.

I, Michael G. Adams, Secretary of State of the Commonwealth of Kentucky, do hereby certify that according to the records in the Office of the Secretary of State,

#### **KENTUCKY POWER COMPANY**

is a corporation duly incorporated and existing under KRS Chapter 14A and KRS Chapter 271B, whose date of incorporation is July 21, 1919 and whose period of duration is perpetual.

I further certify that all fees and penalties owed to the Secretary of State have been paid; that Articles of Dissolution have not been filed; and that the most recent annual report required by KRS 14A.6-010 has been delivered to the Secretary of State.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal at Frankfort, Kentucky, this 6<sup>th</sup> day of November, 2023, in the 232<sup>nd</sup> year of the Commonwealth.



Michael G. adams

Michael G. Adams Secretary of State Commonwealth of Kentucky 299914/0028317

### Exhibit 2

#### Ordinance No. 2023-12

AN ORDINANCE OF THE CITY OF RACELAND, KENTUCKY, PROVIDING FOR THE ADVERTISEMENT AND SALE OF A FRANCHISE AUTHORIZING THE OWNER THEREOF TO OWN, MAINTAIN, CONSTRUCT AND OPERATE ELECTRIC POWER TRANSMISSION AND DISTRIBUTION LINES UPON, ALONG, OVER AND UNDER THE STREETS, THOROUGHFARES, ALLEYS, SIDEWALKS, BRIDGES, PUBLIC WAYS, AND OTHER PUBLIC PLACES OF THE SAID CITY.

WHEREAS, the City of Raceland, Greenup County, Kentucky is incorporated under the provisions of the Kentucky Revised Statutes, and desires to grant a franchise for an electric power company to own, maintain, construct, and operate its electric power transmission and distribution lines upon, along, over and under the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City of Raceland, Greenup County, Kentucky, and

WHEREAS, there exists a public necessity for adequate service of electric power and energy to the citizens of the City of Raceland, Greenup County, Kentucky, and

WHEREAS, it appears that it is in the interest of the public that a franchise be advertised and sold, granting and entitling the grantee to use the streets, thoroughfares, alleys, sidewalks, bridges, public ways and public places for the erection, operation and maintenance of lines for the transmission and distribution of electric power to the citizens of the City of Raceland, Greenup County, Kentucky, and to persons, firms and corporations beyond the limits of the City of Raceland, Greenup County, Kentucky.

THEREFORE, be it ordained by the CITY OF RACELAND as follows:

#### Section 1. General Provisions

That there be sold at public auction to the highest and best bidder, the franchise, privilege, right and authority to acquire, maintain, construct and operate in, above, under, across and along the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places (as the same now exist or may hereafter be laid out) of the City of Raceland, Greenup County, Kentucky, lines, poles and equipment for the distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances, for the purpose of supplying electric energy to said City and the inhabitants thereof, and persons and corporations beyond the limits thereof, for light, heat,

power and any other purpose or purposes for which electric energy is now or may hereafter be used, and for the transmission of the same within, through or across said City.

#### Section 2

Said lines and appurtenances shall be constructed so as to interfere as little as possible with the traveling public in its use of the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places.

#### Section 3.

The franchise, privilege, right and authority shall be in full force and effect for a period of twenty (20) years from the date of passage of the Ordinance granting the franchise. The grantee of this franchise shall save the City harmless from any and all liability arising in any way from negligence in the erection, maintenance, or operation of said lines and appurtenances.

#### Section 4.

The grantee of this franchise shall have the right and privilege to take up such portion or part of any pavement and make such excavation in the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City of Raceland as may be deemed necessary for the construction and maintenance of its lines, wires or cables, but, whenever the grantee of this franchise shall begin the erection of any lines or other equipment, it shall promptly and diligently prosecute the work to completion, and leave the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places where such work is done in as good condition of repair as before such work was commenced.

#### Section 5.

Whenever in this franchise either the City of Raceland or the grantee thereof is referred to, it shall be deemed to include the respective successors and assigns, of either, and all rights, privileges and obligations contained in this franchise shall be binding upon, and inure to the benefit of, the respective successors and assigns, of the City and said grantee, whether so expressed or not.

#### Section 6.

The grantee of this franchise may make such rules and regulations covering the furnishing of said electric energy as may be fair and reasonable and consistent with the standard practice of the grantee. Said grantee may charge such rates for electric service as shall be fair and reasonable. The said grantee shall render service under said franchise of like quality, that is, adequate, efficient and reasonable, to that now being rendered to said City.

#### Section 7.

The consideration paid by the successful bidder for the franchise, privilege, right and authority provided for herein, shall be complete compensation and consideration for said franchise, privilege, right and authority, and for the use and occupancy of the streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of the City, in lieu of any street or alley rental or of any charge for the use or occupancy of said streets, thoroughfares, alleys, sidewalks, bridges, public ways and other public places of said City, and in lieu of any pole tax or meter tax.

#### Section 8.

The City Clerk for the City of Raceland, Greenup County, Kentucky, is hereby appointed Special Commissioner, to sell said franchise, privilege, right and authority hereby ordered sold subject to the approval of the City Council, and said Special Commissioner is directed to offer said franchise for public sale to the highest bidder on the 14th day of November, 2023, at the front door of the Raceland City Building, at 711 Chinn St., Raceland, Kentucky, after she has advertised the date, time, terms, conditions and place of sale, pursuant to law, by inserting a notice of sale in *The Greenup Gazette*, Kentucky, a newspaper of general circulation in Raceland, Greenup County, Kentucky, one time, which shall be not less than seven (7) days nor more than twenty-one (21) days prior to the date of said sale, said advertisement to include this Ordinance or a summary thereof.

#### Section 9.

Bids and proposals for the purchase and acquisition of the franchise, privilege, right and authority hereby granted shall be in writing and shall be delivered to the Special

Commissioner on the date and at the time fixed by the Special Commissioner in said advertisement to include this Ordinance or a summary thereof. Thereafter, the Special Commissioner shall report and submit to the City Council at the time and place of its next regular meeting said bids and proposals for its approval and said City Council reserves the right for and on behalf of the City of Raceland to refuse any and all bids for said franchise, privilege, right and authority. In the event the bids reported by the Special Commissioner shall be rejected by the said City Council, it may direct, by resolution or ordinance, said franchise, privilege, right and authority to be again offered for sale from time to time until a satisfactory bid therefor shall be received and approved. Each bid shall be accompanied by a deposit and each bidder shall post bond in accordance with the provisions and requirements of KRS 96.020. However, such deposit and bond need not be made by a corporation or person already owning, in or adjacent to the City of Raceland, Greenup County, Kentucky, a plant and equipment sufficient to render the service required by this Ordinance.

#### Section 10.

Each bidder for said franchise, privilege, right and authority shall file, as a part of its bid, a certified copy of a Certificate of Convenience and Necessity from the Public Service Commission of Kentucky, issued under the authority of KRS 278.020.

#### Section 11.

The Ordinance granting this franchise shall be accepted by the grantee thereof within sixty (60) days from the date of its passage.

Enacted this 12 day of October, 2023

Eddie Cumpton

Mayor, City of Raceland

ATTEST:

Suzie Gibeaut

City Clerk. City of Raceland

### Exhibit 3

# **Public Notices / Community**

## Legislative update by Rep. Danny Bentley

terim joint committees and budget review subommittees continue to repare for the next legiscommittees lative session, which will convene on January 2. During the October meet-ing of the Appropriations and Revenue Committee, lawmakers received an lawmakers received ar update on the funding for teacher raises provided in the 2022 budget, as well as testimony on social worker retention, juvenile

justice, all-terrain vehi-ele trails, children in state custody; genera aviation, and Medicaid reimburse-

Interim Joint Conmittee on Appropriations and Revenue: Members heard from the Kentucky School Board Association (KSBA) and the Kentucky Association of School Superintendents on school funding approaches. Both discussed how individ-ual districts chose to use funding provided by the legislature to increase teacher and staff pay and the KSBA shared data from a survey sent to districts before the start of the 2022-2023 school year. The survey asked districts about raises for school personnel.

The biennial budget passed in 2022 provided funding for raises for the Kentucky State Police and state employees. Since teachers and school personnel work directly for school districts, lawmakschool districts, lawmakers respected the respected via for administrators and provided millions in additional funding so districts could provide pay raises to teachers and staff, as well as make Investments in other areas they identified as priorities.

According to the

According to the KSBA, 162 out of 171 school districts used those resources to give raises.

While nine did not, the majority gave a rase the

Budget committee members also heard from the Department for Com-munity Based Services (DCBS) on social worker employment status. current budget provided pay increases for social pay increases for worker and fiamily st worker and Barmly support classifications. In addition transactions in accition to more than \$86 million to more than \$86 million to more than \$86 million to more than safe of the measure provided an additional \$% take in July, 2022 and \$% and \$60 million \$1.00 milli raise in July, 2022 and 6% raise in July, 2023. This brings the starting annual salary from \$33,644 to \$50,754. In January 2023, DCBS employed 4,051 in January 2023, DCBS employed 4,051 individuals. As of August 2023, they employed 4,620 individuals. DCBS indicated that they are looking to increase their toxing b increase their maximum employee cap to add 100 social worker positions. The cap increase would have each social worker with approximate-by 19 individuals on their case load. The committee requested a follow-up or

Overall, I am pleased I am pleased by the updates and glad to see that the targeted way we invested taxpayer dollars has resulted in pay increases for two critical areas - teachers and social

workers.

Budget Review Subcommittee on General
Government, Finance.
Personnel, and Public Retirement: Members discussed a request for public
funding of apprenticeship

PUBLIC NOTICE

Notice is hereby given that Gerysbranch School Dist rict has filed amplication with the Energy and Environment Cabnet to conduct construction for a newmini-use gymnasium on this is of Envysbranch Elementary. The property is located east of US-23 and west of the Ohio River, about one (1) mile south of KY-10. The site is to the north of Musketeer Drive on the School's campus. Any comments or objections can be submitted via email to: DoWFlood/plane/sygoy Kentucky bivison/bylase, Flood plain blaguest Section, 300 Sower Bird, Frankfort, KY 40601, Call 502-564-3410 with questions.

Published

#### DEADLINE **POLICY**

All news items and ads should be submitted by 5p.m. on Friday for the following Thursday edition

the retail and insurance in-dustries, as well as one of-fered by Kentucky Rural Water Association. Cur-rently, Kentucky is home to over 4,000 registered

apprentices.

Budget Review Subcommittee on Justice and Judiciary: Legislators heard from the Depart-ment of Livenile Justice on their compliance with juvenile justice reforms enacted during the 30.2 3 Regular Session. The Ad-ministrative Office of the Courts shared their budget requests with the subcommittee. They proposed that funding would be used to

improve and maintain ju-dicial fracilities across the commonwealth as well as the construction of rew ju-dicial buildings in counties the department has desig-nated as having critical

As always, I can be reached through the toll-live message line in Frankfort at 1-800-372-7181. You can contact me by e-mail at danny/bentley@Irc.ky.gov.

And keep track of comparities most through and one of the contact of the contact method in the contact method

mittee meetings and po-tential legislation through the Kentucky Legisla-ture's website a legislature.ky.gov



Looking for land to lease for 2023 deer hunting season.

Only two responsible adults would ever be

on the property.

Call or text Troy

Dickens, 865-742-0974.

NOTICE OF SALE AND ADVERTISEMENT
BY THE CITY OF RACELAND FOR THE SALE OF A FRANCHISE AUTHORIZING THE HIGHER THREOF TO OWN,
MAINTAIN, COND. THE HIGHER TELECTRIC POW.
ALONG, O'VER MAY DIVIDE THE STREETS, THOROUGH,
ALONG, O'VER MAY DIVIDE THE STREETS, THOROUGH,
FRESS, ALLESS, SIDEWALKS, BRIDGES, PUBLIC WAYS,
AND O'THE BUBLIC PLACES OF THE SADO OTTY, ALL
ACCEPTED BIDS SHALL BE SUBMITTED TO 711 CHINN
STREETKEL MAY LEFT CITY ALONG COL CITY CLEEK
LEFT CONTROLLED AND LEFT COLOR MAY BE SUBMITTED TO THE MAY BE SUBMITTED BY THE MAY BE SUBMITTED TO THE MAY BE SUBMITTED.

PUBLICATION OF THE MAY BE SUBMITTED TO THE MAY BE SUBMITTED.

PUBLICATION OF THE MAY BE SUBMITTED TO THE MAY BE SUBMITTED.

PUBLICATION OF THE MAY BE SUBMITTED TO THE MAY BE SUBMITTED.

PUBLICATION OF THE MAY BE SUBMITTED.

PUBLICATION ON OF THE MAY BE SUBMITTED.

PUBLICATION OF THE MAY BE SUBMITTED.

PUBLICATION ON ONE MAY BE SUBMITTED.

PUBLICATION O

#### NOTICE OF BID

NOTICE OF BID

Notice of bid for surplus properties by the city of Raceland located at 815 Greenup Avenue, and 305 Pond Run Road, Raceland, kennucky 4169. All properties are connected and zoned for commercial development.
All accepted bids shall be submitted to 711 Chinn Street, Raceland, Kentucky, 41169 c/o city administrator Dustin Burchett or emailed to dburchteti@racelandky.org. All accepted bids must be submitted by 4 pm. on November 14th. For any questions contact city, administrator Dustin Burchett 606-571-4352.
Published Nov. 2, 2023

Published Nov.2, 2023

NOTICE OF SALE AND ADVERTISEMENT
BY THE CITY OF RACELAND FOR THE SALE OF A FRANCHISE AUTHORIZING THE OWNER THEREOF TO OWN,
MAINTAIN, CONSTRUCT AND OPERATE NATURAL CAS
DISTRIBUTION LINES UPON, ALONG, OVER AND UNDER
THE STREETS. THOROUGHFARES, ALLEYS, SIDEVALKS,
BRIDGES, PUBLIC WAYS, AND OTHER PUBLIC, PLACES
OF THE SAID CITY, ALL ACCEPTED BIDS SHABL BE SUBMITTED TO 7:11 CHINN STREET, RACELAND, KENTUCKY,
41169 C/O CITY CLERK SUZLE GIBEAUT. ALL ACCEPTED
BOS MUST BE SUBMITTED BY 4PM ON NOVEMBER 14TH
AT WHICH TIME THE PRANCHES WILL BE OFFERED FOR
PUBLIC SALE TO THE HIGHEST BIDDER.

### Summary of Ordinance No 2023-12

Summary of Ordinance No. 2023-12

NO ORDINANCE OF THE CITY OF RACELAND, KENTUCKY, PROVIDING FOR THE ADVERTISEMENT AND
SALE OF A FRANCHISE AUTHORIZING THE OWNER
THERROF TO OWN. MAINTAIN, CONSTRUCT AND
OPERATE ELECTRIC POWER TRANSMISSION AND DISTRIBUTION LINES UPON, ALONG, OVER AND UNDER
THE STREETS. THOROUGHFARES, ALLEYS, SIDEWALKS. BRIDGES, PUBLIC WAYS, AND OTHER PUBLIC
PLACES OF THE SAID CITY.

WALKS. BRIDGES, PUBLIC WAYS, AND O THER PUBLIC PLACES OF THE SAID CTY.

Because the City of Raceland desires to grant a franchise for an electric power company to own, maintain, construct, and operade its electric power transmission and distribution lines report, along over and under the streets, thoroughlares, alleys, side valles, bridges, public ways and of the neglegate of the City, and, it appears that it is in the interest of the public that a franchise be advertised and sold, granting and entitling the granter to use the streets, thoroughlares, aleys, sixteewilks, bridges, public ways and public places for the erection, operation and maintenance of jines for the transmustion and distribution of electric power to the citizens of the City, and to persons, frms and corporations beyond the limits of the City.

Therefore, it will be ordained by the City that there be sold at public auction to the highest and best holder, the franchise, privilege, right and authority to acquire, main, construct and operate in above, under, across and along the streets, thorough farms, albys, sidew alks, brigges, public aways; an od other lands and the state of the company of the City in the proposed of the public that end of the control of the city in the public and the control of the city in the public and the control of the city in the public and the control of the city in the public and the control of the city in the public and the control of the city in the public and the control of the city in the public and the control of the city in the public and the control of the city in the control of the city in the public and the control of the city in the cont

Published Nov 2,2023

COMMONWEAUTH OF KENTUCKY GREENUP CIRCUIT COURT ACTION NO. 22-C1-00353

DEREK DUNCIL

Notice of Sale

ESTATE OF JAMES E. REFFETT, ET AL

Pursuant to a judgment and Order of Sale entered in the above styled action on October 23, 2023. Will on Friday. December 1, 2023, at the hour of k00 p.m., offer for sale at public action to the highest and best bidder at the main (front) entrance door of the Greenup County Courthouse at Greenup, Kentucky, the following described real estate, town:

estate, to-wit:

TRACT NO.1: Beginning at a point marked by an iron stake in Kentucky Route #2, thence running in Westerly direction a distance of 100 feet to an iron stake, thence running in a Northerly direction a distance of 60 feet to an iron stake, thence running in a Northerly direction a distance of 60 feet to an iron stake, thence running in a Northerly direction a distance of 10 feet to a stake in the Westerly intendification (#2 it to nee in a Southerly direction is stake in the Westerly direction with the Westerly direction of 160 feet feet to a distance of 100 feet to a distance of 100 feet to a distance of 100 feet to a distance stake; thence running in a Westerly direction and state of 100 feet to a distance stake; then the running in a Westerly direction and state of 100 feet to a distance stake; then the running in a Westerly direction and state of 100 feet to a distance stake; then the running in a westerly direction with the hise of Tract No.1 above described and distance running in an Easterly direction with the hise of Tract No.1 above described and distance running in an Easterly direction with the hise of Tract No.1 above described and distance running in an Easterly direction with the hise of Tract No.1 above described and distance running in a second running running the running of the running runn

Property Address: 5944 State Route 2 Greenup, Kentucky 41144

The above described property shall be sold as a whole on serms of each at the time of sale, but if not so paid in each at the time of sale, the purchaser shall pay a deposit of ten percent (10%) of their hazard prices at the time of sale and execute a bond for the balance of the purchaser prices. The withhelistry (30) Jays, with suffices surrey approved by the percent (12%) per arrunn from the data/stacktout or, included a lien shall be surrey to the percent (12%) per arrunn from the data/stacktout or. privided 1 (948 Special Her to the one can coverage to the privilege of th

Is last or Commissione of this Court for fill payment of the purchase price together with a next cortical rest.

Out of the proceeds derived from the sale herein, the Special Master Commissioner shall retain the same until further Orders of the Court for disburgement. Reference is made to all proce eachings commonfied with the Clerk of the Greenup Circuit Court, Craur thous se Albarroboun, Mirree nup, Kennbucky, this is the 2 6th day of October, 2023.

Regge Red SPECIAL MASTER COMMISSIONER GREENUP CIRCUIT COURT

### COMMONWEALTH OF KENTUCKY GREENUP CIRCUIT COURT CIVIL ACTION NO: 19-CI-00292 Flectronically Filed

OYCE VERSINO

PLAINTIFF

COMMONWEALTH CD FUND, ILC

DEFENDANT/ CROSS-CLAIMANT

NOTICE OF SALE

JENTRY C. SMITH UNKNOWN SPOUSE OF JENTRY C. SMITH UNKNOWN OCCUPANTS OF 801 US 23 SOUTH JOELSOM INVESTMENTS, LLC OTY OF GREENUP, KENTUCKY COUNTY OF GREENUP, KENTUCKY

DEFENDANTS

In pur suance to a judgment and Order of Salentered in the allowe styled action on Selember 21, 2023; full on I Monday, November 0, 2023, at the his rur of 1:00 a.m., offer forsale at public aution to the highest and best bidder, at the main and rornt door of the County Courthouse at Greenup, Kentucky, the following described real estate, by

Parcel/Map |D# 148-20-03-01600 Commonly known as: 801 US 23 South, Greenup. KY 41144

Being approximately One and one-fifth (1-1/5) acre in the Town of Greenup, KY. Exce pting therefrom the property conveyed in Deed Book 259, Page 381 and Deed B obk 266, Page 261 and Deed Book 296, Page 267, all in the Office of the Clerkof Greenu p Gen 11, Kentucky.

LSOT. Deed Book 651. Page 752, in the Office of the Greenup County Court Clerk

The above described property shall be sold as a whole on terms of cash or on a credit thirty (30) days. Hold on terms of credit, the purchasers is all be required to make a posts of 10% of the purchasers is all be required to make a posts of 10% of the purchase price andshall execute a bon dwith good so trety for the remaining balance, said bond being payable to the Master Commissioner and shall bear it ate rest at the rate the judgmente, bears from the edate of sale unityald and shall have the force and effect of junetin, upon which execution may justs. If not paid maturity. A lien shall be retained upon the real estate so sold as additional security. Out of the proceeds derived from sale herein. We Master Commissioner shall retain a source of the court. For each of the court of the court. The court is that it is not all proceedings in a source of the court. The court is the court of the court of the court. The court is the court of the court of the court. The court is the court of the court of the court of the court of the court.

MASTER COMMISSIONER GREEN UP CIRCUIT COURT PO. Box 6 17 Gree nu pky 41144 (606) 473-5381