

COMMONWEALTH OF KENTUCKY
BEFORE THE
PUBLIC SERVICE COMMISSION OF KENTUCKY

RECEIVED

JAN 03 2013

**PUBLIC SERVICE
COMMISSION**

IN THE MATTER OF

**PETITION AND COMPLAINT OF KENTUCKY POWER)
COMPANY FOR A DECLARATION OF ITS)
RIGHT PURSUANT TO KRS 278.018(1) TO SERVE)
THOSE PORTIONS OF THE SAND GAP ESTATES) CASE NO. 2012-00224
GREENUP COUNTY, KENTUCKY LYING WITHIN)
ITS CERTIFIED TERRITORY IN LIEU OF)
GRAYSON RURAL ELECTRIC COOPERATIVE)
CORPORATION)**

**KENTUCKY POWER COMPANY RESPONSES TO COMMISSION STAFF'S
FIRST SET OF DATA REQUESTS**

January 3, 2013

VERIFICATION

The undersigned, Richard Howerton, being duly sworn, deposes and says he is the Owner and Senior Engineer, for Howerton Engineering that he has personal knowledge of the matters set forth in the forgoing responses for which he is the identified witness and that the information contained therein is true and correct to the best of his information, knowledge and belief.

Richard Howerton
Richard Howerton

COMMONWEALTH OF KENTUCY)
) Case No. 2012-00224
COUNTY OF BOYD)

Subscribed and sworn to before me, a Notary Public in and before said County and State, by Richard Howerton, this the 19 day of December, 2012.

Gloria Howerton
Notary Public

My Commission Expires: April 6, 2013

VERIFICATION

The undersigned Delinda K. Borden, being duly sworn, deposes and says she is the Manager, Customer and Distribution Services for the Ashland District for Kentucky Power Company, that she has personal knowledge of the matters set forth in the forgoing data requests and the information contained therein is true and correct to the best of her information, knowledge, and belief.

Delinda K Borden

Delinda K. Borden

COMMONWEALTH OF KENTUCKY)
) CASE NO. 2012-00224
COUNTY OF BOYD)

Subscribed and sworn to before me, a Notary Public in and before said County and State, by, Delinda K. Borden, this the 13 day of December 2012.

Charles W. Barker

Notary Public

My Commission Expires: June 11, 2013

Kentucky Power Company

REQUEST

Refer to Grayson Rural Electric Cooperative Corporation's ("Grayson RECC's") Answer, filed July 2, 2012. At Item No. 2, Grayson RECC states that "the Complaint of Kentucky Power should be denied based upon an accord reached between Kentucky Power and Grayson several years ago allowing CO-OP to supply retail electric service to the two entities complained of in the Complaint."

- a. Explain the "accord reached" between Kentucky Power and Grayson RECC.
- b. If the "accord reached" between Kentucky Power and Grayson RECC has been reduced to writing, provide a copy of such document or documents.

RESPONSE

- a. The Company is not familiar with any "accord" between Kentucky Power and Grayson RECC concerning service to customers near the boundaries of the companies' service territories.
- b. N/A

WITNESS: Delinda K Borden

Kentucky Power Company

REQUEST

Refer to Grayson RECC's Answer, Item No. 4. It further states that "there are other service territories in and around Grayson, Kentucky, namely Valley View Subdivision in which Kentucky Power serves residential customers located within the certified service territory of CO-OP"

- a. Identify the addresses of the residential customers in Valley View Subdivision that Grayson RECC alleges are in its certified territory but which it further alleges are served by Kentucky Power.
- b. Identify any "other service territories in and around Grayson, Kentucky" which Grayson RECC alleges are in its certified territory but which are supplied electric service by Kentucky Power.

RESPONSE

- a. Grayson RECC has not communicated with Kentucky Power as to the residential customers Grayson RECC believes are inside its service territory. KPCo began providing service to customers in the Valley View Subdivision as early as the 1970's and still continues to provide service to these customers.
- b. Grayson RECC has not informed Kentucky Power of any customers supplied by Kentucky Power which are within Grayson's certified service territory.

WITNESS: Delinda K Borden

Kentucky Power Company

REQUEST

Refer to Kentucky Power's Complaint, page 1, wherein it states:

(a) . . . that Grayson Electric Cooperative Corporation ("Grayson") is providing electric service in violation of KRS 278.018(1) to two residences located at 14 Sand Gap Road and 397 Ohia Boulevard in Sand Gap Estates in Greenup County, Kentucky lying west of ICY 67 (Industrial Parkway) and off of the old mining road . . .

- a. Should the reference to 14 Sand Gap Road be 414 Sand Gap Road?
- b. Explain why Grayson RECC serves the residence at 14 Sand Gap Road, Argilite, Kentucky (or 414 Sand Gap Road as identified in a. above).
- c. Explain why Grayson RECC serves the residence at 397 Olivia Boulevard, Argilite, Kentucky.

RESPONSE

- a. Yes, the residence in question is at 414 Sand Gap Road.
- b. Kentucky Power does not know why Grayson RECC has chosen to serve the customer at 414 Sand Gap Road which is within Kentucky Power's certified service territory.
- c. Kentucky Power does not know why Grayson RECC has chosen to serve the customer at 397 Olivia Boulevard which is within Kentucky Power's certified service territory.

WITNESS: Delinda K Borden

Kentucky Power Company

REQUEST

Refer to Kentucky Power's Complaint, page 4, Item No. 9. It alleges:

“As shown on the map of the certified territory of Kentucky Power and Grayson, two of the four residences and the 'C'-shaped territory between KY 67 and the old mining road lie within Kentucky Power's exclusive territory. The residences within Kentucky Power's certified territory are marked as A (414 Sand Gap Road, Argillite, Kentucky) and B (397 Ohia Boulevard, Argillite, Kentucky) on EXHIBIT 1. KY 67 was constructed approximately 28 years after the establishment of the exclusive service territories of Kentucky Power and Grayson.”

Explain why Kentucky Power alleges the “C”-shaped territory between KY 67 and the old mining road lie in Kentucky Power's exclusive territory.

RESPONSE

The area is in Kentucky Power's exclusive territory based upon the 1972 Boundary Map (photo revised 1978) and signed by representatives of Grayson RECC and Kentucky Power on 5-14-82, and 5-21-82, respectively.

WITNESS: Delinda K Borden

Kentucky Power Company

REQUEST

Refer to Kentucky Power's Complaint, page 5, tem No. 14. It alleges:

"Grayson has acknowledged that the residences marked A and B on EXHIBIT 1, as well as the 'C'-shaped territory between KY 67 and the old mining road lie within Kentucky Power's exclusive territory." Explain how Grayson RECC made such acknowledgment.

RESPONSE

Please see the response to Item No. 4 of this set of data requests.

WITNESS: Delinda K. Borden

Kentucky Power Company

REQUEST

Refer to Kentucky Power's Complaint, page 5, the first Item labeled 15. It alleges in part that "Kentucky Power has offered to purchase the distribution facilities being used by Grayson to provide service to the two residences but Grayson has declined the offer."

- a. Explain whether the consideration offered by Kentucky Power was equivalent to Grayson RECC's investment in the facilities.
- b. Explain whether Grayson RECC made a counteroffer to Kentucky Power.

RESPONSE

- a. Kentucky Power offered to purchase these distribution facilities and queried Grayson RECC about the value of the facilities. Grayson RECC has not indicated its willingness to sell the facilities, and no monetary amount was discussed.
- b. Grayson RECC has made no counteroffer.

WITNESS: Delinda K Borden

Kentucky Power Company

REQUEST

Identify all prior instances of certified boundary disputes between Grayson RECC and Kentucky Power and the resolution of those disputes.

RESPONSE

Kentucky Power is aware of two other instances of boundary disputes between Grayson RECC and Kentucky Power:

1. Chapel House at 200 Everman Street, Grayson, Kentucky

Beginning in 1991, KPCo originally served this multi-unit building which is south of I-64 on the edge of Kentucky Christian University. In 2001, Grayson informed KPCo that the Chapel House was inside Grayson's certified territory and that it wanted to take over the service to this customer.

KPCo had extended service to the customer under the belief it was in KPCo's territory. Upon further investigation, however, KPCo discovered that the customer was within Grayson's territory. Arrangements were made to sell KPCo's facilities (300 kVA padmount, 15 kV primary cables and associated equipment) involved with service to this customer to Grayson RECC for present day reproduction cost less depreciation. Grayson RECC purchased these facilities, constructed an overhead primary line to connect to these facilities, and began serving this customer in 2002.

2. Mountain Enterprises, Inc. and Mountain Materials, Inc. at 12804 W. US 60, Olive Hill, Kentucky

KPCo had been providing service to quarries and asphalt plants in the area since around 1952. In fact, KPCo's electrical service to a Mountain Enterprises asphalt plant did not conclude until November 14, 2008.

In November 2009, KPCo received a letter from counsel for Grayson which requested that KPCo remove its distribution facilities in the area and that Grayson intended to provide service to the Mountain Enterprises asphalt plant and Mountain Materials rock quarry.

In early December 2009, a representative of Mountain Materials contacted KPCo to request electrical service.

On the basis that KPCo had facilities in the area and had been serving customers in this area since the 1950's, Kentucky Power filed a petition and complaint with the Commission in Case No. 2009-00485.

Following discovery, KPCo requested that the Commission dismiss the case. The Commission entered an Order dismissing the case without prejudice on February 8, 2010.

WITNESS: Delinda K Borden

Kentucky Power Company

REQUEST

Identify on a map the location of Kentucky Power's distribution lines in relation to the distribution lines of Grayson RECC in the area near 414 Sand Gap Road and 397 Olivia Boulevard, Argilite, Kentucky.

RESPONSE

The attached maps (Map 1 & Map 2) show the KPCo facilities east of Sand Gap Estates at Sand Gap Road and the intersection of KY 67 in relation to the Grayson RECC facilities currently used to serve Sand Gap Estates.

Map 1 shows KPCo's facilities in relation to Grayson RECC's facilities serving Sand Gap Estates on a Bing Image map.

Map 2 shows KPCo's facilities in relation to Grayson RECC's facilities serving Sand Gap Estates on a topographic map.

WITNESS: Richard Howerton

CASE NO. 2012-00224
CONTAINS
LARGE OR OVERSIZED
MAP(S)

RECEIVED ON: JANUARY 3, 2013

Kentucky Power Company

REQUEST

Identify whether Kentucky Power or Grayson RECC was first furnishing retail electric service and the initial date such electric service was provided to the area near:

- a. 414 Sand Gap Road, Argilite, Kentucky; and
- b. 397 Olivia Boulevard, Argilite, Kentucky.

RESPONSE

Grayson RECC was the first supplier and is the only supplier to date to furnish retail electric service to this subdivision. Grayson RECC has not communicated with Kentucky Power as to the initial date such electric service was provided to the area near:

- a. 414 Sand Gap Road, Argillite, Kentucky, or
- b. 397 Olivia Boulevard, Argillite, Kentucky.

WITNESS: Delinda K Borden

Kentucky Power Company

REQUEST

Identify how Kentucky Power determines that a potential new customer is within its certified territory.

RESPONSE

Most customer requests for service received by Kentucky Power are at locations well within its certified territory. However when a customer requests a service at a location which is close to the boundary with any other electric provider, GPS coordinates are established at this location. These coordinates are then checked against the certified boundary maps to determine within whose territory the customer is located. If the customer is within the Kentucky Power certified territory, the Company personnel will proceed with the work necessary to provide this service. If the customer's location is outside of Kentucky Power's certified boundary, the customer will be advised to contact the other utility for service.

WITNESS: Delinda K Borden

Kentucky Power Company

REQUEST

Refer to KRS 278.017(3). For subsections (a), (b), (c), and (d), identify and explain how these provisions apply to Kentucky Power.

RESPONSE

Based on information and belief, Kentucky Power states that as of June 16, 1972 the area in dispute was undeveloped with no existing distribution facilities in the vicinity. Construction of the Industrial Parkway (KY 67) began in 2000. Development of Sand Gap Estates began in or about 2006.

- (a) and (b) Kentucky Power has provided retail electric service to Sand Gap Baptist Church, located approximately 1,934 feet northeast of Sand Gap Estates since at least March 27, 1990. The facilities used to supply service to the church are Kentucky Power's closest facilities. Upon information and belief, Kentucky Power states that Grayson extended its distribution facilities prior to 2010 to the first of the two residences in Sand Gap Estates located in Grayson's service territory. Grayson first extended its distribution facilities to 397 Olivia Boulevard, Argilite, Kentucky, and 414 Sand Gap Road, both of which are located in Kentucky Power's service territory in or after 2010.
- (c) Kentucky Power has adequate and dependable existing distribution facilities in the vicinity that could be extended to provide high quality, retail electric service to its certified territory at reasonable costs.
- (d) Because GRECC has illegally constructed its facilities in Kentucky Power's certified territory, there necessarily will be some duplication of facilities unless, as Kentucky Power has requested, Grayson sells the offending facilities to Kentucky Power.

WITNESS: Delinda K Borden

Kentucky Power Company

REQUEST

Refer to the map in the Appendix.

- a. Does Kentucky Power have a copy of this map?
- b. Does Kentucky Power have any more recent updates to this map, signed by both Kentucky Power and Grayson RECC that attempt to define the service territory boundaries in the area of Sand Gap Estates? If the answer is yes, include copies of the documents.

RESPONSE

- a. Yes.
- b. No.

WITNESS: Delinda K Borden

Kentucky Power Company

REQUEST

Does Kentucky Power use Geographic Information Systems (GIS)? If so, when did Kentucky Power acquire that capability?

RESPONSE

Yes. Kentucky Power began utilizing GIS in 1990.

WITNESS: Delinda K Borden

Kentucky Power Company

REQUEST

Refer to the map in Exhibit 1 of Kentucky Power's Complaint.

- a. How was that boundary established?
- b. If the boundary line is from the Public Service Commission's GIS data files that are available through its web page, the following questions concern the metadata. The metadata for electric service areas can be found on the PSC web page under "Utility Information," "Maps and GIS Data," "Electric."¹

- (1) Is Kentucky Power aware that, concerning the user constraints (<useconst> in the xml file), the Kentucky Public Service Commission website states:

The user should give credit to the Kentucky Public Service Commission (PSC). The user must abide by the following data disclaimer. All information within the product is believed accurate but is not guaranteed without error. While attempts have been made to insure the correctness of the information presented, neither the Kentucky Public Service Commission nor any party involved in the creation and compilation of the data guarantees their accuracy, completeness, or suitability for a particular use. All critical information should be independently verified?

- (2) Is Kentucky Power aware that, concerning the Horizontal Positional Accuracy Report (<horizpar> in the xml file), the Kentucky Public Service Commission website states:

¹ A click on the link for "Metadata for Electric Service Areas," brings up an abbreviated version of the metadata which is used by the Kentucky Geography Network. At the bottom of that page is a link to "Metadata." This brings up an xml file which is the detailed metadata that is included with any download of the data files.

The coverage was digitized from paper maps at the scale of 1:24,000 or larger (greater detail.) Usually, the base map was a USGS quadrangle. The standard of horizontal accuracy for 1:24,000 USGS topographic maps is 40 feet, equivalent to 12.1920 meters. Therefore, the horizontal position of service area boundaries in this coverage cannot be regarded as any more accurate than 40 feet of true round location?

- (3) Is Kentucky Power aware that, concerning the Horizontal Positional Accuracy Explanation (<horizpar> in the xml file), the Kentucky Public Service Commission website states:

Due to the distortion in the paper maps, which were copies from USGS quadrangles, and the errors inherent from transferring lines from one paper map to another when the utilities were compiling these maps, an estimate of positional accuracy would be + or - 100 feet?

- c. What is the resolution and date of the aerial imagery in the map in Exhibit 1 to Kentucky Power's Complaint?

RESPONSE

- a. The Boundary line was established from the Public Service Commission's GIS database files available from its website and overlaid on Google maps projection of the Area of KY 67 and Sand Gap Estates.
- b. 1 - 3. Yes.
- c. The aerial imagery is based on data obtained from Google Maps, date 4/14/2011. The resolution is not to scale.

WITNESS: Delinda K Borden

Kentucky Power Company

REQUEST

Are there maps or legal descriptions filed in any of the public government agencies in Greenup County for the plans or construction of Sand Gap Estates? If so, for each document or map:

- a. Submit a copy; and
- b. Describe what agency from which it was acquired, and the date filed with the agency.

RESPONSE

- a. Please see Attachment 1 to this response.
- b. The documents in Attachment 1 were obtained from Greenup County Clerk's office from filings made on 10/22/2004, 3/13/2008, and 4/2/2010.

WITNESS: Richard Howerton

***HOWERTON
ENGINEERING &
SURVEYING PLLC***

**AEP/ GRAYSON RECC
SERVICE BOUNDARY
AT SAND GAP ESTATES
ARGILLITE, GREENUP CO.,
KENTUCKY.**

**HOWERTON
ENGINEERING &
SURVEYING PLLC**

Exhibit of Sand Gap Estates shown was provided courtesy of Turning Point Surveying LLC (Mike Back Surveying, Inc.). The plat was described to be a collection of work performed and not as an official plat of Sand Gap Estates subdivision.

An official plat by Back Surveying Inc. dated 10/22/2004, of Sand Gap Estates, of lesser content was filed in P.B. 16 Pg. 12 in the Greenup County Court Clerk's office. Showing lots 14, 20, 21, & 21a and the ingress/egress easement.

Additional plat, by Back Surveying Inc. dated 3/13/2008, of lots 33, 35, and 37 was filed as part of the deed to the Irrevocable Trust of Ronald M. and Christine M. Obrien (D.B. 550 Pg. 325) from Addington Land Co. LLC, dated December 11, 2008.

Additional plat, by Back Surveying Inc. dated 4/02/2010, of lots 13 & 14 was filed as part of the deed to James W. and Shirley A. Porter (D.B. 559 Pg. 764) from Addington Land Co. LLC, dated April 20, 2010.

All other lots of Sand Gap Estates shown with owner and deed information contain a surveyed description provided by Michael Back, PLS #2178 as part of the deed description.

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE, made and entered into this 17th day of December 2008, by and between Addington Land Co., LLC, a Kentucky limited liability company, By and Through Its Power of Attorney, Doug Moore, (said Power of Attorney of record in Deed Book 489, Page 602, Greenup County Clerk's Records, Greenup, Kentucky), 1500 North Big Run Road, Ashland, Kentucky, 41102, ("Grantor"), and The Irrevocable Trust of Ronald M. O'Brien and Christine M. O'Brien, with a mailing address of 620 Johnson Lake Road, DeLeon Springs Florida 32130, ("Grantee").

WITNESSETH:

That for and in consideration of the sum of Thirty Thousand Two Hundred Dollars (\$30,200.00), cash in hand paid and other good and valuable consideration, paid by Grantee unto Grantor, the receipt and sufficiency all of which is hereby acknowledged, Grantor has bargained, sold and does hereby grant and convey unto Grantee, his heirs and assigns, forever, all of Grantor's rights, titles, estates and interests, in and to the surface estate only of the following described tracts or parcels of land being located in SandGap Estates, Greenup County, Kentucky, subject, however, to the exceptions and reservations hereinafter stated, said real property being more particularly bounded and described as follows; to wit:

Being Lots numbered 33, 35 and 37 in the SandGap Estates, Greenup County, Kentucky, which has a total of 2.328 acres more or less. See attached Lot descriptions and Plat.

Source of Title:

Deed dated November 7, 1997 from Addington Enterprises, Inc. to Addington Land Company LLC, of record in Deed Book 455, Page 286, Greenup County Clerk's Records, Greenup, Kentucky.

Deed of Correction dated November 25, 1997 from Addington Enterprises, Inc. to Addington Land Company LLC, of record in Deed Book 456, Page 208, Greenup County Clerk's Records, Greenup, Kentucky.

There is reserved and excepted therefrom, however, all of the mineral and mineral rights in and to the above described property unto the Grantor, its successors and assigns, this exception and reservation being understood to include oil, gas, coal and all other minerals on, in and under the property conveyed herein.

*Handed to
Ronald O'Brien
12-12-08
jgk*

GREENUP COUNTY
D550 PG325

*Lot S
33, 35, 37*

*Irrevocable Trust of
Ronald M. + Christine M.
O'Brien
550/325*

*Plat
Attached*

The property conveyed herein is subject to all restrictions and reservations of SandGap Estates which are attached hereto.

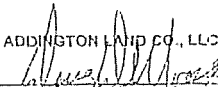
This conveyance is further subject to all covenants, restrictions, reservations, exceptions, exclusions, easements and rights-of-way previously imposed and appearing of record.

TO HAVE AND TO HOLD the above-described real estate, together with all the improvements thereon and all of the appurtenances thereunto belonging unto the Grantee, his heirs and assigns forever, with Covenants of Special Warranty.

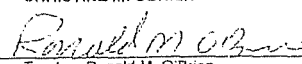
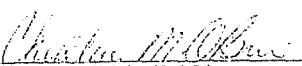
We, the undersigned Grantor and Grantee, do hereby certify pursuant to KRS, Chapter 382, that the above stated consideration in the amount of Thirty Thousand Two Hundred Dollars (\$30,200.00) is the true, correct and full consideration paid for the property herein conveyed.

IN TESTIMONY WHEREOF, Grantor and Grantee have hereunto subscribed these presents, this the date first above written.

GRANTOR:

ADDINGTON LAND CO., LLC
By: 
Doug D. Moore, Its Power of Attorney

GRANTEE:

THE IRREVOCABLE TRUST OF
RONALD M. O'BRIEN AND
CHRISTINE M. O'BRIEN
By: 
Trustee: Ronald M. O'Brien
By: 
Trustee: Christine M. O'Brien

STATE OF KENTUCKY
COUNTY OF Greenup

The foregoing instrument was acknowledged, subscribed and sworn to before me this 11th day of December, 2008, by Doug D. Moore, as Power of Attorney for Addington Land Co., LLC, a Kentucky limited liability company, for and on behalf of said entity, to be its free act and deed

My Commission expires: 6-6-2010

[Signature]
Notary Public

STATE OF Kentucky
COUNTY OF Greenup

The foregoing instrument was subscribed, sworn to and acknowledged before me by Ronald M. Obrien, Trustee of The Irrevocable Trust of Ronald M. Obrien and Christine M. Obrien, to be his free act and deed, this the 11th day of December, 2008.

My Commission expires: 6-6-2010

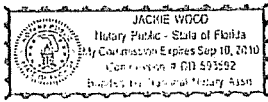
[Signature]
Notary Public

STATE OF Illinois
COUNTY OF Winnebago

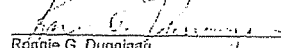
The foregoing instrument was subscribed, sworn to and acknowledged before me by Christine M. Obrien, Trustee of The Irrevocable Trust of Ronald M. Obrien and Christine M. Obrien, to be her free act and deed, this the 11th day of December, 2008.

My Commission expires: September 10, 2010

[Signature]
Notary Public



THIS INSTRUMENT PREPARED BY:



Ronnie G. Dunnigan
Attorney at Law
3100 Maria Drive
Lexington, Kentucky 40516
Telephone (606) 293-2766

RGD:bvc:ALC-623:09-12-07

*Doug Moore
 3000 Cash
 Cash filed*

BOOK 0066 PAGE 489 BOOK D64B PAGE 034
 POWER OF ATTORNEY
 ADDINGTON LAND CO., LLC RECEIVED
 TO DOUG MOORE 2008 NOV 13 P 3: 18
 DATED: 3/21/00
 EXPIRES: INDEFINITE

KNOW ALL MEN BY THESE PRESENTS: That Addington Land Co., LLC, a limited liability company organized and existing under the laws of the Commonwealth of Kentucky (the "Company"), acting by and through Larry Addington, its duly authorized President, has and does hereby appoint Doug Moore its true and lawful Attorney-in-Fact with power and authority for, on behalf of, and in the name of the Company during the period hereinafter specified, and subject to the restrictions and limitations set forth in this Power to execute and deliver in the ordinary and regular course of the Company's business, deeds, leases, extensions, renewals thereof, or amendments or supplements thereto, certificates or other instruments directly related to such deeds, leases, easements, renewals, amendments or supplements required to be filed with any local, state or federal government agency directly related to the Company's coal mining operations, road building, or land business functions.

The Attorney herein appointed shall be authorized to act hereunder from the date hereof only so long as such Attorney shall remain an employee of Addington Land Co., LLC, or until such earlier time as this instrument has been revoked, annulled, rescinded or set aside by an instrument of revocation filed with the Secretary of the Company, whichever first occurs.

IN WITNESS WHEREOF, the Company has caused this Power of Attorney to be executed on its behalf, and its seal to be hereunto affixed and attested in the County of Boyd, Commonwealth of Kentucky, as of the day and year first above written, by the undersigned, Larry Addington, duly authorized President of the Company.

ADDINGTON LAND CO., LLC

BY: Larry Addington, President

RECORDED BY: FOREMAN 01/001 11:31 AM
 EXCLUDED BY: FOREMAN 01/001 11:31 AM
 TOTAL FEES: \$12.00
 COUNTY CLERK: JANE SHELLEY
 DEPUTY CLERK: TERRY CARROLL
 BOOK 643 PAGES 04 - 04

Commonwealth of Kentucky
 County of Boyd

Subscribed and sworn to before me by Larry Addington, President of Addington Land Co., LLC this 21st day of March, 2000.

My commission expires 6/10/02

Crystal Johnson
 Crystal Johnson, Notary Public

DOCUMENT NO: 137815
 RECORDED ON: OCTOBER 02, 2001 09:49:52AM
 TOTAL FEES: \$12.00
 COUNTY CLERK: EDWARD L. DAVIS/DESA
 COUNTY CLERK: GREENUP COUNTY
 DEPUTY CLERK: JONN TURNETT
 BOOK 485 PAGES 482 - 482

STATE OF KENTUCKY, COUNTY OF GREENUP
 I, Crystal Johnson, Clerk of the County of Greenup, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of Greenup, Kentucky.
 My Commission Expires 6/10/02
 My Office is at 1000 1/2 N. Main St. Greenup, KY 40302
 My Term of Office is 2 Years
 My Commission was issued on 3/21/00
 My Commission expires on 6/10/02
 My Office is at 1000 1/2 N. Main St. Greenup, KY 40302
 My Term of Office is 2 Years
 My Commission was issued on 3/21/00
 My Commission expires on 6/10/02

GREENUP COUNTY
 D550 PG329

DESCRIPTION
LOTS #33, #35, & #37

A certain tract of land lying the west side of the Industrial Parkway, and on the south side of Sandsuck Road, being lots #33, #35, and #37 of Sand Gap Estates, in Greenup County, Kentucky, and being more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 5/8" rebar pin, twenty four (24") in length, with a orange plastic cap stamped "M. Back, P.L.S. #2178". All bearings stated herein are referred to the magnetic meridian as observed on a former survey.

BEGINNING at the intersection of the centerlines of Sand Suck Road and the Industrial Parkway; thence S 41°21'26" W a distance of 1185.68' to the TRUE POINT OF BEGINNING, which is an iron pin set in the south R/W line of a proposed street (25' from the centerline); thence with the R/W line with a curve turning to the right with an arc length of 141.97', with a radius of 173.51', with a chord bearing of S 68°34'12" W, with a chord length of 138.04'; thence S 89°37'45" W a distance of 168.36' to an iron pin set at the southerly R/W of a 40' easement roadway (see attached plat); thence leaving the proposed street down the hill with the 40' roadway S 37°02'41" W, passing an iron pin set at 153.37', and another iron pin set at 275.10', a total distance of 377.30' to an iron pin set former survey at the northwest corner of lot #31; thence leaving the 40' roadway and with lot #31 S 44°06'43" E a distance of 169.57' to an iron pin set in the r/w fence line; thence continuing S 44°06'43" E a distance of 3.09' to a point; thence leaving lot #31 and with the R/W line of the Industrial Parkway N 61°43'48" E a distance of 118.33' to an iron pin set; thence N 36°03'40" E a distance of 333.58' to an iron pin set; thence N 34°24'41" E a distance of 182.95' to the TRUE POINT OF BEGINNING, and CONTAINING 2.328 acres, more or less, according to a survey by Michael Back, P.L.S. #2178, with Turning Point Surveying, LLC on December 11, 2007, and hereafter known as lot #33, lot #35, and lot #37, of Sand Gap Estates, and being a portion of the same property conveyed to Addington Land Company, LLC by Addington Enterprises, LLC, deed dated November 25, 1997, which is of record in Deed Book 456, Page 208 in the records of Greenup County, Kentucky.

The above-described property is also subject to an easement (having a 50' R/W) for the purpose of egress and ingress through the lands of the Addington Land Company, of which the centerline is more particularly described as follows:

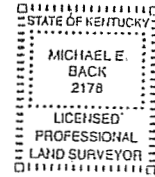
Beginning at the northwest corner of Lot #31; thence N 32°04'25" W a distance of 25.00' to the TRUE POINT OF BEGINNING; thence S 57°55'35" W a distance of 45.93'; thence S 39°28'32" W a distance of 219.44'; thence S 19°19'37" W a distance of 170.08'; thence S 19°02'04" W a distance of 55.64'; thence S 30°54'22" W a distance of 252.35'; thence S 29°08'26" W a distance of 198.64'; thence S 49°22'23" W a distance of 238.17'; thence S 41°30'47" W a distance of 69.44'; thence with a curve turning to the right with an arc length of 353.01', with a radius of 332.78', with a chord bearing of N 15°43'00" W, with a chord length of 336.69'; thence with a curve turning to the right

GREENUP COUNTY
1550 PG330

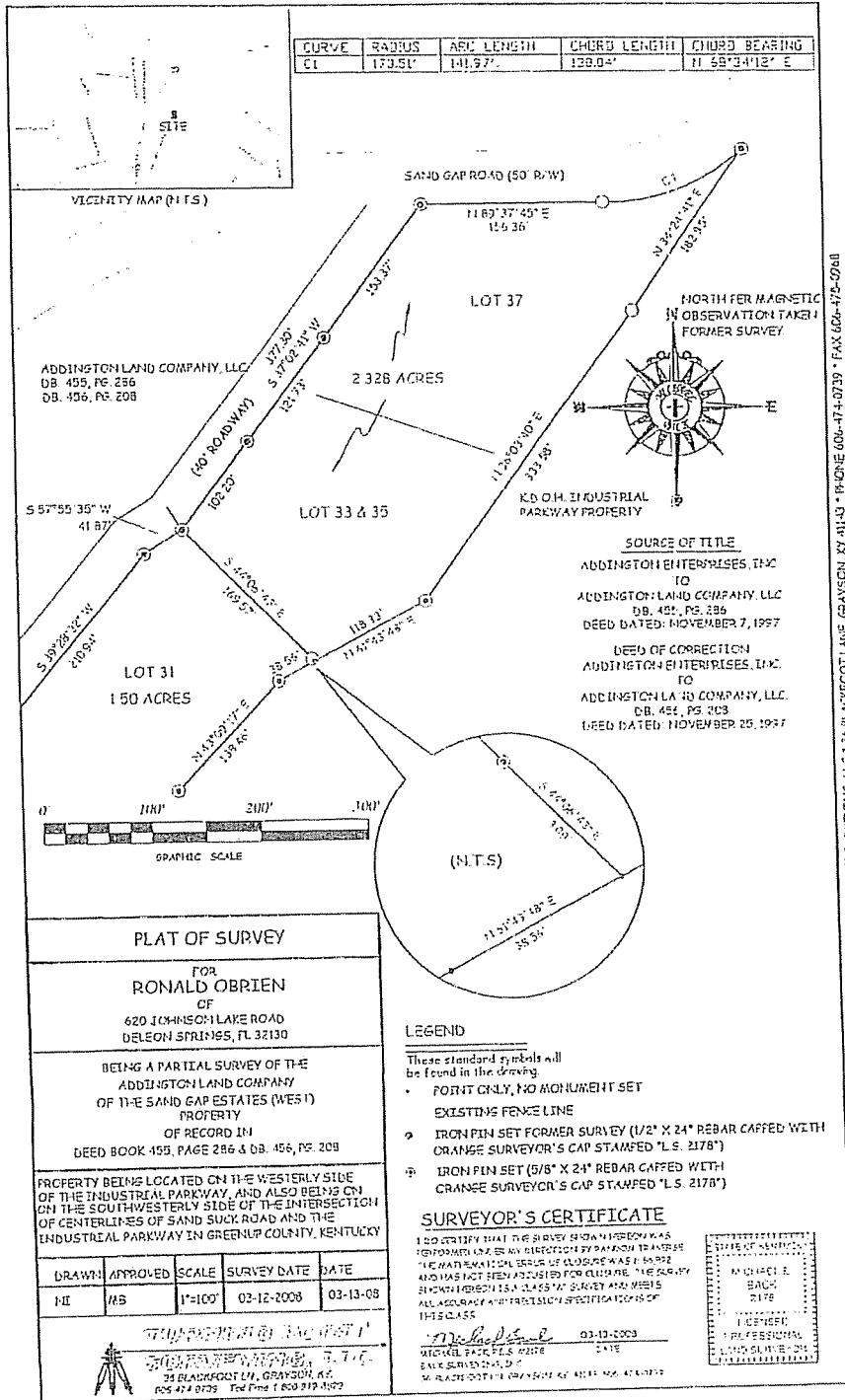
with an arc length of 424.99', with a radius of 942.98', with a chord bearing of N 17°24'47" E, with a chord length of 421.40'; thence with a curve turning to the right with an arc length of 494.27', with a radius of 1265.86', with a chord bearing of N 39°53'52" E, with a chord length of 491.13'; thence with a curve turning to the right with an arc length of 214.06', with a radius of 2032.74', with a chord bearing of N 57°26'50" E, with a chord length of 213.96'; thence with a curve turning to the right with an arc length of 322.86', with a radius of 824.62', with a chord bearing of N 68°41'18" E, with a chord length of 320.80'; thence N 89°37'50" E a distance of 258.92'; thence with a curve turning to the left with an arc length of 141.91', with a radius of 204.49', with a chord bearing of N 68°44'04" E, with a chord length of 139.08'; thence N 33°53'22" E a distance of 357.05'; thence N 16°12'46" E a distance of 143.25'; thence N 19°19'07" E a distance of 180.58'; thence with a curve turning to the right with an arc length of 217.88', with a radius of 369.06', with a chord bearing of N 38°45'11" E, with a chord length of 214.73'; thence N 56°09'27" E a distance of 123.91'; thence with a curve turning to the left with an arc length of 67.13', with a radius of 38.41', with a chord bearing of N 04°00'11" E, with a chord length of 58.91'; thence N 53°09'17" W a distance of 211.21'; thence with a curve turning to the right with an arc length of 181.75', with a radius of 99.40', with a chord bearing of N 02°25'27" E, with a chord length of 157.47'; thence N 46°07'33" E a distance of 57.42'; thence with a tie-line S 45°23'51" E a distance of 510.40' to the intersection of the centerlines of Sandsuck road and the Industrial Parkway.

There is also conveyed herein, a 40' wide easement for ingress, egress, and utilities, and shown on the attached plat.

Signed: Michael E. Back Date: 12/11/07



GREENUP COUNTY
D550 PG331



GREENUP COUNTY
 D550 PG332

DEED OF CONVEYANCE
(For Greenup County, Kentucky Property)

THIS DEED OF CONVEYANCE, made and entered into this ²⁴24 day of April, 2010, by and between ADDINGTON LAND COMPANY, LLC, a Kentucky Limited Liability Company, By and Through Its Power of Attorney, Doug Moore, (said Power of Attorney of record in Deed Book 489, Page 602, Greenup County Clerk's Records, Greenup County, Kentucky), of P.O. Box 5220, Ashland, Kentucky, 41105, Party of the First Part, hereinbelow referred to as "GRANTOR," and James W. Porter or Shirley A. Porter, whose mailing address is 414 SandGap Road, Argillite, Kentucky 41121, Party of the Second Part, hereinbelow referred to as "GRANTEE."

WITNESSETH:

That for and in consideration of the sum of Thirty Thousand Dollars (\$30,000), and other good and valuable consideration, paid by GRANTEE unto GRANTOR, the receipt and sufficiency all of which is hereby acknowledged, GRANTOR has bargained, sold and do hereby grant and convey unto GRANTEE, its successors and assigns, forever, all of GRANTOR'S rights, titles, estates, and interests, in and to the surface estate only of the following described tract or parcel of land being located in Greenup County, Kentucky, subject, however, to the exceptions and reservations hereinafter stated, said real property being more particularly bounded and described as follows; to wit:

Being a Lot numbered 13 of the SandGap Estates, Greenup County, Kentucky, which has a total area of 2.0 acres more or less. See attached plat and description including a right of way easement from Lot #13 to the Sandsuck public road.

Source of Title:

- Deed dated June 7, 1984, from Franklin Real Estate Company to ARMM Land Company, of record in Deed Book 342, Page 208, Greenup County Clerk's Records, Greenup, Kentucky.
- Deed dated November 7, 1997, from Addington Enterprises, Inc. to Addington Land Company, LLC, of record in Deed Book 455, Page 286, Greenup County Clerk's Records, Greenup, Kentucky.
- Deed of Correction dated November 25, 1997, from Addington Enterprises, Inc. to Addington Land Company, LLC, of record in Deed Book 456, Page 208, Greenup County Clerk's Records, Greenup, Kentucky.

GREENUP COUNTY
D559 PG764

Lot 13 James W. Porter
+
Shirley A.
559/764

Plat
Attached

DESCRIPTION
LOT #13

A certain tract of land on Industrial Parkway, at the intersection of Sand Gap and Industrial Parkway, being lot #13 of Sand Gap Estates, in Greenup County, Kentucky, and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 1/2" rebar pin, twenty four (24") in length, with a orange plastic cap stamped "M. Back, P.L.S #2178". All bearings stated herein are referred to the magnetic meridian as observed on the date of this survey.

BEGINNING at an iron pin set in the northerly R/W of a 50' roadway and being a corner to Lot #14 of Sand Gap Estates, being the James & Shirley Porter property (see DB 552, PG. 470),

Thence leaving the R/W and with the Porter boundary line and Lot #14 the following four (4) calls:

N 27°30'40" W a distance of 85.07' to an iron pin (set);
N 27°25'36" W a distance of 135.00' to an iron pin (set);
N 27°25'35" W a distance of 75.69' to an iron pin (set);
S 63°52'17" W a distance of 224.80' to an iron pin (set) in a small hollow,

Thence leaving lot #14 and down the small hollow N 27°25'36" W a distance of 159.54' to an iron pin (set);

Thence up the hill N 63°52'17" E a distance of 201.95' to an iron pin (set) on the end of a point;

Thence leaving the point and down the hillside S 55°43'25" E a distance of 131.05' to an iron pin (set);

Thence continuing S 55°43'25" E a distance of 122.87' to an iron pin (set);

Thence continuing S 55°43'25" E a distance of 119.74' to an iron pin (set);

Thence continuing S 55°43'25" E a distance of 96.15' to an iron pin (set), being a point in the westerly boundary line of lot #12 of Sand Gap Estates,

thence S 32°39'00" E a distance of 117.59' to an iron pin (set) in the northerly R/W of the aforementioned 50' wide roadway;

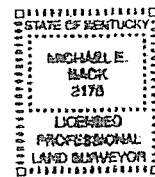
thence with the R/W S 89°37'50" W a distance of 98.19';

Thence with a curve turning to the left with an arc length of 126.80', with a radius of 788.72', with a chord bearing of S 76°24'11" W, with a chord length of 126.67' to the POINT OF BEGINNING and CONTAINING 2.00 Acres more or less, according to a survey by Michael Back, P.L.S. #2178, with Back Surveying, Inc. on April 2, 2010 and hereafter known as lot #13 of Sand Gap Estates, being a portion of the same property conveyed to Addington Land Company, L.L.C. by Addington Enterprises, L.L.C., deed dated November 25, 1997, which is of record in Deed Book 456, Page 208 in the records of Greenup County, Kentucky.

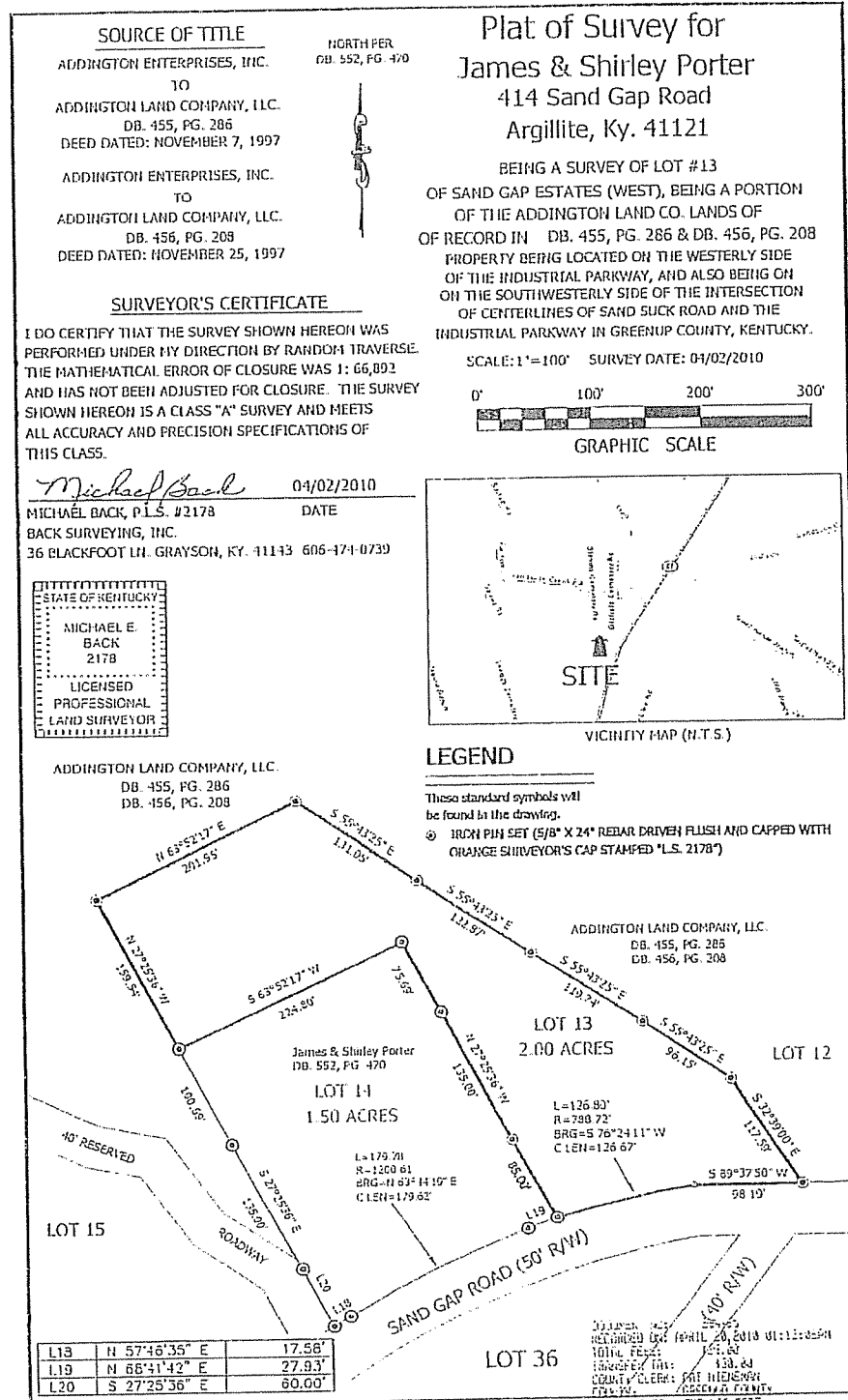
The above-described property is also subject to an easement (having a 50' R/W) for the purpose of egress and ingress through the lands of the Addington Land Company, of which the centerline is more particularly described as follows:

Beginning at the southeast corner of Lot #21; thence N 2°35'00" W a distance of 26.62' to the point in the center of Sand Gap Road, being the TRUE POINT of BEGINNING; thence with the center of Sand Gap Road and with a curve turning to the right with an arc length of 353.01', with a radius of 532.78', with a chord bearing of N 15°43'00" W, with a chord length of 336.69'; thence with a curve turning to the right with an arc length of 424.99', with a radius of 942.98', with a chord bearing of N 17°24'47" E, with a chord length of 421.40'; thence with a curve turning to the right with an arc length of 494.27', with a radius of 1265.86', with a chord bearing of N 39°53'52" E, with a chord length of 491.13'; thence with a curve turning to the right with an arc length of 214.06', with a radius of 2032.74', with a chord bearing of N 57°26'50" E, with a chord length of 213.96'; thence with a curve turning to the right with an arc length of 322.86', with a radius of 824.62', with a chord bearing of N 68°41'18" E, with a chord length of 320.80'; thence N 89°37'50" E a distance of 258.92'; thence with a curve turning to the left with an arc length of 141.91', with a radius of 204.49', with a chord bearing of N 68°44'04" E, with a chord length of 139.08'; thence N 33°53'22" E a distance of 357.05'; thence N 16°12'46" E a distance of 143.25'; thence N 19°19'07" E a distance of 180.58'; thence with a curve turning to the right with an arc length of 217.88', with a radius of 569.06', with a chord bearing of N 38°45'11" E, with a chord length of 214.73'; thence N 56°09'27" E a distance of 123.91'; thence with a curve turning to the left with an arc length of 67.13', with a radius of 38.41', with a chord bearing of N 04°00'11" E, with a chord length of 58.91'; thence N 53°09'17" W a distance of 211.21'; thence with a curve turning to the right with an arc length of 181.75', with a radius of 99.40', with a chord bearing of N 02°25'27" E, with a chord length of 157.47'; thence N 46°07'33" E a distance of 57.42'; thence with a tie-line S 45°23'51" E a distance of 510.40' to the intersection of the centerlines of Saudsuck road and the Industrial Parkway.

Signed: Michael E. Back Date: 04/02/2010



GREENUP COUNTY
D559 PG769



L13	N 57°46'35" E	17.56'
L19	N 66°41'42" E	27.93'
L20	S 27°25'36" E	60.00'

DATE: APRIL 20, 2010 01:11:05 PM
 COUNTY: GREENUP
 COUNTY CLERK: PAT HENDERSON
 DEPT. CLERK: SHARON ROGERS
 BOOK: 6555 PAGE: 764 - 773
 GREENUP COUNTY
 D559 PG770

Return to Preparer

DEED

THIS DEED OF CONVEYANCE made and entered into on this 9 day of April, 2009, by and between MARK TERRY AND NORMA TERRY, husband and wife, of 618 Wheatley Rd., Ashland, KY 4101, hereinafter known and referred to as GRANTORS, and JAMES PORTER AND SHIRLEY PORTER, husband and wife, of 414 Sand Gap Road, Argillite, KY 4121, hereinafter known and referred to as GRANTEES;

WITNESSETH:

For and in consideration of the sum of \$263,000.00, cash in hand paid by Grantees to Grantors, the receipt of all of which is hereby acknowledged, the Grantors have bargained, sold, aliened, and conveyed, and do by these presents bargain, sell, alien, and convey, unto the Grantees, for and during their joint lives, remainder in fee simple to the survivor of them, and unto his or her heirs and assigns forever, a certain tract of real estate more fully described as follows:

LEGAL DESCRIPTION AND SOURCE OF TITLE - SEE EXHIBIT 'A' & A1.

It is agreed and understood by and between the parties hereto that all ad valorem taxes due and payable upon the above described real estate for and during the current calendar year shall be prorated between the Grantors and Grantees as of the date of this Deed of Conveyance, and that all such taxes due and payable for and during all succeeding calendar years shall be paid by Grantees, and that possession of the subject real estate shall accompany delivery of this Deed of Conveyance.

TO HAVE AND TO HOLD, the above described tract of real estate, together with the improvements thereon and the appurtenances thereunto appertaining, aforementioned, unto the Grantees, for and during their joint lives, remainder in fee simple to the survivor of them, and unto his or her heirs and assigns forever, with Covenant of General Warranty of Title; SUBJECT, HOWEVER, to all easements, covenants and restrictions of record, or apparent from visual inspection.

IN THIS CONSIDERATION CERTIFICATE, the parties hereto do hereby certify, pursuant to KRS Section 382.135, that the above stated consideration in the sum of ~~\$160,000.00~~ ^{JNP 20} ~~\$263,000.00~~ is the true, correct, and full consideration paid for the property herein conveyed. We further certify our understanding that falsification of the stated consideration or sale price of the property is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.00.

THE IN-CARE-OF ADDRESS FOR ALL FUTURE TAX BILLS SHALL BE 414 Sand Gap Road, Argillite, KY 4121

GREENUP COUNTY
D552 PG470

Lot 14

*James + Shirley
Porter*

552/470

EXHIBIT A

A certain tract of land being on the westerly side of Sand Gap roadway, hereafter known as lot 14 of the Sand Gap Estates (West) approximately 0.30 miles southwest of the intersection of centerlines of Sandsuck Road and Industrial Parkway in Greenup County, Kentucky, and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a 1/2" rebar pin, twenty four (24") in length, with an orange plastic cap stamped "M. Back, P.L.S. #2176". All bearings stated herein are referred to the north meridian per monuments found along the northeasterly side of Deed Book 509, Page 644.

Lot 14

BEGINNING at an intersection of centerlines of Industrial Parkway and Sandsuck Road N. 87° 32' 10" W a distance of 152.15' to a point in the corner of existing fence line, being a corner to the parent tract, thence S 62° 29' 31" W a distance of 1441.64' to an iron pin (set), being a point to the Adlington Land Company (see Deed Book 455, Page 288 and Deed

EXHIBIT A

Book 458, Page 209 for reference), the true point of beginning; thence from the true point of beginning and with the boundary line of Addington Land Company S 63° 52' 17" W a distance of 224.80' to an iron pin (set), being a corner to Addington Land Company; thence following the Addington Land Company boundary line S 27° 25' 36" E a distance of 100.69' to an iron pin (set), following the same course S 27° 25' 36" E with the boundary of Addington Land Company a distance of 135.00' to an iron pin (set), being a point in the Addington Land Company boundary; thence following the Addington Land Company boundary line S 27° 25' 36" E a distance of 80.00' to an iron pin (set), an iron pin (found) bears S 34° 02' 32" W a distance of 1116.62 being a corner to Lot 20 of Sand Gap Estates (West) and a point in the Addington Land Company boundary (see attached plat); thence N 57° 45' 36" E a distance of 17.63' to an iron pin (set); thence with a curve to the right, an arc length of 179.78', a radius of 1200.51', a chord length of 179.62' and a chord bearing of N 63° 44' 19" E to an iron pin (set); thence N 69° 41' 42" E a distance of 27.93' to an iron pin (set), being a point in the Addington Land Company boundary; thence following the Addington Land Company boundary N 27° 25' 36" W a distance of 85.00' to an iron pin (set), following the same course with the boundary of Addington Land Company N 27° 25' 36" W a distance of 135.00' to an iron pin (set), being a point in the Addington Land Company boundary; thence with the same course N 27° 25' 36" W a distance of 75.69' to an iron pin (set), and a corner to the Addington Land Company boundary the TRUE POINT OF BEGINNING and CONTAINING 1.50 acres more or less, according to a survey by Michael Beck, P.L.S. #2176, with Beck Surveying, Inc. on October 19, 2004 and being a portion of the same property conveyed to Addington Land Company, LLC by Addington Enterprises, Inc. Deed dated November 7, 1997 which is of record in Deed Book 458, Page 209 and also conveyed to Addington Land Company, LLC by Addington Enterprises, Inc. deed dated November 25, 1997 in the record of Greenup County, Kentucky.

BEING THE SAME PROPERTY CONVEYED TO MARY TERRY AND KORNIA TERRY, HUSBAND AND WIFE, FROM ADDINGTON LAND CO., L.L.C., A KENTUCKY LIMITED LIABILITY COMPANY, BY AND THROUGH ITS POWER OF ATTORNEY, BOUG MOORE (SAID POWER OF ATTORNEY OF RECORD IN DEED BOOK 458, PAGE 601, GREENUP COUNTY CLERK'S RECORDS, GREENUP, KENTUCKY, BY DEED OF MORTGAGE DATED DECEMBER 10, 2004 OF RECORD IN DEED BOOK 517, PAGE 11 IN THE SPECIALTY COUNTY CLERK'S OFFICE

GREENUP COUNTY
D552 PG474

EXHIBIT A1

A 50' wide easement is hereby conveyed and beginning at the intersection of centerlines of Sand Suck Road and Sand Gap Road in Greenup County, Kentucky, and more particularly described as follows:

Beginning at an intersection of centerlines of Sand Suck Road and Sand Gap Road, being a point in the Addington Land Company boundary line (see DB. 455, PG. 286 & DB. 456, PG. 208 for references), the true point of beginning; thence leaving Sand Suck Road and with the centerline of Sand Gap Road S 46° 07' 33" W a distance of 57.42' to a point; thence with a curve to the left, a radius of 99.40', an arc length of 181.73', a chord length of 157.47' and a chord bearing of S 02° 25' 28" W to a point; thence S 53° 09' 16" E a distance of 211.21' to a point; thence with a curve to the right, a radius of 38.41', an arc length of 37.14', a chord length of 58.91' and a chord bearing of S 04° 00' 11" W to a point; thence S 55° 09' 28" W a distance of 123.91' to a point; thence with a curve to the left, a radius of 369.06', an arc length of 217.88', a chord length of 214.73' and a chord bearing of S 38° 45' 11" W to a point; thence S 19° 19' 07" W a distance of 180.58' to a point; thence S 15° 12' 47" W a distance of 143.25' to a point; thence S 33° 53' 22" W a distance of 357.05' to a point; thence with a curve to the right, a radius of 204.49', an arc length of 141.91', a chord length of 139.08' and a chord bearing of S 68° 44' 04" W to a point; thence S 89° 37' 50" W a distance of 258.92' to a point, from which an iron pin, being the southeast corner of lot 14 of Sand Gap Estates, bears S 87° 47' 04" W a distance of 123.51'; thence with a curve to the left, a radius of 824.62', an arc length of 322.86', a chord length of 320.80' and a chord bearing of S 68° 41' 16" W to a point; thence with a curve to the left, a radius of 1061.09', an arc length of 214.73', a chord length of 214.40' and a chord bearing of S 58° 46' 47" W to a point; thence with a curve to the left, a radius of 1791.09', an arc length of 236.03', chord length of 235.85' and a chord bearing of S 46° 49' 36" W to a point; thence with a curve to the left, a radius of 1081.09', an arc length of 261.28', a chord length of 260.64' and a chord bearing of S 33° 38' 25" W to a point; thence with a curve to the left, a radius of 893.33', an arc length of 427.86', a chord length of 423.81' and a chord bearing of S 17° 29' 13" W to a point; thence with a curve to the left, a radius of 340.74', an arc length of 489.20', a chord length of 448.26' and a chord bearing of S 27° 14' 30" E.

EXHIBIT A1

according to a survey by Michael Back, P.L.S. #2172, with Back Surveying, Inc. on October 21, 2004 and being a portion of the same property conveyed to Addington Land Company, LLC by Addington Enterprises, INC. deed dated November 7th, 1997 which is of record in deed book 455, page 286 and also conveyed to Addington Land Company, LLC by Addington Enterprises, INC. deed dated November 25th, 1997 in the records of Greenup County, Kentucky.

Being the easement conveyed to Mark D. Terry and Norma Terry, husband and wife, by Deed of Easement dated 12/10/04 and recorded in Deed Book D517, Page 015, Greenup County Clerk's Office

DOCUMENT #: 252859
RECORDED BY: APRIL 15, 2009 09:17:50AM
TOTAL FEES: 429.00
TRANSFER TAX: 125.00
COUNTY CLERK: PAT HUGHSON
COUNTY: GREENUP COUNTY
DEPUTY CLERK: ALVIN THOMPSON
BOOK 0552 PAGES 478 - 476

GREENUP COUNTY
D552 PG476

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE, made and entered into this 19 day of August, 2006,
by and between Addington Land Co., LLC, a Kentucky Limited Liability Company, By and Through Its
Power of Attorney, Doug Moore, (said Power of Attorney of record in Deed Book 489, Page 602,
Greenup County Clerk's Records, Greenup County, Kentucky), 1500 North Big Run Road, Ashland,
Kentucky, 41102, ("Grantor") and The Walter W. Holbrook and Randa G. Holbrook Revocable Trust,
1543 Florence Avenue, Ironton, Ohio 45638 ("Grantee").

WITNESSETH:

That for and in consideration of the sum of Twenty Seven Thousand Seven Hundred and Fifty
Dollars (\$27,750.00), and other good and valuable consideration, paid by Grantee to Grantor, the receipt
and sufficiency all of which is hereby acknowledged, Grantor has bargained, sold and does hereby grant
and convey unto Grantee, its successors and assigns, forever, all of Grantor's rights, titles and interests,
in and to the surface estate only of the following described tract or parcel of land being located in
Greenup County, Kentucky, subject, however, to the exceptions and reservations hereinafter stated, said
real property being more particularly bounded and described as follows; to wit:

Lying and being in Greenup County, Kentucky and being Lot Number 15 of Sand Gap Estates as
more fully shown on the attached description and plat.

Source of Title:

Deed dated November 7, 1997, from Addington Enterprises, Inc. to
Addington Land Company, LLC of record in Deed Book 455, Page 286,
Greenup County Court Clerk's Records.

See also, Deed of Correction dated November 25, 1997, of record in
Deed Book 456, Page 208, Greenup County Court Clerk's Records.

There is reserved and excepted therefrom, however, all of the mineral and mineral rights in and to
the above described property unto the Grantor, its successors and assigns, this exception and
reservation being understood to include oil, gas, coal and all other minerals on, in, and under the property
conveyed herein. Any surface disturbance by Grantor shall require the written consent of Grantee.

This conveyance is further subject to all covenants, restrictions, reservations, exceptions,
exclusions, easements and rights-of-way previously imposed and appearing of record.

*Handed to
Walter Holbrook
8-18-06 joint
Lot 15
S31/555*

GREENUP COUNTY
BOOK 0531 PAGE 555

*Walter W. Holbrook
Randa G. Holbrook +
Revocable Trust*

The full consideration for this conveyance is Twenty Seven Thousand Seven Hundred and Fifty Dollars (\$27,750.00).

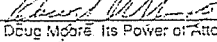
TO HAVE AND TO HOLD the above-described property together with all the improvements thereon and all of the appurtenances thereunto belonging unto Grantee, its successors and assigns forever with Covenant of Special Warranty.

We, the undersigned Grantor and Grantee, do hereby certify pursuant to KRS Chapter 382, that the above stated consideration in the amount of Twenty Seven Thousand Seven Hundred and Fifty Dollars (\$27,750.00) is the true, correct and full consideration paid for the property herein conveyed.

IN TESTIMONY WHEREOF, Grantor and Grantees have hereunto subscribed these presents this the date first above written.

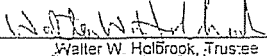

GRANTOR:

ADDINGTON LAND CO., LLC

By: 
Doug Moore, Its Power of Attorney

GRANTEE:

THE WALTER AND RANDA G. HOLBROOK
REVOCABLE TRUST

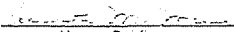

Waller W. Holbrook, Trustee

Randa G. Holbrook, Trustee

STATE OF KENTUCKY

COUNTY OF BOYD Boyd

The foregoing instrument was acknowledged, subscribed and sworn to before me this 15 day of October, 2008, by Doug Moore as Power of Attorney for Addington Land Co., LLC, a Kentucky Limited Liability Corporation, for and on behalf of said entity to be its free act and deed.

My Commission expires: Oct 15 2011


Notary Public

STATE OF Ky
COUNTY OF Greenup

The foregoing instrument was subscribed, sworn to and acknowledged before me by Walter W
Holbrook and Randa G. Holbrook, Trustees of The Walter W. Holbrook and Randa G. Holbrook
Revocable Trust to be their free act and deed this the 27 day of December, 2006.

My Commission expires: 2012 Dec 31

[Signature]
Notary Public

THIS INSTRUMENT WAS PREPARED BY:

[Signature]
Ronnie G. Dunnigan
3100 Maria Drive
Lexington, Kentucky 40515
Telephone (859) 293-2786

RGD 1024LC-075105-05-05

my
set
500 cash
cash 4111

BOOK 0066 PAGE 489 BOOK D648 PAGE 084
POWER OF ATTORNEY

ADDINGTON LAND CO., LLC RECEIVED

TO 2007 NOV 13 P 3 18

DOUG MOORE

DATED: 3/21/00

EXPIRES: INDEFINITE

RECEIVED
CLERK OF COURSE
BY: [Signature]

KNOW ALL MEN BY THESE PRESENTS: That Addington Land Co., LLC, a limited liability company organized and existing under the laws of the Commonwealth of Kentucky (the "Company"), acting by and through Larry Addington, its duly authorized President, has and does hereby appoint Doug Moore its true and lawful Attorney-in-Fact with power and authority for, on behalf of, and in the name of the Company during the period hereinafter specified, and subject to the restrictions and limitations set forth in this Power to execute and deliver in the ordinary and regular course of the Company's business, deeds, leases, easements, renewals thereof, or amendments or supplements thereto, certificates or other instruments directly related to such deeds, leases, easements, renewals, amendments or supplements required to be filed with any local, state or federal government agency directly related to the Company's coal mining operations, road building, or land business functions.

The Attorney herein appointed shall be authorized to act hereunder from the date hereof only so long as such Attorney shall remain an employee of Addington Land Co., LLC, or until such earlier time as this instrument has been revoked, annulled, rescinded or set aside by an instrument of revocation filed with the Secretary of the Company, whichever first occurs.

IN WITNESS WHEREOF, the Company has caused this Power of Attorney to be executed on its behalf, and its seal to be hereunto affixed and attested in the County of Boyd, Commonwealth of Kentucky, as of the day and year first above written, by the undersigned, Larry Addington, duly authorized President of the Company.

ADDINGTON LAND CO., LLC

BY: [Signature]
Larry Addington, President

Commonwealth of Kentucky
County of Boyd

Subscribed and sworn to before me by Larry Addington, President of Addington Land Co., LLC this 21st day of March, 2000.

My commission expires 6/10/02.

[Signature]
Crystal Johnson, Notary Public

DOCUMENT NO: 137615
RECORDED ON: OCTOBER 02, 2001 09:19:58AM
TOTAL FEES: \$12.00
COUNTY CLERK: RONALD L. DAVIDSON
COUNTY: BOYD COUNTY
DEPUTY CLERK: JOAN BURNETT
BOOK 489 PAGES 692 - 692

STATE OF KENTUCKY COUNTY OF BOYD State of Large
I, Crystal Johnson, Clerk of the County and Notary Public, do hereby certify that the foregoing was on the 15th day of NOV 2001
I signed for record. Whereupon the same with the proper entries
certificates have been duly recorded in my office in the BOYD COUNTY
CLERK'S OFFICE on the 15th day of NOV 2001
BOOK 489: PAGE 692

307070
RECORDED ON: NOVEMBER 01, 2001 11:38:40AM
TOTAL FEES: \$12.00
COUNTY CLERK: RONALD L. DAVIDSON
DEPUTY CLERK: TERESA CARROLL
PAGES 01 - 01
BOOK 0648

DESCRIPTION

A certain tract of land on Industrial Parkway, at the intersection of Sand Gap and Industrial Parkway, being lot #15 of Sand Gap Estates, in Greenup County, Kentucky, and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 1/2" rebar pin, twenty four (24") in length, with a orange plastic cap stamped "M. Back, P L S #2178". All bearings stated herein are referred to the magnetic meridian as observed on the date of this survey.

BEGINNING at an iron pin set in the northerly R/W of a 50' roadway and the westerly R/W of a reserved 40' (unimproved) roadway, being the southeasterly corner of lot #15 (described herein) and being S 58°04'02" W a distance of 40.12' from the southwesterly corner of lot #14 (see attached plat for reference); thence with the R/W and with a curve turning to the left with an arc length of 250.42', with a radius of 1101.09', with a chord bearing of S 54°55'38" W, with a chord length of 249.88' to an iron pin set; thence leaving the R/W N 41°54'57" W a distance of 95.34' to an iron pin set; thence N 41°54'57" W a distance of 288.07' to an iron pin set, thence N 59°11'43" E a distance of 72.80' to an iron pin set; thence N 59°11'43" E a distance of 114.32' to an iron pin set in the R/W of the aforementioned unimproved 40' roadway; thence with the roadway S 54°04'23" E a distance of 53.57' to an iron pin set; thence S 65°10'02" E a distance of 75.84' to an iron pin set; thence S 78°49'47" E a distance of 50.34' to an iron pin set; thence S 35°42'18" E a distance of 81.60' to an iron pin set; thence S 55°35'28" E a distance of 74.69' to an iron pin set; thence S 27°25'36" E a distance of 63.15' to the **POINT OF BEGINNING** and **CONTAINING** 2.000 Acres more or less, according to a survey by Michael Back, P.L.S. #2178, with Turning Point Surveying, LLC on May 3, 2006 and hereafter known as lot #15 of Sand Gap Estates, being a portion of the same property conveyed to Addington Land Company, LLC by Addington Enterprises, LLC, deed dated November 25, 1997, which is of record in Deed Book 456, Page 208 in the records of Greenup County, Kentucky.

Signed: *Michael Back* Date: 05/08/2006



0000 00 0000 000 000
0000 00 0000 000 000

DEED OF EASEMENT

This Deed of Easement made and entered into this 12th day of August, 2006 by and between Addington Land Company, LLC, a Kentucky limited liability corporation. By and Through Its Power of Attorney, Doug Moore, (said Power of Attorney of record in Deed Book: 489 Page 502. Greenup County Clerk's Records. Greenup County, Kentucky), 1500 North Big Run Road, Ashland, Kentucky 41102 ("Grantor") and The Walter W. Holbrook and Randa G. Holbrook Revocable Trust 1543 Florence Avenue, Ironton, Ohio 45538 ("Grantee").

WITNESSETH:

That for and in consideration of One Dollar (\$1.00) cash in hand, and other good and valuable consideration, all of which is hereby acknowledged, the Grantor grants, bargains, sells and conveys to Grantee an Easement more particularly described on Exhibit A attached hereto.

The grant of this Easement is for the purpose of ingress and egress to the property of Grantee on, over and across the property of Grantor.

This Easement shall be for the benefit of Grantee and Grantor and appurtenant to the land of the Grantee.

This Easement area must be kept clear of any type of building, fence or other obstructions unless prior written approval is obtained from Grantor.

Grantee shall be responsible for the cost of repairs to any Easement roadway attributable to the use of the Easement.

This Deed of Easement shall inure to the Grantor and Grantee and their successors and assigns.

TO HAVE AND TO HOLD the above-described Easement together with all rights, appurtenances and privileges thereunto belonging or otherwise appertaining unto the Grantee.

IN WITNESS WHEREOF, the Grantor and Grantee have hereunto subscribed their names on the day and year first above written.

CONSIDERATION CERTIFICATE

We, the undersigned, hereby certify that the consideration reflected in this Deed of Easement is full consideration for the rights granted herein.

*Witnessed by
Walter W. Holbrook
8-16-06 pm*

GREENUP COUNTY,
BOOK 0531 PAGE 111.

GRANTOR: ADDINGTON LAND COMPANY, LLC
By: [Signature]
Doug Moore
Power of Attorney

GRANTEE: THE WALTER W. HOLBROOK AND RANDA G. HOLBROOK REVOCABLE TRUST
[Signature]
Walter W. Holbrook
[Signature]
Randa G. Holbrook

STATE OF KENTUCKY
COUNTY OF [Signature]

BEFORE ME, a notary public, for said county and state, personally appeared Doug Moore, known to me to be the Power of Attorney for Addington Land Company, LLC, the corporation which executed the foregoing instrument, signed the same, and acknowledged to me that he did so sign said instrument in the name and on behalf of said corporation as such officer; that the same is his free act and deed as such officer; and the free and corporate act and deed of said corporation

In testimony whereof, I have hereunto subscribed my name this 18 day of December, 2008.
My commission expires: Dec 15, 2011
[Signature]
Notary Public

STATE OF [Signature]
COUNTY OF [Signature]

The foregoing instrument was subscribed, sworn to and acknowledged before me by Walter W Holbrook and Randa G. Holbrook, Trustees of The Walter W. Holbrook and Randa G. Holbrook Revocable Trust, to be their free act and deed, this the 18 day of December, 2008.

My commission expires: Dec 15, 2011
[Signature]
Notary Public

THIS INSTRUMENT PREPARED BY:
[Signature]
Ronnie G. Dunnigan
3100 Maria Drive
Lexington, Kentucky 40516
Telephone (859) 253-2786

RGD:00000000000000000000000000000000

GREENUP COUNTY
BOOK 0031 PAGE 001

DESCRIPTION

A 50' wide easement is hereby conveyed and beginning at the intersection of centerlines of Sand Suck Road and Sand Gap Road in Greenup County, Kentucky, and more particularly described as follows:

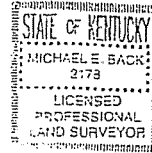
Beginning at an intersection of centerlines of Sand Suck Road and Sand Gap Road, being a point in the Addington Land Company boundary line (see DB. 455, PG. 286 & DB. 456, PG. 208 for references), the true point of beginning; thence leaving Sand Suck Road and with the centerline of Sand Gap Road S 46° 07' 33" W a distance of 57.42' to a point; thence with a curve to the left, a radius of 99.40', an arc length of 161.75', a chord length of 157.47' and a chord bearing of S 02° 25' 28" W to a point; thence S 53° 09' 16" E a distance of 211.21' to a point; thence with a curve to the right, a radius of 38.41', an arc length of 37.14', a chord length of 58.91' and a chord bearing of S 04° 00' 11" W to a point; thence S 56° 09' 28" W a distance of 123.91' to a point; thence with a curve to the left, a radius of 369.06', an arc length of 217.88', a chord length of 214.73' and a chord bearing of S 38° 45' 11" W to a point; thence S 19° 19' 07" W a distance of 180.58' to a point; thence S 16° 12' 47" W a distance of 143.25' to a point; thence S 33° 53' 22" W a distance of 357.05' to a point; thence with a curve to the right, a radius of 204.49', an arc length of 141.91', a chord length of 139.08' and a chord bearing of S 68° 44' 04" W to a point; thence S 89° 37' 50" W a distance of 258.92' to a point, from which an iron pin, being the southeast corner of lot 14 of Sand Gap Estates, bears S 87° 47' 04" W a distance of 123.51'; thence with a curve to the left, a radius of 824.62', an arc length of 322.86', a chord length of 320.80' and a chord bearing of S 68° 41' 18" W to a point; thence with a curve to the left, a radius of 1081.09', an arc length of 214.75', a chord length of 214.40' and a chord bearing of S 58° 46' 47" W to a point; thence with a curve to the left, a radius of 1791.09', an arc length of 236.03', chord length of 235.85' and a chord bearing of S 46° 49' 36" W to a point; thence with a curve to the left, a radius of 1081.09', an arc length of 261.28', a chord length of 260.64' and a chord bearing of S 33° 38' 26" W to a point; thence with a curve to the left, a radius of 893.33', an arc length of 427.88', a chord length of 423.81' and a chord bearing of S 17° 29' 13" W to a point; thence with a curve to the left, a radius of 340.74', an arc length of 489.20', a chord length of 448.26' and a chord bearing of S 27° 14' 30" E,

GREENUP COUNTY:
BOOK 953, PAGE 111

according to a survey by Michael Back, P.L.S. #2178, with Back Surveying, Inc. on October 21, 2004 and being a portion of the same property conveyed to Addington Land Company, LCC by Addington Enterprises, INC. deed dated November 7th, 1997 which is of record in deed book 455, page 286 and also conveyed to Addington Land Company, LCC by Addington Enterprises, INC. deed dated November 25th, 1997 in the records of Greenup County, Kentucky.

Signed: *Michael Back*

Dated: November 3, 2004



COLLECTED BY: JEFF
RECORDED ON AUGUST 15, 2006 10:21:38
FILED: JEFF
COUNTY CLERK: JEFF
COUNTY: GREENUP COUNTY
DEPUTY CLERK: JEFF THOMPSON
BOOK 455 PAGE 551

GREENUP COUNTY
BOOK 455 PAGE 551

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE, made and entered into this ____ day of _____, 2010, by and between Addington Land Company, LLC, a Kentucky limited liability company, By and Through its Power of Attorney, Doug Moore, (said Power of Attorney of record in Deed Book 489, Page 602, Greenup County Clerk's Records, Greenup, Kentucky), P.O. Box 5220, Ashland, Kentucky, 41105, ("Grantor"), and The Irrevocable Trust of Ronald M. O'Brien and Christine M. O'Brien, with a mailing address of 620 Johnson Lake Road, DeLeon Springs Florida 32130, ("Grantee").

WITNESSETH:

That for and in consideration of the sum of Twenty Thousand Dollars (\$20,000), cash in hand paid and other good and valuable consideration, paid by Grantee unto Grantor, the receipt and sufficiency all of which is hereby acknowledged, Grantor has bargained, sold and does hereby grant and convey unto Grantee, its successors and assigns, forever, all of Grantor's rights, titles, estates and interests, in and to the surface estate only of the following described tracts or parcels of land being located in SandGap Estates, Greenup County, Kentucky, subject, however, to the exceptions and reservations hereinafter stated, said real property being more particularly bounded and described as follows; to wit:

Being Lot numbered 18 in the SandGap Estates, Greenup County, Kentucky, which has a total of 1.50 acres more or less.
See attached Lot descriptions and Plat.

Source of Title:

Deed dated November 7, 1997 from Addington Enterprises, Inc. to Addington Land Company LLC, of record in Deed Book 455, Page 285, Greenup County Clerk's Records, Greenup, Kentucky.

Deed of Correction dated November 25, 1997 from Addington Enterprises, Inc. to Addington Land Company LLC, of record in Deed Book 456, Page 208, Greenup County Clerk's Records, Greenup, Kentucky.

Pursuant to KRS 382.135, the in-care-of address to which the property tax bill for the current year will be sent to Grantee is 620 Johnson Lake Road, DeLeon Springs, Florida 32130.

There is reserved and excepted therefrom, however, all of the mineral and mineral rights in and to the above described property unto the Grantor, its successors and assigns, this exception and

GREENUP COUNTY
D563 PG533

Lot 18

Ronald M. + Christine M.
O'Brien

563/533

reservation being understood to include oil, gas, coal and all other minerals on, in and under the property conveyed herein.

The property conveyed herein is subject to all restrictions and reservations of SandGap Estates which are attached hereto.

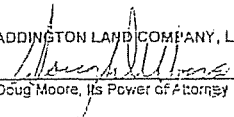
This conveyance is further subject to all covenants, restrictions, reservations, exceptions, exclusions, easements and rights-of-way previously imposed and appearing of record.

TO HAVE AND TO HOLD the above-described real estate, together with all the improvements thereon and all of the appurtenances thereunto belonging unto the Grantee, its successors and assigns forever, with Covenants of Special Warranty.

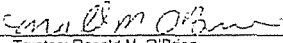
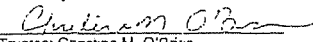
We, the undersigned Grantor and Grantee, do hereby certify pursuant to KRS Chapter 382, that the above stated consideration in the amount of Twenty Thousand Dollars (\$20,000) is the true, correct and full consideration paid for the property herein conveyed.

IN TESTIMONY WHEREOF, Grantor and Grantee have hereunto subscribed these presents, this the date first above written.

GRANTOR:

ADDINGTON LAND COMPANY, LLC
By: 
Doug Moore, Its Power of Attorney

GRANTEE:

THE IRREVOCABLE TRUST OF
RONALD M. O'BRIEN AND
CHRISTINE M. O'BRIEN
By: 
Trustee: Ronald M. O'Brien
By: 
Trustee: Christine M. O'Brien

STATE OF Kentucky
COUNTY OF Greenup

The foregoing instrument was acknowledged, subscribed and sworn to before me this 5th day of October, 2010, by Doug Moore, as Power of Attorney for Addington Land Company, LLC, a Kentucky limited liability company, for and on behalf of said entity, to be its free act and deed.

My Commission expires: 10-6-2014

Amy Selwage
Notary Public

STATE OF Kentucky
COUNTY OF Greenup

The foregoing instrument was subscribed, sworn to and acknowledged before me by Ronald M. O'Brien and Christine M. O'Brien, Trustees of The Irrevocable Trust of Ronald M. O'Brien and Christine M. O'Brien, to be their free act and deed, this the 5th day of October, 2010.

My Commission expires: 10-6-2014

Amy Selwage
Notary Public

THIS INSTRUMENT PREPARED BY:

Doug D. Moore
Doug D. Moore
Professional Engineer
Professional Licensed Surveyor
1112 Cherokee Drive
Grayson, Kentucky 41143
Telephone (606) 923-3649

DESCRIPTION
LOT #18 OF SAND GAP ESTATES

A certain tract of land lying the west side of the Industrial Parkway, and on the south side of Sandsuck Road, being lot #18 of Sand Gap Estates, in Greenup County, Kentucky, and being more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 5/8" rebar pin, twenty four (24") in length, with an orange plastic cap stamped "M. Back, P.L.S. #2178". All bearings stated herein are referred to the magnetic meridian as observed on a former survey and dated September 9, 2008

BEGINNING at the intersection of the centerlines of Sand Suck Road and the Industrial Parkway, thence S 54°46'49" W a distance of 2302.05' to the TRUE POINT OF BEGINNING, which is an iron pin set in the northerly R/W line of Sand Gap Road (being a reserved 50' wide roadway), and being the southeasterly corner to a reserved 40' wide roadway (see attached plat for reference);

thence leaving the 40' wide roadway and with the northerly right-of-way (R/W) of Sand Gap Road and along a curve turning to the left with an arc length of 200.14', with a radius of 1439.09', with a chord bearing of S 31°38'50" W, with a chord length of 199.97' to an iron pin (set), being the corner to lot #19;

thence leaving Sand Gap Road and with the line of lot #19 N 58°21'08" W a distance of 47.01' to an iron pin (set);

thence N 58°21'09" W a distance of 105.56' to an iron pin (set);

thence N 58°21'09" W a distance of 77.43' to an iron pin (set);

thence N 58°21'09" W a distance of 129.19' to an iron pin (set);

thence up the hill N 15°24'00" E a distance of 185.09' to an iron pin (set) at the southwesterly R/W of the aforementioned 40' wide roadway,

thence along the southerly R/W of the 40' wide roadway the following five (5) calls:

1. S 35°07'10" E a distance of 160.69' to an iron pin (set);
2. N 78°47'07" E a distance of 81.67' to an iron pin (set);
3. S 84°03'37" E a distance of 48.59' to an iron pin (set);
4. S 74°32'10" E a distance of 69.32' to an iron pin (set);
5. S 52°03'01" E a distance of 93.67' to the TRUE POINT OF BEGINNING

and CONTAINING 1.500 Acres more or less, according to a survey by Michael Back, P.L.S. #2178, with Turning Point Surveying, LLC on July 19, 2010, and hereafter known as lot #18 of Sand Gap Estates, and being a portion of the same property conveyed to Addington Land Company, LLC by Addington Enterprises, LLC, deed dated November 25, 1997, which is of record in Deed Book 456, Page 208 in the records of Greenup County, Kentucky.

The above-described property is also subject to an easement (having a 50' R/W) for the purpose of egress and ingress through the lands of the Addington Land Company, of which the centerline is more particularly described as follows:

Beginning at the southeast corner of Lot #21; thence S 83°54'39" E a distance of 28.88' to a point in the centerline of the existing roadway, being the TRUE POINT of BEGINNING;

Thence with the center of the existing 50' wide roadway N 45°13'37" W a distance of 64.61';

Thence with a curve turning to the right with an arc length of 355.01, with a radius of 332.78', with a chord bearing of N 15°43'00" W, with a chord length of 336.69';

Thence with a curve turning to the right with an arc length of 424.99', with a radius of 942.98', with a chord bearing of N 17°24'47" E, with a chord length of 424.40';

Thence with a curve turning to the right with an arc length of 214.06', with a radius of, with a radius of 2032.74', with a chord bearing of N 57°26'50" E, with a chord length of 213.96';

thence with a curve turning to the right with an arc length of 322.86', with a radius of 824.62', with a chord bearing of N 68°41'18" E, with a chord length of 320.80';

thence N 89°37'50" E a distance of 258.92';

thence with a curve turning to the left with an arc length of 141.91', with a radius of 204.49', with a chord bearing of N 68°44'04" E, with a chord length of 159.08';

thence N 33°53'22" E a distance of 357.05';

thence N 16°12'46" E a distance of 143.25';

thence N 19°19'07" E a distance of 180.58';

thence with a curve turning to the right with an arc length of 217.88', with a radius of 369.06', with a chord bearing of N 38°45'11" E, with a chord length of 214.73';

thence N 56°09'27" E a distance of 123.91';

thence with a curve turning to the left with an arc length of 67.13', with a radius of 38.41', with a chord bearing of N 04°00'11" E, with a chord length of 58.91';

thence N 53°09'17" W a distance of 211.21';

thence with a curve turning to the right with an arc length of 181.75', with a radius of 99.40', with a chord bearing of N 02°25'27" E, with a chord length of 157.47';
thence N 46°07'53" E a distance of 57.42';

thence with a tie-line S 45°23'51" E a distance of 510.40' to the intersection of the centerlines of Sandsuck road and the Industrial Parkway.

Signed: Michael E. Back Date: 07/19/10

STATE OF KENTUCKY
MICHAEL E.
BACK
2178
LICENSED
PROFESSIONAL
LAND SURVEYOR

GREENUP COUNTY
D563 PG538

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE, made and entered into this 7th day of September, 2007, by and between Addington Land Co., LLC, a Kentucky limited liability company, By and Through Its Power of Attorney, Doug Moore, (said Power of Attorney of record in Deed Book 489, Page 602, Greenup County Clerk's Records, Greenup, Kentucky), of 1500 North Big Run Road, Ashland, Kentucky, 41102, "Grantor," and William W. Martin and Tamala Lea Martin, husband and wife, whose mailing address is 45 Sandstone Road, Argillite, Kentucky 41121 "Grantees."

WITNESSETH:

That for and in consideration of the sum of Three Thousand Five Hundred and Fifty Dollars (\$3,550.00), and other good and valuable consideration, paid by Grantees unto Grantor, the receipt and sufficiency which is hereby acknowledged, Grantor has bargained, sold and does hereby grant, bargain, sell and convey unto Grantees, jointly with the remainder in fee to the survivor of either of them, their heirs and assigns, forever, all of Grantor's right, title and interest, in and to the surface estate only of the following described tract or parcel of land being located in Greenup County, Kentucky, subject, however, to the exceptions and reservations hereinafter stated, said real property being Lot number 20A in the SandGap Estates, Greenup County, Kentucky, which has a total of Seventy One Hundreds (71/100) acre more or less and more particularly described on the attached description and plat.

Source of Title:

Deed dated November 7, 1997, from Addington Enterprises, Inc. to Addington Land Company, LLC of record in Deed Book 455, Page 265, Greenup County Court Clerk's Records.

See also, Deed of Correction dated November 25, 1997, of record in Deed Book 455, Page 208, Greenup County Court Clerk's Records.

There is reserved and excepted therefrom, however, all of the mineral and mineral rights in and to the above described property unto the Grantor, its successors and assigns, this exception and reservation being understood to include oil, gas, coal and all other minerals on, in, and under the property conveyed herein.

GREENUP COUNTY
D564 PG74

Lot 20A

William W. Martin
Tamala Lea Martin

564/74


This conveyance is further subject to all covenants, restrictions, reservations, exceptions, exclusions, easements and rights-of-way previously imposed and appearing of record. The property conveyed herein is subject to all restrictions and reservations of SandGap Estates, which are attached hereto.

TO HAVE AND TO HOLD the above-described real estate, together with all the improvements thereon and all of the appurtenances thereunto belonging unto the Grantees jointly with survivorship, their heirs and assigns forever, with Covenant of General Warranty.

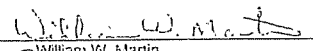
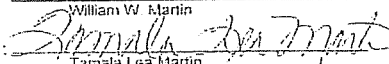
We, the undersigned Grantor and Grantees, hereby certify pursuant to KRS Chapter 382, that the above stated consideration in the amount of Three Thousand Five Hundred and Fifty Dollars (\$3,550.00) is the true, correct and full consideration paid for the property herein conveyed.

IN TESTIMONY WHEREOF, Grantor and Grantees have hereunto subscribed these presents, this the date first above written.

GRANTOR:

ADDINGTON LAND CO., LLC
By: 
Doug Moore, His Power of Attorney

GRANTEES:


William W. Martin

Tamala Lea Martin

STATE OF KENTUCKY

COUNTY OF Baylor

The foregoing instrument was acknowledged, subscribed and sworn to before me this 7th day of September, 2007, by Doug D. Moers, as Power of Attorney for Addington Land Co., LLC, a Kentucky limited liability company, for and on behalf of said entity, to be its free act and deed.

My Commission expires: September 15, 2011

Christina S. Dore
Notary Public

STATE OF KENTUCKY


COUNTY OF Floyd

The foregoing instrument was subscribed, sworn to and acknowledged before me by William W Martin and Tamale Lea Martin, husband and wife, to be their free act and deed, this the 7th day of September, 2007.

My Commission expires: September 15, 2011

Christina S. Dore
Notary Public

THIS INSTRUMENT WAS PREPARED BY:



Doug D. Moore, P.E./L.S.
Power of Attorney
Addington Land Company LLC, Manager
P.O. Box 5220
Ashland, Kentucky 41105
606-923-3649

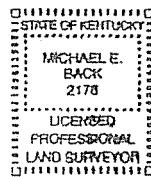
DESCRIPTION

A certain tract of land on Industrial Parkway, at the intersection of Sand Gap and Industrial Parkway, being lot #20A of Sand Gap Estates, in Greenup County, Kentucky, and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 1/2" rebar pin, twenty four (24") in length, with a orange plastic cap stamped "M. Back, P.L.S #2178". All bearings stated herein are referred to the magnetic meridian as observed on the date of this survey.

BEGINNING at an intersection of centerlines of Sand Suck Road and the Industrial Parkway S 46° 19' 9.5" W a distance of 3222.41' to an iron pin (set), being the southwest corner to lot 20 of the Sand Gap Estates and also being a point in the northerly boundary line of lot 21 of the Sand Gap Estates, the true point of beginning; thence leaving lot 20 and with the boundary line of lot 21 S 69°18'15" W a distance of 63.11' to an iron pin (set), being a corner to lot #21A of the Sand Gap Estates; thence S 69°18'18" W a distance of 66.89' to an iron pin (set), being a point in the Addington Land Company (see DB. 455, Pg. 286 for reference); thence leaving lot 21A and with the Addington Land company boundary line N 07°31'33" W a distance of 403.31' to an iron pin (set); thence S 53°23'06" E a distance of 60.00' to an iron pin (set), being another point in the boundary line of lot #20; thence leaving the Addington Land property and with the boundary line of lot #20 S 21°39'04" E a distance of 342.25' to the POINT OF BEGINNING and CONTAINING 0.71 Acres more or less, according to a survey by Michael Back, P.L.S. #2178, with Turning Point Surveying, LLC on May 3, 2006 and hereafter known as lot #20A of Sand Gap Estates, being a portion of the same property conveyed to Addington Land Company, LLC by Addington Enterprises, LLC, deed dated November 25, 1997, which is of record in Deed Book 456, Page 208 in the records of Greenup County, Kentucky

Signed: Michael Back Date: 06/05/2007



GREENUP COUNTY
D564 PG78

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE, made and entered into this 19th day of March, 2004, by and between ADDINGTON LAND CO., LLC, a Kentucky Limited Liability Company, By and Through Its Power of Attorney, Doug Moore, (said Power of Attorney of record in Deed Book 489, Page 602, Greenup County Clerk's Records, Greenup County, Kentucky), of 2000 Ashland Drive, Ashland, Kentucky, 41101, Party of the First Part, hereinbelow referred to as "GRANTOR," and Wesley Breeding or Loretta Sue Breeding, his wife, whose mailing address is Route #3 Box 432 K, South Shore, Kentucky 41175 Party of the Second Part, hereinbelow referred to as "GRANTEE."

WITNESSETH:

That for and in consideration of the sum of Twenty Six Thousand Six Hundred and Forty Dollars (\$26,640), and other good and valuable consideration, paid by GRANTEE unto GRANTOR, the receipt and sufficiency all of which is hereby acknowledged, GRANTOR has bargained, sold and do hereby grant and convey unto GRANTEE, its successors and assigns, forever, all of GRANTOR'S rights, titles, estates, and interests, in and to the surface estate only of the following described tract or parcel of land being located in Greenup County, Kentucky, subject, however, to the exceptions and reservations hereinafter stated, said real property being more particularly bounded and described as follows; to wit: See attached description of survey and plat dated March 3, 2004 by Michael Back, Licensed Professional Land Surveyor #2178 and containing 1.48 acres more or less along with a Fifty (50) foot roadway easement as dated March 11, 2004. Being lot # 21 in the Sand Gap Estates West Subdivision.

Handed to -
Wesley Breeding
3-19-04
JA

Wesley or
Loretta Sue Breeding
509/632

Source of Title:

Deed dated November 7, 1997, from Addington Enterprises, Inc. to Addington Land Company, LLC, of record in Deed Book 455, Page 286, Greenup County Clerk's Records, Greenup, Kentucky.

Deed of Correction dated November 25, 1997, from Addington Enterprises, Inc. to Addington Land Company, LLC, of record in Deed Book 456, Page 208, Greenup County Clerk's Records, Greenup, Kentucky.

There is reserved and excepted therefrom, however, all of the mineral and mineral rights in and to the above described property unto the Grantor, its successors and assigns, this exception and reservation being understood to include oil, gas, coal and all other minerals on, in, and under the property conveyed herein.

This conveyance is further subject to all covenants, restrictions, reservations, exceptions, exclusions, easements and rights-of-way previously imposed and appearing of record.

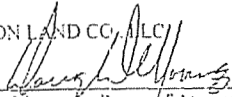
The full consideration for this conveyance is Twenty Six Thousand Six Hundred and Forty Dollars (\$26,640).

TO HAVE AND TO HOLD the above-described real estate, together with all the improvements thereon and all of the appurtenances thereunto belonging unto the GRANTEE, its successors and assigns forever, with Covenants of General Warranty.


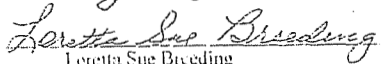
We, the undersigned GRANTOR and GRANTEE, do hereby certify pursuant to KRS, Chapter 382, that the above stated consideration in the amount of \$26,640 is the true, correct and full consideration paid for the property herein conveyed. We further certify our understanding that falsification of the stated consideration or sale price of the property is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.00.

IN TESTIMONY WHEREOF, GRANTOR and GRANTEE have hereunto subscribed
these presents, this the date first above written.

GRANTOR:

ADDINGTON LAND CO., LLC
By: 
Doug Moore, Its Power of Attorney

GRANTEES:


Wesley Breeding

Loretta Sue Breeding

STATE OF KENTUCKY
COUNTY OF GREENUP

The foregoing instrument was acknowledged, subscribed and sworn to before me this 19th
day of March, 2004, by Doug Moore, as Power of Attorney for Addington Land Co., LLC, a
Kentucky Limited Liability Corporation, for and on behalf of said entity, to be its free act and deed.

My Commission expires: 10/28/06

Mwendolen Myers
Notary Public

STATE OF Kentucky
COUNTY OF Boyd

The foregoing instrument was subscribed, sworn to and acknowledged before me by
Wesley Breeding and Bonita Breeding, to be their free act and deed, this the
17th day of March, 2004.

My Commission expires 6/28/04

Mwendolen Myers
Notary Public

THIS INSTRUMENT WAS PREPARED BY:

Ronnie G. Dunning
Ronnie G. Dunning, Attorney At Law
3100 Mariés Drive
Lexington, Kentucky 40510

DESCRIPTION

A certain tract of being on the westerly side of the unnamed gravel roadway, hereafter known as lot 21 of the Sand Gap Estates (West), approximately 0.54 miles southwest of the intersection of centerlines of Sandsuck Road and the Industrial Parkway in Greenup County, Kentucky, and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a $\frac{1}{2}$ " rebar pin, twenty four (24") in length, with an orange plastic cap stamped "M. Back, P.L.S. #2178". All bearings stated herein are referred to the north meridian per magnetic observation taken this survey.

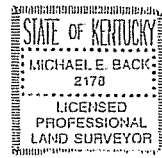
Lot 21

BEGINNING at an intersection of centerlines of the Industrial Parkway and Sandsuck Road N 87° 32' 10" W a distance of 152.15' to a point in the corner of existing fence line, being a corner to the parent tract, thence S 42° 43' 28" W a distance of 2929.26' to an iron pin (set), being a corner to Lot 20 of the Sand Gap Estates (West) and also being a corner to the Addington Land Company (see DB. 455, PG. 286 & DB. 456, PG. 208 for reference), the true point of beginning; thence leaving the Addington Land Company boundary line and with the boundary line of lot 20 S 67°14'02" W a distance of 117.15' to an iron pin (set); thence S 67° 14' 02" W a distance of 90.00' to an iron pin (set), being a point in the Addington Land Company boundary line (aformentioned); thence leaving lot 20 and with the boundary line of Addington Land Company S 69° 18' 15" W a distance of 63.11' to an iron pin (set), thence S 46°11'08" E a distance of 325.40' to an iron pin (set); thence N 40°04' 25" E a distance of 160.99' to an iron pin (set); thence N 40° 04' 25" E a distance of 83.23' to an iron pin (set), being a point in the right of way of roadway; thence with the roadway N 45° 13' 37" W a distance of 200.00' to an iron pin (set), the TRUE POINT OF BEGINNING and CONTAINING 1.48 Acres more or less, according to a survey by Michael Back, P.L.S. #2178, with Back Surveying, Inc. on February 24, 2004 and being part of the same property conveyed to Addington Land Company, LLC. by Addington Enterprises, Inc. deed dated November 7, 1997 which is of record in deed book 455, page 286 in the records of Greenup County,

Kentucky and also Addington Land Company, LLC. by Addington Enterprises, Inc. deed dated November 25, 1997 which is of record in deed book 456, page 208 in the records of Greenup County, Kentucky.

Signed: *Michael Back*

Dated: 03/03/04



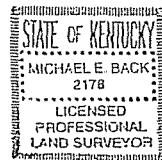
DESCRIPTION

A 50' wide easement is hereby conveyed and beginning at a point in the center of Sandsuck Road and being approx. 510' northwesterly from the intersection of centerlines of Sandsuck Road and the Industrial Parkway in Greenup County, Kentucky, and more particularly described as follows:

Beginning at an intersection of centerlines of Sandsuck Road and a 50' unnamed roadway, being a point in the Addington Land Company, LLC. Boundary line (see DB. 455, PG. 286 & DB. 456, PG. 208 for references), the true point of beginning; thence leaving Sandsuck Road and with the centerline of the 50' unnamed roadway S 46° 07' 33" W a distance of 57.42' to a point in the centerline of the roadway; thence with a curve to the left, a radius of 99.80', an arc length of 181.75', a chord length of 157.47', and a chord bearing of S 02° 25' 28" W to a point; thence S 53° 09' 16" E a distance of 211.21' to a point; thence with a curve to the right, a radius of 38.41', an arc length of 67.14', a chord length of 58.91' and a chord bearing of S 04° 00' 11" W to a point; thence S 56° 09' 28" W a distance of 123.91' to a point; thence with a curve to the left, a radius of 369.06', an arc length of 217.88', a chord length of 214.73' and a chord bearing of S 38° 45' 11" W to a point; thence S 19° 19' 07" W a distance of 180.58' to a point; thence S 16° 12' 47" W a distance of 143.25' to a point; thence S 33° 53' 22" W a distance of 357.05' to a point; thence with a curve to the right, a radius of 204.49', an arc length of 141.91', a chord length of 139.08' and a chord bearing of S 68° 44' 04" W to a point; thence S 89° 37' 50" W a distance of 258.92' to a point; thence with a curve to the left, a radius of 1325.33', an arc length of 241.15', a chord length of 240.81' and a chord bearing of S 45° 38' 39" W to a point; thence with a curve to the left, a radius of 1076.09', an arc length of 1076.09', a chord length of 259.63' and a chord bearing of S 33° 38' 07" W to a point; thence with a curve to the left, a radius of 888.33', an arc length of 426.13', a chord length of 422.05' and a chord bearing of S 17° 28' 14" W to a point; thence with a curve to the left, a radius of 335.74', an arc length of 482.46', a chord length of 442.01' and a

chord bearing of S 27° 14' 14" E to a point in the right of way fence line of
the Industrial Parkway.

Michael Back 03/11/2004



DOCUMENT NO: 161267
RECORDED ON: MARCH 19, 2004 12:29:15-11
TOTAL FEES: \$22.00
TRANSFER TAX: \$27.00
COUNTY CLERK: DONALD L. DAVIDSON
COUNTY: GREENUP COUNTY
CLERK: JOAN SURHEAT
BOOK 0509 PAGES 638 - 639
BOOK 0509 PAGE 639

DEED

This Deed, made and entered into this 20th day of JANUARY 2005, by and between Addington Land Company LLC, a Kentucky Limited Liability Company, By and Through Its Attorney-In-Fact, Doug D. Moore, (said Power of Attorney of record in Deed Book 489, Page 602, Greenup County Clerk's Records, Greenup, Kentucky), whose address 1500 North Big Run Road, Ashland, Kentucky 41102 (hereinafter "First Party") and Wesley Breeding and Loretta Sue Breeding, husband and wife, whose address is 185 Bery Garden Lane, South Shore, Kentucky 41175 (hereinafter "Second Parties").

WITNESSETH:

That for and in consideration of the sum of Two Thousand Dollars (\$2,000.00), cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, First Party has bargained and sold and does hereby grant, bargain, sell and convey unto Second Parties, their heirs and assigns forever, in and to the surface estate only of the following described real property situate in Greenup County, Kentucky.

A certain tract of being on the westerly side of Sand Gap Road, hereafter known as lot 21-A of the Sand Gap Estates (West) approximately 0.54 miles southwest of the intersection of center lines of Sandsuck Road and Industrial Parkway in Greenup County, Kentucky, and more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a #4 rebar pin, twenty four (24") in length, with an orange plastic cap stamped "M. Back, P.L.S. #2178". All bearings stated herein are referred to the north meridian as taken by magnetic observation taken for this survey.

Lot 21-A

BEGINNING at an intersection of center lines of Industrial Parkway and Sandsuck Road N 87° 32' 10" W a distance of 152.15' to a point in the corner of existing fence line, being a corner to the parent tract, thence S 44° 47' 04" W a distance of 3176.23' to an iron pin (set); being a corner to Lot 21 of the Sand Gap Estates (West) and also a point to the Addington Land Company (see DB. 455, PG. 286 & DB. 456, PG. 208 for reference), the true point of beginning; thence from the true point of beginning & with the line of Lot 21 (see attached plat) thence following the boundary of Lot 21 5 46' 11' 08" E a distance of 325.40' to an iron pin (set), being a corner to Lot 21 and a corner to Addington Land Company; thence following the Addington Land Company boundary line N 62° 12' 52" W a distance of 242.28' to an iron pin (set), following the same course N 62° 12' 52" W with the boundary of Addington Land Company a distance of 150.00' to an iron pin (set), being a point in the Addington Land Company boundary; thence following the Addington Land Company boundary line N 69° 18' 15" E a distance of 120.00' to an

Lot 21 A

Handed to -
Wesley Breeding
1-24-05 gjs

Wesley + Loretta Sue Breeding
517/482

iron pin (set), being a corner to Lot 21 of Sand Gap Estates (West) and a point in the Addington Land Company boundary the TRUE POINT OF BEGINNING and CONTAINING 0.40 Acres more or less, according to a survey by Michael Back, P.L.S. #2178, with Back Surveying, Inc. on October 19, 2004.

Being a portion of the same property conveyed to Addington Land Company, LCC by Addington Enterprises, INC. deed dated November 7th, 1997 which is of record in deed book 455, page 286 and also conveyed to Addington Land Company, LCC by Addington Enterprises, INC. deed dated November 25th, 1997 in the records of Greenup County, Kentucky.

There is reserved and excepted therefrom all of the mineral and mineral rights in and to the above described property unto the First Party, this exception and reservation shall include oil, gas, coal, and all other minerals on, in, and under the property conveyed herein.

This conveyance is further subject to all covenants, restrictions, reservations, exceptions, exclusions, easements and rights-of-ways previously imposed and appearing of record

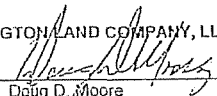
The full consideration for this conveyance is Two Thousand Dollars (\$2,000.00).

TO HAVE AND TO HOLD the above-described property, together with all the rights, privileges and appurtenances thereunto belonging, or in any way appertaining, unto Second Parties for and during their joint lives with remainder in fee simple to the survivor of them with COVENANT OF GENERAL WARRANTY.

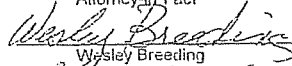
The parties hereby certify pursuant to KRS 382, that the full consideration and the estimated fair market value of the property herein conveyed is Two Thousand Dollars (\$2,000.00)

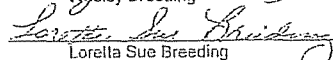
IN TESTIMONY WHEREOF, witness the signatures of the parties on this the date first above written.

ADDINGTON LAND COMPANY, LLC

By: 

Doug D. Moore
Attorney-in-Fact


Wesley Breeding


Loretta Sue Breeding

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE, made and entered into this 7th day of April, 2010, by and between Addington Land Company, LLC, a Kentucky limited liability company, By and Through Its Power of Attorney, Doug Moore, (said Power of Attorney of record in Deed Book 489, Page 602, Greenup County Clerk's Records, Greenup, Kentucky), P.O. Box 5220, Ashland, Kentucky, 41105, ("Grantor"), and The Irrevocable Trust of Ronald M. O'Brien and Christine M. O'Brien, with a mailing address of 620 Johnson Lake Road, DeLeon Springs Florida 32130, ("Grantee").

WITNESSETH:

That for and in consideration of the sum of Twenty Seven Thousand Eight Hundred & Fifty Three Dollars (\$27,853), cash in hand paid and other good and valuable consideration, paid by Grantee unto Grantor, the receipt and sufficiency all of which is hereby acknowledged, Grantor has bargained, sold and does hereby grant and convey unto Grantee, its successors and assigns, forever, all of Grantor's rights, titles, estates and interests, in and to the surface estate only of the following described tracts or parcels of land being located in SandGap Estates, Greenup County, Kentucky, subject, however, to the exceptions and reservations hereinafter stated, said real property being more particularly bounded and described as follows; to wit:

Being Lot numbered 24 in the SandGap Estates, Greenup County, Kentucky, which has a total of 2.089 acres more or less.
See attached Lot descriptions and Plat.

Source of Title:

Deed dated November 7, 1997 from Addington Enterprises, Inc. to Addington Land Company LLC, of record in Deed Book 455, Page 286, Greenup County Clerk's Records, Greenup, Kentucky.

Deed of Correction dated November 25, 1997 from Addington Enterprises, Inc. to Addington Land Company LLC, of record in Deed Book 456, Page 208, Greenup County Clerk's Records, Greenup, Kentucky.

Pursuant to KRS 382.135, the in-care-of address to which the property tax bill for the current year will be sent to Grantee is 620 Johnson Lake Road, DeLeon Springs, Florida 32130.

There is reserved and excepted therefrom, however, all of the mineral and mineral rights in and to the above described property unto the Grantor, its successors and assigns, this exception and

GREENUP COUNTY
D559 PG540

Lot 24

Ronald M. + Christine M.
O'Brien

559/540

DESCRIPTION
DESCRIPTION
LOT #24 OF SAND GAP ESTATES

A certain tract of land lying the west side of the Industrial Parkway, and on the south side of Sandsuck Road, being lot #24 of Sand Gap Estates, in Greenup County, Kentucky, and being more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 5/8" rebar pin, twenty four (24") in length, with an orange plastic cap stamped "M. Back, P L S #2178". All bearings stated herein are referred to the magnetic meridian as observed on a former survey and dated September 9, 2008.

BEGINNING at the intersection of the centerlines of Sand Suck Road and the Industrial Parkway; thence S 41°07'54" W a distance of 2942.36' to the TRUE POINT OF BEGINNING, which is an iron pin set in the southerly R/W line of a reserved 40' wide roadway, being the northwesterly corner to lot 25,

Thence leaving the 40' roadway and with the line of lot #25 S 68°02'53" E a distance of 332.81' to an iron pin (found, 5/8" rebar with cap stamped "LS 2178", set previous survey), being a point in the westerly right-of-way (R/W) line of the Industrial Parkway;

Thence leaving lot 25 and with the R/W line of the Industrial Parkway the following six (6) calls:

S 16°46'17" W a distance of 67.99' to a concrete right-of-way monument;
thence N 64°46'17" W a distance of 18.51' to a concrete right-of-way monument;
thence S 23°28'07" W a distance of 67.12' to a concrete right-of-way monument;
thence S 21°05'58" E a distance of 46.04' to a concrete right-of-way monument;
thence S 52°53'31" W a distance of 107.99';
thence S 53°37'20" W a distance of 10.13';

thence leaving the R/W and with the line of lot #23 N 70°11'21" W a distance of 10.00' to an iron pin (set),

N 70°11'21" W a distance of 150.00' to an iron pin (set);

thence continuing N 70°11'21" W a distance of 166.45' to an iron pin (set);
in the southerly R/W line of a 40' reserved roadway

thence with the southerly R/W line N 36°28'14" E a distance of 232.03' to a point in the easterly R/W line of an existing 50' wide roadway;

thence along the R/W of the 50' wide roadway N 45°13'37" W a distance of 38.90' to the R/W of the aforementioned reserved 40' wide,

thence with the southerly R/W of the 40' wide reserved roadway N 41°32'48" E a distance of 43.59' to the TRUE POINT OF BEGINNING and CONTAINING 2.089 Acres more or less, according to a survey by Michael Back, P L S #2178, with Turning Point Surveying, LLC on August 13, 2009, and hereafter known as lot #24 of Sand Gap

Estates, and being a portion of the same property conveyed to Addington Land Company, LLC by Addington Enterprises, LLC, deed dated November 25, 1997, which is of record in Deed Book 455, Page 208 in the records of Greenup County, Kentucky.

The above-described property is also subject to an easement (having a 50' R/W) for the purpose of egress and ingress through the lands of the Addington Land Company, of which the centerline is more particularly described as follows:

Beginning at the southeast corner of Lot #21, thence S 83°54'39" E a distance of 28.88' to a point in the centerline of the existing roadway, being the TRUE POINT of BEGINNING;

Thence with the center of the existing 50' wide roadway N 45°13'37" W a distance of 64.61';

Thence with a curve turning to the right with an arc length of 353.01', with a radius of 332.78', with a chord bearing of N 15°43'00" W, with a chord length of 336.69';

Thence with a curve turning to the right with an arc length of 424.99', with a radius of 942.98', with a chord bearing of N 17°24'47" E, with a chord length of 424.40';

Thence with a curve turning to the right with an arc length of 214.06', with a radius of 2032.74', with a chord bearing of N 57°26'50" E, with a chord length of 213.96';

thence with a curve turning to the right with an arc length of 322.86', with a radius of 824.62', with a chord bearing of N 68°41'18" E, with a chord length of 329.80';

thence N 89°37'50" E a distance of 258.92';

thence with a curve turning to the left with an arc length of 141.91', with a radius of 204.49', with a chord bearing of N 68°44'04" E, with a chord length of 133.08';

thence N 33°53'22" E a distance of 357.05';

thence N 16°12'46" E a distance of 143.25';

thence N 19°19'07" E a distance of 180.58';

thence with a curve turning to the right with an arc length of 217.88', with a radius of 369.06', with a chord bearing of N 38°45'11" E, with a chord length of 214.73';

thence N 56°09'27" E a distance of 123.91';

thence with a curve turning to the left with an arc length of 67.13', with a radius of 38.41', with a chord bearing of N 04°00'11" E, with a chord length of 58.91';

thence N 53°09'17" W a distance of 211.21';

thence with a curve turning to the right with an arc length of 181.75', with a radius of 99.40', with a chord bearing of N 02°25'27" E, with a chord length of 157.47';
thence N 46°07'33" E a distance of 57.42';

thence with a tie-line S 45°23'51" E a distance of 510.40' to the intersection of the centerlines of Sandsuck road and the Industrial Parkway.

Signed: Michael E. Back Date: 09/07/09

STATE OF KENTUCKY
MICHAEL E
BACK
2178
LICENSED
PROFESSIONAL
LAND SURVEYOR

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE, made and entered into this 30th day of August, 2007, by and between Addington Land Co., LLC, a Kentucky limited liability company, By and Through Its Power of Attorney, Doug Moore, (said Power of Attorney of record in Deed Book 489, Page 602, Greenup County Clerk's Records, Greenup, Kentucky), 1500 North Big Run Road, Ashland, Kentucky, 41102, ("Grantor"), and The Irrevocable Trust of Ronald M. O'Brien and Christine M. O'Brien, with a mailing address of 620 Johnson Lake Road, DeLeon Springs Florida 32130, ("Grantee").

WITNESSETH:

That for and in consideration of the sum of Eighty Thousand Dollars (\$80,000.00), cash in hand paid and other good and valuable consideration, paid by Grantee unto Grantor, the receipt and sufficiency all of which is hereby acknowledged, Grantor has bargained, sold and does hereby grant and convey unto Grantee, his heirs and assigns, forever, all of Grantor's rights, titles, estates and interests, in and to the surface estate only of the following described tracts or parcels of land being located in SandGap Estates, Greenup County, Kentucky, subject, however, to the exceptions and reservations hereinafter stated, said real property being more particularly bounded and described as follows; to wit:

Being Lots numbered 25, 27, 29 and 31 in the SandGap Estates, Greenup County, Kentucky, which has a total of 6.01 acres more or less. See attached Lot descriptions and Plat.

Source of Title:

Deed dated November 7, 1997 from Addington Enterprises, Inc. to Addington Land Company LLC, of record in Deed Book 455, Page 286, Greenup County Clerk's Records, Greenup, Kentucky.

Deed of Correction dated November 25, 1997 from Addington Enterprises, Inc. to Addington Land Company LLC, of record in Deed Book 456, Page 208, Greenup County Clerk's Records, Greenup, Kentucky.

There is reserved and excepted therefrom, however, all of the mineral and mineral rights in and to the above described property unto the Grantor, its successors and assigns, this exception and reservation being understood to include oil, gas, coal and all other minerals on, in and under the property conveyed herein.

The property conveyed herein is subject to all restrictions and reservations of SandGap Estates, which are attached hereto.

*lots
25 27
29 31*

Attest to -
Ronald M. O'Brien *Christine M. O'Brien*
8-30-07 jpb *540/340*
GREENUP COUNTY
BOOK D540 PAGE 340

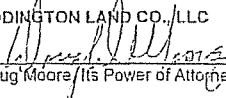
This conveyance is further subject to all covenants, restrictions, reservations, exceptions, exclusions, easements and rights-of-way previously imposed and appearing of record.

TO HAVE AND TO HOLD the above-described real estate, together with all the improvements thereon and all of the appurtenances thereunto belonging unto the Grantee, his heirs and assigns forever, with Covenants of Special Warranty.

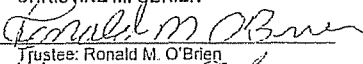
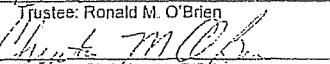
We, the undersigned Grantor and Grantee, do hereby certify pursuant to KRS, Chapter 382, that the above stated consideration in the amount of Eighty Thousand Dollars (\$80,000.00) is the true, correct and full consideration paid for the property herein conveyed.

IN TESTIMONY WHEREOF, Grantor and Grantee have hereunto subscribed these presents, this the date first above written.

GRANTOR:

ADDINGTON LAND CO., LLC
By: 
Doug Moore / Its Power of Attorney

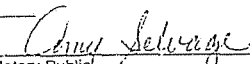
GRANTEE:

THE IRREVOCABLE TRUST OF
RONALD M. O'BRIEN AND
CHRISTINE M. O'BRIEN
By: 
Trustee: Ronald M. O'Brien
By: 
Trustee: Christine M. O'Brien

STATE OF KENTUCKY
COUNTY OF GREENUP

The foregoing instrument was acknowledged, subscribed and sworn to before me this 30th day of Aug., 2007, by Doug Moore, as Power of Attorney for Addington Land Co., LLC, a Kentucky limited liability company, for and on behalf of said entity, to be its free act and deed

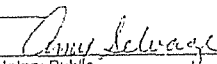
My Commission expires: 6-6-2010


Notary Public


STATE OF KENTUCKY
COUNTY OF GREENUP

The foregoing instrument was subscribed, sworn to and acknowledged before me by Ronald M. O'Brien and Christine M. O'Brien, Trustees of The Irrevocable Trust of Ronald M. O'Brien and Christine M. O'Brien, to be their free act and deed, this the 30th day of Aug., 2007.

My Commission expires: 6-6-2010


Notary Public

THIS INSTRUMENT PREPARED BY:


Ronnie G. Dunnigan
Attorney at Law
3100 Maria Drive
Lexington, Kentucky 40516
Telephone (859) 293-2766

RGD:DC/ALC:05/2008-29 07

GREENUP COUNTY
BOOK 0540 PAGE 342

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BOOK 0066 PAGE 489 BOOK DE 48 PAGE 084
 POWER OF ATTORNEY

ADDINGTON LAND CO., LLC

RECEIVED

TO

2001 NOV 13 P 3:18

DOUG MOORE

DATED: 3/21/00

BY: *[Signature]*

EXPIRES: INDEFINITE

KNOW ALL MEN BY THESE PRESENTS: That Addington Land Co., LLC, a limited liability company organized and existing under the laws of the Commonwealth of Kentucky (the "Company"), acting by and through Larry Addington, its duly authorized President, has and does hereby appoint Doug Moore its true and lawful Attorney-in-Fact with power and authority for on behalf of, and in the name of the Company during the period hereinafter specified, and subject to the restrictions and limitations set forth in this Power to execute and deliver in the ordinary and regular course of the Company's business, deeds, leases, easements, renewals thereof, or amendments or supplements thereto, certificates or other instruments directly related to such deeds, leases, easements, renewals, amendments or supplements required to be filed with any local, state or federal government agency directly related to the Company's coal mining operations, road building, or land business functions.

The Attorney herein appointed shall be authorized to act hereunder from the date hereof only so long as such Attorney shall remain an employee of Addington Land Co., LLC, or until such earlier time as this instrument has been revoked, annulled, rescinded or set aside by an instrument of revocation filed with the Secretary of the Company, whichever first occurs.

IN WITNESS WHEREOF, the Company has caused this Power of Attorney to be executed on its behalf, and its seal to be hereunto affixed and attested in the County of Boyd, Commonwealth of Kentucky, as of the day and year first above written. By the undersigned, Larry Addington, duly authorized President of the Company

GREENUP COUNTY
 BOOK 0540 PAGE 343

ADDINGTON LAND CO., LLC

BY: *[Signature]*
 Larry Addington, President

DOCUMENT NO: 507070
 RECORDED ON: NOVEMBER 01, 2001 11:30 AM
 TOTAL FEES: \$12.00
 COUNTY CLERK: MAXINE SELBIE
 COUNTY: BOYD CO CLERK
 DEPUTY CLERK: TERESA CRUICKILL
 BOOK 0540 PAGES 04 - 04

Commonwealth of Kentucky
 County of Boyd

Subscribed and sworn to before me by Larry Addington, President of Addington Land Co., LLC this 21st day of March, 2000.

My commission expires 6/10/02.

DOCUMENT NO: 137915
 RECORDED ON: OCTOBER 02, 2001 09:49:52AM
 TOTAL FEES: \$12.00
 COUNTY CLERK: RONALD L. DAVIDSON
 COUNTY: GREENUP COUNTY
 DEPUTY CLERK: JOAN BURNETT
 ENR 469 PAGES 662 - 662

STATE OF KENTUCKY, COUNTY OF GREENUP
 I, Crystal Johnson, Notary Public, do hereby certify that the foregoing was read and signed by the person named therein on the 13th day of Nov 2001 and the same was filed for record in the office of the County Clerk of Greenup County, Kentucky, on the 13th day of Nov 2001.

[Signature]
 Crystal Johnson, Notary Public

BY: *[Signature]* DC

DESCRIPTION
LOT #25

A certain tract of land lying the west side of the Industrial Parkway, and on the south side of Sandsuck Road, being lot #25 of Sand Gap Estates, in Greenup County, Kentucky, and being more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 5/8" rebar pin, twenty four (24") in length, with a orange plastic cap stamped "M. Back, P.L.S. #2178". All bearings stated herein are referred to the magnetic meridian as observed on a former survey.

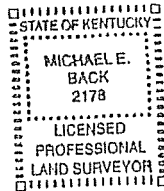
BEGINNING at the intersection of the centerlines of Sand Suck Road and the Industrial Parkway; thence S 41°11'58" W a distance of 2701.50' to the TRUE POINT OF BEGINNING, which is an iron pin set in the east R/W line of a proposed street (25' from the centerline), and being the southwest corner to lot#27; thence with the R/W S 40°22'20" W a distance of 240.87' to an iron pin set; thence leaving the R/W S 68°02'50" E a distance of 332.81' to an iron pin set in the R/W fence of the Industrial Parkway (see KDOH drawing for reference); thence with R/W fence N 15°48'58" E a distance of 94.92' to a corner fence post; thence N 27°59'57" E a distance of 73.18' to a corner fence post; thence N 38°13'35" E a distance of 54.92' to an iron pin set, which is the southeast corner to lot#27; thence with the line of lot#27 N 66°12'33" W a distance of 269.79' to the TRUE POINT OF BEGINNING and CONTAINING 1.51 Acres more or less, according to a survey by Michael Back, P.L.S. #2178, with Turning Point Surveying, LLC on July 13, 2007, and hereafter known as lot #25 of Sand Gap Estates, and being a portion of the same property conveyed to Addington Land Company, LLC by Addington Enterprises, LLC, deed dated November 25, 1997, which is of record in Deed Book 456, Page 208 in the records of Greenup County, Kentucky.

The above-described property is also subject to an easement (having a 50' R/W) for the purpose of egress and ingress through the lands of the Addington Land Company, of which the centerline is more particularly described as follows:

Beginning at the northwest corner of Lot #25; thence N 55°14'37" W a distance of 25.12' to the TRUE POINT of BEGINNING; thence S 40°22'20" W a distance of 238.17'; thence S 41°30'47" W a distance of 69.44'; thence with a curve turning to the right with an arc length of 353.01', with a radius of 332.78', with a chord bearing of N 15°43'00" W, with a chord length of 336.69'; thence with a curve turning to the right with an arc length of 424.99', with a radius of 942.98', with a chord bearing of N 17°24'47" E, with a chord length of 421.40'; thence with a curve turning to the right with an arc length of 494.27', with a radius of 1265.86', with a chord bearing of N 39°53'52" E, with a chord length of 491.13'; thence with a curve turning to the right with an arc length of 214.06', with a radius of 2032.74', with a chord bearing of N 57°26'50" E, with a chord length of 213.96'; thence with a curve turning to the right with an arc length of 322.86', with a radius of 824.62', with a chord bearing of N 68°41'18" E, with a chord length of 320.80'; thence N 89°37'50" E a distance of 258.92'; thence with a curve

turning to the left with an arc length of 141.91', with a radius of 204.49', with a chord bearing of N 68°44'04" E, with a chord length of 139.08'; thence N 33°53'22" E a distance of 357.05'; thence N 16°12'46" E a distance of 143.25'; thence N 19°19'07" E a distance of 180.58'; thence with a curve turning to the right with an arc length of 217.88', with a radius of 369.06', with a chord bearing of N 38°45'11" E, with a chord length of 214.73'; thence N 56°09'27" E a distance of 123.91'; thence with a curve turning to the left with an arc length of 67.13', with a radius of 38.41', with a chord bearing of N 04°00'11" E, with a chord length of 58.91'; thence N 53°09'17" W a distance of 211.21'; thence with a curve turning to the right with an arc length of 181.75', with a radius of 99.40', with a chord bearing of N 02°25'27" E, with a chord length of 157.47'; thence N 46°07'33" E a distance of 57.42'; thence with a tie-line S 45°23'51" E a distance of 510.40' to the intersection of the centerlines of Sandsuck road and the Industrial Parkway.

Signed: Michael E. Back Date: 07/18/07



DESCRIPTION
LOT #27

A certain tract of land lying the west side of the Industrial Parkway, and on the south side of Sandsuck Road, being lot #27 of Sand Gap Estates, in Greenup County, Kentucky, and being more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 5/8" rebar pin, twenty four (24") in length, with a orange plastic cap stamped "M Back, P L S #2178". All bearings stated herein are referred to the magnetic meridian as observed on a former survey.

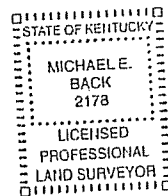
BEGINNING at the intersection of the centerlines of Sand Suck Road and the Industrial Parkway; thence S 42°09'30" W a distance of 2505.56' to the TRUE POINT OF BEGINNING, which is an iron pin set in the east R/W line of a proposed street (25' from the centerline), and being the southwest corner to lot#29; thence S 29°08'26" W a distance of 200.72' to an iron pin set at the northwest corner to lot #25; thence leaving the R/W and with lot #25 S 66°12'33" E a distance of 269.79' to an iron pin set in the R/W fence of the Industrial Parkway (see KDOH drawing for reference); thence with the R/W fence N 41°30'15" E a distance of 150.96'; thence N 09°28'15" E a distance of 114.92' to an iron pin set at the southeast corner to lot #29; thence with lot #29 N 77°50'43" W a distance of 274.22' to the TRUE POINT OF BEGINNING and CONTAINING 1.50 Acres more or less, according to a survey by Michael Back, P. L. S. #2178, with Turning Point Surveying, LLC on July 13, 2007, and hereafter known as lot #27 of Sand Gap Estates, and being a portion of the same property conveyed to Addington Land Company, LLC by Addington Enterprises, L.L.C, deed dated November 25, 1997, which is of record in Deed Book 456, Page 208 in the records of Greenup County, Kentucky

The above-described property is also subject to an easement (having a 50' R/W) for the purpose of egress and ingress through the lands of the Addington Land Company, of which the centerline is more particularly described as follows:

Beginning at the northwest corner of Lot #27; thence N 59°58'36" W a distance of 25.00' to the TRUE POINT of BEGINNING; thence S 29°08'26" W a distance of 198.64'; thence S 40°22'20" W a distance of 238.17'; thence S 41°30'47" W a distance of 69.44'; thence with a curve turning to the right with an arc length of 353.01', with a radius of 332.78', with a chord bearing of N 15°43'00" W, with a chord length of 336.69'; thence with a curve turning to the right with an arc length of 424.99', with a radius of 942.98', with a chord bearing of N 17°24'47" E, with a chord length of 421.40'; thence with a curve turning to the right with an arc length of 494.2", with a radius of 1265.86', with a chord bearing of N 39°53'52" E, with a chord length of 491.13'; thence with a curve turning to the right with an arc length of 214.06', with a radius of 2032.74', with a chord bearing of N 57°26'50" E, with a chord length of 213.96'; thence with a curve turning to the right with an arc length of 322.86', with a radius of 824.62', with a chord bearing of N 68°41'18" E, with a chord length of 320.80'; thence N 89°37'50" E a distance of 258.92'; thence with a curve turning to the left with an arc length of 141.91';

with a radius of 204.49', with a chord bearing of N 68°44'04" E, with a chord length of 139.08'; thence N 33°53'22" E a distance of 357.05'; thence N 16°12'46" E a distance of 143.25'; thence N 19°19'07" E a distance of 180.58'; thence with a curve turning to the right with an arc length of 217.88', with a radius of 369.06', with a chord bearing of N 38°45'11" E, with a chord length of 214.73'; thence N 56°09'27" E a distance of 123.91'; thence with a curve turning to the left with an arc length of 67.13', with a radius of 38.41', with a chord bearing of N 04°00'11" E, with a chord length of 58.91'; thence N 53°09'17" W a distance of 211.21'; thence with a curve turning to the right with an arc length of 181.75', with a radius of 99.40', with a chord bearing of N 02°25'27" E, with a chord length of 157.47'; thence N 46°07'33" E a distance of 57.42'; thence with a tie-line S 45°23'51" E a distance of 510.40' to the intersection of the centerlines of Sandsuck road and the Industrial Parkway.

Signed: Michael E. Back Date: 07/18/07



DESCRIPTION
LOT #29

A certain tract of land lying the west side of the Industrial Parkway, and on the south side of Sandsuck Road, being lot #29 of Sand Gap Estates, in Greenup County, Kentucky, and being more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 5/8" rebar pin, twenty four (24") in length, with a orange plastic cap stamped "M. Back, P.L.S. #2178". All bearings stated herein are referred to the magnetic meridian as observed on a former survey.

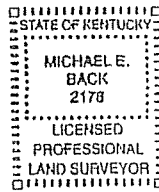
BEGINNING at the intersection of the centerlines of Sand Suck Road and the Industrial Parkway; thence S 44°02'39" W a distance of 2203.59' to the TRUE POINT OF BEGINNING, which is an iron pin set in the east R/W line of a proposed street (25' from the centerline), and being the southwest corner to lot #31; thence with the R/W S 19°02'04" W a distance of 58.17' to an iron pin set; thence S 30°54'22" W a distance of 254.56' to an iron pin set at the northwest corner to lot #27; thence leaving the R/W and with lot #23 S 77°50'43" E a distance of 274.22' to an iron pin set in the R/W fence of the Industrial Parkway (see KDOI drawing for reference); thence with the R/W N 12°48'15" E a distance of 273.85' to an iron pin set at the southeast corner to lot #31; thence with the lie of lot #31 N 70°17'56" W a distance of 190.17' to the TRUE POINT OF BEGINNING and CONTAINING 1.50 Acres more or less, according to a survey by Michael Back, P.L.S. #2178, with Turning Point Surveying, LLC on July 13, 2007, and hereafter known as lot #29 of Sand Gap Estates, and being a portion of the same property conveyed to Addington Land Company, LLC by Addington Enterprises, LLC, deed dated November 25, 1997, which is of record in Deed Book 456, Page 208 in the records of Greenup County, Kentucky.

The above-described property is also subject to an easement (having a 50' R/W) for the purpose of egress and ingress through the lands of the Addington Land Company, of which the centerline is more particularly described as follows:

Beginning at the northwest corner of Lot #29; thence N 70°49'09" W a distance of 25.00' to the TRUE POINT of BEGINNING; thence S 19°02'04" W a distance of 55.64'; thence S 30°54'22" W a distance of 252.35'; thence S 29°08'26" W a distance of 198.64'; thence S 40°22'20" W a distance of 238.17'; thence S 41°30'47" W a distance of 69.44'; thence with a curve turning to the right with an arc length of 353.01', with a radius of 332.78', with a chord bearing of N 15°43'00" W, with a chord length of 336.69'; thence with a curve turning to the right with an arc length of 424.99', with a radius of 942.98', with a chord bearing of N 17°24'47" E, with a chord length of 421.40'; thence with a curve turning to the right with an arc length of 494.27', with a radius of 1265.86', with a chord bearing of N 39°53'52" E, with a chord length of 491.13'; thence with a curve turning to the right with an arc length of 214.06', with a radius of 2032.74', with a chord bearing of N 57°26'50" E, with a chord length of 213.96'; thence with a curve turning to the right with an arc length of 322.86', with a radius of 824.62'. with a

chord bearing of N 68°41'18" E, with a chord length of 320.80'; thence N 89°37'50" E a distance of 258.92'; thence with a curve turning to the left with an arc length of 141.91', with a radius of 204.49', with a chord bearing of N 68°44'04" E, with a chord length of 139.08'; thence N 33°53'22" E a distance of 357.05'; thence N 16°12'46" E a distance of 143.25'; thence N 19°19'07" E a distance of 180.58'; thence with a curve turning to the right with an arc length of 217.88', with a radius of 369.06', with a chord bearing of N 38°45'11" E, with a chord length of 214.73'; thence N 56°09'27" E a distance of 123.91'; thence with a curve turning to the left with an arc length of 67.13', with a radius of 38.41', with a chord bearing of N 04°00'11" E, with a chord length of 58.91'; thence N 53°09'17" W a distance of 211.21'; thence with a curve turning to the right with an arc length of 181.75', with a radius of 99.40', with a chord bearing of N 02°25'27" E, with a chord length of 157.47'; thence N 46°07'33" E a distance of 57.42'; thence with a tie-line S 45°23'51" E a distance of 510.40' to the intersection of the centerlines of Sandsuck road and the Industrial Parkway.

Signed: Michael E. Back Date: 07/18/07



DESCRIPTION
LOT #31

A certain tract of land lying the west side of the Industrial Parkway and on the south side of Sandsuck Road, being lot #31 of Sand Gap Estates, in Greenup County, Kentucky, and being more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 5/8" rebar pin, twenty four (24") in length, with an orange plastic cap stamped "M. Back, P.L.S. #2178". All bearings stated herein are referred to the magnetic meridian as observed on a former survey.

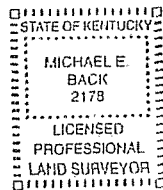
BEGINNING at the intersection of the centerlines of Sand Suck Road and the Industrial Parkway; thence S 46°27'31" W a distance of 1803.37' to the TRUE POINT OF BEGINNING, which is an iron pin set in the east R/W line of a proposed street (25' from the centerline); thence with the R/W S 57°55'35" W a distance of 41.87'; thence S 39°28'32" W a distance of 210.94'; thence S 19°19'37" W a distance of 165.57' to an iron pin set at the northwest corner to lot #29; thence with lot #29 S 70°17'56" E a distance of 190.17' to an iron pin set in the R/W fence of the Industrial Parkway (see KDOH drawing for reference); thence with the R/W fence N 12°48'15" E a distance of 166.30'; thence N 43°09'17" E a distance of 138.46'; thence N 61°43'48" E a distance of 38.56'; thence N 44°06'43" W a distance of 3.09' to an iron pin set; thence with a severance line through the Addington Land Company property (see Deed Book 455, Page 286 & Deed Book 456, Page 208 for reference) N 44°06'43" W a distance of 169.57' to the TRUE POINT OF BEGINNING and CONTAINING 1.50 Acres more or less, according to a survey by Michael Back, P.L.S. #2178, with Turning Point Surveying, LLC on July 13, 2007, and hereafter known as lot #31 of Sand Gap Estates, and being a portion of the same property conveyed to Addington Land Company, LLC by Addington Enterprises, LLC, deed dated November 25, 1997, which is of record in Deed Book 456, Page 208 in the records of Greenup County, Kentucky.

The above-described property is also subject to an easement (having a 50' R/W) for the purpose of egress and ingress through the lands of the Addington Land Company, of which the centerline is more particularly described as follows:

Beginning at the northwest corner of Lot #31; thence N 32°04'25" W a distance of 25.00' to the TRUE POINT OF BEGINNING; thence S 57°55'35" W a distance of 45.93'; thence S 39°28'32" W a distance of 219.44'; thence S 19°19'37" W a distance of 170.08'; thence S 19°02'04" W a distance of 55.64'; thence S 30°54'22" W a distance of 252.35'; thence S 29°08'26" W a distance of 198.64'; thence S 40°22'20" W a distance of 238.17'; thence S 41°30'47" W a distance of 69.44'; thence with a curve turning to the right with an arc length of 353.01', with a radius of 332.78', with a chord bearing of N 15°43'00" W, with a chord length of 336.69'; thence with a curve turning to the right with an arc length of 424.99', with a radius of 942.98', with a chord bearing of N 17°24'47" E, with a chord length of 421.40'; thence with a curve turning to the right with an arc length of 494.27', with a radius of 1265.86', with a chord bearing of N 39°53'52"

E, with a chord length of 491.13'; thence with a curve turning to the right with an arc length of 214.06', with a radius of 2032.74', with a chord bearing of N 57°26'50" E, with a chord length of 213.96'; thence with a curve turning to the right with an arc length of 323.86', with a radius of 824.62', with a chord bearing of N 68°41'18" E, with a chord length of 320.80'; thence N 89°37'50" E a distance of 258.92'; thence with a curve turning to the left with an arc length of 141.91', with a radius of 204.49', with a chord bearing of N 68°44'04" E, with a chord length of 139.08'; thence N 33°53'22" E a distance of 357.05'; thence N 16°12'46" E a distance of 143.25'; thence N 19°19'07" E a distance of 180.58'; thence with a curve turning to the right with an arc length of 217.88', with a radius of 369.06', with a chord bearing of N 38°45'11" E, with a chord length of 214.73'; thence N 56°09'27" E a distance of 123.91'; thence with a curve turning to the left with an arc length of 67.13', with a radius of 38.41', with a chord bearing of N 04°00'11" E, with a chord length of 58.91'; thence N 53°09'17" W a distance of 211.21'; thence with a curve turning to the right with an arc length of 181.75', with a radius of 99.40', with a chord bearing of N 02°25'27" E, with a chord length of 157.47'; thence N 46°07'33" E a distance of 57.42'; thence with a tie-line S 45°23'51" E a distance of 510.40' to the intersection of the centerlines of Sandsuck road and the Industrial Parkway.

Signed: Michael E. Back Date: 07/18/07



Restrictions

Sand Gap Estates Subdivision

A. Lots shall be used for residential purposes only, (absolutely no commercial enterprises, advertising or home businesses allowed) and no structure shall be erected, altered, placed or permitted to remain on a building plot other than one detached single family dwelling not to exceed two stories in height and a private garage for not more than three cars. A split level dwelling shall be considered as being a two story dwelling. A building plot may consist of one or more lots, or one lot and part of another lot or lots, or parts of two lots so long as such building lot fronts not less than 100 feet on a street or road as shown on the map or plat referred to and said lot contains a minimum of 65,340 square feet.

B. The outside walls of any structure erected or placed on the land shall be brick or stone construction, or a combination of brick and stone. Concrete block or cinder block shall not be considered as being either brick or stone. The first story above the ground may have incorporated in it wood which does not exceed 20% of the total outside construction, except that the residence containing 1500 square feet of living space may be of wood or other approved exterior finish with no concrete or cinder block exposed. Considering a residence having at least 1500 square feet, log home and vinyl sided residences are permitted. In regards to vinyl sided structures there will be brick or stone laid for the first 24 inches as measured from ground level.

DEED OF CONVEYANCE

THIS DEED OF CONVEYANCE, made and entered into this 8th day of October, 2009, by and between Addington Land Company, L.L.C, a Kentucky limited liability company, By and Through its Power of Attorney, Doug Moore, (said Power of Attorney of record in Deed Book 489, Page 602, Greenup County Clerk's Records, Greenup, Kentucky), 1500 North Big Run Road, Ashland, Kentucky, 41102, ("Grantor"), and The Irrevocable Trust of Ronald M. O'Brien and Christine M. O'Brien, with a mailing address of 620 Johnson Lake Road, Daleon Springs Florida 32130, ("Grantee").

WITNESSETH:

That for and in consideration of the sum of Twenty Thousand Dollars (\$20,000), cash in hand paid and other good and valuable consideration, paid by Grantee unto Grantor, the receipt and sufficiency all of which is hereby acknowledged, Grantor has bargained, sold and does hereby grant and convey unto Grantee, its successors and assigns, forever, all of Grantor's rights, titles, estates and interests, in and to the surface estate only of the following described tracts or parcels of land being located in SandGap Estates, Greenup County, Kentucky, subject, however, to the exceptions and reservations hereinafter stated, said real property being more particularly bounded and described as follows; to wit:

Being Lot numbered 36 in the SandGap Estates, Greenup County, Kentucky, which has a total of 1.50 acres more or less.
See attached Lot descriptions and Plat.

Source of Title:

Deed dated November 7, 1997 from Addington Enterprises, Inc. to Addington Land Company LLC, of record in Deed Book 455, Page 285, Greenup County Clerk's Records, Greenup, Kentucky.

Deed of Correction dated November 25, 1997 from Addington Enterprises, Inc. to Addington Land Company LLC, of record in Deed Book 456, Page 208, Greenup County Clerk's Records, Greenup, Kentucky.

Pursuant to KRS 382.135, the in-care-of address to which the property tax bill for the current year will be sent to Grantee is 620 Johnson Lake Road, Daleon Springs, Florida 32130.

There is reserved and excepted therefrom, however, all of the mineral and mineral rights in and to the above described property unto the Grantor, its successors and assigns, this exception and

GREENUP COUNTY
D556 PG262

Lot 36

Ronald M. +
Christine M. O'Brien
556/262

reservation being understood to include oil, gas, coal and all other minerals on, in and under the property conveyed herein.

The property conveyed herein is subject to all restrictions and reservations of SandGap Estates, which are attached hereto.

This conveyance is further subject to all covenants, restrictions, reservations, exceptions, exclusions, easements and rights-of-way previously imposed and appearing of record.

TO HAVE AND TO HOLD the above-described real estate, together with all the improvements thereon and all of the appurtenances thereunto belonging unto the Grantee, its successors and assigns forever, with Covenants of Special Warranty.

We, the undersigned Grantor and Grantee, do hereby certify pursuant to KRS, Chapter 382, that the above stated consideration in the amount of Twenty Thousand Dollars (\$20,000) is the true, correct and full consideration paid for the property herein conveyed.

IN TESTIMONY WHEREOF, Grantor and Grantee have hereunto subscribed these presents, this the date first above written.

GRANTOR:

ADDINGTON LAND COMPANY, LLC

By: *Doug Moore*
Doug Moore, ITS Power of Attorney

GRANTEE:

THE IRREVOCABLE TRUST OF
RONALD M. O'BRIEN AND
CHRISTINE M. O'BRIEN

By: *Ronald M O'Brien*
Trustee: Ronald M. O'Brien

By: *Christine M O'Brien*
Trustee: Christine M. O'Brien

STATE OF Kentucky
COUNTY OF Greenup

The foregoing instrument was acknowledged, subscribed and sworn to before me this 8th day of October, 2009, by Doug Moore, as Power of Attorney for Addington Land Company, LLC, a Kentucky limited liability company, for and on behalf of said entity, to be its free act and deed.

My Commission expires: 6-6-2010

Ann Selwage
Notary Public

STATE OF Kentucky
COUNTY OF GREENUP

The foregoing instrument was subscribed, sworn to and acknowledged before me by Ronald M. O'Brien and Christine M. O'Brien, Trustees of The Irrevocable Trust of Ronald M. O'Brien and Christine M. O'Brien, to be their free act and deed, this the 8th day of October, 2009.

My Commission expires: 6-6-2010

Cindy Selwage
Notary Public

THIS INSTRUMENT PREPARED BY:

Ronnie G. Dunnigan
Ronnie G. Dunnigan
Attorney at Law
3100 Maria Drive
Lexington, Kentucky 40516
Telephone (859) 293-2786

DESCRIPTION
LOT #36 OF SAND GAP ESTATES

A certain tract of land lying the west side of the Industrial Parkway, and on the south side of Sandsuck Road, being lot #36 of Sand Gap Estates, in Greenup County, Kentucky, and being more particularly described as follows:

Unless stated otherwise, any monument referred to herein as an "iron pin set" is a set 5/8" rebar pin, twenty four (24") in length, with a orange plastic cap stamped "M Back, P.L.S. #2178". All bearings stated herein are referred to the magnetic meridian as observed on a former survey and dated September 9, 2008.

BEGINNING at the intersection of the centerlines of Sand Suck Road and the Industrial Parkway; thence S 54°22'45" W a distance of 1920.76' to the TRUE POINT OF BEGINNING, which is an iron pin set in the southerly R/W line of a proposed street (25' from the centerline), being the common corner to lots 36 and 34;

Thence leaving lot #34 and with the right-of-way (R/W) N 58°23'36" E a distance of 108.39';

thence with a curve turning to the right with an arc length of 325.30', with a radius of 818.66', with a chord bearing of N 68°14'23" E, with a chord length of 323.16';

thence N 89°37'45" E a distance of 38.28' to an iron pin (set), being a corner to a 40' wide reserved roadway, and from which an iron pin (found, 5/8" diameter iron pin with cap stamped "LS 2178"—corner to lot #37, set previous survey) bears N 89°37'45" E a distance of 50.36';

thence leaving the 50' wide roadway and with the northerly R/W of the 40' wide roadway S 37°02'41" W a distance of 339.33' to an iron pin (set);

thence S 57°55'35" W a distance of 40.99';

thence S 39°28'32" W a distance of 101.07' to an iron pin (set), being the corner to lot #34;

thence leaving the 40' roadway and with the line of lot #34 N 33°18'22" W a distance of 231.84' to the TRUE POINT OF BEGINNING and CONTAINING 1.50 Acres more or less, according to a survey by Michael Back, P.L.S. #2178, with Turning Point Surveying, LLC on August 13, 2009, and hereafter known as lot #36 of Sand Gap Estates, and being a portion of the same property conveyed to Addington Land Company, LLC by Addington Enterprises, LLC, deed dated November 25, 1997, which is of record in Deed Book 456, Page 208 in the records of Greenup County, Kentucky.

The above-described property is also subject to an easement (having a 50' R/W) for the purpose of egress and ingress through the lands of the Addington Land Company, of which the centerline is more particularly described as follows:

Beginning at the northwest corner of Lot #36; thence N 33°00'03" W a distance of 25.29' to the TRUE POINT of BEGINNING;

Thence with the center of the existing 50' wide roadway and with a curve turning to the right with an arc length of 122.92', with a radius of 2032.74', with a chord bearing of N 58°43'54" E, with a chord length of 122.91';

thence with a curve turning to the right with an arc length of 322.86', with a radius of 824.62', with a chord bearing of N 68°41'18" E, with a chord length of 320.80';

thence N 89°37'50" E a distance of 258.92';

thence with a curve turning to the left with an arc length of 141.91', with a radius of 204.49', with a chord bearing of N 68°44'04" E, with a chord length of 139.08';

thence N 33°53'22" E a distance of 357.05';

thence N 16°12'46" E a distance of 143.25';

thence N 19°19'07" E a distance of 180.58';

thence with a curve turning to the right with an arc length of 217.86', with a radius of 369.06', with a chord bearing of N 38°45'11" E, with a chord length of 214.73';

thence N 56°09'27" E a distance of 123.91';

thence with a curve turning to the left with an arc length of 67.13', with a radius of 38.41', with a chord bearing of N 04°00'11" E, with a chord length of 58.91';

thence N 53°09'17" W a distance of 211.21';

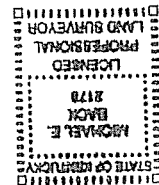
thence with a curve turning to the right with an arc length of 181.75', with a radius of 99.40', with a chord bearing of N 02°25'27" E, with a chord length of 157.47';

thence N 46°07'33" E a distance of 57.42';

thence with a tie-line S 45°23'51" E a distance of 510.40' to the intersection of the centerlines of Sandsuck road and the Industrial Parkway.

Signed: Michael Bach Date: 09/07/09

GREENUP COUNTY
D556 PG266



Kentucky Power Company

REQUEST

Refer to Item No. 14 of Kentucky Power's Complaint. Has the "old mining road" been disturbed, changed, or moved since 1982, either by mining activities or the A construction of KY 67?

RESPONSE

Kentucky Power does not have knowledge of any changes to the "old mining road" route. With the construction of KY 67, however, the mining road was bisected West of Sand Gap Road near 414 Sand Gap Road in Agrillite, Kentucky and West of Sand Gap Road near 397 Olivia Boulevard.

WITNESS: Richard Howerton