



**ORWIN LAW**  
*Law for Life*

**D. BRUCE ORWIN**  
Attorney at Law

**RECEIVED**

**JUN 20 2019**

**PUBLIC SERVICE  
COMMISSION**

June 17, 2019

Kentucky Public Service Commission  
Executive Director  
211 Sower Blvd  
P.O. Box 615  
Frankfort, KY 40602

In Re: Case no 2019-00149

To Whom It May Concern:

My client, the South Eastern Water Association, Inc. has received notice of a proposed tower relocation by SBA Towers IX, LLC proposes to relocate a cell tower as part of the KYTC project for the improvement and widening of KY 461 and Ky Hwy 80 in Pulaski County, Kentucky.

My client, the South Eastern Water Association, Inc. as successor by merger to the Barnsburg Water Association, Inc. holds an easement located in an area where the cell tower company proposes to access the relocated cellular tower. This water line is a main distribution line of my client providing drinking water to a significant portion of eastern Pulaski County. Any break or disruption of service of this line would result in numerous customers being without potable water. I have enclosed a copy of the deed where my client was granted the easement. My client would ask that access to the proposed cell tower avoid any activity which would disrupt or cause damage to the main distribution line.

Please contact me if I can provide additional information.

Sincerely,

D. Bruce Orwin

Enc: easement

CC: Lisa H. Emmons  
Denton Law Firm  
P.O. Box 969  
Paducah, KY 42002

South Eastern Water Association, Inc.

Abel Harold Rogers 11-16-71

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D E E D  
\* \* \*

THIS DEED OF CONVEYANCE made and entered into this the 26 day of October, 1971, by and between Allen Vaught and Bertie Vaught, his wife, of Pulaski County, Kentucky, parties of the first part and BARNESBURG WATER ASSOCIATION, INC., of Pulaski County, Kentucky, party of the second part,

WITNESSETH:

That for and in consideration of the sum of Five Hundred (\$500.00) Dollars, cash in hand paid, the receipt of all of which is hereby fully acknowledged, the parties of the first part do hereby bargain, sell and convey unto the party of the second part, its successors and assigns, the following described real estate, to-wit:

A certain tract or parcel of land located, lying and being in Pulaski County, Kentucky, and more particularly bounded and described as follows, to-wit:

Beginning at a stake, said point being N 20° 58' 21" E 58.87 feet, N 19° 54' 41" W 162.70 feet, N 06° 17' 02" W 120.54 feet, N 18° 16' 36" W 128.0 feet from station 447+43 of Kentucky Highway No. 80 (Relocated) Survey; thence N 69° 44' 31" W 100.0 feet to a stake; thence N 20° 15' 29" E to a stake; thence S 69° 44' 31" E 100.0 feet to a stake; thence S 20° 15' 29" W 100.0 feet to the beginning, containing 0.23 acres.

Being a part of the same property conveyed to grantors herein by deed from J. M. Mann, dated May 7, 1975 and of record in Deed Book 139, Page 285, Pulaski County Court Clerk's Office, Kentucky.

There is also granted a Right-of-Way Easement over grantors lands more particularly described as follows:

A certain tract of land being 20.0 feet in width and the centerline being further described as follows:

Beginning at Station 288+70 of the Barnesburg Water Association Survey; thence N 06° 17' 02" W 90 feet; thence N 18° 16' 36" W 128 feet to the proposed tank site of the Barnesburg Water Association.

There is also granted a Right-of-Way Easement over grantors lands more particularly described as follows:

A certain tract of land being 20 feet in width and the centerline of which is described as follows:

Beginning at a point in the north right-of-way of existing Kentucky Highway No. 80; thence with the existing road N 74° 06' 21" E 180.0 feet; N 47° 18' 21" E 38 feet; S 89° 01' 39" E 66.3 feet; N 20° 58' 21" E 20.0 feet to Station 447+43 of Kentucky Highway No. 80 (Relocated) Survey; thence N 20° 58' 21" E 58.87 feet; thence leaving said road N 19° 54' 41" W 162.7 feet; N 06° 17' 02" W 120.54 feet; N 20° 28' 24" E 103.1 feet; N 27° 53' 41" E 82.75 feet; N 85° 21' 04" W 93.5 feet to the proposed tank site of the Barnesburg Water Association.

There is also granted a Right-of-Way Easement over grantors lands more particularly described as follows:

Beginning at Station 269+15, on proposed water line, continuing Eastwardly to Station 277+00, ten feet from and parallel to existing Kentucky 80; thence continuing Eastwardly to Station 304+20 ten feet from and parallel to proposed Kentucky 80 relocation right of way.

The above easements being a part of the same property conveyed to grantors by deeds of record in Deed Book 124, Page 79 and Deed Book 139, page 285, all Pulaski County Court Clerk Office, Kentucky.

TO HAVE AND TO HOLD the same together with all the appurtenances thereunto belonging unto the party of the second part, its successors and assigns, with a covenant of general warranty of title.

IN TESTIMONY WHEREOF, witness the signatures of first parties the day and date first above written herein.

*Allen Vaught*  
Allen Vaught  
*Bertie Vaught*  
Bertie Vaught

STATE OF KENTUCKY  
COUNTY OF PULASKI ... SCT

I, the undersigned, a Notary Public in and for the State and county aforesaid, do hereby certify that the above foregoing Deed of Conveyance from Allen Vaught, etc. to Barnesburg Water Association, Inc. was this day produced to me and was duly acknowledged before me.