



**FLOYD COUNTY BOARD OF EDUCATION**  
**Henry Webb, Superintendent**  
**106 North Front Avenue**  
**Prestonsburg, Kentucky 41653**  
**Telephone (606) 886-2354 Fax (606) 886-8862**  
**www.floyd.kyschools.us**

**Sherry Robinson- Chair - District 5**  
**Dr. Chandra Varia, Vice-Chair - District 2**  
**Linda C. Gearheart, Member - District 1**  
**William Newsome, Jr., Member - District 3**  
**Rhonda Meade, Member - District 4**

**Consent Agenda Item (Action Item):** Consider/Approve a Right of Way and Easement for Kentucky Power Company to the new gymnasium at Betsy Layne High School.

**Applicable Statute or Regulation:** Chapter 01 (01.11) General Powers and Duties of the board.

**Fiscal/Budgetary Impact:** One Dollar (\$1.00) paid to the grantor.

**History/Background:**

The power to supply the gym will be underground with a pad-mounted transformer located to the North of the building along the exit road adjacent to the school.

**Recommended Action:** To approve as presented.

**Contact Person(s):** Gregory Adams/606-874-9569

  
Director

  
Superintendent

**Date:** November 27, 2017

**The Floyd County Board of Education does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, or disability in employment, educational programs, or activities as set forth in Title IX & VI, and in Section 504.**

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FLOYD CO. BD OF EDUCATION

106 N. FRONT AVENUE

PRESTONSBURG, KY, 41653

Eas No.

W.O. No. W002964001

Line SERVICE TO NEW GYM

R/W Map No. 3883-1077-D0 & D2

Job No. 17800059

Prop. No. 1

THIS AGREEMENT, made this 27 day of OCTOBER, 20 17,  
by and between FLOYD COUNTY BOARD OF EDUCATION BY STEVE TRIMBLE ITS SUPERINTENDENT

herein called "Grantors", whether one or more persons, and KENTUCKY POWER COMPANY, a Kentucky corporation, herein called "Kentucky",

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00), cash in hand paid to Grantors by Kentucky, the receipt whereof is hereby acknowledged, Grantors hereby grant, convey, and warrant to Kentucky, its successors, assigns, lessees and tenants, a right of way and easement for an electric power line or lines, and communication lines, in, on, along, through, over, across or under the following described lands of the Grantors situated in 4 TH District, County of FLOYD, State of Kentucky.

Being a right of way easement over the same property conveyed to Grantors herein by COMMONWEALTH OF KENTUCKY

by deed dated 10-26-1977 / and recorded in FLOYD County, Deed Book  
No. 232, Page 409, Date 2-1-1978

This easement extends in a SOUTH WEST direction from  
Kentucky's existing POLE numbered 38831077D00574 to  
and including new UG FACILITIES numbered 38831077D00758 THIS  
**EASEMENT ALSO COVERS PREVIOUS UNDERGROUND THAT WAS PUT IN FROM POLE**  
**1077D20045 IN A WEST DIRECTION TO UG FACILITIES NUMBERED 38831077D20454**

TOGETHER with the right, privilege and authority to Kentucky, its successors, assigns, lessees and tenants, to construct, erect, install, place, operate, maintain, inspect, repair, renew, remove, add to the number of, and relocate at will, poles, with wires, cables, crossarms, guys, anchors, grounding systems and all other appurtenant equipment and fixtures, underground conduits, ducts, vaults, cables, wires, transformers, pedestals, risers, pads, fixtures and appurtenances (hereinafter called "Kentucky's Facilities"), and string wires and cables, adding thereto from time to time, in, on, along, over, through, across and under the above referred to premises; the right to cut down, trim, clear and/or otherwise control, and at Kentucky's option, remove from said premises, any trees, shrubs, roots, brush, undergrowth, overhanging branches, buildings, or other obstructions which may endanger the safety of, or interfere with the use of, Kentucky's Facilities; the right to disturb the surface of said premises and to excavate thereon; and the right of ingress and egress to and over said above referred to premises, and any of the adjoining lands of the Grantors at any and all times, for the purpose of exercising and enjoying the rights herein granted, and for doing anything necessary or useful or convenient in connection therewith.

It is understood and agreed between the parties hereto, that the Grantors reserve the right to use said lands in any way not inconsistent with the rights herein granted.

TO HAVE AND TO HOLD the same unto Kentucky Power Company, its successors, assigns, lessees and tenants.

81901R0705

It is agreed that the foregoing is the entire contract between the parties hereto, and that this written agreement is complete in all its terms and provisions.

WITNESS the following signatures and seals.

FLOYD COUNTY BOARD OF EDUCATION (SEAL) \_\_\_\_\_ (SEAL)

BY: \_\_\_\_\_ (SEAL) \_\_\_\_\_ (SEAL)

ITS: SUPERINTENDENT (SEAL) \_\_\_\_\_ (SEAL)

\_\_\_\_\_  
(SEAL) \_\_\_\_\_ (SEAL)

\_\_\_\_\_  
(SEAL) \_\_\_\_\_ (SEAL)

THIS INSTRUMENT PREPARED BY:

Nelson R. Scott

For: Kentucky Power Company  
3249 North Mayo Trail  
Pikeville, KY, 41501

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) TO-WIT:

I, \_\_\_\_\_, a Notary Public (or County Clerk) in and for the county and state aforesaid hereby certify that the foregoing right of way easement from FLOYD COUNTY BOARD OF EDUCATION BY STEVE TRIMBLE ITS SUPERINTENDENT

to Kentucky Power Company, was this day produced to me in my said County and State, and acknowledged by FLOYD COUNTY BOARD OF EDUCATION BY STEVE TRIMBLE ITS SUPERINTENDENT

My Commission Expires: \_\_\_\_\_

Given under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public (County Clerk)

STATE OF KENTUCKY, ) CLERK'S CERTIFICATE  
COUNTY ) SCT.

I, \_\_\_\_\_, clerk of the County Court, do certify that this right of way easement from \_\_\_\_\_ to Kentucky Power Company, was on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ O'clock \_\_\_\_ M, lodged in my office for record, and the same, together with this and the foregoing certificate have been recorded in deed book \_\_\_\_\_ at page \_\_\_\_\_.

Witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
CLERK

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