

FLOYD COUNTY BOARD OF EDUCATION  
Anna Whitaker Shepherd, Superintendent  
442 KY RT 550  
Eastern, KY 41622  
Telephone (606) 886-2354 Fax (606) 886-4550  
www.floyd.kyschools.us

Linda C. Gearheart, Board Chair - District 1  
William Newsome, Jr., Vice-Chair - District 3  
Dr. Chandra Varia, Member - District 2  
Keith Smallwood, Member - District 4  
Steve Slone, Member - District 5

**Consent Agenda Item (Action Item):**

Consider/Approve a Right of Way and Easement for Kentucky Power Company for an electric power line or lines on Betsy Layne High School/Floyd County Board of Education property, pending KDE approval.

**Applicable State or Regulations:**

Chapter 01 (01.11) General Powers and Duties of the board.

**Fiscal/Budgetary Impact:**

N/A

**History/Background:**


This will release the easement for the power company to run electric lines to an Appalachian Wireless Tower.

**Recommended Action:**

Approve as presented.

**Contact Person(s):**

Linda Hackworth (606) 874-2435

  
**Superintendent**

**Date:**

June 22, 2023

GRW 251 - OH - KY

**FLOYD CO. BOARD OF EDUCATION** Eas No. \_\_\_\_\_ R/W Map No. **3883-1101 / 3883-1077**  
**442 KY RT 550** W.O. No. **W003613101** Job No. **23800032** Prop. No. **1**  
**EASTERN KY. 41622** Line **SERVICE TO NEW STANVILL TOWER APPALACHIAN WIRELESS**

THIS AGREEMENT, made this **20** day of **JUNE**, 20**23**,  
by and between **FLOYD COUNTY BOARD OF EDUCATION BY ANNA SHEPHERD 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, and across 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 **2-1-1978**, and recorded in **FLOYD** County, Deed Book No. **232**, Page **409**, Date **2-1-1978**.

This easement extends in a **SOUTH EAST** direction from Kentucky's existing **NEW POLE** numbered **38831011C10515** to and including new **POLE** numbered **38831077D40780** It is also agreed and understood that if such facilities are no longer needed for electric service, then such property reverts back to the exclusive unrestrictive control of the Floyd Co. Board of Education

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, (hereinafter called "Kentucky's Facilities"), and string wires and cables, adding thereto from time to time, across, through, or over the above referred to premises; the right to cut down, trim and/or otherwise control, and at Kentucky's option, remove from said premises, any trees, overhanging branches, buildings, or other obstructions which may endanger the safety of, or interfere with the use of, Kentucky's Facilities; 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.

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)  
ANNA SHEPHERD ~~(SEAL)~~ \_\_\_\_\_ (SEAL)  
ITS: SUPERINTENDENT ~~(SEAL)~~ \_\_\_\_\_ (SEAL)  
\_\_\_\_\_ (SEAL) \_\_\_\_\_ (SEAL)

THIS INSTRUMENT PREPARED BY:

Wilson R. Scott

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

STATE OF \_\_\_\_\_ KY. )  
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 ANNA SHEPHERD 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 ANNA SHEPHERD ITS SUPERINTENDENT

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

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

Notary ID - \_\_\_\_\_  
(For Ky. Only)

Notary Public (County Clerk)

**CLERK'S CERTIFICATE**

STATE OF KENTUCKY, )  
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

D. C.

GRW 251 - OH - KY

**FLOYD CO. BOARD OF EDUCATION**

**442 KY RT 550**

**EASTERN KY. 41622**

Eas No. \_\_\_\_\_

R/W Map No. **3883-1101 / 3883-1077**

W.O. No. **W003613101**

Job No. **23800032**

Prop. No. **1**

Line **SERVICE TO NEW STANVILL TOWER APPALACHIAN WIRELESS**

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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:** \_\_\_\_\_ (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 \_\_\_\_\_ KY. )  
 ) TO-WIT:  
 COUNTY OF \_\_\_\_\_ )

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**

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**

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

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

Notary ID - \_\_\_\_\_  
 (For Ky. Only)

Notary Public (County Clerk)

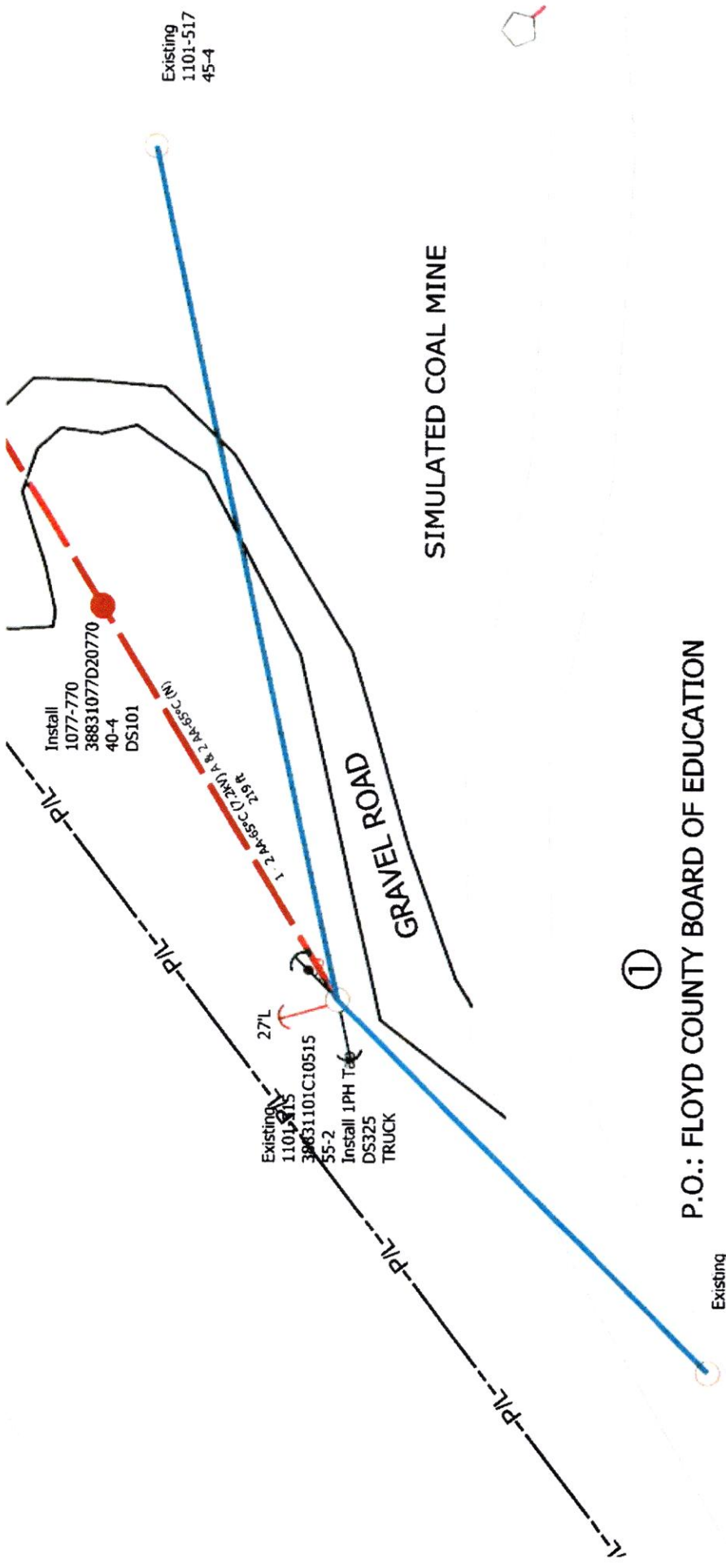
**CLERK'S CERTIFICATE**

STATE OF KENTUCKY. )  
 )  
 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\_\_\_\_.

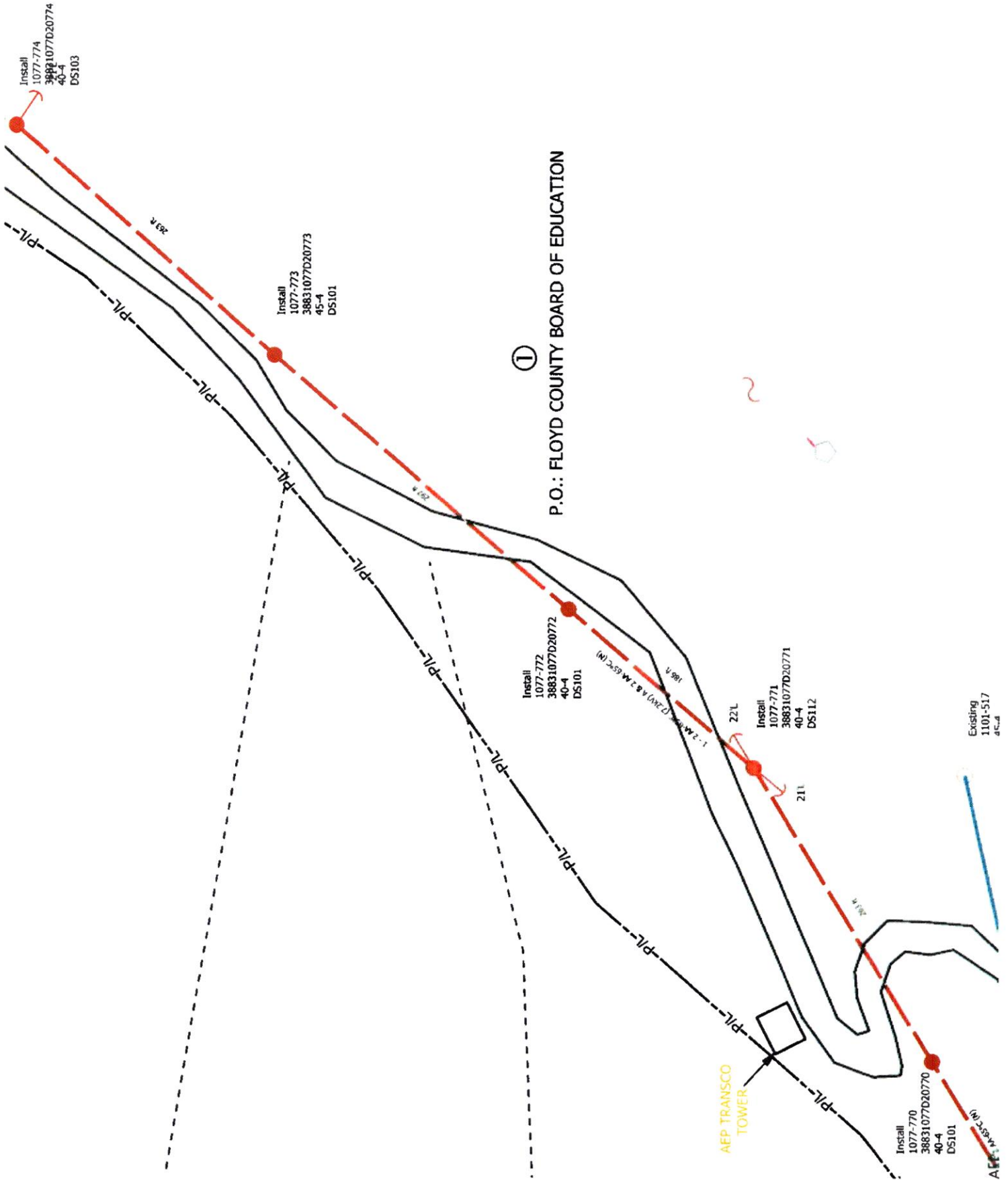
CLERK



AEP

# A DDS Worksketch

Date Requested:		Bucket Truck?:
Date Required: 05/20/2023		Truck to Site?:
Job Name: P/CSC-INSTALL 1PH MULTI POLE EXT AND UG SERV FR P# 38831101C10515		4WD?:
Location: 749 WIRLESS BLVD, STANVILLE		County: FLOYD
Division: KY	District: 074 - Pikeville	Crew HQ: 10695
Station No.: 31201	Station No.: 31201	Circuit No.: 02
W/R#: 85101042	WO#: DKY0120918	Sta/Circuit Name: STANVILLE/TRAM
JU Proposal(s):	Voltage: 12.5 kV	Map: KENTUCKY
RW#: 238 000 32	Phases:	Quad: 3883
Comments:	Date: 6/16/2023	Scale: 1:71
	Print#:	Page: Page 1 of 5
Drawn By: Derek Coleman		



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P.O.: FLOYD COUNTY BOARD OF EDUCATION

Install  
1077-774  
38831077D20774  
40-4  
DS103

Install  
1077-773  
38831077D20773  
45-4  
DS101

Install  
1077-772  
38831077D20772  
40-4  
DS101

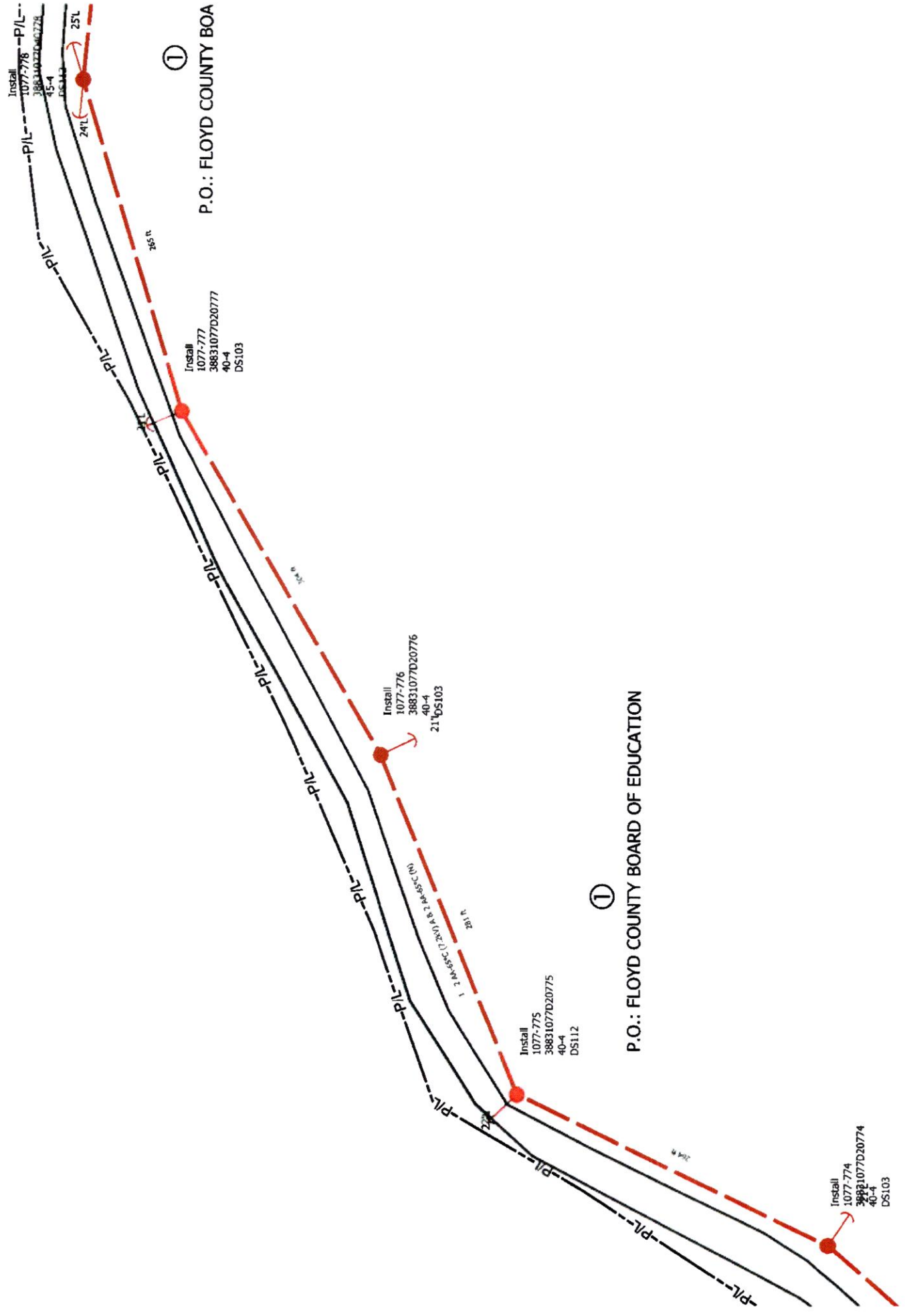
Install  
1077-771  
38831077D20771  
40-4  
DS112

Install  
1077-770  
38831077D20770  
40-4  
DS101

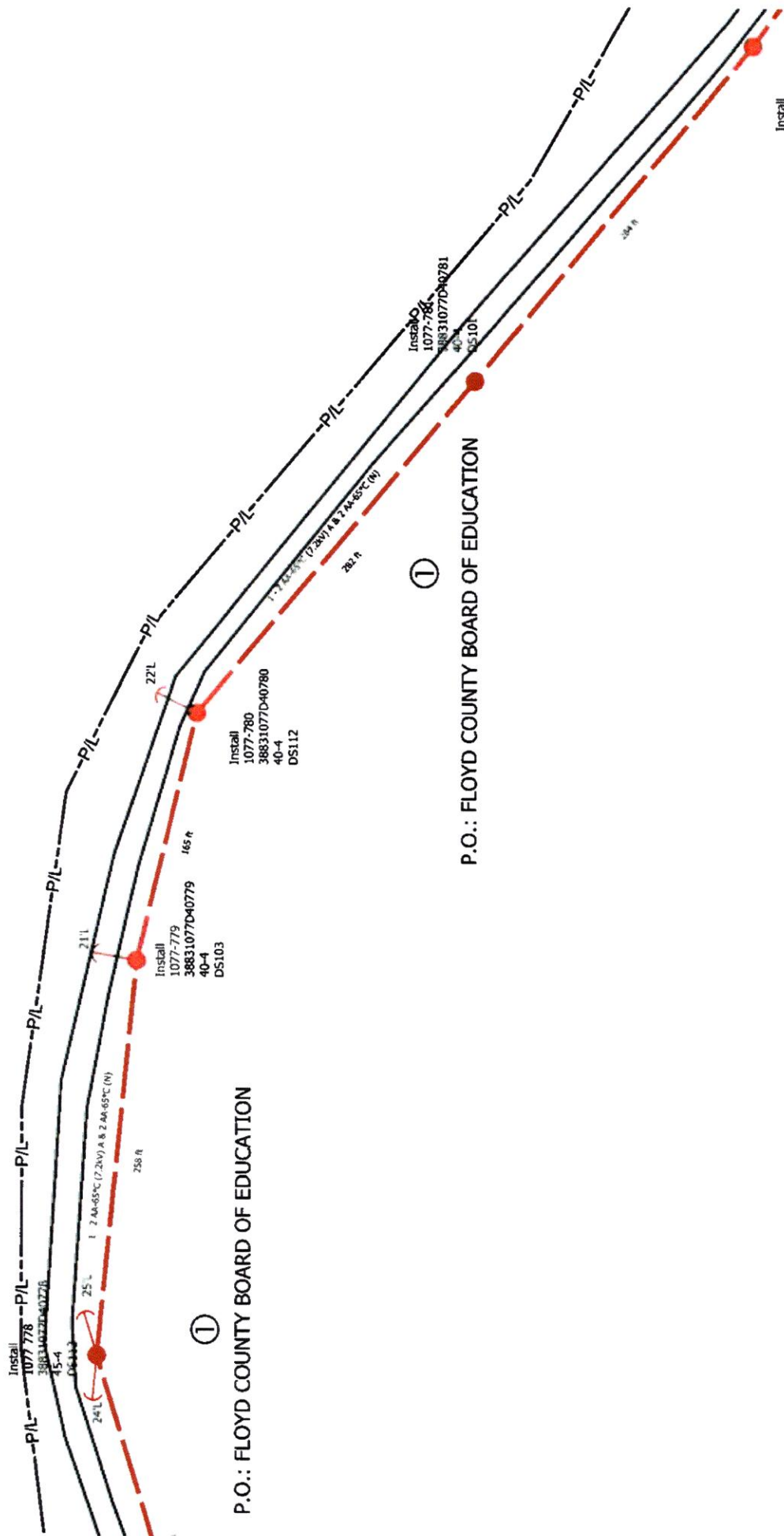
Existing  
1101-517  
45-4

AEP TRANSCO  
TOWER

AW-358-31







① P.O.: FLOYD COUNTY BOARD OF EDUCATION

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P.O.: FLOYD COUNTY BOARD OF EDUCATION

Install  
1077-782  
38831077D40782  
40-4  
DS103

