



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

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

Consent Agenda Item (Action Item): Review/Consider for approval for easement of property for American Electric Power (AEP) identified in geographical area to Prestonsburg high school.

Applicable State or Regulations: KRS 162.90 Power and duties of local board.

Fiscal/Budgetary Impact:

- Costs to the Board: None
- Compensation: \$8,225.00
- Long-term impact: None

History/Background: A request has been made to establish an easement across a portion of this property for utility access. The easement area is approximately .350 acres and would not interfere with the daily operations of Prestonsburg High School. Ownership of the property will remain with the Board, but the easement will grant AEP the legal right to install and maintain utility lines.

Recommended Action: It is recommended that the Board approve the easement agreement with AEP for the stated purpose.

Contact Person(s):

Kevin O'Quinn, Director of Facilities
606-874-8569


Director


Superintendent

Date:

September 18, 2025

Line Name: Prestonsburg – Thelma (Kenwood Prestonsburg section)

Line No.: TLN180:OK346 **Easement No.:** 59

SUPPLEMENTAL EASEMENT AND RIGHT OF WAY

On this ____ day of _____, 2025, , **The Board of Education of Floyd County, Kentucky**, whose address is 442 KY Route 550, Eastern, Kentucky 41622, (“Grantor”), whether one or more persons, owns an interest in a tract of real property that is more particularly described lands of the Grantor, situated in the State of Kentucky, Floyd County, in that certain document, dated 2/22/2000 recorded in Volume 444, Page 263 of the real property records of Floyd County, Kentucky, and such tract is subject to easements and rights-of-way granted in favor of Kentucky Power Company.

Kentucky Power Company, a(n) Kentucky corporation, a unit of American Electric Power, whose principal business address is 1 Riverside Plaza, Columbus, Ohio 43215, (“AEP”) is the current owner and holder of the rights, title, and interest, or a portion thereof, granted in or arising under that certain right of way and easements, recorded on 11/7/1955, in Deed Book Volume 161, Page 11; of the official records of Floyd County, Kentucky (the “Original Easement”).

NOW, THEREFORE, in consideration of the sum of Ten and NO/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby grants, conveys and warrants this Supplemental Easement and Right of Way (“Easement”) to AEP for electric transmission, distribution, and communication lines and appurtenant equipment and fixtures, being, in, on, over, under, through and across to supplement the Original Easement insofar as it encumbers such tract of real property owned by Grantor as more particularly described above.

Auditor/Key/Tax Number: 045-20-03-009.00

The Easement is also supplemented by the addition of the following language:

AEP, its successors and assigns, are granted the right to construct, reconstruct, operate, maintain, alter, inspect and patrol (by ground or air), protect, repair, replace, renew, upgrade, relocate within the Easement Area, remove and replace poles, towers, and structures, made of wood, metal, concrete or other materials, including crossarms, guys, anchors, anchoring systems, grounding systems, underground conduits, ducts, vaults, transformers, pedestals, risers, pads, communications facilities, and all other appurtenant equipment and fixtures, and to string conductors, wires and cables. The electric facilities may consist of a variable number of towers, poles, wires, guys, anchors and associated fixtures, including the right to enlarge, and may transmit electricity of any voltage or amperage, together with the right to add to said facilities from time to time, and the right to do anything necessary, useful or convenient for the enjoyment of the Easement Area herein granted, together with the privilege of removing at any time any or all of said facilities erected on the Easement Area.

AEP and its successors and assigns, shall have the right, in AEP’s reasonable discretion, to cut down, trim, and otherwise control, using herbicides or tree growth regulators, or other means, and at AEP’s option, to remove from the Easement Area any and all trees, overhanging branches, vegetation, brush, including all root systems or other obstructions. AEP shall also have the right to cut down, trim, remove, and otherwise control trees situated on lands of

the Grantor which adjoin the Easement Area, when in the reasonable opinion of AEP those trees may endanger the safety of, or interfere with the construction, operation or maintenance of AEP's facilities or ingress or egress to, from or along the Easement Area.

AEP and its successors and assigns are granted the right of unobstructed ingress and egress, at any and all times, on, over, across, along and upon the Easement Area, and across the adjoining lands of Grantor as may be reasonably necessary to access the Easement Area for the above referenced purposes.

In no event shall Grantor, its heirs, successors, and assigns plant or cultivate any trees or place, construct, install, erect or permit any temporary or permanent building, structure, improvement or obstruction including but not limited to, storage tanks, billboards, signs, sheds, dumpsters, light poles, water impoundments, above ground irrigation systems, swimming pools or wells, or permit any alteration of the ground elevation, over or within the Easement Area. AEP may, at Grantor's cost, remove any structure or obstruction if placed within the Easement Area and may re-grade any alterations of the ground elevation within the Easement Area. AEP shall repair or pay Grantor for actual damages to growing crops, fences, gates, field tile, drainage ways, drives, or lawns caused by AEP in the exercise of the rights herein granted.

The failure of AEP to exercise any of the rights granted herein, including but not limited to the removal of any obstructions from the Easement Area, shall not be deemed to constitute a waiver of the rights granted herein and the removal of any facilities from the Easement Area shall not be deemed to constitute a permanent abandonment or release of the rights granted herein.

Except as modified by this Supplemental Easement and Right of Way, all terms and provisions of the Original Easement and all rights arising in connection with the Original Easement shall remain in full force and effect, and the Original Easement shall keep its priority in title as of the date of its recording. Those provisions and rights are expressly ratified, reaffirmed by and incorporated within this Supplemental Easement and Right of Way. The Original Easement along with this Supplemental Easement and Right of Way shall for all purposes function as a single instrument, however, to the extent any terms or provisions of the Original Easement conflict with, limit or are inconsistent with any term or provision of the Supplemental Easement and Right of Way, the terms and provisions of this Supplemental Easement and Right of Way shall control. Nothing herein will in any manner vary, change, modify, or restrict the rights and privileges that AEP may have acquired through any instrument other than the Original Easement or by any other means.

The terms and conditions as supplemented by this instrument, are the complete agreement, expressed or implied between the parties hereto and shall inure to the benefit of and be binding on their respective successors, assigns, heirs, executors, administrators, lessees, tenants, licensees, and legal representatives.

This instrument may be executed in counterparts, each of which will be deemed an original, but all of which taken together will constitute one and the same instrument.

Any remaining space on this page intentionally left blank. See next page(s) for signature(s).

IN WITNESS WHEREOF, Grantor has executed this Easement effective the day, month and year first above written.

GRANTOR

The Board of Education of Floyd County, Kentucky

By: _____

Its: _____

State of Kentucky §

§

County of Floyd §

The foregoing instrument was acknowledged before me this ____ day of _____, 2025, by _____, _____ of The Board of Education of Floyd County, Kentucky, on behalf of said company.

Notary Public

Print Name: _____

My Commission Expires: _____

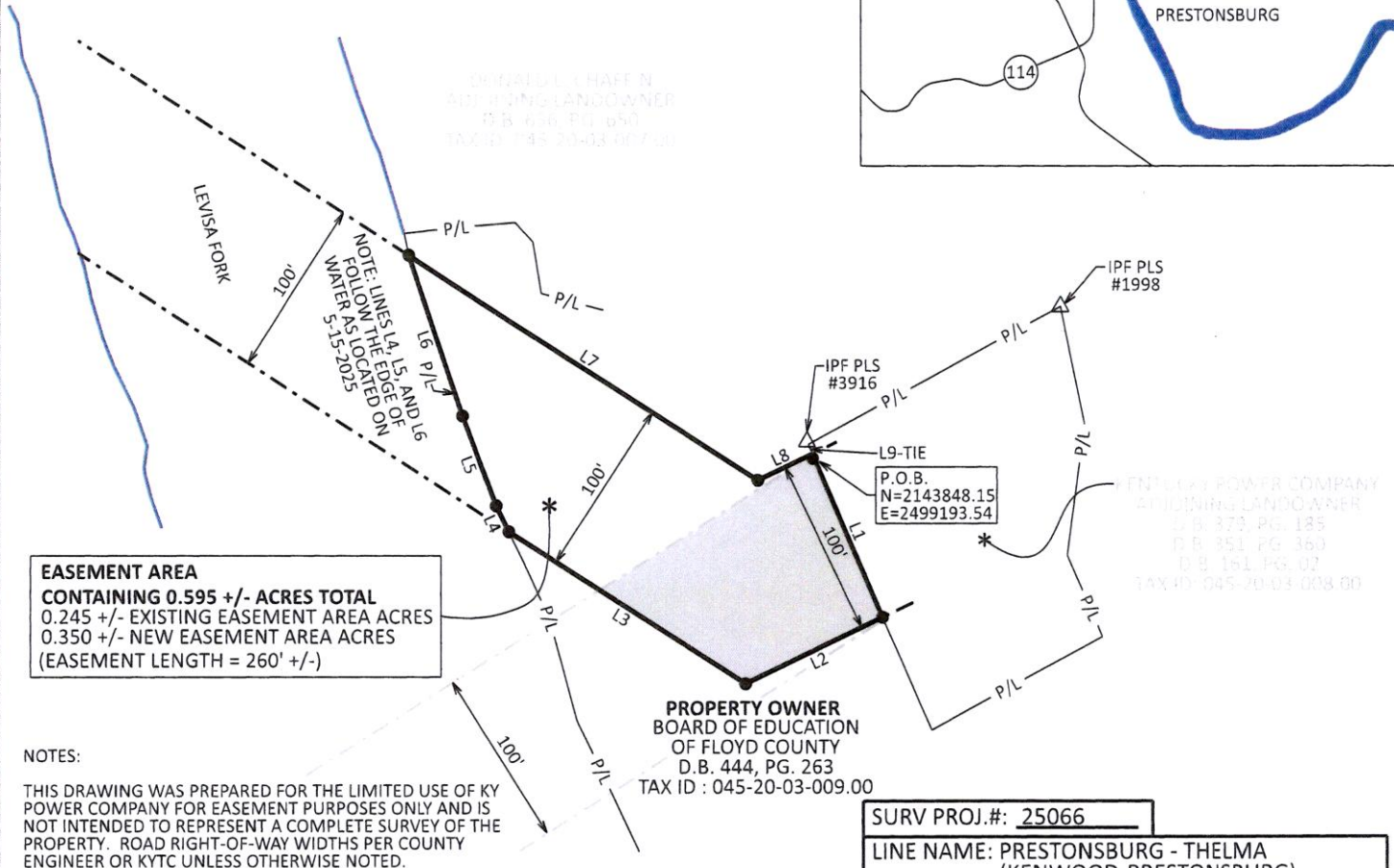
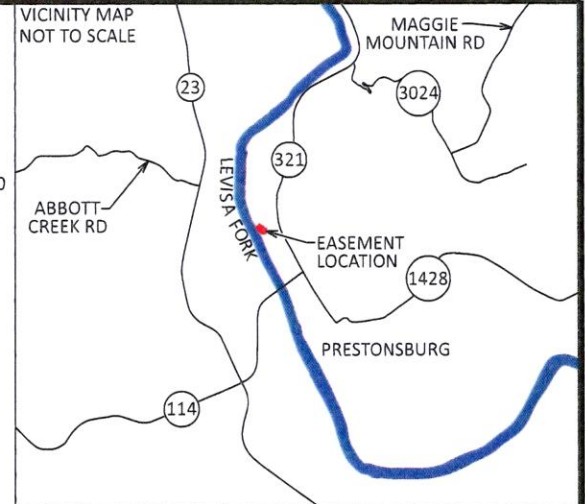
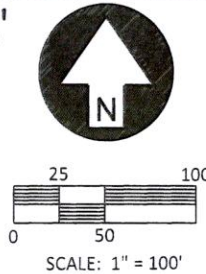
THIS INSTRUMENT PREPARED BY:

For: Kentucky Power Company
6809 North Mayo Trail,
Pikeville, KY. 41501

When recorded return to: American Electric Power - Transmission Right of Way, 3249 North Mayo Trail, Pikeville, KY 41501

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	S 23°29'24" E	100.08'
L2	S 64°15'32" W	86.39'
L3	N 57°16'17" W	158.60'
L4	N 25°55'31" W	16.25'
L5	N 20°41'51" W	54.07'
L6	N 18°46'37" W	95.32'
L7	S 57°16'18" E	234.53'
L8	N 64°15'29" E	34.36'
L9-TIE	N 23°29'24" W	5.84'

EXHIBIT 'A'



LEGEND

P.O.B. POINT OF BEGINNING
 ● CORNER OF EASEMENT
 △ FOUND MONUMENT

--- RIGHT-OF-WAY LINE

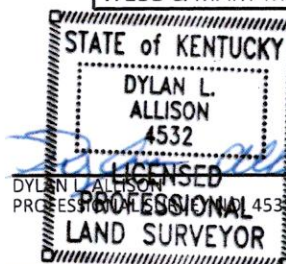
NEW EASEMENT AREA

EXISTING EASEMENT AREA

P/L PROPERTY LINE (APPROXIMATE)



P.O. BOX 204
 165 FOSTER LANE
 STANFORD, KY 40484
 PHONE (606) 365-8362
 FAX (606) 365-1097



09/11/2025
 DATE

KENTUCKY POWER COMPANY

EASEMENT ACROSS THE LANDS OF
 BOARD OF EDUCATION OF FLOYD COUNTY
 CONTAINING 0.595 +/- ACRES

SITUATED IN THE STATE OF KENTUCKY, COUNTY OF FLOYD

SCALE: 1" = 100'

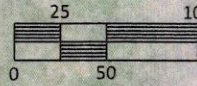
09/11/2025

FILE: 25066 K-P S9 FLOYD
 COUNTY BOARD OF EDU...

SHEET: 1 OF 1

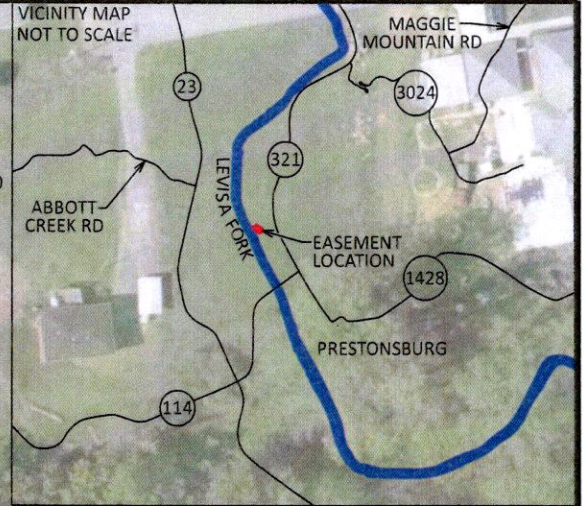
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L7	S 57°16'18" E	234.53'
L8	N 64°15'29" E	34.36'
L9-TIE	N 23°29'24" W	5.84'

EXHIBIT 'A'



SCALE: 1" = 100'

VICINITY MAP
NOT TO SCALE



DONALD L. CHAFFIN
ADMINISTRATIVE LANDOWNER
D.B. 256, PG. 650
TAX ID: 045-20-03-007.00

EASEMENT AREA
CONTAINING 0.595 +/- ACRES TOTAL
0.245 +/- EXISTING EASEMENT AREA ACRES
0.350 +/- NEW EASEMENT AREA ACRES
(EASEMENT LENGTH = 260' +/-)

NOTES:

THIS DRAWING WAS PREPARED FOR THE LIMITED USE OF KY POWER COMPANY FOR EASEMENT PURPOSES ONLY AND IS NOT INTENDED TO REPRESENT A COMPLETE SURVEY OF THE PROPERTY. ROAD RIGHT-OF-WAY WIDTHS PER COUNTY ENGINEER OR KYTC UNLESS OTHERWISE NOTED.

LAND OWNERSHIP INFORMATION IS PROVIDED BY TITLE AGENCY. NO ADDITIONAL VERIFICATION HAS BEEN PERFORMED BY THE SURVEY COMPANY.

BEARINGS & COORDINATES SHOWN HEREON ARE BASED ON THE KY STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD83)

LEGEND

P.O.B.



POINT OF BEGINNING
CORNER OF EASEMENT
FOUND MONUMENT

RIGHT-OF-WAY LINE

NEW EASEMENT AREA

EXISTING EASEMENT AREA

P/L

PROPERTY LINE (APPROXIMATE)



P.O. BOX 204
165 FOSTER LANE
STANFORD, KY 40484
PHONE (606) 365-8362
FAX (606) 365-1097

PROPERTY OWNER
BOARD OF EDUCATION
OF FLOYD COUNTY
D.B. 444, PG. 263
TAX ID : 045-20-03-009.00

SURV PROJ.#: 25066

LINE NAME: PRESTONSBURG - THELMA
(KENWOOD-PRESTONSBURG)
LINE NUMBER: TLN180:OK346
EASEMENT NUMBER: 59
SUPPLEMENT TO ORIG. ESMT. NO 1, (J.O.
WEBB & MARY M. WEBB, D.B. 161, PG. 11)

INFORMATION ONLY

DYLAN L. ALLISON
PROFESSIONAL SURVEY NO. 4532

09/11/2025
DATE

KENTUCKY POWER COMPANY

EASEMENT ACROSS THE LANDS OF
BOARD OF EDUCATION OF FLOYD COUNTY
CONTAINING 0.595 +/- ACRES

SITUATED IN THE STATE OF KENTUCKY, COUNTY OF FLOYD

SCALE: 1" = 100'

09/11/2025

FILE: 25066 K-P 59 FLOYD
COUNTY BOARD OF EDU...

SHEET: 1 OF 1

Line Name: Prestonsburg – Thelma (Kenwood – Prestonsburg section)

Line No.: TLN180:OK346 Easement No.: 59

EASEMENT PAYMENT SCHEDULE

THE UNDERSIGNED:

GRANTOR: The Board of Education of Floyd County, Kentucky

ADDRESS: 442 Ky Route 550, Eastern, KY, 41622

HEREBY OFFER to accept amount as determined in accordance with the schedule below in full payment of the Easement and Right of Way for an electric transmission, distribution and communication lines, being, in, on, over, under, through and across the land of the Undersigned Situated in , Floyd County, State of Kentucky, under an easement dated _____, 2025 from the Undersigned to the Company, to wit:

PAYMENT SCHEDULE

Easement Acquisition Cost Description:	Items Paid
Easement Consideration Paid 0.350 acres +/- @ \$23,500.00 /ac =	\$8,225.00
942 - Sub-Totals	\$8,225.00
943 - Sub-Totals	\$0.00
946 - Sub-Totals	\$0.00
Total Consideration includes Initial Consideration Paid	\$8,225.00

The amounts so determined are full payment for the Easement and Right of Way. Any construction damages will be paid separately unless noted above.

Signed on _____, 2025

GRANTOR

The Board of Education of Floyd County, Kentucky

Accepted on _____, 2025

Emerald Energy & Exploration Land Company Contract
Agent for: Contact Agent for:

Kentucky Power Company

By: _____

Field Agent: James O. Childers

By: _____

Its: _____

For Office Use Only:

Attach Required W-9

GL	PCBU	Project BPID	Work Order	Account	Dept.	CC	Act	Easement Payment
180	TRANS	P21043009	T10307529001			942		\$8,225.00
GL	PCBU	Project BPID	Work Order	Account	Dept.	CC	Act	Damage Payment
180	TRANS	P21043009	T10307529001			943		\$0.00
GL	PCBU	Project BPID	Work Order	Account	Dept.	CC	Act	Crop Payment
180	TRANS	P21043009	T10307529001			946		\$0.00

**Request for Taxpayer
Identification Number and Certification**

Go to www.irs.gov/FormW9 for instructions and the latest information.

Give form to the
requester. Do not
send to the IRS.

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See Specific Instructions on page 3.	1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)	
	2 Business name/disregarded entity name, if different from above.	
	3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C corporation <input type="checkbox"/> S corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions)	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____ (Applies to accounts maintained outside the United States.)
	3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions <input type="checkbox"/>	
	5 Address (number, street, and apt. or suite no.). See instructions.	Requester's name and address (optional)
6 City, state, and ZIP code		
7 List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number	
<input type="text"/>	<input type="text"/>
or	
Employer identification number	
<input type="text"/>	<input type="text"/>

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person	Date
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they