

**FAX**

October 23, 2017

My complaint is against Duke Energy of Cincinnati, OH.

Case # 17-2176-EL-CSS

Duke Energy is negatively impacting the property values of our homes in Symmes Township and the City of Montgomery (which includes 180 single family homes, 3 apartment buildings and 31 condos). They are doing this by clear cutting and obliterating (vs. trimming) all trees located within a 100 foot right-of-way under the Transmission wires.

My complaint is that Duke is failing to adhere to what is permissible in the language of the Grant of Easement (written in 1951) that is associated with these properties. They are also surpassing requirements by PUCO as described in: Section F (Right of Way Vegetation Management) of its *Programs For Inspection, Maintenance, Repair and Replacement of Distribution and Transmission Lines 4901:1-10-27(E)(1)*

Citizens of Symmes Township and City of Montgomery would like PUCO to stop Duke from taking this excessive and unnecessary action to clear cut trees and we want PUCO to stop Duke from using toxic herbicides on our properties.

Please see attached Grant of Easement

Thank you,

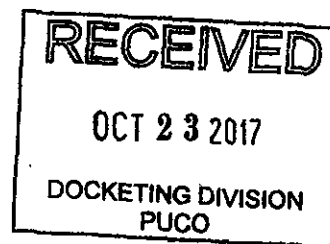
Melissa Kuhre

Signature of Homeowner

Customer of Duke Energy Cincinnati, Ohio

12002 Paulmeadows Drive

Cincinnati, Ohio 45249



This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.  
Technician \_\_\_\_\_ Date Processed OCT 23 2017

4711. 180. 6th Ser. 82.

DEC-14-50

05445

1910  
Ella Rempler

0

# GRANT OF EASEMENT

FOR AND IN CONSIDERATION OF One Dollar and other good and valuable considerations, the receipt whereof is hereby acknowledged,  
I, \_\_\_\_\_, hereby grant unto The Cincinnati Gas & Electric Company, its successors and assigns, a right of way and easement  
\_\_\_\_\_ hundred (100) feet in width, to construct, erect, operate, maintain, repair, replace and remove towers and all necessary and incidental wires, cut  
anchors, grounding systems, counterpoises, fixtures and equipment for the transmission and distribution of electrical energy, ~~including~~ <sup>also</sup> ~~the~~  
~~right, repair, replace and remove wire lines and appurtenances and additional towers and equipment for the transmission and distribution of gas,~~ in, on, over, thro  
and across the following described real estate situate in Section 31, T. 4, E.R. 2, \_\_\_\_\_ Township, \_\_\_\_\_ Hamilton County  
State of Ohio and being a tract of 45.11 acres, more or less, being Lot 1 of Samuel Arbuckle's  
Estate and being the same property conveyed to the grantor by deed dated April 27, 1899 and  
recorded in Deed Book 832, page 191, Hamilton County Recorder's Office.

The center line of the said 100' foot right of way and easement is described as follows:

Beginning at a point in the southeast corner of the above described property; thence in a westerly direction along the south boundary line of said property 203.0 feet to a point and the real place of beginning of the easement herein conveyed; thence from said real place of beginning in a northerly direction turning an angle of 90 degrees 36 minutes to the right 479.25 feet to a point; thence continuing in a northerly direction turning an angle of 3 degrees 17 minutes to the right 705.49 feet to a point; thence continuing in a northerly direction turning an angle of 2 degrees 6 minutes to the left 195.10 feet to a point in the center line of Fields-Ertel Road said point being 155.7 feet west of the northeast corner of said property measured along the center line of Fields-Ertel Road.

together with the right to cut, trim or remove any trees, overhanging branches or other obstructions both within and without the limits of the above described right of way and easement which in the opinion of the grantor's engineers may endanger the safety of or interfere with the construction, operation or maintenance of said system, the right to pile dirt, material and equipment on the surface during periods of construction and maintenance, and the right of ingress and egress over the above described property for the purpose of exercising the rights herein granted.

Said Company, its successors and assigns, shall pay all damages to growing crops, buildings and fixtures caused by its employees, agents, licensees

No buildings or other structures shall be erected within the limits of the above described right of way and easement by the grantee. None trees or signs. Grantee None shall have the right to cultivate the land within the limit.

If the rights herein granted are not used, at least in part, within twenty-five years from the date of this instrument the same shall become void and shall revert to the then owners of the above described property.

and shall revert to the then owners of the above described property.  
 Grantor hereby gives full power to convey said right of way and easement and warrant same and will defend the same against all claims of persons.

WITNESS WAM band

the 12 day of

*Arthur*

3053

signed and acknowledged in the presence of:

Chas. J. Gallase  
Harry Kiffin

Edna M. Bunker

STATE OF Ohio Hamilton County, ss.

ella m Remples

he acknowledged the signing of the foregoing instrument to be his voluntary act and deed for the uses and purposes therein set forth.

knowledge of the contents of the foregoing instrument to be a voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this 12th day of October, 1953.

DEED  
 RECORD  
 DEL 14 1958  
 Vol. 214  
 Page 1  
 Hamilton  
 Harry Kasfir  
 Ohio

Attention PUCO:

Case # 17-2176-EL-CSS

I request an emergency stop cut order for clear-cutting all trees in the 100 ft. utility easement that Duke Energy has on my property until my complaint can be acted on by PUCO.

Please understand, I have no objection to trimming of trees, as previously practiced by Duke Energy, however I object to the total destruction of all trees located within the easement.

Because clear cutting could commence as early as 10-30-2017, this may be sooner than my complaint can be acted on by PUCO.

Melisa Kuhne

Signature of homeowner

Customer of Duke Energy, Cincinnati, Ohio

12002 Paulmeadows Dr.

Cincinnati, OH 45249

**Public Utilities  
Commission**17-2176-EL-CSS  
(Case Number)Public Utilities Commission of Ohio  
Attn: Docketing  
180 E. Broad St.  
Columbus, OH 43215**Formal Complaint Form**Melisa Kuhne  
Customer Name (Please Print)12002 Paulmeadows Dr.  
Customer AddressCincinnati OH 45249  
City State Zip**Against**

Account Number

Customer Service Address (if different from above)Duke Energy  
Utility Company NameCity State Zip

Please describe your complaint. (Attach additional sheets if necessary)

Melisa Kuhne

Signature

(513) 792-0385

Customer Telephone Number