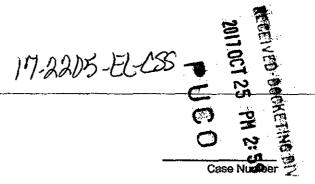
4443



hio Public Utilities Commission

Public Utilities Commission of Ohio Attn: Docketing 180 E. Broad St. Columbus, OH 43215

Formal Complaint Form

John + Solly Riester Customer Name (Please) Print)	12025 Poul neadows Dr. Customer Address
-Against	CALLMAN OH 45249 City State Zip 3790=0680-23-7 Account Number
	Customer Service Address (if different from above)
Duke Energy Utility Company Name	City State Zip
Please describe your complaint. (Attach additional she	eets if necessary)

ecurate and complete reproductioner Jelephone Number iocument delivered in the regular course of business

(010/-

My complaint is against Duke Energy of Cincinnati, OH

Duke Energy is negatively impacting the property values of my home and other 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 vs. trimming all trees located within a 100 foot right of way under the Transmissions wires. The plan is to also spray an herbicide that will kill all low lying vegetation and create a no grow zone.

My complaint is that Duke Energy 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 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)(I)**.

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

John and Sally Riester, customers of Duke Energy, Cincinnati, OH Resident of Symmes Township 12025 Paulmeadows Dr. Cincinnati, OH 45249 513-530-5249 FOR AND IN CONSIDERATION OF One Dollar and other good and valuable considerations, the receipt whereof is hereby acknowledged hereby grant unto The Cincinnati Gas & Electric Company, its successors and assigns, a right of way and easement on hundred (100) feet in width, to construct, erect, operate, maintain, repair, replace and remove towers and all necessary and incidental wires, cables anchors, grounding systems, counterpoises, fixtures and equipment for the transmission and distribution of electrical energy, where the same in the state situate in Section 31, T.4, E.R. 2, Symmes 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.





ngether 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 grantes's engineers may endanger the safety of or interfere with the construction, peration 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 essigns, shall pay all damages to growing crops, buildings and fences, caused by its employees, agents, licensees, or trucks in according to the control of trucks in according to the control of trucks.

No buildings or other structures shall be structured that the limits of the above described right of very and comment by the granter heirs or assigns. Granter to incomment to the limits said right of way and comment in any manner not incommistent with the rights herein conveyed to the grantes.

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 at shall revert to the then owners of the above described property.

Granton 455 full power to convey said right of way and essement and warrant of and will defend the same against all claims of all witness were hand this /2 day of Cotuber 19.5% and 19.5% and this /2 day of Black Manhler

Office I Spallace

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ATR OF Olico Hamilton COUNTY, sa.: Ella M Remples Personally programed before me, a Notary Public in and for said County.

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MY Com. Exp. Oct. 4, 1953