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ROBERT L. PRINCE

CHARLES W. BRIEN

February 25, 2013

Greg Carter, Esq.  
P.O. Box 259  
Benton, KY 42025

RE: Beshears/Leeper

Dear Greg:

Ron Beshears has contacted me about a possible resolution to the lawsuit now pending between them. As you know, this suit started some time ago when Ron petitioned the Fiscal Court to change the name of Lookout Lane (in Sledd Creek) to Beshears Lane. Five of the six lots consented to the name change; only Rick Leeper protested. The reason stated by Rick at the time of the protest was because he (Rick) used the Lookout Lane address in advertising the property for vacation rentals. As you know, this too was a problem. Ron and his neighbor had been having problems with the renters. Some of them had been having wild parties, using the wrong boat dock, etc. This resulted in the lawsuit.

After suit was filed, Rick and Ron spoke personally. It is my understanding that they agreed to put the suit on hold (which has been done). Apparently, Rick had purchased the property to resell; but [Rick] wanted to wait until there was a more favorable market. At the time, Rick assured Ron that he would only rent to more responsible type renters to alleviate the "party" problems occurring at the lake.

As noted previously, the suit was placed on hold on these terms. I met with Ron recently and he is quite appreciative of the way things have been handled since he and Rick spoke. He confirms to me that Rick has kept his word as to what he promised Ron he would do; and for that he (Ron) again expresses his thanks.

Marshall County only allows road name change petitions in April of "odd" numbered years. With April approaching, it is Ron's desire to again petition the Fiscal Court for a name change. Like last time, Ron has obtained the consent of five of the six lot owners along this road – the last owner being Rick. He would request Rick to consent so the Petition would be unanimous. If, in time, this caused Rick the same "advertising problem" referred to previously, we would be agreeable to asking that while consent to change the name be granted, the actual change of name would not be effective until January 1, 2014. This would allow the same name

to be used through the summer and fall renters . In return and in addition to simply being personally appreciative of consent, Ron would be agreeable to a dismissal of the lawsuit.

Enclosed please find a copy of the Petition and the consent form thereto. Also enclosed is a copy of a Motion to Dismiss the pending suit. The Judge Executive's office advises that all owners of properties along the road who have not consented will be notified by the requested change. You may be expecting that, too.

In the meantime, hopefully we can work to an agreeable solution.

Sincerely yours,

PRINCE & BRIEN, P.S.C.

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Charles W. Brien

CWB/mn  
cc: Ron Beshears