

January 11, 2019

RECEIVED

JAN 14 2019

COOS COUNTY
PLANNING DEPARTMENT

Jill Rolfe
Coos County Planning Director
Coos County Planning Department
250 N. Baxter Street
Coquille, OR 97423

RE: AT&T's Administrative CUP Application for additional land at an Existing Wireless Telecommunication Facility in Coos County, OR.
(AT&T CB6159 JENKINS PRAIRIE RD. FIRSTNET)

Ms. Rolfe,

Please find and accept the enclosed as AT&T's application for additional ground space at an existing wireless telecommunications facility:

- Coos County's Conditional Use Permit Application form with the following attachments:
 - ATTACHMENT 1: Project Narrative
 - ATTACHMENT 2: Statement of Code Compliance
 - ATTACHMENT 3: Consent Form (Executed)
 - ATTACHMENT 4: Authorization
 - ATTACHMENT 5: Parcel List
 - ATTACHMENT 6: Deed
 - ATTACHMENT 7: Final Zoning Drawings
 - ATTACHMENT 8: Parcel Map

- A check for application fees in the amount of \$1,479.00

Please feel free to contact me upon your initial review. I look forward to working with you.

Sincerely,



Craig Brunkenhoefer
Site Acquisition Manager – Land Use and Zoning



Coos County Planning Department
Land Use Application

Official Use Only
FEE: \$1479.00
Receipt No. 206313
Check No./Cash 17246
Date 1/14/19
Received By A. Dipple
File No. ACU-19-003

Please place a check mark on the appropriate type of review that has been requested.

- Administrative Review (checked)
Hearings Body Review
Final Development Plan (BDR)
Variance

An incomplete application will not be processed. Applicant is responsible for completing the form and addressing all criteria. Attach additional sheets to answer questions if needed. Please indicated not applicable on any portion of the application that does not apply to your request.

A. Applicant:

Name: Craig Brunkenhoefer Telephone: 503-477-2124
Address: 4004 Kruse Way Place, Suite 220
City: Lake Oswego State: OR Zip Code: 97035

B. Owner:

Name: William H Hitner Jr. Revocable Living Trust Telephone: 541-572-3483
Address: P.O. Box 635
City: Myrtle Point State: OR Zip Code: 97458

C. As applicant, I am (check one): Please provide documentation.

- The owner of the property (shown on deed of record);
The purchaser of the property under a duly executed written contract who has the written consent of the vendor to make such application (consent form attached).
A lessee in possession of the property who has written consent of the owner to make such application (consent form attached).
The agent of any of the foregoing who states on the application that he/she is the duly authorized agent and who submits evidence of being duly authorized in writing by his principal (consent form attached) (checked)

D. Description of Property:

Township 30S Range 11W Section 2 Tax Lot 500
Tax Account 1267800 Lot Size 640 acres Zoning District F/EFU

E. Information (please check off as you complete)

- 1. Project Proposal. Attach description if needed. [See Attachment 1 Project Narrative](#)
- 2. A detailed parcel map of the subject property illustrating the size and location of existing and proposed uses, structures and roads on an 8½" x 11" paper to scale. Applicable distances must be noted on the parcel map along with slopes. (See example plot map)Covenants or deed restrictions on the property, if unknown contact title company.
- 3. Existing Use [Existing Wireless Communication Facility \("WCF"\)](#)
- 4. Site Address [99277 Rock Creek Road, Bandon OR 97411](#)
- 5. Access Road [See ATTCH 7_Final Zoning Drawings](#)
- 6. Is the Property on Farm/Forest Tax Deferral [No](#)
- 7. Current Land Use (timber, farming, residential, etc.) [Timber, Farming and WCF](#)
- 8. Major Topography Features (streams, ditches, slopes, etc.) [See ATTCH 7](#)
- 9. List all lots or parcels that the current owner owns, co-owns or is purchasing which have a common boundary with the subject property on an assessment map.
- 10. Identify any homes or development that exists on properties identified in #9.
- 11. A copy of the current deed of record.

F. Proposed use and Justification

Please attach an explanation of the requested proposed use and **findings (or reasons)** regarding how your application and proposed use comply with the following the Coos County Zoning and Land Development Ordinance (LDO). Pursuant to the LDO, this application may be approved only if it is found to comply with the applicable criteria for the proposed use. Staff will provide you with the criteria; however, staff cannot provide you with any legal information concerning the adequacy of the submitted findings, there is no guarantee of approval and the burden rests on the applicant. (You may request examples of a finding)

List of Applicable Criteria and Justification:

[Please see Attachment 2 Statement of Code Compliance](#)

G. Authorization:

All areas must be initialed by all applicant(s) prior to the Planning Department accepting any application unless the statement is not applicable. If one of the statements, below is not applicable to your request indicated by writing N/A.

I hereby attest that I am authorized to make the application for a conditional use and the statements within this application are true and correct to the best of my knowledge and belief. I affirm that this is a legally created tract, lot or parcel of land. I understand that I have the right to an attorney for verification as to the creation of the subject property. I understand that any action authorized by Coos County may be revoked if it is determined that the action was issued based upon false statements or misrepresentation.

ORS 215.416 Permit application; fees; consolidated procedures; hearings; notice; approval criteria; decision without hearing. (1) When required or authorized by the ordinances, rules and regulations of a county, an owner of land may apply in writing to such persons as the governing body designates, for a permit, in the manner prescribed by the governing body. The governing body shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service. The Coos County Board of Commissioners adopt a schedule of fees which reflect the average review cost of processing and set-forth that the Planning Department shall charge the actual cost of processing an application. Therefore, upon completion of review of your submitted application/permit a cost evaluation will be done and any balance owed will be billed to the applicant(s) and is due at that time. By signing this form you acknowledge that you are responsible to pay any debt caused by the processing of this application. Furthermore, the Coos County Planning Department reserves the right to determine the appropriate amount of time required to thoroughly complete any type of request and, by signing this page as the applicant and/or owner of the subject property, you agree to pay the amount owed as a result of this review. If the amount is not paid within 30 days of the invoice, or other arrangements have not been made, the Planning Department may choose to revoke this permit or send this debt to a collection agency at your expense.

I understand it is the function of the planning office to impartially review my application and to address all issues affecting it regardless of whether the issues promote or hinder the approval of my application. In the event a public hearing is required to consider my application, I agree I bear the burden of proof. I understand that approval is not guaranteed and the applicant(s) bear the burden of proof to demonstrate compliance with the applicable review criteria.

As applicant(s) I/we acknowledge that it is in my/our desire to submit this application and staff has not encouraged or discouraged the submittal of this application.



Applicant(s) Original Signature

Applicant(s) Original Signature

Craig Brunkenhoefer

Print Name

Print Name

**WIRELESS COMMUNICATION FACILITY APPLICATION
PROJECT NARRATIVE
(AT&T—CB6159 JENKINS PRAIRIE RD. FIRSTNET NSB)**

Submitted to Coos County, Oregon
Department of Planning & Development

1. GENERAL INFORMATION

Applicant: New Cingular Wireless PCS, LLC
7277 164th Ave NE
Redmond, WA 98052
(425) 222-1026

AT&T Mobility
RTC Building 3
16221 NE 72nd Way
Redmond, WA 98052

Representative: Velocitel, Inc.
4004 Kruse Way Place, Suite 220
Lake Oswego, OR 97035
Contact: Craig Brunkenhoefer
(503) 477-21124
cbrunkenhoefer@velocitel.com

Property Owner: William H. Hitner Revocable Living Trust
P.O. Box 635
Myrtle Point, OR 97458
Contact: Ariel Sturgill
(541) 572-3483
asturgill@3hforestry.com

Project Address: 99277 Rock Creek Road, Bandon OR 97411

Description & Tax Lot: All of Section 02, Township 30 South, Range 11 West, Coos County,
Oregon, W.M.

Parcel No. 400

Zoning Classification: F/EFU

Velocitel is submitting this application on behalf of New Cingular Wireless PCS, LLC (“AT&T”) and the underlying property owner, William H. Hitner Jr. Revocable Living Trust.

1. PROJECT OVERVIEW

AT&T is proposing to collocate on an existing US Cellular wireless communication facility (“WCF” or “facility”), CB6159 Jenkins Prairie Rd. FirstNet NSB, in Coos County, OR. Due to the limited ground space available in the existing WCF compound, AT&T will need to expand the existing ground space by 20’ x 20’. This proposed collocation at this existing WCF is intended to fill a significant gap in AT&T’s high band 4G LTE coverage experienced by its customers. Specifically, the proposed new facility meets AT&T’s coverage objectives within a geographic area not presently served by AT&T by extending coverage along HWY-42 between Myrtle Point and Bridge, OR.

In addition to AT&T LTE commercial facilities, this proposed collocation at this existing WCF will provide an important public benefit by including facilities to support the FirstNet Nationwide Safety Public Broadband Network¹ (the “FirstNet Network”). As a FirstNet site, this proposed WCF is part of a more significant, state-wide initiative by AT&T to upgrade existing wireless sites and to build new sites, including in rural area with less coverage such as those along HWY-42, to support the FirstNet Network and deploy the new frequency band for first responders (“Band 14”). The FirstNet Network will allow first responders priority communication on a single network, enabling increased coordination and decreased response times.

As shown in this project application, AT&T’s proposal meets all of Coos County’s criteria for collocating on existing wireless communications facilities and complies with all other applicable county, state, and federal regulations. AT&T’s proposal is also the least intrusive means of extending AT&T’s service to fill its coverage gap. Accordingly, AT&T respectfully requests that the county approve this project as proposed.

Please also refer to the attached Statement of Code Compliance (Attachment 2) in response to relevant Coos County Zoning and Land Development Ordinance (“LDO”) requirements. The Statement of Code Compliance is intended to supplement this Project Narrative.

¹ The First Responder Network Authority (FirstNet) is an independent authority within the U.S. Department of Commerce. Chartered in 2012, its mission is to ensure the building, deployment, and operation of the nationwide, broadband network that equips first responders to save lives and protect U.S. communities. FirstNet grew out of and addresses a 9/11 Commission recommendation calling for improved communications for all U.S. first responders. Learn more at FirstNet.gov/mediakit.

2. PROPOSED PROJECT DETAILS

2.1. Location

Detailed information regarding the subject property and proposed lease area is included in Attachment 3, Final Zoning Drawings, to AT&T's WCF application.

2.1.1. Subject Property. The subject property of this proposal is located between Bridge and Remote, just south of HWY-42 (the "Property"). The Property is rural land zoned F/EFU (Forest/Exclusive Farm Use) and is currently used as timber and farm land.

2.1.2. Lease Area.

- The proposed 20 x 20ft extension of the existing lease area for the WCF is on a hilltop on the northernmost edge of the Property.
- The additional lease area will be surrounded by a 6ft chain link fence, topped with barbed wire. Access to the lease area will be secured by a locked gate.
- The lease area will be covered in 6in of 3/4in crushed rock over a weed barrier and 95% compacted fill.

2.1.3. Access and Parking.

- Access to the lease area is available from an existing gravel access road originating from Myrtle Creek Rd. to the west.

2.2. Wireless Facilities and Equipment

Specifications of the facilities outlined below, including a site plan, can be found in Attachment 3, Final Zoning Drawings, to AT&T's WCF application. Generally, the tower and equipment enclosure will be designed to accommodate any future additional equipment, as required, to support the FirstNet Network, as discussed further in Section 3, below.

2.2.1. Tower Design. AT&T is proposing to collocate on the existing 190ft tall self-supported tower (the "tower") on the Property. This will be an unmanned telecommunications facility.

2.2.2. Tower Equipment.

- The tower will contain AT&T 4G LTE and FirstNet Network equipment (up to 12 panel antennas, 3 RRH, and 1 microwave antenna, with all associated equipment, at time of initial install, and up to 18 total RRH in the foreseeable future).
- The antennae, RRH, and accessory equipment on the tower will be painted to match the tower. All paint will have an anti-glare finish.

2.2.3. Ground Equipment.

- All ground equipment will be contained in the new 20ft x 20ft extension of the existing lease area.
- The ground equipment will be enclosed within an 8ft x 16ft pre-fabricated walk-in cabinet shelter on a concrete platform with a back-up diesel generator housed inside.

2.2.4. Landscaping. No additional landscaping is planned for this facility. The tower is effectively screened by the area's topography and existing native forestry. Existing trees within the lease area and access driveway will be removed only as needed.

3. NETWORK COVERAGE & SITE SELECTION

3.1. Overview—AT&T 4G LTE

AT&T is upgrading and expanding its wireless communications network throughout Coos County and Oregon State, including the installation of the latest 4G LTE technology at the proposed facility. LTE stands for "Long Term Evolution." This acronym refers to the ongoing process of improving wireless technology standards with speeds up to ten times faster than 3G. LTE technology is the next step in increasing broadband speeds to meet the demands of uses and the variety of content accessed over mobile networks.

Upon completion of this update, AT&T will operate a state-of-the-art digital network of wireless communications facilities throughout the proposed coverage area as part of its nationwide wireless communications network.

3.2. Network Coverage Gap—Coos County

This proposed new wireless facility is intended to fill a significant gap in AT&T's high band 4G LTE network coverage experienced by its customers along HWY-42 from Myrtle Point to Camas Bridge, OR and within the surrounding area, generally. This coverage gap was determined through a combined analysis of customer complaints, service requests, and radio frequency engineering design.

Additionally, AT&T has established a need for service in this geographic area, as determined by market demand, coverage requirements for a specific geographic area, and the need to provide continuous coverage from one site to another in a particular geographic region as part of the FirstNet Network. The proposed facility meets AT&T's coverage objectives (providing outdoor, in-vehicle, and in-building wireless coverage) within a geographic area not presently served by AT&T's network.

The facility will also allow AT&T to provide wireless communications and service for commercial and FirstNet users in the significant coverage gap area and allow for uninterrupted wireless service with fewer dropped calls, improved call quality, and improved access to additional wireless services that the public now demands. This includes emergency 911 calls throughout the area.

3.3. FirstNet Network

In December 2017, Oregon State opted-in² to the FirstNet Nationwide Public Safety Broadband Network, which is the first-ever high-speed nationwide wireless broadband network dedicated to first responders. Public safety personnel will have dedicated access to the FirstNet Network in times of crisis—their communications needs will come before non-public safety users. The extended FirstNet Network will have the more robust communications capabilities public safety needs in emergencies and for normal operations, resulting in greater ability for rural public safety practitioners. The plan outlining how the FirstNet Network will be deployed in Oregon State is based on extensive consultation and outreach by FirstNet with the state, tribes, local governments, and the public safety community.

Through a first of its kind public-private partnership with FirstNet, AT&T is responsible for building, maintaining, and upgrading the FirstNet Network for the *next 25 years*. AT&T is upgrading its existing wireless sites and building new wireless facilities, including in rural areas with less coverage, to deploy the new frequency band—Band 14—and support the FirstNet Network. Band 14 is a new, exclusive frequency band for public service personnel and is designed to be reliable, functional, safe, and secure and provide optimal levels of operational capacity at all times. In addition to the new Band 14, effective January 1, 2018, first responders using the FirstNet Network will have preemptive, priority capabilities on all AT&T commercial LTE bands, allowing them to also benefit from AT&T's overall improvements to its network.

Simply put, the FirstNet Network provides public safety users with the assurance of network access whenever they need it. Accordingly, AT&T must closely consider location, lease, and facility requirements for the siting, placement, and operation of FirstNet Network facilities to ensure that, over the course of its 25-year partnership, appropriate accommodations can be made to support the evolving mission-critical services of the FirstNet Network.

4. SEARCH RING

4.1. Selection

Upon establishing a need for coverage, AT&T's radio frequency ("RF") engineers performed a RF engineering study to determine the approximate site location and antenna height required

² <https://www.firstnet.gov/news/oregon-transform-communications-public-safety>

to provide service in the target coverage area. AT&T's RF engineers identified a "search ring" area where a WCF may be located to provide effective service in the target coverage area.

4.2. Methodology

AT&T's RF engineers take the following additional objectives into consideration when identifying the search ring. AT&T's coverage propagation software systems uses these and other factors (type of antenna; antenna tilt, etc.) to predict the coverage that will be provided by the proposed site.

- **Coverage.** The WCF site must be located such that radio frequency broadcasts will provide adequate coverage within the area identified with a significant gap in coverage. The RF engineer must take into consideration the coverage objectives for the site as well as the terrain in and around the area to be covered. Because radio frequencies travel in a straight line and diminish as they travel further away from the antennas, it is generally best to place a WCF site near the center of the desired coverage area. However, in certain cases, the search ring may be located away from the center of the desired coverage area due to the existing coverage, the surrounding terrain, or other features that might affect the radio frequency broadcasts, *e.g.* buildings or other sources of electrical interference.
- **Clutter.** AT&T's WCFs must "clear the clutter"—the WCF site must be installed above or close to RF obstructions (the "clutter") to enable the RF to extend beyond and clear the clutter. AT&T's radio frequencies do not penetrate mountains, hills, rocks, or metal, and are diminished by trees, brick and wood walls, and other structures. Accordingly, AT&T's antennas must be installed above or close to the "clutter" to provide high quality communications services in the desired coverage areas. Additionally, if the local code requires us to accommodate additional carriers on the support structure, the structure must be even taller to also allow the other carriers' antennas to clear the clutter.
- **Call Handoff.** The WCF site must be in an area where the radio broadcasts from the site will allow seamless "call handoff" with adjacent WCF sites. Call handoff is a feature of a wireless communications system that allows an ongoing telephone conversation to continue uninterrupted as the user travels from the coverage area of one antenna site into the coverage area of an adjacent antenna site. This requires coverage overlap for a sufficient distance and/or period of time to support the mechanism of the call handoff.
- **Quality of Service.** Users of wireless communications services want to use their services where they live, work, commute, and play, including when they

are indoors. AT&T's coverage objectives include the ability to provide indoor coverage in areas where there are residences, businesses, and indoor recreational facilities.

- **Radio Frequencies used by System.** The designs of wireless communications systems vary greatly based upon the radio frequencies that are used by the carrier. If the carrier uses radio frequencies in the 850 MHz to 950 MHz range, the radio signals will travel further and will penetrate buildings better than the radio frequencies in the 1900 MHz band. As a result, wireless communications systems that use lower radio frequencies will need fewer sites than wireless communications systems that use higher radio frequencies.
- **Land Use Classifications.** AT&T's ability to construct a WCF site on any particular property is affected by state and local regulations, including zoning and comprehensive plan classifications, goals, and policies. Under Oregon law, AT&T is not entitled to construct a wireless communications site on Exclusive Farm Use ("EFU") land if a site may be constructed on non-EFU land. AT&T's search rings take these laws and regulations into consideration.

5. ALTERNATIVE SITE ANALYSIS

AT&T evaluated one alternative site location within the targeted search ring as a possible location for a new WCF. A raw land candidate approximately 0.02 miles from the proposed existing tower location. Due to the availability of height and space on this existing tower, AT&T decided that collocation on this existing structure would be the least intrusive means to fill this coverage gap.

Placing antenna at the minimum height necessary to reliably make and receive telephone calls and provide data service in the presence of varying signals is crucial for the efficient and effective operation of this site as a FirstNet Network site. As previously noted, the FirstNet network will provide public safety users with an evolving set of Quality of Service, Priority and Preemption (QPP) capabilities that will exceed anything previously available to public safety. QPP capabilities will continue to evolve over the next several years, with the addition of mission-critical services and priority levels.

Additionally, the law that established FirstNet specified that the network shall be based on the minimum technical requirements on the commercial standards for LTE service. LTE is the evolution of a proven technology, which is now in its fourth generation, and will inevitably evolve into further generations over the next 25-years. With each generation comes improvement in speed and functionality, as well as potential changes and improvements to the physical equipment used to deploy such technology.

The rapid evolution of wireless technologies makes it impossible for AT&T to fully contemplate FirstNet Network facility needs and requirements over the 25-year term of its partnership with FirstNet. Accordingly, AT&T must not only ensure that the antennae deployed under this project are located at the minimum height necessary to fill the identified coverage gap, but also must also look past the deployment in this WCF Application and ensure that entitlement rights for all foreseeable equipment needs are secured for the entire 25-year FirstNet contract period. This will ensure that public safety users have network access whenever needed. Such surety in meeting the evolving needs and requirements of the FirstNet Network can only be obtained by AT&T building and owning its own support tower.

6. APPLICABLE LAW

6.1. Local Codes

Under Article 4.6, Section 4.6.130 and 4.6.140 of the Coos County Zoning and Land Development Ordinance, new wireless communications facilities that include support structures are subject to approval of an Administrative Conditional Use Application. The LDO criteria governing wireless communications facilities are specifically addressed in Attachment 2, Statement of Land Use Compliance.

6.2. Federal Law

Federal law, primarily found in the Telecommunications Act of 1996 (“Telecom Act”), acknowledges a local jurisdiction’s zoning authority over proposed wireless facilities but limits the exercise of that authority in several important ways.

6.2.1. Local jurisdictions may not materially limit or inhibit. The Telecom Act prohibits a local jurisdiction from taking any action on a wireless siting permit that “prohibit[s] or [has] the effect of prohibiting the provision of personal wireless services.” 47 U.S.C. § 332(c)(7)(B)(i)(II). According to the Federal Communications Commission (“FCC”) Order adopted in September 2018,³ a local jurisdiction’s action has the effect of prohibiting the provision of wireless services when it “materially limits or inhibits the ability of any competitor or potential competitor to compete in a fair and balanced legal and regulatory environment.”⁴ Under the FCC Order, an applicant need not prove it has a significant gap in coverage; it may demonstrate the need for a new wireless facility

³ *Accelerating Wireless and Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, Declaratory Ruling and Third Report and Order, WT Docket No. 17-79, WC Docket No. 17-84 (rel. Sept. 27, 2018); 83 Fed. Reg. 51867 (Oct. 15, 2018) (“FCC Order”).

⁴ *Id.* at ¶ 35.

terms of adding capacity, updating to new technologies, and/or maintaining high quality service.⁵

While an applicant is no longer required to show a significant gap in service coverage, in the Ninth Circuit, a local jurisdiction clearly violates section 332(c)(7)(B)(i)(II) when it prevents a wireless carrier from using the least intrusive means to fill a significant gap in service coverage. *T-Mobile U.S.A., Inc. v. City of Anacortes*, 572 F.3d 987, 988 (9th Cir. 2009).

- **Significant Gap.** Reliable in-building coverage is now a necessity and every community's expectation. Consistent with the abandonment of land line telephones and reliance on only wireless communications, federal courts now recognize that a "significant gap" can exist based on inadequate in-building coverage. See, e.g., *T-Mobile Central, LLC v. Unified Government of Wyandotte County/Kansas City*, 528 F. Supp. 2d 1128, 1168-69 (D.Kan. 2007), *affirmed in part*, 546 F.3d 1299 (10th Cir. 2008); *MetroPCS, Inc. v. City and County of San Francisco*, 2006 WL 1699580, *10-11 (N.D. Cal. 2006).
- **Least Intrusive Means.** The least intrusive means standard "requires that the provider 'show that the manner in which it proposes to fill the significant gap in service is the least intrusive on the values that the denial sought to serve.'" 572 F.3d at 995, *quoting MetroPCS, Inc. v. City of San Francisco*, 400 F.3d 715, 734 (9th Cir. 2005). These values are reflected by the local code's preferences and siting requirements.

6.2.2. Environmental and health effects prohibited from consideration. Also, under the Telecom Act, a jurisdiction is prohibited from considering the environmental effects of RF emissions (including health effects) of the proposed site if the site will operate in compliance with federal regulations. 47 U.S.C. § 332(c)(7)(B)(iv). AT&T intends to operate the proposed facility in accordance with the Federal Communications Commission's RF emissions regulations. Accordingly, this issue is preempted under federal law and any testimony or documents introduced relating to the environmental or health effects of the proposed site should be disregarded in this proceeding.

6.2.3. No discrimination amongst providers. Local jurisdiction also may not discriminate amongst providers of functionally equivalent services. 47 U.S.C. § 332(c)(7)(B)(i)(I). A jurisdiction must be able to provide plausible reasons for disparate treatment of different providers' applications for similarly situated facilities.

6.2.4. Shot Clock. Finally, the Telecom Act requires local jurisdictions to act upon applications for wireless communications sites within a "reasonable" period of time. 47 U.S.C. § 332(c)(7)(B)(ii). The FCC has issued a "Shot Clock" rule to establish a deadline for the issuance of land use permits for wireless facilities. 47 C.F.R. § 1.6001, *et seq.*

⁵ Id. at ¶¶ 34-42.

According to the Shot Clock rule, a reasonable period of time for local government to act on wireless applications is 90 days for a collocation application, with “collocation”⁶ defined to include an attachment to any existing structure regardless of whether it already supports wireless, and 150 days for all other applications.

The Shot Clock applies to all authorizations required for siting a wireless facility, including the building permit, and all application notice and appeal periods. The reasonable time period for review of this application is 150 days.

⁶ 47 C.F.R. § 1.6002(g).

STATEMENT OF CODE COMPLIANCE
for
WIRELESS COMMUNICATION FACILITY APPLICATION
(AT&T—CB6159 JENKINS PRAIRIE RD. FIRSTNET NSB)

NOTE: AT&T's responses to the applicable Coos County Zoning and Land Use Ordinance Sections 4.6.110, 4.6.130 and 4.6.140, below, are indicated in *italicized, blue text*.

ARTICLE 4.6 RESOURCE ZONING DISTRICT
FOREST (F) AND FOREST MIXED USE (FMU)
Coos County Land Use Ordinance

Section 4.6.110 Administrative Conditional Development and Use:

The uses and their accessory uses listed in this section may be permitted as an administrative conditional use subject to applicable development standards for Forest and Forest Mixed Use zone and the following criteria

1. Non-Residential Uses

- (a) Log scaling and weigh stations.
- (b) Television, microwave and radio communication facilities and transmission towers.

AT&T: AT&T is proposing to collocate on an existing unmanned Wireless Communication Facility ("WCF") located in a Forest (F) zone.

...

Section 4.6.130 Addition Criteria for all Administrative and Hearings Body Application Review:

All Conditional Use Applications (Administrative and Hearings Body) are subject to requirements that are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands as follows:

1. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands.

AT&T: AT&T intends to comply with this requirement. AT&T's collocation at the existing WCF at this location will not force a significant change in forest practices. See Attachment 7, Final Zoning Drawings.

2. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel.

AT&T: This is a collocation at an existing unmanned Wireless Communication Facility that will be run on primary electric power provided by the existing infrastructure at this location. The only fuel source will be a small diesel generator that will only be used in emergency operations. Additionally, AT&T intends to comply with all development standards and fire siting and safety standards per the county's code. See Attachment 7, Final Zoning Drawings.

3. All uses must comply with applicable development standards and fires siting and safety standards.

AT&T: This is a collocation at an existing unmanned Wireless Communication Facility that will be run on primary electric power provided by the existing infrastructure at this location. The only fuel source will be a small diesel generator that will only be used in emergency operations. Additionally, AT&T intends to comply with all development standards and fire siting and safety standards per the county's code. See Attachment 7, Final Zoning Drawings.

4. A "Forest Management Covenant", which recognized the right of adjacent and nearby landowners to conduct forest operations consistent with the Forest Practices Act and Rules, shall be recorded in the deed records of the County prior to any final County approval for uses authorizing any type of residential use in the Forest and Forest Mixed Use zones. There may be other criteria listed that applies to individual uses.

AT&T: Not applicable. The proposed WCF is an unmanned facility. There will be no change to existing covenants.

5. The following siting criteria shall apply to all dwellings, including replacement dwellings, and structures in the Forest and Forest Mixed Use zones. Replacement dwellings may be sited in close proximity to the existing developed homesite. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. These criteria may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing

trees.

a. Dwellings and structures shall be sited on the parcel so that:

- i. They have the least impact on nearby or adjoining forest or agricultural lands.

AT&T: AT&T's proposed collocation at the existing wireless facility has been designed to be consistent with all applicable provisions of this section, including the development and siting criteria standards under Section 4.6.140 See Attachment 7, Final Zoning Drawings.

- ii. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized.

AT&T: AT&T's proposed collocation at the existing wireless facility has been designed to be consistent with all applicable provisions of this section, including the development and siting criteria standards under Section 4.6.140. The proposed location will not force a significant change in forest practices on the tract. Of note, AT&T is proposing to site its facility next to an existing wireless tower on the property to cluster the uses and minimize possible adverse impacts. See Attachment 7, Final Zoning Drawings.

- iii. The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized. And

AT&T: AT&T's proposed collocation at the existing wireless facility will only use a 20x20ft lease area added on to the existing 52x50ft lease area. Additionally, as noted, AT&T is proposing to site its facility connected to an existing wireless tower on the property to cluster the uses and minimize the amount of forest lands used. Additionally, because the proposed location for AT&T's facility is located next to an existing forest access road, no additional forest land will be utilized to construct an access road. AT&T's proposed facility has been designed to be consistent with all applicable provisions of this section, including the development and siting criteria standards under Section 4.6.140. Please see Attachment 7, Final Zoning Drawings.

- iv. The risks associated with wildfires are minimized.

AT&T: AT&T's collocation at the existing wireless facility has been designed to be consistent with all applicable provisions of this section, including the development and siting criteria standards under Section 4.6.140, including the fire break requirements prescribed. Please see Attachment 7, Final Zoning Drawings.

- b. The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices Rules. For the purposed of this Section, evidence of a domestic

water supply means:

- i. Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water.
- ii. A water use permit issued by the Water Resources Department for the use described in the application. Or
- iii. Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the County upon completion of the well.

AT&T: Not applicable. The existing WCF is an unmanned facility that will not be connected to a water source.

6. As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the United States Bureau of Land Management, or the United States Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.

AT&T: Please see the Consent Form with signatures from the underlying property owner. AT&T is well into lease negotiations with the applicable parties for access to and use of the proposed lease area. AT&T respectfully asks that the County approve this WCF Application with the understanding that formal lease and easement agreements will be secured prior to commencement of construction. AT&T is also amenable to this being a condition of approval.

7. Approval of a dwelling shall be subject to the following additional requirements:
 - a. Approval of a dwelling requires the owner to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules.
 - b. The Planning Department shall notify the County Assessor of the above condition at the time the dwelling is approved.

- c. If the lot or parcel is more than 10 acres, the property owner shall submit a stocking survey report to the County Assessor and the Assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry Rules. The Assessor will inform the Department of Forestry in cases where the property owner has not submitted a stocking survey report of where the survey report indicates that minimum stocking requirements have not been met.
- d. Upon notification by the Assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If the Department of Forestry determines that the tract does not meet those requirements, it will notify the owner and Assessor that the land is not being managed as forest land. The Assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.
- e. The county governing body or its designate shall require as a condition of approval of a single-family dwelling under ORS 215.213, 215.383 or 215.284 or otherwise in a farm or forest zone, that the landowner for the dwelling sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

AT&T: Not applicable.

Section 4.6.140 Development and Siting Criteria:

This section contains all of the development standards for uses (unless otherwise accepted out by a use review) and all of the siting standards for development.

1. Minimum Lot Size for the creation of new parcels shall be at least 80 acres.
Minimum lot size will not affect approval for development unless specified in use.
The size of the parcel will not prohibit development as long as it was lawfully created or otherwise required to be a certain size in order to qualify for a use.

AT&T: Not applicable.

2. Setbacks: All buildings or structures with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from any right-of-way line, whichever is greater.

AT&T: AT&T's proposed collocation at the existing wireless facility has been designed to be consistent with all applicable provisions of this section. Please see Attachment 7, Final Zoning Drawings.

3. Fences, Hedges and Walls: No requirement, except for vision clearance provisions in Section 7.1.525.

AT&T: Not applicable.

4. Off-Street Parking and Loading: See Chapter VII.

AT&T: Not applicable.

5. Minimizing Impacts: In order to minimize the impact of dwellings in forest lands, all applicants requesting a single-family dwelling shall acknowledge and file in the deed record of Coos County, a Forest Management Covenant. The Forest Management Covenant shall be filed prior to any final County approval for a single-family dwelling.

AT&T: Not applicable. No new dwellings are being constructed as a result of this project.

6. Riparian Vegetation Protection. Riparian vegetation within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:
 - a. Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
 - b. Riparian vegetation may be removed to provide direct access for a water-dependent use if it is a listed permitted within the zoning district;
 - c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures;
 - d. Riparian vegetation may be removed to facilitate stream or stream bank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan;
 - e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road rights-of-way;

- f. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps; or
- g. The 50-foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure's "footprint".
- h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
- i. The 50' measurement shall be taken from the closest point of the ordinary high-water mark to the structure using a right angle from the ordinary high-water mark.

AT&T: Not applicable.

- 7. All new dwellings and permanent structures and replacement dwellings and structures shall, at a minimum, meet the following standards. The dwelling shall be located within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the applicant is outside the rural fire protection district, the applicant shall provide evidence that they have contacted the Coos Forest Protective Association of the proposed development.

AT&T: The proposed collocation on the existing structure is an unmanned wireless facility. The project is understood to be located within the Camas Valley Rural Fire Protection District.

- 8. The Planning Director may authorize alternative forms of fire protection when it is determined that these standards are impractical that shall comply with the following:
 - a. The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions;

- b. If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year-round flow of at least one cubic foot per second;
- c. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits, or registrations are not required for the use; and
- d. Road access shall be provided to within 15 feet of the water's edge for firefighting pumping units. The road access shall accommodate the turnaround of firefighting equipment during fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

AT&T: The proposed collocation on the existing structure is an unmanned wireless facility. The project is understood to be located within the Camas Valley Rural Fire Protection District.

9. Fire Siting Standards for New Dwellings:

- a. The property owner shall provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient ¾ inch garden hose to reach the perimeter of the primary fuel-free building setback.
- b. If another water supply (such as a swimming pool, pond, stream, or lake) is nearby, available, and suitable for fire protection, then road access to within 15 feet of the water's edge shall be provided for pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

AT&T: Not applicable.

10. Firebreak:

- a. This firebreak will be a primary safety zone around all structures. Vegetation within this primary safety zone may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated

needles, limbs and other dead vegetation should be removed from beneath trees.

- b. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.
- c. The owners of the dwelling shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break on land surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by Oregon Department of Forestry and shall demonstrate compliance with Table 1, [*per the code*].

AT&T: AT&T's proposed collocation at the existing wireless facility has been designed to be consistent with all applicable provisions of this section, including the fuel-free break requirements prescribed in this section. Please see Attachment 7, Final Zoning Drawings.

- 11. All new and replacement structures shall use non-combustible or fire-resistant roofing materials, as may be approved by the certified official responsible for the building permit.

AT&T: AT&T's proposed collocation at the existing wireless facility has been designed to be consistent with all applicable provisions of this section, including the fuel-free break requirements prescribed in this section. Please see Attachment 7, Final Zoning Drawings.

- 12. If a water supply exceeding 4,000 gallons is suitable and available (within 100 feet of the driveway or road) for fire suppression, then road access and turning space shall be provided for fire protection pumping units to the source during fire season. This includes water supplies such as a swimming pool, tank or natural water supply (e.g. pond).

AT&T: Not applicable.

- 13. The dwelling shall not be sited on a slope of greater than 40 percent.

AT&T: AT&T's proposed collocation at the existing wireless facility has been designed to be consistent with all applicable provisions of this section, including the fuel-free

break requirements prescribed in this section. Please see Attachment 7, Final Zoning Drawings.

14. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.

AT&T: Not applicable.

15. The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district.

AT&T: The proposed collocation on the existing structure is an unmanned wireless facility. The project is understood to be located within the Camas Valley Rural Fire Protection District.

16. Except for private roads and bridges accessing only commercial forest uses, public roads, bridges, private roads and driveways shall be constructed so as to provide adequate access for firefighting equipment.

AT&T: Not applicable.

17. Access to new dwellings shall meet road and driveway standards in Chapter VII.

AT&T: AT&T's proposed collocation on the existing wireless facility has been designed to be consistent with all applicable provisions of this section, including the fuel-free break requirements prescribed in this section. Please see Attachment 7, Final Zoning Drawings.



Coos County Planning Department
 Coos County Courthouse Annex, Coquille, Oregon 97423
 Mailing Address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423
 (541) 396-7770
 FAX (541) 396-1022 / TDD (800) 735-2900

Jill Rolfe Planning Director

CONSENT

On this 17th day of December, 2018,

I, William H. Hitner Jr, as Trustee of the William H. Hitner Revocable Living Trust
 (Print Owners Name as on Deed)

as owner/owners of the property described as Township 30 South, Range 11 West,

Section Section 2, Tax Lot 400, Deed Reference 2005-4635

hereby grant permission to Craig Brunkenhoefer so that a(n)
 (Print Name)

Land Use application can be submitted to the Coos
 (Print Application Type)

County Planning Department.

Owners Signature/s

William H. Hitner Jr

William H. Hitner Jr, as Trustee of the William H. Hitner Revocable Living Trust

I. Authorization:

All areas must be initialed by all applicant(s) prior to the Planning Department accepting any application.

CB

I hereby attest that I am authorized to make the application for a conditional use and the statements within this application are true and correct to the best of my knowledge and belief. I affirm that this is a legally created tract, lot or parcel of land. I understand that I have the right to an attorney for verification as to the creation of the subject property. I understand that any action authorized by Coos County may be revoked if it is determined that the action was issued based upon false statements or misrepresentation.

CB

ORS 215.416 Permit application; fees; consolidated procedures; hearings; notice; approval criteria; decision without hearing. (1) When required or authorized by the ordinances, rules and regulations of a county, an owner of land may apply in writing to such persons as the governing body designates, for a permit, in the manner prescribed by the governing body. The governing body shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service. The Coos County Board of Commissioners adopt a schedule of fees which reflect the average review cost of processing and set-forth that the Planning Department shall charge the actual cost of processing an application. Therefore, upon completion of review of your submitted application/permit a cost evaluation will be done and any balance owed will be billed to the applicant(s) and is due at that time. By signing this form you acknowledge that you are responsible to pay any debt caused by the processing of this application. Furthermore, the Coos County Planning Department reserves the right to determine the appropriate amount of time required to thoroughly complete any type of request and, by signing this page as the applicant and/or owner of the subject property, you agree to pay the amount owed as a result of this review. If the amount is not paid within 30 days of the invoice, or other arrangements have not been made, the Planning Department may choose to revoke this permit or send this debt to a collection agency at your expense.

CB

I understand it is the function of the planning office to impartially review my application and to address all issues affecting it regardless of whether the issues promote or hinder the approval of my application. In the event a public hearing is required to consider my application, I agree I bear the burden of proof. I understand that approval is not guaranteed and the applicant(s) bear the burden of proof to demonstrate compliance with the applicable review criteria.

CB

As applicant(s) I/we acknowledge that it is in my/our desire to submit this application and staff has not encouraged or discouraged the submittal of this application.


Applicant(s) Original Signature

Applicant(s) Original Signature

Date

11/11/19

List of all Parcels Owned with Common Boundary to Project Parcel

Parcel/Account No.	Owner	Map No.	Homes/Development
1105002	William H. Hitner Jr. Trust	29S11340001801	None
1268400	William H. Hitner Jr. Trust	30S11030000100	None
1274500	William H. Hitner Jr. Trust	30S11100000100	None
1275400	William H. Hitner Jr. Trust	30S11110000200	Cattle Barn
1275300	William H. Hitner Jr. Trust	30S11110000100	None
1276000	WILLIAM H. HITNER REV LVNG TST;ETAL	30S11120000200	None
1267500	HITNER INVESTMENTS LLC	30S11000000300	None
1106400	HITNER INVESTMENTS LLC	29S11350001300	None
1106000	William H. Hitner Jr. Trust	29S11350001500	None
1105002	William H. Hitner Jr. Trust	29S11340001801	None

After recording, return to:
Walter B. Hogan
Attorney at Law
PO Box 458
Myrtle Point, Oregon 97458
Until requested otherwise, send all tax statements to:
Bill Hitner
PO Box 635
Myrtle Point, Oregon 97458
Consideration: \$0-for estate planning purposes
Trustee: William H. Hitner Jr.

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that WILLIAM H. HITNER, JR., hereinafter called grantor, for the consideration stated, to the grantee, Trustee of the WILLIAM H. HITNER, JR. REVOCABLE LIVING TRUST dated February 6, 2003, does hereby grant, bargain, sell and convey all of his interest in the following property, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Coos County, State of Oregon, described as follows, to wit:

SEE ATTACHED EXHIBIT A

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever. There is no consideration paid for this transfer as it is for estate planning purposes.

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

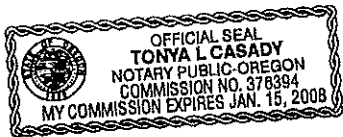
THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, the grantor has executed this instrument this 29 day of March, 2005. If grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

William H. Hitner Jr
WILLIAM H. HITNER, JR.

STATE OF OREGON)
) ss.
County of Coos)

This instrument was acknowledged before me on March 29, 2005 by WILLIAM H. HITNER, JR.



Tonya L. Casady
Notary Public for Oregon
My commission expires: 1/15/08

Exhibit A

LEGAL DESCRIPTION

The NE 1/4 of the SW 1/4 of Section 35, Township 29 South, Range 11 West of the Willamette Meridian, Coos County, Oregon.

EXCEPT: Beginning at the center of Section 35, Township 29 South, Range 11 West of the Willamette Meridian, Coos County, Oregon; thence West along the North line of the said SW 1/4 of said section a distance of 660 feet to a point; thence South parallel with the section line 660 feet to a point; thence East parallel with the North line of said quarter section 660 feet to the half section line; thence North along the East side of said SW 1/4 of said section a distance of 660 feet to the place of beginning.

ALSO: The E 1/2 of the NE 1/4; the N 1/2 of the SE 1/4; the S 1/2 of the SE 1/4; the E 1/2 of the SW 1/4, all being in Section 3, Township 30 South, Range 11 West of the Willamette Meridian, Coos County, Oregon; the S 1/2 of the SE 1/4 of Section 34, Township 29 South, Range 11 West of the Willamette Meridian, Coos County, Oregon; the W 1/2 of the SW 1/4 of Section 35, Township 29 South, Range 11 West of the Willamette Meridian, Coos County, Oregon; all of Section 2, Township 30 South, Range 11 West of the Willamette Meridian, Coos County, Oregon; the NE 1/4 of the NE 1/4 and beginning at the Southeast corner of the NW 1/4 of the NE 1/4 of Section 10, Township 30 South, Range 11 West of the Willamette Meridian, Coos County, Oregon; thence West 20 rods; thence North 40 rods; thence East 20 rods; thence South 40 rods to the place of beginning, all being in said Section 10. All of the NW 1/4 and the NW 1/4 of the NE 1/4, all in Section 11, Township 30 South, Range 11 West of the Willamette Meridian, Coos County, Oregon -----

THE WITHIN DESCRIBED PROPERTY IS SUBJECT TO THE FOLLOWING:

1. As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
2. As disclosed by the tax rolls, the premises herein described have been zoned or classified as forest lands. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest pursuant to the provisions of ORS chapter 321.
3. Rights of the public in and to that portion lying within streets, roads and highways.
4. Easement, including the terms and provisions thereof, reserved by Pacific States Lumber Company in instrument recorded May 26, 1863, in Book 89, Page 533, Deed Records of Coos County, Oregon. (On the NW 1/4 of the SW 1/4 of Section 35)
5. Minerals, including terms and provisions thereof, reserved by Coos County on the NW 1/4 of the SW 1/4 of Section 35.

The mineral interest reserved or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.

6. Minerals in instrument, including the terms and provisions thereof,
Reserved by: T. De Larhue
Recorded: December 10, 1947
Book: 176 Page: 249
Deed Records of Coos County, Oregon.
Affects: The SW 1/4 of the SE 1/4 of Section 3, Township 30 South, Range 11, West of the Willamette Meridian, Coos County, Oregon

The minerals interest reserved or excepted above has not been followed out and subsequent transactions affecting said interest or taxes levied against same are not reflected in this title evidence.

Said mineral rights were conveyed to Walter S. Pierson, et ux, by instrument recorded December 31, 1975, bearing Microfilm Reel No. 75-12-1055, Records of Coos County, Oregon.

7. Easement, including the terms and provisions thereof,
From: Francis L. Carrington
To: Joseph J. Kearns and Carole J. Kearns
Recorded: November 15, 1987
Microfilm Reel No. 89-11-1053
Records of Coos County, Oregon.
For: Water purposes

8. Such rights and easements for navigation and fishing as may exist over that portion of the property lying beneath the waters of creeks.

04/05/2005 #2005-4635
09:02AM 2 OF 2

COOS COUNTY CLERK, OREGON TOTAL \$31.00
(TERRI L. TURL, CCC, COUNTY CLERK



SITE NAME: JENKINS PRAIRIE RD
 PROJECT NUMBER: CB6159
 FA NUMBER: 14408232
 SITE ADDRESS: 99277 ROCK CREEK ROAD
 MYRTLE POINT, OR 97458
 STRUCTURE TYPE: SELF SUPPORT TOWER

PLANS PREPARED FOR:

complete wireless solutions
 4004 Kruse Way Place
 Suite 220
 Lake Oswego, OR 97035
 Office # (503) 636-2500

PLANS PREPARED FOR:

AT&T Mobility Corp.
 19801 SW 72nd Ave. Suite 200
 Tualatin, OR 97062

PLANS PREPARED BY:

FROM ZERO TO INFINIGY
 the solutions are endless

1490 W. 121st Ave., Suite 101
 Westminster, CO 80234
 Office # (303) 219-1178
 Fax # (303) 242-8636
 JOB NUMBER: 679-001

ENGINEERING LICENSE:

DRAWING NOTICE:

THESE DOCUMENTS ARE CONFIDENTIAL AND ARE THE SOLE PROPERTY OF VELOCITEL AND MAY NOT BE REPRODUCED, DISSEMINATED OR REDISTRIBUTED WITHOUT THE EXPRESS WRITTEN CONSENT OF VELOCITEL.

REVISIONS:	DESCRIPTION	DATE	BY	REV
REVISED/ISSUED FOR ZONING		01/07/19	SF	B
ISSUED FOR ZONING		12/05/18	SF	A

SITE NAME: JENKINS PRAIRIE RD

PROJECT NUMBER: CB6159

FA NUMBER: 14408232

SITE ADDRESS: 99277 ROCK CREEK ROAD
 MYRTLE POINT, OR 97458

SHEET DESCRIPTION: TITLE SHEET & PROJECT DATA

SHEET NUMBER: T1

PROJECT INFORMATION	PROJECT DIRECTORY	AREA MAP	DRAWING INDEX																																				
<p>SITE NAME: JENKINS PRAIRIE RD</p> <p>PROJECT NUMBER: CB6159</p> <p>FA NUMBER: 14408232</p> <p>SITE ADDRESS: 99277 ROCK CREEK ROAD MYRTLE POINT, OR 97458</p> <p>COUNTY: COOS</p> <p>ZONING JURISDICTION: COOS COUNTY</p> <p>MAP NUMBER: 30S11W00</p> <p>PARCEL NUMBER: 400</p> <p>ACCOUNT NUMBER: 1267800</p> <p>ZONING DESIGNATION: FOREST</p> <p>ACREAGE: ±640.0 ACRES</p> <p>LATITUDE (NAD 2011): 43° 00' 18.64" N 43.005178</p> <p>LONGITUDE (NAD 2011): 123° 58' 29.17" W -123.974769</p> <p>GROUND ELEVATION (NAVD 88): ±1103' AMSL</p> <p>POWER COMPANY: COOS COUNTY ELECTRIC CO-OP (541) 396-3118</p> <p>TELCO PROVIDER: TBD</p>	<p>PROPERTY OWNER: WILLIAM H. HITNER JR. TRUST PO BOX 635 MYRTLE POINT, OR 97458</p> <p>CONTACT: WILLIAM H. HITNER JR. (541) 290-1667</p> <p>APPLICANT: VELOCITEL 4004 KRUSE WAY PLACE SUITE 220 LAKE OSWEGO, OR 97035</p> <p>CONTACT: CRAIG BRUNKENHOEFER (503) 477-2124</p> <p>SITE DEVELOPMENT: VELOCITEL 4004 KRUSE WAY PLACE SUITE 220 LAKE OSWEGO, OR 97035</p> <p>CONTACT: CRAIG BRUNKENHOEFER (503) 477-2124</p> <p>CONSULTING ENGINEER: INFINIGY 1490 W. 121ST AVENUE SUITE 101 WESTMINSTER, CO 80234</p> <p>CONTACT: PAUL BUONO (303) 219-1178</p>		<table border="1"> <thead> <tr> <th>SHEET NO.</th> <th>TITLE</th> <th>REV.</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>T1</td> <td>TITLE SHEET & PROJECT DATA</td> <td>B</td> <td>01/07/19</td> </tr> <tr> <td>SHEET 1</td> <td>SITE SURVEY - ACCESS PLAN</td> <td>N/A</td> <td>02/05/10</td> </tr> <tr> <td>SHEET 2</td> <td>SITE SURVEY - SITE PLAN</td> <td>N/A</td> <td>02/05/10</td> </tr> <tr> <td>Z1</td> <td>OVERALL SITE PLAN</td> <td>B</td> <td>01/07/19</td> </tr> <tr> <td>Z2</td> <td>ENLARGED SITE PLAN (EXISTING)</td> <td>B</td> <td>01/07/19</td> </tr> <tr> <td>Z3</td> <td>ENLARGED SITE PLAN (PROPOSED)</td> <td>B</td> <td>01/07/19</td> </tr> <tr> <td>Z4</td> <td>EQUIPMENT LAYOUT</td> <td>B</td> <td>01/07/19</td> </tr> <tr> <td>Z5</td> <td>TOWER ELEVATION</td> <td>B</td> <td>01/07/19</td> </tr> </tbody> </table>	SHEET NO.	TITLE	REV.	DATE	T1	TITLE SHEET & PROJECT DATA	B	01/07/19	SHEET 1	SITE SURVEY - ACCESS PLAN	N/A	02/05/10	SHEET 2	SITE SURVEY - SITE PLAN	N/A	02/05/10	Z1	OVERALL SITE PLAN	B	01/07/19	Z2	ENLARGED SITE PLAN (EXISTING)	B	01/07/19	Z3	ENLARGED SITE PLAN (PROPOSED)	B	01/07/19	Z4	EQUIPMENT LAYOUT	B	01/07/19	Z5	TOWER ELEVATION	B	01/07/19
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Z1	OVERALL SITE PLAN	B	01/07/19																																				
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Z3	ENLARGED SITE PLAN (PROPOSED)	B	01/07/19																																				
Z4	EQUIPMENT LAYOUT	B	01/07/19																																				
Z5	TOWER ELEVATION	B	01/07/19																																				
	<p>PROJECT DESCRIPTION</p> <p>PROPOSED INSTALLATION OF NEW AT&T EQUIPMENT ON AN EXISTING 190' SELF SUPPORT TOWER WITHIN AN EXISTING MULTI CARRIER COMMUNICATION FACILITY.</p>	<p>LOCATION MAP</p>																																					
	<p>CODE COMPLIANCE</p> <p>ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING:</p> <ol style="list-style-type: none"> INTERNATIONAL BUILDING CODE (2015 IBC) TIA-EIA-222-G OR LATEST EDITION NFPA 780 - LIGHTNING PROTECTION CODE 2017 NATIONAL ELECTRICAL CODE OR LATEST EDITION ANY OTHER NATIONAL OR LOCAL APPLICABLE CODES, MOST RECENT EDITIONS OR STATE BUILDING CODE LOCAL BUILDING CODE LIFE SAFETY CODE NFPA-101 LOCAL AMENDMENTS TO THE ABOVE, WHERE APPLICABLE 	<p>DRIVING DIRECTIONS</p> <p>DRIVING DIRECTIONS FROM BANDON STATE AIRPORT</p> <ol style="list-style-type: none"> TAKE BATSON LANE/KEHL LANE TO US-101 N. TAKE OR-42S E., LAMPA LANE, & OR-42 E./ROSENBERG ROAD TO MYRTLE CREEK ROAD. FOLLOW MYRTLE CREEK ROAD TO JENKINS PRAIRIE ROAD. TURN LEFT ONTO JENKINS PRAIRIE ROAD. CONTINUE ON JENKINS PRAIRIE ROAD FOR ±1.9 MILES. TURN LEFT INTO SITE ACCESS DRIVE. CONTINUE NORTH ON SITE ACCESS DRIVE FOR ±0.29 MILES TO SELF SUPPORT TOWER COMPOUND. 																																					

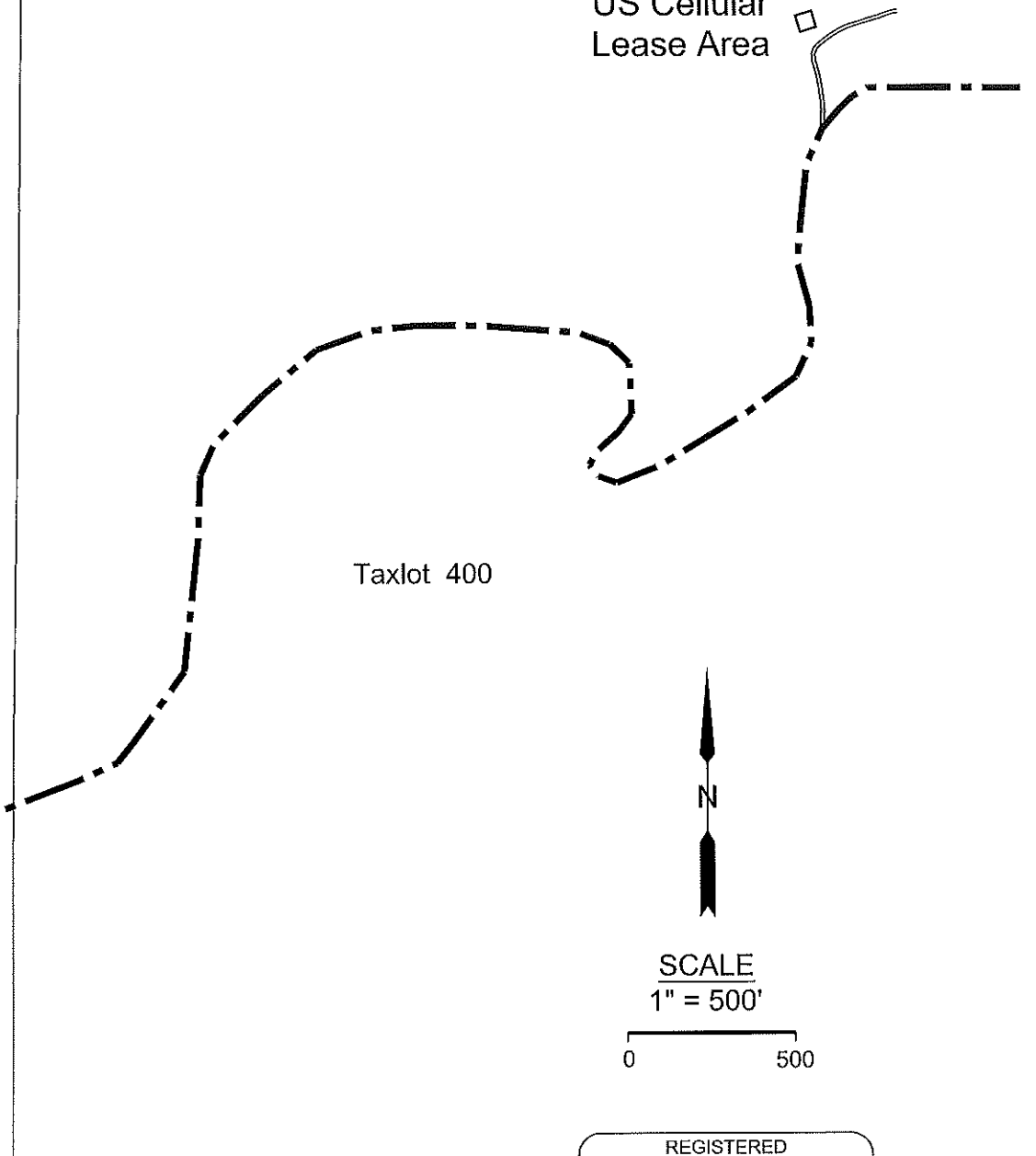


34 35
3 2

Access Plan

Located in
NW 1/4 of Section 2
T30S, R11W, W.M.
Coos County, Oregon
for **US Cellular**
Site 573378, Hwy 42
February 5, 2010

Proposed
US Cellular
Lease Area



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
July 19, 1994
WILLIAM COLISCH
2659

Note: Property lines shown hereon are taken from the County GIS and are approximate only.

T0005 / USC Hwy 42

AP# 30-11-00 Taxlot 400

SITE PLAN

Located in
NW 1/4 of Section 2
T30S, R11W, W.M.
Coos County, Oregon
for **US Cellular**
Site 573378, Hwy 42

February 5, 2010

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
July 19, 1994
WILLIAM COLISCH
2659

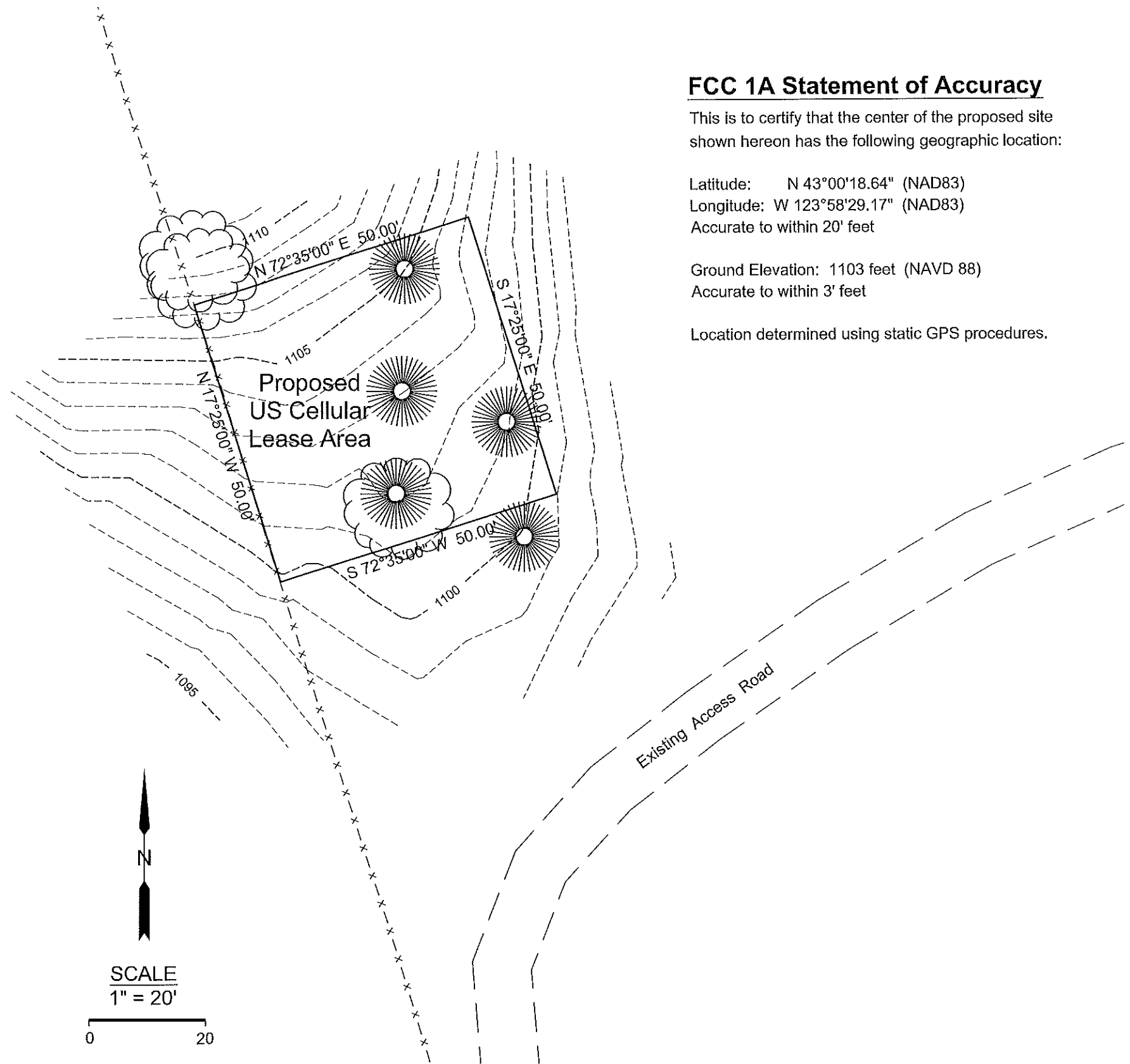
Legal Description

Commencing at the monumented north 1/4 corner of Section 2, Township 30 South, Range 11 West of the Willamette Meridian, in Coos County, Oregon; thence South 42°16'12" West, 564.50 feet, to a T-bar fence post for the true point of beginning; thence North 72°35'00" East 50.00 feet; thence South 17°25'00" East 50.00 feet; thence South 72°35'00" West 50.00 feet; thence North 17°25'00" West 50.00 feet to the true point of beginning.

Containing 2500 square feet of land, more or less.

Basis of Bearings

True North as derived from GPS observations



FCC 1A Statement of Accuracy

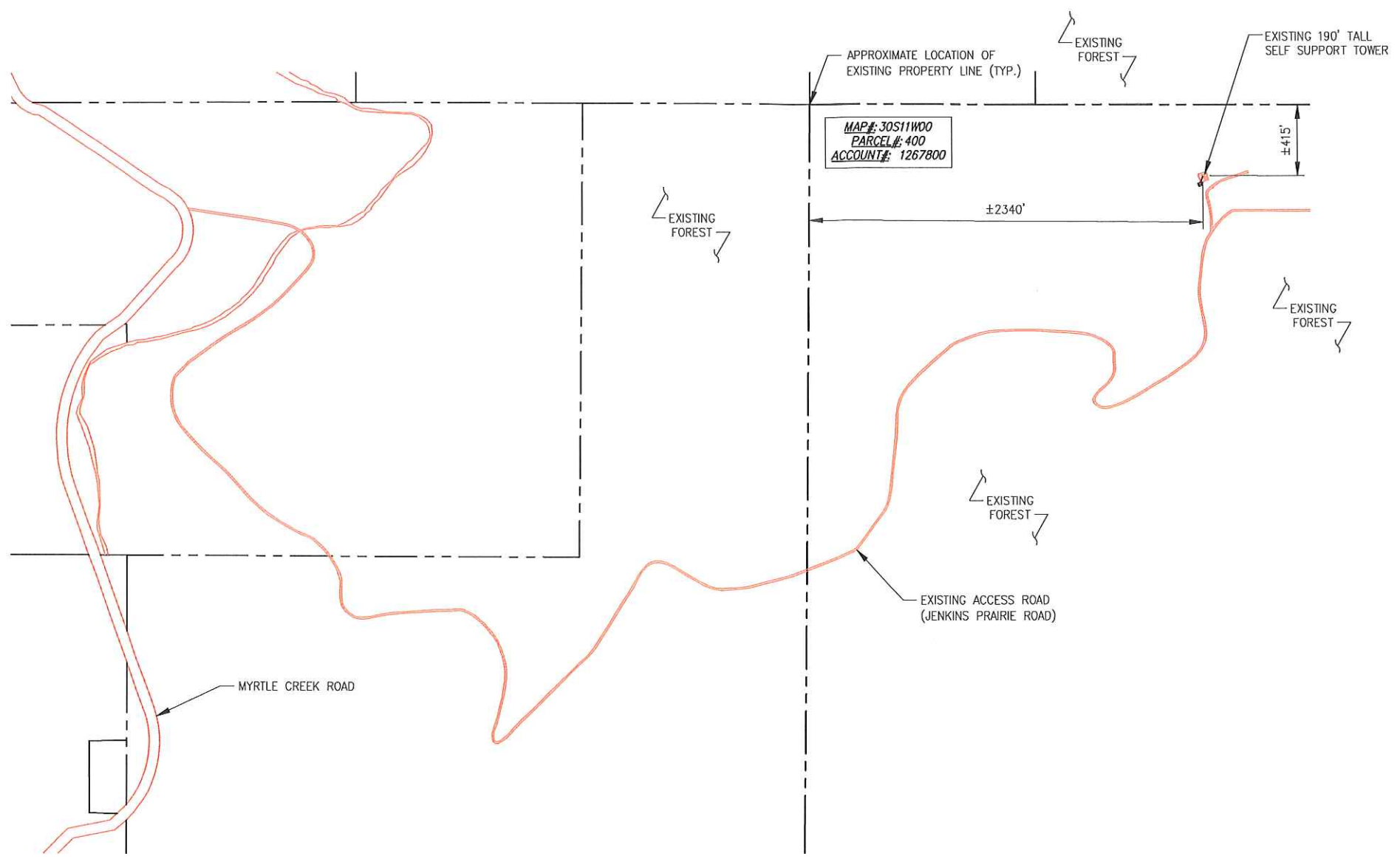
This is to certify that the center of the proposed site shown hereon has the following geographic location:

Latitude: N 43°00'18.64" (NAD83)
Longitude: W 123°58'29.17" (NAD83)
Accurate to within 20' feet

Ground Elevation: 1103 feet (NAVD 88)
Accurate to within 3' feet

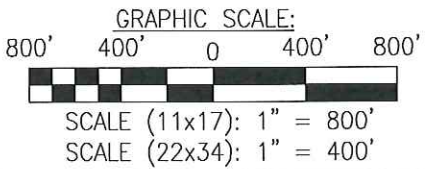
Location determined using static GPS procedures.

Note: Numerous trees (up to 70 feet tall) are in the vicinity



BASEMAPPING INFORMATION BASED ON INFORMATION OBTAINED FROM A SITE WALK COMPLETED BY INFINIGY ENGINEERING ON 07/31/2018, AND A LAND SURVEY PROVIDED BY WILLIAM COLISCH (PLS, PC), DATED 02/05/2010. CONTRACTOR TO VERIFY FIELD CONDITIONS PRIOR TO ANY CONSTRUCTION.

1 OVERALL SITE PLAN
SCALE: AS NOTED



PLANS PREPARED FOR:

complete wireless solutions
4004 Kruse Way Place
Suite 220
Lake Oswego, OR 97035
Office # (503) 636-2500

PLANS PREPARED FOR:

AT&T Mobility Corp.
19801 SW 72nd Ave. Suite 200
Tualatin, OR 97062

PLANS PREPARED BY:

FROM ZERO TO INFINIGY
the solutions are endless
1490 W. 121st Ave., Suite 101
Westminster, CO 80234
Office # (303) 219-1178
Fax # (303) 242-8636
JOB NUMBER: 679-001

ENGINEERING LICENSE:

DRAWING NOTICE:
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REVISIONS:

DESCRIPTION	DATE	BY	REV

REVISED/ISSUED FOR ZONING	01/07/19	SF	B
ISSUED FOR ZONING	12/05/18	SF	A

SITE NAME:
JENKINS PRAIRIE RD

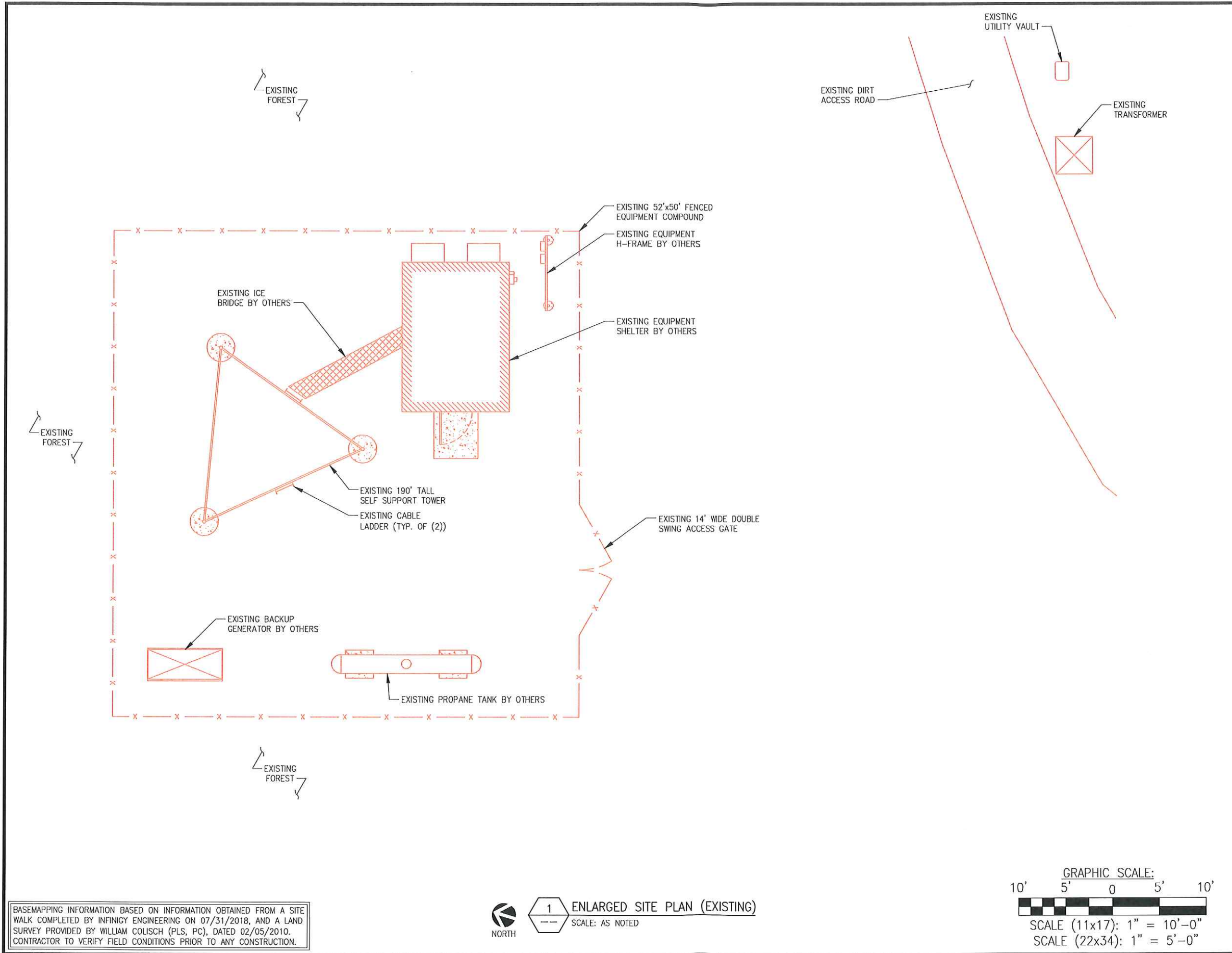
PROJECT NUMBER:
CB6159

FA NUMBER:
14408232

SITE ADDRESS:
**99277 ROCK CREEK ROAD
MYRTLE POINT, OR 97458**

SHEET DESCRIPTION:
**OVERALL
SITE PLAN**

SHEET NUMBER:
Z1



PLANS PREPARED FOR:
velocitel
 complete wireless solutions
 4004 Kruse Way Place
 Suite 220
 Lake Oswego, OR 97035
 Office # (503) 638-2500

PLANS PREPARED FOR:
AT&T
 AT&T Mobility Corp.
 19801 SW 72nd Ave., Suite 200
 Tualatin, OR 97062

PLANS PREPARED BY:
INFINIGY
 FROM ZERO TO INFINIGY
 the solutions are endless
 1490 W. 121st Ave., Suite 101
 Westminster, CO 80234
 Office # (303) 219-1178
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REVISIONS:	DESCRIPTION	DATE	BY	REV
REVISED/ISSUED FOR ZONING		01/07/19	SF	B
ISSUED FOR ZONING		12/05/18	SF	A

SITE NAME:
JENKINS PRAIRIE RD

PROJECT NUMBER:
CB6159

FA NUMBER:
14408232

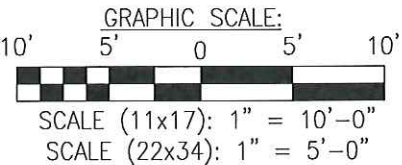
SITE ADDRESS:
**99277 ROCK CREEK ROAD
 MYRTLE POINT, OR 97458**

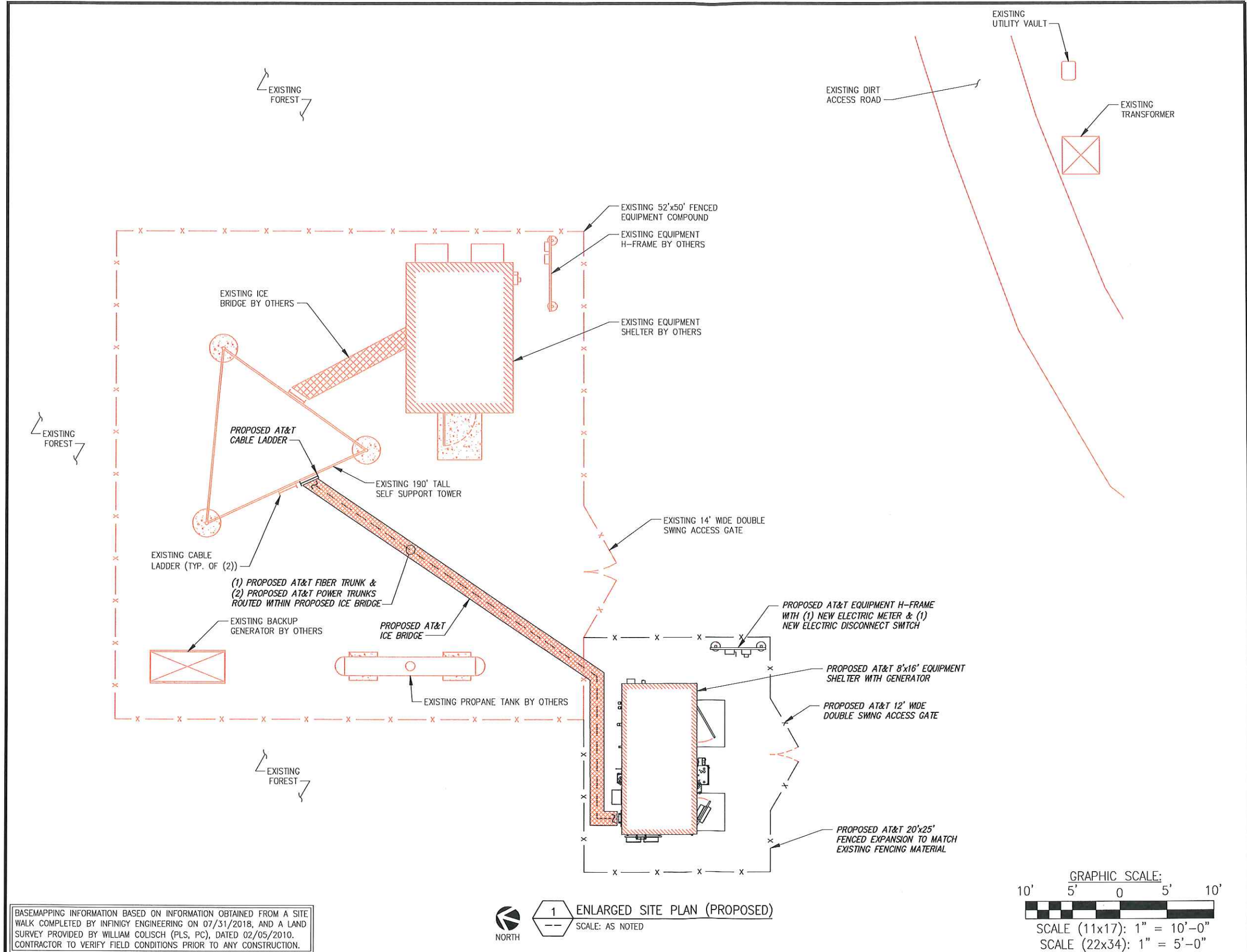
SHEET DESCRIPTION:
ENLARGED SITE PLAN (EXISTING)

SHEET NUMBER:
Z2

BASEMAPPING INFORMATION BASED ON INFORMATION OBTAINED FROM A SITE WALK COMPLETED BY INFINIGY ENGINEERING ON 07/31/2018, AND A LAND SURVEY PROVIDED BY WILLIAM COLISCH (PLS, PC), DATED 02/05/2010. CONTRACTOR TO VERIFY FIELD CONDITIONS PRIOR TO ANY CONSTRUCTION.

1 ENLARGED SITE PLAN (EXISTING)
 SCALE: AS NOTED





PLANS PREPARED FOR:

velocitel
complete wireless solutions
4004 Kruse Way Place
Suite 220
Lake Oswego, OR 97035
Office # (503) 636-2500

PLANS PREPARED FOR:

AT&T

AT&T Mobility Corp.
19801 SW 72nd Ave. Suite 200
Tualatin, OR 97062

PLANS PREPARED BY:

INFINIGY
FROM ZERO TO INFINIGY
the solutions are endless

1490 W. 121st Ave., Suite 101
Westminster, CO 80234
Office # (303) 219-1178
Fax # (303) 242-8636
JOB NUMBER: 679-001

ENGINEERING LICENSE:

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REVISIONS:

DESCRIPTION	DATE	BY	REV
REVISED/ISSUED FOR ZONING	01/07/19	SF	B
ISSUED FOR ZONING	12/05/18	SF	A

SITE NAME:

JENKINS PRAIRIE RD

PROJECT NUMBER:

CB6159

FA NUMBER:

14408232

SITE ADDRESS:

99277 ROCK CREEK ROAD
MYRTLE POINT, OR 97458

SHEET DESCRIPTION:

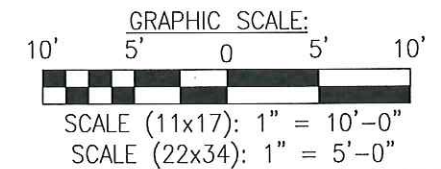
ENLARGED SITE PLAN (PROPOSED)

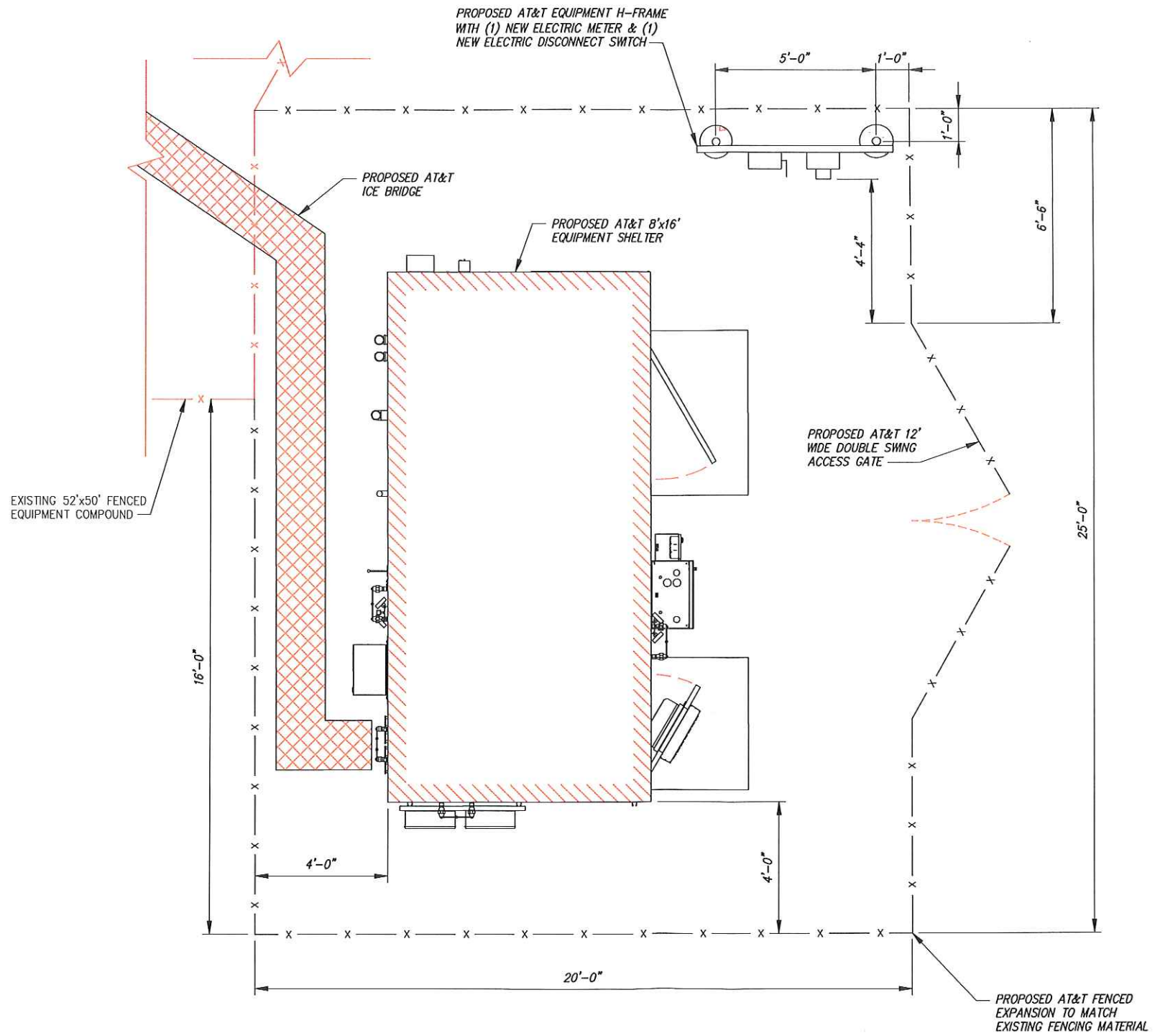
SHEET NUMBER:

Z3

BASEMAPPING INFORMATION BASED ON INFORMATION OBTAINED FROM A SITE WALK COMPLETED BY INFINIGY ENGINEERING ON 07/31/2018, AND A LAND SURVEY PROVIDED BY WILLIAM COLISCH (PLS, PC), DATED 02/05/2010. CONTRACTOR TO VERIFY FIELD CONDITIONS PRIOR TO ANY CONSTRUCTION.

1 ENLARGED SITE PLAN (PROPOSED)
SCALE: AS NOTED





BASEMAPPING INFORMATION BASED ON INFORMATION OBTAINED FROM A SITE WALK COMPLETED BY INFINIGY ENGINEERING ON 10/10/17, AND A LAND SURVEY PROVIDED BY DALEY LAND SURVEYING INC., DATED 02/20/18. CONTRACTOR TO VERIFY FIELD CONDITIONS PRIOR TO ANY CONSTRUCTION.



PLANS PREPARED FOR:
velocitel
 complete wireless solutions
 4004 Kruse Way Place
 Suite 220
 Lake Oswego, OR 97035
 Office # (503) 636-2500

PLANS PREPARED FOR:
AT&T
 AT&T Mobility Corp.
 19801 SW 72nd Ave. Suite 200
 Tualatin, OR 97062

PLANS PREPARED BY:
INFINIGY
 FROM ZERO TO INFINIGY
 the solutions are endless
 1490 W. 121st Ave., Suite 101
 Westminster, CO 80234
 Office # (303) 219-1178
 Fax # (303) 242-8636
 JOB NUMBER: 679-001

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REVISIONS:	DESCRIPTION	DATE	BY	REV
REVISED/ISSUED FOR ZONING		01/07/19	SF	B
ISSUED FOR ZONING		12/05/18	SF	A

SITE NAME:
JENKINS PRAIRIE RD

PROJECT NUMBER:
CB6159

FA NUMBER:
14408232

SITE ADDRESS:
**99277 ROCK CREEK ROAD
 MYRTLE POINT, OR 97458**

SHEET DESCRIPTION:
EQUIPMENT LAYOUT

SHEET NUMBER:
24

INFINIGY ENGINEERING HAS NOT EVALUATED THE TOWER OR MOUNT FOR THIS SITE, AND ASSUMES NO RESPONSIBILITY FOR ITS STRUCTURAL INTEGRITY. REFER TO STRUCTURAL ANALYSIS BY OTHERS PRIOR TO ANY CONSTRUCTION.

ANTENNA CONFIGURATIONS SHOWN FOR CONCEPTUAL PURPOSES ONLY. ANTENNA MODELS & LAYOUTS PENDING FINAL CARRIER RF DESIGN.

PLANS PREPARED FOR:



complete wireless solutions
4004 Kruse Way Place
Suite 220
Lake Oswego, OR 97035
Office # (503) 636-2500

PLANS PREPARED BY:



AT&T Mobility Corp.
19801 SW 72nd Ave. Suite 200
Tualatin, OR 97062

PLANS PREPARED BY:



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the solutions are endless

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Westminster, CO 80234
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REVISIONS:

DESCRIPTION	DATE	BY	REV
REMOVED/ISSUED FOR ZONING	01/07/19	SF	B
ISSUED FOR ZONING	12/05/18	SF	A

SITE NAME:

JENKINS PRAIRIE RD

PROJECT NUMBER:

CB6159

FA NUMBER:

14408232

SITE ADDRESS:

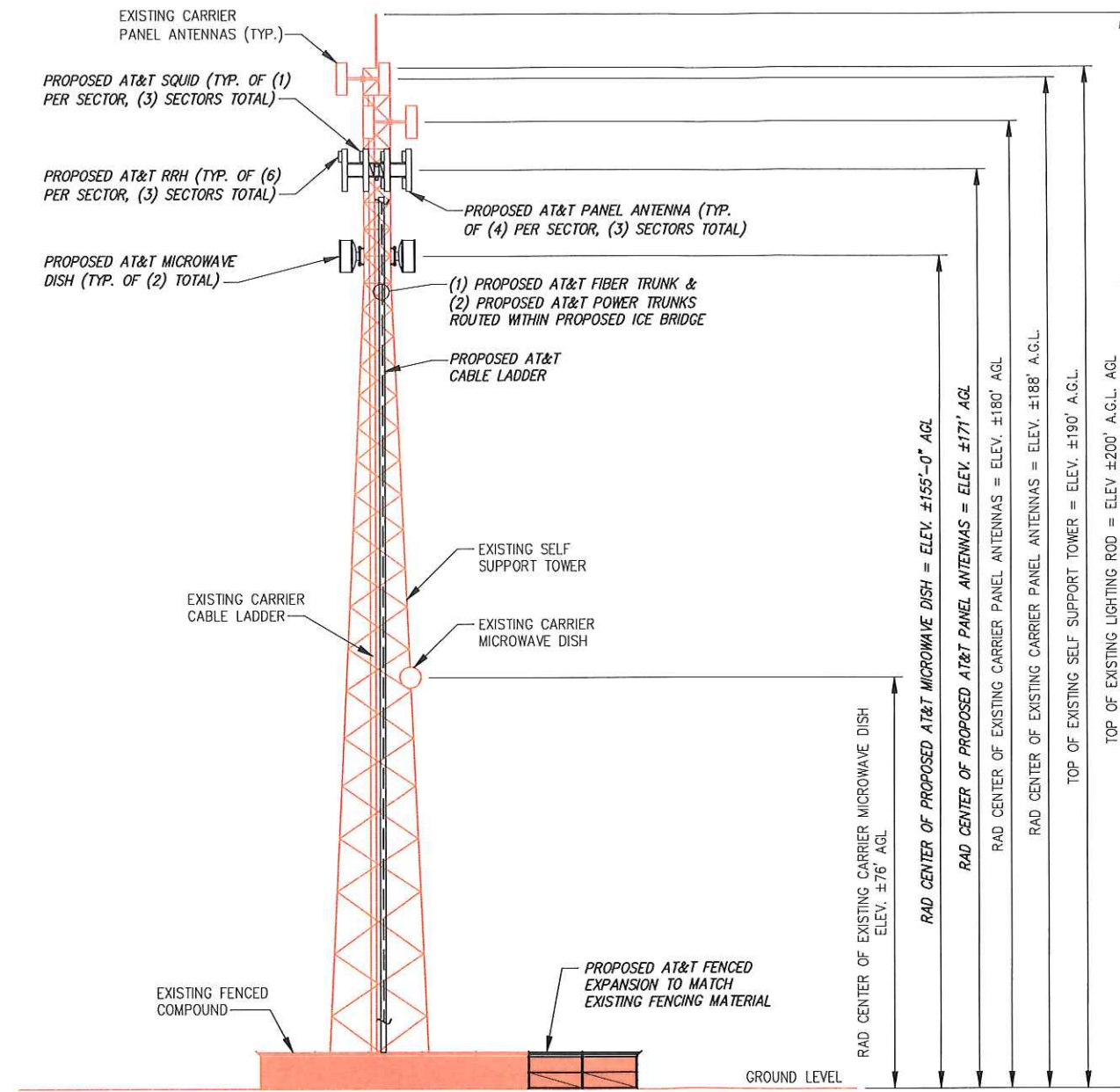
99277 ROCK CREEK ROAD
MYRTLE POINT, OR 97458

SHEET DESCRIPTION:

TOWER ELEVATION

SHEET NUMBER:

Z5



1 TOWER ELEVATION
NOT TO SCALE