



## Planning and Development Department

156 CHURCH STREET, HENDERSON, NC 27536

(252) 738-2080 / FAX 738-2089

### Staff Report 8/8/2013

**Owner:** Christine Moody

**Applicant:** Nexsen Pruet, PLLC – Thomas H. Johnson, Jr., Esq. – Agent for property owner

**Parcel ID:** 0591-02009

**Location:** Near 5225 Satterwhite Point Road

**Current Zoning:** (OS) Open Space

**Public Hearing:** 08/8/2013

**Prepared by:** Jordan McMillen

Note: As a part of any approval, the board is required to make a determination of the electromagnetic field (EMF) effects of the tower on the health of the public. Based upon the evidence presented, an item has been included within the DRAFT findings of fact that is satisfactory to address this requirement should the board agree.

#### Description of Conditional Use Permit Request:

The applicant is requesting a conditional use permit to allow construction of a 195 foot monopole wireless telecommunication facility (cell tower).

#### **Exhibits as follows:**

- Exhibit 1.** Application
- Exhibit 2.** Impact Statement and Justification
- Exhibit 3.** Appointment of Agent
- Exhibit 4.** FCC Compliance Assessment and Tower Owner Insurance Coverage
- Exhibit 5.** Adjoining Owners, Zoning and 2010 Aerial Map
- Exhibit 6.** Site Plan
- Exhibit 7.** Conditional Use Permit check sheet

#### DRAFT Findings of Fact

1. The request is for a conditional use permit to allow a 195' monopole wireless telecommunication facility (cell tower) on a parcel zoned (OS) Open Space.
2. Christine Moody is the property owner. The cell tower site is to be leased from the property owner.
3. The property is located along Satterwhite Point Road near 5225 Satterwhite Point Road; more specifically identified as tax parcel 0591 02009.
4. The parcel consists of approx. 41 acres of which a 100' x 100' lease area would be established for the cell tower and associated equipment.
5. The property is currently zoned (OS) Open Space, is predominantly farmland/grassland and includes 2 residential structures and several agricultural structures.
6. The output levels from non-ionizing electromagnetic radiation (NIER) will be less than 1% of the maximum permissible exposure (MPE) level. Therefore the electromagnetic field (EMF) effects of the tower should have no harmful effects on the health of the public.
7. The application requesting a conditional use permit was filed on 06/29/2013.
8. The adjoining property owners were notified on July 24, 2013.
9. The property was posted on July 25, 2013.
10. The legal notice was run on July 25, and August 1, 2013.

#### Staff Comments

The applicant is proposing to construct a 195 ft. monopole cell tower to initially be utilized by AT&T with space for colocation by other carriers. Once the tower is complete, it will be owned by American Tower Corporation. The applicant has included a statement indicating the tower owner's intention to allow shared use of the tower in the future. The tower will be located on a leased portion of land and will be surrounded by an 8 ft. fence with a 25 ft. wide landscaped buffer area. The buffer area will consist of 12 red maple trees, 54 American boxwoods for shrubbing and mulch for ground cover. The proposed landscaping and buffering meets the buffer requirements for cell towers as outlined in section 6.10 O.5 of the zoning ordinance.

As is required by the zoning ordinance, the applicant has provided a study determining that the power output levels do not exceed federally approved levels. Specifically, the evidence shows that the output level from non-ionizing electromagnetic radiation (NIER) will be less than 1% of the maximum permissible exposure (MPE) level. Additionally, the applicant has supplied a justification for needing a cellular tower in this location that shows the necessity in terms of filling the gap in cellular coverage within this area. Staff research confirms that this cell tower will not be located within 1 mile of any other existing towers within the County (The closest tower is approximately 2.4 miles straight-line distance). Staff believes that this will significantly improve cell tower communication signals within the surrounding area.

Due to the towers location within a parcel that is residentially used, it is required that the tower be setback from any structures at a distance of 1 foot for every 1 foot in height of the tower. This requires no structures to be within 199 feet of the tower (height includes antenna on top of tower). According to the plans, no structures are within this fall zone. The property owner has also provided a certification stating that no future development will be made within this established fall zone setback.

As a condition of approval, it would be recommended that documentation be provided by a registered engineer that the tower has sufficient structural integrity to accommodate more than one user.



# Vance COUNTY

NORTH CAROLINA

## Conditional Use Permit Application

Vance County Planning & Development Department

### For Administrative Use Only:

Case #	20130808-1
Fee Paid	\$250 ck# 408119
BOA Date	

156 Church Street, Suite 3  
Henderson, NC 27536  
Ph: (252) 738-2080  
Fax: (252) 738-2089

### Property Owner Information

Property Owner: Christine Moody c/o Roy Owen  
Mailing Address: 5225 Satterwhite Point Road  
City: Henderson State: NC Zip Code: 27537  
Phone #: ( 252 ) 213 - 0523 Fax #: ( ) -  
E-mail Address: \_\_\_\_\_

### Applicant Information

Applicant: Thomas H. Johnson, Jr., Esq.  
Mailing Address: Nexsen Pruet, PLLC, 4141 Parklake Avenue, Suite 200  
City: Raleigh State: NC Zip Code: 27612  
Phone #: ( 919 ) 786 - 2764 Fax #: ( 919 ) 788 - 1104  
E-mail Address: tjohnson@nexsenpruet.com

### Property Information *For multiple properties please attach an additional sheet.*

Property Address: 5225 Satterwhite Point Road, Henderson, NC 27537  
Tax Map Number: \_\_\_\_\_ PIN (parcel identification #): 0591-02009  
Type of Petition: Telecommunications tower  
Existing Zoning: Open Space Proposed Zoning: No Change  
Acreage: 37.36 acres Road Frontage: 1129 feet  
Existing Use: Farm

### Deed Reference

- ☐ Metes and bounds description attached  
☒ Site plan/sketch of proposal attached



# Vance COUNTY

NORTH CAROLINA

## Conditional Use Permit Application

Vance County Planning & Development Department

### Statement of Justification

1. Application is hereby made for the following use: *Please explain below:*

This application is being submitted to propose the construction of a 195' monopole  
wireless telecommunications facility.

2. The intent is to : *Check all that apply:*

- ☒ Construct a new structure for a conditional use;
- ☐ Repair the existing structure for the conditional use;
- ☐ Alter and/or expand the existing structure for the conditional use;
- ☐ Other

3. The following requirements have been provided: *Check all that apply:*

- ☒ Site plan;
- ☒ Property description;
- ☐ NC DOT entrance permit (if applicable);

4. Additional information:

**In order to issue a Conditional Use Permit, the Board shall consider each of the following conditions, and based on the evidence presented at the hearing(s) make findings in regards to each and must find that the issuance of the Conditional Use Permit is in the best interest of the county.**

A. The use requested is among those listed as an eligible conditional use in the district in which the subject property is located.

Yes ☒ No ☐

B. The use or development is located, designed and proposed to be operated so as to maintain or promote the public health or safety;

Yes ☒ No ☐



# Vance COUNTY

NORTH CAROLINA

## Conditional Use Permit Application

Vance County Planning & Development Department

- C. The use or development complies with all required regulations of the Zoning Ordinance and all applicable specific conditions and specifications;

Yes ☒ No ☐

- D. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of adjoining or abutting property, or that use or development is a public necessity;

Yes ☒ No ☐

- E. The use or development will be in harmony with the area in which it is located and will be in general conformity with the plan of development of the County.

Yes ☒ No ☐

### Property Owners Signature

*Thomas H. Jones, agent*  
Please sign in blue or black ink

Date 6/28/13

### Applicants' Signature

*Thomas H. Jones*  
Please sign in blue or black ink

Date 6/28/13



Vance County Planning & Development  
122 Young Street, Suite B  
Henderson, NC 27536

*Application of American Towers LLC to construct a new Wireless  
Telecommunications Tower for the following site:*

Site Name: Satterwhite, Site No. 368-591  
Site Address: 5225 Satterwhite Point Road

**AMERICAN TOWERS LLC**

American Towers LLC ("AT") is one of the leading independent owner and operator of shared wireless infrastructure. The core business of American Towers LLC involves the engineering, deployment, marketing, ownership, operation and leasing of shared wireless communications sites. The sharing of infrastructure among multiple services lies at the heart of American Tower's business philosophy. Our portfolio of wireless communication sites, including existing towers and rooftops, enables our customers to serve their markets more efficiently and with sensitivity to local planning and zoning jurisdictions. American Towers LLC designs all of our facilities for multiple collocation opportunities for our customers. We endeavor to assist communities in reducing the number of towers in a given jurisdiction by supplying our customers with locations that are ready for them "Just in Time" for their coverage design and wireless performance needs. As one of the largest tower companies in the world, American Towers LLC has master lease agreements, negotiated at arms-length, with all major wireless carriers licensed to operate in North Carolina. In negotiating the rental rates of these master lease agreements, American Towers LLC considers the competitive environment of its business and the presence of other major tower companies such as Crown Castle and SBA. This ensures that American Towers LLC charges only reasonable rates to service providers.

**Collocation Certification**

American Towers LLC agrees to comply with the Zoning Ordinance of the Vance County, North Carolina and is willing to permit other user(s) to attach communication equipment which do not interfere with the primary purpose of the tower, provided that such other users agree to negotiate a reasonable compensation to the owner from such liability as may result from such attachment.

**American Towers LLC**

By: \_\_\_\_\_

David Hockey  
Zoning Manager

# **IMPACT STATEMENT**



**AMERICAN TOWER®**

***SITE #280374***

***“SATTERWHITE NC”***

***TO BE LOCATED WEST OF  
SATTERWHITE POINT ROAD AT MOODY ROAD***

***As per submitted plans***

**PREPARED BY:  
GRAHAM HERRING COMMERCIAL REAL ESTATE  
GRAHAM HERRING GRI  
8052 GREY OAK DRIVE, RALEIGH, NORTH CAROLINA 27615**



## **IMPACT STATEMENT**

This report addresses whether the proposed development of a wireless communications facility known as the “*SATTERWHITE NC*” site, by American Tower Corporation, proposed for construction on Satterwhite Point Road, Vance County, N. C., This facility built as planned, will not have any significant adverse effect on neighboring properties. According to the Vance County Land Use and Zoning Ordinance, the proposed tower site is a Special Use in the underlying zoning districts and is a compatible use in the area where it is to be located. In preparing this report, I inspected the site and surrounding areas in the district, and reviewed the site plans for the facility provided by Tower Engineering Professionals, Inc. (TEP), for American Tower Corporation, applicant for the Special Use Permit under the Ordinance. I have also consulted and reviewed with appraisers, developers, tax authorities of Vance County, and reviewed the public records in similar recent zoning cases in various jurisdictions in Vance County and others including Granville, Warren, Franklin Durham, Halifax, and the Cities and Towns of Henderson, Oxford, Creedmoor, Warrenton, Roanoke Rapids, Durham and others.

### **PROPOSED FACILITY**

The proposed facility will consist of a One Hundred Ninety Five (195.0') monopole communications tower. (One hundred ninety nine feet agl. overall, with antennas and lightening rod). The site will be comprised of a developed area as described in the plans that were submitted. The fencing surrounding the site will be a chain link fence at least eight (8.0') feet in height, around the eighty by eighty (60' x 60') foot compound, located in the 100.0' x 100.0' lease area to be developed as described in the plans that were submitted. There will be a four (4) inch thick gravel weed barrier inside the fenced area and extending one (1) inch outside the fenced area. Landscaping as shown on the plans as submitted and maintaining any existing vegetation which is already on site, and which will be preserved inside the lease area other than as required for construction, will meet or exceed the jurisdictional requirements for this project. The underlying parcel is zoned Open Space. The parent tract is shown in the County Records as in Tax Parcel

Pin# 0591 02009; the lease area to be developed will be some 34,623 Sq. Ft. +~, as per the plans that were submitted.

## **BACKGROUND**

In general we have found that the factors that primarily affect property values are use, zoning, topography, and market demand. As the factors change, so do the current market value and development potential of any parcel of real estate.

While the value of a parcel of real property may be affected by the use of adjoining or surrounding property, that use must be significant in its intrusiveness or lack of compatibility in order to override the primary factors that affect property values. Uses which generate significant traffic, noise, odor, or dangerous conditions are generally the types of uses which are so intrusive as to override the normal factors affecting property values, and result in a material adverse impact on surrounding properties. For example, hog farms, rock quarries, paper mills, manufacturing plants, adult entertainment establishments, and similar uses, are generally believed and shown to have a negative impact on the value of surrounding properties. In addition, development of property in a manner which is significantly incompatible with existing or planned use of surrounding property can result in a negative impact on property immediately adjacent to the incompatible use.

Our examination of the effects of existing area transmission tower and broadcast tower sites on their adjacent and surrounding properties, and our examination of other studies on this subject and available data, indicates that, in general, these type towers are not the type of use, which is so intrusive as to have an inherently negative impact on surrounding properties so long as the setbacks are sufficient as to not cause an adjoining property to



not be able to be used or developed for its highest and best use under the jurisdictions zoning restrictions.

### **SUMMARY**

My personal inspection of the site and surrounding areas, and public records revealed the following:

1. Located north, of the proposed site and parent tract are rural agrarian uses, cultivated land and mature timber lands, rural single family, recreational and mixed uses.
2. Located immediately northwest of the proposed site are and extensive heavily wooded land, farms and a rural residential, recreational uses.
3. Located to the east of the proposed facility are cultivated farm land, rural single family homes, and lake front recreational uses.
4. Located south of the proposed site is cultivated land, and the Vance County Fire/EMS station, and other mixed uses.

In summary, my personal inspection of this proposed site and other tower locations in the counties of Vance, Granville, Durham, Orange, Halifax and many other North Carolina counties; my personal expert witness testimony in over 1,700 one thousand seven hundred zoning hearings for the record in these and many other jurisdictions in Vance County including Henderson, and others my review of industry data regarding all types of transmission towers all indicate that, in general, transmission tower facilities do not have an inherently deleterious or adverse effect on surrounding properties. Our review of the Facility to be constructed at the Site, and personal inspection of the Site and surrounding area, indicate that the planned facility is generally compatible with areas existing and proposed uses, and developed as proposed it will have no substantial negative impact on existing or currently planned development of the surrounding properties.

Moreover, this Telecommunications Facility, built as planned, will not be substantially injurious to the value of adjoining properties or other properties in the general vicinity. Considering that this site is removed from the road arterials located near the proposed

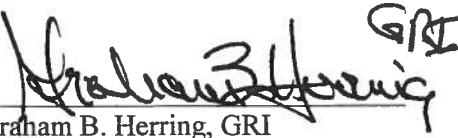
proposed uses, and developed as proposed it will have no substantial negative impact on existing or currently planned development of the surrounding properties.

Moreover, this Telecommunications Facility, built as planned, will not be substantially injurious to the value of adjoining properties or other properties in the general vicinity. Considering that this site is removed from the road arterials located near the proposed site, the rural nature and farming uses, mixed uses nearby, heavily wooded areas, and the details of proposed development of the site; there are no particular concerns regarding any negative aesthetic effects on scenic roadways, or other unique natural features.

DISCLAIMER

*This document is not to be construed as an appraisal of real property; developed or undeveloped. It is an assessment of empirical data and written expression of opinion of impact of this particular planned project, based on the experience of the author of this document. This document is not to be reproduced in whole or in part, disseminated to the public, nor is it to be used for any purpose other than the reason intended. No opinions of value or opinions of the correctness or accuracy of the engineering designs or plans submitted for this project are expressed, implied or intended by the author.*

Graham B. Herring, GRI  
NC Brokers License #30791  
SC Brokers License #13554

 Date: 6/18/2013  
Graham B. Herring, GRI

**OVERVIEW OF THE CREDENTIALS OF GRAHAM HERRING, LICENSED  
NORTH CAROLINA AND SOUTH CAROLINA REAL ESTATE BROKER, AND  
GRADUATE OF THE UNIVERSITY OF NORTH CAROLINA REALTORS  
INSTITUTE.**

**GRAHAM B. HERRING, GRI**  
8052 Grey Oak Drive  
Raleigh, North Carolina

**Experience:**

Licensed Real Estate Broker in North Carolina for 38 years  
Licensed South Carolina Real Estate Broker

Mortgage Lending and Appraising, 6 Years (Single Family Residential)  
Land Development (Commercial and Residential)  
Shopping Center development, leasing and sales  
Industrial, Office and Institutional, Commercial properties; development, leasing and sales.  
Specialized Computer enhanced photography (Photo Simulations)  
Site Acquisition, Telecommunications, Radio, Television, and EMS/911 Facilities  
SHPO North and South Carolina/ remediation work  
Residential/Builder Construction lending  
Certificate of Completion, United States Savings and Loan League Single Family Residential Appraising Course.

Past Executive Director of the Nash County, and Rocky Mount Homebuilders Association  
Graduate of the North Carolina Homebuilders Institute  
Graduate of the North Carolina Insurance Institute  
Graduate of the International Shopping Center Institute School of Management and Leasing  
Graduate of the University of Pennsylvania/Wharton School Of Investment Real Estate  
Consulted with City Municipalities and County Governments. Concerning Potential Impact of Telecommunications Facilities, in planning and study meetings.  
Appeared as an expert witness in over 1700 Zoning Hearings, in 67 counties, and 65 jurisdictions in North Carolina, Virginia, Georgia, Florida and South Carolina  
Consulted with developers concerning planning and placement of telecommunications facilities in planned developments, i.e.: Weston, and Wakefield.  
Testified as an expert witness regarding impact on surrounding properties of Telecommunications Facilities in Board of Adjustment and Commissioners hearings throughout North Carolina, Virginia, Georgia, Florida and South Carolina.  
Conducted Market and Tracking Studies in several counties including Wake and Orange counties, on the development of telecommunications facilities, and the sale of improved residential properties in developments that are surrounding such facilities, and comparison studies of such.

Appointment of Agent  
Henderson, NC ATC Site No. \_\_\_\_\_/AT&T#368-591

The undersigned Christine Moody ("Owner") do hereby appoint Nexsen Pruet, PLLC as their exclusive agent for the purpose of petitioning Vance County for a special use permit and variance applicable to the property with the parcel number 0591-02009 for the location of a wireless telecommunications tower as described in the attached applications for special use permit and variance, including the following:

1. To submit the proper applications and the required supplemental materials.
2. To appear at public meetings to give representation and commitments on behalf of the Owner.
3. To act on the Owner's behalf without limitation with regard to any and all things directly or indirectly connected with or arising out of the applications for special use permit and variance.

This agency agreement shall continue in effect until written notice of revocation by the Owner is delivered to Vance County.

This the 12 day of June, 2013

Agent's Name, Address & Telephone

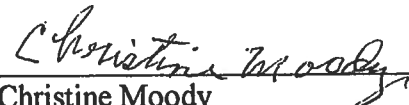
Nexsen Pruet, PLLC

4141 Parklake Avenue, Ste. 200

Raleigh, NC 27612

919-786-2764

Signature of Owner(s)

  
Christine Moody



1130 Situs Court, Suite 100  
Raleigh, NC 27606

**DATE:** June 27, 2013  
**SUBJECT:** FCC Compliance Assessment for Proposed AT&T Mobility Site 368-591

AT&T Mobility has been requested to evaluate the radio frequency emissions of our proposed site 368-591. In addition, AT&T Mobility has been requested to address other RF related topics such as transmitter operation and maximum permissible output power levels. The remainder of this report will address all RF related items requested by Vance County Zoning/Planning for proposed site 368-591.

#### **Transmitter Operation**

AT&T Mobility owns the B/C LTE Bands and B PCS Band PCS licenses in Vance County. The transmitters being used on the proposed site are authorized to operate in the 704-716, 734-746 and 1950-1965 Megahertz (MHz) frequency range. The Ericsson Node B base station transmitters AT&T Mobility utilizes have a maximum output level of 60 watts. AT&T Mobility utilizes the GSM, LTE and UMTS digital technology. As a result our transmitters utilize Gaussian Minimum Shift Keying (GMSK), 16-State Quadrature Amplitude (16QAM), 64-State Quadrature Amplitude (64 QAM) and Quadrature Phase Shift Keying (QPSK) modulation. Precision filters limit unwanted and spurious emissions to levels below the FCC specification. The signals being transmitted will not interfere with the operation of commercial radio, cellular radio, television, telephone or other FCC approved communication equipment. For our proposed site 368-591, GSM technology will not be deployed.

#### **Maximum Permissible Output Power**

The maximum permissible output power for 1900 band per sector is 1640 Watts of effective radiated power (ERP) from the antennas in Vance County. The proposed site 368-591 is only transmitting 506 total watts ERP.

The maximum permissible output power for 700 band per sector is 1000 Watts of effective radiated power (ERP) from the antennas in Vance County. The proposed site 368-591 is only transmitting 197 total watts ERP.

#### **RF Exposure (NIER levels)**

The FCC states in 47 CFR 1.1310 that the maximum permissible exposure (MPE) level from non-ionizing electromagnetic radiation (NIER) to the general population at cellular and PCS frequencies is 1.0 milliwatt per centimeter squared ( $\text{mW}/\text{cm}^2$ ). MPE is a measure of the RF power density at or below which there are no potential harmful effects from the exposure.

Power density calculations are based on guidelines given by the ANSI Standard C95.1-1992 and are based on a worst case scenario. For analysis purposes, worst case conditions were chosen for all output power levels based on the deployment of LTE and UMTS technologies. The site is being deployed initially with 6 transmitters. For analysis purposes, 15 transmitters were used. A summary of the results of the power density calculations for site 368-591 is listed below in **Table 1** and **Table 2**.

Distance From Tower (Feet)	Power Density (mw/cm2)	% FCC Standard
1	0.0000536	0.021450
25	0.0000492	0.019671
50	0.0000275	0.011009
75	0.0000923	0.036924
100	0.0001099	0.043979

**Table 1: Power Density Summary for Site 368-591 for 1900 Band**

Distance From Tower (Feet)	Power Density (mw/cm2)	% FCC Standard
1	0.0000080	0.006535
25	0.0000176	0.0143763
50	0.0000278	0.0226766
75	0.0000331	0.0269848
100	0.0000327	0.0267335

**Table 2: Power Density Summary for Site 368-591 for 700 Band**

As shown in **Table 1**, the maximum power density will not exceed 0.0001099 mW/cm<sup>2</sup> at ground level in 1900 Band and as shown in **Table 2**, the maximum power density will not exceed 0.0000327 mW/cm<sup>2</sup> at ground level in 700 Band. Moreover, the average energy expected near ground level is less than 1% of the MPE level. This level does not exceed the MPE limit set by the Federal Communications Commission or the American National Standards Institute.

Based upon the ANSI/FCC standard and the predicted levels of electromagnetic energy emitted by site 368-591, this installation will be of no safety concern to the general public.

If there are any further questions regarding the information provided I can be reached at (919) 852-2717.

Sincerely



David J. LaCava  
Radio Access Network Specialist  
AT&T Mobility  
Raleigh Market  
Tel: 919 852-2717  
e-mail: [DL2246@att.com](mailto:DL2246@att.com)

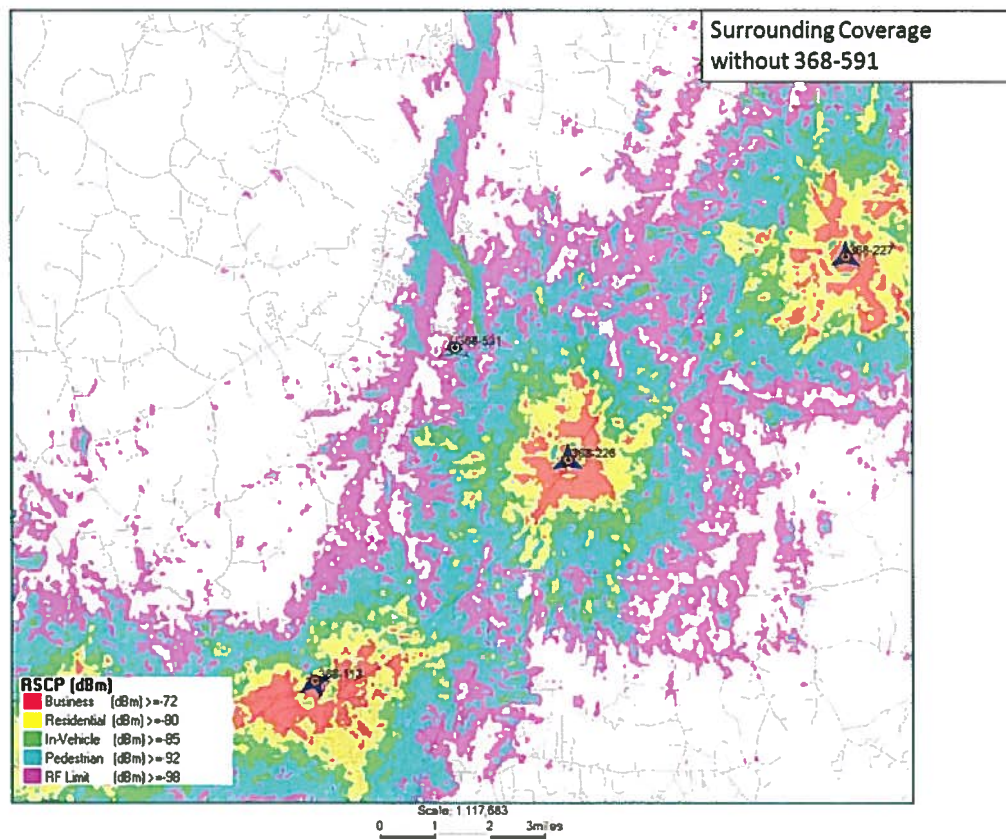


AT&T Mobility has been requested to provide justification for our proposed site 368-591. AT&T Mobility is currently in the process of enhancing/expanding our existing coverage in Vance County. The proposed site will provide coverage to Residential Areas around Satterwhite Point Road near Kerr Lake. Existing structures have been utilized whenever possible. **Figure 1** shows the general area within Vance County that the new site will be located. In **Figure 1** blue text and corresponding icons indicate the location of all existing sites and the white text box indicates the location of the proposed site.



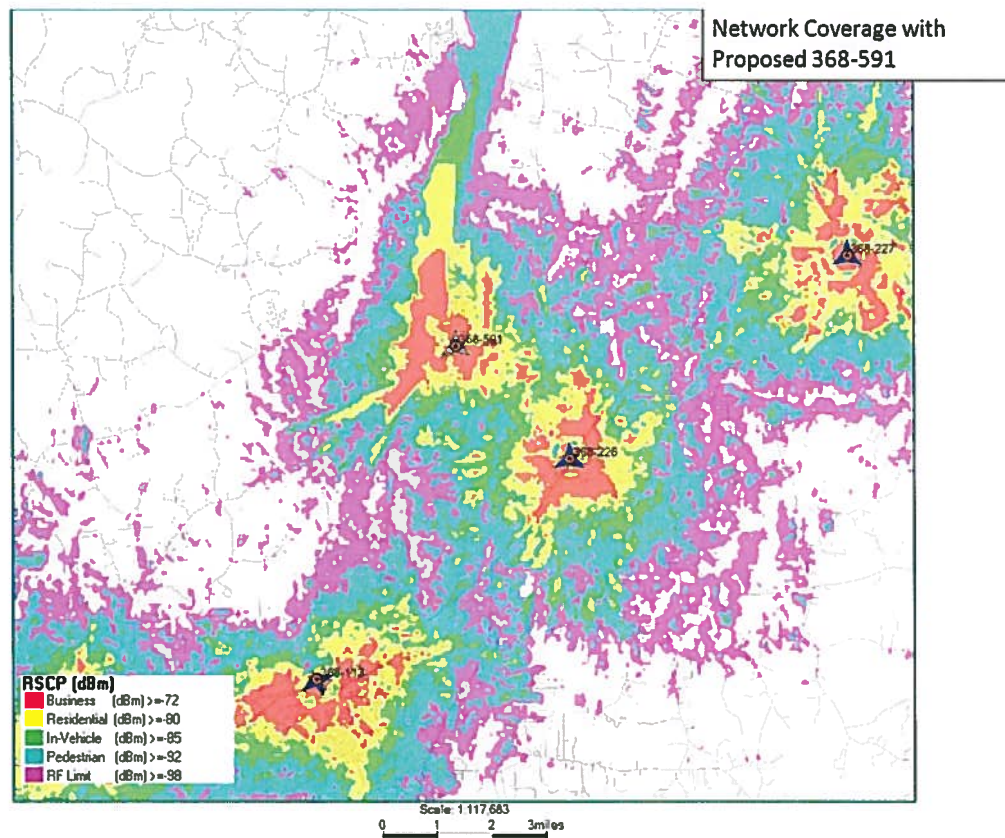
Currently AT&T Mobility does not have adequate coverage in the concerning area. Refer to [Figure 2](#), which shows coverage without the proposed site 368-591.

**Figure 2: Map of Cingular Wireless' Coverage Without 368-591**



With the addition of proposed site 368-591 AT&T Mobility will provide adequate coverage to Residential Areas around Satterwhite Point Road near Kerr Lake. Refer to **Figure 3** which shows coverage with proposed site 368-591.

**Figure 3: Map of Cingular Wireless' Coverage With 368-591**



If there are any further questions regarding I can be reached at (919) 852-2717.

David LaCava  
Radio Access Network Specialist  
Raleigh, NC

MEMORANDUM OF INSURANCE					Date: December 28, 2012				
<p>This Memorandum of Insurance is issued as a matter of information only to authorized viewers for their internal use only and confers no rights upon any viewer or holder of this Memorandum. This Memorandum does not amend, extend or alter the insurance coverage described below. This Memorandum may only be viewed, copied, printed and distributed by an Authorized Viewer for such Authorized Viewer's internal use. Any other use, duplication or distribution of this Memorandum without the consent of Wells Fargo Insurance Services is prohibited. "Authorized Viewer" shall mean an entity or person authorized by the insured named herein to access this Memorandum via <a href="http://wfs.wellsfargo.com/amtower/moifaq.htm">http://wfs.wellsfargo.com/amtower/moifaq.htm</a>. The information contained herein is current as of the date of this Memorandum. Wells Fargo Insurance Services shall be under no obligation to update such information.</p>									
<b>PRODUCER</b> Wells Fargo Insurance Services USA, Inc. 699 Boylston St. Boston, Massachusetts 02116		<b>INSURER(S) AFFORDING COVERAGE</b>			<b>NAIC #</b>				
		INSURER A: Greenwich Insurance Company			22322				
		INSURER B: Great American Assurance Company			26344				
		INSURER C: XL Specialty Insurance Company			37885				
<b>INSURED</b> American Tower Corporation 116 Huntington Avenue Boston, Massachusetts 02116-5749 United States		INSURER D:							
		INSURER E:							
		INSURER F:							
<b>COVERAGES</b>									
<p>The policies of insurance listed below have been issued to the insured named above for the policy period indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this Memorandum may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims.</p>									
Insr Ltr	Type Of Insurance	Policy Number	Policy Effective Date	Policy Expiration Date	Limits				
					Limits in USD unless otherwise indicated				
A	General Liability Commercial General Liability Occurrence	RGD9437614	Dec. 31, 2012	Dec. 01, 2013	General Aggregate	\$ 2,000,000			
					Products-Comp/OP AGG	\$ 2,000,000			
					Personal And ADV Injury	\$ 1,000,000			
					Each Occurrence	\$ 1,000,000			
					Fire Damage (Any One Fire)	\$ 100,000			
					Med Exp (Any One Person)	\$ 10,000			
A	Automobile liability Any auto Self-insured Physical damage	RAD9437615 (AOS) RAD9437616 (MA)	Dec. 31, 2012 Dec. 31, 2012	Dec. 01, 2013 Dec. 01, 2013	Combined Single Limit (Each Accident)	\$ 1,000,000			
					Bodily Injury (Per Person)	\$			
					Bodily Injury (Per Accident)	\$			
					Property Damage	\$			
						\$			
						\$			
B	Excess Liability Umbrella Form Occurrence	UMB4646910	Dec. 31, 2012	Dec. 01, 2013	Each Occurrence	\$ 5,000,000			
					Aggregate	\$ 5,000,000			
						\$			
						\$			
C	Workers Compensation / Employers Liability The Proprietor / Partners / Executive Officers Are: Included	RWD9435386 (AOS) RWD9435391 (IN)	Dec. 31, 2012 Dec. 31, 2012	Dec. 01, 2013 Dec. 31, 2013	X	WC Statutory Limits		Oth-er	
					E.L. Each Accident				\$ 1,000,000
					E.L. Disease - Ea Employee				\$ 1,000,000
					E.L. Disease - Policy Limit				\$ 1,000,000
<p>This Memorandum of Insurance serves solely to list insurance policies, limits and dates of coverage. Any modifications hereto are not authorized.</p>									

**MEMORANDUM OF INSURANCE**

Date: December 28, 2012

This Memorandum of Insurance is issued as a matter of information only to authorized viewers for their internal use only and confers no rights upon any viewer or holder of this Memorandum. This Memorandum does not amend, extend or alter the insurance coverage described below. This Memorandum may only be viewed, copied, printed and distributed by an Authorized Viewer for such Authorized Viewer's internal use. Any other use, duplication or distribution of this Memorandum without the consent of Wells Fargo Insurance is prohibited. "Authorized Viewer" shall mean an entity or person authorized by the insured named herein to access this Memorandum via <http://wfs.wellsfargo.com/amtower/moifaq.htm>. The information contained herein is current as of the date of this Memorandum. Wells Fargo Insurance Services shall be under no obligation to update such information.

**PRODUCER**

Wells Fargo Insurance Services USA, Inc.  
699 Boylston St.  
Boston, Massachusetts 02116

**INSURED**

American Tower Corporation  
116 Huntington Avenue  
Boston, Massachusetts 02116-5749  
United States

**ADDITIONAL INFORMATION****Named Insureds:**

American Tower Corporation  
American Towers, LLC  
American Towers, Inc.  
ATC Towers, Inc.  
Semann Engineering Solutions, LLC  
SpectraSite Communications, LLC  
ATC Payroll LLC

American Tower Corporation has Additional Insured Endorsements that apply to the Commercial General Liability and Automobile Liability policies issued by Greenwich Insurance Company. Because of the nature of these endorsements, it is not necessary to specifically schedule parties with a contractual and insurable interest, as Additional Insured status is extended to those parties by the nature of the written business relationship as follows:

**BLANKET ADDITIONAL INSURED INCLUDES:**

Any person or organization with an insurable interest is additional insured, as required by written contract with the named insured, but only in accordance with the policy terms.

**ADDITIONAL INSURED – Scheduled Designated Person or Organization**

Schedule: ALL PREMISES WHERE REQUIRED BY CONTRACT

The insurance provided will not exceed the lesser of:

1. The coverage and/or limits of this policy, or
2. The coverage and/or limits required by said contract or agreement.

The insurance provided does not apply to:

1. Any "occurrence" which takes place after the insured ceases to be a tenant in that premises.
2. Structural alterations, new construction or demolition operations performed by or on behalf of the person or organization shown in the Schedule.
3. Professional Services.

**ADDITIONAL INSURED LESSOR – Additional Insured and Loss payee – Automobile Liability**

Schedule: Where required by written contract

Description: Any auto leased or rented to you.

**A. Coverage**

1. Any "leased auto" designated or described in the schedule will be considered a covered "auto" you own and not a covered "auto" you hire or borrow. For a covered "auto" that is a "leased auto," Who Is An Insured is changed to include as an "insured" the lessor named in the Schedule.
2. The coverages provided under this endorsement apply to any "leased auto" described in the Schedule until the expiration date shown in the Schedule, or when the lessor or his or her agent takes possession of the "leased auto," whichever occurs first.

**B. Loss Payable Clause:**

1. We will pay, as interest may appear, you and the lessor named in this endorsement for "loss" to a "leased auto."
2. The insurance covers the interest of the lessor unless the "loss" results from fraudulent acts or omissions on your part.
3. If we make any payment to the lessor, we will obtain his or her rights against any other party.

This Memorandum of Insurance serves solely to list insurance policies, limits and dates of coverage. Any modifications hereto are not authorized.

**C. Cancellation**

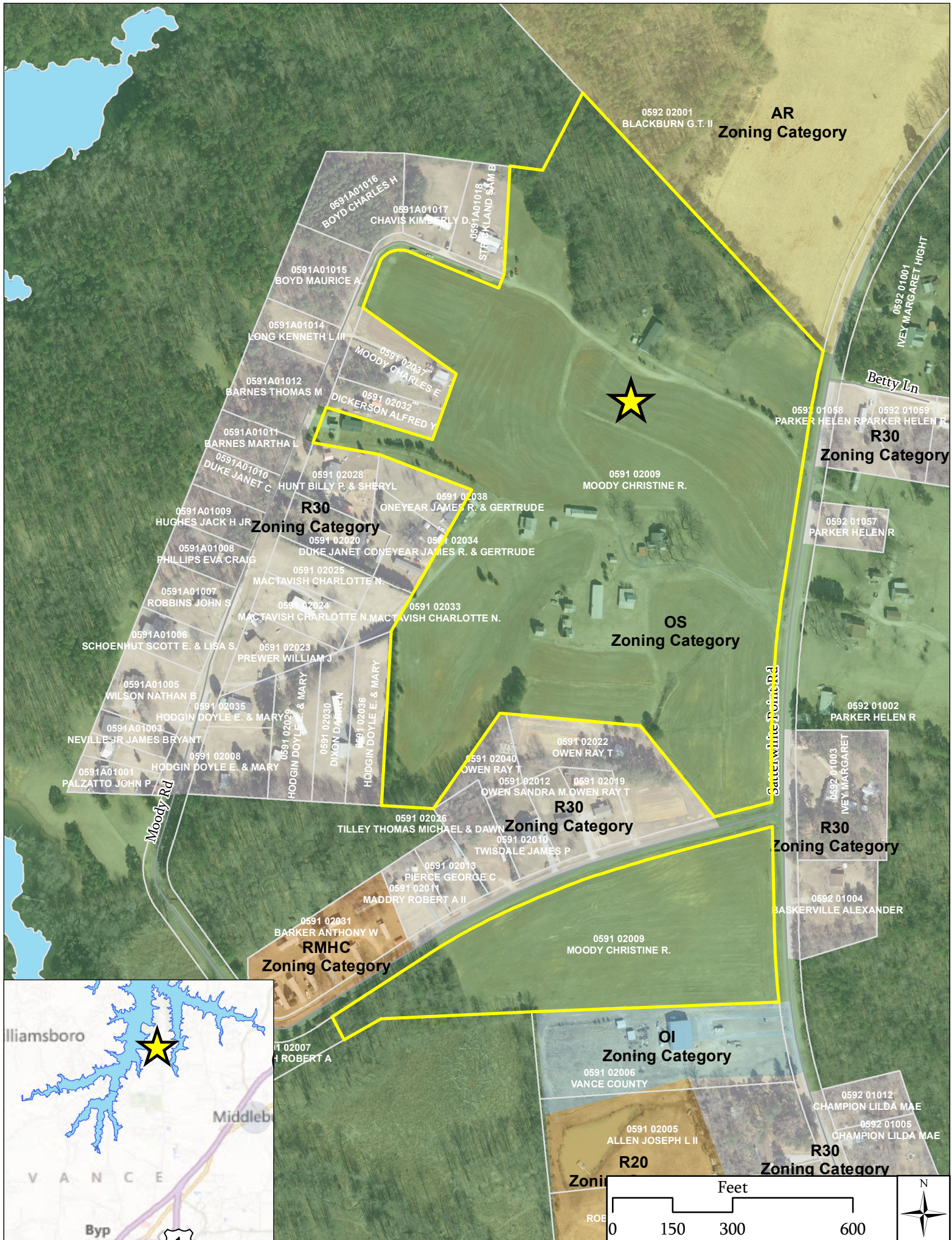
1. If we cancel the policy, we will mail notice to the lessor in accordance with the cancellation Common Policy Condition
2. If you cancel the policy, we will mail notice to the lessor.
3. Cancellation ends this agreement.

**D. The lessor is not liable for payment of your premium.**

**E. Additional Definition - "Leased auto"** means an "auto" leased or rented to you, including any substitute, replacement or extra "auto" needed to meet seasonal or other needs, under a leasing or rental agreement that requires you to provide direct primary insurance for the lessor.

This Memorandum of Insurance serves solely to list insurance policies, limits and dates of coverage. Any modifications hereto are not authorized.







PREPARED FOR:

**AMERICAN TOWER**  
CORPORATION  
400 REGENCY FOREST DR.  
CARY, NC 27511

PROJECT INFORMATION:

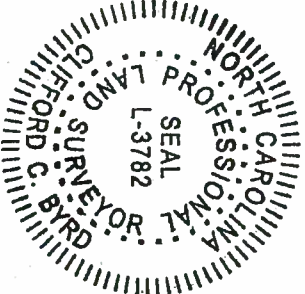
**AT&T SITE # 368-591**  
**ATC SITE # 280374**  
**SATTERWHITE NC**  
5225 SATTERWHITE POINT ROAD  
HENDERSON, NC 27537  
(VANCE COUNTY)

PREPARED BY:

**TOWER ENGINEERING PROFESSIONALS**  
3703 JUNCTION BOULEVARD  
RALEIGH, NC 27603-5283  
(919) 661-6351  
NC LICENSE NO. C-1794

SURVEYOR CERTIFICATE

I, CLIFFORD BYRD, CERTIFY THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY ME OR UNDER MY DIRECT SUPERVISION, (DEED DESCRIPTION RECORDED IN BOOK AND PAGE AS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN LINES, DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE AS REFERENCED HEREON; THAT RATIO OF PRECISION AS CALCULATED IS 1: 10,000 OR GREATER; THAT THE AREA IS COMPUTED BY COORDINATE METHOD; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL, THIS 24 DAY OF MAY, 2013.



NORTH CAROLINA PLS # L-3782  
CLIFFORD C. BYRD

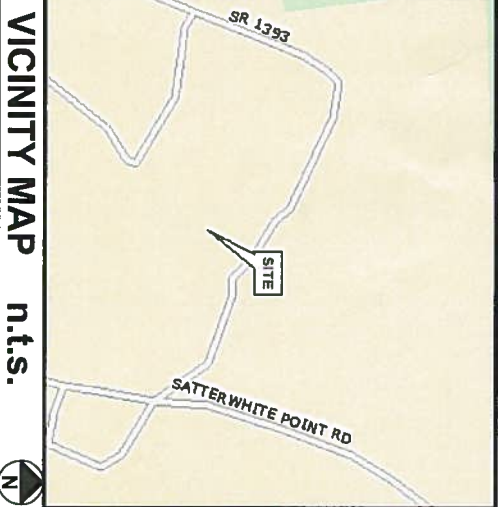
SHEET TITLE:

**SITE SURVEY**

DATE: 05/24/2013 REVISION: 0  
SHEET #: 1 OF 2 TEP #: 131552

### PROPERTY INFORMATION

NO.	PIN #	N/E PROPERTY OWNER	DEED BOOK	PAGE
1	0591 401018	SAM & NANCY STRICKLAND	786	632
2	0591 02037	CHARLES & IOAN MOODY	748	801
3	0591 02032	ALFRED DICKERSON	1162	221
4	0591 02038	JAMES & GERTRUDE ONEYEAR	1061	321
5	0591 02034	JAMES & GERTRUDE ONEYEAR	1061	321
6	0591 02033	CHARLOTTE MACTAUISH	726	236
7	0591 02036	DOYLE & MARY HODGIN	1141	693
8	0591 02040	RAY & SANDRA OWEN	899	424
9	0591 02022	RAY & SANDRA OWEN	665	759



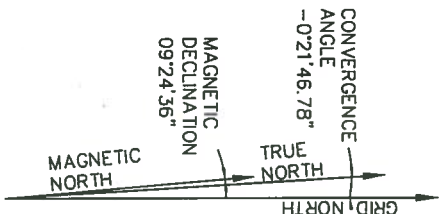
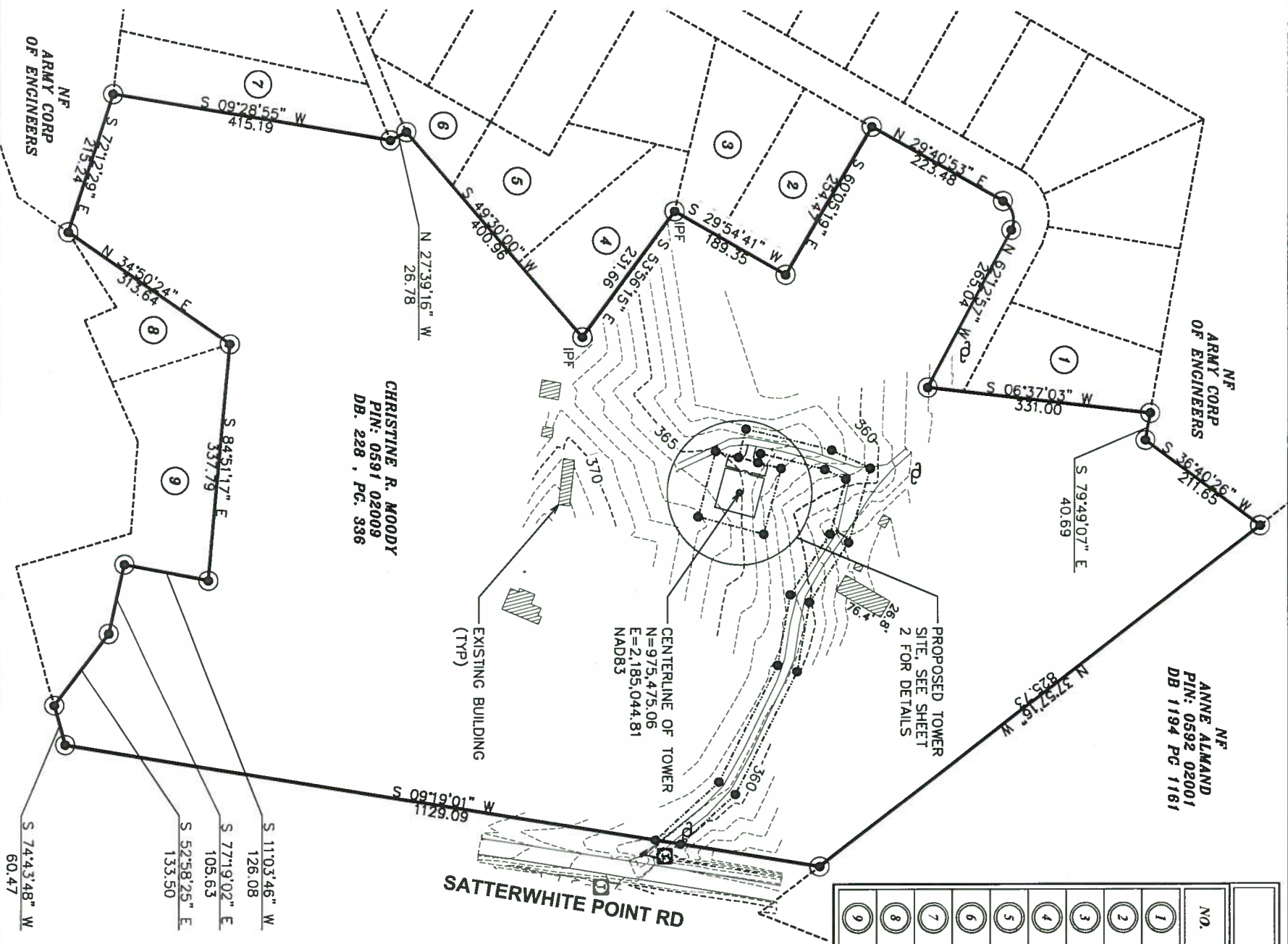
**VICINITY MAP** n.t.s.

### NOTES

1. This plan was prepared without the benefit of a report of title.
2. This plan does not represent a title survey.
3. The basis of the bearings and coordinates for this plan is the North Carolina State Plane Coordinate System, North American Datum (NAD 83) based on differential GPS observations performed on April 22, 2013 and tied to the National CORS system via the OPUS utility and expressed in US Survey Feet.
4. Vertical information shown, based on the North American Vertical Datum of 1988 (NAVD '88) in US Survey Feet.
5. Property lines are drawn from information found in Deed Book 228, Page 356, of the Vance County Register of Deeds records.
6. All distances are ground unless otherwise noted.
7. This property is located in flood zone "X", areas determined to be outside 0.2% chance of annual flood. (FEMA Community Panel # 3720198600J, effective April 16, 2007).
8. Lessee Information:  
American Tower Corporation  
400 Regency Forest Dr.  
Cary, NC 27511
9. Property Information:  
Christine Moody  
5225 Satterwhite Point Rd.  
Henderson, NC 27537

### 1A CERTIFICATE

LATITUDE: N 36° 25' 42.002" (NAD '27)  
LONGITUDE: W 78° 22' 16.899" (NAD '27)  
LATITUDE: N 36° 25' 42.523" (NAD '83)  
LONGITUDE: W 78° 22' 15.887" (NAD '83)  
GROUND ELEV. (AMSL): 365.1± (NAVD '88)



### LEGEND

- PROPERTY LINE
- PROPERTY LINE (NOT SURVEYED)
- ADJOINERS PROPERTY LINE (NOT SURVEYED)
- EXIST. UTILITY POLE
- EXIST. TELCO PEDESTAL
- IRON ROD (FOUND)
- PROPERTY CORNER (CALCULATED)
- EDGE OF PAVEMENT
- OVERHEAD WIRE
- RIGHT-OF-WAY
- CHAIN LINK FENCE
- EXISTING TREE LINE



SCALE IN FEET

### SITE SURVEY

SCALE: 1" = 200'

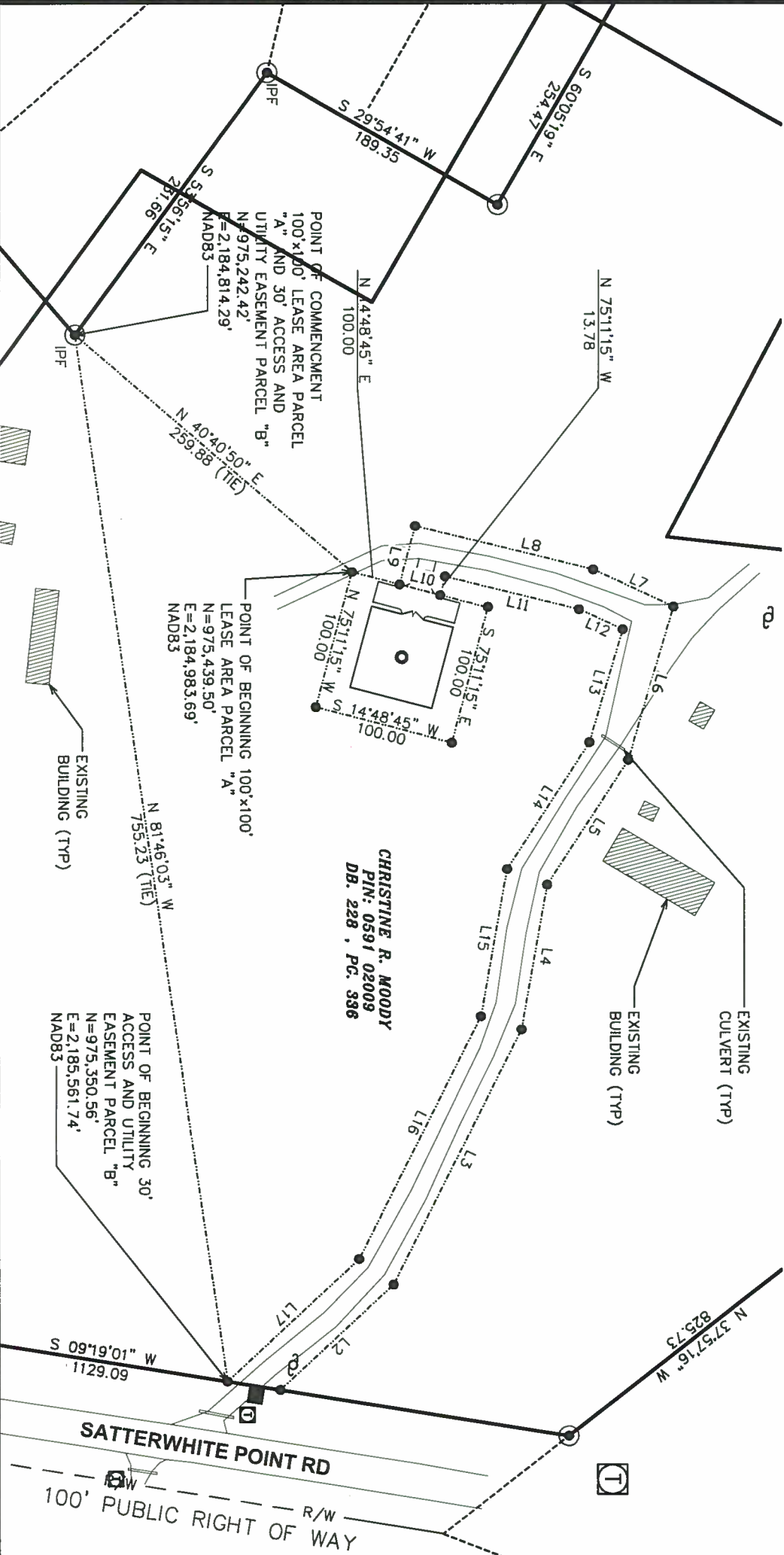


LEGAL DESCRIPTION OF LEASE AREA  
PARCEL "A"

ALL THAT CERTAIN LEASE AREA PARCEL OF LAND, SITUATED, LYING AND BEING IN VANCE COUNTY, NORTH CAROLINA, BEING A PORTION OF THE LANDS DESCRIBED IN DEED BOOK 228 AT PAGE 336 OF THE VANCE COUNTY REGISTER OF DEEDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT EXISTING IRON, SAID IRON BEING IN THE WESTERN CORNER OF THE PARCEL DESCRIBED IN DEED BOOK 228 AT PAGE 336 AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING = 975,242.40', AND EASTING = 2,184,814.30'; THENCE FROM THE POINT OF COMMENCEMENT, NORTH 40°40'50" EAST, A DISTANCE OF 259.88 FT. TO A POINT ON THE SOUTHWEST CORNER OF THE DESCRIBED 100' X 100' LEASE AREA, SAID POINT BEING THE TRUE POINT OF BEGINNING, AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING = 975,439.50', AND EASTING = 2,184,983.69'; THENCE FROM THE POINT OF BEGINNING NORTH 14°48'45" EAST, A DISTANCE OF 100.00 FT. TO A POINT; THENCE SOUTH 75°11'15" EAST FOR A DISTANCE OF 100.00 FT. TO A POINT; THENCE SOUTH 14°48'45" WEST FOR A DISTANCE OF 100.00 FT. TO A POINT. THENCE NORTH 75°11'15" WEST FOR A DISTANCE OF 100.00 FT. TO THE POINT OF BEGINNING.  
SAID LEASE AREA CONTAINING 10,000 SQ. FT. OR 0.23 ACRES MORE OR LESS.

LEGAL DESCRIPTION OF 30' ACCESS AND UTILITY EASEMENT  
PARCEL "B"

ALL THAT CERTAIN LEASE AREA PARCEL OF LAND, SITUATED, LYING AND BEING IN VANCE COUNTY, NORTH CAROLINA, BEING A PORTION OF THE LANDS DESCRIBED IN DEED BOOK 228 AT PAGE 336 OF THE VANCE COUNTY REGISTER OF DEEDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT EXISTING IRON, SAID IRON BEING IN THE WESTERN CORNER OF THE PARCEL DESCRIBED IN DEED BOOK 228 AT PAGE 336 AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING = 975,242.40', AND EASTING = 2,184,814.30'; THENCE FROM THE POINT OF COMMENCEMENT, NORTH 81°46'03" EAST A DISTANCE OF 755.23 FT. TO A POINT ON THE WESTERN RIGHT OF WAY OF SATTERWHITE POINT RD, SAID POINT BEING THE TRUE POINT OF BEGINNING OF A DESCRIBED 30' ACCESS AND UTILITY EASEMENT, AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF: NORTHING= 975,350.56'; AND EASTING=2,185,561.74'; THENCE FROM THE POINT OF BEGINNING, AND WITH SAID RIGHT OF WAY, NORTH 09°19'01" EAST A DISTANCE OF 37.96 FT. TO A POINT; THENCE LEAVING SAID RIGHT OF WAY, NORTH 42°53'38" WEST A DISTANCE OF 110.01 FT. TO A POINT; THENCE NORTH 63°23'23" WEST A DISTANCE OF 203.78 FT. TO A POINT; THENCE NORTH 79°53'17" WEST A DISTANCE OF 104.90 FT. TO A POINT; THENCE NORTH 57°06'58" WEST A DISTANCE OF 106.15 FT. TO A POINT; THENCE NORTH 73°36'45" WEST A DISTANCE OF 114.27 FT. TO A POINT; THENCE SOUTH 25°00'52" WEST A DISTANCE OF 63.11 FT. TO A POINT; THENCE SOUTH 13°52'05" WEST A DISTANCE OF 130.40 FT. TO A POINT; THENCE SOUTH 75°11'15" EAST A DISTANCE OF 43.25 FT. TO A POINT ON THE WESTERN LIMITS OF DESCRIBED LEASE AREA PARCEL. THENCE, WITH SAID WESTERN LIMITS, NORTH 14°48'45" EAST A DISTANCE OF 30.00 FT. TO A POINT ON SAID WESTERN LIMITS; THENCE, LEAVING SAID SOUTHERN LIMITS, NORTH 75°11'15" WEST A DISTANCE OF 13.78 FT. TO A POINT; THENCE NORTH 13°53'42" EAST A DISTANCE OF 97.99 FT. TO A POINT; THENCE NORTH 25°00'52" EAST A DISTANCE OF 34.37 FT. TO A POINT; THENCE SOUTH 73°36'45" EAST A DISTANCE OF 84.13 FT. TO A POINT; THENCE SOUTH 57°06'58" EAST A DISTANCE OF 107.84 FT. TO A POINT; THENCE SOUTH 79°53'17" EAST A DISTANCE OF 106.59 FT. TO A POINT; THENCE SOUTH 63°23'23" EAST A DISTANCE OF 194.01 FT. TO A POINT; THENCE SOUTH 42°53'38" EAST A DISTANCE OF 127.85 FT. TO THE POINT OF BEGINNING.  
SAID EASEMENT AREA CONTAINING 24,634 SQ. FT. OR 0.57 ACRES MORE OR LESS.

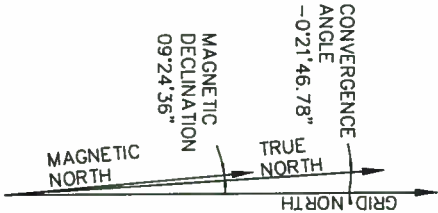


LEGAL DESCRIPTIONS

SCALE: 1" = 100'

ACCESS EASEMENT  
LINE DATA

LINE	BEARING	DISTANCE
L1	N09°19'01"E	37.96'
L2	N42°53'38"W	110.01'
L3	N63°23'23"W	203.78'
L4	N79°53'17"W	104.90'
L5	N57°06'58"W	106.15'
L6	N73°36'45"W	114.27'
L7	S25°00'52"W	63.11'
L8	S13°52'05"W	130.40'
L9	S75°11'15"E	43.25'
L10	N13°53'42"E	97.99'
L11	N14°48'45"E	30.00'
L12	N25°00'52"E	34.37'
L13	S73°36'45"E	84.13'
L14	S57°06'58"E	107.84'
L15	S79°53'17"E	106.59'
L16	S63°23'23"E	194.01'
L17	S42°53'38"E	127.85'



SCALE IN FEET

PREPARED FOR:

AMERICAN TOWER CORPORATION  
400 REGENCY FOREST DR.  
CARY, NC 27511

PROJECT INFORMATION:

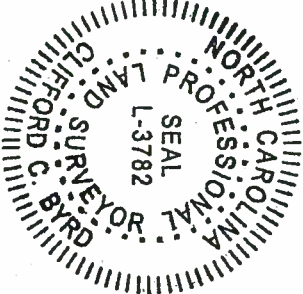
AT&T SITE # 368-591  
ATC SITE # 280374  
SATTERWHITE NC  
5225 SATTERWHITE POINT ROAD  
HENDERSON, NC 27537  
(VANCE COUNTY)

PREPARED BY:

TOWER ENGINEERING PROFESSIONALS  
3703 JUNCTION BOULEVARD  
RALEIGH, NC 27603-5263  
(919) 661-6351  
NC LICENSE NO. C-1794

SURVEYOR CERTIFICATE

I, CLIFFORD BYRD, CERTIFY THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY ME OR UNDER MY DIRECT SUPERVISION, (DEED DESCRIPTION RECORDED IN BOOK AND PAGE AS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN LINES, DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE AS REFERENCED HEREON; THAT RATIO OF PRECISION AS CALCULATED IS 1: 10,000 OR GREATER; THAT THE AREA IS COMPUTED BY COORDINATE METHOD; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL, THIS 24 DAY OF MAY, 2013.



NORTH CAROLINA PLS # L-3782  
CLIFFORD C. BYRD

SHEET TITLE:

LEGAL DESCRIPTIONS

DATE:	05/24/2013	REVISION:	0
SHEET #:	2 OF 2	TEP #:	131552

### Conditional Use Permit Check Sheet

1. The use requested is among those listed as an eligible conditional use in the district in which the subject property is located.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

2. The use or development is located, designed and proposed to be operated so as to maintain or promote the public health or safety.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

3. The use or development complies with all required regulations of the Zoning Ordinance and all applicable specific conditions and specifications.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

4. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of adjoining or abutting property, or that the use is a public necessity;

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

5. The use or development will be in harmony with the area in which it is to be located and will be in general conformity with the plan of development of the County.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	