

CITY OF TONTITOWN PLANNING OFFICE

201 E. Henri de Tonti Blvd. 479-361-2700 planning@tontitownar.gov Meeting: July 27, 2021

Project: Verizon Cell Communication
Tower Conditional Use Permit

Planner: Anthony Apple

AGENDA ITEM

2

CONDITIONAL USE PERMIT REQUEST

Located at the southwest corner of 1853 W. Henri de Tonti Blvd Portion of Parcel # 830-37879-200

SUMMARY: The project site is located at the southwest corner of 1853 W. Henri de Tonti Blvd (Parcel #830-37879-200). See Figure 1, Vicinity Map. The conditional use request is to allow the construction of a 260-ft cellular communication tower with associated equipment. The project site is in a **C-2**, **General Commercial District.**

CURRENT ZONING: C-2, General Commercial District. See Figure 2, Current Zoning Map.

FUTURE LAND USE CATEGORY: RC-C Residential/Commercial Core. See Figure 3, Future Land Use

Map.

PROPOSED USE: Cellular communication tower

CITY WARD: 3 - Don Doudna, Position 1 and Tim Burress, Position 2

INFRASTRUCTURE SERVICE AREAS (not a guarantee of service availability):

Water: City of Tontitown. Electric: Ozarks Electric

Sewer/Septic: City of Tontitown sewer

Phone: AT&T

Natural Gas: Black Hills Energy Cable: Cox Communications

PROJECT SYNOPSIS:

The project site is located at the southwest corner of 1853 W. Henri de Tonti Blvd (Parcel #830-37879-200). The property owner is Upward Investment, LLC. See Figure 1, Vicinity Map.

The project site is approximately 5,625 sf in footprint area. The project site will be accessed via a gravel access drive and a turn-around area at the site will be constructed with the development. See Site Plan, Figure 4.

The proposed tower will be a three-legged self-supporting tower and have a maximum height of 260 feet in height. See Tower Elevation and Antenna Array, Figure 5.

A landscape plan has been provided and is partially shown in Figure 6.

An Approximate Fall Zone Map is provided as Figure 7.

The entire plans are provided after Figure 7.

FUTURE LAND USE PLAN:

The Future Land Use Category shown in this area is for the Residential/Commercial Neighborhood (RC-N). From the Vision Plan Document adopted by the City Council in November 2018:

"RESIDENTIAL COMMERCIAL CORE (RC-C)

Town Center Areas contain some of the most intense and dense development patterns within the City, as well as the tallest and greatest variety of buildings.

This is a higher intensity mixed use category, allowing for larger stores and more intense traffic patterns. A mix of residential and non-residential development (excluding HEAVY industrial uses) is permitted. The residential component of this category will include higher intensity multifamily developments, and single family residential would likely be townhome or row house development models. The ideal mix of uses will be moderate to high density residential, office, and commercial uses, with additional open space amenities included within the development site.

These areas will accommodate row houses, apartments, local and regional retail, including large-scale stores, hotels, industry and entertainment uses. These areas are typified by their location **adjacent to major thoroughfares** with high visibility, usually automobile-dependent customers and large areas dedicated to parking. Although Urban Center Areas recognize the conventional big-box and strip retail centers developed along major arterials, it is expected that vacant properties will be developed into traditional mixed-use centers, allowing people to live, work and shop in the same areas. Up to 20 multifamily dwelling units/acre.

STAFF ANALYSIS: Although the proposed use does not perfectly align with the Future Land Use Plan category RC-C, the project is a "non-residential development", somewhat a necessary infrastructure facility in nature yet commercial in use, but is not considered "HEAVY industrial".

153.121 DEVELOPMENT STANDARDS AND REVIEW GUIDELINES:

(A) All development shall be designed in such a way as to minimize any potential negative impact on the surrounding area. Special attention shall be given to buffering commercial developments from adjacent single-family areas. Design of the internal traffic circulation system, ingress and egress, off-street parking, loading and pedestrian ways shall be sensitive to such conditions as safety, convenience, separation of vehicular and pedestrian traffic, general attractiveness, and the proper relationship of different land uses. Landscaped areas shall be provided to protect water quality, and reduce erosion, heat and glare. Such areas shall be maintained in an attractive condition. Existing trees on a development site shall be retained where possible. Screening, open space, or other buffer may be required to give adequate separation between uses which are marginally compatible, and shall also be provided for the beautification and enhancement of the property.

STAFF ANALYSIS: Since this is a commercial development adjacent to properties that are zoned residential, buffering has been provided per 153.212 "Landscaping, Screening, Fencing and Buffering". See a portion of the full landscaping plan provided as Figure 6.

There is one gravel drive to access the site and a turn-around area planned. The drive and turn-around area complies with City and Fire code. No parking is planned for the site.

Where possible, existing trees will be retained.

- (B) In carrying out the purpose of this section, the following development standards and design specifics shall be subject to review and approval. The appropriateness of these standards shall be determined for each specific conditional use location.
 - (1) The proposed use is within the provision of "conditional uses," as set out in these regulations.

STAFF ANALYSIS: Yes, the intended use is a conditional use in C-2 zoning.

- (2) The proposed use conforms to all applicable provisions herein set out for the district in which it is to be located.
 - STAFF ANALYSIS: All design standards have been met. Screening requirements will need to be in conformance with the current version of 153.212 "Landscaping, Screening, Fencing and Buffering" and 153.215 "Fences".
- (3) The proposed use is so designated, located, and proposed to be operated, that the public health, safety and welfare will be protected.
 - STAFF ANALYSIS: Staff has no concerns that this project will have any negative impact on public health, safety and welfare.
- (4) The proposed land use is compatible with and will not adversely affect other property in the area where it is proposed to be located.
 - STAFF ANALYSIS: The proposed cellular communication tower will be constructed at a distance greater than the height of the tower from all current structures. Only personnel for routine maintenance or upgrades will visit the site. A generator will be placed on site in the event a power outage occurs. Staff does not anticipate that any of these conditions will adversely affect the surrounding properties.
- (5) The size and shape of the site, including the size, shape and arrangement of proposed structures, as well as signage related thereto, is in keeping with the intent of these regulations.
 - STAFF ANALYSIS: The size and shape of the site are in keeping with the regulations. The proposed cellular communication tower will be constructed at a distance greater than the height of the tower from all current structures. There is no signage planned for the site.
- (6) The proposed ingress and egress, internal circulation system, location and amount of off-street parking, loading and pedestrian ways are sufficiently adequate, and not inconsistent with requirements of these regulations.
 - STAFF ANALYSIS: There is one gravel drive to access the site and a turn-around area planned. The drive and turn-around area complies with City and Fire code. No parking is planned for the site.
- (7) The proposed landscaping and screening of the proposed use are in accordance with provisions of these regulations.

STAFF ANALYSIS: A full landscaping plan has been provided as Figure 6. Some design standards and screening requirements will need to be revised to conform to the current version of 153.212 "Landscaping, Screening, Fencing and Buffering" and 153.215 "Fences".

The following items will need to be revised:

- 1. Need to provide irrigation for the new vegetation.
- 2. Fence must be at least 6 feet in height and made of wood, masonry, rock or brick.

- 3. Barbed wire is shown on the plans above the proposed chain link fence, however barbed wire is prohibited on any fence type per 153.215 "Fences". However, since security is of significant importance, barbed wire may be used inside the fence, but warning signs shall be placed outside the fence stating that barbed wire is used inside the fence.
- 4. Shrubs must be at least 3 gallons.
- 5. Trees must be at least 3 inches in diameter.
- (8) Safeguards proposed to limit noxious or offensive emissions, including lighting, noise, glare, dust and odor are addressed

STAFF ANALYSIS: Emissions from the site will only be when the generator is activated due to a power outage. No lighting is planned for the site.

TECHNICAL INFORMATION:

<u>Technical information is addressed at a future stage of development request. The current request is a concept plan only.</u>

NEIGHBOR COMMENTS: All neighboring properties within 200 feet of the property boundary were notified by certified mail of this project. Staff has not received any comments at this time regarding this project.

STAFF RECOMMENDATION: Based on the project documents submitted and the intended use of the project site, Staff recommends approval of the Conditional Use Permit for the construction of the cellular communications tower and associated equipment with the following conditions:

CONDITIONS RECOMMENDED FOR APPROVAL:

- 1. Need to provide irrigation for the new vegetation per 153.212 "Landscaping, Screening, Fencing and Buffering".
- 2. Fence must be at least 6 feet in height and made of wood, masonry, rock or brick per 153.212 "Landscaping, Screening, Fencing and Buffering".
- 3. Barbed wire is shown on the plans above the proposed chain link fence, however barbed wire is prohibited on any fence type per 153.215 "Fences". However, since security is of significant importance, barbed wire may be used inside the fence, but warning signs shall be placed outside the fence stating that barbed wire is used inside the fence.
- 4. Shrubs must be at least 3 gallons per 153.212 "Landscaping, Screening, Fencing and Buffering".
- 5. Trees must be at least 3 inches in diameter per 153.212 "Landscaping, Screening, Fencing and Buffering".



Figure 1: Vicinity Map



Figure 2: Current Zoning Map

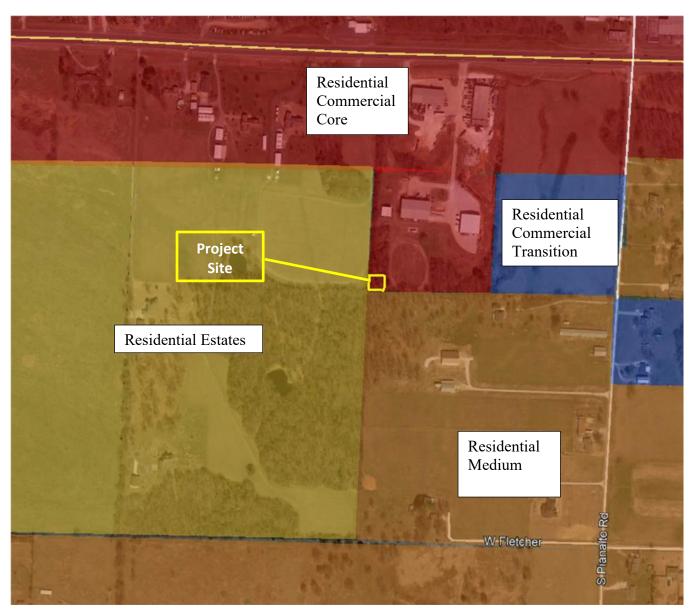


Figure 3: Future Land Use Plan Map

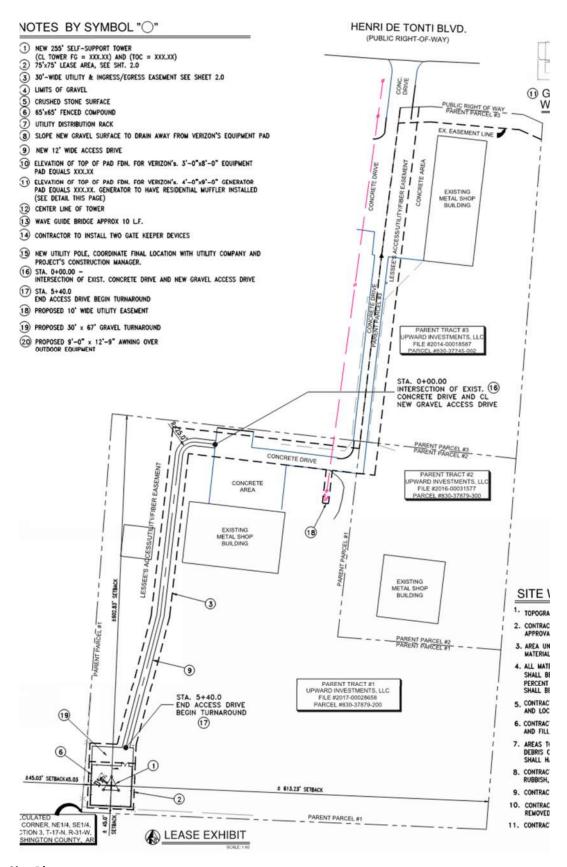


Figure 4: Site Plan

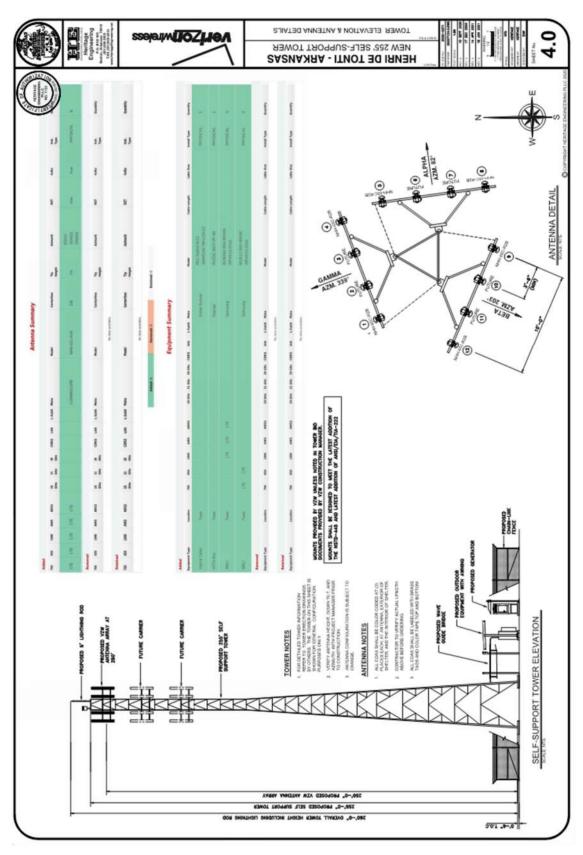


Figure 5: Tower Elevation and Antenna Array

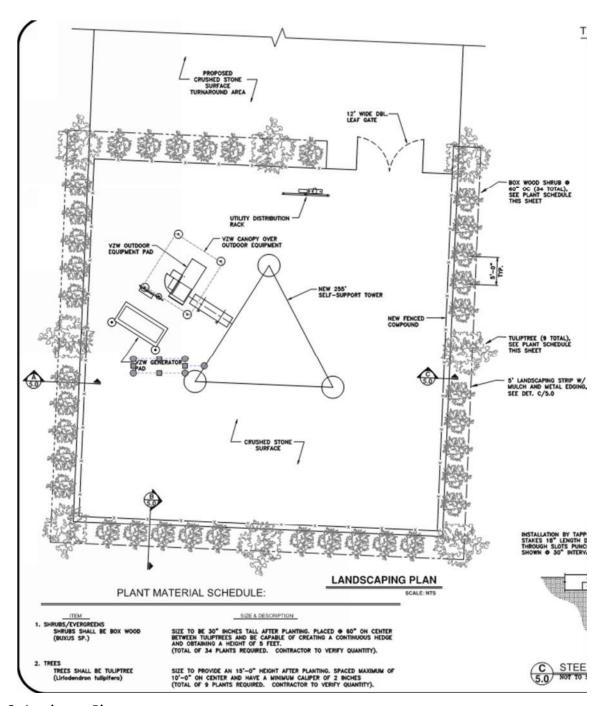


Figure 6: Landscape Plan

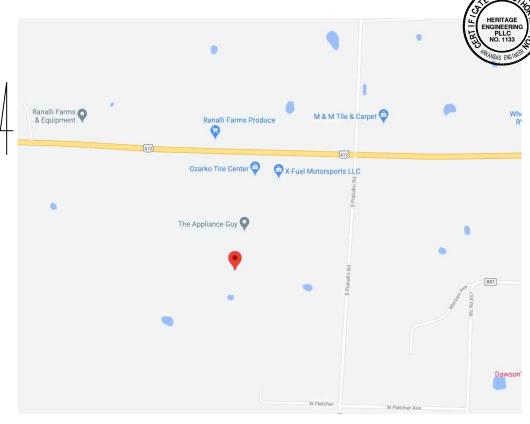


Figure 7: Approximate Fall Zone Map

Verizonwireless

SITE NAME

HENRI DE TONTI - ARKANSAS



Heritage Engineering

Penton, Arkansas 7201 (501)939-2303 FAX (501)939-2016 ww.HeritageEngineering.r

ΕW

VICINITY MAP

TONTI - ARKANSAS ELF-SUPPORT TOWER **PROJECT DATA** SHEET INDEX PROJECT DIRECTORY SHEET TITLE SITE NAME: **COVER SHEET** 1.0 STATE: -ARKANSAS VERIZON'S PROJECT MANAGER: STEVEN UNGER COUNTY: 2.0 **BOUNDARY SURVEY** WASHINGTON (501) 905-2251 1855 W HENRI DE TONTI BLVD SPRINGDALE, AR 72762 **OVERALL SITE & TOPO COMPOUND PLAN** 3.0 **CELL PHONE NUMBER** 4.0 **TOWER ELEVATION & ANTENNA DETAILS** TOWER/SITE OWNER: VERIZON WIRELESS **VERIZON'S REAL ESTATE MANAGER** CHRISTINE LEWIS LANDSCAPING PLAN ADDRESS: ADDRESS: ONE VERIZON DRIVE LITTLE ROCK, AR. 72202 LITTLE ROCK, AR. 72202 SINGLE FAMILY HOME SETBACK (501) 905-8972 PROJECT: NEW SELE-SUPPORT TOWER SITE **DRIVE TO DIRECTIONS** DE HERITAGE ENGINEERING VZW PROJECT NO: FROM FAYETTEVILLE, AR: TAKE W LAWSON ST TO AR-112 CONTACT PERSON: ERIC WARFORD P.O. BOX 505 VZW SITE NO: N/GARLAND AVE. CONTINUE ON AR-112 N TO TONTITOWN. HENRI BENTON, ARKANSAS 72018 UPWARD INVESTMENTS, LLC PARENT PROPERTY OWNER FOLLOW HENRI DE TONTI BLVD TO 1849 W HENRI DE TONTI BLVD. PHONE NO: JARED THOMSON (501) 939 - 2303 SITE IS IN BACK CORNER OF PROPERTY. 1849 W HENRI DE TONTI BLVD PHONE NO: CORNERSTONE SURVEYING SURVEYOR: JARED PAVATT CONTACT PERSON: 15 FISHER COVE FLECTRIC UTILITY. OZARK ELECTRIC COOP **GREENBRIER. ARKANSAS 72058** PHONE NO: 479-521-2900 (501) 679-5005 CONTACT PERSON TELEPHONE COMPANY: AT&T 800-482-8998 PHONE NO: CONTACT PERSON: **TOWER DATA** TOWER TYPE: **NEW SELF-SUPPORT TOWER** TOWER HEIGHT: PROPOSED ANTENNA CENTERLINE: -250' LATITUDE: N 36° 10' 24.87" (NAD 83) LONGITUDE: W 94° 16' 04.97" (NAD 83) **CALL BEFORE YOU DIG - DRILL - BLAST EQUIPMENT PAD DATA** 1-800-482-8998 (TOLL FREE) SHEET No. MANUFACTURER ARKANSAS ONE CALL SYSTEM, INC. ADDRESS: N/A PHONE NUMBER N/A TYPICAL © COPYRIGHT HERITAGE ENGINEERING PLLC 202

N87°46'07"E

EX. EASEMENT LINE

EXISTING

METAL SHOP

BUILDING

30.38'

LESSEE'S PREMISES

BEING A PART OF NE1/4, SE1/4, SECTION 3, T-17-N, R-31-W, WASHINGTON COUNTY. ARKANSAS MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF THE SAID NE1/4, SE1/4; THENCE S87°35'28"E 83.89 FEET: THENCE N02°24'32"E 7.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE N87°35'28"W 75.00 FEET; THENCE N02°24'32"E 75.00 FEET: THENCE S87°35'28"E 75.00 FEET: THENCE S02°24'32"W 75.00 FEET TO THE POINT OF BEGINNING CONTAINING 5625.0 SQUARE FEET, 0.13 ACRES, MORE OR LESS

LESSEE'S ACCESS/UTILITY/FIBER EASEMENT

BEING A PART OF NE1/4, SE1/4, SECTION 3, T-17-N, R-31-W, WASHINGTON COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF THE SAID NE1/4, SE1/4; THENCE S87°35'28"E 83.89 FEET; THENCE N02°24'32"E 7.50 FEET; THENCE N87°35'28"W 75.00 FEET; THENCE N02°24'32"E 75.00 FEET; TO THE TRUE POINT OF BEGINNING; THENCE N02°24'32"E 30.00 FEET; THENCE S87°35'28"E 44.29 FEET; THENCE N14°43'09"E 215.99 FEET: THENCE N 06°35'53" E 309.51 FEET: THENCE S 83°24'07" E 304.40 FEET; THENCE N 06°34'15" E 315.33 FEET; THENCE N 07°12'12" E 243.66 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF HENRI DE TONTI BLVD.; THENCE ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE N 87°46'07" E 30.38 FEET; THENCE LEAVING THE SAID SOUTHERLY RIGHT OF WAY LINE OF HENRI DE TONTI BLVD S 06°50'47" W 603.64 FEET; THENCE N 83°24'07" W 69.22 FEET; THENCE S 06°35'53" W 54.48 FEET; THENCE N 83°24'07" W 10.00 FEET; THENCE N 06°35'53" E 54.48 FEET; THENCE N 83°24'07" W 225.01 FEET; THENCE S 06°35'53" W 267.79 FEET; THENCE S14°34'27"W 215.40 FEET; THENCE S02°24'32"W 30.00 FEET; THENCE N87°35'28"W 75.00 FEET TO THE POINT OF BEGINNING

GENERAL NOTES:

LESSEE'S

PREMISES

5625 SQ.FT. 0.13 ACRES

F.A.A. 1A DESIGNATION

NAD83 COORDINATES:

GROUND ELEV = 1307.4

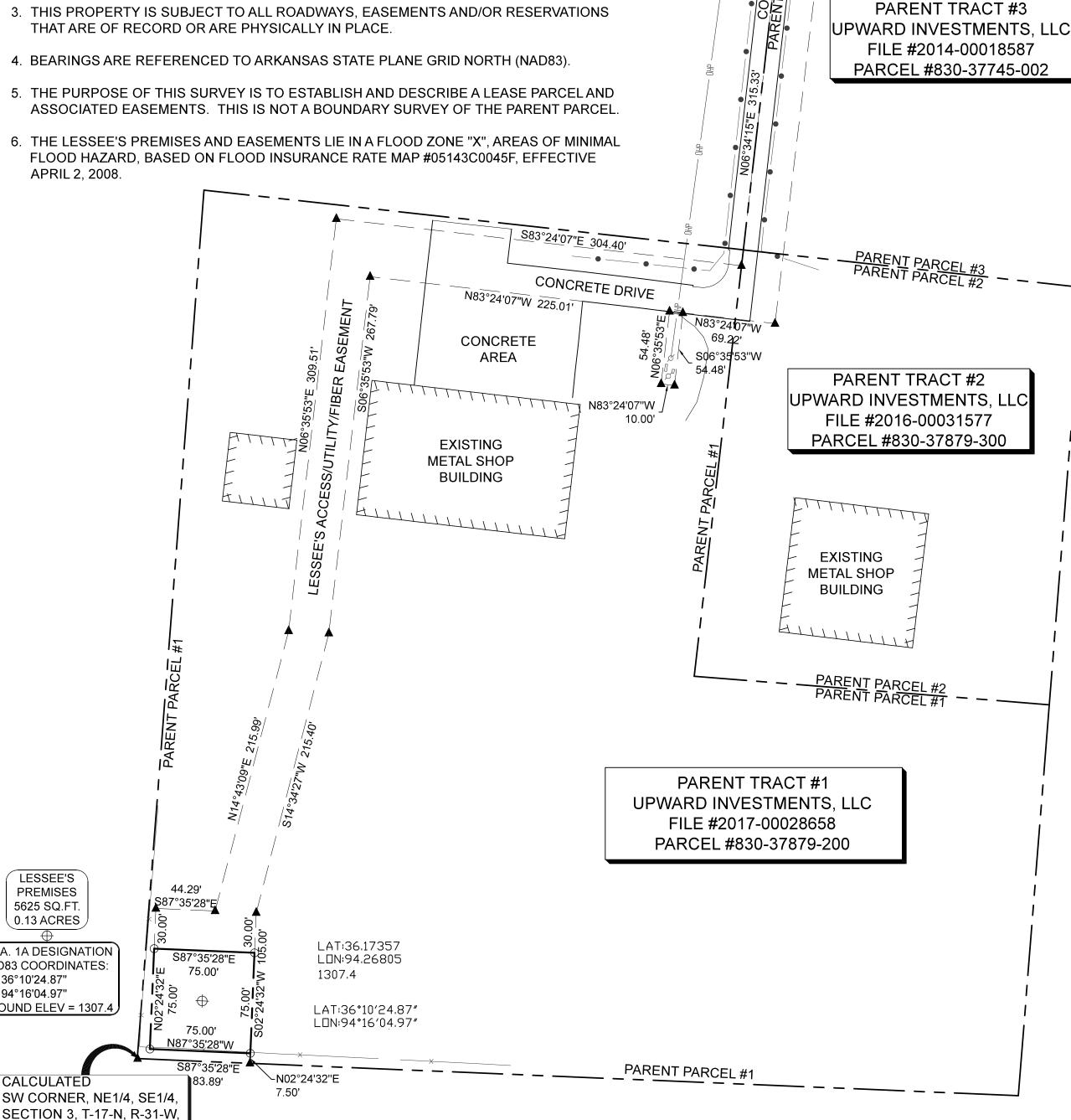
CALCULATED

WASHINGTON COUNTY. AR

N 36°10'24.87"

W 94°16'04.97"

- TRACT IS SUBJECT TO RESTRICTIVE COVENANTS, SUBDIVISION, PLANNING AND ZONING REGULATIONS OF RECORD, IF ANY, AND IS SUBJECT TO SUCH FACTS AS AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 2. NO STATEMENT IS MADE CONCERNING SUBSURFACE CONDITIONS OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THE TRACT. ENVIRONMENTAL AND SUBSURFACE CONDITIONS WERE NOT EXAMINED AS PART OF THIS SURVEY.
- 3. THIS PROPERTY IS SUBJECT TO ALL ROADWAYS, EASEMENTS AND/OR RESERVATIONS THAT ARE OF RECORD OR ARE PHYSICALLY IN PLACE
- 4. BEARINGS ARE REFERENCED TO ARKANSAS STATE PLANE GRID NORTH (NAD83).
- 5. THE PURPOSE OF THIS SURVEY IS TO ESTABLISH AND DESCRIBE A LEASE PARCEL AND
- 6. THE LESSEE'S PREMISES AND EASEMENTS LIE IN A FLOOD ZONE "X", AREAS OF MINIMAL FLOOD HAZARD, BASED ON FLOOD INSURANCE RATE MAP #05143C0045F, EFFECTIVE APRIL 2, 2008.



CERTIFICATION

FILE #2016-00031577/PARCEL #830-37879-300 & FILE #2014-00018587/PARCEL#830-37745-002

I, JARED PAVATT, A REGISTERED LAND SURVEYOR LICENSED IN THE STATE OF ARKANSAS, HEREBY CERTIFY THAT THIS SURVEY (I) WAS MADE ON THE GROUND ON AUGUST 21, 2020 FOR CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, P.C. AND UPWARD INVESTMENTS, LLC (II) CORRECTLY SHOWS THE SUBJECT PROPERTY AND THE LOCATION OF EASEMENTS, RIGHTS OF WAY AND SETBACK LINES THEREON THAT ARE VISIBLE OR REFLECTED ON THE TITLE CERTIFICATE REFERENCED HEREON (III) REFLECTS THE CONDITIONS FOUND AT THE TIME OF THE SURVEY, (IV) EXCEPT AS SHOWN HEREON, REFLECTS NO ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS, AND (V) CONFORMS TO THE MINIMUM STANDARDS OF THE ARKANSAS STATE BOARD OF REGISTRATION OF LAND SURVEYORS.

AS PER AMC SETTLEMENT SERVICES COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. 50015815, ISSUED DECEMBER 14, 2020, THE FOLLOWING ITEMS ARE OF SURVEY MATTERS:

- 1. NOT APPLICABLE
- 2. NOT APPLICABLE
- SEE SURVEY
- 4. NOT APPLICABLE
- NOT APPLICBLE
- NOT APPLICABLE
- 7. NOT APPLICABLE (TAXES)
- THE MORTGAGE RECORDED IN INSTRUMENT #2017-00034090 DOES MENTION THE PARENT PARCEL THUS AFFECTING THE LESSEE'S ACCESS EASEMENTS.
- 9. THE MORTGAGE RECORDED IN INSTRUMENT #2019-00021115 DOES MENTION THE PARENT PARCEL THUS AFFECTING THE LESSEE'S ACCESS EASEMENTS
- 10. THE MORTGAGE RECORDED IN INSTRUMENT #2020-00031250 DOES MENTION THE PARENT PARCEL THUS AFFECTING THE LESSEE'S ACCESS EASEMENTS
- 11, THE RIGHT OF WAY GRANT FROM MICHAEL AND SUSAN MHOON TO TOWN OF TONTITOWN RECORDED 5/23/1980 IN BOOK 1016, PAGE 912, WASHINGTON COUNTY RECORDS DOES AFFECT THE LESSEE'S EASEMENTS/SEE SURVEY.
- 12. THE RIGHT OF WAY GRANT FROM MICHAEL G. MHOON AND SUSAN L. MHOON TO ARKANSAS WESTERN GAS COMPANY AND TONTITOWN WATER WORKS RECORDED 1/6/1993, INST #1993-00689, WASHINGTON COUNTY RECORDS DOES AFFECT THE LESSEE'S ACCESS EASEMENT/SEE SURVEY.
- 13. THE RIGHT OF WAY GRANT FROM SUE COLVIN TO ARKANSAS WESTERN GAS COMPANY RECORDED 11/5/1999, INST # 1999-100056, WASHINGTON COUNTY RECORDS DOES AFFECT THE LESSEE'S ACCESS EASEMENT/SEE SURVEY.
- 14. THE EASEMENT AND RIGHT OF WAY GRANT FROM SUE COLVIN, TRUSTEE OF THE SUE COLVIN REVOCABLE TRUST TO TOWN OF TONTITOWN RECORDED 3/8/2001, INST #2001-023730, WASHINGTON COUNTY RECORDS DOES AFFECT THE LESSEE'S ACCESS EASEMENT/SEE SURVEY.
- 15. THE RIGHT OF WAY GRANT FROM SUE COLVIN REVOCABLE TRUST TO ARKANSAS WESTERN GAS COMPANY RECORDED 4/13/2001, INST # 2001-039599, WASHINGTON COUNTY RECORDS DOES NOT APPEAR TO AFFECT THE LESSEE'S EASEMENT HOWEVER IT CAN'T BE PLOTTED ACCURATELY BECAUSE THE DESCRIPTION IS AMBIGUOUS.
- 16. NOTHING TO PLOT
- 17. NOT APPLICABLE

PARENT PARCEL FILE #2016-00031577/PARCEL #830-37879-300

Part of the NE 1/4 of the SE 1/4 of Section 3, Township 17 North, Range 31 West, Washington County, Arkansas, being more particularly described as follows: Commencing at the SW corner of said NE 1/4 of the SE 1/4; thence N 88° 01' 13" E, 657.94 feet along the South line of said NE 1/4 of the SE 1/4; thence N 0° 08' 35" E, 292.53 feet to a found iron pin at the point of beginning; thence N 0° 08' 33" E, 312.47 feet; thence N 88° 04' 34" W, 254.47 feet; thence S 2° 10' 14" W, 320.24 feet to a found iron pin; thence S 89° 47' 08" E,265.68 feet to the point of beginning, containing 1.89 acres and subject to and benefiting from a 22 foot wide ingress and egress easement, the centerline of which begins at the SW corner of this property; thence along said centerline as follows: N 2° 10' 14" E, 623.68 feet and N 2° 48' 50" E, 243.66 feet to the South right-of-way of U.S. Highway 412 and ending there. Subject to any and all rights-of-way, easements, other restrictions of record or fact, if any.

PARENT PARCEL FILE #2014-00018587/PARCEL#830-37745-002

Part of the NE1/4 of the SE1/4 of Section 3, Township 17 North, Range 31 West, Washington County, Arkansas, being more particularly described as follows: Commencing at the Southwest Corner of said NE1/4 of the SE1/4, thence South 87 degrees, 35 minutes. 27 seconds East 657.95 feet along the South line of said NE1/4 of the SE1/4, thence North 04 degrees, 31 minutes, 50 seconds East 605.00 feet to a set iron pin and the Point of Beginning, thence North 83 degrees, 41 minutes, 17 seconds West 254.47 feet, thence North 06 degrees, 33 minutes, 31 seconds East 303.44 feet, thence North 07 degrees, 12 minutes, 07 seconds East 243.66 feet to the South right of way of U.S. Highway 412, thence along said right of way North 87 degrees, 36 minutes, 02 seconds East 49.35 feet, South 84 degrees, 58 minutes, 34 seconds East 151.13 feet, and South 65 degrees, 40 minutes, 10 seconds East 34.12 feet to a found iron pin, thence leaving said right of way South 04 degrees, 31 minutes, 50 seconds West 547.60 feet to the Point of Beginning, containing 3.10 acres, more or less. Subject to and benefitting from a 22 foot wide ingress and egress easement, the centerline of which begins at the Southwest Corner of this property, thence along said centerline as follows: North 06 degrees, 33 minutes, 31 seconds East 303.44 feet and North 07 degrees, 12 minutes, 07 seconds East 243.66 feet to the South right of way of U.S. Highway 412 and ending there.

REGISTERED STATE OF ARKANSAS

CERTIFICATION

FILE #2017-00028658/PARCEL #830-37879-200

I. JARED PAVATT, A REGISTERED LAND SURVEYOR LICENSED IN THE STATE OF ARKANSAS. HEREBY CERTIFY THAT THIS SURVEY (I) WAS MADE ON THE GROUND ON AUGUST 21, 2020 FOR CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, BAKER, DONELSON, BEARMAN, CALDWELL & BERKOWITZ, P.C. AND UPWARD INVESTMENTS, LLC (II) CORRECTLY SHOWS THE SUBJECT PROPERTY AND THE LOCATION OF EASEMENTS, RIGHTS OF WAY AND SETBACK LINES THEREON THAT ARE VISIBLE OR REFLECTED ON THE TITLE CERTIFICATE REFERENCED HEREON (III) REFLECTS THE CONDITIONS FOUND AT THE TIME OF THE SURVEY, (IV) EXCEPT AS SHOWN HEREON, REFLECTS NO ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS, AND (V) CONFORMS TO THE MINIMUM STANDARDS OF THE ARKANSAS STATE BOARD OF REGISTRATION OF LAND SURVEYORS.

AS PER AMC SETTLEMENT SERVICES COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. 50013156. ISSUED AUGUST 6, 2020, THE FOLLOWING ITEMS ARE OF SURVEY MATTERS:

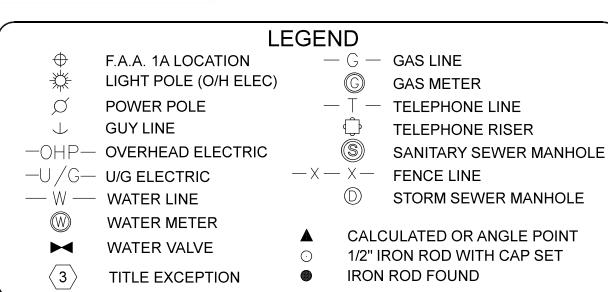
- NOT APPLICABLE
- 2. NOT APPLICABLE
- SEE SURVEY
- 4. NOT APPLICABLE
- 5. NOT APPLICBLE
- 6. NOT APPLICABLE
- 7. NOT APPLICABLE (TAXES)
- 8. THE MORTGAGE RECORDED IN INSTRUMENT 2017-00028659 DOES MENTION THE PARENT PARCEL THUS AFFECTING THE LESSEE'S ACCESS EASEMENTS.
- THE MORTGAGE RECORDED IN INSTRUMENT #2019-00021115 DOES MENTION THE PARENT PARCEL THUS AFFECTING THE LESSEE'S ACCESS EASEMENTS.
- 10. THE RIGHT OF WAY GRANT FROM MICHAEL AND SUSAN MHOON TO THE TOWN OF TONTITOWN RECORDED 5/23/1980 IN BOOK 1016, PAGE 912, WASHINGTON COUNTY RECORDS DOES NOT AFFECT THE LESSEE'S PREMISES OR EASEMENTS.
- 11. NOTHING TO PLOT
- 12. THE RIGHT OF WAY GRANT FROM SUE COLVIN TO ARKANSAS WESTERN GAS COMPANY RECORDED 11/5/1999, DOC # 1999-100056, WASHINGTON COUNTY RECORDS DOES NOT AFFECT THE LESSEE'S PREMISES OR EASEMENTS.
- 13. EASEMENT AND RIGHT OF WAY GRANT FROM SUE COLVIN, TRUSTEE OF THE SUE COLVIN REVOCABLE TRUST TO TOWN OF TONTITOWN RECORDED 3/8/2001, DOC # 2001-23730, WASHINGTON COUNTY RECORDS DOES NOT AFFECT THE LESSEE'S PREMISES OR EASEMENTS.
- 14. THE RIGHT OF WAY GRANT FROM SUE COLVIN REVOCABLE TRUST TO ARKANSAS WESTERN GAS COMPANY RECORDED 4/13/2001, DOC # 2001-39599, WASHINGTON COUNTY RECORDS COULD POSSIBLY AFFECT THE LESSEE'S ACCESS EASEMENT BUT IT DOES NOT APPEAR TO AFFECT THE LESSEE'S PREMISES HOWEVER THE DESCRIPTION IS AMBIGUOUS AND CAN'T BE ACCURATELY PLOTTED.
- 15. NOTHING TO PLOT
- NOTHING TO PLOT
- 17. NOT APPLICABLE

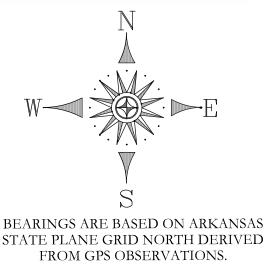
PARENT PARCEL FILE #2017-00028658/PARCEL #830-37879-200

PART OF THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 3. TOWNSHIP 17 NORTH, RANGE 31 WEST, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND IRON PIN AT THE SOUTHWEST CORNER OF THE N 1/2 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 3; THENCE NORTH 649.85 FEET ALONG THE WEST LINE OF THE SAID W 1/2 OF THE NE 1/4 OF THE SE 1/4; THENCE S88°04'34"E 404.97 FEET; THENCE S02°10'14"W 320.24 FEET; THENCE S89°47'06"E 265.67 FEET TO THE EAST LINE OF THE SAID W 1/2 OF THE NE 1/4 OF THE SE 1/4; THENCE ALONG SAID EAST LINE S00°08'35"W 292.53 FEET; THENCE S88°01'13"W 657.94 FEET ALONG THE SOUTH LINE OF THE SAID W 1/2 OF THE NE 1/4 OF THE SE 1/4 TO THE POINT OF BEGINNING, CONTAINING 7.59 ACRES, MORE OR

SUBJECT TO A 22 FOOT WIDE ACCESS EASEMENT WITH THE CENTERLINE OF SAID EASEMENT BEING DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF THE W 1/2 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 3; THENCE NORTH 649.85 FEET; THENCE S88°04'34"E 404.97 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT CENTERLINE; THENCE S02°10'14"W 320.24 FEET TO THE POINT OF ENDING.

ALSO INCLUDING A 22 FOOT WIDE ACCESS EASEMENT WITH THE CENTERLINE OF SAID EASEMENT BEING DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF THE W 1/2 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 3; THENCE NORTH 649.85 FEET: THENCE S88°04'34"E 404.97 FEET TO THE POINT OF BEGINNING OF SAID EASEMENT CENTERLINE; THENCE N02°10'14"E 303,44 FEET; THENCE N02°48'50"E 243.66 FEET TO THE POINT OF ENDING AT THE SOUTH RIGHT OF WAY OF U.S. HIGHWAY 412 W.





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Benton, Arkansas 72018

(501)939-2303

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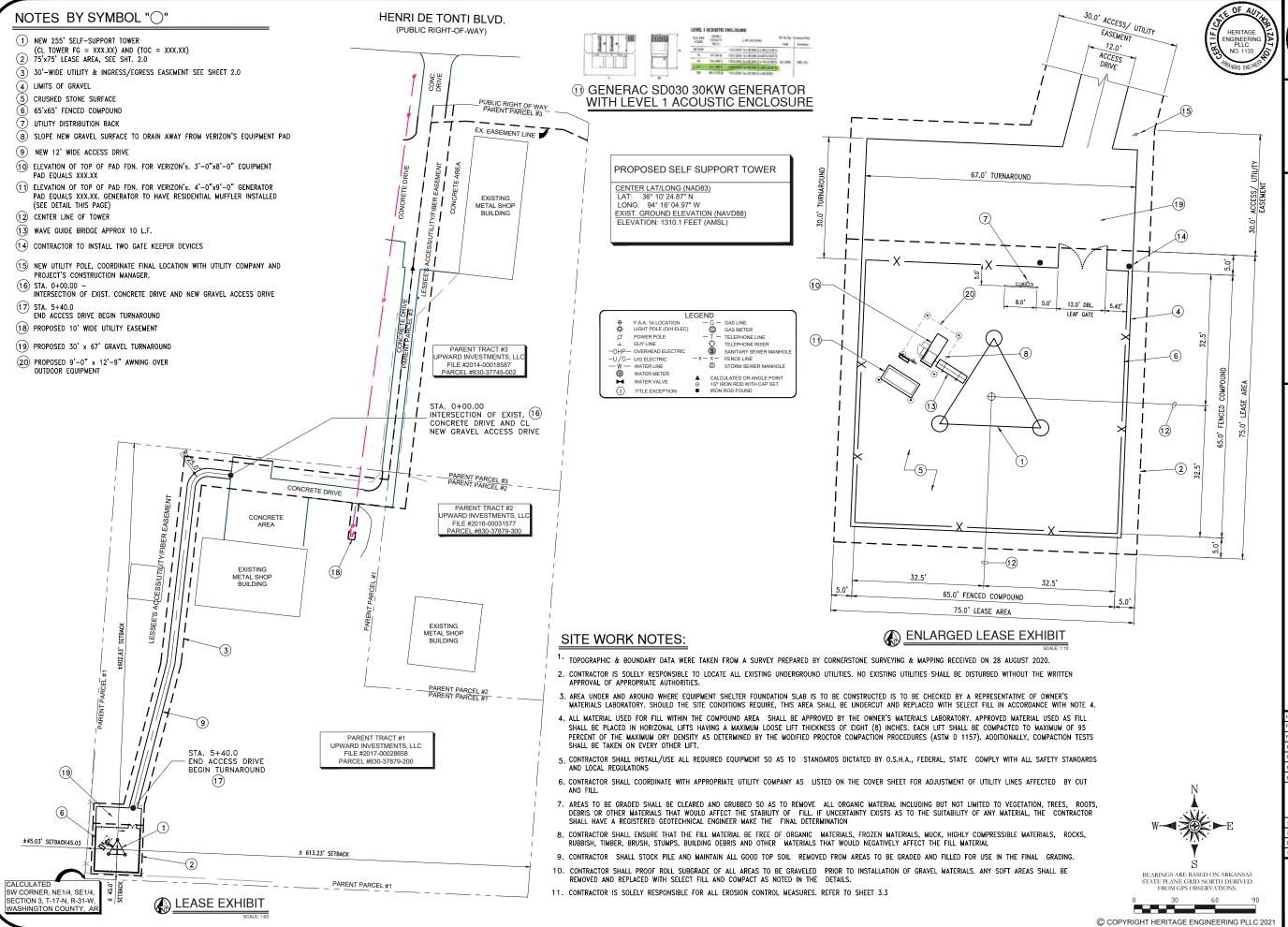
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E JOB NO.: 2020-ILE NAME PLOT SCALE: 1:60 SSUE DATE 1: 21 AUG 2020 SSUE DATE 2: 17 JAN 2020 SSUE DATE 3: 31 MAR 2021

0 1/2

ESIGNED BY: CHECKED BY: J P

SHEET No.



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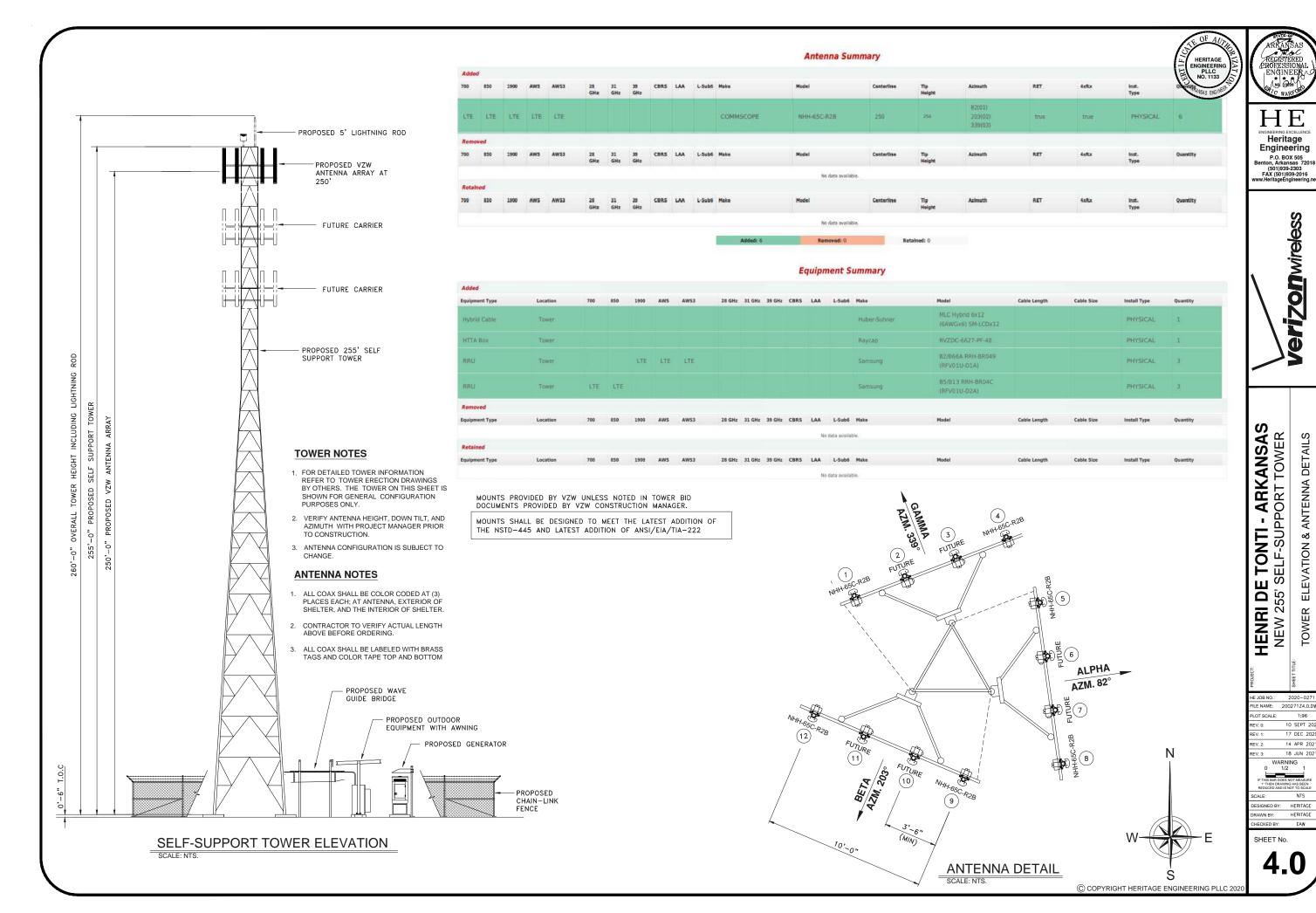
TONTI - ARKANSAS SELF SUPPORT TOWER

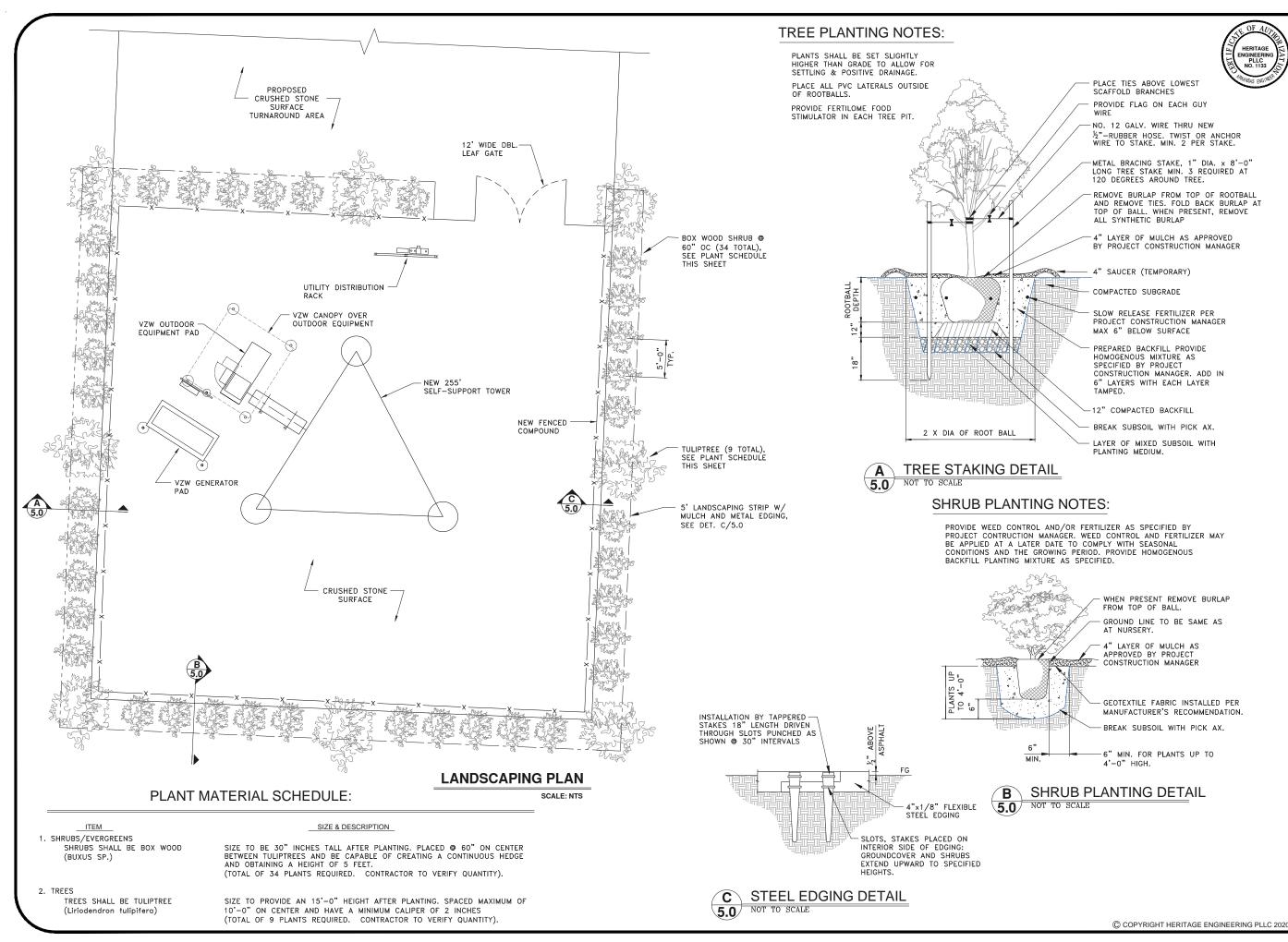
COMPOUND PLAN

∞

SITE DE 255' HENRI OVERALL

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HENRI DE TONTI - ARKANSAS NEW 255' SELF-SUPPORT TOWER

LE NAME: 200271Z5.0.D 1:64

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Heritage Engineering P.O. BOX 505

P.O. Box 505

Benton, Arkansas 72018
(501)939-2303

FAX (501)939-2016
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Verizonwireless

HENRI DE TONTI - ARKANSAS NEW 255' SELF SUPPORT TOWER

> 9 H S 2020-0271

SINGLE FAMILY HOME SETBACK

E JOB NO.: 2020—0271

ILE NAME: 1:60

NEV. 0: 10 SEPT 2020

NEV. 1: 17 DEC 2020

NEV. 2: 14 APR 2021

NEV. 3: 18 JUN 2021

WARNING

0 1/2 1

WARNING 0 1/2 1 IF THIS BAR DOES NOT MEAS 1* THEN DRAWING HAS BEE REDUCED AND IS NOT TO SC CALE: 160

SCALE: 160

DESIGNED BY: EAW

DRAWN BY: HERITAGE

CHECKED BY: EAW

SHEET No.

6.0