



MEMO: CODES ADMINISTRATION

Planning Commission Meeting Date: April 7, 2009

**Case # 2009-06 Special Use Permit for as Wireless Communication Facility
at 4505 W 67th**

TO: Planning Commission
From: Dennis J. Enslinger, Assistant City Administrator *DJE*

The applicant, Curtis Holland of Polsinelli Shughart, has requested staff provide the agreed upon Record from the pending litigation regarding two previous T-Mobile applications on the subject site. At his request and the direction of the Assistant City Attorney, Stephen Horner, staff has included a disk which contains the Record

Prior to the submittal of the pending application, staff met with the applicant and requested that the applicant resubmit all necessary documents since the pending application must be reviewed on the its own merits and should not be related to any other previous applications. The current application is not an extension of the previous applications, but is a new application that needs reviewed on the specific merits of the current application.

Mr. Holland has submitted the above referenced Record of the previous applications as part of the applicant's presentation to the Planning Commission in order to give the Planning Commission background information and expedite his presentation to you at the public hearing.

The Planning Commission, in making their findings, should review the pending application only on the specific merits of the current application and any other relevant information presented at the public hearing. Previous applications should not be taken into consideration.

Joyce Hagen Mundy

From: Ronald A Williamson [rwilliamson@bwrcorp.com]
Sent: Wednesday, April 01, 2009 11:16 AM
To: Dennis Enslinger; Joyce Hagen Mundy
Subject: FW: TMO at Faith Lutheran Church
Attachments: T-Mobile Replies to Planning Staff Inquiries 3.27.09.pdf

Dennis & Joyce,

Be sure to also include this in the packet to the PC.

Ron

Ronald A. Williamson, FAICP
Principal | BWR
903 E. 104th Street, Suite 900 | Kansas City, MO 64131-3451
P 816.363.2696 | F 816.363.0027 | 800.748.8276
rwilliamson@bwrcorp.com

From: Trevor Wood [mailto:TWood@ssc.us.com]
Sent: Friday, March 27, 2009 4:57 PM
To: Ronald A Williamson; Curtis Holland
Cc: Dennis Enslinger; Adcock, Garth; Willenbring, Luke; Cheri Edwards
Subject: RE: TMO at Faith Lutheran Church

Ron:

Attached is a letter responsive to the inquiries set out below. I will deliver a hard copy of the letter to you on Monday.

Please let Curt or me know if there are questions.

Thanks,

Trevor Wood
SSC
1000 E. 104th Street, Suite 900
Kansas City, MO 64131-3451
P 816.363.2696
F 816.363.0027
800.748.8276
twood@ssc.us.com

From: Ronald A Williamson [mailto:rwilliamson@bwrcorp.com]
Sent: Monday, March 23, 2009 1:54 PM
To: Curtis Holland
Cc: Dennis Enslinger; Adcock, Garth; Willenbring, Luke; Trevor Wood; Cheri Edwards
Subject: RE: TMO at Faith Lutheran Church

Curt,

One other question that comes up repeatedly is whether the size of the equipment compound can be reduced in area? With four carriers at this location the equipment compounds could consume a lot of area.

Ron

4/3/2009

Ronald A. Williamson, FAICP
Principal | BWR
903 E. 104th Street, Suite 900 | Kansas City, MO 64131-3451
P 816.396.2096 | F 816.396.2027 | www.bwrcorp.com
www.ra-williamson.com

From: Curtis Holland [mailto:CHolland@Polsinelli.com]
Sent: Thursday, March 19, 2009 5:11 PM
To: Ronald A Williamson
Cc: Dennis Enslinger; 'Adcock, Garth'; 'Willenbring, Luke'; 'Trevor Wood'; 'Cheri Edwards'
Subject: RE: TMO at Faith Lutheran Church

Okay will wait to hear from you. My notes on the things we have discussed so far are as follows:

1. Explain the justification for increasing the tower height to 145'.
2. Is it possible to provide a multi-carrier (i.e., co-location) tower at Nail Baptist Church, as an alternative to a tower at Faith Lutheran Church.
3. Consider the possibility of utilizing multiple monopines instead of a single, tall, stealth pole. On this point, explain how the horizontal and vertical separation requirements for the various carriers would impact the heights need for the monopine facilities. What would be the design and location for the ground equipment for this kind of system.
4. Consider adding a roof to the equipment compound.

Please let me know if this is accurate and what other questions you may have asap after Dennis is back so we can answer them in time for the PC mtg. I would submit the neighborhood meeting minutes and revised site plans at the same time as our responses. Thanks.

Polsinelli
Shughart.

Curtis M. Holland 6201 College Blvd.
Shareholder Suite 500
Overland Park, KS 66211

cholland@polsinelli.com tel: (913) 234-7411
fax: (913) 451-6205



please consider the environment before burning this e-mail

From: Ronald A Williamson [mailto:rwilliamson@bwrcorp.com]
Sent: Tuesday, March 17, 2009 2:44 PM
To: Curtis Holland
Cc: Dennis Enslinger
Subject: RE: TMO at Faith Lutheran Church

I am working my way through it as we speak, but I doubt that there will be much other than what we already have discussed. Dennis will be back Monday after spring break and may and may have some items after he has thought about it.

Ronald A. Williamson, FAICP
Principal | BWR
903 E. 104th Street, Suite 900 | Kansas City, MO 64131-3451
P 816.396.2096 | F 816.396.2027 | www.bwrcorp.com
www.ra-williamson.com

4/3/2009

From: Curtis Holland [mailto:CHolland@Polsinelli.com]
Sent: Tuesday, March 17, 2009 8:41 AM
To: Ronald A Williamson
Cc: Dennis Enslinger; sbh@hbc-law.com; 'Adcock, Garth'; 'Trevor Wood'; 'Cheri Edwards'
Subject: TMO at Faith Lutheran Church

Friendly reminder, you were going to prepare a list of questions you have been receiving from CC and PC members so we can provide a written response before the April 7 PC hearing. Thanks.

Polsinelli
Shughart

Curtis M. Holland
Shareholder

6201 College Blvd.
Suite 500
Overland Park, KS 66211

cholland@polsinelli.com

tel: (913) 234-7411
fax: (913) 451-6205



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4/3/2009



March 27, 2009

VIA ELECTRONIC MAIL AND HAND DELIVERY

Ron Williamson, AICP
C/o Prairie Village Planning Office
Bucher Willis and Ratliff Corporation
903 E 104th Street, Suite 900
Kansas City, MO 64131-3451
(816) 363-2696

Re: **Prairie Village 2009-SU-06 - T-Mobile proposed facility at 4805 W.
67th Street**

Dear Mr. Williamson:

This letter is in response to several inquiries you recently posted by e-mail to Curtis Holland of Polsinelli Shughart, attorney for T-Mobile, in regard to the above matter.

Your inquiries are set out in italics below, followed by appropriate responses.

1. Explain the justification for increasing the tower height to 145'.

Per discussions with City representatives during mediation of the pending lawsuit (*T-Mobile Central, LLC v. City of Prairie Village, Case No. 08-CV-2400 JAR/DJW*), T-Mobile was encouraged to consider increasing the height of the pole from 85' to a taller height capable of supporting collocation for as many carriers as may need service in this area of the City. The City instructed T-Mobile to contact all of the licensed carriers to determine their needs for improved service in this area and the minimum antenna heights necessary to meet such needs. In response, two major carriers submitted Letters of Intent indicating a need for improved service. Letters were submitted by ATT (indicating minimum centerline antenna heights of 85' and 95' for 2 sets of canister antennas) and Sprint (indicating a minimum centerline height of 130'). A third carrier has also expressed a future need for a facility at this location, but did not submit a letter of intent. These requests confirm that other carriers also need improved service in this area of the City. T-Mobile's previous application that was withdrawn was for 120' and the application now on appeal was for 85'. The shorter 85' tower would significantly reduce the quality of coverage sought by T-Mobile for this area, but was offered as a compromise in an attempt to appease nearby residents. Given the present situation, T-Mobile must be guaranteed the top spot on the pole. Like ATT, it would use 2 canister antennas to deploy its services. Based on all of the foregoing, the pole was raised to 145' to optimize the collocation opportunities on the pole. The increased height is necessary to ensure that multiple carriers can use the poles and to ensure the lowest collocators on the pole are able to penetrate "clutter" (i.e., nearby trees were certified

to be between 40' and approximately 70' in height). Because the pole is a stealth pole, one or more carriers may require more than one vertical position on the pole. T-Mobile would be willing to accept approval of a pole height as low as 85', but based on the needs of the other carriers, a shorter pole will likely result in future applications from the other carriers for new towers in the area.

2. Is it possible to provide a multi-carrier (i.e., co-location) tower at Nall Baptist Church, as an alternative to a tower at Faith Lutheran Church?

For a number of reasons, it is not possible to provide a multi-carrier pole at Nall Baptist Church as an alternative to the proposed project.

First, T-Mobile has corresponded with Nall Baptist Church for more than two years and has been unable to negotiate a lease even for a single-carrier pole capable of accommodating only T-Mobile. A proposal presented to the Nall Baptist Church that would have met required setbacks and that would have provided adequate wireless service was rejected by a representative of the Nall Baptist Church with comment that that proposal would not even be submitted to the Church's Property Committee.

Second, T-Mobile and Sprint are the only carriers that could be served by a tower at Nall Baptist Church, depending on height and location. ATT and the other carriers with whom this issue was discussed, were not interested in that location. So, it would not make any sense to pursue a 2-carrier tower at Nall Baptist Church, when you could potentially have a 4-carrier pole at Faith Lutheran. Finally, like Faith Lutheran Church, Nall Baptist Church is located near single-family residential lots. But due to its configuration, any pole structure placed on Nall Baptist Church would be closer to single-family homes than the proposed pole at Faith Lutheran Church. In addition, there are fewer, tall trees located on the Nall Baptist Church property than on the Faith Lutheran Church parcel, which would allow greater visibility of a multi-carrier tower at that location, and likely more neighborhood complaints. In our opinion, a pole at Nall Baptist would lead to greater land use conflicts and for the other reasons stated is not make a better alternative.

3. Consider the possibility of utilizing multiple monopines instead of a single, tall, stealth pole. On this point, explain how the horizontal and vertical separation requirements for the various carriers would impact the heights need for the monopine facilities. What would be the design and location for the ground equipment for this kind of system?

A multiple "monopine" solution is not a feasible alternative to single, multi-carrier pole. Vertical and horizontal separation requirements for the antennas, based on the minimum centerline heights needed by the different carriers stated above, dictate that the monopines be placed a minimum of 40' apart and at heights that would be 40' in variation. This is due to radio interference and attenuation issues that would be caused by the steel pole structures and pine needle cladding. At a minimum, the antenna platforms must be separated 10' vertically to avoid radio propagation

conflicts. But since several of the carriers would need 2 platforms, and have expressed minimum height requirements ranging from 85' to 145', any resulting configuration of multiple monopines staggered at varying heights would not be possible on this constrained tract of land. Further impacting this issue is the likely need for separate equipment compounds to serve each monopine, due to signal loss cause by increased coaxial cable runs from a shared compound facility. This alternative would also cause the need for multiple easements across Faith Lutheran's property for the multiple buried coaxial cable runs. Due to all of the foregoing, we understand Faith Lutheran Church is not interested in multiple monopines on its property.

In addition, if history is a guide, each monopine in a multiple monopine concept is likely to fall under the purview of its own, independently issued special use permit. The City has historically reviewed each project on private property separately. As an example, several years ago T-Mobile was required to obtain a special use permit to place antennas on the roof of the Capitol Federal Savings and Loan building at 75th and State Line despite the presence of several other wireless carriers' antennas and equipment on the roof. T-Mobile does not intend to seek municipal approval of structures it will not own or use.

4. Consider adding a roof to the equipment compound.

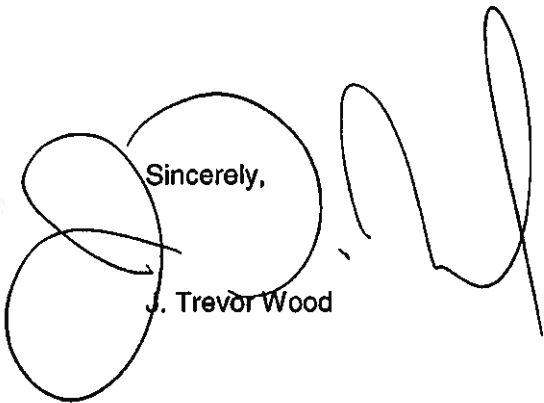
T-Mobile has considered adding a roof to its portion of the equipment compound noted as the leased premises on the survey. T-Mobile cannot place a roof around the pole, because the pole is subject to slight movement. If T-Mobile places a roof over its equipment, it will be required to add ventilation (HVAC) equipment to the facility.

5. Whether the size of the equipment compound can be reduced in area?

The 30' x 28' compound proposed in T-Mobile's submission is generally the smallest compound that can be offered to accommodate the pole and the associated ground equipment. The screening walls will be made of masonry with brick cladding to match the church materials. It is architecturally integrated with the church in that it is flush with the North and South walls of the West wing of the Faith Lutheran Church.

Faith Lutheran Church has conceptually agreed upon the future locations of ground equipment directly adjacent the T-Mobile compound, but those locations will be the subject of new ground leases between the third party collocating carriers and Faith Lutheran Church. Ultimately, the configuration of the expanded compound spaces will be subject to the approval of Faith Lutheran Church and the City. ATT and Sprint have indicated the minimum ground space needed for their equipment would be 10' x 16' and 10' x 15', respectively.

Please advise me if there are further questions in advance of the Planning Commission hearing regarding this matter.

Sincerely,

J. Trevor Wood

Cc: Garth Adcock, T-Mobile
Dennis Enslinger, Assistant City Administrator
Curtis M. Holland, Esq., Polsinelli Shughart
Cheri Edwards, SSC, Inc.
Larry Louk, SSC, Inc.
Ed Mickells, SSC, Inc.

**PLANNING COMMISSION POLICY FOR THE APPROVAL
OF WIRELESS COMMUNICATION TOWERS
Adopted December 10, 1996**

At the time the application is filed, the applicant shall submit the following information:

1. A study comparing potential sites within an approximate 1/2 mile radius of the proposed application area. The study shall include the location and capacity of existing towers, potential surrounding sites, a discussion of the ability or inability of the tower site to host a communications facility and reasons why certain sites were excluded from consideration. The study must demonstrate to the City's satisfaction that alternative tower sites are not available due to a variety of constraints. It must also contain a statement explaining the need for the facility in order to maintain the system and include a map showing the service area of the proposed as well as and other existing and proposed towers.

If the use of current towers is unavailable, a reason or reasons specifying why they are unavailable needs to be set out and may include one or more of the following: refusal by current tower owner; topographical limitations; adjacent impediments blocking transmission; site limitations to tower construction; technical limitations of the system; equipment exceeds structural capacity of facility or tower; no space on existing facility or tower; other limiting factors rendering existing facilities or towers unusable.

2. A photo simulation of the proposed facility as viewed from the adjacent residential properties and public rights of way.
3. A signed statement indicating the applicant's intention to share space on the tower with other providers.
4. A copy of the lease between the applicant and the land owner containing the following provisions:
 - a. The land owner and the applicant shall have the ability to enter into leases with other carriers for co-location.
 - b. The land owner shall be responsible for the removal of the communications tower facility in the event that the lease holder fails to remove it upon abandonment.
5. A site plan prepared in accordance with Chapter 19.32 Site Plan Approval.
6. Description of the transmission medium that will be used by the applicant to offer or to provide services and proof that applicant will meet all federal, state and city regulations and law, including but not limited to FCC regulations.

7. Description of services that will be offered or provided by the applicant over its existing or proposed facilities including what services or facilities the applicant will offer or make available to the City and other public, educational and governmental institutions.
8. Indication of the specific trees, structures, improvements, facilities and obstructions, if any, that the applicant proposed to temporarily or permanently remove or relocate.
9. Preliminary construction schedule including completion dates.
10. Sufficient detail to establish the applicant's technical qualifications, experience and expertise regarding communications or utility facilities and services described in the application.
11. Information to establish the applicant has obtained all other government approvals and permits to construct and operate communications facilities, including but not limited to approvals by the Kansas Corporation Commission.
12. Any other relevant information requested by City staff.
13. An application fee. The applicant must agree to and reimburse the City for all costs related to the application for franchise to use or to occupy the public right-of-way including any legal, financial or administrative activities. Such application fee shall not be charged against the regular compensation to be paid to the City.
14. Copies of letters sent to other wireless communication providers notifying them of the proposed request and inquiring of their interest to co-locate.

The Planning Commission will consider and may require any or all of the following conditions to be a part of the approval of the Conditional Special Use Permit.

1. The initial approval of the conditional use permit shall be for a maximum of five years. At the end of the five year period, the applicant shall resubmit the application to the Planning Commission and shall demonstrate to the satisfaction of the Planning Commission that a good faith effort has been made to cooperate with other providers to establish co-location at the tower site, that a need still exists for the tower, and that all the conditions of approval have been met. The application may then be extended for an additional five years.
2. All towers shall maintain a hot dipped galvanized finish, and shall be a monopole design unless otherwise approved by the Planning Commission.

3. Communication towers may be only illuminated if required by the Federal Communications Commission and/or the Federal Aviation Administration. Security lighting around the base of the tower may be installed provided that no light is directed toward an adjacent residential property.
4. The maximum height for a wireless communication tower shall be 150 feet plus a lightning rod not exceeding ten feet (10') unless otherwise approved by the Planning Commission.
5. Any tower that is not operated for a continuous period of six months shall be considered abandoned and the owner of such tower shall remove the same within 90 days after receiving notice from the city. If the tower is not removed within that 90 days period, the governing body may order the tower removed and may authorize the removal of such tower at the owner's expense. The applicant shall submit a bond to the city in an amount adequate to cover the cost of tower removal and the restoration of the site.

The City may, at its option, claim the abandoned tower for its own use, instead of having it removed and the City may sell or lease the tower to other companies or use it for its own needs. If the City chooses this option, it shall release the applicant's bond.

6. The plans for the tower shall be prepared and sealed by a structural engineer licensed in the State of Kansas. Construction observation shall be provided by the design engineer provided that said engineer is not an employee of the tower's owner. If the design engineer is an employee of the owner, an independent engineer will be required to perform construction observation.
7. Adequate screening of the equipment cabinets located at the tower base shall be provided by a solid or semi-solid wall or fence or a permanent building enclosure. All equipment cabinets shall be adequately secured to prevent access by other than authorized personnel.
8. Adequate landscaping shall be provided at the base of the tower.
9. The applicant shall have a structural inspection of the tower performed by a licensed professional engineer prior to every five year renewal and submit it as a part of the renewal application.
10. Any permit granted which is found not to be in compliance with the terms of the Conditional Use Permit will become null and void within ninety days of notification of noncompliance unless the noncompliance is corrected. If the Conditional Use Permit becomes null and void, the applicant will remove the towers and all appurtenances and restore the site to its original condition.

Dennis Enslinger

From: Mary Cordill [mary_cordill@us.ibm.com]
Sent: Wednesday, April 01, 2009 5:25 PM
To: Joyce Hagen Mundy; Dennis Enslinger
Cc: Mayor; Al Herrera; Bill Griffith; David Voysey; Ruth Hopkins; Michael Kelly; Andrew Wang; Laura Wassmer; Dale Beckerman; David Morrison; Charles Clark; David Belz; Diana Ewy Sharp; Council Members
Subject: Oppose T-Mobile tower application at Faith Lutheran church

Joyce and/or Dennis -- Will you please send the following to the attention of the Planning Commission members. I have copied City Council members for their reference as well.

I adamantly oppose the latest T-Mobile cell tower application at Faith Lutheran church, 67th and Roe. I oppose the tower because it does not fit into neighborhood architecture in any way, is too close to personal property lines, will negatively impact property values, is a health concern, is aesthetically unattractive and in opposition to goals set forth in the Village Vision, and sets a dangerous precedent for similar towers in residential neighborhoods. As decided by the Planning Commission and City Council on earlier tower applications, this is not an appropriate site. Thank you.

Mary Cordill
4904 West 68th Street
Prairie Village, KS 66208

April 1, 2009

City of Prairie Village
City Council
Ron Shaffer

Dear Mr. Mayor:

Why do your citizens have to deal with this a third time? After we thought we had a resolution last fall, T-Mobile has returned and doubled the height of their tower! How arrogant.

Please don't be bullied and harassed by a corporation and stand up for what's best for your community. T-Mobile has picked one of the lowest points in the City; continues to ignore the neighborhood feedback; refuses to look for additional alternatives (yes, they looked two to three years ago....times and technology have changed); is only interested in making a buck.

HELP.! The tower could be dangerous. It is unsightly. It could hurt property values. We need setbacks. Do you want it next to your house? This precedent will spread throughout Prairie Village. Take a look at how Mission Hills resolved their cell tower issue.

If new technology demands towers in Prairie Village, let's work together to find alternatives that make sense for all involved. Let's look at McCrumb Park. Let's look at Shawnee Mission school properties. Let's look at higher elevation locations. Let's look at sites where existing neighbors knew structures already existed. Let's look at camouflaging the unsightly structures.

Why should T-Mobile and a church in need of money be the only voices heard?

Let's put it rest on round three. Please.

Sincerely,

Steve Roth
6801 Cedar
Prairie Village, KS
16 year resident.

Joyce Hagen Mundy

From: Derek Reid [rockchalkjhku@gmail.com]
Sent: Wednesday, April 01, 2009 8:47 PM
To: Mayor; Al Herrera; Bill Griffith; David Voysey; Ruth Hopkins; Michael Kelly; Andrew Wang; Laura Wassmer; Dale Beckerman; David Morrison; Charles Clark; David Belz; Diana Ewy Sharp; Council Members
Subject: NO CELL PHONE TOWER IN PV!!!!!!

Dear City Council

From Ryan D. Reid and Nicole B. Reid residents of Prairie Village Kansas, Located 900 feet from Faith Lutheran Church, 4905 W. 67th St.

I adamantly oppose the latest T-Mobile cell tower application at Faith Lutheran church, 67th and Roe. I oppose the tower because it does not fit into neighborhood architecture in any way, is too close to personal property lines, will negatively impact property values, is a health concern, is aesthetically unattractive and in opposition to goals set forth in the Village Vision, and sets a dangerous precedent for similar towers in residential neighborhoods. As decided by the Planning Commission and City Council on earlier tower applications, this is not an appropriate site.

Please put this issue to bed once and for all. Thank you for your time. Have a good day.

Ryan D. and Nicole B. Reid
4905 W. 67th St.
Prairie Village KS 66208

Dennis Enslinger

From: Michelene Krueger [mmikekrueger@gmail.com]
Sent: Wednesday, April 01, 2009 12:17 AM
To: Mayor; ahererra@pvkansas.com; Bill Griffith; David Voysey; Ruth Hopkins; Michael Kelly; Andrew Wang; Laura Wassmer; Dale Beckerman; David Morrison; Charles Clark; David Belz; Diana Ewy Sharp; Council Members; Joyce Hagen Mundy; Dennis Enslinger; 'Mary Cordill'; mmikekrueger@gmail.com

Follow Up Flag: Follow up

Flag Status: Red

March 31, 2009
Michelene and Jeff Krueger
2809 w. 71st st.
Prairie Village, KS
66208

Dear Mayor, Council Members and Planning Commission Members,

We adamantly oppose the latest T-Mobile cell tower application at Faith Lutheran church, 67th and Roe. We oppose the tower because it does not fit into neighborhood

architecture in any way, is too close to personal property lines, will negatively impact property values, is a health concern, is aesthetically unattractive and in opposition to goals

set forth in the Village Vision, and sets a dangerous precedent for similar towers in residential neighborhoods. As decided by the Planning Commission and City Council on

earlier tower applications, this is not an appropriate site.

We do not live near the proposed cell tower area, but have serious concerns that the city does not have adequate regulations or ordinances in place that address all the issues of

cell tower placement in relation to residential areas. Please reject this application and provide the city's residents with a protection of their neighborhoods and the creation of clear

guidelines regarding cell tower placement.

Sincerely,

Michelene and Jeff Krueger

Dennis Enslinger

From: Wyatt Cobb [wyatt.cobb@securepassage.com]
Sent: Tuesday, March 31, 2009 11:57 PM
To: Dennis Enslinger
Subject: Opposed to T-Mobile Application
Follow Up Flag: Follow up
Flag Status: Red

Wyatt Cobb, 6615 Hodges Drive, PV, KS. - Tuesday, March 31st

As a lifetime Prairie Village resident, I adamantly oppose the latest T-Mobile cell tower application at Faith Lutheran church, 67th and Roe. There are several better locations right in the same area for the tower. This isn't event that close to my house but it is a bad spot. I also oppose the tower because it does not fit into neighborhood architecture in any way, is too close to personal property lines, will negatively impact property values, is a health concern, is aesthetically unattractive and in opposition to goals set forth in the Village Vision, and sets a dangerous precedent for similar towers in residential neighborhoods. As decided by the Planning Commission and City Council on earlier tower applications, this is not an appropriate site.

T-Mobile has fully admitted that this was the 8th choice on their list for locations.

Thanks,

Wyatt

Wyatt Cobb
Western Territory Sales Manager
Direct +1 913.484.2221
Fax +1 913.948.9571
wyatt.cobb@securepassage.com



The Creators of FireMon
<http://www.securepassage.com>

Dennis Enslinger

From: steve roth [sro6801@sbcglobal.net]
Sent: Tuesday, March 31, 2009 9:31 PM
To: Joyce Hagen Mundy; Dennis Enslinger
Subject: T-Mobile Cell tower

Joyce and Dennis,

Please distribute to all the planning commisioners.

Casey Roth

6801 Cedar

Prairie Village, Kansas 66208

March 31,2009

I adamantly oppose the latest T-Mobile cell tower application at Faith Lutheran church, 67th and Roe. I oppose the tower because it does not fit into neighborhood architecture in any way, is too close to personal property lines, will negatively impact property values, is a health concern, is aesthetically unattractive and in opposition to goals set forth in the Village Vision, and sets a dangerous precedent for similar towers in residential neighborhoods. As decided by the Planning Commission and City Council on earlier tower applications, this is not an appropriate site.

Please consider the Prairie Village residents and neighborhoods.

Dennis Enslinger

From: Quinn Bennion
Sent: Tuesday, March 31, 2009 5:18 PM
To: Dennis Enslinger; Jeanne Koontz
Subject: FW: Cell Tower at Faith Lutheran Church
Follow Up Flag: Follow up
Flag Status: Red

Could one of you forward to PC – or Dennis – do you place these comments in the PC packet?

From: Goldman, Sue M. [mailto:SueGoldman@bv.com]
Sent: Tuesday, March 31, 2009 3:05 PM
To: Mayor; Al Herrera; Bill Griffith; David Voysey; Ruth Hopkins; Michael Kelly; Andrew Wang; Laura Wassmer; Dale Beckerman; David Morrison; Charles Clark; David Belz; Diana Ewy Sharp; Council Members; Joyce Hagen Mundy; Dennis Enslinger
Subject: RE: Cell Tower at Faith Lutheran Church

Attn Joyce Mundy, City Clerk: Please forward the below urgent message to Planning Commission members: Ken Vaughn (chairman), Bob Lindeblad (vice chair), Andrew Wang (council liason), Dale Warman, Marlene Nagel, Randy Kronblad, Dirk Shafer, Nancy Vennard.)

Date: March 31, 2009

From: Sue Goldman, 6747 Roe Avenue, Prairie Village, KS 66208

I adamantly oppose the latest T-Mobile cell tower application at Faith Lutheran church, 67th and Roe. I oppose the tower because it does not fit into neighborhood architecture in any way, is too close to personal property lines, will negatively impact property values, is a health concern, is aesthetically unattractive and in opposition to goals set forth in the Village Vision, and sets a dangerous precedent for similar towers in residential neighborhoods. As decided by the Planning Commission and City Council on earlier tower applications, this is not an appropriate site.

Sincerely,
Sue Goldman

Dennis Enslinger

From: Randy Cordill [Randy.Cordill@stiprepaid.com]
Sent: Tuesday, March 31, 2009 5:04 PM
To: Joyce Hagen Mundy; Dennis Enslinger
Cc: Mayor; Al Herrera; Bill Griffith; David Voysey; Ruth Hopkins; Michael Kelly; Andrew Wang; Laura Wassmer; Dale Beckerman; David Morrison; Charles Clark; Diana Ewy Sharp; David Belz
Subject: T-mobile Cell Tower 3rd Proposal at Faith Lutheran
Follow Up Flag: Follow up
Flag Status: Red

3-31-2009

Prairie Village Planning Commission Members

RE: T-mobile Proposed Cell Tower at Faith Lutheran Church, 67th & Roe

Recently it's become obvious to me that T-mobile has made their voice heard above PV citizens regarding Cell Tower siting in Prairie Village with the City Council Staff and some members of the City Council. I hope you will take a minute to consider a resident's point of view who loves the family neighborhood feel of PV. I am absolutely opposed to the latest T-Mobile cell tower application at Faith Lutheran church, 67th and Roe. I oppose the tower because it in no way fits into neighborhood architecture, is too close to personal property lines, will negatively impact property values, is a health concern, is aesthetically unattractive and in opposition to goals set forth in the Village Vision, additionally it sets a dangerous precedent for similar towers in residential neighborhoods. These are the very reasons the PV Planning Commission decided on two earlier tower applications, that Faith Lutheran church, 67th and Roe is not an appropriate cell tower site. I ask that you stand up to T-mobile's pressure on this important issue yet again and deny their 3rd proposal which is more aggressive and obtrusive than the first two proposals your body unanimously denied.

Randy Cordill
4904 W. 68th Street
Prairie Village, KS 66208

4/1/2009

Dennis Enslinger

From: Housley, Jenny [JHousley@lockton.com]
Sent: Tuesday, March 31, 2009 4:20 PM
To: Dennis Enslinger
Subject: PLEASE DISTRIBUTE TO ALL PLANNING COMMISSION MEMBERS
Follow Up Flag: Follow up
Flag Status: Red

Dear Mr. Enslinger,

As a Prairie Village resident, I am writing to confirm I adamantly oppose the latest T-Mobile cell tower application at Faith Lutheran church, 67th and Roe. I oppose the tower because it does not fit into neighborhood architecture in any way, is too close to personal property lines, will negatively impact property values, is a health concern, is aesthetically unattractive and in opposition to goals set forth in the Village Vision, and sets a dangerous precedent for similar towers in residential neighborhoods. As decided by the Planning Commission and City Council on earlier tower applications, this is not an appropriate site.

Please consider alternative sites and, at the very least, additional research to allow for a more mutually acceptable solution at 67th and Roe.

Thank you, in advance, for your consideration.

Jenny L. Housley

Dennis Enslinger

From: Goldman, Sue M. [SueGoldman@bv.com]
Sent: Tuesday, March 31, 2009 3:05 PM
To: Mayor; Al Herrera; Bill Griffith; David Voysey; Ruth Hopkins; Michael Kelly; Andrew Wang; Laura Wassmer; Dale Beckerman; David Morrison; Charles Clark; David Belz; Diana Ewy Sharp; Council Members; Joyce Hagen Mundy; Dennis Enslinger
Subject: RE: Cell Tower at Faith Lutheran Church
Follow Up Flag: Follow up
Flag Status: Red

Attn Joyce Mundy, City Clerk: Please forward the below urgent message to Planning Commission members: Ken Vaughn (chairman), Bob Lindeblad (vice chair), Andrew Wang (council liason), Dale Warman, Marlene Nagel, Randy Kronblad, Dirk Shafer, Nancy Vennard.)

Date: March 31, 2009

From: Sue Goldman, 6747 Roe Avenue, Prairie Village, KS 66208

I adamantly oppose the latest T-Mobile cell tower application at Faith Lutheran church, 67th and Roe. I oppose the tower because it does not fit into neighborhood architecture in any way, is too close to personal property lines, will negatively impact property values, is a health concern, is aesthetically unattractive and in opposition to goals set forth in the Village Vision, and sets a dangerous precedent for similar towers in residential neighborhoods. As decided by the Planning Commission and City Council on earlier tower applications, this is not an appropriate site.

Sincerely,

Sue Goldman

Dennis Enslinger

From: DianaEL242@aol.com
Sent: Tuesday, March 31, 2009 7:53 AM
To: Quinn Bennion; Dennis Enslinger; rwilliamson@bwrcorp.com
Subject: Fwd: Cell Telephone Towers in Prairie Village.
Follow Up Flag: Follow up
Flag Status: Red

Good Morning...

FYI.

Diana

From: lstaples@kc.rr.com
To: CouncilMembers@pvkansas.com
Sent: 3/30/2009 9:23:44 P.M. Central Daylight Time
Subj: Cell Telephone Towers in Prairie Village.

Dear City Council Members:

At Diana's request I am sending to you a message I sent to Diana Ewy Sharp, David Belz, Al Herrera and Bill Griffith on March 28th.

<><><><><><><><><><><><><><><>

Cell Telephone Towers in Prairie Village.

I thought I'd make some observations as a newly involved interested party.

-- Cell companies know that mainline Protestant churches are great targets, as most, if not all, are in financial stress.

-- Churches are in residential areas, so a prospective cell tower will have opposition which will not likely be able to raise enough objections to have the tower rejected by city councils.

-- Many commercial real estate companies do not want cell towers in their commercial developments, as they likely worry about liability. I suspect that school boards and municipalities feel the same way about locating cell towers on their property.

-- Most city councils do not have the expertise to objectively determine if a cell company's proposal makes sense, and they are reluctant to rule against a church and reluctant to appear to be against progress.

I think a city council makes a big mistake not hiring an independent

4/1/2009

consultant to carefully review all the specifications and plans from the cell provider. There is money involved, which means that there are reasons to under estimate the requirements in an effort to reduce the total costs.

In addition there are many ways to reduce the visual impact of such a tower; there are organizations specializing in designing towers to fit in to the cell site's environment. <http://www.calzavara.it/lang/en/stealth_cell_towers.html>

Question: If the city approves the tower at Faith Lutheran and it falls and kills someone, what is the city's liability? Doesn't it make sense to reduce this liability exposure as much as possible? A well qualified independent consultant would help to reduce the city's exposure and show that the city has been as responsible as possible. I suspect that the victim's family will sue the city as well as the church and the cell provider.

I am sure that my naivety about city systems and procedures shows in these comments, which I make with a desire to assist the City of Prairie Village.

Larry Staples, President
Mission Pines Homeowners Association

<><><><><><><><><><><><><><>

Word of explanation: I have been a licensed amateur radio operator since January 1960. (My amateur radio call sign is WOAI B.) I have remained an active "ham" for all the 49 years. For several years I have operated an email newsletter service for the benefit of hams in the Kansas City area; currently has 582 subscribers. I sent to this list a request for comments on cell telephone towers; several of the subscribers have been or are now involved with cell telephone suppliers and tower installations. It was from the list of comments I formed the opinions I give in the above message.

Larry Staples

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

T-Mobile[®]

USA, INC.

FINAL ENGINEERING APPROVALS

	INITIALS	DATE
SSC	_____	_____
RF	_____	_____
TELCO	_____	_____
T-MOBILE	_____	_____
OPERATIONS	_____	_____
REAL ESTATE	_____	_____

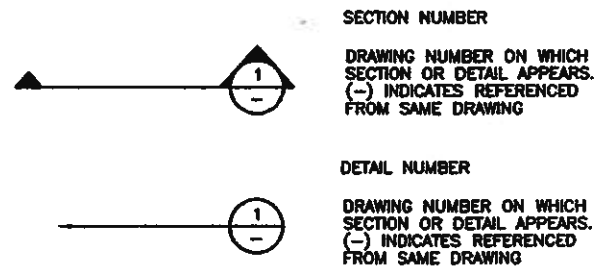
PROJECT INFORMATION

CELL SITE NUMBER: A5D 0114

PROPERTY OWNER: FAITH EVANGELICAL LUTHERAN CHURCH
4805 WEST 67TH STREET
PRAIRIE VILLAGE, KANSAS 66208
CONTACT: MERIE BROCKHOFF
PHONE: (913)-722-3515

TOWER INFORMATION:
LATITUDE: 39° 00' 25.82" N (NAD 83)
LONGITUDE: 94° 38' 27.78" W (NAD 83)
GROUND ELEV: 953' AMSL
TOWER HT: 145' AGL
ANTENNA CENTERLINE: 140'-0" AND 130'-0" AGL

SYMBOLS



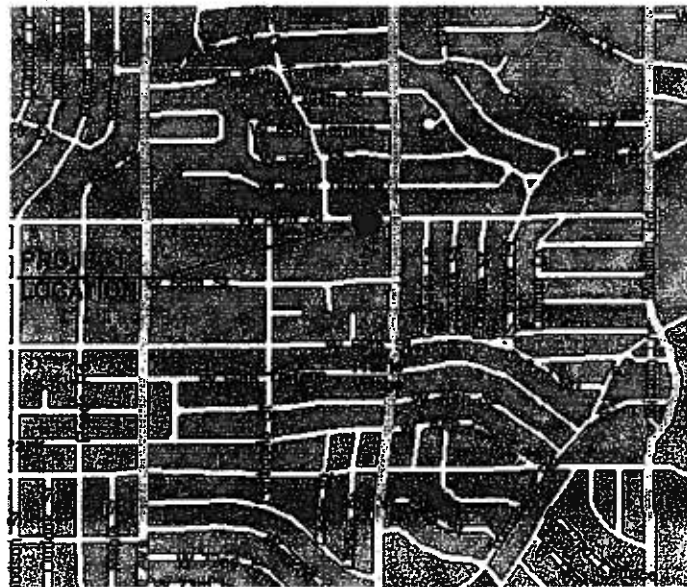
DRAWING INDEX

DWG NUMBER	TITLE	REVISION	RESPONSIBLE ENGINEER
A5D0114 - T01	PROJECT INFORMATION & GENERAL NOTES	F	MLO/SDK
A5D0114 - A01	SURVEY	F	MLO
A5D0114 - A02	OVERALL SITE PLAN	F	MLO
A5D0114 - A03	ENLARGED SITE PLAN	F	MLO
	TOWER ELEVATION & ANTENNA DETAILS	F	MLO

GENERAL NOTES

- THE CONTRACTOR SHALL SUPERVISE AND DIRECT ALL WORK USING HIS BEST SKILL AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, PROCEDURES AND SEQUENCES FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.
- THE CONTRACTOR SHALL VISIT THE JOB SITE TO REVIEW THE SCOPE OF WORK AND EXISTING CONDITIONS INCLUDING, BUT NOT LIMITED TO ELECTRICAL SERVICE AND OVERALL COORDINATION.
- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS PRIOR TO SUBMITTING HIS BID. ANY DISCREPANCIES, CONFLICTS OR OMISSIONS, ETC. SHALL BE REPORTED TO SSC, INC. BEFORE PROCEEDING WITH THE WORK.
- THE CONTRACTOR SHALL PROTECT ALL AREAS FROM DAMAGE WHICH MAY OCCUR DURING CONSTRUCTION. ANY DAMAGE TO NEW AND EXISTING CONSTRUCTION, STRUCTURE, OR EQUIPMENT SHALL BE IMMEDIATELY REPAIRED OR REPLACED TO THE SATISFACTION OF SSC, INC., AT THE EXPENSE OF THE CONTRACTOR.
- THE CONTRACTOR SHALL SAFEGUARD THE OWNER'S PROPERTY DURING CONSTRUCTION AND SHALL REPLACE ANY DAMAGED PROPERTY OF THE OWNER TO ORIGINAL CONDITION.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES WHETHER SHOWN HEREON OR NOT, AND TO PROTECT THEM FROM DAMAGE. THE CONTRACTOR SHALL BEAR ALL EXPENSES FOR REPAIR OR REPLACEMENT OF UTILITIES OR OTHER PROPERTY DAMAGED IN CONJUNCTION WITH THE EXECUTION OF WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETE SECURITY OF THE SITE WHILE THE JOB IS IN PROGRESS AND UNTIL THE JOB IS COMPLETE.
- ALL CONSTRUCTION WORK SHALL CONFORM TO THE I.B.C. 2003 AND ALL APPLICABLE LOCAL REGULATIONS, ORDINANCES, STATUTES & CODES.
- T-MOBILE SHALL OBTAIN THE CONSTRUCTION PERMIT. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ADDITIONAL PERMITS, LICENSES AND INSPECTIONS NECESSARY FOR PERFORMANCE OF THE WORK AND INCLUDE THOSE IN THE COST OF THE WORK TO THE OWNER.
- CITY APPROVED PLANS SHALL BE KEPT IN A PLAN BOX AND SHALL NOT BE USED BY WORKMEN. ALL CONSTRUCTION SETS SHALL REFLECT SAME INFORMATION. THE CONTRACTOR SHALL ALSO MAINTAIN IN GOOD CONDITION ONE COMPLETE SET OF PLANS WITH ALL REVISIONS, ADDENDA AND CHANGE ORDERS ON THE PREMISES AT ALL TIMES. THESE ARE TO BE UNDER THE CARE OF JOB SUPERINTENDENT.
- THE CONTRACTOR SHALL PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OR 2-A:10-B:C WITHIN 75 FEET OF TRAVEL DISTANCE TO ALL PORTIONS OF THE BUILD OUT AREA DURING CONSTRUCTION.
- ANY CONNECTION FEES FOR ELECTRICAL SERVICE SHALL BE PAID BY THE CONTRACTOR.
- PROPOSED STEALTH POLE SHALL BE PAINTED BRONZE.
- THE BASE OF THE STEALTH POLE WILL BE A MINIMUM OF 36" AND A MAXIMUM OF 42" IN DIAMETER.

AREA MAP



ABBREVIATIONS

AGL	ABOVE GRADE LINE	HT	HEIGHT
AMP	AMPERE	LF	LINEAR FEET
ARCH	ARCHITECT	MIN	MINIMUM
BLDG	BUILDING	MISC	MISCELLANEOUS
BBU	BATTERY BACKUP UNIT	NIC	NOT IN CONTRACT
BTS	BASE TRANSCIVER STATION	NTS	NOT TO SCALE
CL	CENTER LINE	OC	ON CENTER
CONC	CONCRETE	PL	PLATE
CONST	CONSTRUCTION	PP	POWER POLE
CONTR	CONTRACTOR	PPC	POWER PROTECTION CABINET
DET	DETAIL	REQ'D	REQUIRED
DIA	DIAMETER	SF	SQUARE FEET
DIAG	DIAGONAL	SHT	SHEET
DIM	DIMENSION	SIM	SIMILAR
DN	DOWN	SPECS	SPECIFICATIONS
DWG	DRAWING	STD	STANDARD
EA	EACH	STL	STEEL
ELEC	ELECTRICAL	STRUCT	STRUCTURAL
ELEV	ELEVATOR, ELEVATION	TC	TOP OF CURB
EQ	EQUAL	TOC	TOP OF CONCRETE
EQUIP	EQUIPMENT	TOP	TOP OF PAVING
EXIST	EXISTING	TOS	TOP OF STEEL
FND	FOUNDATION	TYP	TYPICAL
FTG	FOOTING		
GA	GALVE		
GALV	GALVANIZED		
GND	GROUND		

EQUIPMENT

EQUIPMENT FURNISHED AND/OR INSTALLED BY:

DESCRIPTION	FURNISHED	INSTALLED
ANTENNAS	T-MOBILE	CONTRACTOR
ULTRASITE/PURCELL	T-MOBILE	T-MOBILE
COAX	T-MOBILE	CONTRACTOR
PPC	CONTRACTOR	CONTRACTOR
COAX HANGERS	CONTRACTOR	CONTRACTOR
CONNECTORS	T-MOBILE	CONTRACTOR
LDF4 ANTENNA JUMPER	CONTRACTOR	CONTRACTOR

REV	DATE	REVISION DESCRIPTION	DRWN
A	09/20/07	ISSUED FOR LEASE EXHIBIT	DCP
B	02/26/08	REVISED LEASE EXHIBIT	DCP
C	05/17/08	REVISED TOWER HEIGHT	DCP
D	06/19/08	REISSUED FOR LEASE EXHIBIT	DCP
E	02/10/09	REVISED TOWER HEIGHT	DCP
F	02/25/09	REVISED TOWER HEIGHT	DCP

NOTICE: THIS DRAWING HAS NOT BEEN PUBLISHED AND IS THE SOLE PROPERTY OF SSC, INC. AND IS LOANED TO THE BORROWER FOR THEIR CONFIDENTIAL USE ONLY, AND IN CONSIDERATION OF THE LOAN OF THIS DRAWING, THE BORROWER PROMISES AND AGREES TO RETURN IT UPON REQUEST AND AGREES THAT IT WILL NOT BE REPRODUCED, COPIED, LENT OR OTHERWISE DISPOSED OF DIRECTLY OR INDIRECTLY, NOR USED FOR ANY PURPOSE OTHER THAN FOR WHICH IT IS FURNISHED.

T-Mobile[®]
USA, INC.



SELECTIVE SITE CONSULTANTS, INC.
A Site Acquisition, Engineering, and Construction Quality Assurance Company

8500 W. 110th Street, Suite 300
Overland Park, Kansas 66210
Phone: 913-438-7700
Fax: 913-438-7777

LANDLORD APPROVAL:

DATE:

DESIGNED BY
D.C. PELLAND

CHECKED BY
M.L. OWENS

SUPERVISOR
M.L. OWENS

LEAD ENGR/SPECIALIST
S.O. KEISLING

67TH & ROE
CELL SITE A5D 0114
PROJECT INFORMATION & GENERAL NOTES

4805 WEST 67TH STREET
PRAIRIE VILLAGE, KANSAS

DRAWING NUMBER
A5D0114 - T01

REV
F

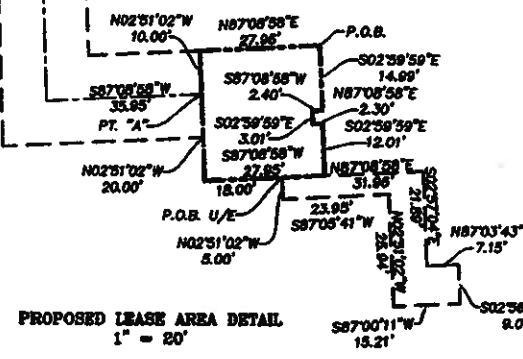
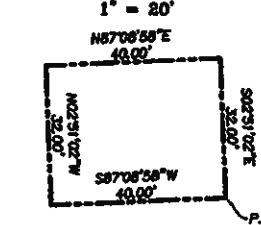
FAITH EVANGELICAL // A5D0114(G)

PART OF THE NE 1/4, SW 1/4, SEC. 16, T. 12, R. 25 IN JOHNSON COUNTY, KANSAS

PROPOSED CELL TOWER DATA
Grid Coordinates
N 80188.723m
E 690887.653m

Center of Tower
Lat 39°0'25.828" North
Long 94°38'27.783" West
Ground Elevation = 953ft

FUTURE LEASE AREA DETAIL



PROPERTY DESCRIPTION: Future Lease Area

A32 feet by 40 foot Lease Area situated in the Northeast Quarter of the Southwest Quarter of Section 16, Township 12, Range 25, in Johnson County, Kansas, more particularly described as follows:

COMMENCING at the Northeast Corner of said Southwest Quarter of said Section 16 (Fnd. 5/8" Iron Bar), said point bears North 50°43'44" East, a distance of 564.89 feet from a Found 5/8" Iron Bar w/ Cap L58688; thence South 52°52'31" West, a distance of 410.63 feet to the POINT OF BEGINNING of said Lease Area; thence South 87°08'58" West, a distance of 40.00 feet; thence North 02°51'02" West, a distance of 32.00 feet; thence North 87°08'58" East, a distance of 40.00 feet; thence South 02°51'02" East, a distance of 32.00 feet to the POINT OF BEGINNING. Containing 1,280 square feet.

PROPERTY DESCRIPTION: Parent Parcel as Provided

All that part of the Southwest Quarter of Section 16, Township 12, Range 25, now in the City of Profile Village in Johnson County, Kansas, described as follows: Beginning at the Northeast corner of said Southwest Quarter; thence South along East line of said Southwest Quarter a distance of 390 feet; thence South 90 degrees West a distance of 275.54 feet; thence North parallel to the East line of said Southwest Quarter a distance of 153.27 feet; thence South 50 degrees 10 minutes 30 seconds West a distance of 203.79 feet; thence North and parallel to the East line of said Southwest Quarter a distance of 335 feet to the North line of said Southwest Quarter; thence East along the North line of the Southwest Quarter a distance of 450.60 feet to the point of beginning, subject to the rights of public in that part thereof now in public roads.

NOTE: The parent parcel graphically shown hereon, in full or in part, is the same as that described above.

FLOOD NOTE:
According to my interpretations of Community Panel No. 200910094 F of the Flood Insurance Rate Map for Johnson County, Kansas, dated 06-17-2002, the subject property is in Flood Zone "X", i.e. "areas determined to be outside 500-year floodplains."

Note: Kansas State Plane Coordinates
North Zone Conversion

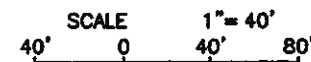
1 Meter = 3.28083333 Feet
Project Grid Factor = 0.99992543

Project Coordinates:

CP-1 (Set mag nail & shiner)
N 263126.147
E 2266738.199
ELEV. = 958.03ft

CP-2 (Set 1/2" Iron Bar w/Red Cap)
N 263311.305
E 2266711.398
ELEV. = 958.12ft

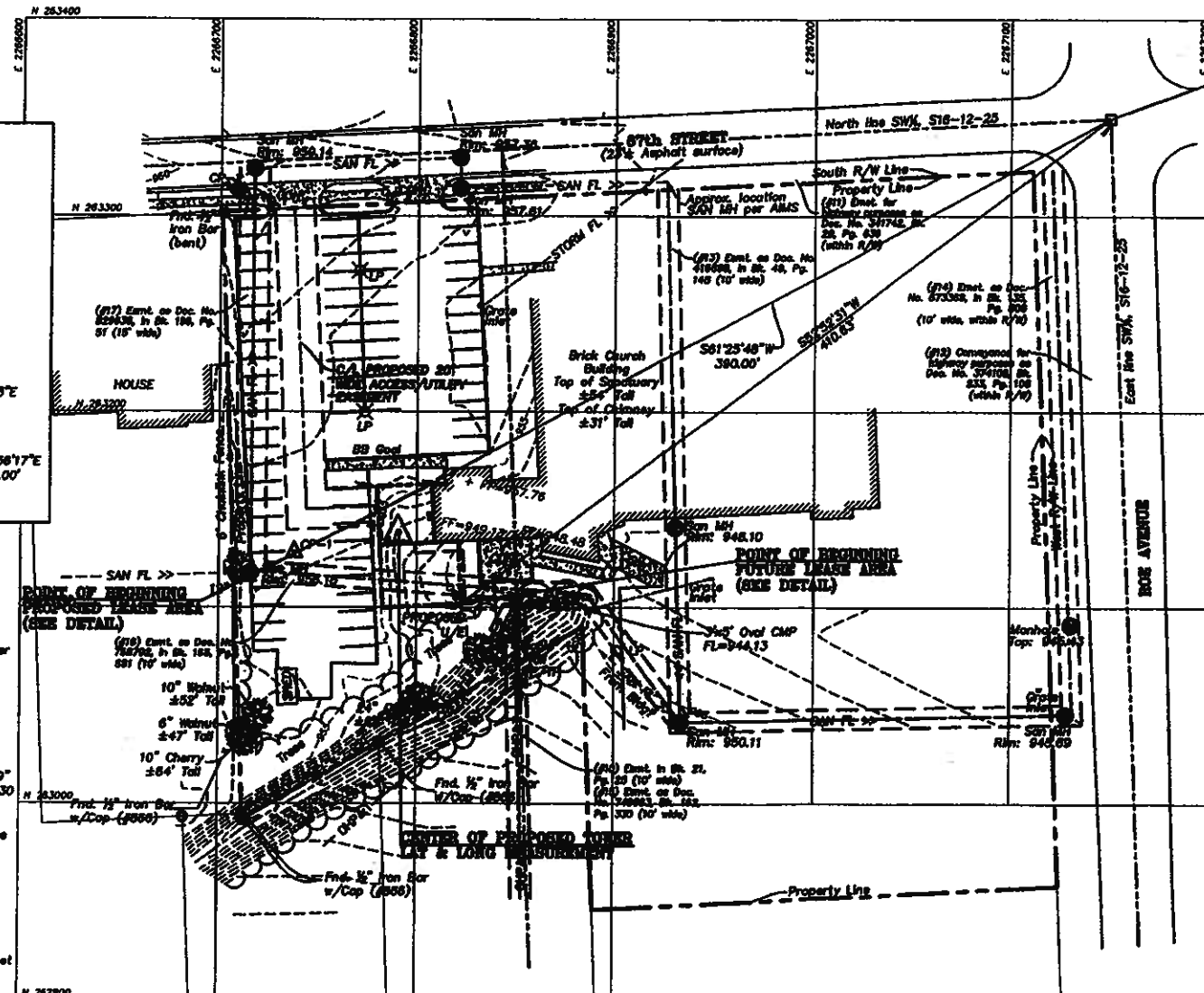
BENCH MARK
Top of 1/2" Iron Bar w/Red Cap at CP2
Elevation = 958.12ft



LEGEND

TELEPHONE & POWER POLE	⊕ PP/TP
POWER POLE	⊕ PP
LIGHT POLES	⊗ LP
ANCHOR	⊂
BASKETBALL GOAL	• BB Goal
BENCHMARK	◆
CONTROL POINT	▲
SECTION CORNER	□
PROPERTY CORNER	○
TOWER POINT	△
MANHOLE (SAN, STORM, TEL.)	⊙
TREE (DIA.)	⊗
TREE LINE	~~~~~
FENCE	-x-
OVERHEAD POWER LINE	—OHP—
OVERHEAD POWER & TELEPHONE LINE	—OHP&T—

POINT OF COMMENCING
NE Corner SW1/4
Sec. 16-12-25
Fnd. 5/8" Iron Bar



PROPERTY DESCRIPTION: Proposed Lease Area, Access/Utility Easement, and Utility Easement

An irregular shaped Lease Area, together with a 20 foot wide Access/Utility Easement, and an irregular Utility Easement, situated in the Northeast Quarter of the Southwest Quarter of Section 16, Township 12, Range 25, in Johnson County, Kansas, more particularly described as follows:

COMMENCING at the Northeast Corner of said Southwest Quarter of said Section 16 (Fnd. 5/8" Iron Bar), said point bears North 50°43'44" East, a distance of 564.89 feet from a Found 5/8" Iron Bar w/ Cap L58688; thence South 52°52'45" West, a distance of 390.00 feet to the POINT OF BEGINNING of said Lease Area; thence South 02°59'59" East, a distance of 14.98 feet; thence South 87°08'58" West, a distance of 2.40 feet; thence South 02°59'59" East, a distance of 3.01 feet; thence North 87°08'58" East, a distance of 2.30 feet; thence South 87°08'58" West, a distance of 12.01 feet; thence South 87°08'58" West, a distance of 27.95 feet; thence North 02°51'02" East, a distance of 20.00 feet to a point hereinafter referred to as Point "A"; thence continuing North 02°51'02" West, a distance of 10.00 feet; thence North 87°08'58" East, a distance of 27.95 feet to the POINT OF BEGINNING. Containing 832 square feet, more or less.

Together with a 20 foot wide Access/UTILITY Easement, lying 10.00 feet on each side of the following described centerline:

BEGINNING at aforementioned Point "A"; thence South 87°08'58" West, a distance of 35.95 feet; thence North 02°58'14" West, a distance of 153.01 feet to the POINT OF TERMINATION on the Southerly Right of Way line of 67th Street as it presently exists.

AND an irregular shaped UTILITY Easement, more particularly described as follows:

COMMENCING at the Southwest corner of the previously described Lease Area; thence North 87°08'58" West, a distance of 18.00 feet to the POINT OF BEGINNING of said UTILITY Easement; thence continuing North 87°08'58" West, a distance of 31.98 feet; thence South 02°57'04" East, a distance of 21.89 feet; thence North 87°03'43" East, a distance of 7.15 feet; thence South 02°58'17" East, a distance of 8.00 feet; thence South 87°00'11" West, a distance of 15.21 feet; thence North 02°51'02" West, a distance of 28.94 feet; thence South 87°05'41" West, a distance of 23.95 feet; thence North 02°51'02" West, a distance of 5.00 feet to the POINT OF BEGINNING.

Property information shown hereon was provided by Assured Quality Title Company, an agent for First American Title Company, Commitment No. K80522, effective August 22, 2007 at 8:00 a.m. Schedule B information affecting Lease Area is noted unless shown hereon. Schedule B information not shown hereon:
(8) Mortgage as Doc. No. 20040428-0011984 in Bk. 200404, Pg. 011984. (Unable to plot mortgage)
(9) Assignment of Rents and Leases as Doc. No. 20040428-0011985 in Bk. 200404, Pg. 011985. (Unable to plot assignment)
(10) Easmt. as Doc. No. 218731 in Misc. Bk. 21, Pg. 25. (Undefined location, unable to plot)

Notes:
Bearings shown hereon are based on Kansas State Plane Coordinate System of 1983 (NAD 83). Coordinates were derived using GPS Static Survey methods and post processed data with Magellan/Astach receivers and "Locus System" processor software.
Set 1/2" iron bar of Lease corner unless otherwise noted.
The average height of trees shown hereon is 56'.
The purpose of this survey is to establish and describe a Lease Parcel and associated easements. This is not a boundary survey of the Parent Parcel.

The utilities as shown on this drawing were developed from the information available (existing utility maps, aboveground observations and/or surface markings placed on the ground by the utility company or a representative thereof). This company has made no attempt to excavate or go below surface to locate utilities and does not extend or imply a guaranty or warranty as to the exact location or complete inventory of utilities in this area. It shall be the contractor's responsibility to verify the location and depth of all utilities (whether shown or not) prior to excavation or construction and to protect said utilities from damage.

CERTIFICATION:

I HEREBY CERTIFY THAT A SURVEY WAS MADE BY ME, OR UNDER MY DIRECT SUPERVISION, ON THE GROUND OF THE LEASE AREA, LEASE ACCESS EASEMENT, AND LEASE UTILITY EASEMENT PREMISES HEREIN DESCRIBED, AND THE RESULTS OF SAID SURVEY ARE REPRESENTED HEREON. THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS OVER SAID LEASE PREMISES TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

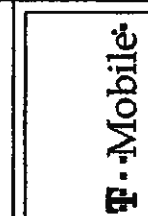
JEFFREY B. LOVELACE KS-LS1326

DATE: _____

02/28/06: REVERSED A/E AND ADDED FUTURE LEASE AREA
06/23/06: REVERSED A/E AND TOWER INFO.
03/03/06: ADDED TITLE
03/03/06: ADDED A/E AND TOWER INFO.
10/16/07: ADDED HEIGHTS OF TREES AND CHURCH

67th Street
Site
Rose Avenue

VICINITY MAP



F-Mobile
Spectrum Services, Inc.
603 W. 10th St., Suite 200
Overland Park, Kansas 66211
Phone: 913-487-7700
Fax: 913-487-7777

LOVELACE & ASSOCIATES
Land Surveying - Civil Engineering
Land Planning
319 SE 2nd Street, 1st Floor, Topeka, Missouri 66606
Phone: (816) 347-9977 Fax: (816) 347-9979

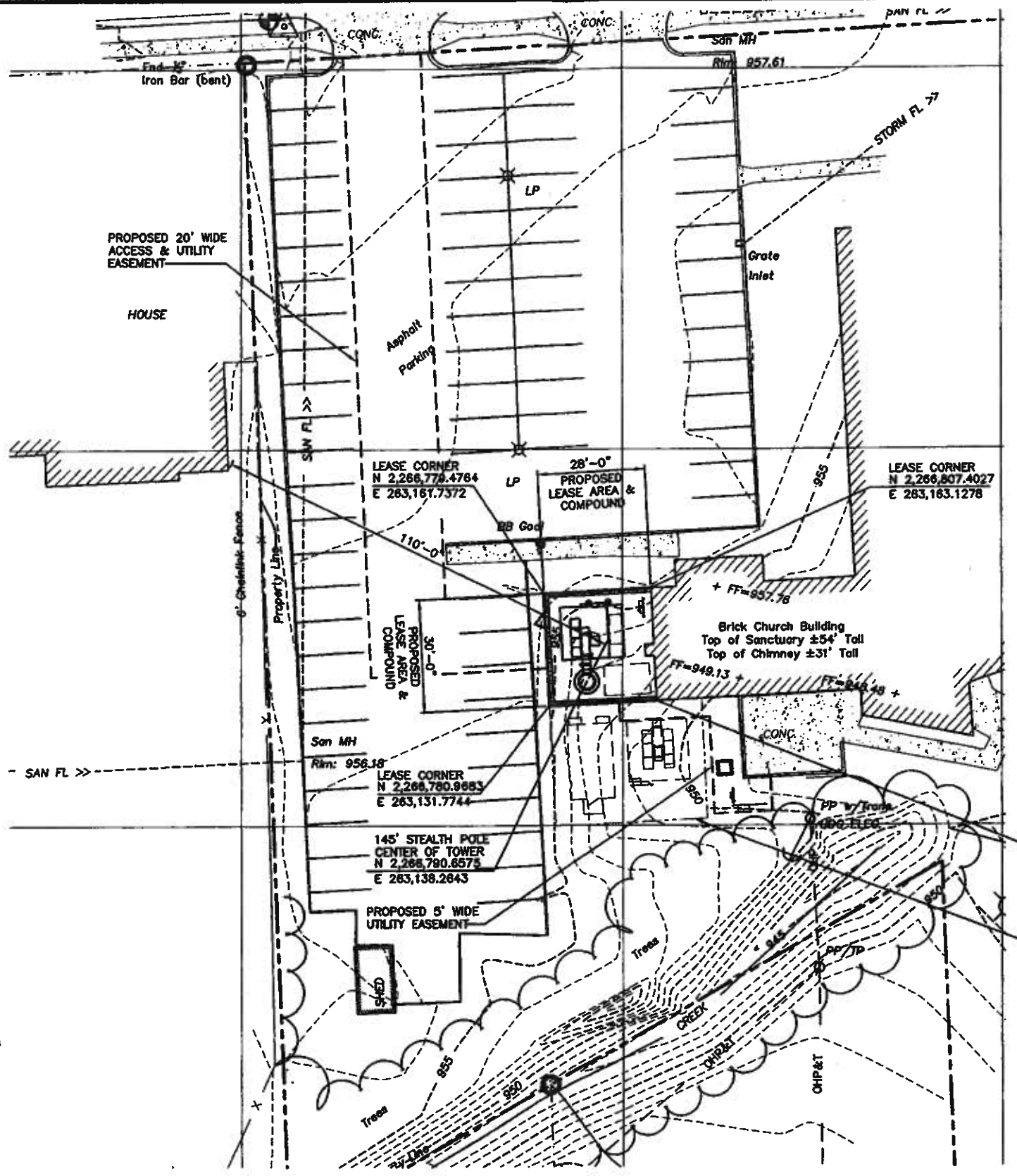
SURVEY PROVIDED FOR:
SELECTIVE SITE CONSULTANTS
6850 W. 110th St.
Suite 300
Overland Park, KS 66210
Tel: (913) 436-7700
FAX: (913) 436-7700
LOVELACE & ASSOC., LLC
P.O. Box 68
Lee's Summit, MO 64083
Tel: (816) 347-9987

SITE I.D.: A5D0114(G)
SITE NAME & LOCATION
FAITH EVANGELICAL
OVERLAND PARK
JOHNSON COUNTY, KS

SITE SURVEY
L & A PROJECT NO. 07391
DRAWN BY: M.F.B.
CHECKED BY: J.B.L.
DATE: 08-25-07
FIELDWORK DATE: 08-20-07

CALL BEFORE YOU DIG - MISSOURI - BLAST
888-844-7629
800-447-7629
800-447-7629
800-447-7629
MISSOURI ONE CALL SYSTEM, INC.

SHEET NUMBER
1 OF 1



NOTE:
 PROPOSED CLEAR & GRUB REMOVAL LIMITS:
 28'-0" X 30'-0" LEASE BOUNDARY



CALL BEFORE YOU
 DIG - DRILL - BLAST
 800-344-7233
 (DIG-SAFE)
 (316) 687-3753
 (FAX)

KANSAS ONE CALL SYSTEM, INC.

THE UTILITIES AS SHOWN ON THIS SET OF DRAWINGS WERE DEVELOPED FROM THE INFORMATION AVAILABLE. THE INFORMATION PROVIDED IS NOT IMPLIED NOR INTENDED TO BE THE COMPLETE INVENTORY OF UTILITIES IN THIS AREA. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES (WHETHER SHOWN OR NOT) AND PROTECT SAID UTILITIES FROM ANY DAMAGE CAUSED BY CONTRACTOR'S ACTIVITIES.

OVERALL SITE PLAN

REV	DATE	REVISION DESCRIPTION	DSGN
A	09/20/07	ISSUED FOR LEASE EXHIBIT	DCP
B	02/26/08	REVISED LEASE EXHIBIT	DCP
C	05/17/08	REVISED TOWER HEIGHT	DCP
D	06/19/08	REISSUED FOR LEASE EXHIBIT	DCP
E	02/10/09	REVISED TOWER HEIGHT	DCP
F	02/25/09	REVISED TOWER HEIGHT	DCP

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SELECTIVE SITE CONSULTANTS, INC.
 A Site Acquisition, Engineering, and Construction Quality Assurance Company

8500 W. 110th Street, Suite 300
 Overland Park, Kansas 66210
 Phone: 913-438-7700
 Fax: 913-438-7777

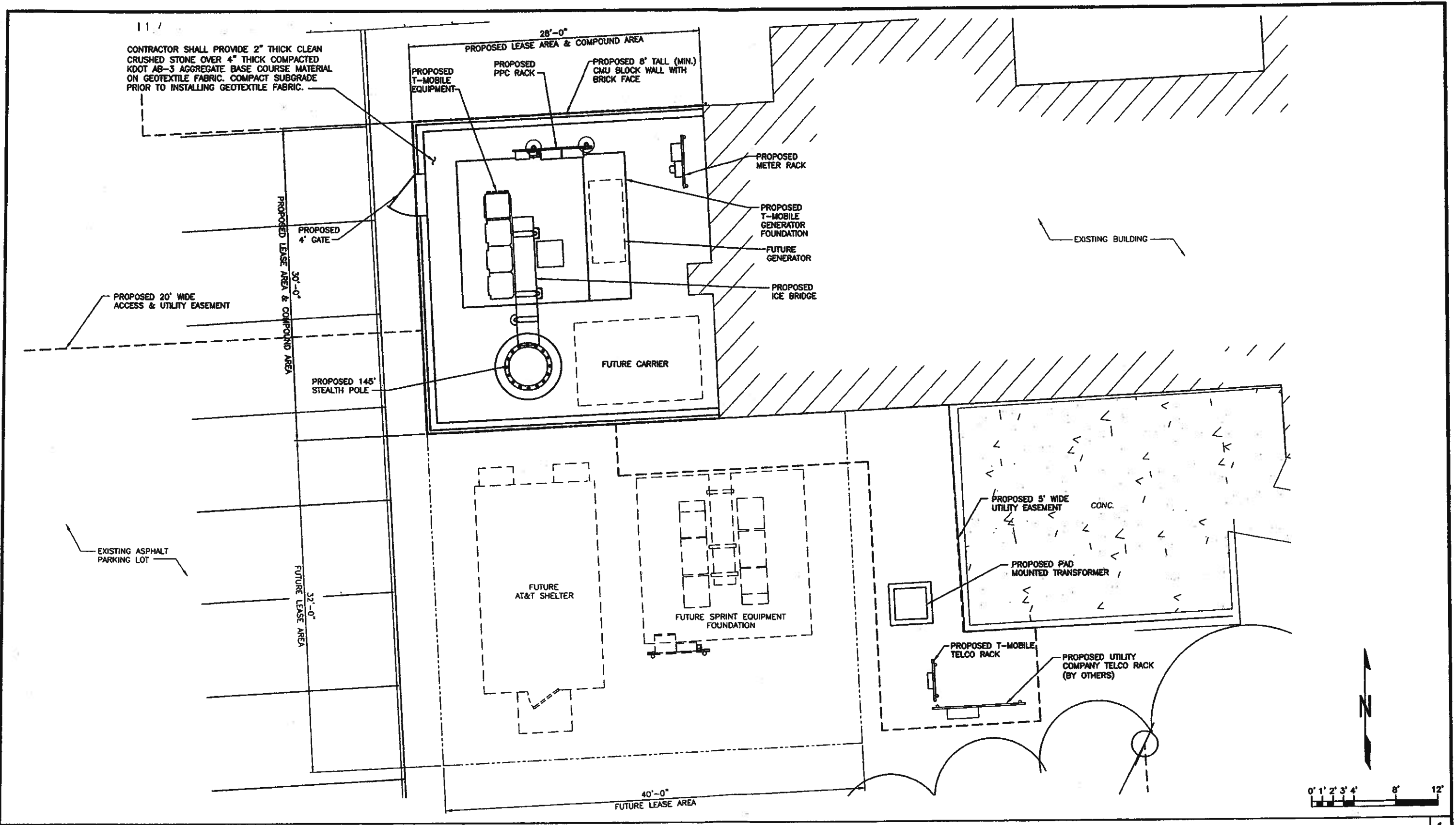
LANDLORD APPROVAL:	DATE:
	DESIGNED BY D.C. PELLAND
	CHECKED BY M.L. OWENS
	SUPERVISOR M.L. OWENS
	LEAD ENGR/SPECIALIST S.D. KEISLING

67TH & ROE
 CELL SITE A5D 0114
 OVERALL SITE PLAN

4805 WEST 67TH STREET
 PRAIRIE VILLAGE, KANSAS

DRAWING NUMBER
 A5D0114 - A01

REV
 F



ENLARGED SITE PLAN

REV	DATE	REVISION DESCRIPTION	DSGN
A	09/20/07	ISSUED FOR LEASE EXHIBIT	DCP
B	02/28/08	REVISED LEASE EXHIBIT	DCP
C	05/17/08	REVISED TOWER HEIGHT	DCP
D	06/19/08	REISSUED FOR LEASE EXHIBIT	DCP
E	02/10/09	REVISED TOWER HEIGHT	DCP
F	02/25/09	REVISED TOWER HEIGHT	DCP

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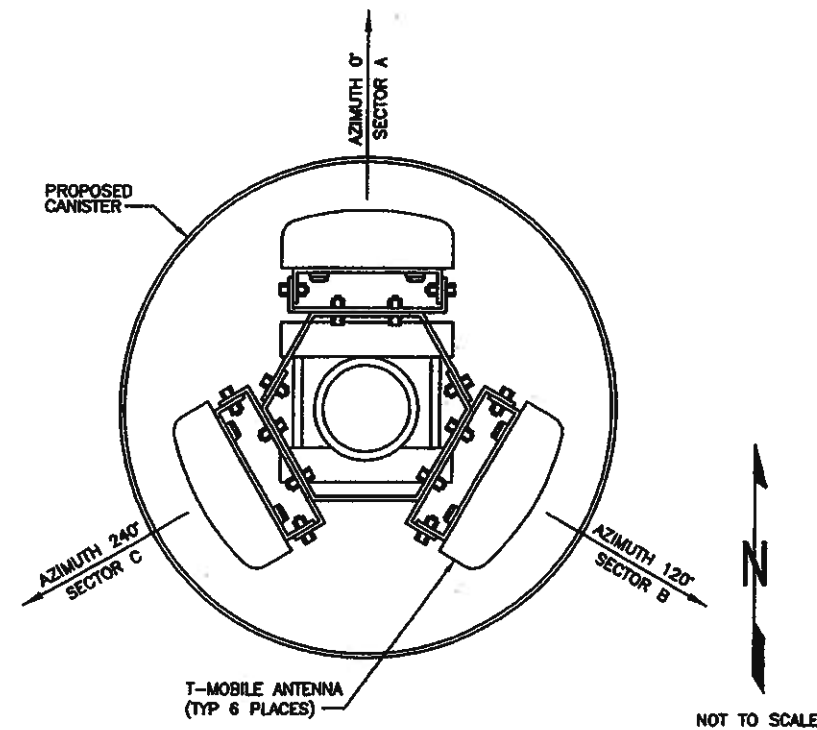
LANDLORD APPROVAL:

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DATE:

DESIGNED BY D.C. PELLAND
CHECKED BY M.L. OWENS
SUPERVISOR M.L. OWENS
LEAD ENGR/SPECIALIST S.D. KEISLING

67TH & ROE CELL SITE A5D 0114 ENLARGED SITE PLAN	
4805 WEST 67TH STREET PRAIRIE VILLAGE, KANSAS	
DRAWING NUMBER A5D0114 - A02	REV F



NOTES:
ALL CONNECTIONS FOR HANGERS, SUPPORTS, BRACING, ETC. SHALL BE INSTALLED PER TOWER MANUFACTURER'S STANDARD DETAILS.

ANTENNA LAYOUT @ ELEVATIONS 140'-0" & 130'-0"

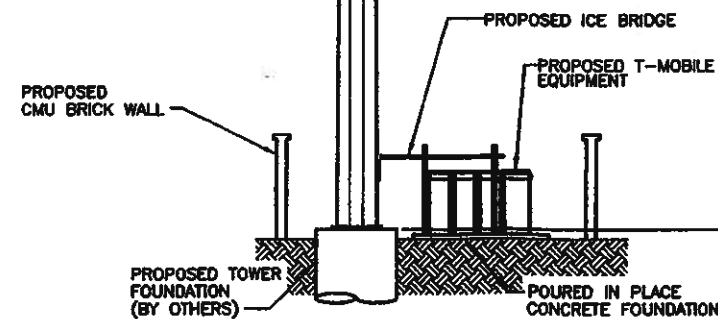
2

- NOTES:**
- PROPOSED STEALTH POLE TO BE PAINTED BRONZE
 - TOWER BASE SHALL BE A MIN. OF 32" TO A MAX. 42" IN DIAMETER

PROPOSED 145' STEALTH POLE

- PROPOSED CL OF T-MOBILE GSM ANTENNAS ELEV. = 140'-0"
- PROPOSED CL OF T-MOBILE UMTS ANTENNAS ELEV. = 130'-0"
- CL OF FUTURE CARRIER ANTENNAS ELEV. = 120'-0"
- CL OF FUTURE CARRIER ANTENNAS ELEV. = 110'-0"
- CL OF FUTURE CARRIER ANTENNAS ELEV. = 100'-0"
- CL OF FUTURE CARRIER ANTENNAS ELEV. = 90'-0"

145'-0" PROPOSED HEIGHT OF STEALTH POLE



TOWER ELEVATION

1

PCS ANTENNA KEY

ANTENNA NUMBER	COAX COLOR CODE	BEAM WIDTH	ANTENNA VENDOR	MODEL NO.	AZIMUTH	ELECTRICAL DOWNTILT	MECHANICAL DOWNTILT	HEIGHT TO THE CENTER OF ANTENNA FROM GROUND LEVEL	COAXIAL FEEDER	
									SIZE	LENGTH
A-1 GSM	RED 1 STRIPE	65'	ANDREW	*	0°	3	0	140'-0"	7/8"	160'
	RED 3 STRIPES								7/8"	160'
	RED 2 STRIPES								7/8"	160'
A-2 UMTS	RED 4 STRIPES								7/8"	160'
	RED 5 STRIPES	65'	ANDREW	**	0°	3	0	130'-0"	7/8"	150'
	RED 6 STRIPES								7/8"	150'
B-1 GSM	YELLOW 1 STRIPE	65'	ANDREW	*	120°	4	0	140'-0"	7/8"	160'
	YELLOW 2 STRIPES								7/8"	160'
	YELLOW 3 STRIPES								7/8"	160'
	YELLOW 4 STRIPES								7/8"	160'
B-2 UMTS	YELLOW 5 STRIPES	65'	ANDREW	**	120°	4	0	130'-0"	7/8"	150'
	YELLOW 6 STRIPES								7/8"	150'
C-1 GSM	BLUE 1 STRIPE	65'	ANDREW	*	240°	3	0	140'-0"	7/8"	160'
	BLUE 2 STRIPES								7/8"	160'
	BLUE 3 STRIPES								7/8"	160'
	BLUE 4 STRIPES								7/8"	160'
C-2 UMTS	BLUE 5 STRIPES	65'	ANDREW	**	240°	3	0	130'-0"	7/8"	150'
	BLUE 6 STRIPES								7/8"	150'

ANDREW TMA/LNA MODEL #
* EWT160VS12UD
** ETW200VS12UB

ANDREW ANTENNA MODEL #
* TMBXX-6516-R2M
** TMBX-6516-R2M

MINIMUM RF REQUIREMENTS

ANTENNA NUMBER	ANTENNA DIRECTION	MINIMUM ANTENNA HEIGHT	MINIMUM SEPARATION
A-1	0°	140'-0"	N/A
B-1	120°	140'-0"	N/A
C-1	240°	140'-0"	N/A
A-2	0°	130'-0"	N/A
B-2	120°	130'-0"	N/A
C-2	240°	130'-0"	N/A

NOTES:

- ANTENNA CONTRACTOR SHALL INSURE ALL ANTENNA MOUNTING PIPES ARE PLUMB
- COAXIAL FEEDER LENGTHS INDICATED ABOVE ARE APPROXIMATE. CONTRACTOR TO VERIFY ACTUAL LENGTH BEFORE ORDERING
- COLOR CODING: USE 1 STRIPE FOR MAIN LINE AND 2 STRIPES FOR DIVERSITY LINE. SUBSEQUENT EXPANSION COAX RUNS SHOULD BE LABELED 3 STRIPES, 4 STRIPES, ETC...
- IN ADDITION TO THE COAX COLOR CODE SHOWN IN THE TABLE, ALL UMTS COAX CABLES SHALL BE MARKED WITH AN ADDITIONAL SINGLE GREEN AND WHITE CHECKER STRIPE.
- LINES 1 & 2 TO HAVE LNA'S, MOUNTED ON PIPE BEHIND ANTENNAS.
- MULTI PORT ANTENNAS: TERMINATE UNUSED ANTENNA PORTS WITH CONNECTOR CAP & WEATHERPROOF THOROUGHLY. JUMPERS FROM LNAs MUST TERMINATE TO OPPOSITE POLARIZATIONS IN EACH SECTOR
- CONTRACTOR MUST FOLLOW ALL MANUFACTURER'S RECOMMENDATIONS REGARDING THE INSTALLATION OF COAXIAL CABLES, CONNECTORS, AND ANTENNAS.
MINIMUM BEND RADIUS:
LDF4-50A (1/2" HARD LINE) = 5"
FSJ4-50B (1/2" SUPER FLEX) = 1-1/4"
LDF5-50A (7/8" HARD LINE) = 10"
LDF7-50A (1-5/8" HARD LINE) = 20"
- CONTRACTOR SHALL RECORD THE SERIAL #, SECTOR, AND POSITION OF EACH ACTUATOR INSTALLED AT THE ANTENNAS AND GIVE THE INFORMATION TO T-MOBILE.
- WEATHERPROOF ALL ANTENNA CONNECTORS WITH SELF AMALGAMATING TAPE.
- ANTENNA CONTRACTOR SHALL PERFORM A "TAPE DROP" MEASUREMENT TO CONFIRM/VALIDATE ANTENNA CENTER LINE (ACL) HEIGHT. CONTRACTOR SHALL SUBMIT A COMPLETED HEIGHT VERIFICATION FORM TO THE CONSTRUCTION MANAGER.

LOCATIONS OF ANTENNAS AS SHOWN HAVE BEEN APPROVED BY CLIENT AND/OR CLIENT'S RADIO FREQUENCY ENGINEERS. SSC ASSUMES NO RESPONSIBILITY FOR, NOR HAS SSC PERFORMED ANY INVESTIGATIONS OR STUDIES CONCERNING THE COMPLIANCE OR NONCOMPLIANCE OF SAID ANTENNA LOCATIONS WITH ANY FCC RADIO FREQUENCY EXPOSURE REGULATIONS.

REV	DATE	REVISION DESCRIPTION	DCN
A	09/20/07	ISSUED FOR LEASE EXHIBIT	DCP
B	02/26/08	REVISED LEASE EXHIBIT	DCP
C	05/17/08	REVISED TOWER HEIGHT	DCP
D	06/19/08	REISSUED FOR LEASE EXHIBIT	DCP
E	02/10/09	REVISED TOWER HEIGHT	DCP
F	02/25/09	REVISED TOWER HEIGHT	DCP

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T-Mobile
USA, INC.

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A Site Acquisition, Engineering, and Construction Quality Assurance Company

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LEAD ENGR/SPECIALIST
S.D. KEISLING

67TH & ROE
CELL SITE ASD 0114
TOWER ELEVATION & ANTENNA DETAILS

4805 WEST 67TH STREET
PRAIRIE VILLAGE, KANSAS

DRAWING NUMBER
A5D0114 - A03

REV
F

May 6, 2008

Mr. Garth Adcock
T-Mobile
12980 Foster, Suite 200
Overland Park, Kansas 66213

RE: Proximity Analysis
Integra Realty Resources – Kansas City File No: 119-2008-0160

Dear Mr. Adcock:

We have conducted paired sales analyses of single family residences and single family lots in Johnson County to determine the impact, if any; a cell tower site will have on sale prices due to proximity. This technique is defined by the *Appraisal of Real Estate* 12th Edition as a "quantitative technique used to identify and measure adjustments to sale prices or rents of comparable properties; to apply this technique, sales or rental data on nearly identical properties are analyzed to isolate a single characteristic's effect on the value or rent."

We present sales data of properties abutting and properties not abutting several cell tower sites. Case Study No. 1 is of properties near the cell tower at approximately 119th and South Sunset in Olathe. Case Study No. 2 is of condominiums developed near the Haven at the Wilderness at 159th and Roe in Leawood. Case Study No. 3 is of properties near the tower at 5950 Roe in Mission, KS. Case Study No. 4 is of properties near the cell tower location at 9617 Lee in Leawood, on the site of the Leawood Fire and Police Departments.

The purpose of this assignment is to identify what if any influence proximity to a cell tower has on the sales price of residential properties. All of the sales presented in these case studies occurred after the cell tower went online at the respective locations.

IRR.

Mr. Garth Adcock
T-Mobile
May 6, 2008
Page 2

The economic analysis presented in the following seven paired sale case studies indicate that there is no significant or measurable impact on the market value of single family residential lots or single family residences as a result of proximity to the cell tower sites.

Regards,



Kenneth Jagers, MAI
Managing Director
Certified General Real Property Appraiser
Kansas Certificate # G-969
Phone: 913-748-4704
E-mail: kjagers@irr.com

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Integra Realty Resources, Inc. (IRR) with corporate offices in New York, NY offers the broadest and most comprehensive valuation and counseling services in North America through 56 independently owned and operated offices located across the United States and Mexico. Each local office is operated by its principal who, on average, has 30 years of local service and is led by a Managing Director holding the MAI designation and having an average of 25 years of experience in commercial and investment property. Benefited by IRR's intellectual property, standardized reports, delivery systems and certain intellectual property, each office operates under the philosophy "Local Expertise...Nationally."

IRR offers a single point of contact to coordinate your assignments and communicate the unique nature of the real estate and/or your special requirements. Each local office is licensed to use IRR's MarketPoint and DataPoint products which provide the client with consistent applications of the most sophisticated valuation tools, access to a national database and delivery of a standardized report for ease of review and presentation.

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IRR de Mexico - Oscar J. Franck

Updated 2-27-08

IRR.

CASE STUDY 1

A Comparison of Residential Lot and Single Family Home Sales Analyzing the Impact of Cell Tower Site Proximity to 119th and South Sunset, Olathe, Kansas

**119th and South Sunset
Tower Location - Private commercial site**

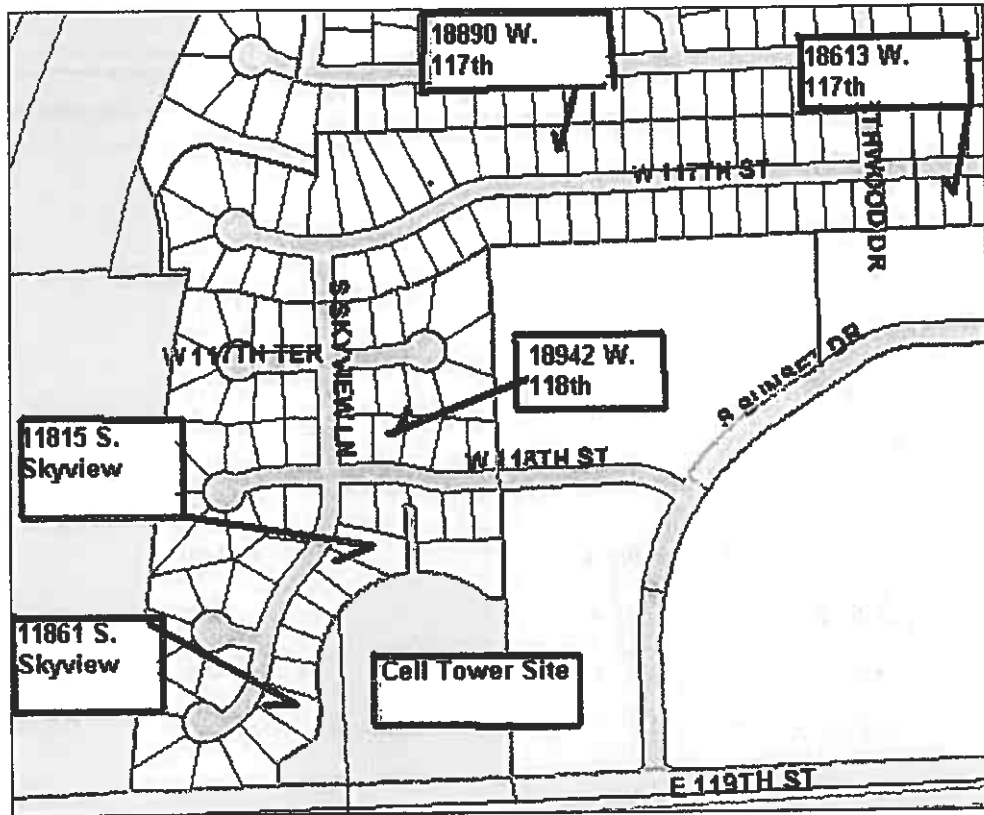
Sales Analysis		
Sale Identification	11861 Skyview	18613 W. 117th
Cell Tower Site Influence	Abutting	Non-abutting
Sale Date	August 1, 2004	December 1, 2003
Sale Price	\$228,000	\$205,000
Sale Price/SF	\$92.61	\$94.04
Financing	Conventional	Conventional
Total Living Area SF	2,462	2,180
Bedrooms / Full Baths / Half Baths	4 / 2 / 1	4 / 2 / 1
Age / Condition	1999	1997
Basement	Full Basement	Full Basement
HVAC / Mechanical	Central AC / Forced Air	Central AC / Forced Air
Attachments / Other	2 Car Garage	2 Car Garage
% Difference in Prices Per SF		-1.54%

Sales Analysis		
Sale Identification	11861 Skyview	18890 W. 117th
Cell Tower Site Influence	Abutting	Non-abutting
Sale Date	August 1, 2004	September 5, 2005
Sale Price	\$228,000	\$227,000
Sale Price/SF	\$92.61	\$91.87
Financing	Conventional	Conventional
Total Living Area SF	2,462	2,471
Bedrooms / Full Baths / Half Baths	4 / 2 / 1	4 / 2 / 1
Age / Condition	1999	1995
Basement	Full Basement	Full Basement
HVAC / Mechanical	Central AC / Forced Air	Central AC / Forced Air
Attachments / Other	2 Car Garage	2 Car Garage
% Difference in Prices Per SF		0.80%

**119th and South Sunset
Tower Location - Private commercial site**

Sales Analysis		
Sale Identification	11815 S. Skyview	18942 W. 118th
Cell Tower Site Influence	Abutting	Non-abutting
Sale Date	August 3, 2007	May 25, 2007
Sale Price	\$235,151	\$242,000
Sale Price/SF	\$110.61	\$101.34
Financing	Conventional	Conventional
Total Living Area SF	2,126	2,388
Bedrooms / Full Baths / Half Baths	4 / 2 / 1	4 / 2 / 1
Age / Condition	1999	1999
Basement	Full Basement	Full Basement
HVAC / Mechanical	Central AC / Forced Air	Central AC / Forced Air
Attachments / Other	2 Car Garage	2 Car Garage
% Difference In Prices Per SF		8.38%

A plat map showing these paired sales is included on the following page. The sales selected for comparison are timely and similar in size, amenities, and age. In percentage terms and as a price per square foot of lot area, the difference is negligible and within the margin of price deviation that may be expected under normal market conditions within the same subdivision. Case Study No. 1 tells us that residences in the same subdivision, similar in nearly all respects except proximity to a cell tower site, will sell for the same price on a per square foot of living area basis. By analyzing the sales on a per square foot basis, the nominal disparity in size is neutralized and it is apparent that the presence of the cell tower site is not a negative influence on market value.

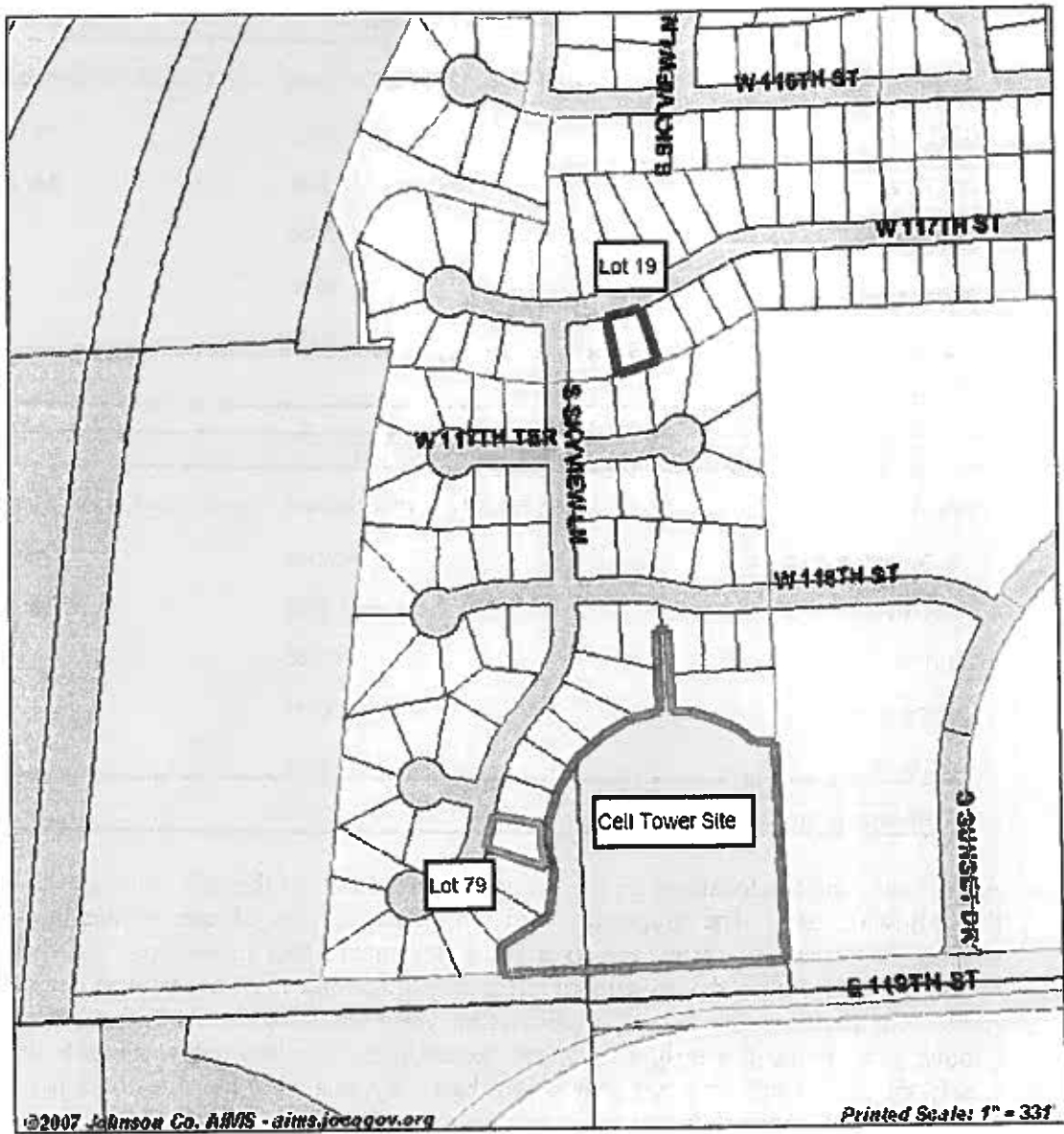


Shown on the following page are two single family lot sales in Northwood Trails subdivision, which is adjacent to the cell tower site, located at the northwest corner of 119th Street and South Sunset Drive in Olathe, Kansas. The 480 foot guyed cell tower went on air in 1990.

Sales Analysis		
Sale Identification	Lot 79, Block 12, Northwood Trails	Lot 19, Block 14, Northwood Trails
Cell Tower Site Influence	Abutting	Not Abutting
Sale Date	December 21, 1999	May 11, 2000
Sale Price	\$32,000	\$28,950
Sale Price/SF	\$3.46	\$3.44
Lot Size SF	9,258	8,413
% Difference in Prices Per SF		0.44%

Sales Analysis		
Sale Identification	Lot 87, Block 12, Northwood Trails	Lot 21, Block 14, Northwood Trails
Cell Tower Site Influence	Abutting	Not Abutting
Sale Date	February 21, 2000	December 10, 1999
Sale Price	\$32,000	\$26,950
Sale Price/SF	\$3.37	\$3.30
Lot Size SF	9,494	8,160
% Difference in Prices Per SF		2.01%

A map showing the locations of the properties in relation to the cell tower site is shown on the following page. The properties sold within six months of one another and are very similar. In percentage terms and as a price per square foot of lot area, the difference is negligible and within the margin of price deviation that may be expected under normal market conditions within the same subdivision. Case Study No. 1 tells us that lots in the same subdivision, similar in nearly all respects except proximity to a cell tower site, will sell for nearly the same price on a per square foot basis. By analyzing the sales on a per lot square foot basis, the nominal disparity in size is neutralized and the quality, size, or utility of improvements does not impact the conclusion. It is apparent that the presence of the cell tower site is not a negative influence on market value.



CASE STUDY 2

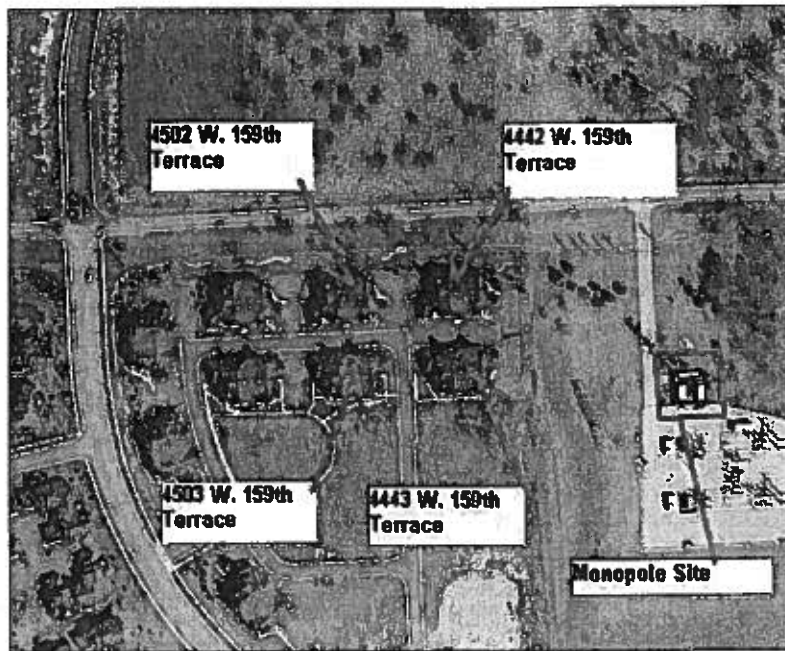
A Comparison of Single Family Residential Sales Analyzing the Impact of Cell Tower Site Proximity to the Havens @ Wilderness Condominiums

Shown below is a pairing of four identical six unit condominium buildings. Two abut the cell tower site and two do not. The unit floor plans in these four buildings are identical and the buildings were completed in 2005. The sale prices reflected below are of the first homeowner and the sales occurred September 2005 to July 2007. We compared only the identical unit sales in determining the average sales price.

**159th and Roe
Tower Location - Adjacent Havens @ the Wilderness Condominiums**

Sales Analysis				
Sale Identification	4442 W. 159th Terrace	4443 W. 159th Terrace	4502 W. 159th Terrace	4503 W. 159th Terrace
Cell Tower Site Influence	Abutting	Abutting	Non-abutting	Non-abutting
Sale Date	2005 - 2007	2005 - 2007	2005-2007	2005-2007
Sale Price	\$911,774	\$902,428	\$915,503	\$893,304
Sale Price/SF	\$182,355	\$180,486	\$183,101	\$178,661
Financing	Conventional	Conventional	Conventional	Conventional
Units	5	5	5	5
Age / Condition	New	New	New	New
Basement	NA	NA	NA	NA
HVAC / Mechanical	Central AC / Forced Air	Central AC / Forced Air	Central AC / Forced Air	Central AC / Forced Air
% Difference average price abutting vs non-abutting			-0.93%	1.52%

An aerial showing the locations of the properties in relation to the cell tower site are shown on the following pages. In percentage terms and as a price per unit, the difference is negligible and within the margin of price deviation that may be expected under normal market conditions within the same subdivision. Case Study No. 2 tells us that condominium units in the same development, similar in nearly all respects except proximity to a cell tower site, will sell for nearly the same price on a per unit basis. By analyzing the sales on an average price per unit basis, the nominal disparity in size is neutralized and it is apparent that the presence of the cell tower site is not a negative influence on market value.



CASE STUDY 3

A Comparison of Single Family Residence Sales Analyzing the Impact of Cell Tower Site Proximity to 5950 Roe, Mission, KS

Shown below is one pairing of residences in this area. 4705 West 60th Street is a residence that is almost directly south of and facing the monopole site at the commercial property at 5950 Roe. We have paired this small two bedroom one bath residence that is influenced by the tower and sold in November 2003 with a similar property that sold approximately one year prior.

5950 Roe
Tower Location - Private commercial site

Sales Analysis		
Sale Identification	4705 W. 60th Street	4711 W. 60th Terrace
Cell Tower Site Influence	Faces Cell Tower	No influence
Sale Date	November 21, 2003	September 27, 2002
Sale Price	\$107,100	\$128,200
Sale Price/SF	\$85.41	\$87.93
Financing	Conventional	Conventional
Total Living Area SF	1,254	1,458
Bedrooms / Full Baths / Half Baths	2 / 1	2 / 1
Age / Condition	1954	1952
Basement	Crawl Space	Crawl Space
HVAC / Mechanical	Central AC / Forced Air	Central AC / Forced Air
Attachments / Other	1 car attached	1 car attached
% Difference in Prices Per SF		-2.95%

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 Price Brothers
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 Transamerica Life Insurance
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CORPORATE PROFILE

Integra Realty Resources, Inc. (IRR) with corporate offices in New York, NY offers the broadest and most comprehensive valuation and counseling services in North America through 56 independently owned and operated offices located across the United States and Mexico. Each local office is operated by its principal who, on average, has 30 years of local service and is led by a Managing Director holding the MAI designation and having an average of 25 years of experience in commercial and investment property. Benefited by IRR's intellectual property, standardized reports, delivery systems and certain intellectual property, each office operates under the philosophy "Local Expertise...Nationally."

IRR offers a single point of contact to coordinate your assignments and communicate the unique nature of the real estate and/or your special requirements. Each local office is licensed to use IRR's MarketPoint and DataPoint products which provide the client with consistent applications of the most sophisticated valuation tools, access to a national database and delivery of a standardized report for ease of review and presentation.

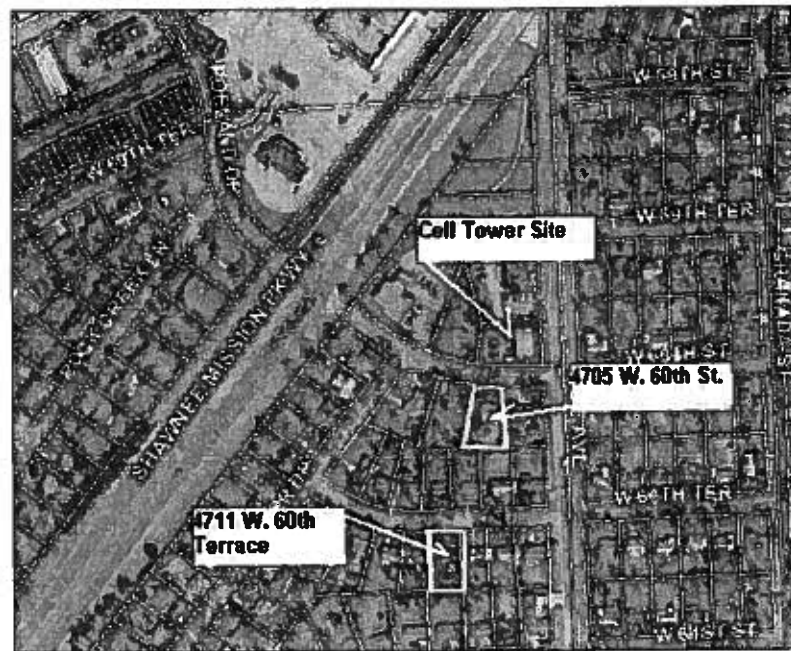
A listing of IRR's local offices and their Managing Directors follows:

ATLANTA, GA - J. Carl Schultz, Jr., MAI, SRA, CRE
ATLANTIC COAST, NJ - Anthony S. Graziano, MAI, CRE
AUSTIN, TX - Randy A. Williams, MAI, SR/WA
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KANSAS CITY, MO/KS - Kenneth Jagers, MAI, MRICS
LAS VEGAS, NV - Shelli L. Lowe, MAI
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PHILADELPHIA, PA - Joseph D. Pasquarella, MAI, CRE
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RICHMOND, VA - Robert E. Coles, MAI, CRE
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SALT LAKE CITY, UT - Darrin Liddell, MAI, CCIM
SAN ANTONIO, TX - Martyn C. Glen, MAI, CRE, FRICS
SAN DIEGO, CA - Jeffrey Greenwald, MAI
SAN FRANCISCO, CA - Jan Kleczewski, MAI
SARASOTA, FL - Julian Stokes, MAI, CRE, CCIM
SAVANNAH, GA - J. Carl Schultz, Jr., MAI, SRA, CRE
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WASHINGTON, DC - Patrick C. Kerr, MAI, SRA
WILMINGTON, DE - Douglas Nickel, MAI
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Updated 2-27-08

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An aerial map showing the locations of the properties in relation to the cell tower site is shown below. The properties sold within approximately one year of one another and are very similar. In percentage terms and as a price per square foot of lot area, the difference is negligible and within the margin of price deviation that may be expected under normal market conditions within the same subdivision. Case Study No. 3 tells us that residences in the same subdivision, similar in nearly all respects except proximity to a cell tower site, will sell for the same price on a per square foot of living area basis. By analyzing the sales on a per square foot basis, the nominal disparity in size is neutralized and it is apparent that the presence of the cell tower site is not a negative influence on market value.



CASE STUDY 4

A Comparison of Residential Lot Sales Analyzing the Impact of Cell Tower Site Proximity to 9617 Lee, Leawood, KS

Shown below is a pairing of residences in this area. 9618 High Street is a residence that abuts the Leawood Fire and Police Department site at 9617 Lee. The monopole site is immediately west of its rear yard fence. We have paired this four bedroom, two and one-half bath residence that is influenced by the tower, sold in August 2007, six months later.

9617 Lee Tower Location - Leawood FD

Sales Analysis		
Sale Identification	9618 High	9626 Lee
Cell Tower Site Influence	Abutting	Not Abutting
Sale Date	August 24, 2007	March 20, 2008
Sale Price	\$351,000	\$370,000
Sale Price/SF	\$177.09	\$189.94
Financing	Conventional	Conventional
Total Living Area SF	1,982	1,948
Bedrooms / Full Baths / Half Baths	4 / 2 / 1	4 / 3
Age / Condition	1953	1955
Basement	Unfinished	Unfinished
HVAC / Mechanical	Central AC / Forced Air	Central AC / Forced Air
Attachments / Other	2 car garage	2 car garage
% Difference in Prices Per SF		-7.25%

A map showing the locations of the properties in relation to the cell tower site is shown below. The properties sold within six months of one another and are very similar. In percentage terms and as a price per square foot of lot area, the difference is negligible and within the margin of price deviation that may be expected under normal market conditions within the same subdivision. Case Study No. 4 tells us that single family residences in the same subdivision, similar in nearly all respects except proximity to a cell tower site, will sell for nearly the same price on a per square foot basis. By analyzing the sales on a per square foot basis, the nominal disparity in size is neutralized and it is apparent that the presence of the cell tower site is not a negative influence on market value.



RECONCILIATION

The four case studies previously analyzed demonstrate that there is no meaningful disparity in value per square foot of single family residence or single family lot attributable to conditions created by being adjacent to a cell tower site. This includes detached residences as is the case in Nos. 1, 3 and 4, residential lots in 1, and attached residences (condominiums) as demonstrated in No. 2.

The similarity of the properties analyzed is best demonstrated in No. 1 because the homes are relatively new, and with uniformity in age and quality. The lot sales analysis is the best pure analysis because there are no improvements to influence the sales price. No. 2 is very well suited to this analysis as all of the units sold were new at the time of sale. Only sales to the first homeowners were considered. Each unit contributing to the average sales price per unit for the four buildings were identical floor plans. In pairing the sales of individual properties, and finding no difference in value, outside the price deviation under normal market conditions, between those abutting a cell tower site and those not abutting a cell tower site. We conclude that there is no evidence of any impact that a cell tower site will have on single family residential lots, single family residences, or condominiums due to proximity.

CERTIFICATION

We certify that, to the best of our knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and is my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
4. We have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
5. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. Our compensation for completing this assignment is not contingent upon a conclusion that favors the cause of the client or the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this case study.
7. Our analyses, opinions, and conclusions were developed, and this report has been prepared, in compliance with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, in conformity with the *Uniform Standards of Professional Appraisal Practice (USPAP)*.
8. On May 4, 2008, each of the properties described in this report were inspected from the street by Kenneth Jagers.
9. No one has provided significant real property assistance to the person(s) signing this certification.
10. We have not relied on unsupported conclusions relating to characteristics such as race, color, religion, national origin, gender, marital status, familial status, age, and receipt of public assistance income, handicap, or an unsupported conclusion that homogeneity of such characteristics is necessary in reaching the conclusion as stated herein.
11. We have experience in similar consulting assignments and are in compliance with the Competency Rule of USPAP.
12. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

13. As of the date of this report, Kenneth Jagers, MAI, has completed the requirements of the continuing education program of the Appraisal Institute. Qualifications of the consultants are found in the following section.



Kenneth Jagers, MAI
Managing Director
Certified General Real Property Appraiser
Kansas Certificate # G-969
Phone: 913-748-4704
E-mail: kjagers@irr.com

QUALIFICATIONS OF CONSULTANTS

**PROFESSIONAL QUALIFICATIONS
 KENNETH JAGGERS, MAI, MRICS**

EXPERIENCE:	<p>Mr. Jagers, Managing Director, has been with Integra Realty Resources – Kansas City, since May 1993. He started his career in commercial real estate in 1987 as an investment officer with a subsidiary of Metropolitan Life in Overland Park, Kansas then in the Washington D.C., and Boston, Massachusetts’s offices. In 1991, Mr. Jagers joined BankBoston and served as a review and field appraiser for two years. Duties included quality control over two acquired banks in Maine and Vermont.</p> <p>Since that time he has completed appraisals on commercial properties of all types, primarily for institutional investors and for litigation. Unique properties include the 1,140,000 SF IRS Processing facilities and the 600,000 SF Overland Park Trade Center and exhibition hall. Mr. Jagers appraised Corporate Woods in Overland Park Kansas. The largest single investor owned real estate asset in the Kansas City area, it has 21 buildings totaling 2.2 million SF of Class A and B office space. He has also appraised the former headquarters of H&R Block, the Sanofi Aventis (>500,000 SF), and Town Pavilion (>900,000 SF) offices in Kansas City and finally, Branson Landing a destination mixed use project with over 400,000 SF of lifestyle retail, marina, boutique hotel, and 170 condominium units. Mr. Jagers is a Director of IRR’s Hospitality Specialty Practice Group. A recent assignment in this capacity was the Lodge of Four Seasons at Lake Ozark, MO with over 300 rooms, 146 proposed Condotel units, marina, and two golf courses.</p>
LITIGATION EXPERIENCE:	<p>Mr. Jagers has performed appraisal services and/or provided expert trial or deposition testimony in many legal proceedings, including the following: State of Kansas vs. Westgate, LC 04 C 214, State of Kansas v. Domino LC, and Northland LC, WD1 of Johnson County v. Highlands Group, Debra L. Miller v. Aida Oil Company etal, Moore v. United States No. 93-134 L, Illig v. United States 98-934L, City of Lenexa v. RREEF American REIT II Corp., VVV etal, Colliers v. City of Oak Grove, MO 03CV223403, Gailloyd Enterprises v Centertainment 98-CV-5115.</p>
QUALIFIED BEFORE COURTS AND ADMINISTRATIVE BODIES	<p>Circuit Court of Jackson County, Missouri Kansas District Court, 7th Judicial District</p>
EXPERIENCE WITH MUNICIPALITIES/ ADMINISTRATIVE BODIES:	<p>Mr. Jagers has provided expert testimony to a number of taxing authorities, city councils, boards of planning and zoning, commissioners’ hearings, and bodies providing public finance (TIF and Tax Abatement). His expertise is sought by the administrative bodies and by the private developers.</p>
PROFESSIONAL ACTIVITIES:	<p>Member of the Appraisal Institute, Secretary of the Kansas City Chapter Member of The Royal Institution of Chartered Surveyors Westwood City Planning Commission Lecturer – UMKC Bloch School Lewis White Real Estate Center – Hospitality Feasibility Lecturer – REATIC Forecast 2003-2008 Lecturer – Blue Springs EDC – Market Trends 2006-2008 Lecturer – Employee Relocation Council 2005 – The Housing Bubble</p>
STATE LICENSES:	<p>State of Iowa Certified General Real Property Appraiser (CG02446) State of Kansas Certified General Real Property Appraiser (G-969) State of Missouri Certified General Real Estate Appraiser (RA 003190) State of Nebraska Certified General Real Estate Appraiser (CG970204) State of Wyoming Certified Real Estate Appraiser (863)</p>
EDUCATION:	<p>Bachelor of Arts (1983) Chadron State College, Chadron, Nebraska Economics and Marketing, Minor in Business Administration</p>
APPRAISAL TRAINING:	<p>Mr. Jagers has successfully completed numerous Appraisal Institute courses and attended seminars in keeping current, the educational and professional work product requirements of the Appraisal Institute and states in which he is licensed.</p> <p>Completed 3rd Party Multifamily Accelerated Processing (MAP), September 18, 2002.</p>

February 27, 2008



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 Bannister Bank
 Bayview Financial
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 Brotherhood Bank & Trust
 Capitol Federal
 Capital City Bank
 Central Bank of Kansas City
 Chase Manhattan Bank
 CIT Financial Savings
 Citigroup
 Citizens Bank & Trust
 Clay County Savings & Loan
 Collateral Mortgage
 Commerce Bancshares
 Commerce Bank & Trust
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 Stinson, Morrison, Hecker, LLP
 Wallace, Saunders, et al.
 White Goss Bowers et al
 Wyrsh, Hobbs & Mirakian, PC

State of Kansas

Real Estate Appraisal Board

This is to certify that

Kenneth Jagers

*has complied with the provisions of the Kansas State Certified and Licensed Real Property Appraisers Act
to transact business as a*

Certified General Real Property Appraiser

in the State of Kansas

License No.: G-969

Effective Date: July 1, 2007










































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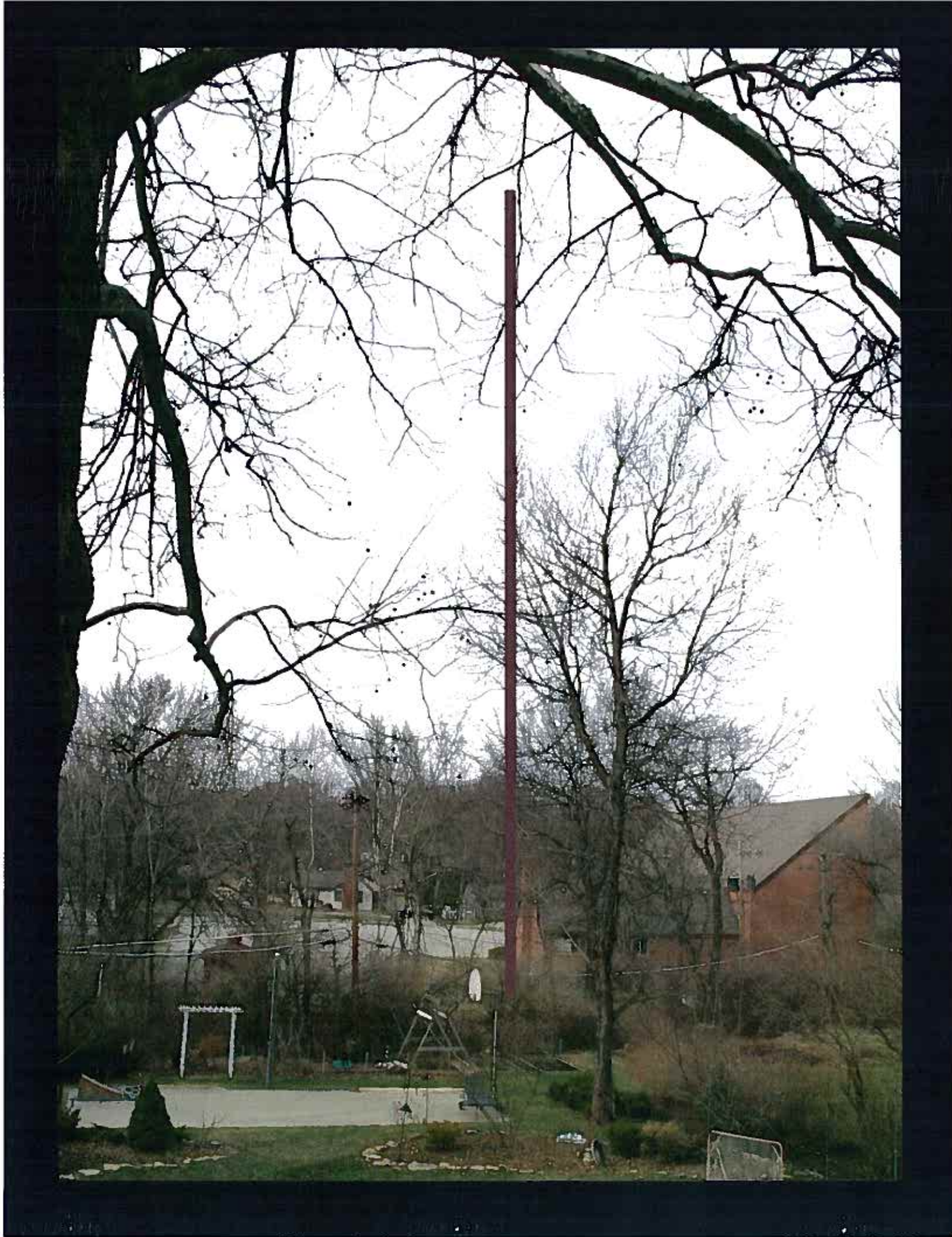
Gregg L. Reed
Chairman

Joyce Hagen Mundy

From: katherine faerber [faernett5@gmail.com]
Sent: Wednesday, April 08, 2009 12:11 PM
To: Dennis Enslinger; Joyce Hagen Mundy
Subject: Photos

Attachments: Backyard tower.jpg; IMG_0246.jpg; ATT771228.txt; IMG_5469.jpg; ATT771229.txt; IMG_5470.jpg; ATT771230.txt; IMG_5472.jpg; ATT771231.txt; IMG_5473.jpg; ATT771232.txt; IMG_5475.jpg; ATT771233.txt; IMG_5476.jpg; ATT771234.txt; IMG_5481.jpg; ATT771235.txt; IMG_5482.jpg; ATT771236.txt; IMG_5483.jpg; ATT771237.txt; IMG_5488.jpg; ATT771238.txt; IMG_5496.jpg; ATT771239.txt; IMG_5497.jpg; ATT771240.txt; IMG_5498.jpg; ATT771241.txt; IMG_5499.jpg; ATT771242.txt; IMG_5501.jpg; ATT771243.txt; IMG_5503.jpg; ATT771244.txt; IMG_5505.jpg; ATT771245.txt; IMG_5506.jpg; ATT771246.txt; IMG_5511.jpg; ATT771247.txt; IMG_5514.jpg; ATT771248.txt; IMG_5517.jpg; ATT771249.txt

						
Backyard tower.jpg (333 KB)	IMG_0246.jpg (180 KB)	ATT771228.txt (236 B)	IMG_5469.jpg (162 KB)	ATT771229.txt (236 B)	IMG_5470.jpg (239 KB)	ATT771230.txt (236 B)
						
IMG_5472.jpg (203 KB)	ATT771231.txt (236 B)	IMG_5473.jpg (227 KB)	ATT771232.txt (236 B)	IMG_5475.jpg (199 KB)	ATT771233.txt (236 B)	IMG_5476.jpg (311 KB)
						
ATT771234.txt (236 B)	IMG_5481.jpg (330 KB)	ATT771235.txt (236 B)	IMG_5482.jpg (403 KB)	ATT771236.txt (236 B)	IMG_5483.jpg (323 KB)	ATT771237.txt (236 B)
						
IMG_5488.jpg (318 KB)	ATT771238.txt (236 B)	IMG_5496.jpg (341 KB)	ATT771239.txt (236 B)	IMG_5497.jpg (201 KB)	ATT771240.txt (236 B)	IMG_5498.jpg (121 KB)
						
ATT771241.txt (236 B)	IMG_5499.jpg (152 KB)	ATT771242.txt (236 B)	IMG_5501.jpg (393 KB)	ATT771243.txt (236 B)	IMG_5503.jpg (135 KB)	ATT771244.txt (236 B)
						
IMG_5505.jpg (230 KB)	ATT771245.txt (236 B)	IMG_5506.jpg (186 KB)	ATT771246.txt (236 B)	IMG_5511.jpg (207 KB)	ATT771247.txt (236 B)	IMG_5514.jpg (232 KB)
						
ATT771248.txt (236 B)	IMG_5517.jpg (191 KB)	ATT771249.txt (236 B)				







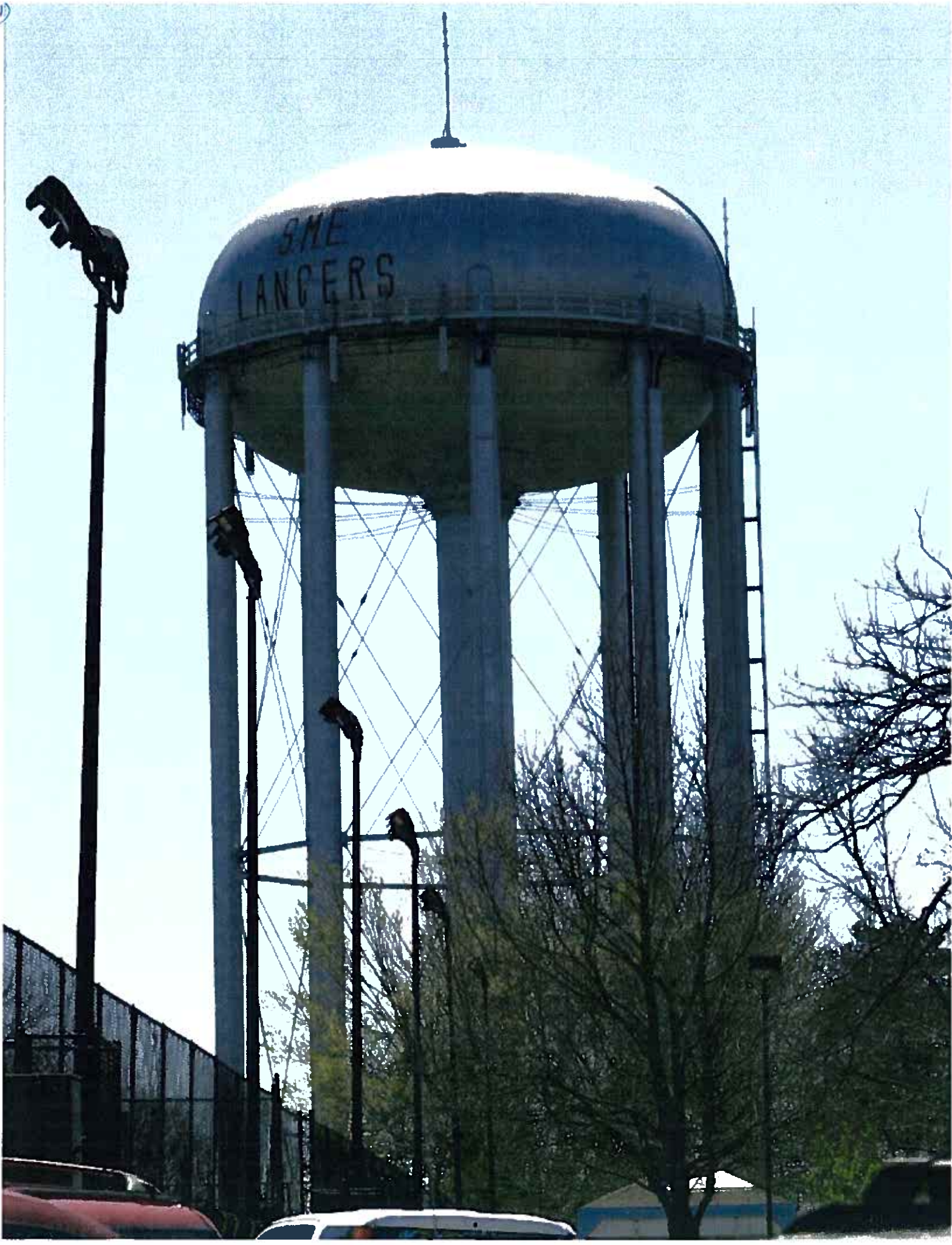


SCHOOL
SPEED
LIMIT
25





SWE
LANGERS



SME
LANGERS



DANGER
NO TRESPASSING

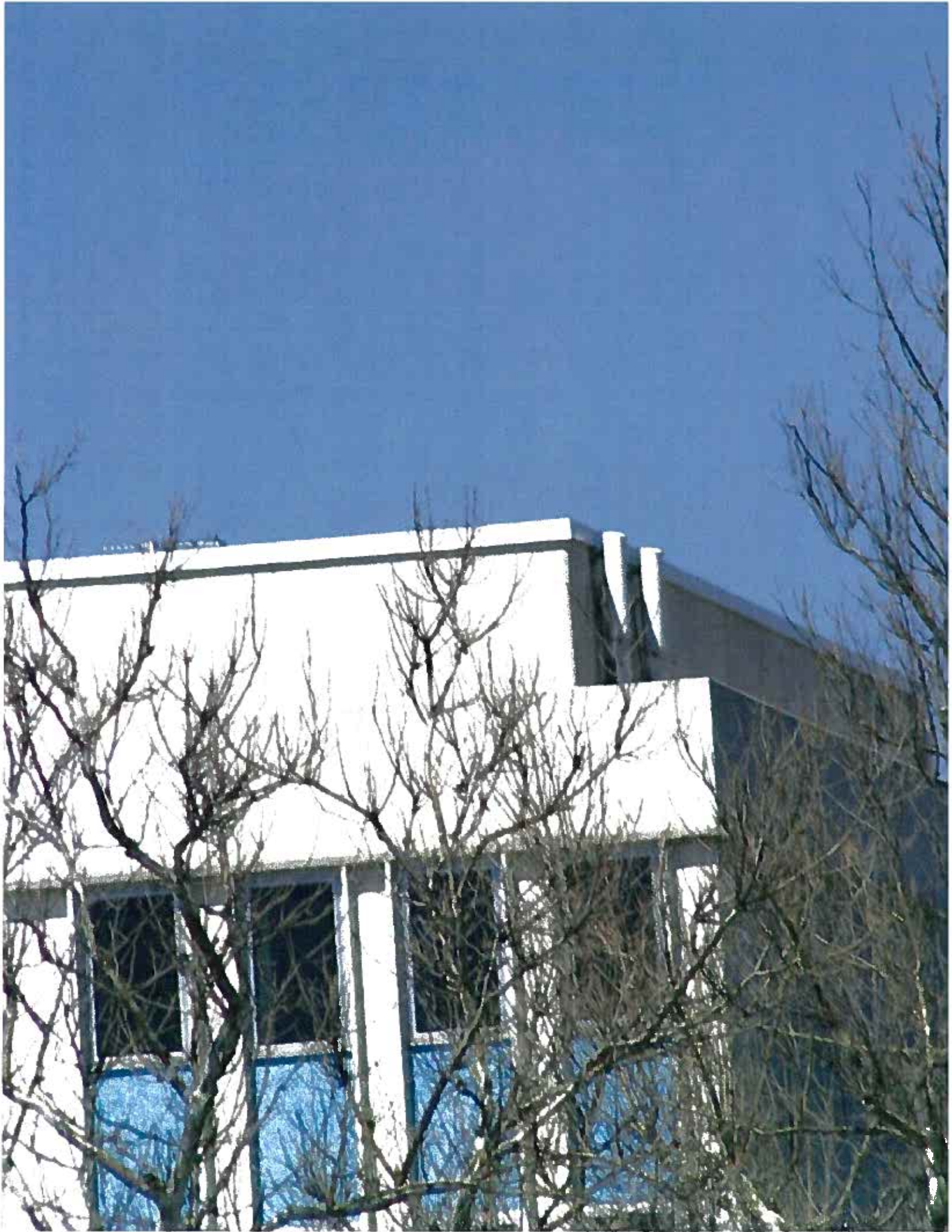


















5000 W. 95th

