



## **A M E N D E D**

### **MEETING AGENDA**

#### **STILLWATER BOARD OF ADJUSTMENT**

**Thursday, August 3, 2023**

**5:30 p.m. - Room 1122, City Hall, 723 S. Lewis Street, Stillwater, Oklahoma**

[www.stillwater.org](http://www.stillwater.org)

**Chair Brian Wiles, Vice-Chair John Houck, and Jim Rice**

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Note: Members of the Board of Adjustment and City Staff will gather prior to the regular meeting in Room 1121 beginning at 5:00 p.m. No Board of Adjustment business will be discussed or otherwise acted upon at this time. This is not a closed session, and members of the public and press are welcome to attend.

1. CALL MEETING TO ORDER.
2. BUSINESS ITEMS FOR CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON:
  - a. Jerrod Foutes on behalf of Vertical Bridge, REIT, LLC, **VARIANCE (VAR23-13)**, requesting review and granting of a variance to **Sec. 23-113.1(i)(1)** for tower set back distance to residential zoned property at property addressed as 1730 N. Jardot Road in the Commercial General (CG) district.
3. CONSIDERATION, DISCUSSION AND TRAINING WITH COUNSEL OF THE CITY ATTORNEY'S OFFICE RE: THE OPEN MEETING ACT AND THE NUTS AND BOLTS OF PLANNING AND ZONING.
4. MISCELLANEOUS ITEMS FROM STAFF FOR DISCUSSION AND POSSIBLE ACTION:
  - a. Next regularly scheduled Board of Adjustment meeting Thursday, September 14, 2023.
5. ADJOURNMENT.

On \_\_\_\_\_ at \_\_\_\_\_ a true and correct copy of this agenda was posted on the kiosk outside City Hall, 723 S Lewis Street, Stillwater, OK.

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**NOTE: The Board of Adjustment may take action including a vote or series of votes on all items listed on this agenda unless the item specifically indicates that no action will be taken. The City of Stillwater encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, please notify the Community Development Desk at least 48 hours prior to the meeting by calling 405.742.8213.**

**CITY OF STILLWATER - DEVELOPMENT SERVICES DEPARTMENT**  
**BOARD OF ADJUSTMENT APPLICATION**

**Applications will be accepted Monday through Friday, from 8:30 AM to 11:30 AM**  
**Per Resolution CC-2007-16**

           Appeal                 Special Exception             x Variance                 Minor Variance

Title of Subdivision/Plan: Vertical Bridge REIT, LLC  
 Owner(s) of Property: Locked Up Self Storage, LLC  
 Owner(s) Address: PO Box 9515, Tulsa, OK 74157  
 Owner(s) Phone/Fax/Email: 918-697-2675  
 Applicant(s) Name: Vertical Bridge (Jerrod Foutes, on behalf of Vertical Bridge)  
 Applicant(s) Address: 750 Park of Commerce Drive, Boca Raton, Florida 33487  
 Applicant(s) Phone/Fax/Email: jfoutes@pns-llc.com  
 Location of Property: 1730 N. Jardot Road, Stillwater, OK 74075

Chapter, Article, Section, City Code from which the action is requested: \_\_\_\_\_  
 Sec. 23-113.1. - Telecommunication tower use conditions (i) (1)

**Appeals application submittal requirements:**

| Applicant | Section 23.68                                                                                                                                    | .Civ |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------|------|
|           | 1.) Completed application form                                                                                                                   |      |
|           | 2.) Filing fee - \$140                                                                                                                           |      |
|           | 3.) On a separate sheet, state the City's Code Section or the City Administrative Officer's decision or action for which appeal is being sought. |      |
|           | 4.) Provide justification for the appeal.                                                                                                        |      |

**ALL Variance and Special Exception application submittal requirements: Ch. 23, Article 3**

| Applicant | Section 23.65, 23.67                                                                                                                                                                                                                                                                                                                                                             | City |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| X         | 1.) Completed application form                                                                                                                                                                                                                                                                                                                                                   | Yg   |
| X         | 2.) Filing fee - \$140                                                                                                                                                                                                                                                                                                                                                           | Yg   |
| X         | 3.) A typewritten and electronic/digital copy of the legal description of the subject property, capable of being reproduced and emailed to <a href="mailto:digitals@stillwater.org">digitals@stillwater.org</a> . Survey provided with written legal description                                                                                                                 | Yg   |
| X         | 4.) A typewritten list and electronic/digital data capable of being reproduced as mailing labels, certified by the Payne County Assessor, a licensed abstractor, attorney, engineer or architect, of all property owners within three hundred (300) feet of the subject property. The ownership list shall have been prepared no more than thirty (30) days prior to submission. | Yg   |
| None      | 5.) Copy of existing or proposed restrictive covenants that apply to the property that is subject to the requested action, if applicable.                                                                                                                                                                                                                                        | N/A  |
| x         | 6.) Original mortgage or field survey, if applicable.                                                                                                                                                                                                                                                                                                                            |      |
| X         | 7.) Variances only – Letter explaining how the request meets the criteria for approval of a variance.                                                                                                                                                                                                                                                                            | Yg   |
|           | 8.) Any other documents, information, etc. to assist the Board in making a decision.                                                                                                                                                                                                                                                                                             |      |

**Findings Necessary for Granting Variances**

In determining whether or not the variance should be granted, the Board of Adjustment shall consider and record in the official minutes of the meeting, the extent to which the evidence demonstrates that:

1. The application of the ordinance to the particular piece of property would create an unnecessary hardship;
2. Such conditions are peculiar to the particular piece of property involved;
3. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance or the Comprehensive Plan; and
4. The variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.

**Certification:**

I (We) do hereby certify that the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I (We) do hereby understand that a variance of any requirement does not exempt the development from any other requirements of the Zoning Ordinance, Subdivision Regulations, or other City or State Regulations. This application must be completed, signed, and dated by the applicant(s) and the owner(s).

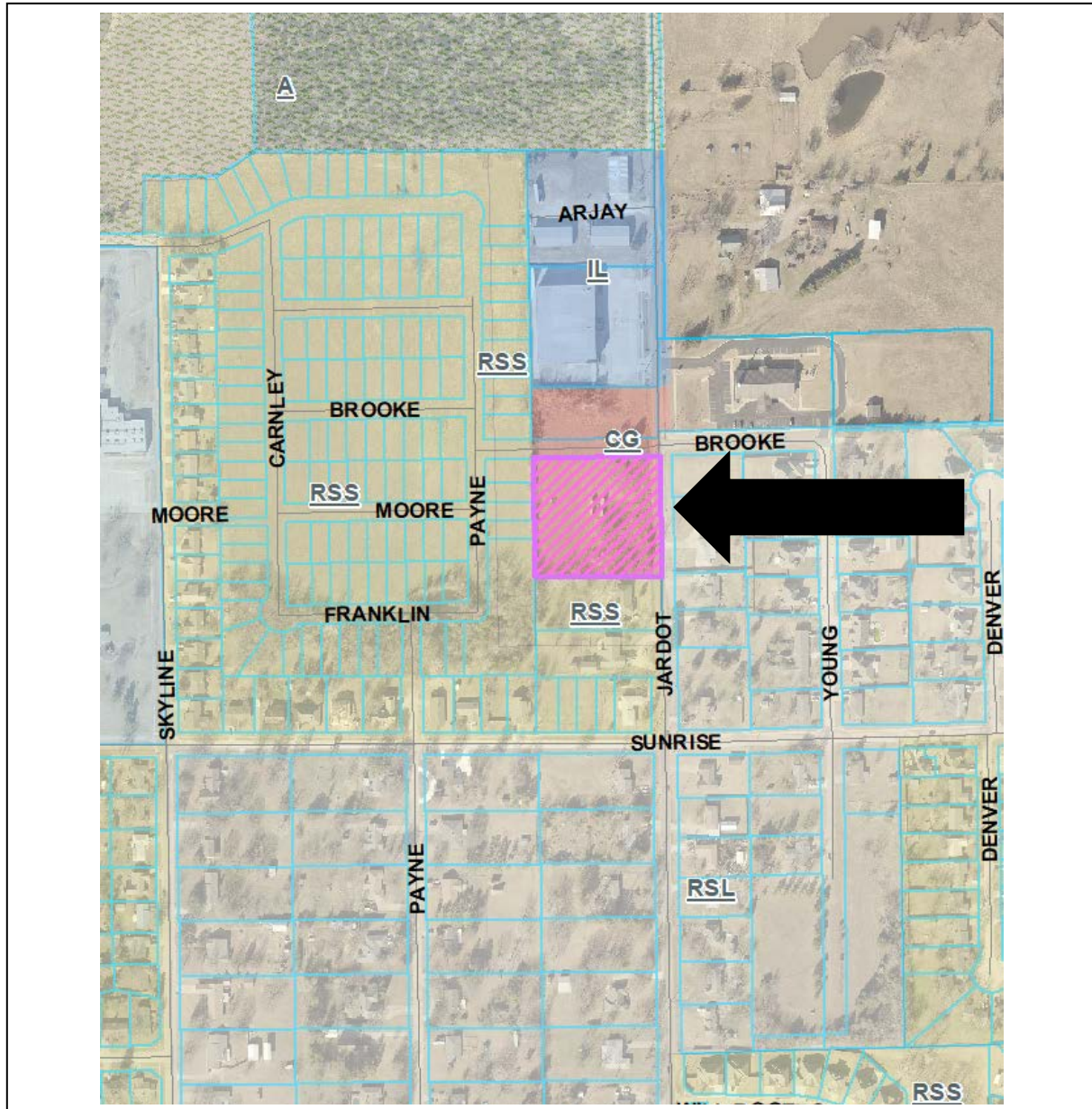
Applicant Jerrold Foutes on behalf of Vertical Bridge Date 06/23/23

Owner/Agent (provide documentation) DocuSigned by: Josh Canley Date 6/30/2023  
99008E20AEDD483...

**For City of Stillwater Use Only:**CASE NO. # VAR23-13

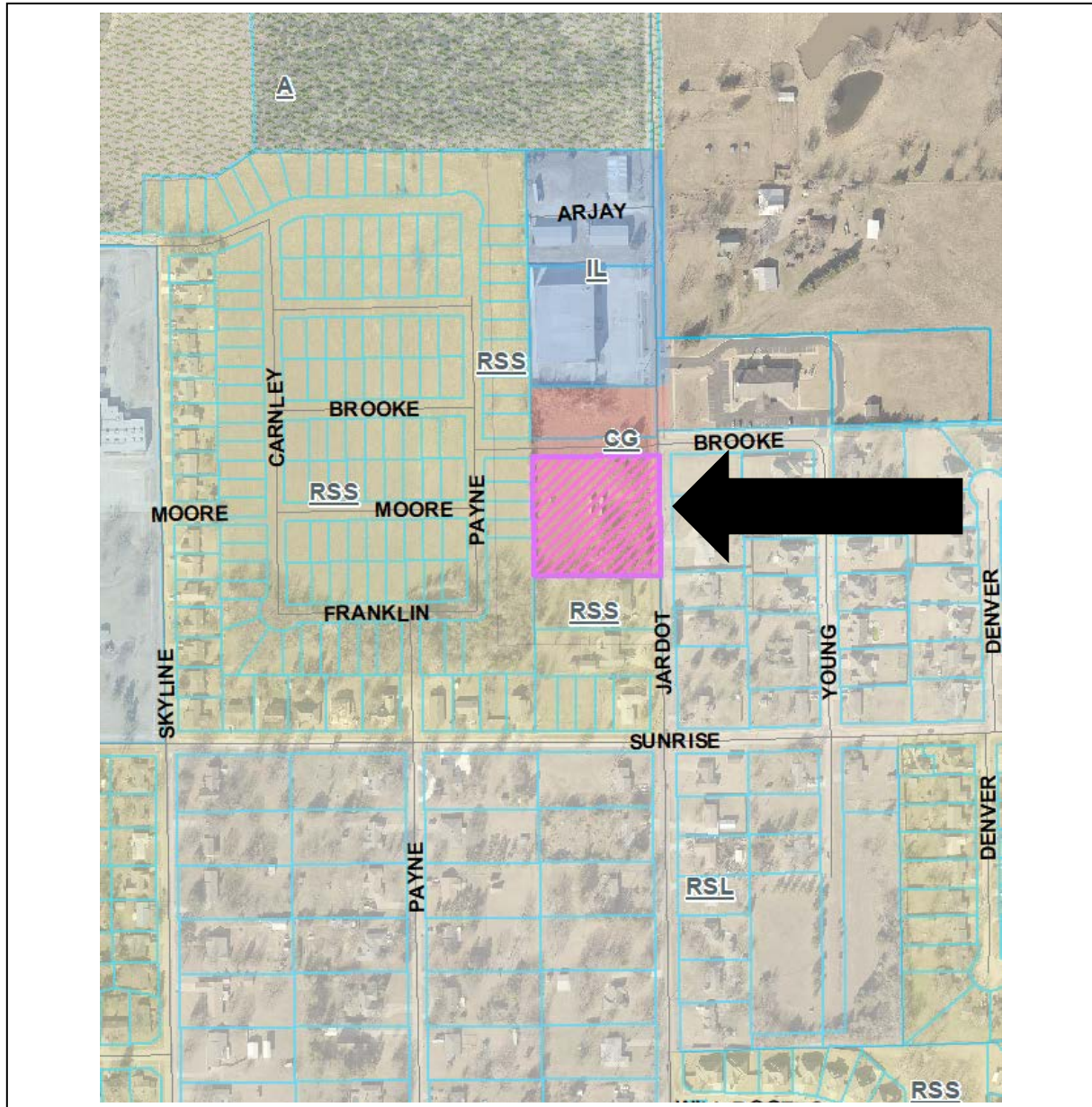
Submission Date: 7/5/2023  
 Approval Date: \_\_\_\_\_

Processing Tract: IRC 7.19.23 BOA 8.3.23  
 Fees: \_\_\_\_\_ Number of Copies: \_\_\_\_\_



The City of  
*Stillwater*  
 OKLAHOMA

**Project Type:** VAR23-13 - Variance  
**Request:** To Sec. 23-131.1(i)(1) for celltower setback distance  
**Address:** 1730 N Jarodot  
**Applicant:** Jerrod Foutes c/o Vertical Bridge



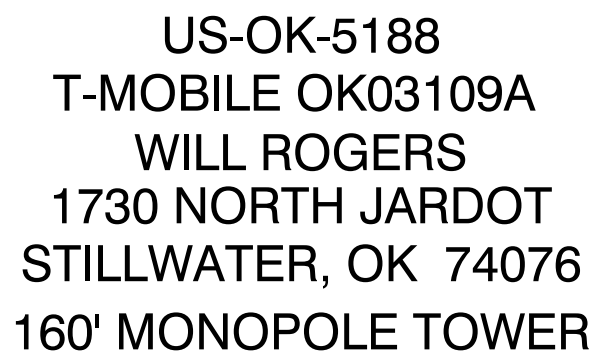
The City of  
*Stillwater*  
OKLAHOMA

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**Address:** 1730 N Jar-dot  
**Applicant:** Jerrod Foutes c/o Vertical Bridge

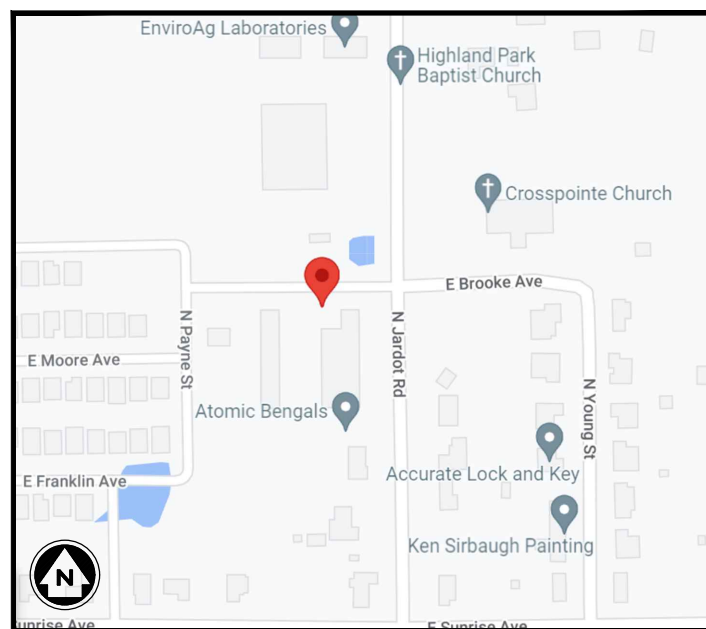
CONSTRUCTION OF TELECOMMUNICATIONS AND PUBLIC UTILITY FACILITY, CONSISTING OF A GUYED TOWER, SPACE FOR CARRIER EQUIPMENT, AND A UTILITY BACKBOARD WITHIN A FENCED COMPOUND. NO WATER OR SEWER IS REQUIRED. THIS WILL BE AN UNMANNED FACILITY.

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING:

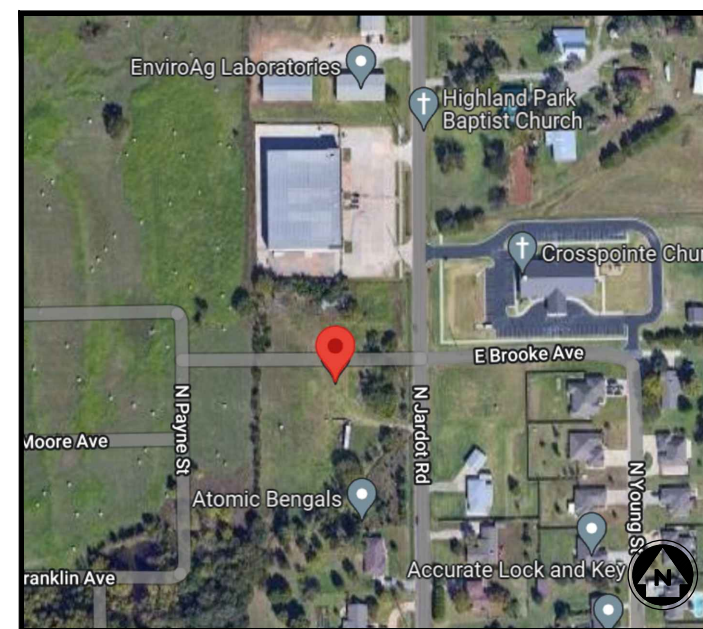
1. 2018 INTERNATIONAL BUILDING CODE
2. 2008 NATIONAL ELECTRIC CODE
3. 2018 IFC
4. AMERICAN CONCRETE INSTITUTE
5. AMERICAN INSTITUTE OF STEEL CONSTRUCTION
6. MANUAL OF STEEL CONSTRUCTION, 13TH EDITION
7. ANSI/TIA/EIA-222-H
8. TIA-607-B
9. INSTITUTE FOR ELECTRICAL & ELECTRONICS ENGINEER 81
11. IEEE C2 NATIONAL ELECTRIC SAFETY CODE, LATEST EDITION
12. TELCORDIA GR-1275
13. ANSI/T 311
14. 2018 INTERNATIONAL MECHANICAL CODE
15. 2018 INTERNATIONAL PLUMBING CODE
16. LOCAL BUILDING CODE
17. CITY/COUNTY ORDINANCES
18. STATE BUILDING CODE



| APPROVAL BLOCK       |      |                          |                          |                          |
|----------------------|------|--------------------------|--------------------------|--------------------------|
|                      |      | APPROVED                 | APPROVED AS NOTED        | DISAPPROVED/REVISE       |
| VERTICAL BRIDGE      | DATE | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| SITE ACQUISITION     | DATE | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| CONSTRUCTION MANAGER | DATE | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ZONING               | DATE | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| RF ENGINEERING       | DATE | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |



VICINITY MAP  
N.T.S.

[illegible]

LOCATION MAP  
N.T.S.

| PROJECT INFORMATION    |                                           |
|------------------------|-------------------------------------------|
| SITE NAME:             | WILL ROGERS                               |
| SITE NUMBER:           | US-OK-5188                                |
| SITE ADDRESS:          | 1730 NORTH JARDOT<br>STILLWATER, OK 74076 |
| PARCEL #:              | 19N02E-12-1-SZ999-000-0025                |
| ZONING CLASSIFICATION: | C1                                        |
| ZONING JURISDICTION:   | PAYNE COUNTY                              |
| GROUND ELEVATION:      | 918'                                      |
| STRUCTURE TYPE:        | MONOPOLE TOWER                            |
| STRUCTURE HEIGHT:      | 160'                                      |
| CONSTRUCTION AREA:     | 3.93 ACRES                                |
| LATITUDE (NAD 83):     | 36° 8' 23.0784"N 36.139744°               |
| LONGITUDE (NAD 83):    | -97° 2' 3.6636"W -97.034351°              |



CALL OKLAHOMA ONE CALL  
(800) 522-OKIE  
CALL 3 WORKING DAYS  
BEFORE YOU DIG!



| PROJECT DIRECTORY |                                                                                           |
|-------------------|-------------------------------------------------------------------------------------------|
| PROPERTY OWNER:   | CARNLEY INVESTMENTS<br>MAILING: P.O. BOX 1898<br>STILLWATER, OK 74074                     |
| APPLICANT:        | VB BTS II, LLC<br>750 PARK OF COMMERCE DRIVE, SUITE 200<br>BOCA RATON, FL 33487           |
| CONTACT:          | JOSH CARNLEY<br>918-697-2675 (TEXT PREFERRED)                                             |
| ENGINEER:         | T-SQUARED SITE SERVICES<br>2501 SHENANGO VALLEY FREEWAY<br>SUITE 3<br>HERMITAGE, PA 16148 |
| CONTACT:          | MARK N. THOMPSON<br>MARK.T@T-SQRD.COM                                                     |
| POWER COMPANY:    | STILLWATER ELECTRIC UTILITY                                                               |
| TELCO COMPANY:    | TBD                                                                                       |

**RECEIVED**

*By Cindy Gibson at 11:48 am, Jul 06, 2023*

**PREPARED FOR:**



Collective Solutions, LLC



**T-SQUARED  
SITE SERVICES**  
2501 SHENANGO VALLEY FREEWAY, SUITE 3  
HERMITAGE, PA 16148  
724.308.7855  
[www.t-sard.com](http://www.t-sard.com)

|     |                      |       |         |
|-----|----------------------|-------|---------|
|     |                      |       |         |
|     |                      |       |         |
| 4   | REVISED ZDs          | KE    | 3.27.23 |
| 3   | REVISED ZDs          | KE    | 3.9.23  |
| 2   | REVISED ZDs          | KE    | 3.9.23  |
| 1   | REVISED ZDs          | KE    | 3.8.23  |
| 0   | ISSUED FOR REVIEW    | KE    | 3.1.23  |
| No. | Submittal / Revision | App'd | Date    |

Drawn: KE Date: 3.1.23  
Designed: KE Date: 3.1.23  
Checked: CAR Date: 3.1.23

|                |       |
|----------------|-------|
| Project Number | 54004 |
|----------------|-------|

Project Title  
VB BTS II, LLC  
TOWER ID# : US-OK-5188  
T-MOBILE # : OK03109A  
SITE NAME: WILL ROGERS  
1730 NORTH JARDOT  
STILLWATER, OK 74076  
PROPOSED  
160' MONOPOLE TOWER

Engineer Stamp

Drawing Title

TITLE SHEET

Drawing Scale:

AS NOTED

Date:  
3.9.23

UNAUTHORIZED ALTERATION OR ADDITION  
TO THIS DOCUMENT IS A VIOLATION OF  
APPLICABLE STATE AND/OR LOCAL LAWS

Drawing Number

# T1

VAR23-13

PARENT PARCEL

OWNER: LOCKED UP SELF STORAGE, LLC AN OKLAHOMA LIMITED LIABILITY COMPANY

SITE ADDRESS: 1730 N JARDOT RD, STILLWATER, OK 74075

PARCEL ID: 19N02E-12-1-SZ999-000-0025

AREA: 3.93 ACRES (PER TAX ASSESSOR)

ZONED: CG (COMMERCIAL GENERAL)

ALL ZONING INFORMATION SHOULD BE VERIFIED WITH THE PROPER ZONING OFFICIALS

REFERENCE: DEED BOOK 2621 PAGE 768

PARENT PARCEL

(PER COMMITMENT NO. G-113368)

A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION TWELVE (12), TOWNSHIP NINETEEN (19) NORTH RANGE TWO (2) EAST, INDIAN MERIDIAN, PAYNE COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NE/4; THENCE NORTH 00°53.00. WEST ALONG THE EAST LINE OF THE NORTHEAST QUARTER (NE/4) A DISTANCE OF 443.47 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°53.10. WEST 336.45 FEET; THENCE NORTH 00°53.00. WEST A MEASURED DISTANCE OF 507.72 FEET (RECORD = 507.40 FEET); THENCE SOUTH 89°53.10. EAST ALONG THE SOUTH LINE OF A TRACT RECORDED IN BOOK 1950 PAGES 150-153 A DISTANCE OF 336.45 FEET TO THE EAST LINE OF THE NE/4; THENCE SOUTH 00°53.00. EAST ALONG THE EAST LINE OF THE NE/4 A MEASURED DISTANCE OF 507.72 FEET (RECORD = 507.40 FEET) TO THE POINT OF BEGINNING.

GPS NOTES

THE FOLLOWING GPS STATISTICS UPON WHICH THIS SURVEY IS BASED HAVE BEEN PRODUCED AT THE 95% CONFIDENCE LEVEL:

POSITIONAL ACCURACY: 0.04 FEET (HORZ) 0.22 FEET (VERT)  
TYPE OF EQUIPMENT: GEOMAX ZENITH35 PRO BASE AND ROVER, DUAL FREQUENCY  
TYPE OF GPS FIELD PROCEDURE: ONLINE POSITION USER INTERFACE  
DATES OF SURVEY: 12/07/2022  
DATUM / EPOCH: NAD\_83(2011)(EPOCH:2010.0000)  
PUBLISHED / FIXED CONTROL USE: N/A  
GEOID MODEL: 18  
COMBINED GRID FACTOR(S): 0.99990568 CENTERED ON THE GPS BASE POINT AS SHOWN HEREON.  
CONVERGENCE ANGLE: 0.56950556°  
BENCHMARKS USED: DE7174, DG9769, DQ9767

LEGEND

POB POINT OF BEGINNING  
POC POINT OF COMMENCEMENT  
IPF IRON PIN FOUND  
CRB CAPPED REBAR  
RB REBAR  
UP UTILITY POLE  
INV INVERT  
EP EDGE OF PAVEMENT  
BC BACK OF CURB  
OU OVERHEAD UTILITY  
CMP CORRUGATED METAL PIPE  
TR TRANSFORMER  
C/L CENTERLINE  
N/F NOW OR FORMERLY  
R/W RIGHT-OF-WAY  
TYP TYPICAL

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS MAP IS CORRECT AND THAT ANY VISIBLE ENCROACHMENTS ARE SHOWN HEREON.

G. DARRELL TAYLOR  
OKLAHOMA PROFESSIONAL LAND SURVEYOR # 1957

DATE: 03/08/23

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT CENTERLINE FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. THIS MAP IS ONLY INTENDED FOR THE PARTIES AND PURPOSES SHOWN. THIS MAP IS NOT FOR RECORDATION.

N/F  
CHC MANAGEMENT, LLC  
PARCEL #  
19N02E-12-1-SZ999-000-0020  
DB 2543 PG 306

N/F  
TROY BELK, AN UNDIVIDED 1/2 INTEREST &  
THOMAS ROBERTS, AN UNDIVIDED 1/2 INTEREST  
PARCEL #  
19N02E-12-1-SZ999-000-0019  
DB 2446 PG 391

N/F  
PARENT PARCEL  
LOCKED UP SELF STORAGE, LLC  
AN OKLAHOMA LIMITED LIABILITY COMPANY  
PARCEL #  
19N02E-12-1-SZ999-000-0025  
DB 2621 PG 768

POC: IPF 3/8" CRB  
N=416322.6405  
E=2253466.7654

GPS  
BASE

BLOCK 2 LOT 6

BLOCK 2 LOT 5

BLOCK 2 LOT 4

BLOCK 2 LOT 3

SKYLINE EAST, SECTION 12 PHASE 1  
(PLAT BOOK 2610 PG 358)

OUTLOT A

N/F  
MATTHEW MOORE  
PARCEL #  
19N02E-12-1-SZ999-000-0014  
DB 2706 PG 185

40 0 80 160  
GRAPHIC SCALE IN FEET  
SCALE: 1" = 80'

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY TO: VERTICAL BRIDGE REIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUBSIDIARIES, AND THEIR RESPECTIVE SUCCESSORS AND/OR ASSIGNS; TORONTO DOMINION (TEXAS) LLC, AS ADMINISTRATIVE AGENT, FOR ITSELF AND ON BEHALF OF THE LENDERS PARTIES FROM TIME TO TIME TO THAT CERTAIN SECOND AMENDED AND RESTATED LOAN AGREEMENT DATED JUNE 17, 2016 WITH VERTICAL BRIDGE HOLDCO, LLC, AS BORROWER, AND VERTICAL BRIDGE HOLDCO PARENT, LLC, AS PARENT, AS MAY BE AMENDED, RESTATED, MODIFIED OR RENEWED, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTERESTS MAY APPEAR; TOWER TITLE & CLOSING, GUARANTY TITLE COMPANY, LLC & OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY.



VICINITY MAP

NOT TO SCALE

GENERAL NOTES

\* THIS SPECIFIC PURPOSE SURVEY IS FOR THE LEASED PREMISES AND EASEMENTS ONLY. THIS SPECIFIC PURPOSE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF VB BTS II, LLC AND EXCLUSIVELY FOR THE TRANSFERRAL OF THE LEASED PREMISES AND THE RIGHTS OF EASEMENT SHOWN HEREON AND SHALL NOT BE USED AS AN EXHIBIT OR EVIDENCE IN THE FEE SIMPLE TRANSFERRAL OF THE PARENT PARCEL NOR ANY PORTION OR PORTIONS THEREOF. BOUNDARY INFORMATION SHOWN HEREON HAS BEEN COMPILED FROM TAX MAPS AND DEED DESCRIPTIONS ONLY. NO BOUNDARY SURVEY OF THE PARENT PARCEL WAS PERFORMED.

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY.

EQUIPMENT USED FOR ANGULAR & LINEAR MEASUREMENTS: LEICA TPS 1200 ROBOTIC & GEOMAX ZENITH 35. [DATE OF LAST FIELD VISIT: 12/07/2022]

THE 1' CONTOURS AND SPOT ELEVATIONS SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE ADJUSTED TO NAVD 88 DATUM (COMPUTED USING GEOID18) AND HAVE A VERTICAL ACCURACY OF ± 0.5'. CONTOURS OUTSIDE THE IMMEDIATE SITE AREA ARE APPROXIMATE.

BEARINGS SHOWN ON THIS SPECIFIC PURPOSE SURVEY ARE BASED ON OKLAHOMA GRID NORTH (NAD 83) NORTH ZONE.

PER THE FEMA FLOODPLAIN MAPS, THE SITE IS LOCATED IN AN AREA DESIGNATED AS ZONE X (AREA OF MINIMAL FLOOD HAZARD). COMMUNITY PANEL NO. : 40119C0068F DATED: 05/16/2007

NO WETLAND AREAS HAVE BEEN INVESTIGATED BY THIS SPECIFIC PURPOSE SURVEY.

ALL ZONING INFORMATION SHOULD BE VERIFIED WITH THE PROPER ZONING OFFICIALS.

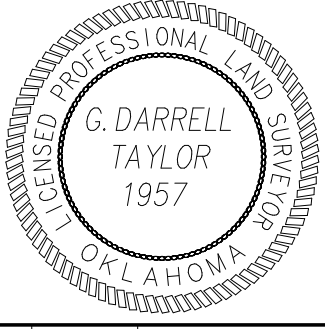
ANY UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM ABOVE GROUND FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEES THAT ANY UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT ANY UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ANY UNDERGROUND UTILITIES.

THERE WHERE NO VISIBLE ENCROACHMENTS AFFECTING THE LEASE AREA OR ANY OF THE EASEMENTS, AT THE TIME THE SURVEY WAS COMPLETED.

(SURVEY NOT VALID WITHOUT SHEET 1 & 3 OF 3)



Know what's below.  
Call before you dig.



| NO. | DATE     | REVISION     |
|-----|----------|--------------|
| 1   | 2/08/23  | SITE NAME    |
| 2   | 2/21/23  | ACCESS       |
| 3   | 2/28/23  | LEASE/ACCESS |
| 4   | 03/08/23 | CLIENT NAME  |

\* SPECIFIC PURPOSE SURVEY PREPARED BY:  
**POINT TO POINT LAND SURVEYORS**

COA Number: 7769  
100 Governors Trace, Ste. 103  
Peachtree City, GA 30269  
(p) 678.565.4440 (f) 678.565.4497  
(w) p2pls.com



SPECIFIC PURPOSE SURVEY  
PREPARED FOR:



VB BTS II, LLC  
750 PARK OF COMMERCE DRIVE, SUITE 200  
BOCA RATON, FL 33487

WILL ROGERS

SITE NO.  
US-OK-5188

SECTION 12,  
TOWNSHIP 19 NORTH, RANGE 2 EAST,  
PAYNE COUNTY, OKLAHOMA

DRAWN BY: JM

CHECKED BY: JKL

APPROVED: D. MILLER

DATE: FEBRUARY 21, 2023

P2P JOB #: 2220100K

SHEET:

1

OF 3

TITLE EXCEPTIONS

THIS SURVEY WAS COMPLETED WITH THE AID OF TITLE WORK PREPARED BY TOWER TITLE & CLOSING, GUARANTY TITLE COMPANY, LLC & OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT DATE OF JUNE 6, 2022 AT 07:00 AM, BEING COMMITMENT NO. G-113368, FOR THE PARENT PARCEL, TO DETERMINE THE IMPACTS OF EXISTING TITLE EXCEPTIONS.

SCHEDULE B, PART I TITLE EXCEPTIONS 1-13,16,18-21 ARE STANDARD EXCEPTIONS AND NOT THE TYPE TO BE DEPICTED.

14. RELEASE OF CONSTRUCTION MORTGAGE EXECUTED BY LOCKED UP SELF STORAGE LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY TO FIRSTAR BANK, DATED MARCH 30, 2021, FILED MARCH 31, 2021 AS DOCUMENT NO.I-2021-003960 , AND RECORDED IN BOOK 2621, PAGE 770 IN THE OFFICE OF THE PAYNE COUNTY CLERK TO SECURE THE PRINCIPAL SUM OF \$1,900,000.00.

[THIS ITEM IS LOCATED WITHIN THE PARENT PARCEL AND IS PLOTTED HEREON.]

15. RELEASE OF ASSIGNMENT OF RENTS EXECUTED BY LOCKED UP SELF STORAGE LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY TO FIRSTAR BANK, DATED MARCH 30, 2021, FILED MARCH 31, 2021 AS DOCUMENT NO. I-2021-003961, AND RECORDED IN BOOK 2621, PAGE 784 IN THE OFFICE OF THE PAYNE COUNTY CLERK.

[THIS ITEM IS LOCATED WITHIN THE PARENT PARCEL AND IS PLOTTED HEREON.]

17. APPEARING OF RECORD IS NOTICE OF CONTRACT BY AND BETWEEN RAUSCH COLEMAN HOMES OKC, LLC, AS BUYER, AND CHC MANAGEMENT, LLC, AS SELLER, DATED APRIL 26, 2022, FILED MAY 5, 2022 AS DOCUMENT NO.I-2022-005123 , AND RECORDED IN BOOK 2695, PAGE 263.

REQUIRE A RELEASE OF ABOVE-MENTIONED NOTICE OF CONTRACT BY RAUSCH COLEMAN HOMES OKC, LLC.

[THE EXCEPTION IS A STANDARD EXCEPTION AND NOT THE TYPE TO BE DEPICTED HEREON.]

SCHEDULE B, PART II TITLE EXCEPTIONS 1-9,17 ARE STANDARD EXCEPTIONS AND NOT THE TYPE TO BE DEPICTED.

10. STATUTORY ROAD EASEMENT ALONG EAST SECTION LINE BOUNDARY.

[THIS ITEM IS LOCATED WITHIN THE PARENT PARCEL AND IS PLOTTED HEREON.]

11. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT IN FAVOR OF PAYNE COUNTY, OKLAHOMA, FILED DECEMBER 23, 1947 AND RECORDED IN BOOK 88 MISC., PAGE 85 IN THE OFFICE OF THE PAYNE COUNTY CLERK.

[THIS ITEM IS LOCATED WITHIN THE PARENT PARCEL AND IS PLOTTED HEREON.]

12. TERMS, CONDITIONS AND PROVISIONS OF DEDICATION DEED PUBLIC HIGHWAY IN FAVOR OF PAYNE COUNTY, OKLAHOMA, DATED MARCH 26, 1955, FILED MARCH 26, 1955, AND RECORDED IN BOOK 120 MISC., PAGE 540 IN THE OFFICE OF THE PAYNE COUNTY CLERK.

[THE EXCEPTION IS NOT LOCATED WITHIN THE PARENT PARCEL.]

13. TERMS, CONDITIONS AND PROVISIONS OF HIGHWAY EASEMENT IN FAVOR OF PAYNE COUNTY, OKLAHOMA, DATED FEBRUARY 18, 1965, FILED FEBRUARY 18, 1965, AND RECORDED IN BOOK 161 MISC., PAGE 311 IN THE OFFICE OF THE PAYNE COUNTY CLERK.

[THE EXCEPTION IS NOT LOCATED WITHIN THE PARENT PARCEL.]

14. TERMS, CONDITIONS AND PROVISIONS OF PERMANENT SANITARY SEWER EASEMENT IN FAVOR OF CITY OF STILLWATER, OKLAHOMA, DATED MAY 6, 1977, FILED JUNE 1, 1977, AND RECORDED IN BOOK 334, PAGE 77 IN THE OFFICE OF THE PAYNE COUNTY CLERK.

[THE EXCEPTION IS NOT LOCATED WITHIN THE PARENT PARCEL.]

15. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY EASEMENT IN FAVOR OF CENTRAL RURAL ELECTRIC COOPERATIVE, A COOPERATIVE CORPORATION, DATED DECEMBER 16, 1990, FILED MARCH 8, 1991 AS DOCUMENT NO. 002037, AND RECORDED IN BOOK 948, PAGE 512 IN THE OFFICE OF THE PAYNE COUNTY CLERK.

[THIS EXCEPTION IS LOCATED WITHIN THE PARENT PARCEL HOWEVER IT DOES NOT HAVE SUFFICIENT DATA TO DETERMINE ITS LOCATION.]

16. TERMS, CONDITIONS AND PROVISIONS OF PERMANENT ROADWAY EASEMENT IN FAVOR OF CITY OF STILLWATER, OKLAHOMA, A MUNICIPAL CORPORATION, DATED JULY 18, 2007, FILED AUGUST 6, 2007 AS DOCUMENT NO.I-2007-012021 , AND RECORDED IN BOOK 1727, PAGE 631 IN THE OFFICE OF THE PAYNE COUNTY CLERK.

[THIS ITEM IS LOCATED WITHIN THE PARENT PARCEL AND IS PLOTTED HEREON.]

LEGEND

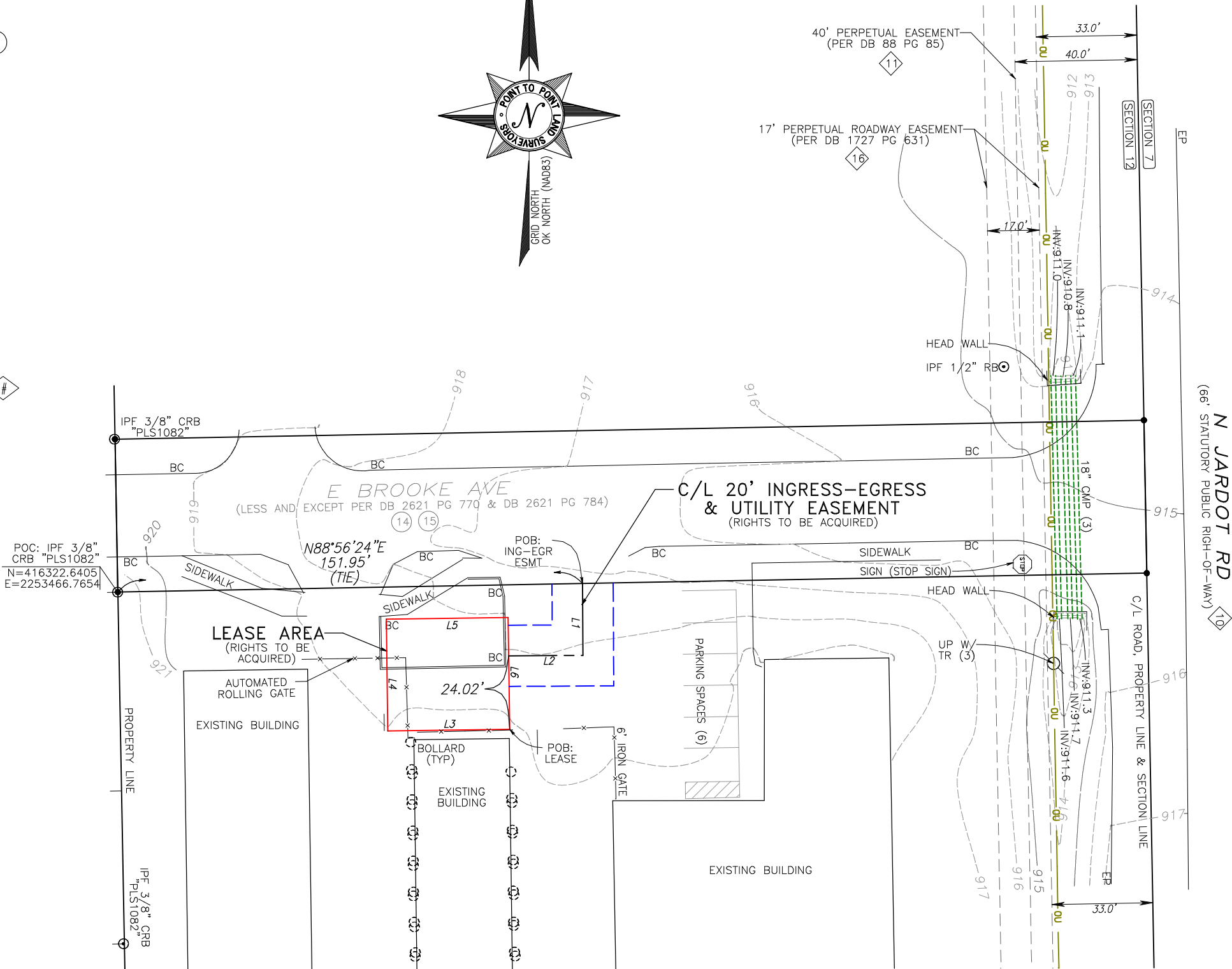
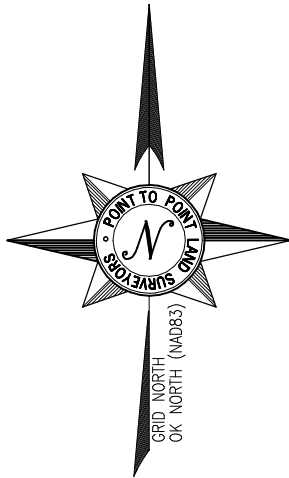
POB POINT OF BEGINNING  
POC POINT OF COMMENCEMENT  
IPF IRON PIN FOUND  
CRB CAPPED REBAR  
RB REBAR  
UP UTILITY POLE  
INV INVERT  
EP EDGE OF PAVEMENT  
BC BACK OF CURB  
OU OVERHEAD UTILITY  
CMP CORRUGATED METAL PIPE  
TR TRANSFORMER  
C/L CENTERLINE  
N/F NOW OR FORMERLY  
R/W RIGHT-OF-WAY  
TYP TYPICAL

SITE INFORMATION

LEASE AREA = 1,457 SQUARE FEET (0.0334 ACRES)

LATITUDE = 36°08'22.99" (NAD 83) (36.139719°)  
LONGITUDE = -97°02'04.28" (NAD 83) (-97.034522°)  
AT CENTER LEASE AREA

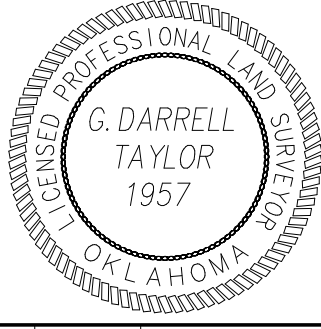
ELEVATION AT CENTER OF LEASE AREA = 918.5' A.M.S.L.



LINE TABLE

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | S00°20'10"E | 23.48'   |
| L2   | S89°39'50"W | 24.29'   |
| L3   | S89°14'30"W | 39.85'   |
| L4   | N00°45'30"W | 36.57'   |
| L5   | N89°14'30"E | 39.85'   |
| L6   | S00°45'30"E | 36.57'   |

[SURVEY NOT VALID WITHOUT SHEET 1 & 3 OF 3]



| NO. | DATE     | REVISION     |
|-----|----------|--------------|
| 1   | 2/08/23  | SITE NAME    |
| 2   | 2/21/23  | ACCESS       |
| 3   | 2/28/23  | LEASE/ACCESS |
| 4   | 03/08/23 | CLIENT NAME  |

\* SPECIFIC PURPOSE SURVEY PREPARED BY:  
**POINT TO POINT LAND SURVEYORS**  
COA Number: 7769  
100 Governors Trace, Ste. 103  
Peachtree City, GA 30269  
(p) 678.565.4440 (f) 678.565.4497  
(w) p2pls.com



SPECIFIC PURPOSE SURVEY  
PREPARED FOR:



VB BTS II, LLC  
750 PARK OF COMMERCE DRIVE, SUITE 200  
BOCA RATON, FL 33487

WILL ROGERS

SITE NO.  
US-OK-5188

SECTION 12,  
TOWNSHIP 19 NORTH, RANGE 2 EAST,  
PAYNE COUNTY, OKLAHOMA

DRAWN BY: JM

CHECKED BY: JKL

APPROVED: D. MILLER

DATE: FEBRUARY 21, 2023

P2P JOB #: 2220100K

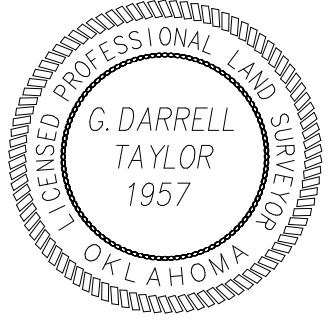
SHEET:

2

OF 3

E:\Dropbox (Point to Point)\P2P Current Jobs\2022\2220100K-Independent School District 16\2220100K.p2p

LEGAL DESCRIPTION SHEET



| NO. | DATE     | REVISION     |
|-----|----------|--------------|
| 1   | 2/08/23  | SITE NAME    |
| 2   | 2/21/23  | ACCESS       |
| 3   | 2/28/23  | LEASE/ACCESS |
| 4   | 03/08/23 | CLIENT NAME  |

LEASE AREA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 12, TOWNSHIP 19 NORTH, RANGE 2 EAST, PAYNE COUNTY, OKLAHOMA, AND BEING A PORTION OF THE LANDS OF LOCKED UP STORAGE, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, AS RECORDED IN DEED BOOK 2621 PAGE 768, PAYNE COUNTY RECORDS, OKLAHOMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A 3/8-INCH REBAR WITH A CAP FOUND AT THE SOUTHEASTERN MOST CORNER OF THE LANDS OF CHC MANAGEMENT, LLC, AS RECORDED IN DEED BOOK 2543 PAGE 306, AND THE SOUTHERLY RIGHT-OF-WAY LINE OF E. BROOKE AVENUE, SAID REBAR HAVING AN OKLAHOMA GRID NORTH, NAD83, NORTH ZONE VALUE N: 416322.6405 E: 2253466.7654; THENCE RUNNING ALONG SAID RIGHT-OF-WAY LINE, NORTH 88°56'24" EAST, 151.95 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING, SOUTH 00°20'10" EAST, 23.48 FEET TO A POINT; THENCE, SOUTH 89°39'50" WEST, 24.29 FEET TO THE A POINT ON THE LEASE AREA; THENCE RUNNING ALONG SAID LEASE AREA, SOUTH 00°45'30" EAST, 24.02 FEET TO A POINT AND THE TRUE POINT OF BEGINNING; THENCE; SOUTH 89°14'30" WEST, 39.85 FEET TO A POINT; THENCE, NORTH 00°45'30" WEST, 36.57 FEET TO A POINT; THENCE, NORTH 89°14'30" EAST, 39.85 FEET TO A POINT; THENCE, SOUTH 00°45'30" EAST, 36.57 FEET TO A POINT AND THE POINT OF BEGINNING.

BEARINGS BASED ON OKLAHOMA GRID NORTH, NAD83, NORTH ZONE.

SAID TRACT CONTAINS 0.0334 ACRES (1,457 SQUARE FEET), MORE OR LESS.

20' INGRESS-EGRESS & UTILITY EASEMENT

TOGETHER WITH A 20-FOOT INGRESS-EGRESS AND UTILITY EASEMENT, MEASURING 10 FEET EACH SIDE OF CENTERLINE, LYING AND BEING IN SECTION 12,TOWNSHIP 19 NORTH, RANGE 2 EAST, PAYNE COUNTY, OKLAHOMA, AND BEING A PORTION OF THE LANDS OF LOCKED UP STORAGE, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, AS RECORDED IN DEED BOOK 2621 PAGE 768, PAYNE COUNTY RECORDS, OKLAHOMA, AND BEING MORE PARTICULARLY DESCRIBED BY THE FOLLOWING CENTERLINE DATA:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A 3/8-INCH REBAR WITH A CAP FOUND AT THE SOUTHEASTERN MOST CORNER OF THE LANDS OF CHC MANAGEMENT, LLC, AS RECORDED IN DEED BOOK 2543 PAGE 306, AND THE SOUTHERLY RIGHT-OF-WAY LINE OF E. BROOKE AVENUE, SAID REBAR HAVING AN OKLAHOMA GRID NORTH, NAD83, NORTH ZONE VALUE N: 416322.6405 E: 2253466.7654; THENCE RUNNING ALONG SAID RIGHT-OF-WAY LINE, NORTH 88°56'24" EAST, 151.95 FEET TO A POINT AND THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT-OF-WAY LINE AND RUNNING, SOUTH 00°20'10" EAST, 23.48 FEET TO A POINT; THENCE, SOUTH 89°39'50" WEST, 24.29 FEET TO THE ENDING AT A POINT ON THE LEASE AREA.

BEARINGS BASED ON OKLAHOMA GRID NORTH, NAD83, NORTH ZONE.

\* SPECIFIC PURPOSE SURVEY PREPARED BY:

POINT TO POINT  
LAND SURVEYORS

COA Number: 7769  
100 Governors Trace, Ste. 103  
Peachtree City, GA 30269  
(p) 678.565.4440 (f) 678.565.4497  
(w) p2pls.com



SPECIFIC PURPOSE SURVEY  
PREPARED FOR:

VB BTS II, LLC  
750 PARK OF COMMERCE DRIVE, SUITE 200  
BOCA RATON, FL 33487

WILL ROGERS

SITE NO.  
US-OK-5188  
SECTION 12,  
TOWNSHIP 19 NORTH, RANGE 2 EAST,  
PAYNE COUNTY, OKLAHOMA

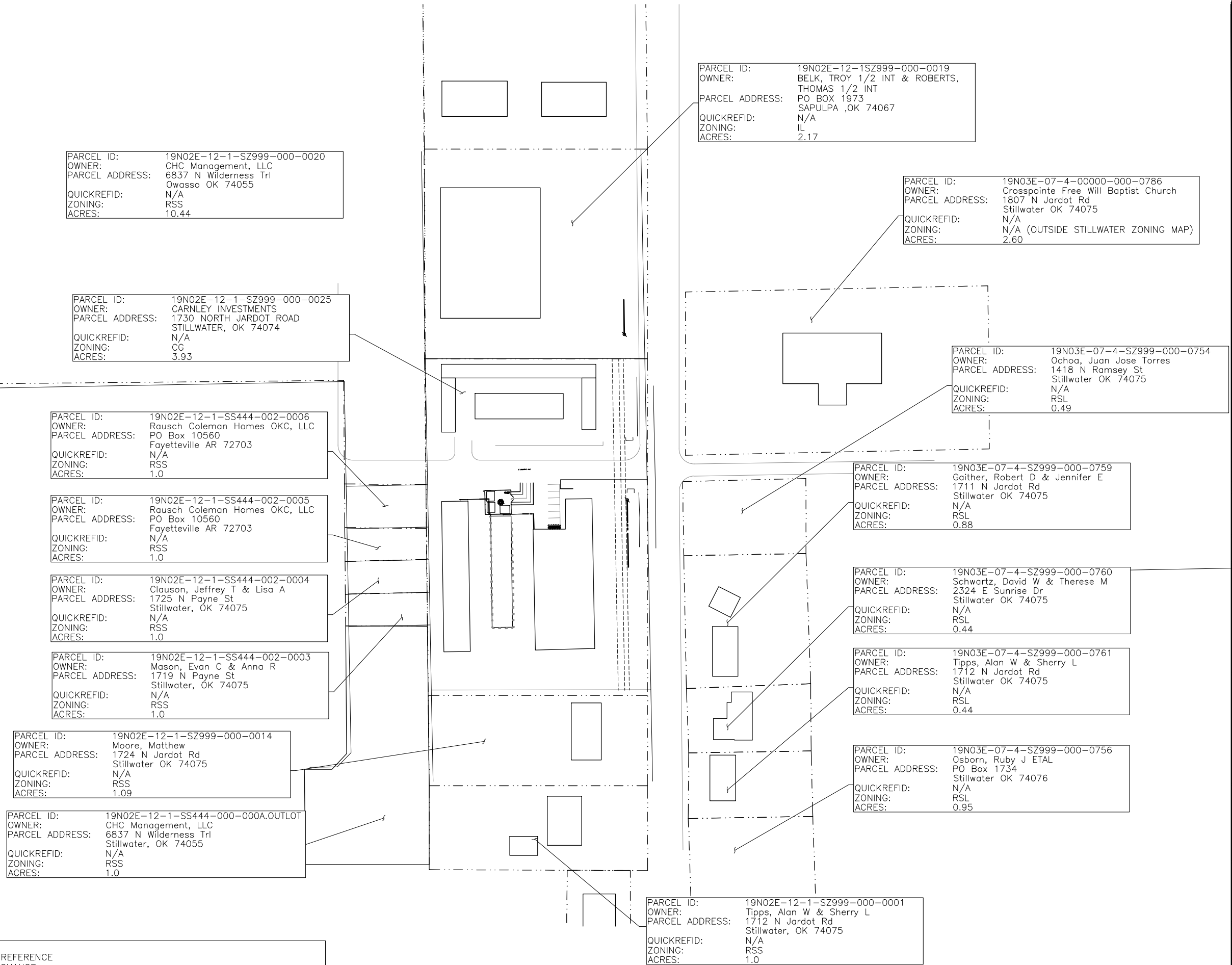
|                         |        |
|-------------------------|--------|
| DRAWN BY: JM            | SHEET: |
| CHECKED BY: JKL         | 3      |
| APPROVED: D. MILLER     |        |
| DATE: FEBRUARY 21, 2023 |        |
| P2P JOB #: 2220100K     | OF 3   |



CALLLED NORTH

NOTE:  
THESE PLANS ARE FOR REFERENCE  
ONLY AND SUBJECT TO CHANGE.  
INFORMATION SHOWN BASED ON A  
STILLWATER OK GIS WEBSITE:  
[HTTPS://STW.MAPS.ARCGIS.COM/APPS/WEBAPPVIEWER/INDEX.HTML?ID=284C0E9650B44541A7455416D476BD64](https://STW.MAPS.ARCGIS.COM/APPS/WEBAPPVIEWER/INDEX.HTML?ID=284C0E9650B44541A7455416D476BD64)

1 OVERALL SITE PLAN  
ZD1 SCALE: 1"=150'



PREPARED FOR:

PREPARED BY:

Collective Solutions, LLC

**T-SQUARED  
SITE SERVICES**  
2501 SHENANGO VALLEY FREEWAY, SUITE 3  
HERMITAGE, PA 16148  
724.308.7855  
www.t-squared.com

|     |                      |       |         |
|-----|----------------------|-------|---------|
| 4   | REVISED ZDs          | KE    | 3.27.23 |
| 3   | REVISED ZDs          | KE    | 3.9.23  |
| 2   | REVISED ZDs          | KE    | 3.9.23  |
| 1   | REVISED ZDs          | KE    | 3.8.23  |
| 0   | ISSUED FOR REVIEW    | KE    | 3.1.23  |
| No. | Submittal / Revision | App'd | Date    |

Drawn: KE Date: 3.1.23  
Designed: KE Date: 3.1.23  
Checked: CAR Date: 3.1.23

Project Number  
54004

Project Title  
VB BTS II, LLC  
TOWER ID#: US-OK-5188  
T-MOBILE #: OK03109A  
  
SITE NAME: WILL ROGERS  
1730 NORTH JARDOT  
STILLWATER, OK 74076  
  
PROPOSED  
160' MONOPOLE TOWER

Engineer Stamp

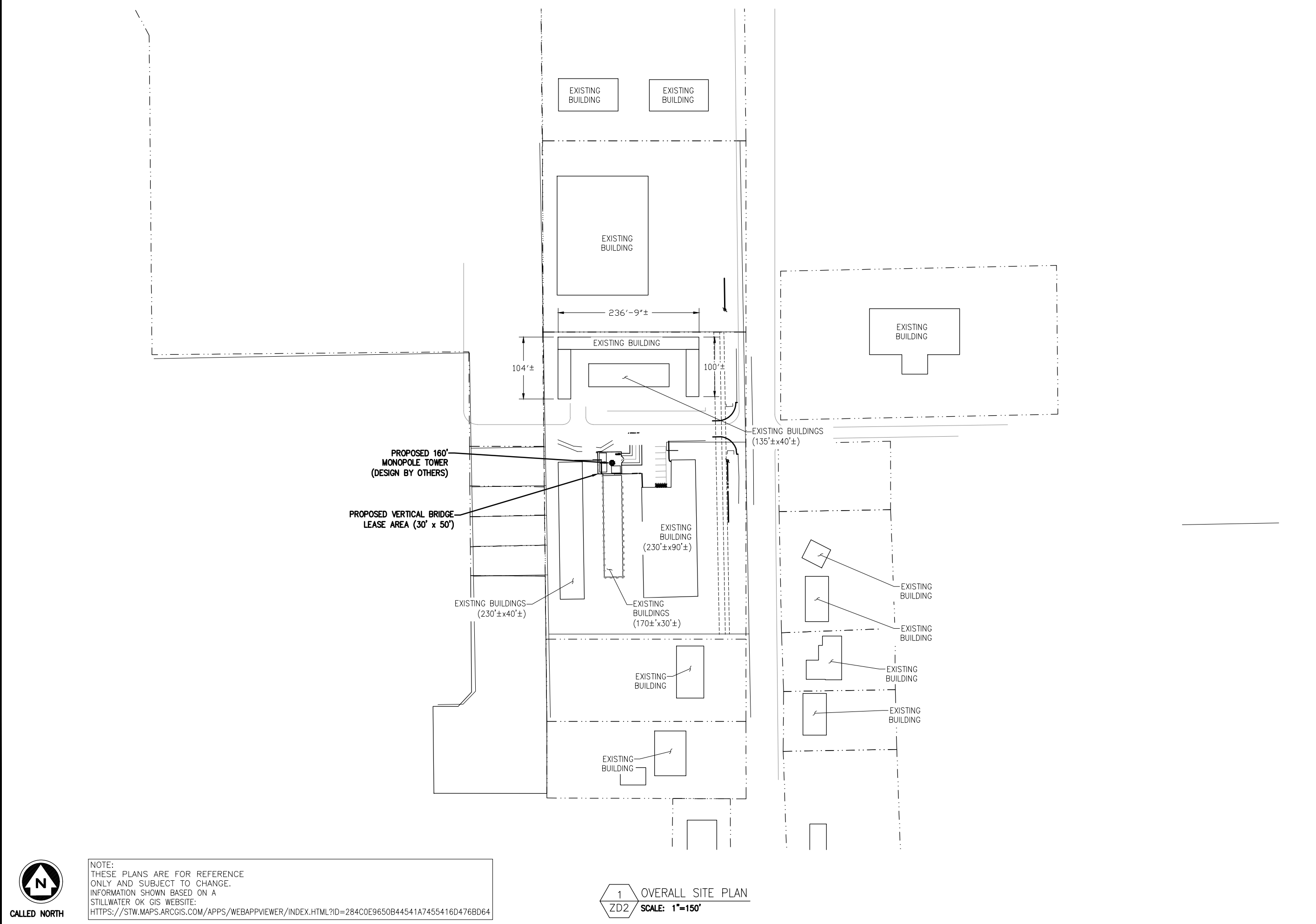
Drawing Title  
  
PROPERTY LAYOUT

Drawing Scale:  
AS NOTED

Date:  
3.9.23

UNAUTHORIZED ALTERATION OR ADDITION  
TO THIS DOCUMENT IS A VIOLATION OF  
APPLICABLE STATE AND/OR LOCAL LAWS

Drawing Number  
  
**ZD1**



verticalbridge

PREPARED FOR:

PREPARED BY:



Collective Solutions, LLC



**T<sup>2</sup>**  
**T-SQUARED**  
**SITE SERVICES**  
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HERMITAGE, PA 16148  
724-308-7855  
www.t-squared.com

|     |                      |       |         |  |
|-----|----------------------|-------|---------|--|
|     |                      |       |         |  |
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| No. | Submittal / Revision | App'd | Date    |  |

Drawn: KE Date: 3.1.23

Designed: KE Date: 3.1.23

Checked: CAR Date: 3.1.23

Project Number

54004

Project Title

VB BTS II, LLC  
TOWER ID#: US-OK-5188  
T-MOBILE #: OK03109A  
  
SITE NAME: WILL ROGERS  
1730 NORTH JARDOT  
STILLWATER, OK 74076  
PROPOSED  
160' MONOPOLE TOWER

Engineer Stamp

Drawing Title

PROPERTY LAYOUT

Drawing Scale:

AS NOTED

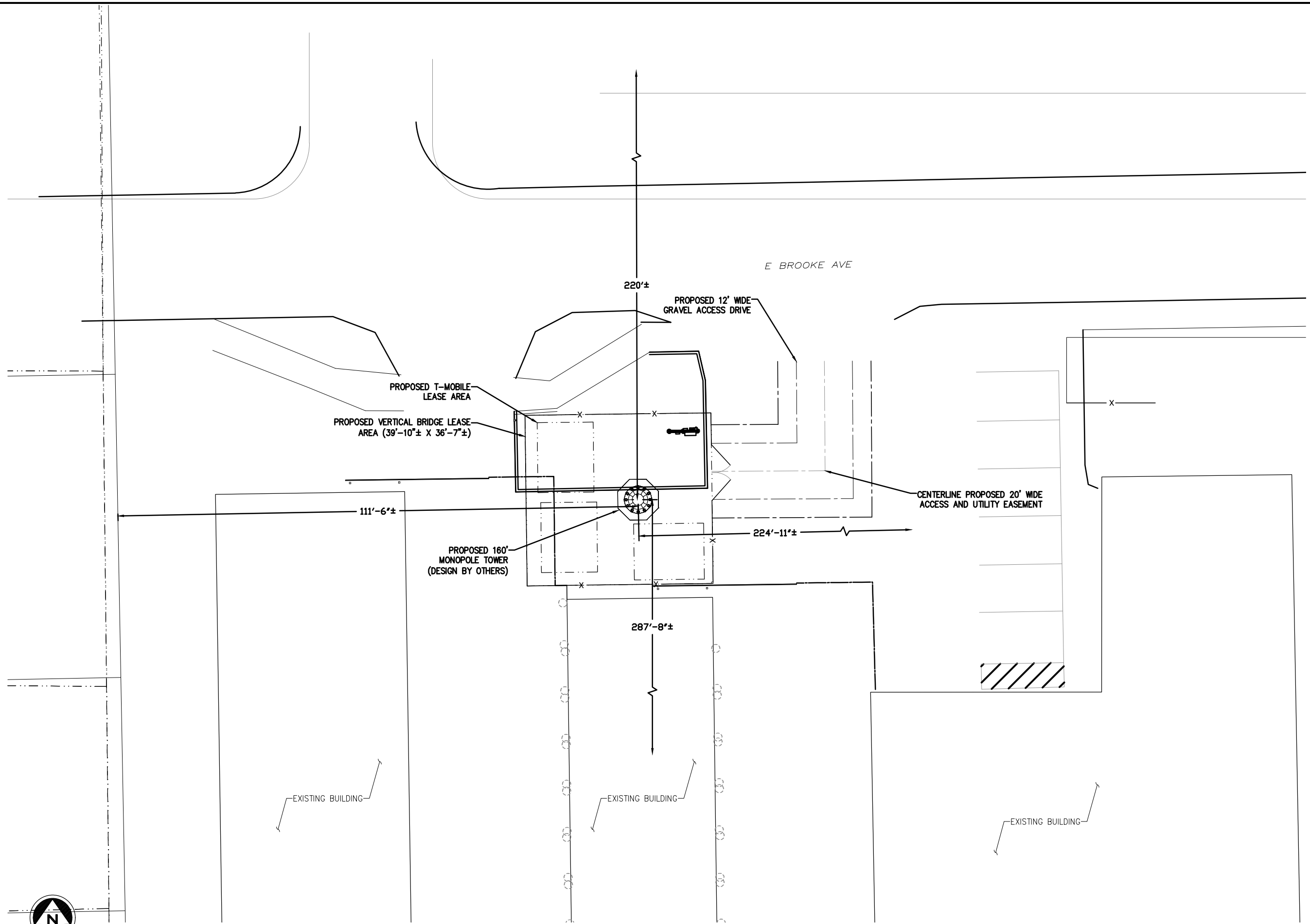
Date:

3.9.23

UNAUTHORIZED ALTERATION OR ADDITION  
TO THIS DOCUMENT IS A VIOLATION OF  
APPLICABLE STATE AND/OR LOCAL LAWS

Drawing Number

ZD2



| No. | Submittal / Revision | App'd | Date    |
|-----|----------------------|-------|---------|
| 4   | REVISED ZDs          | KE    | 3.27.23 |
| 3   | REVISED ZDs          | KE    | 3.9.23  |
| 2   | REVISED ZDs          | KE    | 3.9.23  |
| 1   | REVISED ZDs          | KE    | 3.8.23  |
| 0   | ISSUED FOR REVIEW    | KE    | 3.1.23  |

Drawn: KE Date: 3.1.23  
Designed: KE Date: 3.1.23  
Checked: CAR Date: 3.1.23

Project Number  
54004

Project Title  
VB BTS II, LLC  
TOWER ID#: US-OK-5188  
T-MOBILE #: OK03109A  
  
SITE NAME: WILL ROGERS  
1730 NORTH JARDOT  
STILLWATER, OK 74076  
PROPOSED  
160' MONOPOLE TOWER

Engineer Stamp

Drawing Title  
  
OVERALL SITE PLAN

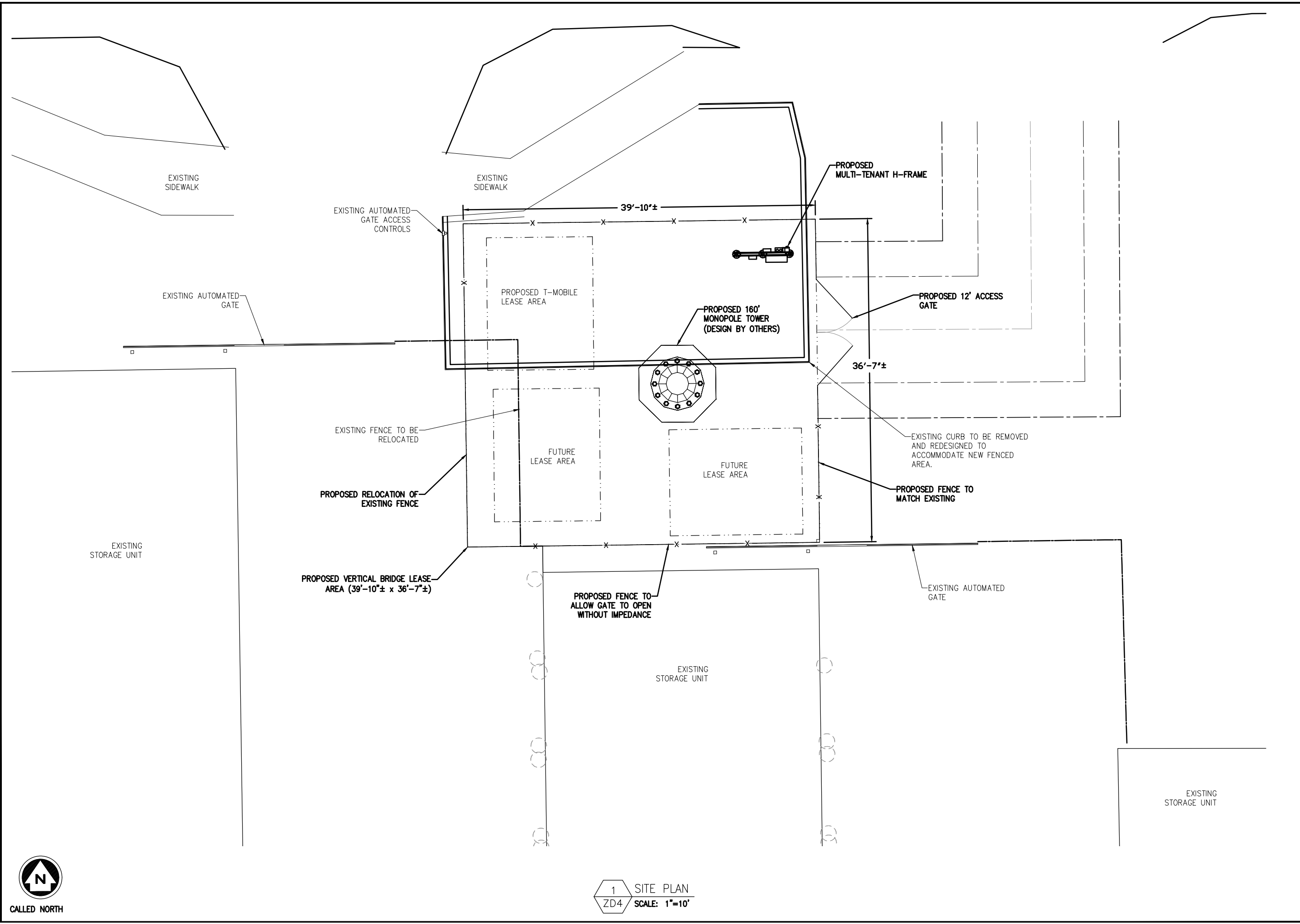
Drawing Scale:  
AS NOTED  
  
Date:  
3.9.23

UNAUTHORIZED ALTERATION OR ADDITION  
TO THIS DOCUMENT IS A VIOLATION OF  
APPLICABLE STATE AND/OR LOCAL LAWS

Drawing Number  
  
**ZD3**

THIS DRAWING IS NOT A SURVEY AND ALL DIMENSIONS  
ARE APPROXIMATE. PLEASE REFER TO THE ACTUAL  
SURVEY FOR EXACT DIMENSIONS.

INFORMATION SHOWN BASED ON A FIELD SURVEY  
BY POINT TO POINT DATED 3.1.23



PREPARED FOR:

PREPARED BY:



Collective Solutions, LLC



**T-SQUARED  
SITE SERVICES**

2501 SHENANGO VALLEY FREEWAY, SUITE 3  
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www.t-squared.com

| No. | Submittal / Revision | App'd | Date    |
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| 0   | ISSUED FOR REVIEW    | KE    | 3.1.23  |

Drawn: KE Date: 3.1.23  
 Designed: KE Date: 3.1.23  
 Checked: CAR Date: 3.1.23

Project Number  
 54004

Project Title  
 VB BTS II, LLC  
 TOWER ID#: US-OK-5188  
 T-MOBILE #: OK03109A  
 SITE NAME: WILL ROGERS  
 1730 NORTH JARDOT  
 STILLWATER, OK 74076  
 PROPOSED  
 160' MONOPOLE TOWER

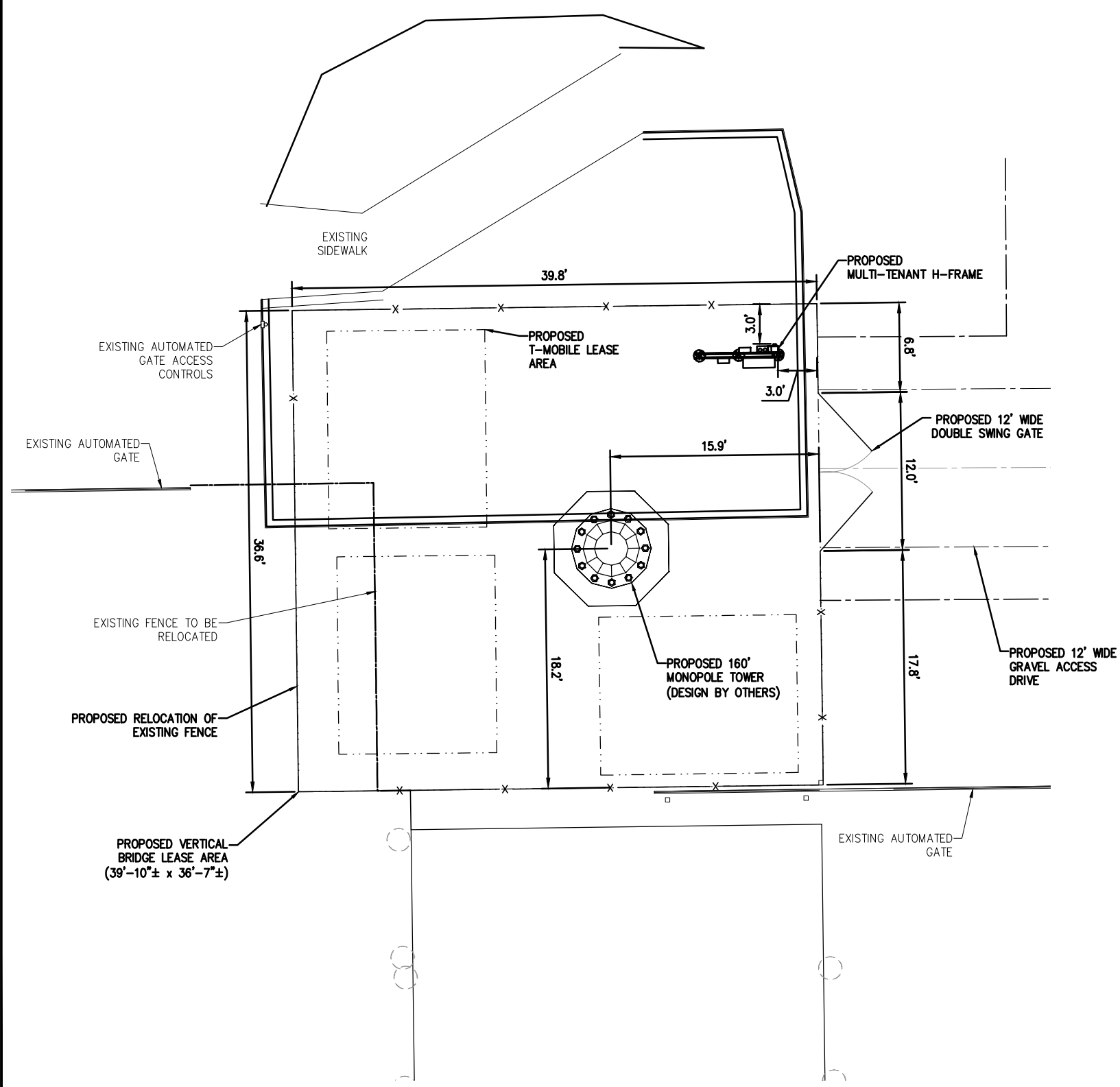
Engineer Stamp

Drawing Title  
 PROPERTY LAYOUT

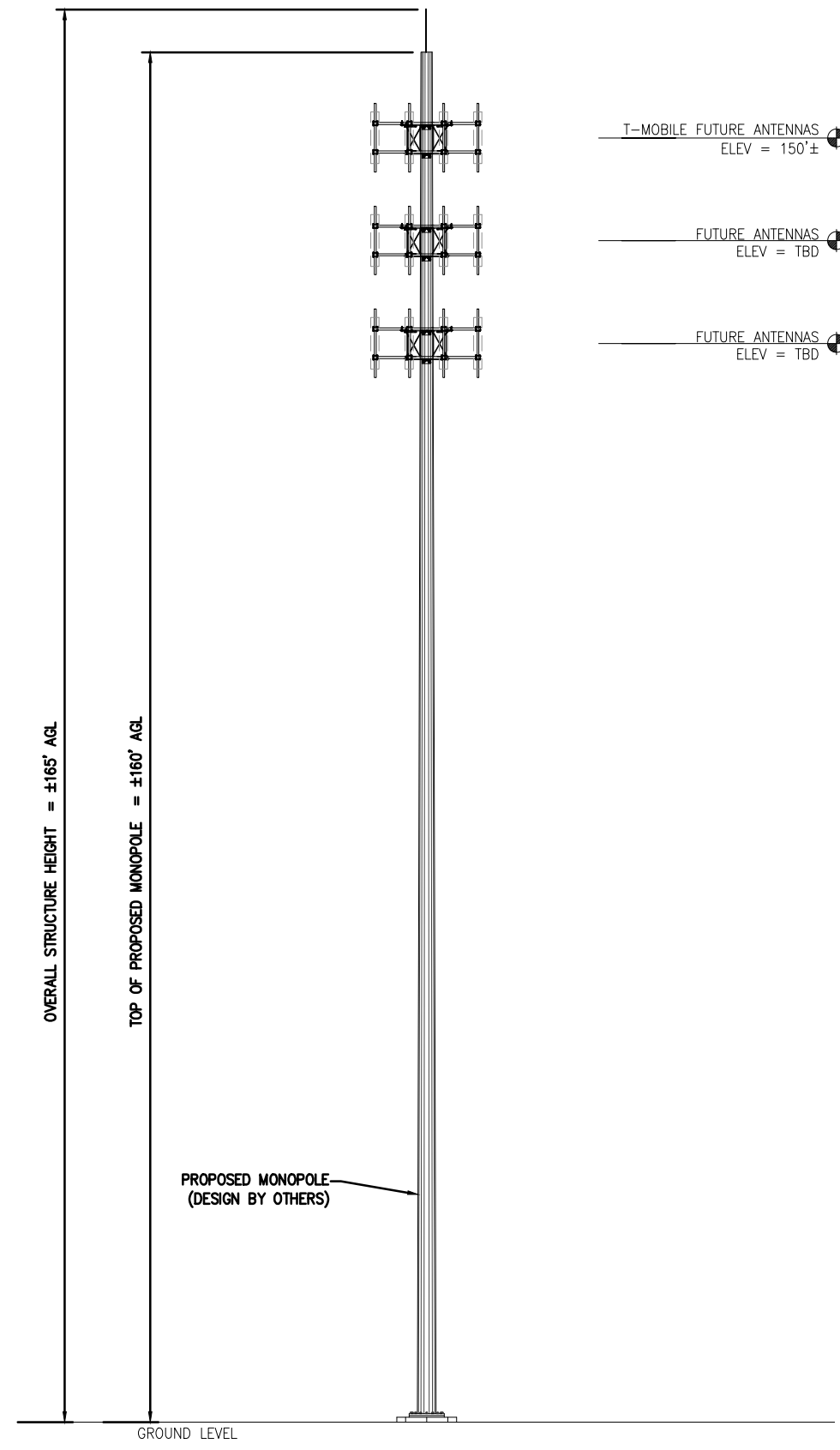
Drawing Scale:  
 AS NOTED  
 Date:  
 3.9.23

UNAUTHORIZED ALTERATION OR ADDITION  
 TO THIS DOCUMENT IS A VIOLATION OF  
 APPLICABLE STATE AND/OR LOCAL LAWS

Drawing Number  
**ZD4**



1 COMPOUND PLAN  
ZD5 SCALE: 1"=10'



- T-MOBILE FUTURE ANTENNAS  
ELEV = 150'±
- FUTURE ANTENNAS  
ELEV = TBD
- FUTURE ANTENNAS  
ELEV = TBD

2 TOWER ELEVATION  
ZD5 NOT TO SCALE

PREPARED FOR:

PREPARED BY:

Collective Solutions, LLC

**T-SQUARED SITE SERVICES**  
2501 SHENANGO VALLEY FREEWAY, SUITE 3  
HERMITAGE, PA 16148  
724-368-7855  
www.t-squared.com

| No. | Submittal / Revision | App'd | Date    |
|-----|----------------------|-------|---------|
| 4   | REVISED ZDs          | KE    | 3.27.23 |
| 3   | REVISED ZDs          | KE    | 3.9.23  |
| 2   | REVISED ZDs          | KE    | 3.9.23  |
| 1   | REVISED ZDs          | KE    | 3.8.23  |
| 0   | ISSUED FOR REVIEW    | KE    | 3.1.23  |

Drawn: KE Date: 3.1.23  
Designed: KE Date: 3.1.23  
Checked: CAR Date: 3.1.23

Project Number  
54004

Project Title  
VB BTS II, LLC  
TOWER ID#: US-OK-5188  
T-MOBILE #: OK03109A  
  
SITE NAME: WILL ROGERS  
1730 NORTH JARDOT  
STILLWATER, OK 74076  
PROPOSED  
160' MONOPOLE TOWER

Engineer Stamp

Drawing Title  
  
COMPOUND PLAN &  
TOWER ELEVATION

Drawing Scale:  
AS NOTED

Date:  
3.9.23

UNAUTHORIZED ALTERATION OR ADDITION  
TO THIS DOCUMENT IS A VIOLATION OF  
APPLICABLE STATE AND/OR LOCAL LAWS

Drawing Number  
**ZD5**

June 30, 2023

City of Stillwater, Oklahoma | Community Development Department  
Attn: Jacquelyn Porter | City Planner  
723 South Lewis Street | PO Box 1449  
Stillwater, OK 74076-1449

**LETTER OF REQUEST FOR VARIANCE**  
**APPLICATION FOR TELECOMMUNICATIONS TOWER**

**Applicant Name and Applicant Address:** VB BTS II, LLC (Vertical Bridge) | [www.verticalbridge.com](http://www.verticalbridge.com)

**Applicant Address:** 750 Park of Commerce Drive, Suite 200, Boca Raton, FL 33487

**Property Owner:** Locked Up Self Storage, LLC, an Oklahoma limited liability company.

**Property Address:** 1730 North Jardot Road, Stillwater, OK 74075

**Applicant Description:** Vertical Bridge owns, operates, and manages telecommunications towers, wireless infrastructure on rooftops, and other site locations across the world. They are a private owner and manager of wireless communication infrastructure, specializing in co-location services and build-to-suit towers needed to support today's increasingly wireless culture. The purpose of this proposed telecommunications tower is to provide T-Mobile, as well as other future tenants, with the vertical infrastructure required to provide dependable 4G, 5G and Wireless Broadband technologies. This proposed tower will play an important role in T-Mobile's future network in that area by providing reliable voice and data signals, as well as wireless broadband, TV, radio signals and more.

**Project Description:** The ground space for the facility is leased from the property owner, Locked Up Self Storage, LLC. The tower facility will consist of a 39'-10" x 36'-7" chain link fenced area. Within the secured, fenced perimeter there will be a 155' monopole style telecommunications (cell) tower and a multi-tenant electrical H-frame rack. The tower and ground space within the compound will be equipped to accommodate at least three carriers, including T-Mobile as the anchor Tenant at the top.

**Use Type:** Telecommunications Tower on which T-Mobile and other potential future tenants will be providing reliable 4G, 5G and Wireless broadband technology.

**Explanation for of Use:** Many state and local governments and institutions recognize the need for robust 4G, 5G and Wireless Broadband and other advanced communication technology. This technology is critical to ensuring that local businesses, schools, and households remain competitive in the world economy. As such, cell phone and internet services are like a utility and now considered just as essential as electricity, water, and telephone. As a utility use, the improvement is consistent with, and an integral part of existing and planned uses of immediate and surrounding area. This is also important in ensuring T-Mobile customers in the area will have a reliable service for 911 emergency purposes. When complete, this improvement will allow T-Mobile to provide more reliable coverage through the area.

**VAR23-13**

**RECEIVED**

By Cindy Gibson at 11:42 am, Jul 06, 2023

**Legal Description of Subject Property**

**PARENT PARCEL**

(PER COMMITMENT NO. G-113368)

A PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION TWELVE (12), TOWNSHIP NINETEEN (19) NORTH RANGE TWO (2) EAST, INDIAN MERIDIAN, PAYNE COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NE/4; THENCE NORTH 00°53.00. WEST ALONG THE EAST LINE OF THE NORTHEAST QUARTER (NE/4) A DISTANCE OF 443.47 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°53.10. WEST 336.45 FEET; THENCE NORTH 00°53.00. WEST A MEASURED DISTANCE OF 507.72 FEET (RECORD = 507.40 FEET); THENCE SOUTH 89°53.10. EAST ALONG THE SOUTH LINE OF A TRACT RECORDED IN BOOK 1950 PAGES 150-153 A DISTANCE OF 336.45 FEET TO THE EAST LINE OF THE NE/4; THENCE SOUTH 00°53.00. EAST ALONG THE EAST LINE OF THE NE/4 A MEASURED DISTANCE OF 507.72 FEET (RECORD = 507.40 FEET) TO THE POINT OF BEGINNING.

**Findings Necessary to Grant a Variance**

***THE ORDINANCE AS WRITTEN WOULD CREATE AN UNNECESSARY HARDSHIP***

Vertical Bridge feels the tower setback as outlined in section 23-113.1(i)(1) of the Wireless Telecommunication Ordinance exceeds that which would be a reasonable setback based on licensed and certified engineering reports and standards. As stated in the "Fall Zone Letter" provided to the city, the theoretical failure point is at the structure midpoint or above. This was created purposely over designing the structural components below the midpoint. This tower is engineered to collapse within a 75' radius surrounding the base of the tower. The setback required by the ordinance for a 155' tower is 170.5'. This far exceeds the 75' radius stated in the letter.

***SUCH CONDITIONS ARE PECULIAR TO THE PARTICULAR PIECE OF PROPERTY INVOLVED***

Vertical Bridge is requesting a variance of 59' from the western property line. To meet the required setback, the tower would need to be 170.5' from the western property line. As proposed, the tower is 111'-6" from the western property line. Relocating the tower further to the east to provide additional setback is not an option due to the existing infrastructure on the property. The proposed 155' monopole on the subject property will meet T-Mobile's desired coverage objectives.

***RELIEF WOULD NOT CAUSE SUBSTANTIAL DETRIMENT TO THE PUBLIC GOOD, OR IMPAIR THE PURPOSES/INTENT OF THE ORDINANCE***

The predicted mode of wind induced failure referenced in the "Fall Zone Letter" would be local buckling of the shaft at or above the midpoint with the upper sections folding over onto the intact lower sections. Thus, the fall zone radius for a 155' monopole design tower would be 75'. Currently, the setback to the nearest residential property line to the west is 111'-6". In the highly unlikely event that this tower were to collapse, the infrastructure would collapse within the 75' radius, thereby avoiding the residential properties to the west by more than 30'.

***THE VARIANCE WOULD BE THE MINIMUM NECESSARY TO ALLEVIATE THE UNNECESSARY HARDSHIP***

T-Mobile has determined that the proposed height of 155' is the minimum height required to achieve the desired coverage objectives for the area. Furthermore, the height as proposed will provide an opportunity for other future carriers/tenants to occupy the tower and thus eliminating the need for additional towers in the future. The 59' variance from the western property line is the minimum variance required to accommodate a 155' monopole style cell tower.

Thanks



**Jerrod Foutes, Agent on behalf of Vertical Bridge**

**Primary Network Solutions, LLC**

4714 West 80th Street

Prairie Village, KS 66208

913-244-6095

[jfoutes@pns-llc.com](mailto:jfoutes@pns-llc.com)