

**BASSETT LAW FIRM LLP**  
**ATTORNEYS AT LAW**  
**P.O. BOX 3618**  
**FAYETTEVILLE, ARKANSAS 72702-3618**

W.W. "BILL" BASSETT (1936-2006)  
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KRISTY B. BOENLER + +

221 NORTH COLLEGE AVENUE  
TELEPHONE (479) 521-9996  
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WWW.BASSETTLAWFIRM.COM

\*ALSO LICENSED  
IN OKLAHOMA  
+ALSO LICENSED  
IN MISSOURI  
+LL.M.

April 16, 2013

Re: East Prairie Grove Cell Tower  
Conditional Use Permit

Via U.S. Certified Mail #7010 3090 0001 0500 6365

Mr. Dave Reynolds  
Smith Communications, LLC  
520 North College  
Fayetteville, AR 72701

Dear Mr. Reynolds:

This firm represents six landowners who reside near the East Prairie Grove cell tower proposed site. In preparation for the upcoming appeal of the East Prairie Grove cell tower conditional use permit to the Washington County Quorum Court, we request the following information and/or documents:

1. You provided the Washington County Planning Commission a projected coverage area map for the proposed East Prairie Grove cell tower. Please provide the name, address, and telephone number of any person or company that generated any information that was used as a basis for this map. Please provide any supporting documents or information that was provided by a service provider in creating this map.
2. Will co-location be allowed on the East Prairie Grove cell tower? If so, what service providers will be co-locating on the tower? If not, who will be the service provider on this tower? Please provide copies of the service agreements with these providers.
3. Please provide any agreements you have entered into regarding the future inspection and maintenance of the East Prairie Grove cell tower.

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Mr. Dave Reynolds  
Smith Communications LLC  
April 16, 2013  
Page 2

4. Please provide all documents, information, or correspondence related to the East Prairie Grove cell tower, including, but not limited to, lease agreements, service agreements, service provider contracts, etc.
5. Did you conduct any flood impact studies on the proposed location for the East Prairie Grove cell tower? If so, please provide copies of these studies.
6. Did you consider alternative locations for the proposed East Prairie Grove cell tower? If so, please provide the address of the alternative location(s) and the reason for not choosing each particular location.

If you would like to redact any proprietary information, prior to providing this information, please call me so we can discuss what information you would like to redact. Otherwise, please feel free to contact me to discuss any of the above or the conditional use permit in general.

Sincerely,

**BASSETT LAW FIRM LLP**



Dale W. Brown

DWB/keb

cc: Ms. Juliet Richey  
Via Email to: JRichey@co.washington.ar.us

**From:** Juliet Richey [<mailto:JRichey@co.washington.ar.us>]  
**Sent:** Monday, April 29, 2013 11:43 PM  
**To:** Kristy Boehler  
**Cc:** Dale Brown; Sarah Geurtz; George Butler  
**Subject:** Re: East Prairie Grove CUP

Ms. Boehler:

We have searched the applicable files that you requested. No sworn statements/affadavits were found.

Sincerely,

Juliet Richey  
Washington County Planning Director  
(479) 444-1724

**\*\*\* Additional email exchanges not pertinent to this issue were excluded. \*\*\***

**From:** Kristy Boehler [<mailto:kboehler@bassettlawfirm.com>]  
**Sent:** Monday, April 22, 2013 9:01 AM  
**To:** Juliet Richey  
**Cc:** Dale Brown; Sarah Geurtz; George Butler  
**Subject:** RE: East Prairie Grove CUP

Juliet:

Thank you very much for your response.

We understand that you are not personally aware of any request made by Washington County for an affidavit from Smith Communications and/or Dave Reynolds, on any of its other approved cell towers in Washington County, showing that Smith Communications and/or Dave Reynolds is complying with Section 11-311. However, can you please confirm that you have searched the applicable files, Smith Communications and/or Dave Reynolds' approved cell towers in Washington County, and determined that there are no sworn statements in those files showing that Smith Communications and/or Dave Reynolds is in compliance with Section 11-311.

If you locate any such sworn statements from Smith Communications and/or Dave Reynolds, as required under Section 11-311, please provide us a copy of these sworn

statements. Please consider this email our client's Freedom of Information Act request for this information.

Kristy E. Boehler, LL.M.  
Bassett Law Firm LLP  
221 North College Avenue  
Post Office Box 3618  
Fayetteville, Arkansas 72702-3618  
Phone: (479) 521-9996  
Fax: (479) 521-9600  
[kboehler@bassettlawfirm.com](mailto:kboehler@bassettlawfirm.com)  
[www.bassettlawfirm.com](http://www.bassettlawfirm.com)

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Mr. Dave Reynolds  
Smith Communications LLC  
520 N. College  
Fayetteville AR 72701*

2. Article Number

*(Transfer from service label)*

7010 3090 0001 0500 6365

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*x Pam Wright*  Agent  Addressee

B. Received by (Printed Name)

*Pam Wright*  C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes



at&t  
Your World. Delivered.

**MUD CREEK  
AR2214  
WASHINGTON COUNTY  
EXISTING 145' MONOPINE  
SITE UPGRADE**

1717 S Boulder Suite 300  
Tulsa, OK 74119  
PH: (918) 587-4630

10802 Etowah Cr. Dr. Ste 300  
Little Rock, AR 72211  
PH: (501) 219-4481  
FAX: (501) 219-8705

4525 N. Meridian Ave  
Suite 500  
Oklahoma City, OK 73112  
405.861.5517 Office

**PROJECT SUMMARY**

LAND OWNER: TOWER VENTURES, LLC  
ADDRESS: 4091 WISCONSIN AVE, MEMPHIS, AR 38118

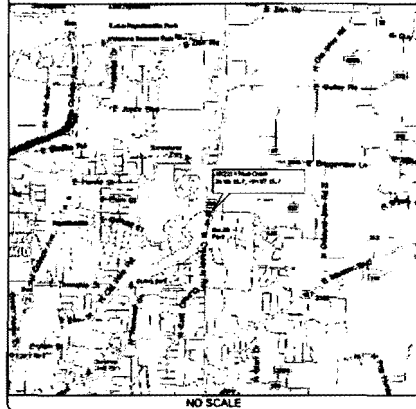
CONTACT: BILLY ORGEL (901) 794-9494

CUSTOMER/APPLICANT:

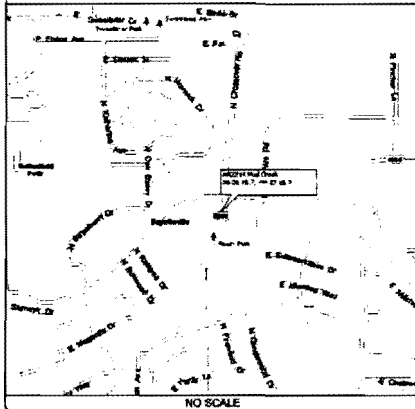
**MONOPINE**  
LATITUDE: 36° 6' 15.6" N  
LONGITUDE: 94° 7' 15.7" W

OCCUPANCY TYPE: UNMANNED  
CURRENT ZONING: CITY OF FAYETTEVILLE  
GROUND ELEVATION: 1275'  
ZONING APPLICATION #: WASHINGTON COUNTY  
AREA OF CONSTRUCTION: X' X'  
HANDICAP REQUIREMENTS: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION.

**AREA MAP**



**LOCATION MAP**



**DRAWING INDEX**

SHEET #	SHEET DESCRIPTION	REV. #
T-1	TITLE SHEET	2
C-1	SITE PLAN	2
C-2	ELEVATION & AZIMUTH PLAN	2

PROJECT NO: B4151.019  
DRAWN BY: DGJ  
CHECKED BY: SLM

**ISSUED FOR:**

REV	DATE	DESCRIPTION
0	3/2/12	ISSUED FOR CONSTRUCTION
1	5/17/12	ISSUED FOR CONSTRUCTION
2	6/9/12	ISSUED FOR CONSTRUCTION

Expires 12/31/13

IT IS A VIOLATION OF LAW FOR ANY PERSON, OTHER THAN THE REGISTERED PROFESSIONAL ENGINEER, TO ACT AS THE DESIGNER.

**CONTACT INFORMATION**

ENGINEER: B&T ENGINEERING, INC  
1717 S. BOULDER, STE. 300  
TULSA, OK 74119  
CONTACT: STEVE MAHREL  
PHONE: (918) 587-4630

SURVEYOR: N/A

TOWER OWNER: N/A

ELECTRIC PROVIDER: N/A

TELEPHONE PROVIDER: N/A

**DRIVING DIRECTIONS**

DEPART FORTY FIFTH REGIONAL AIRPORT ON MOOREHEAD BLVD. ROAD NAME CHANGES TO S 74TH ST. TURN LEFT ONTO SR-22. TAKE RAMP ONTO I-540 AT EXIT 15. TAKE RAMP ONTO I-40 AT EXIT 12. TAKE RAMP ONTO I-540. ROAD NAME CHANGES TO JOHN PAUL HANNEBERGWAY HWY. ROAD NAME CHANGES TO US-71 BUS. TURN RIGHT ONTO E JOYCE BLVD. TURN RIGHT ONTO SR-285. ARRIVE AR2214 MONOPINE.

**A/E DOCUMENT REVIEW STATUS**

TITLE	SIGNATURE	DATE
AT&T CONSTRUCTION MGR:		
RF ENGINEER:		
ZONING APPROVAL:		
SITE ACQUISITION:		
PROPERTY OWNER:		

**CODE COMPLIANCE**

ALL WORK SHALL BE PERFORMED AND MATERIALS 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 THESE CODES:

CODE TYPE	CODE
BUILDING/DWELLING	IBC 2006
STRUCTURAL	IBC 2006
MECHANICAL	MEC 2006
ELECTRICAL	NEC 2006

**DO NOT SCALE DRAWINGS**

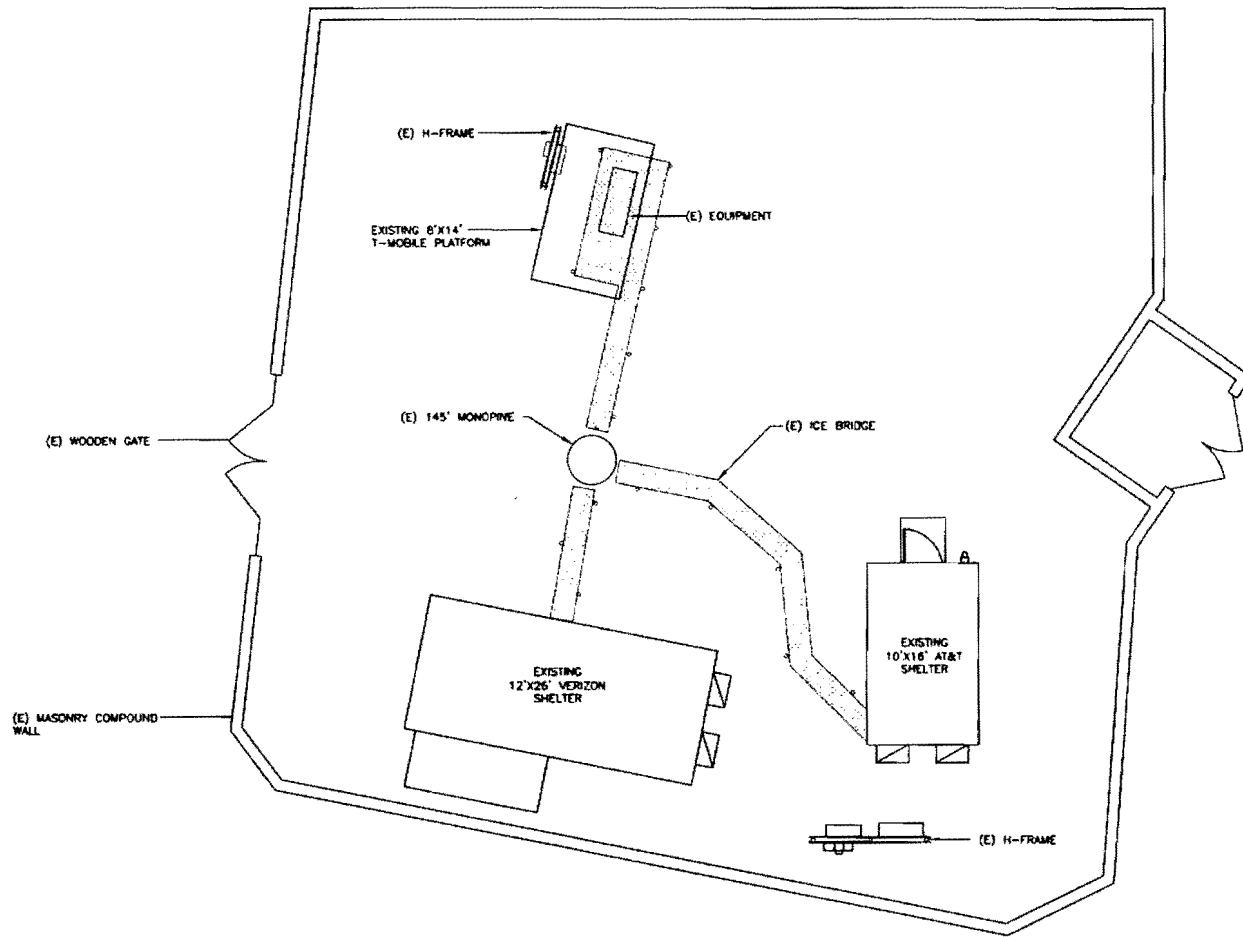
CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME. SEE SHEETS CM-1 AND CM-2 FOR ADDITIONAL CONSTRUCTION NOTES.

**CALL ARKANSAS ONE CALL**  
(800) 482-8998  
CALL 3 WORKING DAYS BEFORE YOU DIG!

AR2214  
MUD CREEK  
2943 CROSSOVER RD.  
FAYETTEVILLE, AR 72701  
EXISTING MONOPINE

SHEET TITLE  
TITLE SHEET

SHEET NUMBER:	REVISION
T1	2



1 SITE PLAN  
SCALE: 0 5 10 15 25'



1717 S Boulder Suite 300  
Tulsa, OK 74119  
PH: (918) 587-4830



PROJECT NO: BA131.019  
DRAWN BY: DGJ  
CHECKED BY: S.M.

ISSUED FOR:		
REV	DATE	DESCRIPTION
0	3/2/12	ISSUED FOR CONSTRUCTION
1	5/17/12	ISSUED FOR CONSTRUCTION
2	6/8/12	ISSUED FOR CONSTRUCTION

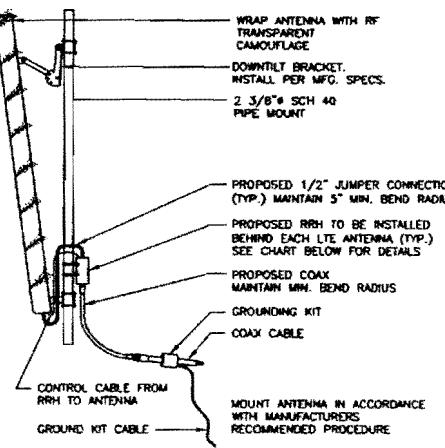
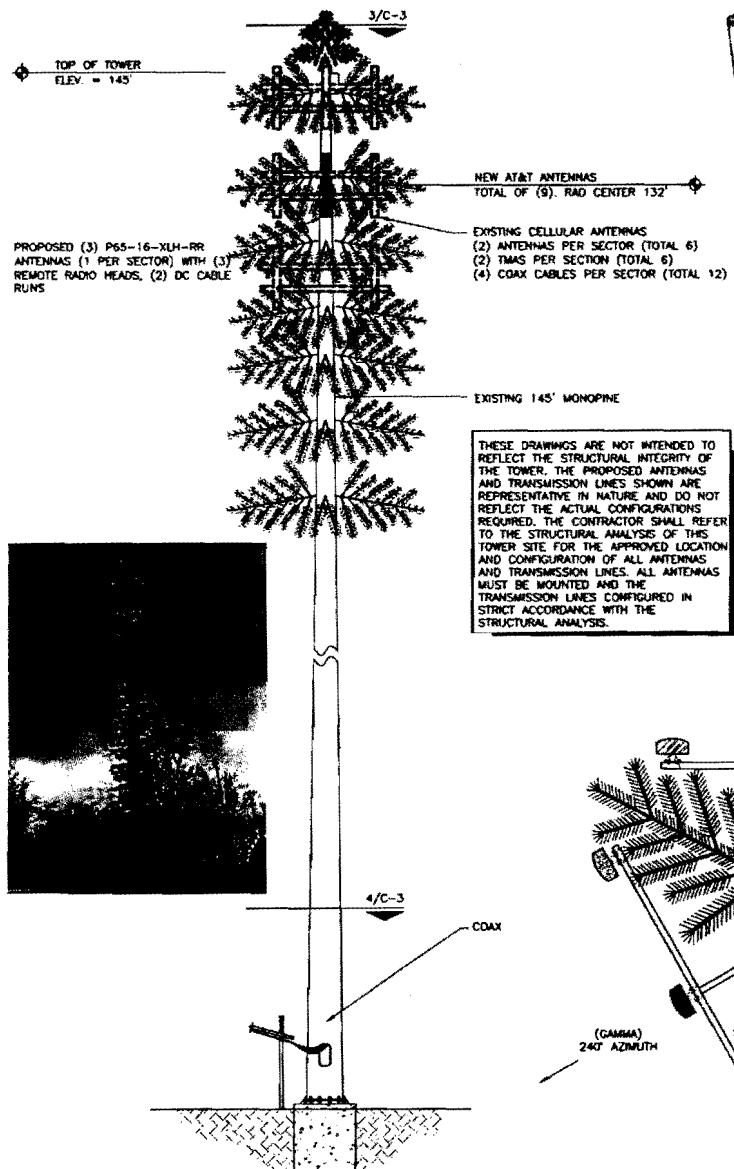
STATE OF ARIZONA  
REGISTERED PROFESSIONAL ENGINEER  
No. 10162  
CHAD E. TUTTLE  
Expires 12/31/13

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

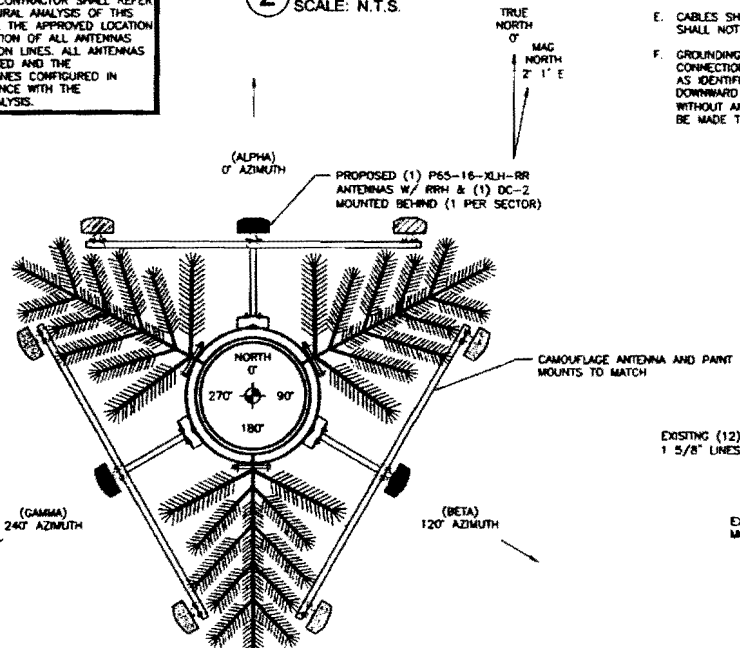
AR2214  
MUD CREEK  
2943 CROSSOVER RD.  
FAYETTEVILLE, AR 72701  
EXISTING MONOPINE

SHEET TITLE  
SITE PLAN

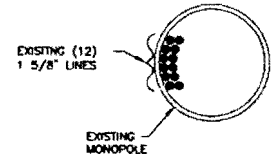
SHEET NUMBER: C-1  
REVISION: 2



**2 ANTENNA MOUNT DETAIL**  
SCALE: N.T.S.



**3 ANTENNA AZIMUTH PLAN**  
SCALE: N.T.S.



**4 TRANSMISSION LINE DIAGRAM**  
SCALE: N.T.S.

- ANTENNA CABLE AND ACCESSORY NOTES AND REQUIREMENTS:**
- GENERAL: PROVIDE ALL LABOR, EQUIPMENT, AND MATERIALS NECESSARY FOR RECEIVING, INSTALLING, TESTING, AND ADJUSTING ANTENNA CABLES FROM THE ANTENNA TO THE CONNECTIONS AT THE BASE TRANSMISSION SYSTEM (BTS). THIS SHALL INCLUDE ALL EQUIPMENT SHOWN OR REQUIRED FOR A COMPLETE OPERATING SYSTEM, ANTENNA, ANTENNA CABLES, CONNECTORS, AND FITTING SHALL BE THIRD PARTY FURNISHED COMPONENTS AS SHOWN ON THE BILL OF MATERIALS.
  - MATERIALS
    - ANTENNA CABLES: AS SCHEDULED
    - ANTENNA CONNECTORS: AS SCHEDULED
    - CABLE HANGERS: INSTALLED AT MAXIMUM 4' SPACING
    - GROUNDING KITS - AS SPECIFIED
  - INSTALLATION
    - ANTENNA CABLE LENGTHS SHALL BE FIELD MEASURED. INSTALLER SHALL NOTIFY AT&T PRIOR TO PURCHASE OF CABLE OF THE OVERALL LENGTH REQUIRED.
    - CABLES SHALL BE LABELED IN ACCORDANCE WITH AT&T ELECTRICAL MATERIALS AND METHODS SPECIFICATIONS.
    - ALL CABLE CONNECTIONS OUTSIDE SHALL BE COVERED WITH WEATHERPROOFING TAPE.
    - THE MINIMUM BENDING RADIUS FOR ALL ANTENNA CABLES SHALL BE AS SHOWN BELOW OR PER THE MANUFACTURER, WHICHEVER IS MORE CONSERVATIVE:
 

CABLE	IN AIR OR CABLE TRAY	IN CONDUIT
1/2"	5"	10"
7/8"	10"	18"
1-5/8"	20"	28"
    - CABLES SHALL BE INSTALLED WITH THE MINIMUM NUMBER OF BENDS. CABLE SHALL NOT BE LEFT UNTERMINATED IN THE FIELD.
    - GROUNDING KITS - AFTER INSTALLATION OF GROUND STRAPS, THE CONNECTIONS SHALL BE MADE WEATHER TIGHT USING WEATHERPROOF KITS AS IDENTIFIED ABOVE. GROUND PIGTAILS SHALL BE BROUGHT OUT IN THE DOWNWARD DIRECTION FROM THE CONNECTION TO THE ANTENNA CABLE WITHOUT ANY SHARP BENDS (MINIMUM RADIUS 10") AND CONNECTION SHALL BE MADE TO GROUNDING SYSTEM.

1717 S Boulder Suite 300  
Tulsa, OK 74119  
PH (918) 587-4630

**Goodman Networks**  
1825 N. Meridian Ave  
Suite 302  
Owasso, OK 74132  
(405) 891-5317 Office

PROJECT NO:	84151.019
DRAWN BY:	DCJ
CHECKED BY:	SLM

ISSUED FOR:		
REV	DATE	DESCRIPTION
0	3/27/12	ISSUED FOR CONSTRUCTION
1	5/17/12	ISSUED FOR CONSTRUCTION
2	6/8/12	ISSUED FOR CONSTRUCTION

REGISTERED PROFESSIONAL ENGINEER  
No. 10180  
Clad E. White

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AR2214  
MUD CREEK  
2943 CROSSOVER RD.  
FAYETTEVILLE, AR 72701  
EXISTING MONOPOLE

SHEET TITLE	
ELEVATION AND AZIMUTH PLAN	
SHEET NUMBER	REVISION:
C-2	2