

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

Planning & Zoning COMMITTEE: 10/19/2021
DATE
PUBLIC SESSION: 10/19/2021
DATE

ITEM (CHECK ONE)

ORDINANCE CONDEMNATIONS GRANT ACCEPTANCE / AMENDMENT
 RESOLUTION GRANT APPLICATION REQUEST FOR PUBLIC HEARING
 OTHER: _____

ITEM DESCRIPTION: A resolution approving a Special Use Permit. The item was heard and a recommendation was made by the Memphis & Shelby County Land Use Control Board.

CASE NUMBER: SUP 21-17

DEVELOPMENT: 105-foot Monopole Communications (CMCS) Tower

LOCATION: 2531 N. Watkins St.

COUNCIL DISTRICTS: District 7 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Vertical Bridge Landco, LLC/Kristi Eskew, VB BTS, LLC c/o Collective Solutions, LLC

REPRESENTATIVE: Kristi Eskew, VB BTS, LLC c/o Collective Solutions, LLC

EXISTING ZONING: Residential – 6 (R-6)

REQUEST: To allow a 105-foot Monopole Communications (CMCS) Tower

AREA: +/-29.166 acres

RECOMMENDATION: The Division of Planning and Development recommended *Approval with conditions*
The Land Use Control Board recommended *Approval with conditions*

RECOMMENDED COUNCIL ACTION: **Public Hearing Not Required**

PRIOR ACTION ON ITEM:

(1) _____	APPROVAL - (1) APPROVED (2) DENIED
09/09/2021	DATE
(1) Land Use Control Board	ORGANIZATION - (1) BOARD / COMMISSION
	(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

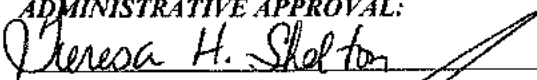
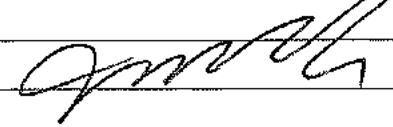
FUNDING:

(2) _____	REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ _____	AMOUNT OF EXPENDITURE
\$ _____	REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ _____	OPERATING BUDGET
\$ _____	CIP PROJECT # _____
\$ _____	FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
	9/24/21	PRINCIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
	9/24/21	ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on ***Thursday, September 9, 2021***, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SUP 21-17

LOCATION: 2531 N. Watkins St.

COUNCIL DISTRICT(S): District 7 and Super District 8 – Positions 1, 2, and 3

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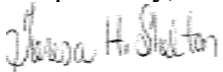
The following spoke in support of the application: None

The following spoke in opposition the application: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval with conditions.

The motion passed by a vote of 9-0 on the consent agenda.

Respectfully,



Teresa H. Shelton
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

SUP 21-17
CONDITIONS

1. The compound shall be screened by evergreen landscaping and shall be subject to final review and approval by the Division of Planning and Development. All landscaping and screening shall be installed prior to launch and operation of the tower equipment. Required landscaping shall not be placed on or over any sewer or drainage easements or under any utility easement.
2. The equipment compound shall be enclosed by a 6-foot wooden privacy around the lease area to conceal the ground equipment. The compound gates will be chain link with concealment slats.
3. The maximum tower height shall be one-hundred five (105) feet Monopole Communications (CMCS) tower.
4. The tower and related equipment shall be removed within one-hundred eighty (180) days of ceasing operations.
5. The tower shall be constructed within two (2) years of approval by the Memphis City Council. The Land Use Control Board may grant a time extension through the applicant filing a correspondence item application with public notice sent to all property owners within five hundred feet (500') feet of the property.
6. The tower compound shall be completely enclosed with a six-foot (6') wooden fence around the perimeters of these features; however, a 12-foot-wide chain-linked double swing gate shall be allowed to provide access to the CMCS Tower.
7. Any interference with Memphis-Shelby County emergency communications by a station using this tower shall be the responsibility of the station and tower owner to remedy.

**RESOLUTION APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY
LOCATED AT 2531 N. WATKINS ST., KNOWN AS CASE NUMBER SUP 21-17.**

WHEREAS, Chapter 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to grant a special use permit for certain stated purposes in the various zoning districts; and

WHEREAS, Vertical Bridge Landco, LLC filed an application with the Memphis and Shelby County Office of Planning and Development to allow a 105-foot Monopole Communications (CMCS) Tower; and

WHEREAS, the Division of Planning and Development has received and reviewed the application in accordance with procedures, objectives, and standards for special use permits as set forth in Chapter 9.6 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and that the design and amenities are consistent with the public interest; and has submitted its findings and recommendation concerning the above considerations to the Land Use Control Board; and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on September 9, 2021, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

WHEREAS, the Council of the City of Memphis has reviewed the aforementioned application pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said development is consistent with the Memphis 3.0 General Plan; and

WHEREAS, the Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and has determined that said development meets the objectives, standards and criteria for a special use permit, and said development is consistent with the public interests.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a special use permit is hereby granted for the request use in accordance with the attached conditions.

BE IT FURTHER RESOLVED, that this permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all conditions imposed by the Council of the City of Memphis have been met.

BE IT FURTHER RESOLVED, that this Resolution take effect from and after the date it shall have been passed by this Council of the City of Memphis, and become effective as otherwise provided by law, and thereafter shall be treated as in full force and effect by virtue of passage thereof by the Council of the City of Memphis, the public welfare requiring same.

ATTEST:

**CC: Division of Planning and Development
– Land Use and Development Services
– Office of Construction Enforcement**

CONDITIONS

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Memphis City Council Summary Sheet

SUP 21-17

Resolution requesting a 105-foot Monopole Communications (CMCS) Tower:

- This item is a resolution with conditions for a special use permit to allow the above; and
- The Division of Planning & Development at the request of the Owner(s)/Applicant(s): Vertical Bridge Landco, LLC and Representative(s): Kristi Eskew, VB BTS, LLC c/o Collective Solutions, LLC; and
- Approval of this special use permit will be reflected on the Memphis and Shelby County Zoning Atlas; and
- The item will not require future public improvement contracts.



Vertical Bridge REIT, LLC

750 Park of Commerce Drive, Suite 200

Boca Raton, FL 33487

+1 (561) 948 - 6367

VerticalBridge.com

June 28, 2021

Memphis and Shelby County
Office of Planning and Development – City Hall
125 North Main Street, Suite 477
Memphis, TN 38103
Phone (901) 636-6601

RE: Proposed New Cell Tower in Shelby County by Applicant VB BTS, LLC (“Vertical Bridge”)
Address: 2531 N. Watkins Street, Memphis, TN 38127
Parcel: 21170500000000 (ID # 070028-00015)
Lat/Long Coordinates: 35.193642, -90.008667
Tower Design/Height: 105’ Monopole Tower with 10’ Lightning Rod attachment

Dear Shelby County Planning Office:

The newly proposed cell tower with location described above is required in this location to address coverage and capacity for DISH Wireless. The public will greatly benefit if the zoning approval is granted for the new tower, which will provide better coverage, capacity, and E911 service in the area. The proposed tower is located within the DISH search ring, and, in evaluating the area, DISH determined that there were no existing towers or structures within DISH’s search parameters on which the DISH equipment could be located of which could serve as an alternative to the proposed new tower to provide optimal coverage.

Vertical Bridge’s communication facility will comply with all regulations administered by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), and all applicable governmental bodies that regulate communications towers.

In addition, Vertical Bridge is submitting this letter as intent to committing for allowing the shared use of the tower if capacity exists based on existing and planned use, and if a future applicant agrees in writing. The shared use, or co-location of other future applicant equipment, where structurally, technically, physically, economically, and contractually feasible, including the cost of modifying the tower would be borne by the future co-locating applicant.

Please do not hesitate to reach out to me with any questions.

Sincerely,

Steve Hedges, Project Manager
Vertical Bridge (VB BTS, LLC)
750 Park of Commerce Drive, Suite 200
Boca Raton, FL 33487
773.988.1715 mobile
SHedges@verticalbridge.com



MEMPHIS AND SHELBY COUNTY

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Assignment

Opened Date: June 29, 2021

Record Number: SUP 2021-017

Expiration Date:

Record Name: US-MO-5263 Watkins

Description of Work: New 75' x 75' fenced compound within 100' x 100' tower easement premises and new 105' monopole. New Gravel access road and utilities. No new water or sewer is required.

Parent Record Number:

Address: 2531 N WATKINS ST, MEMPHIS 38127

Owner Information

Primary	Owner Name	Owner Address	Owner Phone
Yes	VERTICAL BRIDGE LANDCO LLC	2800 POST OAK BLVD, HOUSTON, TX 77056	(773) 988-1715

Parcel Information

Parcel No:
070028 00015

Contact Information

Name: Kristi Eskew
Organization Name: VB BTS, LLC c/o Collective Solutions, LLC
Contact Type: Applicant
Phone: (314) 989-9810
Suffix:
Address:

Steve Hedges
Vertical Bridge Landco, LLC
Property Owner of Record
(773) 988-1715
Address:

Angel Gandara
WT Group
Architect / Engineer / Surveyor
(214) 384-0744
Address:

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed	Unit	Fee Code
1308614	Credit Card Use Fee (.026 x fee)	1	0.00	INVOICED	0.00	06/29/2021		PLNGSPUSE 10
1309727	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	07/02/2021		PLNGSPUSE 01
1309784	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	07/02/2021		PLNGSPUSE 10
Total Fee Invoiced: \$513.00					Total Balance: \$0.00			

Payment Information

Payment Amount: \$513.00
Method of Payment: Credit Card

Data Fields

PREAPPLICATION MEETING

Preapplication Meeting: No
Date of Meeting: -
Name of OPD Planner: -

GENERAL PROJECT INFORMATION

Application Type	New Special Use Permit
Previous Case Number	-
Is this application in response to a citation from Construction Code Enforcement or Zoning Letter?	No
If yes, please provide additional information	-

APPROVAL CRITERIA

The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare (UDC Sub-Section 9.6.9A).	Correct - Property usage would add a telecommunications tower, there are already two AM towers located on the property.
UDC Sub-Section 9.6.9B	Construction is located within a section of the property that will not interfere with any future constructions or developments in surrounding areas.
UDC Sub-Section 9.6.9C	Project will have the existing access extended to the construction area, the existing access from the ROW will not be disturbed. This is an unmanned facility, as such, water and sewer facilities will not need to be obtained.
UDC Sub-Section 9.6.9D	Correct, this project is within the property.
UDC Sub-Section 9.6.9E	Yes
UDC Sub-Section 9.6.9F	Correct

GIS INFORMATION

Case Layer	-
Central Business Improvement District	No
Class	-
Downtown Fire District	No
Historic District	-
Land Use	-
Municipality	-
Overlay/Special Purpose District	-
Zoning	-
State Route	-
Lot	-

Subdivision -

Planned Development District -

Data Tables

ADDRESS AND PARCEL LIST

Property Address: 2531 N Watkins St

Property Parcel 070028 00015

Number:

AREA INFORMATION

Name: Vertical Bridge Landco, LLC

Size (Acres): 29.166

Overlay District: N/A

Existing Use of Utility/RR

Property:

Requested Use of Utility/RR

Property:

RAW LAND SURVEY

SURVEYOR'S NOTES

1. BASIS OF BEARING, DEED AS RECORDED IN INSTRUMENT NO. GL3914, R.O.S.C.T.N.
2. NO SUBSURFACE INVESTIGATION WAS PERFORMED TO LOCATE UNDERGROUND UTILITIES. UTILITIES SHOWN HEREON ARE LIMITED TO AND ARE PER OBSERVED EVIDENCE ONLY.
3. AT THE TIME OF THIS SURVEY, THERE WERE NO VISIBLE ENCROACHMENTS AFFECTING THE LEASE AREA OR ANY VB EASEMENTS AND ALL ARE CONTAINED WHOLLY WITHIN THE PARENT TRACT PARCEL.
4. THE ACCESS/UTILITY EASEMENT GOES TO N. WATKINS STREET, A PUBLIC RIGHT OF WAY.
5. UNLESS OTHERWISE NOTED, ALL VISIBLE TOWER EQUIPMENT AND IMPROVEMENTS ARE CONTAINED WITHIN THE DESCRIBED AREA.
6. ZONING: N/A
7. FLOOD NOTE: THE TOWER AREA BEING LOCATED IN PANEL NO. 47157C0260F DOES NOT LIE IN AN AREA DESIGNATED AS A SPECIAL FLOOD HAZARD (ZONE "X") BEARING AN EFFECTIVE DATE OF 9-28-07, AS PER FEMA.GOV WEBSITE.

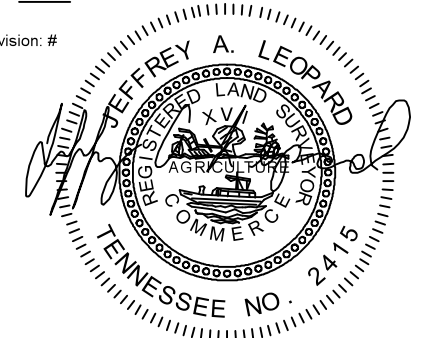
SURVEYOR'S CERTIFICATION

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.

B2L HOME AND PROPERTY SOLUTIONS, LLC.
JEFFREY A. LEOPARD
LAND SURVEYOR - TN #2415

Date: 4-5-21

Revision: #



verticalbridge

SITE NAME: WATKINS & I-40
SITE NUMBER: US-TN-5263
ADDRESS: 2531 N. WATKINS ST.
MEMPHIS, TN 38127
SHELBY COUNTY

SURVEY WORK PERFORMED BY:

B2L LAND SURVEYORS
LICENSED IN TN, KY, & AL

1198 OLD PINNACLE RD.
JOELTON, TN 37080
PHONE: (615) 212-5703
E-MAIL: b2lhps@gmail.com
www.b2lhps.com

DRAWN BY: CB CHECKED BY: JL JOB #: LS-1255

NATIONAL SURVEY SERVICES COORDINATION BY:

GEOLINE SURVEYING, INC.
13430 NW 104th Terrace, Suite A
Alachua, FL 32615
Office: (386) 418-0500
Fax: (386) 462-9986
WWW.GEOLINEINC.COM

SHEET 1 OF 4

LEGEND

- : IRON PIPE (FOUND)
- : MONUMENT (FOUND)
- ⊗ : FENCE POST (FOUND)
- ⊗ : RAILROAD SPIKE (FOUND)
- ⊗ : IRON PIN (FOUND)
- : IRON PIN (SET)
- P.O.B. : POINT OF BEGINNING
- P.O.C. : POINT OF COMMENCEMENT
- P.O.T. : POINT OF TERMINUS
- R.O.W. : RIGHT-OF-WAY
- C.M.P. : CURROGATED METAL PIPE
- N/A : NOT AVAILABLE
- : FENCE AS NOTED
- P — : OVERHEAD POWER LINES
- C — : CENTERLINE
- △ : TELCOM PEDESTAL
- ⊙ : POWER POLE
- ⊙ : UTILITY BOX
- ⊕ : AREA LIGHT
- ⊙ : SEWER MANHOLE
- ⊙ : SATELLITE DISH

TOWER PARCEL DATA

LINE	BEARING	DISTANCE
L1	S 03°24'21" W	166.81'
L2	S 07°25'32" W	175.41'
L3	S 03°24'21" W	633.95'
L4	N 85°57'50" W	1048.84'
L5	N 03°17'16" E	1161.06'
L6	S 85°49'15" E	1102.18'

TOWER PARCEL CURVE DATA

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	32.27'	1686.10'	1°05'48"	S 03°50'52" W	32.27'
C2	156.18'	311.31'	28°44'40"	S 17°46'41" W	154.55'

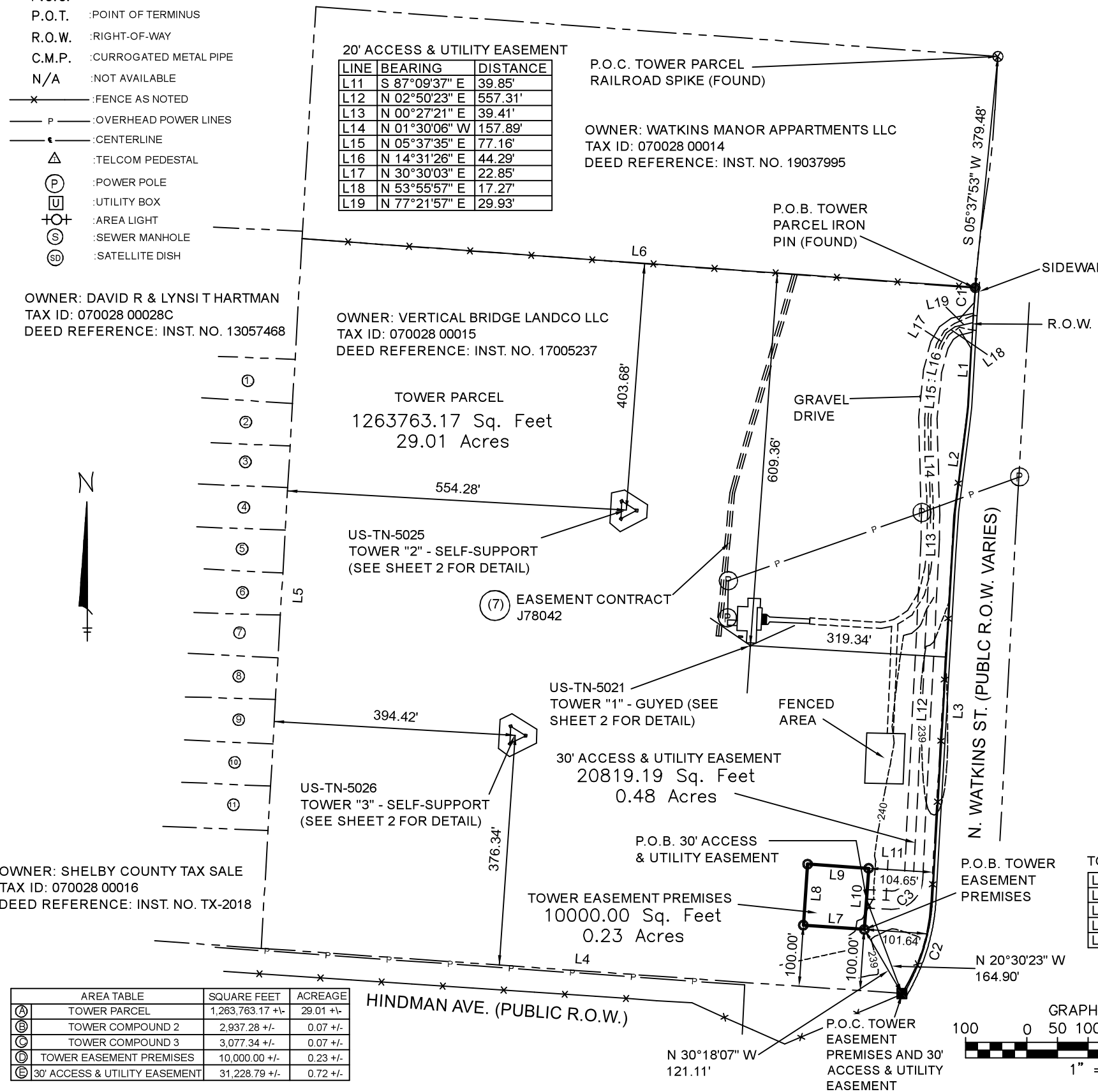
20' ACCESS & UTILITY EASEMENT

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C3	54.98'	35.00'	90°00'00"	N 47°50'23" E	49.50'

(7) CORRESPONDS WITH B-II ITEMS OF TITLE COMMITMENT ON PAGE 3

PROPERTY ADJOINER INFORMATION

1. OWNER: IRVIN L & MARY A COLLIER
TAX ID: 070028 00027
DEED REFERENCE: INST. NO. BC4787
2. OWNER: CONFIDENCE HOLDINGS, LLC
TAX ID: 070028 00026
DEED REFERENCE: INST. NO. 19049719
3. OWNER: TED D COCHRAN
TAX ID: 070028 00025
DEED REFERENCE: INST. NO. DP7589
4. OWNER: TEDDY D COCHRAN
TAX ID: 070028 00024
DEED REFERENCE: INST. NO. BE8153
5. OWNER: F AND S PROPERTY INVESTMENTS LLC.
TAX ID: 070028 00023
DEED REFERENCE: INST. NO. 10064176
6. OWNER: WILLIAM A SWINFORD
TAX ID: 070028 00022
DEED REFERENCE: INST. NO. 18126772
7. OWNER: MICHAEL RAYMOND
TAX ID: 070028 00021
DEED REFERENCE: INST. NO. 10056836
8. OWNER: SHELBY COUNTY TAX SALE
TAX ID: 070028 00020
DEED REFERENCE: INST. NO. 9486-1
9. OWNER: BURNIE MITCHELL JR
TAX ID: 070028 00019
DEED REFERENCE: INST. NO. GF8721
10. OWNER: LARRY & DEBORAH HENDERSON
TAX ID: 070028 00018
DEED REFERENCE: INST. NO. 10000135
11. OWNER: LARRY & DEBORAH HENDERSON
TAX ID: 070028 00017
DEED REFERENCE: INST. NO. 10000135



OWNER: DAVID R & LYNSTI HARTMAN
TAX ID: 070028 00028C
DEED REFERENCE: INST. NO. 13057468

OWNER: VERTICAL BRIDGE LANDCO LLC
TAX ID: 070028 00015
DEED REFERENCE: INST. NO. 17005237

OWNER: WATKINS MANOR APARTMENTS LLC
TAX ID: 070028 00014
DEED REFERENCE: INST. NO. 19037995

OWNER: SHELBY COUNTY TAX SALE
TAX ID: 070028 00016
DEED REFERENCE: INST. NO. TX-2018

US-TN-5026
TOWER "3" - SELF-SUPPORT
(SEE SHEET 2 FOR DETAIL)

US-TN-5025
TOWER "2" - SELF-SUPPORT
(SEE SHEET 2 FOR DETAIL)

US-TN-5021
TOWER "1" - GUYED (SEE SHEET 2 FOR DETAIL)

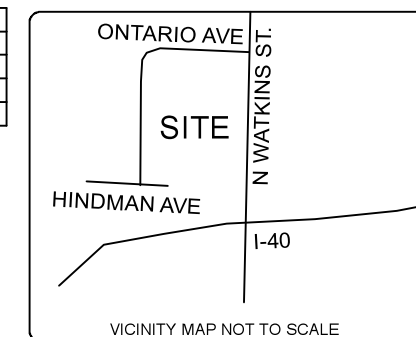
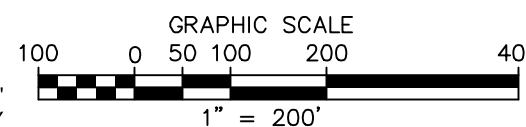
30' ACCESS & UTILITY EASEMENT
20819.19 Sq. Feet
0.48 Acres

TOWER EASEMENT PREMISES
10000.00 Sq. Feet
0.23 Acres

AREA TABLE	SQUARE FEET	ACREAGE
(A) TOWER PARCEL	1,263,763.17 +/-	29.01 +/-
(B) TOWER COMPOUND 2	2,937.28 +/-	0.07 +/-
(C) TOWER COMPOUND 3	3,077.34 +/-	0.07 +/-
(D) TOWER EASEMENT PREMISES	10,000.00 +/-	0.23 +/-
(E) 30' ACCESS & UTILITY EASEMENT	31,228.79 +/-	0.72 +/-

TOWER EASEMENT PREMISES

LINE	BEARING	DISTANCE
L7	N 85°57'50" W	100.00'
L8	N 04°02'10" E	100.00'
L9	S 85°57'50" E	100.00'
L10	S 04°02'10" W	100.00'



RAW LAND SURVEY

SURVEYOR'S NOTES

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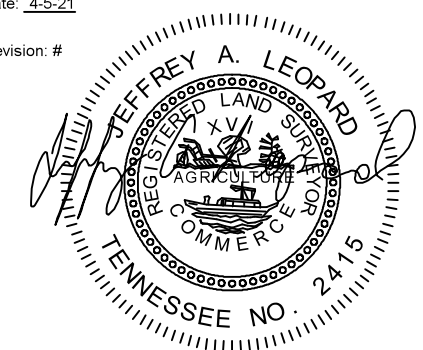
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B2L HOME AND PROPERTY SOLUTIONS, LLC.
JEFFREY A. LEOPARD
LAND SURVEYOR - TN #2415

Date: 4-5-21

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verticalbridge

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SHELBY COUNTY

SURVEY WORK PERFORMED BY:



1198 OLD PINNACLE RD.
JOELTON, TN 37080
PHONE: (615) 212-5703
E-MAIL: b2lhps@gmail.com
www.b2lhps.com

DRAWN BY: CB

CHECKED BY: JL

JOB #: LS-1255

NATIONAL SURVEY SERVICES COORDINATION BY:

GEOLINE SURVEYING, INC.
13430 NW 104th Terrace, Suite A
Alachua, FL 32615
Office: (386) 418-0500
Fax: (386) 462-9986
WWW.GEOLINEINC.COM

SHEET 2 OF 4



L9

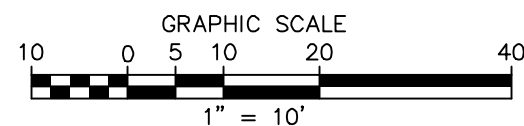
LEGEND

○ IRON PIN (SET)

TOWER LEASE
10000.00 Sq. Feet
0.23 Acres

L8

L10



L7

RAW LAND SURVEY

SURVEYOR'S NOTES

1. BASIS OF BEARING, DEED AS RECORDED IN INSTRUMENT NO. GL3914, R.O.S.C.T.N.
2. NO SUBSURFACE INVESTIGATION WAS PERFORMED TO LOCATE UNDERGROUND UTILITIES. UTILITIES SHOWN HEREON ARE LIMITED TO AND ARE PER OBSERVED EVIDENCE ONLY.
3. AT THE TIME OF THIS SURVEY, THERE WERE NO VISIBLE ENCROACHMENTS AFFECTING THE LEASE AREA OR ANY VB EASEMENTS AND ALL ARE CONTAINED WHOLLY WITHIN THE PARENT TRACT PARCEL.
4. THE ACCESS/UTILITY EASEMENT GOES TO N. WATKINS STREET, A PUBLIC RIGHT OF WAY.
5. UNLESS OTHERWISE NOTED, ALL VISIBLE TOWER EQUIPMENT AND IMPROVEMENTS ARE CONTAINED WITHIN THE DESCRIBED AREA.
6. ZONING: N/A
7. FLOOD NOTE: THE TOWER AREA BEING LOCATED IN PANEL NO. 47157C0260F DOES NOT LIE IN AN AREA DESIGNATED AS A SPECIAL FLOOD HAZARD (ZONE "X") BEARING AN EFFECTIVE DATE OF 9-28-07, AS PER FEMA.GOV WEBSITE.

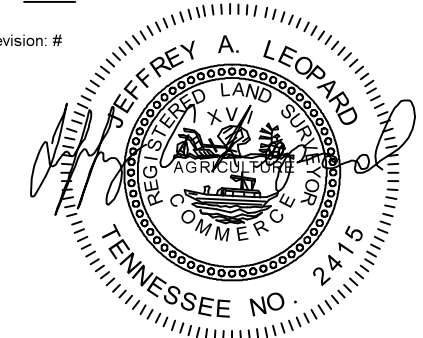
SURVEYOR'S CERTIFICATION

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.

B2L HOME AND PROPERTY SOLUTIONS, LLC.
JEFFREY A. LEOPARD
LAND SURVEYOR - TN # 2415

Date: 4-5-21

Revision: #



verticalbridge

SITE NAME: WATKINS & I-40
SITE NUMBER: US-TN-5263
ADDRESS: 2531 N. WATKINS ST.
MEMPHIS, TN 38127
SHELBY COUNTY

SURVEY WORK PERFORMED BY:



1198 OLD PINNACLE RD.
JOELTON, TN 37080
PHONE: (615) 212-5703
E-MAIL: b2lhps@gmail.com
www.b2lhps.com

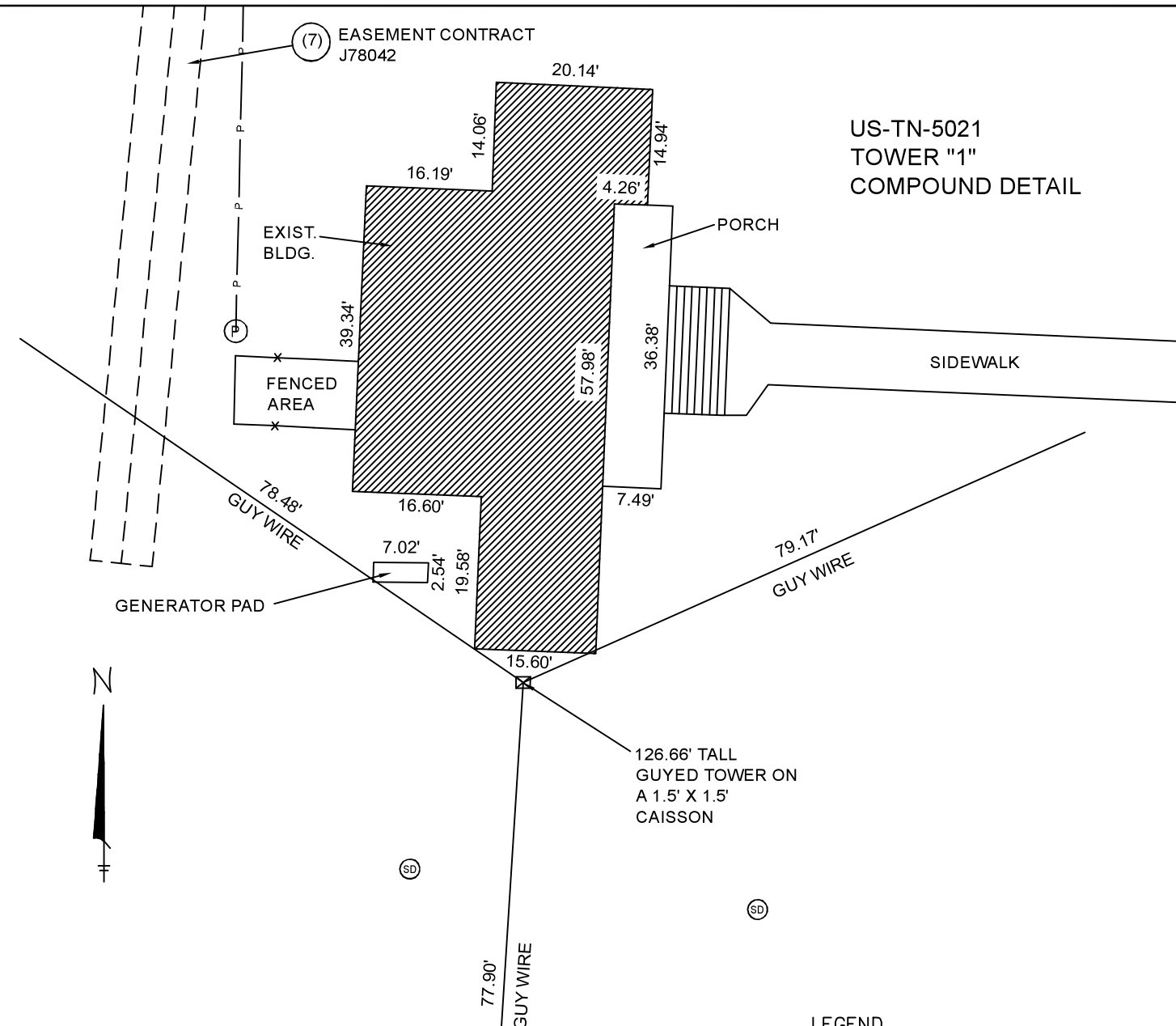
DRAWN BY: CB CHECKED BY: JL JOB #: LS-1255

NATIONAL SURVEY SERVICES COORDINATION BY:

GEOLINE SURVEYING, INC. 13430 NW 104th Terrace, Suite A
Alachua, FL 32615
Office: (386) 418-0500
Fax: (386) 462-9986
WWW.GEOLINEINC.COM

SHEET 3 OF 4

US-TN-5021 TOWER "1" COMPOUND DETAIL



126.66' TALL
GUYED TOWER ON
A 1.5' X 1.5'
CAISSON

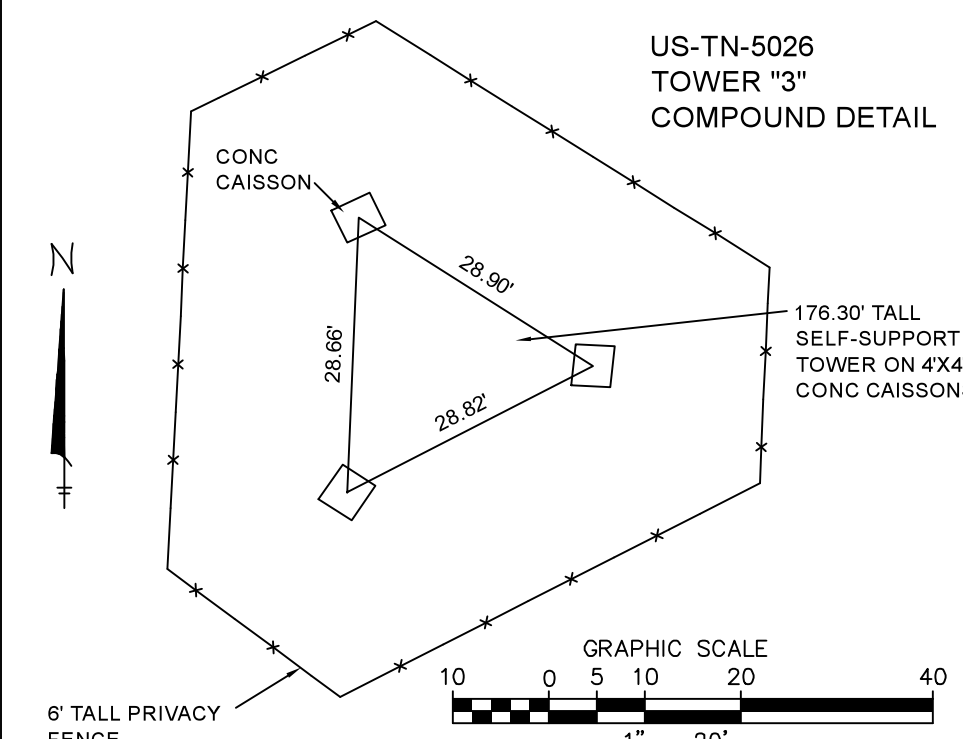
177.60' TALL
SELF-SUPPORT
TOWER ON 4'X4'
CONC CAISSONS

FAA 1-A TOWER LOCATION INFORMATION FOR US-TN-5025 - TOWER 2:
177.60± 1' SELF-SUPPORT TOWER
ON A 4.5' TALL CONCRETE CAISSON

NAD 83
LATITUDE = 35°11'43.23" N ± 20'
LONGITUDE = 90°00'35.62" W ± 20'

GROUND ELEVATION AT BASE OF TOWER = 236.20' ± 3' NAVD88
HEIGHT OF TOP OF TOWER ABOVE GROUND = 182.10' ± 1'
HEIGHT OF HIGHEST APPURTENANCE ABOVE GROUND = 418.30' ± 1'

US-TN-5025 TOWER "2" COMPOUND DETAIL



176.30' TALL
SELF-SUPPORT
TOWER ON 4'X4'
CONC CAISSONS

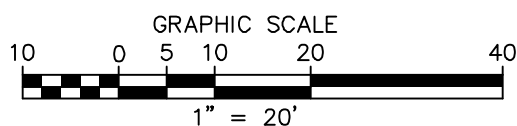
FAA 1-A TOWER LOCATION INFORMATION FOR US-TN-5026 - TOWER 3:
176.30± 1' SELF-SUPPORT TOWER
ON 4.5' TALL CONCRETE CAISSONS

NAD 83
LATITUDE = 35°11'39.54" N ± 20'
LONGITUDE = 90°00'37.63" W ± 20'

GROUND ELEVATION AT BASE OF TOWER = 237.5' ± 3' NAVD88
HEIGHT OF TOP OF TOWER ABOVE GROUND = 180.80' ± 1'
HEIGHT OF HIGHEST APPURTENANCE ABOVE GROUND = 418.30' ± 1'

US-TN-5026 TOWER "3" COMPOUND DETAIL

(7) CORRESPONDS WITH B-II ITEMS OF TITLE COMMITMENT ON PAGE 3



LEGEND

- : IRON PIPE (FOUND)
- : MONUMENT (FOUND)
- ⊗ : FENCE POST (FOUND)
- ⊗ : RAILROAD SPIKE (FOUND)
- : IRON PIN (FOUND)
- : IRON PIN (SET)
- P.O.B. : POINT OF BEGINNING
- P.O.C. : POINT OF COMMENCEMENT
- P.O.T. : POINT OF TERMINUS
- R.O.W. : RIGHT-OF-WAY
- C.M.P. : CURROGATED METAL PIPE
- N/A : NOT AVAILABLE
- x— : FENCE AS NOTED
- P— : OVERHEAD POWER LINES
- C— : CENTERLINE
- △ : TELCOM PEDESTAL
- Ⓟ : POWER POLE
- Ⓜ : UTILITY BOX
- ⊕ : AREA LIGHT
- Ⓢ : SEWER MANHOLE
- ⓈD : SATELLITE DISH

FAA 1-A TOWER LOCATION INFORMATION FOR US-TN-5021 - TOWER 1:
126.66± 1' GUYED TOWER
ON A 0.3' TALL CONCRETE CAISSON

NAD 83
LATITUDE = 35°11'41.12" N ± 20'
LONGITUDE = 90°00'33.08" W ± 20'

GROUND ELEVATION AT BASE OF TOWER = 246.27' ± 3' NAVD88
HEIGHT OF TOP OF TOWER ABOVE GROUND = 126.96' ± 1'
HEIGHT OF HIGHEST APPURTENANCE ABOVE GROUND = 373.23' ± 1'

US-TN-5263 - WATKINS & I-40
2531 N. WATKINS ST. MEMPHIS, TN 38127
SHELBY COUNTY, TN
TOWER EASEMENT PREMISES DESCRIPTION
(AS SURVEYED)

Situated in Shelby County, Tennessee and being more particularly described as follows:

COMMENCING at concrete monument found at the southeast corner of the Vertical Bridge Landco LLC property (Inst. No. 17005237), said monument also being located in the westerly right-of-way of North Watkins Street, thence, North 30 degrees 18 minutes 07 seconds West, 121.11 feet to an iron pin (set), this being the TRUE POINT OF BEGINNING;

Thence, North 85 degrees 57 minutes 50 seconds West, 100.00 feet to an iron pin (set);

Thence, North 04 degrees 02 minutes 10 seconds East, 100.00 feet to an iron pin (set);

Thence, South 85 degrees 57 minutes 50 seconds East, 100.00 feet to an iron pin (set);

Thence, South 04 degrees 02 minutes 10 seconds West, 100.00 feet to the POINT OF BEGINNING, containing 10,000.00 square feet or 0.23 acres.

OWNER: VERTICAL BRIDGE LANDCO LLC
TAX ID: 070028 00015
DEED REFERENCE: INST. NO. 17005237

US-TN-5263 - WATKINS & I-40
2531 N. WATKINS ST. MEMPHIS, TN 38127
SHELBY COUNTY, TN
30' ACCESS & UTILITY EASEMENT DESCRIPTION
(AS SURVEYED)

Situated in Shelby County, Tennessee and being more particularly described as follows:

Being a thirty foot wide access and utility easement, at all times being fifteen feet on each side of and running parallel with the following described centerline:

COMMENCING at concrete monument found at the southeast corner of the Vertical Bridge Landco LLC property (Inst. No. 17005237), said monument also being located in the westerly right-of-way of North Watkins Street, thence, North 20 degrees 30 minutes 23 seconds West, 164.90 feet to a point, this being the TRUE POINT OF BEGINNING;

Thence, South 87 degrees 09 minutes 37 seconds East, 39.85 feet to a point;

Thence, with a curve to the left, having an arc length of 54.98 feet, a radius of 35.00 feet, a chord bearing of North 47 degrees 50 minutes 23 seconds East, a chord length of 49.50 feet to a point;

Thence, North 02 degrees 50 minutes 23 seconds East, 557.31 feet to a point;

Thence, North 00 degrees 27 minutes 21 seconds East, 39.41 feet to a point;

Thence, North 01 degrees 30 minutes 06 seconds West, 157.89 feet to a point;

Thence, North 05 degrees 37 minutes 35 seconds East, 77.16 feet to a point;

Thence, North 14 degrees 31 minutes 26 seconds East, 44.29 feet to a point;

Thence, North 30 degrees 30 minutes 03 seconds East, 22.85 feet to a point;

Thence, North 53 degrees 55 minutes 57 seconds East, 17.27 feet to a point;

Thence, North 77 degrees 21 minutes 57 seconds East, 29.93 feet to the POINT OF TERMINUS in the westerly right-of-way of North Watkins Street, a public right-of-way that varies, containing 31,228.79 square feet or 0.72 acres.

OWNER: VERTICAL BRIDGE LANDCO LLC
TAX ID: 070028 00015
DEED REFERENCE: INST. NO. 17005237

US-TN-5263 - WATKINS & I-40
2531 N. WATKINS ST. MEMPHIS, TN 38127
SHELBY COUNTY, TN
TOWER PARCEL DESCRIPTION
(AS SURVEYED)

Being a tract of land situated in Shelby County, Tennessee and being more particularly described as follows:

COMMENCING at a railroad spike (found) at the northeast corner of the Square Mile Investments Inc. property (Inst. No. 11013370), thence South 05 deg. 37 min. 53 sec. West, 379.48 feet to an iron pin (found) at the northeast corner of the Clear Channel Radio Inc. property (Inst. No. GL3914), this being the TRUE POINT OF BEGINNING;

Thence, with a curve to the left, having an arc length of 32.27 feet, a radius of 1,686.10 feet, a chord bearing of South 03 deg. 50 min. 52 sec. West, a distance of 32.27 feet to an iron pin (set);

Thence, South 03 deg. 24 min. 21 sec. West, 166.81 feet to an iron pin (set);

Thence, South 07 deg. 25 min. 32 sec. West, 175.41 feet to an iron pin (set);

Thence, South 03 deg. 24 min. 21 sec. West, 633.95 feet to an iron pin (found);

Thence, with a curve to the right, having an arc length of 156.18 feet, a radius of 311.31 feet, a chord bearing of South 17 deg. 46 min. 41 sec. West, a distance of 154.55 feet to a highway monument (found);

Thence, North 85 deg. 57 min. 50 sec. West, 1048.84 feet to an iron pin (set);

Thence, North 03 deg. 17 min. 16 sec. East, 1161.06 feet to an iron pin (set);

Thence South 85 deg. 49 deg. 15 sec. East, 1102.18 feet to the POINT OF BEGINNING. Containing 1,263,763.17 square feet, or 29.01 acres. According to a survey by Jeffrey A. Leopard, Dated March 23, 2015.

OWNER: VERTICAL BRIDGE LANDCO LLC
TAX ID: 070028 00015
DEED REFERENCE: INST. NO. 17005237

TITLE INSURANCE COMMITMENT NOTE:

I HAVE REVIEWED COMMITMENT FOR TITLE INSURANCE, UNDERWRITTEN BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, WITH AN EFFECTIVE DATE OF DECEMBER 29, 2014 AT 7:00 A.M. COMMITMENT NUMBER 01-14096948-01T, AND FIND AS FOLLOWS WITH RESPECT TO THE EXCEPTIONS LISTED IN SCHEDULE B-SECTION 2 OF SAID COMMITMENT:

- (1) FACTS WHICH WOULD BE DISCLOSED BY A COMPREHENSIVE SURVEY OF THE PREMISES HEREIN DESCRIBED. (BLANKET IN NATURE, NOT PLOTTABLE)
- (2) RIGHTS OR CLAIMS OF PARTIES IN POSSESSION OR RIGHTS OF TENANTS IN POSSESSION AS TENANTS ONLY UNDER UNRECORDED LEASES. (BLANKET IN NATURE, NOT PLOTTABLE)
- (3) MECHANICS', CONTRACTORS' OR MATERIAL MEN'S LIENS AND LIEN CLAIMS, IF ANY, WHERE NO NOTICE THEREOF APPEARS OF RECORD. (BLANKET IN NATURE, NOT PLOTTABLE)
- (4) ANY CHANGES IN TITLE OCCURRING SUBSEQUENT TO THE EFFECTIVE DATE OF THIS COMMITMENT AND PRIOR TO THE DATE OF ISSUANCE OF THE TITLE POLICY. (BLANKET IN NATURE, NOT PLOTTABLE)
- (5) TAXES AND SPECIAL ASSESSMENTS FOR CURRENT TAX YEAR DUE AND ALL SUBSEQUENT YEARS. (BLANKET IN NATURE, NOT PLOTTABLE)
- (6) DELETING FROM ANY INSTRUMENT IN THE PUBLIC RECORDS REFLECTED HEREIN, ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH MATTERS VIOLATE 42 USC 3604(c). (BLANKET IN NATURE, NOT PLOTTABLE)

(7) EASEMENT CONTRACT IN FAVOR OF THE CITY OF MEMPHIS ACTING THROUGH THE MEMPHIS LIGHT, GAS AND WATER DIVISION, RECORDED 08/01/1974, AS DOCUMENT NO. J78042 OF THE SHELBY COUNTY RECORDS.

(7) CORRESPONDS WITH B-II
ITEMS LOCATED ON DRAWING

RAW LAND SURVEY

SURVEYOR'S NOTES

1. BASIS OF BEARING, DEED AS RECORDED IN INSTRUMENT NO. GL3914, R.O.S.C.T.N.
2. NO SUBSURFACE INVESTIGATION WAS PERFORMED TO LOCATE UNDERGROUND UTILITIES. UTILITIES SHOWN HEREON ARE LIMITED TO AND ARE PER OBSERVED EVIDENCE ONLY.
3. AT THE TIME OF THIS SURVEY, THERE WERE NO VISIBLE ENCROACHMENTS AFFECTING THE LEASE AREA OR ANY VB EASEMENTS AND ALL ARE CONTAINED WHOLLY WITHIN THE PARENT TRACT PARCEL.
4. THE ACCESS/UTILITY EASEMENT GOES TO N. WATKINS STREET, A PUBLIC RIGHT OF WAY.
5. UNLESS OTHERWISE NOTED, ALL VISIBLE TOWER EQUIPMENT AND IMPROVEMENTS ARE CONTAINED WITHIN THE DESCRIBED AREA.
6. ZONING: N/A
7. FLOOD NOTE: THE TOWER AREA BEING LOCATED IN PANEL NO. 47157C0260F DOES NOT LIE IN AN AREA DESIGNATED AS A SPECIAL FLOOD HAZARD (ZONE "X") BEARING AN EFFECTIVE DATE OF 9-28-07, AS PER FEMA.GOV WEBSITE.

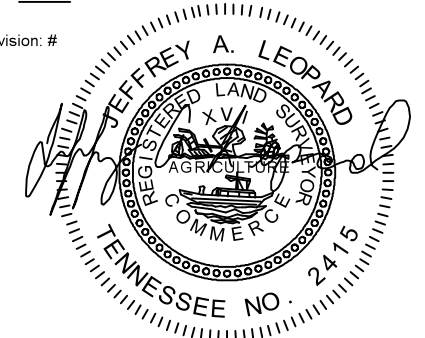
SURVEYOR'S CERTIFICATION

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.

B2L HOME AND PROPERTY SOLUTIONS, LLC.
JEFFREY A. LEOPARD
LAND SURVEYOR - TN #2415

Date: 4-5-21

Revision: #



verticalbridge

SITE NAME: WATKINS & I-40
SITE NUMBER: US-TN-5263
ADDRESS: 2531 N. WATKINS ST.
MEMPHIS, TN 38127
SHELBY COUNTY

SURVEY WORK PERFORMED BY:

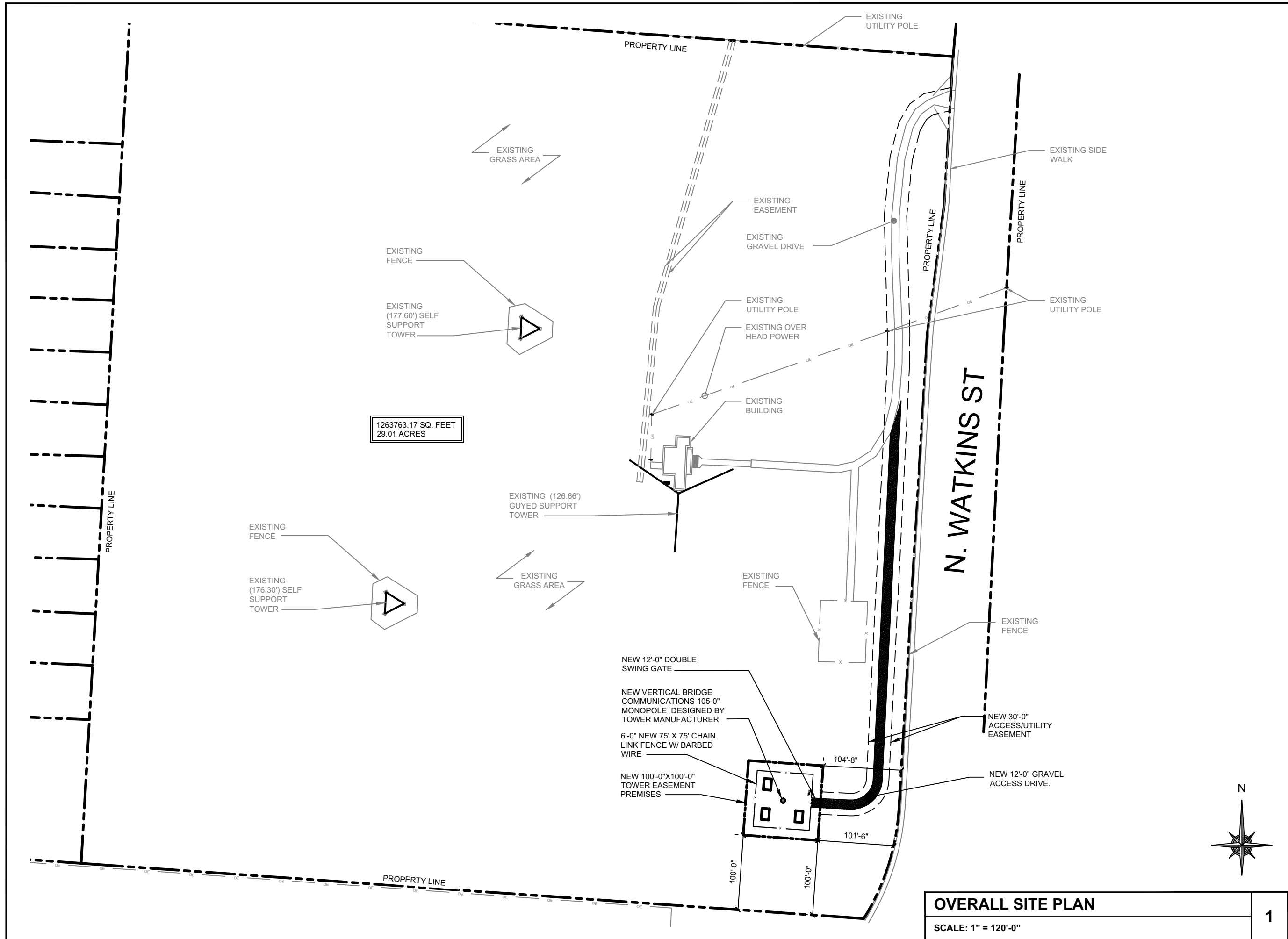


1198 OLD PINNACLE RD.
JOELTON, TN 37080
PHONE: (615) 212-5703
E-MAIL: b2lhps@gmail.com
www.b2lhps.com

DRAWN BY: CB CHECKED BY: JL JOB #:LS-1255

NATIONAL SURVEY SERVICES COORDINATION BY:

GEOLINE SURVEYING, INC.
13430 NW 104th Terrace, Suite A
Alachua, FL 32615
Office: (386) 418-0500
Fax: (386) 462-9986
WWW.GEOLINEINC.COM



1263763.17 SQ. FEET
29.01 ACRES

N. WATKINS ST



OVERALL SITE PLAN
SCALE: 1" = 120'-0"
1

verticalbridge

WT Group
Engineering • Design • Consulting

WT GROUP
Engineering with Precision, Pace and Passion
6230 N. Ballline RD., STE. 325 | Irving, TX 75063
T: 214.384.0744 | F: 214.293.6444
www.wteengineering.com

US-TN-5263
WATKINS & I-40
2531 N. WATKINS ST.
MEMPHIS, TN 38127

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JEFFERY S. GUTOWSKY
PROFESSIONAL ENGINEER
STATE OF TENNESSEE LICENSE
PE 116443
EXPIRES: 04/30/23 SIGNED: 05/14/21

REVISIONS

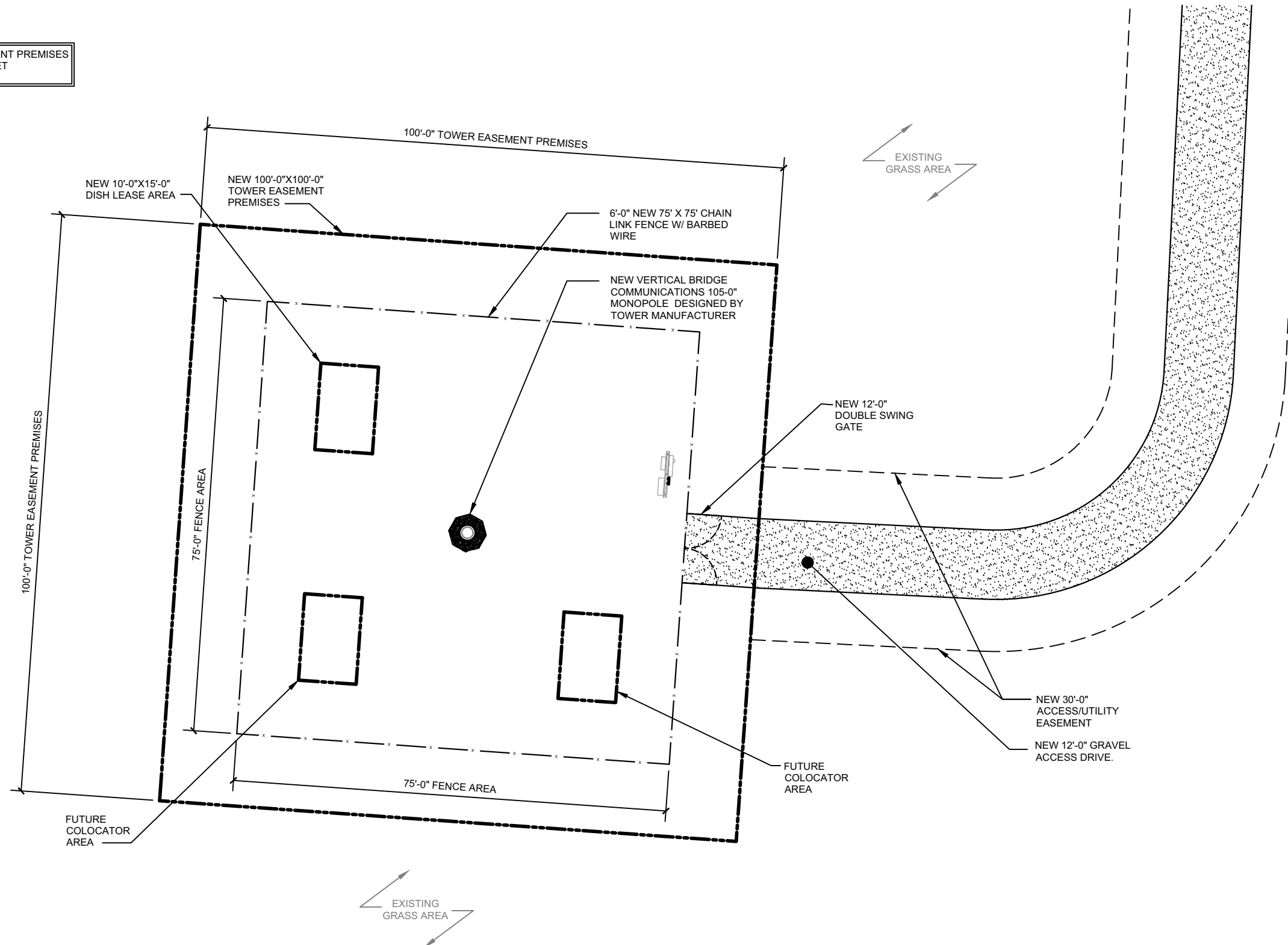
REV.	ISSUED FOR	DATE	BY
△	ZONING DRAWING	05/12/21	BA
△	FINAL ZONING DRAWING	05/14/21	BA

AQUATIC \ DESIGN & PROGRAM MANAGEMENT
CIVIL \ TELECOMMUNICATION \ MECHANICAL
PLUMBING \ ELECTRICAL \ LAND SURVEYING
ACCESSIBILITY CONSULTING \ STRUCTURAL

CHECK: AG
DRAWN: BA
JOB: 21007357


Z-1
OVERALL SITE PLAN


TOWER EASEMENT PREMISES
10000.00 SQ. FEET
0.23 ACRES



ENLARGED SITE PLAN
SCALE: 1" = 20'-0"


1





US-TN-5263
WATKINS & I-40


2531 N. WATKINS ST.
MEMPHIS, TN 38127



JEFFERY S. GUTOWSKY
PROFESSIONAL ENGINEER
STATE OF TENNESSEE LICENSE
PE 116443
EXPIRES: 04/30/23 SIGNED: 05/14/21

REVISIONS			
REV.	ISSUED FOR	DATE	BY
A	ZONING DRAWING	05/12/21	BA
B	FINAL ZONING DRAWING	05/14/21	BA

AQUATIC \ DESIGN & PROGRAM MANAGEMENT
CIVIL \ TELECOMMUNICATION \ MECHANICAL
PLUMBING \ ELECTRICAL \ LAND SURVEYING
ACCESSIBILITY CONSULTING \ STRUCTURAL

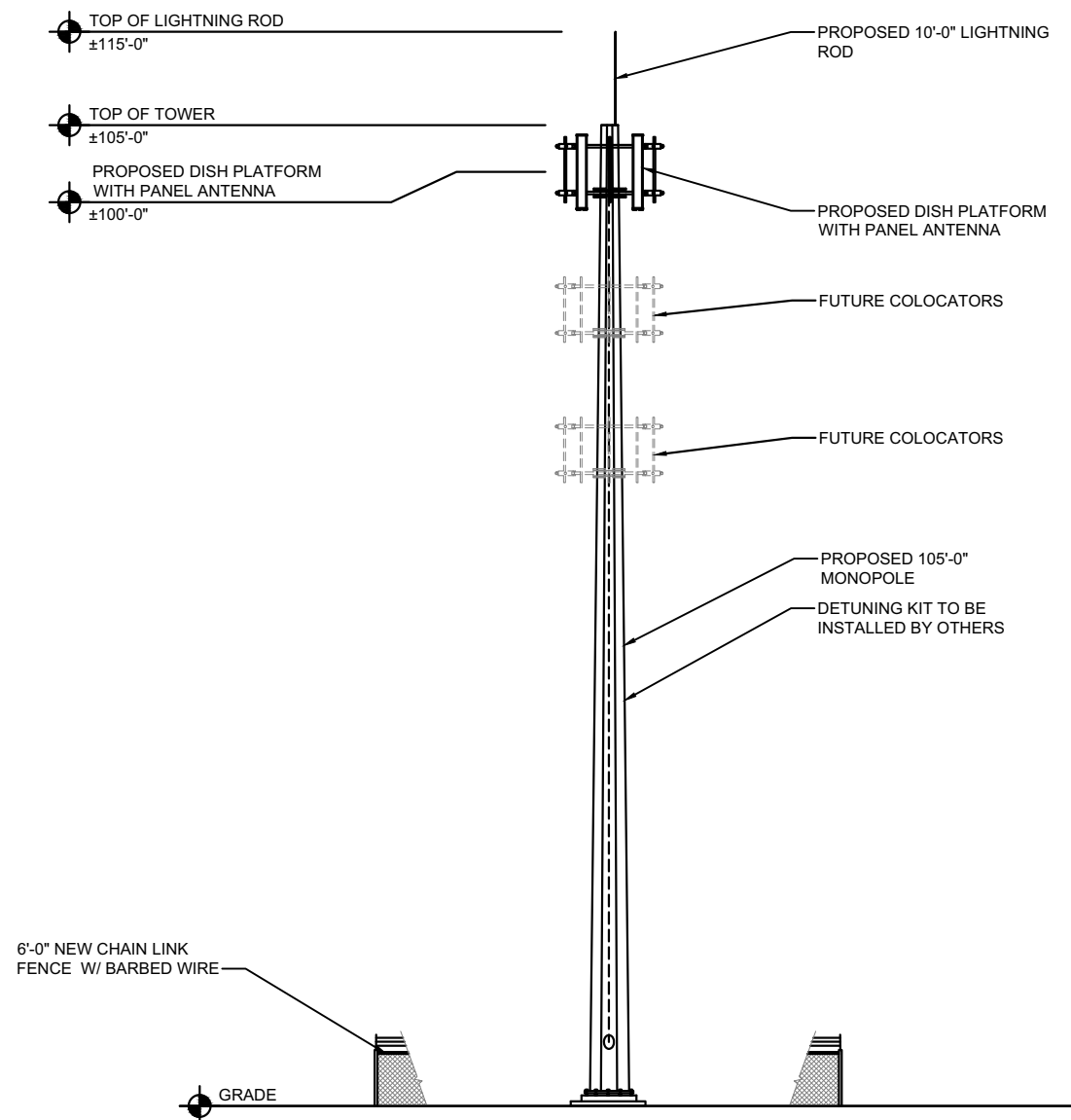


CHECK: AG
DRAWN: BA
JOB: 2100735T

Z-2

ENLARGED SITE PLAN

WT GROUP
Engineering with Precision, Pace and Passion
6230 N. Ballline RD., STE. 325 | Irving, TX 75063
T: 214.384.0744 | F: 214.293.6444
www.wteengineering.com
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NOTE:
 W-T'S SCOPE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THIS TOWER OR STRUCTURE. NEW ANTENNAS AND EQUIPMENT SHOWN ON THIS PLAN HAVE NOT BEEN EVALUATED TO VERIFY THE TOWER OR STRUCTURE HAS THE CAPACITY TO ADEQUATELY SUPPORT THESE ANTENNAS. PRIOR TO ANY ANTENNA OR EQUIPMENT INSTALLATION, A STRUCTURAL EVALUATION OF THE TOWER OR STRUCTURE, INCLUDING ALL ANTENNA MOUNTING SYSTEMS & HARDWARE SHALL BE PERFORMED.

NOTE:
 PRIOR TO CONSTRUCTION CONTRACTOR TO VERIFY FAA REQUIREMENTS FOR LIGHTING TOWER

TOWER ELEVATION
 SCALE: 1" = 40'-0"

1

verticalbridge

WT GROUP
 Engineering with Precision, Pace and Passion
 6230 N. Bellline RD., STE. 325 | Irving, TX 75063
 T: 214.384.0744 | F: 214.293.6444
 www.wteengineering.com

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US-TN-5263
WATKINS & I-40
 2531 N. WATKINS ST.
 MEMPHIS, TN 38127

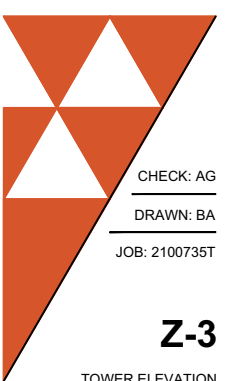


JEFFERY S. GUTOWSKY
 PROFESSIONAL ENGINEER
 STATE OF TENNESSEE LICENSE
 # PE 116443
 EXPIRES: 04/30/23 SIGNED: 05/14/21

REVISIONS

REV.	ISSUED FOR	DATE	BY
▲	ZONING DRAWING	05/12/21	BA
▲	FINAL ZONING DRAWING	05/14/21	BA

AQUATIC \ DESIGN & PROGRAM MANAGEMENT
 CIVIL \ TELECOMMUNICATION \ MECHANICAL
 PLUMBING \ ELECTRICAL \ LAND SURVEYING
 ACCESSIBILITY CONSULTING \ STRUCTURAL



CHECK: AG
 DRAWN: BA
 JOB: 2100735T

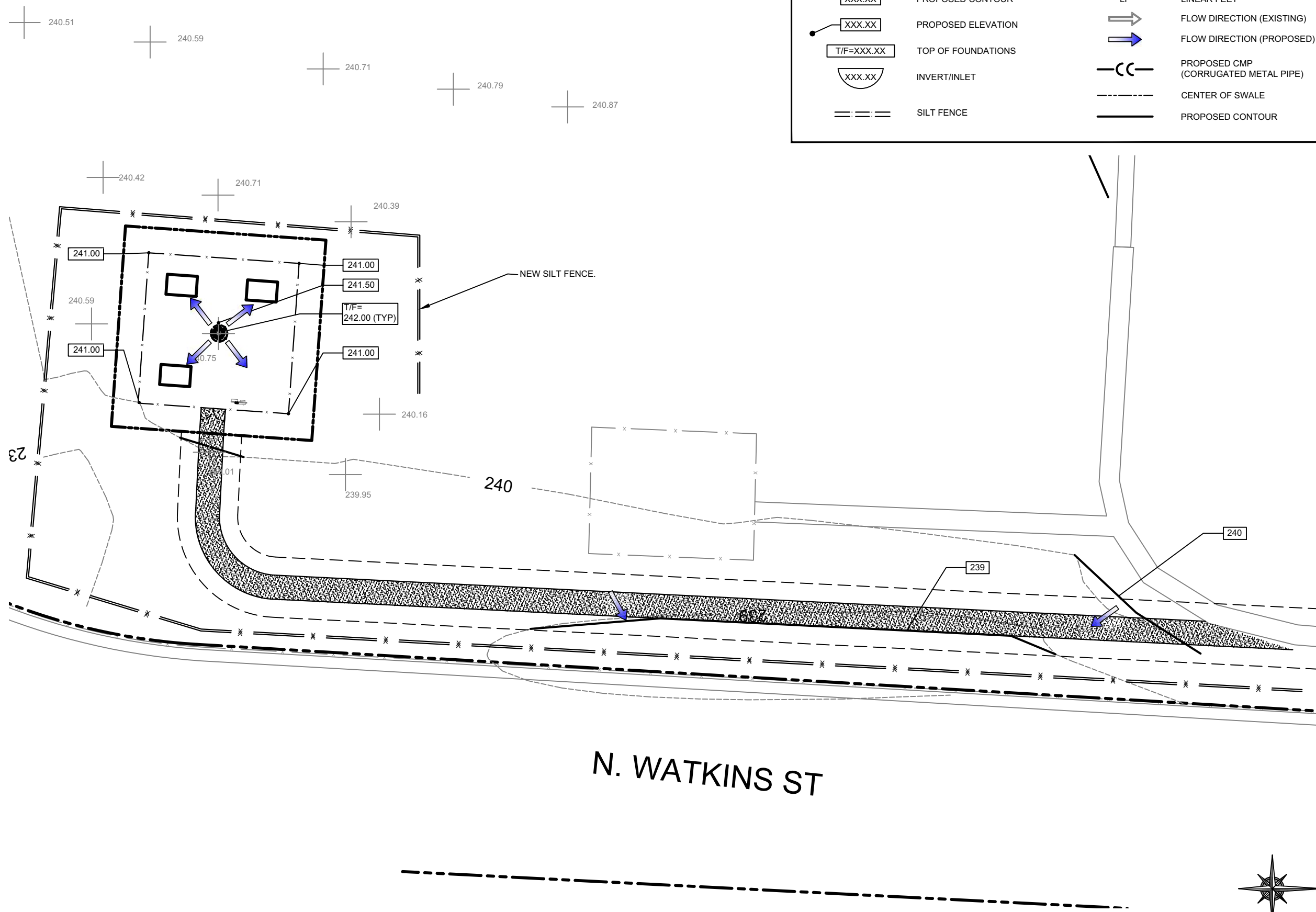
Z-3

TOWER ELEVATION

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LEGEND

	PROPOSED CONTOUR		LINEAR FEET
	PROPOSED ELEVATION		FLOW DIRECTION (EXISTING)
	TOP OF FOUNDATIONS		FLOW DIRECTION (PROPOSED)
	INVERT/INLET		PROPOSED CMP (CORRUGATED METAL PIPE)
	SILT FENCE		CENTER OF SWALE
			PROPOSED CONTOUR



verticalbridge

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 MEMPHIS, TN 38127



JEFFERY S. GUTOWSKY
 PROFESSIONAL ENGINEER
 STATE OF TENNESSEE LICENSE
 # PE 116443
 EXPIRES: 04/30/23 SIGNED: 05/14/21

REVISIONS

REV.	ISSUED FOR	DATE	BY
△	ZONING DRAWING	05/12/21	BA
△	FINAL ZONING DRAWING	05/14/21	BA



GRADING PLAN	1
SCALE: 1" = 50'-0"	

AQUATIC \ DESIGN & PROGRAM MANAGEMENT
 CIVIL \ TELECOMMUNICATION \ MECHANICAL
 PLUMBING \ ELECTRICAL \ LAND SURVEYING
 ACCESSIBILITY CONSULTING \ STRUCTURAL

CHECK: AG
 DRAWN: BA
 JOB: 2100735T

Z-4
 GRADING PLAN



Vertical Bridge REIT, LLC
750 Park of Commerce Drive, Suite 200
Boca Raton, FL 33487
+1 (561) 948 - 6367
VerticalBridge.com

June 28, 2021

Memphis and Shelby County
Office of Planning and Development – City Hall
125 North Main Street, Suite 477
Memphis, TN 38103
Phone (901) 636-6601

RE: Proposed New Cell Tower in Shelby County by Applicant VB BTS, LLC (“Vertical Bridge”)
Address: 2531 N. Watkins Street, Memphis, TN 38127
Parcel: 21170500000000 (ID # 070028-00015)
Lat/Long Coordinates: 35.193642, -90.008667
Tower Design/Height: 105’ Monopole Tower with 10’ Lightning Rod attachment

Dear Shelby County Planning Office:

The newly proposed cell tower with location described above is required in this location to address coverage and capacity for DISH Wireless. The public will greatly benefit if the zoning approval is granted for the new tower, which will provide better coverage, capacity, and E911 service in the area. The proposed tower is located within the DISH search ring, and, in evaluating the area, DISH determined that there were no existing towers or structures within DISH’s search parameters on which the DISH equipment could be located of which could serve as an alternative to the proposed new tower to provide optimal coverage.

Vertical Bridge’s communication facility will comply with all regulations administered by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), and all applicable governmental bodies that regulate communications towers.

In addition, Vertical Bridge is submitting this letter as intent to committing for allowing the shared use of the tower if capacity exists based on existing and planned use, and if a future applicant agrees in writing. The shared use, or co-location of other future applicant equipment, where structurally, technically, physically, economically, and contractually feasible, including the cost of modifying the tower would be borne by the future co-locating applicant.

Please do not hesitate to reach out to me with any questions.

Sincerely,

Steve Hedges, Project Manager
Vertical Bridge (VB BTS, LLC)
750 Park of Commerce Drive, Suite 200
Boca Raton, FL 33487
773.988.1715 mobile
SHedges@verticalbridge.com



Tom Leatherwood
Shelby County Register / Archives

As evidenced by the instrument number shown below, this document
has been recorded as a permanent record in the archives of the
Office of the Shelby County Register.

17005237

01/17/2017 - 03:14 PM

6 PGS

CHRISTINAM	1556279-17005237
VALUE	10.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	30.00
DP FEE	2.00
REGISTER'S FEE	0.00
WALK THRU FEE	0.00
TOTAL AMOUNT	32.00

TOM LEATHERWOOD

REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

This instrument prepared by:

Return Recorded Document to:

Vertical Bridge LANDCO, LLC
750 Park of Commerce Drive, Suite 200
Boca Raton, FL 33487
Phone: (561) 923-0734

Vertical Bridge LANDCO, LLC
750 Park of Commerce Drive, Suite 200
Boca Raton, FL 33487
Phone: (561) 923-0734
Attn: General Counsel

16051775

Name and Address
Of Property Owner:

Send Tax Bills To:

Map and Parcel
Numbers

Vertical Bridge LANDCO, LLC,
750 Park of Commerce Drive, Suite 200
Boca Raton, FL 33487

Vertical Bridge LANDCO, LLC
P.O. Box 812277
Boca Raton, FL 33481-2277

21170500000000

EXEMPT PER:
TCA 67-4-409 3(E)

SPECIAL WARRANTY DEED

For and in Consideration of the sum of Ten and no/100 (\$10.00) Dollars cash in hand paid by the hereinafter named grantees, the receipt of which is hereby acknowledged, the undersigned *Vertical Bridge CC AM, LLC, a Delaware limited liability company f/k/a iHeartMedia Tower Co. I (AM), LLC, having an address at 750 Park of Commerce Drive, Suite 200, Boca Raton, FL 33487 (hereinafter called the "**GRANTOR**"), have bargained and sold, and by these presents do transfer and convey unto *Vertical Bridge LANDCO, LLC, a Delaware limited liability company, having an address at 750 Park of Commerce Drive, Suite 200, Boca Raton, FL 33487 liability company (hereinafter called the "**GRANTEE**"), its heirs and assigns, a certain tract or parcel of land in Shelby County, Tennessee, described in the attached Exhibit A:

This is: unimproved () improved (x) property, known as

***NOTICE TO RECORDER:** This instrument conveys real property to a business entity that is wholly owned by the same parent entity as the Grantor, not in exchange for any ownership interests in such business entity nor for any monetary consideration. Accordingly, [no][nominal transfer tax in the amount of \$ _____] is due in connection with this conveyance.

2531 N. Watkins Street	Memphis	TN	38127
(House Number) (Street)	(City)	(State)	(Zip)

To Have and to Hold the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE, their heirs and assigns, forever. GRANTOR does covenant with said GRANTEE that GRANTOR is are lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, subject to: (i) any matters of record as of the date hereof, (ii) any easements, rights of public utility companies, rights of way, covenants, conditions, licenses, restrictions, reservations of mineral rights (with surface rights being waived) or similar non-monetary encumbrances that do not (a) impair the use or operation of the Property as a communications tower facility, including the rental to subtenants or (b) constitute an option, right of first refusal or other right to acquire the property, (iii) rights of tenants in possession of the Property pursuant to tenant leases, (iv) agreements with governmental authorities related to the construction, use, or operation of the Property, (v) zoning laws and other laws related to the use and operation of communications towers, and (vi) taxes, special assessments, government charges or levies not yet due and payable (the "Permitted Exceptions").

GRANTOR does further covenant and bind itself, its successors and assigns, to warrant and forever defend the title to the said land to the GRANTEE, its heirs and assigns, against the lawful claims of all persons of all persons claiming by, through, or under GRANTOR, but no further or otherwise, subject to the Permitted Exceptions. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

[Remainder of page intentionally left blank; signature pages of the parties hereto follow immediately hereafter.]

Witness our hands as of the 19th day of October, 2016.

GRANTOR:

VERTICAL BRIDGE CC AM, LLC, a Delaware limited liability company

By: _____
Name: Daniel Marinberg
Title: Vice President

STATE OF FLORIDA)
) SS.
COUNTY OF PALM BEACH)

THIS INSTRUMENT was acknowledged before me on October 19, 2016, by Daniel Marinberg, the Vice President of Vertical Bridge CC AM, LLC, a Delaware limited liability company, on behalf of said company.

WITNESS my hand and official seal.

Kathrynn Campbell

Notary's Signature

Printed Name: _____

My commission expires _____

(SEAL)



OATH OF CONSIDERATION
(MUST BE ON ALL DEEDS EXECUTED BY GRANTEE)

STATE OF FLORIDA)
) SS.
COUNTY OF PALM BEACH)

THE UNDERSIGNED HEREBY SWEARS OR AFFIRMS THAT THE ACTUAL
CONSIDERATION FOR THIS TRANSFER IS \$10.00.

GRANTEE/AFFIANT:

Vertical Bridge LANDCO, LLC
a Delaware limited liability company

By: _____
Name: Daniel Marinberg
Title: Vice President

STATE OF FLORIDA)
) SS.
COUNTY OF PALM BEACH)

THIS INSTRUMENT was acknowledged before me on October 19,
2016, by Daniel Marinberg, the Vice President of Vertical Bridge LANDCO, LLC, a
Delaware limited liability company, on behalf of said company.

WITNESS my hand and official seal.

Kathryn Campbell
Notary's Signature

Printed Name:
My commission expires
(SEAL)



EXHIBIT A

LEGAL DESCRIPTION

Being part of the Cowles Broadcasting Service, Inc., a Tennessee Corporation, property as recorded in deed book 5578 - page 139, less and except that portion deeded to the City of Memphis in deed book 5578 - page 137, and that portion as deeded to the State of Tennessee instrument J8 9194 all in the Shelby County Register's Office, and being described as follows:

Beginning at the intersection of the present west line of North Watkins (formerly Hindman Ferry Road) and the north line of Hindman Avenue (formerly Payne Avenue); thence along the north line of Payne Avenue, North 85 degrees 54 minutes 50 seconds West, 1048.84 feet to a point; thence North 03 degrees 27 minutes 12 seconds East, 1160.34 feet to a point; thence South 85 degrees 46 minutes 15 seconds East, 1102.18 feet to a point in the west line of North Watkins; thence in a southward direction along the west line of North Watkins, with a curve, having a radius of 1686.10 - feet, a distance of 32.27 feet as measured along its arc to a point of tangency in the west line of North Watkins; thence continuing along the west line of North Watkins, South 03 degrees 27 minutes 21 seconds West, 166.81 feet to an angle point in the west line of North Watkins, thence continuing along said angle line, South 07 degrees 28 minutes 32 seconds West, 175.41 feet to an angle point in the west line of North Watkins, thence continuing along the west line of North Watkins South 03 degrees 27 minutes 21 seconds West, 633.95 feet to a point of curvature in the west line of North Watkins; thence with a curve to the right, having a radius of 311.31 feet, a distance of 156.18 feet as measured along its arc to the point of beginning.

MAP AND PARCEL NUMBER: 2117050000000

Being the same property conveyed to Clear Channel Radio, Inc., grantee, from REP Southeast G.P., grantor, by deed recorded 03/19/1997 as instrument number GL3914 of the County Records.

Certificate of Authenticity

I, Kim Cautner, do hereby make oath that I am a licensed Attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.



State of Ohio

County of Summit

I, TINA M. KELLY a notary public for the County of Summit in the State of Ohio, acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.



Notary's Signature

Commission Expires: 9-15-18



TINA M. KELLY, Notary Public
Residence - Portage County
State Wide Jurisdiction, Ohio
My Commission Expires Sept. 15, 2018

070028 00002 - GIDEN ESTATES LLC
070028 00001 - BRAXTON GEORGE
070028 00003 - PARRISH CARLOS A
070028 00004 - GONZALEZ JUAN C & FLOR D GARCIA
070028 00005 - CUMMINS CONNIE
070028 00006 - JONES MONICA L
070028 00007 - STRAIGHT AND NARROW PATH MINISTRIES
070028 00008 - JAMES ROBERT
070028 00010 - DOUGLAS DELOISE
070028 00012 - MASOUD RAFAT
070028 00013 - MASOUD RAFAT
070030 00039 - WEST MARIA E
070030 00038 - FRAYSER COMMUNITY DEVELOPMENT CORP
070028 00014 - WATKINS MANOR APARTMENTS LLC
070029 00002 - PENDLETON LATONYA & ALONZO
070029 00003 - RODRIGUEZ MARIA ANTONIA BARRETTO
070029 00039 - HINKSON HULON R & DONNA M
070088 00016 - DIAMOND JUBILEE PROPERTIES INC
070088 00015 - DIAMOND JUBILEE PROPERTIES INC
070028 00031 - BOX SANTOS AND ALICIA TINO (RS)
070029 00037 - CRIAG GARY L
070029 00007 - JONES CLARENCE E (ESTATE OF)
070029 00035 - RUSSELL JAMES C & SANDRA J
070029 00008 - SMITH HAZEL
070028 00027 - COLLIER MARY A AND WAYLAND L YOUNG AND

070029 00036 - RUSSELL JAMES C & SANDRA J
070029 00034 - RUSSELL JAMES C & SANDRA J
070089 00005 - SCHULTZ HANS A
070028 00026 - CONFIDENCE HOLDINGS LLC
070029 00033 - RUSSELL JAMES C & SANDRA J
070029 00010 - FILSINGER ROLAND
070028 00025 - COCHRAN TED D
070029 00032 - CHANDLER STEVE R
070029 00011 - LE VINH
070029 00031 - ELBAHY AHMED A AND NEHAD M KASSEM
070029 00012 - THOMAS TOM
070028 00023 - F & S PROPERTY INVESTMENTS LLC
070029 00030 - MAPLES LINDA G AND JULIUS E MAPLES (RS)
070089 00008 - STRONG FAMILY TRUST (THE) AND WINIFRED
070029 00013 - MICHEL RAYMOND
070028 00022 - SWINFORD WILLIAM A
070029 00028 - BERRETO MARIA A
070029 00014 - SHELBY COUNTY TAX SALE 0703 EXH #12517
070028 00021 - MICHEL RAYMOND
070089 00009 - STRONG FAMILY TRUST (THE) AND WINIFRED
070029 00015 - HARRELL JERRY L
070028 00020 - SHELBY COUNTY TAX SALE 0803 EXH # 328498
070029 00046 - ALLEN HENRY
072045 00079 - MARKWELL KENNETH JR
070029 00016 - WALKER ODIES

070028 00019 - MITCHELL BURNIE JR
070029 00026 - ALLEN HENRY L & ANNIE M
070089 00010 - TEKLEMARIAM GEBEYEHU & MARTA BETEW
072045 00080 - MARKWELL KENNETH JR
070029 00025 - WILLIAMS KAREN A
070029 00041 - MITCHELL BURNTTE JR
070029 00021 - ANDRES MINDEL
070029 00042 - WHEELER JEFF AND JOHN BRIGGS
070028 00016 - SHELBY COUNTY TAX SALE 16.03
070029 00019 - MORENO JOSE DE JESUS AGUILAR
070028 00009 - SET 1 ENTERPRISES LLC
070028 00035 - PALACIOS FRANCISCO AND NATIVIDAD G
070028 00011 - MASOUD RAFAT
070028 00034 - HARRIS LADRONE
070028 00033 - H M E SC LLC
070029 00001 - EMERSON THOMAS
070088 00017 - IBRAHIM KALID & YASMIN ABUBAKER
070028 00032 - MIRANDA DANIEL & MARIA D C TERRAZAS
070088 00014 - DIAMOND JUBILEE PROPERTIES INC
070029 00004 - HORTON ANTHONY AND CORLISS HORTON
070088 00010 - SHELBY COUNTY TAX SALE 15.03
070029 00005 - GFM INVESTMENTS LLC
070029 00006 - SEIFERT FAMILY TRUST DATED FEB 14
070029 00038 - ANDERSON CAMILLE L
070089 00002 - GOLDEN JUBILEE PROPERTIES INC

070028 00024 - COCHRAN TEDDY D
070089 00006C - SRIVY
070029 00029 - MAPLES LINDA G AND LUIS M MIRANDA
070029 00044 - ALLEN HENRY
070028 00018 - HENDERSON LARRY & DEBORAH
070028 00017 - HENSERSON LARRY & DEBORAH
070029 00043 - BRIGGS JON K
070029 00017C - POWELL ANTONIO
070087 00020C - MASOUD RAFAT
070028 00028C - HARTMAN DAVID R & LYNSI T
070089 00003C - HARRISON EILEEN C
070088 00018 - BROOKRIDGE LLC
070088 00019C - BROOKRIDGE LLC
070088 00021 - PEARSON RONNIE
070028 00015 - VERTICAL BRIDGE LANDCO LLC
070029 00009 - RICHARDSON ANTHONY R SR AND MERCEY
070088 00011C - F & H INVESTMENTS

SET 1 ENTERPRISES LLC
1643 VENABLES ST #
VANCOUVER BC

SHELBY COUNTY TAX SALE 15.03
PO BOX 2751 #
MEMPHIS TN 38101

HENSEN LARRY & DEBORAH
1818 RUSSELL BOND RD #
MILLINGTON TN 38053

PALACIOS FRANCISCO AND NATIVIDAD G
2664 STEELE ST #
MEMPHIS TN 38127

GFM INVESTMENTS LLC
2130 PENDLETON ST #
MEMPHIS TN 38114

BRIGGS JON K
1751 N PARKWAY #
MEMPHIS TN 38112

MASOUD RAFAT
4830 MAGGIE OAKS CV #
MEMPHIS TN 38135

SEIFERT FAMILY TRUST DATED FEB 14
246 1ST AVE S #
PERHAM MN 56573

POWELL ANTONIO
44 FAIN ST #
NASHVILLE TN 37210

HARRIS LADRONE
11157 MEMPHIS ARLINGTON RD #
ARLINGTON TN 38002

ANDERSON CAMILLE L
356 JEANNE DR #
MEMPHIS TN 38109

MASOUD RAFAT
4830 MAGGIE OAKS CV #
BARTLETT TN 38135

H M E SC LLC
1252 3RD AVE S #
MYRTLE BEACH SC 29577

GOLDEN JUBILEE PROPERTIES INC
2675 GETWELL RD #
MEMPHIS TN 38118

HARTMAN DAVID R & LYNSI T
2596 HENDERSON ST #
MEMPHIS TN 38127

EMERSON THOMAS
2616 STEELE ST #
MEMPHIS TN 38127

COCHRAN TEDDY D
5605 S CR 33 #
DYESS AR 72330

HARRISON EILEEN C
2430 COUNTRYWOOD PKWY #
CORDOVA TN 38016

IBRAHIM KALID & YASMIN ABUBAKER
2626 N WATKINS ST #
MEMPHIS TN 38127

SRIVY
10520 LARSON BAY LN #
COLLIERVILLE TN 38017

BROOKRIDGE LLC
1120 HUFFMAN RD #672
ANCHORAGE AK 99515

MIRANDA DANIEL & MARIA D C TERRAZAS
2618 HENDERSON ST #
MEMPHIS TN 38127

MAPLES LINDA G AND LUIS M MIRANDA
2544 STEELE ST #
MEMPHIS TN 38127

BROOKRIDGE LLC
1120 HUFFMAN RD #672
ANCHORAGE AK 99515

DIAMOND JUBILEE PROPERTIES INC
PO BOX 687 #
COLLIERVILLE TN 38027

ALLEN HENRY
2520 STEELE #
MEMPHIS TN 38127

PEARSON RONNIE
854 CROCKETT PL #9
MEMPHIS TN 38107

HORTON ANTHONY AND CORLISS HORTON
2611 HENDERSON ST #
MEMPHIS TN 38127

HENDERSON LARRY & DEBORAH
1818 RUSSELL BOND RD #
MILLINGTON TN 38053

VERTICAL BRIDGE LANDCO LLC
2800 POST OAK BLVD #3700
HOUSTON TX 77056

F & S PROPERTY INVESTMENTS LLC
PO BOX 1050 #
COLDWATER MS 38618

GIDEN ESTATES LLC
1557 ONTARIO AVE #
MEMPHIS TN 38127

MITCHELL BURNIE JR
466 FERNHILL CV #
MEMPHIS TN 38127

MAPLES LINDA G AND JULIUS E MAPLES (RS)
2548 STEELE ST #
MEMPHIS TN 38127

BERRETO MARIA A
2538 STEELE ST #
MEMPHIS TN 38127

ALLEN HENRY L & ANNIE M
2520 STEELE ST #
MEMPHIS TN 38127

STRONG FAMILY TRUST (THE) AND WINIFRED
PO BOX 1450 #
SOUTHAVEN MS 38671

SHELBY COUNTY TAX SALE 0703 EXH #12517
PO BOX 2751 #
MEMPHIS TN 38101

TEKLEMARIAM GEBEYEHU & MARTA BETEW
2510 N WATKINS ST #
MEMPHIS TN 38127

MICHEL RAYMOND
8707 FOUNTAIN VIEW CV #
CORDOVA TN 38016

MICHEL RAYMOND
8707 FOUNTAIN VIEW CV #
CORDOVA TN 38016

MARKWELL KENNETH JR
3800 NEW GETWELL RD #
MEMPHIS TN 38118

SWINFORD WILLIAM A
2546 HENDERSON ST #
MEMPHIS TN 38127

STRONG FAMILY TRUST (THE) AND WINIFRED
PO BOX 1450 #
SOUTHAVEN MS 38671

WILLIAMS KAREN A
P.O.BOX 27643 #
MEMPHIS TN 38167

MASOUD RAFAT
1671 ONTARIO AVE #
MEMPHIS TN 38127

HARRELL JERRY L
4850 GOLDEN PKWY #B213
BUFORD GA 30518

MITCHELL BURNTTE JR
2511 HENDERSON ST #
MEMPHIS TN 38127

MASOUD RAFAT
4830 MAGGIE OAKS CV #
BARTLETT TN 38135

SHELBY COUNTY TAX SALE 0803 EXH # 328498
PO BOX 2751 #
MEMPHIS TN 38101

ANDRES MINDEL
294 E CAROL WAY #
SAN BERNARDINO CA 92408

DOUGLAS DELOISE
1641 ONTARIO AVE #
MEMPHIS TN 38127

ALLEN HENRY
2520 STEELE #
MEMPHIS TN 38127

WHEELER JEFF AND JOHN BRIGGS
1751 N PARKWAY #
MEMPHIS TN 38112

CUMMINS CONNIE
123 W BROADWAY ST #
WEST MEMPHIS AR 72301

MARKWELL KENNETH JR
3800 NEW GETWELL RD #
MEMPHIS TN 38118

SHELBY COUNTY TAX SALE 16.03
PO BOX 2751 #
MEMPHIS TN 38101

BRAXTON GEORGE
1549 ONTARIO AVE #
MEMPHIS TN 38127

WALKER ODIES
1443 TUNICA #
MEMPHIS TN 38108

MORENO JOSE DE JESUS AGUILAR
1528 HINDMAN AVE #
MEMPHIS TN 38127

RICHARDSON ANTHONY R SR AND MERCEY
3643 CHANTREY W #5
MEMPHIS TN 38128

F & H INVESTMENTS
1716 DUPONT AVE #45
MEMPHIS TN 38127

BOUNDARY SURVEY

LEGEND

- :IRON PIPE (FOUND)
- :MONUMENT (FOUND)
- ⊗ :FENCE POST (FOUND)
- ⊗ :RAILROAD SPIKE (FOUND)
- :IRON PIN (FOUND)
- :IRON PIN (SET)
- P.O.B. :POINT OF BEGINNING
- P.O.C. :POINT OF COMMENCEMENT
- P.O.T. :POINT OF TERMINUS
- R.O.W. :RIGHT-OF-WAY
- C.M.P. :CURROGATED METAL PIPE
- N/A :NOT AVAILABLE
- :FENCE AS NOTED
- P — :OVERHEAD POWER LINES
- C — :CENTERLINE
- △ :TELCOM PEDESTAL
- ⊙ :POWER POLE
- ⊙ :UTILITY BOX
- ⊕ :AREA LIGHT
- ⊙ :SEWER MANHOLE
- ⊙ :SATELLITE DISH

TOWER PARCEL DATA

LINE	BEARING	DISTANCE
L1	S 03°24'21" W	166.81'
L2	S 07°25'32" W	175.41'
L3	S 03°24'21" W	633.95'
L4	N 85°57'50" W	1048.84'
L5	N 03°17'16" E	1161.06'
L6	S 85°49'15" E	1102.18'

TOWER PARCEL CURVE DATA

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	32.27'	1686.10'	1°05'48"	S 03°50'52" W	32.27'
C2	156.18'	311.31'	28°44'40"	S 17°46'41" W	154.55'

(7) CORRESPONDS WITH B-II ITEMS OF TITLE COMMITMENT ON PAGE 3

SURVEYOR'S NOTES

1. BASIS OF BEARING, DEED AS RECORDED IN INSTRUMENT NO. GL3914, R.O.S.C.T.N.
2. NO SUBSURFACE INVESTIGATION WAS PERFORMED TO LOCATE UNDERGROUND UTILITIES. UTILITIES SHOWN HEREON ARE LIMITED TO AND ARE PER OBSERVED EVIDENCE ONLY.
3. THIS SURVEY REPRESENTS A BOUNDARY SURVEY OF THE PARENT PARCEL.
4. UNLESS OTHERWISE NOTED, ALL VISIBLE TOWER EQUIPMENT AND IMPROVEMENTS ARE CONTAINED WITHIN THE DESCRIBED AREA.
5. ZONING: N/A
6. FLOOD NOTE: THE TOWER AREA BEING LOCATED IN PANEL NO. 47157C0260F DOES NOT LIE IN AN AREA DESIGNATED AS A SPECIAL FLOOD HAZARD (ZONE "X") BEARING AN EFFECTIVE DATE OF 9-28-07, AS PER FEMA.GOV WEBSITE.

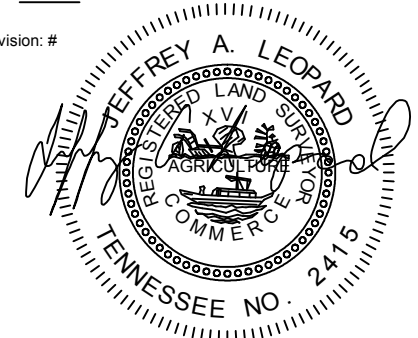
SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY TO: Vertical Bridge REIT, LLC, a Delaware limited liability company, its subsidiaries, and their respective successors and/or assigns; The Bank of New York Mellon, as Collateral Agent, and its successors and/or assigns, and Old Republic National Title Ins. Co

B2L HOME AND PROPERTY SOLUTIONS, LLC.
JEFFREY A. LEOPARD
LAND SURVEYOR - TN # 2415

Date: 3-30-15

Revision: #



verticalbridge

FOR: VERTICAL BRIDGE TOWERS, LLC

SITE NAME: MEM-013
SITE NUMBER: US-TN-5021 US-TN-5025
US-TN-5026
ADDRESS: 2531 N. WATKINS ST.
MEMPHIS, TN 38127
SHELBY COUNTY

SURVEY WORK PERFORMED BY:

B2L Home & Property Solutions, LLC.

1198 Old Pinnacle Rd. Joelton, TN 37080
Office: (615) 746-7490 Fax: (615) 751-5316
www.b2lhps.com "Providing Solutions with You in Mind!"

DRAWN BY: CB CHECKED BY: JL JOB #:LS-0485

NATIONAL SURVEY SERVICES COORDINATION BY:

GEOLINE SURVEYING, INC. 13430 NW 104th Terrace, Suite A
Alachua, FL 32615
Office: (386) 418-0500
Fax: (386) 462-9986
WWW.GEOLINEINC.COM

SHEET 1 OF 3

OWNER: DAVID R & LYNSI T HARTMAN
TAX ID: 070028 00028C
DEED REFERENCE: INST. NO. 13057468

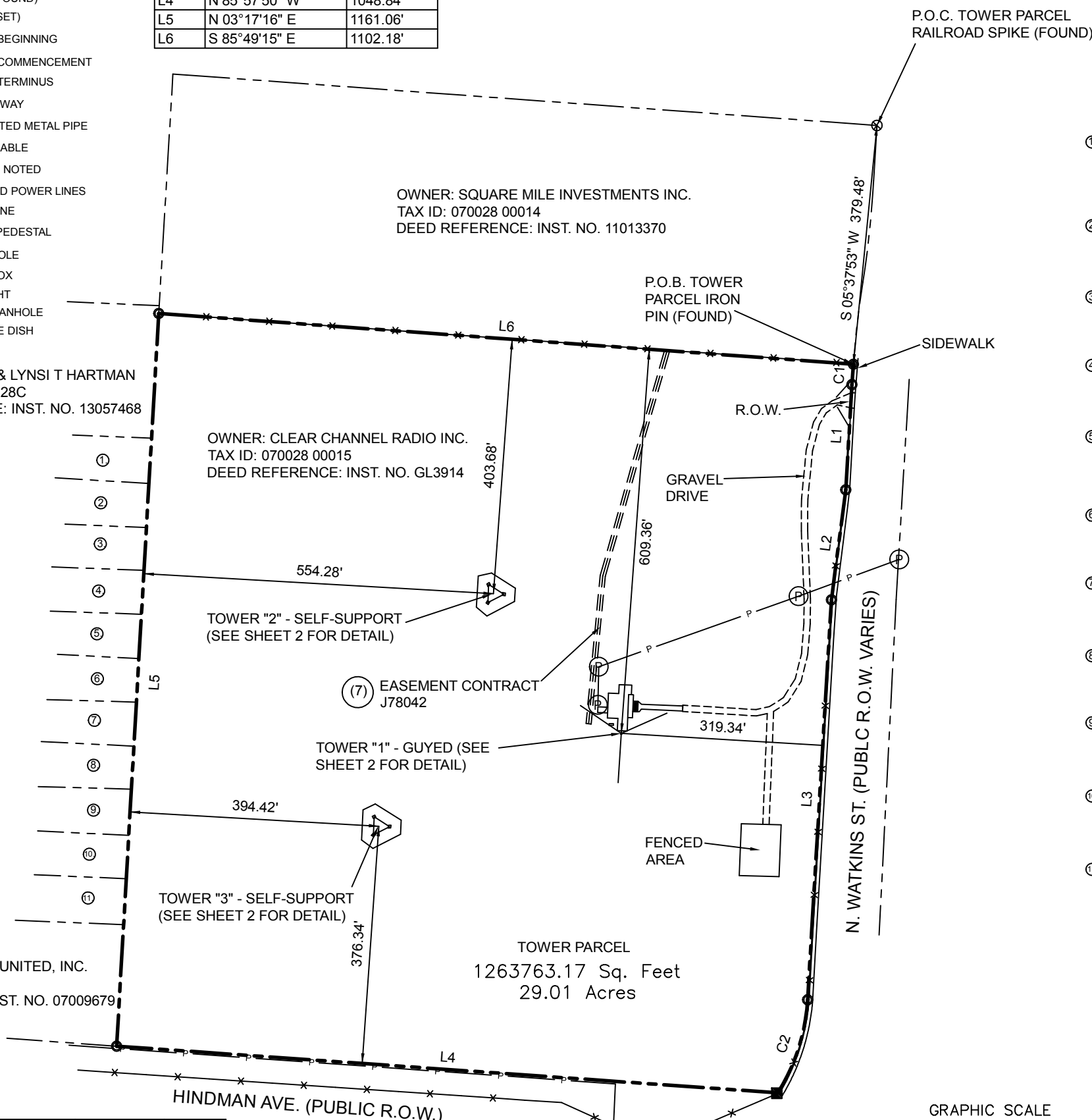
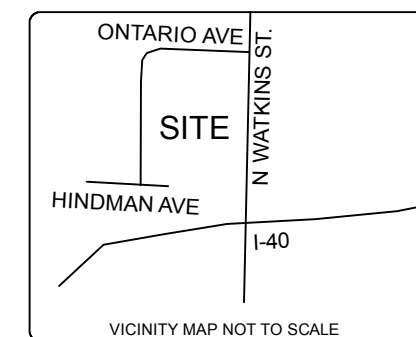
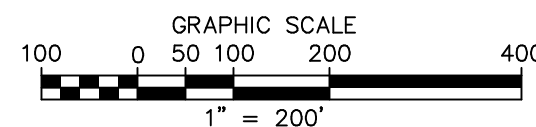
OWNER: CLEAR CHANNEL RADIO INC.
TAX ID: 070028 00015
DEED REFERENCE: INST. NO. GL3914

OWNER: SQUARE MILE INVESTMENTS INC.
TAX ID: 070028 00014
DEED REFERENCE: INST. NO. 11013370

OWNER: RESTORERS UNITED, INC.
TAX ID: 070028 00016
DEED REFERENCE: INST. NO. 07009679

TOWER PARCEL
1263763.17 Sq. Feet
29.01 Acres

AREA TABLE	SQUARE FEET	ACREAGE
Ⓐ PARENT PARCEL	1,263,763.17 +/-	29.01 +/-
Ⓑ TOWER COMPOUND 2	2,937.28 +/-	0.07 +/-
Ⓒ TOWER COMPOUND 3	3,077.34 +/-	0.07 +/-



PROPERTY ADJOINER INFORMATION

- ① OWNER: IRVIN L & MARY A COLLIER
TAX ID: 070028 00027
DEED REFERENCE: INST. NO. BC4787
- ② OWNER: END-IRA INC.
TAX ID: 070028 00026
DEED REFERENCE: INST. NO. 11072607
- ③ OWNER: TED D COCHRAN
TAX ID: 070028 00025
DEED REFERENCE: INST. NO. DP7589
- ④ OWNER: TEDDY D COCHRAN
TAX ID: 070028 00024
DEED REFERENCE: INST. NO. BE8153
- ⑤ OWNER: F AND S PROPERTY INVESTMENTS LLC.
TAX ID: 070028 00023
DEED REFERENCE: INST. NO. 10064176
- ⑥ OWNER: LISA & JERRY TENNYSON
TAX ID: 070028 00022
DEED REFERENCE: INST. NO. 09098448
- ⑦ OWNER: MICHAEL RAYMOND
TAX ID: 070028 00021
DEED REFERENCE: INST. NO. 10056836
- ⑧ OWNER: SHELBY COUNTY TAX SALE
TAX ID: 070028 00020
DEED REFERENCE: INST. NO. 9486-1
- ⑨ OWNER: BURNIE MITCHELL JR
TAX ID: 070028 00019
DEED REFERENCE: INST. NO. GF8721
- ⑩ OWNER: LARRY & DEBORAH HENDERSON
TAX ID: 070028 00018
DEED REFERENCE: INST. NO. 10000135
- ⑪ OWNER: LARRY & DEBORAH HENDERSON
TAX ID: 070028 00017
DEED REFERENCE: INST. NO. 10000135

BOUNDARY SURVEY

SURVEYOR'S NOTES

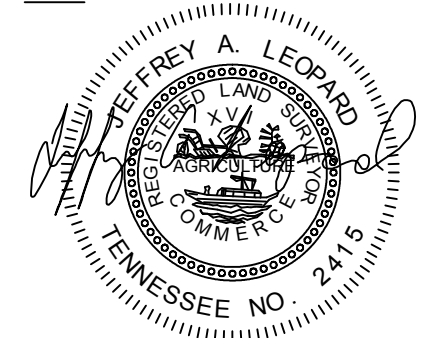
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5. ZONING: N/A
6. FLOOD NOTE: THE TOWER AREA BEING LOCATED IN PANEL NO. 47157C0260F DOES NOT LIE IN AN AREA DESIGNATED AS A SPECIAL FLOOD HAZARD (ZONE "X") BEARING AN EFFECTIVE DATE OF 9-28-07, AS PER FEMA.GOV WEBSITE.

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; The Bank of New York Mellon, as Collateral Agent, and its successors and/or assigns, and Old Republic National Title Ins. Co

B2L HOME AND PROPERTY SOLUTIONS, LLC.
JEFFREY A. LEOPARD
LAND SURVEYOR - TN # 2415

Date: 3-30-15



verticalbridge

FOR: VERTICAL BRIDGE TOWERS, LLC

SITE NAME: MEM-013
SITE NUMBER: US-TN-5021 US-TN-5025
US-TN-5026
ADDRESS: 2531 N. WATKINS ST.
MEMPHIS, TN 38127
SHELBY COUNTY

SURVEY WORK PERFORMED BY:

B2L Home & Property Solutions, LLC.

1198 Old Pinnacle Rd. Joelton, TN 37080
Office: (615) 746-7490 Fax: (615) 751-5316
www.b2lhps.com "Providing Solutions with You in Mind!"

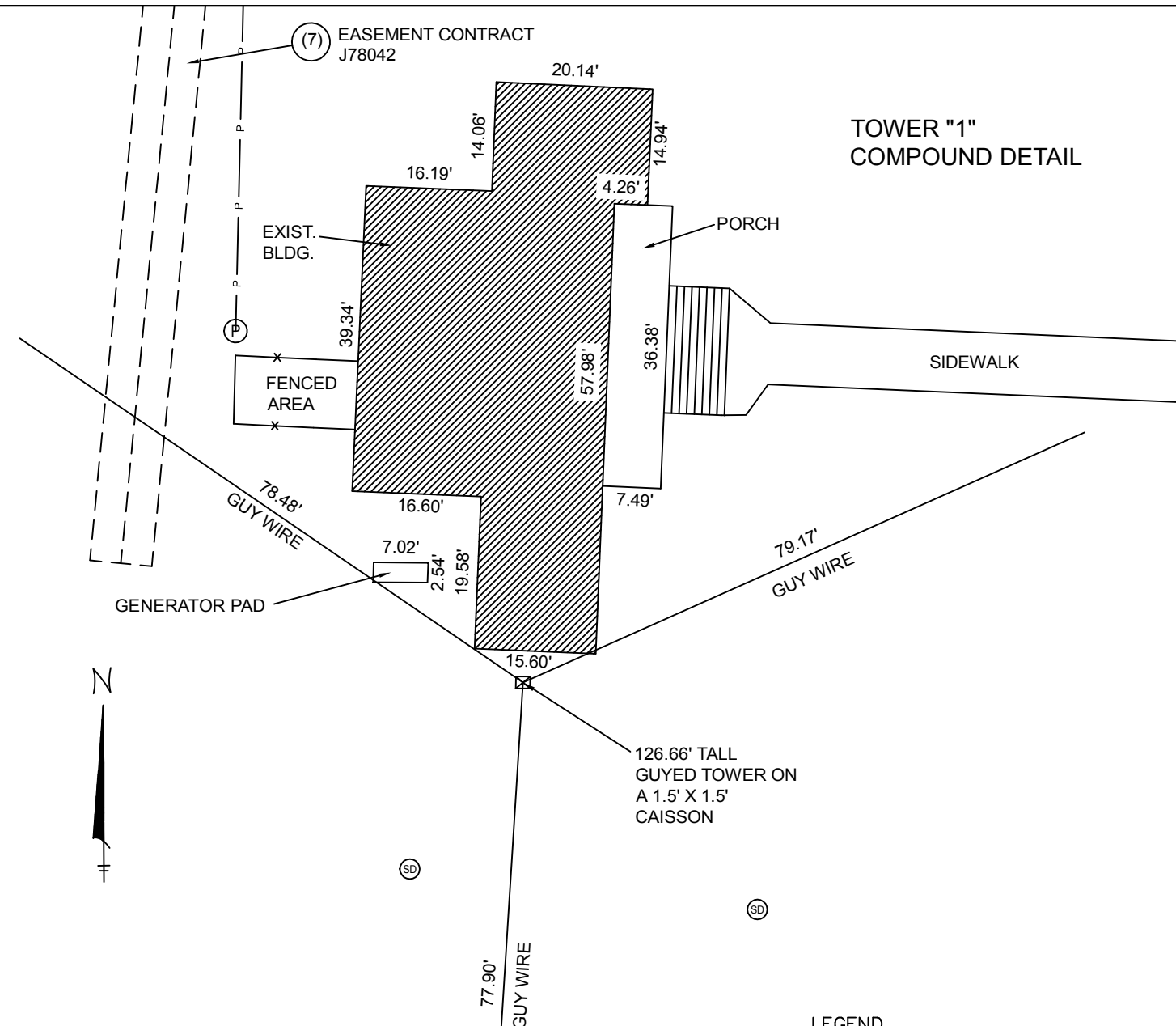
DRAWN BY: CB CHECKED BY: JL JOB #:LS-0485

NATIONAL SURVEY SERVICES COORDINATION BY:

GEOLINE SURVEYING, INC. 13430 NW 104th Terrace, Suite A
Alachua, FL 32615
Office: (386) 418-0500
Fax: (386) 462-9986
WWW.GEOLINEINC.COM

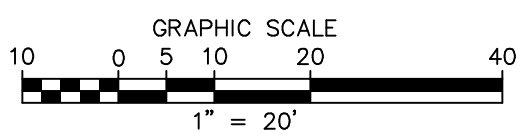
SHEET 2 OF 3

TOWER "1" COMPOUND DETAIL



126.66' TALL GUYED TOWER ON A 1.5' X 1.5' CAISSON

(7) CORRESPONDS WITH B-II ITEMS OF TITLE COMMITMENT ON PAGE 3

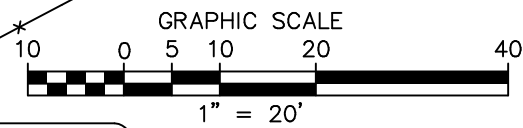
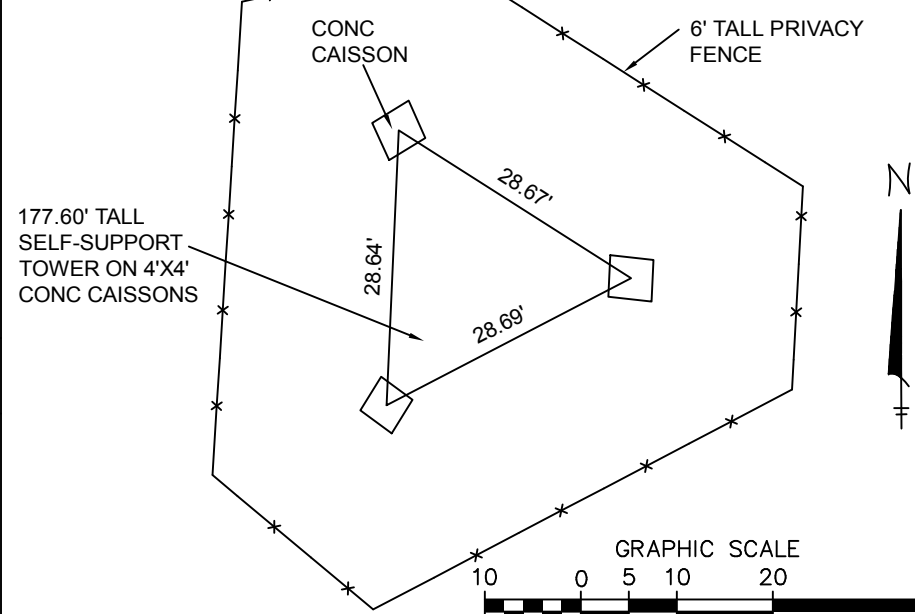


FAA 1-A TOWER LOCATION INFORMATION FOR TOWER 1:
126.66± 1' GUYED TOWER
ON A 0.3' TALL CONCRETE CAISSON

NAD 83
LATITUDE = 35°11'41.12" N ± 20'
LONGITUDE = 90°00'33.08" W ± 20'

GROUND ELEVATION AT BASE OF TOWER = 246.27' ± 3' NAVD88
HEIGHT OF TOP OF TOWER ABOVE GROUND = 126.96± 1'
HEIGHT OF HIGHEST APPURTENANCE ABOVE GROUND = 373.23± 1'

- ### LEGEND
- : IRON PIPE (FOUND)
 - : MONUMENT (FOUND)
 - ⊙ : FENCE POST (FOUND)
 - ⊗ : RAILROAD SPIKE (FOUND)
 - : IRON PIN (FOUND)
 - : IRON PIN (SET)
 - P.O.B. : POINT OF BEGINNING
 - P.O.C. : POINT OF COMMENCEMENT
 - P.O.T. : POINT OF TERMINUS
 - R.O.W. : RIGHT-OF-WAY
 - C.M.P. : CURROGATED METAL PIPE
 - N/A : NOT AVAILABLE
 - x— : FENCE AS NOTED
 - P— : OVERHEAD POWER LINES
 - C— : CENTERLINE
 - △ : TELCOM PEDESTAL
 - Ⓟ : POWER POLE
 - Ⓜ : UTILITY BOX
 - ⊕ : AREA LIGHT
 - Ⓢ : SEWER MANHOLE
 - ⓈD : SATELLITE DISH



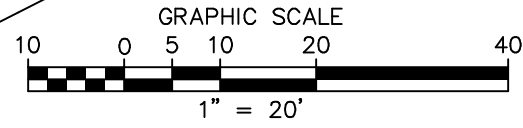
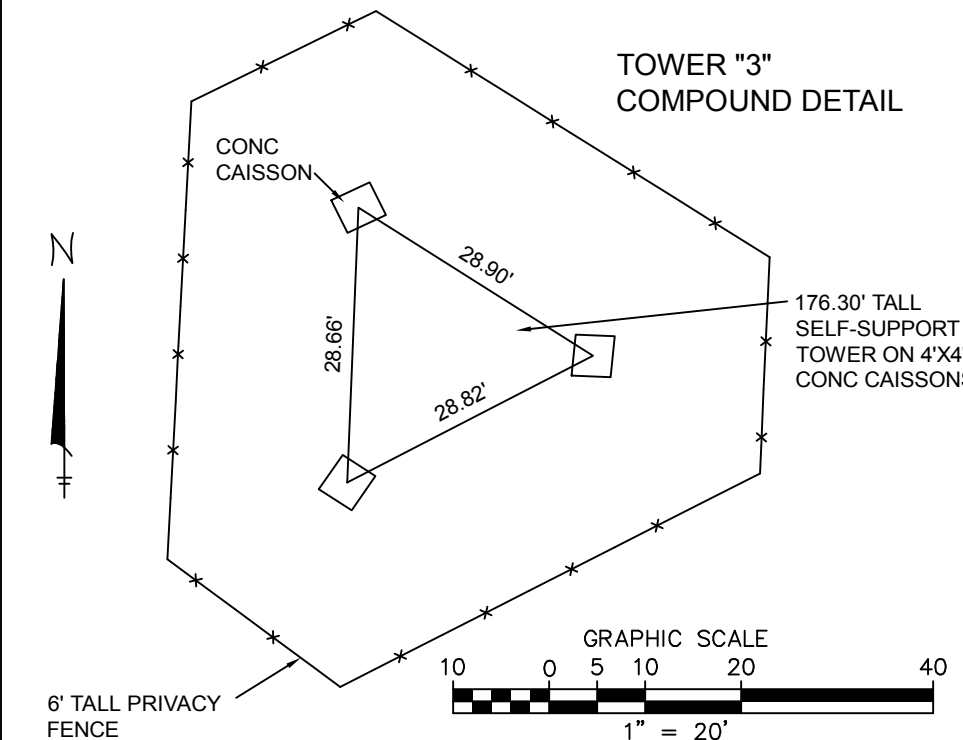
TOWER "2" COMPOUND DETAIL

FAA 1-A TOWER LOCATION INFORMATION FOR TOWER 2:
177.60± 1' SELF-SUPPORT TOWER
ON A 4.5' TALL CONCRETE CAISSON

NAD 83
LATITUDE = 35°11'43.23" N ± 20'
LONGITUDE = 90°00'35.62" W ± 20'

GROUND ELEVATION AT BASE OF TOWER = 236.20' ± 3' NAVD88
HEIGHT OF TOP OF TOWER ABOVE GROUND = 182.10± 1'
HEIGHT OF HIGHEST APPURTENANCE ABOVE GROUND = 418.30± 1'

TOWER "3" COMPOUND DETAIL



FAA 1-A TOWER LOCATION INFORMATION FOR TOWER 3:
176.30± 1' SELF-SUPPORT TOWER
ON 4.5' TALL CONCRETE CAISSONS

NAD 83
LATITUDE = 35°11'39.54" N ± 20'
LONGITUDE = 90°00'37.63" W ± 20'

GROUND ELEVATION AT BASE OF TOWER = 237.5' ± 3' NAVD88
HEIGHT OF TOP OF TOWER ABOVE GROUND = 180.80± 1'
HEIGHT OF HIGHEST APPURTENANCE ABOVE GROUND = 418.30± 1'

BOUNDARY SURVEY

US-TN-5021, 5025, & 5026 – MEM-013
2531 N. WATKINS ST. MEMPHIS, TN 38127
SHELBY COUNTY, TN
LAND DESCRIPTION
(AS SURVEYED)

Being a tract of land situated in Shelby County, Tennessee and being more particularly described as follows:

COMMENCING at a railroad spike (found) at the northeast corner of the Square Mile Investments Inc. property (Inst. No. 11013370), thence South 05 deg. 37 min. 53 sec. West, 379.48 feet to an iron pin (found) at the northeast corner of the Clear Channel Radio Inc. property (Inst. No. GL3914), this being the **TRUE POINT OF BEGINNING**;

Thence, with a curve to the left, having an arc length of 32.27 feet, a radius of 1,686.10 feet, a chord bearing of South 03 deg. 50 min. 52 sec. West, a distance of 32.27 feet to an iron pin (set);

Thence, South 03 deg. 24 min. 21 sec. West, 166.81 feet to an iron pin (set);

Thence, South 07 deg. 25 min. 32 sec. West, 175.41 feet to an iron pin (set);

Thence, South 03 deg. 24 min. 21 sec. West, 633.95 feet to an iron pin (found);

Thence, with a curve to the right, having an arc length of 156.18 feet, a radius of 311.31 feet, a chord bearing of South 17 deg. 46 min. 41 sec. West, a distance of 154.55 feet to a highway monument (found);

Thence, North 85 deg. 57 min. 50 sec. West, 1048.84 feet to an iron pin (set);

Thence, North 03 deg. 17 min. 16 sec. East, 1161.06 feet to an iron pin (set);

Thence South 85 deg. 49 deg. 15 sec. East, 1102.18 feet to the **POINT OF BEGINNING**. Containing 1,263,763.17 square feet, or 29.01 acres. According to a survey by Jeffrey A. Leopard, Dated March 23, 2015.

OWNER: CLEAR CHANNEL RADIO INC.
 TAX ID: 070028 00015
 DEED REFERENCE: INST. NO. GL3914

TITLE INSURANCE COMMITMENT NOTE:

I HAVE REVIEWED COMMITMENT FOR TITLE INSURANCE, UNDERWRITTEN BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, WITH AN EFFECTIVE DATE OF DECEMBER 29, 2014 AT 7:00 A.M. COMMITMENT NUMBER 01-14096948-01T, AND FIND AS FOLLOWS WITH RESPECT TO THE EXCEPTIONS LISTED IN SCHEDULE B-SECTION 2 OF SAID COMMITMENT:

- (1) FACTS WHICH WOULD BE DISCLOSED BY A COMPREHENSIVE SURVEY OF THE PREMISES HEREIN DESCRIBED. (BLANKET IN NATURE, NOT PLOTTABLE)
- (2) RIGHTS OR CLAIMS OF PARTIES IN POSSESSION OR RIGHTS OF TENANTS IN POSSESSION AS TENANTS ONLY UNDER UNRECORDED LEASES. (BLANKET IN NATURE, NOT PLOTTABLE)
- (3) MECHANICS', CONTRACTORS' OR MATERIAL MEN'S LIENS AND LIEN CLAIMS, IF ANY, WHERE NO NOTICE THEREOF APPEARS OF RECORD. (BLANKET IN NATURE, NOT PLOTTABLE)
- (4) ANY CHANGES IN TITLE OCCURRING SUBSEQUENT TO THE EFFECTIVE DATE OF THIS COMMITMENT AND PRIOR TO THE DATE OF ISSUANCE OF THE TITLE POLICY. (BLANKET IN NATURE, NOT PLOTTABLE)
- (5) TAXES AND SPECIAL ASSESSMENTS FOR CURRENT TAX YEAR DUE AND ALL SUBSEQUENT YEARS. (BLANKET IN NATURE, NOT PLOTTABLE)
- (6) DELETING FROM ANY INSTRUMENT IN THE PUBLIC RECORDS REFLECTED HEREIN, ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH MATTERS VIOLATE 42 USC 3604(c). (BLANKET IN NATURE, NOT PLOTTABLE)
- (7) EASEMENT CONTRACT IN FAVOR OF THE CITY OF MEMPHIS ACTING THROUGH THE MEMPHIS LIGHT, GAS AND WATER DIVISION, RECORDED 08/01/1974, AS DOCUMENT NO. J78042 OF THE SHELBY COUNTY RECORDS.

- (7) CORRESPONDS WITH B-II ITEMS LOCATED ON DRAWING

SURVEYOR'S NOTES

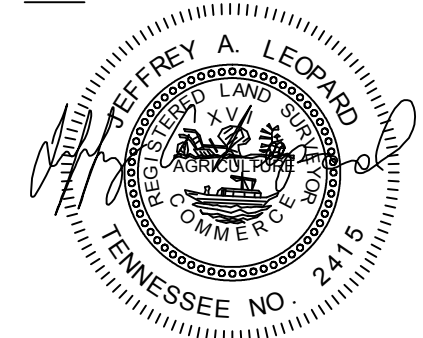
1. BASIS OF BEARING, DEED AS RECORDED IN INSTRUMENT NO. GL3914, R.O.S.C.T.N.
2. NO SUBSURFACE INVESTIGATION WAS PERFORMED TO LOCATE UNDERGROUND UTILITIES. UTILITIES SHOWN HEREON ARE LIMITED TO AND ARE PER OBSERVED EVIDENCE ONLY.
3. THIS SURVEY REPRESENTS A BOUNDARY SURVEY OF THE PARENT PARCEL.
4. UNLESS OTHERWISE NOTED, ALL VISIBLE TOWER EQUIPMENT AND IMPROVEMENTS ARE CONTAINED WITHIN THE DESCRIBED AREA.
5. ZONING: N/A
6. FLOOD NOTE: THE TOWER AREA BEING LOCATED IN PANEL NO. 47157C0260F DOES NOT LIE IN AN AREA DESIGNATED AS A SPECIAL FLOOD HAZARD (ZONE "X") BEARING AN EFFECTIVE DATE OF 9-28-07, AS PER FEMA.GOV WEBSITE.

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; The Bank of New York Mellon, as Collateral Agent, and its successors and/or assigns, and Old Republic National Title Ins. Co

B2L HOME AND PROPERTY SOLUTIONS, LLC.
 JEFFREY A. LEOPARD
 LAND SURVEYOR - TN # 2415

Date: 3-30-15



verticalbridge

FOR: VERTICAL BRIDGE TOWERS, LLC

SITE NAME: MEM-013
SITE NUMBER: US-TN-5021 US-TN-5025
US-TN-5026
ADDRESS: 2531 N. WATKINS ST.
MEMPHIS, TN 38127
SHELBY COUNTY

SURVEY WORK PERFORMED BY:

B2L Home & Property Solutions, LLC.

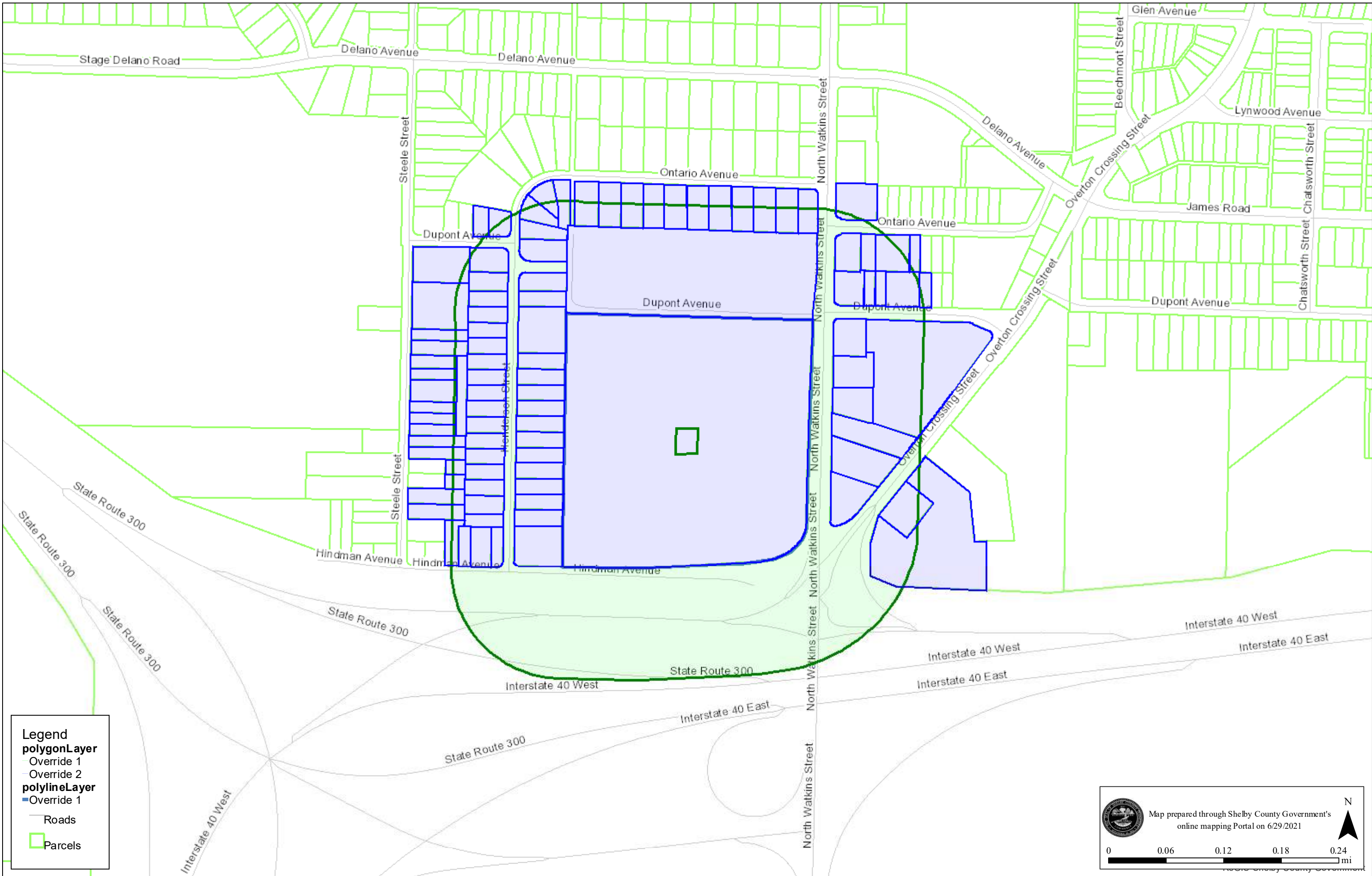
1198 Old Pinnacle Rd. Joelton, TN 37080
 Office: (615) 746-7490 Fax: (615) 751-5316
 www.b2lhps.com "Providing Solutions with You in Mind!"

DRAWN BY: CB CHECKED BY: JL JOB #:LS-0485

NATIONAL SURVEY SERVICES COORDINATION BY:

GEOLINE SURVEYING, INC. 13430 NW 104th Terrace, Suite A
 Alachua, FL 32615
 Office: (386) 418-0500
 Fax: (386) 462-9986
 WWW.GEOLINEINC.COM

SHEET 3 OF 3



Legend

polygonLayer


- Override 1
- Override 2

polylineLayer

- Override 1

— Roads

□ Parcels



Map prepared through Shelby County Government's
online mapping Portal on 6/29/2021

0 0.06 0.12 0.18 0.24 mi

North Arrow

From: [Tess Momberger](#)
To: [Shelton, Teresa](#)
Subject: Fwd: Watkins Cell Tower proposal
Date: Thursday, September 2, 2021 9:13:43 PM

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Tess Momberger <etmomberger42@gmail.com>
Date: September 2, 2021 at 8:57:16 PM CDT
To: Clark.Shupe.Diggs@memphistn.gov
Subject: Watkins Cell Tower proposal

Hello,

I would like there to be a requirement for Collective to include landscaping for beautification and esthetics. As well, I would like a wall to be included for there to be a mural welcoming residents and visitors into Frayser.

My name is Tess Blaugrund, I am a resident at 2596 Henderson Street. I share a property line with the cell tower farm on Watkins. I would love for my children, neighbors, friends and family entering Frayser via Watkins to be welcomed warmly, rather than just fencing and razor wire that typically accompanies cell towers and their ground equipment. I want my neighborhood to be beautiful and welcoming. I know Frayser has a lot of work to do in this department, but I want to be a part of working in this direction.

I was on a zoom call with the Collective company last week where we asked them to include these beautification measures in their planning.

Please include this request in the Land Use Control Board Meeting on September 9th.

Please feel free to contact me with any further questions.

- Tess

From: [Brian Blaugrund](#)
To: [Shelton, Teresa](#)
Cc: [Shupe-Diggs, Clarke](#)
Subject: Land Use Control: Watkins & 240 Tower
Date: Thursday, September 2, 2021 10:24:43 PM

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings! Thanks for keeping our neighborhoods organized, and for considering resident comments in your decisions. I've lived in Frayser for 7 years now and have enjoyed its positive growth.

Regarding the proposed monopole in the southeast corner of the field near Watkins & I240, here are a few relevant things to know:

- Cell phone coverage could experientially use improvement in this area (T-Mobile, Verizon)
- Watkins corridor is perceived as a major aesthetic/functional gateway into our community
- Multi-car wreck in SE corner of the field recently took out fence (now only partly restored)

Thus, would you be willing to require the following for tower approval?

1. At least one committed cell phone carrier on the tower in addition to current TV (DISH)
2. Durable mural-capable wall (ie, concrete) instead of a prison-looking chain link w/barbed wire

My backyard is adjacent to the western border of this field. My address is 2596 Henderson St; 38127. I can be reached directly via reply to this email, or by phone on my cell at (602)206-2626. I'm on a volunteer advisory board to a Frayser CDC sub-committee, but otherwise have no conflicts-of-interest. Thanks again for listening!

Brian Blaugrund

From: [Steve Lockwood](#)
To: [Shelton, Teresa](#)
Cc: "[Brian Blaugrund \(bsquaredmd@gmail.com\)](#)"; [Charia Jackson](#)
Subject: Frayser application
Date: Friday, September 3, 2021 1:06:40 PM
Attachments: [image001.png](#)

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Shelton--

On behalf of the Frayser Community Development Corporation, I would like to make comments regarding 2 pending applications. I do realize these comments are 5 hours past the published deadline. I hope, nevertheless, they can be considered.

SAC 21-07 -- Application to rezone to CMU-3 and close off a portion of Hindman Ave.

We are skeptical about this application; fearful that CMU-3 is a broad designation that may allow inappropriate uses in the area. We are not currently aware of what the applicant plans to do on that parcel. We think that, at the very least, the application should be delayed for further review.

SUP 21-017 -- Application to build another tower in the SE corner of the tower filed on Watkins Street.

I met, via Zoom, with the applicants as well as with several adjacent neighbors. I believe the consensus was that this application could go forward, but that there should be stipulations to enhance landscaping to improve the project's appearance. The applicants expressed agreement with this request.

We appreciate your consideration. Please feel free to reach out to me if you would like to discuss these applications. If you are able to send your staff recommendations to me, that would be useful. We expect to have a representative present at the September 9th hearings.

Sincerely,

Steve Lockwood, Director of Special Projects

Phone:901-354-9405

Cell:901-2291162

3684 N. Watkins

Memphis, TN 38127





**MEMPHIS AND
SHELBY COUNTY** **DIVISION OF PLANNING
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

September 13, 2021

Steve Hedges, Project Manager
Vertical Bridge (VB BTS, LLC)
750 Park of Commerce Dr., Ste. 200
Boca Raton, FL 338487

Sent via electronic mail to: shedges@verticalbridge.com; kristi@collectivesolutions.com

Case Number: SUP 21-17
LUCB Recommendation: Approval with conditions

Dear applicant,

On Thursday, September 9, 2021, the Memphis and Shelby County Land Use Control Board recommended **approval** of your special use permit application to allow a 105-foot Monopole Communications (CMCS) Tower to located at 2531 Watkins Street, and is subject to the following conditions:

1. The compound shall be screened by evergreen landscaping and shall be subject to final review and approval by the Division of Planning and Development. All landscaping and screening shall be installed prior to launch and operation of the tower equipment. Required landscaping shall not be placed on or over any sewer or drainage easements or under any utility easement.
2. The equipment compound shall be enclosed by a 6-foot wooden privacy around the lease area to conceal the ground equipment. The compound gates will be chain link with concealment slats.
3. The maximum tower height shall be one-hundred five (105) feet Monopole Communications (CMCS) tower.
4. The tower and related equipment shall be removed within one-hundred eighty (180) days of ceasing operations.
5. The tower shall be constructed within two (2) years of approval by the Memphis City Council. The Land Use Control Board may grant a time extension through the applicant filing a correspondence item application with public notice sent to all property owners within five hundred feet (500') feet of the property.
6. The tower compound shall be completely enclosed with a six-foot (6') wooden fence around the perimeters of these features; however, a 12-foot-wide chain-linked double swing gate shall be allowed to provide access to the CMCS Tower.

Letter to Applicant
SUP 21-17

7. Any interference with Memphis-Shelby County emergency communications by a station using this tower shall be the responsibility of the station and tower owner to remedy.

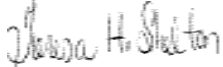
This application will be forwarded, for final action, to the Council of the City of Memphis. The Council will review your application in a committee meeting prior to voting on it in a public hearing. The applicant or the applicant's representative(s) shall be in attendance at all meetings and hearings.

It is the applicant's responsibility to contact the City Council Records Office to determine when the application is scheduled to be heard at committee and in public session. The City Council Records Office may be reached at (901) 636-6792.

If for some reason you choose to withdraw your application, a letter should be mailed to the Land Use and Development Services Department of the Division of Planning and Development at the address provided above or emailed to the address provided below.

If you have questions regarding this matter, please feel free to contact me at (901) 636-6619 or via email at teresa.shelton@memphistn.gov.

Respectfully,



Teresa H. Shelton
Municipal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Kristi Eskew, Project Manager
File

AGENDA ITEM: 5

CASE NUMBER: SUP 21-17 **L.U.C.B. MEETING:** September 9, 2021

LOCATION: 2531 N. Watkins St.

COUNCIL DISTRICT: District 7 and Super District 8 – Positions 1, 2, and 3

OWNER/APPLICANT: Vertical Bridge Landco, LLC/Kristi Eskew, VB BTS, LLC c/o Collective Solutions, LLC

REPRESENTATIVE: Kristi Eskew, VB BTS, LLC c/o Collective Solutions, LLC

REQUEST: 105-foot Monopole Communications (CMCS) Tower

AREA: +/-29.166 acres

EXISTING ZONING: Residential – 6 (R-6)

CONCLUSIONS

1. The request is for a 105-foot Monopole Communications (CMCS) Tower in the Residential – 6 (R-6) zoning district.
2. Staff agrees the approval criteria in regard to special use permits as set out in the Unified Development Code Section 9.6.9 are met.
3. Staff agrees the requirements for special use permits for cell towers as set out in the Unified Development Code Paragraph 2.6.2I(1) are met.
4. This project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.

CONSISTENCY WITH MEMPHIS 3.0

The Memphis 3.0 General Plan does not provide recommendations related to cell towers.

RECOMMENDATION

Approval with conditions

GENERAL INFORMATION

Street Frontage: N. Watkins St. +/-986.5 curvilinear feet

Zoning Atlas Page: 1830

Parcel ID: 070028 00015

Existing Zoning: Residential – 6 (R-6)

NEIGHBORHOOD MEETING

The meeting was held at 11:00 AM on Thursday, August 26, 2021, via Zoom at the following link:
<https://zoom.us/j/92953983088?pwd=ZDgwTGxwMTFhK2M5U2ptczRvTGpMQT09>

Meeting ID: 929 5398 3088

Passcode: 7TaD5S

The following individuals were present for the Zoom Neighborhood Meeting on Thursday, August 26, 2021:

1. Myself and Russell Been from Collective Solutions.
2. Steve Hedges, representing the Property Owner
3. Luis Monroy – who was representing 4 unnamed property owners.
4. Brian Blaugrund
5. Steve Lockwood

PUBLIC NOTICE

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and sign posted. A total of 62 notices were mailed on July 28, 2021, and a total of 3 signs posted at the subject property. The sign affidavit has been added to this report.

AFFIDAVIT

Shelby County
State of Tennessee


I, Kristi Eskew, being duly sworn, depose and say that at 11:25 am pm on the 24th day of August, 2021, I posted 3 Public Notice Sign(s) pertaining to Case No. SUP 21-017 at 2531 N. Watkins Road, Memphis, TN, providing notice of a Public Hearing before the 9/9/2021 Land Use Control Board, Memphis City Council, Shelby County Board of Commissioners for consideration of a proposed Land Use Action (Planned Development, 21-017 Special Use Permit, Zoning District Map Amendment, Street and/or Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Kristi M. Eskew, Collective Solutions 8/24/2021
Owner, Applicant or Representative Agent to Vertical Bridge Date

Subscribed and sworn to before me this 24 day of August, 2021.

[Signature]
Notary Public

My commission expires: 11-18-2024

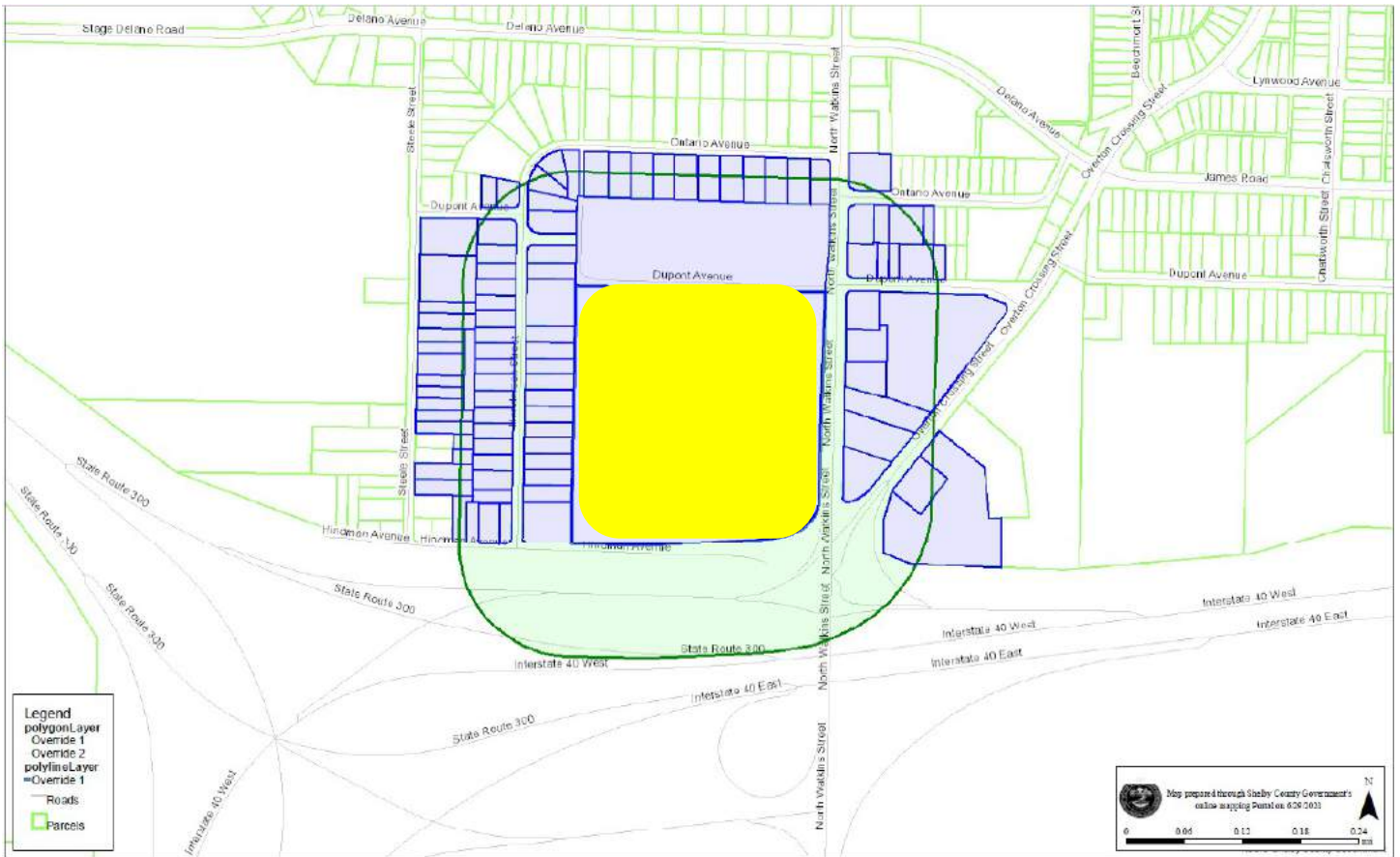


LOCATION MAP



Subject property located within the pink circle.

VICINITY MAP



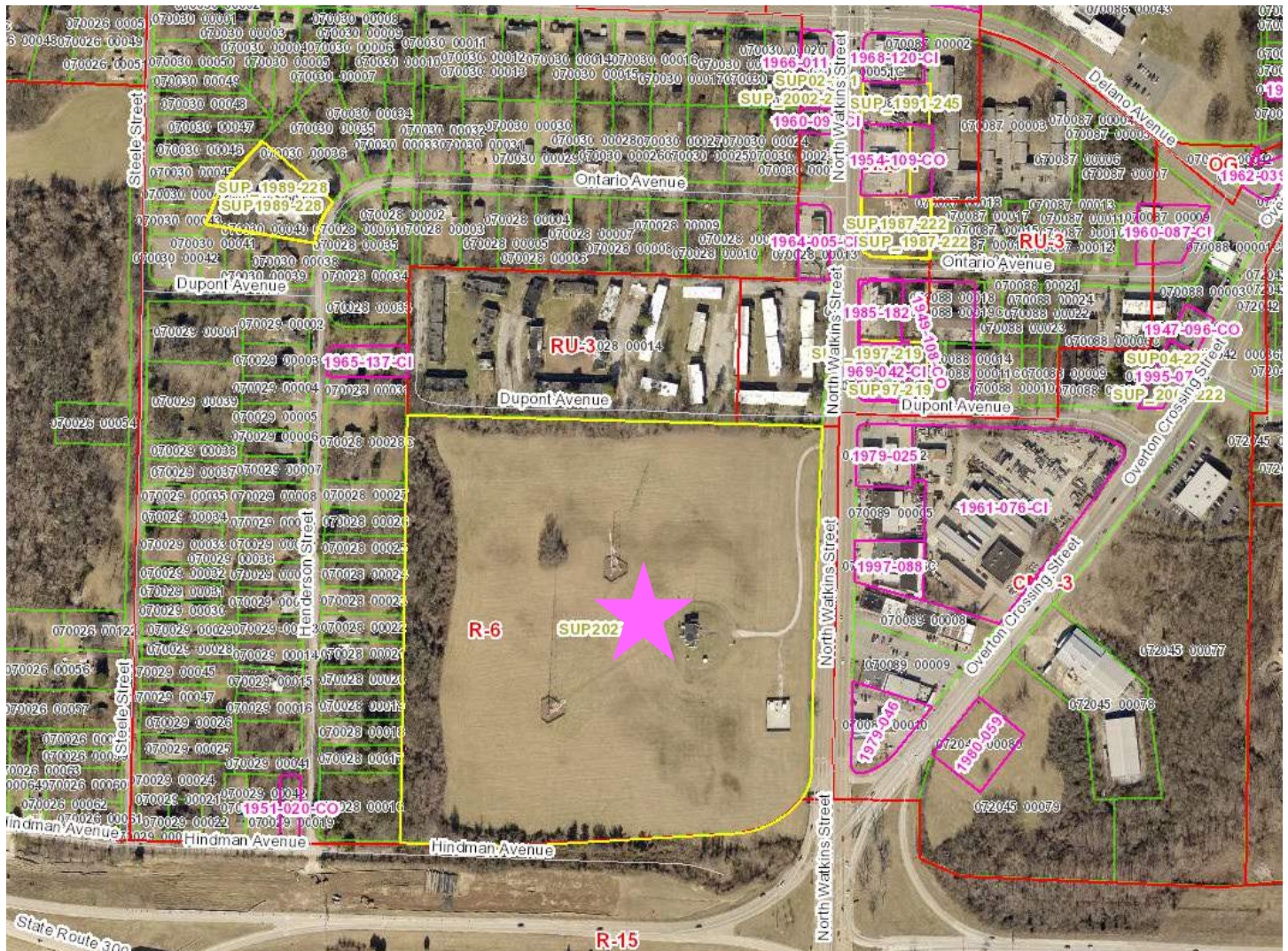
Site highlighted in yellow

AERIAL



Subject property outlined in orange.

ZONING MAP



Subject property indicated by a pink star

Existing Zoning: Residential – 6 (R-6)

Surrounding Zoning

North: RU-3

East: CMU-3

South: R-15

West: Conservation Agriculture (CA), and Flood Plain Overlay (-FP)

LAND USE MAP



Subject property indicated by a pink star

SITE PHOTOS



View of subject property looking north

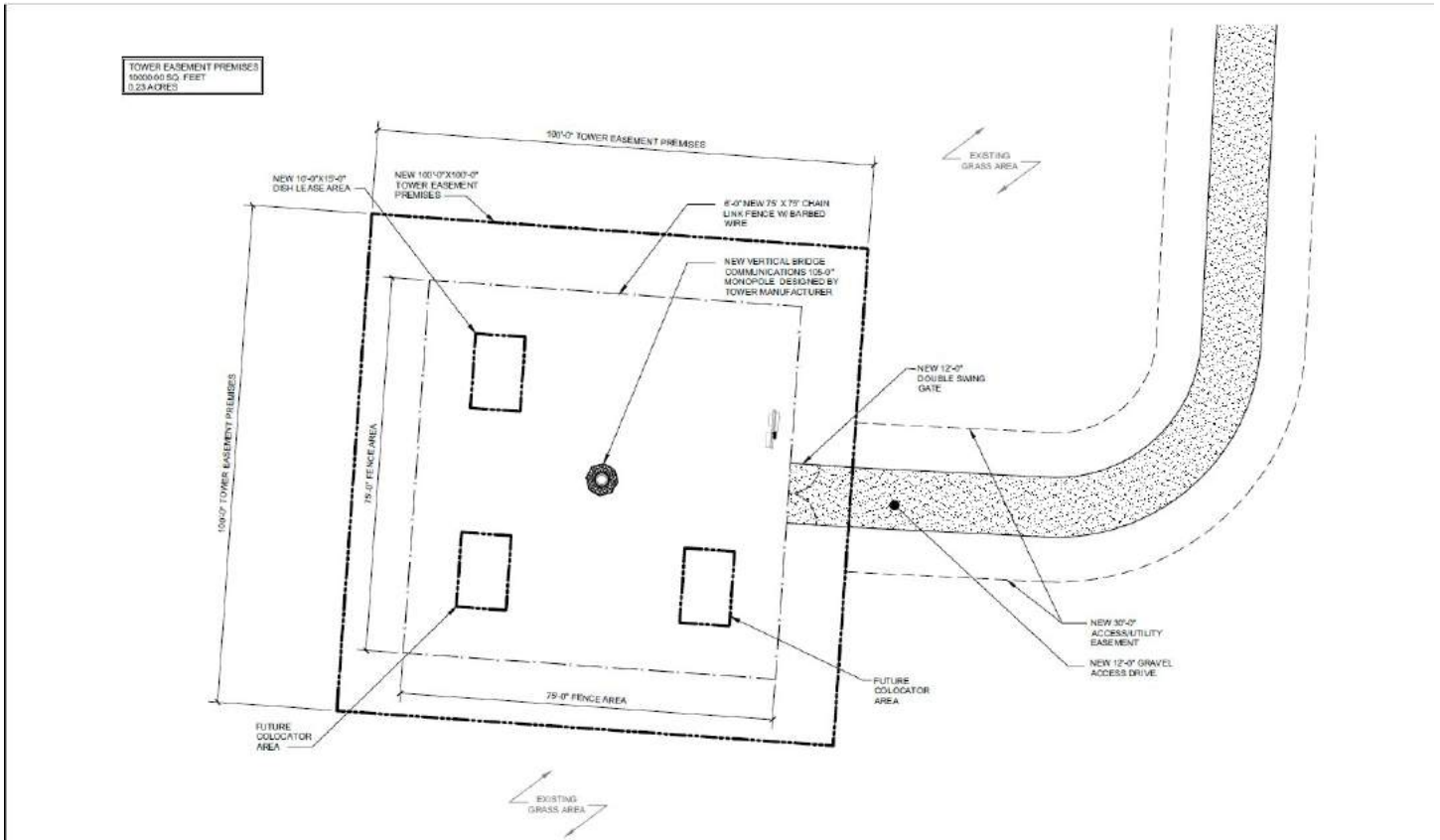


View of subject property looking northeast

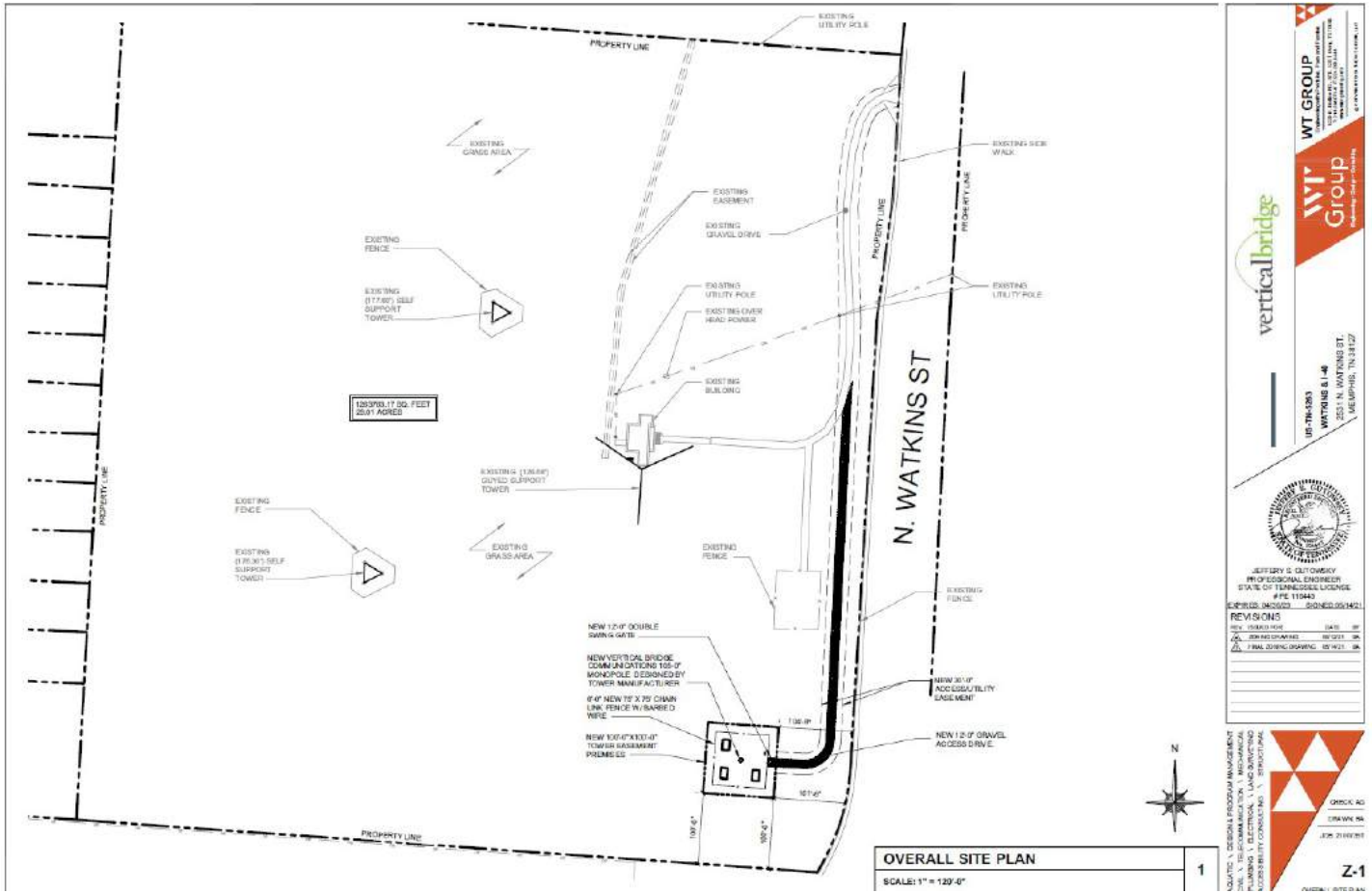


View of subject property looking northwest

SITE PLAN



OVERALL SITE PLAN



verticalbridge

WT GROUP
 WATKINS GROUP

1250 POND LANE, SUITE 100
 WATKINS, TN 38127
 931.746.0893

2021 N. WATKINS ST.
 MEMPHIS, TN 38127

REVISIONS

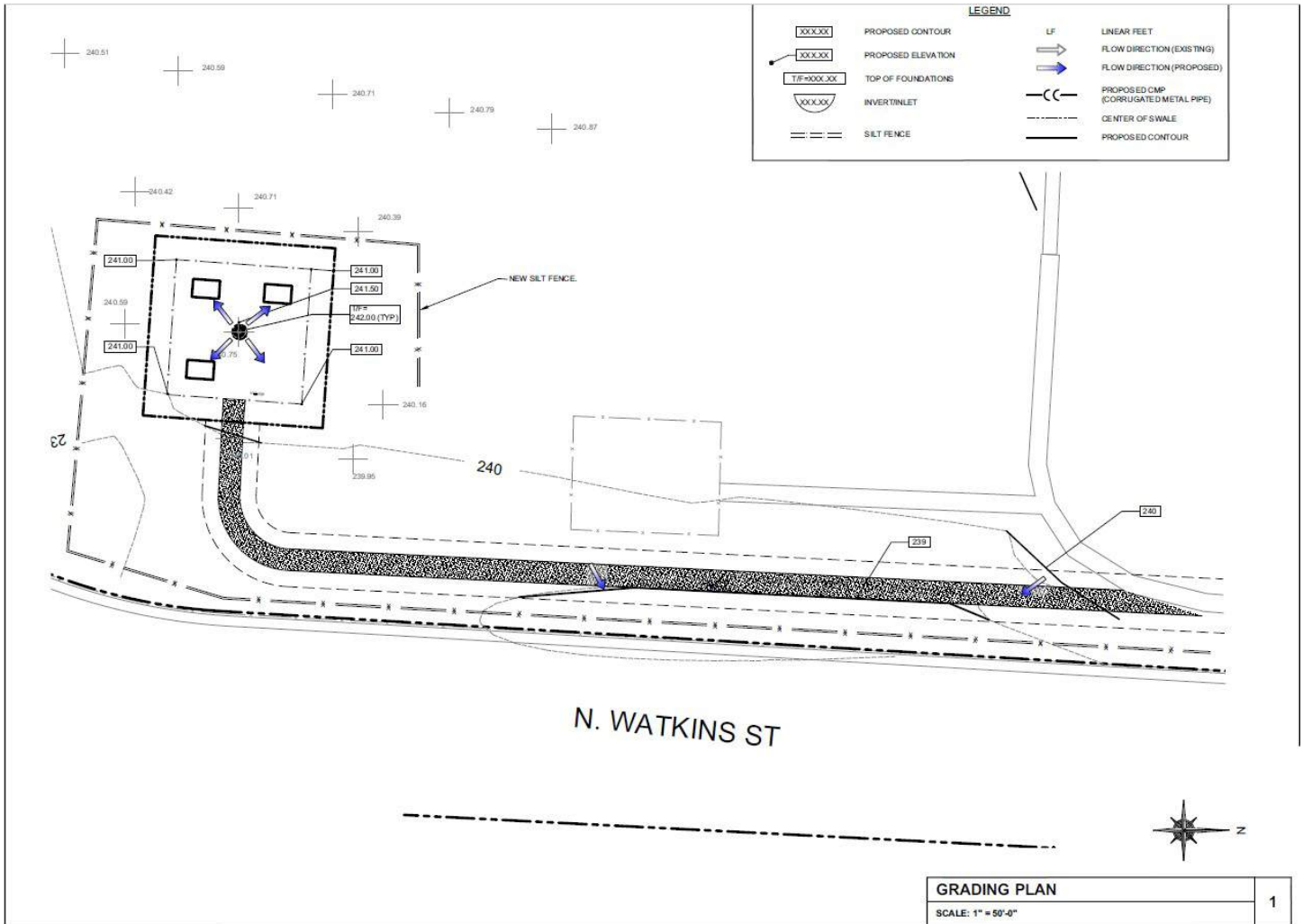
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITS	09/02/21	AK
2	FINAL DESIGN DRAWING	09/02/21	AK

QUANTICO DESIGN PROGRAM MANAGEMENT
 200 N. COMMERCIAL
 MEMPHIS, TN 38103
 901.521.1100

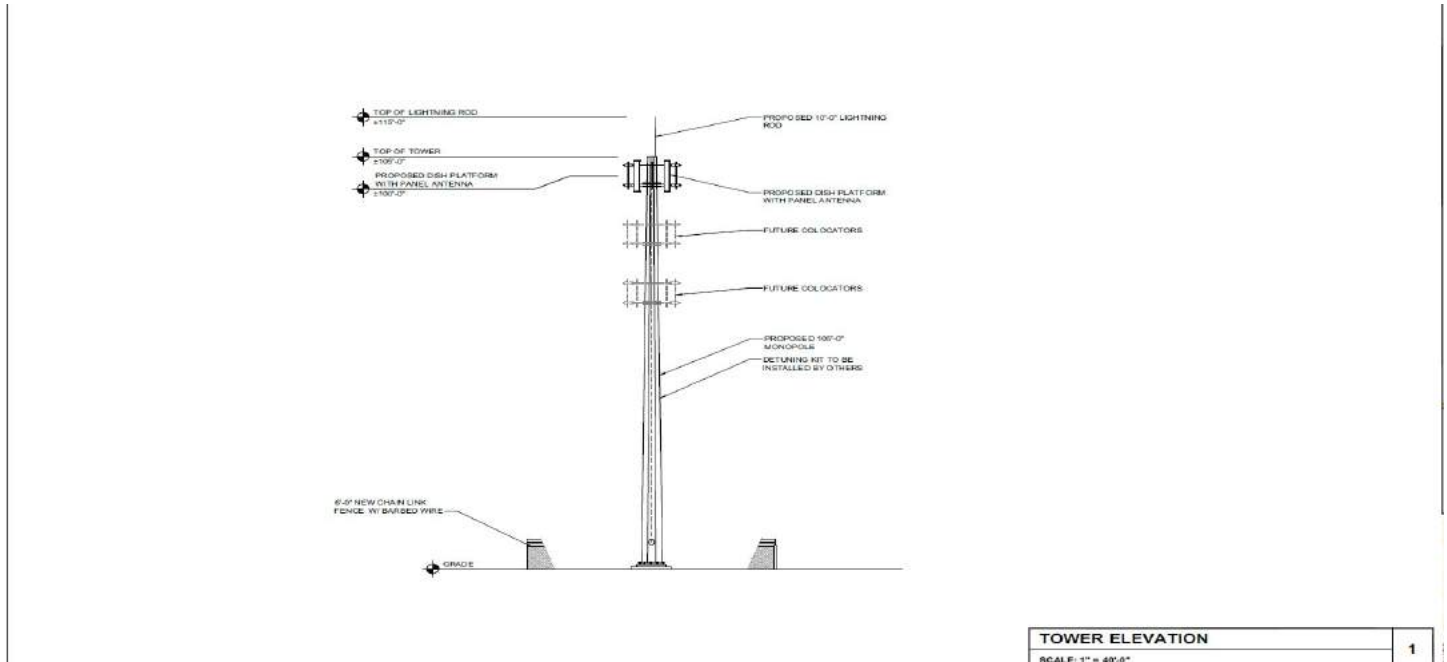
ORVILLE ADAMS
 1000 N. WATKINS ST.
 MEMPHIS, TN 38127

Z-1

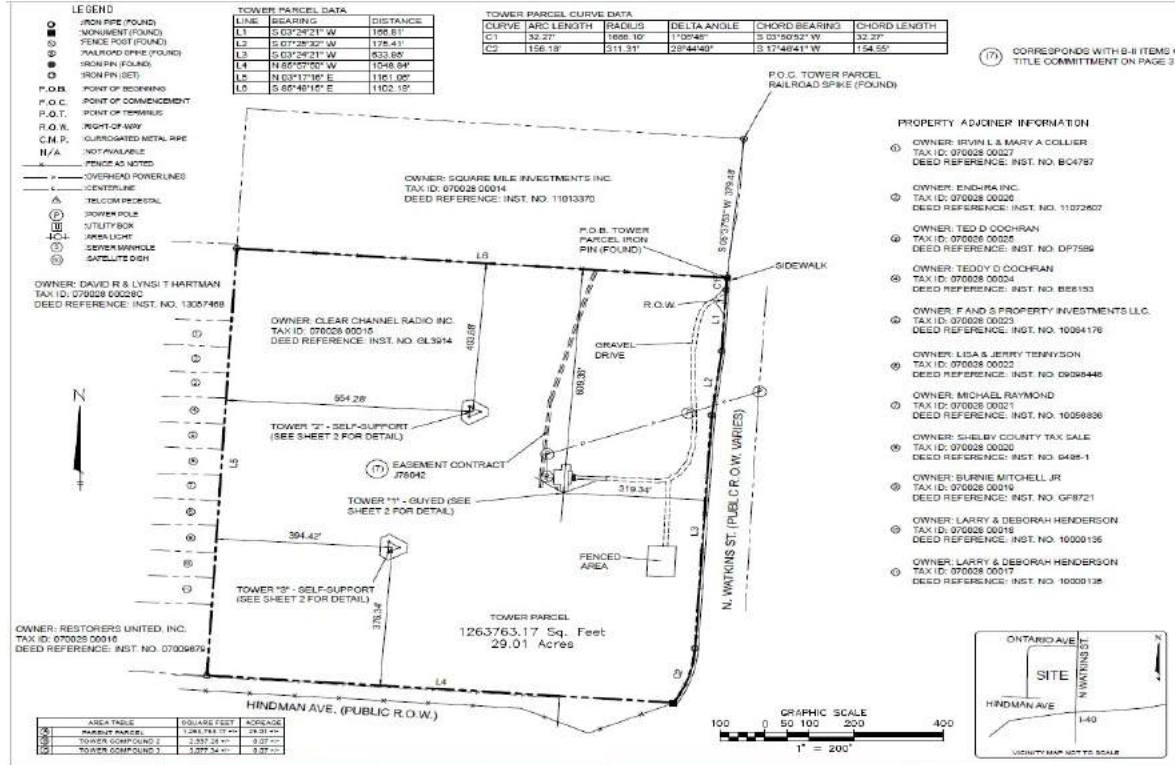
GRADING PLAN



TOWER ELEVATION



SURVEY



BOUNDARY SURVEY

SURVEYOR'S NOTES

1. BASIS OF BEARING, DEEDS AS RECORDED IN INSTRUMENT NO. 62414, S.O.C.T.N.
2. NO SUBSURFACE INVESTIGATION HAS BEEN PERFORMED TO LOCATE UNDERGROUND UTILITIES, UTILITIES SHOWN HEREON ARE LIMITED TO AND ARE FOR GENERAL GUIDANCE ONLY.
3. THIS SURVEY REPRESENTS A BOUNDARY SURVEY OF THE PAIRED PARCEL.
4. UNLESS OTHERWISE NOTED, ALL VISIBLE TOWER EQUIPMENT AND IMPROVEMENTS ARE CONTAINED WITHIN THE DESCRIBED AREA.
5. ZONING: R1A
6. A LINDSAY NOTE THE TOWER AREA BEING LOCATED IN PARCEL NO. 4711700207 DOES NOT LIE IN AN AREA DESIGNATED AS A SPECIAL FLOOD HAZARD ZONE (SF) BEARING AN EFFECTIVE DATE OF 3-28-97, AS PER FEMA 5007 RESURVEY.

SURVEYOR'S CERTIFICATION

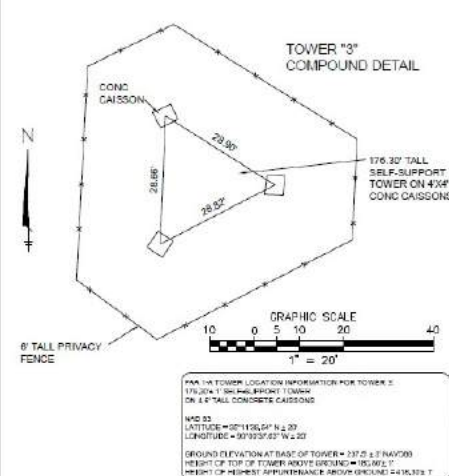
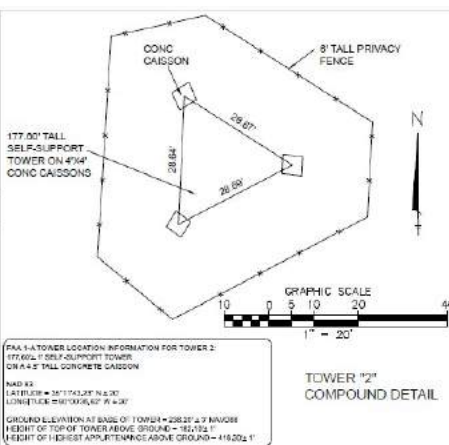
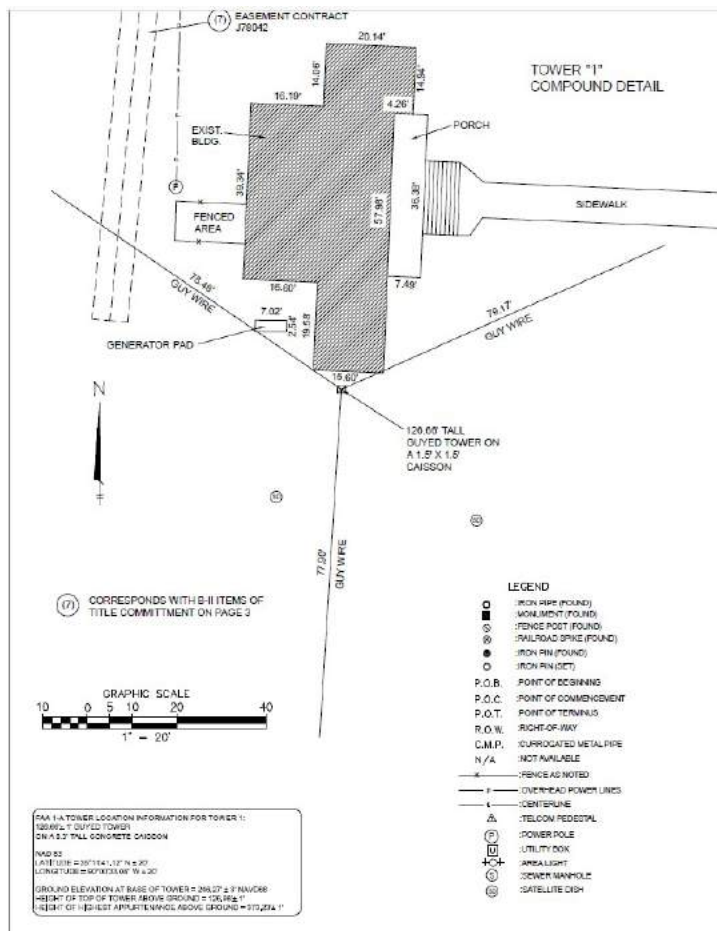
I HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF TENNESSEE AND THAT I AM THE SURVEYOR OF RECORD FOR THIS SURVEY. I AM NOT PROVIDING ANY PROFESSIONAL OPINION OR GUARANTEE AS TO THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT OR ANY OTHER PARTY.

verticalbridge
FOR: VERTICAL BRIDGE TOWERS, LLC
SITE NAME: 14M-013
BTR NUMBER: US-TN-5024 US-TN-5025
ADDRESS: 8591 N. WATKINS ST.
MEMPHIS, TN 38127
SHELBY COUNTY

B2I Home & Property Solutions, LLC
1120 Old Pennington Rd., Suite 200
Memphis, TN 38118
Office: (901) 744-5960 Fax: (901) 744-5913
www.b2i.com

GEOLINE SURVEYING, INC.
1120 Old Pennington Rd., Suite 200
Memphis, TN 38118
Office: (901) 744-5960 Fax: (901) 744-5913
www.geoline.com

SHEET 1 OF 3



BOUNDARY SURVEY

SURVEYOR'S NOTES

1. BASIS OF BEARING, DEEDS AS RECORDED IN INSTRUMENT NO. 62414, S.O.C.T.N.
2. NO SUBSURFACE INVESTIGATION HAS BEEN PERFORMED TO LOCATE UNDERGROUND UTILITIES, UTILITIES SHOWN HEREON ARE LIMITED TO AND ARE FOR GENERAL GUIDANCE ONLY.
3. THIS SURVEY REPRESENTS A BOUNDARY SURVEY OF THE PAIRED PARCEL.
4. UNLESS OTHERWISE NOTED, ALL VISIBLE TOWER EQUIPMENT AND IMPROVEMENTS ARE CONTAINED WITHIN THE DESCRIBED AREA.
5. ZONING: R1A
6. A LINDSAY NOTE THE TOWER AREA BEING LOCATED IN PARCEL NO. 4711700207 DOES NOT LIE IN AN AREA DESIGNATED AS A SPECIAL FLOOD HAZARD ZONE (SF) BEARING AN EFFECTIVE DATE OF 3-28-97, AS PER FEMA 5007 RESURVEY.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF TENNESSEE AND THAT I AM THE SURVEYOR OF RECORD FOR THIS SURVEY. I AM NOT PROVIDING ANY PROFESSIONAL OPINION OR GUARANTEE AS TO THE ACCURACY OF THE DATA PROVIDED BY THE CLIENT OR ANY OTHER PARTY.

verticalbridge
FOR: VERTICAL BRIDGE TOWERS, LLC
SITE NAME: 14M-013
BTR NUMBER: US-TN-5024 US-TN-5025
ADDRESS: 8591 N. WATKINS ST.
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SHEET 2 OF 3

US-TN-5021, 5025, & 5026 - MEM-013
2531 N. WATKINS ST. MEMPHIS, TN 38127
SHELBY COUNTY, TN
LAND DESCRIPTION
(AS SURVEYED)

Being a tract of land situated in Shelby County, Tennessee and being more particularly described as follows:

COMMENCING at a railroad spike (found) at the northeast corner of the Square Mile Investments Inc. property (Inst. No. 11013070), thence South 05 deg. 37 min. 53 sec. West, 376.49 feet to an iron pin (found) at the northeast corner of the Clear Channel Radio Inc. property (Inst. No. GL2914), this being the TRUE POINT OF BEGINNING;

Thence, with a curve to the left, having an arc length of 32.27 feet, a radius of 1,086.10 feet, a chord bearing of South 03 deg. 50 min. 52 sec. West, a distance of 32.27 feet to an iron pin (set);

Thence, South 03 deg. 24 min. 21 sec. West, 100.81 feet to an iron pin (set);

Thence, South 07 deg. 25 min. 32 sec. West, 175.41 feet to an iron pin (set);

Thence, South 03 deg. 24 min. 21 sec. West, 633.95 feet to an iron pin (found);

Thence, with a curve to the right, having an arc length of 158.19 feet, a radius of 311.31 feet, a chord bearing of South 17 deg. 45 min. 41 sec. West, a distance of 154.55 feet to a highway monument (found);

Thence, North 85 deg. 57 min. 50 sec. West, 1049.94 feet to an iron pin (set);

Thence, North 03 deg. 17 min. 18 sec. East, 1101.06 feet to an iron pin (set);

Thence South 85 deg. 49 deg. 15 sec. East, 1102.16 feet to the POINT OF BEGINNING. Containing 1,253,763.17 square feet, or 28.01 acres. According to a survey by Jeffrey A. Leopold, Dated March 23, 2015.

OWNER: CLEAR CHANNEL RADIO INC.
TAX ID: 070028 00015
DEED REFERENCE INST. NO. GL3814

TITLE INSURANCE COMMITMENT NOTE:

I HAVE REVIEWED COMMITMENT FOR TITLE INSURANCE UNDERWRITTEN BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, WITH AN EFFECTIVE DATE OF DECEMBER 28, 2014 AT 7:00 A.M. COMMITMENT NUMBER 01-14095949-011, AND FIND AS FOLLOWS WITH RESPECT TO THE EXCEPTIONS LISTED IN SCHEDULE B-SECTION 2 OF SAID COMMITMENT:

- (1) FACTS WHICH WOULD BE DISCLOSED BY A COMPREHENSIVE SURVEY OF THE PREMISES HEREIN DESCRIBED. (BLANKET IN NATURE, NOT PLOTTABLE)
- (2) RIGHTS OR CLAIMS OF PARTIES IN POSSESSION OR RIGHTS OF TENANTS IN POSSESSION AS TENANTS ONLY UNDER UNRECORDED LEASES. (BLANKET IN NATURE, NOT PLOTTABLE)
- (3) MECHANICS', CONTRACTORS' OR MATERIAL MEN'S LIENS AND LIEN CLAIMS, IF ANY, WHERE NO NOTICE THEREOF APPEARS OF RECORD. (BLANKET IN NATURE, NOT PLOTTABLE)
- (4) ANY CHANGES IN TITLE OCCURRING SUBSEQUENT TO THE EFFECTIVE DATE OF THIS COMMITMENT AND PRIOR TO THE DATE OF ISSUANCE OF THE TITLE POLICY. (BLANKET IN NATURE, NOT PLOTTABLE)
- (5) TAXES AND SPECIAL ASSESSMENTS FOR CURRENT TAX YEAR DUE AND ALL SUBSEQUENT YEARS. (BLANKET IN NATURE, NOT PLOTTABLE)
- (6) DELETING FROM ANY INSTRUMENT IN THE PUBLIC RECORDS REFLECTED HEREIN, ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH MATTERS VIOLATE 42 USC 3604(c). (BLANKET IN NATURE, NOT PLOTTABLE)
- (7) EASEMENT CONTRACT IN FAVOR OF THE CITY OF MEMPHIS ACTING THROUGH THE MEMPHIS LIGHT, GAS AND WATER DIVISION, RECORDED 009118174, AS DOCUMENT NO. J76042 OF THE SHELBY COUNTY RECORDS.

(7) CORRESPONDS WITH B-11 ITEMS LOCATED ON DRAWING


SURVEYOR'S NOTES

1. BASIS OF PLANNING: DEED AS RECORDED IN INSTRUMENT NO. GL2914, & D.S.C.T.A.
2. NO SURFACE INVESTIGATION WAS PERFORMED TO LOCATE UNDERGROUND UTILITIES. UTILITIES SHOWN HEREON ARE LIMITED TO AND ARE FOR RECORD EVIDENCE ONLY.
3. THIS SURVEY REPRESENTS A BOUNDARY SURVEY OF THE PARENT PARCEL.
4. UNLESS OTHERWISE NOTED, ALL VISIBLE TOWER EQUIPMENT AND IMPROVEMENTS ARE CONTAINED WITHIN THE DESCRIBED AREA.
5. ZONING: NA
6. FLOOD NOTE: THE POWER AREA BEING LOCATED IN PARCEL NO. 011710049 BEING NOT IN AN AREA DESIGNATED AS A SPECIAL FLOOD HAZARD ZONE "M" BEARING AN EFFECTIVE DATE OF 1-18-21, AS PER FEMA 501 WEBSITE.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY TO: VERTICAL BRIDGE REAL, LLC, A Delaware limited liability company, its subsidiaries, and their respective successors and/or assigns; THE BANK OF NEW YORK MELLON, AS COLLECTOR AGENT, AND ITS SUCCESSORS AND/OR assigns, and Old Republic National Title Ins. Co.

221 HOME AND PROPERTY SOLUTIONS, LLC.
JEFFREY A. LEOPOLD
LAND SURVEYOR - TN # 2415
Date: 9-28-21



verticalbridge
FOR VERTICAL BRIDGE POWER, LLC

SITE NAME: MEM-013
SITE NUMBER: US-TN-5021 US-TN-5025 US-TN-5026
ADDRESS: 2531 N. WATKINS ST.
MEMPHIS, TN 38127
SHELBY COUNTY

CREW WORK PERFORMED BY:

B2I Home & Property Solutions, LLC.
100 Old Farmers Rd. Jackson, TN 37002
Office (615) 744-7390 Fax: (615) 744-4315
www.b2i.com "Providing Solutions with You in Mind"

ISSUED BY: JAL | CHECKED BY: JAL | JOB #130689

NATIONAL SURVEY SERVICES COORDINATION BY:

GEOLINE SURVEYING, INC. 11450 NW 136th Terrace, Suite A
Miami, FL 33156
Office: (305) 411-9000
Fax: (305) 482-2000
www.geoline.com

SHEET 3 OF 3

STAFF ANALYSIS

Request

The application and letter of intent have been added to this report.

The request is for a 105-foot Monopole Communications (CMCS) Tower in the Residential – 6 (R-6) zoning district.

Approval Criteria

Staff agrees the approval criteria in regard special use permits as set out in Section 9.6.9 of the Unified Development Code are met.

9.6.9 Approval Criteria

No special use permit or planned development shall be approved unless the following findings are made concerning the application:

- 9.6.9A The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.*
- 9.6.9B The project will be constructed, arranged, and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.*
- 9.6.9C The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water, and sewers; or that the applicant will provide adequately for such services.*
- 9.6.9D The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic, or historic importance.*
- 9.6.9E The project complies with all additional standards imposed on it by any particular provisions authorizing such use.*
- 9.6.9F The request will not adversely affect any plans to be considered (see Chapter 1.9) or violate the character of existing standards for development of the adjacent properties.*
- 9.6.9G The governing bodies may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to insure compatibility of the proposed development with surrounding properties, uses, and the purpose and intent of this development code.*
- 9.6.9H Any decision to deny a special use permit request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record, per the Telecommunications Act of 1996, 47 USC 332(c)(7)(B)(iii). The review body may not take into account any environmental or health concerns.*

Additional Approval Criteria for CMCS Towers

Staff agrees the requirements for special use permits for cell towers as set out in the Unified Development Code Paragraph 2.6.2I(2) are met.

Item 2.6.2I(2)(b) General Requirements

The location, size and design of such facilities shall be such that minimal negative impacts result from the facility. Any application for a new tower shall not be approved nor shall any building permit for a new tower be issued unless the applicant certifies that the equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or other structure due to one or more of the following reasons:

1. *The planned equipment would exceed the structural capacity of existing and approved structures, considering existing and planned use of those structures, and those structures cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost.*
2. *The planned equipment would result in technical or physical interference with or from other existing or planned equipment and the interference cannot be prevented at a reasonable cost.*
3. *There are no appropriate existing or pending structures to accommodate the planned equipment, taking into account, among other factors, the applicant's system requirements.*
4. *Other reasons that make it impractical to place equipment planned by the applicant on existing and approved structures.*

Item 2.6.2I(2)(d) Co-Location – CMCS Towers Only

1. *Any proposed CMCS tower shall be structurally designed to accommodate at least three additional CMCS sectorized antennas, if at least 100 feet in height, at least five additional CMCS sectorized antennas if at least 150 feet in height, at least six additional CMCS sectorized antennas if at least 170 feet in height. Co-located CMCS antennas shall be placed on a structure in such a manner as to avoid interference with or impairment of operations of existing antennas or other uses.*
2. *Nothing in these rules and regulations shall obligate the owner of an existing CMCS tower to co-locate additional antennas on such tower or be construed to interfere with or limit the rights of parties to set rent or establish other terms and conditions of the shared use of a CMCS tower or facility.*

Consistency with Memphis 3.0

The Memphis 3.0 General Plan does not address CMCS (cell) towers. CMCS towers are regulated by the Telecommunications Act of 1996 (Refer to UDC, Sub-Section 9.6.9H).

Conclusions

The request is for a 155-foot CMCS (Cell) tower in the Conservation Agriculture zoning district.

Staff agrees the approval criteria in regard to special use permits as set out in the Unified Development Code Section 9.6.9 are met.

Staff agrees the requirements for special use permits for cell towers as set out in the Unified Development Code Paragraph 2.6.2I(1) are met.

This project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.

RECOMMENDATION

Staff recommends approval with conditions.

Conditions

1. The compound shall be screened by evergreen landscaping and shall be subject to final review and approval by the Division of Planning and Development. All landscaping and screening shall be installed prior to launch and operation of the tower equipment. Required landscaping shall not be placed on or over any sewer or drainage easements or under any utility easement.
2. The equipment compound shall be enclosed by a 6-foot wooden privacy around the lease area to conceal the ground equipment. The compound gates will be chain link with concealment slats.
3. The maximum tower height shall be one-hundred five (105) feet Monopole Communications (CMCS) tower.
4. The tower and related equipment shall be removed within one-hundred eighty (180) days of ceasing operations.
5. The tower shall be constructed within two (2) years of approval by the Memphis City Council. The Land Use Control Board may grant a time extension through the applicant filing a correspondence item application with public notice sent to all property owners within five hundred feet (500') feet of the property.
6. The tower compound shall be completely enclosed with a six-foot (6') wooden fence around the perimeters of these features; however, a 12-foot-wide chain-linked double swing gate shall be allowed to provide access to the CMCS Tower.
7. Any interference with Memphis-Shelby County emergency communications by a station using this tower shall be the responsibility of the station and tower owner to remedy.

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

City/County Engineer: CITY ENGINEERING COMMENTS DATE: **8/3/2021**
CASE: **SUP-21-017** NAME: **Cell Tower**

1. Standard Subdivision Contract or Right-Of-Way Permit as required in Section 5.5.5 of the Unified Development Code.

Sewers:

2. City sanitary sewers are available to serve this development.

3. All sewer connections must be designed and installed by the developer. This service is no longer offered by the Public Works Division.

4. There are no conflicts between the tower placement and the existing sewer easement.

Roads:

5. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.

6. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards.

Curb Cuts/Access:

7. The City Engineer shall approve the design, number and location of curb cuts.

8. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

Drainage:

9. A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.

City/County Fire Division: No comments received.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

Office of Sustainability and Resilience: No comments received.

Office of Comprehensive Planning: No comments received.

APPLICATION



MEMPHIS AND SHELBY COUNTY

Record Summary for Special Use Permit

Record Detail Information

Record Type: Special Use Permit

Record Status: Assignment

Opened Date: June 29, 2021

Record Number: SUP 2021-017

Expiration Date:

Record Name: US-MO-5263 Watkins

Description of Work: New 75' x 75' fenced compound within 100' x 100' tower easement premises and new 105' monopole. New Gravel access road and utilities. No new water or sewer is required.

Parent Record Number:

Address: 2531 N WATKINS ST, MEMPHIS 38127

Owner Information

Primary	Owner Name	Owner Address	Owner Phone
Yes	VERTICAL BRIDGE LANDCO LLC	2800 POST OAK BLVD, HOUSTON, TX 77056	(773) 988-1715

Parcel Information

Parcel No:
070028 00015

Contact Information

Name	Organization Name	Contact Type	Phone
Kristi Eskew	VB BTS, LLC c/o Collective Solutions, LLC	Applicant	(314) 989-9810
Address	Suffix:		

Steve Hedges	Vertical Bridge Landco, LLC	Property Owner of Record	(773) 988-1715
Address			

Angel Gandara	WT Group	Architect / Engineer / Surveyor	(214) 384-0744
Address			

Fee Information

Invoice #	Fee Item	Quantity	Fees	Status	Balance	Date Assessed	Unit	Fee Code
1308614	Credit Card Use Fee (.026 x fee)	1	0.00	INVOICED	0.00	06/29/2021		PLNGSPUSE 10
1309727	Special Use Permit Fee - 5 acres or less (Base Fee)	1	500.00	INVOICED	0.00	07/02/2021		PLNGSPUSE 01
1309784	Credit Card Use Fee (.026 x fee)	1	13.00	INVOICED	0.00	07/02/2021		PLNGSPUSE 10
Total Fee Invoiced: \$513.00					Total Balance: \$0.00			

Payment Information

Payment Amount	Method of Payment
\$513.00	Credit Card

Data Fields

PREAPPLICATION MEETING	
Preapplication Meeting	No
Date of Meeting	-
Name of OPD Planner	-

GENERAL PROJECT INFORMATION

Application Type	New Special Use Permit
Previous Case Number	-
Is this application in response to a citation from Construction Code Enforcement or Zoning Letter?	No
If yes, please provide additional information	-

APPROVAL CRITERIA

The project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare (UDC Sub-Section 9.6.9A).	Correct - Property usage would add a telecommunications tower, there are already two AM towers located on the property.
UDC Sub-Section 9.6.9B	Construction is located within a section of the property that will not interfere with any future constructions or developments in surrounding areas.
UDC Sub-Section 9.6.9C	Project will have the existing access extended to the construction area, the existing access from the ROW will not be disturbed. This is an unmanned facility, as such, water and sewer facilities will not need to be obtained.
UDC Sub-Section 9.6.9D	Correct, this project is within the property.
UDC Sub-Section 9.6.9E	Yes
UDC Sub-Section 9.6.9F	Correct

GIS INFORMATION

Case Layer	-
Central Business Improvement District	No
Class	-
Downtown Fire District	No
Historic District	-
Land Use	-
Municipality	-
Overlay/Special Purpose District	-
Zoning	-
State Route	-
Lot	-

Subdivision -
Planned Development District -

Data Tables

ADDRESS AND PARCEL LIST

Property Address: 2531 N Watkins St
Property Parcel Number: 070028 00015

AREA INFORMATION

Name: Vertical Bridge Landco, LLC
Size (Acres): 29.166
Overlay District: N/A
Existing Use of Property: Utility/RR
Requested Use of Property: Utility/RR



Vertical Bridge REIT, LLC
750 Park of Commerce Drive, Suite 200
Boca Raton, FL 33487
+1 (561) 948 - 6367
VerticalBridge.com

June 28, 2021

Memphis and Shelby County
Office of Planning and Development – City Hall
125 North Main Street, Suite 477
Memphis, TN 38103
Phone (901) 636-6601

RE: Proposed New Cell Tower in Shelby County by Applicant VB BTS, LLC (“Vertical Bridge”)
Address: 2531 N. Watkins Street, Memphis, TN 38127
Parcel: 21170500000000 (ID # 070028-00015)
Lat/Long Coordinates: 35.193642, -90.008667
Tower Design/Height: 105’ Monopole Tower with 10’ Lightning Rod attachment

Dear Shelby County Planning Office:

The newly proposed cell tower with location described above is required in this location to address coverage and capacity for DISH Wireless. The public will greatly benefit if the zoning approval is granted for the new tower, which will provide better coverage, capacity, and E911 service in the area. The proposed tower is located within the DISH search ring, and, in evaluating the area, DISH determined that there were no existing towers or structures within DISH’s search parameters on which the DISH equipment could be located of which could serve as an alternative to the proposed new tower to provide optimal coverage.

Vertical Bridge’s communication facility will comply with all regulations administered by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), and all applicable governmental bodies that regulate communications towers.

In addition, Vertical Bridge is submitting this letter as intent to committing for allowing the shared use of the tower if capacity exists based on existing and planned use, and if a future applicant agrees in writing. The shared use, or co-location of other future applicant equipment, where structurally, technically, physically, economically, and contractually feasible, including the cost of modifying the tower would be borne by the future co-locating applicant.

Please do not hesitate to reach out to me with any questions.

Sincerely,

Steve Hedges, Project Manager
Vertical Bridge (VB BTS, LLC)
750 Park of Commerce Drive, Suite 200
Boca Raton, FL 33487
773.988.1715 mobile
SHedges@verticalbridge.com

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County
State of Tennessee

I, Kristi Eskew, being duly sworn, depose and say that at 11:25 am pm on the 24th day of August, 2021, I posted 3 Public Notice Sign(s) pertaining to Case No. SUP 21-017 at 2531 N. Watkins Road, Memphis, TN, providing notice of a Public Hearing before the 9/9/2021 Land Use Control Board, Memphis City Council, Shelby County Board of Commissioners for consideration of a proposed Land Use Action (Planned Development, 21-017 Special Use Permit, Zoning District Map Amendment, Street and/or Alley Closure), a photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Kristi M. Eskew, Collective Solutions 8/24/2021
Owner, Applicant or Representative Agent to Vertical Bridge. Date

Subscribed and sworn to before me this 24 day of August, 2021.

[Signature]
Notary Public

My commission expires: 11.18.2024



LETTERS RECEIVED

Two letters of concerns and requests were received at the time of completion of this report and have subsequently been attached.



SITE NUMBER: US-TN-5263
SITE NAME: WATKINS & I-40
ADDRESS: 2531 N. WATKINS ST.
MEMPHIS, TN 38127
SITE TYPE: 105'-0" MONOPOLE

LOCATION MAP



PROPERTY SUMMARY

SITE ADDRESS:

2531 N. WATKINS ST.
MEMPHIS, TN 38127
SHELBY COUNTY

JURISDICTION:

SHELBY COUNTY / MEMPHIS, TN

COORDINATES (NAD83):

LAT: 35° 11' 37.11" N
35.193642°

LONG: -90° 00' 31.20" W
-90.008667°

GRADE: 240.75' AMSL

PROPERTY OWNER:

VERTICAL BRIDGE LANDCO, LLC
750 PARK OF COMMERCE DRIVE, SUITE 200,
BOCA RATON, FLORIDA 33487
CONTACT: STEVE HEDGES
PHOE: 773-988-1715
SHedges@verticalbridge.com

TOWER OWNER:

VB BTS, LLC
750 PARK OF COMMERCE DRIVE, SUITE 200,
BOCA RATON, FLORIDA 33487
CONTACT: STEVE HEDGES
PHONE: 773-988-1715
SHedges@verticalbridge.com

PROJECT DESCRIPTION

NEW 75'-0" X 75'-0" FENCED COMPOUND WITHIN NEW 100'-0" X 100'-0" TOWER EASEMENT PREMISES AND NEW 105'-0" MONOPOLE. NEW GRAVEL ACCESS ROAD AND UTILITIES. NO NEW WATER OR SEWER IS REQUIRED AS FACILITY IS UNMANNED.

PROJECT TEAM

ARCHITECT/ENGINEER:

WT Group
5580 PETERSON LANE, STE. 250
DALLAS, TX 75240
PHONE: (214) 384-0744
ATTN.: ANGEL GANDARA

APPLICANT:

VB BTS, LLC
750 PARK OF COMMERCE DRIVE, SUITE 200,
BOCA RATON, FLORIDA 33487
CONTACT: STEVE HEDGES
PHONE: 773-988-1715
SHedges@verticalbridge.com

SURVEYOR:

GEO LINE SURVEYING, INC.
13430 NW 104TH TERRACE, SUITE A
ALACHUA, FL 32615
TEL: (386) 462-9989

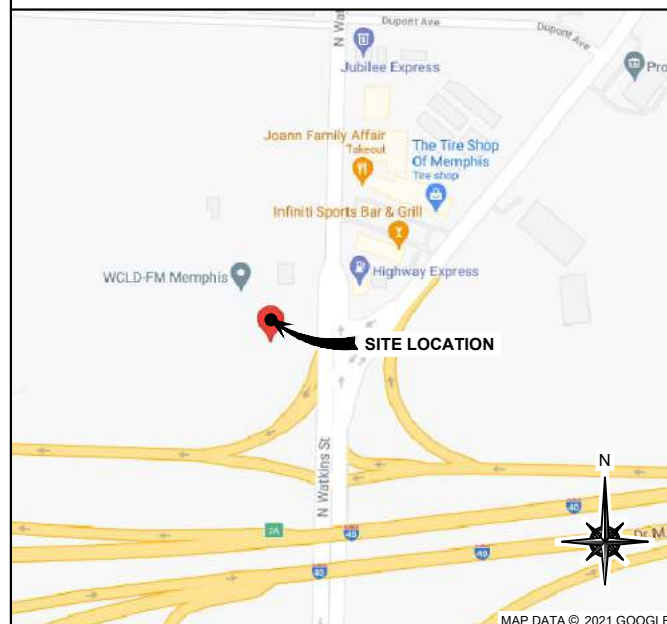
SITE ACQUISITION / PERMITTING:

COLLECTIVE SOLUTIONS, LLC
340 MARSHALL RD
VALLEY PARK, MO 63088
CONTACT: KRISTI ESKEW
PHONE: 314-989-9810 EXT 204
kristi@collectivesolutions.com

SHEET INDEX

SHEET NUMBER:	DESCRIPTION:
T-1	TITLE SHEET
SHEETS 1 - 4	SURVEY
Z-1	OVERALL SITE PLAN
Z-2	ENLARGED SITE PLAN
Z-3	TOWER ELEVATION
Z-4	GRADING PLAN
Z-5	LANDSCAPE PLAN, DETAILS AND NOTES
Z-6	FENCE DETAILS

AERIAL MAP



APPLICABLE CODES

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH 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 FOLLOWING CODES:

BUILDING CODE: INTERNATIONAL BUILDING CODE 2015

ELECTRICAL CODE: NATIONAL ELECTRICAL CODE 2014

UTILITIES

ELECTRIC:

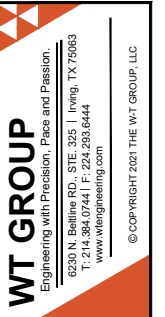
T.B.D.
CONTACT: T.B.D.
TEL: T.B.D.

TELEPHONE:

T.B.D.
CONTACT: T.B.D.
TEL: T.B.D.

REFERENCED MATERIALS

A SITE WALK WAS NOT PERFORMED FOR THIS SITE PER SCOPE OF WORK COMPOUND, ELEVATION, EQUIPMENT LAYOUT AND ANTENNA PLANS SHOWN WITHIN THIS SET WERE TAKEN FROM AVAILABLE DOCUMENTS/DRAWINGS PROVIDED BY OTHERS.



US-TN-5263
WATKINS & I-40
2531 N. WATKINS ST.
MEMPHIS, TN 38127

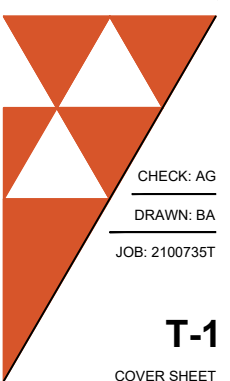


EXPIRES: 04/30/23 SIGNED: 09/21/21

REVISIONS

REV.	ISSUED FOR	DATE	BY
Δ	ZONING DRAWING	05/12/21	BA
Δ	FINAL ZONING DRAWING	05/14/21	BA
Δ	REVISE ZONING DRAWING	09/18/21	BA
Δ	FINAL ZONING DRAWING	09/21/21	BA

AQUATIC \ DESIGN & PROGRAM MANAGEMENT
CIVIL \ TELECOMMUNICATION \ MECHANICAL
PLUMBING \ ELECTRICAL \ LAND SURVEYING
ACCESSIBILITY CONSULTING \ STRUCTURAL



CHECK: AG
DRAWN: BA
JOB: 2100735T

RAW LAND SURVEY

SURVEYOR'S NOTES

1. BASIS OF BEARING, DEED AS RECORDED IN INSTRUMENT NO. GL3914, R.O.S.C.T.N.
2. NO SUBSURFACE INVESTIGATION WAS PERFORMED TO LOCATE UNDERGROUND UTILITIES. UTILITIES SHOWN HEREON ARE LIMITED TO AND ARE PER OBSERVED EVIDENCE ONLY.
3. AT THE TIME OF THIS SURVEY, THERE WERE NO VISIBLE ENCROACHMENTS AFFECTING THE LEASE AREA OR ANY VB EASEMENTS AND ALL ARE CONTAINED WHOLLY WITHIN THE PARENT TRACT PARCEL.
4. THE ACCESS/UTILITY EASEMENT GOES TO N. WATKINS STREET, A PUBLIC RIGHT OF WAY.
5. UNLESS OTHERWISE NOTED, ALL VISIBLE TOWER EQUIPMENT AND IMPROVEMENTS ARE CONTAINED WITHIN THE DESCRIBED AREA.
6. ZONING: N/A
7. FLOOD NOTE: THE TOWER AREA BEING LOCATED IN PANEL NO. 47157C0260F DOES NOT LIE IN AN AREA DESIGNATED AS A SPECIAL FLOOD HAZARD (ZONE "X") BEARING AN EFFECTIVE DATE OF 9-28-07, AS PER FEMA.GOV WEBSITE.

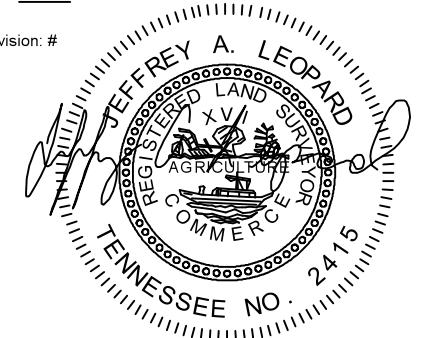
SURVEYOR'S CERTIFICATION

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.

B2L HOME AND PROPERTY SOLUTIONS, LLC.
JEFFREY A. LEOPARD
LAND SURVEYOR - TN #2415

Date: 4-5-21

Revision: #



verticalbridge

SITE NAME: WATKINS & I-40
SITE NUMBER: US-TN-5263
ADDRESS: 2531 N. WATKINS ST.
MEMPHIS, TN 38127
SHELBY COUNTY

SURVEY WORK PERFORMED BY:

B2L LAND SURVEYORS
LICENSED IN TN, KY, & AL

1198 OLD PINNACLE RD.
JOELTON, TN 37080
PHONE: (615) 212-5703
E-MAIL: b2lhps@gmail.com
www.b2lhps.com

DRAWN BY: CB CHECKED BY: JL JOB #: LS-1255

NATIONAL SURVEY SERVICES COORDINATION BY:

GEOLINE SURVEYING, INC.
13430 NW 104th Terrace, Suite A
Alachua, FL 32615
Office: (386) 418-0500
Fax: (386) 462-9986
WWW.GEOLINEINC.COM

SHEET 1 OF 4

LEGEND

- : IRON PIPE (FOUND)
- : MONUMENT (FOUND)
- ⊗ : FENCE POST (FOUND)
- ⊗ : RAILROAD SPIKE (FOUND)
- ⊗ : IRON PIN (FOUND)
- : IRON PIN (SET)
- P.O.B. : POINT OF BEGINNING
- P.O.C. : POINT OF COMMENCEMENT
- P.O.T. : POINT OF TERMINUS
- R.O.W. : RIGHT-OF-WAY
- C.M.P. : CURROGATED METAL PIPE
- N/A : NOT AVAILABLE
- ✕ : FENCE AS NOTED
- P — : OVERHEAD POWER LINES
- C — : CENTERLINE
- △ : TELCOM PEDESTAL
- ⊙ : POWER POLE
- ⊙ : UTILITY BOX
- ⊕ : AREA LIGHT
- ⊙ : SEWER MANHOLE
- ⊙ : SATELLITE DISH

TOWER PARCEL DATA

LINE	BEARING	DISTANCE
L1	S 03°24'21" W	166.81'
L2	S 07°25'32" W	175.41'
L3	S 03°24'21" W	633.95'
L4	N 85°57'50" W	1048.84'
L5	N 03°17'16" E	1161.06'
L6	S 85°49'15" E	1102.18'

TOWER PARCEL CURVE DATA

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	32.27'	1686.10'	1°05'48"	S 03°50'52" W	32.27'
C2	156.18'	311.31'	28°44'40"	S 17°46'41" W	154.55'

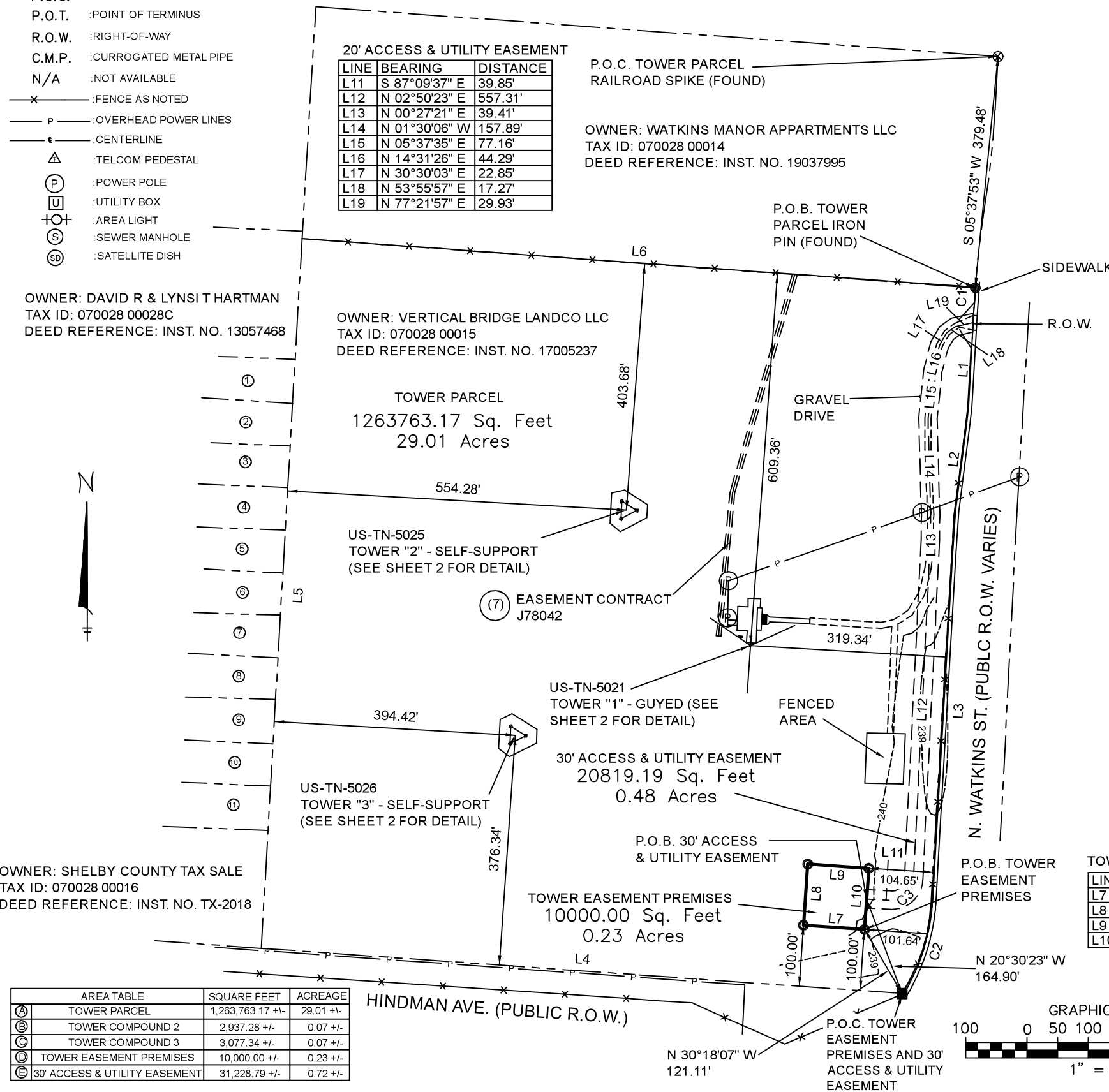
20' ACCESS & UTILITY EASEMENT

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C3	54.98'	35.00'	90°00'00"	N 47°50'23" E	49.50'

(7) CORRESPONDS WITH B-II ITEMS OF TITLE COMMITMENT ON PAGE 3

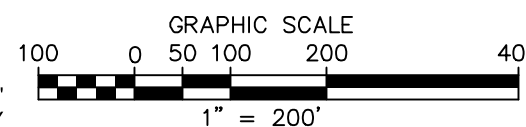
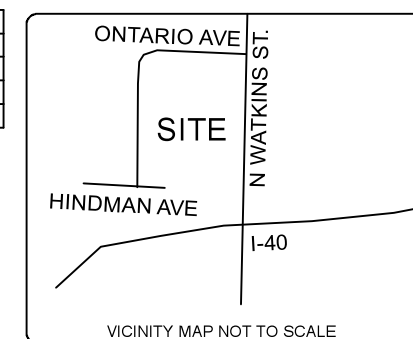
PROPERTY ADJOINER INFORMATION

1. OWNER: IRVIN L & MARY A COLLIER
TAX ID: 070028 00027
DEED REFERENCE: INST. NO. BC4787
2. OWNER: CONFIDENCE HOLDINGS, LLC
TAX ID: 070028 00026
DEED REFERENCE: INST. NO. 19049719
3. OWNER: TED D COCHRAN
TAX ID: 070028 00025
DEED REFERENCE: INST. NO. DP7589
4. OWNER: TEDDY D COCHRAN
TAX ID: 070028 00024
DEED REFERENCE: INST. NO. BE8153
5. OWNER: F AND S PROPERTY INVESTMENTS LLC.
TAX ID: 070028 00023
DEED REFERENCE: INST. NO. 10064176
6. OWNER: WILLIAM A SWINFORD
TAX ID: 070028 00022
DEED REFERENCE: INST. NO. 18126772
7. OWNER: MICHAEL RAYMOND
TAX ID: 070028 00021
DEED REFERENCE: INST. NO. 10056836
8. OWNER: SHELBY COUNTY TAX SALE
TAX ID: 070028 00020
DEED REFERENCE: INST. NO. 9486-1
9. OWNER: BURNIE MITCHELL JR
TAX ID: 070028 00019
DEED REFERENCE: INST. NO. GF8721
10. OWNER: LARRY & DEBORAH HENDERSON
TAX ID: 070028 00018
DEED REFERENCE: INST. NO. 10000135
11. OWNER: LARRY & DEBORAH HENDERSON
TAX ID: 070028 00017
DEED REFERENCE: INST. NO. 10000135



TOWER EASEMENT PREMISES

LINE	BEARING	DISTANCE
L7	N 85°57'50" W	100.00'
L8	N 04°02'10" E	100.00'
L9	S 85°57'50" E	100.00'
L10	S 04°02'10" W	100.00'



AREA TABLE	SQUARE FEET	ACREAGE
(A) TOWER PARCEL	1,263,763.17 +/-	29.01 +/-
(B) TOWER COMPOUND 2	2,937.28 +/-	0.07 +/-
(C) TOWER COMPOUND 3	3,077.34 +/-	0.07 +/-
(D) TOWER EASEMENT PREMISES	10,000.00 +/-	0.23 +/-
(E) 30' ACCESS & UTILITY EASEMENT	31,228.79 +/-	0.72 +/-

RAW LAND SURVEY

SURVEYOR'S NOTES

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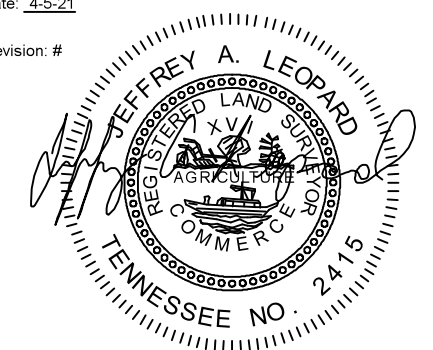
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B2L HOME AND PROPERTY SOLUTIONS, LLC.
JEFFREY A. LEOPARD
LAND SURVEYOR - TN #2415

Date: 4-5-21

Revision: #



verticalbridge

SITE NAME: WATKINS & I-40
SITE NUMBER: US-TN-5263
ADDRESS: 2531 N. WATKINS ST.
MEMPHIS, TN 38127
SHELBY COUNTY

SURVEY WORK PERFORMED BY:

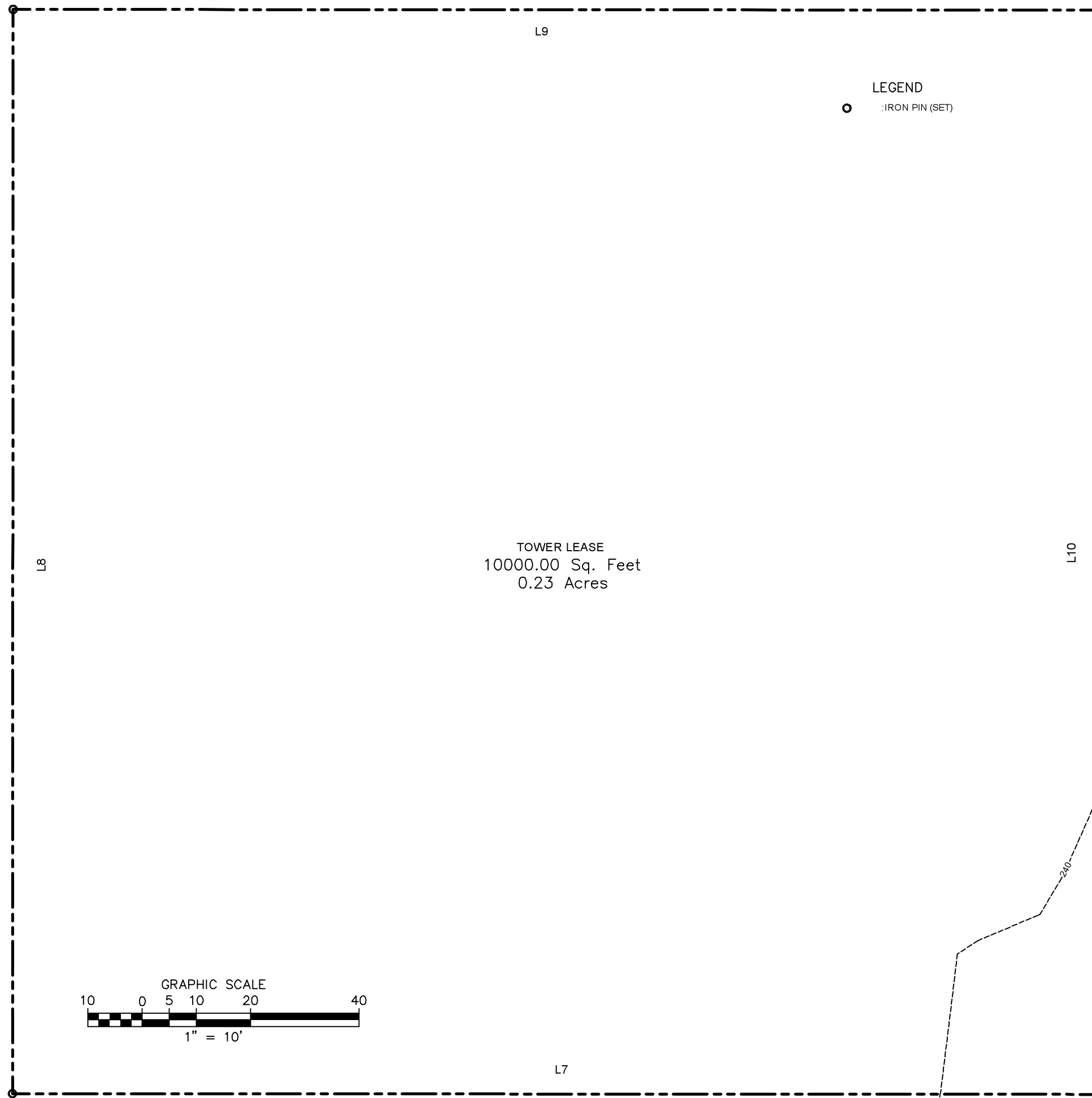
	1198 OLD PINNACLE RD. JOELTON, TN 37080 PHONE: (615) 212-5703 E-MAIL: b2lhps@gmail.com www.b2lhps.com
	LICENSED IN TN, KY, & AL

DRAWN BY: CB CHECKED BY: JL JOB #: LS-1255

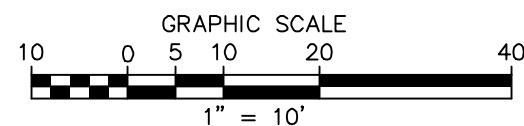
NATIONAL SURVEY SERVICES COORDINATION BY:

	13430 NW 104th Terrace, Suite A Alachua, FL 32615 Office: (386) 418-0500 Fax: (386) 462-9986 www.GEOLINEINC.COM

SHEET 2 OF 4



TOWER LEASE
10000.00 Sq. Feet
0.23 Acres



L7

L10

240

L9

LEGEND

○ :IRON PIN (SET)

RAW LAND SURVEY

SURVEYOR'S NOTES

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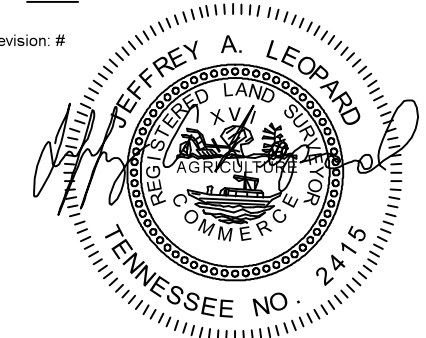
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B2L HOME AND PROPERTY SOLUTIONS, LLC.
JEFFREY A. LEOPARD
LAND SURVEYOR - TN # 2415

Date: 4-5-21

Revision: #



verticalbridge

SITE NAME: WATKINS & I-40
SITE NUMBER: US-TN-5263
ADDRESS: 2531 N. WATKINS ST.
MEMPHIS, TN 38127
SHELBY COUNTY

SURVEY WORK PERFORMED BY:



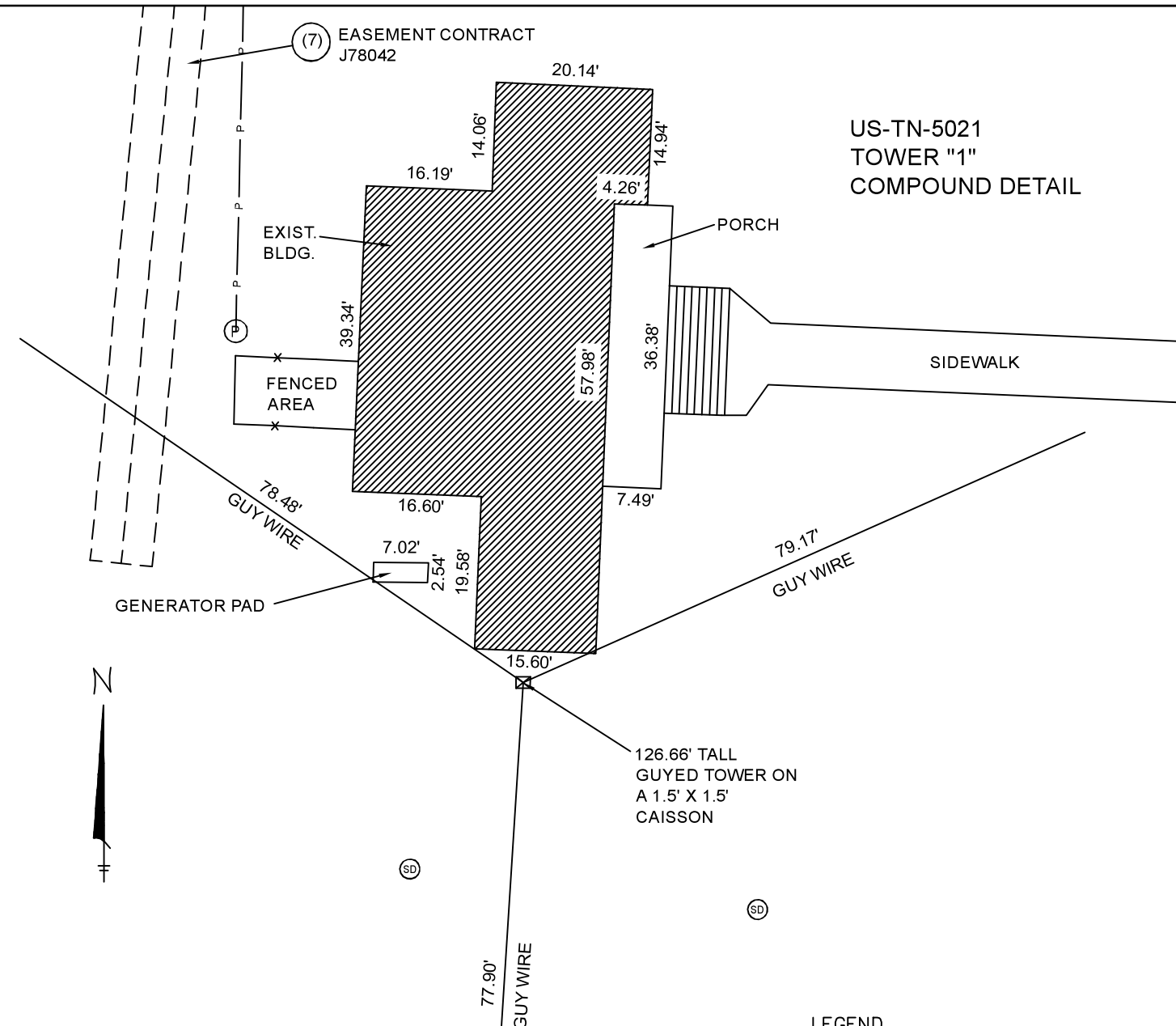
1198 OLD PINNACLE RD.
JOELTON, TN 37080
PHONE: (615) 212-5703
E-MAIL: b2lhps@gmail.com
www.b2lhps.com

DRAWN BY: CB CHECKED BY: JL JOB #: LS-1255

NATIONAL SURVEY SERVICES COORDINATION BY:

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Alachua, FL 32615
Office: (386) 418-0500
Fax: (386) 462-9986
WWW.GEOLINEINC.COM

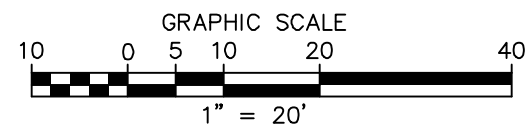
US-TN-5021 TOWER "1" COMPOUND DETAIL



126.66' TALL
GUYED TOWER ON
A 1.5' X 1.5'
CAISSON

LEGEND

- : IRON PIPE (FOUND)
- : MONUMENT (FOUND)
- ⊗ : FENCE POST (FOUND)
- ⊗ : RAILROAD SPIKE (FOUND)
- : IRON PIN (FOUND)
- : IRON PIN (SET)
- P.O.B. : POINT OF BEGINNING
- P.O.C. : POINT OF COMMENCEMENT
- P.O.T. : POINT OF TERMINUS
- R.O.W. : RIGHT-OF-WAY
- C.M.P. : CURROGATED METAL PIPE
- N/A : NOT AVAILABLE
- x— : FENCE AS NOTED
- P— : OVERHEAD POWER LINES
- C— : CENTERLINE
- △ : TELCOM PEDESTAL
- Ⓟ : POWER POLE
- Ⓜ : UTILITY BOX
- ⊕ : AREA LIGHT
- Ⓢ : SEWER MANHOLE
- ⓈD : SATELLITE DISH



FAA 1-A TOWER LOCATION INFORMATION FOR US-TN-5021 - TOWER 1:
126.66± 1' GUYED TOWER
ON A 0.3' TALL CONCRETE CAISSON

NAD 83
LATITUDE = 35°11'41.12" N ± 20'
LONGITUDE = 90°00'33.08" W ± 20'

GROUND ELEVATION AT BASE OF TOWER = 246.27' ± 3' NAVD88
HEIGHT OF TOP OF TOWER ABOVE GROUND = 126.96± 1'
HEIGHT OF HIGHEST APPURTENANCE ABOVE GROUND = 373.23± 1'

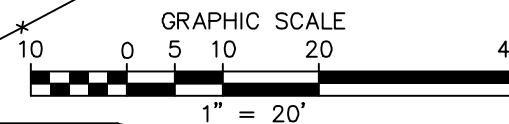
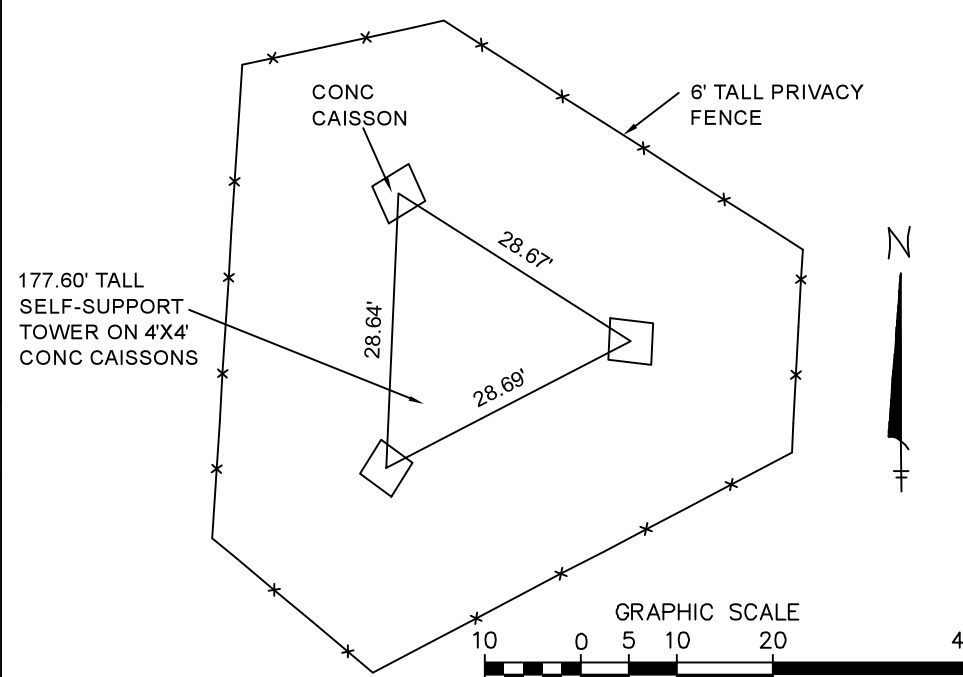
177.60' TALL
SELF-SUPPORT
TOWER ON 4'X4'
CONC CAISSONS

FAA 1-A TOWER LOCATION INFORMATION FOR US-TN-5025 - TOWER 2:
177.60± 1' SELF-SUPPORT TOWER
ON A 4.5' TALL CONCRETE CAISSON

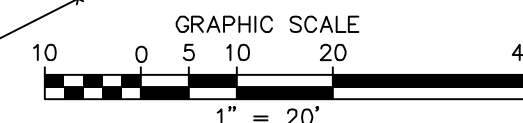
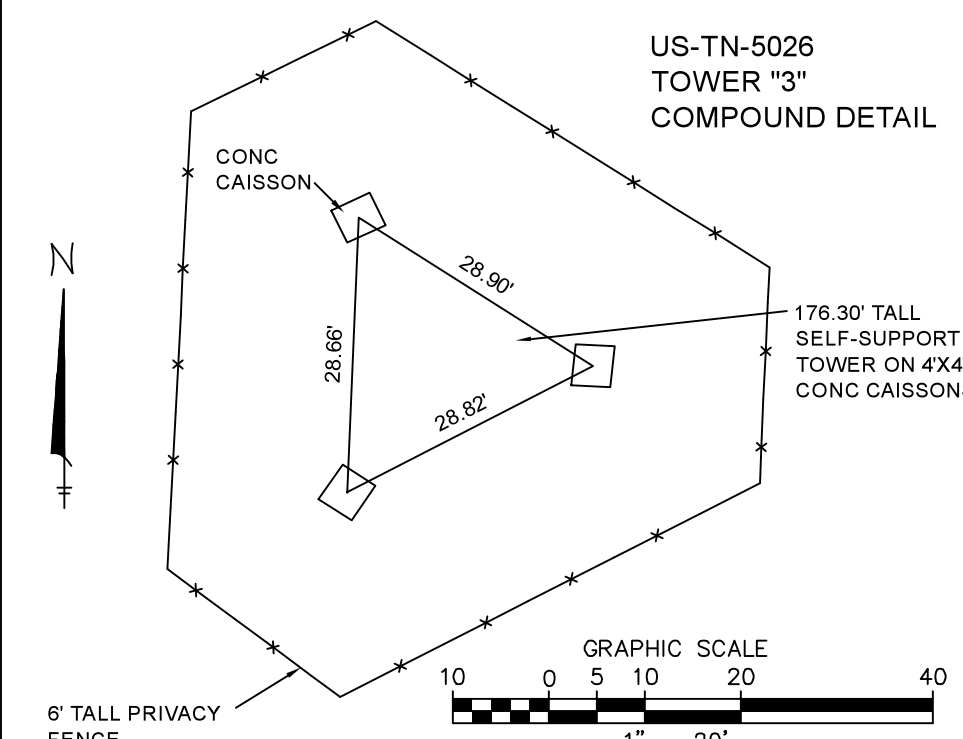
NAD 83
LATITUDE = 35°11'43.23" N ± 20'
LONGITUDE = 90°00'35.62" W ± 20'

GROUND ELEVATION AT BASE OF TOWER = 236.20' ± 3' NAVD88
HEIGHT OF TOP OF TOWER ABOVE GROUND = 182.10± 1'
HEIGHT OF HIGHEST APPURTENANCE ABOVE GROUND = 418.30± 1'

US-TN-5025 TOWER "2" COMPOUND DETAIL



US-TN-5026 TOWER "3" COMPOUND DETAIL



FAA 1-A TOWER LOCATION INFORMATION FOR US-TN-5026 - TOWER 3:
176.30± 1' SELF-SUPPORT TOWER
ON 4.5' TALL CONCRETE CAISSONS

NAD 83
LATITUDE = 35°11'39.54" N ± 20'
LONGITUDE = 90°00'37.63" W ± 20'

GROUND ELEVATION AT BASE OF TOWER = 237.5' ± 3' NAVD88
HEIGHT OF TOP OF TOWER ABOVE GROUND = 180.80± 1'
HEIGHT OF HIGHEST APPURTENANCE ABOVE GROUND = 418.30± 1'

(7) CORRESPONDS WITH B-II ITEMS OF
TITLE COMMITMENT ON PAGE 3

US-TN-5263 - WATKINS & I-40
2531 N. WATKINS ST. MEMPHIS, TN 38127
SHELBY COUNTY, TN
TOWER EASEMENT PREMISES DESCRIPTION
(AS SURVEYED)

Situated in Shelby County, Tennessee and being more particularly described as follows:

COMMENCING at concrete monument found at the southeast corner of the Vertical Bridge Landco LLC property (Inst. No. 17005237), said monument also being located in the westerly right-of-way of North Watkins Street, thence, North 30 degrees 18 minutes 07 seconds West, 121.11 feet to an iron pin (set), this being the TRUE POINT OF BEGINNING;

Thence, North 85 degrees 57 minutes 50 seconds West, 100.00 feet to an iron pin (set);

Thence, North 04 degrees 02 minutes 10 seconds East, 100.00 feet to an iron pin (set);

Thence, South 85 degrees 57 minutes 50 seconds East, 100.00 feet to an iron pin (set);

Thence, South 04 degrees 02 minutes 10 seconds West, 100.00 feet to the POINT OF BEGINNING, containing 10,000.00 square feet or 0.23 acres.

OWNER: VERTICAL BRIDGE LANDCO LLC
TAX ID: 070028 00015
DEED REFERENCE: INST. NO. 17005237

US-TN-5263 - WATKINS & I-40
2531 N. WATKINS ST. MEMPHIS, TN 38127
SHELBY COUNTY, TN
30' ACCESS & UTILITY EASEMENT DESCRIPTION
(AS SURVEYED)

Situated in Shelby County, Tennessee and being more particularly described as follows:

Being a thirty foot wide access and utility easement, at all times being fifteen feet on each side of and running parallel with the following described centerline:

COMMENCING at concrete monument found at the southeast corner of the Vertical Bridge Landco LLC property (Inst. No. 17005237), said monument also being located in the westerly right-of-way of North Watkins Street, thence, North 20 degrees 30 minutes 23 seconds West, 164.90 feet to a point, this being the TRUE POINT OF BEGINNING;

Thence, South 87 degrees 09 minutes 37 seconds East, 39.85 feet to a point;

Thence, with a curve to the left, having an arc length of 54.98 feet, a radius of 35.00 feet, a chord bearing of North 47 degrees 50 minutes 23 seconds East, a chord length of 49.50 feet to a point;

Thence, North 02 degrees 50 minutes 23 seconds East, 557.31 feet to a point;

Thence, North 00 degrees 27 minutes 21 seconds East, 39.41 feet to a point;

Thence, North 01 degrees 30 minutes 06 seconds West, 157.89 feet to a point;

Thence, North 05 degrees 37 minutes 35 seconds East, 77.16 feet to a point;

Thence, North 14 degrees 31 minutes 26 seconds East, 44.29 feet to a point;

Thence, North 30 degrees 30 minutes 03 seconds East, 22.85 feet to a point;

Thence, North 53 degrees 55 minutes 57 seconds East, 17.27 feet to a point;

Thence, North 77 degrees 21 minutes 57 seconds East, 29.93 feet to the POINT OF TERMINUS in the westerly right-of-way of North Watkins Street, a public right-of-way that varies, containing 31,228.79 square feet or 0.72 acres.

OWNER: VERTICAL BRIDGE LANDCO LLC
TAX ID: 070028 00015
DEED REFERENCE: INST. NO. 17005237

US-TN-5263 - WATKINS & I-40
2531 N. WATKINS ST. MEMPHIS, TN 38127
SHELBY COUNTY, TN
TOWER PARCEL DESCRIPTION
(AS SURVEYED)

Being a tract of land situated in Shelby County, Tennessee and being more particularly described as follows:

COMMENCING at a railroad spike (found) at the northeast corner of the Square Mile Investments Inc. property (Inst. No. 11013370), thence South 05 deg. 37 min. 53 sec. West, 379.48 feet to an iron pin (found) at the northeast corner of the Clear Channel Radio Inc. property (Inst. No. GL3914), this being the TRUE POINT OF BEGINNING;

Thence, with a curve to the left, having an arc length of 32.27 feet, a radius of 1,686.10 feet, a chord bearing of South 03 deg. 50 min. 52 sec. West, a distance of 32.27 feet to an iron pin (set);

Thence, South 03 deg. 24 min. 21 sec. West, 166.81 feet to an iron pin (set);

Thence, South 07 deg. 25 min. 32 sec. West, 175.41 feet to an iron pin (set);

Thence, South 03 deg. 24 min. 21 sec. West, 633.95 feet to an iron pin (found);

Thence, with a curve to the right, having an arc length of 156.18 feet, a radius of 311.31 feet, a chord bearing of South 17 deg. 46 min. 41 sec. West, a distance of 154.55 feet to a highway monument (found);

Thence, North 85 deg. 57 min. 50 sec. West, 1048.84 feet to an iron pin (set);

Thence, North 03 deg. 17 min. 16 sec. East, 1161.06 feet to an iron pin (set);

Thence South 85 deg. 49 deg. 15 sec. East, 1102.18 feet to the POINT OF BEGINNING. Containing 1,263,763.17 square feet, or 29.01 acres. According to a survey by Jeffrey A. Leopard, Dated March 23, 2015.

OWNER: VERTICAL BRIDGE LANDCO LLC
TAX ID: 070028 00015
DEED REFERENCE: INST. NO. 17005237

TITLE INSURANCE COMMITMENT NOTE:

I HAVE REVIEWED COMMITMENT FOR TITLE INSURANCE, UNDERWRITTEN BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, WITH AN EFFECTIVE DATE OF DECEMBER 29, 2014 AT 7:00 A.M. COMMITMENT NUMBER 01-14096948-01T, AND FIND AS FOLLOWS WITH RESPECT TO THE EXCEPTIONS LISTED IN SCHEDULE B-SECTION 2 OF SAID COMMITMENT:

- (1) FACTS WHICH WOULD BE DISCLOSED BY A COMPREHENSIVE SURVEY OF THE PREMISES HEREIN DESCRIBED. (BLANKET IN NATURE, NOT PLOTTABLE)
- (2) RIGHTS OR CLAIMS OF PARTIES IN POSSESSION OR RIGHTS OF TENANTS IN POSSESSION AS TENANTS ONLY UNDER UNRECORDED LEASES. (BLANKET IN NATURE, NOT PLOTTABLE)
- (3) MECHANICS', CONTRACTORS' OR MATERIAL MEN'S LIENS AND LIEN CLAIMS, IF ANY, WHERE NO NOTICE THEREOF APPEARS OF RECORD. (BLANKET IN NATURE, NOT PLOTTABLE)
- (4) ANY CHANGES IN TITLE OCCURRING SUBSEQUENT TO THE EFFECTIVE DATE OF THIS COMMITMENT AND PRIOR TO THE DATE OF ISSUANCE OF THE TITLE POLICY. (BLANKET IN NATURE, NOT PLOTTABLE)
- (5) TAXES AND SPECIAL ASSESSMENTS FOR CURRENT TAX YEAR DUE AND ALL SUBSEQUENT YEARS. (BLANKET IN NATURE, NOT PLOTTABLE)
- (6) DELETING FROM ANY INSTRUMENT IN THE PUBLIC RECORDS REFLECTED HEREIN, ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH MATTERS VIOLATE 42 USC 3604(c). (BLANKET IN NATURE, NOT PLOTTABLE)

(7) EASEMENT CONTRACT IN FAVOR OF THE CITY OF MEMPHIS ACTING THROUGH THE MEMPHIS LIGHT, GAS AND WATER DIVISION, RECORDED 08/01/1974, AS DOCUMENT NO. J78042 OF THE SHELBY COUNTY RECORDS.

(7) CORRESPONDS WITH B-II ITEMS LOCATED ON DRAWING

RAW LAND SURVEY

SURVEYOR'S NOTES

1. BASIS OF BEARING, DEED AS RECORDED IN INSTRUMENT NO. GL3914, R.O.S.C.T.N.
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3. AT THE TIME OF THIS SURVEY, THERE WERE NO VISIBLE ENCROACHMENTS AFFECTING THE LEASE AREA OR ANY VB EASEMENTS AND ALL ARE CONTAINED WHOLLY WITHIN THE PARENT TRACT PARCEL.
4. THE ACCESS/UTILITY EASEMENT GOES TO N. WATKINS STREET, A PUBLIC RIGHT OF WAY.
5. UNLESS OTHERWISE NOTED, ALL VISIBLE TOWER EQUIPMENT AND IMPROVEMENTS ARE CONTAINED WITHIN THE DESCRIBED AREA.
6. ZONING: N/A
7. FLOOD NOTE: THE TOWER AREA BEING LOCATED IN PANEL NO. 47157C0260F DOES NOT LIE IN AN AREA DESIGNATED AS A SPECIAL FLOOD HAZARD (ZONE "X") BEARING AN EFFECTIVE DATE OF 9-28-07, AS PER FEMA.GOV WEBSITE.

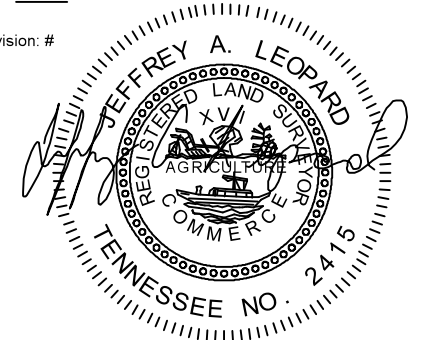
SURVEYOR'S CERTIFICATION

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.

B2L HOME AND PROPERTY SOLUTIONS, LLC.
JEFFREY A. LEOPARD
LAND SURVEYOR - TN #2415

Date: 4-5-21

Revision: #



verticalbridge

SITE NAME: WATKINS & I-40
SITE NUMBER: US-TN-5263
ADDRESS: 2531 N. WATKINS ST.
MEMPHIS, TN 38127
SHELBY COUNTY

SURVEY WORK PERFORMED BY:

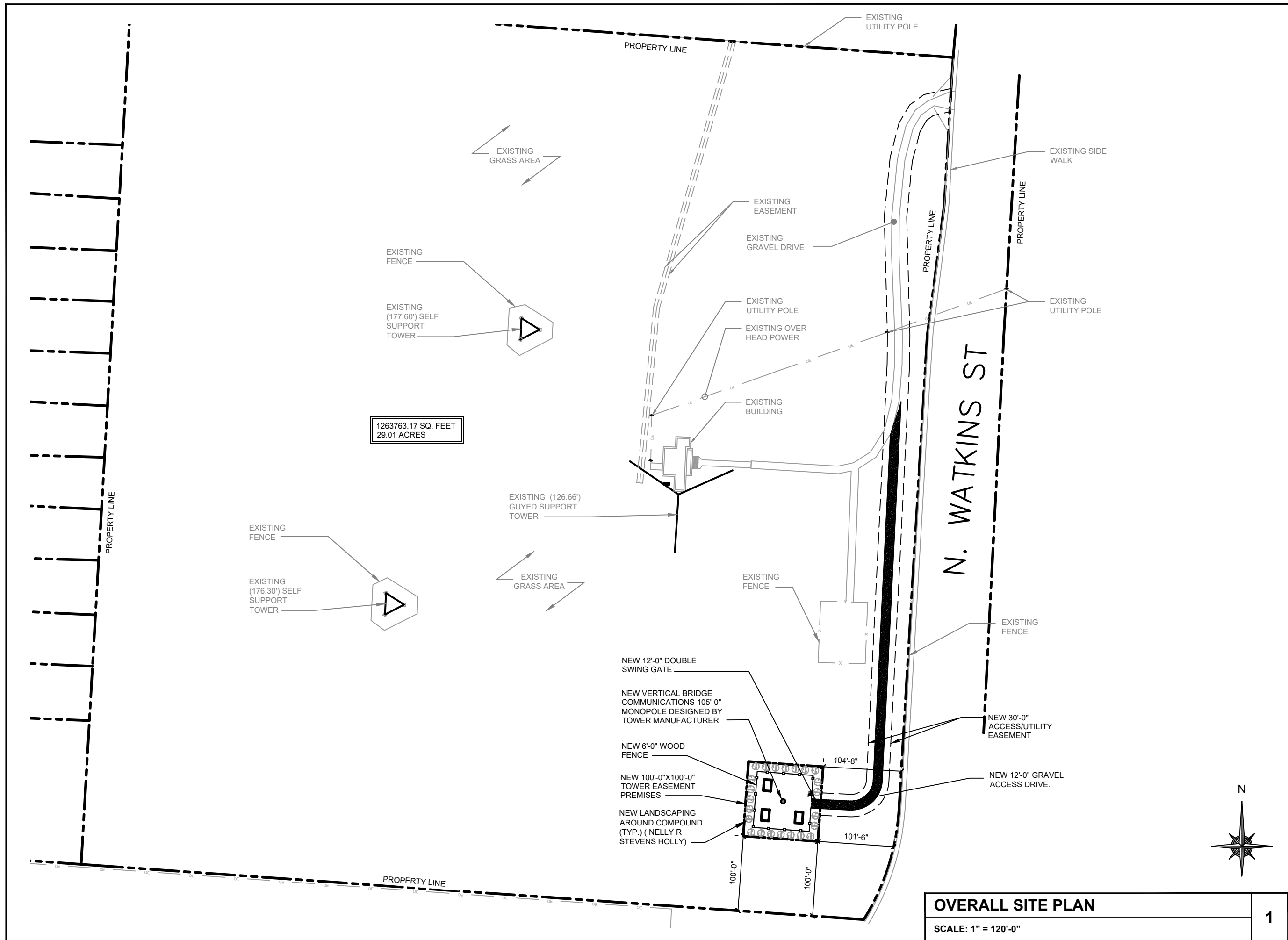


1198 OLD PINNACLE RD.
JOELTON, TN 37080
PHONE: (615) 212-5703
E-MAIL: b2lhps@gmail.com
www.b2lhps.com

DRAWN BY: CB CHECKED BY: JL JOB #:LS-1255

NATIONAL SURVEY SERVICES COORDINATION BY:


GEOLINE SURVEYING, INC.
13430 NW 104th Terrace, Suite A
Alachua, FL 32615
Office: (386) 418-0500
Fax: (386) 462-9986
WWW.GEOLINEINC.COM




1263763.17 SQ. FEET
29.01 ACRES


OVERALL SITE PLAN
SCALE: 1" = 120'-0"







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WATKINS & I-40
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MEMPHIS, TN 38127




EXPIRES: 04/30/23

SIGNED: 09/21/21

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△	REVISE ZONING DRAWING	09/18/21	BA
△	FINAL ZONING DRAWING	09/21/21	BA

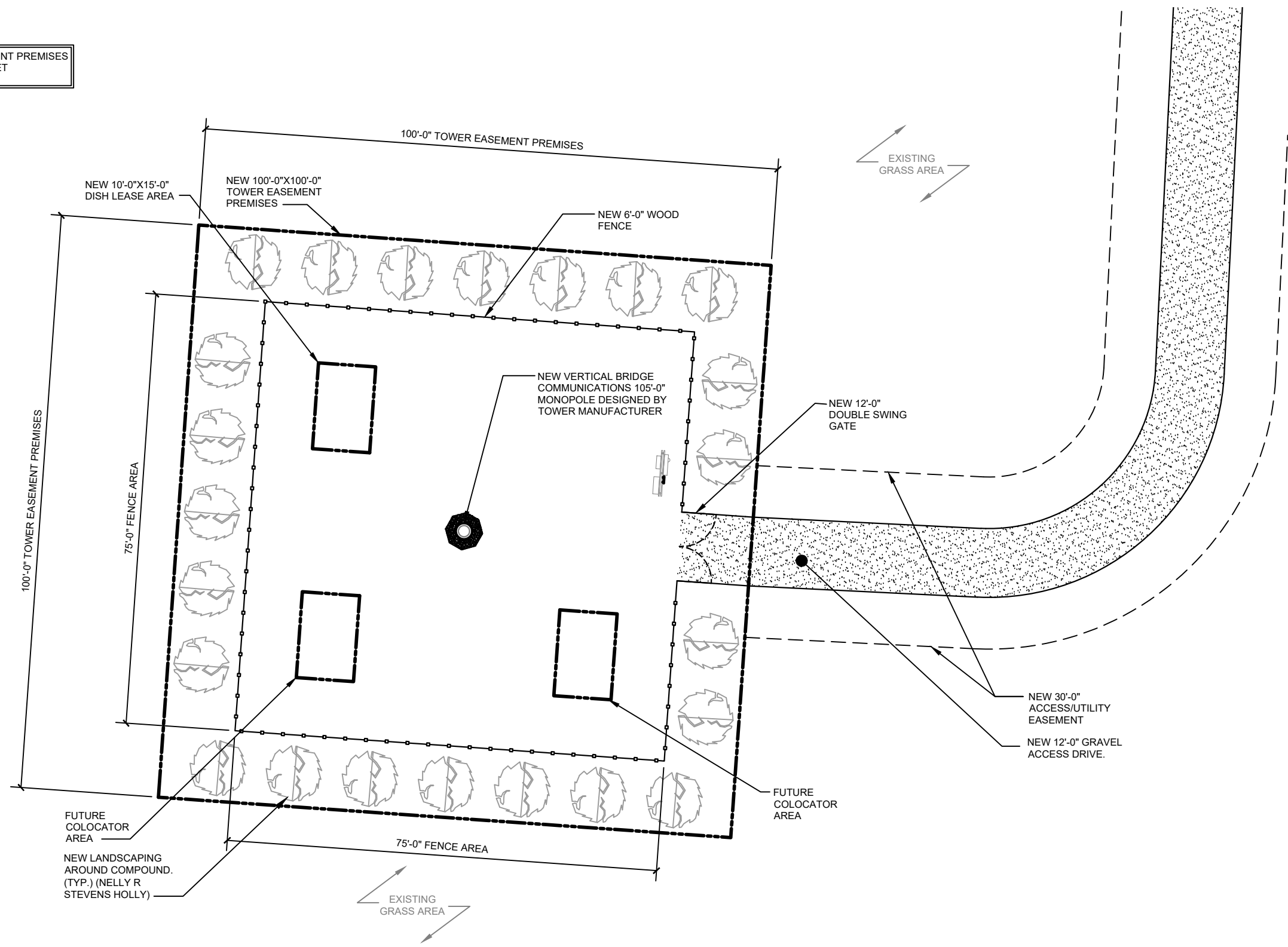
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CHECK: AG
DRAWN: BA
JOB: 21007357

Z-1
OVERALL SITE PLAN

TOWER EASEMENT PREMISES
10000.00 SQ. FEET
0.23 ACRES



ENLARGED SITE PLAN
SCALE: 1" = 20'-0"

1

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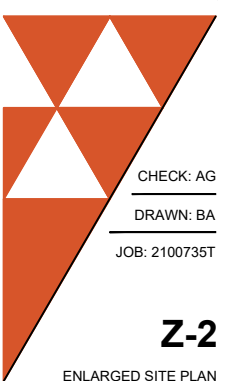
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△	REVISE ZONING DRAWING	09/18/21	BA
△	FINAL ZONING DRAWING	09/21/21	BA

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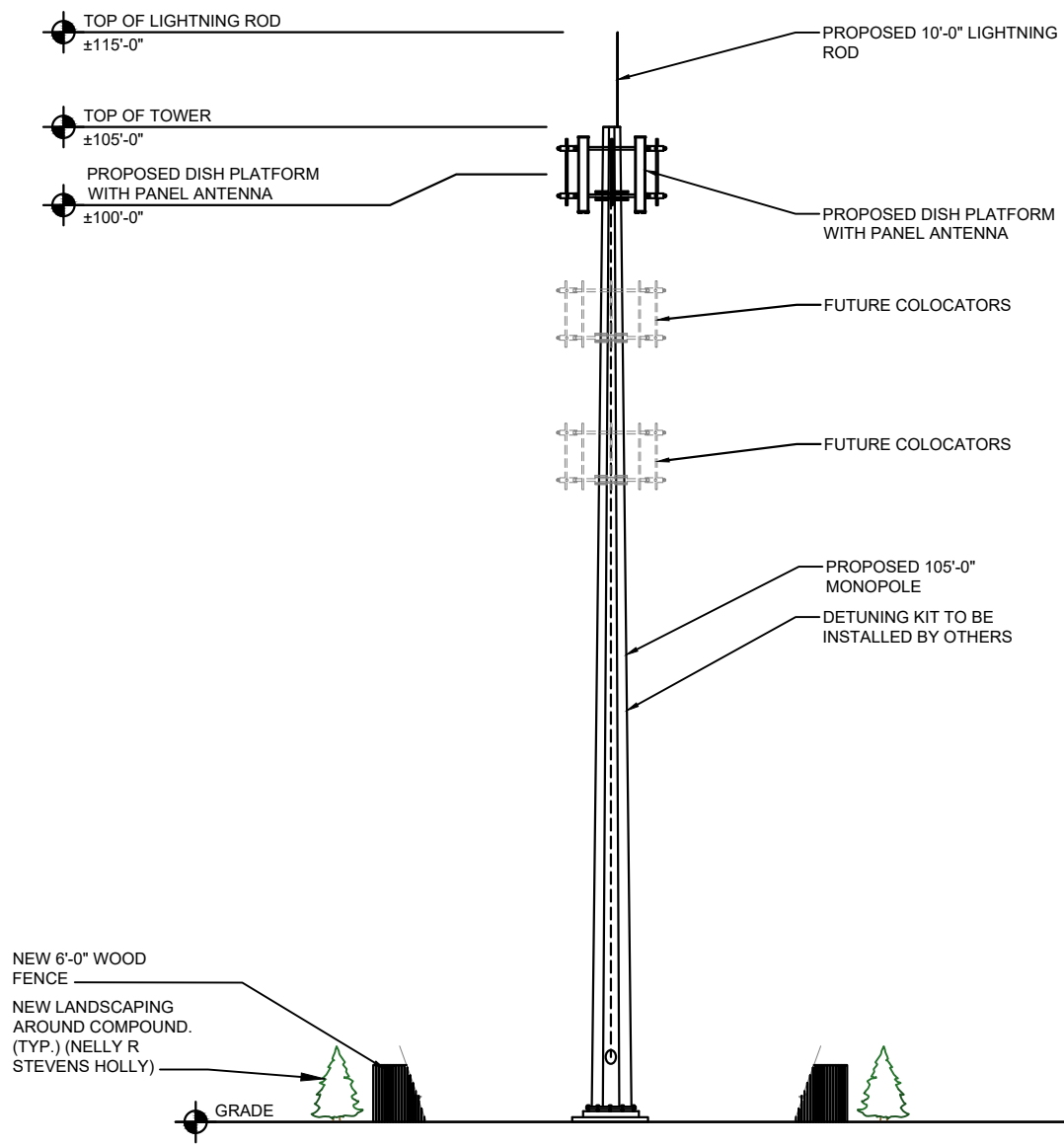


CHECK: AG
DRAWN: BA
JOB: 2100735T

Z-2

ENLARGED SITE PLAN

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NOTE:
 W-T'S SCOPE OF WORK DOES NOT INCLUDE A STRUCTURAL EVALUATION OF THIS TOWER OR STRUCTURE. NEW ANTENNAS AND EQUIPMENT SHOWN ON THIS PLAN HAVE NOT BEEN EVALUATED TO VERIFY THE TOWER OR STRUCTURE HAS THE CAPACITY TO ADEQUATELY SUPPORT THESE ANTENNAS. PRIOR TO ANY ANTENNA OR EQUIPMENT INSTALLATION, A STRUCTURAL EVALUATION OF THE TOWER OR STRUCTURE, INCLUDING ALL ANTENNA MOUNTING SYSTEMS & HARDWARE SHALL BE PERFORMED.

NOTE:
 PRIOR TO CONSTRUCTION CONTRACTOR TO VERIFY FAA REQUIREMENTS FOR LIGHTING TOWER

TOWER ELEVATION
 SCALE: 1" = 40'-0"

1

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EXPIRES: 04/30/23 SIGNED: 09/21/21

REVISIONS

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△	FINAL ZONING DRAWING	05/14/21	BA
△	REVISE ZONING DRAWING	09/18/21	BA
△	FINAL ZONING DRAWING	09/21/21	BA

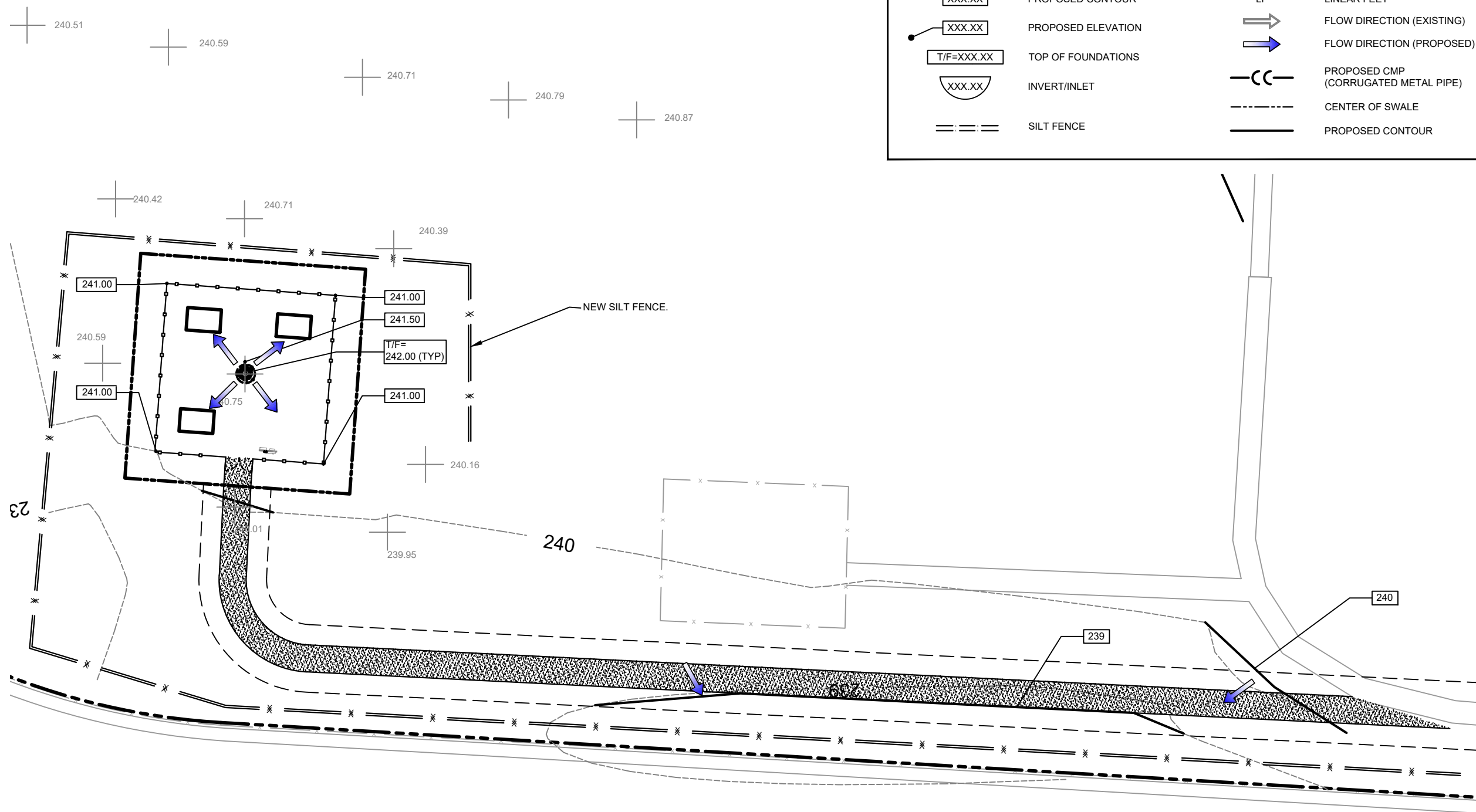
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CHECK: AG
 DRAWN: BA
 JOB: 2100735T

Z-3
 TOWER ELEVATION

LEGEND

	PROPOSED CONTOUR		LINEAR FEET
	PROPOSED ELEVATION		FLOW DIRECTION (EXISTING)
	TOP OF FOUNDATIONS		FLOW DIRECTION (PROPOSED)
	INVERT/INLET		PROPOSED CMP (CORRUGATED METAL PIPE)
	SILT FENCE		CENTER OF SWALE
			PROPOSED CONTOUR



N. WATKINS ST



GRADING PLAN

SCALE: 1" = 50'-0"

1

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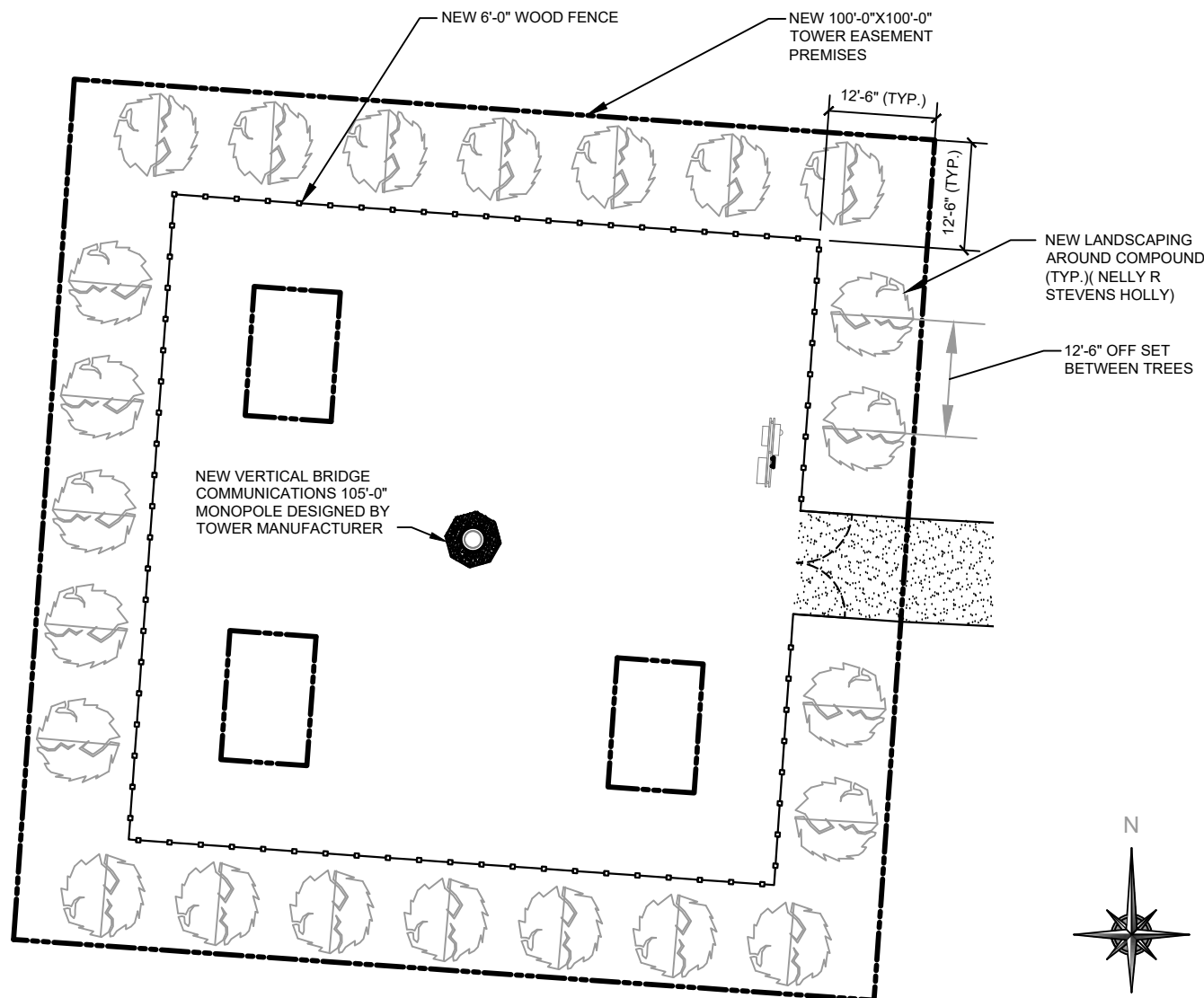
EXPIRES: 04/30/23 SIGNED: 09/21/21

REV.	ISSUED FOR	DATE	BY
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△	FINAL ZONING DRAWING	05/14/21	BA
△	REVISE ZONING DRAWING	09/18/21	BA
△	FINAL ZONING DRAWING	09/21/21	BA

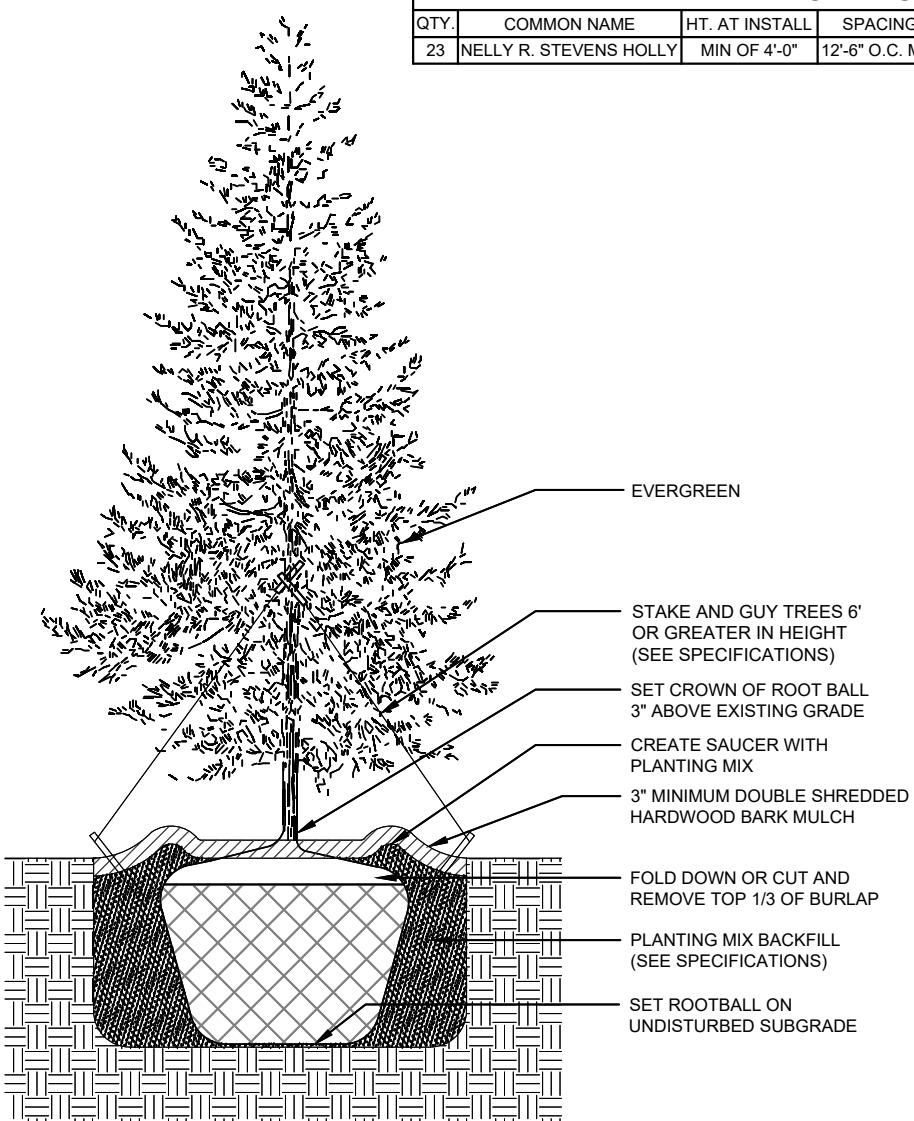
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CHECK: AG
DRAWN: BA
JOB: 2100735T

Z-4
GRADING PLAN



LANDSCAPE PLAN
SCALE: 1" = 15'-0"
1



LANDSCAPE DETAIL
SCALE: NONE
2

LANDSCAPE CHART					
QTY.	COMMON NAME	HT. AT INSTALL	SPACING	ROOTBALL	OVERALL PROJECTED WIDTH
23	NELLY R. STEVENS HOLLY	MIN OF 4'-0"	12'-6" O.C. MIN	B/B	10'-0"

NOTE:
ALL MATERIALS SURROUNDING THE TREE ROOT BALL, INCLUDING WIRING, ARE TO BE REMOVED PRIOR TO PLANTING OF TREES.

NOTE:
LANDLORD RESPONSIBLE FOR MAINTAINING AND WATERING ALL LANDSCAPE AFTER INSTALLATION


LANDSCAPING GENERAL NOTES:


- ALL PLACEMENT OF LANDSCAPING SHALL MEET THE FOLLOWING CONDITIONS:
- ALL PLANT MATERIAL SHALL BE PLANTED IN A MANNER WHICH IS NOT TO INTERFERE WITH OVERHEAD WIRES OR BE INTRUSIVE TO UTILITIES OR PAVEMENT.
 - NO TREES OR OTHER LANDSCAPING SHALL BE LOCATED CLOSER THAN 10 FEET TO A FIRE HYDRANT OR OTHER ABOVE GROUND UTILITIES.
 - NO LANDSCAPING SHALL INTERFERE WITH SITE REQUIREMENTS FOR SAFE INGRESS AND EGRESS.
- INSTALLATION STANDARDS:
- PLANT MATERIAL SHALL CONFORM WITH THE CURRENT AMERICAN STANDARDS FOR NURSERY STOCK, PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN FOR THAT TYPE OF TREE OR SHRUB AT THE TIME OF INSTALLATION.
 - ALL PLANT MATERIAL SHALL BE INSTALLED FREE OF DISEASE AND IN A MANNER THAT ENSURES THE AVAILABILITY OF SUFFICIENT SOIL AND WATER TO SUSTAIN HEALTHY GROWTH.
 - ALL TAGS, WIRES, PLASTIC TIES AND ROPE SHALL BE CUT FROM EACH TREE TO PREVENT GIRDLING OF THE TREE. THE BURLAP SHALL BE PULLED BACK FROM THE UPPER THIRD OF THE ROOTBALL. IF A PLASTIC 'BURLAP' IS USED, IT SHALL BE REMOVED IN ITS ENTIRETY FROM THE ROOTBALL.
 - ALL PLANT MATERIAL SHALL BE PLANTED WITH A MINIMUM OF DEPTH OF THREE (3) INCHES OF MULCHED MATERIAL AND A DIAMETER OF THREE (3) FEET AROUND THE BASE OF THE TREE.

- TREES SHALL BE STAKED WITH POSTS AND NOT STAKES IN AREAS OF HIGH WIND FOR ONE TO THREE YEARS TO ALLOW THE GROWTH OF PROPOSED ROOTS TO STABILIZE. ALL ROPES SHALL BE COVERED TO PREVENT CUTTING INTO THE BARK.
 - ANY EXCESS SOIL, CLAY, OR CONSTRUCTION DEBRIS SHALL BE REMOVED FROM THE PLANTING SITE, PRIOR TO PLANTING OF INDIVIDUAL TREES AT FINAL GRADE.
 - THE JURISDICTION, AT ITS DISCRETION, HAS THE RIGHT TO RETAIN A PROFESSIONAL LANDSCAPE ARCHITECT OR ARBORIST TO REVIEW SUBMITTED LANDSCAPE PLAN AND THE PROFESSIONAL LANDSCAPE ARCHITECT OR ARBORIST WILL SUBMIT A WRITTEN REPORT TO THE PLANNING AND ZONING COMMISSION. ALL EXPENSES INCURRED BY THE JURISDICTION FOR THE USE OF THE LANDSCAPE ARCHITECT OR ARBORIST SHALL BE REIMBURSED BY THE DEVELOPER.
- PLANTING SEASONS:
- PLANTS MUST BE PLANTED DURING THE FOLLOWING DATES: APRIL 1ST TO MAY 15TH AND SEPTEMBER 1ST TO OCTOBER 1ST.
 - THE PLANTING PERIODS INDICATED MAY BE EXTENDED DUE TO WEATHER CONDITIONS OR OTHER FACTORS, WHICH MUST BE APPROVED BY THE LANDSCAPE ARCHITECT/ENGINEER.
 - THE CONTRACTOR WILL BE RELIEVED FOR HIS GUARANTEE RESPONSIBILITY SHOULD THE OWNER REQUIRE PLANT MATERIAL INSTALLATIONS TO BE COMPLETED DURING OTHER TIMES THAN THE PLANTING PERIODS INDICATED.


- PLANTING:
- ALL SHADE TREES, ORNAMENTAL TREES, EVERGREEN TREES AND SHRUBS SHALL BE PLANTED IN HOLES EXCAVATED AT LEAST 3x THE WIDTH OF THE DIAMETER OF THE BALL OR CONTAINER AND DEEP ENOUGH SO THAT THE TOP OF THE BALL OR SOIL IN THE CONTAINER IS AT OR JUST ABOVE EXISTING GRADE.
 - ALL TWINE OR ROPE MUST BE CUT AND REMOVED AND THE BURLAP FOLDED AWAY FROM THE TOP OF THE BALL. THE EXCAVATION MUST BE BACKFILLED WITH THE PLANTING MIXTURE AND WATERED. ANY SETTLEMENT WILL BE FILLED WITH PLANTING MIXTURE.
 - A 4" DEEP SAUCER, SIMILAR TO THE DIAMETER OF THE PLANTING HOLE SHALL BE CREATED USING PLANTING MIX.
 - PLANTING MIX TO CONSIST OF 1/3 TOP SOIL, 1/3 SOIL FROM EXCAVATION, AND 1/3 MUSHROOM COMPOST (OR 1/3 PEAT MOSS).
- CLEAN UP:
- ALL DEBRIS GENERATED DURING THE INSTALLATION OF PLANT MATERIALS MUST BE REMOVED FROM THE SITE.
 - ALL PAVEMENTS AND WALKS MUST BE SWEEPED AFTER EACH DAYS WORK. UPON COMPLETION OF THE WORK, ALL PAVEMENTS MUST BE WASHED TO REMOVE ALL MUD OR DIRT.

LANDSCAPE NOTES
SCALE: NONE
3





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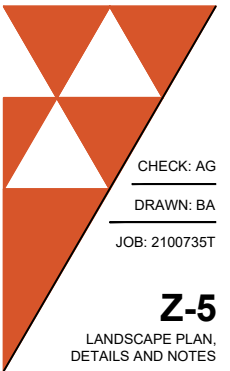
EXPIRES: 04/30/23

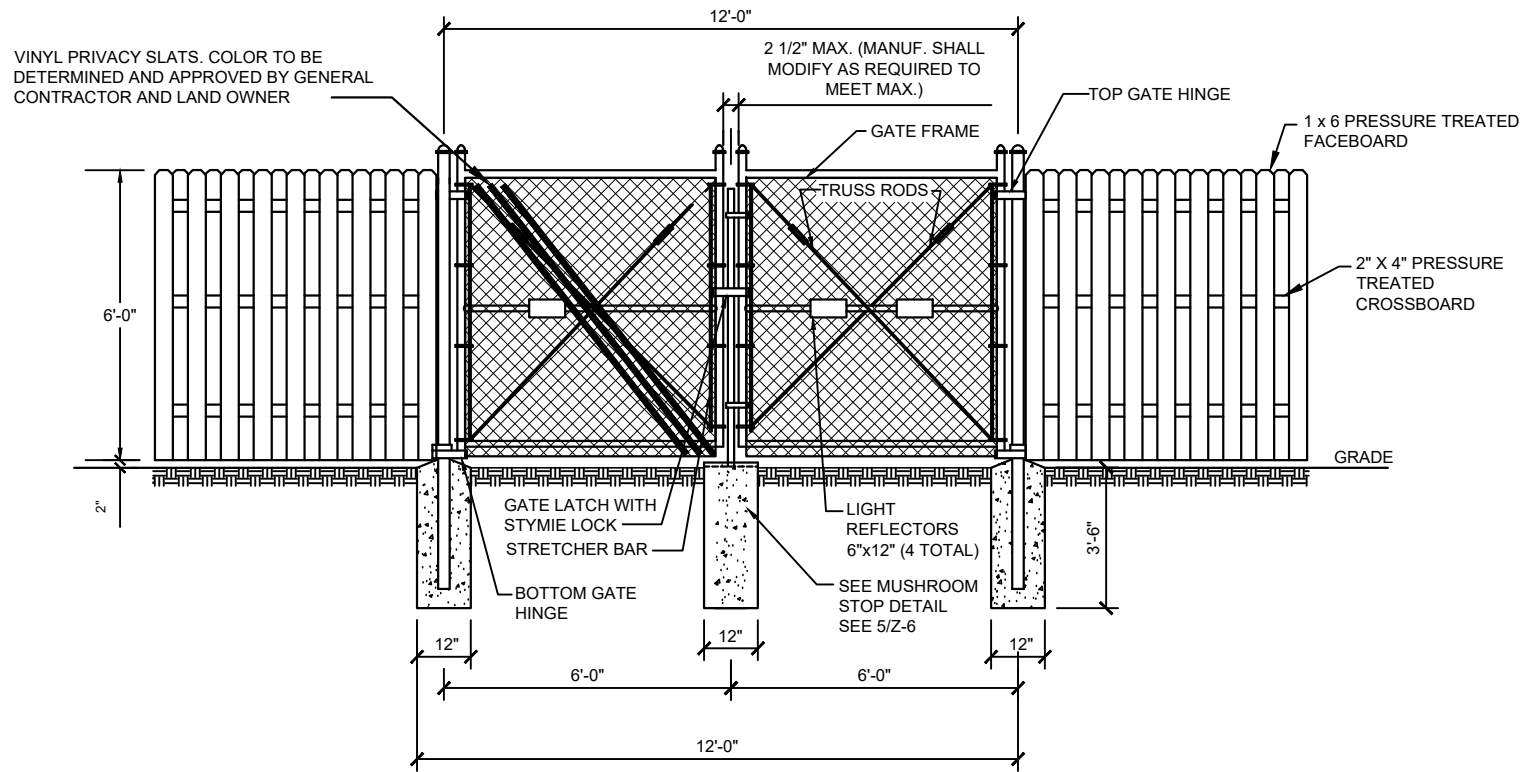
SIGNED: 09/21/21

REVISIONS			
REV.	ISSUED FOR	DATE	BY
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2	FINAL ZONING DRAWING	05/14/21	BA
3	REVISE ZONING DRAWING	09/18/21	BA
4	FINAL ZONING DRAWING	09/21/21	BA

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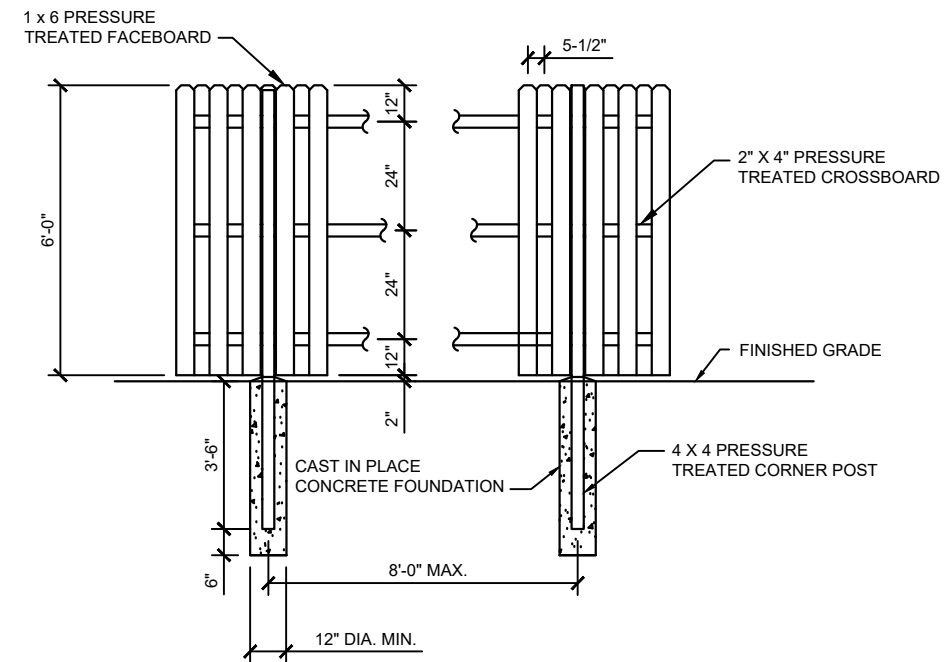
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DRAWN: BA
JOB: 2100735T



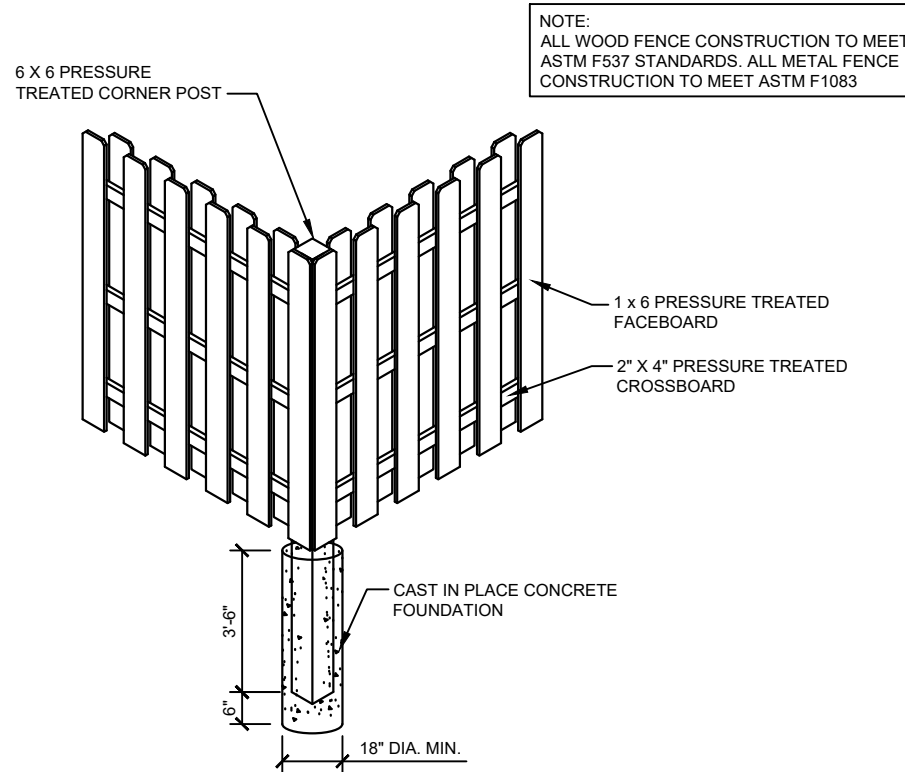


NOTE:
ALL WOOD COMPONENTS TO BE PRESSURE TREATED UNLESS NOTED OTHERWISE AND ALL METAL COMPONENTS TO BE CORROSION RESISTANT AND COMPATIBLE WITH TREATED LUMBER.

GATE & FENCE ELEVATION
SCALE: NONE **1**

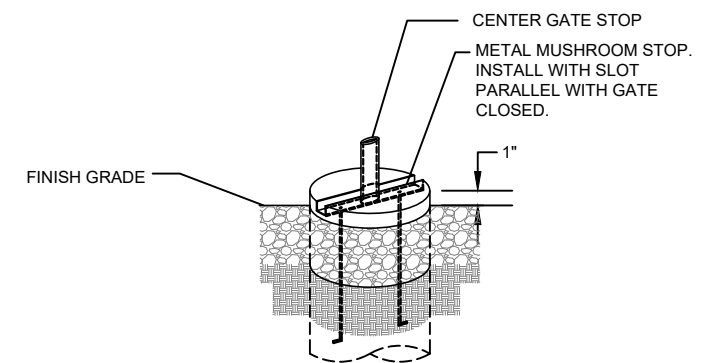


FENCE DETAIL SECTION
SCALE: NONE **2**



FENCE CORNER DETAIL
SCALE: NONE **3**

NOT USED
SCALE: NONE **4**



MUSHROOM STOP DETAIL
SCALE: NONE **5**

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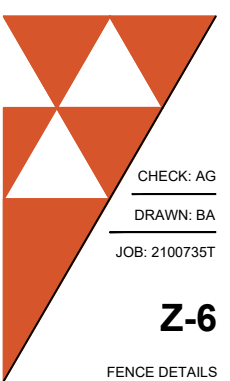
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2531 N. WATKINS ST.
MEMPHIS, TN 38127



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△	FINAL ZONING DRAWING	09/21/21	BA

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JOB: 2100735T

Z-6

FENCE DETAILS

**CITY OF MEMPHIS
COUNCIL AGENDA CHECK OFF SHEET**

**ONE ORIGINAL
ONLY STAPLED
TO DOCUMENTS**

**Planning & Development
DIVISION**

**Planning & Zoning COMMITTEE: 2 November 2021
DATE
PUBLIC SESSION: 2 November 2021
DATE**

ITEM (CHECK ONE)

ORDINANCE CONDEMNATIONS GRANT ACCEPTANCE / AMENDMENT
 RESOLUTION GRANT APPLICATION REQUEST FOR PUBLIC HEARING
 OTHER: _____

ITEM DESCRIPTION: A resolution approving a physical closure of an alley
CASE NUMBER: SAC 21-9
LOCATION: The unnamed alley between N. Cleveland, Court, N. Claybrook, and Jefferson
COUNCIL DISTRICTS: District 6 and Super District 8
APPLICANT: Catholic Diocese of Memphis
REPRESENTATIVE: Mike Davis of the Reaves Firm, Inc.
EXISTING ZONING: Residential Urban – 4, Commercial Mixed Use – 1, and Commercial Mixed Use – 3
REQUEST: Physical closure of an alley
AREA: 4570 square feet
RECOMMENDATION: The Division of Planning and Development recommended: *Approval with conditions*
The Land Use Control Board recommended: *Approval with conditions*
RECOMMENDED COUNCIL ACTION: **Public Hearing Not Required**
First reading/hearing – 2 November 2021

PRIOR ACTION ON ITEM:

(1) _____ APPROVAL - (1) APPROVED (2) DENIED
14 October 2021 _____ DATE
(1) Land Use Control Board _____ ORGANIZATION - (1) BOARD / COMMISSION
(2) GOV'T. ENTITY (3) COUNCIL COMMITTEE

FUNDING:

(2) _____ REQUIRES CITY EXPENDITURE - (1) YES (2) NO
\$ _____ AMOUNT OF EXPENDITURE
\$ _____ REVENUE TO BE RECEIVED

SOURCE AND AMOUNT OF FUNDS

\$ _____ OPERATING BUDGET
\$ _____ CIP PROJECT # _____
\$ _____ FEDERAL/STATE/OTHER

ADMINISTRATIVE APPROVAL:

	<u>DATE</u>	<u>POSITION</u>
_____	_____	MUNICIPAL PLANNER
_____	_____	DEPUTY ADMINISTRATOR
_____	_____	ZONING ADMINISTRATOR
_____	_____	DIRECTOR (JOINT APPROVAL)
_____	_____	COMPTROLLER
_____	_____	FINANCE DIRECTOR
_____	_____	CITY ATTORNEY
_____	_____	CHIEF ADMINISTRATIVE OFFICER
_____	_____	COMMITTEE CHAIRMAN



Memphis City Council Summary Sheet

SAC 21-9

Resolution approving the physical closure of the unnamed alley between N. Cleveland, Court, N. Claybrook, and Jefferson:

- This item is a resolution to approve the above, with conditions; and
- The Division of Planning and Development sponsors this resolution at the request of the Applicant: Catholic Diocese of Memphis; and Representative: Mike Davis of the Reaves Firm, Inc.



RESOLUTION

A resolution approving the physical closure of the unnamed alley between N. Cleveland, Court, N. Claybrook, and Jefferson, known as case number SAC 21-9.

WHEREAS, the City of Memphis is the owner of real property known as the unnamed alley between N. Cleveland, Court, N. Claybrook, and Jefferson in Memphis, Tennessee, and being more particularly described as follows:

COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF JEFFERSON AVENUE (SAID RIGHT-OF-WAY LINE BEING 38.50 FEET SOUTH OF AND PARALLEL TO THE PHYSICAL CENTERLINE OF SAID JEFFERSON AVENUE) WITH THE WEST RIGHT-OF-WAY LINE OF CLEVELAND STREET (66.00 FOOT WIDE RIGHT-OF-WAY); THENCE S09°10'34"W ALONG THE WEST RIGHT-OF-WAY LINE OF SAID CLEVELAND STREET A DISTANCE OF 199.25 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S9°10'34"W ALONG SAID WEST LINE A DISTANCE OF 15.00 FEET TO A POINT; THENCE N80°58'30"W LEAVING SAID WEST LINE A DISTANCE OF 304.66 FEET TO A POINT ON THE EAST TERMINUS OF BEAUREGARD PLACE (40' R.O.W.); THENCE N9°10'34"E ALONG SAID EAST LINE A DISTANCE OF 15.00 FEET TO A POINT; THENCE S80°58'30"E A DISTANCE OF 304.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 4,570 SQUARE FEET OR 0.105 ACRES.

WHEREAS, the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and desires to close the hereinabove described public right-of-way, and it is deemed to be in the best interest of the City of Memphis that said public right-of-way be vacated, and revert to the abutting property owners; and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on October 14, 2021, and said Board has submitted its recommendation to the Council of the City of Memphis:

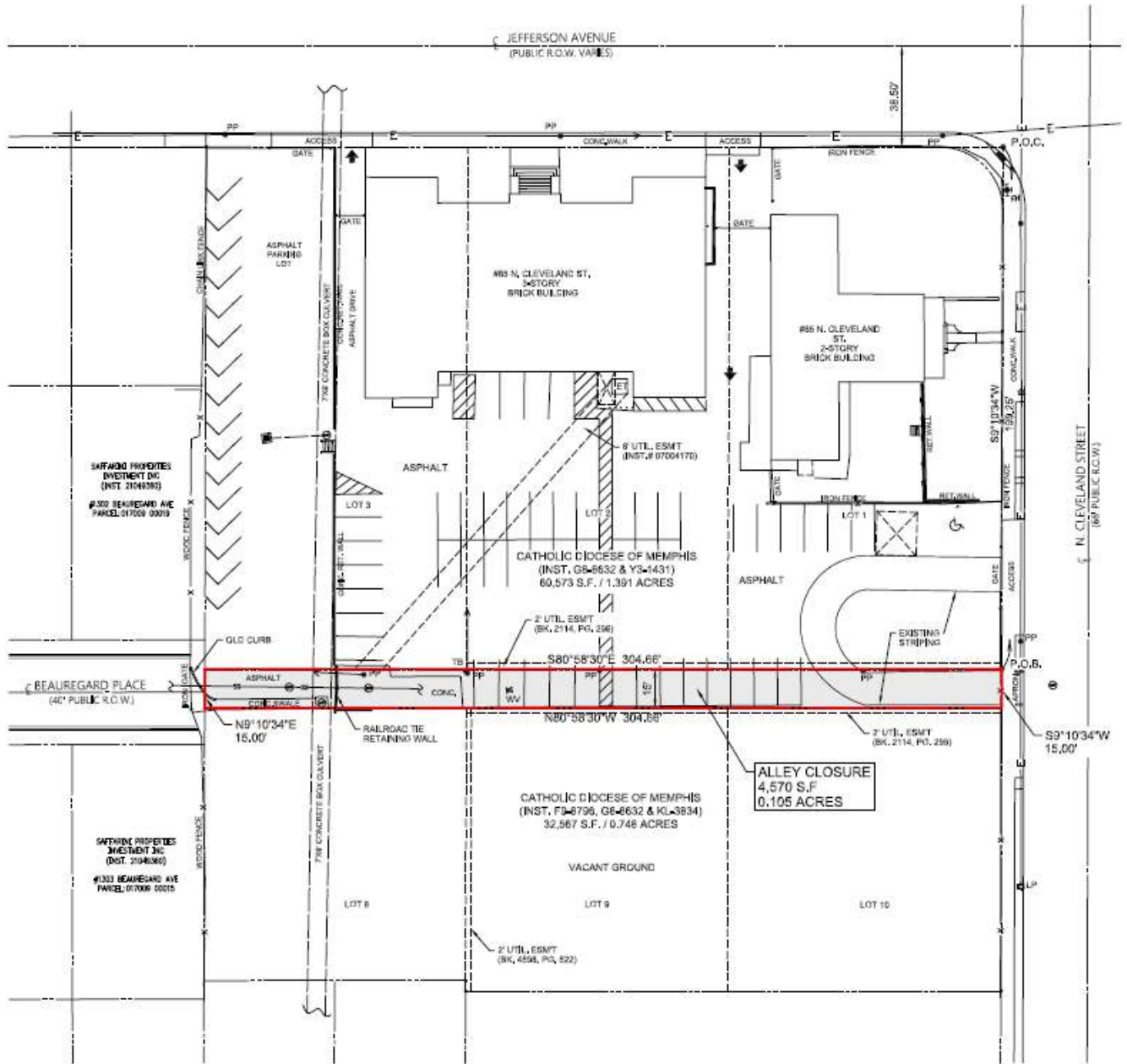
NOW THEREFORE BE IT RESOLVED, by the Council of the City of Memphis that the above described public right-of-way be and is hereby closed for public use, subject to the following conditions:

1. The design of the alley closure – whether curbed or cut – shall meet the standards of the City Engineer.
2. Any existing utilities shall be relocated or overlaid with an easement.
3. A consolidation plat that consolidates all lots abutting the vacated right-of-way shall be recorded in conjunction with the recording of a quitclaim deed.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all Quitclaim Deeds to the owners of the properties abutting the above described public right-of-way, said Deeds not to be delivered until the conditions herein stated have been met by applicant.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Lawyers Title Insurance Company, the Memphis Title Company, the Chicago Title Company, the Security Title Company, and the Shelby County Property Assessor's Office.

CLOSURE PLAN



LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday 14 October 2021**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER:	SAC 21-9
LOCATION:	The unnamed alley between N. Cleveland, Court, N. Claybrook, and Jefferson
COUNCIL DISTRICT:	District 6 and Super District 8
APPLICANT:	Catholic Diocese of Memphis
REPRESENTATIVE:	Mike Davis of the Reaves Firm, Inc.
REQUEST:	Physical closure of an alley
EXISTING ZONING:	Residential Urban – 4, Commercial Mixed Use – 1, and Commercial Mixed Use – 3
AREA:	4570 square feet

The following spoke in support of the application:	No one
The following spoke in opposition of the application:	No one

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval with the following conditions:

1. The design of the alley closure – whether curbed or cut – shall meet the standards of the City Engineer.
2. Any existing utilities shall be relocated or overlaid with an easement.
3. A consolidation plat that consolidates all lots abutting the vacated right-of-way shall be recorded in conjunction with the recording of a quitclaim deed.

The motion *passed* by a unanimous vote of 7-0 on the consent agenda.

AGENDA ITEM: 10

CASE NUMBER: SAC 21-9 **L.U.C.B. MEETING:** 14 October 2021

LOCATION: The unnamed alley between N. Cleveland, Court, N. Claybrook, and Jefferson

COUNCIL DISTRICT: District 6 and Super District 8

APPLICANT: Catholic Diocese of Memphis

REPRESENTATIVE: Mike Davis of the Reaves Firm, Inc.

REQUEST: Physical closure of an alley

AREA: 4570 square feet

EXISTING ZONING: Residential Urban – 4, Commercial Mixed Use – 1, and Commercial Mixed Use – 3

CONCLUSIONS (p. 12)

1. The Catholic Diocese of Memphis has requested the physical closure of the unnamed alley between N. Cleveland, Court, N. Claybrook, and Jefferson.
2. The Diocese owns all land adjacent to the parcel. Per the letter of intent, it seeks to further connect the several parcels that comprise the Catholic Charities of West Tennessee campus that it operates here.
3. The Diocese recently demolished the yellow-brick Kemphues Gymnasium to the south of the alley, and now intends to construct a community garden and green space there.
4. Since approximately 2018, the subject right-of-way has been inappropriately gated on both ends by the Diocese for use as a driveway and parking.
5. That said, staff recognizes that the subject right-of-way – the western terminus of a well-designed but poorly-maintained Madison Heights alley – no longer contributes to public circulation, and subsequently recommends conditional approval of the request.

CONSISTENCY WITH MEMPHIS 3.0 (p. 12)

The Memphis 3.0 General Plan is *inapplicable* to this request.

RECOMMENDATION (p. 12)

Approval with conditions

GENERAL INFORMATION

Zoning Atlas Page: 2030

Existing Zoning: Residential Urban – 4, Commercial Mixed Use – 1, and Commercial Mixed Use – 3

PUBLIC NOTICE

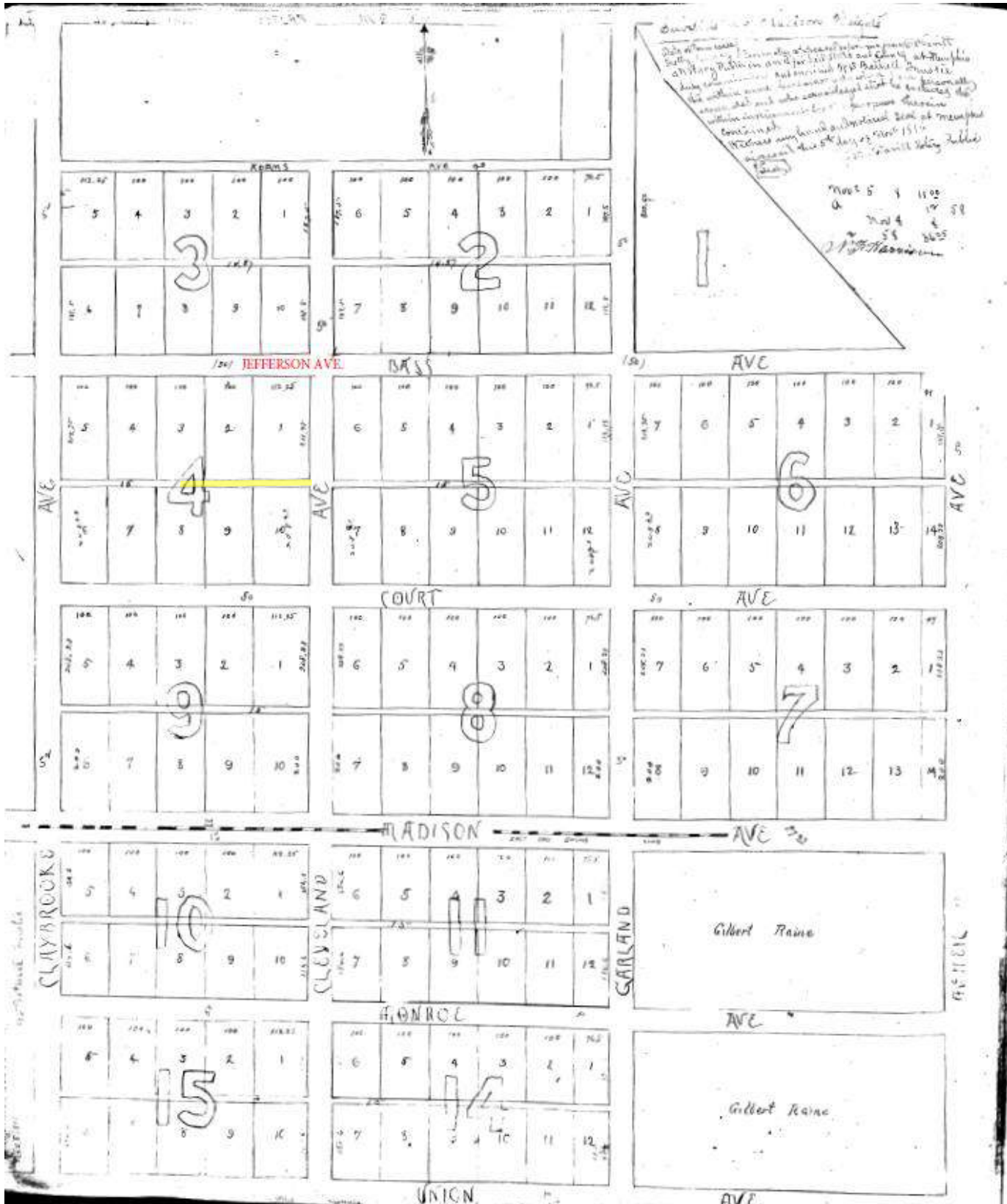
In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 49 notices were mailed on 4 October 2021, and a total of two signs posted on both ends of the right-of-way to be closed. The sign affidavit has been added to this report.

LOCATION MAP



Subject right-of-way located in the Medical District

MADISON HEIGHTS SUBDIVISION (1888)



Subject right-of-way approximately highlighted. Bass is now known as Jefferson, as indicated in red.

VICINITY MAP



Per Sub-Section 9.3.4A, the public hearing notice’s “500-foot radius shall be measured from the entire segment of the road affected by the closure rather than the area of right-of-way to be vacated. The segment of road affected shall be defined to mean that portion of public right-of-way that contains the proposed closure between the two nearest intersecting streets on either side of the closure.”

AERIAL PHOTOGRAPH WITH ZONING



This photograph centers on Block 4 of Madison Heights.
Subject right-of-way outlined in yellow.

Subject Zoning: Residential Urban – 4, Commercial Mixed Use – 1, and Commercial Mixed Use – 3

Surrounding Zoning

North: Residential Urban – 4 and Commercial Mixed Use – 3

East: Commercial Mixed Use – 3

South: Commercial Mixed Use – 1 and Commercial Mixed Use – 3

West: Residential Urban – 4 and Commercial Mixed Use – 1

LAND USE MAP



This photograph centers on Block 4 of Madison Heights.
Subject right-of-way outlined in yellow.

SITE PHOTOS



A view of the subject right-of-way from parallel Beauregard

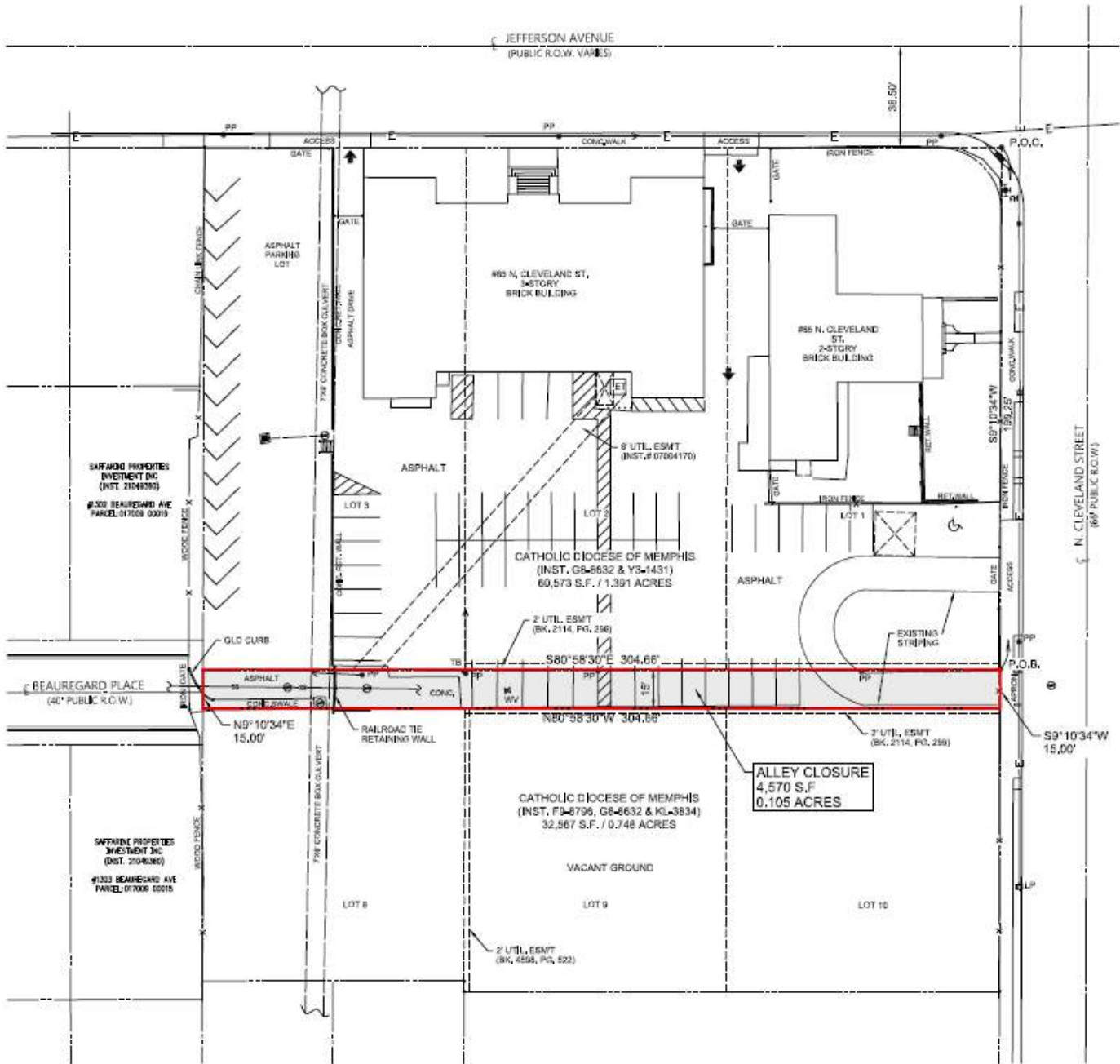


A view of the subject right-of-way from perpendicular Cleveland



A view south down Cleveland. The subject right-of-way lines up with the curb cut.

PROPOSED CLOSURE PLAN



The subject right-of-way has been inappropriately gated at both ends, and functions as a driveway and parking for the Catholic Diocese of Memphis.

If approved, one parcel would lose its sole frontage. For this reason, staff recommends a conditional requirement to consolidate all lots.

LEGAL DESCRIPTION

BEING A 15 FOOT WIDE ALLEY RUNNING SOUTH OF AND PARALLEL TO JEFFERSON AVENUE AND BEING MORE DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF JEFFERSON AVENUE (SAID RIGHT-OF-WAY LINE BEING 38.50 FEET SOUTH OF AND PARALLEL TO THE PHYSICAL CENTERLINE OF SAID JEFFERSON AVENUE) WITH THE WEST RIGHT-OF-WAY LINE OF CLEVELAND STREET (66.00 FOOT WIDE RIGHT-OF-WAY); THENCE S09°10'34"W ALONG THE WEST RIGHT-OF-WAY LINE OF SAID CLEVELAND STREET A DISTANCE OF 199.25 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S9°10'34"W ALONG SAID WEST LINE A DISTANCE OF 15.00 FEET TO A POINT; THENCE N80°58'30"W LEAVING SAID WEST LINE A DISTANCE OF 304.66 FEET TO A POINT ON THE EAST TERMINUS OF BEAUREGARD PLACE (40' R.O.W.); THENCE N9°10'34"E ALONG SAID EAST LINE A DISTANCE OF 15.00 FEET TO A POINT; THENCE S80°58'30"E A DISTANCE OF 304.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 4,570 SQUARE FEET OR 0.105 ACRES.

STAFF ANALYSIS

Request and Reason

The request is the physical closure of the unnamed alley between N. Cleveland, Court, N. Claybrook, and Jefferson.

The application and letter of intent have been added to this report.

Site Description

The subject right-of-way is a 15' unnamed alley that stretches 305 feet between perpendicular Cleveland and parallel Beauregard. All adjacent parcels are owned by the Catholic Diocese of Memphis. The subject right-of-way has been inappropriately gated at both ends, and functions as a driveway and parking for the Diocese.

Consistency with Memphis 3.0

The Memphis 3.0 General Plan is inapplicable to this application.

Conclusions

The Catholic Diocese of Memphis has requested the physical closure of the unnamed alley between N. Cleveland, Court, N. Claybrook, and Jefferson.

The Diocese owns all land adjacent to the parcel. Per the letter of intent, it seeks to further connect the several parcels that comprise the Catholic Charities of West Tennessee campus that it operates here.

The Diocese recently demolished the yellow-brick Kemphues Gymnasium to the south of the alley, and now intends to construct a community garden and green space there.

Since approximately 2018, the subject right-of-way has been inappropriately gated at both ends by the Diocese for use as a driveway and parking.

That said, staff recognizes that the subject right-of-way – the western terminus of a well-designed but poorly-maintained Madison Heights alley – no longer contributes to public circulation, and subsequently recommends conditional approval of the request.

RECOMMENDATION

Staff recommends *approval* with conditions.

Conditions

1. The design of the alley closure – whether curbed or cut – shall meet the standards of the City Engineer.
2. Any existing utilities shall be relocated or overlaid with an easement.
3. A consolidation plat that consolidates all lots abutting the vacated right-of-way shall be recorded in conjunction with the recording of a quitclaim deed.

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

City Engineer:

1. Standard Subdivision Contract or Right-Of-Way Permit as required in Section 5.5.5 of the Unified Development Code.

Roads:

2. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
3. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards.
4. This closure creates a dead end greater than 150 feet in length. A turnaround for fire code compliance will be required.

Traffic Control Provisions:

5. The developer shall provide a traffic control plan to the city engineer that shows the phasing for each street frontage during demolition and construction of curb gutter and sidewalk. Upon completion of sidewalk and curb and gutter improvements, a minimum 5 foot wide pedestrian pathway shall be provided throughout the remainder of the project. In the event that the existing right of way width does not allow for a 5 foot clear pedestrian path, an exception may be considered.
6. Any closure of the right of way shall be time limited to the active demolition and construction of sidewalks and curb and gutter. Continuous unwarranted closure of the right of way shall not be allowed for the duration of the project. The developer shall provide on the traffic control plan, the time needed per phase to complete that portion of the work. Time limits will begin on the day of closure and will be monitored by the Engineering construction inspectors on the job.
7. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number for projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for Land Development of the City of Memphis Division of Engineering Design and Policy Review Manual. Any required Traffic Impact Study will need to be formally approved by the City of Memphis, Traffic Engineering Department.

Curb Cuts/Access:

8. The City Engineer shall approve the design, number and location of curb cuts.
9. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

Street Closures:

10. Provide easements for existing sanitary sewers, drainage facilities and other utilities or relocate at developer's expense.
11. Dedicate a 15 foot wide easement for existing City sanitary sewer in the alley.
12. The applicant shall provide for the construction of curb, gutter and sidewalk across the closure as required by the City Engineer. If the City Engineer approves access, the applicant shall construct a City Standard curb cut across the closure, all to the satisfaction of the City Engineer, and at the applicant's expense. The applicant shall enter into a Standard Improvement Contract or obtain a curb cut permit from the City Engineer to cover the above required construction work.
13. The applicant shall comply with all conditions of the closure within 3 years of the conditional approval of the closure by the City Council.

City Fire:

Reviewed by: J. Stinson

Address or Site Reference: Beauregard Alley

The office of fire prevention has no objection to the request to close this alley. While the existing portion of Beauregard is a dead end street 184 feet in length, it has existed in this condition since at least 1962.

City Real Estate:	No comments received.
County Health:	No comments received.
County Schools:	No comments received.
Memphis Light, Gas and Water:	No comments received.
Division of Planning and Development:	
- Dept. of Sustainability and Resilience:	No comments received.
- Dept. of Comprehensive Planning:	No comments received.
- Dept. of Construction Enforcement:	No comments received.

APPLICATION FORM



*Memphis and Shelby County
Office of Planning and Development*

CITY HALL 125 NORTH MAIN STREET, SUITE 476, MEMPHIS, TENNESSEE 38103-2084 (901) 363-6619

**APPLICATION FOR RIGHT-OF-WAY VACATION/
STREET/ALLEY/CLOSURE APPROVAL**

Date: 09/03/2021

Case #: _____

PLEASE TYPE OR PRINT

Name of/Street/Alley/ROW: unnamed alley south of Jefferson Avenue and west of Cleveland Street

Property Owner of Record: Catholic Diocese of Memphis Phone #: 722-4744

Mailing Address: 1325 Jefferson Avenue City/State: Memphis, TN Zip 38104

Property Owner E-Mail Address: kelley.henderson@acc.cdom

Applicant: same Phone # _____

Mailing Address: _____ City/State: _____ Zip _____

Applicant E- Mail Address: _____

Representative: The Reaves Firm Phone #: 901-761-2016

Mailing Address: 6800 Poplar Ave., Suite 101 City/State: Memphis, TN Zip _____

Representative E-Mail Address: mdavis@reavesfirm.com

Engineer/Surveyor: The Reaves Firm Phone # 901-761-2016

Mailing Address: 6800 Poplar Ave., Suite 101 City/State: Memphis, TN Zip 38138

Engineer/Surveyor E-Mail Address: gmarcom@reavesfirm.com

Closure Street Address Location: n/a

Inside of Memphis City Limits Yes No

Unincorporated Shelby County Yes No

City of _____ Reserve Area Yes No

Distance to nearest intersecting street: 199.25 feet south of the intersection of Jefferson Avenue and Cleveland Street

Area of ROW: 0.105 acres Square-Feet/Acres Length x Width of ROW: 304.66' x 15' Feet

Closure starts at: Cleveland Street and


Proceeds to Beauregard Place

Reason for Closure: The alley isn't being used, and in fact, has been gated or fenced at each end. The Catholic Diocese of Memphis owns all the property on both sides of the alley. They are installing urban green space on their property south of the alley which will include private park space and a community garden. Both amenities will connect to the Diocese main campus and they want to ensure the campus remains permanently connected.

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

Pre-Application Conference held on: 08/26/2021 with Chip Saliba

I (we) hereby make application for approval of the street/alley closure described above and on the accompanying materials and closure plat. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.



Sept 8, 2021
Property Owner of Record* Date Applicant Date
Most Reverend David P. Talley, M.S.W., J.C.D.
Bishop of Memphis

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

Property Owner of Record* Date Applicant Date

Every property owner that both abuts the right-of-way to be closed and will be deeded a respective portion shall sign this application unless the signee above is a duly elected representative of a homeowners or property owners association that will be taking ownership of the vacated right of way. See Item H at the bottom of this application for further instructions and exceptions.

Types of Vacation (from Chapter 9.8 of the Unified Development Code)

1. **Conversions** (public-to-private street conversions, pursuant to Section 5.2.18 of the UDC)
Note: street conversions entirely within approved subdivisions or planned developments shall be processed as revisions to the subdivision plat or planned development plat. Please refer to those appropriate applications.
2. **Physical closures** (street and alley closures that involve the physical closure of an existing street or alley)
3. **Abandonment** (divesture of abandoned or excess right-of-way, paper streets, paper alleys and easements)

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

LETTER OF INTENT



September 9, 2021

Mr. Josh Whitehead, AICP
Planning Director/Administrator
Memphis & Shelby County
Office of Planning & Development
City Hall, 125 N. Main St., Ste. 468
Memphis, TN 38103

**RE: Alley Closure – Catholic Diocese of Memphis property
Jefferson Avenue and N. Cleveland Street**

Dear Mr. Whitehead:

On behalf of the Catholic Diocese of Memphis, we are submitting the enclosed application to the Division of Planning and Development for an alley closure adjacent to 1325 Jefferson Ave. This alley, while on the books, has not served as such and has been fenced in since at least 1962 if not before (possibly since 1930 when The Sacred Heart School was constructed). The west end of the alley is approximately 5 feet lower than the east portion. A retaining wall accommodates the grade change and renders the alley unpassable by vehicles. The retaining wall and/or fence has been in place since at least 1962 as seen on the historic aerial imagery.

Catholic Charities of West Tennessee is housed on this property. They provide food, clothing, financial assistance, housing support, job placement, and medical care to the most vulnerable of Memphis. The non-profit operates the property on both sides of the alley and has recently completed a master plan that includes greenspace and community gardens in the vacant land south of the alley. Closing the alley will ensure that their campus remains permanently connected.

Your consideration of this application is greatly appreciated.

Sincerely,

Kay Maynard

SIGN AFFIDAVIT



AFFIDAVIT

Shelby County
State of Tennessee

I, Andrew Coleman, being duly sworn, depose and say that at 1:41 am/pm on the 1st day of October, 2021, I posted a Public Notice Sign(s) pertaining to Case No. SAC-21-09 at both sides of unnamed alley near Jefferson ave. providing notice of a Public Hearing before the:

- Land Use Control Board,
- Memphis City Council,
- Shelby County Board of Commissioners

for consideration of a proposed:

- Land Use Action (Planned Development),
- Street /Alley Closure
- Special Use Permit,
- Use Variance,
- Zoning District Map Amendment.

A photograph of said sign(s) being attached hereon and a copy of the sign purchase receipt or rental contract attached hereto.

Andrew Coleman 10-1-21
Owner, Applicant or Representative Date

Subscribed and sworn to before me this 1 day of Oct, 2021.

Michelle Colson
Notary Public

My commission expires: 07/14/22



LETTERS RECEIVED

No letters received at the time of completion of this report.



Memphis City Council Summary Sheet

S.U.P. 21-18

(Walker-Barnes Group Day Care Home)

A Resolution requesting a group day care home for five (5) to twelve (12) children for property located 3744 Sturgeon Avenue in Residential Single Family (R-6) District

- This item is a Resolution with site plan conditions for a special use permit to allow the above on real property located in Residential Single Family (R-6) District; and
- The Division of Planning & Development at the request of Owner(s)/Applicant(s): Dr. Tonya Walker-Barnes; and
- Approval of the special use permit will be reflected on the Memphis & Shelby County Zoning Atlas; and
- No public infrastructure improvements are anticipated by this item; and
- No expenditure of funds/budget amendments are anticipated by this item.

**RESOLUTION APPROVING A SPECIAL USE PERMIT FOR THE SUBJECT PROPERTY LOCATED
3744 STURGEON AVENUE, KNOWN AS CASE NUMBER S.U.P. 21-18**

WHEREAS, Chapter 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to a grant special use permit for certain stated purposes in various zoning districts; and

WHEREAS, the *Dr. Tonya Walker-Barnes* filed a special use permit application with the Memphis and Shelby County Office of Planning and Development to allow a group day care home for five (5) to twelve (12) children at **3744 Sturgeon Avenue**; and

WHEREAS, the Office of Planning and Development has received and reviewed the special use permit application in accordance with procedures, objectives, and standards for special use permits as set forth in Chapter 9.6 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and that the design and amenities are consistent with the public interest; and has submitted its findings and recommendation concerning the above considerations to the Land Use Control Board; and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on **Thursday, October 14th, 2021**, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

WHEREAS, the Council of the City of Memphis has reviewed the special use permit application pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said development is consistent with the Memphis 3.0 General Plan; and

WHEREAS, the Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Office of Planning and Development and has determined that said development meets the objectives, standards and criteria for a special use permit, and said development is consistent with the public interests.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a special use permit is hereby granted to allow a **group day care home for five (5) to twelve (12) children** in accordance with the attached **site plan and conditions**.

BE IT FURTHER RESOLVED, that this special use permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all site plan conditions imposed by the Council of the City of Memphis have been met.

BE IT FURTHER RESOLVED, that this Resolution take effect from and after the date it shall have been passed by this Council of the City of Memphis, and become effective as otherwise provided by law, and thereafter shall be treated as in full force and effect by virtue of passage thereof by the Council of the City of Memphis, the public welfare requiring same.

S.U.P. 21-18

Walker-Barnes Group Day Care Home

Site Plan Conditions:

1. A special use permit to allow a group day care home on a minor local street not within 150 feet of an arterial street as illustrated on the site plan and subject to conditions approved by the Board of Adjustment for companion case B.O.A. 21-111 (City).
2. The site plan as recommended by staff shall be the approved site plan and any changes or deviations to the site plan upon the determination of the Zoning Administrator shall be submitted to the Board of Adjustment and the Land Use Control Board for review and approval or administrative review and approval by Division of Planning and Development.
3. This special use permit shall expire in three (3) years, at which point the applicant may seek a renewal.

S.U.P. 21-18

Walker-Barnes Group Day Care Home

ATTEST:

**cc: Division of Planning and Development
 Land Use and Development Services
 Office of Construction Code Enforcement**

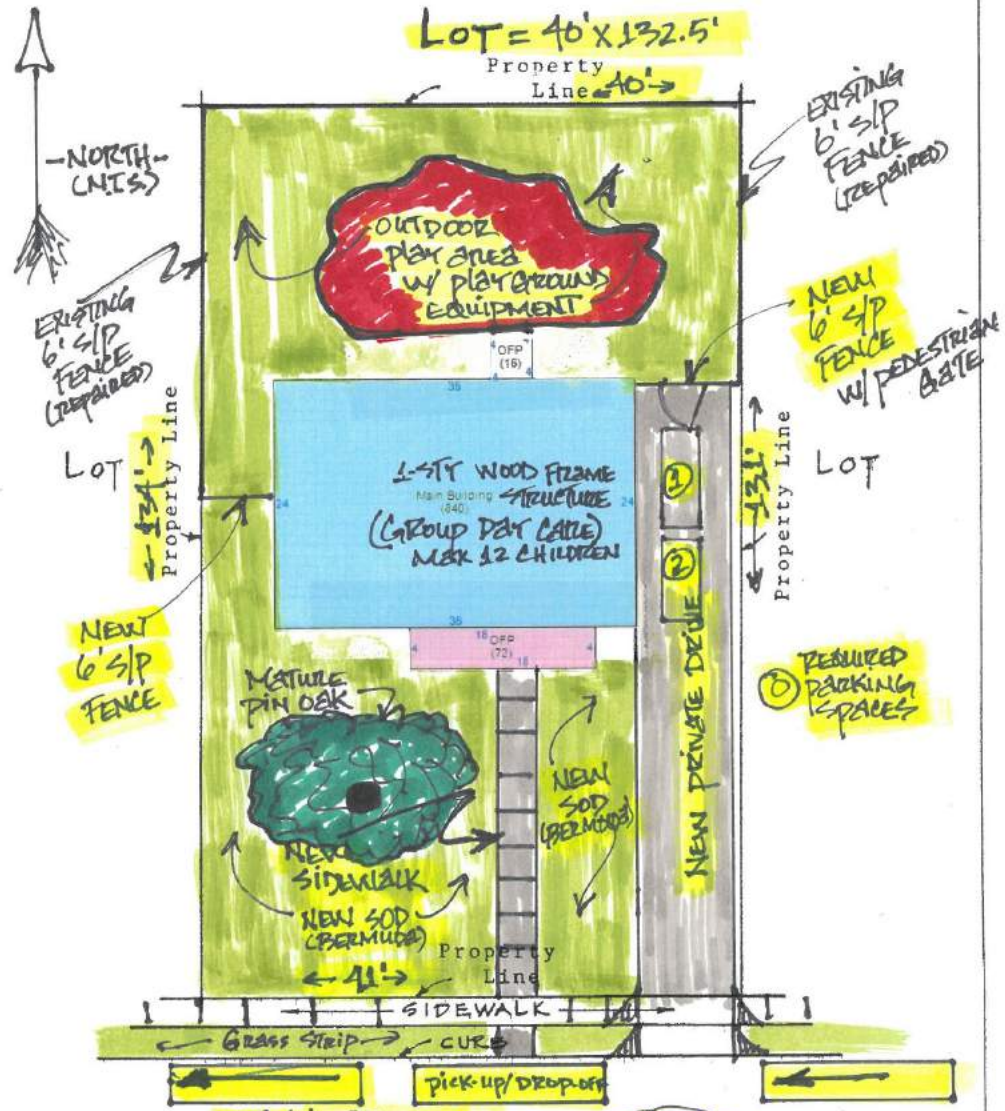
SITE PLAN

ADDRESS: 3744 STURGEON AVE. DATE: SEPT. 9, 2021 SIGNATURE: _____

TYPICAL INTERIOR LOT

MEMPHIS & SHELBY COUNTY OFFICE OF CONSTRUCTION CODE ENFORCEMENT

160 N. Main Street Suite 750 Memphis, Tennessee 38103-1874



3744 STURGEON ST. RD. (AVE.)
DR. BLVD.

SITE PLAN
0.35 Acres (6,534 SQ. FT.)

PSS PK STAFF

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on **Thursday, October 14th, 2021**, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: S.U.P. 21-18

LOCATION(S): 3744 Sturgeon Avenue

COUNCIL DISTRICT(S): District 4, Super District 8-Positions 1, 2 & 3

OWNER(S)/APPLICANT(S): Dr. Tonya Walker-Barnes

REPRESENTATIVE: Dr. Walker-Barnes

REQUEST: Special use permit to allow a group day care home for five (5) to twelve (12) children

EXISTING ZONING: Residential Single Family (R-6) District

AREA: 0.15 Acre (6,534 sq. ft.)

The following spoke in support of the application: None

The following spoke in opposition of the application: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval of the application with site plan conditions on consent.

The motion passed by unanimous vote of 7 to 0 on the Consent Agenda.

Respectfully,



Brian S. Bacchus
Principal Planner
Land Use and Development Services
Division of Planning and Development

Cc: Committee Members
File

S.U.P. 21-18**Walker-Barnes Group Day Care Home****L.U.C.B. Site Plan Conditions:**

1. A special use permit to allow a group day care home on a minor local street not within 150 feet of an arterial street as illustrated on the site plan and subject to conditions approved by the Board of Adjustment for companion case B.O.A. 21-111 (City).
2. The site plan as recommended by staff shall be the approved site plan and any changes or deviations to the site plan upon the determination of the Zoning Administrator shall be submitted to the Board of Adjustment and the Land Use Control Board for review and approval or administrative review and approval by Division of Planning and Development.
3. This special use permit shall expire in three (3) years, at which point the applicant may seek a renewal.

S.U.P. 21-18**Walker-Barnes Group Day Care Home**


**MEMPHIS AND
SHELBY COUNTY** **DIVISION OF PLANNING
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

BOARD OF ADJUSTMENT NOTICE OF DISPOSITION

TO: Dr. Tonya Walker-Barnes
530 Old Hearthstone Circle-North
Memphis, TN 38017

DATE: Thursday, September 23rd, 2021
DOCKET: B.O.A. 21-111 (City)
ADDRESS: 3744 Sturgeon Avenue

Sent via electronic mail to: tdwalker08@yahoo.com

On **Wednesday, September 22nd, 2021** the Memphis and Shelby County Board of Adjustment recommended ***'Approval'*** of your application requesting a ***'Variance from Paragraph 2.6.2B (1) to allow a group day care home on a minor local street not within 150 feet of a major arterial street'***, subject to the attached site plan and the following site plan conditions:

1. A non-use variance shall be permitted to allow a group day care home on a minor local street not within 150 feet of an arterial street as illustrated on the site plan and subject to Land Use Control Board review and approval of companion case S.U.P. 21-18.
2. The site plan as recommended by staff shall be the approved site plan and any changes or deviations to the site plan upon the determination of the Zoning Administrator shall be submitted to the Board of Adjustment for review and approval or administrative review and approval by Division of Planning and Development.
3. This variance shall expire in three (3) years, at which point the applicant may seek a renewal.

ALL APPEALS AND APPLICATIONS GRANTED ARE EXPRESSLY CONDITIONED UPON THE APPLICANT OBTAINING THE PERMIT REQUESTED OR OTHER ORDER WITHIN TWO (2) YEARS FROM THE DATE OF THE DECISION OF THE BOARD OF ADJUSTMENT, UNLESS THE BOARD EXPLICITLY PROVIDED A DIFFERENT TIME FRAME IN ITS DISPOSITION.

If you have questions concerning this approval, please email brian.bacchus@memphistn.gov or by direct phone at **(901) 636-7120** for further instructions.

Respectfully,



Brian S. Bacchus, Principal
Josh Whitehead, Secretary
Board of Adjustment

cc: **Rick Meister, Plans Manager, OCCE**
File: B.O.A. 21-110 (City)

ADDRESS
3744 STURGEON AVE

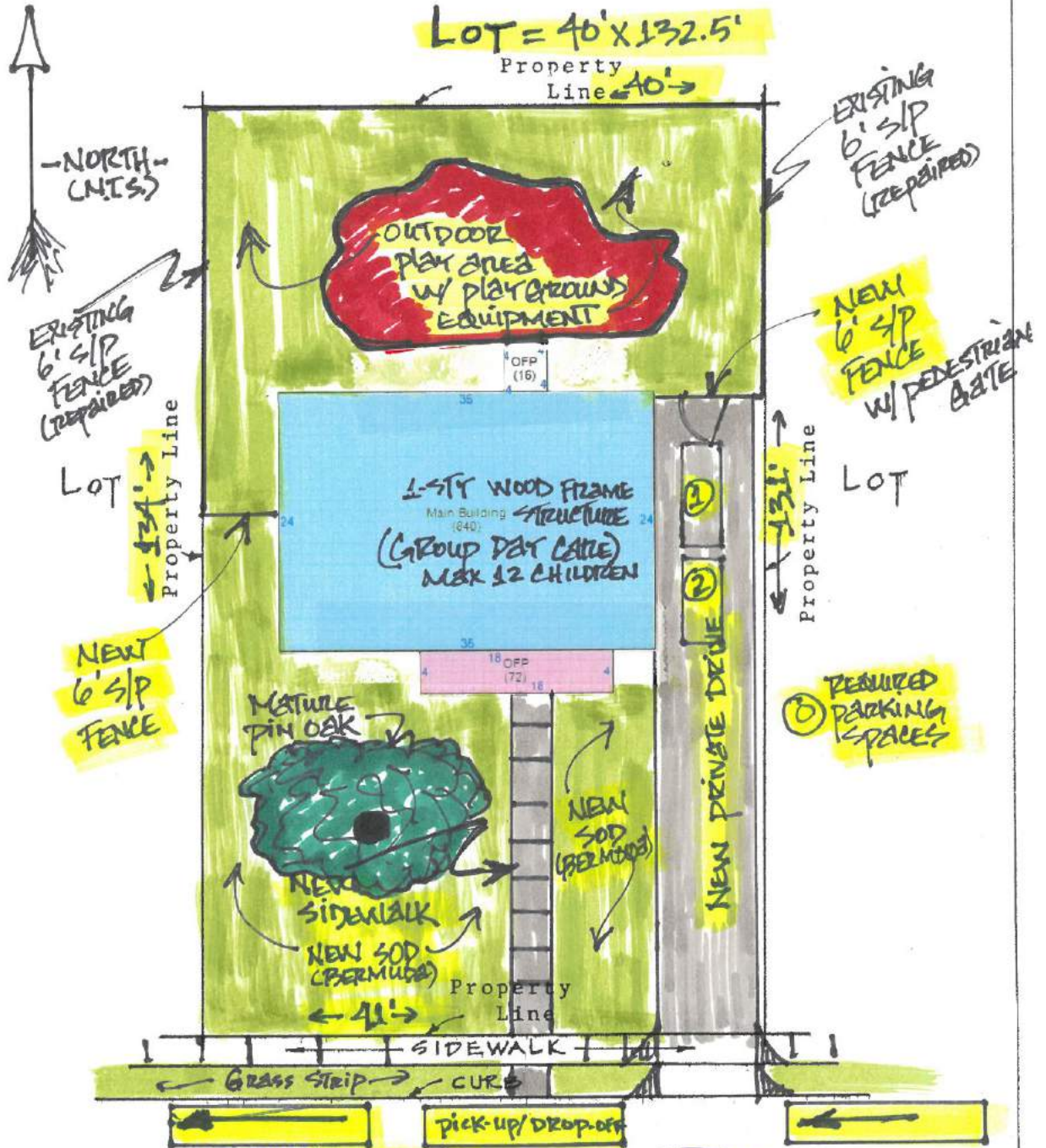
DATE
SEPT. 9, 2021

SIGNATURE

TYPICAL INTERIOR LOT

MEMPHIS & SHELBY COUNTY OFFICE OF
CONSTRUCTION CODE ENFORCEMENT

160 N. Main Street | Suite 750 Memphis, Tennessee 38103-1874

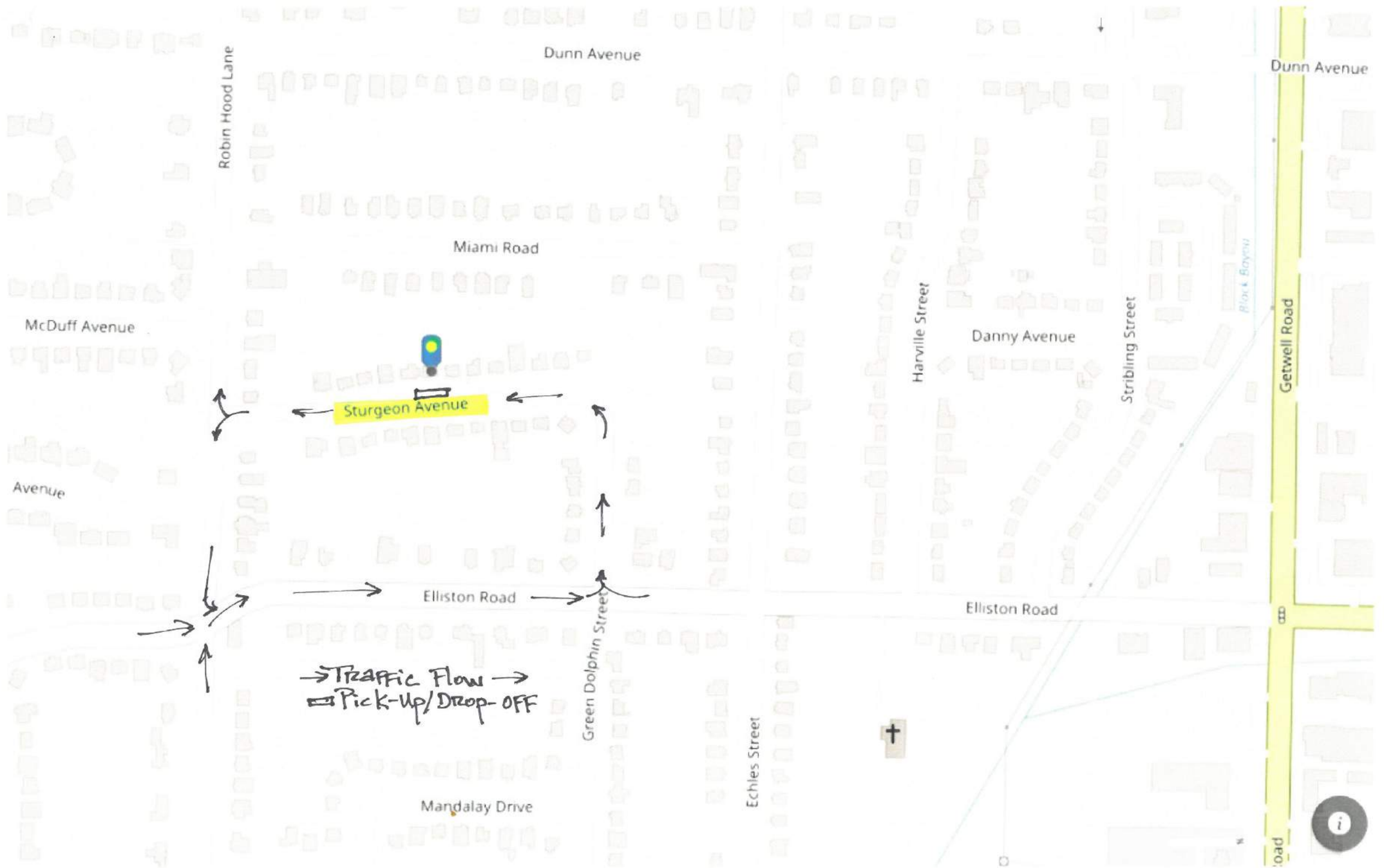


3744 STURGEON ST. RD. AVE.
DR. BLVD.

SITE PLAN

0.35 ACRES (6,534 SQ. FT.)

F&S PH STAFF



**MEMPHIS AND
SHELBY COUNTY**  **DIVISION OF PLANNING
AND DEVELOPMENT**

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

October 18th, 2021

Dr. Tonya Walker-Barnes
C/o Walker-Barnes Group Day Care Home
530 Old Hearthstone Circle-North
Collierville, TN 38017

Sent via electronic mail to: tdwalker08@yahoo.com

RE: OPD FILE #: S.U. P. 21-18
L.U.C.B. RECOMMENDATION: Approval with Conditions

Dear Tonya,

The Memphis and Shelby County Land Use Control Board on **Thursday, October 12th, 2021**, recommended **'approval'** of your special use permit application to allow a **'group day care home for five (5) to twelve (12) children'** located **'3744 Sturgeon Avenue'**, subject to the attached conditions.

The Memphis City Council will review the special use permit application in Planning and Zoning Committee meeting prior to voting in public session. The applicant or the applicant's representative(s) shall attend all meetings and public sessions. At least two (2) weeks after receiving this letter, please contact the City Council Records office to determine when the application will be scheduled for committee and in public session. The Council Records office phone number is (901) 636-6792.

If for some reason you choose not to go forward with the application, a letter should be mailed to the Office of Planning and Development at the address provided above. If you have questions or concerns regarding this matter or of any necessary submittals, please call me at (901) 636-7120 or you may contact me via email at brian.bacchus@memphistn.gov.

Sincerely,



Brian S. Bacchus, Principal
Josh Whitehead, Secretary, LUCB
Division of Planning and Development

CC: File: S.U.P. 21-18

S.U.P. 21-18***Walker-Barnes Group Day Care Home***

1. A special use permit to allow a group day care home on a minor local street not within 150 feet of an arterial street as illustrated on the site plan and subject to conditions approved by the Board of Adjustment for companion case B.O.A. 21-111 (City).
2. The site plan as recommended by staff shall be the approved site plan and any changes or deviations to the site plan upon the determination of the Zoning Administrator shall be submitted to the Board of Adjustment and the Land Use Control Board for review and approval or administrative review and approval by Division of Planning and Development.
3. This special use permit shall expire in three (3) years, at which point the applicant may seek a renewal.

S.U.P. 21-18***Walker-Barnes Group Day Care Home***

ADDENDUM

CASE NUMBER: S.U.P. 21-18 **L.U.C.B. MEETING: October 14th, 2021**
(Companion: B.O.A. 21-111) *(Held from August 12th and September 9th, 2021)*

DEVELOPMENT NAME: WALKER-BARNES GROUP DAY CARE HOME

LOCATION: 3744 Sturgeon Avenue

COUNCIL DISTRICT(S): District 4: Super District 8-Positions 1, 2, & 3

OWNER/APPLICANT: Dr. Walker-Barnes, Tonya

REQUEST: Special Use to allow a group day care home for five (5) to twelve (12) children

AREA: 0.15 Acre (6,534 sq. ft.)

EXISTING LAND USE & ZONING: Single family structure in Residential Single Family (R-6) District

STAFF ANALYSIS:

On Thursday, August 12th and September 9th, 2021 the staff recommended and the Land Use Control Board granted a one (1) month hold of this special use permit application, because the most important submittal requirements for a site plan illustrating the location of outdoor play areas, private drive, pick-up and drop-off area, including a handicap ramp had not been met. Furthermore, the subject property required a variance from the Civic Use standard in Paragraph 2.6.2B (2) of the zoning code due to its location on a minor local street and more than 150 feet west of an arterial road, Getwell Road. The property is located approximately 495 feet east of a connector street, Robin Hood Lane.

A variance from the Civic Use standard above in the zoning code was submitted to and reviewed by the Board of Adjustment on Wednesday, September 22nd, 2021 to locate the group day care home within the neighborhood. The project review by staff was completed and recommended by staff and approved by the Board of Adjustment for a period of three (3) years. In addition, a site plan has been submitted for review by staff. Therefore, staff recommends approval of a group day care home as illustrated on the site plan with a time limit placed on land use by the Board of Adjustment.

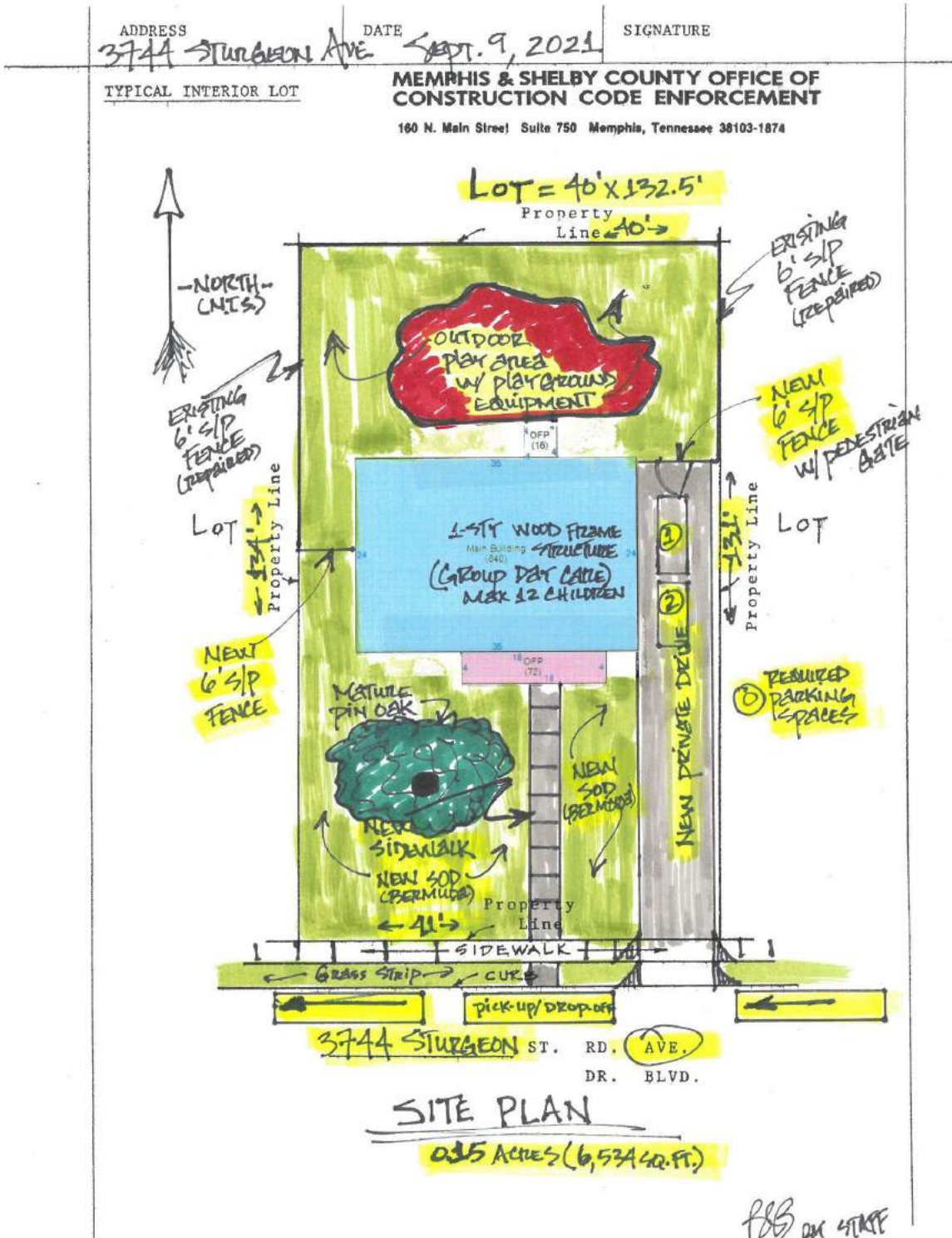
CONSISTENCY WITH MEMPHIS 3.0

Based on the information provided, the proposal IS CONSISTENT with the Memphis 3.0 Comprehensive Plan.

DIVISION OF PLANNING & DEVELOPMENT RECOMMENDATION:

Approval with Conditions

B.O.A. SITE PLAN



Recommendation: *Approval with Conditions*

1. A special use permit to allow a group day care home on a minor local street not within 150 feet of an arterial street as illustrated on the site plan and subject to conditions approved by the Board of Adjustment for companion case B.O.A. 21-111 (City).
2. The site plan as recommended by staff shall be the approved site plan and any changes or deviations to the site plan upon the determination of the Zoning Administrator shall be submitted to the Board of Adjustment and the Land Use Control Board for review and approval or administrative review and approval by Division of Planning and Development.
3. This special use permit shall expire in three (3) years, at which point the applicant may seek a renewal.

***S.U.P. 21-18
Walker-Barnes Group Day Care Home***

Bacchus, Brian

From: Bacchus, Brian
Sent: Thursday, October 07, 2021 5:01 PM
To: Glenn Little
Subject: RE: 3744 Sturgeon Avenue S.U.P. 21-18

Hello Mr. Little,

No, only used for a group day care home by special permit for this applicant.

If the land use is approved by the City Council or if the use ceases, the property will still maintain the single-family residential zoning status.

Thanks for the inquiry,



Brian S. Bacchus

Principal Planner, BOA, LUCB & MLC
Land Use & Development Services
Division of Planning and Development
125 N. Main St.-Suite 468 Memphis, TN 38103
Phone: 901-636-7120
Email: brian.bacchus@memphistn.gov



Visit our [website](#)

From: Glenn Little [mailto:oldsouthproperties@gmail.com]
Sent: Thursday, October 07, 2021 1:11 PM
To: Bacchus, Brian <Brian.Bacchus@memphistn.gov>
Subject: 3744 Sturgeon Avenue S.U.P. 21-18

CAUTION: This email originated outside of the City of Memphis organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon!

I have a question, if this address is indeed passed for a daycare .. does that mean it will be zoned commercial?

CASE NUMBER: S.U.P. 21-18 **L.U.C.B. MEETING:** August 12th, 2021

DEVELOPMENT NAME: WALKER-BARNES GROUP DAY CARE HOME

LOCATION: 3744 Sturgeon Avenue

COUNCIL DISTRICT(S): District 4: Super District 8-Positions 1, 2, & 3

OWNER/APPLICANT: Dr. Walker-Barnes, Tonya

REQUEST: Special Use to allow a group day care home for five (5) to twelve (12) children

AREA: 0.15 Acre (6,534 sq. ft.)

EXISTING LAND USE & ZONING: Single family structure in Residential Single Family (R-6) District

CONCLUSIONS:

1. The structure is limited in sq. ft. and total occupancy or number of children is subject to child services. The home will be utilized to its full capacity to accommodate the requirements for day care facilities, including handicap accessibility.
2. The most important requirements for this request is a site plan illustrating the location of outdoor play areas and a handicap ramp, including a floor plan indicating the use of interior spaces for classrooms, indoor play, bathrooms and kitchen areas.
3. The subject property does not meet the civic use standard in Paragraph 2.6.2B (2) of the zoning code due to its location on a minor local street and more than 150 feet west of an arterial roadway, Getwell Road. The property is located approximately 495 feet east of a connector street, Robin Hood Lane.
4. A variance from this use standard of the zoning code may be necessary to locate the group day care home within the neighborhood. A project review by staff cannot be adequately completed without meeting application criteria and perhaps the granting of a variance for the location of a group day care home by the Board of Adjustment will be required before this application is considered by the Land Use Control Board.

CONSISTENCY WITH MEMPHIS 3.0

Based on the information provided, the proposal **IS CONSISTENT** with the Memphis 3.0 Comprehensive Plan.

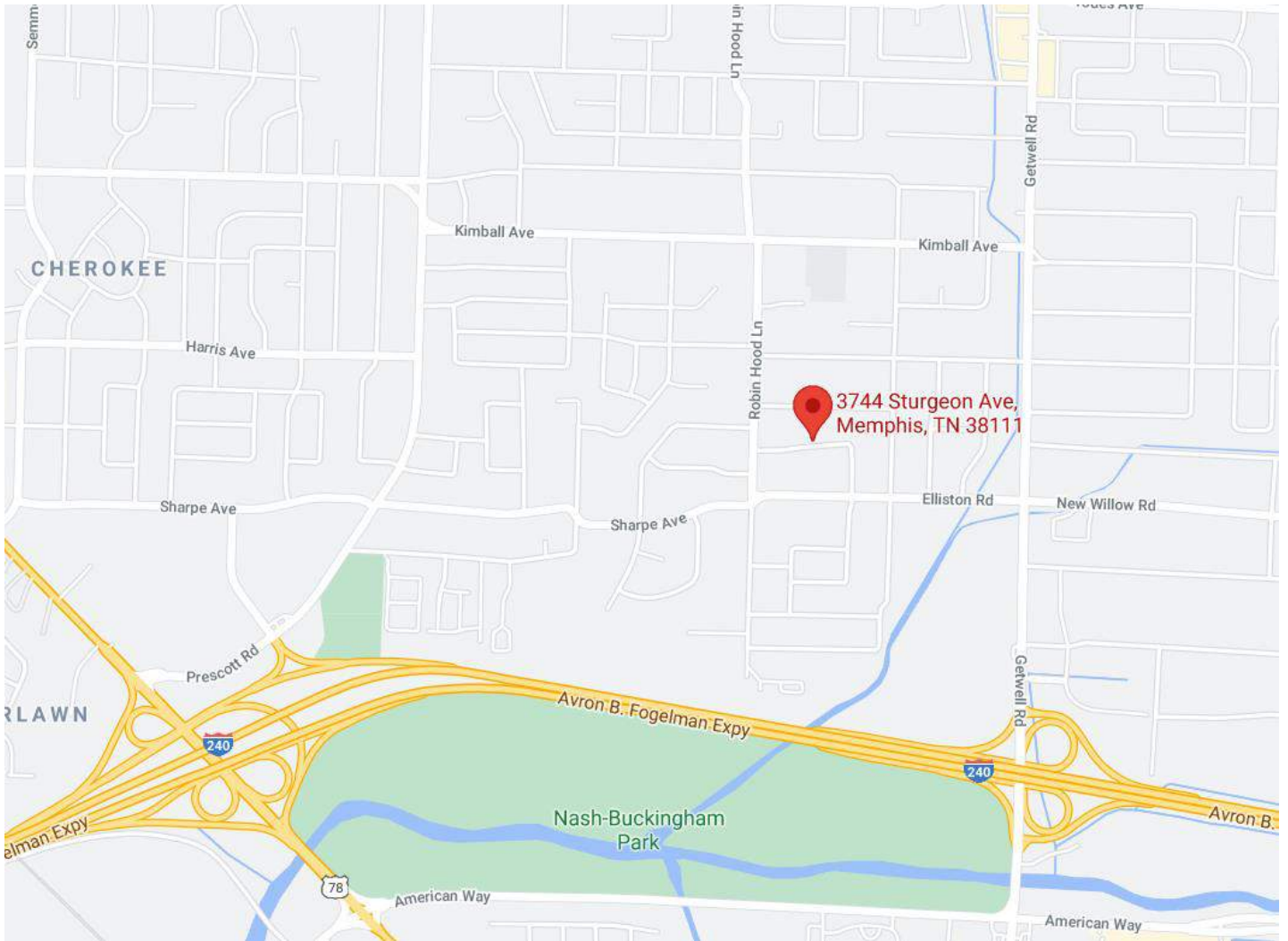
DIVISION OF PLANNING & DEVELOPMENT RECOMMENDATION:

Hold One (1) Month

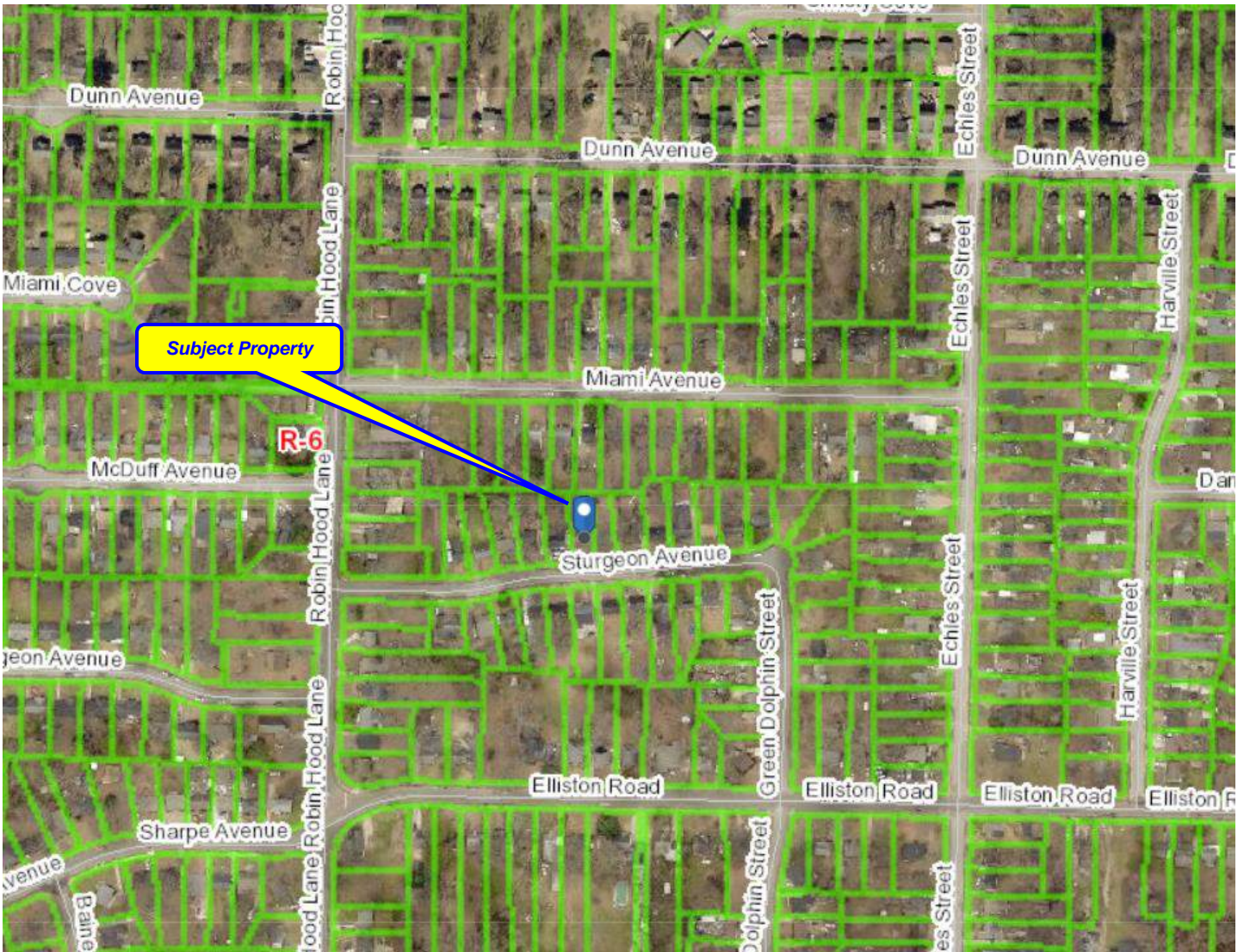
Staff Planner: Brian Bacchus

Email: brian.bacchus@memphistn.gov

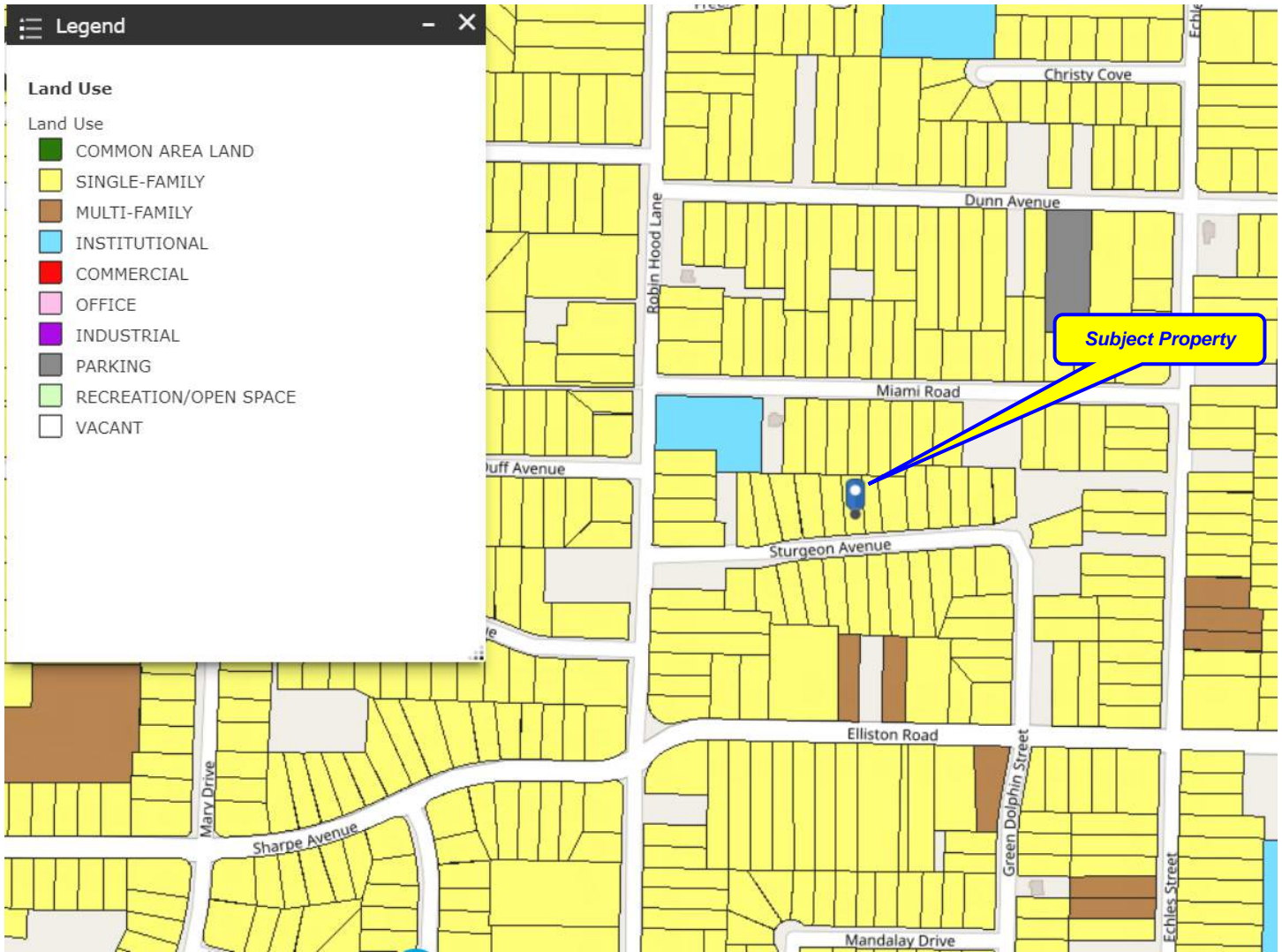
Planning Area



Zoning



Land Use



- North:** Single family homes in 'Miami' subdivision in Residential Single Family (R-6) District.
- East:** Single family homes in 'Highland View' subdivision in Residential Single Family (R-6) District.
- South:** Single family homes in 'Highland View' subdivision in Residential Single Family (R-6) District.
- West:** Single family homes in 'Highland View' subdivision in Residential Single Family (R-6) District.

Neighborhood Meeting: Neighborhood Zoom Meeting was held Sunday, July 4th, 2021, but staff did not receive the Neighborhood Meeting Notice(s) for verification of mail-out by the staff.

Sign Posting & Public Notice: Public Notice sign posted on Monday, October 4th, 2021.
Public Hearing Notices mailed on Friday, October 1st, 2021.

NOTE: The public notices will be mailed to adjacent property owners within a radius of five (500) hundred feet of the property and any return notices to OPD are subject to Paragraph 9.3.4F (2) of the UDC regarding undelivered and returned mailed notices that exceed 25% of the total required notices.

STAFF ANALYSIS:

Site Description

The subject property is a lot or record containing 6,500 sq. ft. or more in 'Highland View' subdivision at the north side of Sturgeon Avenue, a minor local street fifty (50) feet in width. The site is occupied by a one-story single-family home built in 1955 with 840 sq. ft. of ground floor area with large rear yard space in the southeast area of the 'Cherokee' community of the City of Memphis. The current zoning of the parcel is Residential Single Family (R-6) District zoning. The property has approximately 40 linear feet of street frontage and approximately 130 feet of depth. The property has improved frontage with no curb, gutter and sidewalk, including street lamp posts along both sides of the street. The property does not appear to be encumbered by any major easements or utility lines.

Request vs. Preliminary Review & Analysis

The applicant is requesting a special use permit for a group day care home to allow child care for five (5) to twelve (12) children in a home setting. The structure is limited in sq. ft. and total occupancy or number of children is subject to child services. The home will be utilized to its full capacity to accommodate the requirements for day care facilities, including handicap accessibility. However, any handicap ramp should be located at the private drive side of the home to minimize visibility from the public street. The most important requirements for this request is a site plan illustrating the location of outdoor play areas and a handicap ramp, including a floor plan indicating the use of interior spaces for classrooms, indoor play, bathrooms and kitchen areas. The applicant should take precautions to maintain the residential character of the home due to its location within the neighborhood.

The location of the structure should meet the Civic Use Standards of Paragraph 2.6.2B (2) of the zoning code which states:

Group Day Care Home of 5-12 persons

'The property shall be located on a connector street, on an arterial, or on a minor street that serves only nonresidential uses or zoning districts, or on a minor street within 150 feet (measured from the property line) of an intersecting arterial'.

The subject property does not meet the civic use standard above due to its location on minor local street more than 150 feet west of an arterial roadway, Getwell Road. The property is however, located approximately 495 feet east of a connector street, Robin Hood Lane. A variance from this use standard of the zoning code may be necessary to locate the group day care home within the neighborhood. Furthermore, a site plan, neighborhood meeting and a sign posting are also necessary to meet the application criteria for a more comprehensive site plan review of the special use permit application prior to consideration by the Land Use Control Board.

Although the proposal is consistent with the Memphis 3.0 Plan, the request and site plan should be compatible and in character with surrounding residential properties. The site plan should also address landscaping, both internal and external with emphasis on potential views from adjacent residential properties. Therefore, a more detailed project review by staff cannot be adequately completed without meeting the necessary criteria above and perhaps the granting of a variance for the location of a group day care home by the Board of Adjustment will be required before the application is considered by the Land Use Control Board.

RECOMMENDATION: ***Hold One (1) Month***

Office of Comprehensive Planning(OCP) Review:

This summary is being produced in response to the following Planned Development Application to support the recommendation of the Office of Planning & Development: **S.U.P. 21-18 (Walker-Barnes Group Day Care Home)**

Site Location: 3744 Sturgeon Avenue

Land Use Designation: Anchor Neighborhood-Primarily Single Unit (See Memphis 3.0, Page 80 for details)

Based on the future land use planning map, the proposal IS CONSISTENT with the Memphis 3.0 Comprehensive Plan.

The following information about the Land Use Designation can be found on Pages 76-122 of Memphis 3.0

1. FUTURE LAND USE PLANNING



The red box indicates the application site on the Future Land Use Map.

2. Land use description & applicability:

The Primarily Single-Unit Anchor Neighborhoods are characterized by house scale buildings between one and three stories high. A mixture of detached and semi-detached homes fills this residential designation around the anchor location, mostly consisting of single family homes or duplexes. These neighborhoods are located within a 10-minute walk of the anchor, making residential more accessible for pedestrians to anchor amenities. See graphic portrayal to the right.



“AN-S” Goals/Objectives:

The preservation and stabilization of neighborhoods, focusing investment towards areas that support plan goals and objectives, locating housing near services, jobs, building up not out.

“AN-S” Form & Location Characteristics:

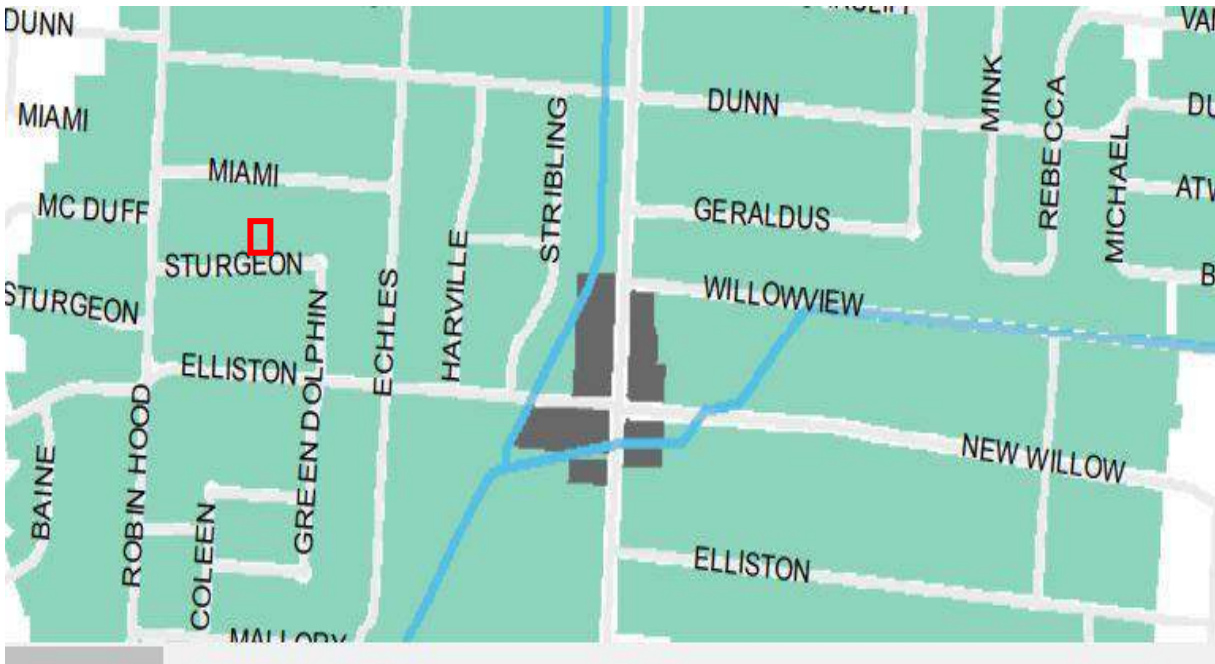
NUTURE: Primarily detached single-family residences. Attached single-family residences permitted on parcels within 100 feet of an anchor.

The applicant is seeking a variance to allow a residential home to become an in-home daycare facility. The request does not meet the criteria in form of a single-family residence. However, the form of the building will not change and the use will not disrupt the character of the neighborhood. Additionally, the facility will introduce a broader mix of uses. Therefore, the use is consistent.

3. Existing, Adjacent Land Use and Zoning

The subject site is surrounded by the following land use: Residential. The subject site is surrounded by the following zoning district: RU-3, RU-1, and R-6. This requested land use is not compatible with these adjacent land uses and zoning districts because *existing land use surrounding the parcels is similar in nature to the requested use.*

4. Degree of Change



The red box indicates the application site. The degree of change is Nurture.

5. Degree of Change Description

Nurture areas rely primarily on public and philanthropic resources to stabilize the existing pattern of a place.

Actions for Nurture anchors and anchor neighborhoods are meant to:

- Stabilize the community
- Protect and support community assets
- Protect and stabilize existing affordable housing
- Promote activities that will stimulate market activity

Ways to Nurture:

- "Road diets" — reduce the number of lanes to make room for wider sidewalks, bike lanes, and/or on-street parking
- Improve pedestrian realm (sidewalks, crosswalks, planting buffer and street trees, street lights, street furniture)
- Repurpose vacant land as temporary civic space
- Grants for small business frontage improvement

- Reduce number of curb cuts to improve pedestrian and cyclist safety (access management)
- Enhance connectivity to transit network
- Introduce or improve bike lanes and sidewalks
- Improve public access points (covered bus stops, benches)
- Improve public services (trash cleanup and collection)
- Control scale and frequency of signage
- Plan community programs on streets or vacant lots (markets, festivals)
- Upgrade infrastructure to improve flood control and internet access
- Improve existing parks and civic buildings and spaces
- Allow increased density and building height
- Allow a broader mix of uses

Based on the information provided, the proposal IS CONSISTENT with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: *Giahanna Bridges, Municipal Planner*
Memphis 3.0, OCP

GENERAL INFORMATION:

Primary Street Frontage: Sturgeon Avenue-----+/-40 linear feet.
Neighborhoods: Cherokee/Sherwood Forest
Zoning History: The Residential Single Family (R-6) District zoning of the site date to the adoption of the UDC in 2010 and date to the adoption of the 1980 zoning map amendments.

DEPARTMENTAL COMMENTS:

The following comments were provided by Inter-Governmental Agencies/Organizations to which this application was referred:

City Engineer: No comment.

Cite Fire Services:

- All design and construction shall comply with the 2015 edition of the International Fire Code (as locally amended) and referenced standards.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

Memphis & Shelby County Health Department:

Water Quality Branch: No comment.
Septic Tank Program: No comment.

Memphis Light, Gas and Water:

*MLGW has reviewed the referenced application, and has **no objection, subject to the following conditions:***

- **It is the responsibility of the owner/applicant** to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities. No permanent structures will be allowed within any utility easements.
- **It is the responsibility of the owner/applicant** to contact **TN-1-CALL @ 1.800.351.1111**, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc.
- **It is the responsibility of the owner/applicant** to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.
- **It is the responsibility of the owner/applicant** to comply with the **National Electric Safety Code (NESC)** and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.
- **It is the responsibility of the owner/applicant** to comply with Memphis/Shelby County Zoning Ordinance-Landscape and Screening Regulations.
- **Street Trees are prohibited**, subject to the review and approval of the landscape plan by MLGW Engineering. It is the responsibility of the owner/applicant to submit a detailed landscape plan to MLGW Engineering.
- **Landscaping is prohibited** within any MLGW utility easement without prior MLGW approval.
- **It is the responsibility of the owner/applicant** to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

Construction Code Enforcement: No comments received.

Office of Resiliency & Sustainability: No comment.

AT&T-TN: No comment.

Emails of Support: None.

Letters & Emails of Opposition: None.

Neighborhood Associations/Organizations:

Cherokee Ngh'd Association:

No comments received as of 8/6/21.

Sherwood Forest Ngh'd Assoc:

No comments received as of 8/6/21.

Staff: bb



Memphis and Shelby County
Office of Planning and Development
 CITY HALL 125 NORTH MAIN STREET-SUITE 477 MEMPHIS, TENNESSEE 38103-2084 (901) 636-6619

**APPLICATION FOR SPECIAL USE PERMIT
 APPROVAL/AMENDMENT**

Date: 6/25/2021

Case #: 21TMP-030514 S.U.P. 21-18

PLEASE TYPE OR PRINT

Property Owner of Record: Dr. Tonya Walker-Barnes Phone #: 901-651-0841

Mailing Address: 3744 Sturgeon Ave City/State: Memphis Zip TN

Property Owner E-Mail Address: tdwalker08@yahoo.com

Applicant: Dr. Tonya Walker-Barnes Phone # 901-651-0841

Mailing Address: 530 Old Hearthstone Cir N City/State: Collierville TN Zip 38017

Applicant E- Mail Address: tdwalker08@yahoo.com

Representative: _____ Phone #: _____

Mailing Address: _____ City/State: _____ Zip _____

Representative E-Mail Address: _____

Engineer/Surveyor: _____ Phone # _____

Mailing Address: _____ City/State: _____ Zip _____

Engineer/Surveyor E-Mail Address: _____

Street Address Location: _____

Distance to nearest intersecting street: Green Dolphin Street .1 Mile

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	<u>0.146</u>	_____	_____
Existing Zoning:	<u>R6</u>	_____	_____
Existing Use of Property	<u>Resident</u>	_____	_____
Requested Use of Property	<u>Hone Daycare</u>	_____	_____

Amendment(s): Any revision to an approved Special Use Permit that does not meet the provisions for Major or Minor Modifications shall be proposed as an amendment. Time extensions (see Subsection 9.6.14B of the UDC) to and requests to exceed 24-month limitation on discontinuance (see Subsection 9.6.14C) of approved special use permits shall be processed as major modifications, subject to the provisions of Chapter 9.16.

Yes No N/A

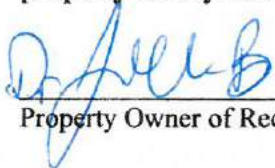
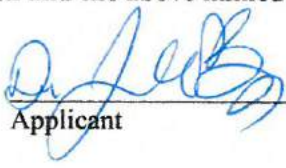
Unincorporated Areas: For residential projects in unincorporated Shelby County, please provide the following information:

Number of Residential Units: _____ Bedrooms: _____

Expected Appraised Value per Unit: _____ or Total Project: _____

Variations: If the Office of Planning and Development (OPD) determines your submitted site plan requires Board of Adjustment (BOA) action on a particular standard of the Unified Development Code, this application will not be heard by the Land Use Control Board (LUCB) until an application is submitted to the BOA. Once a BOA application is received by OPD, OPD will proceed to send any public notices, including neighborhood meeting notification, for the next available LUCB meeting. Notices will not be sent out prior to a BOA application being received. All neighborhood notification and public notices shall meet the timing provided in Sections 9.3.2 and 9.3.4 of the UDC. In lieu of a BOA application being filed, this application for a Special Use Permit may be replaced with an application for a Planned Development within 14 days of the filing deadline for this application, unless the site is located within the Medical Overlay District (see Sec. 8.2.2D of the UDC). If neither a Board of Adjustment nor a Planned Development application is received within 90 days of the filing deadline for this application, then this application shall be considered defective and withdrawn from any future consideration by the Land Use Control Board.

I (we) hereby make application for the Special Use Permit described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

	6/25/2021		6/25/2021
Property Owner of Record	Date	Applicant	Date

REQUIREMENTS PRIOR TO APPLICATION SUBMISSION

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

Pre-Application Conference held on: 6/25/2021 with Teresa Shelton

NEIGHBORHOOD MEETING – At least ten (10) days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site (Section 9.3.2). The following documentation shall be provided to OPD to verify compliance with this requirement: A copy of the letter sent to neighborhood associations and abutting property owners and a copy of the mailing list used to send notice.

Neighborhood Meeting Requirement Met: Yes Not yet
 (If yes, documentation must be included with application materials)

I met with all neighbors on Sturgeon. You may ask them and notify them. They're actually excited!

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

Letter of Intent

Dr. Tonya D. Walker-Barnes
530 Old Hearthstone Circle-North
Collierville, TN 38017
Phone #: (901) 651-0841

Re: 3744 Sturgeon Avenue
Memphis, TN 38111

Request:
Special Use Permit-Group Day Care Home
Occupancy-5 to 12 children

Dear Mr. Whitehead,

I am writing this letter to address the land control board in hopes that you all will grant me the prayer of having an in-home daycare facility in this community. I did thorough research and spoke to a lot of community members. During my research, I found out of lot of factors as to why the area is so low in income.

Although there are a lot of schools neighboring these communities, there is no adequate child care for children under school age. I have a lot of experience being I was an elementary, middle and high school teacher. I hold a Master's degree in Counseling and Doctorate in education. My uncle Rickey is the Battalion Chief of Collierville TN.

I'm very versed on this topic and the safety and wellbeing for the children in the neighborhood as well as all children. This project it will not damage or destroy the value of nearby properties. The project will motivate, encourage and allow others in the neighborhood to follow suit as far as keeping up their property and maybe even getting jobs or better paying jobs if they felt comfortable knowing their children are in safe and adequate child care. I've already made so many improvements to the property and made sure it meets all the TN Child care rules and regulations and safeguards. I have always dreamed of doing this, I feel that now is a great opportunity, so I ask the board to please approve my request.

Sincerely,

Dr. Walker-Barnes



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.



21043128

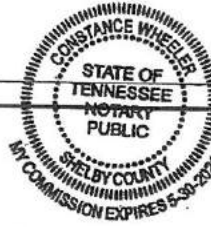
04/14/2021 - 10:54:55 AM

2 PGS	
LAKECIA 2205637 - 21043128	
VALUE	50000.00
MORTGAGE TAX	0.00
TRANSFER TAX	185.00
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	198.00

SHELANDRA Y FORD
REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

**CORPORATE FORM
WARRANTY DEED**

<p>Property address: 3744 Sturgeon Road Memphis, TN 38111</p> <p>Owner's name and address: JRC LLC 3744 Sturgeon Rd. Memphis, TN 38111</p> <p>Mail tax bills to: JRC LLC 3606 Nottingham Rd. Memphis, TN 38111</p>	<p>I, or we, hereby swear and affirm that, to the best of the affiant's knowledge, information, and belief, the actual consideration for this transfer is \$50,000.00.</p> <p><i>[Signature]</i> Affiant</p> <p>Subscribed and sworn to before me this <u>25</u> day of March, 2021.</p> <p><i>[Signature]</i> Notary Public</p> <p>My Commission Expires: _____</p>
<p>This instrument prepared by: Sure Title Company, LLC 7455 McVay Station Ct 101 Germantown, TN 38138 File No.: 21031701</p>	



THIS INDENTURE, made and entered into this 25th day of March, 2021, by and between
Dati Enterprise LLC, a Tennessee Limited Liability Company, Series R, party of the first part and
JRC LLC, _____, party of the second part,

WITNESSETH: That for and in consideration of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part the following described real estate, situated and being in the City of Memphis, County of Shelby, State of Tennessee.

Lot 14, First Addition, Highland View Subdivision, as shown on plat of record in Plat Book 17, Page 28, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to the Grantor(s) herein by Deed of record at Instrument Number 19017148 in the Register's Office of Shelby County Tennessee.

Parcel Number: 058087 00049

TO HAVE AND TO HOLD the aforesaid real estate together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, its heirs, successors and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said party of the second part that it is/are lawfully seized in fee of the aforescribed real estate; that it has good right to sell and convey the same; that the same is unencumbered, EXCEPT for:

Subdivision and/or Condominium restrictions including but not limited to any declaration covenants conditions restrictions, master deed or recorded plat, building lines and easements of record as of the date of the purchase and sale agreement, zoning, and any subsequent years' taxes not yet due and payable,

and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons.

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.

IN WITNESS WHEREOF, party of the first part has caused this instrument to be executed by and through its duly authorized officer(s) the day and year first above written.

Dati Enterprise LLC


By: David Truong, Member

STATE OF TENNESSEE,
COUNTY OF SHELBY

Before me, the undersigned, Notary Public in and for said State and County, duly commissioned and qualified, personally appeared David Truong with whom I am personally acquainted, (or proven to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself/herself to be the Member (or other officer authorized to execute the instrument) of Dati Enterprise LLC, the within named bargainer, and that he/she as such Member, executed the foregoing instrument for the purposes therein contained by signing the name of Dati Enterprise LLC by himself/herself as Member.

WITNESS my hand and Notarial Seal this 25th day of March, 2021.



My commission expires: _____


Notary Public

This instrument prepared by:
Sure Title Company, LLC
7455 McVay Station Ct 101
Germantown, TN 38138
File No.: 21031701

Return to:
Saddle Creek Title, LLC
756 Ridgela Lake Blvd., Ste. 120
Memphis, TN 38120

(FOR RECORDING DATA ONLY)

Dr. Tonya Walker-Barnes
3374 Sturgeon Ave.
Memphis, TN 38017

A 16

Greeting,

This letter serves as a notice that I will be having a meeting on 7/4/2021 @ 6 PM to inform you of my entire request with the city of Memphis to have an in-home daycare at this address. You are more than welcome to attend this meeting via TEAMS with any concerns or objections. Some of you have spoken with me in person and that is fine as well those were noted and they were fine with the request.

https://teams.microsoft.com/l/channel/19:6iDhU9j9h_bjWjE9n-wuat6So5fHPNtxs9hpNmAJB4E1@thread.tacv2/General?groupId=4d8de848-8271-4b5b-b828-badc4fb078d6&tenantId=2b291c94-5eb0-44b7-89ea-4baf16ecc4a9

Sincerely,


Dr. Tonya Walker-Barnes

Summary of Neighborhood Meeting

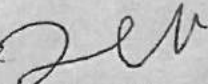
Dr. Tonya D. Walker-Barnes

3374 Sturgeon Ave

Memphis, TN 38111

The meeting went very well. I had several parents to say that they do not work because there was no childcare located within a 2-mile radius. They really loved the idea of the in-home care for their children and they fact that I will not enroll any more than 12 kids. This community is very loving they helped me take down a wire fence so I could replace it with a wooden fence and even helped me prepare a play area that was safe for the children in the backyard. I love that this community felt involved in the decision-making and process of making this dream come true. I had no concerns or objections.

Sincerely,



Dr. Tonya Walker-Barnes











Melvin Burgess
Assessor Of Property
Shelby County Government

Property Location and Owner Information

Parcel ID	058087 00049
Property Address	3744 STURGEON AVE
Municipal Jurisdiction	MEMPHIS
Neighborhood Number	00716D03
Tax Map Page	166E
Land Square Footage	6360
Acres	0.146
Lot Dimensions	
Subdivision Name	HIGHLAND VIEW 1ST ADDN
Subdivision Lot Number	0 14
Plat Book and Page	
Number of Improvements	1
Owner Name	WALKER-BARNES TONYA D
In Care Of Owner Address	530 OLD HEARTHSTONE
Owner City/State/Zip	COLLIERVILLE TN 38017

Appraisal and Assessment Information

Class	RESIDENTIAL
Land Appraisal	\$4,800
Building Appraisal	\$23,600
Total Appraisal	\$28,400
Total Assessment	\$7,100
Greenbelt Land Appraisal	\$0
Homesite Land Appraisal	\$0
Homesite Building Appraisal	\$0
Greenbelt Appraisal	\$0
Greenbelt Assessment	\$0

Improvement/Commercial Details

Stories	1
Exterior Walls	ASBESTOS SHINGLE
Land Use	- SINGLE FAMILY
Year Built	1955
Total Rooms	6
Bedrooms	3
Bathrooms	1
Half Baths	0
Heat	FORCED AIR
Fuel	NOT APPLICABLE
Heating System	NOT APPLICABLE
Fireplace Masonry	0
Fireplace Pre-Fab	0
Ground Floor Area	840
Total Living Area	840
Car Parking	

Other Buildings

Card	Year Built	Length	Width	Area	Type
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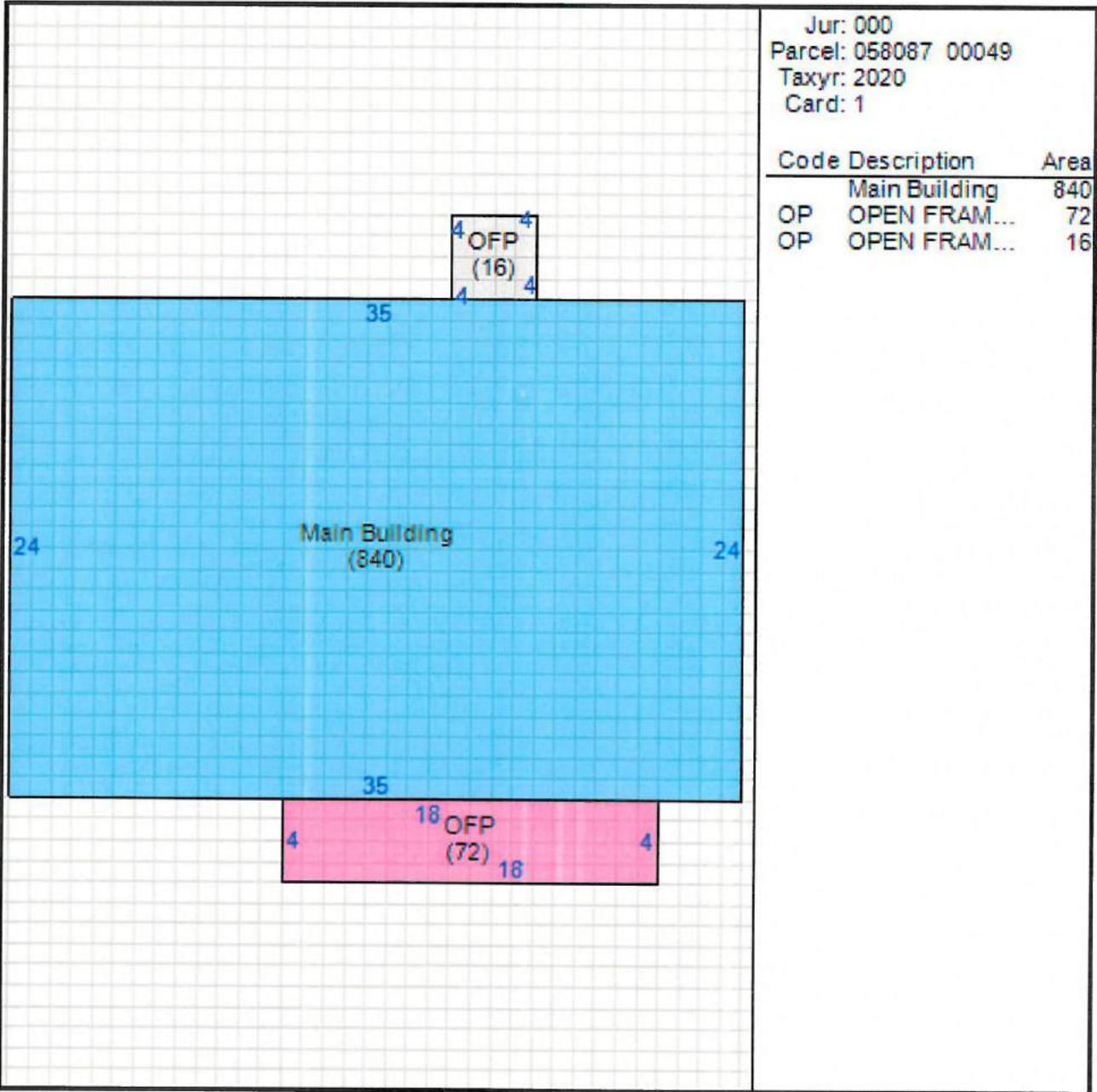
Permits

Date of Permit	Amount of Permit	Permit Number	Reason
09/29/2000	\$2,000	B0859219	

Sales

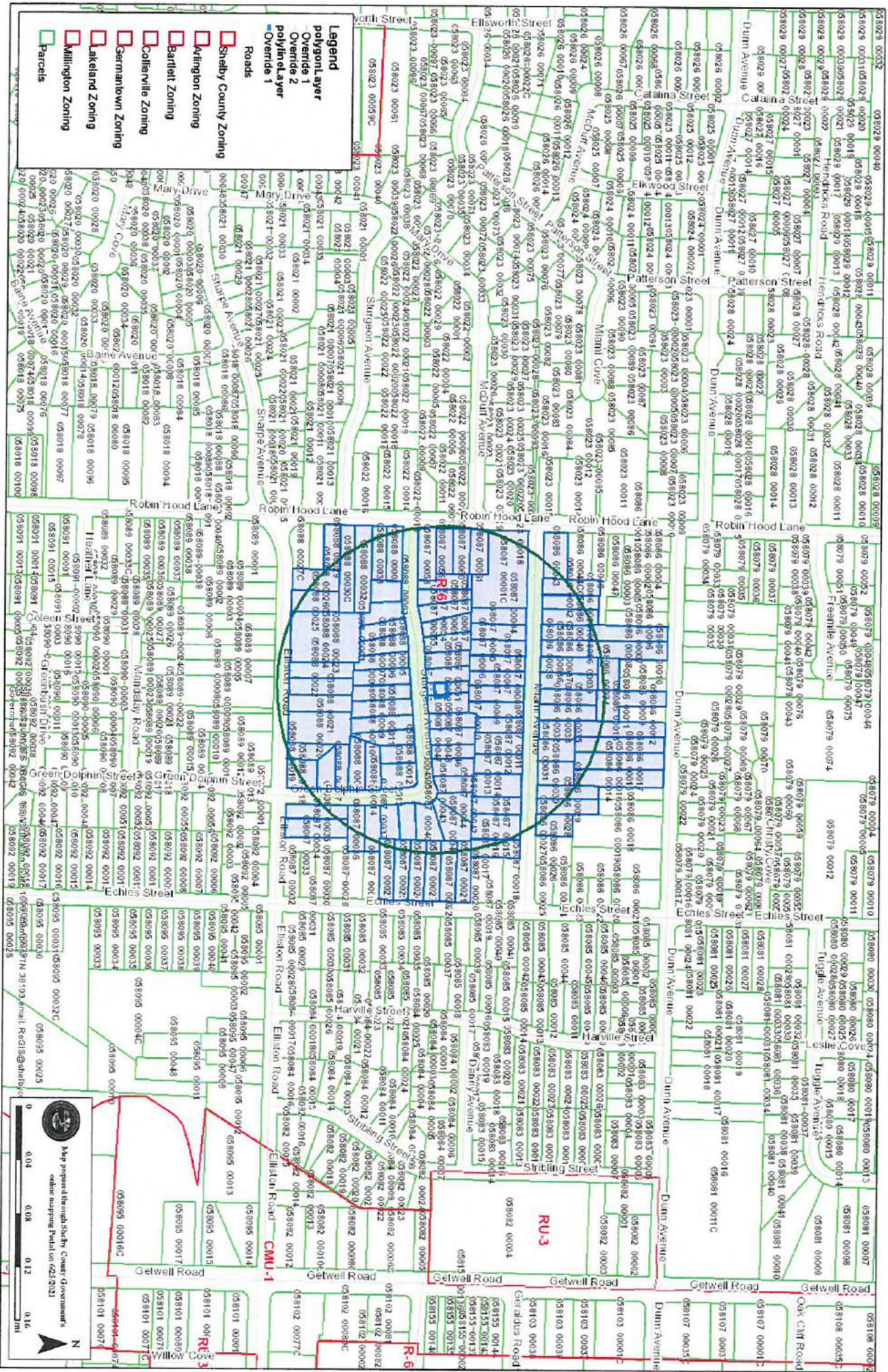
Date of Sale	Sales Price	Deed Number	Instrument Type
06/18/2021	\$85,000	21081154	WD
03/25/2021	\$0	21081153	CD
03/25/2021	\$50,000	21043128	WD
01/17/2019	\$0	19017148	QC
11/30/2011	\$6,000	11120682	SW
08/30/2011	\$9,186	11095836	TD
07/02/1998	\$47,900	HP0857	WD
05/07/1998	\$23,500	HN5322	SW
04/02/1998	\$0	HH0829	SW
12/22/1997	\$28,000	HB2909	TD
12/07/1994	\$0	146671-8	CC
05/17/1991	\$0	CF3373	QC

Sketch

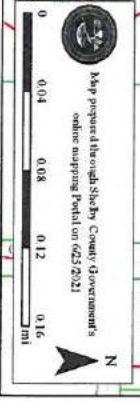


Jur: 000
Parcel: 058087 00049
Taxyr: 2020
Card: 1

Code	Description	Area
	Main Building	840
OP	OPEN FRAM...	72
OP	OPEN FRAM...	16



- Legend**
- polygon/Layer
 - Overlay 1
 - Overlay 2
 - poly/Layer
 - Overlay 1
 - Roads
 - Shelby County Zoning
 - Arlington Zoning
 - Bartlett Zoning
 - Collerville Zoning
 - Germantown Zoning
 - Island Zoning
 - Millington Zoning
 - Parcels



Map prepared through Shelby County Government's online mapping Portal on 02/25/2021

BARRON BILLY J & ELEASE
3741 DUNN RD #
MEMPHIS TN 38111

SMITH LINDA K
3724 STURGEON AVE #
MEMPHIS TN 38111

ROBINSON TERRY & MELISSA A
3730 ELLISTON RD #
MEMPHIS TN 38111

MACLIN DAMON III
3934 WISTERIA DR #
MEMPHIS TN 38116

LITTLE GLENN
3960 WINCHESTER RD #
MEMPHIS TN 38118

SMITH PAUL A JR
1615 GREEN DOLPHIN ST #
MEMPHIS TN 38111

WALLS RUBYSTEIN
3786 MIAMI AVE #
MEMPHIS TN 38111

DUETT DOROTHY M (ESTATE OF)
3776 STURGEON AVE #
MEMPHIS TN 38111

BTHE1 LLC
610 OGRADY DR #
CHATTANOOGA TN 37419

DOWLING THOMAS
6818 BAUDETTE LN #
BARTLETT TN 38135

HOUSTON DON
3750 STURGEON AVE #
MEMPHIS TN 38111

LONGORIA MARCIANO
4090 ELLISTON RD #
MEMPHIS TN 38111

BROWN TIFFANY
8617 STABLEMILL LN #
CORDOVA TN 38016

JUMP LLC
2471 LENNOX DR #
GERMANTOWN TN 38138

DACUS CAROLYN A & DONNIE
1983 WIRILY LN #
CORDOVA TN 38016

GUYSE TERESA F
3771 MIAMI AVE #
MEMPHIS TN 38111

MOSBY CHRISTOPHER
10484 PISGAH FOREST LN #
CORDOVA TN 38016

T AND S REAL ESTATE LLC
2707 SWEET OAKS CIR #
GERMANTOWN TN 38138

WOLF RIVER PROPERTIES LLC
2471 LENNOX DR #
GERMANTOWN TN 38138

WHITSETT DANA
716 SHOTWELL #
MEMPHIS TN 38111

CRAWFORD LISA R
5781 FOXDALE RD #
MEMPHIS TN 38115

MUKASH PAREL CORP AND ALFRED BENCHMARK
9109 WOOD IBIS CT #
SPOTSYLVANIA VA 22553

ODUM MARSHALL
7205 AUSTIN RD #
LAKE CORMORANT MS 38641

TAYLOR DOROTHY AND ROSALYN BROWN AND
3779 DUNN RD #
MEMPHIS TN 38111

HENG SOPHEAP AND SAROEUN HENG
3801 MIAMI AVE #
MEMPHIS TN 38111

GOLDSTAR HOMES LLC
3840 WINCHESTER RD #
MEMPHIS TN 38118

SHELBY COUNTY TAX SALE 97.1 EXH #6463
PO BOX 2751 #
MEMPHIS TN 38101

HASLAM SAMUEL K & TRACEY M
49 JUNIPER RD #
ANDOVER MA 1810

ROMEROLARA JUAN J
1612 GREEN DOLPHIN ST #
MEMPHIS TN 38111

STEWART WILLIE O & LIZZIE M
3714 MIAMI AVE #
MEMPHIS TN 38111

MFR 5 LLC
332 OCEAN VIEW AVE #
HERMOSA BEACH CA 90254

LINDLEY LANCE
PSC 473 BOX 12 #
FPO AP 96349

BOWEN RONNIE
1576 ROBIN HOOD LN #
MEMPHIS TN 38111

TRIBBLE HOMES LLC
3724 MIAMI AVE #
MEMPHIS TN 38111

SEAT BOBBY G
3794 MIAMI AVE #
MEMPHIS TN 38111

INTERNATIONAL BUDDHIST TEMPLE OF MEMPHIS
1580 ROBIN HOOD LN #
MEMPHIS TN 38111

FOSTER GLORIA
5121 LEONARD #
MEMPHIS TN 38109

GIRLS CLUB OF MEMPHIS INC
686 N 7TH ST #
MEMPHIS TN 38107

SHELBY COUNTY TAX SALE 85.2 EXH #6576
160 N MAIN ST #
MEMPHIS TN 38103

RODRIGUEZ ANTONIO
2926 CLEARBROOK RD #
MEMPHIS TN 38118

CHICKASAW VENTURES LLC
PO BOX 770014 #
MEMPHIS TN 38177

HARMON GWENDOLYN W AND JAMES D
3714 STURGEON AVE #
MEMPHIS TN 38111

MOTEN JASPER
3756 MIAMI AVE #
MEMPHIS TN 38111

HOLLADAY MURRAY R
1708 LOGAN DR #
COLUMBIA TN 38401

WHEELER MALCOLM
1148 S PERKINS #
MEMPHIS TN 38117

EYE WALKER
8313 CLUBVIEW DR #
OLIVE BRANCH MS 38654

JACKSON MILWAUKEE JR AND REGINALD BANYON
3739 MIAMI AVE #
MEMPHIS TN 38111

JAYBAY LLC
3707 MACON RD #
MEMPHIS TN 38122

LONGORIA MARGIANO
4090 ELLISTON RD #
MEMPHIS TN 38111

MFR 5 LLC
332 OCEAN VIEW AVE #
HERMOSA BEACH CA 90254

RIMMER THELMA J
3764 STURGEON AVE #
MEMPHIS TN 38111

DANIEL RODNEY L
3764 MIAMI AVE #
MEMPHIS TN 38111

POPE INVESTMENTS LLC
3930 FUN VALLEY DR #
MEMPHIS TN 38125

MOORE REVOCABLE LIVING TRUST
8917 CLARI DOUWIE CV #
BARTLETT TN 38133

FERGUSON MARY A
1550 ROBIN HOOD LN #
MEMPHIS TN 38111

TRIBBLE HOMES LLC
4728 SPOTTSWOOD ## 302
MEMPHIS TN 38117

HARMON GWENDOLYN W AND JAMES D
3714 STURGEON AVE #
MEMPHIS TN 38111

MORALES HUMBERTILO
3770 MIAMI #
MEMPHIS TN 38111

CTGI PROPERTIES LLC
6649 VINING CREEK CV W #
MEMPHIS TN 38119

PULLIAM B W
PO BOX 17588 #
MEMPHIS TN 38187

AIDAROUS MERWAN
10235 HERONS PT #
LAKELAND TN 38002

SAFFOLD BEATRICE
3763 STURGEON AVE #
MEMPHIS TN 38111

TO DANNY D
1601 ECHLES ST #
MEMPHIS TN 38111

BANYON ANDREW J
382 FERNWOOD AVE #
MEMPHIS TN 38106

CRAWFORD LYNETTE
3761 STURGEON AVE #
MEMPHIS TN 38111

CATHEY ANNETTA S & EDDIE L
3715 STURGEON AVE #
MEMPHIS TN 38111

DATI ENTERPRISE LLC SERIES R
7495 HOLLYVIEW DR #
MEMPHIS TN 38125

DAVILA-GOMEZ DOUGLAS
3755 STURGEON AVE #
MEMPHIS TN 38111

PARKER JOHNNY L
3088 LOTUS RD #
MEMPHIS TN 38109

HULL LEAH
305 S COOPER RD #
BYHALIA MS 38611

DEBCO LLC
3707 MACON RD #
MEMPHIS TN 38122

BROWN WILLIE (LE) AND DONNA BROWN AND
1611 GREEN DOLPHIN ST #
MEMPHIS TN 38111

THANH HO MINH
1583 ECHLES ST #
MEMPHIS TN 38111

WRIGHT MAURICE JR
3741 STURGEON AVE #
MEMPHIS TN 38111

MUNN ERNESTINE
1616 ROBIN HOOD LN #
MEMPHIS TN 38111

BLACK JOSEPH D AND KERRY R BLACK
1586 ROBIN HOOD LN #
MEMPHIS TN 38111

LITTLE GLENN JR
3960 WINCHESTER RD #
MEMPHIS TN 38118

CRUZ KEEVIN
7021 PETTEN CV #
MEMPHIS TN 38133

THANH HO MINH
1583 ECHLES ST #
MEMPHIS TN 38111

LARA RUBEN A
3729 STURGEON AVE #
MEMPHIS TN 38111

BIGGS LEONARD L
3740 ELLISTON RD #
MEMPHIS TN 38111

IZQUIERDO DE LA ROSA BRAULIO AND
1548 ECHLES ST #
MEMPHIS TN 38111

WISTOCK ELLEN
2705 MORNING SUN #
CORDOVA TN 38016

BIGGS LEONARD L
3754 ELLISTON RD #
MEMPHIS TN 38111

DENTON JARED & MARINA
529 E ALOHA LN #
SANDY UT 84070

FUQUA-SIMPSON CHERRY R
521 RAINIER RD #
WEST MEMPHIS AR 72301

CASTANON MARTIN
1621 GREEN DOLPHIN ST #
MEMPHIS TN 38111

CARPENTER LAWRENCE
3801 DUNN RD #
MEMPHIS TN 38111

LITTLE GLEN
3960 WINCHESTER RD #
MEMPHIS TN 38118

MORGAN ETHEL M (ESTATE OF)
1620 ROBIN HOOD LN #
MEMPHIS TN 38111

For Current Resident
ELLISTON RD #
Memphis, TN 38111

For Current Resident
3771 STURGEON AVE #
Memphis, TN 38111

For Current Resident
3710 ELLISTON RD #
Memphis, TN 38111

For Current Resident
1612 ROBIN HOOD LN #
Memphis, TN 38111

For Current Resident
3796 ELLISTON RD #
Memphis, TN 38111

For Current Resident
3748 ELLISTON RD #
Memphis, TN 38111

For Current Resident
3716 ELLISTON RD #
Memphis, TN 38111

For Current Resident
3770 ELLISTON RD #
Memphis, TN 38111

For Current Resident
1625 GREEN DOLPHIN ST #
Memphis, TN 38111

For Current Resident
3780 ELLISTON RD #
Memphis, TN 38111

For Current Resident
3750 MIAMI AVE #
Memphis, TN 38111

For Current Resident
3782 MIAMI AVE #
Memphis, TN 38111

For Current Resident
3765 MIAMI AVE #
Memphis, TN 38111

Melvin Burgess
Assessor Of Property
Shelby County Government

Property Location and Owner Information

Parcel ID	058087 00049
Property Address	3744 STURGEON AVE
Municipal Jurisdiction	MEMPHIS
Neighborhood Number	00716D03
Tax Map Page	166E
Land Square Footage	6360
Acres	0.146
Lot Dimensions	
Subdivision Name	HIGHLAND VIEW 1ST ADDN
Subdivision Lot Number	0 14
Plat Book and Page	
Number of Improvements	1
Owner Name	WALKER-BARNES TONYA D
In Care Of Owner Address	530 OLD HEARTHSTONE
Owner City/State/Zip	COLLIERVILLE TN 38017

Appraisal and Assessment Information

Class	RESIDENTIAL
Land Appraisal	\$4,800
Building Appraisal	\$23,600
Total Appraisal	\$28,400
Total Assessment	\$7,100
Greenbelt Land Appraisal	\$0
Homesite Land Appraisal	\$0
Homesite Building Appraisal	\$0
Greenbelt Appraisal	\$0
Greenbelt Assessment	\$0

Improvement/Commercial Details

Stories	1
Exterior Walls	ASBESTOS SHINGLE
Land Use	- SINGLE FAMILY
Year Built	1955
Total Rooms	6
Bedrooms	3
Bathrooms	1
Half Baths	0
Heat	FORCED AIR
Fuel	NOT APPLICABLE
Heating System	NOT APPLICABLE
Fireplace Masonry	0
Fireplace Pre-Fab	0
Ground Floor Area	840
Total Living Area	840
Car Parking	

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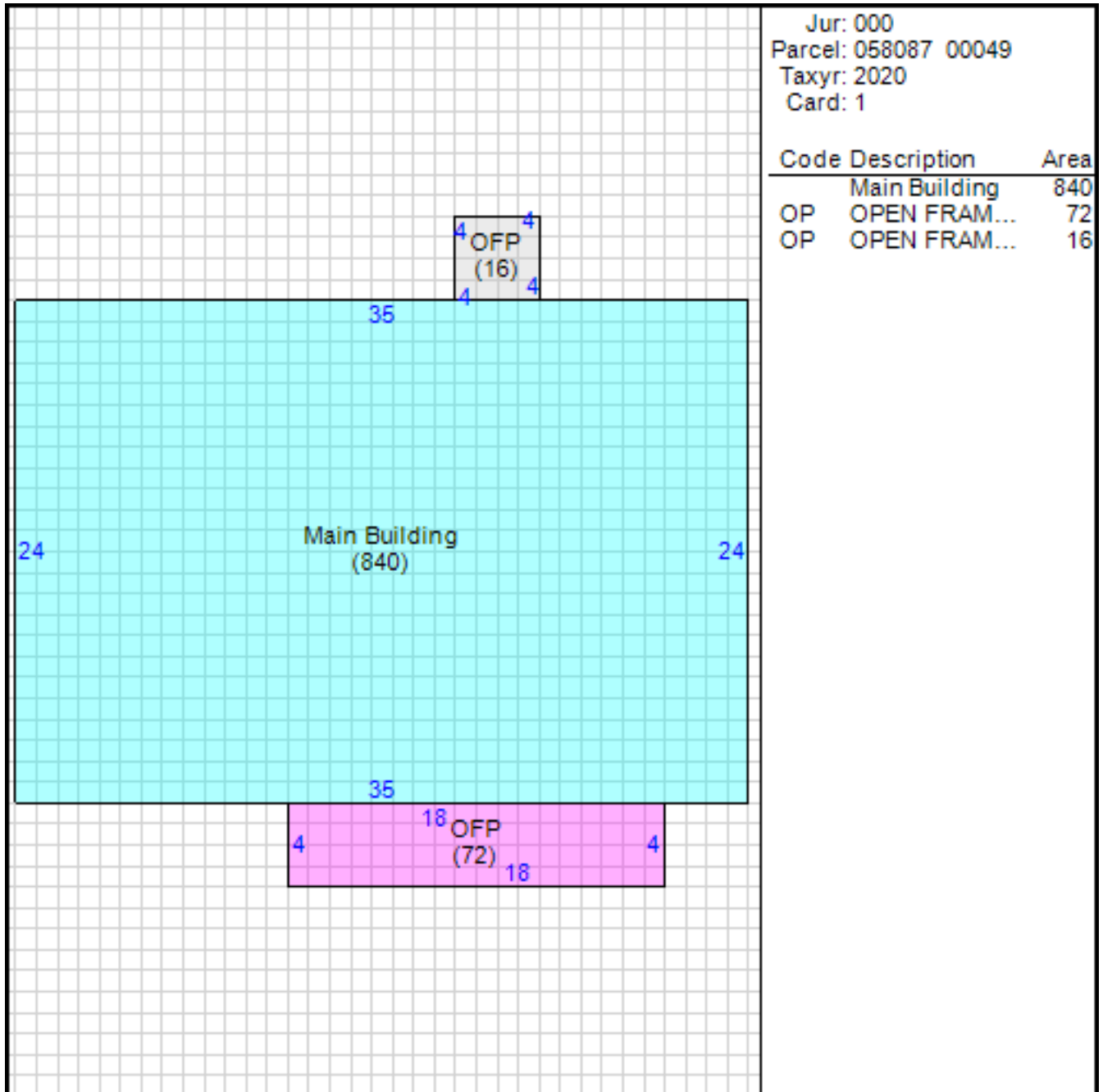
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08/30/2011	\$9,186	11095836	TD
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05/07/1998	\$23,500	HN5322	SW
04/02/1998	\$0	HH0829	SW
12/22/1997	\$28,000	HB2909	TD
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Sketch



Jur: 000
 Parcel: 058087 00049
 Taxyr: 2020
 Card: 1

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OP	OPEN FRAM...	16