



NEW HANOVER COUNTY

PLANNING BOARD AGENDA

230 Government Center Drive, HR Training Room, Wilmington, NC 28403

Members of the Board

Thomas 'Jordy' Rawl, Chairman | **Donna Girardot**, Vice-Chairman
Paul Boney | **Ernest Olds** | **Jeffrey B. Petroff** | **H. Allen Pope** | **Edward 'Ted' Shipley, III**

Wayne Clark, Director of Planning & Land Use | **Ken Vafier**, Planning Manager

Meeting Location: André Mallette Training Center, New Hanover County Government Center, Suite 135, 230 Government Center Drive

JANUARY 10, 2019 6:00 PM

Meeting Called To Order (Chairman Jordy Rawl)

Pledge of Allegiance (Ken Vafier, Planning Manager)

Approval of December 6, 2018 Minutes

REGULAR ITEMS OF BUSINESS

The Planning Board may consider substantial changes in these petitions as a result of objections, debate, and discussion at the meeting, including rezoning to other classifications.

- 1 Public Hearing (Presenter: Brad Schuler)
Rezoning Request (Z18-19) – Request by Rountree Losee LLP on behalf of the property owner, Hilton Properties Limited Partnership, to rezone approximately 63.02 acres of land located in the 4100 block of Castle Hayne Road, from RA, Rural Agricultural District, to (CUD) I-2, Conditional Use Heavy Industrial District, and for a special use permit in order to develop a high intensity mining operation.
- 2 Public Hearing (Presenter: Ken Vafier)
Special Use Permit Request (S18-06) - Request by Williams Mullen, on behalf of the property owner, Arab Shrine Club H Corp, for a special use permit to develop a telecommunications tower on 4.37 acres of land located at 4510 S. College Road.

OTHER ITEMS

- 1 Other Items of Business

Adjournment

**NEW HANOVER COUNTY PLANNING BOARD
REQUEST FOR BOARD ACTION
MEETING DATE: 1/10/2019**

Regular

DEPARTMENT: Planning **PRESENTER(S):** Brad Schuler, Current Planner

CONTACT(S): Brad Schuler; Wayne Clark, Planning & Land Use Director

SUBJECT:

Public Hearing

Rezoning Request (Z18-19) – Request by Rountree Losee LLP on behalf of the property owner, Hilton Properties Limited Partnership, to rezone approximately 63.02 acres of land located in the 4100 block of Castle Hayne Road, from RA, Rural Agricultural District, to (CUD) I-2, Conditional Use Heavy Industrial District, and for a special use permit in order to develop a high intensity mining operation.

BRIEF SUMMARY:

Stephen D. Coggins of Roundtree Losee, LLP is requesting to rezone 63.02 acres of land located in the 4100 block of Castle Hayne Road from RA, Rural Agricultural District, to (CUD) I-2, Conditional Use Heavy Industrial, and a special use permit in order to develop a high intensity mining operation.

The Zoning Ordinance classifies mining operations under two categories: low intensity and high intensity. The two categories are generally differentiated based on the size and operational characteristics of the mining. The proposed mine is generally consistent with the operation requirements for low intensity mining; however, it is classified as high intensity due to its permitted size (28.10 acres). No use of explosives, on-site processing, or dewatering are proposed by the applicant. Both low and high intensity mining operations require a special use permit in the I-2 zoning district.

The North Carolina Department of Environmental Quality (DEQ), Division of Energy, Mineral and Land Resources (DEMLR) issued a mining permit for the proposed operation on December 15, 2015. The permit allows for a mining operation of 28.10 acres to take place on the western portion of the property. The permit expires on February 5, 2024. The issuance of the state permit was a modification of a permit initially issued in February 2014 to “address concerns of groundwater contamination on the neighboring General Electric property.” The modification reduced the size of the mining operation (from 56.63 acres to 28.10) and required monitoring wells to be installed near the contaminated area. The permit states that “mining shall cease immediately upon notification that regulatory limits have been exceeded” at the monitoring wells.

Access is provided to the subject property by Castle Hayne Road (NC 133) via Sledge Road. Sledge Road is a private gravel road, approximately 10 feet in width, that runs about two miles from the subject site to Castle Hayne Road. About a half mile of the road is adjacent to a residential neighborhood (Wooden Shoe Subdivision). The subdivision contains 68 lots with nine existing single-family dwellings and an equestrian facility directly abutting Sledge Road.

The number of vehicle trips generated by the mine will vary based on the demand; however according to the applicant, the mine will average 60-80 truckloads a day while it is in operation. A driveway permit from NCDOT is required for access to Castle Hayne Road. NCDOT has reviewed the proposal and provided preliminary comments. The comments indicate modifications must be made to the Sledge Road driveway, but did not define the specific improvements at this time.

The 2016 Comprehensive Plan designates the subject property as Commerce Zone, the intent of which is to provide

for employment and production hubs, predominately composed of light and heavy industrial uses. The proposed mining operation is generally **CONSISTENT** with the type of uses encouraged in the Commerce Zone place type.

STRATEGIC PLAN ALIGNMENT:

Intelligent Growth and Economic Development

-

RECOMMENDED MOTION AND REQUESTED ACTIONS:

CONDITIONAL USE ZONING DISTRICT

Staff recommends approval of the Conditional Use Zoning District and suggests the following motion:

Motion to recommend approval, as the Board finds that this request for a zoning map amendment of 63.02 acres from RA to a Conditional Use I-2 district, as described is:

1. Consistent with the purposes and intent of the 2016 Comprehensive Plan because the property is classified as Commerce Zone, a place type that encourages light and heavy industrial uses.
2. Reasonable and in the public interest because the proposed mining operation site is located adjacent to existing heavy industrial zoning and will provide employment opportunities. Additionally, the mining operation site is located approximately 1.5 miles from an existing single-family subdivision. However, truck traffic generated by the operation could be heavy at times and without sufficient mitigation could impact the nearby homes.

SPECIAL USE PERMIT

Example Motion for Approval:

Motion to recommend approval, as the Board finds that this application for a Special Use Permit meets the four required conclusions based on the findings of fact included in the Staff Summary.

[OPTIONAL] Note any additional findings of fact related to the four required conclusions.

[OPTIONAL] State conditions of approval.

Example Motion for Denial:

Motion to deny, as the Planning Board **cannot** find that this proposal:

1. Will not materially endanger the public health or safety;
2. Meets all required conditions and specifications of the Zoning Ordinance;
3. Will not substantially injure the value of adjoining or abutting property;
4. Will be in harmony with the surrounding area, and is in general conformity of the plans of development for New Hanover County.

[State the finding(s) that the application does not meet and include reasons to why it is not being met]

COUNTY MANAGER'S COMMENTS AND RECOMMENDATIONS: (only Manager)

SCRIPT for Conditional Use Zoning District Application (Z18-19)

Request by Rountree Losee LLP on behalf of the property owner, Hilton Properties Limited Partnership, to rezone approximately 63.02 acres of land located in the 4100 block of Castle Hayne Road, from RA, Rural Agricultural District, to (CUD) I-2, Conditional Use Heavy Industrial District, and for a special use permit in order to develop a high intensity mining operation.

1. Swear witnesses: Announce that “the Conditional Use District process requires a quasi-judicial hearing; therefore, any person wishing to testify must be sworn in. All persons who signed in to speak or who want to present testimony please step forward to be sworn in. Thank you.”
2. This is a public hearing. We will hear a presentation from staff. Then the applicant and any opponents will each be allowed 15 minutes for their presentation and additional 5 minutes for rebuttal.
3. Conduct Hearing, as follows:
 - a. Staff presentation
 - b. Applicant’s presentation (up to 15 minutes)
 - c. Opponent’s presentation (up to 15 minutes)
 - d. Applicant’s cross examination/rebuttal (up to 5 minutes)
 - e. Opponent’s cross examination/rebuttal (up to 5 minutes)
4. Close the public hearing
5. Board discussion
6. Ask Applicant whether he/she agrees with the staff findings and any condition proposed to be added to the Special Use Permit.
7. **Vote on rezoning (first vote).** The motion should include a statement saying how the change is, or is not, consistent with the land use plan and why it is, or is not, reasonable and in the public interest.

Staff Suggested Motion:

Motion to recommend approval, as the Board finds that this request for a zoning map amendment of 63.02 acres from the RA district to a Conditional Use I-2 district, as described is:

1. Consistent with the purposes and intent of the 2016 Comprehensive Plan because the property is classified as Commerce Zone, a place type that encourages light and heavy industrial uses.
2. Reasonable and in the public interest because the proposed mining operation site is located adjacent to existing heavy industrial zoning and will provide employment opportunities. Additionally, the mining operation site is located approximately 1.5 miles from an existing single-family subdivision. However, truck traffic generated by the operation could be heavy at times and without sufficient mitigation could impact the nearby homes.

Alternative Motion for Approval/Denial:

Motion to recommend [Approval/Denial], as the Board finds that this request for a zoning map amendment of 63.02 acres from the RA district to a Conditional Use I-2 district, as described is:

1. [Consistent/Not Consistent] with the purposes and intent of the 2016 Comprehensive Plan because [Describe elements of controlling land use plans and how the amendment is or is not consistent].
2. [Reasonable/Not Reasonable] and in the public interest because [Briefly explain why. Factors may include public health and safety, character of the area and relationship of uses, applicable plans, or balancing benefits and detriments].

8. Vote on the companion Special Use Permit (second vote).

☐

Motion to recommend approval of the permit - All findings are positive.

☐

Motion to recommend approval of the permit, subject to conditions specified below:
(State Conditions)

☐

Motion to recommend denial of the permit because the Board cannot find:

☐

a. That the use will not materially endanger the public health or safety if located where proposed for the following reason:

☐

b. That the Use meets all required condition and specifications:

☐

c. That the use will not substantially inure the value of adjoining or abutting property, or that the use is a public necessity:

☐

d. That the location and character of the use if developed according to the plan submitted and approved will be in harmony with the area in which it is located and is in general conformity with the plan of development for New Hanover County:

Example Motion for Approval:

Motion to recommend approval, as the Board finds that this application for a Special Use Permit meets the four required conclusions based on the findings of fact included in the Staff Summary.

[**OPTIONAL**] Note any additional findings of fact related to the four required conclusions.

[**OPTIONAL**] State conditions of approval.

Example Motion for Denial:

Motion to recommend denial, as the Planning Board **cannot** find that this proposal:

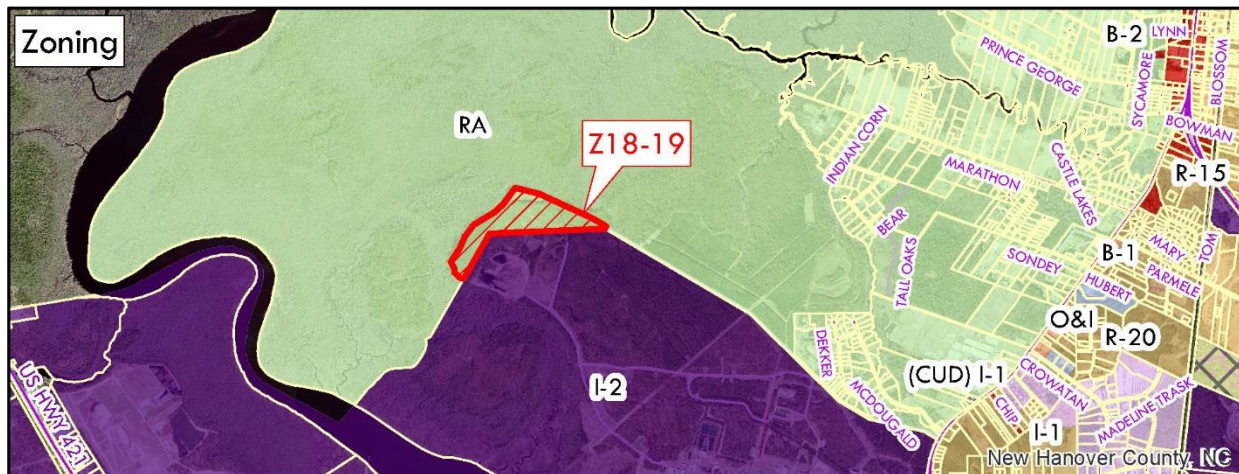
1. Will not materially endanger the public health or safety;
2. Meets all required conditions and specifications of the Zoning Ordinance;
3. Will not substantially injure the value of adjoining or abutting property;
4. Will be in harmony with the surrounding area, and is in general conformity of the plans of development for New Hanover County.

[State the finding(s) that the application does not meet and include reasons to why it is not being met]

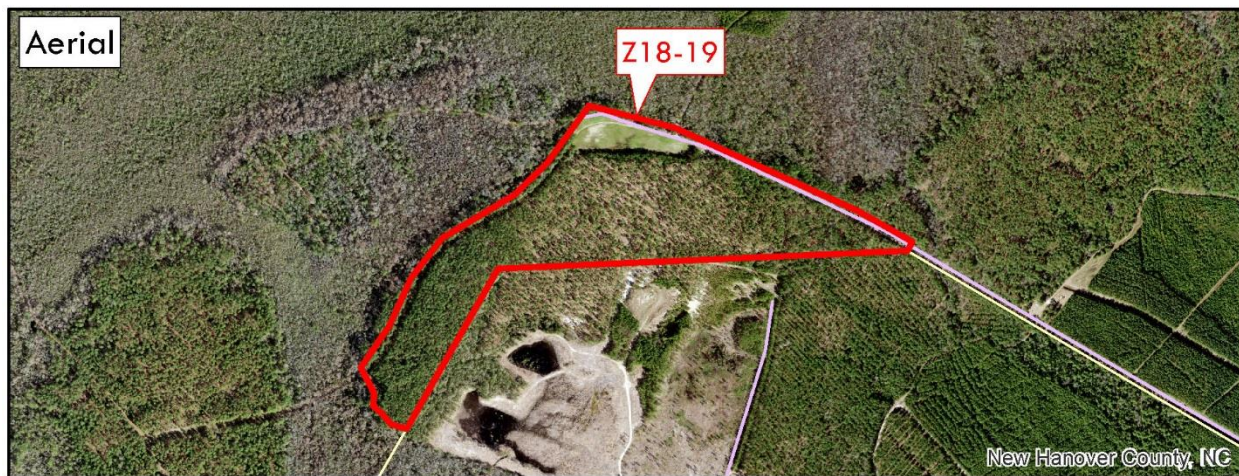
STAFF SUMMARY FOR Z18-19

CONDITIONAL USE ZONING DISTRICT APPLICATION

APPLICATION SUMMARY	
Case Number: Z18-19	
Request:	
A) Rezoning to a Conditional Use I-2 Zoning District B) Special Use Permit for a high intensity mining operation	
Applicant:	Property Owner(s):
Stephen D. Coggins – Rountree Losee LLP	Hilton Properties Limited Partnership
Location:	Acreage:
4117 Castle Hayne Road/Sledge Road	63.02
PID(s):	Comp Plan Place Type:
R00900-001-002-000	Commerce Zone
Existing Land Use:	Proposed Land Use:
Undeveloped	High intensity mining operation
Current Zoning:	Proposed Zoning:
RA	(CUD) I-2



SURROUNDING AREA		
	LAND USE	ZONING
North	Undeveloped	RA
East	Undeveloped	RA
South	Manufacturing (GE), Undeveloped	I-2
West	Undeveloped	RA



ZONING HISTORY

July 1, 1985	Initially zoned RA (Castle Hayne)
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COMMUNITY SERVICES

Water/Sewer	Water and sewer services are not proposed for the operation. CFPUA services are not available in this area.
Fire Protection	New Hanover County Fire Services, New Hanover County Northern Fire District, New Hanover County Station Castle Hayne
Schools	The proposed mining operation will not generate students.
Recreation	Northern Regional Park

CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES

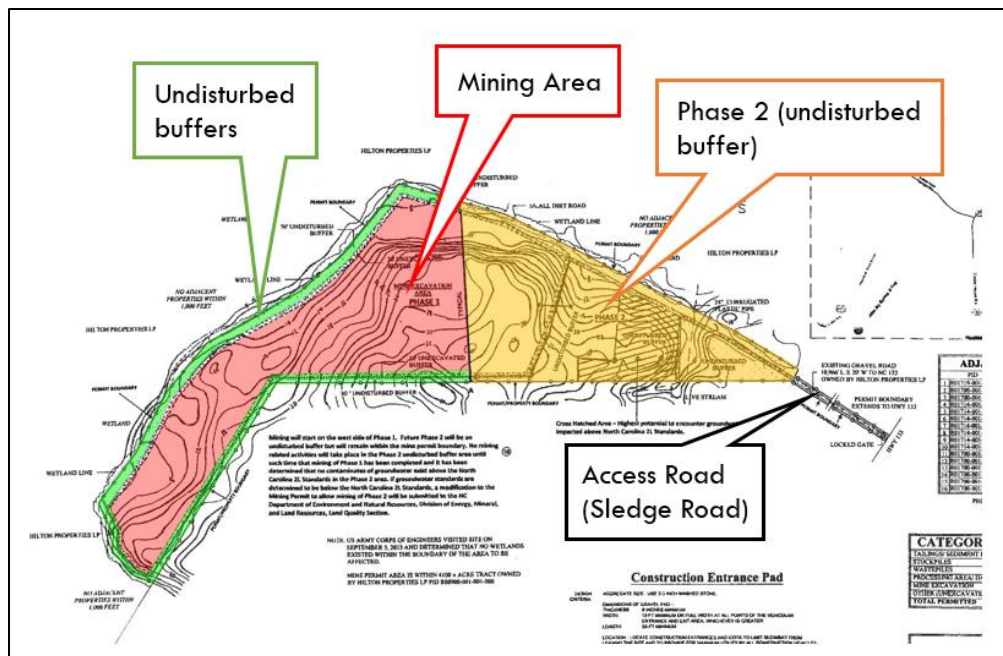
Conservation	No known conservation resources
Historic	No known historic resources
Archaeological	No known archaeological resources

PROPOSED SITE PLAN

- The application proposes to develop a high intensity sand mine located in Castle Hayne, approximately two miles west of NC 133.
- The Zoning Ordinance classifies mining operations under two categories: low intensity and high intensity. Low intensity mining operations are limited to no more than 20 acres of area, cannot use on-site processing equipment or explosives, and have a maximum excavation depth of 35 feet if dewatering. The proposed mine is classified as high intensity due to its permitted size (28.10 acres). No use of explosives, on-site processing, or

dewatering are proposed by the applicant. Both low and high intensity mining operations require a special use permit in the I-2 zoning district.

- The North Carolina Department of Environmental Quality (DEQ), Division of Energy, Mineral and Land Resources (DEMLR) issued a mining permit for the proposed operation on December 15, 2015. The permit allows for a mining operation of 28.10 acres to take place on the western portion of the property. The permit expires on February 5, 2024.
- The state permit includes operation conditions for the proposed mine. Those conditions include, but are not limited to:
 - Maintaining a 50-foot undisturbed buffer between any affected land and any adjoining waterway or wetland;
 - Utilizing water trucks or other appropriate method to prevent dust from leaving the permitted area (including the access road);
 - Prohibiting dewatering activities; and
 - Requiring the area east of the mining operation (shown as phase 2 on the site plan) to remain as an undisturbed buffer. Per DEQ, no activities associated with the mining operation (outside of the access road) can take place within the undisturbed buffer including the placement of structures or the parking of vehicles. Any future mining activities in the phase 2 area would require revision of the DEQ permit and also a modification of the special use permit.
- The issuance of the state permit on December 15, 2015 was a modification of a permit initially issued in February 2014 to “address concerns of groundwater contamination on the neighboring General Electric property.” The modification reduced the size of the mining operation (from 56.63 acres to 28.10), and required monitoring wells to be installed near the contaminated area. The permit states that “mining shall cease immediately upon notification that regulatory limits have been exceeded” at the monitoring wells.
- The proposed mine will excavate sand from its highest elevation point of approximately 39 feet down to about zero feet (Mean Sea Level). The applicant estimates the mine will go below the water table at about four to six feet, and a seven-foot-deep lake will be left at the completion of the excavation.



Proposed Site Plan

TRANSPORTATION

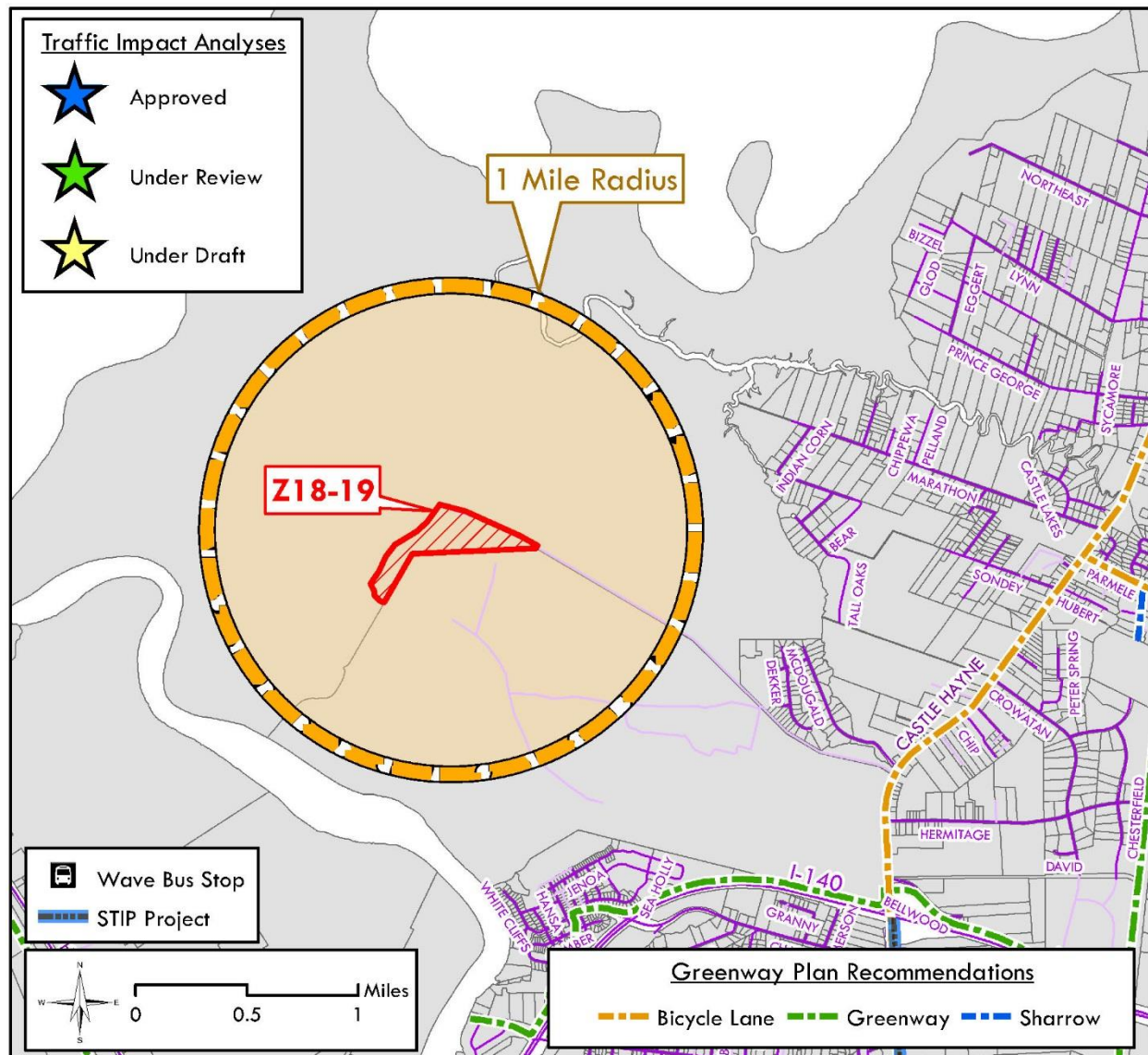
- Access is provided to the subject property by Castle Hayne Road (NC 133) via Sledge Road (private).
- Sledge Road is a private gravel road, approximately 10 feet in width, that runs about two miles from the subject site to Castle Hayne Road. About a half mile of the road is adjacent to a residential neighborhood (Wooden Shoe Subdivision). The subdivision contains 68 lots with nine existing single-family dwellings and an equestrian facility directly abutting Sledge Road.
- Concerns have been raised by the adjacent residents regarding potential noise, vibration, and dust impacts generated by the trucks traveling to and from the mine.
- The number of trips generated by the mine will vary based on the demand, however according to the applicant, the mine will average 60-80 truckloads a day while it is in operation.
- The Institute of Transportation Engineers (ITE) does not provide trip generation estimates for mining operations. Based on the applicant's estimate and the hours of operation, it is expected that the proposed mine will not exceed 100 trips in the peak hours. Staff consulted with NCDOT staff regarding the trip generation for this proposal and they concur based on the information provided by the applicant.
- A driveway permit from NCDOT is required for access to Castle Hayne Road. NCDOT has reviewed the proposal and provided preliminary comments. The comments indicate modifications must be made to the Sledge Road driveway, but did not define the specific improvements at this time.

Traffic Counts – January 2018

Road	Location	Volume	Capacity	V/C
Castle Hayne Road	Near the 4100 Block	10,232	16,200	0.63

Nearby Planned Transportation Improvements and Traffic Impact Analyses

No TIAs are currently being drafted or have been completed for projects within a one-mile radius from the subject site within the last five years, or in the general vicinity of the site in the Castle Hayne area.



Regional Transportation Plans:

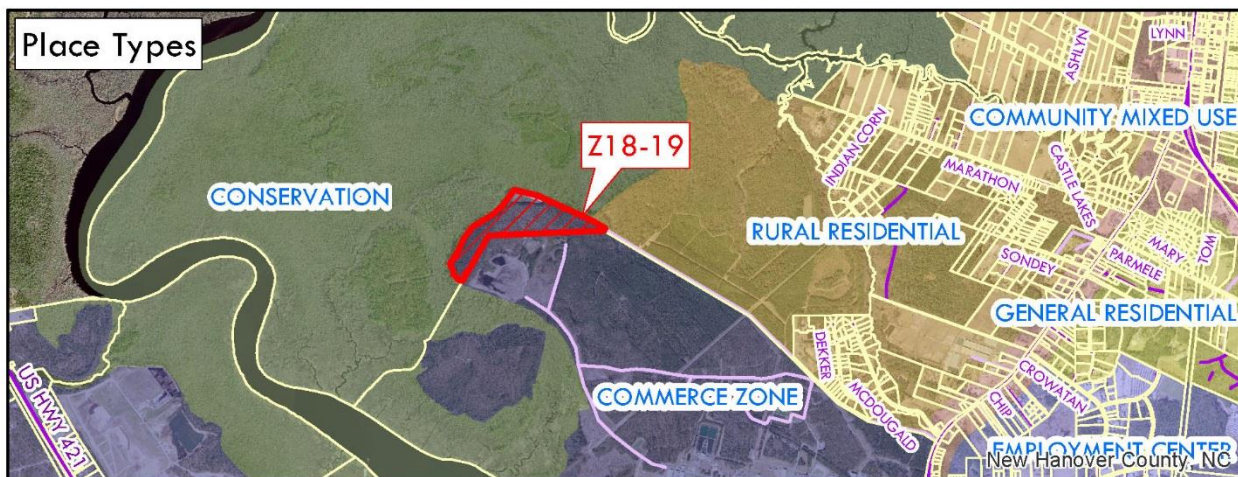
- STIP Project U-5863
 - Project to widen Castle Hayne Road to multi-lanes from I-140 to MLK Parkway. Construction is expected to begin in 2023.

ENVIRONMENTAL

- Portions of the property along the northern property line are within an AE Special Flood Hazard Area.
- The property is not within a Natural Heritage Area.
- The site is classified as Wetland Resource Protection on the 2006 CAMA Land Classification MAP. Per Section 72-42: Mining, of the Zoning Ordinance, high intensity mining operations are permitted in this classification.
- The US Army Corps of Engineers determined in 2013 that the proposed mine will not impact jurisdictional waters or wetlands. However, this determination is no longer valid and a new determination must be issued by the Corps prior to commencing of the mining operation.
- The property is within the Cape Fear River (C;Sw) and Prince Georges Creek (C;Sw) watersheds.
- Per the Classification of Soils in New Hanover County for Septic Tank Suitability, soils on the property consist of Class I (suitable/slight limitation) soils.
- The issuance of the state mining permit on December 15, 2015 was a modification of a permit initially issued in February 2014 to “address concerns of groundwater contamination on the neighboring General Electric property.” The modification reduced the size of the mining operation (from 56.63 acres to 28.10), and required monitoring wells to be installed near the contaminated area. The permit states that “mining shall cease immediately upon notification that regulatory limits have been exceeded” at the monitoring wells.

2016 COMPREHENSIVE LAND USE PLAN

- The New Hanover County Future Land Use Map provides a general representation of the vision for New Hanover County’s future land use, as designated by place types describing the character and function of the different types of development that make up the community. Specific goals of the comprehensive plan are designated to be promoted in each place type, and other goals may be relevant for particular properties.



**Future Land Use
Map Place Type**

Commerce Zone

Place Type Description	Serves to provide areas for employment and production hubs, predominantly composed of light and heavy industrial uses, though office and complementary commercial uses are also allowed. Densities are dependent, in part, on the type of industry, and residential uses are discouraged.
Analysis	The subject property, located to the northwest of the GE site, was designated Commerce Zone on the Future Land Use Map to allow for future GE expansions and/or other industrial uses. The County's industrial zoning districts are compatible with this place type. Mining is classified as intensive manufacturing in the Zoning Ordinance and is permitted in industrial districts.
Consistency Recommendation	The proposed sand mine is generally CONSISTENT with the intent of the Commerce Zone place type to provide areas for industrial uses.

STAFF RECOMMENDATION ON REZONING

Staff recommends approval of the Conditional Use Zoning District. Staff concludes that the request is consistent with the requirements of the Zoning Ordinance and also the 2016 Comprehensive Plan, finding that the application is:

1. Consistent with the purposes and intent of the 2016 Comprehensive Plan because the property is classified as Commerce Zone, a place type that encourages light and heavy industrial uses.
2. Reasonable and in the public interest because the proposed mining operation site is located adjacent to existing heavy industrial zoning and will provide employment opportunities. Additionally, the mining operation site is located approximately 1.5 miles from an existing single-family subdivision. However, truck traffic generated by the operation could be heavy at times and without sufficient mitigation could impact the nearby homes.

STAFF PRELIMINARY CONCLUSIONS AND FINDINGS OF FACT:

Staff has conducted an analysis of the proposed use and the information provided as part of the application package and has created preliminary findings of fact for each of the conclusions required to be reached to approve the special use permit request. These preliminary findings of fact and conclusions are based solely on the information provided to date, prior to any information or testimony in support or opposition to the request that may be presented at the upcoming public hearing at the Board meeting.

Finding 1: The Board must find that the use will not materially endanger the public health or safety where proposed and developed according to the plan as submitted and approved.

- A. The site is accessed from Castle Hayne Road, an arterial street and North Carolina highway (NC 133).
- B. The subject property is located in the New Hanover County North Fire Service District.
- C. Traffic impacts are reviewed by NCDOT through the driveway permitting process, and any required roadway improvements must be installed in accordance with NCDOT's standards prior to the mine being in operation.
- D. According to the applicant, the mine will average 60-80 truckloads a day while it is in operation.
- E. The proposed operation obtained a mining permit from the North Carolina Department of Environmental Quality. The permit allows for up to 28.10 acres to be utilized for the mining operation.
- F. The state mining permit, initially issued in February 2014, was modified on December 15, 2015 to "address concerns of groundwater contamination on the neighboring General Electric property." The permit set operating conditions for the mine, including utilizing monitoring wells and leaving the portion of the property around the contaminated area as an undisturbed buffer. The state mining permit also requires that the mining cease immediately upon notification that regulatory limits have been exceeded at the monitoring wells.
- G. The state mining permit requires that a water truck or other appropriate means be utilized during mining operations to prevent dust from leaving the permitted area including the access road.
- H. The operation will use wet mining techniques. No detwatering will occur at the site.

Staff Suggestion: Evidence provided by the applicant at this time supports a finding that the use will not materially endanger the public health or safety in the location proposed. The state mining permit includes operational conditions to mitigate the environmental impacts of the nearby groundwater contamination.

Finding 2: The Board must find that the use meets all required conditions and specifications of the Zoning Ordinance.

- A. The site is proposed to be zoned I-2, Heavy Industrial.
- B. High intensity mining operation are allowed by special use permit in the I-2 zoning districts.
- C. The site plan complies with all applicable County technical standards including Zoning Ordinance Section 72-42: Mining.
- D. The site is classified as Wetland Resource Protection on the 2006 CAMA Land Classification MAP. Per Section 72-42: Mining, of the Zoning Ordinance, high intensity mining operations are permitted in this classification.

Staff Suggestion: Evidence in the record at this time supports a finding that the use meets all of the required conditions and specifications of the Zoning Ordinance.

Finding 3: The Board must find that the use will not substantially injure the value of adjoining or abutting property or that the use is a public necessity.

- A. The surrounding area is mostly undeveloped.
- B. The property abuts an approximate 1,600-acre parcel of land that is zoned 1-2, Heavy Industrial.
- C. The access road to the mine (Sledge Road) runs along nine existing single-family dwellings and an equestrian facility located in the Wooden Shoe subdivision, and a total of 68 lots are located within the neighborhood.
- D. The applicant provided an analysis of the impacts an active sand mine will have on single-family residential property values within a close proximity to the mining operations (*Proposed Sane Mine – What impact does the presence of an active sand mine have on home values in the adjacent neighborhoods? – Prepared by Trevor Tarleton & F. Blynn Beall, Streamline Evaluation Services*). The analysis examined three sand mines located near residential neighborhoods and found “no significant economic impacts to home values as result of an active sand mine in close proximity to each neighborhood.”

Staff Suggestion: *Evidence provided by the applicant at this time supports a finding that the use will not substantially injure the value of adjoining or abutting property.*

Finding 4: The Board must find that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development for New Hanover County.

- A. The property is located in the Commerce Zone place type, as classified in the 2016 Comprehensive Plan.
- B. The Commerce Zone place type areas serve as employment and production hubs, predominantly composed of light and heavy industrial uses.
- C. The proposal is consistent with the recommended uses of the Commerce Zone place type.
- D. The property abuts an approximate 1,600-acre parcel of land that is zoned 1-2, Heavy Industrial and an approximate 4,000-acre parcel of land that is zoned RA, Rural Agricultural.
- E. The access road to the mine (Sledge Road) runs along nine existing single-family dwellings and an equestrian facility located in the Wooden Shoe subdivision, and a total of 68 lots are located within the neighborhood.
- F. The number of trips generated by the mine will vary based on the demand, however according to the applicant, the mine will average 60-80 truckloads a day while it is in operation.

Staff Suggestion: *The proposed location of the mining operation is generally consistent with Comprehensive Plan and the Commerce Zone place type. However, the access road to the mine may generate impacts to the abutting residential neighborhood. Without improvements along this section of the road to mitigate those impacts, the potential truck traffic may not be in harmony with the area.*

POTENTIAL CONDITIONS

The Planning Board can recommend reasonable and appropriate conditions be added to the special use permit. The applicant has provided the following conditions they are willing to consider on the special use permit:

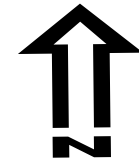
1. Maintain hours of operation of 8 a.m. to 5 p.m. (7 days a week);
2. Enforcing a speed limit of 10 to 15 mph on the section of the access road between the two existing gates to which houses are immediately adjacent;
3. Installation of speed bumps on the section of the access road between the two existing gates to which houses are immediately adjacent;
4. Use of a watering truck or some other means of irrigation on the section of the access road between the two existing gates to which houses are immediately adjacent;
5. Possibly adding some crushed asphalt or rock/aggregate on the section of the access road between the two existing gates to which houses are immediately adjacent;
6. Working with the owners of the houses immediately adjacent to the access road and installing either a wooden fence or vegetative buffer for the impacted properties.

Case:
Z18-19

Site Address:
4100 block
Castle Hayne Rd

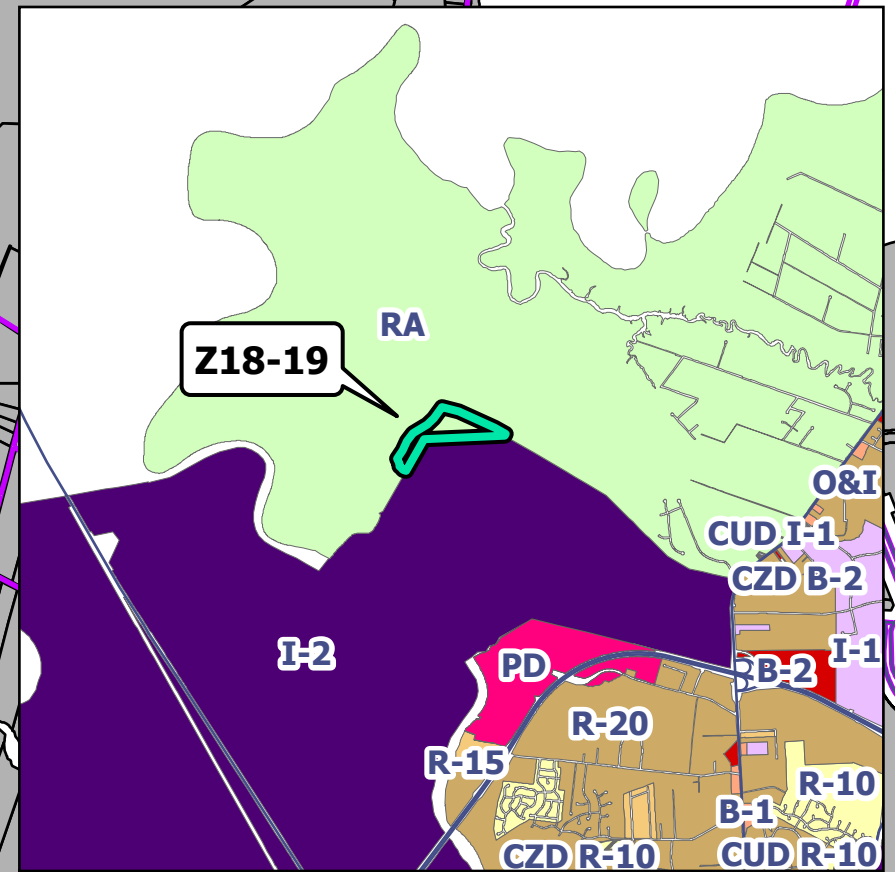
Existing Zoning/Use:
RA/
Undeveloped

Proposed Zoning/Use:
(CUD) I-2/
High Intensity Mining



Z18-19

Sledge Rd



Physical Address

5703 DEKKER RD	5712 DEKKER RD
3944 CASTLE HAYNE RD	5706 DEKKER RD
4000 CASTLE HAYNE RD	5715 DEKKER RD
5711 DEKKER RD	5803 MCDOUGALD DR
4006 CASTLE HAYNE RD	5810 DEKKER RD
4004 CASTLE HAYNE RD	5723 DEKKER RD
5720 MCDOUGALD DR	5811 DEKKER RD
109 MCDOUGALD DR	2720 BERG LN
5725 MCDOUGALD DR	2717 BERG LN
104 MCDOUGALD DR	5707 DEKKER RD
4012 CASTLE HAYNE RD	5701 DEKKER RD
4020 CASTLE HAYNE RD	105 MCDOUGALD DR
4120 CASTLE HAYNE RD	2710 BERG LN
5823 DEKKER RD	2706 DIRCK RD
5812 DEKKER RD	4117 CASTLE HAYNE RD
2724 BERG LN	4117 CASTLE HAYNE RD
2721 BERG LN	104 MCDOUGALD DR
5716 DEKKER RD	3901 CASTLE HAYNE RD
5719 DEKKER RD	3901 CASTLE HAYNE RD
2719 BERG LN	

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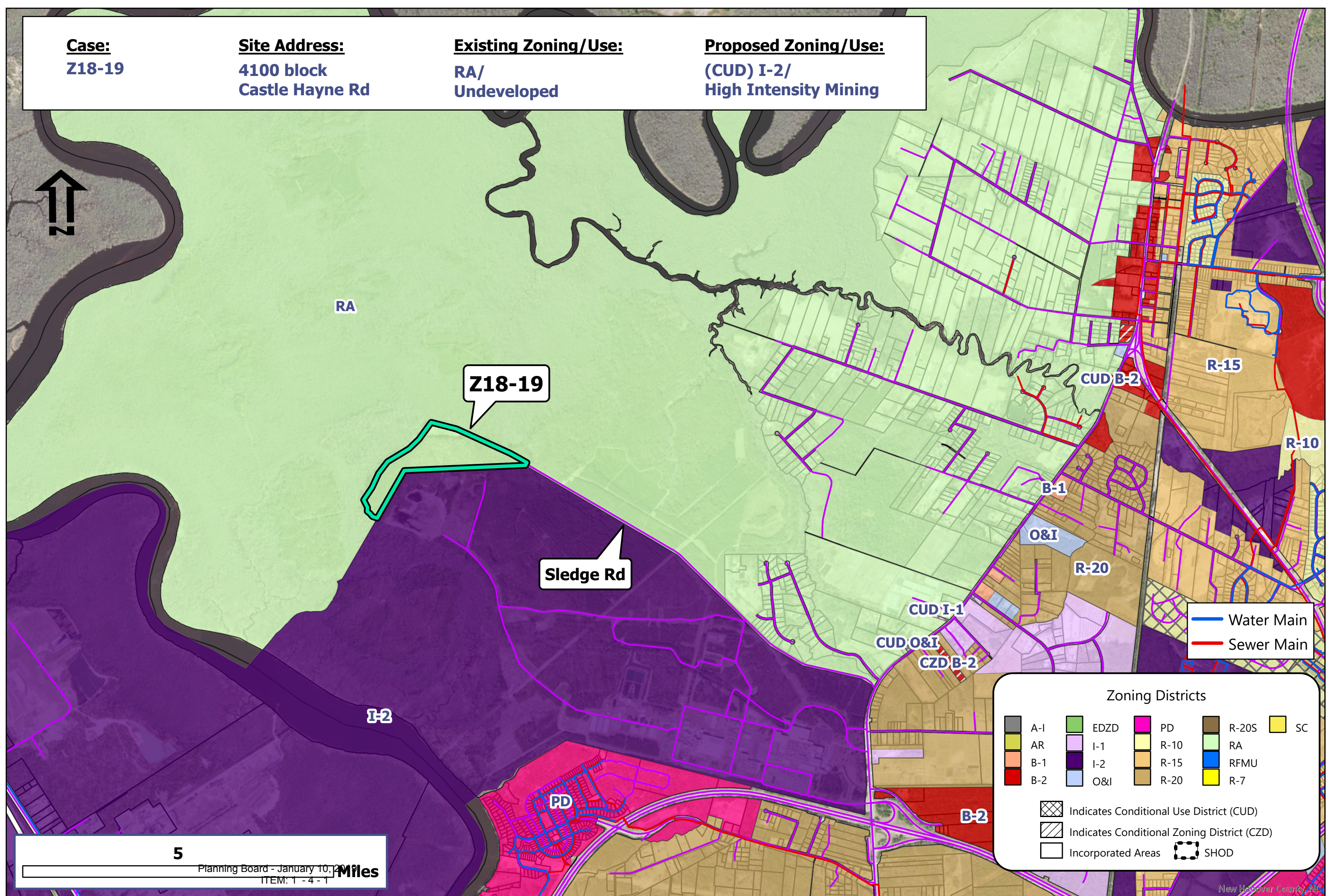
Planning Board - January 10, 2018
ITEM: 1 - 3 - 1
Miles

Case:
Z18-19

Site Address:
4100 block
Castle Hayne Rd

Existing Zoning/Use:
RA/
Undeveloped

Proposed Zoning/Use:
(CUD) I-2/
High Intensity Mining

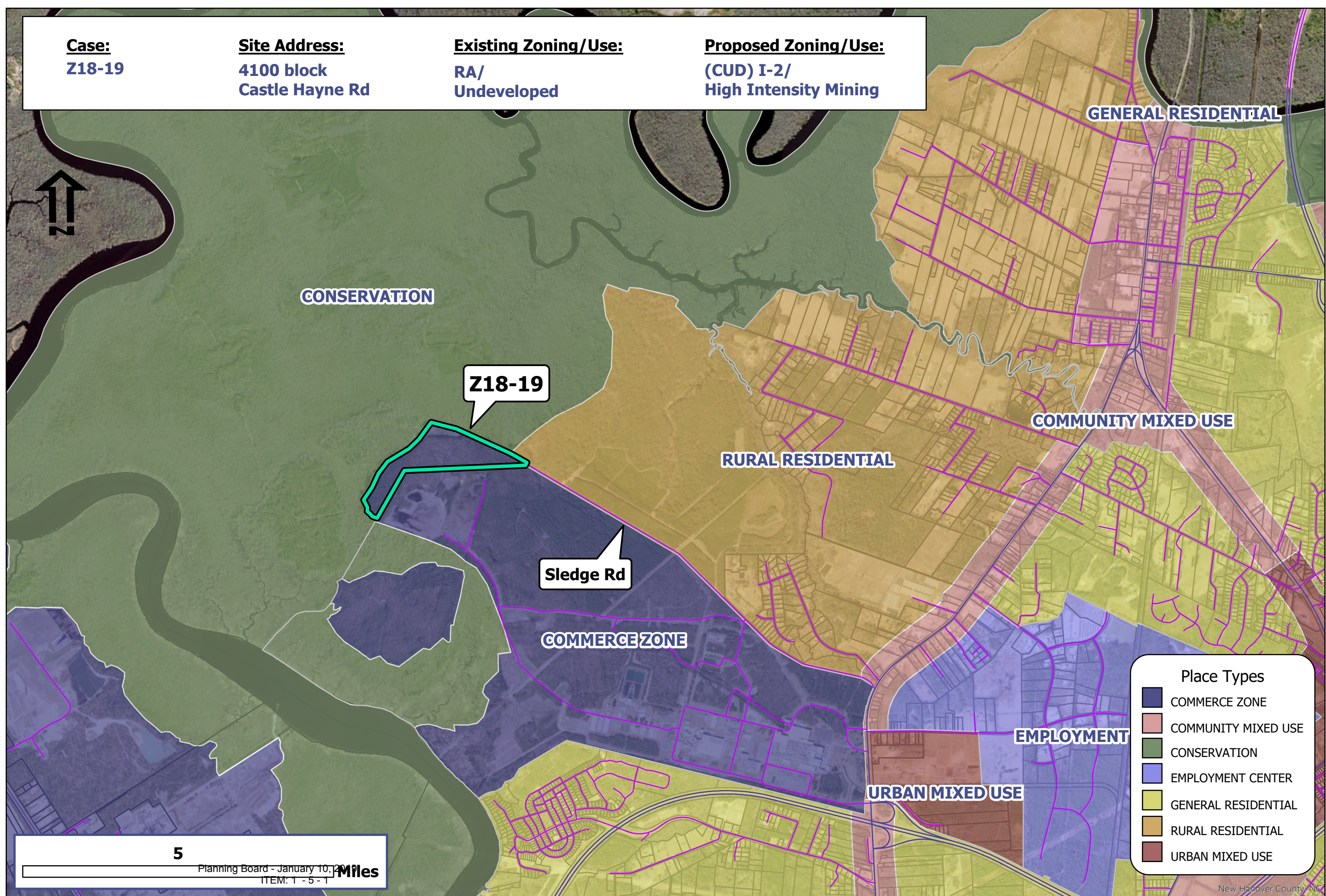


Case:
Z18-19

Site Address:
4100 block
Castle Hayne Rd

Existing Zoning/Use:
RA/
Undeveloped

Proposed Zoning/Use:
(CUD) I-2/
High Intensity Mining



APPLICANT MATERIALS

**HILTON PROPERTIES LIMITED PARTNERSHIP
2018 CONDITIONAL USE, DISTRICT REZONING AND SPECIAL USE
PERMIT APPLICATION
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NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE

230 Government Center Drive, Suite 110

Wilmington, North Carolina

Telephone (910) 798-7165

FAX (910) 798-7053

planningdevelopment.nhcgov.com



CONDITIONAL USE ZONING DISTRICT Application

REVIEW PROCESS

Step 1: Pre-Application Conference (Optional)

In order to assist applicants through the conditional use rezoning process, applicants are highly encouraged to attend a pre-application conference prior to application submittal. Applicants are requested to review the sections of the Zoning Ordinance specific to zoning amendments, conditional use zoning districts, and special use permits prior to submission, and advised to contact Planning Staff with any questions. The following sections of the Zoning Ordinance pertain specifically to zoning amendments, conditional use zoning districts, and Special Use Permits:

- Section 55.2: *Conditional Use District*
- Section 70: *General Information, Applications, Process, Public Notice, Public Hearings, Review and Decision, and Conclusions Required for Approval*
- Section 71: *Validity, Extensions, and Changes for Approved Special Use Permits; Resubmittals of Denied Applications*
- Section 72: *Additional Restrictions Imposed on Certain Special Uses*
- Section 110: *Amending the Ordinance*
- Section 111: *Petition*
- Section 112: *Approval Process*

Step 2: Community Meeting

Prior to application, at least one community information meeting must be held, and a report summarizing the community information meeting is required as part of the application. The primary purpose of the community meeting is to explain the upcoming proposal and field questions from people in the surrounding area. The meeting should focus on information exchange between an applicant and the specific invitees but should be open to the general public as well.

The community meeting shall comply with the following procedures:

- **Notification**

- Mailed Notice

- The applicant must provide written notice by mail or other agreed upon measure at least ten days prior to the date of the community meeting. Notice shall be provided to each owner of record of land and any current tenants within 500 feet of and on the property for which development approvals are sought.

- E-Mailed Notice

- The applicant must provide the Department of Planning & Land Use with a completed community notice template in a digital format at least twelve days prior to the date of the community meeting. The notice will be provided to organizations entitled to notice based on a standing written request on file with the Clerk to the Planning Board ("Sunshine List").

- **Written Summary**

The written summary of the community meeting included in the application must include, at a minimum the following:

1. A list of those that were not able to be contacted and reason(s) why contact was not successful;
2. Date, time and location of the meeting;
3. Roster of the persons in attendance at the meeting;
4. Summary of issues discussed at the meeting; and
5. Description of any changes or adjustments to the application made by the petitioner as a result of the community meeting.

Step 3: Application Submittal

Applications must be received by the Department of Planning & Land Use by 5:00 PM on the application deadline date. A complete application consists of the items detailed in the submittal checklist provided in this application. Staff will confirm if an application is complete within five business days of submittal. A schedule of application deadlines is available at planningdevelopment.nhcgov.com or in the Department of Planning and Land Use office.

Step 4: Staff Review and Recommendation

Upon receiving a completed application, staff may distribute it to certain departments and agencies for review. County Planning staff will review the application, and prepare a staff report. Staff may propose additional conditions and requirements beyond those listed in the petition/application.

Step 5: Planning Board Review and Recommendation

The New Hanover County Planning Board will consider the application at a public hearing. The Department of Planning & Land Use will notify the public of this hearing in accordance with standards of the Zoning Ordinance. This includes sending mailed notice to nearby residents, posting a sign on the subject property, and advertising the hearing in a local newspaper.

The public hearing will allow staff, the applicant, proponents and opponents to testify in regards to the request. The Planning Board will make a recommendation to the County Commissioners. A recommendation for denial ends consideration of the proposed zoning amendment unless the recommendation is appealed. A recommendation for approval is automatically forwarded to the County Commissioners for action. The Planning Board may propose additional conditions and requirements beyond those listed in the petition/application.

Conditional Use Zoning Districts shall be considered as a two-part decision. The proposed rezoning is considered first, then the companion Special Use Permit proposal. However, the Special Use Permit is not considered if the Board recommends denial of the rezoning.

Step 6: Board of Commissioners Review and Action

The New Hanover County Board of Commissioners will consider the application at a public hearing. The Department of Planning & Land Use will notify the public of this hearing in accordance with standards of the Zoning Ordinance. This includes sending mailed notice to nearby residents, posting a sign on the subject property, and advertising the hearing in a local newspaper.

Prior to adopting or rejecting any zoning amendment, the Commissioners shall adopt a statement describing whether or not the amendment is consistent with the County's Policies for Growth and Development and explaining why the Commissioners consider the action taken as reasonable and in the public interest. The Commissioners may propose additional conditions or requirements beyond those contained in the petition/application.

For Conditional Use Zoning Districts, the proposed rezoning is considered first, then the companion Special Use Permit proposal. If the rezoning is denied, the Special Use Permit is not considered. If both the Conditional Use District and the companion Special Use Permit are approved, the ordinance amendment is adopted. If the Conditional Use District is approved but the Special Use Permit is denied, then the Board shall immediately rescind their approval of the rezoning.

NEW HANOVER COUNTY

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CONDITIONAL USE ZONING DISTRICT Application

Applicant/Agent Information		Property Owner(s) <i>If different than Applicant/Agent</i>	
Name Stephen D. Coggins		Owner Name Hilton Properties Limited Partnership	
Company Rountree Losee LLP		Owner Name 2	
Mailing Address P. O. Box 1409		Mailing Address P. O. Box 523	
City, State, Zip Wilmington NC 28402		City, State, Zip Whiteville NC 28472	
Phone (910)763-3404		Phone (843)283-4468	
Email scoggins@rountreelosee.com		Email twooddard@sitetechsystems.com	
Subject Property Information			
Address/Location 4117 Castle Hayne Road, Castle Hayne, NC			
Parcel Identification Number(s) R00900-001-002-000			
Total Parcel(s) Acreage 63.02			
Existing Zoning and Use(s) RA			
Future Land Use Classification Commerce.			
Application Tracking Information (Staff Only)			
Case Number	Date/Time received:	Received by:	

Proposed Zoning, Use(s), & Narrative

Proposed Conditional Use Zoning District: CUD I-2

Total Acreage of Proposed District: 63.02

Only uses allowed by right or by Special Use Permit in the corresponding General Use District are eligible for consideration within a Conditional Use Zoning District. Please list the uses that will be allowed within the proposed Conditional Use Zoning District, the purpose of the district, and a project narrative (please provide additional pages if needed).

The subject property is a 63.02-acre parcel currently zoned RA (Rural Agricultural) and located within a Wetland Resource Protection Area (the "Subject"). Access to the site is from Castle Hayne Road along the Applicant's private gated gravel road known as "Sledge Road", which parallels the parcel line share with the GE Hitachi property. Applicant proposes to operate Phase 1 of a sand mine on the western-most 28.10 acres pursuant to State Mining Permit #65-35, as modified December 15, 2015 (Attachment No. 2-A, Tab 5). Such use requires a Special Use Permit and rezoning of the Subject from RA to Conditional Use District ("CUD") Industrial 2 ("I-2"). See site Plan (Tab 16). The Subject is part of a 4,100-acre tract (currently zoned RA) adjacent to the GE Hitachi industrial facility in Castle Hayne which is zoned I-2. (The description of the "parent" 4100 acre tract is set forth in DB 2211 Page 685, a copy of which is attached as Attachment 1, Tab 3). The Subject's southern and southeast boundary serves also as the northern and northeastern boundary of the GE tract. Currently the Subject is part of a managed tract used for hunting and/or timber. GE has conducted sand mining near the Subject as part of required environmental remediation activities arising from GE's groundwater contamination. No mining will occur in a conservation area or the AE flood zone. A \$36,300 reclamation bond will be purchased by Hilton Properties Limited Partnership ("Owner) pursuant to the State Mining Permit.

Traffic Impact

Please provide the estimated number of trips generated for the proposed use(s) based off the most recent version of the Institute of Transportation Engineers (ITE) Trip Generation Manual. A Traffic Impact Analysis (TIA) must be completed for all proposed developments that generate more than 100 peak hour trips, and the TIA must be included with this application.

ITE Land Use: N/A (less than 100 peak hour trips)

Trip Generation Variable (gross floor area, dwelling units, etc.): _____

AM Peak Hour Trips: _____ PM Peak Hour Trips: _____

CONSIDERATION OF A CONDITIONAL USE ZONING DISTRICT

Conditional Use District Zoning is established to address situations where a particular land use would be consistent with the New Hanover County Land Use Plan and the Zoning Ordinance objective but for which none of the general zoning classifications which would allow that use are acceptable. The applicant must explain, with reference to attached plans (where applicable), how the proposed Conditional Use Zoning District meets the following criteria.

1. How would the requested change be consistent with the County's policies for growth and development? (For example, the Comprehensive Plan and applicable small area plans)

The proposed sand mine use for the Subject is consistent with (a) its "Commerce" designation shown on the Future Land Use Map and the I-2 zoning and (b) the use of the adjacent GE Hitachi industrial facility where sand mining has already taken place as part of an environmental remediation plan. According to the 2016 Plan NHC, New Hanover County (the "County") expects 66% growth by year 2040. See additional information attached Attachment No. 2 (Tab 4) and Attachment No. 8 (Tab 15).

2. How would the requested Conditional Use Zoning District be consistent with the property's classification on the Future Land Use Map?

The Subject and the adjacent GE Hitachi facility are designated on the Future Land Use Map as "Commerce". A copy of the applicable portion of the Future Land Use Map is attached as Attachment No. 3 (Tab 6). Uses allowed in the I-2 zoning district and by a heavy manufacturing Special Use Permit is consistent with the Subject's Future Land Use Map "Commerce" designation.

3. What significant neighborhood changes have occurred to make the original zoning inappropriate, or how is the land involved unsuitable for the uses permitted under the existing zoning?

Significant neighborhood changes include (1) the issuance of the State Mining Permit (the "Permit") to allow sand mining on the Subject; (2) sand mining excavation activities on the adjacent GE site in an area located about the same distance from existing residences as the Subject; and, (3) increased demand for sand in the area. The Subject's proposed use as a sand mine is not permitted in the RA zoning district. Thus, a rezoning to CUD I-2 is needed.

4. How will this change of zoning serve the public interest?

Availability of nearby readily-accessible sand is a public necessity. Operation of the sand mine in accordance with the conditions in the Permit is also in the public interest. Owner will operate the sand mine accordingly during normal business hours. The precise number of truck trips per day will depend on demand (probably averaging 60-80 trips per day and never as much as 100 truck trips per hour). See See Attachment No. 4(Tab 7)on Permit conditions mitigating impacts, which further serve the public interest.

CRITERIA REQUIRED FOR APPROVAL OF A SPECIAL USE PERMIT

Within a Conditional Use Zoning District, no use is allowed except by Special Use Permit. In order for a Special Use Permit to be issued, the Board of Commissioners must find that the application is meeting the following findings of fact. The applicant must explain, with reference to attached plans (where applicable), how the proposed use meets these required findings (please use additional pages if necessary). The applicant has the burden of proof and must provide sufficient evidence in order for the required findings to be met. Planning staff, the Planning Board, and the Board of County Commissioners reserve the right to require additional information, if needed, to assure that the proposed Special Use Permit meets the required findings.

1. The use will not materially endanger the public health or safety if located where proposed and approved.

Considerations:

- Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersections with curb cuts
- Provision of services and utilities, including sewer, water, electrical, garbage collections, fire protection
- Soil erosion and sedimentation
- Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater
- Anticipated air discharges, including possible adverse effects on air quality

Please see Attachment No. 5 (Tab 9) concerning this factor. In addition, an independent US Army Corps of Engineers wetland determination indicates that the proposed project does not impact jurisdictional waters or wetlands (Attachment No. 6-A, Tab 13). Further, the proposed use complies with Section 72-42 of the zoning ordinance. Also, the proposed use complies with the provisions of the Mining Act, NCGS 74-46, et. seq., with additional conditions outlined in the Permit by the NCDEQ Division of Energy, Mineral and Land Resources ("DEMLR").

2. The use meets all required conditions and specifications of the Zoning Ordinance.

Please see Attachment No. 6 (Tab 12). In addition, the proposed use complies with the provisions of the Mining Act, NCGS 74-46, et. seq., with additional conditions outlined by the NCDEQ DEMLR.

CRITERIA REQUIRED FOR APPROVAL OF A SPECIAL USE PERMIT

(continued)

3. The use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.

Considerations:

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved (i.e. buffers, hours of operation, etc)
- Whether the proposed development is so necessary to the public health, safety, and general welfare of the community or County as a whole as to justify it regardless of its impact on the value of adjoining property

The Subject is 2.3 miles off Castle Hayne Road and is accessible only via a locked gate entrance. The

Subject is not visible or accessible to the general public or by residents who live adjacent to Sledge Road.

The anticipated traffic will be minimal. (A traffic impact study is not required due to under 100 peak hour trips.) Precautions will minimize any truck traffic noise and dust.

The studies attached hereto as Attachment No. 4A (Tab 8) and 7 (Tab 14) indicate (1) no damage to the value of residential properties adjacent to sand mines, and (2) the sand mine operation is a public necessity.

4. The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the New Hanover County Comprehensive Land Use Plan.

Considerations:

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved (i.e. buffers, hours of operation, etc)
- Consistency with the Comprehensive Plan's goals, objectives for the various planning areas, its definitions of the various land use classifications and activity centers, and its locational standards

Please see Attachment No. 8 (Tab 15).

APPLICATION REQUIREMENTS

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". Applications must be determined to be complete in order to process for further review.

Required Information		Applicant Initial	Staff Initial
1	Complete Conditional Use Zoning District application	SC	
2	Application fee – (\$600 for 5 acres or less, \$700 for more than 5 acres. An additional \$300 fee must be provided for applications requiring TRC review)	SC	
3	Community meeting written summary	SC	
4	Traffic impact analysis (for uses that generate more than 100 peak hour trips)	n/a	
5	Legal description (by metes and bounds) or recorded survey Map Book and Page reference of the property requested for rezoning.	SC	
6	<u>Site Plan including the following elements:</u> <ul style="list-style-type: none"> • Tract boundaries and total area, location of adjoining parcels and roads • Proposed use of land, structures and other improvements. For residential uses, this shall include number, height and type of units and area to be occupied by each structure and/or subdivided boundaries. For non-residential uses, this shall include approximate square footage and height of each structure, an outline of the area it will occupy and the specific purpose for which it will be used. • Development schedule including proposed phasing. • Traffic and Parking Plan to include a statement of impact concerning local traffic near the tract, proposed right-of-way dedication, plans for access to and from the tract, location, width and right-of-way for internal streets and location, arrangement and access provision for parking areas. N/A • All existing and proposed easements, reservations, required setbacks, rights-of-way, buffering and signage • The one hundred (100) year floodplain line, if applicable • Location and sizing of trees required to be protected under Section 62 of the Zoning Ordinance N/A • Any additional conditions and requirements, which represent greater restrictions on development and use of the tract than the corresponding General Use District regulations or other limitations on land which may be regulated by State law or Local Ordinance. • Any other information that will facilitate review of the proposed change (Ref. Article VII, as applicable) 	SC	
7	1 hard copy of ALL documents AND 8 hard copies of the site plan. Additional hard copies may be required by staff depending on the size of the document/site plan.	SC	
8	1 PDF digital copy of ALL documents AND plans on a compact disc (CD).	SC	

Thumb Drive



ACKNOWLEDGEMENT AND SIGNATURES

By my signature below, I understand and accept all of the conditions, limitations and obligations of the Conditional Use District zoning for which I am applying. I understand that the existing official zoning map is presumed to be correct. I understand that I have the burden of proving why this requested change is in the public interest. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and commitments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.

HILTON PROPERTIES LIMITED PARTNERSHIP

BY: <u></u> Signature of Property Owner(s)	<u>David Fort, Partner</u> Print Name(s)
<u></u> Signature of Applicant/Agent	<u>Stephen D. Coggins</u> Print Name

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.

***The land owner or their attorney must be present for the application at the public hearings.**

If an applicant requests delay of consideration from the Planning Board or Board of County Commissioners before notice has been sent to the newspaper (approximately 2-3 weeks before the hearing), the item will be calendared for the next meeting and no fee will be required. If delay is requested after notice has been sent to the newspaper, the Board will act on the request at the scheduled meeting and are under no obligation to grant the continuance. If the continuance is granted, a fee in accordance with the adopted fee schedule as published on the New Hanover County Planning website will be required.

For Staff Only			
Application Received:	Completeness Determination Required By (date):	Determination Performed on (date):	Planning Board Meeting:

Summary of 10.24.18 Community Meeting
Hilton Properties Limited Partnership
6500.154

1. List of those not able to be contacted.

There were three parties that were mailed a notice of this meeting, which notice was returned as undeliverable due to the fact that the addressees were no longer living at the address noted. Their names are Karen Leigh Bell, Betty J. Earnhardt and William and Christina Tate.

A notice of this meeting was mailed to the parties listed on the attached mailing matrix at the addresses shown on October 4, 2018 (20 days prior to the meeting date). Local media outlets also communicated the date and time of this meeting.

2. Date, time and location of meeting.

The community meeting was held at St. James AME Church at 3425 Castle Hayne Road, Castle Hayne, NC, 28429, on Wednesday, October 24, 2018 at 6:00 p.m.

3. Roster of the persons in attendance.

See roster attached.

4. Summary of issues discussed at the meeting.

The community meeting was held in regard to planned applications by Hilton Properties Limited Partnership (hereinafter "Hilton") for a Special Use Permit to operate a sand mine on, and rezoning of, Hilton's 63.02-acre tract from RA to CUD I-2. The tract is located at 4117 Castle Hayne Road, Castle Hayne, NC, and is identified as PID R00900-001-002-000. The tract adjoins the GE property and is located 2.3 miles from Castle Hayne Road accessed from Castle Hayne Road via private Sledge Road (owned by Hilton).

Copies of the mining permit, figures attached to environmental report and recent Port City Daily news article were handed out to attendees. A copy of the handout is attached. A copy of the attached sign-in sheet passed around at the meeting is attached hereto. The majority of attendees signed in, but not all.

The meeting started at 6:00 p.m. with Steve Coggins giving a presentation regarding the proposed location in relation to the Wooden Shoe neighborhood, the available information on contamination migration from the GE site with existing

monitoring wells, the method of mining to be used (wet mining) and its effect on contamination migration, estimated truck traffic, manner of egress and ingress to and from proposed location; life span of the operation; explanation of the SUP process and other issues pertinent to the people living in the area. He also introduced Hilton's representatives, Todd Woodard, David Fort and David Tripp.

After he finished his presentation he opened the floor to questions and comments. Following is a summary of the comments/concerns/questions expressed by attendees of the meeting:

An audience member opined that Hilton could not give a 100 percent (100%) guarantee that the existing contamination would not migrate to the proposed mining operation site; that Hilton was only in it to make a buck with no concern as to the impact of the operation on the neighboring residents as to the contamination migration, truck traffic, environment, the refurbishing of the mining site after cessation of the operation and any long-term impacts. Mr. Coggins reiterated the statistics provided by the RTI and other experts regarding the migration of the existing contamination.

An audience member who is a resident of the Wooden Shoe development expressed concern that the water table would be affected causing the drinking water wells of depths of 40 feet to 45 feet will become ineffective resulting in the owners having to drop new deeper wells at considerable personal cost. Mr. Coggins explained that the wet-mining method to be used would prevent this from happening. The gentleman also stated that the area residents had received little to no representation from elected officials in when it was decided that there would be no water/sewer hook up to their homes. He was perplexed at there wasn't an elected official in attendance at this meeting.

An audience member asked to hear from the mining expert and Dave Tripp stood and addressed the issue of wet-mining.

A woman who is a resident of the Wooden Shoe development spoke next citing concerns regarding the truck traffic and the fact that Hilton could not give a 100% guarantee this traffic would not negatively affect the area. She thought an alternative route of ingress and egress should be explored.

A gentleman noted that Sledge Road was not a paved road and that the amount of truck traffic would cause a constant state of disrepair to the gravel road. He asked how many trucks would be traveling the road per day, what days of the week would the mining operation be open and what the hours of business each day would be. Dave Tripp stated that Hilton did not know at this point exactly how many trucks would be traveling the road each day, but it could be up to 100. He also stated that the mining operation would be of benefit to the community. He

stated that in other situations he has been involved in such as this, the local community fought against the operations, but after they were up and running, they loved them.

The next audience member to speak raised the question of who monitors the monitoring wells on the property belonging to Hilton and how often. David Fort addressed this question and stated that he is notified when the monitoring wells are tested, and it is more often than once a year and RTI does the sampling. Also, that there are multiple samplings done that are summarized in a report he receives from RTI.

The next audience member asked how this sand mining operation would benefit this community and if Hilton felt bad about bringing this mining operation into the area, upsetting the neighborhood and residents. Also, how could she counteract the noise from the truck traffic. Mr. Tripp suggested that residents could put a privacy fence along their lots adjacent to Sledge Rd.

An audience member then stated that a similar operation in the Rockhill and Chair Road areas left the road in disrepair and would Hilton "fill in the hole" created by the sand mine operation. Mr. Tripp stated that the resulting "hole" would become a very large pond and that the area surrounding the resulting pond would be sloped and grassed.

Another statement of concern regarding the toxicity issue and what is being done by GE and who is doing the monitoring of the GE contamination. Mr. Coggins replied it was RTI. The question was then asked, "Who pays for it?" To which, Mr. Coggins answered GE. Then a statement was made from the audience that it was paramount to "the fox watching the hen house".

Mr. Coggins informed the audience that there were five environmental reports pertaining to the GE contamination that are public record.

An audience member then asked the representatives from Hilton if they would be willing to move to and live in the area adjacent to the proposed sand mine operation. Mr. Tripp said he was willing.

It was then opined by an attendee that with the recent Gen-X contamination, there should be continuous monitoring of the area for contamination and the sand being mined should be monitored for contamination as well, citing an incident in Kure Beach where arsenic was detected in sand removed from one area which was deposited in another area.

An attendee then asked about the life span of the operation which was answered by Mr. Tripp as unknown due to the fact that Hilton does not know what the demand will be for the sand and how much sand is actually there to be mined.

The question was asked that if Hilton owns 4,000 acres, why does Hilton want to locate the mine at the proposed site. This was answered by Mr. Coggins and Mr. Fort that the proposed site is where the sand is.

Concern was then expressed by an attendee about the resulting truck traffic on Sledge Road and that they were skeptical of the information they were being given by Hilton and why should the neighbors take the risk of having this mining operation in their community.

The question was asked if there would be required a traffic impact analysis. Mr. Coggins stated there would not, being that the estimated amount of truck traffic was below the requirement for same.

It was then suggested by someone in the audience that more monitoring wells be installed and that the frequency of sampling these wells be increased.

An audience member then asked what was GE's position on this matter? Mr. Coggins stated what he had been told that GE was neither for it or against it.

An attendee then addressed his concerns regarding sea level and the flood zone with regard to the migration of the contamination. He stated that areas that had never been known to flood had done so after Hurricane Florence. He cited Hwy 421.

A statement was made that a survey showing emerging chemicals/all chemicals should be done and made available to the residents.

An audience member stated that she enjoyed her community, the local wildlife and the peace and quiet of the area. She stated that all of those enjoyments would be ruined/disrupted by 20 trucks a day traveling Sledge Road.

A statement was made that with the political environment of the day eroding the environmental protections in place it was imperative that all interested parties against the mining operation say "No" and that they "Don't Want" this operation in their community. That there should be a study done regarding the resulting lake.

Another statement was made regarding the integrity of Hilton due to the fact that the first mining application submitted by Hilton did not mention of the contamination and why should the community believe that they are not hiding something else.

A question was asked about the budget for the refurbishment/grass over/residual waste at the cessation of the operation. Mr. Tripp answered \$36,000.

A question was asked about as to Hilton giving the community access to the resulting pond/lake for recreation.

Harper Peterson was an attendee and was called upon to comment and he told the audience that if they wanted to have their voices heard on this matter they must organize, contact their County Commissioners, attend the Planning Board meeting and the County Commissioners meeting and demand more than the usually allotted time afforded the public to be heard. The more people attending the better the chances.

Steve Coggins stated that the matter should be heard by the Planning Board in January and then by the County Commissioners for the final decision in February.

An attendee stated that he believed that the wet-mining method would change the flow of the contamination.

An attendee stated that he had experienced a situation in Greensboro where the residents near a new airport were told that the facility would have no impact on their home values, but in actuality it did, and it took him 3 ½ years to sell his house and he got less than what he paid for it from that sale.

An attendee asked what elected officials he should contact regarding his concerns and Harper Peterson answered: Woody White, Rob Zapple, Jonathan Barfield, Pat Kusek and Skip Watkins. Mr. Peterson also relayed information about the "Sunshine List" on the New Hanover County website and how you can sign up for notification of upcoming county board meetings.

A woman also supported what Harper Peterson said and explained that one of the contaminants found at the GE site was uranium that has a half-life of uranium was over a million years.

Mr. Coggins thanked the Reverend Theresa Holmes for making St. James AME available for the meeting.

On that note the meeting was adjourned at 7:40 pm.

5. Description of any changes or adjustments to the application as a result of the community meeting.

Applicant is exploring ways to mitigate any effects of noise and dust on Sledge Road where it borders with the rear property lines of some Wooden Shoe subdivision properties. Applicant also sent the meeting handout via email to all those on the roster sheet and solicited any comments.

Hilton Properties Limited Partnership
 October 24, 2018 Community Meeting
 Attendance Sheet

NAME	ADDRESS	EMAIL	PHONE
Sonia + Alan Morris	3639 Rosewood Landing Drive	al.s.morris@yahoo.com	
Kathy + Jack Hale	559 Sea Holly Dr.	KEGALE@bellsouth.net	
Stelle Jaffe	182 Santa Francis Ad	stev42@bellsouth.net	
John Gordon	214 Damber Dr	jcgatbeach@aol	
Emerson Whitted	3503 Emerson Dr.	ea753@aol.com	910.675.0549
Deloris Whitted	4601 Chair Rd.	trepeyton@aol.com	
Carole Lynn Wilson	5803 McDougald Dr. CH	CWilson23@ecr.com	
BOB FARR	6706 FALCON POINTE R	rbarr@ecr.com	
JANET R COOLEY	321 JENOA DR CH	janetcooley@gmail.com	
Bruce + Betsy Ritter	417 Cornubia, CH	britters55@aol.com	
Bob Costello	3631 Nucourt Lane CH	bobycastello@gmail.com	409.571.1102
Kayue Darrell	5008 Castle Lakes Rd CH	Kayue@ecr.com	
Betsy Jaffe	633 Jena Dr	bj110165@gmail.com	

Janet + Alan Morris
 jcmorris@bellsouth.net

NAME	ADDRESS	EMAIL	PHONE
Bernard Williams	2381 Rock Hill Rd Castle Hayne ²⁸⁴²⁹	BWilliams2381@ad.com	910-471-6649
Kerri Allen	5001 Clear Run Dr. Wilmington ²⁸⁴⁰³	Kerri.Allen@live.com	609-8469
Russell Murphy	5719 Dekker Rd C.H. ²⁸⁴²⁹	rmurphy7@ec.rr.com	910-471-9543
Judy Russo	3908 Sondey Rd C.H. ²⁸⁴²⁹	jurusso51@hotmail.com	910-471-2668
Colleen Russo	" "		910-471-2669
Rhonda Wrisbon	1516 Rock Hill Rd Castle Hayne, NC ²⁸⁴²⁹	—	910-675-2298
Dona Allen Edwards	8244 The Creek Rd Castle Hayne, NC		910-471-8793
Ben Smart	WEST NEWS (NBC)	bsmart@west.com	910-524-9334
Jennifer Noble	524 Sea Holly Drive ^{Castle Hayne} NC ²⁸⁴²⁹	jendora1@gmail.com	609-892-8941
Eug Noble	" "	gnoble@yahoo.com	910-859-3662
Carol Beasley	413 Delo Dr Castle Hayne	cbeasley2@gmail.com	910-550-0501
Pitt Schiano	300 JENOA DR CASTLE HAYNE	CAOTRITS@gmail.com	480-8954860
Kim O'Bannon	206 Camber Dr Castle Hayne	kimobannon@gmail.com	910-233-0442
LINDA PEITE EMERY	205 CORNWALL DRIVE ^{Castle Hayne}	decart105@gmail.com	

NAME	ADDRESS	EMAIL	PHONE
Walter Mollen	625 TENOA DR C.H N.C	CARTSL@AOL.COM	631 455-6575
Laurel Keist	625 TENOA DR Castle Hayne NC	LALES516@AOL.COM	631 339-4199
Bob Rodgers	603 TENOA DR Castle Hayne NC	pr4fish@yahoo.com	632-3343
Jenny Hsu	607 Tanager Dr. Castle Hayne NC	jhsu288@yahoo.com	910-346-0329
T. TENKSBURY	3622 Rosewood Landing NC	ttensks1@comcast.net	
KEN KLEMAS	3630 Rosewood Landing Dr.	k5:enase@yahoo.com	
CARL GIERLO	518 SEA KELLY DR.	carlgierlo@gmail.com	315-778-1652
ALBERT & SIMON	421 BURGESS CT	larsalbert@gmail.com	
L. Whitfield		lutherwhitfield@yahoo.com	
L. Whitfield	2601 Chargin Rd	teeperfora@aol	
BEN ANDREA			
ERIN CAREY		erin.carey@sierraclub.org	
Piiss Endo	7414 lucky Fish Ln 28411	pauline.endo@gmail.com	
JOY FINKERS	105 N DOUGLASS DR.	lujoy@att.net	615-9461

NAME	ADDRESS	EMAIL	PHONE
Jeff Cook	611 Jenea Dr. Castle Hayne ²⁸⁴³⁵	jeffcook12@gmail.com	
Earla Pope	149 Chadwick Ave. Wilm. NC 28401	earlapope ^(10pope) @bellsouth.net	(910) 763-6929
Tom Jacobs	3634 Rosewood, Castle Hayne	JTWLJ222@GMAIL	
Nancy Jacobs	3634 Rosewood landing, Castle Hayne ²⁸⁴³⁹	itn1222@gmail.com	617-1739
Linda M. Swenson	5908 Dekker Rd. Castle Hayne, NC ²⁸⁴³⁹	Linda-Swenson@gmail	(910) 675-3356
Will Grant	409 Burocco Courty, Castle Hayne ²⁸⁴³⁹		919-637-3106
Buffy Constantine	208 Amber Dr. Castle Hayne	buffy.constantine@gmail.com	910-300-3807
Karen Clow	3610 Hausa Dr CH	karen@riverbluffs	
Alistair Canal	" "	living.com alliecanal@yahoo.com	
John Lennon	3571 Hausa Drive Castle Hayne, NC ²⁸⁴³⁹	johnlennon@riverbluffs.living.com	
Samuel Grady T	801 Sheffield Ct Wilmington, NC ²⁸⁴⁰³	gleumas410@gmail.com	(910) 520-9176
HARPER PETERSON	212 Orange St Wilm.	harp.peterson@gmail.com	910-645-1020
Roger Shew	4910 Park Wilm. NC	shew@uncw.edu	
BABY + DON KOHLER	925 Chauin Rd. Castle Hayne, NC ²⁸⁴³⁹	babababy@gmail.com	910-1023-5019

ERNE MARRA

325 SEA HAWK DRIVE, CASTLE HAYNE, NC 28529
ERNE@DUNE-WIRES.COM
910-392-0519

NAME	ADDRESS	EMAIL	PHONE
ERIC GARCIA	208 CROFT RD CASTLE HAYNE NC	egarcia@dunes.com	910-619-0111
JAMES & DONNA FISK	5706 DECKER RD CASTLE HAYNE NC	fiskdk57@gmail.com	910-603-0133
SOMMA & KEVIN CROOM	5822 DECKER RD CASTLE HAYNE NC	sommacroom42@gmail.com	
BRIAN & RHONDA SMITH	2800 DICK RD CASTLE HAYNE NC	rhondakaysmith1@aol.com	910-603-3403
HENRY W. RUFFIN	135 LAUREL DR WILMINGTON NC	hruffin@bellsouth.net	
DEBRA & DAVID	3327 DAVIS DR CASTLE HAYNE NC		910-603-5555
DAVID & DAVID	3327 DAVIS DR CASTLE HAYNE NC		910-603-5555
ALVIN HERTON	2717 BEECH LN CASTLE HAYNE NC		910-512-1707
JAN & DAN MORGAN	3804 DICK RD, CASTLE HAYNE NC	dmj9@yahoo.com	910-471-5987
LEAH MCGRAW	2719 BEECH LN CASTLE HAYNE NC	mcgrawleah@gmail.com	910-262-7066
TIM & JUDY GUILLEY	3626 ROSEWOOD LANDING DR CASTLE HAYNE NC	guileyjoe@gmail.com	910-623-5060
JOHN JOBERT	202 LEMER DR CASTLE HAYNE NC	johnjo66@gmail.com	703-408-1698
DR. HOYT HANDECK	203 CAMPUS DR, CASTLE HAYNE NC	hoyt@handeck.com	301-251-0172
LEIGH & CARL HIRSH	3555 HANSA DR CASTLE HAYNE NC	carlhirsh@gmail.com	706-830-0277
		danarabbin85@gmail.com	706-830-0347

PETE & MARY FRIENDMAN 3621 CHILCORA DR, CASTLE HAYNE NC 28529
PETE@FRIENDMAN321@gmail.com
910-833-5656

NAME	ADDRESS	EMAIL	PHONE
Joy Cotten	400 Jena Dr Castle Hayne	Joy.Cotten@gmail	2018035879
Kelly Good	505 Jena Dr Castle Hayne	healthcoach497@gmail.com	757 650-5787
Bob Switzer	400 Jena Castle Hayne	Bob@BobSwitzer.com	703-624-4041
Michael Hill	1701 Rock Hill Rd Castle Hayne		910-200-0469
Howard Williams	117 Mercer Ave		910-617-5131
Beverly Williams	117 Mercer Ave		910 444-9323
Marcella Garrett	1814 Rock Hill Rd. Castle Hayne, NC 28429		910 622 0773
Rev. Phoebe Jordan	121 Fairford Rd. Castle Hayne	pyvidan1957@gmail.com	910 409-1553
Lisa Mann	462 Jena Dr Castle Hayne 28439	lisa.mann5472@gmail.com	919-740-7184
GLENN MANN	662 Jena Dr. CASTLE HAYNE, NC	GAMANN44@gmail.com	919 906762
Michael Reed	127 McDougald Dr. Castle Hayne	MIKE@E2AUTOSERVICE.com	910-367-2667
Marion Kreh	127 McDougald Dr, CH	katenfrcu2000@yahoo.com	9400.com
John Rice	5820 McDougald Dr. CH	TRICE6@ec.RR.com	910-604-2819
Helen Lynette Rice	5820 McDougald Dr. CH	rice@urw.edu	910 604-2499

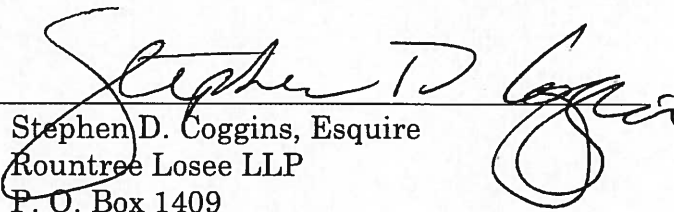
CERTIFICATE OF MAILING

This is to certify that a true and accurate copy of the attached Notice of Community Meeting was this day mailed via the USPS, first-class mail, postage prepaid to the parties listed on the attached mailing matrix at the addresses noted.

This the 4th day of October, 2018.

HILTON PROPERTIES LIMITED PARTNERSHIP

BY: _____


Stephen D. Coggins, Esquire
Rountree Losee LLP
P. O. Box 1409

Wilmington NC 28403

(910)763-3404

Fax: (910)763-0080

Attorney for Hilton Properties Limited Partnership

George Rountree, Jr.
(1904-1979)
Ryan F. Tennant
(1973-2016)
George Rountree, III
Special Counsel
also licensed in AZ
Geoffrey A. Losee
Stephen D. Coggins

Katie Greene
Melissa A. Atkinson



Street Address
2419 Market Street
Wilmington, NC 28403

Mailing Address
P.O. Box 1409
Wilmington, NC 28402

Phone
910.763.3404

Fax
910.763.0080
910.763.0320

October 4, 2018

NOTICE OF COMMUNITY MEETING

This is a notice for a community information meeting for an upcoming request by Stephen D. Coggins, Applicant, on behalf of Hilton Properties Limited Partnership, property owner, for a Conditional Use Rezoning from RA to I-2, for a sand mining operation.

The subject property is approximately 63.02 acres and is located at 4117 Castle Hayne Road, Castle Hayne, NC, and is identified as PID R00900-001-002-000.

The purpose of the community information meeting is to explain the proposal and answer questions from meeting attendees.

The meeting will be held at the St. James AME Church at 3425 Castle Hayne Road, Castle Hayne, NC, 28429, and will begin at 6:00 p.m. on October 24, 2018. For directions or further information, please contact Stephen D. Coggins or his assistant, Julie D. Cavanaugh, at (910)763-3404 or by email at scoggins@routtreelosee.com.

MAILING MATRIX – HILTON PROPERTIES LIMITED PARTNERSHIP

Timothy L. Cotton 5701 Dekker rd. Castle Hayne NC 28429	Robbie Metcalfe 5711 Dekker Road Castle Hayne NC 28429
Marvin N. and Leah M. McLean 2719 Berg Lane Castle Hayne NC 28429	Alvin W. and Julie G. Helton 2717 Berg Lane Castle Hayne NC 28429
Finders Living Trust 105 McDougald Drive Castle Hayne NC 28429	Melvin Lee Watkins, Jr. 8955 Black Chestnut Drive Leland NC 28451
Robert L. and Angela R. Southerland 256 Meeks Creek Drive Rocky Point NC 28457	Randall Earl and Susan C. Murphy 5719 Dekker road Castle Hayne NC 28439
William Michael and Christina Tate 813 Morningside Drive Wilmington NC 28401	David E and April J. MacAlpine 2720 Berg Lane Castle Hayne NC 28429
Hilton Properties Limited Partnership P. O. Box 523 Whiteville NC 28472	James M. and Donna K. Fisk 5706 Dekker Road Castle Hayne Nc 28429
Andrew J. Watkins, III, Heirs 7112 Rippling Stone Lane Raleigh NC 27612	Robert A and Sherri Anderson 5716 Dekker Road Castle Hanye NC 28429
Karen Leigh Bell 5707 Dekker road Castle Hayne NC 28429	Kimila Simpson Wilson 3522 Emerson Drive Castel Hayne NC 28429
Paul Eric and Deanine Meadows 4717 Indian Corn Trail Castle Hayne NC 28429	James A. and Rowena L. Daughtry 4004 Castle Hayne Road Castle Hayne NC 28429
Duane V. and Teresa Sutton 2721 Berg Lane Castle Hayne NC 28429	Victor J. and Nancy Passaro 4121 Castle Hayne Road Castle Hayne NC 28429
Carolyn Meeker Kinnamon Heirs 3944 Castle Hayne Road Castle Hayne NC 28429	Betty J. Earnhardt 233 River Gate Lane Wilmington NC 28412
William L. and Cheryl A. Ridenour 5723 Dekker Road Castle Hayne NC 28429	James Eason 5811 Dekker Road Castle Hayne NC 28429
GE Hitachi Nuclear Energy ATTN: Environmental Health and Safety P. O. Box 780 Wilmington NC 28402	
Joint Conversion Company, Inc. P. O. Box 780 Mail Code A-11 Wilmington NC 28401	

**DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES
DIVISION OF ENERGY, MINERAL AND LAND RESOURCES
LAND QUALITY SECTION**

P E R M I T

for the operation of a mining activity

In accordance with the provisions of G.S. 74-46 through 68, "The Mining Act of 1971," Mining Permit Rule 15A NCAC 5 B, and other applicable laws, rules and regulations

Permission is hereby granted to:

Hilton Properties, LP

Hilton Properties Mine

New Hanover County - Permit No. 65-35

for the operation of a

Sand Mine

which shall provide that the usefulness, productivity and scenic values of all lands and waters affected by this mining operation will receive the greatest practical degree of protection and restoration.

MINING PERMIT EXPIRATION DATE: February 5, 2024

In accordance with the application for this mining permit, which is hereby approved by the Department of Environment and Natural Resources, hereinafter referred to as the Department, and in conformity with the approved Reclamation Plan attached to and incorporated as part of this permit, provisions must be made for the protection of the surrounding environment and for reclamation of the land and water affected by the permitted mining operation. This permit is expressly conditioned upon compliance with all the requirements of the approved Reclamation Plan. However, completed performance of the approved Reclamation Plan is a separable obligation, secured by the bond or other security on file with the Department, and may survive the expiration, revocation or suspension of this permit.

This permit is not transferable by the permittee with the following exception: If another operator succeeds to the interest of the permittee in the permitted mining operation, by virtue of a sale, lease, assignment or otherwise, the Department may release the permittee from the duties imposed upon him by the conditions of his permit and by the Mining Act with reference to the permitted operation, and transfer the permit to the successor operator, provided that both operators have complied with the requirements of the Mining Act and that the successor operator agrees to assume the duties of the permittee with reference to reclamation of the affected land and posts a suitable bond or other security.

In the event that the Department determines that the permittee or permittee's successor is not complying with the Reclamation Plan or other terms and conditions of this permit, or is failing to achieve the purposes and requirements of the Mining Act, the Department may give the operator written notice of its intent to modify, revoke or suspend the permit, or its intent to modify the Reclamation Plan as incorporated in the permit. The operator shall have right to a hearing at a designated time and place on any proposed modification, revocation or suspension by the Department. Alternatively and in addition to the above, the Department may institute other enforcement procedures authorized by law.

Definitions

Wherever used or referred to in this permit, unless the context clearly indicates otherwise, terms shall have the same meaning as supplied by the Mining Act, N.C.G.S. 74-49.

Modifications

December 15, 2015: This mining permit has been modified to address concerns of groundwater contamination on the neighboring General Electric property. The modification allows excavation to take place in Phase 1 only. The area east of the typical A-AA cross-section (Phase 2) is now undisturbed buffer. The modification includes phasing of the project and a nest of monitoring wells as indicated on the mine map dated July 14, 2015. A condition has been added to require that all mine operations cease if your company received notification that 2L limits have been exceeded. The modification changes the affected acreage to 28.10 acres.

Expiration Date

This permit shall be effective from the date of its issuance until February 5, 2024.

Conditions

This permit shall be subject to the provisions of the Mining Act, N.C.G.S. 74-46, et. seq., and to the following conditions and limitations:

OPERATING CONDITIONS:

1. A. Any wastewater processing or mine dewatering shall be in accordance with the permitting requirements and rules promulgated by the N.C. Environmental Management Commission.

 B. Any stormwater runoff from the affected areas at the site shall be in accordance with any applicable permit requirements and regulations promulgated by the Environmental Protection Agency and enforced by the N.C. Environmental Management Commission. It shall be the permittee's responsibility to contact the Stormwater Program to secure any necessary stormwater permits or other approval documents.
2. A. Any mining process producing air contamination emissions shall be subject to the permitting requirements and rules promulgated by the N.C. Environmental Management Commission and enforced by the Division of Air Quality.

 B. During mining operations, water trucks or other means that may be necessary shall be utilized to prevent dust from leaving the permitted area.
3. A. Sufficient buffer (minimum 50 foot undisturbed) shall be maintained between any affected land and any adjoining waterway or wetland to prevent sedimentation of that waterway or wetland from erosion of the affected land and to preserve the integrity of the natural watercourse or wetland.

 B. Any mining activity affecting waters of the State, waters of the U. S., or wetlands shall be in accordance with the requirements and regulations promulgated and enforced by the N. C. Environmental Management Commission.
4. A. Adequate mechanical barriers including but not limited to diversions, earthen dikes, sediment check dams, sediment retarding structures, rip rap pits, or ditches shall be provided in the initial stages of any land disturbance and maintained to prevent sediment from discharging onto adjacent surface areas or into any lake, wetland or natural watercourse in proximity to the affected land.

 B. All drainage from the affected area around the mine excavation shall be diverted internal to said excavation.

 C. No dewatering activities shall occur at this site.

- D. Mining activities shall occur as indicated on the mine map last revised July 14, 2015 and the supplemental information received March 26, 2013 and September 24, 2013.
 - E. Mining shall cease immediately upon notification that regulatory limits have been exceeded at monitoring wells described in the "Supplemental Remedial Investigation Work Plan Northwest Site Area" dated June 2, 2015 and received by the Land Quality Section on July 14, 2015.
5. All affected area boundaries (28.10 acres) shall be permanently marked at the site on 100-foot intervals unless the line of sight allows for larger spacing intervals.
 6. The angle for graded slopes and fills shall be no greater than the angle, which can be retained by vegetative cover or other adequate erosion control measure, structure, or device. In any event, exposed slopes or any excavated channels, the erosion of which may cause off-site damage because of sedimentation, shall be planted or otherwise provided with ground cover, devices or structures sufficient to restrain such erosion.
 7. The affected land shall be graded so as to prevent collection of pools of water that are, or likely to become, noxious or foul. Necessary structures such as drainage ditches or conduits shall be constructed or installed when required to prevent such conditions.
 8. Existing vegetation or vegetated earthen berms shall be maintained between the mine and public thoroughfares whenever practical to screen the operation from the public.
 9. Sufficient buffer (minimum 20 foot unexcavated) shall be maintained between any excavation and any mining permit boundary to protect adjacent property.
 10. A. No on-site disposal of refuse or other solid waste that is generated outside of the mining permit area shall be allowed within the boundaries of the mining permit area unless authorization to conduct said disposal has first been obtained from both the Division of Waste Management and the Land Quality Section, Department of Environment and Natural Resources. The method of disposal shall be consistent with the approved reclamation plan.
 - B. Mining refuse as defined by G.S. 74-49 (14) of The Mining Act of 1971 generated on-site and directly associated with the mining activity may be disposed of in a designated refuse area. All other waste products must be disposed of in a disposal facility approved by the Division of Waste Management. No petroleum products, acids, solvents or their storage containers or any other material that may be considered hazardous shall be disposed of within the permitted area.

- C. For the purposes of this permit, the Division of Energy, Mineral and Land Resources considers the following materials to be "mining refuse" (in addition to those specifically listed under G.S. 74-49 (14) of the N.C. Mining Act of 1971):
1. on-site generated land clearing debris
 2. conveyor belts
 3. wire cables
 4. v-belts
 5. steel reinforced air hoses
 6. drill steel
- D. If mining refuse is to be permanently disposed within the mining permit boundary, the following information must be provided to and approved by the Division of Energy, Mineral and Land Resources prior to commencement of such disposal:
1. the approximate boundaries and size of the refuse disposal area;
 2. a list of refuse items to be disposed;
 3. verification that a minimum of 4 feet of cover will be provided over the refuse;
 4. verification that the refuse will be disposed at least 4 feet above the seasonally high water table; and,
 5. verification that a permanent vegetative groundcover will be established.
11. An Annual Reclamation Report shall be submitted on a form supplied by the Department by February 1 of each year until reclamation is completed and approved.
12. A. The operator shall notify the Department in writing of the desire to delete, modify or otherwise change any part of the mining, reclamation, or erosion/sediment control plan contained in the approved application for a mining permit or any approved revision to it. Approval to implement such changes must be obtained from the Department prior to on-site implementation of the revisions.
- B. No mining related activities shall occur within the area east of the typical A-AA cross-section (Phase 2), which is now undisturbed buffer, until a modification is submitted to and approved by the Department detailing said activities.
13. The security, which was posted pursuant to N.C.G.S. 74-54 in the form of a \$46,900.00 cash bond, is sufficient to cover the operation as indicated in the approved application. This security must remain in force for this permit to be valid. The total affected land shall not exceed the bonded acreage.
14. A. Authorized representatives of the Division of Archives and History shall be granted access to the site to determine the presence of significant archaeological resources.

- B. Pursuant to N. C. G. S. 70 Article 3, "The Unmarked Human Burial and Human Skeletal Remains Protection Act," should the operator or any person in his employ encounter human skeletal remains, immediate notification shall be provided to the county medical examiner and the chief archaeologist, North Carolina Division of Archives and History.

APPROVED RECLAMATION PLAN

The Mining Permit incorporates this Reclamation Plan, the performance of which is a condition on the continuing validity of that Mining Permit. Additionally, the Reclamation Plan is a separable obligation of the permittee, which continues beyond the terms of the Mining Permit.

The approved plan provides:

Minimum Standards As Provided By G.S. 74-53

1. The final slopes in all excavations in soil, sand, gravel and other unconsolidated materials shall be at such an angle as to minimize the possibility of slides and be consistent with the future use of the land.
2. Provisions for safety to persons and to adjoining property must be provided in all excavations in rock.
3. All overburden and spoil shall be left in a configuration which is in accordance with accepted conservation practices and which is suitable for the proposed subsequent use of the land.
4. No small pools of water shall be allowed to collect or remain on the mined area that are, or are likely to become noxious, odious or foul.
5. The revegetation plan shall conform to accepted and recommended agronomic and reforestation practices as established by the North Carolina Agricultural Experiment Station and the North Carolina Forest Service.
6. Permittee shall conduct reclamation activities pursuant to the Reclamation Plan herein incorporated. These activities shall be conducted according to the time schedule included in the plan, which shall to the extent feasible provide reclamation simultaneous with mining operations and in any event, provide reclamation at the earliest practicable time after completion or termination of mining on any segment of the permit area and shall be completed within two years after completion or termination of mining.

RECLAMATION CONDITIONS:

1. Provided further, and subject to the Reclamation schedule, the planned reclamation shall be to restore the mine excavation to a lake area and to grade and revegetate the adjacent disturbed areas.
2. The specifications for surface gradient restoration to a surface suitable for the planned future use are as follows:
 - A. The lake area shall be excavated to maintain a minimum water depth of four feet measured from the low water table elevation.

- B. The side slopes to the lake excavation shall be graded to a 3 horizontal to 1 vertical or flatter to the water line and 2 horizontal to 1 vertical or flatter below the water line.
- C. Any areas used for wastepiles, screening, stockpiling or other processing shall be leveled and smoothed.
- D. No contaminants shall be permanently disposed of at the mine site. On-site disposal of waste shall be in accordance with Operating Condition Nos. 10A through D.
- E. The affected land shall be graded to prevent the collection of noxious or foul water.

3. Revegetation Plan:

After site preparation, all disturbed land areas shall be revegetated as per Revegetation Plan approved by Mr. Floyd R. Williams of Williams Environmental and Geological Services, PLLC on March 22, 2012.

Whenever possible, disturbed areas should be vegetated with native warm season grasses such as switch grass, Indian grass, bluestem and gamma grass.

In addition, the permittee shall consult with a professional wildlife biologist with the N.C. Wildlife Resources Commission to enhance post-project wildlife habitat at the site.

4. Reclamation Plan:

Reclamation shall be conducted simultaneously with mining to the extent feasible. In any event, reclamation shall be initiated as soon as feasible after completion or termination of mining of any mine segment under permit. Final reclamation, including revegetation, shall be completed within two years of completion or termination of mining.

Permit issued this 15th day of December, 2015.

By: James S. Boyer

Tracy E. Davis, Director
 Division of Energy, Mineral, and Land Resources
 By Authority of the Secretary
 Of the Department of Environment and Natural Resources

APPLICATION FOR A MINING PERMIT

HILTON PROPERTIES LP
HILTON PROPERTIES MNE
65-35

E. DETERMINATION OF AFFECTED ACREAGE AND BOND

The following bond calculation worksheet is to be used to establish an appropriate bond (based upon a range of \$500 to \$3,000 per affected acre) for each permitted mine site based upon the acreage approved by the Department to be affected during the life of the mining permit. Please insert the approximate acreage, for each aspect of the mining operation, that you intend to affect during the life of this mining permit (in addition, please insert the appropriate reclamation cost/acre for each category from the Schedule of Reclamation Costs provided with this application form) OR you can defer to the Department to calculate your bond for you based upon your maps and standard reclamation costs:

CATEGORY	AFFECTED ACREAGE		RECLAMATION COST/ACRE*		RECLAMATION COST
Tailings/Sediment Ponds:	_____ Ac.	X	\$ _____/Ac.	=	\$ _____
Stockpiles:	1.0 Ac.	X	\$ 1800 /Ac.	=	\$ 1,800
Wastepiles:	_____ Ac.	X	\$ _____/Ac.	=	\$ _____
Processing Area/Haul Roads:	5.40 Ac.	X	\$ 1800 /Ac.	=	\$ 9,720
Mine Excavation:	27.10 Ac.	X	\$ 500/Ac.	=	\$ 13,550
Other:	2.9 Ac.	X	\$ 1800 /Ac.	=	\$ 5,220
TOTAL AFFECTED AC.:	_____ Ac.				
(TOTAL PERMITTED AC.:	67.70 Ac.)				

Temporary & Permanent Sedimentation & Erosion Control Measures:

Divide the **TOTAL AFFECTED AC.** above into the following two categories: a) affected acres that drain into proposed/existing excavation and/or b) affected acres that will be graded for positive drainage where measures will be needed to prevent offsite sedimentation and sedimentation to onsite watercourses and wetlands.

a) Internal Drainage _____ Ac.

b) Positive Drainage _____ Ac. X \$1,500.00 = \$ _____

SUBTOTAL COST: \$ 30,290

Inflation Factor:

0.02 X SUBTOTAL COST: \$ 30,290 X Permit Life (1 to 10 years): 10

INFLATION COST: \$ 6,058

TOTAL COST = SUBTOTAL COST + INFLATION COST = \$ 36,348

Total Reclamation Bond Cost: \$ 36,300
(round down to the nearest \$100.00)

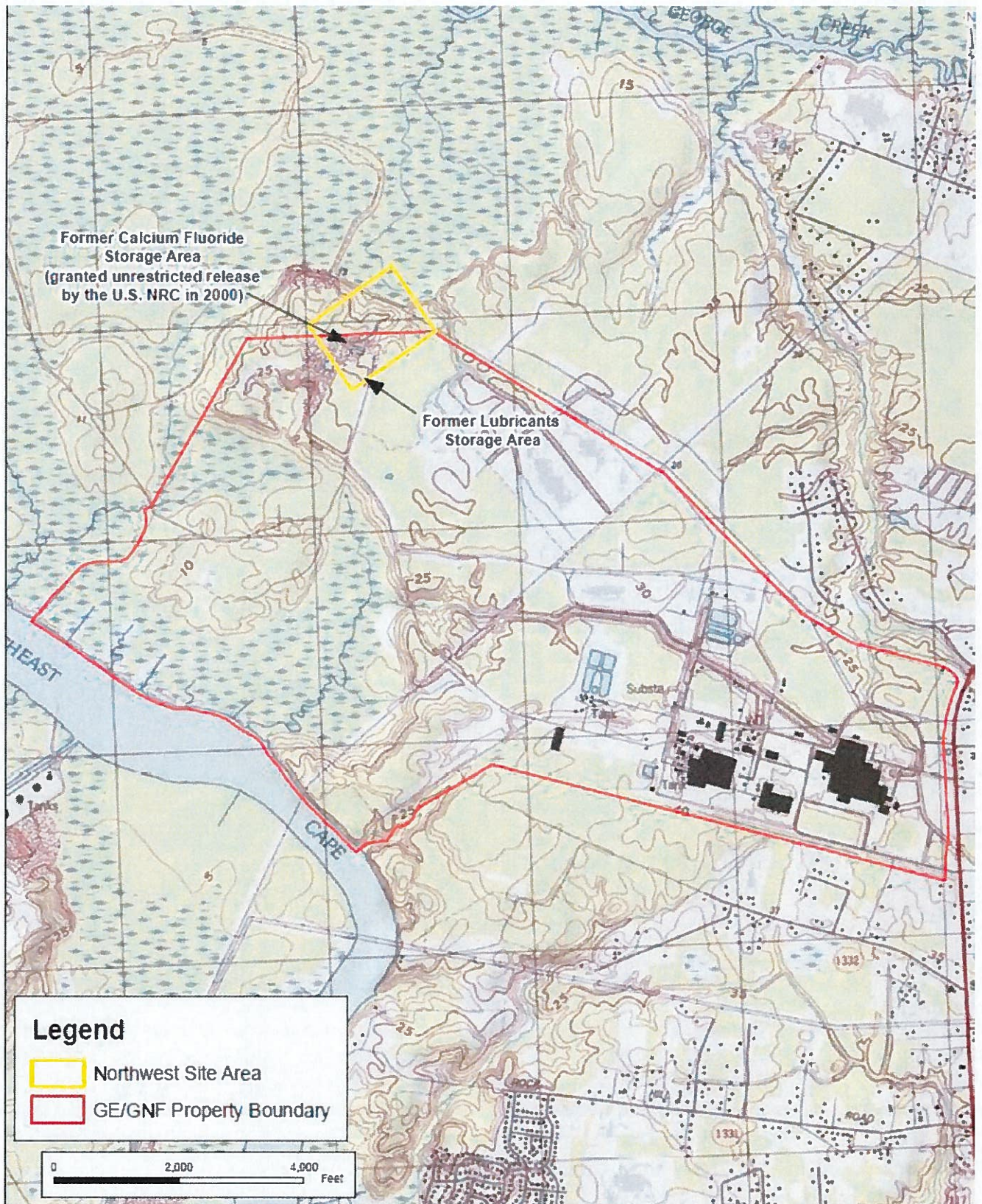
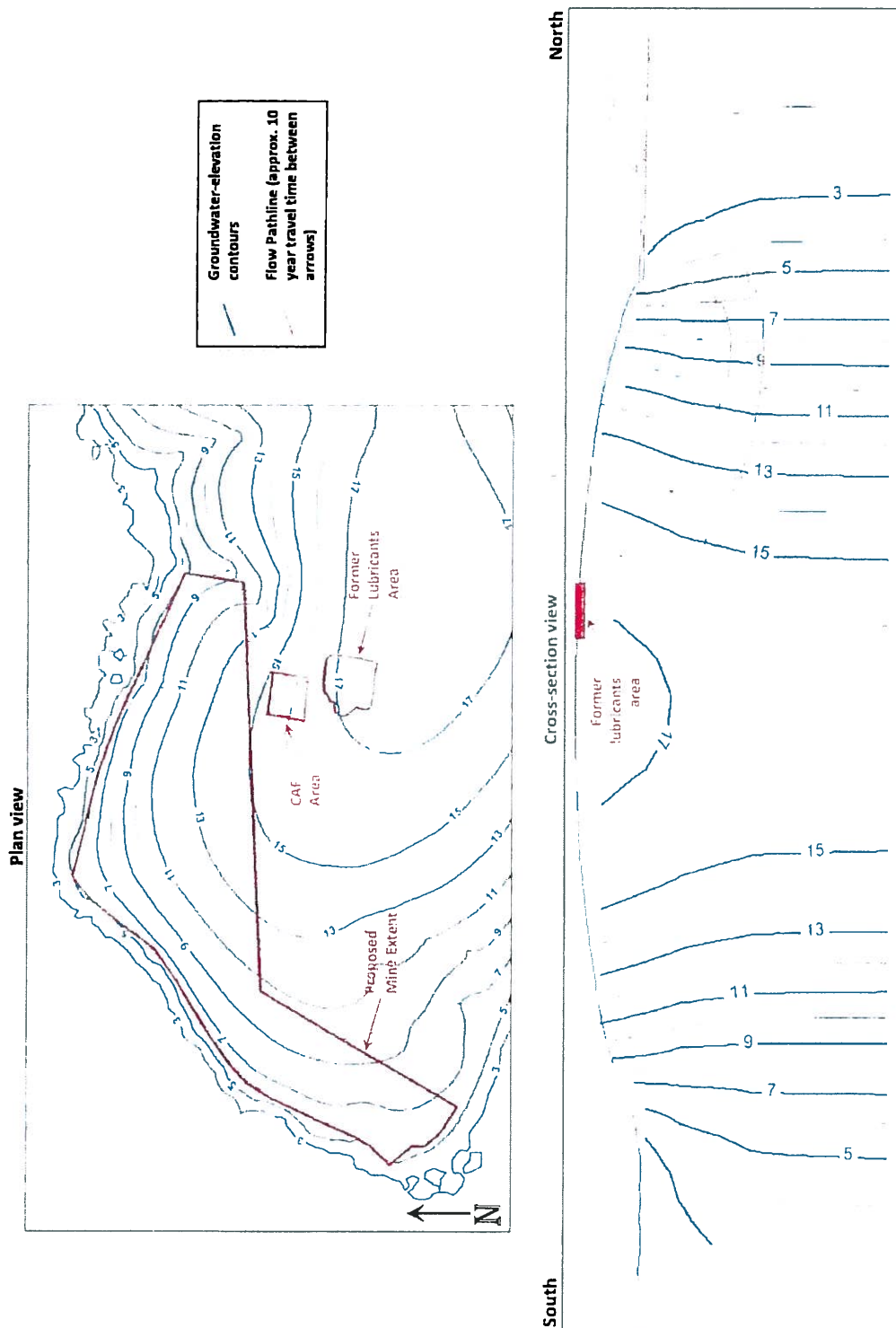
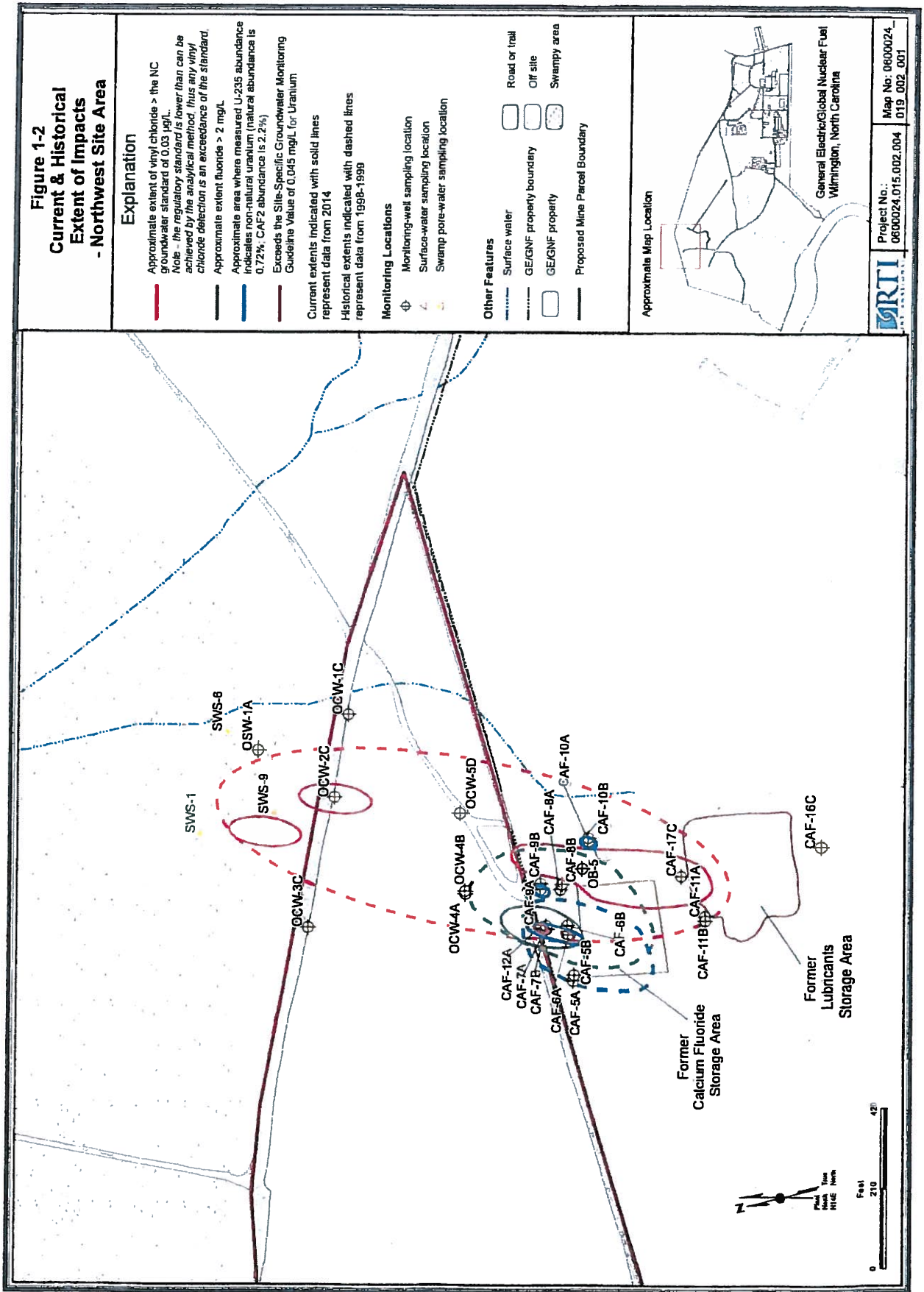


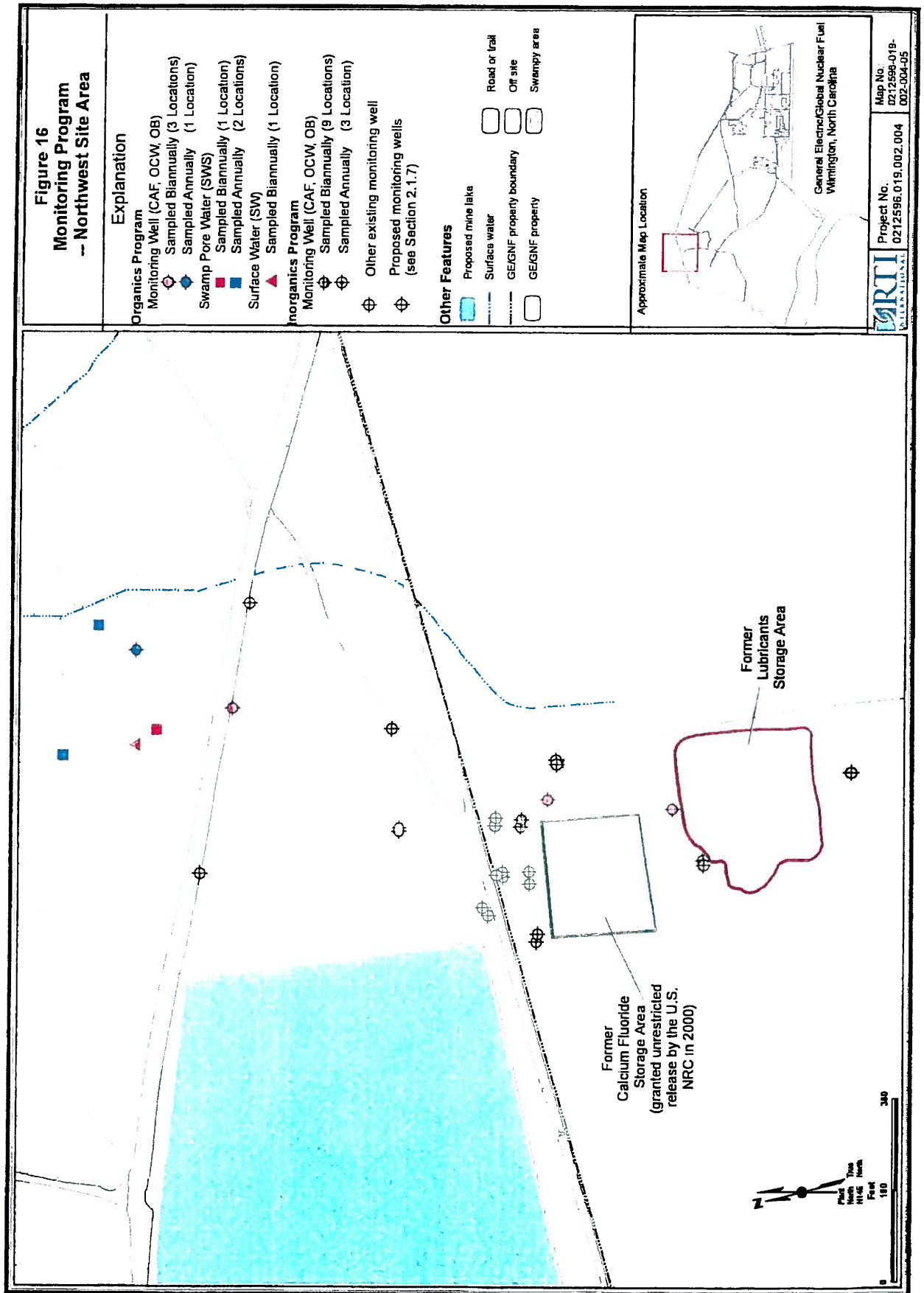


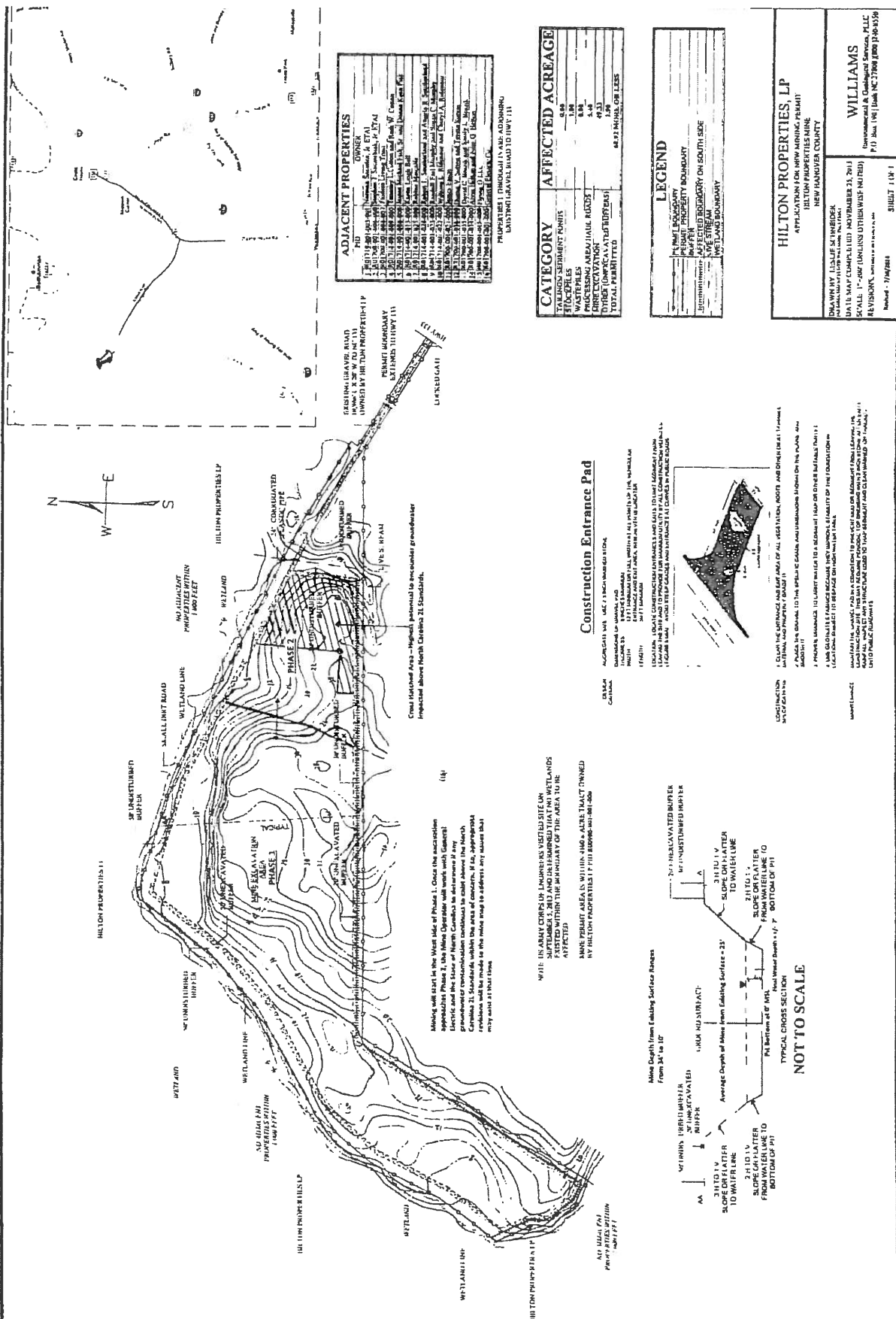
Figure 1-7. Proposed Mine Area in the Northwest Site Area (oblique view from north)

Figure 2-2a. Groundwater Elevation Contours Based on Calibrated Flow Modeling Results – Northwest Site Area





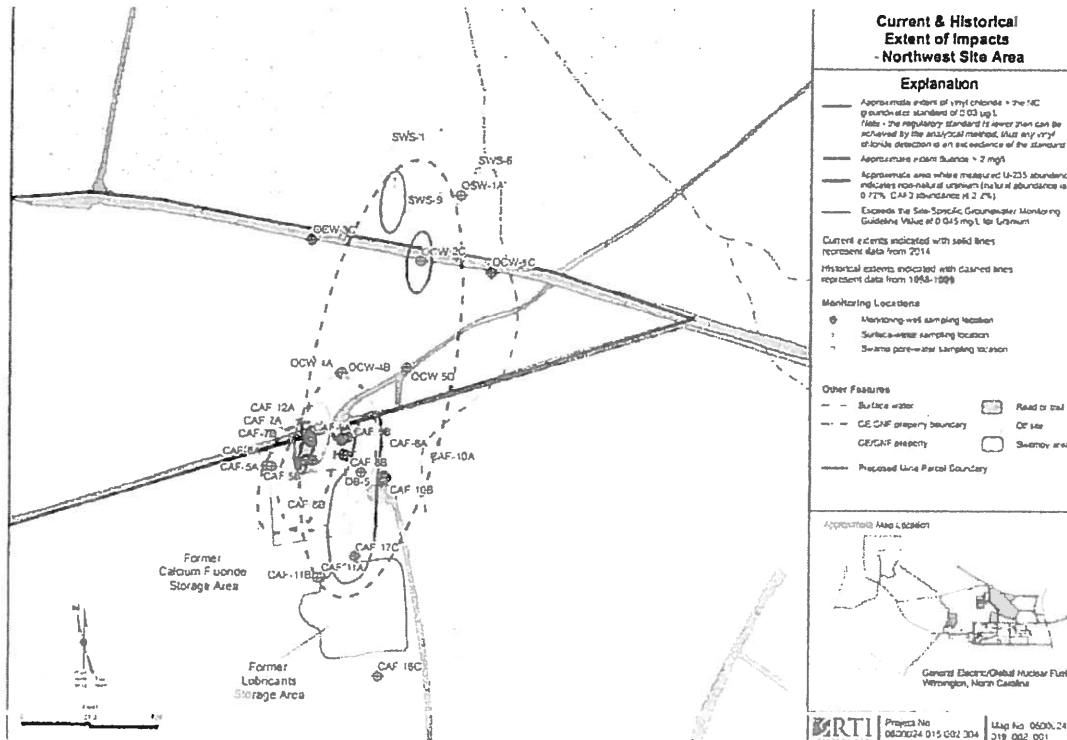




Proposed sand mine owners address neighbors' contamination concerns

portcitydaily.com local-news 2018-10-24/proposed-sand-mine-owners-to-present-data-address-neighbors-of-contamination-concerns

October 24, 2018



A groundwater modeling study shows contaminants will not be disturbed through proposed mining activity, also only to Hilton Properties. (Port City Daily photo/Courtesy Hilton Properties)

NEW HANOVER COUNTY — The property owner proposing a sand mine on contaminated land is prepared for an effort to ease neighbors' concerns.

In its first community meeting since 2014, Hilton Properties plan to show neighbors that soil and groundwater contaminants — including uranium and other toxins — on the site will not be disturbed by their proposed mining activity.

RELATED: Uranium, chromium, and more: Sand-mine proposal returns, along with toxic-waste worries for Castle Hayne residents

The first time the sand mine was proposed, it led to three lawsuits against the state's environmental agency, and left more questions than answers.

This time around, owners plan to be forthcoming with answers.

Environmental concerns

William Toole, an attorney representing Hilton Properties, acknowledged that when the operation was first proposed four years ago, owners did not adequately address contamination risks for concerned neighbors.

"They hadn't really understood the environmental contamination problem," Toole said.

In the 60s and 70s, GE Hitachi dumped hazardous waste on its own property, directly adjacent to Hilton Properties' land. Over time, the contaminants made their way into Hilton Properties' soil and groundwater.

With a nearby neighborhood, Wooden Shoe, where residents all rely on groundwater wells, a sand mining operation that would disturb the water table was an alarming proposition. Neighbors rallied against property owners, the state's environmental agency, then called the North Carolina Department of Natural Resources (DENR), and New Hanover County's Planning Board to stop the sand mine.

With a state permit in hand, property owners need their land rezoned from rural agricultural to heavy industrial to begin their proposed operation. Hilton Properties will present its plans to neighbors and community members Wednesday at 6 p.m.

"The environmental issues, I understand are probably not well understood by the public yet, but we hope that with enough time, they'll understand this has been worked out hard, and frankly, was not properly addressed the first time," Toole said.

Hilton Properties failed to discuss contaminants on the property, which include radioactive chemicals, in both their application to the state and in their rezoning application to the county.

"It just hadn't even been something that the Hilton Properties folks had thought about," Toole said. "They just didn't even make the connection."

New plans

Compared to Hilton Properties' initial plans, Toole said the mining operation will be significantly scaled back. After becoming aware of contaminants, the state cut Hilton Properties allowable excavation area in half under a modified permit.

"It's smaller," Toole said. "Substantially further away from where the contamination is."

Toole said property owners initiated a lengthy groundwater modeling study, issued by GE and conducted by a third-party. The study, Toole said, shows contamination will not impact neighbor's well water.

Because well water is sourced from a deep aquifer, neighbors' water won't be impacted by excavation activity that disturbs the water table at the level of a more shallow aquifer, he said.

"This is private property, people get to do — within reason — stuff with their own land," Toole said.

Instead of large, corporate out-of-state interests, Toole said Hilton Properties' owners are locals who inherited the property.

"These are folks from North Carolina that ended up with some property; they're just trying to figure out how to pay the taxes like everybody else," he said.

Held at St. James AME Church on Wednesday, Oct. 24 at 6 p.m., Toole will help present Hilton Properties' new plans and answer questions.

"Once people see what's been done, they should be pretty comfortable that their voices were heard and had a positive impact," he said.

Send tips and comments to Johanna Ferebee at johanna@localvoicemedia.com

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2

102

BOOK

PAGE

2211

0685

ATTACHMENT NO. 1

'97 JUL 17 AM 9 24 PM

RECORDED AND VERIFIED
MARY SUE OOTS
REGISTER OF DEEDS
NEW HANOVER CO. NC

NO REVENUE STAMPS

Excise Tax

Recording Time, Book and Page

Tax Lot No.

Parcel Identifier No. R00900-001-001-000

Verified by

County on the

day of

, 19

by

Mail after recording to

PREPARATION OF THIS INSTRUMENT DOES
NOT CERTIFY TITLE UNLESS ACCOMPANIED
BY CERTIFYING LETTER.

This instrument was prepared by C. GREG WILLIAMSON, Attorney (mnb)

Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 11th day of June, 1997, by and between

GRANTOR

GRANTEE

KATHARINE C. SLEDGE,
Widow

HILTON PROPERTIES LIMITED PARTNERSHIP,
A limited partnership organized under
the laws of the State of Georgia and
qualified to do business in the State
of North Carolina

000024

P.O. Box 523
Whiteville, NC 28472

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Cape Fear Township,

New Hanover County, North Carolina and more particularly described as follows:

Bounded on the West and North by the Northeast Cape Fear River, on the East by Prince George Creek and Broadwater Branch, and on the South by two subdivisions and the General Electric Property.

BEGINNING at a nail in the center of Hwy. U.S. 117 over a large culvert at the run of DeRossett Branch, now about 50 feet Southwest of McDougald Road, AND RUNS THENCE FROM SAID BEGINNING POINT with the center of said highway South 29 degrees 56 minutes West 112.84 feet to a nail in said centerline; thence North 57 degrees 56 minutes West 170.35 feet to a pipe corner in a ditch, the corner of a tract of about 1,000 acres conveyed by W. F. Sledge to General Electric in 1967; thence with the line of said G.E. tract nine calls as follows: North 58 degrees 52 minutes West 240.62 feet to a concrete monument at the end of said ditch; thence North 77 degrees 21 minutes West 1449.01 feet to a pipe in a large ditch; thence North 59 degrees 29 minutes West 913.69 feet to a pipe in a ditch; thence North 42 degrees 21 minutes 34 seconds West 3144.82 feet to a pipe in said ditch near the Southeast edge of a large power line; thence with said ditch and beyond North 59 degrees 31 minutes 50 seconds West 4312.73 feet to a concrete monument; thence South 87 degrees 30 minutes 21 seconds West 2943.48 feet to a concrete monument; thence South 29 degrees 40 minutes 02 seconds West 3025.95 feet to a concrete monument; thence South 61 degrees 35 minutes 34 seconds West 144.62 feet to a stake in the run of Jackeys Creek; thence down of the run of said creek in a Westerly direction about 1/2 mile to the Northeast Cape Fear River; thence up the East and South bank of said river in a Northerly and Easterly direction as it meanders a distance of about eight miles to the mouth of Prince George Creek; thence up said

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Printed by Agreement with the N.C. Bar Assoc. 1981

477603

Planning Board - January 10, 2019

SEE ATTACHED SCHEDULE "A" FOR CONTINUANCE OF LEGAL DESCRIPTION

The property hereinabove described was acquired by Grantor by instrument recorded in

A map showing the above described property is recorded in Plat Book page

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name)

By:

ATTEST:

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT
G.S. 161-14

Secretary (Corporate Seal)

USE BLACK INK ONLY

Katharine C. Sledge (SEAL)
KATHARINE C. SLEDGE, Widow

(SEAL)

(SEAL)

(SEAL)

SEAL-STAMP

NORTH CAROLINA, COLUMBUS County.

I, a Notary Public of the County and State aforesaid, certify that KATHARINE C. SLEDGE, Widow Grantor, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 11th day of June, 1997.

My commission expires: 8-4-2001 *Michelle N. Brown* Notary Public

SEAL-STAMP

NORTH CAROLINA, County.

I, a Notary Public of the County and State aforesaid, certify that personally came before me this day and acknowledged that he is Secretary of a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by as its Secretary. Witness my hand and official stamp or seal, this day of, 19.....

My commission expires: Notary Public

The foregoing Certificate(s) of *Michelle N. Brown* Notary Public

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

MARY SUE OOTS

REGISTER OF DEEDS FOR New Hanover COUNTY

By *Mavis Ann Stover* Deputy/Assistant - Register of Deeds

RECORD OF POOR QUALITY DUE TO
CONDITION OF ORIGINAL DOCUMENT
G.S. 161-14

(Notary Seal)

SCHEDULE "A" - Attached to and made a part of the General Warranty Deed from Katharine C. Sledge, Widow in favor of Hilton Properties Limited Partnership, A limited partnership organized under the laws of the State of Georgia and qualified to do business in the State of North Carolina, and dated June 11, 1997.

creek in a Southerly direction as it meanders a distance of about one and one-half miles to the mouth of Broadwater Branch; thence up said branch in a Southerly direction about one and one-half miles to a concrete corner on the West bank, a corner of the old Dellie McDougal Land, now a subdivision; thence with a well-marked line to and with a large ditch or canal South 88 degrees 20 minutes West about 1980 feet to a concrete monument on the North bank at an elbow turn in said ditch; thence with said large ditch near the center, South 0 degrees 52 minutes East 1034.2 feet to a concrete monument at the end of said ditch and at the Northeast edge of a road; thence South 45 degrees 04 minutes East 1614.2 feet to a concrete monument; thence South 59 degrees 29 minutes East 906.86 feet to a pipe corner; thence North 54 degrees 11 minutes East 244.5 feet to a pipe corner in the run of Broadwater Branch near the mouth of DeRossett Branch; thence up the run of DeRossett Branch as it meanders, a traverse line being South 68 degrees 19 minutes East 1710.25 feet to the point of beginning, containing 4100 acres, more or less, measured by Planimeter.

Also there is here conveyed to the Grantee an easement of right of way on a triangle at the highway described as follows:

BEGINNING at a nail in the center of U.S. 117, the second corner of the above described tract, AND RUNS THENCE FROM SAID BEGINNING NAIL South 26 degrees 48 minutes West 99.28 feet to a nail in said centerline; thence North 29 degrees 04 minutes West 204.89 feet to a pipe in a ditch, the corner of the G.E. tract; thence South 57 degrees 56 minutes East 170.35 feet to the point of beginning.

The easement on this small parcel is non-exclusive and is a result of the relocation of Highway U.S. 117 at a curve with an easement area to the N.C. Highway Commission a long time before 1960, probably 30 or 40 years.

For title see a Deed from W. A. Corbett or Corbett Package Co. to W. F. Sledge about 1947, a Deed from Dellie McDougald recorded in Book 856, Page 797, and Deed recorded in Book 1115, Page 826, New Hanover County Registry.

Katharine C. Sledge
KATHARINE C. SLEDGE, Widow

ATTACHMENT NO. 2

1. How would the requested change be consistent with the County's Policies for Growth and Development?

By rezoning the subject 63.02-acre parcel from RA to I-2 and allowing mining on 28.10 acres as allowed by NCDEQ DMLR Permit No.65-35 (Attachment No. 2-A) (Tab 5), the County will increase the tax value of the land and assist in providing a local source of sand important to sustainable development during this growth period.

Additionally, the subject parcel is adjacent to an established I-2 parcel that has been used for heavy manufacturing, and therefore builds upon an existing district rather than creating a new district.

**DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES
DIVISION OF ENERGY, MINERAL AND LAND RESOURCES
LAND QUALITY SECTION**

P E R M I T

for the operation of a mining activity

In accordance with the provisions of G.S. 74-46 through 68, "The Mining Act of 1971," Mining Permit Rule 15A NCAC 5 B, and other applicable laws, rules and regulations

Permission is hereby granted to:

Hilton Properties, LP

Hilton Properties Mine

New Hanover County - Permit No. 65-35

for the operation of a

Sand Mine

which shall provide that the usefulness, productivity and scenic values of all lands and waters affected by this mining operation will receive the greatest practical degree of protection and restoration.

MINING PERMIT EXPIRATION DATE: February 5, 2024

In accordance with the application for this mining permit, which is hereby approved by the Department of Environment and Natural Resources, hereinafter referred to as the Department, and in conformity with the approved Reclamation Plan attached to and incorporated as part of this permit, provisions must be made for the protection of the surrounding environment and for reclamation of the land and water affected by the permitted mining operation. This permit is expressly conditioned upon compliance with all the requirements of the approved Reclamation Plan. However, completed performance of the approved Reclamation Plan is a separable obligation, secured by the bond or other security on file with the Department, and may survive the expiration, revocation or suspension of this permit.

This permit is not transferable by the permittee with the following exception: If another operator succeeds to the interest of the permittee in the permitted mining operation, by virtue of a sale, lease, assignment or otherwise, the Department may release the permittee from the duties imposed upon him by the conditions of his permit and by the Mining Act with reference to the permitted operation, and transfer the permit to the successor operator, provided that both operators have complied with the requirements of the Mining Act and that the successor operator agrees to assume the duties of the permittee with reference to reclamation of the affected land and posts a suitable bond or other security.

In the event that the Department determines that the permittee or permittee's successor is not complying with the Reclamation Plan or other terms and conditions of this permit, or is failing to achieve the purposes and requirements of the Mining Act, the Department may give the operator written notice of its intent to modify, revoke or suspend the permit, or its intent to modify the Reclamation Plan as incorporated in the permit. The operator shall have right to a hearing at a designated time and place on any proposed modification, revocation or suspension by the Department. Alternatively and in addition to the above, the Department may institute other enforcement procedures authorized by law.

Definitions

Wherever used or referred to in this permit, unless the context clearly indicates otherwise, terms shall have the same meaning as supplied by the Mining Act, N.C.G.S. 74-49.

Modifications

December 15, 2015: This mining permit has been modified to address concerns of groundwater contamination on the neighboring General Electric property. The modification allows excavation to take place in Phase 1 only. The area east of the typical A-AA cross-section (Phase 2) is now undisturbed buffer. The modification includes phasing of the project and a nest of monitoring wells as indicated on the mine map dated July 14, 2015. A condition has been added to require that all mine operations cease if your company received notification that 2L limits have been exceeded. The modification changes the affected acreage to 28.10 acres.

Expiration Date

This permit shall be effective from the date of its issuance until February 5, 2024.

Conditions

This permit shall be subject to the provisions of the Mining Act, N.C.G.S. 74-46, et. seq., and to the following conditions and limitations:

OPERATING CONDITIONS:

1. A. Any wastewater processing or mine dewatering shall be in accordance with the permitting requirements and rules promulgated by the N.C. Environmental Management Commission.
- B. Any stormwater runoff from the affected areas at the site shall be in accordance with any applicable permit requirements and regulations promulgated by the Environmental Protection Agency and enforced by the N.C. Environmental Management Commission. It shall be the permittee's responsibility to contact the Stormwater Program to secure any necessary stormwater permits or other approval documents.
2. A. Any mining process producing air contamination emissions shall be subject to the permitting requirements and rules promulgated by the N.C. Environmental Management Commission and enforced by the Division of Air Quality.
- B. During mining operations, water trucks or other means that may be necessary shall be utilized to prevent dust from leaving the permitted area.
3. A. Sufficient buffer (minimum 50 foot undisturbed) shall be maintained between any affected land and any adjoining waterway or wetland to prevent sedimentation of that waterway or wetland from erosion of the affected land and to preserve the integrity of the natural watercourse or wetland.
- B. Any mining activity affecting waters of the State, waters of the U. S., or wetlands shall be in accordance with the requirements and regulations promulgated and enforced by the N. C. Environmental Management Commission.
4. A. Adequate mechanical barriers including but not limited to diversions, earthen dikes, sediment check dams, sediment retarding structures, rip rap pits, or ditches shall be provided in the initial stages of any land disturbance and maintained to prevent sediment from discharging onto adjacent surface areas or into any lake, wetland or natural watercourse in proximity to the affected land.
- B. All drainage from the affected area around the mine excavation shall be diverted internal to said excavation.
- C. No dewatering activities shall occur at this site.

- D. Mining activities shall occur as indicated on the mine map last revised July 14, 2015 and the supplemental information received March 26, 2013 and September 24, 2013.
 - E. Mining shall cease immediately upon notification that regulatory limits have been exceeded at monitoring wells described in the "Supplemental Remedial Investigation Work Plan Northwest Site Area" dated June 2, 2015 and received by the Land Quality Section on July 14, 2015.
5. All affected area boundaries (28.10 acres) shall be permanently marked at the site on 100-foot intervals unless the line of sight allows for larger spacing intervals.
 6. The angle for graded slopes and fills shall be no greater than the angle, which can be retained by vegetative cover or other adequate erosion control measure, structure, or device. In any event, exposed slopes or any excavated channels, the erosion of which may cause off-site damage because of sedimentation, shall be planted or otherwise provided with ground cover, devices or structures sufficient to restrain such erosion.
 7. The affected land shall be graded so as to prevent collection of pools of water that are, or likely to become, noxious or foul. Necessary structures such as drainage ditches or conduits shall be constructed or installed when required to prevent such conditions.
 8. Existing vegetation or vegetated earthen berms shall be maintained between the mine and public thoroughfares whenever practical to screen the operation from the public.
 9. Sufficient buffer (minimum 20 foot unexcavated) shall be maintained between any excavation and any mining permit boundary to protect adjacent property.
 10.
 - A. No on-site disposal of refuse or other solid waste that is generated outside of the mining permit area shall be allowed within the boundaries of the mining permit area unless authorization to conduct said disposal has first been obtained from both the Division of Waste Management and the Land Quality Section, Department of Environment and Natural Resources. The method of disposal shall be consistent with the approved reclamation plan.
 - B. Mining refuse as defined by G.S. 74-49 (14) of The Mining Act of 1971 generated on-site and directly associated with the mining activity may be disposed of in a designated refuse area. All other waste products must be disposed of in a disposal facility approved by the Division of Waste Management. No petroleum products, acids, solvents or their storage containers or any other material that may be considered hazardous shall be disposed of within the permitted area.

- C. For the purposes of this permit, the Division of Energy, Mineral and Land Resources considers the following materials to be "mining refuse" (in addition to those specifically listed under G.S. 74-49 (14) of the N.C. Mining Act of 1971):
1. on-site generated land clearing debris
 2. conveyor belts
 3. wire cables
 4. v-belts
 5. steel reinforced air hoses
 6. drill steel
- D. If mining refuse is to be permanently disposed within the mining permit boundary, the following information must be provided to and approved by the Division of Energy, Mineral and Land Resources prior to commencement of such disposal:
1. the approximate boundaries and size of the refuse disposal area;
 2. a list of refuse items to be disposed;
 3. verification that a minimum of 4 feet of cover will be provided over the refuse;
 4. verification that the refuse will be disposed at least 4 feet above the seasonally high water table; and,
 5. verification that a permanent vegetative groundcover will be established.
11. An Annual Reclamation Report shall be submitted on a form supplied by the Department by February 1 of each year until reclamation is completed and approved.
12. A. The operator shall notify the Department in writing of the desire to delete, modify or otherwise change any part of the mining, reclamation, or erosion/sediment control plan contained in the approved application for a mining permit or any approved revision to it. Approval to implement such changes must be obtained from the Department prior to on-site implementation of the revisions.
- B. No mining related activities shall occur within the area east of the typical A-AA cross-section (Phase 2), which is now undisturbed buffer, until a modification is submitted to and approved by the Department detailing said activities.
13. The security, which was posted pursuant to N.C.G.S. 74-54 in the form of a \$46,900.00 cash bond, is sufficient to cover the operation as indicated in the approved application. This security must remain in force for this permit to be valid. The total affected land shall not exceed the bonded acreage.
14. A. Authorized representatives of the Division of Archives and History shall be granted access to the site to determine the presence of significant archaeological resources.

- B. Pursuant to N. C. G. S. 70 Article 3, "The Unmarked Human Burial and Human Skeletal Remains Protection Act," should the operator or any person in his employ encounter human skeletal remains, immediate notification shall be provided to the county medical examiner and the chief archaeologist, North Carolina Division of Archives and History.

APPROVED RECLAMATION PLAN

The Mining Permit incorporates this Reclamation Plan, the performance of which is a condition on the continuing validity of that Mining Permit. Additionally, the Reclamation Plan is a separable obligation of the permittee, which continues beyond the terms of the Mining Permit.

The approved plan provides:

Minimum Standards As Provided By G.S. 74-53

1. The final slopes in all excavations in soil, sand, gravel and other unconsolidated materials shall be at such an angle as to minimize the possibility of slides and be consistent with the future use of the land.
2. Provisions for safety to persons and to adjoining property must be provided in all excavations in rock.
3. All overburden and spoil shall be left in a configuration which is in accordance with accepted conservation practices and which is suitable for the proposed subsequent use of the land.
4. No small pools of water shall be allowed to collect or remain on the mined area that are, or are likely to become noxious, odious or foul.
5. The revegetation plan shall conform to accepted and recommended agronomic and reforestation practices as established by the North Carolina Agricultural Experiment Station and the North Carolina Forest Service.
6. Permittee shall conduct reclamation activities pursuant to the Reclamation Plan herein incorporated. These activities shall be conducted according to the time schedule included in the plan, which shall to the extent feasible provide reclamation simultaneous with mining operations and in any event, provide reclamation at the earliest practicable time after completion or termination of mining on any segment of the permit area and shall be completed within two years after completion or termination of mining.

RECLAMATION CONDITIONS:

1. Provided further, and subject to the Reclamation schedule, the planned reclamation shall be to restore the mine excavation to a lake area and to grade and revegetate the adjacent disturbed areas.
2. The specifications for surface gradient restoration to a surface suitable for the planned future use are as follows:
 - A. The lake area shall be excavated to maintain a minimum water depth of four feet measured from the low water table elevation.

- B. The side slopes to the lake excavation shall be graded to a 3 horizontal to 1 vertical or flatter to the water line and 2 horizontal to 1 vertical or flatter below the water line.
- C. Any areas used for wastepiles, screening, stockpiling or other processing shall be leveled and smoothed.
- D. No contaminants shall be permanently disposed of at the mine site. On-site disposal of waste shall be in accordance with Operating Condition Nos. 10A through D.
- E. The affected land shall be graded to prevent the collection of noxious or foul water.

3. Revegetation Plan:

After site preparation, all disturbed land areas shall be revegetated as per Revegetation Plan approved by Mr. Floyd R. Williams of Williams Environmental and Geological Services, PLLC on March 22, 2012.

Whenever possible, disturbed areas should be vegetated with native warm season grasses such as switch grass, Indian grass, bluestem and gamma grass.

In addition, the permittee shall consult with a professional wildlife biologist with the N.C. Wildlife Resources Commission to enhance post-project wildlife habitat at the site.

4. Reclamation Plan:

Reclamation shall be conducted simultaneously with mining to the extent feasible. In any event, reclamation shall be initiated as soon as feasible after completion or termination of mining of any mine segment under permit. Final reclamation, including revegetation, shall be completed within two years of completion or termination of mining.

Permit issued this 15th day of December, 2015.

By: Janet S. Boyer

for Tracy E. Davis, Director
 Division of Energy, Mineral, and Land Resources
 By Authority of the Secretary
 Of the Department of Environment and Natural Resources

APPLICATION FOR A MINING PERMIT

E. DETERMINATION OF AFFECTED ACREAGE AND BOND

The following bond calculation worksheet is to be used to establish an appropriate bond (based upon a range of \$500 to \$5,000 per affected acre) for each permitted mine site based upon the acreage approved by the Department to be affected during the life of the mining permit. Please insert the approximate acreage, for each aspect of the mining operation, that you intend to affect during the life of this mining permit (in addition, please insert the appropriate reclamation cost/acre for each category from the Schedule of Reclamation Costs provided with this application form) OR you can defer to the Department to calculate your bond for you based upon your maps and standard reclamation costs:

CATEGORY	AFFECTED ACREAGE		RECLAMATION COST/ACRE*		RECLAMATION COST
Tailings/Sediment Ponds:	_____ Ac.	X	\$ _____/Ac.	=	\$ _____
Stockpiles:	_____ 1.0 Ac.	X	\$ _____ 1800 /Ac.	=	\$ _____ 1,800
Wastepiles:	_____ Ac.	X	\$ _____/Ac.	=	\$ _____
Processing Area/Haul Roads:	_____ 5.40 Ac.	X	\$ _____ 1800 /Ac.	=	\$ _____ 9,720
Mine Excavation:	_____ 27.10 Ac.	X	\$ _____ 500 /Ac.	=	\$ _____ 13,550
Other:	_____ 2.9 Ac.	X	\$ _____ 1800 /Ac.	=	\$ _____ 5,220
TOTAL AFFECTED AC.:	_____ Ac.				
(TOTAL PERMITTED AC.:	_____ 67.70 Ac.)				

Temporary & Permanent Sedimentation & Erosion Control Measures:

Divide the **TOTAL AFFECTED AC.** above into the following two categories: a) affected acres that drain into proposed/existing excavation and/or b) affected acres that will be graded for positive drainage where measures will be needed to prevent offsite sedimentation and sedimentation to onsite watercourses and wetlands.

- a) Internal Drainage _____ Ac.
b) Positive Drainage _____ Ac. X \$1,500.00 = \$ _____

SUBTOTAL COST: \$ _____ 30,290

Inflation Factor:

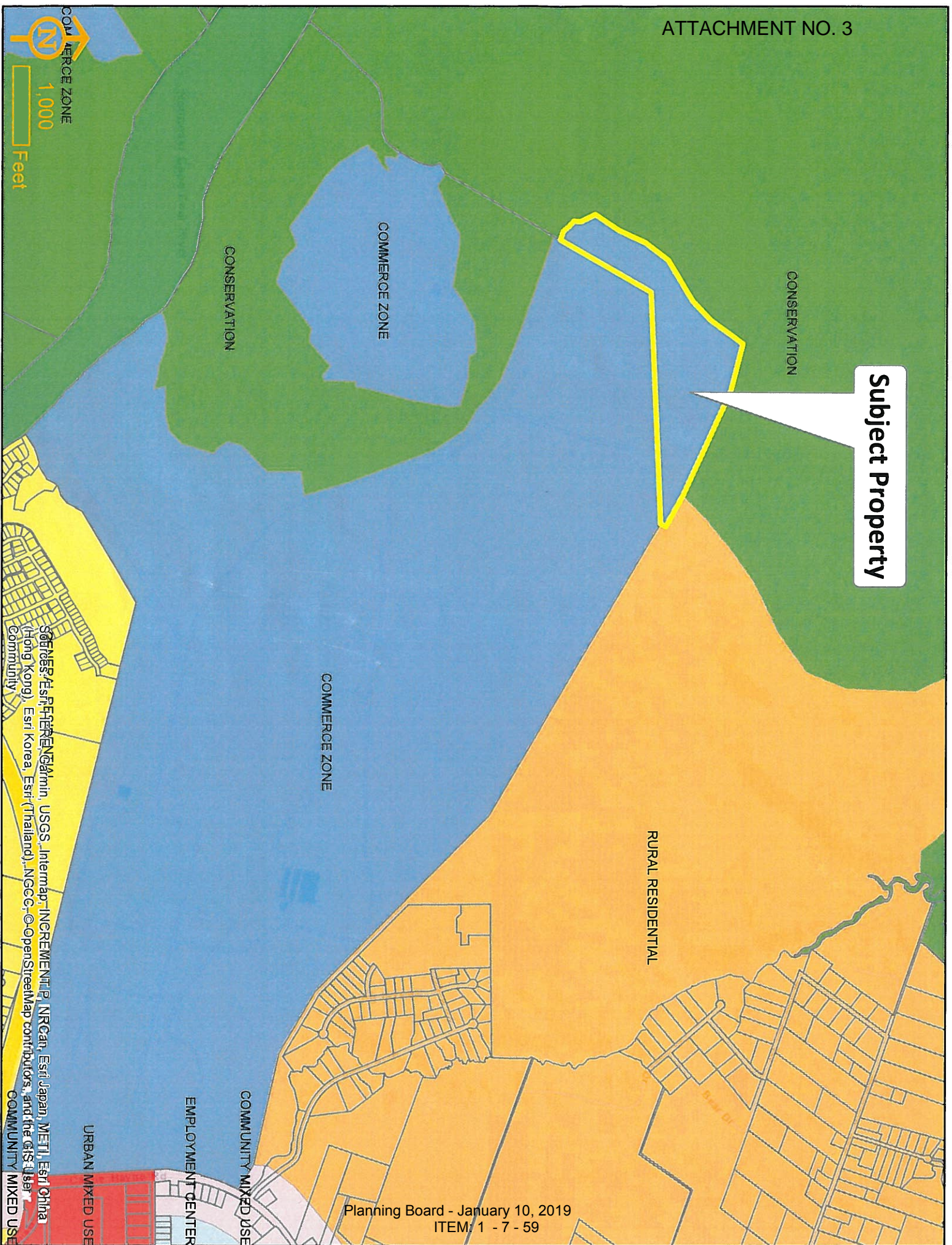
0.02 X SUBTOTAL COST: \$ _____ 30,290 X Permit Life (1 to 10 years): _____ 10

INFLATION COST: \$ _____ 6,058

TOTAL COST = SUBTOTAL COST + INFLATION COST = \$ _____ 36,348

Total Reclamation Bond Cost: \$ _____ 36,300
(round down to the nearest \$100.00)

Subject Property



ATTACHMENT NO. 4

4. How will this change of zoning serve the public interest? (continued)

The change in zoning will enable sand mining through a Special Use Permit, which is public necessity. See attached study establishing the same (Attachment No. 4-A) (Tab 8).

The public interest will further be served by the special care that will be exercised during sand mine operations that protect the public safety, health and welfare.

The sand mine must be operated in accord with the State Mining Permit as modified ("Permit") (Attachment No. 2-A) (Tab 5). Various Permit conditions and restrictions will mitigate sand mine impacts.

The Permit was originally issued on February 5, 2014 and was modified on December 15, 2015 to address concerns regarding the possible effect of mining operations on groundwater contamination located at the adjacent heavy Industrial I-2 GE facility. The Permit is included with this Application (Attachment No. 2-A) (Tab 5). Sampling undertaken by GE demonstrates that (a) no groundwater contamination on the Subject originating from the GE property reaches levels of concern that are above those set forth in the North Carolina "2L level of concern standards" ("2L levels") and that (b) mining will not adversely affect groundwater contamination originating on and from the GE property.

Nonetheless, as a precaution the modified Permit requires two-step phasing of the project and regular groundwater monitoring. Excavation will now take place in Phase 1 only, which is the westernmost 28.1 acres of the Subject. The area east of Phase 1 (as shown in the maps attached to the Permit (Tab 16) and illustrating a typical A-AA cross-section dividing the property into two phases) called "Phase 2" is now and will remain an undisturbed buffer and will not be subject to excavation until (1) Phase I mining is complete, and (2) it has been determined no contaminants of groundwater exist above 2L levels in the Phase 2 area. Additionally, all mining activities are required to cease if contamination in groundwater monitoring wells that GE

installed in the Phase 2 area exceeds applicable 2L levels regulatory limits.

In accordance with the modification, GE has installed and is monitoring wells strategically placed on the Subject – OCW 6A and 6B. The wells are located between the area of the groundwater contamination migratory plume and the area designated for future Phase 2 mining activities. (See map in Tab 2 labelled “Figure 16”) Results of this monitoring are described in the Supplemental Remedial Investigation Report Northwest Site Area by RTI dated February 29, 2016 (report is erroneously dated February 29, 2015)(the “Report”), a copy of which is available upon request. Well monitoring results set forth in the Report show no contamination at or above levels of concern on the Subject, and no likelihood that any further migration of contamination onto the Subject will rise at or above levels of concern.

Once mining is complete, the mine will be reclaimed as a lake to support wildlife and provide habitat. Additionally, a reclamation bond in the amount of \$36,300 has been purchased by the Owner.

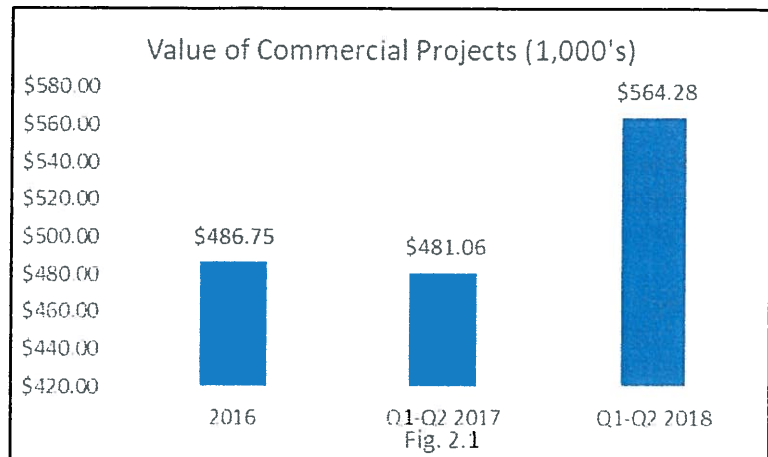
SiteTech Systems

The Public Necessity for Additional Sand Mines New Hanover County

September 2018

Prepared for: Stephen Coggins, Rountree Losee LLP.

In addition to the uses of sand in residential development, it is also heavily used in commercial activities. The commercial market of Wilmington has witnessed a slight decrease in the number of building permits, as seen in fig 1.2. Occurring, between the first six months of 2018 to the first six months of 2017. This decrease in the number of commercial permits is opposite of the general market trend. A portion of this discrepancy is related to the higher average value associated with each of the commercial permits. This suggests the market is producing a lower quantity of relatively more valuable project. Overall the Wilmington market increased value of permitted commercial projects by just over \$3.1 million. In aggregate the commercial market is still improving, even with a decreasing quantity of building permits, as the value of individual projects and overall projects are continuing their increase.



Similar to commercial and residential uses, infrastructural improvements are also a large consumer of building sand and other aggregate products. While, the NCDOT often creates their own access to fill soil by digging pits proximal to the actual road project, it is often necessary for this supply to be supplemented from other sources. In the immediate Wilmington area, there are at least 22-road improvement projects in process or under construction, with numerous smaller repair and maintenance projects occurring regularly. Some of the largest roadway projects deal with the ongoing improvement of US Hwy 421, US Hwy 17 and the construction of numerous interchanges, roadway widening and intersections to more efficiently connect the existing roadways. In addition to these road improvements, there is additional investment going into expanding utility service. Extensive improvement projects are currently underway at the Wilmington International Airport, including parking lot renovations, runway expansion and increasing the amount of acreage available to private party development. These projects are currently demanding an above average amount of building sand, with the demand only expected to increase if the market fills the planned development around the airport.

The landfill located in New Hanover County is also planning expansion to keep pace with the developing area. Expansion is scheduled to add an additional 10-acres of landfill to the active site, leaving and additional 70-acres of future expansion space. This planned expansion will increase the need for both fill dirt and the Leachate Collection Layer, which is a portion of the landfill foundation, mainly comprised of sand and fine gravel.

In addition to these projects, the Port of Wilmington is currently in the process of a large-scale renovation and improvement project. The port whose container count is up 38% for the fiscal year 2018 is expanding to accommodate the increasing activity. Renovations, improvements and expansions are currently projected to be \$200 million project. As part of this ongoing renovation project the port recently received two neo-panamax cranes, significantly boosting the capacity of the overall port. These new cranes also allow the port to begin accepting larger ships and offloading larger volumes of freight than previously available. The demand for both fill soil and aggregate products such as cement and mortar mix are expected to be substantial in this project. As the city and state continue for increases in port volume, an increase in industrial size storage facilities is expected to become increasingly prevalent in the immediate port area.

Overall these investments align with the strategic plan of the New Hanover County. The overarching county goal of 'Intelligent Growth & Economic Development' is underpinned by infrastructural investments to spur private sector growth, increases in the number of companies paying higher wages and the further development of communities. For the infrastructural improvements alone, the county expects a 100% return on

SiteTech Systems:

This is an original publication by SiteTech Systems. SiteTech Systems is a sixteen-year-old real estate research and analysis company which services all of North Carolina and South Carolina. SiteTech Systems has built an extensive database of almost 8.0 million parcel and property records covering 146 counties. The database contains information which includes ownership, property characteristics, sales history, financing & mortgage information, zoning, site characteristics, flood zone, foreclosure & REO indicators, and tax assessor information. Utilizing this extensive database and accessing external databases, SiteTech Systems is able to deliver an unparalleled level of market specific analysis. In all SiteTech Systems reports, emphasis is placed on commonly accepted economic measures, with the overarching goal of giving the reader the ability to quickly find the information they need, analyze trends and compare them to overall economic activity.

Sources:

Commercial Building Permits: The Market Edge 'Commercial Building Permit Trend Report'

Residential Building Permits: Housing and Urban Development Agency

Market Specific Demographic Information and Forecasts: ESRI, US Census & Bureau of Labor Statistics

Sand Mine Locations: North Carolina Department of Environmental Quality

Port Investment: North Carolina Port Authority

Infrastructural Projects: NCDOT & Wilmington Metropolitan Planning Department

New Hanover Strategic Plan: New Hanover County Government (nhc.gov)

Economic Goals of the County's Strategic Plan:

INTELLIGENT GROWTH & ECONOMIC DEVELOPMENT



STRATEGIC OBJECTIVE		
Leverage public infrastructure to encourage private investment	Increase the diversity and number of higher-wage jobs	Encourage development of complete communities* in the unincorporated county
DESIRED OUTCOME		
Current public assets and future investments increase the tax base	More advanced manufacturing, knowledge sector, and skilled trade jobs available locally	Align policies and business practices to support the development of complete communities
TARGET		
<ul style="list-style-type: none"> \$3 billion increase in tax base 100% return on investment within 3 miles of new public investments 	<ul style="list-style-type: none"> Increase jobs that pay \geq 6.5% above the living wage 6,500 new, traded-sector jobs in advanced manufacturing, knowledge sector, and skilled trades 	<ul style="list-style-type: none"> Increase elements of complete communities across New Hanover County

INTELLIGENT GROWTH & ECONOMIC DEVELOPMENT



- Leverage public infrastructure to encourage private investment
- Increase the diversity and number of higher-wage jobs
- Encourage development of complete communities in the unincorporated county

ATTACHMENT NO. 5

SUP Condition No. 1: No material danger to health or safety

Lack of Risk of Harm From GE Groundwater Contaminants

Public comment has been received stating concerns that the proposed sand mining will cause groundwater contamination originating from the adjacent GE site to migrate to neighborhood private wells and pollute them.

However, contamination remediation by GE for over two decades and extensive monitoring of the groundwater both at GE and the Subject indicate no risk of groundwater contamination that would pollute neighborhood private wells. This is so for several reasons.

First, GE has over the years conducted the following five extensive environmental reports on monitoring and testing of the groundwater on the GE site and Subject:

1. March 2014 "Northwest Site Area 2013 Monitoring Report" by RTI on behalf of GE;
2. January 15, 2015 "Groundwater Modeling of Potential Impacts from the Proposed Sand Mine in the Northwest Site Area" by RTI on behalf of GE;
3. February 20, 2015 "Supplemental Remedial Investigation Report Northwest Site Area" by RTI on behalf of GE;
4. June 2, 2015 "Supplemental Remedial Investigation Work Plan Northwest Site Area" by RTI on behalf of GE;
5. May 22, 2018 "2017 Annual Water Monitoring Report of the Northwest Site Area General Electric/Global Nuclear Fuel Site" by Amec Foster Wheeler for GE

The EPA and DEQ required these reports (copies are available upon request). They have been submitted to DEQ and are public record. They thoroughly demonstrate that:

- GE groundwater migrates from the point of pollution in a north-northeasterly direction;

- groundwater that thereby has migrated onto the Subject's most easterly portion (i.e., "Phase 2"):
 - *does **not** contain contaminants rising to regulatory "2L levels of concern"; and*
 - *has contaminant levels that have significantly decreased over time, and will continue to decrease further through natural biological breakdown and dilution processes.*

Second, even if the groundwater contains contaminants above 2L levels (and they do not), then there is still no risk to public health, safety and welfare due to a number of factors that would prevent the GE pollutants from harming the public. Those factors include, but are not limited to, the following:

A. No dewatering and "wet" mining.

Neighbors have expressed concern that the planned mining to take place on the Subject will accelerate groundwater migration and draw it onto the Subject. This concern is not based in fact for several reasons.

First, no dewatering of groundwater in the water table will take place because it is prohibited by the State Mining Permit (Attachment No. 2-A) (Tab 5). Thus, there will be no removal of groundwater that leaves a vacuum into which adjacent contaminated groundwater could migrate.

Second, "wet" mining will be used, so that the existing water table on the Subject's Phase 1 will not be altered. Thus, any adjacent groundwater would not be able to migrate further.

B. Lake will prevent any contaminants flowing therein from traveling further beyond Phase 1.

The mining will excavate sand on Phase 1 of the Subject from its highest elevation point of approximately thirty-nine (39) feet above Mean Sea Level, down to about zero (0) feet, i.e., at Mean Sea Level. Applicant estimates this activity will go below the water table about four (4) to six (6) feet. A seven (7) foot deep lake will be left upon

completion of the excavation. The lake surface will be at seven (7) feet Mean Sea Level and the lake bottom will be at Mean Sea Level (0'). This lake will both capture, contain, break down and dilute any groundwater contaminants that, however unlikely, migrate into the lake.

The Applicants can close the lake and render it inaccessible by the public.

C. Swamp to the north acting as hydrologic barrier and means to further dilute any contaminant plume.

The Subject's northern boundary is adjacent to a large swamp. Surface and groundwater flows in a northerly direction toward this swamp. In the highly unlikely event that contaminated groundwater reaches the swamp, it will be impeded by the edge of the wet-swamp acting as a hydrologic barrier. If the contaminants nonetheless make their way into the swamp, it will break down further the contaminants and further dilute them.

D. Mining stops if strategically located monitoring wells indicate contaminants above 2L levels migrate too close to the mining operations.

Groundwater monitoring wells have been placed between the groundwater migrating "plume" and the planned Phase 1 mining activities (see map labelled as "Figure 16" in Tab 2). In the unlikely event the wet mining activities somehow do not prevent migration of the GE contaminants above 2L levels onto Phase 1, the strategically placed monitoring wells will so indicate. If ever that should somehow happen (however unlikely), then the mining operations are required by the Permit to cease. In that event, the mining activities cannot cause further migration of the contaminants. Further, notice of the same must be given to Susan Murphey, a Wooden Shoe resident who contested the State Mining Permit in proceedings before the Administrative Office of the Courts (Attachment 5-B) (Tab 11).

E. Frequent monitoring.

The wells are monitored at least twice each year. This assures prompt notice of any changes in migratory patterns and contaminant levels.

F. Physical impossibility of contaminants migrating to residential area.

The nearest residential area to the Phase 1 mining area of the Subject is located to the southeast as much as *1.5 miles* away. The northeasterly flow of groundwater migrating from the GE contamination site towards the swamp to the north does not and cannot migrate southeasterly approximately 1.5 miles to private residential wells.

G. Further background of State Mining Permit conditions that prevent harm to the public

The Permit was originally issued in February 5, 2014, and was modified on December 15, 2015, to address concerns regarding the possible effect of mining operations on groundwater contamination located at the neighboring heavy Industrial I-2 GE Property. The Permit is included with this Application (Attachment No. 2-A) (Tab 5). Sampling undertaken by GE demonstrates that (a) no groundwater contamination on the Subject originating from the GE property reaches levels of concern above those set forth in the above North Carolina "2L standards" and, (b) mining will not adversely affect groundwater contamination originating on and from the GE property.

Nonetheless, as a precaution, the modified Permit requires two-step phasing of the project and regular groundwater monitoring. Excavation will now take place in Phase 1 only, which is the westernmost 28.1 acres of the Subject. The area east of Phase 1 (as shown in the maps (Tab 16) attached to the Permit and illustrating a typical A-AA cross-section dividing the property into two phases) called "Phase 2" is now and will remain an undisturbed buffer and will not be subject to excavation until (1) Phase I mining is complete, and (2) it has been determined no contaminants of groundwater exist above 2L levels

standards in the Phase 2 area. Additionally, all mining activities are required to cease if contamination in groundwater monitoring wells that GE installed in the Phase 2 exceeds applicable 2L levels regulatory limits.

In accordance with the modification, GE has installed and is monitoring wells strategically placed on the Subject – OCW 6A and 6B (see map in Tab 2 labelled “Figure 16”). The wells are located between the area of the groundwater contamination migratory plume and the area designated for future Phase 2 mining activities. Results of this monitoring are described in the Supplemental Remedial Investigation Report Northwest Site Area by RTI dated February 29, 2016 (report is erroneously dated February 29, 2015) (the “Report”). Well monitoring results set forth in the Report show no contamination at or above levels of concern on the Subject, and no likelihood that any further migration of contamination onto the Subject will rise at or above levels of concern.

Once mining is complete, the mine will be reclaimed as a lake to support wildlife and provide habitat. Additionally, a reclamation bond in the amount of \$36,300 has been purchased by the Owner.

The North Carolina Department of Environmental quality (“NCDEQ”) Division of Energy, Mineral and Land Resources (“DEMLR”) issued the mining permit only after an intensive investigation into the location of the mine, and the potential impact of the mine upon public health or safety. DEMLR regulations and the Permit, as modified, impose restrictions preventing any endangerment of public health and safety. The Permit requires ongoing monitoring and reporting of groundwater contamination levels, with conditions that all operations cease should levels exceed 2L levels. Thus, public health and safety concerns regarding water contamination have been addressed.

Further, the Permit splits the Subject into two different mining phases, Phase 1 and Phase 2. Phase 1 is the westernmost 28.1 acres of Subject. Extensive monitoring by GE establishes that no groundwater contamination from the GE site has, or will, ever migrate to Phase 1.

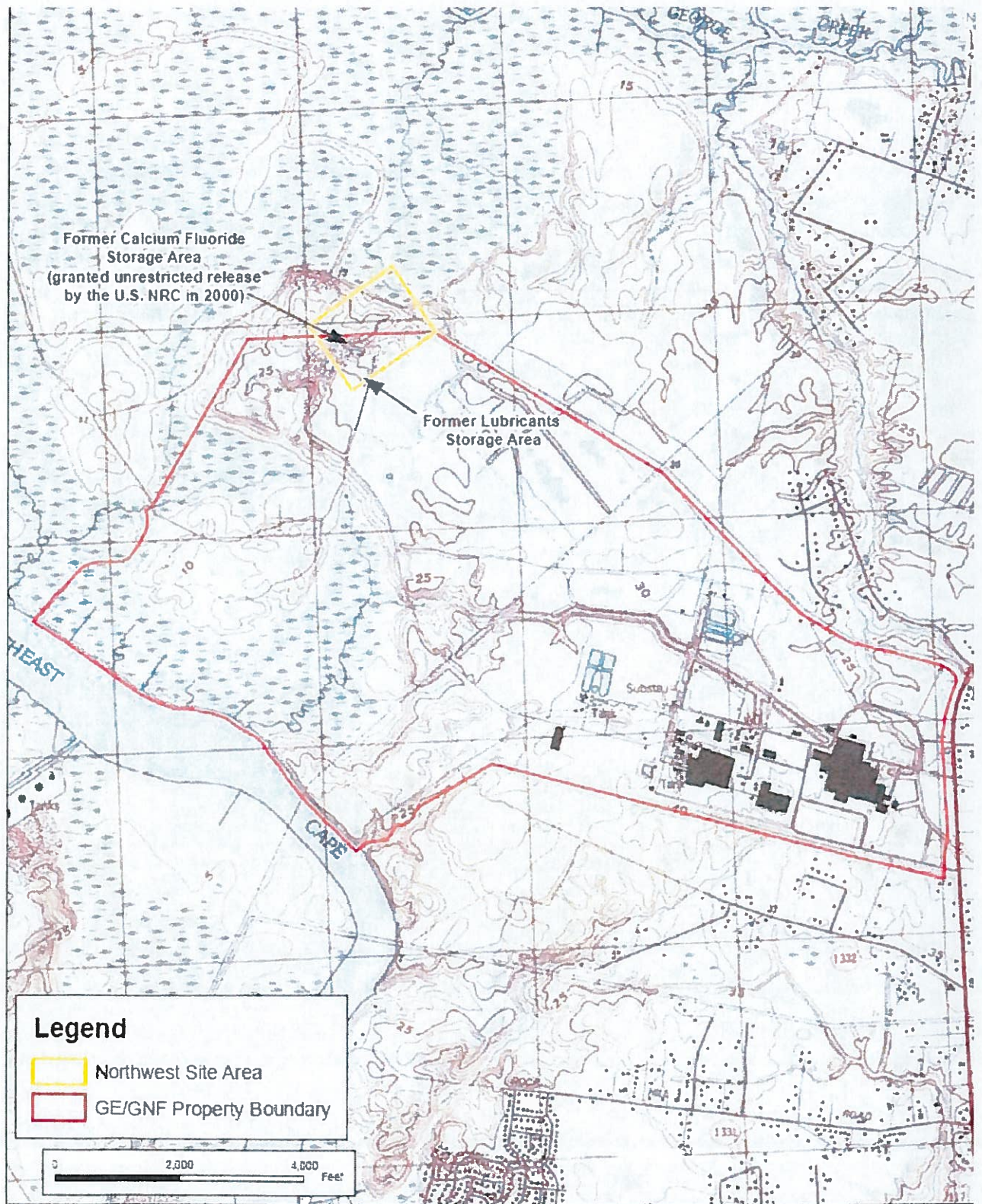
Mining initially can take place only in Phase 1, which is an area reduced to 28.10 acres. This phasing increases buffers. While groundwater contamination has migrated onto the easternmost reaches of Phase 2, that contamination does not rise to 2L levels, and no mining will take place in Phase 2.

Additionally, two lawsuits brought against DEMLR and challenging the Permit have been fully and favorably resolved in furtherance of the interests of all concerned. The first, Case No. 14 HER 01663, filed in the Office of Administrative Hearings on May 24, 2014, was brought by 21 *pro se* Petitioners. Petitioners filed a Voluntary Dismissal, recorded January 6, 2016 (Attachment No. 5-A) (Tab 10). The second, Case No. 16 HER 01381, was filed by Susan Murphy. The case was settled and signed March 10, 2017, with no modification to the permit as issued. NCDEMLR agreed to inspect the mining operation biannually and to notify the Petitioner of inspection results as well as any amendments to the underlying permit. The settlement is attached hereto as Attachment No. 5-B (Tab 11).

Finally, the Subject is located deep within wooded tracts approximately 1.5 miles from the nearest residences. It is not visible and is accessible only by locked gate.

No Risk of Mining Operations Drying Out Private Residential Wells 1.5 miles Away

Some residential neighbors speculate that the mining could draw away groundwater from their private wells. However, no dewatering will occur in the mining operations. Instead, wet mining techniques will be employed. Thus, no “drawing out” of adjacent groundwater will occur. Further, the excavation area is at least 1.5 miles from the nearest residence. In addition, the attached topographical map indicates no elevations that encourage any northwestwardly migration of groundwater from the Wooden Shoe subdivision private wells toward the sand mine. Finally, there is no evidence of a risk to the far away private residential wells.



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OFFICE OF ADMINISTRATIVE HEARINGS
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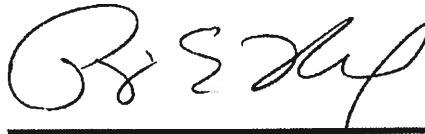
STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
14 EHR 01663

<p>Rick Wilson Petitioner,</p> <p>v.</p> <p>DENR LAND QUALITY, DIV OF ENERGY, MINERAL & LAND RESOURCES, LAND QUALITY SECTIONRespondent. Respondent.</p>	<p>ORDER OF CLOSURE</p>
---	--------------------------------

Petitioner has filed a Voluntary Dismissal in the above-captioned matter. Therefore, no further proceedings are needed or required to resolve the contested case captioned above, and this contested case is CLOSED.

This the 6th day of January, 2016.



Philip E Berger Jr.
Administrative Law Judge

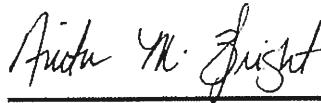
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On this date mailed to:

Carolyn McLain
Assistant Attorney General, NC Department of Justice
9001 Mail Service Center
Raleigh NC 27699
Attorney For Respondent

Rick Wilson
108 Hyacinth Avenue
Castle Hayne NC 28429
Petitioner

This the 6th day of January, 2016.



Anita M Wright
Paralegal
N. C. Office of Administrative Hearings
6714 Mail Service Center
Raleigh NC 27699-6700
Phone: 919-431-3000

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
16 EHR 01381

SUSAN MURPHY

Petitioner,

v.

DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES, DIVISION OF
ENERGY, MINERAL AND LAND
RESOURCES, LAND QUALITY SECTION

Respondent.

**SETTLEMENT AGREEMENT
AND
WITHDRAWAL OF PETITION**

Susan Murphy (hereinafter "Petitioner") and the Division of Energy, Mineral, and Land Resources ("DEMLR") of the North Carolina Department of Department of Environmental Quality¹ ("DEQ" or "Respondent") hereby enter into this Settlement Agreement ("Agreement") in order to resolve matters in controversy between them pursuant to N.C. Gen. Stat. §150B-31(b). These matters arose when Ms. Murphy contested Respondent's issuance of modified Mining Permit No. 65-35 ("the Modified Permit"), pursuant to N.C. Gen. Stat. § 74-51 of the Mining Act of 1971 ("Mining Act") to Hilton Properties, LP for the Hilton Properties Mine ("Hilton Properties") located at 4117 Castle Hayne Road in Castle Hayne, New Hanover County, Cape Fear River Basin, North Carolina.

Without any hearing of fact or law in the above-styled matter, PETITIONER AND RESPONDENT AGREE THAT:

¹ Effective July 1, 2015, the North Carolina Department of Environment and Natural Resources was renamed the North Carolina Department of Environmental Quality. Pursuant to Rule 25(f)(1) of the North Carolina Rules of Civil Procedure, DEQ is automatically substituted as party.

1. In order to avoid the cost and delay of further litigation, Petitioner and Respondent have entered into this Settlement Agreement and have agreed to resolve the matter without adjudicating the merits and have agreed that all parties have been correctly designated and that there is no question as to misjoinder or nonjoinder.

2. Without adjudication of these claims, Respondent agrees to notify Petitioner of:

- a. All mining modifications and/or revisions of any kind to the existing Mining Permit on the Hilton Properties mining location.
- b. All new mining permits and all revisions of any kind related to the mining permits applied for on the Hilton Properties, LP property located at 4117 Castle Hayne Road, Castle Hayne, NC 28429.
- c. All mine inspection reports and field notes for the Hilton Properties mine. Copies of the mine inspection reports and field notes will be emailed to Petitioner.
- d. All notifications issued by Respondent to Hilton Properties, LP, to cease all mine operations.

These provisions shall be in effect regardless of who owns the property currently located at 4117 Castle Hayne Road, Castle Hayne, NC 28429.

3. Notification of the above-identified mining activities can be via phone call and/or email. If by phone, Respondent shall call Petitioner at 910-471-9540. If by email, Respondent shall send the email with "Read Receipt Requested" to Petitioner at tootiecm@outlook.com. In the event that Petitioner changes either her phone number or email address, Petitioner shall provide updated information to Respondent within 10 business days of the change.

4. Respondent shall notify Petitioner of the mining activities listed in paragraph 2 (a) – (c) within 5 business days of the above-listed mining activities. Respondent shall notify Petitioner of the mining activity listed in paragraph 2 (d) within 24 hours of issuance of Respondent's notification to cease all mining activities. If phone and/or email contact is not successful, final mailing of written notification will be via USPS Certified Mail. The Certified Mail notification shall be completed 5 business days after Respondent receives documentation regarding the mining activities listed in paragraph 2 (a) – (c) and 24 hours after notification for the mining activity listed in paragraph 2 (d). The Certified Mail notification shall be sent to the following address:

Susan Murphy
5719 Dekker Road
Castle Hayne, NC 28429

5. In the event Petitioner sells her current residence, Petitioner shall provide Respondent with written notification (either by email to janet.boyer@ncdenr.gov or letter addressed to the DEMLR State Mining Specialist, 1612 Mail Service Center, Raleigh NC 27699) within 10 business days of moving. Should Petitioner sell her residence, this Settlement Agreement will terminate.

6. Respondent and Petitioner agree that Respondent will conduct biannual inspections of the subject mine.

7. The parties agree that the consideration for this settlement is the promises contained herein and that this Agreement contains the whole agreement between them.

8. This Agreement shall be binding upon the parties, their successors and assigns, upon execution by the undersigned, who represent and warrant that they are authorized to enter into this agreement on behalf of the parties hereto.

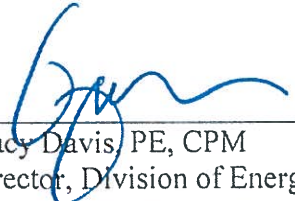
WITHDRAWAL OF PETITION

Entry of this Agreement serves as Petitioner's Voluntary Withdrawal with Prejudice of the Petition for Contested Case Hearing 16 EHR 01381. The parties agree this matter is concluded and that no further proceedings are needed or required to resolve the contested case.

NORTH CAROLINA DEPARTMENT
OF ENVIRONMENTAL QUALITY,
DIVISION OF ENERGY, MINERAL
AND LAND RESOURCES
Respondent

SUSAN MURPHY
Petitioner

By:


Tracy Davis, PE, CPM
Director, Division of Energy, Mineral
and Land Resources

By:


Susan Murphy

Tracy E. Davis, Director
Printed Name & Title of Signer

Printed Name & Title of Signer

Date:

3/3/2017

Date:

3/10/2017

ATTACHMENT NO. 6

SUP Condition 2 – Use meets all required conditions and specifications of the Zoning Ordinance.

The Subject and its proposed use meets zoning requirements for High Intensity Mining Operations as outlined in section 72-42 (See pages 187 and 188 of the New Hanover County Zoning Ordinance.)

- 1.) Lot size is greater than 1 acre.
- 2.) The Permit allows removal of sand off-site.
- 3.) No dewatering will occur.
- 4.) The area is not classified as aquifer resource protection or watershed resource protection.

Additionally, the Subject and its proposed use meets requirements of Section 53 for I-2 (see pages 64 and 65 of Zoning Ordinance)

- 1.) Mining Permit has been acquired from DEMLR for sand mining.
- 2.) The area is larger than 5 acres.
- 3.) The proposed mining area is situated directly adjacent to an established I-2 district.
- 4.) The proposed mining area does not abut residential areas.
- 5.) The project is buffered by 4,020.96 acres owned by the rezoning applicant, as well as by the GE Hitachi site, and is accessible only by a locked gate.

Finally, The US Army Corps of Engineers, Wilmington District, found the proposed project does not impact jurisdictional waters or wetlands in a letter dated September 23, 2013 (Attachment No. 6-A) (Tab 13).

U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT

Action ID: SAW-2013-01614

County: New Hanover

NO DEPARTMENT OF THE ARMY AUTHORIZATION REQUIRED

Property Owner: David Fort
Address: 1508 Watson Avenue
Little River, SC 29566

Size and Location of Property (waterbody, road name/number, town, etc.): The project area is located off of Sledge Road in Wilmington, New Hanover County, North Carolina.

Description of Activity: To dig a sand mine entirely on high ground. Mining Activities will take place within the tract, 50 feet from the Survey line with the exception that no mining activities will take place within 50 feet of the stream located in the east corner of the permit area and the area east of the stream which will be an undisturbed buffer. Please see attached map which was emailed to the Corp on September 10, 2013.

Your work as proposed does not require Department of the Army authorization for the following reason(s):

- ☐ There are no jurisdictional waters or wetlands within the boundaries of the property.
- ☒ The proposed project does not impact jurisdictional waters or wetlands.
- ☐ The proposed project is exempt from Department of the Army regulation.
Specify:

This Department of the Army determination does not relieve the permittee of the responsibility to obtain any other required Federal, State, or local approvals/permits. The permittee may need to contact appropriate State and local agencies before beginning work.

For any activity within the twenty coastal counties, before beginning work, you must contact the N.C. Division of Coastal Management in Wilmington, North Carolina at (910) 796-7215 to discuss any required State authorization.

Any changes in the above described work must be coordinated with the Corps of Engineers prior to commencement. If you have any questions regarding the Corps of Engineers regulatory program, please contact Christy Wicker at telephone number (910) 251-4637.

Regulatory Project Manager Signature _____
Date: 9/23/2013

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete the attached customer Satisfaction Survey or visit <http://www.saw.usace.army.mil/WETLANDS/index.html> to complete the survey online.



Proposed Sand Mine

What impact does the presence of an active sand mine have on home values in the adjacent neighborhoods?

4117 Castle Hayne Road
Castle Hayne, NC 28429

By Appointment

Stephen D. Coggins

By Appointment

Trevor Tarleton & F. Blynn Beall

Streamline Evaluation Services

2513 N. Oak Street Suite 305, Myrtle Beach, SC 29577

T: 843.808.9716 W: www.streamlineevaluation.com

EXECUTIVE SUMMARY

Purpose

Streamline Evaluation Services has been retained by Stephen D. Coggins (intended user) to perform an analysis in order to determine the impact an active sand mine will have on single-family residential property values within a close proximity to the mining operations (intended use).

Scope of Work Performed

The scope of the study included: locating sand mines in close proximity to residential developments, analyzing changes in home values as a reaction to active sand mining, then providing conclusions about the potential economic impact on home values from sand mining operations.

Methodology

Numerous sand mine locations were scrutinized to determine the best areas for comparison. Search criteria included locating active sand mines within close proximity to single-family housing developments and then selecting similar housing developments nearby that would not be impacted by the mining operations (noise, traffic, etc.). Although sand mines were located within New Hanover County, none were found from an inspection of aerial imagery which matched the criteria of being in close proximity to a single-family residential development to the point where operations could impact residents. Also, based on inspection of aerial imagery, no sand mines were located within Brunswick County west of US Highway 17 (Ocean Highway) in close proximity to residential developments considered comparable. We then searched within Horry County, SC and found mines which matched our search criteria. A comparison was then made to determine if the average sale prices within each neighborhood adjacent to each mine grew at a consistent rate with comparative neighborhoods and also in comparison to the overall market in Horry County during similar timeframes. The information was then tabled and graphed to analyze and interpret the results.

Summary of Findings

Three sand mines in Horry County met the criteria necessary for this report: active mining dates verifiable by aerial photos, sand mines located within close proximity to established single-family subdivisions, and mines with an ingress/egress road that borders single-family homes in a subdivision. For the purpose of this report the sand mines are identified as: Blackmoor, Forestbrook and Cottonpatch. After our analysis, it was determined that each sample subdivision grew at a similar rate to the overall market during periods of active mining and there appeared to be no significant economic impacts to home values as result of having an active sand mine in close proximity to each of the three neighborhoods analyzed.

GENERAL ANALYSIS

Comparable Market Selection

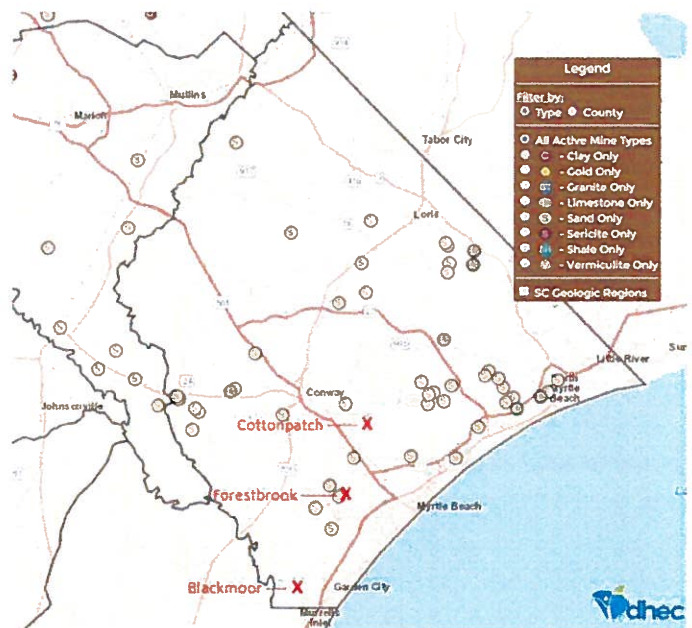
The difficulty of locating comparable sand mining information in New Hanover County resulted in a modification of search parameters to include searches of surrounding counties. Brunswick County, to the south, was first researched for sand mines in coastal markets with similar elements of comparison. After no comparable mines were identified east of US Highway 17, the search extended southward into South Carolina. Publicly available data for permitted sand mines in South Carolina was easy to navigate and a search of Horry County identified multiple sand mines in close proximity to residential development. As information was readily available, we selected the Grand Strand market area. Sand mines located in Horry County, SC were utilized for this report due to the similarity of the geography and economic conditions. Both counties are in a period of growth with demand for sand to be used for construction of roads and site work.

The Grand Strand is comprised of approximately 60 miles of coastline stretching from southern Brunswick County, North Carolina south to Georgetown County, South Carolina, with the majority of the Grand Strand located in Horry County. The sand mine which is the subject of this report is located north of the Grand Strand in the Wilmington market, which is considered to have similar elements of comparability to the Grand Strand. Both markets are ocean-fronting and both have a stable population base which benefits from both tourism and retirees relocating from other markets. Both markets have higher-education facilities and both are experiencing residential and commercial growth. Both markets have ports for shipping, although the Georgetown Port is far less active than the Wilmington Port. As such, the Grand Strand was determined to be a reasonable area for comparison.

Comparable Mine & Subdivision Selection

Numerous mining locations are located in Horry County. The online SC Active Mines application, provided by DHEC, shows the locations of active permitted mining operations in South Carolina and aided our identification of sand mines (shown on the map at right).

While there are instances of individual residences in close proximity to mines that have sold in recent years, a sale of the property in a period before the mine was active would need to be compared to a second sale of the same property during an active period of mining. A paired-sale comparison such as this would be reliable if the residential improvements were maintained at a reasonable standard and both the original and second transaction would need to be arm's length sales. Due to the difficulty in



finding properties with such strict criteria, we focused on established single-family residential developments in close proximity to sand mines. This would ensure more sales activity each period could be analyzed and also give insight to the purchasing preferences of a larger sample size.

Although many sand mines were located, most didn't meet the parameters required to be considered for comparison (active mining dates verifiable by aerial photos, located within close proximity to an established single-family subdivision with a comparable subdivision in the immediate proximity that wasn't affected by sand mining operations, and mines with an ingress/egress road that bordered single family homes in the subdivision). **For each subdivision selected in close proximity to the sand mine, called 'sample subdivisions,' one or more nearby subdivisions were also selected for comparison, called the 'comparative subdivisions,' which were selected due to their proximity outside of an area impacted/affected by the traffic, noise and/or potential dust created from mining operations.**

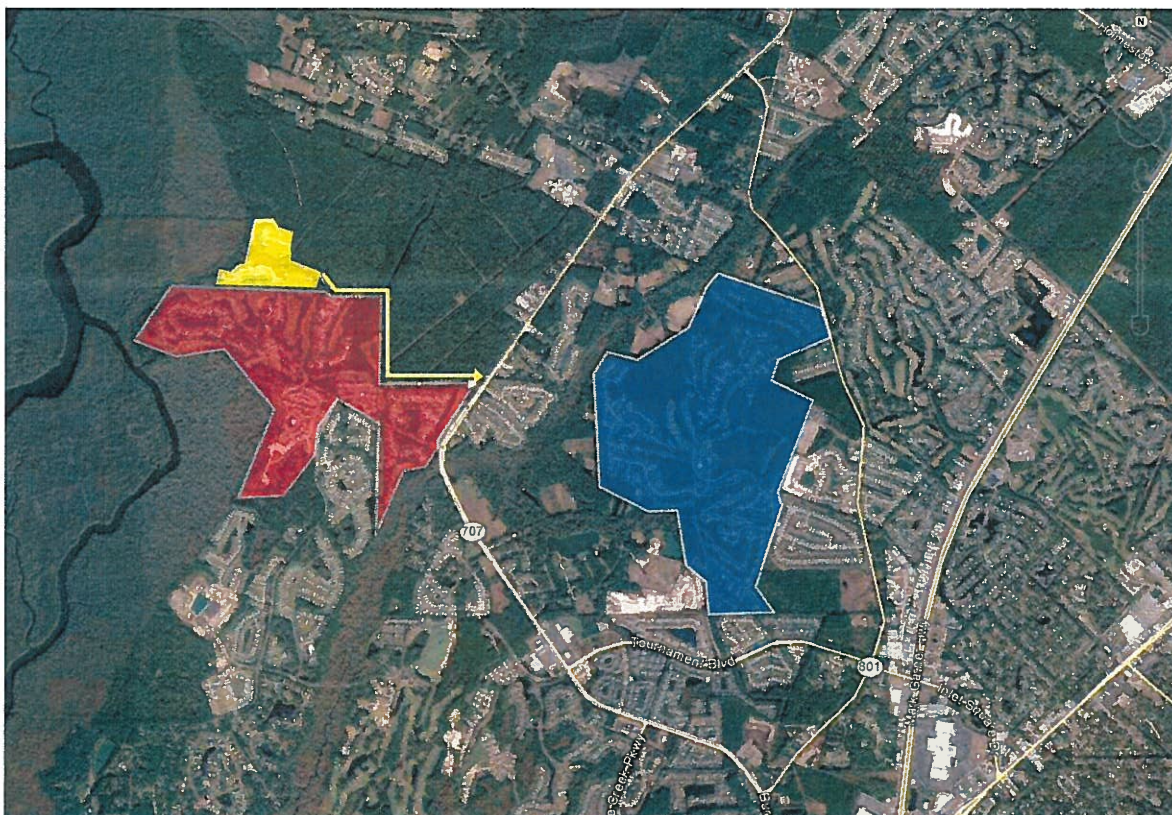
Although sand mines were located within New Hanover County, none were found from an inspection of aerial imagery which matched the criteria of being in close proximity to an established single-family residential development to the point where operations could impact residents. Also, based on inspection of aerial imagery, no sand mines were located within Brunswick County west of US Highway 17 (Ocean Highway) in close proximity to residential developments considered comparable. As such, we searched within Horry County, SC. Three sand mines in Horry County met the criteria necessary to be sample subdivisions, which are discussed in more detail in this report.

The two best methods to determine if sand mines impacted sales prices were to: (1) compare the yearly average sales price rates between the sample subdivisions and the comparative subdivisions within similar timeframes, and (2) compare the growth rates of the average sale price within the sample subdivision in comparison to average sales rates within the overall area (Horry County) during a similar timeframe. Although the price per square foot and the average sale price were both considered, the average sale price was considered to be a more reliable unit for comparison.

Information on subdivisions bordering sand mines and comparable neighborhoods not affected by sand mining were derived from search optimization programs provided by the Coastal Carolinas Association of REALTORS® Multiple Listing Service (MLS). Parameters of the searches included: yearly home sales closed from January 1, 2009, to YTD 2018 (August 24, 2018) for each sample subdivision, comparative subdivision and Horry County. Only detached single-family residences were included with a minimum of one bedroom and bathroom count, as a precaution, in case a property had been included in the wrong category. In some situations, outliers (homes that were not standard in the subdivision) were excluded. To simplify the interpretation of this report, the sample subdivisions and their comparative subdivisions were broken out into three separate identities: Blackmoor, Forestbrook and Cottonpatch. These three mines, the sample subdivisions and the comparative subdivisions are analyzed on the following pages.

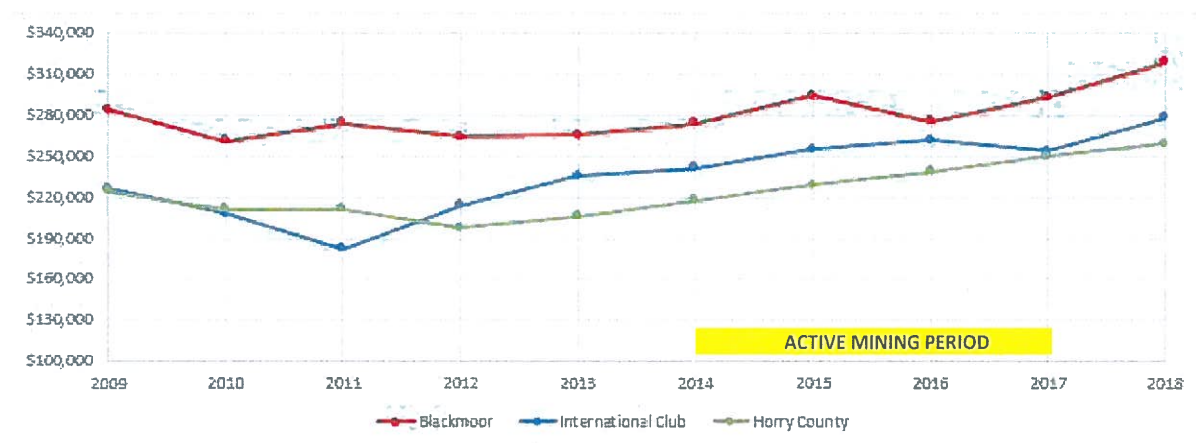
Blackmoor

The Blackmoor Sand Mine (shown in yellow) borders the Blackmoor Golf Course community (sample subdivision shown in red). The area of the mine outlined in the graphics below measures 48± acres. Access to the sand mine is provided via a private road (shown in yellow) that borders the Blackmoor Golf Course community and is accessed from SC Highway 707. The blue area designates the International Club of Myrtle Beach (comparative subdivision shown in blue), a golf community similar to Blackmoor. Active sand mining began between 10/2014 and 3/2015 and became inactive around 11/2017. The photos below the map show both the location of the sand mining prior to the mining operation and the most recent aerial imagery available.

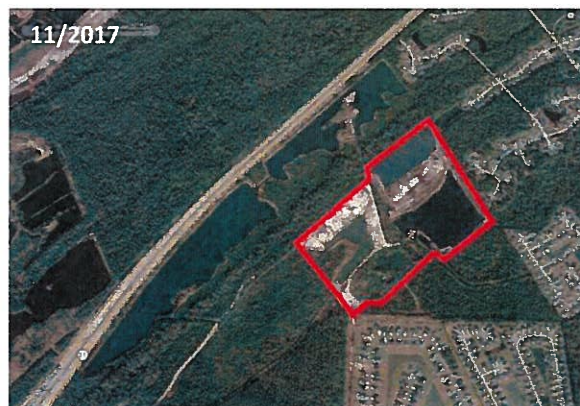


The following chart and graph show the changes in average home values from 01/01/2009 through 8/23/2018. They contain information on the sample subdivision adjacent to the sand mine (Blackmoor), the comparative subdivision (International Club), and the baseline (Horry County Single-Family Homes). Active mining periods are highlighted in yellow and the 2018 sample size is highlighted in red due to it only extending from 01/01/2018 through 08/23/2018.

Year	Blackmoor			International Club			Horry County		
	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales
2009	\$284,144	---	9	\$226,570	---	18	\$224,554	---	2,707
2010	\$261,319	-8%	21	\$208,090	-8%	21	\$211,682	-6%	3,050
2011	\$274,309	5%	11	\$182,237	-12%	19	\$211,176	0%	3,237
2012	\$264,705	-4%	26	\$214,284	18%	30	\$197,304	-7%	3,840
2013	\$266,030	1%	13	\$235,666	10%	77	\$206,321	5%	4,649
2014	\$274,188	3%	16	\$241,798	3%	66	\$217,631	5%	5,143
2015	\$294,941	8%	17	\$255,630	6%	77	\$229,367	5%	5,955
2016	\$275,557	-7%	22	\$261,994	2%	84	\$238,959	4%	6,392
2017	\$293,389	6%	18	\$253,716	-3%	36	\$249,961	5%	6,981
2018	\$319,326	9%	9	\$278,130	10%	21	\$259,596	4%	4,722
%Δ 2011 - 2018	116%		162	153%		449	123%		46,676
%Δ During Mining	107%		73	105%		263	115%		24,471

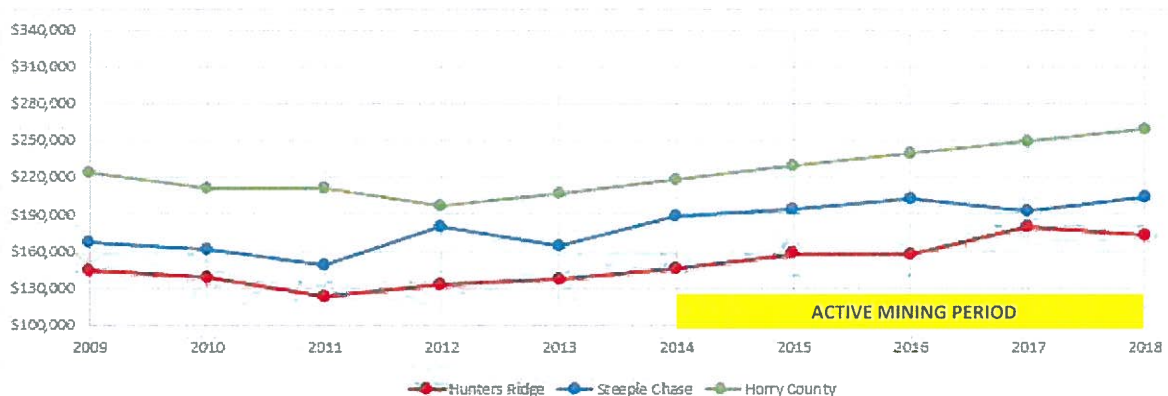


After plotting the average sales prices within the sample subdivision, Blackmoor, and the comparative subdivision, International Club, the data appeared to trend similarly over a longer timeframe. While the average sales price of International Club dropped in 2011, by 2012 it had increased above the Horry County average. This is likely due to the price points of the product available for sale within specific sections of the overall development of International Club. By the time period of the active mining, the sample subdivision and comparative subdivision do not appear to vary greatly from the trend of the overall County sales. Although the sample average dropped in 2016 and the comparative dropped in 2017, they both recovered and resumed trending with Horry County by 2018. Based on the graph above, the growth of the average sale prices between the two subdivisions is relatively consistent with the exception of 2011 and 2016. The overall growth rate of Blackmoor slightly surpassed the growth rate of International Club during the mining periods of 2014-2017 at 107% to 105%, respectively.



The following chart and graph show the changes in average home values from 01/01/2009 through 8/23/2018. They contain information on the sample subdivision adjacent to the sand mine (Hunters Ridge - west of Panther Parkway), the comparative subdivision (Steeple Chase), and the baseline (Horry County Single-Family Homes). As the size and style of homes east of Panther Parkway were considered superior, only homes west of Panther Parkway were included in this analysis. Active mining periods are highlighted in yellow and the 2018 sample size is highlighted in red due to it only extending from 01/01/2018 through 08/23/2018.

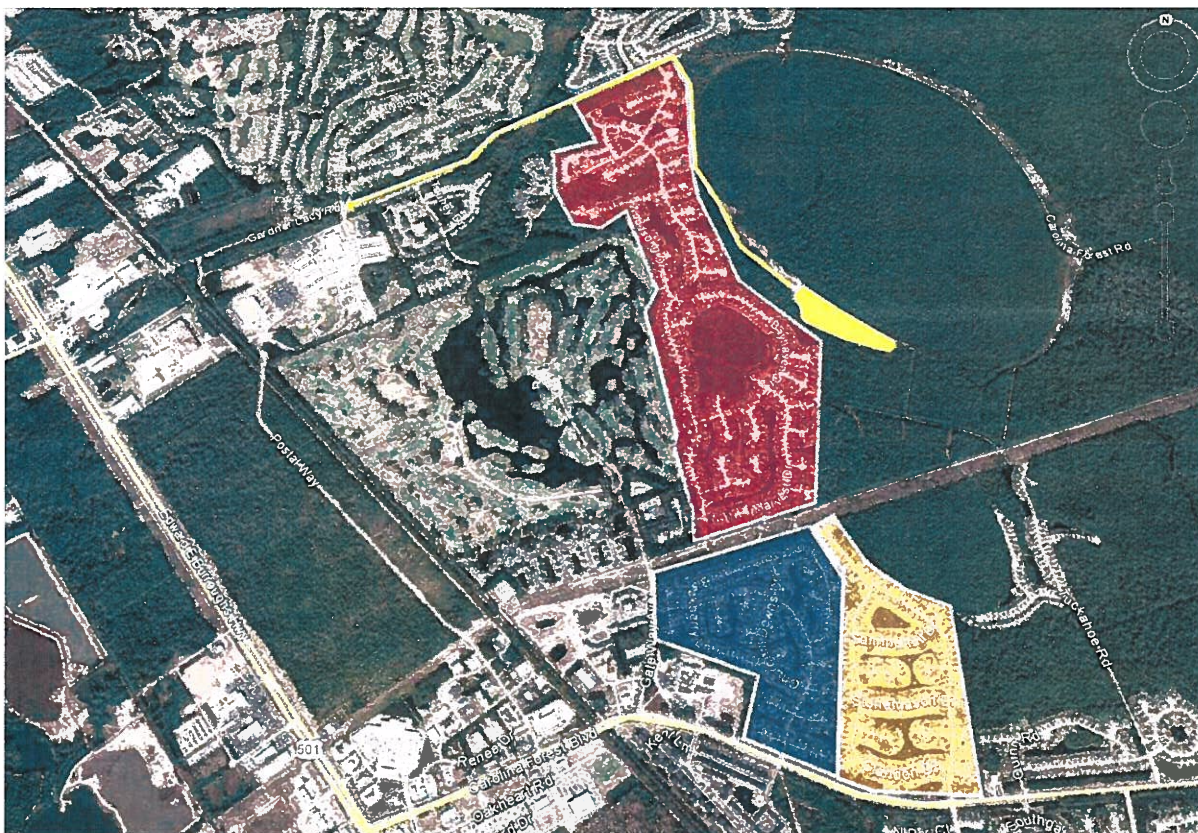
Year	Hunters Ridge W of Panther Parkway			Steeple Chase			Horry County		
	Avg. Sales Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales
2009	\$144,877	---	9	\$166,767	---	9	\$224,554	---	2,707
2010	\$138,991	-4%	19	\$161,057	-3%	7	\$211,682	-6%	3,050
2011	\$123,478	-11%	14	\$148,700	-8%	4	\$211,176	0%	3,237
2012	\$133,147	8%	20	\$179,600	21%	5	\$197,304	-7%	3,840
2013	\$137,239	3%	19	\$164,031	-9%	5	\$206,321	5%	4,649
2014	\$145,710	6%	21	\$188,800	15%	9	\$217,631	5%	5,143
2015	\$158,125	9%	24	\$194,257	3%	7	\$229,367	5%	5,955
2016	\$157,165	-1%	28	\$203,036	5%	11	\$238,959	4%	6,392
2017	\$179,445	14%	33	\$193,225	-5%	4	\$249,961	5%	6,981
2018	\$172,931	-4%	13	\$204,750	6%	2	\$259,596	4%	4,722
%Δ 2009 - 2018	126%		200	125%		63	116%		46,676
%Δ During Mining	119%		119	108%		33	119%		29,193



After plotting the average sales prices within the sample subdivision, Hunters Ridge west of Panther Run, and the comparative subdivision of Steeple Chase, the data appeared to trend similarly over a longer timeframe. With the exception of Steeple Chase in 2012, the average sales prices of the sample and comparative subdivisions remained lower than Horry County averages. This is due to the price points of the products available for sale within the specified subdivisions. During the first four years of the active mining, the sample subdivision does not appear to vary greatly from the trend of the overall County sales. Hunters Ridge sales average dropped slightly in 2016 when compared to the County average, but rebounded in 2017. Also, the growth of the average sale prices between 2009 and 2018 show the sample subdivision grew faster than the comparative subdivision and Horry County. The comparative subdivision's average sales were relatively consistent with the exception of two single-year fluctuations.

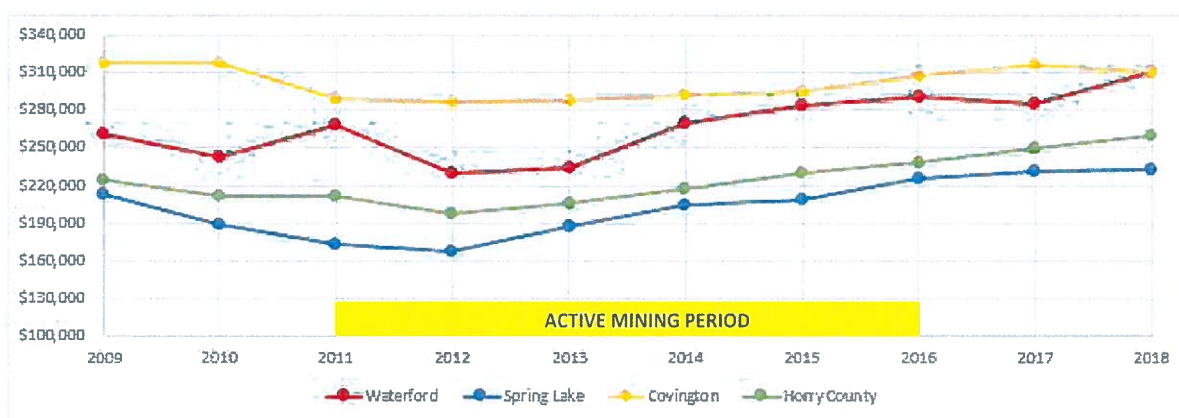
Cottonpatch

The Cottonpatch Sand Mine (shown in yellow) borders the Waterford community (sample subdivision shown in red). The area of the mine outlined in the graphics below measures 13± acres. Access is provided via a private road (shown in yellow) that connects to Gardner Lacy Road. Spring Lake subdivision (comparative subdivision shown in blue) and Covington Lake subdivision (comparative subdivision shown in gold) were selected due to their close proximity and lack of impact from mining operations. Aerial photographs show active sand mining began between 02/2014 and 10/2014 and being inactive in the latest photo, 11/2017.



The following chart and graph show the changes in average home values from 01/01/2009 through 8/23/2018. They contain information on the sample subdivision adjacent to the sand mine (Waterford), the comparable subdivisions (Spring Lake & Covington Lake) and the baseline (Horry County Single-Family Homes). Active mining periods are highlighted in yellow and the 2018 sample size is highlighted in red due to it only extending from 01/01/2018 through 08/23/2018.

Cottonpatch												
Waterford				Spring Lake			Covington Lake			Horry County		
Year	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales
2009	\$261,291	---	22	\$212,677	---	1	\$318,000	---	15	\$224,554	---	2,707
2010	\$243,267	-7%	18	\$188,513	-11%	1	\$318,000	0%	16	\$211,682	-6%	3,050
2011	\$267,577	10%	22	\$172,721	-8%	5	\$289,700	-9%	14	\$211,176	0%	3,237
2012	\$230,004	-14%	23	\$168,130	-3%	6	\$285,917	-1%	15	\$197,304	-7%	3,840
2013	\$233,805	2%	33	\$187,483	12%	12	\$287,895	1%	16	\$206,321	5%	4,649
2014	\$269,770	15%	24	\$204,395	9%	7	\$291,783	1%	20	\$217,631	5%	5,143
2015	\$284,490	5%	52	\$208,207	2%	12	\$295,025	1%	22	\$229,367	5%	5,955
2016	\$290,218	2%	41	\$226,303	9%	35	\$307,618	4%	26	\$238,959	4%	6,392
2017	\$285,117	-2%	41	\$231,705	2%	18	\$315,941	3%	21	\$249,961	5%	6,981
2018	\$310,719	9%	23	\$233,416	1%	6	\$310,667	-2%	12	\$259,596	4%	4,722
%Δ 2009 - 2018				133%		299	124%		103	108%		177
%Δ During Mining				116%		195	135%		77	107%		113
										123%		29,216

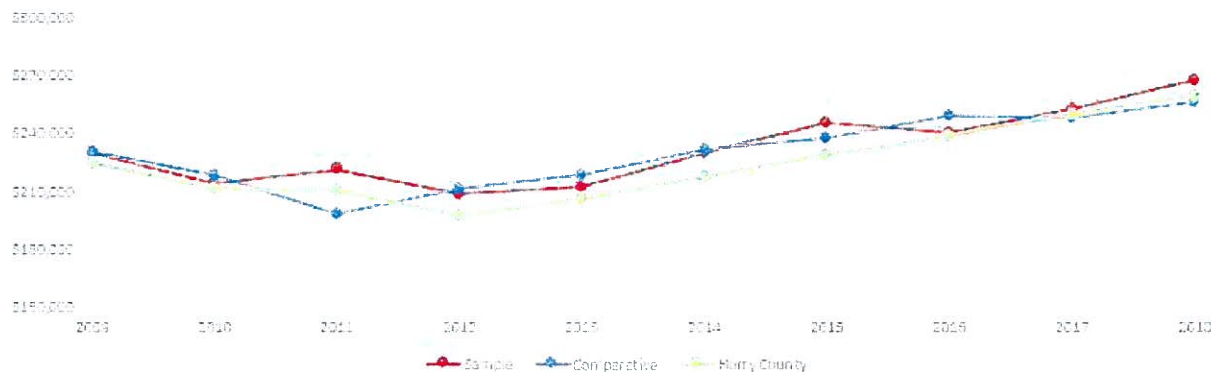


After plotting the average sales prices within the sample subdivision, Waterford, and the comparative subdivisions, Spring Lake and Covington Lake, the data appeared to trend similarly over a longer timeframe. While the average sales prices of the comparative Spring Lake subdivision remained lower than Horry County averages, they trended very well with Horry County. Sales averages in the sample subdivision (Waterford) showed substantial increases in average sales prices during the first year of mining in 2011 and in years of active mining 2014-2016. Sales averages for Waterford dropped in 2012 but increased continuously for the next four years. During the time period of the active mining, the comparative subdivisions do not appear to vary greatly from the trend of the overall County sales.

Cumulative Averages Trend

The following chart shows three trend lines that represent each of the different criteria: sample subdivisions, comparative subdivisions, and Horry County average home prices. The sample subdivisions red line consists of the yearly home sales price averages of all three subdivisions: Blackmoor, Forestbrook and Cottonpatch. The comparative subdivisions blue line represents: The International Club, Steeple Chase, Spring Lake and Covington Lake. The green line represents Horry County and is considered the baseline for changes in average yearly sales prices.

The best method to determine if sand mines impacted sales prices was to compare the yearly average sales prices of the sample subdivisions in comparison to the comparative subdivisions and also compare them to the overall area (Horry County). The chart below shows side-by-side comparisons and trends in yearly changes for total cumulative average sales prices. During the time periods of active sand mining, the sample subdivisions trended similarly to the comparative subdivisions and Horry County home averages.



Conclusion

Sales prices in individual neighborhoods may vary over time for a variety of factors, including but not limited to; market demand, available supply, cost of construction/materials, availability of financing, etc. Many factors were considered while analyzing each subdivision to gauge if the changes in sales prices over time were attributable primarily to the market or outside influences. The general trend of each sample and comparative neighborhood appears to closely trend with the real estate market during each respective timeframe. This inferred analysis places an emphasis on historical sales data which is quantifiable. After our analysis, it was determined that there were no significant economic impacts to home values as result of an active sand mine in close proximity to each neighborhood.

Additional data is presented in the attachments that analyzes the sample and comparative subdivisions previously discussed with the exclusion of new-construction sales. This data is contrasted to the data sets previously presented. This data also supports little-to-no impact on the average sale prices as a result of proximity to the sand mines.

About Us

Streamline Evaluation Services LLC, provides credible real estate solutions by synergizing technology and industry professionals. Streamline collects information, analyzes the data, and generates high-quality streamlined products utilizing the most recent market information available through paid and public records. This way their clients can make timely, informed and educated strategic decisions. Our reports are easy to read, accurate, compliant, and customized to each clients' requirements. Streamline Evaluation Services boasts timely turnaround of reports to meet deadlines with dedicated and accessible analysts, as well as an internal quality review process and approval before transmittal.

From automated appraisals to in-depth evaluations, analyses, assessments and studies, Streamline Evaluation Services provides full-service solutions for a wide spectrum of property types. We work with financial institutions to ensure that their internal requirements are met, while also maintaining compliance with the Uniform Standards of Professional Appraisal Practice, federal regulation 12 CFR Part 34 (Title XI of FIRREA) and standards endorsed by the Appraisal Institute and other professional organizations.

Our review process ensures that each report offers supportable opinions as to value and then offering conclusions and/or recommendations to the client. This process guarantees that the appraisal contains adequate, relevant and meaningful discussion, analysis and rationale so that it can be readily understood to lead to a credible value conclusion, and contains sufficient supporting documentation to indicate the reasonableness of the conclusion.

Trevor Tarleton, M.B.A. is Real Estate Research/Market Analyst at Streamline Evaluation Services LLC, where he generates detailed restricted real estate appraisals and market analysis reports through critical thinking, experience, resourcefulness and research. Tarleton earned his Master of Business Administration (MBA), and Bachelor of Science in Business Administration (BSBA) degrees from Coastal Carolina University. He also earned an Associate in Applied Science Degree in Forestry Management Technology: Wildlife Management Emphasis and Forestry Business Emphasis from Horry-Georgetown Technical College. Tarleton has a diversified background which includes multiple certifications and positions held in forestry, research and land management. Prior to working for Streamline Services, he was employed at Coastal Carolina University as a Research Associate and Graduate Assistant in the Grant Center for Real Estate and Economic Development. His many responsibilities included: networking, building relationships, performing research, analysis, and composing reports for the University, Grant Center and various other clients.

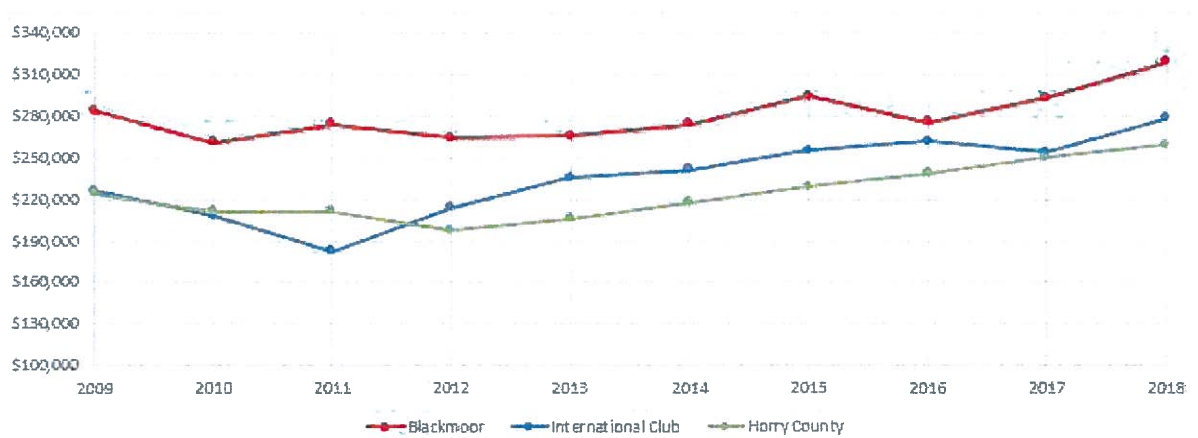
F. Blynn Beall is a Certified General Real Estate Appraiser who earned his education through the Appraisal Institute. Beginning a fee appraisal career in 2008, he partnered to form Streamline Evaluation Services in 2013 to focus on providing alternative valuation solutions along with feasibility and impact studies for clients. He is a graduate of Coastal Carolina University's Wall College of Business with a BA degree in Business Finance and is currently a candidate for a MAI designation through the Appraisal Institute. Blynn is a life-long resident of the Grand Strand and has experience in appraising various property types throughout the Southeast United States and is currently licensed in South Carolina, North Carolina, Georgia, Tennessee and Virginia.

Attachments

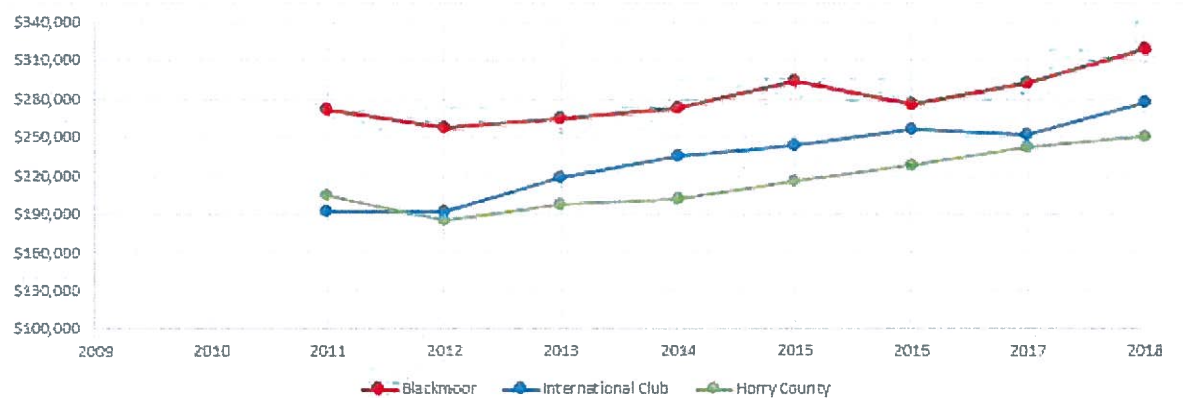
To insure the quality of the conclusions in this report, additional research was done which excluded new-construction sales and considers only resales. This is shown side-by-side with the data previously presented in the report (New Construction & Resale). The additional information is shown in the charts and graphs below and on the following pages.

Blackmoor (New Construction & Resale)									
Year	Blackmoor			International Club			Horry County		
	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales
2009	\$284,144	---	9	\$226,570	---	18	\$224,554	---	2,707
2010	\$261,319	-8%	21	\$208,090	-8%	21	\$211,682	-6%	3,050
2011	\$274,309	5%	11	\$182,237	-12%	19	\$211,176	0%	3,237
2012	\$264,705	-4%	26	\$214,284	18%	30	\$197,304	-7%	3,840
2013	\$266,030	1%	13	\$235,666	10%	77	\$206,321	5%	4,649
2014	\$274,188	3%	16	\$241,798	3%	66	\$217,631	5%	5,143
2015	\$294,941	8%	17	\$255,630	6%	77	\$229,367	5%	5,955
2016	\$275,557	-7%	22	\$261,994	2%	84	\$238,959	4%	6,392
2017	\$293,389	6%	18	\$253,716	-3%	36	\$249,961	5%	6,981
2018	\$319,326	9%	9	\$278,130	10%	21	\$259,596	4%	4,722
%Δ 2011 - 2018	116%		162	153%		449	123%		46,676
%Δ During Mining	107%		73	105%		263	115%		24,471
%Δ # Sales: Mining / Non Mining			45%				59%		

Blackmoor (Resale)									
Year	Blackmoor			International Club			Horry County		
	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales
2011	\$272,000		5	\$192,615		13	\$ 204,797		1,413
2012	\$258,244	-5%	16	\$192,430	0%	20	\$ 184,817	-10%	2,666
2013	\$265,033	3%	12	\$218,843	14%	21	\$ 197,110	7%	3,098
2014	\$273,473	3%	15	\$235,400	8%	30	\$ 201,889	2%	3,285
2015	\$294,383	8%	18	\$244,392	4%	25	\$ 216,567	7%	3,676
2016	\$275,557	-6%	22	\$256,107	5%	29	\$ 228,093	5%	3,893
2017	\$293,389	6%	18	\$252,435	-1%	34	\$ 242,858	6%	4,290
2018	\$319,326	9%	9	\$278,130	10%	21	\$ 251,158	3%	2,927
%Δ 2011 - 2018	117%		115	144%		193	123%		25,248
%Δ During Mining	107%		73	107%		118	120%		15,144
%Δ # Sales: Mining / Non Mining			63%				61%		



Blackmoor (New Construction & Resale)



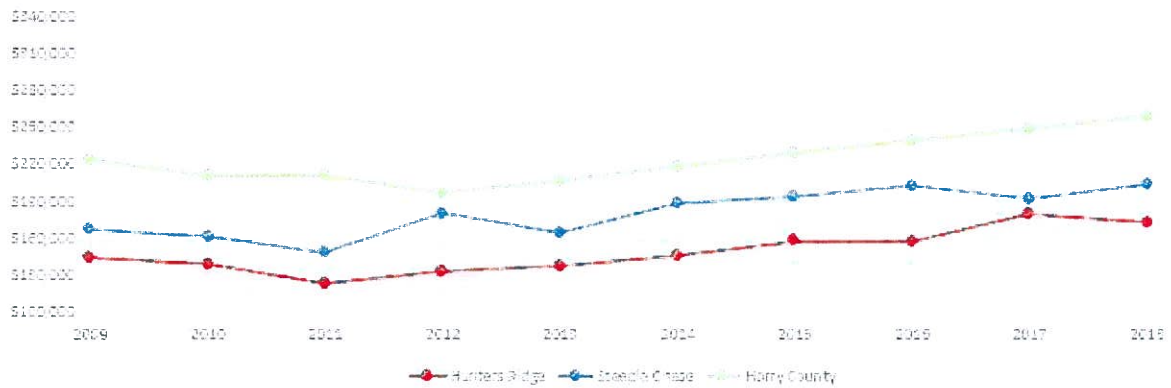
Blackmoor (Resale)

(The search optimization programs provided by the Coastal Carolinas Association of REALTORS® Multiple Listing Service (MLS) wasn't able to separate new construction from resales until midway 2011)

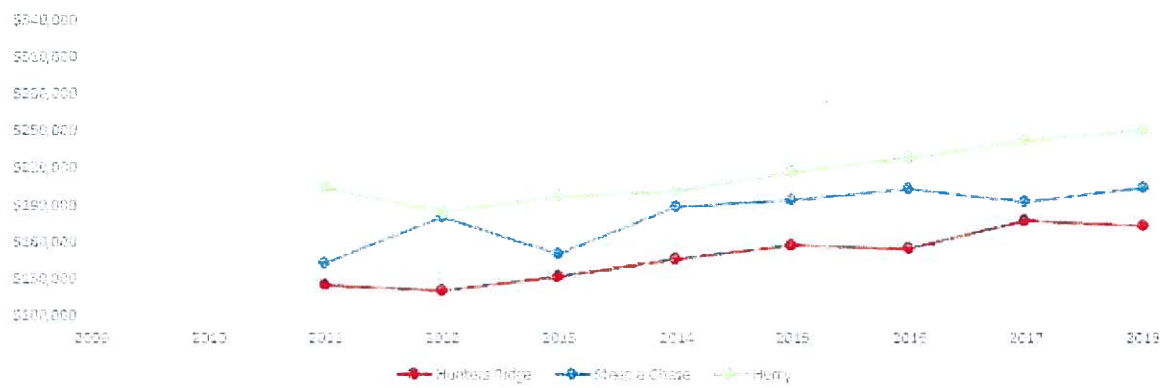
Forestbrook (New Construction & Resale)									
Year	Hunters Ridge W of Panther Parkway			Steeple Chase			Horry County		
	Avg. Sales Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales
2009	\$144,877	---	9	\$166,767	---	9	\$224,554	---	2,707
2010	\$138,991	-4%	19	\$161,057	-3%	7	\$211,682	-6%	3,050
2011	\$123,478	-11%	14	\$148,700	-8%	4	\$211,176	0%	3,237
2012	\$133,147	8%	20	\$179,600	21%	5	\$197,304	-7%	3,840
2013	\$137,239	3%	19	\$164,031	-9%	5	\$206,321	5%	4,649
2014	\$145,710	6%	21	\$188,800	15%	9	\$217,631	5%	5,143
2015	\$158,125	9%	24	\$194,257	3%	7	\$229,367	5%	5,955
2016	\$157,165	-1%	28	\$203,036	5%	11	\$238,959	4%	6,392
2017	\$179,445	14%	33	\$193,225	-5%	4	\$249,961	5%	6,981
2018	\$172,931	-4%	13	\$204,750	6%	2	\$259,596	4%	4,722
%Δ 2009 - 2018	126%		200	125%		63	116%		46,676
%Δ During Mining	119%		119	108%		33	119%		29,193
%Δ # Sales: Mining / Non Mining			60%			52%			63%

Forestbrook (Resale)									
Year	Hunters Ridge W of Panther Parkway			Steeple Chase			Horry County		
	Avg. Sales Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales
2011	\$124,382		11	\$143,333		3	\$ 204,797		1,413
2012	\$121,300	-2%	14	\$179,600	25%	5	\$ 184,817	-10%	2,666
2013	\$131,736	9%	15	\$149,700	-17%	5	\$ 197,110	7%	3,098
2014	\$145,710	11%	21	\$188,800	26%	9	\$ 201,889	2%	3,285
2015	\$156,918	8%	22	\$194,257	3%	7	\$ 216,567	7%	3,676
2016	\$154,320	-2%	24	\$203,036	5%	11	\$ 228,093	5%	3,893
2017	\$176,642	14%	31	\$193,225	-5%	4	\$ 242,858	6%	4,290
2018	\$172,931	-2%	13	\$204,750	6%	2	\$ 251,158	3%	2,927
%Δ 2011 - 2018	139%		151	143%		46	123%		25,248
%Δ During Mining	121%		111	102%		33	120%		18,071
%Δ # Sales: Mining / Non Mining			74%			72%			72%

(The search optimization programs provided by the Coastal Carolinas Association of REALTORS® Multiple Listing Service (MLS) wasn't able to separate new construction from resales until midway 2011.)



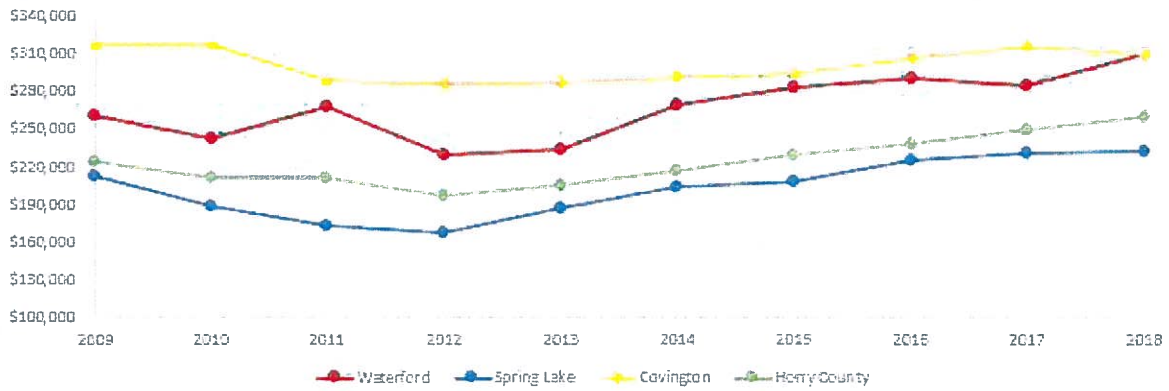
Forestbrook (New Construction & Resale)



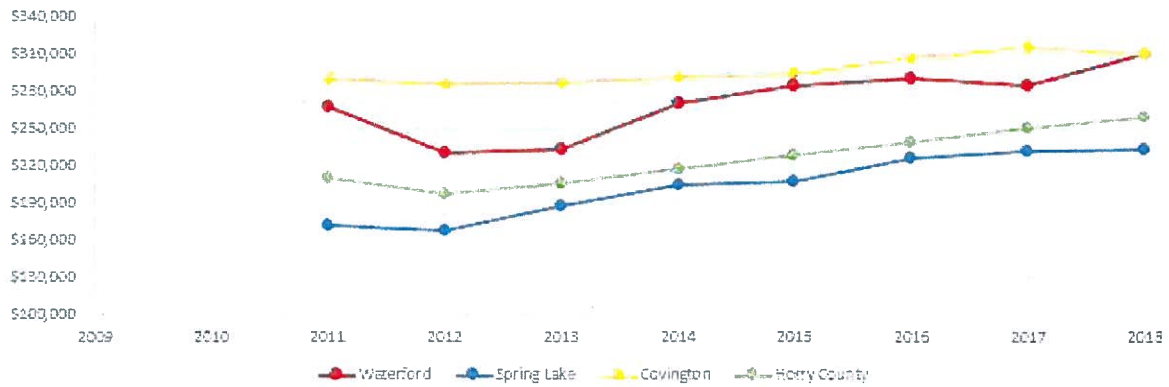
Forestbrook (Resale)

Forestbrook (Resale) Sales Data (2009-2018)

Cottonpatch (New Construction & Resale)													
Waterford				Spring Lake			Covington Lake			Horry County			
Year	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales	
2009	\$261,291	---	22	\$212,677	---	1	\$318,000	---	15	\$224,554	---	2,707	
2010	\$243,267	-7%	18	\$188,513	-11%	1	\$318,000	0%	16	\$211,682	-6%	3,050	
2011	\$267,577	10%	22	\$172,721	-8%	5	\$289,700	-9%	14	\$211,176	0%	3,237	
2012	\$230,004	-14%	23	\$168,130	-3%	6	\$285,917	-1%	15	\$197,304	-7%	3,840	
2013	\$233,805	2%	33	\$187,483	12%	12	\$287,895	1%	16	\$206,321	5%	4,649	
2014	\$269,770	15%	24	\$204,395	9%	7	\$291,783	1%	20	\$217,631	5%	5,143	
2015	\$284,490	5%	52	\$208,207	2%	12	\$295,025	1%	22	\$229,367	5%	5,955	
2016	\$290,218	2%	41	\$226,303	9%	35	\$307,618	4%	26	\$238,959	4%	6,392	
2017	\$285,117	-2%	41	\$231,705	2%	18	\$315,941	3%	21	\$249,961	5%	6,981	
2018	\$310,719	9%	23	\$233,416	1%	6	\$310,667	-2%	12	\$259,596	4%	4,722	
%Δ 2009 - 2018		133%	299	124%		103	108%		177	116%		46,676	
%Δ During Mining		116%	195	135%		77	107%		113	123%		29,216	
%Δ # Sales: Mining / Non Mining			65%				75%			64%			63%

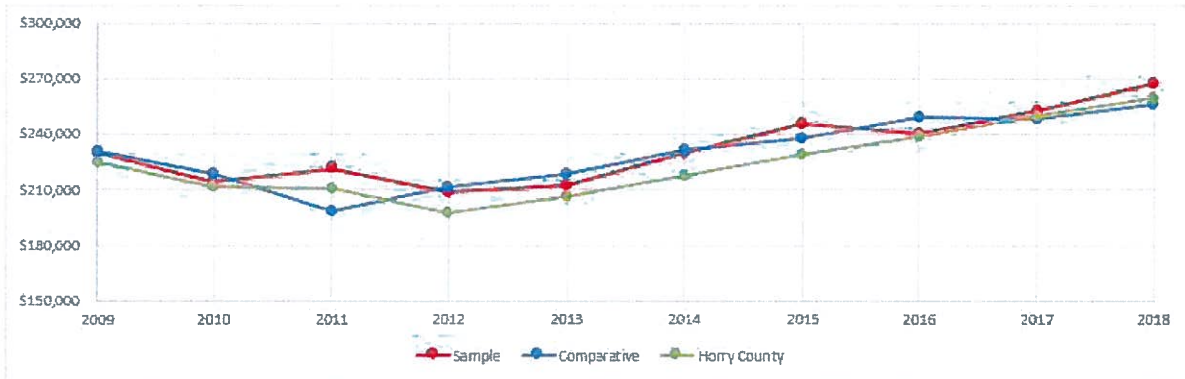


Cottonpatch (New Construction & Resale)

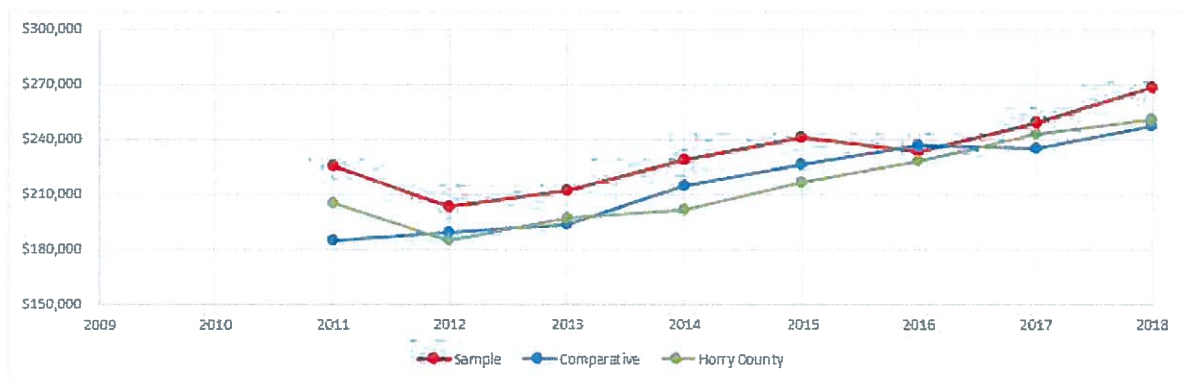


Cottonpatch (Resale)

(The search optimization programs provided by the Coastal Carolinas Association of REALTORS' Multiple Listing Service (MLS) wasn't able to separate new construction from resales until midway 2011.)



Cumulative Trend Lines (New Construction & Resale)



Cumulative Trend Lines (Resale)

(The search optimization programs provided by the Coastal Carolinas Association of REALTORS® Multiple Listing Service (MLS) wasn't able to separate new construction from resales until midway 2011.)



Addendum Report Sand Mine Study

What impact does the presence of an active sand mine have on home values in the adjacent neighborhoods?

**4117 Castle Hayne Road
Castle Hayne, NC 28429**

Prepared For:

Stephen D. Coggins

Prepared By:

Trevor Tarleton & F. Blynn Beall

Streamline Evaluation Services

2513 N. Oak Street Suite 305, Myrtle Beach, SC 29577

T: 843.808.9716 W: www.streamlineevaluation.com

Addendum

The previous analysis completed by Streamline Evaluation Services determined that active sand mining operations did not impact single-family residential property values within close proximity to the mining operations. The original analysis utilized information from Horry County, due to the lack sand mines located within New Hanover County that met the criteria of being in close proximity to a single-family residential development to the point where operations could impact residents. Also, based on inspection of aerial imagery, no sand mines were identified within Brunswick County West of US Highway 17 (Ocean Highway) in close proximity to residential developments considered comparable.

Post analysis, Streamline Evaluation Services received information from Stephen D. Coggins about a sand mine located East of US Highway 17 at the end of Villanova Loop SE in Southport NC. This addendum will include information about the Villanova Sand Mine and its impact on the Saint James Plantation subdivisions bordering and located in close proximity to the mine. It will compare and analyze the annual changes in single family homes sale prices, during pre-mining and active mining operations. The best method to determine if sand mines impacted sales prices was to: compare the yearly average sales price rates between a sample subdivision and the comparative subdivisions within similar timeframes. Although the price per square foot and the average sale price were both considered, the average sale price was considered to be a more reliable unit for comparison.

Due to the layout of the St James Plantation, a portion of the development borders and is in close enough proximity of the Villanova Sand Mine that some homes sites could have been impacted by active mining operations. These home sites, for the purpose of this addendum will be considered the sample subdivision, 'St James (A).' Home sites located in the St James subdivision which are in sections not impacted/affected by the traffic, noise and/or potential dust created from mining operations, will be considered 'St James (B).' St James (B) and the Arbor Creek Subdivisions make up the comparative subdivisions.

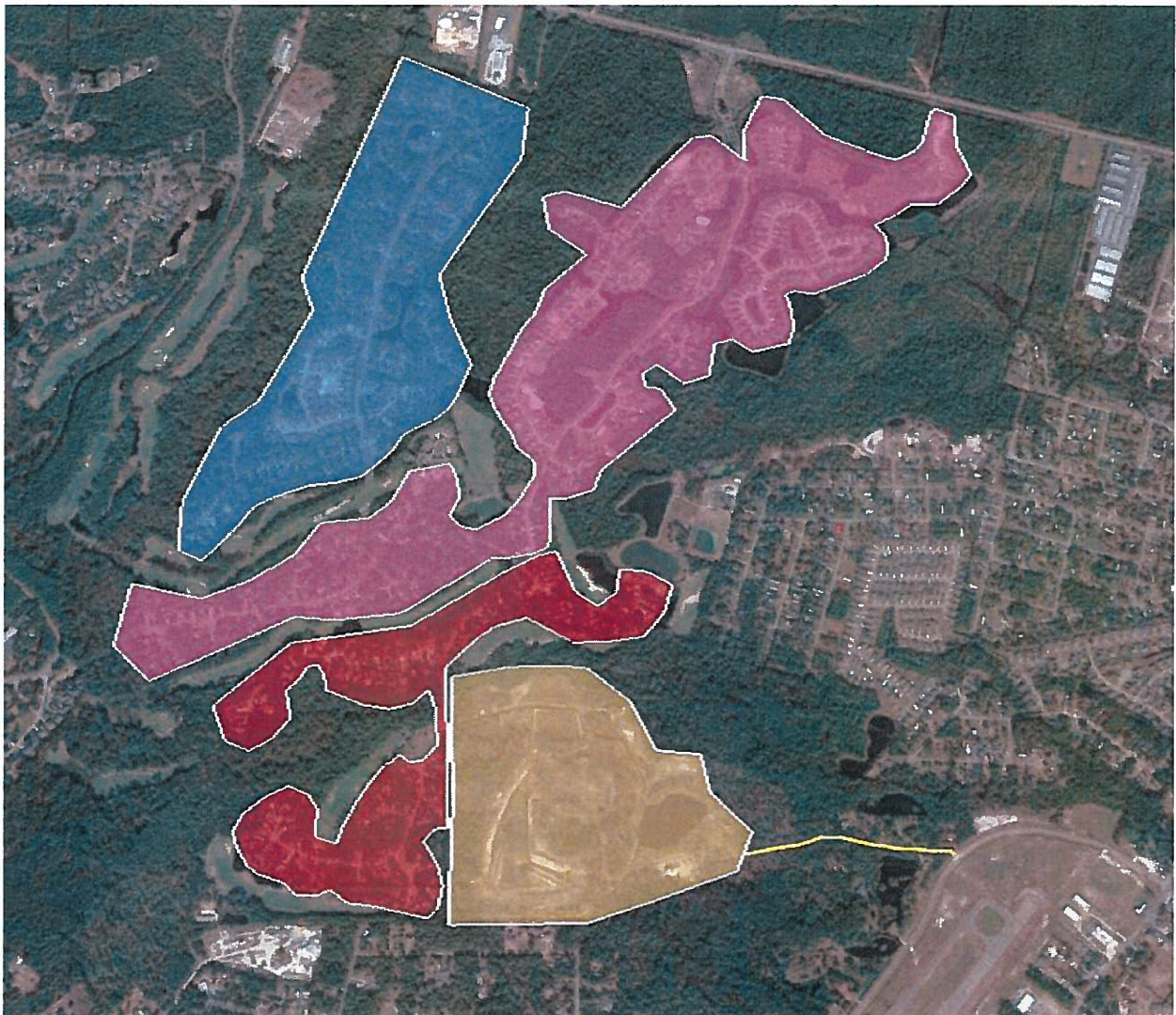
The data/information on subdivisions around the Villanova Sand Mine was derived from search optimization programs provided by Flexmls Systems. Parameters of the searches included: yearly home sales closed from January 1, 2009, to YTD 2018 (August 23, 2018) for each sample subdivision and comparative subdivision. Only detached single-family residences were included with a minimum of one bedroom and bathroom count, as a precaution, in case a property (primarily lots) had been included in the wrong category.

Summary of Findings

As with our previous analysis, it was determined that the sample subdivision grew at a similar rate to the overall market during periods of active mining and there appeared to be no significant economic impacts to home values as result of having an active sand mine in close proximity to each of the neighborhoods analyzed.

Villanova

The Villanova Sand Mine (shown in yellow in the graphic below) measures 86± acres and borders the St James Plantation Golf Course community. The sample subdivision "St James A" (shown in red) shows areas where the neighborhood was/is potentially affected by active mining operations. Ingress/egress to the sand mine is provided via Villanova Loop South East (shown in yellow). The light purple area designates the part of the St James subdivision not affected by the mine (comparative subdivision "St James B") and (shown in blue) Arbor Creek Subdivision (comparative subdivision "Arbor Creek"). They were selected due to their close proximity and lack of impact from mining operations. Research indicated that the Villanova Sand Mine became active after 2/2011 and was still active when the most recent photo was taken in 10/2016. The photos on the following page show both the location of the sand mining prior to the mining operation and the most recent aerial imagery available.

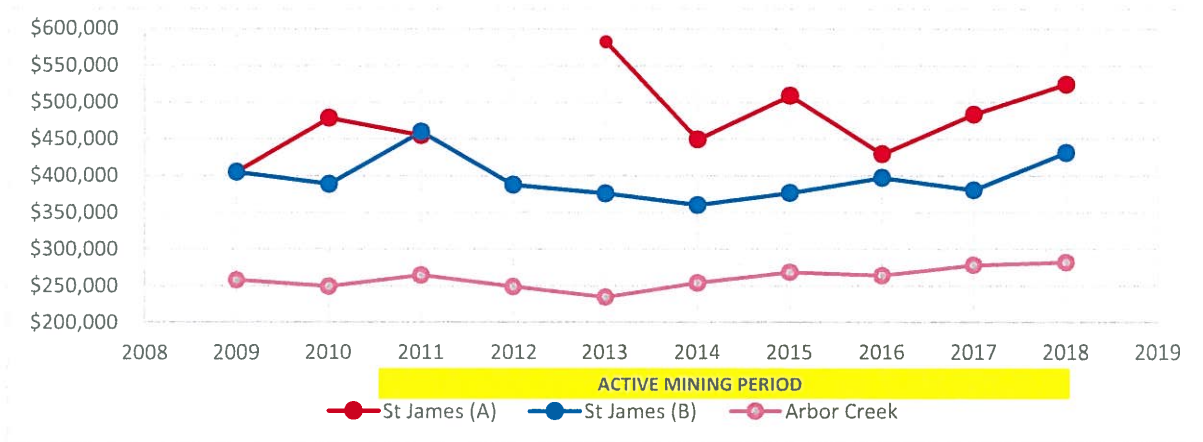


Villanova Sand Mine Historical Imagery



The following chart and graph show the changes in average home values from 01/01/2009 through 8/23/2018. They contain information on the sample subdivision adjacent to the sand mine, St James (A) and the comparable subdivisions (St James (B) & Arbor Creek. Active mining periods are highlighted in yellow and the 2018 sample size is highlighted in red due to it only extending from 01/01/2018 through 08/23/2018.

Villanova									
Year	St James (A)			St James (B)			Arbor Creek		
	Avg. Sales Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales	Avg. Sale Price	%Δ/Yr	Sales
2009	\$405,000	---	1	\$404,468	---	8	\$257,292	---	12
2010	\$478,333	18%	3	\$388,328	-4%	9	\$248,553	-3%	15
2011	\$454,625	-5%	4	\$460,000	18%	4	\$263,966	6%	15
2012	\$0	---	0	\$387,317	-16%	6	\$248,219	-6%	9
2013	\$582,500	---	3	\$375,770	-3%	8	\$233,950	-6%	18
2014	\$449,167	-23%	3	\$360,128	-4%	6	\$253,599	8%	14
2015	\$508,980	13%	5	\$376,357	5%	7	\$268,107	6%	18
2016	\$429,500	-16%	3	\$396,887	5%	15	\$263,621	-2%	18
2017	\$483,333	13%	6	\$380,147	-4%	15	\$277,770	5%	33
2018	\$524,500	9%	3	\$431,364	13%	11	\$281,782	1%	17
%Δ & # Sales 2009 - 2018		130%	31	107%	89	110%	169		
%Δ & # Sales During Mining		115%	27	94%	72	107%	142		



After plotting the average sales prices within the sample subdivision, St James (A), and the comparative subdivisions, St James (B) and Arbor Creek, the data appeared to trend similarly over a longer timeframe. While the average sales prices of the comparative St James (B) and Arbor Creek Subdivisions remained lower than St James (A), they trended well with the sample subdivision considering the sample sizes. In 2012 there were no sales in St James (A). Between 2009 and 2011 there was no mining operations, so the decline in the sample subdivisions sales rates would not be attributed to mining operations. The boldened average sales prices in the grid and peaks in the chart above are a result of atypical home sales influencing the yearly averages, which is one drawback of smaller sample sizes. Atypical homes could be: larger in size, higher quality, have a premier location, superior lot size and/or be influenced by a lake or golf course frontage. Overall, during the periods of the active mining the sample subdivision does not appear to vary greatly from the trend of the comparative subdivisions.

Conclusion

Sales prices in individual neighborhoods may vary over time for a variety of factors, including but not limited to; market demand, available supply, cost of construction/materials, availability of financing, etc. Many factors, including atypical home sales, were considered while analyzing each subdivision to gauge if the changes in sales prices over time were attributable primarily to the market or outside influences. The general trend of each sample and comparative neighborhood appears to closely trend with the real estate market during each respective timeframe. This inferred analysis places an emphasis on historical sales data which is quantifiable. After our analysis, it was determined that there were no significant economic impacts to home values as result of an active sand mine in close proximity to each neighborhood.

About Us

Streamline Evaluation Services LLC, provides credible real estate solutions by synergizing technology and industry professionals. Streamline collects information, analyzes the data, and generates high-quality streamlined products utilizing the most recent market information available through paid and public records. This way their clients can make timely, informed and educated strategic decisions. Our reports are easy to read, accurate, compliant, and customized to each clients' requirements. Streamline Evaluation Services boasts timely turnaround of reports to meet deadlines with dedicated and accessible analysts, as well as an internal quality review process and approval before transmittal.

From automated appraisals to in-depth evaluations, analyses, assessments and studies, Streamline Evaluation Services provides full-service solutions for a wide spectrum of property types. We work with financial institutions to ensure that their internal requirements are met, while also maintaining compliance with the Uniform Standards of Professional Appraisal Practice, federal regulation 12 CFR Part 34 (Title XI of FIRREA) and standards endorsed by the Appraisal Institute and other professional organizations.

Our review process ensures that each report offers supportable opinions as to value and then offering conclusions and/or recommendations to the client. This process guarantees that the appraisal contains adequate, relevant and meaningful discussion, analysis and rationale so that it can be readily understood to lead to a credible value conclusion, and contains sufficient supporting documentation to indicate the reasonableness of the conclusion.

Trevor Tarleton, M.B.A. is Real Estate Research/Market Analyst at Streamline Evaluation Services LLC, where he generates detailed restricted real estate appraisals and market analysis reports through critical thinking, experience, resourcefulness and research. Tarleton earned his Master of Business Administration (MBA), and Bachelor of Science in Business Administration (BSBA) degrees from Coastal Carolina University. He also earned an Associate in Applied Science Degree in Forestry Management Technology: Wildlife Management Emphasis and Forestry Business Emphasis from Horry-Georgetown Technical College. Tarleton has a diversified background which includes multiple certifications and positions held in forestry, research and land management. Prior to working for Streamline Services, he was employed at Coastal Carolina University as a Research Associate and Graduate Assistant in the Grant Center for Real Estate and Economic Development. His many responsibilities included: networking, building relationships, performing research, analysis, and composing reports for the University, Grant Center and various other clients.

F. Blynn Beall is a Certified General Real Estate Appraiser who earned his education through the Appraisal Institute. Beginning a fee appraisal career in 2008, he partnered to form Streamline Evaluation Services in 2013 to focus on providing alternative valuation solutions along with feasibility and impact studies for clients. He is a graduate of Coastal Carolina University's Wall College of Business with a BA degree in Business Finance and is currently a candidate for a MAI designation through the Appraisal Institute. Blynn is a life-long resident of the Grand Strand and has experience in appraising various property types throughout the Southeast United States and is currently licensed in South Carolina, North Carolina, Georgia, Tennessee and Virginia.

ATTACHMENT NO. 8

SUP Factor No. 4: Harmony with area and Conformity with NHC LUP:

Harmony with Area:

The proposed sand mining operation must be in harmony with the area in which it is generally located. More particularly, the location and character of the sand mining operations on the 28.1 acres ("Phase 1") -- if developed in accord with the State Mining Permit, as modified, and any NHC Special Use Permit -- will be in harmony with the area in which the operations are to be located.

The site is located deep within a large heavily-forested area that is more than 5600 acres extending from Castle Hayne Road (Highway 117/133) northeastward to the Northeast Cape Fear River (inclusive of the Applicant's "parent" 4100 acre parcel (See DB 2211, P 0685) and the 1500-plus acre tract that the Applicant's predecessor in title conveyed to GE in 1967 (See DB 806, P 458), far outside the view or hearing of any residence. The proposed Phase 1 site is more than 1.5 miles from the nearest residence.

The site is accessed from Highway 117 along an approximately 60-foot wide private paved gravel and dirt road called "Sledge Road" which is located on Applicant's land. This private gated road extends approximately *2.15 miles* from Castle Hayne Road to the Phase 1 site deep into a heavily forested area. Decades ago, sand was mined from the Subject and was shipped off-site along Sledge Road. This was prior to the development of the Wooden Shoe Subdivision. In addition, Sledge Road was used as a road for heavy logging trucks to transport forestry material. Truck hauling of forestry products continue to the present day.

A portion of Sledge Road runs approximately .43 mile (2279.31 feet) alongside the rear property of approximately nine residences in the Wooden Shoe Subdivision. Thus, commercial trucking has used Sledge Road, near those residences for decades and even prior to the development of Wooden Shoe Subdivision. (Note also, that across Sledge Road at the rear of those residences is the "I-2 zoned" GE nuclear facility, that predates the Wooden Shoe Subdivision.)

Similar other uses that (1) would result in significantly more traffic volume than the historical log hauling, and (2) are already permitted as a matter of right in the RA zone include Demolition-Landscape Landfill, Schools, Government offices and Mobile Homes¹. Thus, the Applicants currently could develop the Subject for those uses notwithstanding the resulting substantially heavier traffic use on Sledge Road for access. A Special Use Permit and a rezoning would not be required to exercise those uses.

In addition, hospitals are allowed by Special Use Permit in the RA zone. Thus, the Applicants currently could also develop the Subject for a hospital, which would entail much heavier traffic, loud sirens, etc., with the activities lasting in perpetuity, in contrast to the lighter volume of traffic serving a sand mine for a finite period. (The sand mine operations would of course end once the available and permitted sand supply is shipped off-site. Applicant “guesstimates” the operations would take place for about 5 years.) and for a much longer period than what would be involved in the finite sand mining.

Heavy mining and/or excavation activities began to take place no later than 2000 on the Northwestern sector of the GE site. The activities were part of a government-mandated environmental remediation of groundwater contamination. This GE excavation area is about 2 miles from the nearest residence and is located roughly 1,500 feet from the Phase 1 area. Thus, the proposed sand mining activity will take place in an area much closer to a preexisting excavation operation than it is to a residence.

Thus, under all the circumstances, the proposed sand mining operation will be in harmony with the area in which it is generally located.

Conformity With NHC Land Development and Use Policies:

2016 PLAN NHC

The location and character of the proposed sand mining operation on the Subject must be in general conformity with the New Hanover County Comprehensive Plan. The operation indeed conforms to the Plan, because the Subject is in a “Commerce Zone” as shown on the Future Land Use Map (the “Map”)

¹ These uses are compatible with the purpose of the RA district set forth in Section 51.3-1:

The RA Rural Agricultural District is established as a district in which the principal use of land is for low density single family residential purposes. The regulations of this district encourage rural farming activities and the preservation of open space and permitting development compatible with the preservation of its rural character and providing limited growth. The district is designed to promote exurban, low density residential development not requiring urban services while maintaining prime farm land and a rural life style....

adopted by the “2016 Plan NHC” (the “Plan”)(Attachment No. 3) (Tab 6).

The Plan adopted the Map to guide future development in New Hanover County (the “County”). As explained on Page 3 of the “Visualizing the Future” section of the Plan, the intent of the Map is:

...to be a general representation of the vision for New Hanover County’s future land use, developed by the citizens and community leaders that participated in the Plan NHC process. The county’s land-use regulations are expected to be amended to reflect this vision as a major implementation strategy of this plan. The goals of the Future Land Use Map place types are to identify overall areas of applicability for each. ...[P]lace type locations are interpretations of future development opportunities within the areas that help create a community. This map will serve as a tool for planners to help reach the goals set by the citizens through future development. This map will also be an important tool when developing the new zoning map and the county’s new unified development ordinance.

The Plan creates place types called “zones”. Among the adopted zones are “Commerce Zones”. Those zones are created to enable targeted industries to locate and thrive in the County. (See Plan Introduction at Page v.)

The Map identifies the Subject as being in a “Commerce Zone”. Sand mining is a form of “commerce”.

A reading of the text of the Plan indicates the logic of the Subject being in that zone. Page 3 of the Plan’s “Visualizing the Future” section indicates that the areas in the County applicable to Commerce Zones are the U.S. 421 Corridor, GE, and airport vicinity. The Subject is in that vicinity.

Page 12 in the Plan’s “Existing Conditions” section states that a majority of the contiguous undeveloped areas of land are in the northwest section of the County and the Castle Hayne area. Page 17 indicates that the second largest zoning district in the County is I-2 heavy industry and is concentrated near the Northeast Cape Fear River. The Subject is adjacent to the “I-2” zoned GE site near the Northeast Cape Fear River and is in the large undeveloped areas of land in the Castle Hayne area.

Among the goals set forth in Chapter 3 of the Plan entitled “Framing the Policy” that will be promoted within Commerce Zone types are:

- Promote environmentally-responsible growth;
- Promote fiscally-responsible growth;

- Preserve and protect water quality and supply;
- Revitalize commercial corridors and blighted areas through infill and redevelopment;
- Use public infrastructure to leverage private investments;
- Support business success;
- Support workforce development and economic prosperity for all; and,
- Conserve and enhance our unique sense of place to attract individuals, companies and organizations.

The proposed sand mine as operated under the State Mining Permit as modified will meet these goals. The sand mine will not only (a) be an enhanced use; (b) preserve and protect water quality and supply; and, (c) support business success, workforce development and economic prosperity. Because the sand transported from the Site will benefit other vital locations using the mined sand, it will also encourage environmentally and fiscally-responsible growth elsewhere and enable improvements to the County's road infrastructure needed to leverage private investments.

Page 4 of the "Building the Future" section of the Plan indicates a "Strategic Plan Focus Area of Intelligent Growth and Economic Development". The Strategic Plan Objective is to "Promote a strong diverse economy and high-quality growth." Goal 1 is "Support Business Success" with the desired outcome being a vibrant economy for the County based on business success. Implementation Guidelines for this Goal include encouraging target industries in Commerce Zones, aligning county zoning ordinances to encourage targeted business in appropriate areas, and develop performance controls to address odor, noise, lighting, and other impacts on surrounding uses. The sand mine as permitted will meet this Goal and the Guidelines and help achieve the Plan's strategy.

2006 CAMA LAND USE PLAN

The 2006 Wilmington-New Hanover County CAMA Land Use Plan classifies the subject site as Wetland Resource Protection and Conservation, and the proposal is not in conflict with the intent or policies included with that land use classifications.

Policy 4.2 of the Plan suggests delineating areas for industrial use which will maximize the efficient use of infrastructure while protecting the fragile ecosystem from harm and protecting residents from undue impacts. The geographic isolation of the Subject should minimize any noise, vibration, dust, or other negative effects of the mining operation.

Policy 3.27 of the Plan suggests prohibiting any land use or development activity that will likely result in adverse impacts to groundwater aquifers. However, this policy is not at issue because no dewatering or groundwater

extraction is proposed, and no evidence has been submitted that the proposal will have any negative effects on groundwater resources

ZONING ORDINANCE

1. I-2 Zoning

The Applicant seeks a rezoning of the Subject from RA to CUD I-2. The purpose of I-2 as set forth in Section 53:3-1 of the County's Zoning Ordinance is:

...to set aside areas of the County for a full range of manufacturing, fabrication, assembly, warehousing, and distribution uses associated with heavy industrial land uses where heavy industry can find suitable sites served by rail, waterway and highway transportation. The district is also established to subsequently protect nonindustrial districts situated outside the district and minimize environmental impacts caused by the uses within the district. Outdoor operations and storage are appropriate for this district provided that the district standards are met. Certain uses within the I-2 district shall require a special use permit as specified in the Table of Permitted Uses. No I-2 District shall be less than five (5) acres in area.

Operation of the proposed sand mine in accord with State Mining Permit and conditions within a Special Use Permit will fulfill all the requirements of Section 53:3-1.

2. I-2 Dimensional Standards:

The following dimensional standards set forth in Section 53.3-4 will be met by the sand mine operated in accord with the State Mining Permit conditions:

- (1) Minimum lot area-None.
- (2) Minimum front yard building setback-50 feet.
- (3) Minimum side and rear yard building setbacks for property abutting residential shall be calculated in accordance with Section 60.3.
- (4) Buffers must be established between I-2 and adjacent, non-industrial uses, in accordance with Section 62.1-4 of this ordinance.

3. I-2 Requirement for Review of External Effects

The obtainment of a Special Use Permit under the procedures set forth in Section 71 will fulfill the I-2 requirement for review of external effects set forth in Section 53.4-4.1:

53.3-.4.1: Review of external effects. All uses in the I-2 zoning district must operate in compliance with current standards for sound, vibration, heat discharge, glare, odor, air quality and water quality, as applicable under federal, state, and local regulations. For uses that require a Special Use Permit, a non-binding narrative must accompany the application that shall include a disclosure of the projected external impacts of the project, including information about anticipated federal and/or state permits that will be required. Section 71 further describes the special use permit approval process. The County may require additional information deemed reasonable to assess the impacts and effects of a project on a community including plans, specifications, and other information deemed necessary to determine compliance with the review criteria. Federal, State and /or local environmental agencies may be consulted to advise the Planning and Inspections Department on applications for Special Use Permits.

4. Special Use Permit Requirements

The Application fulfills the Special Use Permit Requirements in applicable portions of Section 71 set forth below.

Section 71: Special Use Permits Issued by the Board of County Commissioners

71-1: General Requirements

(1) Special Use Permits may be issued by the Board of County Commissioners for the establishment of uses listed as special uses in Article V after a public hearing and after Planning Board review and recommendation. The Planning Board may recommend conditions which assure that the proposed use will be harmonious with the area and will meet the intent of this ordinance.

(3) Upon receiving the recommendations of the Planning Board and holding a public hearing, the Board of County Commissioners may grant or deny the Special Use Permit requested. The Special Use Permit, if granted shall include such approved plans as may be required. In granting the Special Use Permit the Commissioners shall find: (1/2/90)

- (A) that the use will not materially endanger the public health or safety if located where proposed and approved;
- (B) that the use meets all required conditions and specifications;
- (C) that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

(D) that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development for New Hanover County.

(4) In granting the permit the Board of County Commissioners may recommend and designate such conditions in addition and in connection therewith, as will in its opinion, assure that the use in its proposed location will be harmonious with the area in which it is proposed to be located and with the spirit of this Ordinance. All such additional conditions shall be entered in the minutes of the meeting at which the permit is granted and also on the certificate of the Special Use Permit or on the plans submitted therewith. All specific conditions shall run with the land and shall be binding on the original applicants for the Special Use Permit, their heirs, successors and assigns. A Special Use Permit, issued by the Board of County Commissioners shall become null and void if construction or occupancy of the proposed use as specified on the Special Use Permit is not commenced within twenty-four (24) months of the date of issuance. If an extension is desired, a request must be submitted in writing to the New Hanover County Planning and Inspections Department prior to the expiration. Extensions may be granted in accordance with section 112-6 of the Ordinance.

(7) ... A transportation information sheet is required for any development that will generate more than 100 trips during the peak hour; a traffic impact study may also be required.

5. Additional High Intensity Mining Requirements

The Special Use Permit requirements for High Intensity Mining operations set forth below will be met by the proposed sand mine operating in accord with the State Mining Permit:

Section 72-42: Mining

High Intensity Mining Operations

High intensity mining operations shall be permitted in accordance with the use tables in Section 50-2, subject to the following:

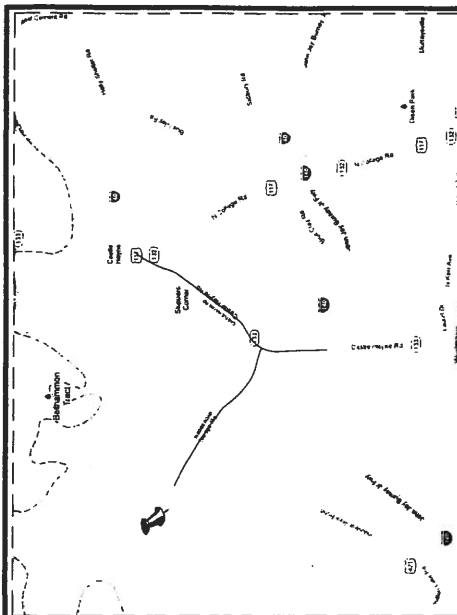
- (1) The minimum lot size shall be one acre.
- (2) Soil or other unconsolidated material (i.e. sand, marl, rock, fossil deposits, peat, fill or topsoil) may be removed for use off-site. Additional on-site processing shall be permitted (i.e. Use of conveyor systems; screening machines; crushing; or other mechanical equipment).

(3) All mining operations and their associated activities shall comply with the following standards when dewatering occurs:

a. Must be located a minimum of 100 feet from all property lines.

(4) High Intensity Mining activities shall not be allowed in areas classified as aquifer resource protection or watershed resource protection on the CAMA Land Classification Map.

The Subject is more than an acre. No dewatering is involved, so the 100-foot buffer requirement is inapplicable. The Subject is not in the aquifer resource protection or watershed resource protection areas designated in the CAMA Land Use Classification Map or the Future Land Use Map.



ADJACENT PROPERTIES	
PID	OWNER
1. 001174-001-001-001	Norman Dossier, Jr. ETAL
2. 001174-001-001-002	Norman Dossier, Jr. ETAL
3. 001174-001-001-003	Norman Dossier, Jr. ETAL
4. 001174-001-001-004	Norman Dossier, Jr. ETAL
5. 001174-001-001-005	Norman Dossier, Jr. ETAL
6. 001174-001-001-006	Norman Dossier, Jr. ETAL
7. 001174-001-001-007	Norman Dossier, Jr. ETAL
8. 001174-001-001-008	Norman Dossier, Jr. ETAL
9. 001174-001-001-009	Norman Dossier, Jr. ETAL
10. 001174-001-001-010	Norman Dossier, Jr. ETAL
11. 001174-001-001-011	Norman Dossier, Jr. ETAL
12. 001174-001-001-012	Norman Dossier, Jr. ETAL
13. 001174-001-001-013	Norman Dossier, Jr. ETAL
14. 001174-001-001-014	Norman Dossier, Jr. ETAL
15. 001174-001-001-015	Norman Dossier, Jr. ETAL
16. 001174-001-001-016	Norman Dossier, Jr. ETAL
17. 001174-001-001-017	Norman Dossier, Jr. ETAL
18. 001174-001-001-018	Norman Dossier, Jr. ETAL
19. 001174-001-001-019	Norman Dossier, Jr. ETAL
20. 001174-001-001-020	Norman Dossier, Jr. ETAL

PROPERTIES 1 THROUGH 15 ARE ADJOINING
EXISTING GRAVEL ROAD TO HWY 133

CATEGORY	AFFECTED ACREAGE
TAILINGS SEDIMENT POUNDS	0.00
WASTEWATER	0.00
PROCESSING AREA/HAUL ROADS	0.00
OTHER UNEXCAVATED BUFFERS	5.40
TOTAL PERMITTED	5.40
	64.97 MORE OR LESS

LEGEND	
PERMIT BOUNDARY	PERMIT BOUNDARY
PROPERTY BOUNDARY	PROPERTY BOUNDARY
WETLAND	WETLAND
UNEXCAVATED BUFFER	UNEXCAVATED BUFFER
AFFECTED BOUNDARY ON SOUTH SIDE	AFFECTED BOUNDARY ON SOUTH SIDE
EXISTING GRAVEL ROAD	EXISTING GRAVEL ROAD
WETLAND BOUNDARY	WETLAND BOUNDARY

HILTON PROPERTIES, LP

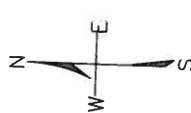
MODIFICATION OF MINING PERMIT
HILTON PROPERTIES MINE - PERMIT NO. 65-35
NEW HANOVER COUNTY

DRAWN BY: LESLIE SCHNEIDER

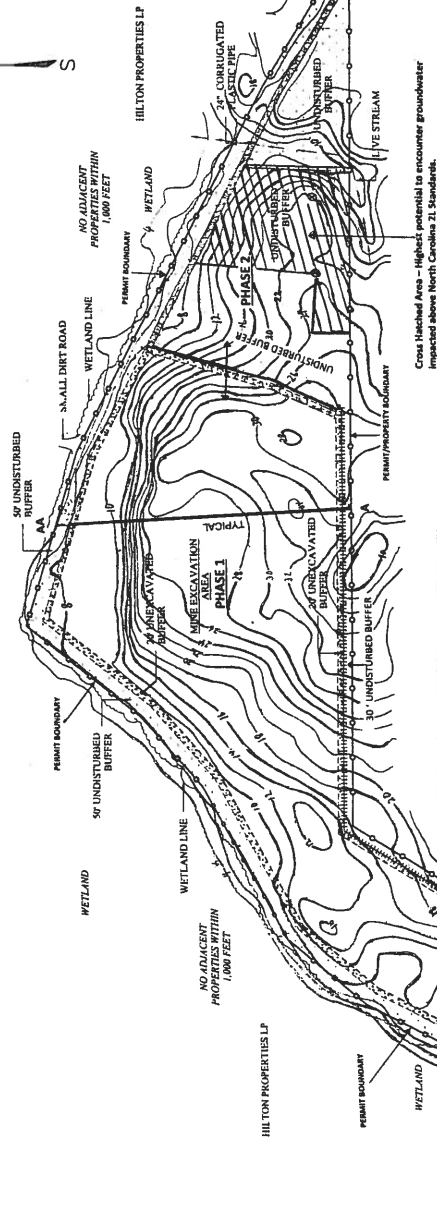
DATE MAP COMPLETED: NOVEMBER 25, 2013
SCALE: 1"=200' (UNLESS OTHERWISE NOTED)
REVISIONS: 1-19-2015 HIL

WILLIAMS
Environmental & Geological Services, PLLC
2500 Westwood Drive - Suite 100
Raleigh, NC 27603 (919) 876-6200

SHEET 1 OF 2



HILTON PROPERTIES LP



Mining will start on the west side of Phase 1. Future Phase 2 will be an undisturbed buffer but will remain within the mine permit boundary. No mining related activities will take place in the Phase 2 undisturbed buffer area until such time that mining of Phase 1 has been completed and it has been determined that no contaminants of groundwater exist above the North Carolina 21 Standards in the Phase 2 area. If groundwater standards are determined to be below the North Carolina 21 Standards, a permit will be obtained from the Department of Environment and Natural Resources, Division of Energy, Mineral, and Land Resources, Land Quality Section.

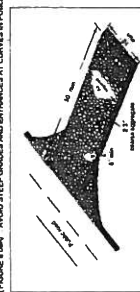
NOTE: US ARMY CORPS OF ENGINEERS VISITED SITE ON SEPTEMBER 13, 2013 AND DETERMINED THAT WETLANDS EXISTED WITHIN THE BOUNDARY OF THE AREA TO BE AFFECTED.
MINE PERMIT AREA IS WITHIN 4,000 ± ACRES TRACT OWNED BY HILTON PROPERTIES LP PID 000900-001-001-000

Construction Entrance Pad

AGGREGATE SIZE: USE 3/4" WASHED STONE

CRITERIA:
THICKNESS: 6 INCHES MINIMUM
WIDTH: 10 FEET MINIMUM
LENGTH: 50 FEET MINIMUM
ENTRANCE AND EXIT AREA, WHICHEVER IS GREATER

LOCATION: LOCATE CONSTRUCTION ENTRANCES AND EXITS TO LIMIT SEDIMENT FROM ROADWAY AND ADJACENT AREAS.
1. CLEAR THE ENTRANCE AND EXIT AREA OF ALL VEGETATION, ROOTS, AND OTHER OBSTACLES.
2. GRADE THE ENTRANCE AND EXIT AREA TO BE FLAT AND FREE OF CURVES IN PUBLIC ROADS.
3. PROVIDE DRAINAGE TO CARRY WATER TO A NEAREST TRAP OR OTHER SUITABLE OUTLET.
4. USE GEOTEXTILE FABRIC TO PREVENT MIXTURE OF THE FOUNDATION AND LOCATIONS SUBJECT TO REPAIRS OR HIGH WATER TABLE.



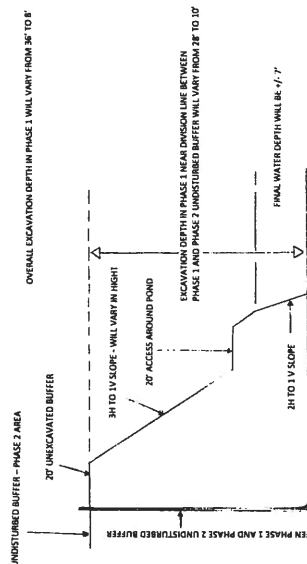
CONSTRUCTION SPECIFICATIONS:
1. CLEAR THE ENTRANCE AND EXIT AREA OF ALL VEGETATION, ROOTS, AND OTHER OBSTACLES.
2. GRADE THE ENTRANCE AND EXIT AREA TO BE FLAT AND FREE OF CURVES IN PUBLIC ROADS.
3. PROVIDE DRAINAGE TO CARRY WATER TO A NEAREST TRAP OR OTHER SUITABLE OUTLET.
4. USE GEOTEXTILE FABRIC TO PREVENT MIXTURE OF THE FOUNDATION AND LOCATIONS SUBJECT TO REPAIRS OR HIGH WATER TABLE.

MAINTENANCE:
1. MAINTAIN THE ENTRANCE AND EXIT AREA IN A CONDITION TO PREVENT AND MINIMIZE SEDIMENT FROM LEAVING THE ROADWAY AND ADJACENT AREAS.
2. MAINTAIN THE ENTRANCE AND EXIT AREA IN A CONDITION TO PREVENT AND MINIMIZE SEDIMENT FROM LEAVING THE ROADWAY AND ADJACENT AREAS.
3. MAINTAIN THE ENTRANCE AND EXIT AREA IN A CONDITION TO PREVENT AND MINIMIZE SEDIMENT FROM LEAVING THE ROADWAY AND ADJACENT AREAS.

SEE SHEET 2 OF 2 FOR TYPICAL CROSS-SECTION

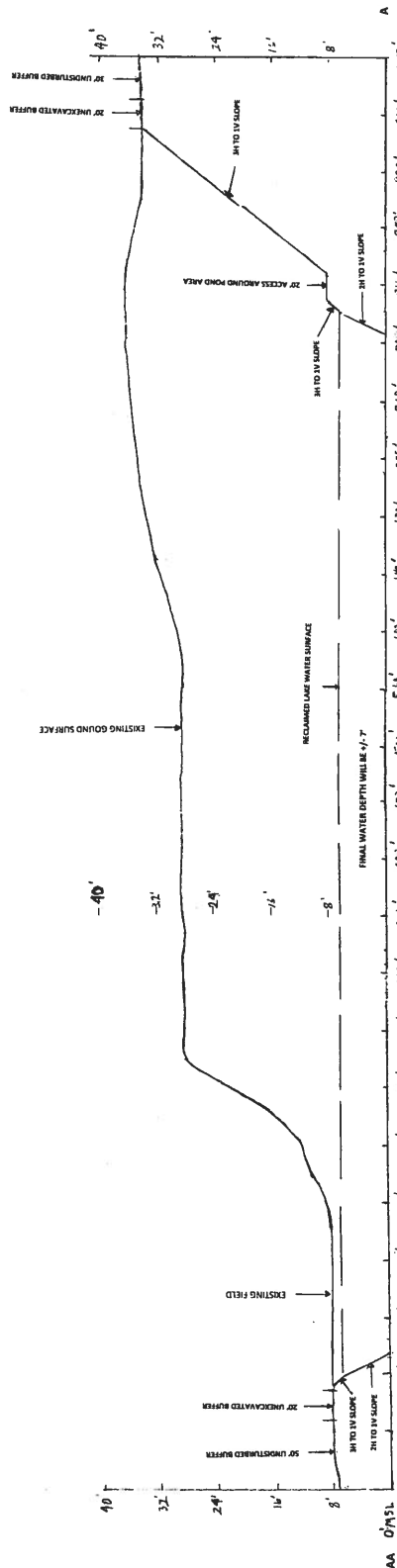
EXCAVATION DEPTH IN PHASE 1 WILL VARY FROM 36 TO 8'

Groundwater elevations through the mine site are shown in the Report titled "GROUNDWATER MODELING OF POTENTIAL IMPACTS FROM PROPOSED SAND MINE IN THE NORTHWEST SITE AREA 6E - WILMINGTON"



NOT TO SCALE
CROSS - SECTION ADJACENT TO DIVISION LINE
BETWEEN PHASE 1 AND UNDISTURBED BUFFER PHASE 2

NOTE: THE SOUTH SIDE (A) OF THE TYPICAL CROSS-SECTION AA - A WILL APPLY ALONG THE SOUTH SIDE OF THE PHASE 1 MINE AREA. THE HEIGHT OF THE FINAL EXCAVATED SLOPE WILL VARY ACCORDING TO THE ELEVATION OF THE EXISTING EXCAVATED SLOPE. THE EXCAVATED SLOPE WILL VARY FROM 3H TO 1V SLOPE TO THE SOUTH SIDE WHERE THE 30' UNDISTURBED BUFFER AND THE 20' UNEXCAVATED BUFFER EXISTS.



TYPICAL CROSS-SECTION AA - A

SCALE: HORIZONTAL - 1" = 40'
VERTICAL - 1" = 8'

HILTON PROPERTIES, LP MODIFICATION OF MINING PERMIT HILTON PROPERTIES MINE - PERMIT NO. 65-35 NEW HANOVER COUNTY	
DRAWN BY: LESLIE SCHNEIDER (AS DIRECTED BY JOHN WILLIAMS, P.E., C.E.S.) DATE MAY COMPLETED: NOVEMBER 23, 2013	WILLIAMS Environmental & Geological Services, PLLC 4120 Sedgebrook Drive - Unit 104 Raleigh, NC 27632 (1-800-746-8559)
REVISIONS: 1-18 2015 <i>LES</i> SHEET 2 OF 2	



Per Record Map

NUMBER	DIRECTION	DISTANCE
L1	N71°18'07"W	120.43'
L2	N40°21'20"W	97.33'
L3	N50°16'23"W	83.57'
L4	N03°39'13"E	94.11'
L5	N27°03'13"W	204.15'
L6	N34°03'13"E	362.85'
L7	N24°48'12"E	378.50'
L8	N37°22'50"E	359.22'
L9	N55°56'24"E	608.32'
L10	N46°20'27"E	508.87'
L11	N38°06'22"E	508.12'
L12	S75°35'07"E	634.56'
L13	S65°34'18"E	1431.17'
L14	S60°45'45"E	464.15'
L15	S29°14'15"W	74.45'

Hilton Properties Limited Partnership
Balance of 4100 ± acre tract.
Zoned RA
PID= R00900-001-001-000

63.02 Acres
more or less
Zoned RA

General Electric Company
1422 S. Highway
Zoned I-2 (Industrial District)
PID= R01700-001-001-000

— PRELIMINARY MAP —
Not for recording,
conveyances or sales.



Scale 1" = 200'

This document was originally issued and
sealed by Emmett S. Raynor, PLS L-2521
on 10.17.2012. This media shall not
be considered a certified document.

Emmett S. Raynor, PLS L-2521
265 East Connecticut Avenue
Southern Pines, NC 28387
Office (910) 295-1703

Notes: This map is not prepared for recording
in accordance with GS 47-30.
Area by coordinate method.
Contours interval of two feet. LIDAR data from
NCDOT database (New Hanover Co.) overlaid on NC Grid.
The property shown herein does in part lie within the 'AE'
F.E.M.A. designated flood hazard area. Base Flood Elevation = 7'.
Subject property is currently zoned RA.

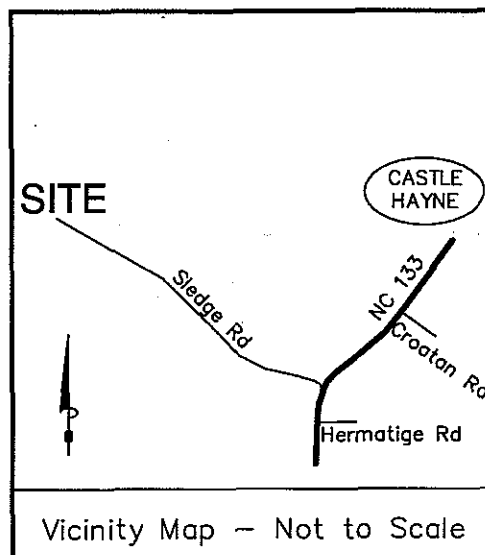


- Vicinity Map - Not to Scale
- Legend:
- IPF= Iron Pipe Found
 - IRF= Iron Rod Found
 - ISF= Iron Stake Found
 - CMF= Concrete Monument Found
 - IRS= Iron Rod Set
 - PP= Power/Utility Pole
 - MH= Sewer Manhole
 - WM= Water Meter
 - FP= Fire Hydrant
 - S/T= Sewer Tap

Reference: Book 2211 Page 685
New Hanover County Registry

Hilton Properties Limited Partnership
Balance of 4100 ± acre tract.
Zoned RA
PID= R00900-001-001-000

DATE: 10.17.12	APPROVED BY: [Signature]	PROJECT: Plot of Survey of 63.02 Acres	SHT NAME: The Property of Hilton Properties Limited Partnership
DWG: 102	DWG: Hilton1.dwg	A part of the 4,100± Acre Tract Cape Fear Township, New Hanover County, West of Castle Hayne, North Carolina	



Legend: IPF= Iron Pipe Found
IRF= Iron Rod Found
ISF= Iron Stake Found
CMF= Concrete Monument Found
IRS= Iron Rod Set
CMS= Concrete Monument Set
PP= Power/Utility Pole
MH= Sewer Manhole
WM= Water Meter
FH= Fire Hydrant
S/T= Sewer Tap

Reference: Book 2211 Page 685
New Hanover County Registry

Notes: This map is prepared for recording in accordance with GS 47-30.
Area by coordinate method.
The property shown hereon does, in part, lie within the 'AE' F.E.M.A. designated flood hazard area; Base Flood Elevation = 7'.
Subject property is currently zoned RA.

Hilton Properties Limited Partnership
Balance of 4100 ± acre tract.
Zoned RA
PID= R00900-001-001-000

Hilton Properties Limited Partnership
Balance of 4100 ± acre tract.
Zoned RA
PID= R00900-001-001-000

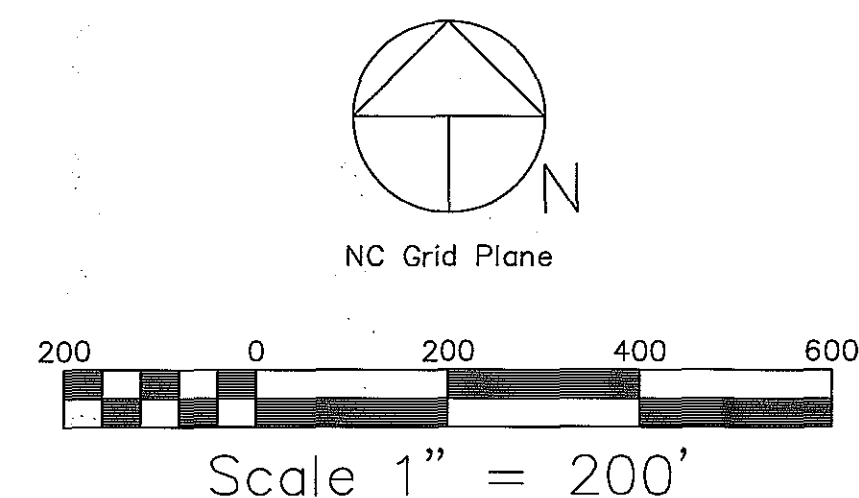
63.02 Acres
more or less
Currently Zoned RA

General Electric Company
1,620.91 Acres
Zoned I-2 (Industrial District)
PID= R01700-001-001-000

Hilton Properties Limited Partnership
Balance of 4100 ± acre tract.
Zoned RA
PID= R00900-001-001-000

Hilton Properties Limited Partnership
Balance of 4100 ± acre tract.
Zoned RA
PID= R00900-001-001-000

LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L1	N71°18'07"W	120.43'
L2	N40°21'20"W	97.33'
L3	N50°16'23"W	83.57'
L4	N03°39'13"E	94.11'
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L13	S65°34'18"E	1431.17'
L14	S60°45'45"E	464.15'
L15	S29°14'15"W	74.45'



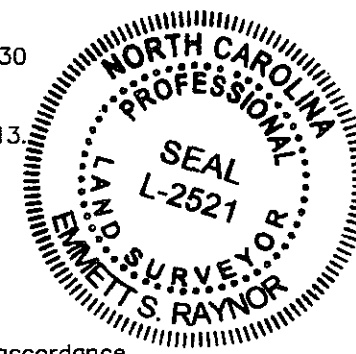
NOTE: Legal access to NC Hwy 133 (Castle Hayne Road) is provided by an existing PRIVATE gravel road situate on Owner's property which connects to the public right of way of said highway by an "easement of right of way", described in said referenced deed.

Certificate of Accuracy and Mapping

I, Emmett S. Raynor, PLS, certify that this plat was drawn by me from my actual survey, deed description in Book 2211, Page 685; that the ratio of precision as calculated by latitudes and departures is better than 1:7500; the boundaries not surveyed are shown as broken lines plotted from said deed; and that this map was prepared in accordance with GS 47-30 as amended.

Witness my signature and seal this 25th day of October, 2013.

Emmett S. Raynor
Professional Land Surveyor



I, Emmett S. Raynor, PLS, certify that this plat is made in accordance with GS 47-30 (f)(1)(d); "That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision."

Emmett S. Raynor
Professional Land Surveyor

10.25.13
Date



Review Officer's Certificate

State of North Carolina
County of New Hanover

I, SAM BURGESS, Review Officer of New Hanover County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

S. Burgess
Review Officer
11.05.13
Date

Certificate of Disclosure - New Hanover County Flood Plain Management

I hereby certify that prior to entering any agreement or any conveyance with prospective buyer, I shall prepare and sign, and the buyer of the subject real estate shall receive and sign, a statement which fully and accurately discloses that the subject real estate, or a portion of the subject real estate, is located within a flood hazard area and that the buyer must satisfy the requirements of the New Hanover County Flood Plain Management Regulations prior to the issuance of construction permits.

Katharine J. Fort
Owner
11/1/13
Date

Owner's Address:

Hilton Properties Limited Partnership
Katharine S. Fort, Managing Partner
P. O. Box 53
Whiteville, NC 28472

Recorded on November 5, 2013 at
3:43pm in Map Book 58 Page 273
Instr # 2013039399

Tammy Theusch Beasley
Register of Deeds
By: *C. [Signature]*, Deputy

Emmett S. Raynor, PLS
265 East Connecticut Avenue
Southern Pines, NC 28387
Office (910) 295-1703

DRAWN BY: ESR
DATE: 10.17.12
DWG. NO.:
APPROVED BY:
PROJ. NO.:
DWG. Hilton1.dwg

REVISIONS
Prepared for recording 10.25.2013.

PROJECT
Plat of Survey of
63.02 Acres
A part of the 4,100± Acre Tract
Cape Fear Township, New Hanover County,
West of Castle Hayne, North Carolina

SHT. NAME
The Property of
Hilton Properties Limited Partnership

SHT. NO.



FOR REGISTRATION REGISTER OF DEEDS
TAMMY THEUSCH BEASLEY
NEW HANOVER COUNTY, NC
2013 NOV 05 03 43 01 PM
BK 58 PG 273-274 FEE \$21 00

INSTRUMENT # 2013039399

MAP INDEX

Plat of Survey of 63.02 acres

A Part of the 4,100± Acres Tract Cape Fear Township

Name of Map

Hilton Properties Limited Partnership

Katharine S. Fort

Owner's Name

Type of Map:



Subdivision

Condo

Highway

Book 58 Page(s) 273

Number of Pages: 1

Recorded By:

~~Deputy / Assistant~~



TAMMY THEUSCH BEASLEY
REGISTER OF DEEDS, NEW HANOVER
216 NORTH SECOND STREET

WILMINGTON, NC 28401

Filed For Registration: 11/05/2013 03:43:01 PM

Book. PLAT 58 Page. 273-274

Document No.: 2013039399

2 PGS \$21.00

Recorder: HUGHLEY, CAROL

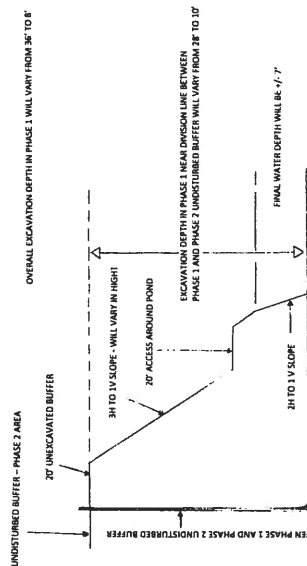
State of North Carolina, County of New Hanover

PLEASE RETAIN YELLOW TRAILER PAGE WITH ORIGINAL DOCUMENT.

2013039399

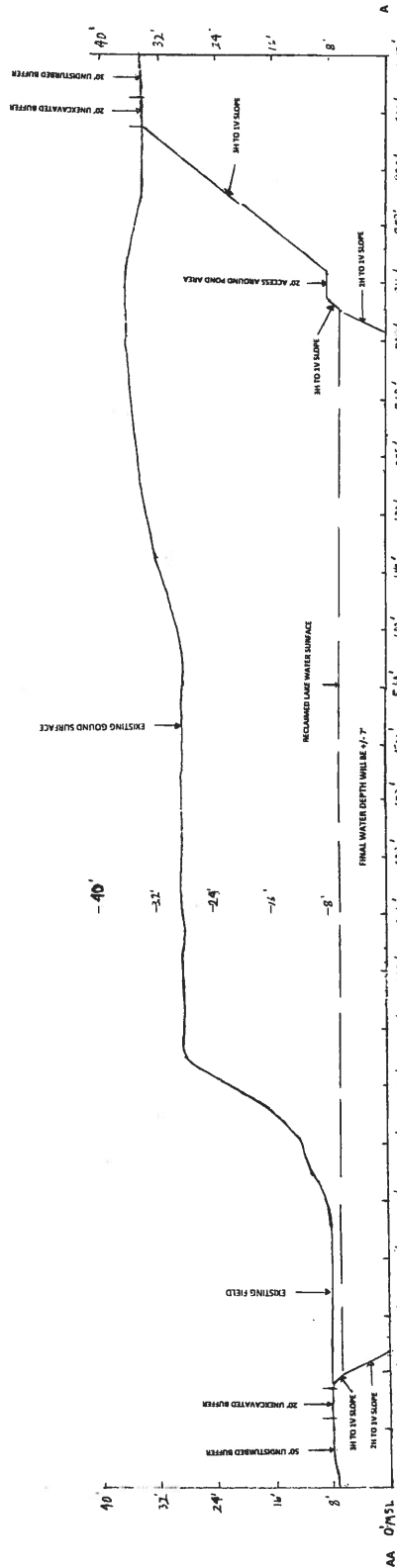
2013039399

PROPOSED SITE PLAN



NOT TO SCALE
CROSS - SECTION ADJACENT TO DIVISION LINE
BETWEEN PHASE 1 AND UNDISTURBED BUFFER PHASE 2

NOTE: THE SOUTH SIDE (A) OF THE TYPICAL CROSS-SECTION AA - A WILL APPLY ALONG THE SOUTH SIDE OF THE PHASE 1 MINE AREA. THE HEIGHT OF THE FINAL EXCAVATED SLOPE WILL VARY ACCORDING TO THE ELEVATION OF THE EXISTING EXCAVATED SLOPE. THE EXCAVATED SLOPE WILL VARY FROM 3H TO 1V TO THE SOUTH SIDE WHERE THE 30' UNDISTURBED BUFFER AND THE 20' UNEXCAVATED BUFFER EXISTS.



TYPICAL CROSS-SECTION AA - A

SCALE: HORIZONTAL - 1" = 40'
VERTICAL - 1" = 8'

HILTON PROPERTIES, LP MODIFICATION OF MINING PERMIT HILTON PROPERTIES MINE - PERMIT NO. 65-35 NEW HANOVER COUNTY	
DRAWN BY: LESLIE SCHNEIDER (AS DIRECTED BY JOHN WILLIAMS, P.E., CRSG)	WILLIAMS Environmental & Geological Services, PLLC 4120 Sedgefield Drive - Unit 104 Raleigh, NC 27632 (1-800-746-8559)
DATE MAY COMPLETED: NOVEMBER 23, 2013 REVISIONS: 1-18 2015 <i>LES</i>	SHEET 2 OF 2

NEW HANOVER COUNTY PLANNING BOARD
REQUEST FOR BOARD ACTION
MEETING DATE: 1/10/2019

Regular

DEPARTMENT: Planning **PRESENTER(S):** Ken Vafier, Planning Manager

CONTACT(S): Ken Vafier; Wayne Clark, Planning & Land Use Director

SUBJECT:

Public Hearing

Special Use Permit Request (S18-06) - Request by Williams Mullen, on behalf of the property owner, Arab Shrine Club H Corp, for a special use permit to develop a telecommunications tower on 4.37 acres of land located at 4510 S. College Road.

BRIEF SUMMARY:

Williams Mullen, on behalf of Arab Shrine Club H Corp, is requesting a special use permit to develop a 154' tall monopole style telecommunications tower and associated equipment storage and carrier lease areas at 4510 S College Road. The site is currently developed as a social/fraternal organization building with associated parking, landscaping, and buffering. Currently, the site has existing carports which will be relocated further south on the parcel to accommodate the tower site.

Predominant land uses in the vicinity of the subject site are residential, vacant or open space, with institutional and commercial to the south. The nearest residential structures range from approximately 320' - 350' to the north of the proposed tower location. To the west, the tower is approximately 380' - 400' feet from the existing residential structures, and over 600' across S College Road to the residential structures to the east of the proposed tower location.

A 25' wide buffer surrounding the west, south, and east sides of the tower base will provide visual screening. The existing Shrine Club building will provide visual screening for the north side. The applicant and owner have submitted a Landscape Buffer Certification that in the event the building is demolished or no longer provides an adequate opaque buffer, the landscaping requirements will be met with installation and maintenance by the applicant. The staff summary includes a detailed analysis of the submitted documentation as it relates to meeting ordinance requirements.

The site is classified as Community Mixed Use and General Residential by the 2016 Comprehensive Land Use Plan. The Community Mixed Use placetype focuses on small-scale, compact, mixed use development patterns that serve all modes of travel and act as an attractor for county residents and visitors. The General Residential placetype focuses on lower-density housing and associated civic and commercial services. The Comprehensive Plan does not specifically address the location of telecommunications towers and other infrastructure. However, the Comprehensive Plan's implementation guidelines do aim to support business success, workforce development, and economic prosperity. Thus, infrastructure including telecommunications towers are appropriate within these placetypes when located appropriately, and this proposal is generally **CONSISTENT** with the 2016 Comprehensive Plan.

STRATEGIC PLAN ALIGNMENT:

•

RECOMMENDED MOTION AND REQUESTED ACTIONS:

Example Motion for Approval:

Motion to recommend approval, as the Board finds that this application for a Special Use Permit meets the four required conclusions based on the findings of fact included in the Staff Summary.

[OPTIONAL] Also, that the following conditions be added to the development:

[List Conditions]

Example Motion for Denial:

Motion to recommend denial, as the board **cannot** find that this proposal:

1. Will not materially endanger the public health or safety;
2. Meets all required conditions and specifications of the Zoning Ordinance;
3. Will not substantially injure the value of adjoining or abutting property;
4. Will be in harmony with the surrounding area, and is in general conformity of the plans of development for New Hanover County.

[State the finding(s) that the application does not meet and include reasons to why it is not being met]

COUNTY MANAGER'S COMMENTS AND RECOMMENDATIONS: (only Manager)

SCRIPT for SPECIAL USE PERMIT Application (S18-06)

Request by Williams Mullen, on behalf of the property owner, Arab Shrine Club H Corp, for a Special Use Permit for a telecommunications tower located at 4510 S College Road.

1. Swear witnesses: Announce that “the Special Use Permit process requires a quasi-judicial hearing; therefore, any person wishing to testify must be sworn in. All persons who signed in to speak or who want to present testimony please step forward to be sworn in. Thank you.”
2. This is a public hearing. We will hear a presentation from staff. Then the applicant and any opponents will each be allowed 15 minutes for their presentation and additional 5 minutes for rebuttal.
3. Conduct Hearing, as follows:
 - a. Staff presentation
 - b. Applicant's presentation (up to 15 minutes)
 - c. Opponent's presentation (up to 15 minutes)
 - d. Applicant's cross examination/rebuttal (up to 5 minutes)
 - e. Opponent's cross examination/rebuttal (up to 5 minutes)
4. Close the Public Hearing
5. Board discussion
6. A Special Use Permit which is denied may only be resubmitted if there has been a substantial change in the facts, evidence, or conditions of the application as determined by the Planning Director. At this time, you may ask to either continue the application to a future meeting, or to proceed with this Board deciding whether to recommend approval or denial of the application. What do you wish to do?
7. Ask Applicant whether he/she agrees with staff findings and any proposed conditions.
8. **Vote on the Special Use Permit application.**

☐

Motion to recommend approval of the permit - All findings are positive.

☐

Motion to recommend approval of the permit, subject to conditions specified below:
(State Conditions)

☐

Motion to recommend denial of the permit because the Board cannot find:

☐

a. That the use will not materially endanger the public health or safety if located where proposed for the following reason:

☐

b. That the use meets all required condition and specifications:

- ☐ c. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity:

- ☐ d. That the location and character of the use if developed according to the plan submitted and approved will be in harmony with the area in which it is located and is in general conformity with the plan of development for New Hanover County:

Example Motion for Approval:

Motion to recommend approval, as the Board finds that this application for a Special Use Permit meets the four required conclusions based on the findings of fact included in the Staff Summary.

Example Motion for Denial:

Motion to recommend denial, as the Board **cannot** find that this proposal:

1. Will not materially endanger the public health or safety;
2. Meets all required conditions and specifications of the Zoning Ordinance;
3. Will not substantially injure the value of adjoining or abutting property;
4. Will be in harmony with the surrounding area, and is in general conformity of the plans of development for New Hanover County.

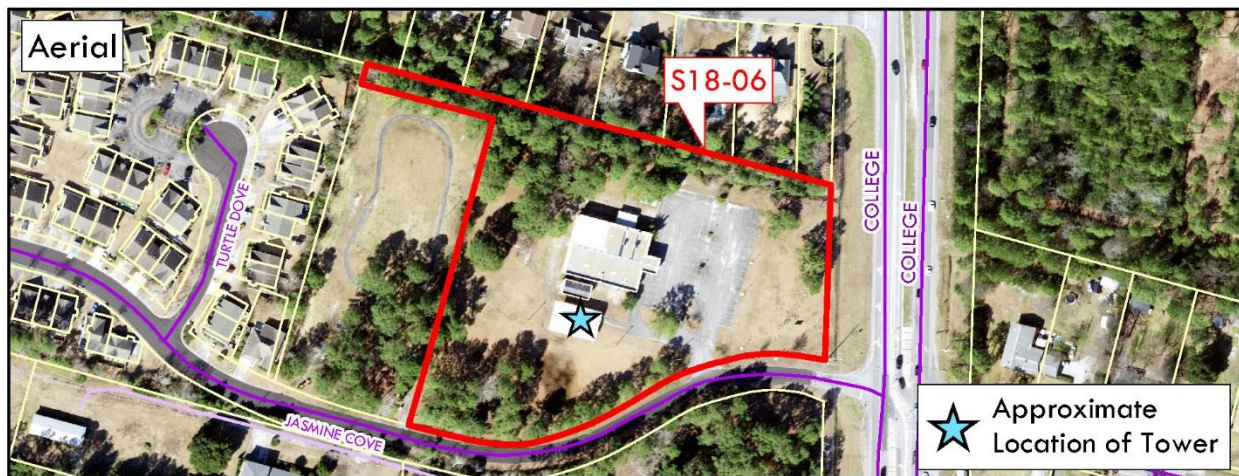
[State the finding(s) that the application does not meet and include reasons to why it is not being met]

STAFF SUMMARY OF S18-06 SPECIAL USE PERMIT APPLICATION

APPLICATION SUMMARY	
Case Number: S18-06	
Request: Special Use Permit in order to develop a telecommunications tower	
Applicant: Tom Johnson of Williams Mullen	Property Owner(s): Arab Shrine Club H Corp
Location: 4510 S College Road	Acreage: 4.36
PID(s): R07110-001-024-000	Comp Plan Place Type: Community Mixed Use/General Residential
Existing Land Use: Social/Fraternal Organization	Proposed Land Use: Telecommunications Tower
Current Zoning: R-15	



SURROUNDING AREA		
	LAND USE	ZONING
North	Single-Family Residential	R-15/R-10
East	Single-Family Residential	R-15
South	Religious Institution	R-15
West	Single-Family Residential	R-15



ZONING HISTORY

October 5, 1969	Initially zoned R-15 (Masonboro Area)
------------------------	---------------------------------------

COMMUNITY SERVICES

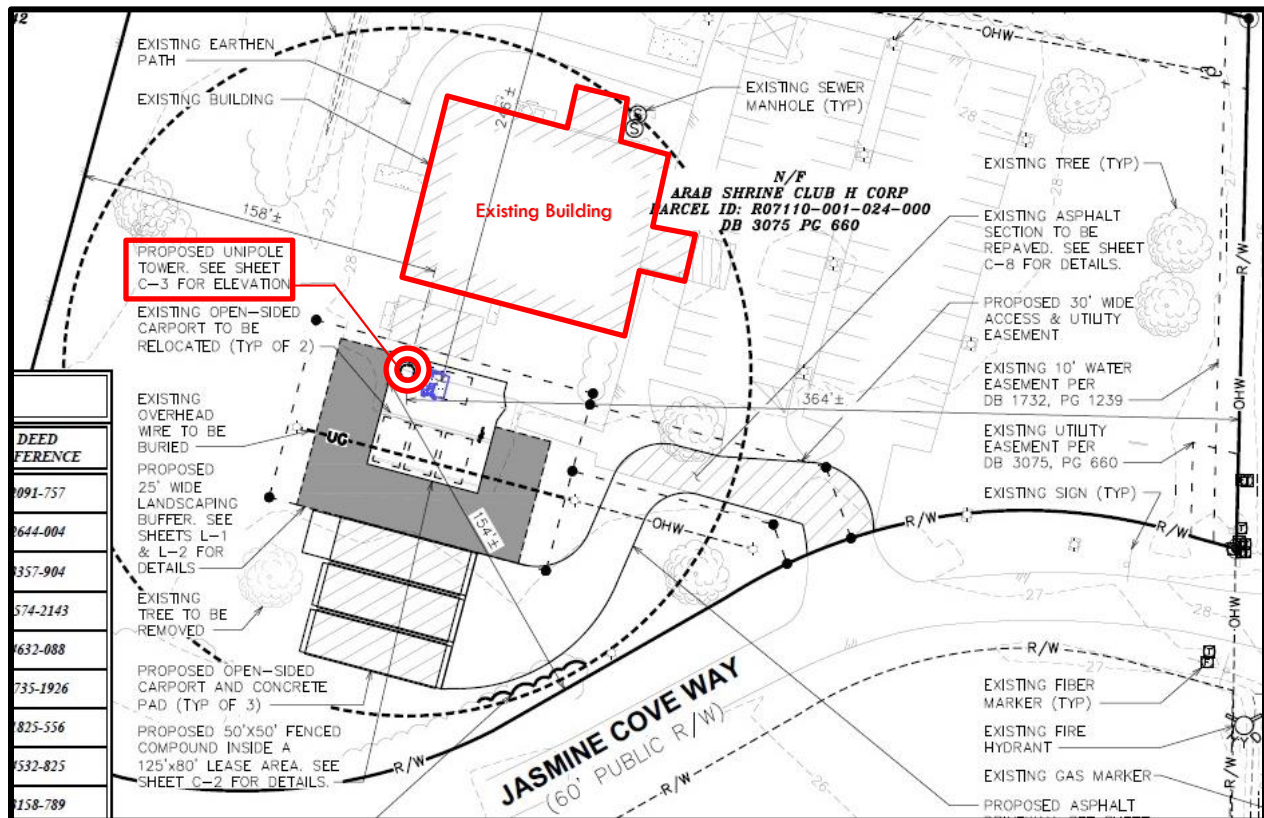
Water/Sewer	Water and Sewer is available through CFPUA but not necessary for this use
Fire Protection	New Hanover County Fire Services, New Hanover County Southern Fire District, New Hanover County Myrtle Grove Station
Schools	College Road Early Childhood, Bellamy Elementary, Myrtle Grove Middle, and Ashley High Schools
Recreation	Myrtle Grove School Park, Halyburton Park

CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES

Conservation	No known conservation resources
Historic	No known historic resources
Archaeological	No known archaeological resources

Proposed Site Plan

- The application proposes a 154' tall monopole style telecommunications tower and associated equipment storage and carrier lease areas to the south of the existing Arab Shrine Club building. Currently, the site has existing carports which will be relocated further south on the parcel to accommodate the tower site.



Proposed Site Plan

TRANSPORTATION

- Access will be provided via a new access easement to the tower site from Jasmine Cove Way over the existing entrance drive and parking lot. A new asphalt driveway will be constructed on the southern portion of the parcel to provide access to the relocated carports.

Trip Generation

LAND USE	INTENSITY	AM PEAK	PM PEAK
Wireless Communication Facility	N/A	≤ 1	≤ 1

- Traffic Impact Analyses are required to be completed for proposals that will generate more than 100 peak hour trips in either the AM or PM peak hours.

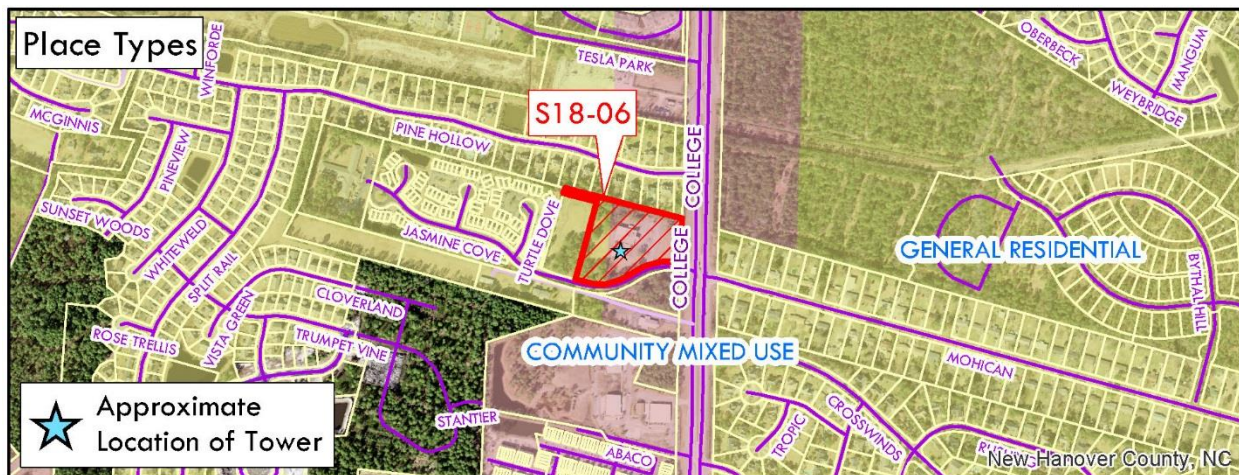
- The proposed tower use will have virtually no impact on traffic on the nearby road network due to the very low trip generation. A revised NCDOT Driveway Permit to connect to Jasmine Cove Way for this additional use will be required.

ENVIRONMENTAL

- The site does not contain any Special Flood Hazard Areas, wetlands, or Natural Heritage Areas.
- The subject property is split between two drainage basins. The proposed tower site lies in an area that drains to Barnard's Creek and the Cape Fear River, while the northern and eastern portions of the site drain to Whiskey Creek and the Atlantic Intracoastal Waterway.
- Soils at the site are Lynn Haven Fine Sand, according to the Soil Survey for New Hanover County.

2016 COMPREHENSIVE LAND USE PLAN

The New Hanover County Future Land Use Map provides a general representation of the vision for New Hanover County's future land use, as designated by place types describing the character and function of the different types of development that make up the community. These place types are intended to identify general areas for particular development patterns and should not be interpreted as being parcel specific. Specific goals of the comprehensive plan are designated to be promoted in each place type, and other goals may be relevant for particular properties.



<p>Future Land Use Map Place Type</p>	<p>Community Mixed Use and General Residential</p> <p>The subject property is split between two place types. The location of the tower site and existing building is located within Community Mixed Use on the east side of the site closest to College Road, while the western, vacant portion of the property is within General Residential.</p>
--	--

Place Type Description	<p>Community Mixed Use focuses on small-scale, compact, mixed use development patterns that serve all modes of travel and act as an attractor for county residents and visitors. Types of appropriate uses include office, retail, mixed use, recreational, commercial, institutional, and multi-family and single-family residential.</p> <p>General Residential focuses on lower-density housing and associated civic and commercial services. Typically, housing is single-family or duplexes. Commercial uses should be limited to strategically located office and retail spaces, while recreation and school facilities are encouraged throughout.</p>
Analysis	<p>The Comprehensive Plan does not specifically address the location of telecommunications towers and other infrastructure, and the place type descriptions for General Residential or Community Mixed Use do not provide substantive guidance for evaluating the applicant's petition. However, the Comprehensive Plan's implementation guidelines do aim to support business success, workforce development, and economic prosperity, and telecommunications infrastructure—placed to best serve the needs of surrounding residents and the adjacent schools—can help to advance those goals.</p>
Consistency Recommendation	<p>The proposed telecommunications tower is generally CONSISTENT with the goals of the 2016 Comprehensive Plan because it will provide for the communications infrastructure necessary to support the educational and economic activities of nearby residents, businesses, and students.</p>

STAFF PRELIMINARY CONCLUSIONS AND FINDINGS OF FACT:

Staff has conducted an analysis of the proposed use and the information provided as part of the application package and has created preliminary findings of fact for each of the conclusions required to be reached to approve the special use permit request. These preliminary findings of fact and conclusions are based solely on the information provided to date, prior to any information or testimony in support or opposition to the request that may be presented at the upcoming public hearing at the Board meeting.

Conclusion 1: The Board must find that the use will not materially endanger the public health or safety where proposed and developed according to the plan as submitted and approved.

- A. Water and sewer infrastructure and capacity are available to serve the site, but not necessary for the proposed use.
- B. The subject property is located in the New Hanover County South Fire Service District.
- C. Access to the tower site will be provided by a new access easement and will utilize an existing asphalt driveway from Jasmine Cove Way, which is an NCDOT maintained street.
- D. The subject site does not host any known cultural, archaeological, or environmental resources.
- E. The proposed use will have virtually no traffic impact on the surrounding transportation network.

Staff Suggestion: Evidence in the record provided by the applicant at this time supports a finding that the use will not materially endanger the public health or safety where proposed.

Conclusion 2: The Board must find that the use meets all required conditions and specifications of the Zoning Ordinance.

- A. Telecommunication Communication Facilities, Cellular, and Related Towers are allowed by Special Use Permit in the R-15, Residential zoning district provided that the project meets the standards of Section 63.5-1 of the Zoning Ordinance.
- B. Section 63.5-1(A) requires that the setback from any existing residential property line or residential zoning district boundary for any tower, antenna, or related structure in any zoning district be a distance equal to the height of the tower as measured from the base of the tower. The location of the proposed 154' tall tower is 158' from the nearest property line, meeting the setback requirement of Section 63.5-1(A).
- C. Section 63.5-1(B)1 requires that the minimum distance between the tower and any other adjoining parcel of land or road must be equal to the minimum setback of 50' described in Section 63.5-1(A), plus any additional distance necessary to ensure that the tower, as designed, will fall within the tower site. The proposed location complies with this provision, and no evidence has been submitted suggesting that additional distance is necessary.
- D. Section 63.5-1(B)2 requires the applicant to submit photographs and statements as to the potential visual and aesthetic impacts on all adjacent residential zoning districts. Information provided in the application packet meets this requirement.
- E. Section 63.5-1(C) requires a landscaped buffer with a base width not less than 25 feet and providing 100% opacity, in addition to a minimum 8 ft. tall fence surrounding the tower base. The existing Arab Shrine Club building is anticipated to adequately shield the northern side of the tower site and equipment area; therefore, a landscaped buffer is not proposed to be installed on this side. The applicant and owner have submitted a Landscape Buffer Certification stating that in the event the building is demolished or no longer provides adequate buffering for the tower base and equipment area, that the required buffer will be installed and maintained by the applicant. The proposed landscape buffer and Landscape Buffer Certification document meet this requirement.
- F. Section 63.5-1(D) requires that all applicants seeking approval for the construction of any new towers, antennas, and related structures shall submit written evidence in the form of a report to demonstrate that collocation on any existing tower, antenna or usable structure in the search area for the new tower is not reasonable or possible. Documentation provided in the application package meets these requirements.
- G. Section 63.5-1(E) requires that towers over 150' tall be engineered to accommodate a minimum of two additional providers. The proposed tower is 154' tall and has been designed to co-locate five additional providers' equipment in addition to the proposed carrier as described in the application.
- H. Section 63.5-1(F) requires that all applicants seeking approval shall also submit a written affidavit from a qualified person or persons, including evidence of their qualifications, certifying that the construction or placement of such structures meets the provisions of the Telecommunications Act of 1996, the National Environmental Policy Act of 1969, FCC Rules Sections 1.1311, 1.1312, 1.1307 and all other applicable federal, state and local laws. The statement must certify that radio frequency emissions from the antenna array(s) comply with the FCC standards. The statement shall also certify that both individually and cumulatively the proposed facilities located on or adjacent to the proposed facility will

comply with current FCC standards. Documentation in the application package meets these requirements.

- I. Section 63.5-1(I) regulates the signage allowed on the tower and related equipment. Signage proposed on the site consists of identification, registration, and safety signs which are compliant with this ordinance provision.
- J. Section 63.5-1(J) prohibits the storage of equipment, hazardous waste, or materials not needed for the operation, prohibits outdoor storage yards in a tower equipment compound, and prohibits habitable space within this area. The applicant's proposal complies with this ordinance section.
- K. Section 63.5-1(L) requires that, when the proposed tower site is within 10,000 feet of an airport or within any runway approach zone, the applicant submit Form 7460 to the Federal Aviation Administration (FAA) to assure compliance with all FAA standards. An FAA Aeronautical Evaluation was included with the application and indicates that the site and proposal are in compliance with FAA regulations.

Staff Suggestion: Evidence in the record at this time supports a finding that the use meets all of the required conditions and specifications of the Zoning Ordinance.

Conclusion 3: The Board must find that the use will not substantially injure the value of adjoining or abutting property or that the use is a public necessity.

- A. The location of the proposed telecommunications tower is on an existing commercially developed site adjacent to a residential area along a major thoroughfare.
- B. The nearest residential structures range from approximately 320' - 350' to the north of the proposed tower location. To the west, the tower is approximately 380' - 400' feet from the existing residential structures, and over 600' across S College Road to the residential structures to the east of the proposed tower location.
- C. Predominant land uses in the immediate vicinity of the subject site are residential, vacant or open space, and institutional and commercial to the south.
- D. A 25' wide buffer surrounding the west, south, and east sides of the tower base will provide visual screening. The existing Shrine Club building will provide visual screening for the north side. The applicant and owner have submitted a Landscape Buffer Certification that in the event the building is demolished or no longer provides an adequate opaque buffer, the landscaping requirements will be met with installation and maintenance by the applicant.
- E. Evidence has been submitted in the form of an impact analysis by David Smith, MAI, SRA, that the proposal will not adversely affect the value of adjoining and abutting properties.
- F. Evidence has been submitted in the form of an impact study by Michael Berkowitz that the proposal will not substantially injure the value of adjacent or abutting properties.
- G. No contradictory evidence has been submitted that this project will substantially injure the value of adjoining or abutting properties.

Staff Suggestion: Evidence in the record provided by the applicant at this time supports a finding that the use will not substantially injure the value of adjoining or abutting property.

Conclusion 4: The Board must find that the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the plan of development for New Hanover County.

- A. The subject site is currently developed as a social/fraternal organization building with associated parking, landscaping, and buffering.

- B. The tower site is located adjacent to a residential area, with the nearest residential properties located approximately 320' north of the proposed tower location. The tower site is adjacent to an institutional use to the south, approximately 390' from this structure.
- C. Evidence has been submitted in the form of an impact study by Michael Berkowitz that the proposal will not substantially detract from the aesthetics or character of the neighborhood because of its location and existing above ground infrastructure and location adjacent to a site improved with a lodge for the Shriner's Club.
- D. The site is classified as Community Mixed Use and General Residential by the 2016 Comprehensive Land Use Plan. The Community Mixed Use placetype focuses on small-scale, compact, mixed use development patterns that serve all modes of travel and act as an attractor for county residents and visitors. The General Residential placetype focuses on lower-density housing and associated civic and commercial services. The Comprehensive Plan does not specifically address the location of telecommunications towers and other infrastructure. However, the Comprehensive Plan's implementation guidelines do aim to support business success, workforce development, and economic prosperity. Thus, infrastructure including telecommunications towers are appropriate within these placetypes when located appropriately.
- E. The proposed telecommunications tower is generally **CONSISTENT** with the Community Mixed Use and General Residential place types from the 2016 Comprehensive Land Use Plan.

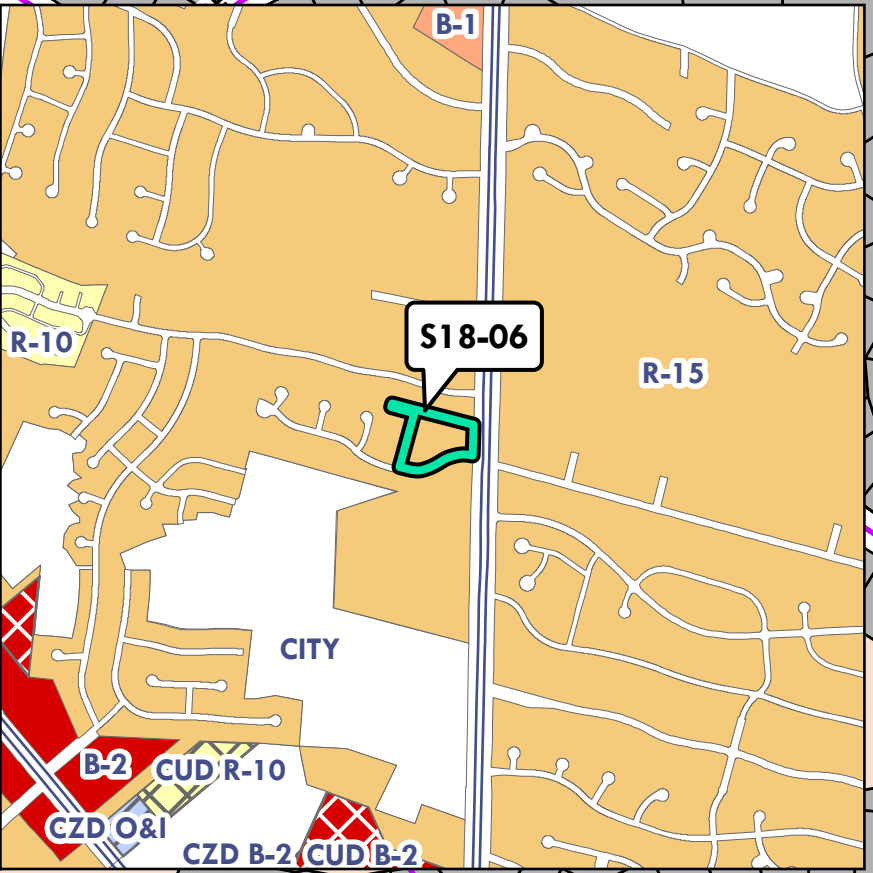
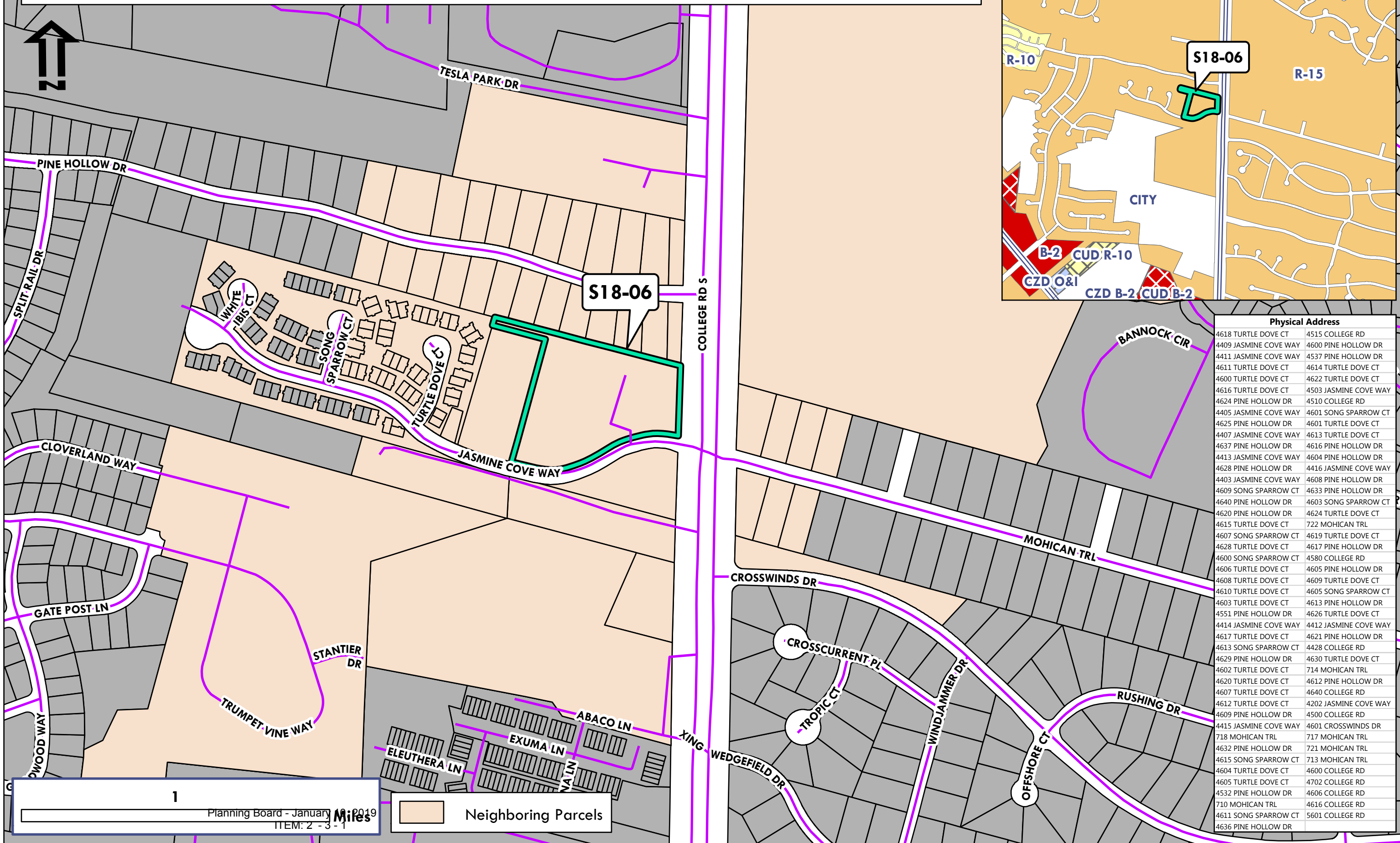
Staff Suggestion: *Evidence in the record at this time supports a finding that the use is generally consistent with the Comprehensive Plan and the Community Mixed Use and General Residential placetypes.*

Case:
S18-06

Site Address:
4510 S College Rd

Existing Zoning/Use:
R-15/
Lodge/Public Assesmbly

Proposed Use:
Telecommunications Tower



Physical Address	
4618 TURTLE DOVE CT	4515 COLLEGE RD
4409 JASMINE COVE WAY	4600 PINE HOLLOW DR
4411 JASMINE COVE WAY	4537 PINE HOLLOW DR
4611 TURTLE DOVE CT	4614 TURTLE DOVE CT
4600 TURTLE DOVE CT	4622 TURTLE DOVE CT
4616 TURTLE DOVE CT	4503 JASMINE COVE WAY
4624 PINE HOLLOW DR	4510 COLLEGE RD
4405 JASMINE COVE WAY	4601 SONG SPARROW CT
4625 PINE HOLLOW DR	4601 TURTLE DOVE CT
4407 JASMINE COVE WAY	4613 TURTLE DOVE CT
4637 PINE HOLLOW DR	4616 PINE HOLLOW DR
4413 JASMINE COVE WAY	4604 PINE HOLLOW DR
4628 PINE HOLLOW DR	4416 JASMINE COVE WAY
4403 JASMINE COVE WAY	4608 PINE HOLLOW DR
4609 SONG SPARROW CT	4633 PINE HOLLOW DR
4640 PINE HOLLOW DR	4603 SONG SPARROW CT
4620 PINE HOLLOW DR	4624 TURTLE DOVE CT
4615 TURTLE DOVE CT	722 MOHICAN TRL
4607 SONG SPARROW CT	4619 TURTLE DOVE CT
4628 TURTLE DOVE CT	4617 PINE HOLLOW DR
4600 SONG SPARROW CT	4580 COLLEGE RD
4606 TURTLE DOVE CT	4605 PINE HOLLOW DR
4608 TURTLE DOVE CT	4609 TURTLE DOVE CT
4610 TURTLE DOVE CT	4605 SONG SPARROW CT
4603 TURTLE DOVE CT	4613 PINE HOLLOW DR
4551 PINE HOLLOW DR	4626 TURTLE DOVE CT
4414 JASMINE COVE WAY	4412 JASMINE COVE WAY
4617 TURTLE DOVE CT	4621 PINE HOLLOW DR
4613 SONG SPARROW CT	4428 COLLEGE RD
4629 PINE HOLLOW DR	4630 TURTLE DOVE CT
4602 TURTLE DOVE CT	714 MOHICAN TRL
4620 TURTLE DOVE CT	4612 PINE HOLLOW DR
4607 TURTLE DOVE CT	4640 COLLEGE RD
4612 TURTLE DOVE CT	4202 JASMINE COVE WAY
4609 PINE HOLLOW DR	4500 COLLEGE RD
4415 JASMINE COVE WAY	4601 CROSSWINDS DR
718 MOHICAN TRL	717 MOHICAN TRL
4632 PINE HOLLOW DR	721 MOHICAN TRL
4615 SONG SPARROW CT	713 MOHICAN TRL
4604 TURTLE DOVE CT	4600 COLLEGE RD
4605 TURTLE DOVE CT	4702 COLLEGE RD
4532 PINE HOLLOW DR	4606 COLLEGE RD
710 MOHICAN TRL	4616 COLLEGE RD
4611 SONG SPARROW CT	5601 COLLEGE RD
4636 PINE HOLLOW DR	

1

Planning Board - January 2019
ITEM: 2 - 3 - 1

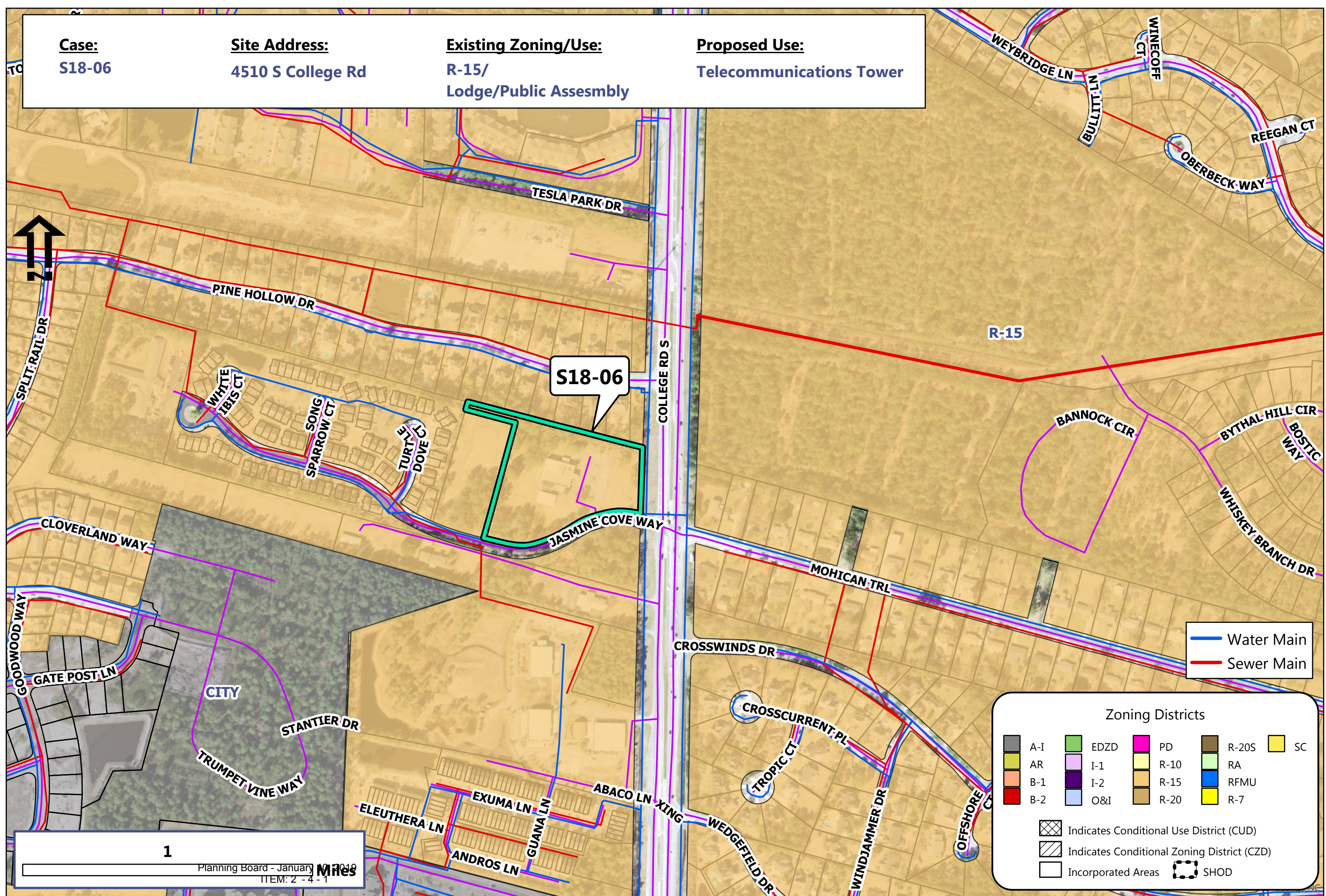
Neighboring Parcels

Case:
S18-06

Site Address:
4510 S College Rd

Existing Zoning/Use:
R-15/
Lodge/Public Assesmbly

Proposed Use:
Telecommunications Tower

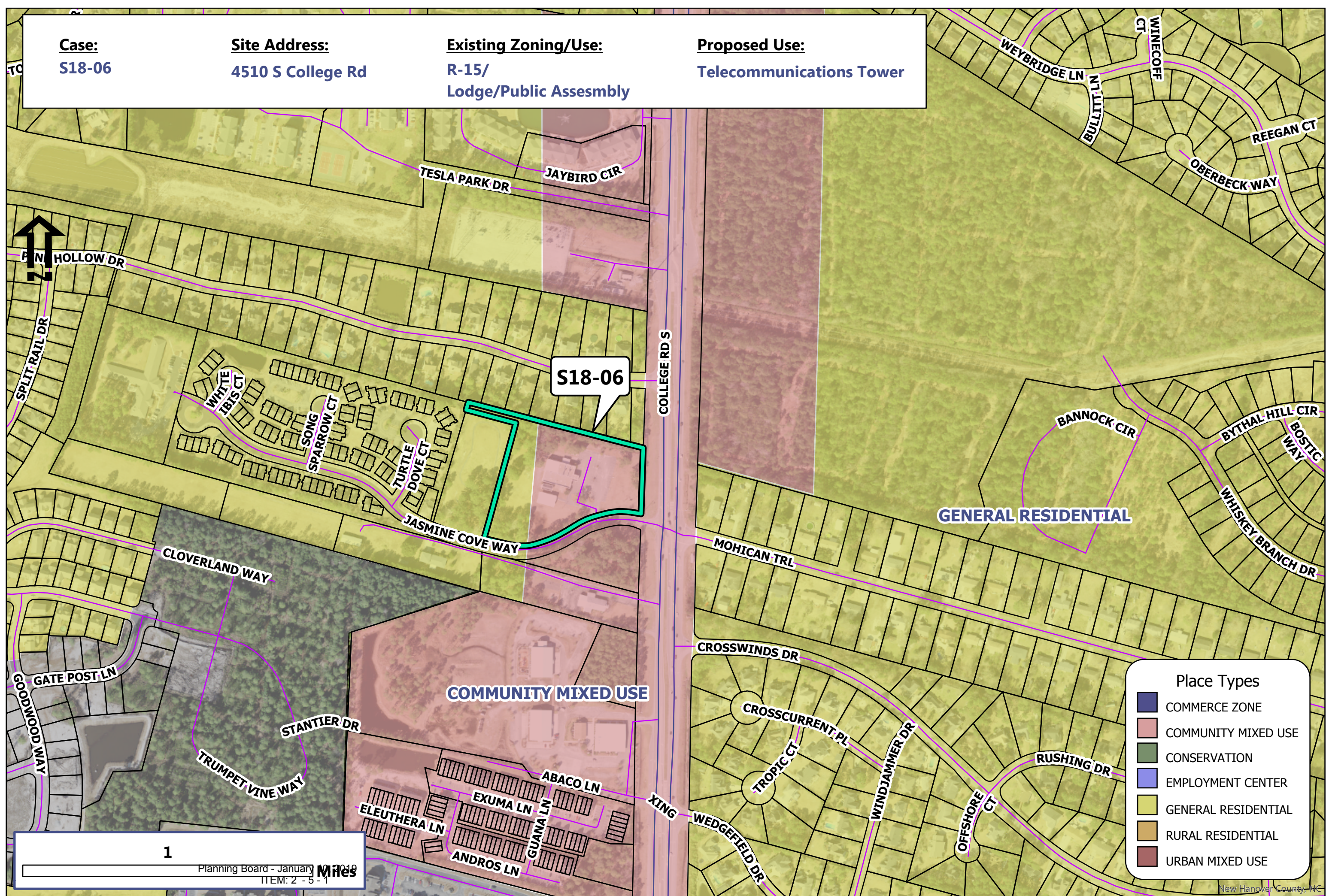


Case:
S18-06

Site Address:
4510 S College Rd

Existing Zoning/Use:
**R-15/
Lodge/Public Assesmbly**

Proposed Use:
Telecommunications Tower



APPLICANT MATERIALS

NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE

230 Government Center Drive, Suite 110

Wilmington, North Carolina

Telephone (910) 798-7165

FAX (910) 798-7053

planningdevelopment.nhcgov.com



SPECIAL USE PERMIT Application

Applicant/Agent Information		Property Owner(s) <i>If different than Applicant/Agent</i>	
Name	Thomas H. Johnson, Jr. - Attorney	Owner Name	Arab Shrine Club H Corp
Company	Williams Mullen	Owner Name 2	Attn: Chad Dunson
Address	301 Fayetteville St, Suite 1700	Address	4510 S College Road
City, State, Zip	Raleigh, NC 27601	City, State, Zip	Wilmington, NC 28412
Phone	919-981-4006 or 910-616-3100	Phone	910-395-6272
Email	tjohnson@williamsmullen.com	Email	cd4450@att.com
Subject Property Information			
Address/Location 4510 S. College Road, Wilmington, NC 28412			
Parcel Identification Number(s) R07110-001-024-000			
Total Parcel(s) Acreage 4.37 ac			
Existing Zoning and Use(s) R-15, current use is Lodge/Public Assembly			
Future Land Use Classification GR/cmu (KV)			
Application Tracking Information (Staff Only)			
Case Number	518-06	Date/Time received:	11/29/13 3:00 pm
		Received by:	BS

Proposed Use(s) & Written Description

Please list the proposed use or uses of the subject property, and provide the purpose of the Special Use Permit and a description of the project (please provide additional pages if needed).

A 150' unipole telecommunications tower is proposed for the site. The proposed tower will be an additional use on the property which is currently the Arab Shrine Club lodge. This additional use will not change the current use, however some carports will need to be moved to accommodate the new tower compound.

The proposed tower will be a "slick stick" style monopole, which is considered a stealth pole as the antennas are concealed within the main structure. The proposed compound measures 50' x 50' and will be masked by the existing brick building to the North and a 25' landscape buffer to the South, East and West. The tower has one current tenant proposed (Sprint) but will accommodate up to an additional 5 carriers.

This Special Use Permit application is required because the proposed tower will be located on a Residentially zoned parcel, though the current use is not and has not been Residential.

Traffic Impact Worksheet

Please provide the estimated number of trips generated for the proposed use(s) based off the most recent version of the Institute of Transportation Engineers (ITE) Trip Generation Manual. A Traffic Impact Analysis (TIA) must be completed for all proposed developments that generate more than 100 peak hour trips, and the TIA must be included with this application.

ITE Land Use: The number of trips to the site will be less than 5 per month.

Trip Generation Variable (gross floor area, dwelling units, etc.):

AM Peak Hour Trips:

PM Peak Hour Trips:

CRITERIA REQUIRED FOR APPROVAL OF A SPECIAL USE PERMIT

For each of the four required conclusions listed below, include or attach a statement that explains how any existing conditions, proposed development features, or other relevant facts would allow the Board of County Commissioners to reach the required conclusion, and attach any additional documents or materials that provide supporting factual evidence. The considerations listed under each required conclusion are simply those suggested to help the applicant understand what may be considered in determining whether a required conclusion can be met. You should address any additional considerations potentially raised by the proposed use or development.

1. The use will not materially endanger the public health or safety if located where proposed and approved.

Considerations:

- Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersections with curb cuts
- Provision of services and utilities, including sewer, water, electrical, garbage collections, fire protection
- Soil erosion and sedimentation
- Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater
- Anticipated air discharges, including possible adverse effects on air quality

1. The proposed tower site will generate less than 5 trips a month by a medium sized work truck.

2. The proposed tower will only require electrical service and will not require any other utilities.

3. The proposed site will adhere to all sediment and erosion control standards while under construction and will not cause any additional runoff or soil erosion issues after completion.

4. The proposed site will not cause pollution to or adversely affect the public or private water supply.

Erosion control measures will be used during construction and appropriate materials will be used in the compound so that surrounding areas will not be affected by stormwater runoff or ground surface erosion.

5. There are no anticipated air discharges. The proposed tower will meet or exceed all ANSI, FCC and FAA regulations. There will be no lighting and no generators are currently proposed for the site by Sprint.

2. The use meets all required conditions and specifications of the Zoning Ordinance.

The proposed stealth tower does or will meet all conditions of Section 63.5-1 of the NHC Ordinance. The

proposed tower has a setback area equal to 100% of the tower height to the property lines, and the tower be designed to fall within that radius. A Fall Zone letter sealed by an engineer will be provided once final design is complete (Sec 63.5-1(B)1). Please see attached for the simulated photo report as required by Sec. 63.5-1(B)2.

The proposed tower is a stealth design that conceals the antennas within the unipole (Sec 63.5-1(B)3).

The proposed tower compound will be buffered on three sides by a 25' landscaping buffer. The remaining side will be buffered by the existing brick building. A signed agreement by the property owner and CTG is included stating that if the building is removed then the landscape buffer will be installed to comply with Sec. 63.5-1(C) of the Ordinance. The proposed tower will accommodate up to six (6) carriers (Sec. 63.5-1(E)).

See other included reports and letters that fulfill the remaining Ordinance requirements.

CRITERIA REQUIRED FOR APPROVAL OF A SPECIAL USE PERMIT

(continued)

3. The use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.

Considerations:

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved (i.e. buffers, hours of operation, etc)
- Whether the proposed development is so necessary to the public health, safety, and general welfare of the community or County as a whole as to justify it regardless of its impact on the value of adjoining property

The proposed tower will not substantially injure the value of adjacent properties.

Please see the enclosed Property Valuation report by Mr. David Smith.

4. The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the New Hanover County Comprehensive Land Use Plan.

Considerations:

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved (i.e. buffers, hours of operation, etc)
- Consistency with the Comprehensive Plan's goals, objectives for the various planning areas, its definitions of the various land use classifications and activity centers, and its locational standards

The proposed tower will be located on a non-residentially developed property on a main thoroughfare in the County. It has been designed to have little visual impact on the surrounding area and will comply with appropriate buffers. Furthermore, the proposed use is listed as a use permitted as a special use in the district and is therefore by law presumed to be in harmony in the area where it will be located.

APPLICATION REQUIREMENTS

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". If an item is not applicable, mark as "N/A". Staff will confirm if an application is complete within five business days of submittal. Applications must be complete in order to process for further review.

Required Information		Applicant Initial or N/A	Staff Initial or N/A
1	Complete Special Use Permit application.	TJ	KV
2	Application fee – (\$500; \$250 if application pertains to a residential use (i.e. mobile home, duplex, family child care home).	TJ	KV
3	Traffic Impact Analysis (for uses that generate more than 100 peak hour trips).	N/A	N/A
4	<u>Site Plan including the following elements:</u> <ul style="list-style-type: none"> • Tract boundaries and total area, location of adjoining parcels and roads. • Proposed use of land, structures and other improvements. For residential uses, this shall include number, height and type of units and area to be occupied by each structure and/or subdivided boundaries. For non-residential structures, this shall include approximate square footage and height of each structure, an outline of the area it will occupy and the specific purpose for which it will be used. • Development schedule including proposed phasing. • Traffic and Parking Plan to include a statement of impact concerning local traffic near the tract, proposed right-of-way dedication, plans for access to and from the tract, location, width and right-of-way for internal streets and location, arrangement and access provision for parking areas. • All existing and proposed easements, reservations, required setbacks, rights-of-way, buffering and signage. • The one hundred (100) year floodplain line, if applicable. • Location and sizing of trees required to be protected under Section 62 of the Zoning Ordinance. • The approximate location of US Army Corps of Engineers Clean Water Act Section 404 and Rivers and Harbors Act Section 10 Wetlands, and wetlands under jurisdiction of the NC Department of Environmental Quality. • Any additional conditions and requirements, which represent greater restrictions on development and use of the tract than the corresponding General Use District regulations or other limitations on land which may be regulated by Federal or State law or Local Ordinance. • Any other information that will facilitate review of the proposed change (Ref. Article VII, as applicable). 	TJ	KV
5	1 hard copy of ALL documents AND 8 hard copies of the site plan. Additional hard copies may be required by staff depending on the size of the document/site plan.	TJ	KV
6	1 PDF digital copy of ALL documents AND plans.	TJ	KV

ACKNOWLEDGEMENT AND SIGNATURES

By my signature below, I understand and accept all of the conditions, limitations and obligations of the Special Use Permit for which I am applying. I understand that the existing official zoning map is presumed to be correct. I understand that I have the burden of proving that the proposal meets the four required conclusions. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

Authority for Appointment of Agent Form

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and commitments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.



 Signature of Property Owner(s)

See attached Appointment of Agent Letter

Print Name(s)



 Signature of Applicant/Agent

Thomas H. Johnson, Jr. - Attorney

Print Name

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.

***The land owner or their attorney must be present for the application at the public hearings.**

If an applicant requests delay of consideration from the Planning Board or Board of County Commissioners before notice has been sent to the newspaper (approximately 2-3 weeks before the hearing), the item will be calendared for the next meeting and no fee will be required. If delay is requested after notice has been sent to the newspaper, the Board will act on the request at the scheduled meeting and are under no obligation to grant the continuance. If the continuance is granted, a fee in accordance with the adopted fee schedule as published on the New Hanover County Planning website will be required.

For Staff Only

Application Received:	Completeness Determination Required By (date):	Determination Performed on (date):	Planning Board Meeting:
11/29/18	12/6/18	12/5/18	1/10/19



**NEW HANOVER COUNTY
PLANNING & LAND USE
AUTHORITY FOR
APPOINTMENT OF AGENT**

230 Government Center Drive
Suite 110
Wilmington, NC 28403
910-798-7165 phone
910-798-7053 fax
www.nhcgov.com

Please note that for quasi-judicial proceedings, either the land owner or an attorney must be present for the case at the public hearing.

The undersigned owner does hereby appoint an authorized the agent described herein as their exclusive agent for the purpose of petitioning New Hanover County for a variance, special use permit, rezoning request, and/or an appeal of Staff decisions applicable to the property described in the attached petition. The Agent is hereby authorized to, on behalf of the property owner:

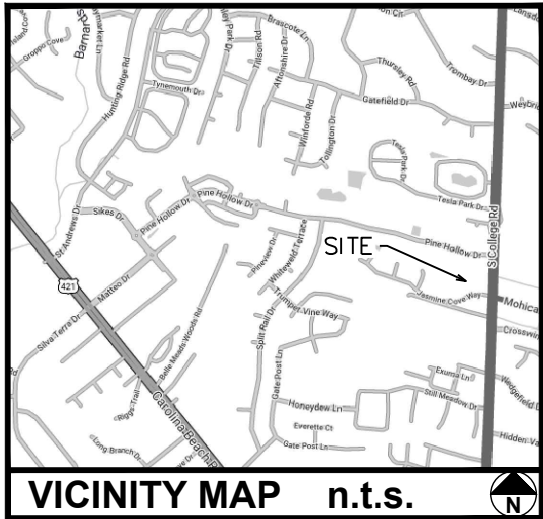
1. Submit a proper petition and the required supplemental information and materials
2. Appeal at public meetings to give representation and commitments on behalf of the property owner
3. Act on the property owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition applicable to the New Hanover County Zoning Ordinance.

Agent Information	Property Owner(s)	Subject Property
Name Thomas H. Johnson, Jr. - Attorney	Owner Name Arab Shrine Club Holding Corporation	Address 4510 S College Road
Company Williams Mullen	Owner Name 2 Attn: Chad Dunson, President	City, State, Zip Wilmington, NC 28412
Address 301 Fayetteville Street, Suite 1700	Address 4510 S College Road	Parcel ID R07110-001-024-000
City, State, Zip Raleigh, NC 27601	City, State, Zip Wilmington, NC 28412	
Phone 919-981-4006 or 919-981-4030	Phone 910-471-2636 / 910-395-6272	
Email tjohnson@williamsmullen.com	Email cd4450@att.com	
Application Tracking Information (Start Date)		
Case Number Reference:	Date/Time received:	Received by:

This document was willfully executed on the AUGUST day of 20th, 20 18.

Owner 1 Signature

Owner 2 Signature



NOTES:

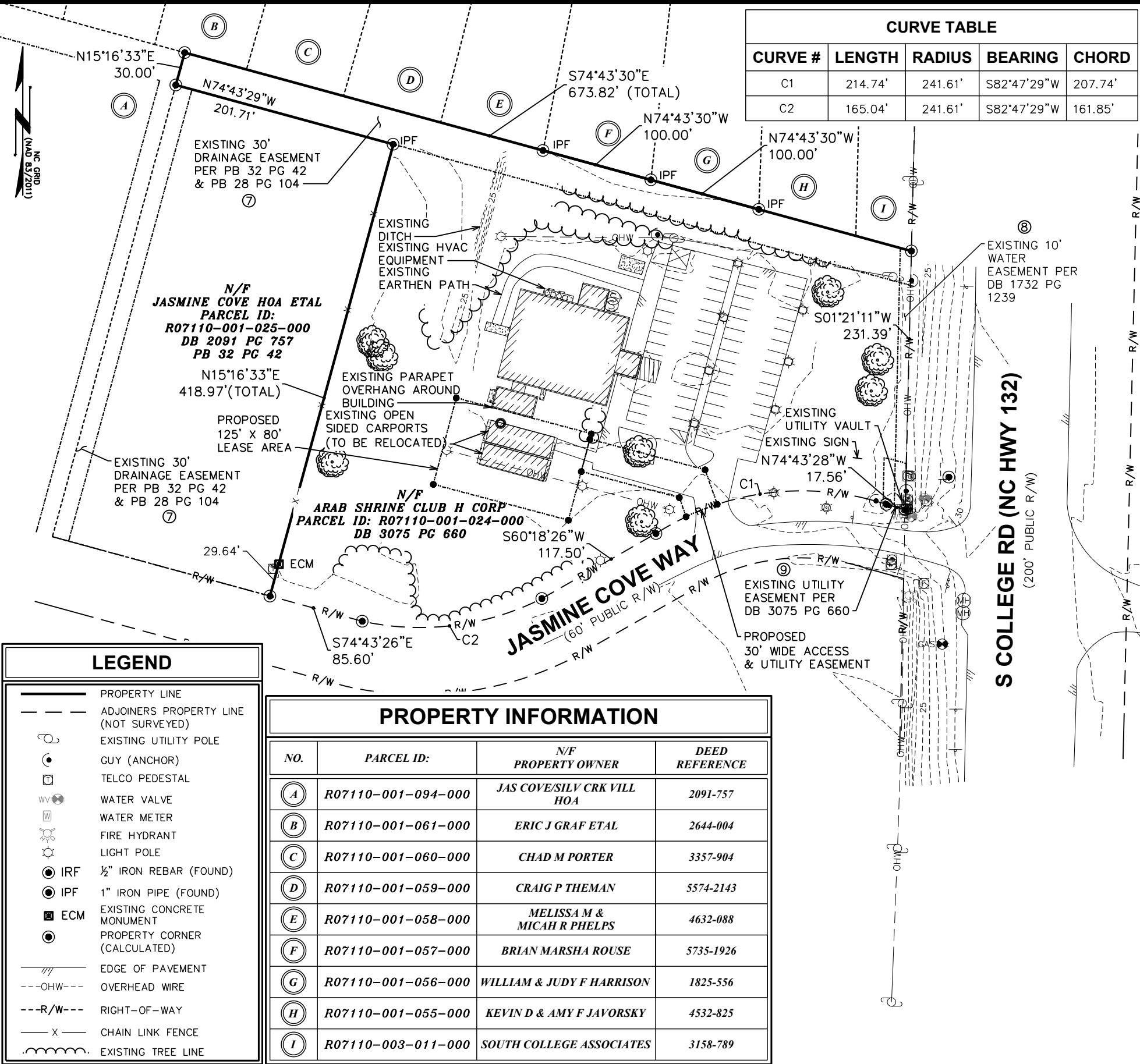
1. PLAN PREPARED WITH THE BENEFIT OF A TITLE REPORT.
2. PLAN DOES NOT REPRESENT AN ALTA/NSPS LAND TITLE SURVEY.
3. BASIS OF THE BEARINGS AND COORDINATES IS THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM (NAD 83/2011) BASED ON DIFFERENTIAL GPS OBSERVATIONS PERFORMED ON AUGUST 15, 2018; TIED TO THE NATIONAL SPATIAL REFERENCE SYSTEM VIA CORS STATIONS AND OPUS; AND EXPRESSED IN US SURVEY FEET.
4. VERTICAL INFORMATION BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD '88) AND EXPRESSED IN US SURVEY FEET.
5. THIS PLAN DOES NOT REPRESENT AN ACTUAL BOUNDARY SURVEY OF THE PARENT PARCEL. PROPERTY LINES ARE DRAWN FROM FIELD LOCATIONS OF MONUMENTATION, GIS, TAX MAPS, AND INFORMATION FOUND IN DEED BOOK 3075, PAGE 660, OF THE NEW HANOVER COUNTY REGISTER OF DEEDS.
6. DISTANCES ARE HORIZONTAL GROUND UNLESS OTHERWISE NOTED.
7. PROPERTY LOCATED IN FLOOD ZONE "X", AREA DETERMINED TO BE OUTSIDE 0.2% CHANCE OF ANNUAL FLOOD BASED UPON FEMA COMMUNITY PANEL# 3720313500J, EFFECTIVE APRIL 03, 2006, AND PANEL# 3720313400J, EFFECTIVE APRIL 03, 2006.
8. LESSEE INFORMATION:
COMMUNICATIONS TOWER GROUP, LLC
15720 BRIXHAM HILL AVE, SUITE 300
CHARLOTTE, NC 28277
9. PROPERTY INFORMATION:
ARAB SHRINE CLUB H CORP
4510 S COLLEGE RD.
WILMINGTON, NC 28412

1A CERTIFICATE

LATITUDE: N 34° 09' 26.16" (NAD '83)
LONGITUDE: W 77° 53' 36.50" (NAD '83)
GROUND ELEV. (AMSL): 28.50± (NAVD '88)

SITE SURVEY

SCALE: 1" = 100'



PREPARED FOR:



COMMUNICATIONS TOWER GROUP LLC.
15720 BRIXHAM HILL AVENUE, SUITE 300
CHARLOTTE, NC 28277

PROJECT INFORMATION:

**MOHICAN TRAIL/
ARAB SHRINE CLUB**
SITE ID:CTG-NC 0010041
4510 S COLLEGE RD.
WILMINGTON, NC 28412
(NEW HANOVER COUNTY)

PREPARED BY:



TEP ENGINEERING, PLLC
326 TRYON ROAD
RALEIGH, NC 27603-3530
(919) 661-6351
COA # P-1403

SURVEYOR CERTIFICATE

"I, TIMOTHY L. FISH, CERTIFY THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, (DEED DESCRIPTION RECORDED IN BOOK 3075 AT PAGE 660; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN LINES, DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE AS REFERENCED HEREIN; THAT RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1: 10,000 OR GREATER; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600)."

THIS 31ST DAY OF OCTOBER, 2018,

TIMOTHY L. FISH
NORTH CAROLINA PLS # L-4631



SHEET TITLE:

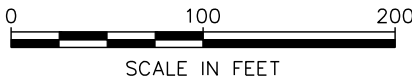
SITE SURVEY

DATE: 10/31/2018

REVISION: 1

SHEET #: 1 OF 3

TEP #: 144337



LEGAL DESCRIPTION OF 125' X 80' LEASE AREA

ALL THAT CERTAIN LEASE AREA BEING IN NEW HANOVER COUNTY, NORTH CAROLINA, BEING A PORTION OF THE LANDS DESCRIBED IN DEED BOOK 3075, PAGE 660 AND PLAT BOOK 32, PAGE 42, HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING = 150,344.79', AND EASTING = 2,334,682.78'; THENCE, FROM THE POINT OF COMMENCEMENT, SOUTH 13°57'47" EAST A DISTANCE OF 233.93 FEET TO A POINT ON THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 125' X 80' LEASE AREA, SAID POINT BEING THE TRUE POINT OF BEGINNING, HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING = 150,117.78', AND EASTING = 2,334,739.23'; THENCE, FROM THE POINT OF BEGINNING, SOUTH 75°07'56" EAST A DISTANCE OF 125.00 FEET TO A POINT; THENCE SOUTH 14°52'04" WEST A DISTANCE OF 80.00 FEET TO A POINT; THENCE NORTH 75°07'56" WEST A DISTANCE OF 125.00 FEET TO A POINT; THENCE NORTH 14°52'04" EAST A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING.

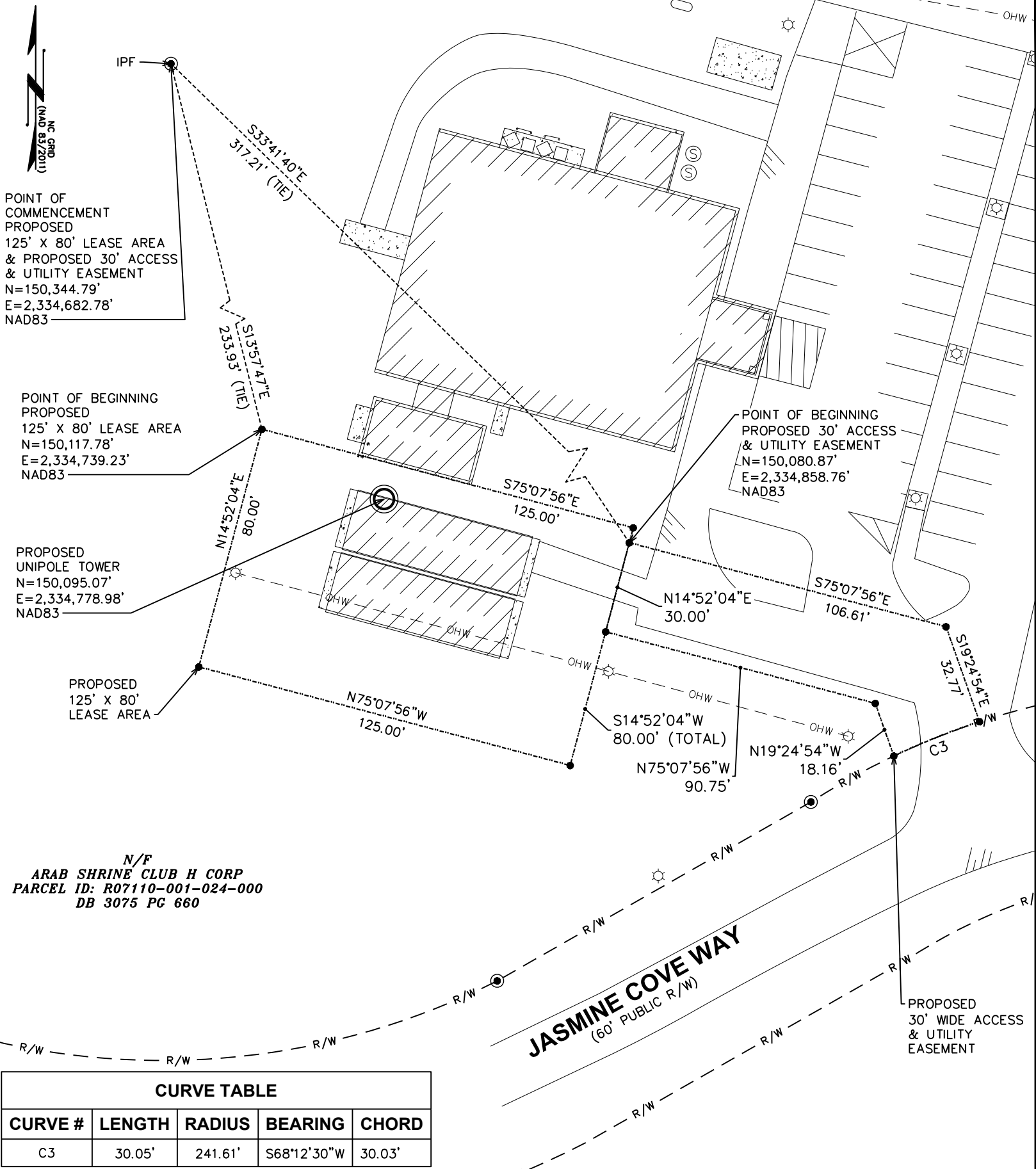
SAID LEASE AREA CONTAINING 10,000 SQUARE FEET OR 0.23 ACRES MORE OR LESS.

LEGAL DESCRIPTION OF 30' ACCESS & UTILITY EASEMENT

ALL THAT CERTAIN 30' ACCESS & UTILITY EASEMENT BEING IN NEW HANOVER COUNTY, NORTH CAROLINA, BEING A PORTION OF THE LANDS DESCRIBED IN DEED BOOK 3075 AT PAGE 660 OF THE NEW HANOVER COUNTY REGISTER OF DEEDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN EXISTING IRON PIPE FOUND BEING A COMMON CORNER OF THE PARCELS DESCRIBED IN DEED BOOK 3075, PAGE 660 AND PLAT BOOK 32, PAGE 42, HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING = 150,344.79', AND EASTING = 2,334,682.78'; THENCE, FROM THE POINT OF COMMENCEMENT, SOUTH 33°41'40" EAST A DISTANCE OF 317.21 FEET TO A POINT ON THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 30' ACCESS & UTILITY EASEMENT, SAID POINT BEING THE TRUE POINT OF BEGINNING, HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING = 150,080.87', AND EASTING = 2,334,858.76'; THENCE, FROM THE POINT OF BEGINNING, SOUTH 75°07'56" EAST A DISTANCE OF 106.61 FEET TO A POINT; THENCE SOUTH 19°24'54" EAST A DISTANCE OF 32.77 FEET TO A POINT ON THE NORTHERN RIGHT OF WAY OF JASMINE COVE WAY, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 241.61 FEET, A CHORD OF 30.03 FEET, BEARING SOUTH 68°12'30" WEST, ALONG THE ARC OF SAID CURVE A DISTANCE OF 30.05 FEET WITH SAID RIGHT OF WAY; THENCE LEAVING SAID RIGHT OF WAY, NORTH 19°24'54" WEST A DISTANCE OF 18.16 FEET TO A POINT; THENCE NORTH 75°07'56" WEST A DISTANCE OF 90.75 FEET TO A POINT ON THE EASTERN LIMITS OF THE AFORE DESCRIBED 125' X 80' LEASE AREA; THENCE, WITH SAID LIMITS NORTH 14°52'04" EAST A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 3,715 SQUARE FEET OR 0.09 ACRES MORE OR LESS.

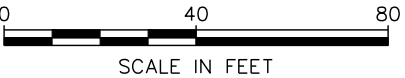


N/F
ARAB SHRINE CLUB H CORP
PARCEL ID: R07110-001-024-000
DB 3075 PG 660

CURVE TABLE				
CURVE #	LENGTH	RADIUS	BEARING	CHORD
C3	30.05'	241.61'	S68°12'30"W	30.03'

LEGAL DESCRIPTIONS

SCALE: 1" = 40'



PREPARED FOR:



COMMUNICATIONS TOWER GROUP LLC.
15720 BRIXHAM HILL AVENUE, SUITE 300
CHARLOTTE, NC 28277

PROJECT INFORMATION:

**MOHICAN TRAIL/
ARAB SHRINE CLUB**
SITE ID:CTG-NC 0010041
4510 S COLLEGE RD.
WILMINGTON, NC 28412
(NEW HANOVER COUNTY)

PREPARED BY:



TEP ENGINEERING, PLLC
326 TRYON ROAD
RALEIGH, NC 27603-3530
(919) 661-6351
COA # P-1403

SURVEYOR CERTIFICATE

"I, TIMOTHY L. FISH, CERTIFY THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, (DEED DESCRIPTION RECORDED IN BOOK 3075 AT PAGE 660; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN LINES, DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE AS REFERENCED HEREIN; THAT RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1: 10,000 OR GREATER; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600.)" THIS 31ST DAY OF OCTOBER, 2018.

Timothy L. Fish
TIMOTHY L. FISH
NORTH CAROLINA PLS # L-4631



SHEET TITLE:

LEGAL DESCRIPTIONS

DATE: 10/31/2018	REVISION: 1
SHEET #: 2 OF 3	TEP #: 144337

SCHEDULE B - SECTION II EXCEPTIONS

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
COMMITMENT NO: 01-17078996-01T
COMMITMENT EFFECTIVE DATE: OCTOBER 18, 2017 AT 7:00 AM
SCHEDULE B – SECTION II

- (1) FACTS WHICH WOULD BE DISCLOSED BY A COMPREHENSIVE SURVEY OF THE PREMISES HEREIN DESCRIBED. (NOT A SURVEY ITEM.)
- (2) RIGHTS OR CLAIMS OF PARTIES IN POSSESSION OR RIGHTS OF TENANTS IN POSSESSION AS TENANTS ONLY UNDER UNRECORDED LEASES. (NOT A SURVEY ITEM.)
- (3) MECHANICS’, CONTRACTORS’ OR MATERIAL MEN’S LIENS AND LIEN CLAIMS, IF ANY, WHERE NO NOTICE THEREOF APPEARS OF RECORD. (NOT A SURVEY ITEM.)
- (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. (NOT A SURVEY ITEM.)
- (5) TAXES AND SPECIAL ASSESSMENTS FOR CURRENT TAX YEAR DUE AND ALL SUBSEQUENT YEARS. (NOT A SURVEY ITEM.)
- (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). (NOT A SURVEY ITEM.)
- (7) SUBJECT TO RIGHTS OF WAY AND DRAINAGE EASEMENT AS SHOWN ON THE A RECOMBINATION OF PREVIOUSLY DIVIDED LOTS AT SHRINE PARK, AS RECORDED IN PLAT BOOK 28, PAGE 104 OF NEW HANOVER COUNTY RECORDS. (AFFECTS PARENT PARCEL SHOWN HERON.)
- (8) DEED OF EASEMENT IN FAVOR OF CAPE FEAR UTILITIES, INC., RECORDED 12/22/1993, AS BOOK 1732, PAGE 1239 OF THE NEW HANOVER COUNTY RECORDS. (AFFECTS PARENT PARCEL SHOWN HERON.)
- (9) GENERAL UTILITY EASEMENT IN FAVOR OF CITY OF WILMINGTON, RECORDED 10/18/2001, AS BOOK 3075, PAGE 660 OF THE NEW HANOVER COUNTY RECORDS. (AFFECTS PARENT PARCEL SHOWN HERON.)

TITLE LEGAL DESCRIPTION

SITUATED IN THE COUNTY OF NEW HANOVER, STATE OF NORTH CAROLINA:

BEGINNING AT A POINT IN THE WESTERN RIGHT OF WAY LINE OF N.C. HIGHWAY #132 (200.0 FOOT RIGHT OF WAY) WHERE SAID WESTERN RIGHT OF WAY LINE IS INTERSECTED BY THE NORTHERN RIGHT OF WAY LINE OF SUDAN DRIVE (60.0 FOOT RIGHT OF WAY) AS SHOWN ON A MAP RECORDED IN DEED BOOK 1006 AT PAGE 147 OF THE NEW HANOVER COUNTY REGISTRY, SAID POINT ALSO BEING NORTH 05 DEGREES 10 MINUTES EAST 30.91 FEET FROM THE INTERSECTION OF SAID WESTERN RIGHT OF WAY LINE OF N.C. HIGHWAY #132 AND THE CENTERLINE EXTENDED OF MOHICAN TRAIL (60.0 FOOT RIGHT OF WAY; S.R. #1565); RUNNING THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHERN RIGHT OF WAY LINE OF SAID SUDAN DRIVE NORTH 70 DEGREES 55 MINUTES WEST 17.55 FEET TO THE P.C. OF CURVE 11 (CENTERLINE CURVE DATA: DELTA – 45-00-00, TANGENT – 100.0’, RADIUS – 241.42’); THENCE WITH SAID NORTHERN RIGHT OF WAY LINE AS IT CURVES TO THE SOUTH, SOUTH 86 DEGREES 35 MINUTES WEST 207.74 FEET (CHD. DIST.) TO THE P.T. OF SAID CURVE \$1; THENCE CONTINUING WITH SAID NORTHERN RIGHT OF WAY LINE SOUTH 64 DEGREES 05 MINUTES WEST 117.63 FEET TO THE P.C. OF CURVE 12 (CENTERLINE CURVE DATA: DELTA – 45-00-00, TANGENT 100.00’, RADIUS – 241.42’) THENCE WITH SAID NORTHERN RIGHT OF WAY LINE AS IT CURVES TO THE WEST SOUTH 86 DEGREES 35 MINUTES WEST 161.81 FEET (CHD. DIST.) TO THE P.T. OF SAID CURVE 12; THENCE CONTINUING WITH SAID NORTHERN RIGHT OF WAY LINE NORTH 70 DEGREES 55 MINUTES WEST 287.31 FEET TO A POINT; THENCE NORTH 19 DEGREES 05 MINUTES EAST 449.20 FEET TO A POINT; THENCE SOUTH 70 DEGREES 55 MINUTES EAST 673.83 FEET TO A POINT IN SAID WESTERN RIGHT OF WAY LINE OF N.C. HIGHWAY #132; THENCE WITH SAID WESTERN RIGHT OF WAY LINE SOUTH 05 DEGREES 10 MINUTES WEST 231.39 FEET TO THE POINT OF BEGINNING AND CONTAINING 6.143 ACRES. INCLUDING A 30.0 FOOT WIDE DRAINAGE EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WESTERN RIGHT OF WAY LINE OF N.C. HIGHWAY 1132 (200.00 FOOT RIGHT OF WAY), SAID POINT BEING NORTH 05 DEGREES 10 MINUTES EAST 200.42 FEET FROM THE INTERSECTION OF SAID WESTERN RIGHT OF WAY LINE OF N.C. HIGHWAY #132 AND THE NORTHERN RIGHT OF WAY LINE OF SUDAN DRIVE (60.0 FOOT RIGHT OF WAY) AS SHOWN ON A MAP RECORDED IN DEED BOOK 1006 AT PAGE 147 OF THE NEW HANOVER COUNTY REGISTRY; RUNNING THENCE FROM SAID POINT OF BEGINNING NORTH 70 DEGREES 55 MINUTES WEST 651.26 FEET TO A POINT; THENCE SOUTH 19 DEGREES 05 MINUTES WEST 419.20 FEET TO A POINT IN SAID NORTHERN RIGHT OF WAY LINE OF SUDAN DRIVE; THENCE WITH SAID NORTHERN RIGHT OF WAY LINE NORTH 70 DEGREES 55 MINUTES WEST 30.0 FEET TO A POINT, THENCE NORTH 19 DEGREES 05 MINUTES EAST 449.20 FEET TO A POINT; THENCE SOUTH 70 DEGREES 55 MINUTES EAST 673.83 FEET TO A POINT IN SAID WESTERN RIGHT OF WAY LINE OF N.C. HIGHWAY ?132; THENCE WITH SAID WESTERN RIGHT OF WAY LINE SOUTH 05 DEGREES 10 MINUTES WEST 30.97 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

BEGINNING AT A POINT IN THE WESTERLY LINE OF A TRACT CONVEYED TO ARAB SHRINE CLUB HOLDING CORPORATION BY DEED RECORDED IN BOOK 1116 AT PAGE 245 (TRACT I) OF THE NEW HANOVER COUNTY REGISTRY. SAID BEGINNING POINT BEING LOCATED SOUTH 19 DEGREES 05 MINUTES 21 SECONDS WEST 30,00 FEET FROM A POINT IN THE NORTHERLY LINE OF SAID ARAB SHRINE CLUB HOLDING CORPORATION TRACT. SAID POINT IN SAID NORTHERLY LINE BEING LOCATED NORTH 70 DEGREES 54 MINUTES 41 SECONDS WEST 673.83 FEET AS MEASURED ALONG SAID NORTHERLY LINE FROM A POINT IN THE WESTERLY LINE OF N.C. HIGHWAY NO. 132 (200 FOOT RIGHT-OF-WAY). LAST SAID POINT BEING THE NORTHEASTERLY CORNER OF SAID ARAB SHRINE CLUB HOLDING CORPORATION TRACT. LAST SAID POINT BEING LOCATED NORTH 5 DEGREES 10 MINUTES EAST 262.30 FEET AS MEASURED ALONG THE WESTERLY LINE OF SAID N.C. HIGHWAY NO. 132 FROM ITS INTERSECTION WITH THE WESTERLY EXTENSION OF THE CENTER-LINE OF MOHICAN TRAIL (60 FOOT RIGHT-OF-WAY), ALSO KNOWN AS S.R. NO. 1565. SAID BEGINNING POINT BEING IN THE SOUTHERLY LINE OF A 30 FOOT DRAINAGE EASEMENT. RUNNING THENCE FROM SAID BEGINNING POINTS

1. SOUTH 70 DEGREES 54 MINUTES 41 SECONDS EAST 201.71 FEET ALONG THE SOUTHERLY LINE OF SAID 30 FOOT DRAINAGE EASEMENT TO A POINT; THENCE
2. SOUTH 19 DEGREES 05 MINUTES 21 SECONDS WEST 418.97 FEET TO A POINT IN THE NORTHERLY LINE OF A 60 FOOT ROAD RIGHT-OF-WAY NOW OR FORMERLY KNOWN AS SUDAN DRIVE; THENCE
3. NORTH 70 DEGREES 54 MINUTES 39 SECONDS WEST 201.71 FEET ALONG THE NORTHERLY LINE OF SAID SUDAN DRIVE TO A POINT IN THE WESTERLY LINE OF SAID ARAB SHRINE CLUB HOLDING CORPORATION TRACT; THENCE
4. NORTH 19 DEGREES 05 MINUTES 21 SECONDS EAST 418.97 FEET ALONG THE WESTERLY LINE OF MAID SHRINE CLUB TRACT TO THE POINT OF BEGINNING.

TAX I.D. NUMBER: R07110-001-024-000

BEING THE SAME PROPERTY CONVEYED TO ARAB SHRINE CLUB HOLDING CORPORATION, A NORTH CAROLINA CORPORATION, GRANTEE, FROM ARAB SHRINE CLUB OF WILMINGTON, N.A., INC., A NORTH CAROLINA CORPORATION, GRANTOR, BY DEED RECORDED 10/20/1977, AS INSTRUMENT # BOOK 1116, PAGE 245 OF THE COUNTY RECORDS.

TITLE EXCEPTIONS

PREPARED FOR:

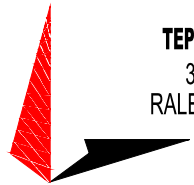


COMMUNICATIONS TOWER GROUP LLC.
15720 BRIXHAM HILL AVENUE, SUITE 300
CHARLOTTE, NC 28277

PROJECT INFORMATION:

**MOHICAN TRAIL/
ARAB SHRINE CLUB
SITE ID:CTG-NC 0010041**
4510 S COLLEGE RD.
WILMINGTON, NC 28412
(NEW HANOVER COUNTY)

PREPARED BY:



TEP ENGINEERING, PLLC
326 TRYON ROAD
RALEIGH, NC 27603-3530
(919) 661-6351
COA # P-1403

SURVEYOR CERTIFICATE

"I, TIMOTHY L. FISH, CERTIFY THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, (DEED DESCRIPTION RECORDED IN BOOK 3075 AT PAGE 660; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN LINES, DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE AS REFERENCED HEREIN; THAT RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1: 10,000 OR GREATER; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600.)"

THIS 31ST DAY OF OCTOBER, 2018.

TIMOTHY L. FISH
NORTH CAROLINA PLS # L-4631



SHEET TITLE:

TITLE EXCEPTIONS

DATE: 10/31/2018	REVISION: 1
SHEET #: 3 OF 3	TEP #: 144337

PHOTO PRESENTATION

Communications Tower Group LLC

Wireless Communications Facility Documentation

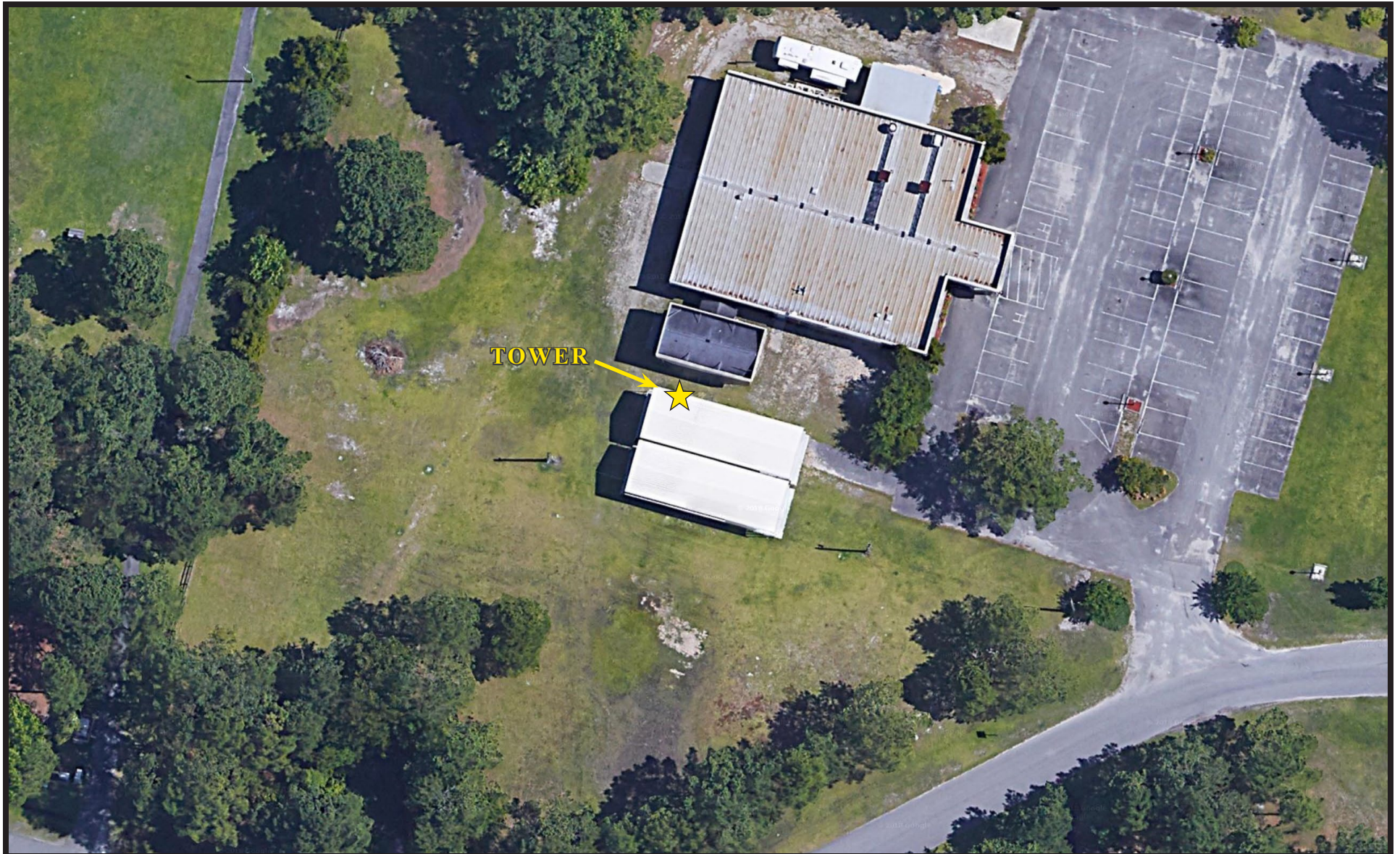
The proposed 150.0' AGL Telecommunications Facility is to be located at or near 4510 S College Rd, Wilmington, NC 28412. The site coordinates are N 34° 9' 26.21" W 77° 53' 36.51". The site elevation is 28 ft AMSL.

The tower as simulated is at One Hundred and Fifty Feet (150 feet in height/altitude) above ground, at the centerline of the proposed tower facility location.

GRAHAM HERRING COMMERCIAL REAL ESTATE GRAPHIC SERVICES
PROVIDING PROFESSIONAL SPECIALTY SERVICES TO THE TELECOMMUNICATIONS INDUSTRY



CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC

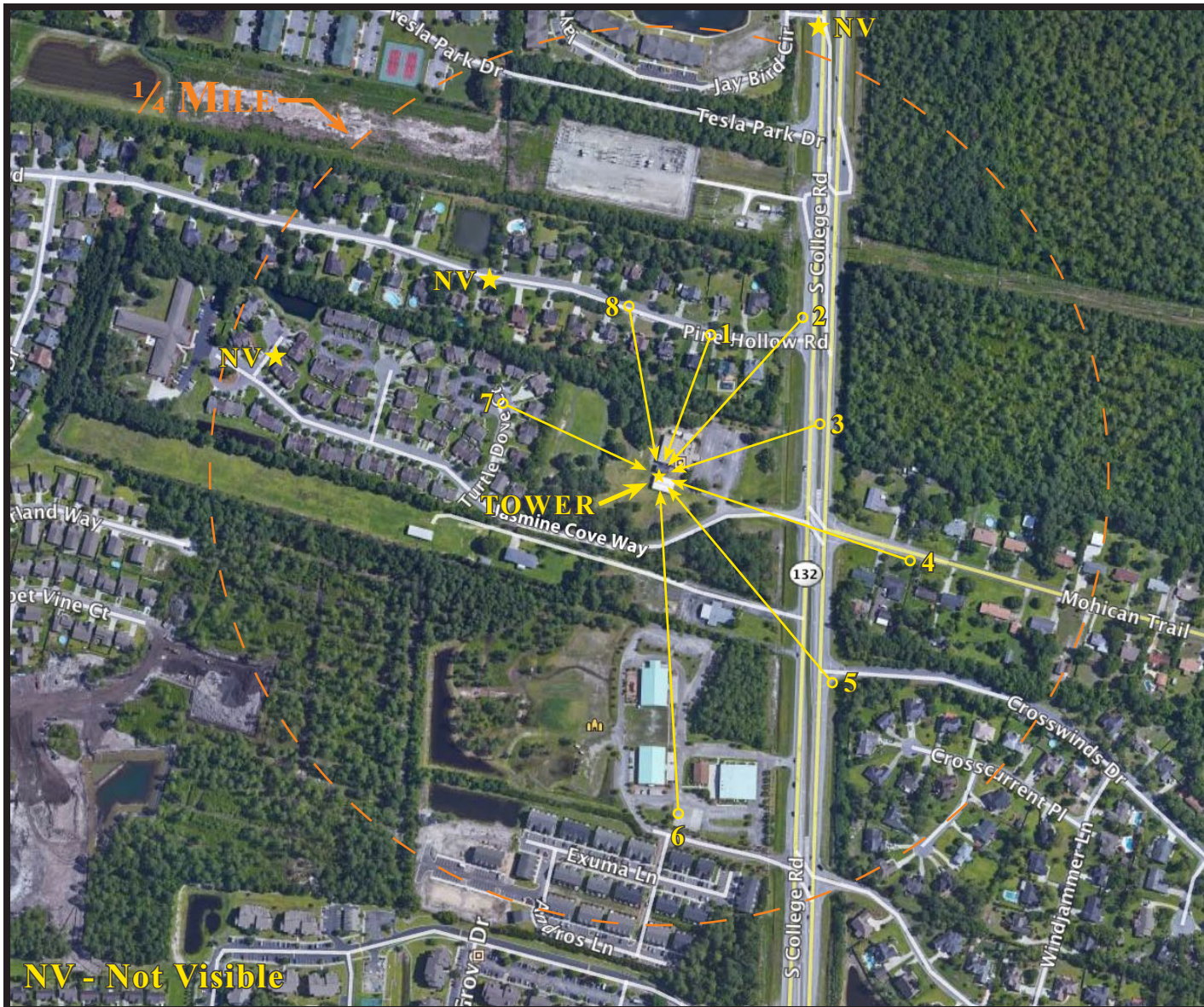




CTG# NC 0010041

MOHICAN TRAIL/ARAB SHRINE CLUB

WILMINGTON, NC



- 1 - Looking south by southwest towards site from Pine Hollow Rd. (441ft, 0.08mi)
- 2 - Looking southwest towards site from South College Rd at Pine Hollow Rd. (627ft, 0.12mi)
- 3 - Looking west by southwest towards site from South College Rd north of Mohican Trail. (497ft, 0.09mi)
- 4 - Looking west by northwest towards site from Mohican Trail across South College Rd. (777ft, 0.15mi)
- 5 - Looking northwest towards site from Crosswinds Dr at South College Rd. (789ft, 0.15mi)
- 6 - Looking north by northwest towards site from the Global River Church south parking lot. (985ft, 0.19mi)
- 7 - Looking east by southeast towards site from the end of Turtle Dove Ct. (507ft, 0.10mi)
- 8 - Looking south by southeast towards site from Pine Hollow Rd. (508ft, 0.10mi)

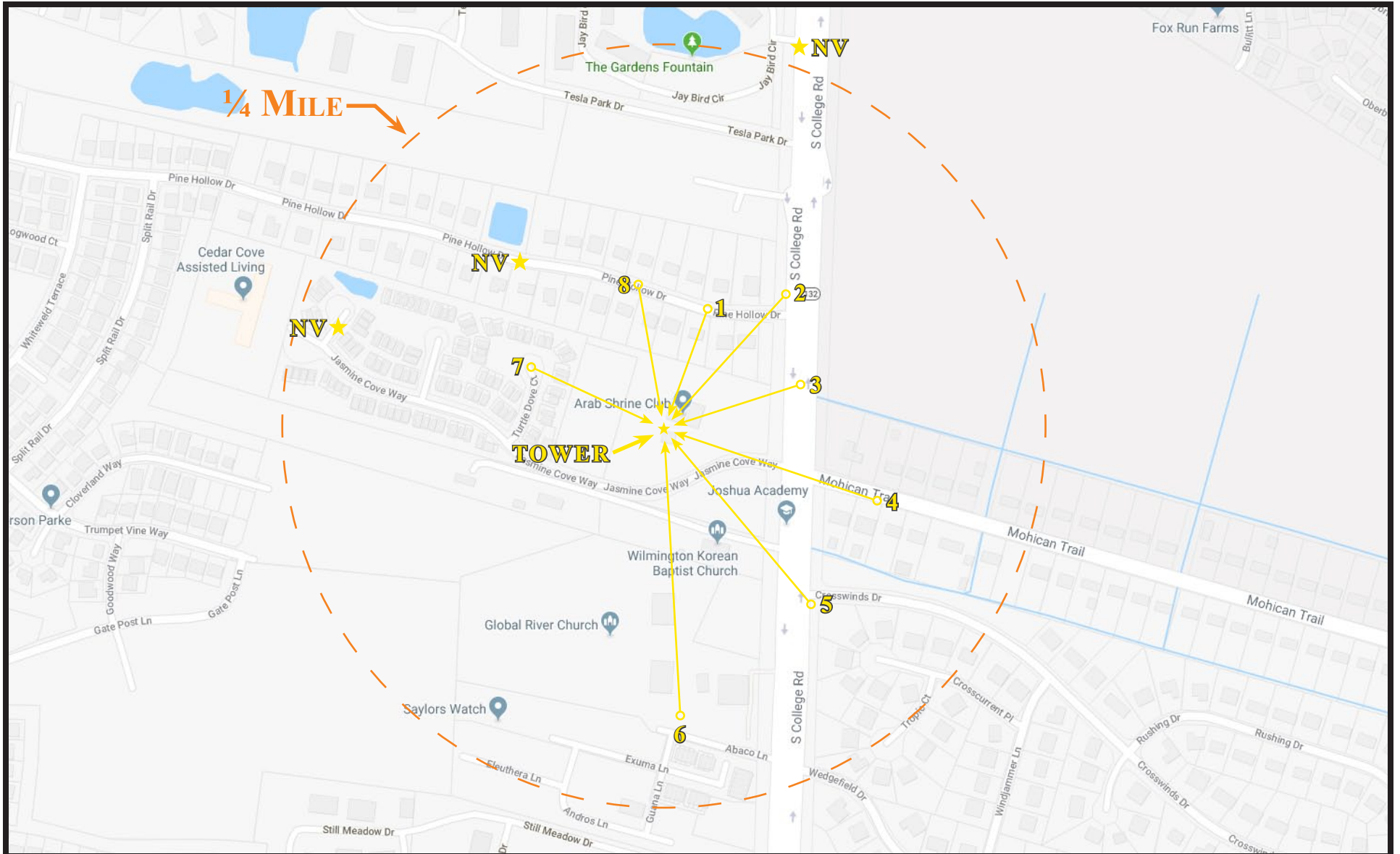
NV = Not Visible



CTG# NC 0010041

MOHICAN TRAIL/ARAB SHRINE CLUB

WILMINGTON, NC





CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



VIEW FROM LOCATION 1



CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



SIMULATED VIEW FROM LOCATION 1

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MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



VIEW FROM LOCATION 2



CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



SIMULATED VIEW FROM LOCATION 2

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MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



2018/09/11

VIEW FROM LOCATION 3



CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



SIMULATED VIEW FROM LOCATION 3

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CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



VIEW FROM LOCATION 4



CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



2018/09/11

SIMULATED VIEW FROM LOCATION 4

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CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



2018/09/11

VIEW FROM LOCATION 5



CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



SIMULATED VIEW FROM LOCATION 5

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CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



2018/09/11

VIEW FROM LOCATION 6

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CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



SIMULATED VIEW FROM LOCATION 6

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CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



2018/09/11

VIEW FROM LOCATION 7



CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



SIMULATED VIEW FROM LOCATION 7

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CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



VIEW FROM LOCATION 8



CTG# NC 0010041
MOHICAN TRAIL/ARAB SHRINE CLUB
WILMINGTON, NC



SIMULATED VIEW FROM LOCATION 8

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IMPACT STUDY

***Impact Study - Cell Tower
4510 South College Road
Wilmington, New Hanover
County, North Carolina 28412***

Type Report: Impact Study

***Effective Date
November 15, 2018***



(NH-001)

November 28, 2018

Erik Brooks, PMP
Operations Manager
Communications Tower Group, LLC
15720 Brixham Hill Avenue
Suite 300
Charlotte, NC 28277

RE: Impact Study for Proposed Telecommunications Facility located at 4510 S. College Road, Wilmington, New Hanover County, North Carolina.

Dear Mr. Brooks:

I have completed a study of the proposed tower. The scope of the assignment is to provide an analysis and conclusions addressing items within my field of expertise associated with the issuance of a special use permit for the proposed development. A special use permit includes four findings of fact, of which two are addressed in this analysis. Details of these items are contained within this report.

The impact study is intended to conform to the Uniform Standards of Professional Appraisal Practice (USPAP), the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute. The impact study is not an appraisal as it does not report a value of any property; however, the study employs appraisal methodology to reach our conclusions of the impact of the proposed development.

The proposed development is a communication tower to be located on a property owned by Arab Shrine Club H Corp. The siting of the proposed tower is near the existing improved portion of the property. The subject is the home of the Wilmington Shrine Club, a philanthropic organization benefiting children's hospitals across the country. The location in the center of the site substantially lowers the visual impact of the proposed tower. The abutting land uses include residential dwellings and institutional uses. The surrounding land uses are contributing factors in the development of conclusion regarding the potential impact of the tower.

The conclusions of this study are supported by the data and reasoning set forth in the attached narrative. Your attention is invited to the Assumptions and Limiting Conditions section of this report. The analysts certify that we have no present or contemplated future interest in the proposed development, and that our fee for this assignment is in no way contingent upon the conclusions of this study.

EXTRAORDINARY ASSUMPTIONS AND HYPOTHETICAL CONDITIONS:

(NH-001)

Real Property Appraisers and Consultants
1100 Sundance Drive, Concord, North Carolina 28027
Telephone: 704-605-0595

Planning Board - January 10, 2019
ITEM: 2 - 10 - 2

Erik Brooks
November 28, 2018
Page 2

It is an extraordinary assumption of this report that the proposed development will be constructed as detailed in the report. Further, it is an assumption of the study that the maintenance will occur through a non-exclusive right-of-way that we assume is a legal access.

The content and conclusions of this report are intended for our client and for the specified intended uses only. They are also subject to the assumptions and limiting conditions as well as the specific extraordinary assumption set forth in this report.

It is our opinion that the proposed development will not substantially injure the values of adjacent or abutting properties and that the proposed development is in harmony with the area in which it is to be located.

Thank you for the opportunity to be of service. If you have any questions or comments, please contact our office.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael P. Berkowitz". The signature is fluid and cursive, with the first name "Michael" and last name "Berkowitz" clearly distinguishable.

MICHAEL P. BERKOWITZ
MPB REAL ESTATE, LLC

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SCOPE OF THE ASSIGNMENT

In accordance with our agreement with the client, this impact study is specific to the needs of our client as part of an application for a special use permit to be considered by New Hanover County Officials. Our study and the reporting of our study is in agreement with our client as follows:

The proposed development requires a Special Use Permit. The report is intended to address items relevant to the issuance of a special use permit. The following 'Findings of Fact' was extracted from the New Hanover County Unified Development Ordinance (UDO).

- (1) The use will not materially endanger the public health or safety if located where proposed and approved.
- (2) The use meets all required conditions and specifications of the Zoning Ordinance;
- (3) The use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.
- (4) The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Land Use Plan for New Hanover County.

The scope of the assignment includes research of existing towers in Wilmington and New Hanover County. The subject has a Wilmington address but lies outside the city limits. The neighborhoods and their surrounding developments are researched to determine whether the proposed development, referred to as the "Mohican Trail Site", is consistent with the location of other towers in the area and their impact, if any, on neighborhood development patterns and property values.

The impact study provides an analysis of the surrounding properties. The analysis includes existing improvements, zoning designations and likely development patterns. The existing uses as of the effective date of this report in concert with the market data provided are contributing factors to the conclusions of this study.

PREMISES OF THE STUDY

Identification of Subject

Mohican Trail Site

4510 S. College Road
Wilmington, New Hanover County, NC 28412

New Hanover County Tax Parcel: RO7110-001-024-000

Client, Purpose, and Intended Use and Intended Users

Erik Brooks, PMP
Operations Manager
Communications Tower Group, LLC
15720 Brixham Hill Avenue
Suite 300
Charlotte, NC 28277

The client and intended user is Mr. Erik Brooks. The intended use is as an aid to assist New Hanover County officials in rendering a decision regarding the issuance of a special use permit for the proposed development. The study is not intended for any other use or users.

Analyst

Michael P. Berkowitz

MPB Real Estate, LLC
1100 Sundance Drive
Concord, NC 28027

Property Inspection

Michael Berkowitz inspected the property and neighborhood surrounding the proposed development. Details of surrounding land uses and observations are provided throughout the report. I also performed off site visual inspections of several towers located in New Hanover County. I consider my observations in the context of the market data. They are a contributing factor to my conclusions. Photographs of the property were taken during Mr. Berkowitz's inspection. We also provide simulated photographs provided by our client for the assignment.

Extraordinary Assumptions of Report

It is an extraordinary assumption of this report that the improvements as described within this report are compliant with the appropriate ordinance regarding items including but

not necessarily limited to setbacks, landscaping, access and other items outside our field of expertise for this assignment. These items will be addressed as part of the application by others with expertise within the respective fields.

Should the extraordinary assumptions not exist, we reserve the right to amend this study.

Effective Date of Study November 15, 2018

Date of Report November 28, 2018

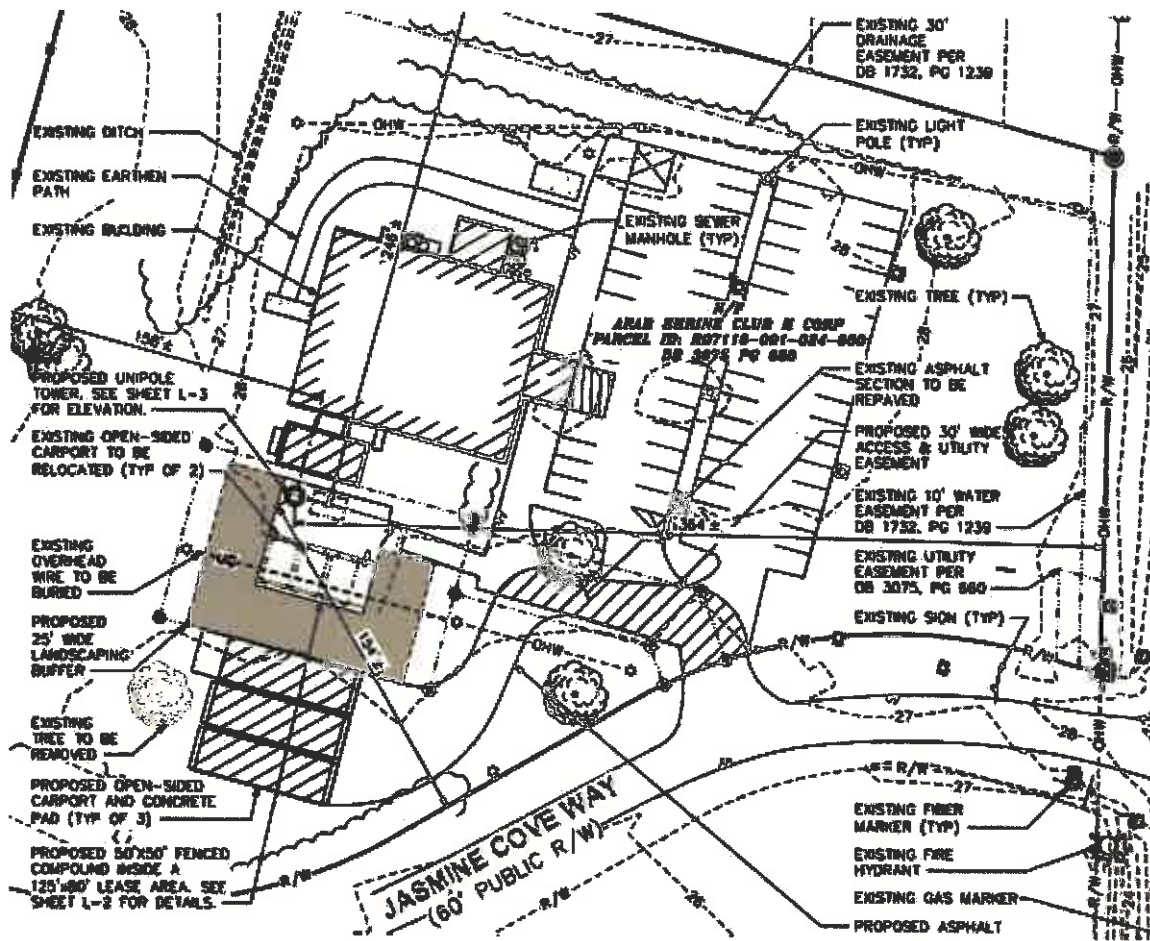
Type Report Impact Study Report

Study Development and Reporting Process In preparing this study, the analyst:

- Analyzes physical affects, if any, of the proposed construction on properties in the immediate area as well as the neighborhood;
- Reviews plans for the proposed development to determine whether it is in compliance with the New Hanover County UDO with respect to items within my field of expertise;
- Reviews site plan provided by our client with respect to the physical characteristics of the proposed development;
- Researches market data around existing cell towers in New Hanover County to determine whether the proposed development is consistent with other developments in the area.

PROPOSED FACILITY

Tower Based on information provided to the analyst, the proposed tower will consist of a 150-foot “unipole” communications tower. The survey appears to show that access to the proposed tower will be provided by the existing driveway for the property. The following site plan shows the proposed site.



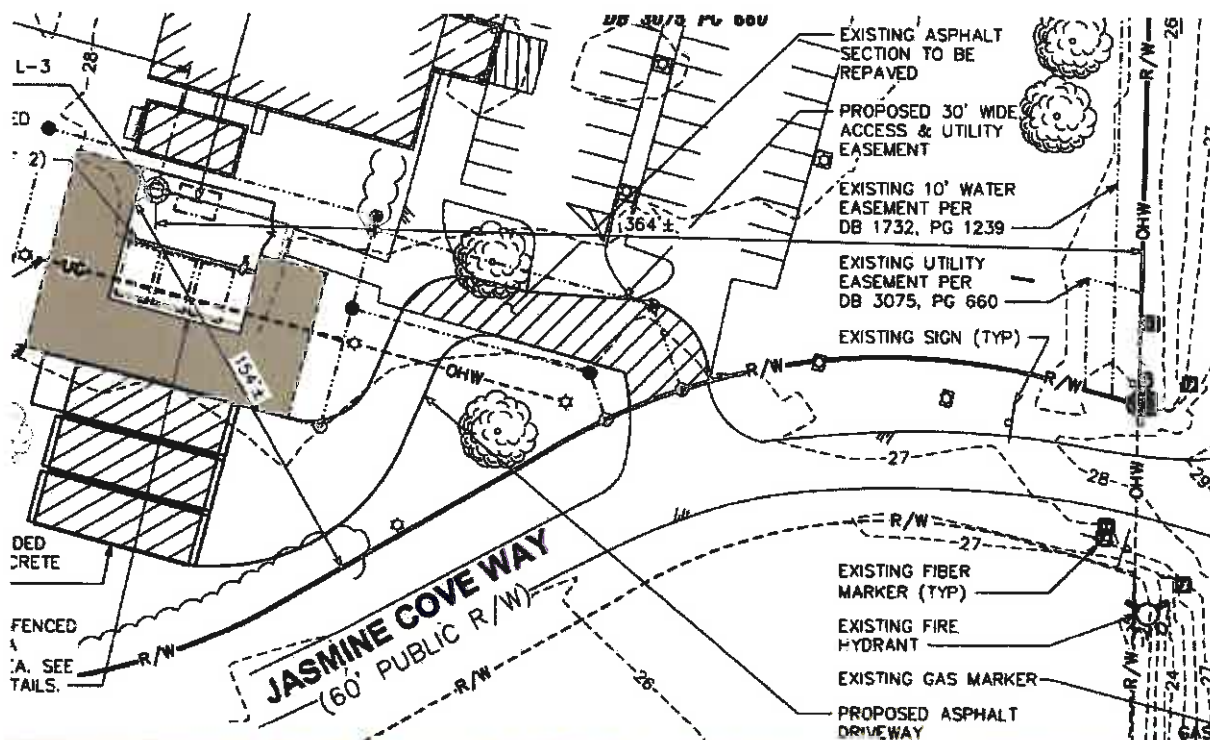
SITE PLAN

Site Improvements

The site improvements include an eight-foot chain link fence with three strands of barbed wire. The proposed location is the current location of open-sided car ports that will be relocated as part of this project. The location adjacent to the existing building and the carports as well as the parking area are factors in the analysis.

Access

According to the site plan, the access to the site will be via a 30-foot wide utility/access easement extending from Jasmine Cove Way, which runs along the southern boundary of the subject. The following exhibit was extracted from the site plan. Jasmine Cove Way is a tertiary road connecting residential and institutional developments to the primary transportation corridor for the area, College Road.



(NH-001)

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Location

The tower is proposed to be located adjacent to the existing lodge on the property. The lodge includes parking and is the home to several fundraising events. The institutional use of the property and existing improvements are a factor in the analysis.

The subject has a zoning designation of R-15, Residential District. In the New Hanover UDO, we found that this designation is intended to insure for orderly residential development in areas without access to municipal water and sanitary sewer service. However, the subject does have access to both of these utilities. The majority of the properties in the immediate area including all of the adjacent or abutting properties have the same designation.

A significant factor in the analysis is the development patterns along the South College Road corridor. The South College Road corridor includes a mixture of multifamily, commercial, institutional and single family developments. While the properties located in the immediate vicinity of the subject are residential and institutional, the fact that South College Road is the primary transportation corridor is a factor in the influence of the proposed development.

SURROUNDING LAND USES

The proposed development is located on a 4.36-acre tract of land off of South College Road. To the east of the subject is a residential subdivision called Tanglewood that is improved with single family dwellings that appear to have an effective ages between 25 and 35 years. To the north of the subject is Johnson Farms, another single family residential subdivision. The dwellings in this development are newer than Tanglewood and have effective ages between approximately 15 and 25 years.

The western boundary abuts a property owned by the Jasmine Cove Home Owners Association. The property is improved

with a walking track. This parcel serves as a buffer between the Shriner property and the higher density residential development further down Jasmine Cove Way. The dedication of this area is common for more modern developments as they allow for clustered development at higher densities and a buffer between properties located along well-traveled corridors like South College Road.

To the south of the subject, there are two properties across Jasmine Cove Way. The majority of the adjacent land is under the same ownership as the subject and is not included in the analysis. The other property is the wooded portion of the property owned by Wilmington Korean Baptist Church.

As we will discuss in the following section, the scope of the assignment is to determine whether the proposed development is in accordance with the New Hanover County UDO regarding the issuance of a special use permit and the development of wireless telecommunications facilities. The items within our field of expertise are detailed in the following section.

NEW HANOVER UDO

As part of the assignment, I reviewed Article VI Section 63.5 of the New Hanover UDO regarding the development of Telecommunication Facilities. I also reviewed Article VII of the UDO regarding the findings of fact associated with the approval or denial of a special use permit. The following was extracted from the ordinance Section 70-7.

- (1) The use will not materially endanger the public health or safety if located where proposed and approved.
- (2) The use meets all required conditions and specifications of the Zoning Ordinance;
- (3) The use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.
- (4) The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Land Use Plan for New Hanover County.

Item 1 – This item is outside my field of expertise.

Item 2 – It is our understanding, this will be performed and reviewed by local officials in concert with our client.

Item 3 – The development, if completed as proposed, will not substantially injure the value of abutting land. This is the focal point of the remainder of the study.

Item 4 – The development, if completed as proposed, from an appraiser's perspective is in harmony with the area in which it is to be located. This item is addressed in concert with the analysis from Item 3.

Based on our review of the ordinance, the remainder of the study focuses on adjoining or abutting properties and potentially injurious effect of the special use on value. The land uses for the area include single family residential and institutional uses. The following analysis is based on the potential visual impact of the proposed development on the respective abutting properties. The following aerial provides and overview of the immediate area.



Single Family Residential (North) – The single family residential properties abutting the northern boundary of the subject parcel include some of the residences along Pine Hollow Drive in the Johnson Farms subdivision. We toured this subdivision during our inspection. There are several factors that lead me to conclude that the proposed development will not have a significant visual impact on these properties. These items include:

- The proposed tower is located in the far side of the existing lodge on the subject property.
- There are mature trees both on the subject and along the rear boundary of the adjacent properties that would screen most if not all of the tower from the properties along Pine Hollow Drive.
- Behind the north side of the subdivision, there is a power substation with electrical transmission lines

that pose a similar visual influence to the proposed tower.

Single Family Residential (East) – As noted earlier, this development is the Tanglewood subdivision. The dwelling across the street from the proposed development is the property on the northwest quadrant of Mohican Trail and South College Road. The visual impact on this property is considered nominal for several factors including but not necessarily limited to:

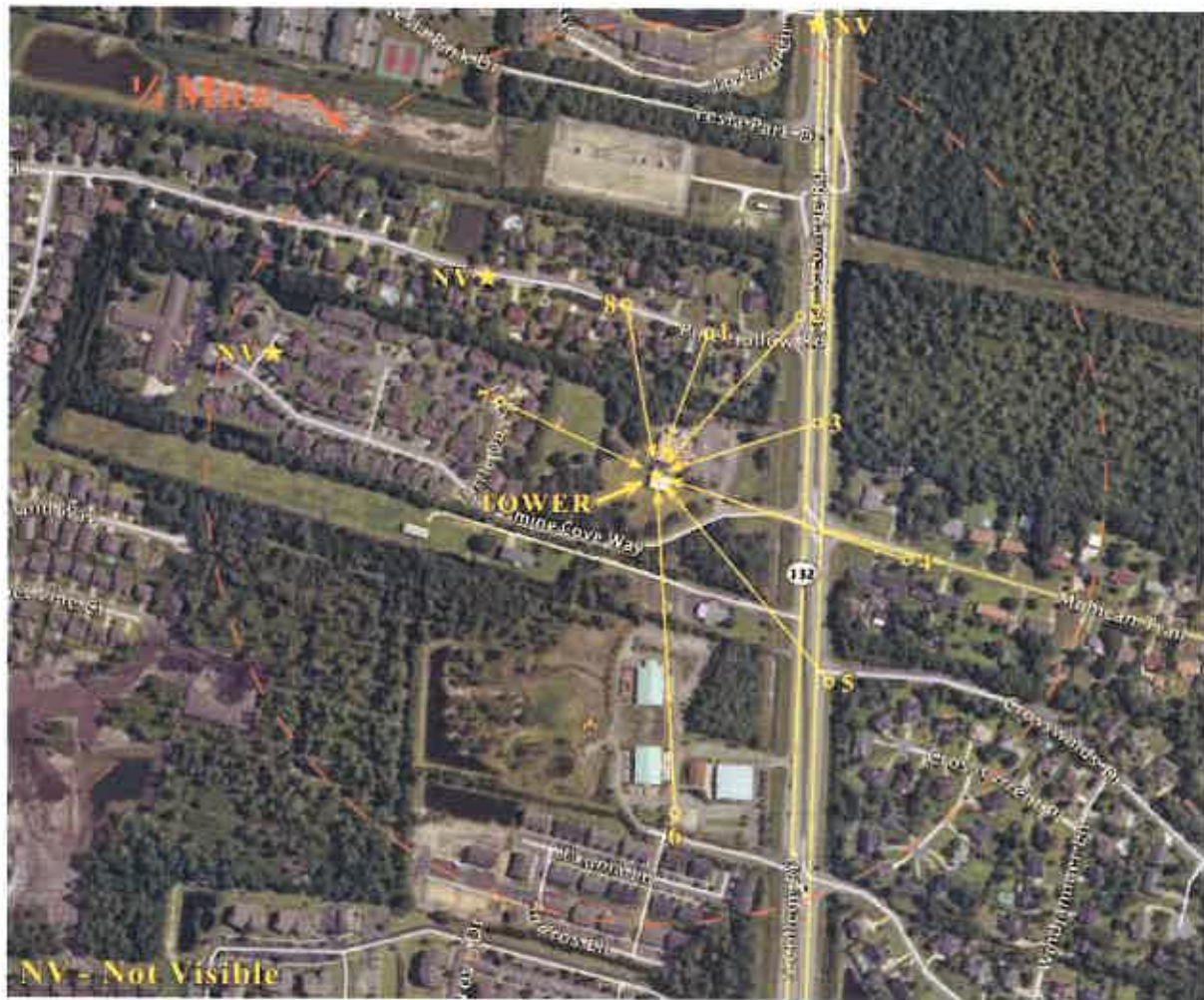
- The existing trees on the subject as well as the adjacent property will obscure the majority of the tower.
- South College Road poses a much more significant impact on the privacy and seclusion of the adjacent property.
- The traffic light and overhead power lines pose a higher level of visual impact than the proposed tower.

Korean Baptist Church – To the south of the proposed development is Wilmington Korean Baptist Church. The portion of the property that is adjacent to the proposed development is at the rear of this parcel. Again, there is an existing mature tree line that will obscure the majority of the proposed tower. As with most institutional properties, the development is focused closer to the main road, which is common for institutional properties including the subject.

Jasmine Cove Common Area – Along the rear boundary of the subject is an area dedicated as open space for the Jasmine Cove residential development. This property is improved with a walking trail. The trail appears to include some lighting. As with most common areas, the value of this property is imparted upon the development as a whole. It appears that Jasmine Cove was developed in a cluster using the dedicated common areas to increase the density of the developed area.

Common areas typically serve as a buffer for residential developments.

The following simulated photographs were provided as a tool to show the potential visual impact of the proposed tower on adjacent/abutting properties. The photographs were provided by Graham Herring, who was engaged by our client. Based on our tour of the area, the photographs are an accurate representation of the views from surrounding vantage points.





SIMULATED VIEW FROM LOCATION 1



SIMULATED VIEW FROM LOCATION 2



SIMULATED VIEW FROM LOCATION 3



SIMULATED VIEW FROM LOCATION 4



SIMULATED VIEW FROM LOCATION 5



SIMULATED VIEW FROM LOCATION 6



SIMULATED VIEW FROM LOCATION 7



SIMULATED VIEW FROM LOCATION 8

One of the factors in the analysis is the presence of above ground infrastructure located on the north side of the Johnson Farms subdivision. The transmission lines include large iron maidens and power lines that have a larger visual footprint

than the proposed development. The following pictures provide examples of the visual influence of the existing infrastructure.



Again, we will discuss property values later in the report. We acknowledge that the proposed 150-foot tower will have a visual impact on surrounding properties. The visual impact is minimized by the trees on the subject property as well as the trees on the majority of the adjacent or abutting properties. The proposed tower will be located near South College Road near other above ground infrastructure.

Summary

The items within our field of expertise focus on the aesthetic impact of the proposed development. This is based on the existing developments as detailed earlier in the study. The

existing infrastructure, location and existing trees reduces the visual footprint of the proposed tower.

MARKET RESEARCH

A potential issue associated with the impact of the proposed development is on property values in the immediate vicinity and the neighborhood. We researched towers in Wilmington and the surrounding area and identify the development patterns around these towers. After analyzing the market data, we compare this information to the proposed site and the physical characteristics and development patterns surrounding the proposed development.

Wilmington Area Towers

During our research, we observed several towers in and around Wilmington. Most of the towers found were located in established commercial or industrial areas. Towers are classified as comparable for a variety of reasons including but not necessarily limited to:

- *Location* – The proposed location is along a well-traveled road on an institutional property. Schools and other institutional properties are common locations for wireless towers.
- *Surrounding Developments* – The surrounding developments along this section of the College Road corridor include residential and institutional uses.
- *Construction Type/Height* – The proposed tower is a unipole tower with a proposed height of 150 feet.

For the research of towers, we rely on information from antennasearch.com, which we consider a reliable source of information. Our search revealed 37 towers within a four mile radius of the proposed tower. We excluded towers listed that were part of electrical transmission lines, which is inconsistent with the proposed tower. Some of the towers were not visible during our tour of the area. We also excluded the towers over 250 feet which require lighting. The

following chart provides a summary of the comparable towers studied in the area.

Wilmington Tower Summary				
Tower Type	Location	Year Built	Address	Height (Feet)
Monopole	Commercial	1995	4502 Park Avenue	95
Registered	Institutional	2016	3310 South College Road	150
Monopole	Commercial	2002	5515 Carolina Beach Road	160
Lattice	Commercial/Industrial	2004	434 Raleigh Street	180
Monopole	Industrial	2003	5501 Greenville Loop Road	156
Registered	Institutional	2015	5591 Marvin K Moss Lane	195
Registered	Institutional	N/A	Halyburton Memorial Parkway	140
Monopole	Industrial	N/A	River Road	199
Monopole	Commercial/Residential	N/A	Off Willowick Park Drive	170
Monopole	Commercial/Industrial	N/A	Pickard Road & Shipyard Blvd.	115
Monopole	Residential/Vacant Land	N/A	Behind Deer Hill Drive	147
Monopole	Electrical	N/A	Pine Grove Dr. & Beasley Rd.	108
Monopole	Residential/Vacant Land	N/A	Antietam Dr. & Appomattox Dr.	199
Lattice	Commercial/Industrial	N/A	Raleigh St. & Carolina Beach Dr.	200

After researching the 37 towers in the area, several of the towers are located on commercial or industrial properties. This limited the number of towers for comparison. As tower considered the most comparable to the proposed development is the tower located at 3310 S. College Road. This tower is located on the site of Southside Baptist Church. However, the adjacent property is an apartment complex that does not provide information on the impact of the tower that was constructed in 2016.

The second tower located on an institutional property is at the Center for Marine Science. This is adjacent to the Masonboro Sound. The tower is not visible from the adjacent properties as the property is significantly larger and has a significantly higher level of tree cover. This is another example of local development of wireless telecommunication facilities on institutional properties.

The third tower found on an institutional property is at the Veteran's Sports Complex off Halyburton Memorial

Parkway. The wireless arrays are located on a water tower, which is inconsistent with the proposed development.

The first tower found near a residential area was behind the Deer Crossing subdivision. This tower is further from this subdivision that was developed in 2016. However, upon touring this subdivision, the tower was not visible because of the distance and tree cover between the tower and these homes. The research provided no data for the analysis.

The second tower found near a residential area bore the same results. The tower was not visible from nearby residences. Therefore, this tower did not provide any information to draw a conclusion.

Given the absence of data for nearby towers, we provide information from a recent study performed in High Point North Carolina. The towers studied provide applicable data for the proposed development. The following chart is for five towers that were researched in the High Point area.

Tower Summary			
Tower Type	Year Built	Address	Tower Height
Monopole	1997	7814 Woodpark Dr.	216
Monopole	2015	3929 Johnson Street	165
Monopole	NA	Off Penny Road	200
Monopole	NA	1141 Enterprise Drive	193
Lattice	NA	Off Johnson St	193



The first tower, located on Woodpark Drive, provided some data for surrounding properties. The monopole tower is larger than the proposed tower. The surrounding developments are townhomes that provide adequate quantity of data to develop an opinion of whether this tower influences value. The townhomes in the development have varying levels of visual influence from the tower. The sales highlighted in yellow have the highest level of visual influence from the tower as the tower is located in view of their front door.

Castle Pines at Hickwood Townhomes								
ID	Address	Size SF	Bedrooms	Bathrooms	Sale Price	Price/Sq. Ft.	Sale Date	Deed Book Page
196643	7836 WOODPARK DR	1,264	3	2	\$100,000	\$79.11	7/5/2018	8065-0590
196633	7820 WOODPARK DR	1,266	3	2	\$137,000	\$108.21	7/27/2016	7837-2933
196634	7822 WOODPARK DR	1,266	3	2	\$122,000	\$96.37	5/28/2015	7704-3038
196637	7828 WOODPARK DR	1,266	3	2	\$114,000	\$90.05	8/22/2014	7626-0825
196644	7846 WOODPARK DR	1,264	3	2	\$135,000	\$106.80	10/5/2017	7982-1602
196645	7844 WOODPARK DR	1,152	2	2	\$98,000	\$85.07	7/23/2014	7617-0256
196645	7844 WOODPARK DR	1,152	2	2	\$104,500	\$90.71	8/12/2016	7844-0746
196652	7871 WOODPARK DR	1,264	3	2	\$115,000	\$90.98	10/14/2014	7641-1701
196656	7859 WOODPARK DR	1,264	3	2	\$125,000	\$98.89	4/13/2017	7923-1098
196658	7855 WOODPARK DR	1,264	3	2	\$106,000	\$83.86	5/14/2015	7700-2575

While this market data is for townhomes that inherently have less privacy than detached dwellings, the sales directly across the street from the tower, shown in yellow, do not show any influence from the tower. In fact, one sale across the street is the highest priced sale found within the past several years.

This data provides evidence that the visual influence from the tower has no influence on prices paid.



This tower was selected for comparison despite its lattice construction, which poses a higher level of visual impact than the proposed unipole. The tower was constructed in 2015; however, under the premise of a knowledgeable buyer, the sales should reflect the visual impact of the tower. The only sale with a high level of visual influence is highlighted in yellow.

Meadow Creek West										
ID	Address	Year Built	Size SF	Bedrooms	Bathrooms	Style	Sale Price	Price/SF	Sale Date	Deed Book Page
212515	4374 KELSO DR	2003	3,345	3	2.5	2 Story	\$235,000	\$70.25	3/31/2017	7919-0195
212518	4293 KELSO DR	2005	2,000	4	2.5	2 Story	\$185,500	\$92.75	8/29/2014	7629-0947
212520	4373 KELSO DR	2002	2,695	3	2.5	2 Story	\$190,000	\$70.50	8/22/2016	7847-1010
212524	4512 GARDEN CLUB ST	2003	1,782	3	2	1 Story	\$171,000	\$95.96	11/21/2016	7878-1020
212527	4505 GARDEN CLUB ST	2003	2,651	3	2.5	2 Story	\$167,000	\$63.00	3/24/2015	7685-1156
212534	4464 GARDEN CLUB ST	2003	2,328	4	2.5	2 Story	\$205,000	\$88.06	2/26/2018	8023-2557
212536	4479 GARDEN CLUB ST	2003	2,182	4	2.5	2 Story	\$184,000	\$84.33	5/12/2017	7932-2934
212537	4475 GARDEN CLUB ST	2003	1,798	3	2	1 Story	\$169,000	\$93.99	3/30/2017	7918-0976
212540	4469 GARDEN CLUB ST	2003	2,025	4	2.5	2 Story	\$178,500	\$88.15	8/30/2017	7969-2938
212542	4461 GARDEN CLUB ST	2003	2,248	3	2.5	2 Story	\$170,000	\$75.62	7/21/2014	7616-1308
212545	4453 GARDEN CLUB ST	2004	3,378	5	3	2 Story	\$235,000	\$69.57	8/3/2017	7961-0615
212558	4448 GARDEN CLUB ST	2003	2,506	3	2.5	2 Story	\$222,500	\$88.79	10/20/2017	7987-1012

Despite consideration of adjustments to the data set for a variety of physical and market variances, the single family dwelling with the highest level of visual impact from the tower lies on the upper end of the range of the data set presented. This analysis indicates that the visual impact of this

tower, which is significantly higher than the proposed development, does not substantially impact property values.



The third tower considered in the analysis is adjacent to the Eagle Glen development off Penny Road. However, upon visiting this property, we discovered that there are electrical transmission lines including iron maidens that are in proximity to the tower. Therefore, any analysis of market data could not isolate the influence of the tower.

The last two towers presented in the previous chart were selected as they are located on properties improved with churches. These towers are presented as they are reflective of cell tower developments on properties with institutional improvements similar to the location of towers provided in proximity to the subject.



GRACES CHURCH



TABERNACLE BAPTIST CHURCH

Other Considerations

Other potential impacts to the surrounding area include noise, traffic and lighting. The operation of a cell tower is essentially silent and would not influence the surrounding developments. The additional traffic caused by the proposed development includes two to three trips a month for routine maintenance. Any increases in traffic are considered nominal and does not impact the abutting properties.

Conclusions

The market activity around cell towers indicates that the visual impact of the proposed tower is not reflected in the prices paid.

In other words, if I were to appraise any of the abutting properties of the proposed development, the market data does not support and adjustments for the visual impact of the tower. Therefore, I conclude that the proposed development of a cell tower will not substantially injure the value of abutting properties.

Subject Neighborhood

In addition to the market activity for existing towers, we also consider the surrounding developments for the subject. The question posed for this study is “would the development of the telecommunications facility warrant a downward neighborhood properties?” The information from the previous analysis indicates that there is no empirical evidence to support a quantitative adjustment. The following analysis is intended to determine whether a qualitative adjustment is warranted.

When considering qualitative adjustments in an appraisal, the appraiser must consider all factors that could contribute to an adjustment. The aesthetics and location of the proposed development as well as the existing developments are a factor in developing our opinion. The factors considered in developing our opinion include but are not necessarily limited to:

- The market has not shown a detrimental impact on development patterns in areas with visual influence from a tower.
- The existing infrastructure includes above ground electrical transmission lines that pose a higher level of visual impact than the proposed tower despite its proposed height.
- The proposed development is located adjacent to a place of gathering consistent with other telecommunication facilities.

- Many of the adjacent or abutting properties include visual impact from existing infrastructure.
- Institutional properties generate higher levels of traffic and aesthetic influence than the proposed tower.
- The highly traveled College Road corridor poses more of an influence on property values than any other factor in the analysis.

A previous study performed in Matthews, North Carolina indicates that institutional properties and properties surrounding these properties are common sites for cell tower development. Previous experience reflects the demand for additional capacity is high in areas that attract large numbers of users. The proposed tower is adjacent to a church that is consistent with the development of numerous towers throughout North Carolina including Wilmington.

All of these factors would contribute to the aesthetic appeal and a hypothetical valuation of properties in the neighborhood. The multitude of factors would indicate that multicollinearity for aesthetics exists along the College Road corridor. Multicollinearity arises when multiple items correlate with each other. The multiple factors can cause a distortion of the impact of any of the factors individually without consideration for all of the factors that contribute to the common issue.

The following provides a summary of our conclusions regarding the items for a special use permit. We reiterate these items for reference purposes.

- (1) The use will not materially endanger the public health or safety if located where proposed and approved.
- (2) The use meets all required conditions and specifications of the Zoning Ordinance;
- (3) The use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.
- (4) The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Land Use Plan for New Hanover County.

Item 3

Cell towers are essentially silent and would not interfere with the use and enjoyment of properties in the area. The existing traffic for the Shriners Club would increase nominally because of the proposed tower. Based on the market data presented and the siting of the proposed tower, we conclude that the proposed tower will not substantially injure the value of adjacent or abutting properties. The proposed location is consistent with other developments in the Wilmington area.

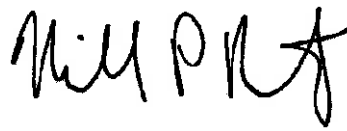
Item 4

We conclude that the proposed development will be in harmony with the area. The development of the area includes above ground infrastructure, which is typical for well-traveled corridors. Further, the adjacent church, the subject and the rear walking trail all include lighting and/or other improvements that pose a significantly higher impact on surrounding properties than the proposed tower.

Again, based on studies performed in areas with similar development patterns, we conclude that the proposed development will not substantially injure the value of abutting land. In fact, the market shows no empirical evidence that an adjustment for a cell tower is warranted or credible.

Therefore, it is our opinion that the proposed development in accordance with the proposed conditions will not substantially injure the value of adjacent or abutting properties. The proposed development has siting and existing buffers to minimize to the extent possible the visual impact of the proposed tower. It is my opinion that the proposed

development will not substantially detract from the aesthetics or character of the neighborhood because of its location and existing above ground infrastructure and location adjacent to a site improved with a lodge for the Shriner's Club.



Michael P. Berkowitz

ADDENDA

Certifications

(NH-001)

MPB REAL ESTATE, LLC

CERTIFICATION OF THE ANALYST

I, Michael P. Berkowitz, certify that, to the best of my knowledge and belief,

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
4. I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
6. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
7. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this study.
8. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
10. I have made a personal inspection of the property that is the subject of this report.
11. No one provided significant real property appraisal assistance to the person(s) signing this certification other than those individuals having signed the attached report.



A handwritten signature in black ink, appearing to read "Michael P. Berkowitz", written over a horizontal line.

Michael P. Berkowitz
(NC State Certified General Real Estate Appraiser #A6169)
(SC State Certified General Real Estate Appraiser #CG6277)

November 28, 2018

Date

(Rev: 06/18/12)

(NH-001)

MPB REAL ESTATE, LLC

ASSUMPTIONS AND LIMITING CONDITIONS

ASSUMPTIONS AND LIMITING CONDITIONS

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This report is to be used only in its entirety and no part is to be used without the whole report. All conclusions and opinions concerning the analysis as set forth in the report were prepared by MPB REAL ESTATE, LLC whose signatures appear on the report. No change of any item in the report shall be made by anyone other than MPB REAL ESTATE, LLC. MPB REAL ESTATE, LLC shall have no responsibility if any such unauthorized change is made.

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Information Used

No responsibility is assumed for accuracy of information furnished by or work of others, the client, his designee, or public records. We are not liable for such information or the work of subcontractors. The comparable data relied upon in this report has been confirmed with one or more parties familiar with the transaction or from affidavit or other sources thought reasonable; all are considered appropriate for inclusion to the best of our factual judgment and knowledge. An impractical and uneconomic expenditure of time would be required in attempting to furnish unimpeachable verification in all instances, particularly as to engineering and market-related information. It is suggested that the client consider independent verification as a prerequisite to any transaction involving sale, lease, or other significant commitment of funds for the subject property.

Financial Information

Our value opinion(s) have been based on unaudited financials, and other data provided to us by management and/or owners. If these reports are found to be inaccurate, we reserve the right to revise our value opinion(s). It is noted we are depending on these accounting statements as being accurate and our interpretation of these statements as being accurate as well. If these assumptions later prove to be false, we reserve the right to amend our opinions of value.

Testimony, Consultation, Completion of Contract for Report Services

The contract for report, consultation, or analytical service is fulfilled and the total fee payable upon completion of the report, unless otherwise specified. MPB REAL ESTATE, LLC or those assisting in preparation of the report will not be asked or required to give testimony in court or hearing because of having made the report, in full or in part, nor engage in post report consultation with client or third parties except under separate and special arrangement and at an additional fee. If testimony or deposition is required because of any subpoena, the client shall be responsible for any additional time, fees, and charges, regardless of issuing party.

Exhibits

The illustrations and maps in this report are included to assist the reader in visualizing the property and are not necessarily to scale. Various photographs, if any, are included for the same purpose as of the date of the photographs. Site plans are not surveys unless so designated.

Legal, Engineering, Financial, Structural or Mechanical Nature, Hidden Components, Soil

No responsibility is assumed for matters legal in character or nature, nor matters of survey, nor of any architectural, structural, mechanical, or engineering nature. No opinion is rendered as to the title, which is presumed to be good and marketable. The property is appraised as if free and clear, unless otherwise stated in particular parts of the report. The legal description is assumed to be correct as used in this report as furnished by the client, his designee, or as derived by MPB REAL ESTATE, LLC.

MPB REAL ESTATE, LLC has inspected as far as possible, by observation, the land and the improvements; however, it was not possible to personally observe conditions beneath the soil, or hidden structural, mechanical or other components, and MPB REAL ESTATE, LLC shall not be responsible for defects in the property which may be related.

The report is based on there being no hidden, unapparent, or apparent conditions of the property site, subsoil or structures or toxic materials which would render it more or less valuable. No

responsibility is assumed for any such conditions or for any expertise or engineering to discover them. All mechanical components are assumed to be in operable condition and status standard for properties of the subject type. Conditions of heating, cooling, ventilation, electrical, and plumbing equipment are considered to be commensurate with the condition of the balance of the improvements unless otherwise stated. We are not experts in this area, and it is recommended, if appropriate, the client obtain an inspection of this equipment by a qualified professional.

If MPB REAL ESTATE, LLC has not been supplied with a termite inspection, survey or occupancy permit, no responsibility or representation is assumed or made for any costs associated with obtaining same or for any deficiencies discovered before or after they are obtained. No representation or warranties are made concerning obtaining the above mentioned items.

MPB REAL ESTATE, LLC assumes no responsibility for any costs or consequences arising due to the need, or the lack of need, for flood hazard insurance. An agent for The Federal Flood Insurance Program should be contacted to determine the actual need for Flood Hazard Insurance.

Legality of Use

The report is based on the premise that there is full compliance with all applicable federal, state and local environmental regulations and laws unless otherwise stated in the report; further, that all applicable zoning, building and use regulations, and restrictions of all types have been complied with unless otherwise stated in the report. Further, it is assumed that all required licenses, consents, permits, or other legislative or administrative authority, local, state, federal and/or private entity or organization have been or may be obtained or renewed for any use considered in the value estimate.

Component Values

The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other report and are invalid if so used.

Auxiliary and Related Studies

No environmental or impact studies, special market study or analysis, highest and best use analysis, study or feasibility study has been required or made unless otherwise specified in an agreement for services or in the report.

Dollar Values, Purchasing Power

The market value estimated and the costs used are as of the date of the estimate of value, unless otherwise indicated. All dollar amounts are based on the purchasing power and price of the dollar as of the date of the value estimate.

Inclusions

Furnishings and equipment or personal property or business operations, except as specifically indicated and typically considered as a part of real estate, have been disregarded with only the real estate being considered in the value estimate, unless otherwise stated. In some property types, business and real estate interests and values are combined.

Proposed Improvements, Special Value

Improvements proposed, if any, onsite or offsite, as well as any repairs required, are considered for purposes of this report to be completed in a timely, good and workmanlike manner, according to information submitted and/or considered by MPB REAL ESTATE, LLC. In cases of proposed construction, the report is subject to change upon inspection of property after construction is completed.

Value Change, Dynamic Market, Influences, Alteration of Estimate

The estimated value, which is defined in the report, is subject to change with market changes over time. Value is highly related to exposure, time, promotional effort, terms, motivation, and conditions surrounding the offering. The value estimate considers the productivity and relative attractiveness of the property physically and economically in the marketplace.

In cases of reports involving the capitalization of income benefits, the estimate of market value or investment value or value in use is a reflection of such benefits and MPB REAL ESTATE, LLC' interpretation of income and yields and other factors derived from general and specific client and market information. Such estimates are as of the date of the estimate of value; thus, they are subject to change as the market and value is naturally dynamic.

The "estimate of market value" in the report is not based in whole or in part upon the race, color, or national origin of the present owners or occupants of the properties in the vicinity of the property appraised.

Report and Value Estimate

Report and value estimate are subject to change if physical or legal entity or financing differ from that envisioned in this report.

Management of the Property

It is assumed that the property which is the subject of this report will be under prudent and competent ownership and management.

Hazardous Materials

Unless otherwise stated in this report, the existence of hazardous substances, including without limitation, asbestos, polychlorinated biphenyls, petroleum leakage, or agricultural chemicals, which may or may not be present on the property, or other environmental conditions, were not called to the attention of nor did MPB REAL ESTATE, LLC become aware of such during their inspection. MPB REAL ESTATE, LLC had no knowledge of the existence of such materials on or in the property unless otherwise stated. MPB REAL ESTATE, LLC, however, is not qualified to test such substances or conditions. If the presence of such substances such as asbestos, urea formaldehyde foam insulation, or other hazardous substances or environmental conditions, may affect the value of the property, the value estimate is predicated on the assumption that there is no such condition on or in the property or in the proximity that it would cause a loss in value. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them.

Soil and Subsoil Conditions

Unless otherwise stated in this report, MPB REAL ESTATE, LLC does not warrant the soil or subsoil conditions for toxic or hazardous waste materials. Where any suspected materials might

be present, we have indicated in the report; however, MPB REAL ESTATE, LLC are not experts in this field and recommend appropriate engineering studies to monitor the presence or absence of these materials.

Americans with Disabilities Act (ADA)

“MPB REAL ESTATE, LLC has not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the Americans with Disabilities Act (ADA), which became effective January 26, 1992. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since MPB REAL ESTATE, LLC has no direct evidence relating to this issue, we did not consider possible non-compliance with the requirements of ADA in estimating the value of the property.”

Qualifications of the Analyst

QUALIFICATIONS OF THE ANALYST

Michael P. Berkowitz
MPB Real Estate, LLC, Inc.
1100 Sundance Drive
Concord, North Carolina 28027
(704) 605-0595

EDUCATION AND CREDENTIALS

- **Duke University**
Major: Economics 1985-1989
- **Central Piedmont Community College**
 - R-1 - Introduction to Real Estate Appraisal, 2002
 - R-2 - Valuation Principles and Procedures, 2002
 - R-3 - Applied Residential Property Valuation, 2002
 - G-1 - Introduction to Income Property Appraisal, 2003
- **Bob Ipock and Associates**
 - G-2 - Advanced Income Capitalization Procedures, 2003
 - G-3 - Applied Property Income Valuation 2004
- **Appraisal Institute**
 - 520 Highest and Best Use and Market Analysis, 2004
 - Seminar Rates, Multipliers and Ratios 2005
 - 530 Advanced Sales Comparison and Cost Approaches 2006
 - Seminar Apartment Appraisal, Concepts & Applications 2009
 - Seminar Appraising Distresses Commercial Real Estate 2009
 - Seminar Appraising Convenience Stores 2011
 - Seminar Analyzing Operating Expenses 2011

AFFILIATIONS AND ACTIVITIES

- **Association Memberships**
North Carolina State Certified General Real Estate Appraiser, October 2006, Certificate No. A6169

RELATED EXPERIENCE

- Provided real estate consulting services for a variety of clients including real estate brokers, property owners and financial planners
- Performed financial feasibility studies for multiple property types including golf communities, and renovation projects.
- Developed plan for self-contained communities.
- Race Track expertise

APPRAISAL EXPERIENCE

A partial list of types of properties appraised include:
Retail Properties, Single and Multi-Tenant, Proposed and Existing
Office Single and Multi-Tenant Proposed and Existing
Mixed-Use Properties, Proposed and Existing
Industrial Properties, Warehouse, Flex and Manufacturing
Vacant Land
Condemnation
C-Stores
Race Tracks

CLIENTELE

Bank of America
Transylvania County
Cabarrus County
Mecklenburg County
City of Statesville
NC Department of Transportation
Henry County, GA
Town of Loudon, NH
First Citizens Bank
City of Charlotte
City of Concord
Union County
BB & T
Aegon USA Realty Advisors
Sun Trust Bank
First Charter Bank
Regions Bank
Charlotte Housing Authority
Alliance Bank and Trust
Broadway Bank
Duke Energy Corporation
Jim R. Funderburk, PLLC
Hamilton, Fay, Moon, Stephens, Steele & Martin
Senator Marshall A. Rauch
Perry, Bundy, Plyler & Long, LLP
Robinson, Bradshaw & Hinson
CSX Real Property
Baucom, Clayton, Burton, Morgan & Wood, PA
City of Mount Holly
Our Towns Habitat for Humanity
Parker, Poe, Adams & Bernstein, LLP
Central Carolina Bank
Southern Community Bank and Trust

New Hanover County Planning
230 Government Center Drive, Suite 110
Wilmington, NC 28403

*Application of Communications Tower Group LLC to construct a new Wireless
Telecommunications Tower for the following site:*

Communications Tower Group LLC Tower Site#: NC-0010041
Site Name: Mohican Trail/Arab Shrine Club
Site Address: 4510 S College Road, Wilmington, NC 28412

Landscape Buffer Certification

Communications Tower Group LLC ("CTG") agrees to comply with the Zoning Ordinance of New Hanover County Section 63.5-1:(C) in regards to Landscaping Buffering. CTG understands that approval of the above referenced telecommunications tower is based upon the use of the existing building as a buffer on the North side. If for any reason, the existing building is demolished or no longer able to provide opaque buffering to the Telecommunications Tower compound, then the Landlord and CTG agree that a 25' landscape buffer on the North side will be installed and maintained by CTG.

Arab Shrine Club Holding Corporation

DocuSigned by:
By: Chad Dunson
Name: Chad Dunson
Title: President
Date: 11/6/2018 2:55:20 AM PST

Communications Tower Group, LLC

DocuSigned by:
By: David Hargrove
Name: David Hargrove
Title: Vice President
Date: 11/5/2018 11:36:54 AM PST

078535.0008



December 13, 2018

Allan Bakalar
PeakNet
Vice President and General Manager
9887 Fourth Street North, Suite 100
St. Petersburg, Florida 33702-2445

RE: 100' Transmission pole: 34.159336, -77.892922
120' Transmission pole: 34.159372, -77.892179
130' Transmission pole: 34.159369, -77.892178

Allan,

We would like to confirm the referenced wooden transmission poles clustered in Wilmington, North Carolina, will not support a new tenant's wireless equipment at a RAD height of 150' and/or are they feasible given the transmission poles' primary use to support overhead power lines.

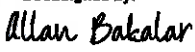
Please let me know if you have any questions or concerns or need additional information.

Please confirm the information above via your signature and date where indicated below.

Thank you for your time and effort Allan.

Sincerely,

Brad J. Lagano
Communications Tower Group LLC

DocuSigned by:

DB3F373E064B423...

12/13/2018

Allan Bakalar

Date



December 19, 2018

Ken Vafier, Planning Director
New Hanover County Planning and Land Use
230 Government Center Drive, Suite 110
Wilmington, North Carolina 28403

RE: Zoning Application – Wireless Coverage Statement
CTG-NC 0010041 Mohican Trail – Arab Shrine Club

Mr. Vafier,

As shown on the attached coverage maps, the lighter green area represents where coverage is needed. There are existing antennas located on power transmission poles within this area, however they are not suitable for colocation or additional equipment as noted in the letter signed by Allan Bakalar of PeakNet. The proposed CTG tower site will allow for multiple carriers and additional equipment at different heights on the tower and will enhance the overall cellular network coverage in the area. The tower locations shown in the darker green on the current coverage map are existing towers where Sprint is currently located which provides good coverage in those areas.

Thank you for your time and consideration.

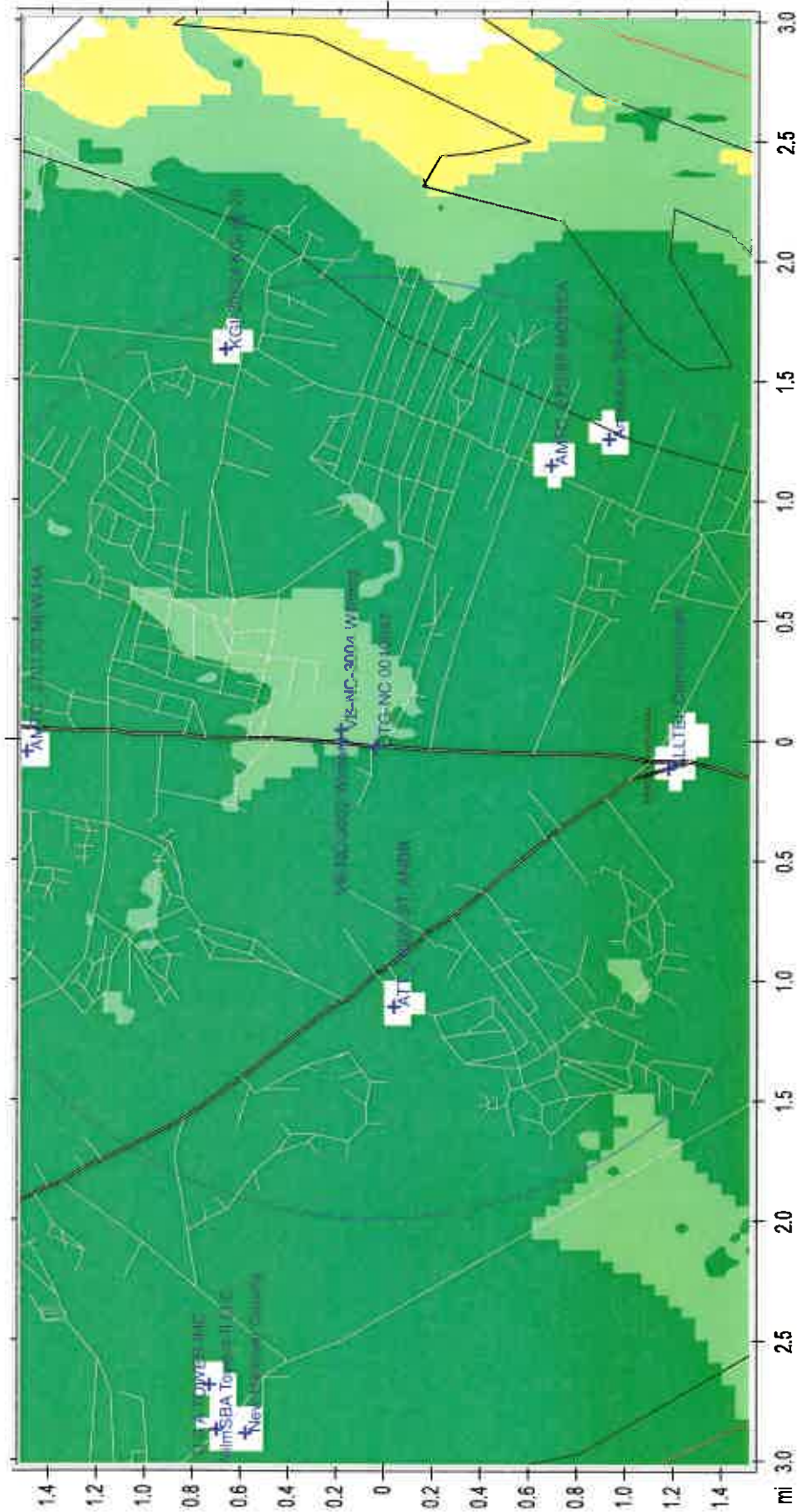
Sincerely,

A handwritten signature in black ink, appearing to read "Ricardo Loor", is written over a horizontal line.

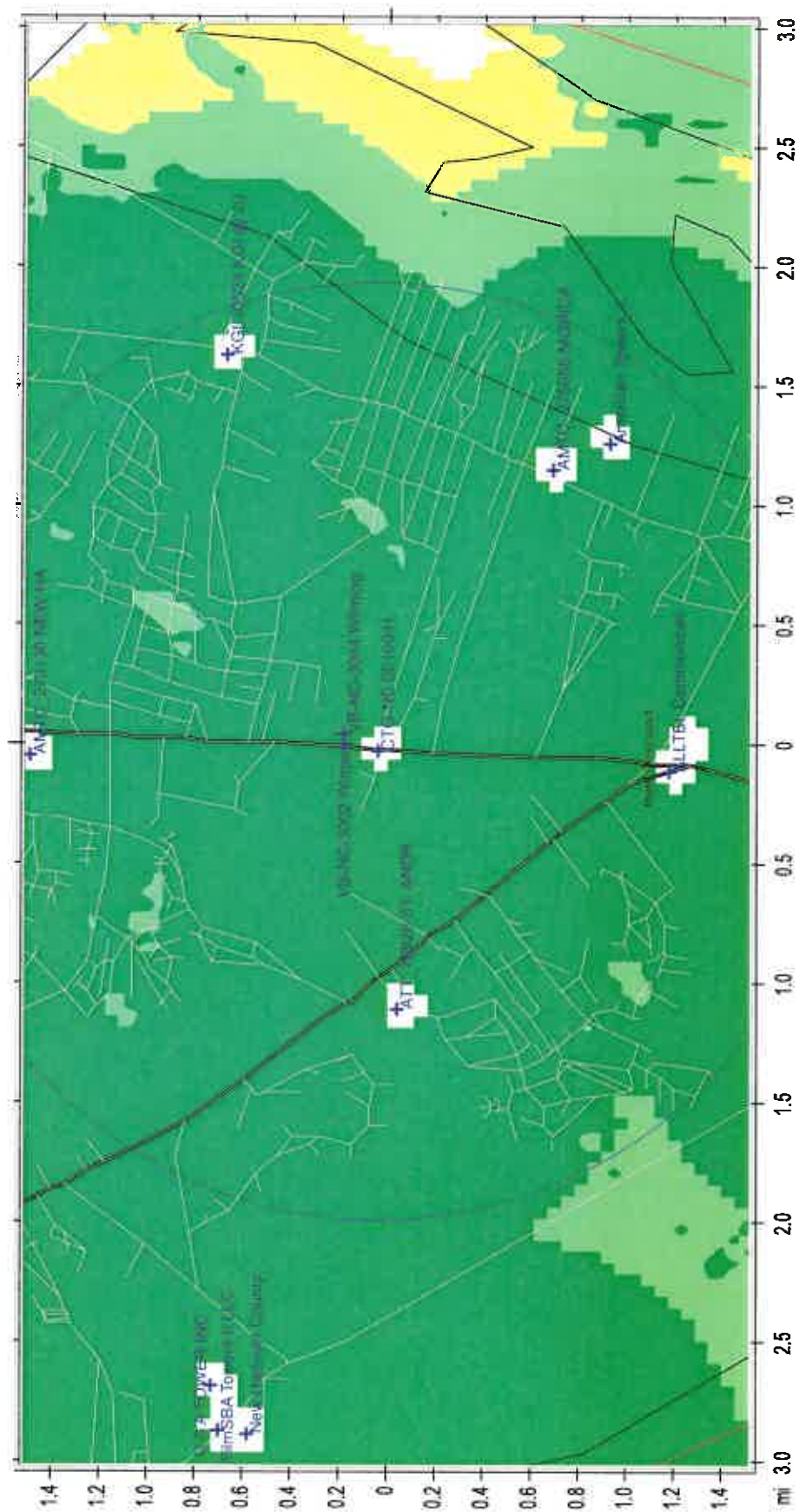
Ricardo Loor
CEO
Communications Tower Group LLC

Communications Tower Group LLC
Ballantyne One
15720 Brixham Hill Avenue, Suite 300
Charlotte, North Carolina 28277

Existing Sites Coverage Without Site



4510 South College Road Wilmington, NC 28412



4510 South College Road Wilmington, NC 28412

Michael F. Plahovinsak, P.E.

18301 State Route 161, Plain City, Ohio 43064

(614) 398-6250 - mike@mfpeng.com

November 29, 2018

CTG
15720 Brixham Hill Ave.
Charlotte, NC 28277

Re: Proposed 150-ft Monopole
Located in New Hanover Co., NC: CTG-NC-0010041 Mohican Trail
MFP Project #: 40918-097 / CTG Project Number:

I understand that there may be some concern on the part of local building officials regarding the potential for failure of the proposed communication monopole. Communication structures are designed in accordance with the Telecommunications Industry Association ANSI/TIA-222-G, "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures",

I have designed this monopole to withstand a 3-sec. gusted wind speed of 118 mph (Vasd) as recommended by ANSI/TIA-222-G for New Hanover Co., NC. The design also conforms to the requirements of the 2012 North Carolina Building Code for an equivalent ultimate wind speed of 152 mph (Vult).

This monopole has been designed to accommodate a theoretical fall radius. The upper 36' of the pole has been designed to meet the wind loads of the design, however, the lower portion of the pole has been designed with a minimum 10% extra capacity. Assuming the pole has been designed according to my design, and well maintained, in the event of a failure due to extreme wind and comparable appurtenance antenna load (winds in excess of the design wind load), it would yield/buckle at the 114' elevation. The yielded section would result in a maximum 36' fall radius, but would most likely remain connected and hang from the standing section.

The structure has been designed with all of the applicable factors as required by the code. A properly designed, constructed and maintained pole has never collapsed; monopoles are safe structures with a long history of reliable operation.

I hope this review of the monopole design has given you a greater degree of comfort regarding the design capacity inherent in pole structures. If you have any additional questions please call me at 614-398-6250 or email mike@mfpeng.com.

Sincerely,

Michael F. Plahovinsak, P.E.



Michael F. Plahovinsak, P.E.
Sole Proprietor - Independent Engineer
P.E. Licensed in 48 Jurisdictions



To: New Hanover County Planning and Land Use
230 Government Center Dr, Suite 110
Wilmington, NC 28403
Attn: Brad Schuler

Statement Regarding ANSI Standards and FCC Regulations

***in Support of a Special Use Permit Application of Communications Tower Group LLC
to construct a new Wireless Telecommunications Tower on the following site:***

Site Name: Mohican Trail / Arab Shrine Club
Site Address: 4510 South College Road, Wilmington, NC 28412
Parcel No.: R07110-001-024-000

COMMUNICATIONS TOWER GROUP LLC

Communications Tower Group LLC ("CTG") is one of the leading independent owners and operators of shared wireless infrastructure. The core business of CTG involves the engineering, deployment, marketing, ownership, operation and leasing of shared wireless communications sites. The undersigned, as the Project Manager for Communications Tower Group LLC, does hereby affirm and certify as follows:

Section 18-259 (j)

- a. The proposed telecommunication support structure for which the Special Use Permit Application is submitted will, meet or exceed ANSI standards as confirmed by that statement contained in the Code Compliance box located on Sheet T-1 of the construction drawings;
- b. At all times will meet the Good Engineering Practices promulgated by the FCC, and that compliance with FCC regulations regarding RFI will be met; and
- c. At all times will be in compliance with all applicable and permissible local, State and Federal rules and regulations.

Communications Tower Group LLC

By: 

Name: David Hargrove

Title: Vice President

Date: September 6, 2018

NPRAL1:600733.1



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2018-ASO-20033-OE

Issued Date: 10/12/2018

Erik Brooks
CTG LLC
15720 Brixham Hill Avenue
Suite 300
Charlotte, NC 28277

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Monopole Mohican Trail Arab Shrine Club CTG NC 0010041
Location:	Wilmington, NC
Latitude:	34-09-26.16N NAD 83
Longitude:	77-53-36.50W
Heights:	29 feet site elevation (SE) 154 feet above ground level (AGL) 183 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination expires on 04/12/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (718) 553-2611, or angelique.eersteling@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-ASO-20033-OE.

Signature Control No: 384833075-387364095
Angelique Eersteling
Technician

(DNE)

Attachment(s)
Frequency Data
Map(s)

cc: FCC

Frequency Data for ASN 2018-ASO-20033-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W

TOPO Map for ASN 2018-ASO-20033-OE



IMPACT ANALYSIS OF
A PROPOSED TELECOMMUNICATIONS TOWER ON
THE VALUES OF ADJOINING OR ABUTTING PROPERTY

LOCATED ON

4510 SOUTH COLLEGE ROAD
WILMINGTON, NORTH CAROLINA

AS OF

NOVEMBER 16, 2018

FOR

COMMUNICATIONS TOWER GROUP LLC
15720 BRIXHAM HILL AVENUE
SUITE 300
CHARLOTTE, NC 28277

BY

DAVID A SMITH, MAI, SRA
POST OFFICE BOX 51597
DURHAM, NORTH CAROLINA 27717-1597

PART ONE - INTRODUCTION



DAVID A. SMITH, MAI, SRA

P.O. BOX 51597
DURHAM, NORTH CAROLINA 27717-1597
PHONE (919) 493-1534
smithappraiser@verizon.net



November 19, 2018

Communications Tower Group, LLC
15720 Brixham Hill Avenue
Suite 300
Charlotte, NC 28277

As requested, I have inspected the site of a proposed telecommunications tower and properties that adjoin or abut it. The proposed tower would be located at 4510 South College Road near Wilmington in Hanover County, North Carolina.

The purpose of this assignment is to analyze the effect of the value of adjoining or abutting property. The intended use of this assignment is to assist the approving body in determining if the proposed tower should be approved. The intended users of this report are officers and employees of Communications Tower Group, LLC and anyone they designate.

As requested, a summary report has been prepared. This is not an appraisal, but is a consulting assignment. This report assumes that the proposed tower has been constructed.

The properties were inspected on November 16, 2018 which is the effective date of this report and analysis. I made all necessary investigations and analyses. Based on a set of plans of the proposed tower, an inspection of the proposed tower site and the adjoining and abutting properties, an analysis of data gathered and facts and conclusions as contained in the following report of 19 pages, and subject to the assumptions and limiting conditions as stated, it is my opinion that the proposed tower will not substantially injure the value of adjoining or abutting properties.

I certify that I have personally inspected the site of the proposed tower and those properties that adjoin and abut it. I further certify that I have no interest either present or contemplated in the property and that neither the employment to make this analysis nor the compensation is contingent upon the result of the analysis.

Respectfully submitted,

David A. Smith

David A. Smith, MAI, SRA
NC State-Certified General Real Estate Appraiser #A281



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CERTIFICATION

I certify that, to the best of my knowledge and belief,...

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.

I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.

I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this report.

My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.

I have made a personal inspection of the property that is the subject of this report.

No one provided significant real property assistance to the person signing this certification.

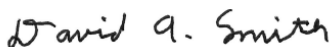
The reported analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.

The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of the report, I have completed the requirements of the continuing education program of the Appraisal Institute.

This assignment was not made, nor was the report rendered on the basis of a requested minimum valuation, specific valuation, or an amount, which would result in approval of a credit transaction.

Unless otherwise stated in this report, I have not performed any services regarding the subject property within the three year period immediately preceding acceptance of this assignment as an appraiser or in any other capacity.



David A. Smith, MAI, SRA

PART TWO – PREMISES OF THE REPORT

STATEMENT OF COMPETENCE

I have completed all of the requirements to become a state certified general appraiser for the State of North Carolina and all of the requirements for the MAI designation. In addition I have successfully completed USPAP courses and continuing education seminars for over thirty years as well as preparing real estate appraisal reports over the same period. More detailed information about the courses and seminars are in the qualifications section of this report. I have prepared similar analyses and feel competent to perform this analysis.

EXTRAORDINARY ASSUMPTIONS AND HYPOTHETICAL CONDITIONS

An extraordinary assumption is an assumption, directly related to a specific assignment, which if found to be false, could alter the appraiser's opinions or conclusions. A hypothetical condition is something that is contrary to what exists but is supposed for the purpose of the analysis. This analysis assumes that the proposed tower has been constructed.

No other extraordinary assumptions or hypothetical conditions are made.

GENERAL ASSUMPTIONS AND LIMITING CONDITIONS

The report has been made with the following general assumptions:

1. Possession of this report, or a copy thereof, does not carry with it the right of publication.
2. The appraiser by reason of this report is not required to give further consultation or testimony or to be in attendance in court with reference to the property in question unless arrangements have been previously made.
3. Neither all nor any part of the contents of this report (especially any conclusions, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the

public through advertising, public relations, news, sales or other media without the prior written consent and approval of the appraiser.

4. Definitions used in this report have been taken from *The Dictionary of Real Estate Appraisal*, 5th ed., published by the Appraisal Institute, copyright 2010, unless otherwise stated.

5. I relied on a set of plans identified as “Mohican Trail/Arab Shrine Club Site ID:CTG-NC 0010041 4510 S College Rd, Wilmington, NC 28412,” prepared by Tower Engineering Professionals and last revised September 12, 2018. For purposes of this report this information is assumed to be correct. Copies of pages from these plans are in the addenda.

6. I relied on public records from the New Hanover County GIS and Register of Deeds and antennasearch.com for information regarding properties analyzed in this report. For purposes of this report, this information is assumed to be correct.

PURPOSE, INTENDED USE AND USERS OF THE REPORT

The purpose of this assignment is to determine the effect of a proposed telecommunications tower on adjoining and abutting properties. The intended use of this assignment is to assist the approving body in determining if the proposed tower should be approved. The intended users of this report are officers and employees of Communications Tower Group, LLC and anyone they designate.

DEFINITION OF VALUE

The opinions of value in this analysis are the market values. The definition of market value is that used by federally regulated financial institutions. This definition is as follows:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised, and acting in what they consider their best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and

5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

DATE OF ANALYSIS AND DATE OF REPORT

The effective date of the analysis is November 16, 2018. The date of the report is November 19, 2018.

PROPERTY RIGHTS

The ownership interest considered in this analysis is the fee simple interest. The properties may be leased or have other property rights transferred, but the effect is for the fee simple value of the properties. The definition of fee simple as used in this report is:

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

SCOPE OF WORK

The scope of the report involves collection and confirmation of data relative to the property with the proposed tower and the contiguous properties. I made an inspection of the proposed tower site and referred to a set of plans for the tower. I also made an exterior inspection, from the street right-of-way of those properties that adjoin or abut the proposed tower property. I researched properties around existing cell towers to locate those that sold for comparison purposes. I located properties in a subdivision, Deer Crossing, near a tower in Big Cypress south of Wilmington. Some of the dwellings had a clear view of the tower and others were further away with no view of the tower. I compared these properties to judge the effect of the proposed tower on property values of the properties that adjoin or abut the proposed tower.

PART THREE – PRESENTATION OF DATA

NEIGHBORHOOD AND LOCATIONAL DATA

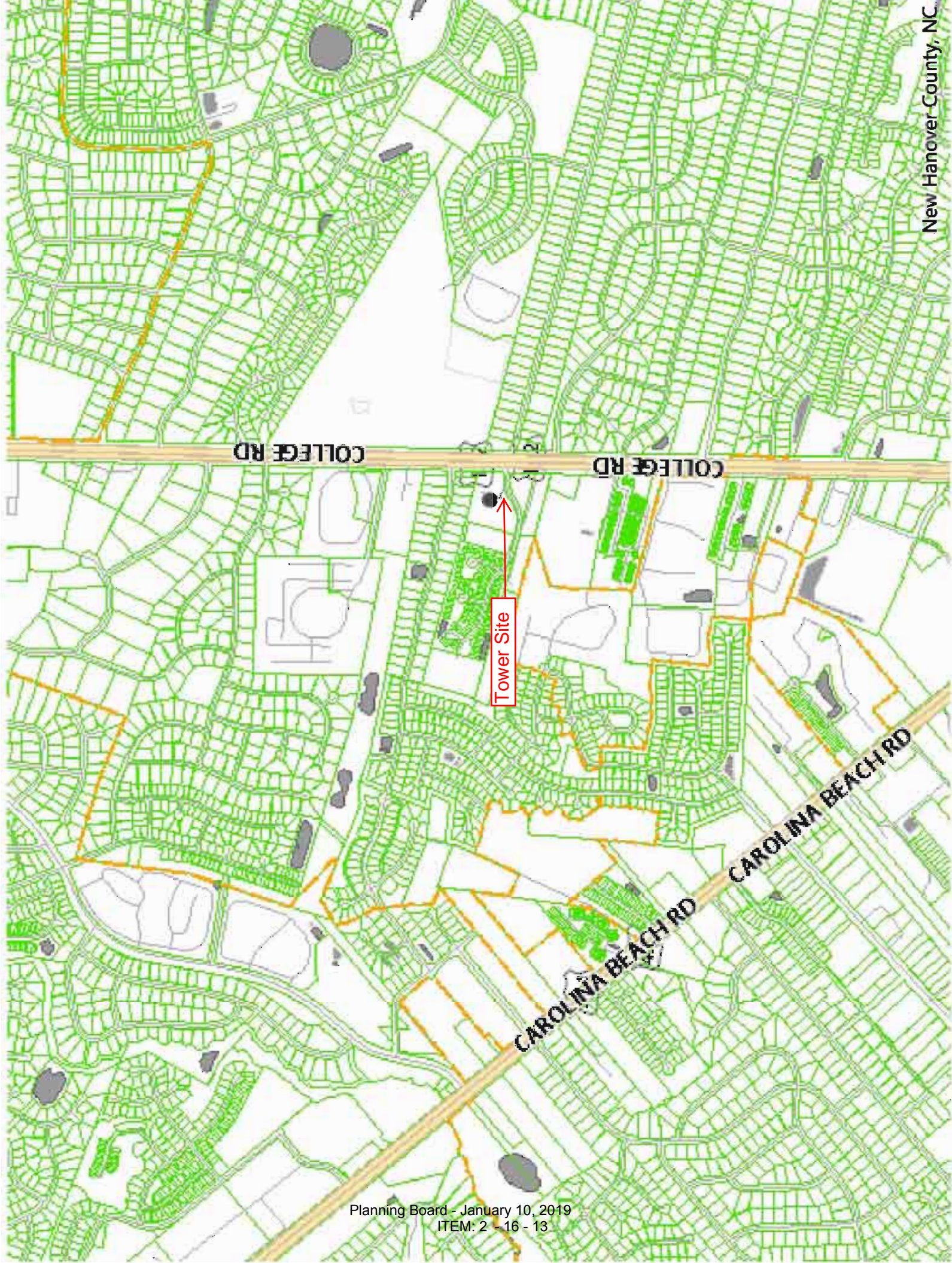
The proposed tower is located in New Hanover County. It is not located in any municipality but it is a short distance both north and south from the Town of Wilmington. This area is primarily residential in nature and primarily single family. There are also townhouse units, residential apartments, parks and undeveloped land. To the south are several commercial uses at the intersection of US 132 and US 421. Other commercial uses are further west of US 421.

The primary influence in the area is College Street which is also US 132 at this point. This highway connects the area and areas further south with the City of Wilmington.

DESCRIPTION OF TOWER SITE PROPERTY

Since the purpose of this report is to estimate the effect of the proposed tower on contiguous properties and not the property the tower is on, only a brief description of the site where the tower is proposed will be given. More detail of the site is in the addenda.

According to public records, the property where the tower will be located is owned by Arab Shrine Club Holding Corporation. The New Hanover County tax office identifies the property with a parcel ID of R07110-001-024-000. The zoning for the property is R-15 Residential District. The site has trees along its northern, southern and western boundaries but it otherwise cleared of trees. It is improved with a Shrine Club with a reported area of 8,000 square feet built in 1985, and other on-site improvements.



COLLEGE RD

COLLEGE RD

Tower Site

CAROLINA BEACH RD

DESCRIPTION OF THE LEASED AREA AND THE PROPOSED TOWER

The leased area will be 125 feet x 80 feet with a 50 foot by 50 foot fenced area. A 25 foot wide landscape buffer will be around the fenced area on three sides. The other side will be adjacent to an existing building. Access will be from Jasmine Cove Way across an existing parking lot and a new asphalt drive east and south of the tower site.

The tower will be of monopole design 150 feet in height with a four foot lightning rod. It will be unlit and the antennas will be completely enclosed within the tower. In addition to the tower there will be a 6 foot 6 inch service rack and equipment sheds all lower than the proposed fence.

DESCRIPTION OF ADJOINING AND ABUTTING PROPERTIES

There are twelve properties that directly adjoin and abut the property. A brief description based on tax information and observation of the properties follows:

Address	Owner	Parcel ID	Type	Size	Year Blt	Tax Value
4600 S College	Korean Baptist	R07100-003-045	Church	4470	1970	\$443,800
4515 S College	Jasmine Cove HOA	R07100-001-025	Rec	NA	NA	\$0
4202 Jasmine	Jasmine Cove/Silver Creek Village HOA	R07110-001-094	Com Area	NA	NA	\$0
4500 S College	S College Associates	R07110-003-011	Buffer	NA	NA	\$200
4640 Pine Hollow	Kevin Javorsky	R07110-001-055	SFD	2202	2005	\$258,400
4636 Pine Hollow	William Harrison	R07110-001-056	SFD	2631	1993	\$274,200
4632 Pine Hollow	Brian Rouse	R07110-001-057	SFD	2180	1994	\$234,300
4628 Pine Hollow	Micah Phelps	R07110-001-058	SFD	2135	1993	\$236,900
4624 Pine Hollow	Craig Thieman	R07110-001-059	SFD	2208	1994	\$239,500
4620 Pine Hollow	Chad Porter	R07110-001-060	SFD	2160	1993	\$234,500
4616 Pine Hollow	Erik Graf	R07110-001-061	SFD	2073	1994	\$242,400

PART FOUR – ANALYSIS OF DATA AND CONCLUSIONS

EFFECT OF THE PROPOSED TELECOMMUNICATIONS TOWER

The potential adverse effects from any proposed improvement are: environmental hazards, noise, odor, lighting, traffic and visual impact. Based on the plans of the proposed tower and conversations with those associated with it, there will be no environmental hazards associated with the proposed use. Also after construction there should be no significant adverse noise since the site is unmanned and none of the proposed items produce any significant noise. The improvement should also not produce any adverse odors. Also traffic should not cause any significant adverse impact since the facility requires only periodic maintenance. If the tower is visible this has the potential to cause adverse impacts to other properties.

The tower site will be fenced and landscaped as required. All of the non-tower improvements will be screened by the fencing and not be visible off of the property. The only potential adverse effect is the visual impact of the tower itself on other properties. The tower will be much shorter than most cell towers, 150 feet in height, unlit with no exterior antenna.

Adjoining the property to the east is College Street which will be 364± feet at its closest from the tower. College Street is a busy four lane thoroughfare and the area between the tower and the street is mostly cleared. Adjoining the property to the south is a two lane street, Jasmine Cove Way, 154± from the tower at its closest. Beyond Jasmine Cove Way is a wooded parcel also owned by the Shriner's Club. Adjoining the parcel to the west, about 158 feet from the tower, is a recreation/park owned by Jasmine Cover Homeowners. There is a row of trees on the subject tract and there is also a stand of trees on the adjoining property between the tower and properties further west.

To the north, eight properties along Pine Hollow Drive adjoin the subject tower parcel. Seven of these have single family dwellings and the eighth is a narrow unbuildable parcel used as common area. The closest property line is about 246 feet from the tower and the dwelling on this lot is about 80 feet from the property line for a total distance of about 326 feet. There is a row of trees along the subject's northern property line and the rear lots of the dwellings are wooded. On the north side of Pine Hollow Drive near College Street is an existing cell tower and there appear to be cellular antenna on an overhead power line tower also.

Of the properties that adjoin or abut the property the ones most likely to be affected are the single family dwellings. The existing Shriner Club is between the tower and these properties and will block all of the equipment for the tower. The tower itself will be visible but partially blocked by the trees.

To determine potential effects of the proposed tower I did an analysis of single family dwellings near an existing tower. Using a national web site that locates communications towers, AntennaSearch.com I located a tower on 1300 Big Cypress Drive in Hanover County about 3 miles south of the tower site. This tower is 147 feet in height and was built in 2009. It is unlit, of monopole design like the subject but has a triangular platform with exterior antenna unlike the subject.

There is a neighborhood, Deer Crossing, about 300 feet from this tower. Deer Crossing contains some 130 single family dwellings mostly two stories in height. I did an analysis of the initial sales of these dwellings to determine if they are adversely affected by the proximity of this tower. I adjusted the properties for all significant differences: closing date, land value, year built, garage size, porch size, decks, patios number of baths, fireplaces and dwelling size. I then divided the adjusted dwelling value by its square footage. I analyzed the properties on two basis, proximity and visibility.

Proximity – I separated the dwellings into four groups based on their proximity to the tower and analyzed them on an attached chart. There are five properties in close proximity to the tower and they gave an average adjusted per square foot value of \$80.93 per square foot. The 25 properties a block away gave an average per square foot value of \$77.28 per square foot. The next 35 were two blocks away and gave a per square foot average of \$77.00 per square foot and the final 42 gave a value of \$78.01. The overall average for all of the properties is \$77.63. The indications are very close and the properties closest to the tower actually have the higher per square foot value. This indicates that the cell tower does not adversely affect property value.

Visibility – I also considered whether the tower is visible from each dwelling and whether that visibility is from the front yard or back yard and whether the view is clear or partially obscured. 25

properties have a clear view of the tower from their backyards and gave an average adjusted per square foot value of \$76.39. 14 properties have a clear view of the tower from their front yards and gave a per square foot value of \$77.50. 6 have an obscured view of the tower from their backyard and have an average value of \$79.36. 4 have an obscured view from their front yard and have an average value of \$79.95. 58 have no view of the tower and have an average per square foot value of \$77.85. Again the per square foot indications are quite close indicating that the cell tower does not adversely affect property value.

PROXIMITY															
Address	Closeness	Sold Price	Closing Date	Year Built	Garage	Open Porch	Deck	Patio	Full Baths	Half Baths	FP	Total Adjust	Adjusted Sales Price	Living Area SF	Per SF
1117 Deer Hill	Same Block	\$187,000	8/24/2011	2011	420	48		120	2	1	1	31,005	\$130,305	1592	\$81.85
1113 Deer Hill	Same Block	\$287,000	3/29/2012	2012	484	272			3	1	0	40,542	\$263,582	3072	\$85.80
1109 Deer Hill	Same Block	\$265,000	6/29/2011	2011	484	120		210	3	1	1	40,555	\$238,464	3072	\$77.63
1105 Deer Hill	Same Block	\$204,000	9/29/2011	2011	420	100		120	2	1	0	29,074	\$159,837	2070	\$77.22
1101 Deer Hill	Same Block	\$211,000	7/14/2011	2011	462	85		120	2	1	1	33,462	\$162,100	1973	\$82.16
															\$80.93
1013 Deer Hill	One Block	\$252,500	6/13/2011	2011	484	210		120	3	1	1	42,941	\$219,617	3072	\$71.49
1009 Deer Hill	One Block	\$250,000	5/20/2011	2011	462	108		120	3	1	1	38,912	\$219,487	3024	\$72.58
1005 Deer Hill	One Block	\$264,000	12/16/2011	2011	462	108	506	108	3	1	0	45,705	\$226,729	3036	\$74.68
1004 Deer Hill	One Block	\$233,500	3/30/2011	2011	484	102		204	3	1	1	39,918	\$201,224	3072	\$65.50
1008 Deer Hill	One Block	\$203,000	10/31/2011	2011	420	100		120	2	1	0	29,074	\$155,110	1980	\$78.34
1001 Deer Hill	One Block	\$179,500	10/28/2011	2011	260	105		120	2	1	1	28,209	\$120,422	1455	\$82.76
1221 Deer Hill	One Block	\$206,000	5/20/2011	2011	462	102		120	2	1	1	34,027	\$155,600	2004	\$77.64
1217 Deer Hill	One Block	\$200,000	10/12/2011	2011	420	100		120	2	1	0	29,074	\$151,596	1980	\$76.56
1213 Deer Hill	One Block	\$195,000	7/7/2014	2013	420	48		120	2	1	0	27,349	\$131,301	1592	\$82.48
1205 Deer Hill	One Block	\$248,000	5/25/2011	2011	484	102		120	3	1	1	39,357	\$217,902	3072	\$70.93
1201 Deer Hill	One Block	\$204,000	12/30/2011	2011	420	100		120	2	1	0	29,074	\$156,282	1980	\$78.93
1209 Deer Hill	One Block	\$191,000	5/28/2013	2013	260	105		120	2	1	0	24,554	\$131,016	1455	\$90.05
1229 Deer Hill	One Block	\$200,000	4/26/2011	2010	420	85			2	1	1	31,431	\$151,222	1994	\$75.84
1225 Deer Hill	One Block	\$241,000	3/12/2012	2011	462	108		120	3	1	0	35,257	\$209,369	3024	\$69.24
6402 New Hope	One Block	\$213,000	4/5/2013	2012	420	100		120	2	1	1	32,730	\$156,318	1980	\$78.95

6406 New Hope	One Block	\$194,000	8/10/2012	2012	420	100		120	2	1	1	32,730	\$138,713	1980	\$70.06
6410 New Hope	One Block	\$199,000	8/21/2012	2012	420	48		120	2	1	0	27,349	\$143,541	1592	\$90.16
6414 New Hope	One Block	\$176,000	3/30/2012	2011	260	105		120	2	1	1	28,209	\$117,327	1455	\$80.64
6409 New Hope	One Block	\$251,000	3/18/2011	2011	484	96		160	3	0	1	36,145	\$229,880	3240	\$70.95
6405 New Hope	One Block	\$207,500	4/26/2012	2012	420	168		120	2	1	0	31,331	\$148,994	1592	\$93.59
6401 New Hope	One Block	\$221,000	9/11/2012	2012	440	100		160	2	1	0	29,927	\$174,546	2120	\$82.33
6413 Fawn Settle	One Block	\$221,000	5/24/2012	2012	420	220		120	2	1	0	33,056	\$169,722	1990	\$85.29
6417 Fawn Settle	One Block	\$247,000	9/24/2012	2012	484	102		120	3	1	1	39,357	\$210,973	3072	\$68.68
6409 Fawn Settle	One Block	\$238,000	5/12/2011	2011	462	99		120	3	1	1	38,613	\$204,452	3018	\$67.74
1621 Soaring Spirit	One Block	\$202,000	4/4/2012	2011	420	100		120	2	1	0	29,074	\$151,826	1980	\$76.68
															\$77.28
1304 Deer Hill	Two Blocks	\$202,000	1/27/2011	2010	420	100		120	2	1	0	29,074	\$158,165	1980	\$79.88
1308 Deer Hill	Two Blocks	\$239,200	1/3/2011	2010	484	96		120	3	0	1	35,878	\$214,724	3240	\$66.27
1312 Deer Hill	Two Blocks	\$232,000	5/16/2011	2010	483	99		120	3	1	1	39,229	\$197,410	3063	\$64.45
1320 Deer Hill	Two Blocks	\$195,000	6/22/2011	2010	420	100		120	2	1	1	32,730	\$143,954	1980	\$72.70
1324 Deer Hill	Two Blocks	\$253,000	6/26/2013	2013	462	99		120	3	1	1	38,613	\$212,196	3024	\$70.17
1325 Deer Hill	Two Blocks	\$204,000	1/14/2013	2010	420	100		120	2	1	0	29,074	\$152,014	1980	\$76.77
1321 Deer Hill	Two Blocks	\$224,000	6/28/2013	2013	440	100		120	2	1	1	33,316	\$169,756	2120	\$80.07
1317 Deer Hill	Two Blocks	\$190,000	12/1/2010	2010	441	277		675	2	1	0	39,266	\$133,194	1973	\$67.51
1309 Deer Hill	Two Blocks	\$195,000	3/11/2011	2010	420	388			2	1	0	37,830	\$140,659	1980	\$71.04
1305 Deer Hill	Two Blocks	\$174,000	1/25/2011	2010	274	299			2	1	1	34,256	\$111,105	1399	\$79.42
1301 Deer Hill	Two Blocks	\$195,000	6/23/2011	2010	463	108		120	2	1	0	30,599	\$146,183	2003	\$72.98
6425 Fawn Settle	Two Blocks	\$200,000	3/22/2013	2013	420	100		120	2	1	0	29,074	\$147,412	1980	\$74.45
6421 Fawn Settle	Two Blocks	\$202,000	5/29/2013	2013	420	48		120	2	1	1	31,005	\$139,175	1592	\$87.42

1009 Whispering Doe	Two Blocks	\$220,000	6/21/2012	2012	441	85		120	2	1	0	29,192	\$172,603	1973	\$87.48
1005 Whispering Doe	Two Blocks	\$213,000	7/30/2012	2012	462	205		120	2	0	1	34,164	\$159,275	2004	\$79.48
1001 Whispering Doe	Two Blocks	\$226,000	3/27/2014	2013	441	85		120	2	1	0	29,192	\$172,477	1973	\$87.42
1004 Whispering Doe	Two Blocks	\$263,000	8/20/2012	2012	484	102		204	3	1	1	39,918	\$230,607	3072	\$75.07
1008 Whispering Doe	Two Blocks	\$226,000	5/13/2013	2012	420	100		266	2	1	1	33,704	\$170,120	1987	\$85.62
1100 Whispering Doe	Two Blocks	\$199,000	9/26/2012	2012	441	85		192	2	1	0	29,672	\$147,717	1973	\$74.87
1104 Whispering Doe	Two Blocks	\$174,000	11/15/2012	2012	260	225		0	2	1	0	27,735	\$111,437	1455	\$76.59
1108 Whispering Doe	Two Blocks	\$177,000	8/30/2012	2012	260	105		120	2	1	0	24,554	\$120,292	1462	\$82.28
1112 Whispering Doe	Two Blocks	\$195,000	11/30/2012	2012	420	100		120	2	1	0	29,074	\$141,658	1980	\$71.54
1116 Whispering Doe	Two Blocks	\$193,000	9/27/2012	2012	420	100		120	2	1	0	29,074	\$141,376	1980	\$71.40
1120 Whispering Doe	Two Blocks	\$222,000	11/5/2012	2012	420	100		120	2	1	0	29,074	\$172,725	1980	\$87.24
1124 Whispering Doe	Two Blocks	\$244,000	8/8/2013	2013	484	48		120	3	0	1	34,285	\$208,822	3233	\$64.59
1129 Whispering Doe	Two Blocks	\$200,000	2/10/2012	2012	462	102		182	2	1	0	30,785	\$149,807	2004	\$74.75
1125 Whispering Doe	Two Blocks	\$263,500	4/19/2013	2013	484	102		120	3	1	1	39,357	\$225,865	3072	\$73.52
1121 Whispering Doe	Two Blocks	\$202,000	8/22/2012	2012	420	100		120	2	1	1	32,730	\$148,002	1980	\$74.75
1117 Whispering Doe	Two Blocks	\$213,000	8/8/2013	2012	420	100		120	2	1	1	32,730	\$156,318	1990	\$78.55
1113 Whispering Doe	Two Blocks	\$171,500	8/9/2012	2012	260	105		120	2	1	0	24,554	\$114,268	1462	\$78.16
1109 Whispering Doe	Two Blocks	\$223,000	10/19/2012	2012	440	100		120	2	1	1	33,316	\$170,960	2130	\$80.26
1000 Whispering Doe	Two Blocks	\$199,000	5/13/2014	2013	420	48		120	2	1	1	31,005	\$131,925	1592	\$82.87
1609 Soaring Spirit	Two Blocks	\$268,000	2/16/2012	2012	484	222		120	3	1	1	43,339	\$236,097	3072	\$76.85
1605 Soaring Spirit	Two Blocks	\$223,000	2/21/2013	2012	420	100		120	2	1	1	32,730	\$170,052	1980	\$85.89
1601 Soaring Spirit	Two Blocks	\$284,000	10/25/2012	2012	484	120		120	3	1	1	39,955	\$253,933	3072	\$82.66
															\$77.00
6432 Fawn Settle	More	\$225,000	1/4/2013	2013	420	100		120	2	1	0	29,074	\$178,606	2150	\$83.07

6436 Fawn Settle	More	\$205,000	12/27/2012	2012	420	100		120	2	1	0	29,074	\$153,165	1980	\$77.36
6440 Fawn Settle	More	\$239,000	12/20/2012	2012	484	102	220	120	2	1	1	39,249	\$194,241	2786	\$69.72
6500 Fawn Settle	More	\$255,000	12/19/2012	2012	484	102		120	3	1	1	39,357	\$218,199	3072	\$71.03
6504 Fawn Settle	More	\$208,000	5/22/2013	2013	420	48		120	2	1	1	31,005	\$145,715	1592	\$91.53
6508 Fawn Settle	More	\$237,000	11/29/2012	2012	440	100	192		2	1	0	32,855	\$187,700	2130	\$88.12
6516 Fawn Settle	More	\$209,000	12/3/2012	2012	462	102		120	2	1	1	34,027	\$152,587	2004	\$76.14
6520 Fawn Settle	More	\$196,000	12/31/2012	2012	420	48		120	2	1	0	27,349	\$138,251	1592	\$86.84
6524 Fawn Settle	More	\$246,000	2/5/2013	2012	440	100		120	2	1	1	33,316	\$197,661	2130	\$92.80
6528 Fawn Settle	More	\$228,000	12/20/2012	2012	440	100		120	2	1	1	33,316	\$176,764	2130	\$82.99
6532 Fawn Settle	More	\$274,000	12/31/2012	2012	484	102		120	3	1	0	35,702	\$246,231	3072	\$80.15
6536 Fawn Settle	More	\$234,000	7/9/2013	2013	440	100			2	1	0	28,859	\$185,964	2120	\$87.72
6533 Fawn Settle	More	\$234,000	9/16/2014	2014	441	85		120	2	1	0	29,192	\$179,067	1973	\$90.76
6527 Fawn Settle	More	\$224,000	12/18/2014	2014	440	100		120	2	1	0	29,660	\$166,522	2120	\$78.55
6521 Fawn Settle	More	\$182,000	9/4/2013	2014	484	119		120	3	0	0	32,985	\$131,729	3064	\$42.99
6515 Fawn Settle	More	\$225,000	12/6/2013	2013	440	100		120	2	1	1	33,316	\$168,532	2120	\$79.50
6509 Fawn Settle	More	\$287,000	10/27/2014	2014	484	102		120	2	1	0	31,015	\$259,540	3408	\$76.16
6503 Fawn Settle	More	\$283,000	10/7/2013	2013	484	96		300	3	0	1	37,079	\$251,220	3233	\$77.70
1508 Soaring Spirit	More	\$267,000	11/9/2012	2012	484	96		120	3	0	1	35,878	\$238,055	3145	\$75.69
1604 Soaring Spirit	More	\$191,000	7/2/2012	2012	420	48		120	2	1	0	27,349	\$134,661	1592	\$84.59
1608 Soaring Spirit	More	\$230,000	9/27/2012	2012	484	96		120	3	0	0	32,222	\$198,940	3233	\$61.53
1616 Soaring Spirit	More	\$199,000	5/30/2012	2012	420	100		120	2	1	0	29,074	\$148,343	1990	\$74.54
1513 Soaring Spirit	More	\$224,000	8/4/2013	2013	462	102		120	2	1	0	30,371	\$171,327	2004	\$85.49
1509 Soaring Spirit	More	\$194,000	9/25/2012	2012	420	100		120	2	1	0	29,074	\$142,537	1980	\$71.99
1505 Soaring Spirit	More	\$193,000	12/31/2012	2012	420	100		120	2	0	1	29,449	\$138,965	1990	\$69.83

1501 Soaring Spirit	More	\$200,000	8/9/2012	2012	420	100		120	2	1	0	29,074	\$149,504	1980	\$75.51
1413 Soaring Spirit	More	\$218,000	1/3/2013	2012	420	100		120	2	1	0	29,074	\$168,123	1980	\$84.91
1409 Soaring Spirit	More	\$225,000	12/11/2012	2012	484	102	208		2	1	0	34,543	\$182,279	2786	\$65.43
1405 Soaring Spirit	More	\$186,000	12/13/2012	2012	420	48		120	2	1	0	27,349	\$127,251	1592	\$79.93
1401 Soaring Spirit	More	\$224,000	12/10/2013	2013	420	100		120	2	0	0	25,794	\$173,772	1990	\$87.32
1202 Whispering Doe	More	\$194,000	3/1/2012	2012	420	100		120	2	1	0	29,074	\$144,564	1980	\$73.01
1206 Whirpering Doe	More	\$253,500	11/21/2012	2012	484	96		140	3	0	1	36,011	\$221,650	3233	\$68.56
1210 Whispering Doe	More	\$190,000	9/6/2012	2012	420	100		120	2	1	0	29,074	\$132,663	1980	\$67.00
1209 Whispering Doe	More	\$227,000	9/19/2014	2014	420	100		120	2	1	0	29,074	\$171,355	1980	\$86.54
1205 Whispering Doe	More	\$244,000	6/25/2012	2012	484	96		120	3	0	1	35,878	\$212,600	3233	\$65.76
1201 Whispering Doe	More	\$238,000	1/4/2013	2012	484	102		120	2	1	0	31,015	\$202,220	2786	\$72.58
6502 Settles Dream	More	\$242,000	11/13/2013	2013	440	100		280	2	1	1	34,384	\$186,783	2130	\$87.69
6506 Settlers Dream	More	\$201,000	9/18/2013	2013	440	40		120	2	0	1	28,044	\$144,514	1832	\$78.88
6510 Settlers Dream	More	\$225,000	9/17/2013	2013	420	100		120	2	1	0	29,074	\$173,824	1980	\$87.79
6514 Settlers Dream	More	\$212,000	11/15/2013	2013	420	100		120	2	1	1	32,730	\$152,960	1980	\$77.25
6518 Settlers Dream	More	\$262,000	5/14/2013	2013	462	108		108	3	1	0	35,177	\$227,215	3024	\$75.14
6521 Settlers Dream	More	\$231,000	8/21/2014	2014	420	100		120	2	1	0	29,074	\$170,602	1980	\$86.16
															\$78.01

VISIBILITY															
Address		Sold Price	Closing Date	Year Built	Garage	Open Porch	Deck	Patio	Full Bath	Half Bath	FP	Total Adjust	Adjusted Sales Price	Living Area SF	Total
6409 Fawn Settle	Backyard	\$238,000	5/12/2011	2011	462	99		120	3	1	1	38,613	\$204,452	3018	\$67.74
6425 Fawn Settle	Backyard	\$200,000	3/22/2013	2013	420	100		120	2	1	0	29,074	\$147,412	1980	\$74.45
6421 Fawn Settle	Backyard	\$202,000	5/29/2013	2013	420	48		120	2	1	1	31,005	\$139,175	1592	\$87.42
6417 Fawn Settle	Backyard	\$247,000	9/24/2012	2012	484	102		120	3	1	1	39,357	\$210,973	3072	\$68.68
6413 Fawn Settle	Backyard	\$221,000	5/24/2012	2012	420	220		120	2	1	0	33,056	\$169,722	1990	\$85.29
6533 Fawn Settle	Backyard	\$234,000	9/16/2014	2014	441	85		120	2	1	0	29,192	\$179,067	1973	\$90.76
6527 Fawn Settle	Backyard	\$224,000	12/18/2014	2014	440	100		120	2	1	0	29,660	\$166,522	2120	\$78.55
6521 Fawn Settle	Backyard	\$182,000	9/4/2013	2014	484	119		120	3	0	0	32,985	\$131,729	3064	\$42.99
6515 Fawn Settle	Backyard	\$225,000	12/6/2013	2013	440	100		120	2	1	1	33,316	\$168,532	2120	\$79.50
6509 Fawn Settle	Backyard	\$287,000	10/27/2014	2014	484	102		120	2	1	0	31,015	\$259,540	3408	\$76.16
6503 Fawn Settle	Backyard	\$283,000	10/7/2013	2013	484	96		300	3	0	1	37,079	\$251,220	3233	\$77.70
1513 Soaring Spirit	Backyard	\$224,000	8/4/2013	2013	462	102		120	2	1	0	30,371	\$171,327	2004	\$85.49
1509 Soaring Spirit	Backyard	\$194,000	9/25/2012	2012	420	100		120	2	1	0	29,074	\$142,537	1980	\$71.99
1505 Soaring Spirit	Backyard	\$193,000	12/31/2012	2012	420	100		120	2	0	1	29,449	\$138,965	1990	\$69.83
1501 Soaring Spirit	Backyard	\$200,000	8/9/2012	2012	420	100		120	2	1	0	29,074	\$149,504	1980	\$75.51
1413 Soaring Spirit	Backyard	\$218,000	1/3/2013	2012	420	100		120	2	1	0	29,074	\$168,123	1980	\$84.91
1409 Soaring Spirit	Backyard	\$225,000	12/11/2012	2012	484	102	208		2	1	0	34,543	\$182,279	2786	\$65.43
1405 Soaring Spirit	Backyard	\$186,000	12/13/2012	2012	420	48		120	2	1	0	27,349	\$127,251	1592	\$79.93
1401 Soaring Spirit	Backyard	\$224,000	12/10/2013	2013	420	100		120	2	0	0	25,794	\$173,772	1990	\$87.32
1129 Whispering Doe	Backyard	\$200,000	2/10/2012	2012	462	102		182	2	1	0	30,785	\$149,807	2004	\$74.75
1125 Whispering Doe	Backyard	\$263,500	4/19/2013	2013	484	102		120	3	1	1	39,357	\$225,865	3072	\$73.52
1121 Whispering Doe	Backyard	\$202,000	8/22/2012	2012	420	100		120	2	1	1	32,730	\$148,002	1980	\$74.75
1117 Whispering Doe	Backyard	\$213,000	8/8/2013	2012	420	100		120	2	1	1	32,730	\$156,318	1990	\$78.55
1113 Whispering Doe	Backyard	\$171,500	8/9/2012	2012	260	105		120	2	1	0	24,554	\$114,268	1462	\$78.16
1109 Whispering Doe	Backyard	\$223,000	10/19/2012	2012	440	100		120	2	1	1	33,316	\$170,960	2130	\$80.26
															\$76.39
1117 Deer Hill	Backyard Obsured	\$187,000	8/24/2011	2011	420	48		120	2	1	1	31,005	\$130,305	1592	\$81.85

1113 Deer Hill	Backyard Obsured	\$287,000	3/29/2012	2012	484	272			3	1	0	40,542	\$263,582	3072	\$85.80
1109 Deer Hill	Backyard Obsured	\$265,000	6/29/2011	2011	484	120		210	3	1	1	40,555	\$238,464	3072	\$77.63
1105 Deer Hill	Backyard Obsured	\$204,000	9/29/2011	2011	420	100		120	2	1	0	29,074	\$159,837	2070	\$77.22
1101 Deer Hill	Backyard Obsured	\$211,000	7/14/2011	2011	462	85		120	2	1	1	33,462	\$162,100	1973	\$82.16
1013 Deer Hill	Backyard Obsured	\$252,500	6/13/2011	2011	484	210		120	3	1	1	42,941	\$219,617	3072	\$71.49
															\$79.36
6432 Fawn Settle	Frontyard	\$225,000	1/4/2013	2013	420	100		120	2	1	0	29,074	\$178,606	2150	\$83.07
6436 Fawn Settle	Frontyard	\$205,000	12/27/2012	2012	420	100		120	2	1	0	29,074	\$153,165	1980	\$77.36
6440 Fawn Settle	Frontyard	\$239,000	12/20/2012	2012	484	102	220	120	2	1	1	39,249	\$194,241	2786	\$69.72
6500 Fawn Settle	Frontyard	\$255,000	12/19/2012	2012	484	102		120	3	1	1	39,357	\$218,199	3072	\$71.03
6504 Fawn Settle	Frontyard	\$208,000	5/22/2013	2013	420	48		120	2	1	1	31,005	\$145,715	1592	\$91.53
6508 Fawn Settle	Frontyard	\$237,000	11/29/2012	2012	440	100	192		2	1	0	32,855	\$187,700	2130	\$88.12
1508 Soaring Spirit	Frontyard	\$267,000	11/9/2012	2012	484	96		120	3	0	1	35,878	\$238,055	3145	\$75.69
1100 Whispering Doe	Frontyard	\$199,000	9/26/2012	2012	441	85		192	2	1	0	29,672	\$147,717	1973	\$74.87
1104 Whispering Doe	Frontyard	\$174,000	11/15/2012	2012	260	225		0	2	1	0	27,735	\$111,437	1455	\$76.59
1108 Whispering Doe	Frontyard	\$177,000	8/30/2012	2012	260	105		120	2	1	0	24,554	\$120,292	1462	\$82.28
1112 Whispering Doe	Frontyard	\$195,000	11/30/2012	2012	420	100		120	2	1	0	29,074	\$141,658	1980	\$71.54
1116 Whispering Doe	Frontyard	\$193,000	9/27/2012	2012	420	100		120	2	1	0	29,074	\$141,376	1980	\$71.40
1120 Whispering Doe	Frontyard	\$222,000	11/5/2012	2012	420	100		120	2	1	0	29,074	\$172,725	1980	\$87.24
1124 Whispering Doe	Frontyard	\$244,000	8/8/2013	2013	484	48		120	3	0	1	34,285	\$208,822	3233	\$64.59
															\$77.50
6402 New Hope	Frontyard Obscured	\$213,000	4/5/2013	2012	420	100		120	2	1	1	32,730	\$156,318	1980	\$78.95
6406 New Hope	Frontyard Obscured	\$194,000	8/10/2012	2012	420	100		120	2	1	1	32,730	\$138,713	1980	\$70.06
6410 New Hope	Frontyard Obscured	\$199,000	8/21/2012	2012	420	48		120	2	1	0	27,349	\$143,541	1592	\$90.16
6414 New Hope	Frontyard Obscured	\$176,000	3/30/2012	2011	260	105		120	2	1	1	28,209	\$117,327	1455	\$80.64

															\$79.95
6516 Fawn Settle	No	\$209,000	12/3/2012	2012	462	102		120	2	1	1	34,027	\$152,587	2004	\$76.14
6520 Fawn Settle	No	\$196,000	12/31/2012	2012	420	48		120	2	1	0	27,349	\$138,251	1592	\$86.84
6524 Fawn Settle	No	\$246,000	2/5/2013	2012	440	100		120	2	1	1	33,316	\$197,661	2130	\$92.80
6528 Fawn Settle	No	\$228,000	12/20/2012	2012	440	100		120	2	1	1	33,316	\$176,764	2130	\$82.99
6532 Fawn Settle	No	\$274,000	12/31/2012	2012	484	102		120	3	1	0	35,702	\$246,231	3072	\$80.15
6536 Fawn Settle	No	\$234,000	7/9/2013	2013	440	100			2	1	0	28,859	\$185,964	2120	\$87.72
6409 New Hope	No	\$251,000	3/18/2011	2011	484	96		160	3	0	1	36,145	\$229,878	3240	\$70.95
6405 New Hope	No	\$207,500	4/26/2012	2012	420	168		120	2	1	0	31,331	\$148,992	1592	\$93.59
6401 New Hope	No	\$221,000	9/11/2012	2012	440	100		160	2	1	0	29,927	\$174,543	2120	\$82.33
1325 Deer Hill	No	\$204,000	1/14/2013	2010	420	100		120	2	1	0	29,074	\$152,014	1980	\$76.77
1321 Deer Hill	No	\$224,000	6/28/2013	2013	440	100		120	2	1	1	33,316	\$169,756	2120	\$80.07
1317 Deer Hill	No	\$190,000	12/1/2010	2010	441	277		675	2	1	0	39,266	\$133,194	1973	\$67.51
1309 Deer Hill	No	\$195,000	3/11/2011	2010	420	388			2	1	0	37,830	\$140,659	1980	\$71.04
1305 Deer Hill	No	\$174,000	1/25/2011	2010	274	299			2	1	1	34,256	\$111,105	1399	\$79.42
1301 Deer Hill	No	\$195,000	6/23/2011	2010	463	108		120	2	1	0	30,599	\$146,183	2003	\$72.98
1229 Deer Hill	No	\$200,000	4/26/2011	2010	420	85			2	1	1	31,431	\$151,222	1994	\$75.84
1225 Deer Hill	No	\$241,000	3/12/2012	2011	462	108		120	3	1	0	35,257	\$203,700	3024	\$67.36
1304 Deer Hill	No	\$202,000	1/27/2011	2010	420	100		120	2	1	0	29,074	\$158,165	1980	\$79.88
1308 Deer Hill	No	\$239,200	1/3/2011	2010	484	96		120	3	0	1	35,878	\$214,724	3240	\$66.27
1312 Deer Hill	No	\$232,000	5/16/2011	2010	483	99		120	3	1	1	39,229	\$197,410	3063	\$64.45
1320 Deer Hill	No	\$195,000	6/22/2011	2010	420	100		120	2	1	1	32,730	\$143,954	1980	\$72.70
1324 Deer Hill	No	\$253,000	6/26/2013	2013	462	99		120	3	1	1	38,613	\$212,196	3024	\$70.17
1221 Deer Hill	No	\$206,000	5/20/2011	2011	462	102		120	2	1	1	34,027	\$155,600	2004	\$77.64
1217 Deer Hill	No	\$200,000	10/12/2011	2011	420	100		120	2	1	0	29,074	\$151,596	1980	\$76.56
1213 Deer Hill	No	\$195,000	7/7/2014	2013	420	48		120	2	1	0	27,349	\$131,301	1592	\$82.48
1205 Deer Hill	No	\$248,000	5/25/2011	2011	484	102		120	3	1	1	39,357	\$217,902	3072	\$70.93
1201 Deer Hill	No	\$204,000	12/30/2011	2011	420	100		120	2	1	0	29,074	\$156,282	1980	\$78.93
1009 Deer Hill	No	\$250,000	5/20/2011	2011	462	108		120	3	1	1	38,912	\$219,487	3024	\$72.58
1005 Deer Hill	No	\$264,000	12/16/2011	2011	462	108	506	108	3	1	0	45,705	\$226,727	3036	\$74.68

1004 Deer Hill	No	\$233,500	3/30/2011	2011	484	102		204	3	1	1	39,918	\$201,221	3072	\$65.50
1008 Deer Hill	No	\$203,000	10/31/2011	2011	420	100		120	2	1	0	29,074	\$155,107	1980	\$78.34
1001 Deer Hill	No	\$179,500	10/28/2011	2011	260	105		120	2	1	1	28,209	\$120,418	1455	\$82.76
1209 Deer Hill	No	\$191,000	5/28/2013	2013	260	105		120	2	1	0	24,554	\$131,011	1455	\$90.04
1621 Soaring Spirit	No	\$202,000	4/4/2012	2011	420	100		120	2	1	0	29,074	\$151,826	1980	\$76.68
1604 Soaring Spirit	No	\$191,000	7/2/2012	2012	420	48		120	2	1	0	27,349	\$134,661	1592	\$84.59
1608 Soaring Spirit	No	\$230,000	9/27/2012	2012	484	96		120	3	0	0	32,222	\$198,940	3233	\$61.53
1616 Soaring Spirit	No	\$199,000	5/30/2012	2012	420	100		120	2	1	0	29,074	\$148,343	1990	\$74.54
1609 Soaring Spirit	No	\$268,000	2/16/2012	2012	484	222		120	3	1	1	43,339	\$236,097	3072	\$76.85
1605 Soaring Spirit	No	\$223,000	2/21/2013	2012	420	100		120	2	1	1	32,730	\$170,052	1980	\$85.89
1601 Soaring Spirit	No	\$284,000	10/25/2012	2012	484	120		120	3	1	1	39,955	\$253,933	3072	\$82.66
1009 Whispering Doe	No	\$220,000	6/21/2012	2012	441	85		120	2	1	0	29,192	\$172,603	1973	\$87.48
1005 Whispering Doe	No	\$213,000	7/30/2012	2012	462	205		120	2	0	1	34,164	\$159,275	2004	\$79.48
1001 Whispering Doe	No	\$226,000	3/27/2014	2013	441	85		120	2	1	0	29,192	\$172,477	1973	\$87.42
1004 Whispering Doe	No	\$263,000	8/20/2012	2012	484	102		204	3	1	1	39,918	\$230,607	3072	\$75.07
1008 Whispering Doe	No	\$226,000	5/13/2013	2012	420	100		266	2	1	1	33,704	\$170,120	1987	\$85.62
1202 Whispering Doe	No	\$194,000	3/1/2012	2012	420	100		120	2	1	0	29,074	\$144,564	1980	\$73.01
1206 Whirpering Doe	No	\$253,500	11/21/2012	2012	484	96		140	3	0	1	36,011	\$221,650	3233	\$68.56
1210 Whispering Doe	No	\$190,000	9/6/2012	2012	420	100		120	2	1	0	29,074	\$132,663	1980	\$67.00
1209 Whispering Doe	No	\$227,000	9/19/2014	2014	420	100		120	2	1	0	29,074	\$171,355	1980	\$86.54
1205 Whispering Doe	No	\$244,000	6/25/2012	2012	484	96		120	3	0	1	35,878	\$212,600	3233	\$65.76
1201 Whispering Doe	No	\$238,000	1/4/2013	2012	484	102		120	2	1	0	31,015	\$202,220	2786	\$72.58
1000 Whispering Doe	No	\$199,000	5/13/2014	2013	420	48		120	2	1	1	31,005	\$131,925	1592	\$82.87
6502 Settles Dream	No	\$242,000	11/13/2013	2013	440	100		280	2	1	1	34,384	\$186,783	2130	\$87.69
6506 Settlers Dream	No	\$201,000	9/18/2013	2013	440	40		120	2	0	1	28,044	\$144,514	1832	\$78.88
6510 Settlers Dream	No	\$225,000	9/17/2013	2013	420	100		120	2	1	0	29,074	\$173,824	1980	\$87.79
6514 Settlers Dream	No	\$212,000	11/15/2013	2013	420	100		120	2	1	1	32,730	\$152,960	1980	\$77.25
6518 Settlers Dream	No	\$262,000	5/14/2013	2013	462	108		108	3	1	0	35,177	\$227,215	3024	\$75.14
6521 Settlers Dream	No	\$231,000	8/21/2014	2014	420	100		120	2	1	0	29,074	\$170,602	1980	\$86.16
															\$77.85

CONCLUSION

To consider the effect of a proposed 150 foot monopole tower, I researched the New Hanover area and located a subdivision near a 147 foot tower. This tower had exterior antenna and is much more visible than the subject tower. I located qualified sales in a subdivision and compared those closer to the tower with those further from the tower. I also compared those with various view of the tower with those that did not have a view. After adjusting, all of the dwellings gave very similar per square foot indications showing that the properties are not adversely affected by a cell tower. The dwellings near the proposed subject tower are similar to those near the existing Big Cypress tower and would be similarly affected by it. The other properties that adjoin or abut the proposed tower site are vacant and are less likely to be adversely affected by a cell tower.

Based on this it is my opinion that the proposed tower would not have an adverse effect on the property values of adjoining or abutting properties.

Cellular telephones have become a necessary and desired item in today's world. Many potential buyers of real estate expect cellular communications just as they expect electric service and lack of this service or poor service could adversely affect value. In order to meet this need, telecommunications towers have become a common part of the landscape in much the same way that overhead power lines, telephone lines and other utilities have. Like these utilities, telecommunications towers are needed in locations throughout the country. As such they are in harmony with the area in the same way that other utilities are.

There have been surveys that show that visibility of cell towers are undesirable. However, they do not ask the right question. The real question is: "Does the presence of a cell tower adversely affect property values?" I have not found that to be the case. View of a cell tower is only one of many factors that a prospective buyer would consider. Factors such as location, floor plan, condition, size, etc. are much more important and tend to completely negate the impact of a cell tower. Many residents did not realize there was a tower for several months and others forget they are there in a short period.

Based on a set of plans of the proposed tower, an inspection of the proposed tower site and the adjoining and abutting properties, an analysis of data gathered and facts and conclusions as contained in this report and subject to the assumptions and limiting conditions as stated, it is my opinion that the proposed cell tower will not adversely affect the value of adjoining and abutting properties.



DAVID A. SMITH, MAI, SRA

DAVID A SMITH & ASSOCIATES, INC.
P.O. BOX 51597
DURHAM, NORTH CAROLINA 27717-1597
PHONE (919) 493-1534
smithappraiser@frontier.com



QUALIFICATIONS OF DAVID A. SMITH, MAI, SRA

The appraiser, David A. Smith, has been involved in the appraisal of real estate for over thirty years. He worked with his father, Charles W. Smith, from 1976 to 2003. After the retirement of Charles W. Smith in 2003 he formed Smith & Whitfield, Inc. and later David A. Smith & Associates. In 1988 he was awarded the RM designation. With the merger of the American Institute of Real Estate Appraisers and the Society of Real Estate Appraisers in January of 1991, the RM designation was changed to the SRA designation. In 1991 he was awarded the MAI designation of the Appraisal Institute. He became a state-certified real estate appraiser in 1991 the year the state first began licensing real estate appraisers and his certification number is A281.

He has also trained and supervised several appraisers and has prepared all types of appraisal reports. His primary focus is Durham County and the adjoining counties of Orange, Person, Granville and Chatham.

EDUCATION: Graduate Episcopal High School, Alexandria, VA, 1976
A.B., Duke University, Durham, NC, 1981

APPRAISAL INSTITUTE COURSES:

Real Estate Appraisal Principles (Exam 1A-1/8-1), University of North Carolina, 1981
Residential Valuation (Exam 8-2), University of North Carolina, 1981
Basic Valuation Procedures (Exam 1A-2), University of North Carolina, 1983
Standards of Professional Practice (Exam SPP), University of North Carolina, 1983
Capitalization Theory & Techniques, A (Exam 1B-A), University of Colorado, 1984
Capitalization Theory & Techniques, B (Exam 1B-B), University of Colorado, 1984
Valuation Analysis and Report Writing (Exam 2-2), University of North Carolina, 1987
Case Studies in Real Estate Valuation (Exam 2-1), University of North Carolina, 1987
Advanced Sales Comparison & Cost Approaches, Atlanta, Georgia, 2002
General Appraiser Market Analysis and Highest and Best Use, Atlanta, Georgia, 2007
Online Business Practices and Ethics, Chicago, Illinois, 2007
Appraisal Curriculum Overview, 2009
Condemnation Appraising: Principles & Applications, Greensboro, NC, 2011

APPRAISAL INSTITUTE SEMINARS:

Highest and Best Use, 1988
Industrial Valuation, 1988
Rates, Ratios and Reasonableness, 1988
Valuation of Leased Fee Interests, 1989
Current Problems in Industrial Valuation, 1989
Methods of Subdivision Analysis, 1989
Expert Witness in Litigation, 1989
Discounted Cash Flow, 1990
RTC Appraisal Standards, 1990
Preparation and Use of the UCIAR Form, 1990
Standards of Professional Practice Update, 1990
Commercial Construction Overview, 1991
Appraising Troubled Properties, 1991
Appraisal Regulations of the Federal Banking Agency, 1992
Real Estate Law for Appraisals, 1992
Appraising Apartments, 1993
Discounted Cash Flow Analysis, 1994
Appraiser's Legal Liabilities, 1994
Understanding Limited Appraisals, 1994
Analysis Operating Expenses, 1995
Future of Appraisals, 1996
Highest and Best Use Applications, 1996
Standards of Professional Practice, Parts A & B, 1997
Litigation Skills for the Appraiser, 1997
Eminent Domain & Condemnation Appraising, 1998
Matched Pairs/Highest & Best Use/Revisiting Report Options, 1998
Valuation of Detrimental Conditions, 1998
Appraisal of Nonconforming Uses, 2000
How GIS Can Help Appraisers Keep Pace with Changes in R E Industry, 2001
Feasibility Analysis, Market Value and Investment Timing, 2002
Analyzing Commercial Lease Clauses, 2002
Standards of Professional Appraisal Practice, 2002
Effective Appraisal Writing, 2003
Supporting Capitalization Rates, 2004
National USPAP Update, 2004
Rates and Ratios: Making Sense of GIMs, OARs, and DCFs, 2005
The Road Less Traveled: Special Purpose Properties, 2005
National USPAP Update, 2006
Appraisal Consulting: A Solutions Approach for Professionals, 2006
What Clients Would Like Their Appraisers to Know, 2007
Valuation of Detrimental Conditions, 2007
Business Practice and Ethics, 2007
Office Building Valuation: A Contemporary Perspective, 2008
Subdivision Valuation, 2008
National USPAP Update, 2009
Effective Appraisal Writing, 2009
Appraisal Curriculum Overview, 2009
Discounted Cash Flow Model: Concepts, Issues and Apps., 2010
National USPAP Update, 2010

Rates and Ratios: Making sense of GIMs, OARs and DCFs, 2011
National USPAP Update, 2012
Business Practices and Ethics, 2012
Marketability Studies: Advanced Considerations & Applications, 2013
Real Estate Valuation Conference, 2013
National USPAP Update, 2014
2014 RE Valuation Conference: National, Regional and Local Economy and RE Markets
2014 RE Valuation Conference: Economic Insights for 2014 and Beyond
Analyzing the Effects of Environmental Contamination on Real Property, 2015
National USPAP Update Course, 2016

OTHER SEMINARS:

Commercial Segregated Cost Seminar, Marshall & Swift, 1988
Appraisal Guide and Legal Principles, Department of Transportation, 1993
The Grammar Game, Career Track, 1994
Property Tax Listing and Assessing in NC, 2014

MEMBERSHIPS:

Appraisal Institute, MAI #09090
Appraisal Institute, SRA/RM #2248
Durham Board of Realtors
North Carolina Association of Realtors
National Association of Realtors

CERTIFICATION:

State Certified General Real Estate Appraiser for North Carolina, #A281

OTHER:

NC Property Tax Commission, 2013 – Present
Durham Civilian Police Review Board, 2009 - Present, Past Chair
Durham County Board of Equalization and Review, 2013 – Present
Durham Public Schools Zero Based Budget Committee, 2013 - Present
City of Durham Audit Oversight Committee, 2002 – 2006
Durham Board of Adjustment, 1994 - 2002
Durham City/County Zoning Commission, 1990 – 1995
John Avery Boys and Girls Club, 1994-2002
Historical Preservation Society, 1992 - 1995
Vice President of the Candidates, 1989, NC Chapter 40
President of the Candidates, 1990, NC Chapter 40
Candidate of the Year, 1990, NC Chapter 40

RECENT CLIENTS:

LENDING INSTITUTIONS

American National Bank & Trust Company
AMEX Financial
BB&T
Citizens National Bank
CommunityOne Bank NA
Fidelity Bank
First South Bank
KeySource Commercial Bank
Live Oak Banking Company
Mechanics & Farmers Bank
Pacific International Bank
PNC Bank
RBC Bank
Self-Help
State Farm Bank
SunTrust Bank
Wells Fargo Bank

MUNICIPALITIES AND OTHER GOVERNMENT AGENCIES

Chapel Hill Transit
City of Durham
NC Department of Administration
Durham County
Durham Public Schools
Durham Technical Community College
Housing Authority of the City of Durham
NCDOT
Orange County
Orange Water and Sewer Authority
Person County
Town of Chapel Hill

OTHER

Allenton Management
AND Associates
Builders of Hope
BCG Properties
Blanchard, Miller, Lewis & Styers Attorneys at Law
Blue Cross & Blue Shield of NC
Boulevard Properties
Bugg & Wolf Attorneys at Law
Carolina Land Acquisitions
CRC Health Corporation
Development Ventures Inc.
Duke Energy
Durham Academy

Durham Rescue Mission
Durham Technical Community College
Edward Jones Trust Company
Farrington Road Baptist Church
Forest History Society
GBS Properties of Durham, LLC
Hayden Stanziale
Georgia Towers, LLC
Hawthorne Retail Partners
Integral
Investors Title Insurance
IUKA Development
Joelepa Associates LP
John and Mary Hebrank
LCFCU Financial Partners
Manor Associates
McDonald's USA
Northgate Realty, LLC
Property Advisory Services, Inc.
Rand Enterprises
Research Triangle Foundation
Sehed Development Corporation
Simba Management
Southwest Durham Partners, LLC
Stirling Bridge Group, LLC
Styers, Kemeraite & Mitchell, PLLC
Talbert & Bright Attorneys at Law
Teer Associates
Thalle Construction
The Bogey Group
TKTK Accountants
Treyburn Corporate Park, LLC
Trinity Properties
UNC Hospitals
Voyager Academy
Wilhekan Associates

In addition, Mr. Smith has made appraisals for other lending institutions, municipalities, individuals, corporations, estates and attorneys. Appraisal assignments have been made throughout the Triangle, North Carolina, and South Carolina.

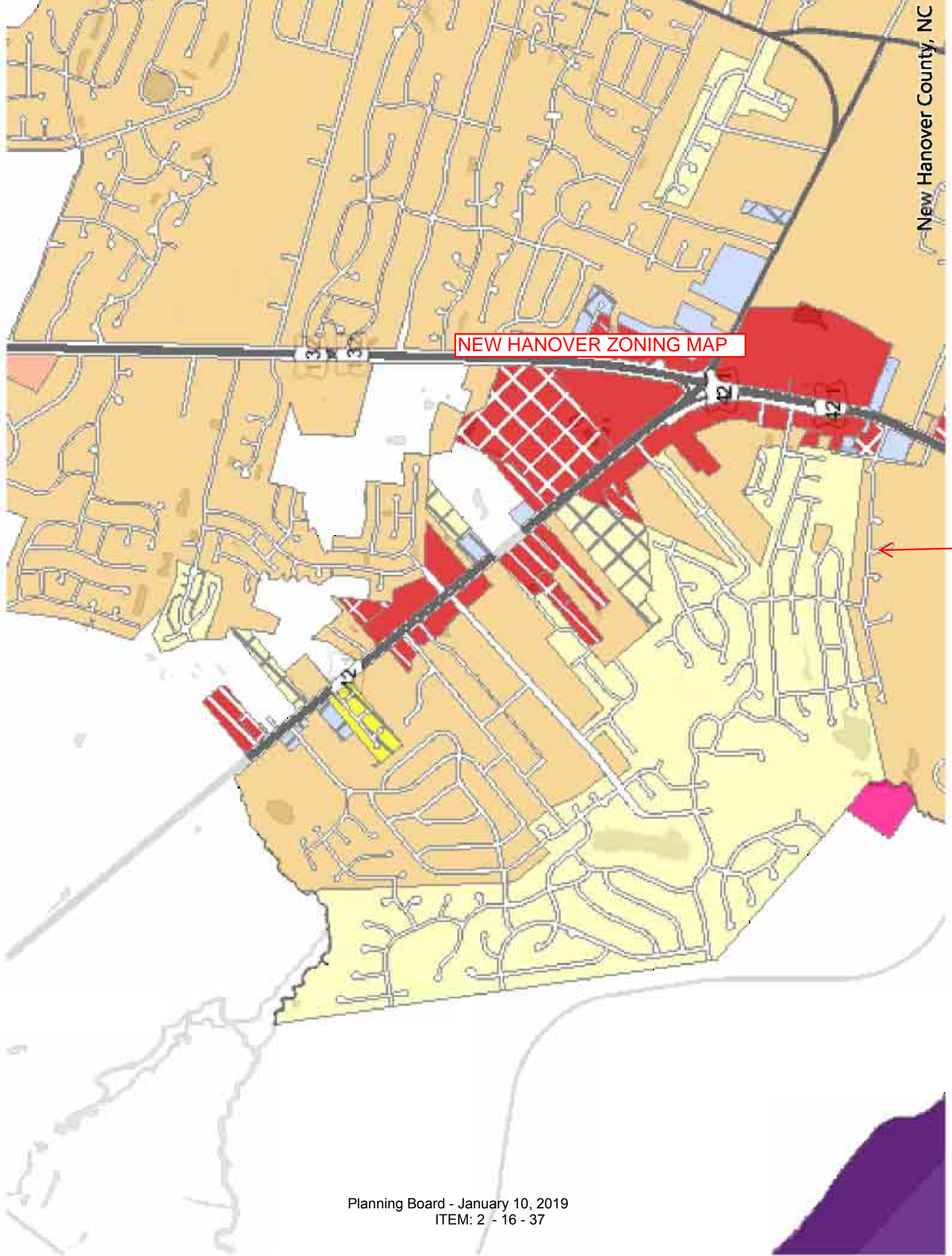
Properties appraised include all types of single family residential, multi-family residential, office, retail, commercial, industrial, churches, schools and other specialty type uses, vacant and improved, existing and proposed.

Appraisal assignments were for a variety of purposes including: mortgage loans, estate planning, condemnation, bankruptcy and equitable distribution.

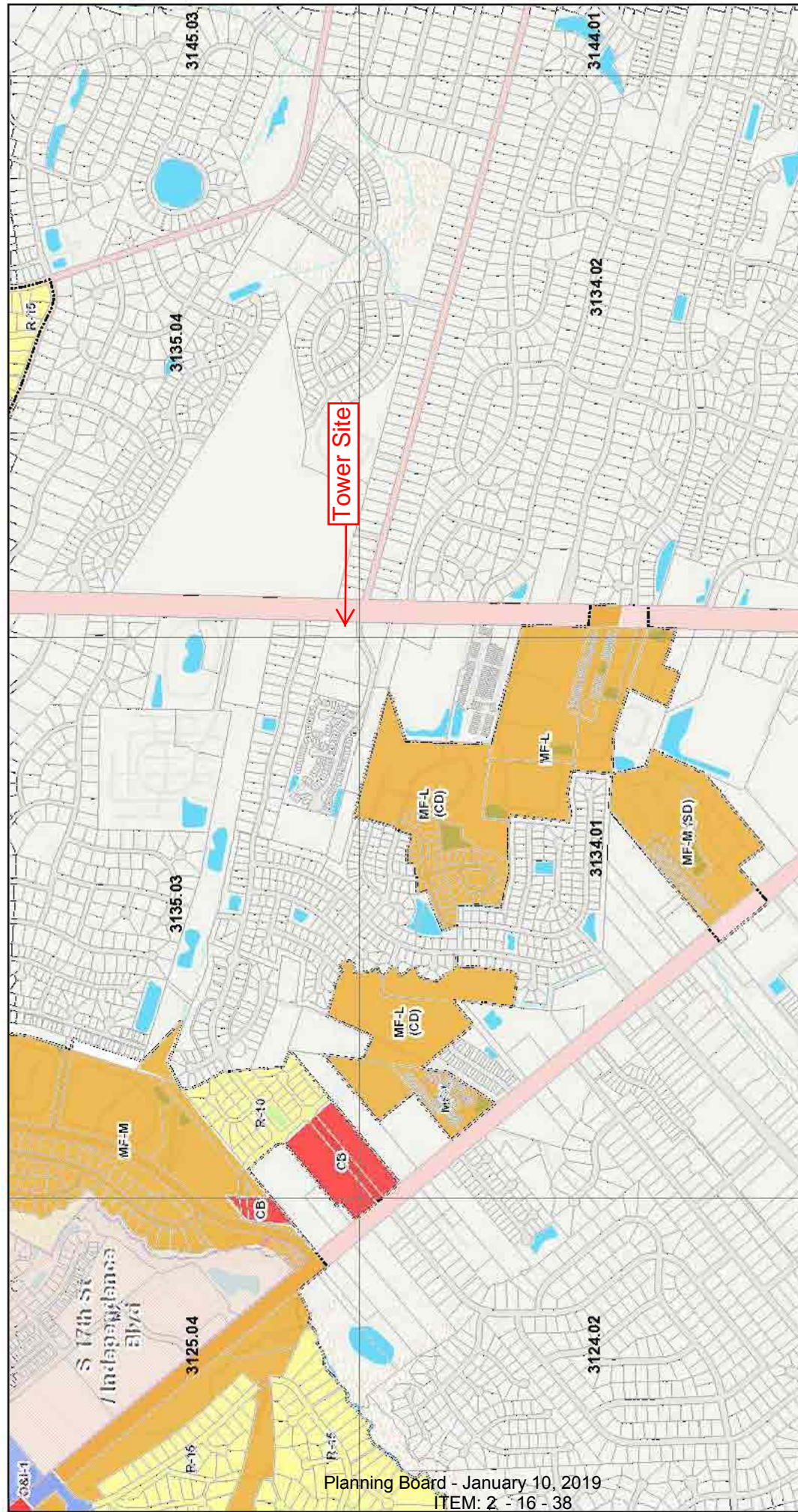
ADDENDA



NEW HANOVER ZONING MAP



City of Wilmington Zoning Viewer



Planning Board - January 10, 2019
ITEM: 2 - 16 - 38

November 5, 2018



PARID: R07110-001-024-000
ARAB SHRINE CLUB H CORP

4510 COLLEGE RD S

Parcel

Alt ID 313518.40.7153.000
Address 4510 S COLLEGE RD
Unit
City WILMINGTON
Zip Code -
Neighborhood I5C01
Class LODG-Excluded Clubs/Posts/Lodges
Land Use Code 792-Public Assembly
Living Units
Acres
Zoning R-15-RESIDENTIAL DISTRICT

Legal

Legal Description CLUB TRACT - SHRINE PARK
Tax District FD

Owners (On January1st)

Owner ARAB SHRINE CLUB H CORP
City WILMINGTON
State NC
Country
Zip 28412

THE DATA IS FROM 2018

Sales

Sale Date	Sale Price	Grantee	Grantor	Book	Page	Sale Key
18-OCT-01	\$2,000	WILMINGTON CITY OF	ARAB SHRINE CLUB H CORP	3075	0660	294852
22-DEC-93	\$0	CAPE FEAR UTILITIES INC	ARAB SHRINE CLUB H CORP	1732	1239	294851
01-OCT-77	\$0	ARAB SHRINE CLUB H CORP	* NOT IN SYSTEM *	1116	0245	294850

Sale Details

1 of 3

Sale Date 18-OCT-01
Sale Key 294852
Sale Price \$2,000.00
Grantee WILMINGTON CITY OF
Grantor ARAB SHRINE CLUB H CORP
Sale Source -
Book 3075
Page 0660
Sale Type VACANT
Sale Validity U-Unqualified
Sale Flag
STEB
Instrument #
Instrument Type Easement
Adj. Reason
Adj. Price
Adj. Amount
Link [Click Here](#) to view the deed for this parcel

Commercial

Card	1
Building Number	1
Structure Code/Description	REL-REL
Improvement Name	SHRINE CLUB
Units	1
Year Built	1985
Effective Year Built	1996
Grade	C+
Class	E-EXMPT
Other Improvements	
Other Imp Value	
Total Under Roof	8000
Building Factor	1
Percent Complete	%
Percent Good	69%
Notes	

Other Feature Details

1 of 4

Card	1
Int/Ext Line	1
Area	
Measurement 1	1
Measurement 2	440
Identical Units	1

Summary of Interior/Exterior Data

Card	Line Number	Section	From Floor	To Floor	Area
1	1	1	01	01	8,000

Interior/Exterior Details

Card	1
Line Number	1
Section	1
From Floor	01
To Floor	01
Area	8,000
Use Group	REL
Class	
Physical Condition	A
Construction	5-5
Wall Height	12
Interior Wall	3-3
Air	1-1
Plumbing	1-1
Units	
Functional Depr.	
Economic Depr.	

Summary of All Other Features

Card	Int/Ext Line	Area
1	1	
1	1	
1	1	
1	1	

THE DATA IS FROM 2018

Misc. Improvements

Card	Desc	Year Built	Grade	Width	Length	Area
1	CP-CP	1999	D	20	58	1,160

1	UB-UB	1998	B	18	36	648
1	PA-PA	1991	C	240	100	24,000
1	YL-YL	1991	C	9	1	1

THE DATA IS FROM 2018

[Permits](#)

Permit #	Permit Date	Flag	Purpose	Amount
31967	01-FEB-1990	C		\$800.00
69745	01-AUG-1997	C		\$20,000.00
32563	01-DEC-2005	C	CELL	\$60,000.00
12-4382	01-MAY-2012	C	MISC	\$12,500.00

[Land](#)

Line Number	1
Land Type	A-ACREAGE
Land Code	R3
Square Feet	190357
Acres	

THE DATA IS FROM 2018

[Values](#)

Year	2018
Total Land	\$248,900
Total Buildings	\$614,400
Appraised Total	\$863,300

MARKET VALUE SHOWN - EXEMPTIONS TO BE REFLECTED IN AUG BILLS

THE DATA IS FROM 2018

[Legal Description](#)

Legal Description	CLUB TRACT - SHRINE PARK
Tax District	FD
Subdivision Code	
Subdivision Name	

Exemption Code	EX
----------------	----

Exemption Amount	863300
------------------	--------

[Sub-parcel\(s\) Info](#)

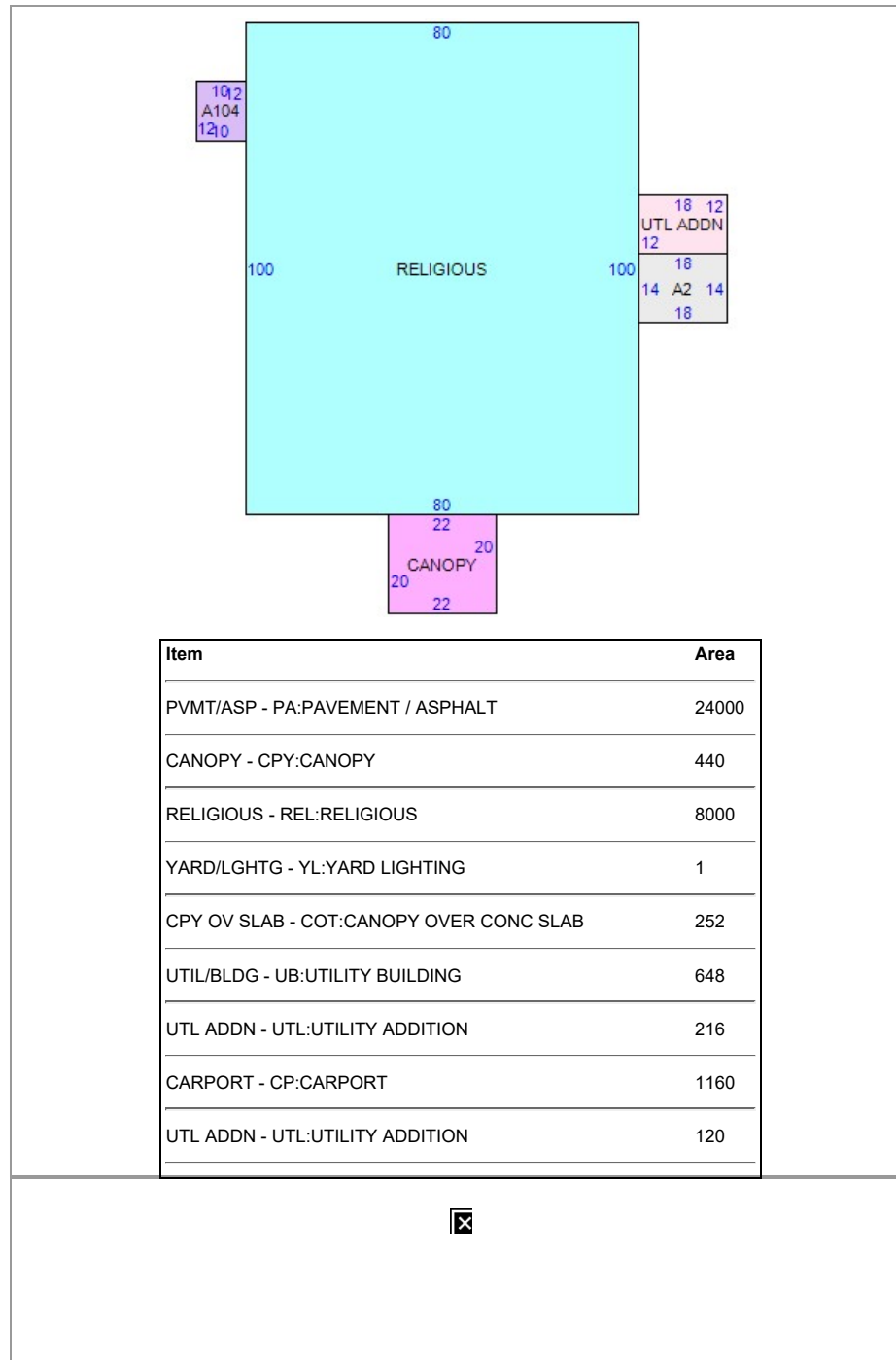
PARENT BOOK	PARENT PAGE	CHILD PARCEL	CHILD BOOK	CHILD PAGE	SPLIT/COMBO #	TAX YEAR
		R07110-001-025-000			19460	1991

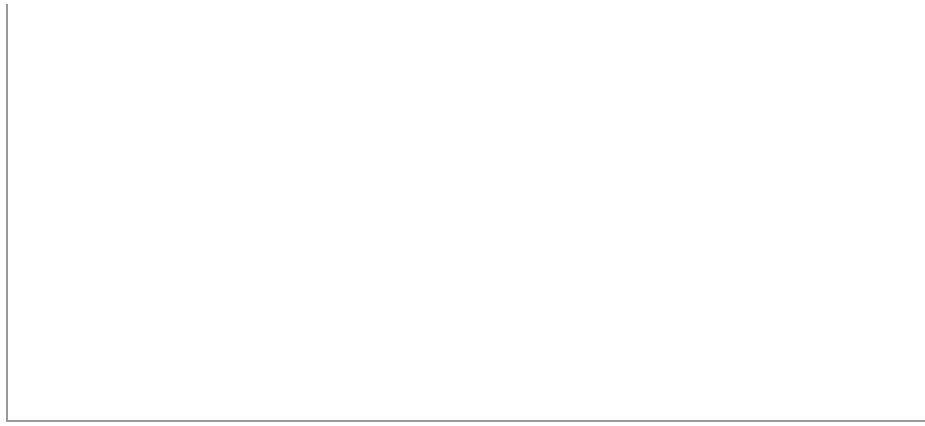
[Sub-parcel\(s\) Info](#)

SPLIT/COMBO # 19460
 CODE T
 PARENT PARCEL R07110-001-024-000
 PARENT BOOK
 PARENT PAGE
 CHILD PARCEL R07110-001-025-000
 CHILD BOOK
 CHILD PAGE
 WHO CONVERT

Original Parcel Info

PARENT PARCEL	PARENT BOOK	PARENT PAGE	ACRES	SQ. FT.	CODE	SPLIT/COMBO #	TAX YEAR
R07110-001-025-000					S	19513	1991





STATE OF NORTH CAROLINA

600/1116 INF 245

ADMITTED TO RECORD
BOOK _____ PAGE _____
FILE NO. _____

OCT 20 11 52 AM '77

COUNTY OF NEW HANOVER

LOIS C LERAY
REGISTRAR
NEW HANOVER CO., N.C.

THIS DEED, made this _____ day of _____

and between ARAB SHRINE CLUB OF WILMINGTON, N.C., INC., a North Carolina corporation, party of the first part, and ARAB SHRINE CLUB HOLDING CORPORATION, a North Carolina corporation, party of the second part;

W I T N E S S E T H:

18 That the said party of the first part for and in consideration of the sum of Ten (\$10.00) Dollars, and other valuable considerations to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has given, granted, bargained and sold, aliened and conveyed, and by these presents does hereby give, grant, bargain and sell, alien, convey and confirm unto the said party of the second part and to its successors and assigns forever, all that certain tract or parcel of land lying and being in the County of New Hanover, Masonboro Township, State of North Carolina, and more particularly described as follows, to-wit:

TRACT I

Beginning at a point in the Western right of way line of N.C. Highway #132 (200.0 foot right of way) where said Western right of way line is intersected by the Northern right of way line of Sudan Drive (60.0 foot right of way) as shown on a map recorded in Deed Book 1006 at Page 147 of the New Hanover County Registry, said point also being North 05 degrees 10 minutes East 30.91 feet from the intersection of said Western right of way line of N.C. Highway #132 and the centerline extended of Mohican Trail (60.0 foot right of way; S.R. #1565); running thence from said point of beginning along the Northern right of way line of said Sudan Drive North 70 degrees 55 minutes West 17.55 feet to the P.C. of Curve #1 (centerline curve data: delta - 45-00-00, tangent - 100.0', radius - 241.42'); thence with said Northern right of way line as it curves to the South, South 86 degrees 35 minutes West 207.74 feet (chd. dist.) to the P.T. of said curve #1; thence continuing with said Northern right of way line South 64 degrees 05 minutes West 117.63 feet to the P.C. of curve #2 (centerline curve data: delta - 45-00-00, tangent 100.00', radius - 241.42') thence with said Northern right of way line as it curves to the West South 86 degrees 35 minutes West 161.81 feet (chd. dist.) to the P.T. of said curve #2; thence continuing with said Northern right of way line North 70 degrees 55 minutes West 287.31 feet to a point; thence North 19 degrees 05 minutes East 449.20 feet to a point; thence South 70 degrees 55 minutes East 673.83 feet to a point in said Western right of way line of N.C. Highway #132; thence with said Western right of way line South 05 degrees 10 minutes West 231.39 feet to the point of beginning and containing 6.143 acres. Including a 30.0 foot wide drainage easement being more particularly described as follows: Beginning at a point in the Western right of way line of N.C. Highway #132 (200.00 foot right of way), said point being North 05 degrees 10 minutes East 200.42 feet from the intersection of said Western right of way line of N.C. Highway #132 and the Northern

LAW OFFICES
BURNETT, BURNETT, BAREFOOT & BAIN
110 NORTH FIFTH AVENUE POST OFFICE BOX 89
WILMINGTON, N. C. 28401

right of way line of Sudan Drive (60.0 foot right of way) as shown on a map recorded in Deed Book 1006 at Page 147 of the New Hanover County Registry; running thence from said point of beginning North 70 degrees 55 minutes West 651.26 feet to a point; thence South 19 degrees 05 minutes West 419.20 feet to a point in said Northern right of way line of Sudan Drive; thence with said Northern right of way line North 70 degrees 55 minutes West 30.0 feet to a point, thence North 19 degrees 05 minutes East 449.20 feet to a point; thence South 70 degrees 55 minutes East 673.83 feet to a point in said Western right of way line of N.C. Highway #132; thence with said Western right of way line South 05 degrees 10 minutes West 30.97 feet to the point of beginning.

TRACT II

Beginning at a point in the Western right of way line of N.C. Highway #132 (200.00 foot right of way) where said Western right of way line is intersected by the Southern right of way line of Sudan Drive (60.0 foot right of way) as shown on a map recorded in Deed Book 1006 at Page 147 of the New Hanover County Registry, said point also being South 05 degrees 10 minutes West 30.91 feet from the intersection of said Western right of way line of N.C. Highway #132 and the centerline extended of Mohican Trail (60.0 foot right of way; S.R. #1565); running thence from said point of beginning along said Western right of way line South 05 degrees 10 minutes West 231.39 feet to a point; thence North 70 degrees 55 minutes West 512.69 feet to the P.T. of curve #2 of Sudan Drive (centerline curve data: delta - 45-00-00, tangent - 100.00', radius - 241.42'); thence with said Southern right of way line as it curves to the North, North 86 degrees 35 minutes East 207.74 feet (chd. dist.) to the P.C. of said curve #2; thence with said Southern right of way line North 64 degrees 05 minutes East 117.63 feet to the P.T. of curve #1 (centerline curve data: delta - 45-00-00, tangent - 100.00', radius - 241.42'); thence with said Southern right of way line as it curves to the East North 86 degrees 35 minutes East 161.81 feet (chd. dist.) to the P.C. of said curve #1; thence continuing with said Southern right of way line South 70 degrees 55 minutes East 32.42 feet to the point of beginning and containing 1.355 acres.

TRACT III being in the City of Wilmington, County of New Hanover, State of North Carolina, and described as follows:

Beginning in the Northern line of Nun Street at a point 150 feet East from the Eastern line of Front Street, and from said point of beginning; running thence East along the said Northern line of Nun Street 90 feet; thence North and parallel with Front Street 132 feet; thence West and parallel with Nun Street 75 feet; thence South and parallel with Front Street 66 feet; thence West and parallel with Nun Street 15 feet; thence South and parallel with Front Street 66 feet to the point of beginning, being a part of Lots 5 and 6, in Block 113, according to the official plan of the City of Wilmington.

Together with a free and perpetual right of way and easement at any and all times for persons, teams, horses and vehicles of all classes and character to pass and repass in, over, through, upon and across that certain strip or parcel of land lying, being and situate in the City of Wilmington, County of New Hanover and State of North Carolina, and bounded and described as follows, to-wit:

Beginning at a point in the Western line of Second Street 94 feet and 9 inches North from the Northern line of Nun Street, and running thence North along said Western line of Second Street 9 feet; thence West parallel with Nun Street 90 feet; thence South parallel with Second Street 9 feet; and thence East parallel with Nun Street 90 feet to the Western line of Second Street, the beginning, being a part of Lot 5, in Block 113, according to the official plan of the City of Wilmington, and being the same easement set forth and described in a deed between Charles L. Dickinson and wife, Lillie W. Dickinson, party of the first part, and W. A. Dick and wife, Nellie Draper Dick, parties of the second part, dated February 12, 1912, and duly recorded in the Office of the Register of Deeds of New Hanover County in Book 66, at Page 611, reference to which is hereby specifically made.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights privileges, easements, tenements and appurtenances thereunto belonging, or in anywise appertaining unto the said party of the second part, its successors and assigns, in fee simple FOREVER.

And the said party of the first part, for itself, its successors and assigns, does covenant to and with the said party of the second part, its successors and assigns, that it is seized in fee of the above granted and described premises, and has good right to sell and convey the same in fee simple; and that the same are free and clear from any and all encumbrances, save and except hereinabove set out, and that it will and its successors and assigns, shall WARRANT and DEFEND the title to the same against the lawful claims and demands of any and all persons whomsoever.

IN TESTIMONY WHEREOF, ARAB SHRINE CLUB OF WILMINGTON, N.C., INC., has caused this instrument to be executed in its respective corporate name and its corporate seal affixed by its duly authorized officer all the day and year first above written.

ARAB SHRINE CLUB OF WILMINGTON, N.C., ^{INC}~~INC~~.

ATTEST:

BY:

Clinton L. Hines
President

James E. England
Secretary

NO CORPORATE SEAL AFFIXED

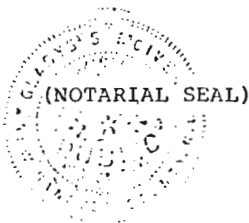
STATE OF NORTH CAROLINA

BOOK 1116 PAGE 248

COUNTY OF NEW HANOVER

I, Gladys S. McIver, a Notary Public
in and for said county and state aforesaid, do hereby certify that
James W. Campbell personally appeared before
me this day and acknowledged that he is the Secretary of ARAB SHRINE
CLUB OF WILMINGTON, N.C., INC., a corporation, and that by authority
duly given and as the act of the corporation, the foregoing instrument
was signed in its name by its President, sealed with its corporate
seal and attested by him self as its Secretary.

WITNESS my hand and seal, this 13 day of September,
19 77.



Gladys S. McIver
Notary Public
My Commission Expires: 5/16/80

STATE OF NORTH CAROLINA
New Hanover County

The Foregoing Certificate of

Gladys S. McIver, a
Notary Public
is certified to be correct.

This the 20 day of Oct. 19 77

Drawn By BBB&B

Lois C. LeRay, Register of Deeds
By Caroline J. Clark, Deputy

Received and Recorded
10/20/77 11:52 A M

Lois C. LeRay
Register of Deeds

PHOTOGRAPHS OF SUBJECT



Street Scene along College Street in front of Site



Street Scene along Jasmine Cove Way in front of Site

PHOTOGRAPHS OF SUBJECT



View of Shriner Improvements



Area of Tower (Tower Site in Carport on Left)

PHOTOGRAPHS OF SUBJECT



Park to the West of Tower Property



View of Tower Site from Park

PHOTOGRAPHS OF SUBJECT



View of Townhouses West of Park



Existing Cell Antenna

PHOTOGRAPHS OF SUBJECT



View of Pine Hollow Street



Dwellings on Pine Hollow Street

NOTES:

- 1. THE BASIS OF THE BEARINGS AND COORDINATES IS THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM (NAD 83/2011) BASED ON DIFFERENTIAL GPS OBSERVATIONS PERFORMED ON AUGUST 15, 2018.
- 2. VERTICAL INFORMATION SHOWN, BASED ON THE NORTH AMERICAN VERTICAL DATUM OF NAVD 1988 IN FEET.
- 3. ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED.
- 4. THE TOWER IS LOCATED IN ZONE "X." AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN ACCORDING TO FEMA COMMUNITY PANEL #3720313500J, EFFECTIVE APRIL 3, 2006, AND PANEL #3720313400J, EFFECTIVE APRIL 3, 2006.

LEGEND

- EXIST. PROPERTY LINE
- EXIST. UTILITY POLE
- EXIST. TELCO PEDESTAL
- PROPERTY CORNER
- 200--- EXIST. CONTOUR LINE
- EDGE OF PAVEMENT
- OHW--- OVERHEAD WIRE
- R/W--- RIGHT-OF-WAY
- X CHAIN LINK FENCE
- EXISTING TREE LINE

PROPERTY INFORMATION

NO.	PARCEL ID:	N/F PROPERTY OWNER	DEED REFERENCE
A	R07110-001-094-000	JAS COVE/SILV CRK VILL HOA	2091-757
B	R07110-001-061-000	ERIC J GRAF ETAL	2644-004
C	R07110-001-060-000	CHAD M PORTER	3357-904
D	R07110-001-059-000	CRAIG P THEMAN	5574-2143
E	R07110-001-058-000	MELISSA M & MICAH R PHELPS	4632-088
F	R07110-001-057-000	BRIAN MARSHA ROUSE	5735-1926
G	R07110-001-056-000	WILLIAM & JUDY F HARRISON	1825-556
H	R07110-001-055-000	KEVIN D & AMY F JAVORSKY	4532-825
I	R07110-003-011-000	SOUTH COLLEGE ASSOCIATES	3158-789

SITE PLAN

SCALE: 1" = 60'

Planning Board January 10, 2019

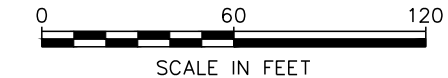
ITEM: 2 - 16 - 53

N/F
JASMINE COVE HOA ETAL
PARCEL ID: R07110-001-025-000
DB 2091 PG 757
PB 32 PG 42

EXISTING DITCH
EXISTING EARTHEN PATH
EXISTING BUILDING
PROPOSED UNIPOLE TOWER. SEE SHEET L-3 FOR ELEVATION.
EXISTING OPEN-SIDED CARPORT TO BE RELOCATED (TYP OF 2)
EXISTING OVERHEAD WIRE TO BE BURIED
PROPOSED 25' WIDE LANDSCAPING BUFFER
EXISTING TREE TO BE REMOVED
PROPOSED OPEN-SIDED CARPORT AND CONCRETE PAD (TYP OF 3)
PROPOSED 50'X50' FENCED COMPOUND INSIDE A 125'X80' LEASE AREA. SEE SHEET L-2 FOR DETAILS.

N/F
ARAB SHRINE CLUB H CORP
PARCEL ID: R07110-001-024-000
DB 3075 PG 660

JASMINE COVE WAY
(60' PUBLIC R/W)



PLANS PREPARED FOR:



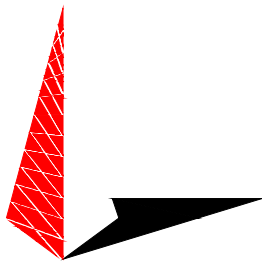
COMMUNICATIONS TOWER GROUP LLC
15720 BRIXHAM HILL AVE., STE 300
CHARLOTTE, NC 28277

PROJECT INFORMATION:

MOHICAN TRAIL/
ARAB SHRINE CLUB
SITE ID:CTG-NC 0010041

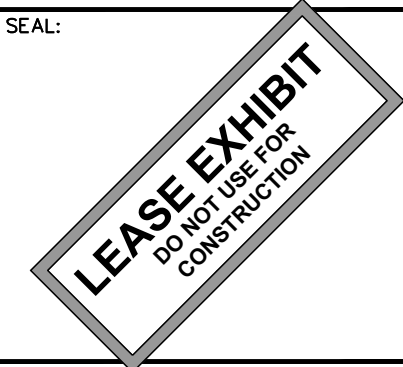
4510 S COLLEGE RD.
WILMINGTON, NC 28412
(NEW HANOVER COUNTY)

PLANS PREPARED BY:



TOWER ENGINEERING PROFESSIONALS
326 TRYON ROAD
RALEIGH, NC 27603-3530
OFFICE: (919) 661-6351
www.tepgroup.net
N.C. LICENSE # C-1794

SEAL:



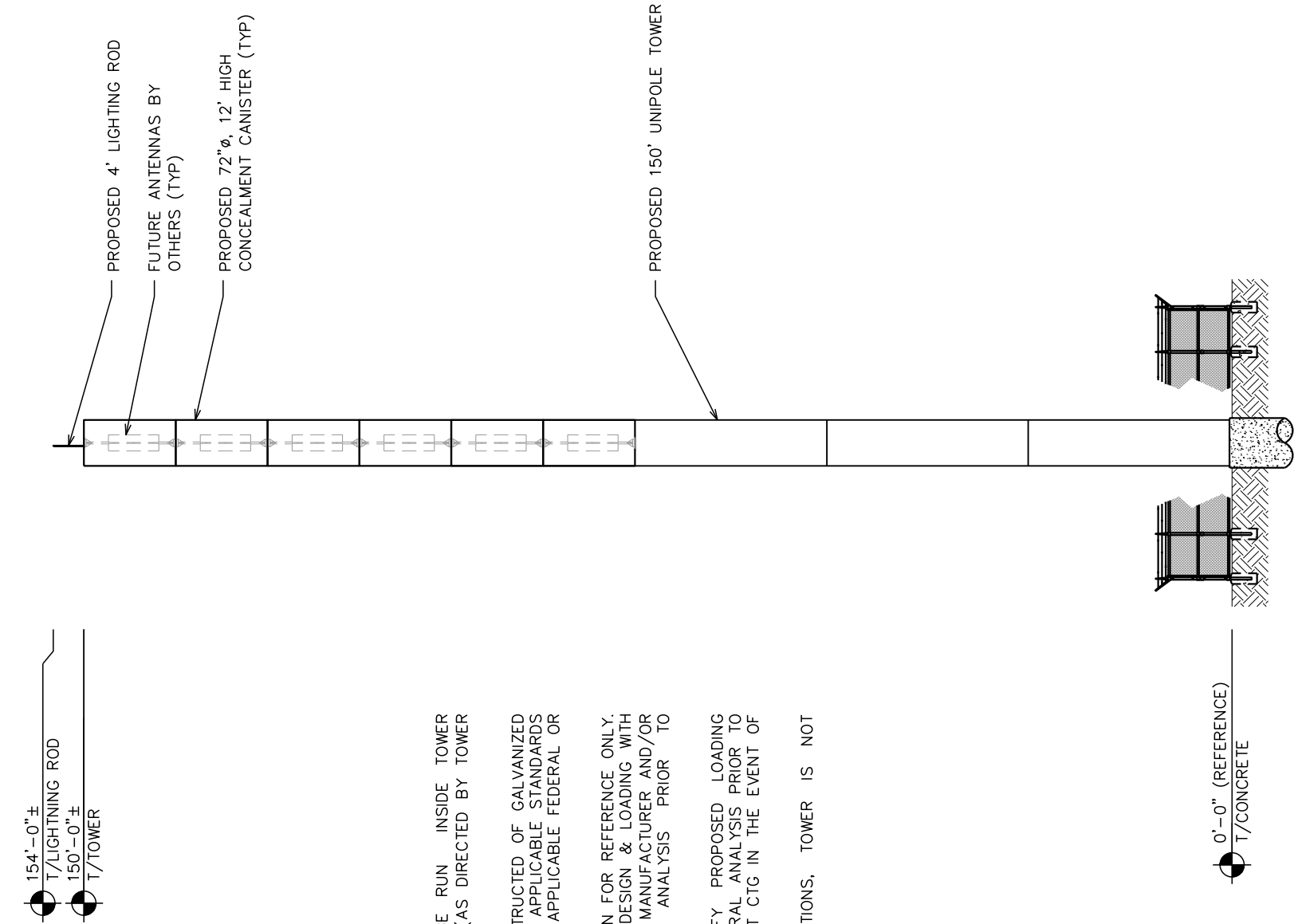
5	09-12-18	LEASE EXHIBIT
4	09-06-18	LEASE EXHIBIT
3	09-06-18	LEASE EXHIBIT
2	09-05-18	LEASE EXHIBIT
REV	DATE	ISSUED FOR:

DRAWN BY: JKW CHECKED BY: JKW

SHEET TITLE:

LEASE EXHIBIT

SHEET NUMBER: L-1	REVISION: 5 TEP #: 144337
-----------------------------	--



NOTES:

1. PROPOSED COAX TO BE RUN INSIDE TOWER USING HOISTING GRIPS (AS DIRECTED BY TOWER MANUFACTURER).
2. TOWER SHALL BE CONSTRUCTED OF GALVANIZED STEEL OR PAINTED PER APPLICABLE STANDARDS OF THE FAA OR OTHER APPLICABLE FEDERAL OR STATE AGENCY.
3. TOWER ELEVATION SHOWN FOR REFERENCE ONLY. VERIFY ACTUAL TOWER DESIGN & LOADING WITH TOWER DRAWINGS FROM MANUFACTURER AND/OR PASSING STRUCTURAL ANALYSIS PRIOR TO CONSTRUCTION.
4. CONTRACTOR TO VERIFY PROPOSED LOADING WITH PASSING STRUCTURAL ANALYSIS PRIOR TO CONSTRUCTION. CONTACT CTG IN THE EVENT OF ANY DISCREPANCIES.
5. AS PER FCC REGULATIONS, TOWER IS NOT REQUIRED TO BE LIT.

TOWER ELEVATION
SCALE: 1" = 20'

0 20 40
SCALE IN FEET

PLANS PREPARED FOR:



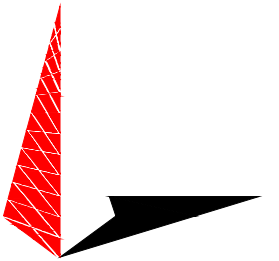
COMMUNICATIONS TOWER GROUP LLC
15720 BRIKHAM HILL AVE., STE 300
CHARLOTTE, NC 28277

PROJECT INFORMATION:

**MOHICAN TRAIL/
ARAB SHRINE CLUB**
SITE ID:CTG-NC 0010041

4510 S COLLEGE RD.
WILMINGTON, NC 28412
(NEW HANOVER COUNTY)

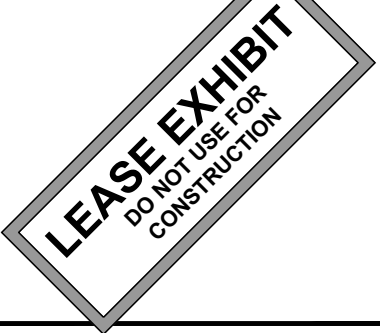
PLANS PREPARED BY:



TOWER ENGINEERING PROFESSIONALS

326 TRYON ROAD
RALEIGH, NC 27603-3530
OFFICE: (919) 661-6351
www.tepgroup.net
N.C. LICENSE # C-1794

SEAL:



4	09-06-18	LEASE EXHIBIT
3	09-06-18	LEASE EXHIBIT
2	09-05-18	LEASE EXHIBIT
1	09-05-18	LEASE EXHIBIT
REV	DATE	ISSUED FOR:

DRAWN BY: JKW CHECKED BY: JKW

SHEET TITLE:

TOWER ELEVATION

SHEET NUMBER:

L-3

REVISION:

4

TEP #: 144337



New Hanover County, NC

DEER CROSSING AND NEARBY TOWER

Tower

Deer Crossing



**THE SKY'S THE LIMIT.
THE CLASSROOM IS THE BEGINNING.**



**LEARN
MORE**



Tower Detail (Not Registered) - Tower (8)



• Ownership Info

Owner	Company:	AMERICAN TOWERS, INC.	Address:	Not Recorded
	Contact:	Not Recorded		
	Phone:	Not Recorded		
	Email:	Not Recorded		

• Structure Characteristics

Filing #:	2012-ASO-7284-OE	Ground Elev:	19.0 feet
Latitude:	34.117	Height Of Structure:	147.0 feet
Longitude:	-77.889	Overall Height:	166.0 feet
Structure Type:	Tall Structure	Structure Address:	Not Recorded
Status:	Unknown		
Date Filed:	08/01/2012		

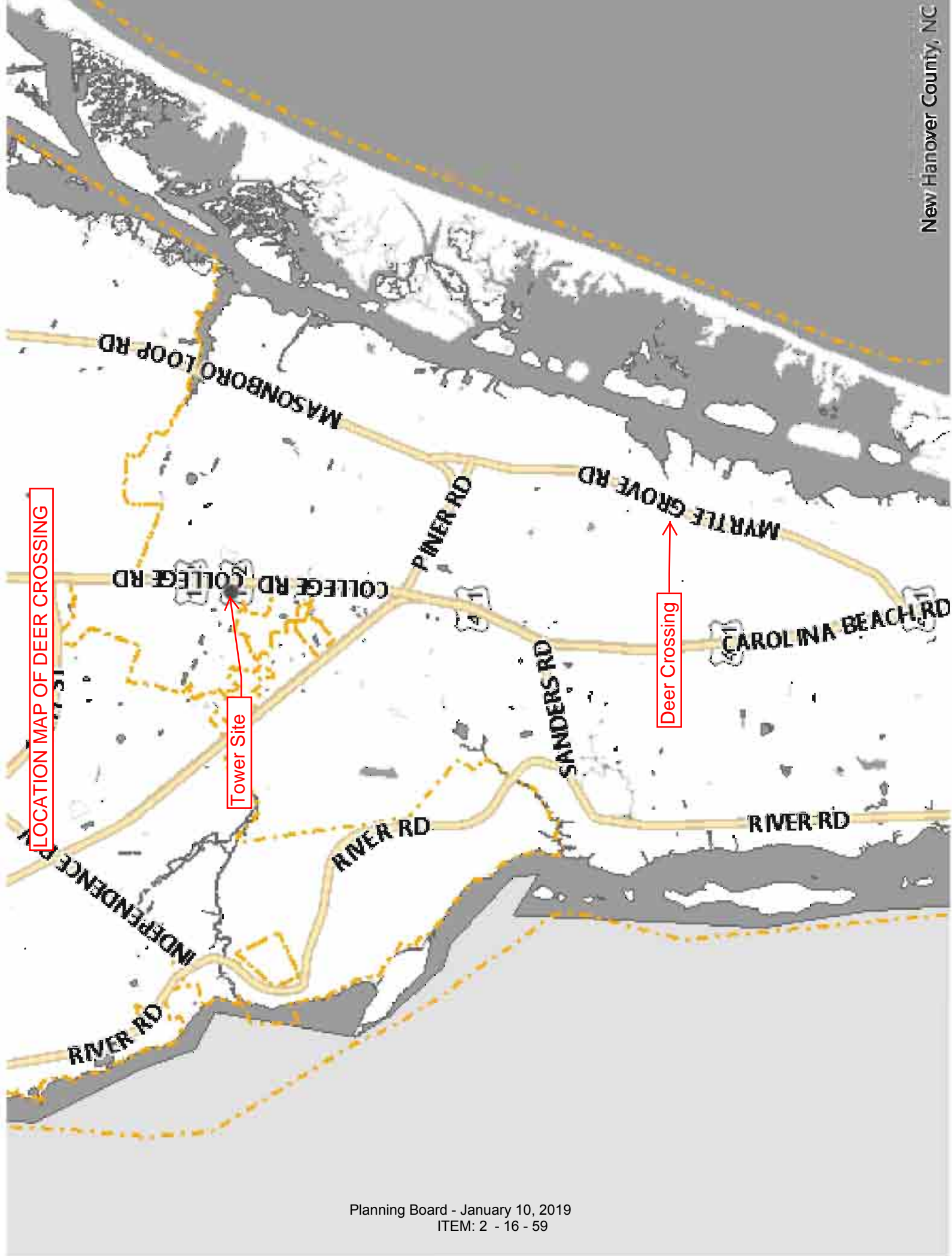
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improved communications
and lowered costs with
Unified Communications



Business
U.S. Cellular

Read Testimonial



PHOTOGRAPHS OF SUBJECT



Deer Crossing Dwellings with Tower Through Woods



Deer Crossing Dwellings with Tower Through Woods

PHOTOGRAPHS OF SUBJECT



Deer Crossing Dwellings with Tower Through Woods



Deer Crossing Properties Adjacent to Cell Tower

PHOTOGRAPHS OF SUBJECT



Cell Tower as seen from Fawn Settle Drive



View of Tower Across Backyard

PHOTOGRAPHS OF SUBJECT



View of Tower Across Backyard



Cell Tower as seen from Fawn Settle Drive

PHOTOGRAPHS OF SUBJECT



Cell Tower as seen from Fawn Settle Drive



View of Tower Across Backyard

PHOTOGRAPHS OF SUBJECT



View of Tower Across Backyard



View of Tower Across Backyard

PHOTOGRAPHS OF SUBJECT



View of Tower Across Backyard

PROPOSED SITE PLAN

NOTES:

1. THE BASIS OF THE BEARINGS AND COORDINATES IS THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM (NAD 83/2011) BASED ON DIFFERENTIAL GPS OBSERVATIONS PERFORMED ON AUGUST 15, 2018.
2. VERTICAL INFORMATION, SHOWN, BASED ON THE NORTH AMERICAN VERTICAL DATUM OF NAVD 1988 IN FEET.
3. ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED.
4. THE TOWER IS LOCATED IN ZONE "X." AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN ACCORDING TO FEMA COMMUNITY PANEL #3720313500J, EFFECTIVE APRIL 3, 2006, AND PANEL #3720313400J, EFFECTIVE APRIL 3, 2006.

LEGEND

- EXIST. PROPERTY LINE
- ⊙ EXIST. UTILITY POLE
- ⊕ EXIST. TELCO PEDESTAL
- PROPERTY CORNER
- 200--- EXIST. CONTOUR LINE
- /// EDGE OF PAVEMENT
- OHW--- OVERHEAD WIRE
- R/W--- RIGHT-OF-WAY
- X— CHAIN LINK FENCE
- ~~~~~ EXISTING TREE LINE

PROPERTY INFORMATION

NO.	PARCEL ID:	N/F PROPERTY OWNER	DEED REFERENCE
A	R07110-001-094-000	JAS COVE/SILV CRK VILL HOA	2091-757
B	R07110-001-061-000	ERIC J GRAF ETAL	2644-004
C	R07110-001-060-000	CHAD M PORTER	3357-904
D	R07110-001-059-000	CRAIG P THEMAN	5574-2143
E	R07110-001-058-000	MELISSA M & MICAH R PHELPS	4632-088
F	R07110-001-057-000	BRIAN MARSHA ROUSE	5735-1926
G	R07110-001-056-000	WILLIAM & JUDY F HARRISON	1825-556
H	R07110-001-055-000	KEVIN D & AMY F JAVORSKY	4532-825
I	R07110-003-011-000	SOUTH COLLEGE ASSOCIATES	3158-789

SITE PLAN

SCALE: 1" = 60'

Planning Board - January 10, 2019

ITEM: 2-18-1

N/F
JASMINE COVE HOA ETAL
PARCEL ID: R07110-001-025-000
DB 2091 PG 757
PB 32 PG 42

EXISTING DITCH

PROPOSED 150' FALL ZONE RADIUS

EXISTING EARTHEN PATH

EXISTING BUILDING

PROPOSED UNIPOLE TOWER. SEE SHEET C-3 FOR ELEVATION.

EXISTING OPEN-SIDED CARPORT TO BE RELOCATED (TYP OF 2)

EXISTING OVERHEAD WIRE TO BE BURIED

PROPOSED 25' WIDE LANDSCAPING BUFFER. SEE SHEETS L-1 & L-2 FOR DETAILS

EXISTING TREE TO BE REMOVED

PROPOSED OPEN-SIDED CARPORT AND CONCRETE PAD (TYP OF 3)

PROPOSED 50'X50' FENCED COMPOUND INSIDE A 125'X80' LEASE AREA. SEE SHEET C-2 FOR DETAILS.

PROPOSED CLEARING LIMITS

N/F
ARAB SHRINE CLUB H CORP
PARCEL ID: R07110-001-024-000
DB 3075 PG 660

EXISTING 30' DRAINAGE EASEMENT PER DB 1732, PG 1239

EXISTING LIGHT POLE (TYP)

EXISTING TREE (TYP)

EXISTING ASPHALT SECTION TO BE REPAVED. SEE SHEET C-8 FOR DETAILS.

PROPOSED 30' WIDE ACCESS & UTILITY EASEMENT

EXISTING 10' WATER EASEMENT PER DB 1732, PG 1239

EXISTING UTILITY EASEMENT PER DB 3075, PG 660

EXISTING SIGN (TYP)

EXISTING FIBER MARKER (TYP)

EXISTING FIRE HYDRANT

EXISTING GAS MARKER

PROPOSED ASPHALT DRIVEWAY. SEE SHEET C-8 FOR DETAILS

JASMINE COVE WAY
(60' PUBLIC R/W)

0 60 120
SCALE IN FEET

PLANS PREPARED FOR:

CTG

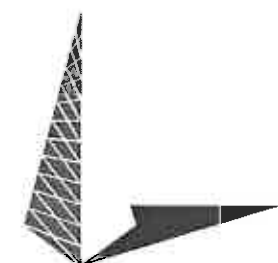
COMMUNICATIONS TOWER GROUP LLC
15720 BRIXHAM HILL AVE., STE 300
CHARLOTTE, NC 28277

PROJECT INFORMATION:

MOHICAN TRAIL/ ARAB
SHRINE CLUB
CTG SITE ID: NC 0010041
SPRINT SITE ID: TBD

4510 S COLLEGE ROAD
WILMINGTON, NC 28412
(NEW HANOVER COUNTY)

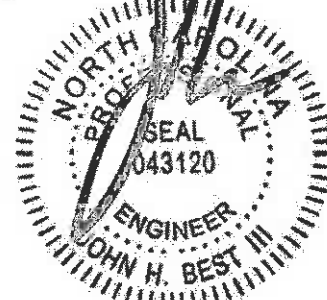
PLANS PREPARED BY:



TOWER ENGINEERING PROFESSIONALS

326 TRYON ROAD
RALEIGH, NC 27603-3530
OFFICE: (919) 661-6351
www.tepgroup.net
N.C. LICENSE # C-1794

SEAL:



November 26, 2018

REV	DATE	ISSUED FOR:
2	11-26-18	CONSTRUCTION
1	11-21-18	PRELIMINARY
0	11-01-18	PRELIMINARY

DRAWN BY: ANG CHECKED BY: JKW

SHEET TITLE:

SITE PLAN

SHEET NUMBER:	REVISION:
C-1	2
	TEP #: 144337