



THE BOARD OF TRUSTEES OF THE TOWN OF MESILLA WILL HOLD A **SPECIAL MEETING ON MONDAY, FEBRUARY 8, 2021 AT 5:00 P.M., VIA TELECONFERENCE 1-346-248-7799, MEETING ID 983-7900-0389 PASSWORD 971704.**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL & DETERMINATION OF A QUORUM
3. CHANGES TO THE AGENDA & APPROVAL
4. AN APPEAL OF A DECISION OF THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION:
 - a) ***A Public Hearing:*** Case 061139 – 1584 West Boutz Road, submitted by Verizon Wireless for Susan Krueger (property owner); a request for a Special Use Permit to allow the construction of a 65-foot high “mono pine” cell tower on a property at this address. Zoned: Rural Farm (RF).
 - b) ***For Approval/Disapproval:*** Case 061139 – 1584 West Boutz Road, submitted by Verizon Wireless for Susan Krueger (property owner); a request for a Special Use Permit to allow the construction of a 65-foot high “mono pine” cell tower on a property at this address. Zoned: Rural Farm (RF). ****After a roll call vote of of the above appeal, a resolution stating the board’s decision and justification shall be approved at the next Board of Trustee meeting****
5. ADJOURNMENT

NOTICE:

If you need an accommodation for a disability to enable you to fully participate in the hearing or meeting, please contact us at 524-3262 at least one week prior to the meeting. The Mayor and Trustees request that all cell phones be turned off or set to vibrate. Members of the audience are requested to step outside the Board Room to respond to or to conduct a phone conversation. A copy of the agenda packet can be found online at www.mesillanm.gov.

Posted 1/21/2020 at the following locations: Town Clerk’s Office 2231 Avenida de Mesilla, Public Safety Building 2670 Calle de Parian, Mesilla Community Center 2251 Calle de Santiago, Shorty’s Food Mart 2290 Avenida de Mesilla, Ristramn Chile Co., 2531 Avenida de Mesilla and the U.S. Post Office 2253 Calle de Parian.

ITEMS RECEIVED FROM THE APPELLANT
January 21, 2021

INTRODUCTION

On November 16, 2020, the Planning, Zoning and Historical Appropriateness Commission (“PZHAC”) of the Town of Mesilla, New Mexico held a public hearing regarding Verizon Wireless’ application for a Special Use Permit (the “Application”) to authorize construction of a 65-foot-high communications tower on certain property owned by Susan A. Krueger and located at 1584 West Boutz Road, Mesilla, New Mexico. The Application was denied on such date by a vote of 0-5. As per the record of the hearing, the Commissioners’ denial relied upon the mistaken belief that the Application violated the Protective Covenants for Mesilla Greens Subdivision (the “Protective Covenants”). *See* page 3 of the PZHAC Public Hearing & Meeting Agenda (November 16, 2020). Eight members of the community spoke out against Verizon Wireless’ Application, relying primarily upon the purported Protective Covenants but also citing concerns about potential health issues, depreciation of property values, and aesthetics. *See* pages 2-3 of the PZHAC Public Hearing & Meeting Agenda (November 16, 2020).

At the conclusion of the hearing, the Commissioners issued PZHAC Resolution 2020-001 formally denying the Application. The Findings of Fact attached to said Resolution only state that the requested Special Use Permit: (a) would be out of character with the Town's Comprehensive Plan; (b) would create a negative impact on the surrounding properties or the Town; and (c) would not be beneficial to the Town. No evidence is provided for these Findings of Fact except to note that the PZHAC “determined from public input, including references by neighboring property owners to a covenant in their deeds restricting towers, that the tower would have negative visual impacts on the immediate area and would be out of character with the historic and aesthetic appeal of the Town.”

The PZHAC erred in denying Verizon Wireless’ Application for several reasons:

- It is uncontested that Verizon Wireless complied with all requirements of the Mesilla Town Code in submitting its Application. The 1584 West Boutz Road site is located in a Rural Farm Zone; as per Section 18.54.060 of the Mesilla Town Code, communications towers up to 65 feet in height are permitted for a single user upon lands zoned for Rural Farm use.

- Verizon Wireless demonstrated that it explored all available alternatives and identified Ms. Krueger’s property as the best location for this facility.
- The Protective Covenants were amended in 2018 for the sole purpose of removing the deed restrictions from the subject property; among other things, such restrictions prohibited the construction of communications towers.
- Denial of the Application on the basis of generalized expressions of concern about aesthetics and property values violates federal law.
- Finally, to the extent that the PZHAC based its denial of the Application on the unsubstantiated health concerns articulated by several community members at the November 16 hearing, such decision violates federal law.

ARGUMENT

1. Verizon Wireless demonstrated that a gap in coverage exists and that the proposed site is the least intrusive available means of addressing such gap.

Through its Application, Verizon Wireless seeks to ensure adequate coverage and service in this section of Mesilla, as required by federal law. This network “infill” is needed to ensure the coverage, functionality, and capacity of its network in the area, making this site of crucial importance to the public, both local to Mesilla and passing through. Furthermore, emergency responders heavily rely on wireless voice and data services to protect the public. Certain materials demonstrating the importance of, and the benefits provided by, the Verizon Wireless network are attached hereto as Exhibit A. Moreover, despite the Finding of Fact attached to PZHAC Resolution 2020-001 stating that granting the Special Use Permit would be out of character with the Town's Comprehensive Plan, a review thereof actually demonstrates that the Verizon network serves many of the Plan’s objectives. Among other things, the Verizon Wireless network would strengthen Mesilla’s infrastructure by providing residents with enhanced internet access and promote public safety by ensuring the reliability, and expanding coverage, of Mesilla’s emergency services. *See* pp 16, 79 and 108 of the Town of Mesilla Comprehensive Plan dated September 5, 2017.

The area within which the Verizon Wireless facility can be effectively located is quite small. Verizon Wireless demonstrated it investigated and considered all possible options within the

potential site area and ultimately eliminated all other properties based on their location, zoning, feasibility, or availability; the proposed location at 1584 West Boutz Road emerged as the only workable site for this wireless facility. The Federal Communication Commission (FCC) requires Verizon Wireless to provide seamless coverage in the areas it is licensed to serve. Accordingly, pursuant to the federal Telecommunications Act (TCA), 47 U.S.C. § 151 *et seq.*, local governments may not prohibit the deployment of wireless facilities if the applicant demonstrates that there is a gap in coverage and that the proposed site is the least intrusive available means by which to address the gap. *See, e.g., T-Mobile Northeast LLC v. Town of Ramapo*, 701 F.Supp.2d 446, 457 (S.D.N.Y. 2009) (noting that “[w]here the plaintiff’s existing proposal is the only feasible plan to close the relevant coverage gap, it seems evident that no less intrusive means is possible, and the application must be granted.”) Verizon Wireless adequately demonstrated these factors in its Application and testimony to the PZHAC at the hearing on November 16, 2020. Consequently, denial of the Application violates the TCA. *See* 47 U.S.C. § 332.

2. The Protective Covenants relied upon by the PZHAC were removed from the subject property in 2018.

The Protective Covenants for Mesilla Greens Subdivision took effect on December 23, 1991. Part II, Section 1(b) of the Protective Covenants bans the operation of any “manufacturing or commercial enterprise or enterprises of any kind for profit” on the subject property; Part II, Section 13 expressly prohibits construction of towers. As evidenced by that certain Amendment to Protective Covenants dated October 31, 2018 and recorded on December 14, 2018 as Instrument No. 1829705 in the Public Records of Dona Ana County, New Mexico (the “Amendment”), however, the term of the Protective Covenants expired on October 30, 2018. A copy of the Amendment is attached hereto as Exhibit B. The Amendment notes that the current Mesilla Town Code contains substantial regulations governing land use and development, thus removing any further need for the Protective Covenants. Pursuant to the Amendment, the deed restrictions which were “to run with the land

and . . . be binding on all parties and all persons claiming under them” were removed *in whole* as of 5:00 p.m. Mountain Time on October 30, 2018.

While in existence, the Protective Covenants were administered by the Administrative Control Committee, which was composed of two persons: Benjamin Boldt and Betty Boldt. Part IV, Section 1(b) of the Protective Covenants authorized the Administrative Control Committee to “modify any deed restriction, which in the judgment of the Administrative Control Committee, has ceased to serve the original intent Any modification shall be in writing and signed by at least a majority of the members of the Administrative Control Committee and filed for record with the County Clerk of Dona Ana County, New Mexico.” Betty Boldt, who was the sole remaining member of the Administrative Control Committee in 2018, chose to exercise such authority and to remove the deed restrictions from the subject property. The Amendment was properly executed and recorded with the County Clerk, as evidenced by Exhibit B attached hereto. Consequently, the principal reason expressed by the Commissioners of the PZHAC at the November 16 hearing for denying Verizon Wireless’ request for a Special Use Permit (*i.e.*, the Protective Covenants) no longer exists.

3. The decision to deny the Application on the basis of generalized expressions of concern about aesthetics and property values violates federal law.

The TCA requires that any decision by a local government “to deny a request to place, construct, or modify personal wireless service facilities be in writing *and supported by substantial evidence contained in a written record.*” 47 U.S.C. § 332(c)(7)(B)(iii) (emphasis added). Although the term substantial evidence is not defined in the TCA, “courts have defined ‘substantial evidence’ to mean ‘such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.’” *Iowa Wireless Servs. v. City of Moline*, 29 F.Supp.2d 915, 921 (C.D.Ill. 1998) (quoting *Illinois RSA No. 3, Inc. v. County of Peoria*, 963 F.Supp. 732, 743 (C.D.Ill. 1997)).

In this case, although some community members expressed vague concerns about the appearance of the tower (more than one referred to it as an “eyesore”), none of them was able to identify any specific aesthetic concerns that would be created by the construction of the tower. *See* pages 2-3 of the PZHAC Public Hearing & Meeting Agenda (November 16, 2020). In addition, one community member observed that “[h]aving the tower next door will devalue the property due to the view” but provided no evidence to support this contention. *See* page 3 of the PZHAC Public Hearing & Meeting Agenda (November 16, 2020). Such vague assertions do not satisfy the requirements of the TCA. For example, in *T-Mobile Northeast LLC*, the court ruled (on facts very similar to the ones here) that “evidence of generalized expressions of concern about aesthetics and property values – along with illegitimate expressions of concern about health hazards” did not rise to the level of substantial evidence within the meaning of the TCA. 701 F.Supp.2d at 463; *see also Iowa Wireless Servs.*, 29 F.Supp.2d at 921 (observing that a “number of district courts have held that the generalized concerns of citizens are insufficient to rise to the level of substantial evidence” within the meaning of the TCA). In the *T-Mobile Northeast LLC* case, the court concluded that the Planning Board’s decision to deny T-Mobile’s application to construct a wireless communications tower on land owned by the Town of Ramapo, New York was not supported by the record and ordered the Town to grant T-Mobile the permit it needed to locate a tower at the site in question. *See* 701 F.Supp.2d at 463.

Even without the case law discussed above, the facts of this case clearly contradict the assertions of the community members. As an initial matter, there are two other wireless communications towers (Four Gins Cotton Mill) located less than one mile from the proposed site of the Verizon Wireless tower. Both of those towers are located upon leased property surrounded by residential homes owned by the Jurado family. Not coincidentally, Mr. Javier Jurado was one of the community members who spoke out against the Verizon Wireless Application, stating that “the tower would be visible from his property and that it would be an eyesore that would negatively affect his

property value.” See page 2 of the PZHAC Public Hearing & Meeting Agenda (November 16, 2020). In addition, the proposed Verizon Wireless tower is a stealth monopine tower that will be constructed in the back of a pecan orchard. The ground equipment will be shielded within a compound wall and will not be visible. While not dispositive, the foregoing certainly undermine any claim that the Verizon Wireless tower would be an eyesore. See, e.g., *C & B Realty Co. v. Town Bd. of Town of Oyster Bay*, 139 A.D.2d 510, 526 (N.Y. App. Div. 1988) (finding that a prior environmental impact ruling that the “project is compatible with its surroundings” undermined the board’s subsequent permit denial).

4. The decision to deny the Application as the result of unsubstantiated health concerns violates federal law.

The TCA is very clear that a local government cannot base a decision to regulate a wireless facility on the environmental effects of radio frequency emissions to the extent that said facility complies with the FCC’s regulations concerning such emissions. Although the term “environmental effects” is not defined in the TCA, it is well-established that “[e]nvironmental effects within the meaning of the provision include health concerns about the biological effects of RF [radio frequency] radiation.” *T-Mobile Northeast LLC*, 701 F.Supp.2d at 460; see also *Freeman v. Burlington Broadcasters, Inc.*, 204 F.3d 311, 325 (2d Cir. 2000) (same). As such, to the extent that the PZHAC based its denial of the Application on the unsubstantiated health concerns articulated by several community members at the November 16 hearing, such decision violates federal law.

CONCLUSION

For the foregoing reasons, Verizon Wireless’ Special Use Permit Application should be approved.

Exhibit A

[See attached.]

Protecting Health and Safety

The health and safety of consumers is the wireless industry's first priority. Here's what you should know about radiofrequency (RF) energy and wireless devices.

Read what the experts say:

- World Health Organization
- American Cancer Society
- Institute of Electrical and Electronics Engineers (IEEE)
- National Institutes of Health – National Cancer Institute
- Federal Communications Commission (FCC)
- Food and Drug Administration

What is RF Energy?

Many devices we use every day—baby monitors, Wi-Fi routers, and garage door openers—transmit information using radio waves. These radio waves emit energy commonly referred to as RF energy.

Experts agree that wireless devices have not been shown to pose a public health risk.

Overwhelming scientific evidence shows no known health risk to humans from RF energy emitted by wireless devices, including smartphones. This evidence includes numerous, independent analyses of peer-reviewed studies conducted over several decades by national and international organizations.

Federal government statistics show the number of brain tumors have decreased since mobile phones were widely introduced in the 1980s while the number of mobile phones and sites has increased significantly, by a factor of 325 and 140, respectively.

Cellular equipment operates within safety limits.

RF energy from antennas used in cellular transmissions, including small cells, result in exposure levels well below FCC safety limits. These limits are based on recommendations from the scientific community and expert non-government organizations. The widely accepted scientific consensus is that towers, small cells, antennas, and other cellular infrastructure pose no known hazard to nearby residents—and as the FCC notes, “the possibility that a member of the general public could be exposed to RF levels in excess of the FCC guidelines is extremely remote.”

FCC regulations protect health and safety.

All wireless devices sold in the U.S. must go through a rigorous approval process to ensure they meet the science-based guidelines set by the FCC. These guidelines—based on internationally-recognized scientific organizations—set limits for the maximum amount of RF exposure from wireless devices and include a significant margin of safety. Wireless devices and antennas operate well under FCC thresholds.

Expert voices

“Based on our ongoing evaluation of this issue and taking into account all available scientific evidence we have received, **we have not found sufficient evidence that there are adverse health effects** in humans caused by exposures at or under the current radiofrequency energy exposure limits. Even with frequent daily use by the vast majority of adults, we have not seen an increase in events like brain tumors.”

– *Director of the FDA’s Center for Devices and Radiological Health (2018)*

“[T]he RF waves given off by **cell phones don’t have enough energy to damage DNA directly or to heat body tissues**. Because of this, it’s not clear how cell phones might be able to cause cancer.”

– *American Cancer Society (2018)*

“We have relied on decades of research and hundreds of studies to have the most complete evaluation of radiofrequency energy exposure. This information has informed the FDA’s assessment of this important public health issue, and given us the confidence that the **current safety limits for cell phone radiofrequency energy exposure remain acceptable for protecting the public health**. ... [T]he totality of the available scientific evidence continues to not support adverse health effects in humans caused by exposures at or under the current radiofrequency energy exposure limits.”

– *Director of the FDA’s Center for Devices and Radiological Health (2018)*

More information is available at cellphonehealthfacts.com.

Agencies and organizations that shape U.S. regulations:

- Institute of Electrical and Electronics Engineers (IEEE)
- National Council on Radiation Protection and Measurements
- International Commission on Nonionizing Radiation Protection



The FCC, as well as other agencies that are experts in health and safety issues ... looked at all of the studies and all of the information and they have reached the determination that these are safe. That’s a determination that is constantly undergoing review and any new information that comes up is taken into account.”

– *FCC Commissioner (2018)*

**Connecting
our homes,
businesses &
communities.**

verizon

Why are we expanding the wireless network?

More people than ever before rely on wireless connections to manage their lives and businesses.

Verizon is expanding its wireless network to meet the growing demands of today and tomorrow.

But it takes time.

39_{GB}
of data per month

Mobile data traffic per smartphone will rise from 7 GB per month in 2018 to 39 GB per month in 2024.¹

61%
are now wireless

61.3% of adults (nearly 154 million) and 70.3% of children (approximately 51 million) lived in households that did not have a landline telephone but did have at least one wireless telephone.²

31
billion devices

It is projected that there will be 31 billion connected devices by 2023.³

1. Ericsson Mobility Report, June 2019

2. CDC's 2019 Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, July-December

3. CTIA Infographics, January 2020

What it takes to keep families and businesses connected.

How does wireless service work?

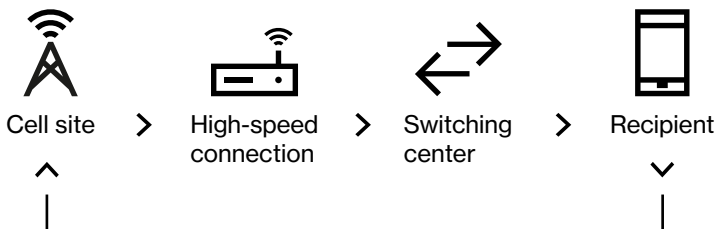
Radio frequencies can carry signals from radios and televisions, to baby monitors, garage door openers, home Wi-Fi service, and cordless phones.

Cell service uses these radio frequencies to wirelessly connect a mobile device with the nearest antenna. That antenna may be hidden in a church steeple, sitting on a rooftop, attached to a building façade or mounted on a freestanding tower structure. All are known generically as cell sites.

From the cell site, the call or data session then travels through a high-speed connection to a network switching center where it is then directed to the recipient.

This all happens in fractions of a second.

The many types of wireless technologies include cellular and fixed wireless, or Wi-Fi.



Different locations require different solutions.

Verizon uses a balanced approach to engineering the best possible network given the local community's needs.

Traditional, or macro cell sites, are most often the best choice for meeting coverage and capacity needs. Macro sites are traditional cell sites or towers that provide coverage to a broad area, up to several miles.

Small cells are just like the name implies – short range cell sites used to complement macro cell towers in a smaller geographic area ranging from a few hundred feet to upwards of 1,000 feet. These lower power antennas enhance capacity in high traffic areas, dense urban areas, suburban neighborhoods, and more. Small cells use small radios and a single antenna or small antennas placed on existing structures including utility poles and street lights.

Distributed Antenna Systems (DAS) are a group of antennas in outdoor or indoor locations that connect to a base station. DAS systems are typically used in large venues including stadiums and shopping centers.

Staying ahead of demand.

A wireless network is like a highway system...

More wireless traffic needs more wireless facilities just like more vehicle traffic needs more lanes.

- Many wireless users share each cell site and congestion may result when too many try to use it at the same time.
- Wireless coverage may already exist in an area, but with data usage growth increasing exponentially each year, more capacity is needed.
- To meet capacity demands, we need to add more wireless antennas closer to users and closer to other cell sites to provide the reliable service customers have come to expect from Verizon.

In the United States, mobile data traffic will reach 5.7 exabytes per month by 2022 (the equivalent of 1 billion DVDs), up from 1.2 exabytes per month in 2017.*

Finding the right location.

To meet customer needs and expectations, wireless providers need the ability to expand and enhance their networks where users live, work, travel and play.

Verizon gathers information from many sources including customer feedback, results of our own exhaustive network testing, and data from third parties.

When an area for improvement is identified, utilizing our existing network is always our first effort. If that is not possible, we then look at adding a new site.

Steps to finding a new site

Our engineers analyze the areas that need improvement to figure out the ideal location based on customer needs, terrain and modeling results.

Using existing structures is considered first.

Network teams perform exhaustive searches in the area needing improvement to find a location that will meet our technical needs. We also look at interest from property owners.

We pick a location that has the highest likelihood of meeting technical needs and works for the community.

Guidelines for new sites

We comply fully with all requirements for community notification and review, zoning and permitting.

Potential antenna locations must meet all local, state and federal regulations.

Verizon holds Federal Communications Commission (FCC) licenses for the frequencies utilized and we strictly follow their regulations.

Wireless facilities and property values.

Cell service in and around the home has emerged as a critical factor in home-buying decisions.

National studies demonstrate that most home buyers value good cell service over many other factors including the proximity of schools when purchasing a home.

75%

More than 75% of prospective home buyers said a good cellular connection was important to them.¹

83%

The same study showed that 83% of Millennials (those born between 1982 and 2004) said cell service was the most important fact in purchasing a home.

90%

90% of U.S. households use wireless service. Citizens need access to 911 and reverse 911 and wireless may be their only connection.²

Health and safety background.

Health and safety organizations worldwide have studied potential health effects of RF emissions for decades, and studies continue.

The Federal Communications Commission (FCC) guidelines for operating wireless networks are based on the recommendations of federal health and safety agencies including:

- The Environmental Protection Agency (EPA)
- The Food and Drug Administration (FDA)
- The National Institute for Occupational Safety and Health (NIOSH)
- The Occupational Safety and Health Administration (OSHA)
- The Institute of Electrical and Electronics Engineers (IEEE)
- The National Council on Radiation Protection and Measurements (NCRP)

Wireless technology, equipment and network operations are highly regulated.

For more information go to:

Federal Communications Commission: fcc.gov

Food and Drug Administration: fda.gov

World Health Organization: who.int

American Cancer Society: cancer.org

Hundreds of times less

According to the FCC, measurements made near a typical 40 foot cell site have shown that groundlevel power densities are 100's of times less than the FCC's limits for safe exposure.



Building a wireless network you can rely on in a crisis.

The reliability of your cell phone is never more important than when crisis strikes. That's when a simple call or text message can make the difference between life and death.

We build reliability into every aspect of our wireless network to keep customers connected when you need it most. Reliability starts when we choose the safest, most secure locations for our wireless equipment. The likelihood of earthquakes, and risk from wildfires, mudslides, floods, hurricanes and more are all considered. When disaster strikes, we coordinate with first responders and can mobilize charging stations, special equipment, emergency vehicles and more to support local, state and federal agencies in all 50 states.

80%

80% of 911 calls originate from a cell phone.¹

240

240 million 911 calls are made annually. In many areas, 80% or more are from wireless devices.¹

Wireless connectivity is critical in schools and communities.

Wireless is a critical component in schools and for today's students.

20k

learning apps are available for iPads.

72%

of iTunes top selling educational apps are designed for preschool and elementary students.

600+

school districts replaced text books with tablets in classrooms.

77%

of parents think tablets are beneficial to kids.

74%

of school administrators feel digital content increases student engagement.

70%

of teens use cellphones to help with homework.

Wireless is a critical component in today's medical fields.

Smart pill bottles and cases can help patients and their care-givers track medication usage, ensuring medications are taken on time and correctly. This supports increased medical compliance, provides more consistent care, and enables preventative care, keeping patients in their homes longer and reducing the number of emergency visits to the doctor's office or hospital.

Wireless connected glucose monitors, blood-pressure cuffs, and EKGs can track a patient's vital signs and catch an issue before it turns into an emergency.

Pace makers and sleep apnea monitors can be tracked remotely.

Routine eye exams can be conducted with a wireless device connected to a smart phone, bringing solutions and services to low-income and remote areas that would otherwise go unsupported.

Wireless is a critical component in today's communities.

Wireless smart city solutions are being used to track available parking and minimize pollution and wasted time.

These same solutions are being used to track pedestrian and bike traffic to help planning and minimize accidents.

Smart, wireless connected lighting enables cities to control lighting remotely, saving energy and reducing energy costs by 20%.

4G technology is utilized to track and plan vehicle deliveries to minimize travel, maximize efficiency, and minimize carbon footprint.

4G technology is also used to monitor building power usage down to the circuit level remotely, preventing energy waste and supporting predictive maintenance on machines and equipment.

Wireless sensors placed in shipments are being used to track temperature-sensitive medications, equipment, and food. This is important for preventing the spread of food-borne diseases that kill 3,000 Americans each year.

Verizon is part of your community.

Because we live and work there too.

We believe technology can help solve our biggest social problems. We're working with innovators, community leaders, non-profits, universities and our peers to address some of the unmet challenges in education, healthcare and energy management.

Learn more about our corporate social responsibility at www.verizon.com.

Exhibit B

[See attached.]

AMENDMENT

The Protective Covenants for Mesilla Greens Subdivision, administered by the Administrative Control Committee, took effect on December 23, 1991; and

Given that, during the twenty-six (26) years and ten (10) months the Protective Covenants for Mesilla Greens Subdivision have been in effect, there has been no need for the Administrative Control Committee to take action; and

Given that, the current Code of the Town of Mesilla contains substantial and up-to-date rules and regulations governing land use and development in the Rural Farm (RF) zone, which is the zoning for the Mesilla Greens Subdivision; and

Given that, development in the Mesilla Greens Subdivision has conformed to the requirements of the Mesilla Town Code;

Now, therefore, having considered each of the above points, I, Betty J. Boldt, the sole remaining member of the Administrative Control Committee, choose, pursuant to the Protective Covenants for Mesilla Greens Subdivision IV 1. "ADDITIONAL POWERS OF COMMITTEE" (b), to exercise my authority to modify deed restrictions, and herewith amend said Protective Covenants I 1. "TERM" as follows:

1. Delete the existing text of I. 1 "TERM" in its entirety; and
2. Replace it with the following text: I. 1 "TERM. These deed restrictions are to run with the land and shall be binding on all parties and all persons claiming under them until 5:00 p.m. Mountain Time on October 30, 2018, after which time and date said deed restrictions shall be removed in whole."

SIGNATURE: Betty J. Boldt

Betty J. Boldt

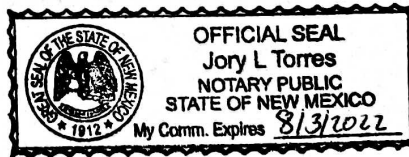
DATE: 10/31/18

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 31 DAY OF October 2018.

(SEAL)

Jory L. Torres Jr.
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8/3/2022



Attachment: copy of the Protective Covenants for Mesilla Greens Subdivision

This document was filed for record with the County Clerk of Dona Ana County, New Mexico on the 31 day of October, 2018



1829705 DEC 14, 2018 04:25:52 PM PAGES: 13
AMENDMENT TO COVENANTS Deputy: Emily Burr
Amanda López Askin, County Clerk, Dona Ana, NM

PROTECTIVE COVENANTS FOR
MESILLA GREENS SUBDIVISION

43 Acre tract located in section 25, T.23-S, R.1E., N.M.P.M of U.S.R.S. tracts 11B-21 and 11B-22 within the town limits of Mesilla Dona Ana County, New Mexico.

I

1. TERM. These deed restrictions are to run with the land and shall be binding on all parties and all persons claiming under them for a period of thirty years from the date these deed restrictions are recorded, after which time said deed restrictions shall be automatically extended for successive periods of ten years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change or remove said deed restrictions in whole or in part.

2. ENFORCEMENT. All persons who now own, or who may in the future own property in the 43 acre tract are specifically given the right to enforce these deed restrictions through any proceedings, at law or in equity, against any person or persons, firms and corporations, violating or threatening to violate such deed restrictions, and to recover any damages suffered by them from any violation thereof.

3. SEVERABILITY. Invalidation of any one of these deed restrictions by judgement or court order shall in no way effect any of the other provisions, which at all times shall remain in

full force and effect.

4. ADMINISTRATIVE CONTROL COMMITTEE. The Administrative Control Committee (Committee) shall initially be composed of two persons, Benjamin Boldt and Betty Boldt, the original owners of the eight (8) five acre plus tracts. In the event of death or resignation of either member of the committee, the remaining member shall have full authority to designate a successor or successors. Neither the members of the committee or its designated representative shall be entitled to any compensation for services performed pursuant to these deed restrictions. The Administrative Control Committee shall consist of the above members until such time as the above mentioned members state in writing to all individual owners of lots that control shall pass to three persons elected by a majority of those lot owners present at a meeting called by the committee and held at a place in Mesilla, New Mexico, designated by the committee. At this meeting, a majority of the lot owners present shall determine the means of continuation and succession of members of the Administrative Control Committee.

5. ARCHITECTURAL CONTROL. No building, wall or fence shall be erected, placed or altered on any lot until the construction plans and specification, and a plan showing the location of the improvements, have been approved by the Administrative Control Committee as to quality of workmanship and materials, harmony of external design with existing structures, and as to locations

with respect to topography and finish grade elevation. "A" frame, cubical Geodesic and Dome structures, and Mobile Homes are herewith prohibited as residences or for any other purpose.

6. PROCEDURE. The Committee's approval or disapproval as required in these covenants shall be in writing, and shall be given within ten (10) days after plans and specifications have been submitted to it. Provided further that any delay or omission on the part of the Committee does not constitute a waiver or approval of any breach of the deed restrictions, or reservations herein contained.

7. NON-LIABILITY. Neither the original owner, the Administrative Control Committee or it's representative shall incur liability to anyone submitting plans for approval, or to any owner or owners of land subject to the deed restrictions by reason of mistake in judgement, negligence or non-feasance of itself, it's agents or employees, arising out of or in connections with the approval, or disapproval, or failure to approve any such plans; anyone submitting plans for approval, by the submitting of such plans, and by anyone acquiring title to property covered hereby waives his claim for any such damages.

II

1. LAND USE AND BUILDING TYPE. All lots will be subject to the same restrictions as outlined in the zoning code of the Town of Mesilla, New Mexico, as specified for Rural Farm District. In

addition to the restrictions covered by such zoning now in force and as amended from time to time, the following restrictions as to use shall also apply:

(a) Only one single family dwelling on each lot is permitted, although separate quarters for servants or for other members of the immediate family will be allowed. The renting of such separate quarters is herewith prohibited.

(b) No manufacturing or commercial enterprise or enterprises of any kind for profit, churches or schools, shall be maintained on, in front of, or in connection with, any property in the subdivision except, home occupations may be permitted in accordance with the codes of the Town of Mesilla. There shall be no fair, exhibition, festival, show or other activity which attracts or is intended to attract, divert, or collect a large number of persons. Such restrictions shall not prevent, however, what is commonly known as "garage sales" or "backyard parties" conducted by residents or their children living in the 43 acre tract, provided such are only occasional.

(c) No commercial or private kennels for pets as described by City of Las Cruces Animal Control Ordinance is permitted. A maximum of two dogs and/or cats may be kept with litters to be disposed of within four months of birth.

2. DWELLING SIZE.

(a) The ground floor area of the main structure for a one-story dwelling exclusive of open porches and garages shall not be less than 2,000 sq. ft., which may include varying levels in the ground floor area.

(b) The total floor area of multi-floor dwellings, exclusive of open porches and garages shall not be less than 2,500 sq. ft.

(c) The maximum height allowed for any residence shall be two (2) stories above grade.

3. BUILDING LOCATION.

(a) No residence or structure, excluding fences, shall be located nearer to Barker Road than one hundred feet (100) and nearer to any lot line than fifty feet (50).

(b) For the purpose of these Deed Restrictions; eaves, steps and open porches shall be considered as a part of the building.

(c) The ground floor building pad of the residence shall be placed at least twenty four inches (24") above existing grade of the lot for the protection against irrigation.

4. ROAD MAINTENANCE. Each individual lot owner will be

responsible for maintaining their own roads.

5. EASEMENTS. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting, or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow in the drainage channels, in the easements, or which reduce the capacity of each lot to retain water, as specified in the 43 acre tract's plan. The easement area of each lot and all improvements in it shall be maintained continuously by the owners of the lot, except for those improvements for which a public authority or utility company is responsible. No overhead lines will be allowed for electricity, telephone, or cable TV, except for those electric transmission lines already in place on existing boundaries of the 43 acre tract.

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7. TEMPORARY STRUCTURES. No structure of a temporary character, trailer, automobiles not in use, basement, tent, shack, garage, barn or other outbuilding shall be placed or used on any lot at anytime as a residence, either temporarily or

permanently. All construction, once started, will be completed within twelve months.

8. SIGNS. No billboards or advertising signs of any character shall be erected, placed, permitted, or maintained on any lot or on any building erected thereon, other than a name plate of the occupancy of any residence upon which his professional or occupational title may also be added, and provided no such sign or name plate shall exceed a size of one square foot. Provided, however, that permission is granted for the erection and maintenance of not more than one signboard to each building site during the course of construction of new single-family dwelling and upon it's completion, during the course of it's initial sale, or resale, which signboard shall not exceed six square feet. Notwithstanding anything herein contained to the contrary, nothing herein shall be construed to prevent the developer from erecting, placing, or maintaining sign structures and offices as may be determined necessary by the owners to promote sale and development of lots of the 43 acre tract.

9. MAINTENANCE OF LOTS. No lot or portion thereof shall be used in whole or in part for the storage or dumping of rubbish of any character whatsoever, nor for the storage of any other property or thing that will cause such lot to appear in an unclean or untidy condition or what will be obnoxious to the eye, nor shall any substance, thing, or material be kept upon any lot

that will emit four or obnoxious odors, or that will cause any noise that will or might be unreasonable disturb the peace, quiet, comfort, or serenity of the occupants of surrounding property. The owner of each lot is required to control the growth of weeds. When, in the sole discretion of the Administrative Control Committee, weed growth is not controlled, the Committee shall give written notice to the owner to remove excessive weeds. If the owner fails to remove excessive weeds, the Committee will have the weeds removed and will bill the owner for the removal of weeds. If such amount remains unpaid for an additional 30 days, the amount due will constitute a lien on the lot, and the owner or the Administrative Control Committee may bring suit to enforce collection thereof or to foreclose the lien, and the cost of suit then shall be added to the amount due, together with legal interest and reasonable attorney's fees to be fixed by the court.

10. OIL AND MINING OPERATIONS. No oil drilling, oil development operations, oil refining, quarrying or mining or thermal operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted on, under or upon any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained, or permitted upon any lot.

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12. ANIMALS, LIVESTOCK AND POULTRY. No commercial operations. Animals limited to two (2) dogs, two (2) cats, horses and other livestock - number to be agreed upon by the Administrative Control Committee, five (5) miscellaneous poultry. No roping arena will be permitted.

13. TOWERS, ETC. No radio or television transmission tower or radio or television receiving towers shall be erected, placed or permitted upon any part of said property. Satellite dish receivers if erected shall be concealed from view by landscaping or fencing.

14. TANKS, ETC. No tanks of any kind except state approved septic tanks shall be installed, placed, or permitted. All equipment and mechanical equipment shall be walled-in. Boats, campers, trucks, trailers, buses, recreational and similar vehicles or equipment, or vehicles under extensive repair, clothes lines, storage piles and construction materials shall be concealed so that none may be viewed from the street, or adjoining property.

15. BOUNDARY/FRONT YARD FENCES. All walls and fenced

constructed on lot lines, shall become property jointly owned by adjoining owners. A lot owner, prior to the construction of such a boundary fence or wall shall obtain the adjacent lot owners consent to the height of the fence or wall. After construction, all maintenance shall be the joint and equal responsibility of both owners. Any improvements to existing boundary walls, or fences shall be undertaken only after the consent from the adjacent owner is obtained.

III

1. BREACH OF DEED RESTRICTIONS. It is further stipulated that breach of any of the foregoing conditions and covenants within thirty years from the date hereof shall not effect any mortgage or other lien which in good faith may be existing at the time upon said property and any improvements thereon.

2. PROVISIONS. Any provision herein contained may be waived by the Administrative Control Committee excepting when such provisions constitute a law or regulation of the State of New Mexico or any political subdivision thereof.

IV

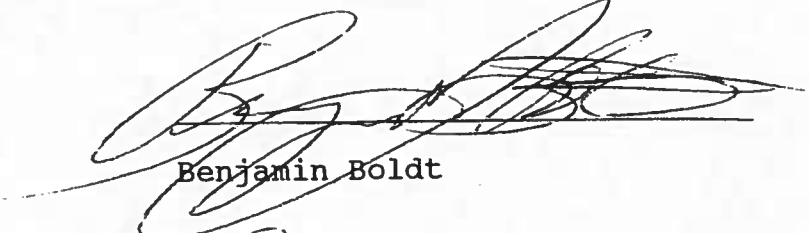
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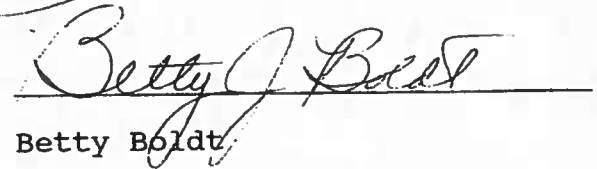
(a) Rule upon any questions arising with respect to

interpretation of the deed restrictions, and, if necessary, may but shall not be required to, take any action necessary to enforce the same on behalf of all parties having an interest. Such shall not preclude any other person authorized by law from either enforcing or enjoining the enforcement of these deed restrictions.

(b) Modify any deed restriction, which in the judgement of the Administrative Control Committee, has ceased to serve the original intent, and enforcement thereof would be injurious or harmful to the owners of the parcels within the tract or other parties having an interest therein. Any modification shall be in writing and signed by at least a majority of the members of the Administrative Control Committee and filed for record with the County Clerk of Dona Ana County, New Mexico.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed this 23rd day of December, 1991.

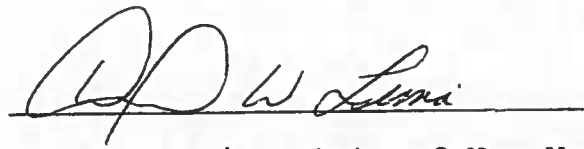

Benjamin Boldt


Betty Boldt

STATE OF: NEW MEXICO }

COUNTY OF: DONA ANA }

The foregoing instrument was acknowledged before me this 23rd day of December, 1991, by Benjamin and Betty Boldt.


Notary Public, State of ~~New Mexico~~
DAVID W. LIMA

ITEMS RECEIVED FROM THE APPELLANT



January 6, 2021

Bonnie B. Merkt
305.744.2025
bmerkt@ginsbergjacobs.com

VIA FEDERAL EXPRESS AND ELECTRONIC MAIL

Town of Mesilla
2231 Avenida De Mesilla
Mesilla, New Mexico 88046
Attn: Cynthia Stoechner-Hernandez
CynthiaS-H@mesillanm.gov

Re: Case 061139 (1584 West Boutz Road, Mesilla, New Mexico)

Dear Ms. Stoechner-Hernandez:

Ginsberg Jacobs LLC represents Verizon Wireless in connection with the above-referenced matter.

On November 16, 2020, the Planning, Zoning and Historical Appropriateness Commission (“PZHAC”) of the Town of Mesilla, New Mexico held a public hearing regarding Verizon Wireless’ request for a Special Use Permit to permit construction of a 65-foot high communications tower on certain property owned by Susan A. Krueger and located at 1584 West Boutz Road, Mesilla, New Mexico. Verizon Wireless’ request was denied on such date by a vote of 0-5, primarily because the Commissioners believed that such request violated the Protective Covenants for Mesilla Greens Subdivision (the “Protective Covenants”). See page 3 of the PZHAC Public Hearing & Meeting Agenda (November 16, 2020).

As evidenced by that certain Amendment to Protective Covenants dated October 31, 2018 and recorded on December 14, 2018 as Instrument No. 1829705 in the Public Records of Dona Ana County, New Mexico (the “Amendment”), however, the term of the Protective Covenants expired on October 30, 2018. A copy of the Amendment is attached hereto as Exhibit A. Pursuant to the Amendment, the deed restrictions which were “to run with the land and . . . be binding on all parties and all persons claiming under them” were removed *in whole* as of 5:00 p.m. Mountain Time on October 30, 2018. As such, the

Town of Mesilla
Attn: Cynthia Stoechner-Hernandez
Page 2

principal reason for denying Verizon Wireless' request for a Special Use Permit (*i.e.*, the Protective Covenants) no longer exists.

In light of the foregoing, Verizon Wireless respectfully requests that the Board of Trustees of the Town of Mesilla, New Mexico overcome the decision of the PZHAC in Case 061139 in accordance with Section 18.06.140 (Appeal from historical review action) of the Mesilla Town Code.

Verizon Wireless appreciates your prompt attention to this matter. Should you have any questions, please contact me at 305-744-2025 or bmerkt@ginsbergjacobs.com.

Sincerely yours,

GINSBERG JACOBS LLC

A handwritten signature in blue ink that reads "Bonnie B. Merkt". The signature is written in a cursive style with a large initial "B".

Bonnie Bolz Merkt
For the Firm

EXHIBIT A

Amendment to Covenants dated October 31, 2018

[See attached thirteen (13) pages.]

AMENDMENT

The Protective Covenants for Mesilla Greens Subdivision, administered by the Administrative Control Committee, took effect on December 23, 1991; and

Given that, during the twenty-six (26) years and ten (10) months the Protective Covenants for Mesilla Greens Subdivision have been in effect, there has been no need for the Administrative Control Committee to take action; and

Given that, the current Code of the Town of Mesilla contains substantial and up-to-date rules and regulations governing land use and development in the Rural Farm (RF) zone, which is the zoning for the Mesilla Greens Subdivision; and

Given that, development in the Mesilla Greens Subdivision has conformed to the requirements of the Mesilla Town Code;

Now, therefore, having considered each of the above points, I, Betty J. Boldt, the sole remaining member of the Administrative Control Committee, choose, pursuant to the Protective Covenants for Mesilla Greens Subdivision IV 1. "ADDITIONAL POWERS OF COMMITTEE" (b), to exercise my authority to modify deed restrictions, and herewith amend said Protective Covenants I 1. "TERM" as follows:

1. Delete the existing text of I. 1 "TERM" in its entirety; and
2. Replace it with the following text: I. 1 "TERM. These deed restrictions are to run with the land and shall be binding on all parties and all persons claiming under them until 5:00 p.m. Mountain Time on October 30, 2018, after which time and date said deed restrictions shall be removed in whole."

SIGNATURE: Betty J. Boldt

Betty J. Boldt

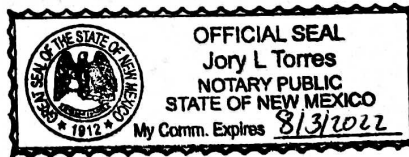
DATE: 10/31/18

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 31 DAY OF October 2018.

(SEAL)

Jory L. Torres Jr.
NOTARY PUBLIC

MY COMMISSION EXPIRES: 8/3/2022



Attachment: copy of the Protective Covenants for Mesilla Greens Subdivision

This document was filed for record with the County Clerk of Dona Ana County, New Mexico on the 31 day of October, 2018



1829705 DEC 14, 2018 04:25:52 PM PAGES: 13
AMENDMENT TO COVENANTS Deputy: Emily Burr
Amanda López Askin, County Clerk, Dona Ana, NM

PROTECTIVE COVENANTS FOR
MESILLA GREENS SUBDIVISION

43 Acre tract located in section 25, T.23-S, R.1E., N.M.P.M of U.S.R.S. tracts 11B-21 and 11B-22 within the town limits of Mesilla Dona Ana County, New Mexico.

I

1. TERM. These deed restrictions are to run with the land and shall be binding on all parties and all persons claiming under them for a period of thirty years from the date these deed restrictions are recorded, after which time said deed restrictions shall be automatically extended for successive periods of ten years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change or remove said deed restrictions in whole or in part.

2. ENFORCEMENT. All persons who now own, or who may in the future own property in the 43 acre tract are specifically given the right to enforce these deed restrictions through any proceedings, at law or in equity, against any person or persons, firms and corporations, violating or threatening to violate such deed restrictions, and to recover any damages suffered by them from any violation thereof.

3. SEVERABILITY. Invalidation of any one of these deed restrictions by judgement or court order shall in no way effect any of the other provisions, which at all times shall remain in

full force and effect.

4. ADMINISTRATIVE CONTROL COMMITTEE. The Administrative Control Committee (Committee) shall initially be composed of two persons, Benjamin Boldt and Betty Boldt, the original owners of the eight (8) five acre plus tracts. In the event of death or resignation of either member of the committee, the remaining member shall have full authority to designate a successor or successors. Neither the members of the committee or its designated representative shall be entitled to any compensation for services performed pursuant to these deed restrictions. The Administrative Control Committee shall consist of the above members until such time as the above mentioned members state in writing to all individual owners of lots that control shall pass to three persons elected by a majority of those lot owners present at a meeting called by the committee and held at a place in Mesilla, New Mexico, designated by the committee. At this meeting, a majority of the lot owners present shall determine the means of continuation and succession of members of the Administrative Control Committee.

5. ARCHITECTURAL CONTROL. No building, wall or fence shall be erected, placed or altered on any lot until the construction plans and specification, and a plan showing the location of the improvements, have been approved by the Administrative Control Committee as to quality of workmanship and materials, harmony of external design with existing structures, and as to locations

with respect to topography and finish grade elevation. "A" frame, cubical Geodesic and Dome structures, and Mobile Homes are herewith prohibited as residences or for any other purpose.

6. PROCEDURE. The Committee's approval or disapproval as required in these covenants shall be in writing, and shall be given within ten (10) days after plans and specifications have been submitted to it. Provided further that any delay or omission on the part of the Committee does not constitute a waiver or approval of any breach of the deed restrictions, or reservations herein contained.

7. NON-LIABILITY. Neither the original owner, the Administrative Control Committee or it's representative shall incur liability to anyone submitting plans for approval, or to any owner or owners of land subject to the deed restrictions by reason of mistake in judgement, negligence or non-feasance of itself, it's agents or employees, arising out of or in connections with the approval, or disapproval, or failure to approve any such plans; anyone submitting plans for approval, by the submitting of such plans, and by anyone acquiring title to property covered hereby waives his claim for any such damages.

II

1. LAND USE AND BUILDING TYPE. All lots will be subject to the same restrictions as outlined in the zoning code of the Town of Mesilla, New Mexico, as specified for Rural Farm District. In

addition to the restrictions covered by such zoning now in force and as amended from time to time, the following restrictions as to use shall also apply:

(a) Only one single family dwelling on each lot is permitted, although separate quarters for servants or for other members of the immediate family will be allowed. The renting of such separate quarters is herewith prohibited.

(b) No manufacturing or commercial enterprise or enterprises of any kind for profit, churches or schools, shall be maintained on, in front of, or in connection with, any property in the subdivision except, home occupations may be permitted in accordance with the codes of the Town of Mesilla. There shall be no fair, exhibition, festival, show or other activity which attracts or is intended to attract, divert, or collect a large number of persons. Such restrictions shall not prevent, however, what is commonly known as "garage sales" or "backyard parties" conducted by residents or their children living in the 43 acre tract, provided such are only occasional.

(c) No commercial or private kennels for pets as described by City of Las Cruces Animal Control Ordinance is permitted. A maximum of two dogs and/or cats may be kept with litters to be disposed of within four months of birth.

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(a) The ground floor area of the main structure for a one-story dwelling exclusive of open porches and garages shall not be less than 2,000 sq. ft., which may include varying levels in the ground floor area.

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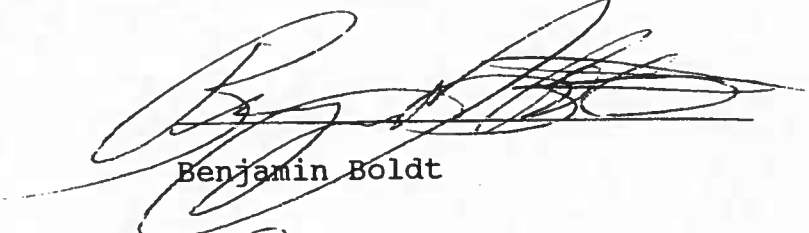
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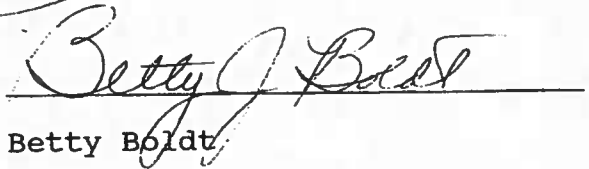
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interpretation of the deed restrictions, and, if necessary, may but shall not be required to, take any action necessary to enforce the same on behalf of all parties having an interest. Such shall not preclude any other person authorized by law from either enforcing or enjoining the enforcement of these deed restrictions.

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IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed this 23rd day of December, 1991.

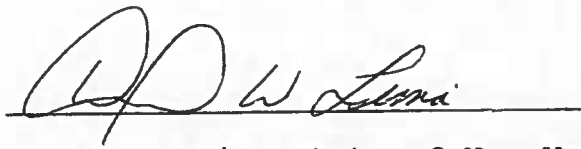

Benjamin Boldt


Betty Boldt

STATE OF: NEW MEXICO }

COUNTY OF: DONA ANA }

The foregoing instrument was acknowledged before me this 23rd day of December, 1991, by Benjamin and Betty Boldt.


Notary Public, State of ~~New Mexico~~
DAVID W. LIMA

ITEMS FROM 11/16/2020 P&Z MEETING

Special use permit REQUEST
CASE 061139 (SUP20-001)
[PZHAC PUBLIC HEARING AND REVIEW]

Item:

Case 061139 – 1584 West Boutz Road, submitted by Verizon Wireless for Susan Krueger (property owner); a request for a Special Use Permit to allow the construction of a 65 foot high “mono pine” cell tower on a property at this address. Zoned: Rural Farm (RF)

Description of Request:

The property in question is located on the north side of West Bouts Road. The property is immediately surrounded on the south, east, and west by properties that are zoned RF, the same as the subject property. The properties to the north are part of the Mercado Subdivision and are zoned General Commercial (C). The tower is to be located at the north end of the property close to the Mercado properties (see attached site plan).

The application has been prepared by Les Guterrez, agent for Verizon Wireless, for the applicant. Mr. Guterrez has been in communication with staff since earlier in the year and has been given the requirements in the Code regarding cell towers (see attached MTC section 18.60.210 – Regulations for vertical structures). The application appears to meet the requirements of the Code for cell towers.

As required by the Code, notifications have been sent by certified mail to all the property owners within 1500 feet of the subject property (see attached postal receipts). Four responses have been received (attached). The main issues were that the tower violates the deed restrictions on the property, the fact that the tower can be seen from the entryway into Mesilla (Highway 28), and the possible health issues that could be caused by the tower on nearby residents.

In response to the deed restrictions, which prohibit cell towers, the property owner has included a “release” of the Protective Covenants, signed by Betty Boldt on October 31, 2018 as the sole remaining member of the Administrative Control Committee of the Mesilla Greens Subdivision. (David Binns, one of the property owners that is against the tower and owns property that is affected by the Covenants, does not believe that the elimination of the Covenants is legal, and believes that the covenants are still in effect.)

Although the own does not get involved in private disputes between property owners, covenants and deed restrictions have been used in the past to help determine how the local property owners would like to see the area around them develop. As such, the support of covenants by the residents of an area indicates how they perceive development and has been used to help guide the PZHAC in their decision making process.

THE PZHAC WILL NEED TO MAKE THE FOLLOWING FINDINGS FOR APPROVAL:

- The PZHAC has jurisdiction to review this request.
- The zoning code allows this type of use in the RF zone.
- The application meets the requirements of the Code for a Special Use Permit.
- The requested zone change would not be out of character with the Comprehensive Plan, nor will it create a negative impact on the surrounding properties or the Town.
- The proposed Special Use Permit, as requested, or amended with conditions; will be beneficial to the Town.
- The requested Special Use Permit meets all other applicable Code requirements.

PZHAC OPTIONS:

Recommend approval to the BOT of the application.

Recommend approval to the BOT of the application with conditions.

Postpone a decision on the request to allow the applicant to modify the request.

Reject the application

PZHAC ACTION:

The applicant 's representative will be present electronically at the meeting to answer any questions about the request that might arise.

18.60.210 Regulations for vertical structures. SHARE

A. Definitions.

1. "Commercial tower" means a freestanding vertical structure that may or may not have various attachments thereto, which is intended to radiate and/or receive radio frequency signals for the purpose of providing a commercial service to the public. Commercial tower uses include, but are not limited to, cellular communications, paging stations, TV stations, AM and FM radio stations, two-way radio base stations, communication mobile services, common carrier wireless services and communications used for intra-business and inter-business purposes. Commercial towers are excluded from the C, H-C and H-R zones.
2. "Personal (private) tower" means a freestanding vertical structure that may or may not have various attachments thereto, which is intended to radiate and/or receive radio frequency signals for the purpose of radio communications without the intent of commercial service. Personal tower uses include, but are not limited to television signal reception, amateur radio stations, AM and FM radio signal reception and citizen band (CB) base stations. Personal (private) towers are excluded from the C, H-C and H-R zones.
3. "Monopole (freestanding) tower" means a single vertical pole that has no guywires for support and serves as a mounting platform for radio frequency antennas. Monopole towers are excluded from the C, H-C and H-R zones.
4. "Lattice (freestanding) tower" means a freestanding vertical structure that is composed of individual components, where each vertical leg of the structure is connected by criss-crossed members that create a hollow structure. Lattice structures are excluded from the C, H-C, H-R, R-1, RA and RF zones.
5. "Guyed tower" means a freestanding vertical structure that gains its support from tension **wires** attached at various locations to the structure and converging to one or more anchors at ground level. Guyed towers are excluded from the C, H-C and H-R zones.
6. "Total structure height" means the total height of a freestanding vertical structure shall be measured from ground level to the topmost attached structure placed on the tower. Total structure height shall include all mounting standards, antennae and lighting.
7. "Allowable structure height" means the height of a freestanding vertical structure that is allowed by ordinance or approval of a special use permit.
8. "Antenna" means an attached structure designed to radiate and/or receive radio frequency (RF) emissions. An antenna design includes, but is not limited to, the following:
 - a. Monopole, dipole, discone;
 - b. Horizontally and vertically polarized TV and FM, yagi;
 - c. Mesh or solid parabolic;
 - d. Array, phased array and others protected by a radome;
 - e. Shaped-element.

9. "Flag pole" means a freestanding, single vertical pole that has no guywires for support and is used for the purpose of displaying a flag. Flag poles are allowed in all zones: C, H-C, H-R, R-1, RA and RF. The height of a flag pole is limited to five feet above the roof structure of the building with which the flag pole is associated.

B. Heights for Attached Structures. Attached structures, including but not limited to belfries, chimneys, antennas and parapet walls, may be constructed to a height five feet above the structure to which it is attached.

C. Requirements for Freestanding Vertical Structures.

1. Structures shall not be used for sleeping or eating quarters, nor allowed for additional floor space.
2. Structures shall be set back from property lines one foot for each one foot in height plus 10 percent of the total height of the vertical structure.
3. Structures shall not exceed the height in each zone as measured from ground level vertically to the highest point of the freestanding vertical structure.
4. Structures shall be constructed to meet Uniform Building Code standards and have manufacturer's specifications to withstand 90-mile-per-hour winds.
5. Structures shall conform to Federal Communications Commission and Federal Aviation Administration regulations if applicable.

D. Heights for Freestanding Vertical Structures Permitted by Right by Zone.

H-R, H-C, C	None, they are excluded from these zones
R-1	30 feet
RA	40 feet
RF	50 feet

[Ord. 97-02 § 1; Ord. 97-01 § 1; Ord. 94-06 § 1; prior code § 11-2-5.21]

WIRELESS TELECOMMUNICATIONS FACILITIES

Sections:

- 18.54.010 Authority and purpose.
- 18.54.020 Definitions.
- 18.54.030 Applicability and exemptions.
- 18.54.040 General standards and construction provisions.
- 18.54.050 Co-location.
- 18.54.060 Heights, placement provisions and setbacks.
- 18.54.070 Special use permits.
- 18.54.080 Buildings or other equipment storage.
- 18.54.090 Application review and inspection fee.
- 18.54.100 Performance security bond.
- 18.54.110 Liability insurance.
- 18.54.120 Indemnification.
- 18.54.130 Removal of a wireless telecommunications facility.
- 18.54.140 Required annual report.
- 18.54.150 Provision for waiver or variance.
- 18.54.160 Penalty.
- 18.54.170 Default and/or revocation.
- 18.54.010 Authority and purpose.

A. Authority. The comprehensive land use ordinance is amended pursuant to the enabling provisions of Section 3-21-1 through 3-21-14, NMSA 1978, as amended.

B. Purpose. The purpose of this chapter is to establish regulations and general guidelines for the siting of wireless telecommunications facilities (WTFs).

C. The goals of this chapter are to:

1. Protect residential areas and land uses from potential adverse impact of WTFs;
2. Minimize the total number of towers in the community;
3. Strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers;
4. Encourage users of WTFs to locate them, to the extent possible, in areas where the adverse impact on the community is minimal;
5. Encourage users of WTFs to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening and innovative camouflaging techniques;
6. Enhance the ability of providers of telecommunications services to provide such services to the community quickly, effectively and efficiently;

7. Avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.

In furtherance of these goals and in approving sites for the location of towers and antennas, the town of Mesilla shall give due consideration to Mesilla's master plan, its zoning map, existing land uses and environmentally and historically sensitive areas. [Ord. 2003-10 § 1]

18.54.020 Definitions.

A. "Alternative tower structure" means such structures as manmade trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

B. "Antenna" means any structure that radiates or receives radio or other communication signals.

C. "Co-location" means the physical attachment and/or placement of one communication structure upon another communication structure, and may include placing different or similar communication structures on the receiving structure.

D. "Commercial tower" means a freestanding vertical structure that may or may not have various attachments thereto, which is intended to radiate and/or receive radio frequency signals for the purpose of providing a commercial service to the public. Commercial tower uses include, but are not limited to, cellular communications, paging stations, TV stations, AM and FM radio stations, two-way radio base stations, communication mobile service, common carrier wireless services and communications used for intra-business and inter-business purposes.

E. "Communication structure" means any structure, including antennas and satellite service devices, or any other device which is normally used for radio, television, microwave or wireless communications. This shall include any device that is attached to a new or an existing tower, or attached to a building facade or roof or other noncommunication structure, and such attachment is made to the facade or roof vertically, horizontally and/or diagonally.

F. "Facial mount" means the physical attachment of a communication structure to a building or other noncommunication structure, which does not substantially increase the height of the building or structure. This can include attaching the structure either vertically, horizontally, or diagonally along the structure's building facade, facades, walls, roofs or other structures.

G. "Height," when referring to a tower or other structure, means the distance measured from the lowest adjacent ground level of the parcel of land vertically to the highest point on the tower or other structure, including the base pad and any antenna and whether attached to the ground, the building, or other structure(s).

H. Historic Resources or Districts. For the purposes of this chapter, a resource or district is considered historic if it is listed individually or collectively or eligible to be listed in the National Historic Landmark Register, the National Register of Historic Places or the State Register of Cultural Properties or if the resource or district has been identified by a governmental agency, such as the New Mexico Historic Preservation Division, as having significant value as an historic, cultural or archaeological resource.

I. "Personal (private) tower" means a freestanding vertical structure that may or may not have various attachments thereto, which is intended to radiate and/or receive radio frequency signals for the purpose of radio communications without the intent of commercial service. Personal tower uses include, but are not limited to, television signal reception, amateur radio stations, AM and FM radio signal reception and citizen band (CB) base stations. Personal (private) towers are excluded from the C, H-C and H-R zones.

J. "PZHAC" means the planning, zoning and historical appropriateness commission, the body that shall review applications for WTFs and recommend action to the board of trustees, which is the governing body of the town of Mesilla.

K. "Satellite service device (SSD)" means any structure used to receive satellite programming services specifically associated with television reception from the transmission of signals from a satellite to a receiver, usually a round "dish" that can vary in size from 18 inches to 10 feet in diameter.

L. "Tower" means any structure, vertical in inclination, that is designed and constructed and normally used for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. This may include television and radio transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and other freestanding towers, either for private or commercial purposes. The term includes the structure and any support thereto.

M. "Vertical structure" means any built object that is either independent of or attached to any building or other structure that is perpendicular in its direction to the nearest adjacent ground, including but not limited to flag poles, belfries, chimneys and parapet walls.

N. "View corridors" are defined as an area identified either in the Mesilla comprehensive plan or by a federal or state agency as the location of a particular designated scenic or cultural resource or trail system and as an area from which a WTF can be seen.

O. "Wireless telecommunications facility (WTF)" includes all equipment, buildings and structures with which a wireless communications service carrier broadcasts and receives the radio frequency waves and all locations of said equipment or any part thereof. [Ord. 2003-10 § 2]

18.54.030 Applicability and exemptions.

A. 1. New Towers and Antennas. All new towers or antennas in the town of Mesilla shall be subject to these regulations, except as provided in subsections (B) and (C) of this section.

2. Amateur Radio Station Operators/Receive Only Antennas. The sections that follow shall not govern television antennas, satellite dishes and receive only antennas; provided, that the primary use of the property is not a wireless telecommunications facility (WTF) and that the antenna use is accessory to the primary use of the property. Nor shall the sections that follow govern any freestanding vertical structure or the installation of any freestanding vertical structure located in the R-1 zone that is under 30 feet in height or located in the RA zone that is under 40 feet in height or located in the RF zone that is under 50 feet in height and is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive only antennas.

B. Preexisting Towers or Antennas. Preexisting towers and preexisting antennas for which a building permit has been properly issued prior to the effective date of the ordinance codified in this chapter shall not be required to meet the requirements of this chapter, other than the requirements of MTC 18.54.040(G) and (H).

C. Public property owned or otherwise controlled by the town of Mesilla may be exempt from the requirements of this chapter.

D. Towers and antennas shall be regulated and permitted pursuant to this chapter and shall not be regulated or permitted as essential services, public utilities, or private utilities. [Ord. 2003-10 § 3]

18.54.040 General standards and construction provisions.

A. Height. All structure heights shall be measured from the lowest adjacent ground level vertically to the highest point of all structures, whether attached to the ground, the building or other structure(s). The principal supporting structure for WTFs shall be permitted to exceed the height limit of the zoning district in which it is located; provided, that the setback standards in MTC 18.54.060 shall apply.

B. Lot Size. For the purposes of determining whether the installation of a tower or antenna complies with zoning development regulations, including but not limited to setback requirements, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the WTF may be located on leased parcels within such lot.

C. Measurement. For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in Mesilla irrespective of municipal and county jurisdictional boundaries.

D. Public Notice. For purposes of this chapter, a special use permit request, a variance request or an appeal of a special use permit or variance shall require public notice in a local newspaper of general circulation within the town of Mesilla. In order that the town may notify nearby landowners, the application shall contain the names and address of all property owners of properties that are located within 1,500 feet of any property line of the lot or parcel on which the WTF is proposed to be located. This requirement is in addition to any and all notice requirements contained in the town's zoning ordinance.

E. Minimum Wind Speed. All structures shall be constructed and installed to manufacturer's specification and constructed to withstand a minimum 90-mile-per-hour wind, or the minimum wind speed as required by the town's adopted Uniform Building Code, as amended, whichever wind speed is greater.

F. Building Codes. Structures shall be permitted and constructed to meet current town of Mesilla building code requirements, including the Uniform Building Code, and required setback provisions as prescribed for the zoning districts in which such structures are permitted. If any setback or buffer yard as prescribed in the town's zoning code requires a greater distance than required in this chapter, the greater setback shall apply.

G. Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that the tower is maintained in compliance with the standards contained in applicable federal, state and town building codes. If, upon inspection, the town of Mesilla concludes that a tower fails to comply with such codes and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance with such standards. Failure to do so shall constitute grounds for the removal of the tower or antenna at the owner's expense.

H. State or Federal Requirements. All towers shall meet or exceed current standards and regulations of the Federal Communication Commission (FCC), the Federal Aviation Administration (FAA) and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this chapter shall bring such towers and antennas into compliance with such revised standards and regulations within six months of the effective date of the revisions, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

I. Business Registration Required. Business registrations are required for each WTF for commercial purposes located within the town limits of Mesilla, regardless of whether said structure is freestanding, co-located, facial or roof mounted, or part of an integrated structure or improvement. Business registrations are renewable annually.

J. Inventory of Existing Sites. Each applicant for a WTF shall provide to the PZHAC an inventory of existing towers, antennas or sites approved for towers or antennas that are located within the service area proposed to be served by the new tower, including specific information about the location, height and design, and the owners/operators of each tower or site and indicate the distance of such towers, antennas or sites from the proposed WTF.

K. Aesthetics. Towers and antennas shall meet the following aesthetic requirements:

1. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.
2. The design of the buildings and related structures at a WTF site shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend them into the natural setting and any surrounding buildings.
3. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

L. Lighting. Only security lighting not to exceed 12 feet in height or lighting required by a state and/or federal agency is allowed, providing the location of the lighting fixture together with its cut-off angle shall be such that it does not shine directly on any public right-of-way or any residential premises.

M. Signs. No signs shall be allowed on an antenna or tower other than signage required by the FCC or other regulatory agency and signs that warn of safety hazards or prohibit access; provided, that such signs are no larger than one square foot and are reviewed by town staff and approved by the board of trustees.

N. Building and Support Equipment. Buildings and support equipment associated with antennas or towers shall comply fully with the town's building codes.

O. Health Issues. Every wireless telecommunications facility shall meet health and safety standards for electromagnetic field emissions as established by the Federal Communications Commission or any successor thereof, and any other federal or state agency.

P. View Corridors. No wireless communication tower or facility is allowed within 660 feet (or one-eighth mile) of the outer edge of the right-of-way of any designated view corridor.

Q. Historic Preservation Review. No WTF that may affect archaeological, historic or cultural properties that are listed or are eligible for listing on the National Register of Historic Places shall be constructed, installed or modified without first obtaining Historic Preservation Division 106 Review as per 36 CFR part 800 in accordance with the National Historic Preservation Act of 1966, as amended. A project comment review letter from the State of New Mexico Historic Preservation Division, Office of Cultural Affairs shall be filed with the town at the time of filing a business registration application and/or special use permit application.

R. Visual Models. Visual models shall be required of all applicants for a WTF as follows:

1. Photographic Simulation. The applicant shall be required to provide a photographic simulation with the image of a tower or other proposed communications structure and all structures associated with the site superimposed over the existing view to provide a sense of the visual impact expected from the proposed WTF.

2. Site-Located Height Model or Balloon Test. A height model, which shall be a pole or other object erected or floated at the site to the requested height of the proposed WTF, may be required as a condition of the special use permit. If required, the following conditions shall apply:

a. The applicant shall submit photographs of the height model or balloon test from neighboring residential areas and public roadways and other locations around the town as specified by the PZHAC within three miles from which the height model or balloon is visible. The height model or balloon shall be a minimum of three feet in diameter.

b. Photographs of the height model or balloon test shall be submitted no less than 10 days prior to the scheduled public hearing date for the special use permit.

c. Height models or balloon tests shall be erected for a minimum of three days no less than 15 days prior to the scheduled public hearing date for the special use permits. The legal notice for the special use permit shall state the dates and location during which the height model or balloon test will be erected.

d. The PZHAC may waive this requirement if it is determined that the photographic simulation is adequate to address any and all visual impact issues.

e. Town staff shall issue administratively any permit necessary for a temporary height model required for staff and public inspection purposes.

S. All utilities at a WTF site shall be installed underground and in compliance with all laws, ordinances, rules and regulations of the town of Mesilla, the National Electrical Safety Code and the National Electrical Code where appropriate.

T. All applicants for a WTF or any modification to an existing WTF should develop their plans to allow reasonable requests from the town to use space on its towers and space within the existing or planned compound for deploying and operating public service radio facilities at no cost to the town. Provisions for adequate advance notice regarding town access to the WTF for routine activities will be arranged with the applicant. [Ord. 2003-10 § 4]

18.54.050 Co-location.

To minimize adverse visual impacts associated with the proliferation and clustering of towers, co-location or shared use of antennas by more than one carrier on existing towers shall take precedence over the construction of new towers, provided such co-location is accomplished in a manner consistent with the following:

- A. The antenna complies with all applicable FCC and FAA regulations.
- B. A tower which is modified or reconstructed to accommodate the co-location of an additional antenna shall be of the same tower type as the existing tower, unless the PZHAC allows reconstruction as a monopole.
- C. Height. An existing tower may be modified or rebuilt to a taller height not to exceed 30 feet over the tower’s existing height, to accommodate the co-location of an additional antenna. This height change may occur only one time per communication tower and the additional height cannot require an additional distance separation as set forth in MTC 18.54.070(D). The tower’s premodification height shall be used to calculate such distance separations.
- D. On-Site Location. A tower which is being rebuilt to accommodate the co-location of an additional antenna may be moved on-site within 50 feet of its existing location. If the tower is moved to accommodate co-location, only one tower may remain on the site. A relocated on-site tower shall continue to be measured from the original tower location for purposes of calculating separation distances between towers pursuant to MTC 18.54.070(D). [Ord. 2003-10 § 5]

18.54.060 Heights, placement provisions and setbacks.

A. Heights.

Zone	Towers	Other Communication Structures
HR, HC	Expressly prohibited	Prohibited
Towers and other communication structures are also expressly prohibited within 660 feet (or 1/8 mile) of the boundary of an historic resource or district or view corridor.		
C	Expressly prohibited	Must be concealed as per subsection (D) of this section
R-1	Up to 65 feet For noncommercial use only	Up to 65 feet For noncommercial use only
RA	Up to 65 feet For noncommercial use only	Up to 65 feet For noncommercial use only
RF	Up to 65 feet for a single user Up to 75 feet for three users Up to 100 feet for four or more users	See MTC 18.54.030(B)

The applicant shall submit documentation justifying the total height of any tower or other communication structure, facility, and/or antenna and the basis therefore. Such documentation will be analyzed, to the extent practicable, in the context of the justification of the height needed to provide service primarily and essentially within the town boundaries and the immediately surrounding area, to the extent practicable.

No tower, including allowing for all attachments, shall exceed that height which shall permit operations without required artificial lighting of any kind in accordance with municipal, county, state and/or federal law, ordinance, code, rule or regulation.

B. The following placement and setback requirements shall apply to all freestanding vertical structures under 50 feet for which a special use permit is not required:

1. Towers and other freestanding vertical structures and satellite service devices in the R-1, RA and RF zones shall be placed within the primary buildable area for the lot's zone and must be to the side and/or rear of any and all residential dwelling structures, including houses, apartments, duplexes, etc.
2. Structures shall be set back from any adjoining property line one foot for each one foot in height plus 10 percent of the total height of the structure.
3. Additional setbacks may be required in both this section and in the following section to meet the distance equal to at least the potential fall radius of a support structure as certified by a licensed New Mexico professional engineer or to preserve the privacy and integrity of adjoining residential, public or historic properties.
4. Guy wires used to secure and steady a tower and accessory buildings shall conform to the minimum setback requirements for the lot's zone.

C. The following placement and setback requirements shall apply to all towers for which a special use permit is required:

1. Towers and other communication structures for which a special use permit is required shall be placed within the primary buildable area for the lot's zone and must be to the side and/or rear of the primary building structure. If the antenna, communication structure or satellite service device is the primary structure, then such structure shall be within the primary buildable area, including all equipment buildings.

2. Required tower or other antenna support setbacks from all property lines:

a. Up to 75 feet, the setback is one foot for each foot of height, plus 10 percent of the total height of the structure;

b. From 75 to 125 feet, the setback is two feet for each foot of height;

c. From 126 to 150 feet, the setback is three feet for each foot of height.

3. When a proposed tower will be located in or adjacent to a district which permits residential use, or where a residential structure is located, the tower shall also be set back from the nearest residential use on the same or any adjacent parcel, a distance 20 percent greater than its total height.

4. A special use permit shall be required for WTFs proposed to be constructed on lots adjacent to property zoned R-1 or RA.

D. Concealed wireless communications facilities are permitted within the C zone providing the following conditions are met:

1. The structure is architecturally integrated with existing buildings, structures and landscaping, including height, color, style, massing, placement, design and shape and is not readily visible as a wireless telecommunications facility. No setback shall be required for an architecturally integrated WTF less than 24 feet high.
2. The structure is located in areas where the existing topography, vegetation, buildings or other structures provide the greatest amount of screening.
3. The structure is located on existing vertical infrastructure, such as utility poles and public utility structures, if possible.
4. The structure complies with all other aesthetic requirements as set forth in this chapter.
5. The structure is approved through the special use permit process. [Ord. 2003-10 § 6]

18.54.070 Special use permits.

A. General. The following provisions shall govern the issuance of special use permits for the siting of a WTF, including but not limited to the construction of a tower and the placement of an antenna, by the board of trustees, the governing body of the town of Mesilla.

1. Applications for special use permits under this section shall be subject to the procedures and requirements of the zoning regulations and standards, MTC 18.55.010, 18.85.080, 18.85.100; and Chapter 18.85 MTC, Article III; except as modified in this chapter, with the planning, zoning and historical appropriateness commission (PZHAC) acting as a recommending body and the board of trustees acting as the granting body.
 2. The PZHAC, in recommending a special use permit to the board of trustees, and the board of trustees, in granting a special use permit, may impose conditions and limitations to the extent the commission and board conclude such conditions and limitations are necessary to minimize any adverse effect of the proposed WTF on adjoining properties.
 3. Any engineering information submitted by the applicant, whether civil, mechanical, or electrical, shall be certified by a professional engineer licensed in the state of New Mexico.
 4. An applicant for a special use permit shall submit the information described below in this section and a nonrefundable filing fee as described in the zoning regulations and standards, MTC 18.85.140(A).
- B. Wireless Telecommunications Facilities (WTFs) – Information Required. In addition to any information required for applications for special use permits pursuant to MTC 18.55.010 and Chapter 18.85 MTC, Article II, of the zoning regulations and standards, applicants for a special use permit for a WTF shall submit the following information:
1. A scaled site plan clearly indicating the location, type and height of the proposed tower; on-site land uses and zoning, adjacent land uses and zoning, including, when adjacent to the county or another municipality; adjacent roadways; proposed means of access; setbacks from property lines; elevation drawings of the proposed tower and any other structures; topography; parking and other information deemed by town staff to be necessary to assess compliance with this chapter.
 2. Legal description of the property upon which or upon part of which the applicant proposed to located the WTF and a list of all mortgages on the property at the time of application.
 3. The setback distance between the proposed tower and the nearest residential unit or the nearest platted or unplatted residentially zoned properties.
 4. The separation distance from other existing towers within 1,000 feet of the proposed tower. The applicant shall also identify the type of construction of such existing tower(s) and their owner(s)/operator(s).
 5. The landscape screening plan showing specific landscape materials.
 6. Method of providing security, fencing or wall, and finished color and, if applicable, the method of camouflage and illumination.
 7. A description of compliance with MTC 18.54.040(E) to (H) and (K) to (R) and all applicable federal, state and local laws.
 8. A notarized statement by the applicant as to whether construction of the tower will accommodate co-location of additional antennas for future users.
 9. Identification of the entities providing the network connections for the proposed tower and other cellular sites owned or operated by the applicant in the town of Mesilla.
 10. A statement as to the projected number and locations of any WTFs proposed to be built in the town of Mesilla within two years of the date of the current application and that are part of the same system as the WTF for which a special use permit is currently being sought.
 11. The applicant shall submit documentation of the legal right to install the WTF, including ingress and egress easements, and shall include original signature(s) of such land owner(s) and a copy of the property deed, plus a full copy of any proposed lease agreement with subject property owner(s).
 12. A copy of the tax map and parcel identification code number of the subject property as shown in the records of the Dona Ana County assessor's office.

13. A site plan showing all property within 1,500 feet of the perimeter of the proposed property that will house the proposed WTF. A list of the owners of each of the affected properties and their mailing addresses as shown by the Dona Ana County assessor's office.

14. A copy of the FCC license for the WTF and a notarized statement from the owner or operator of the WTF attesting that the WTF complies with current FCC regulations.

15. Project comment review letter from the State of New Mexico Historic Preservation Division and any other letters of clearance required pursuant to the National Historic Preservation Act 1996, as amended.

16. Photo simulations and, if required, the photographic results of the site-located height model or balloon test.

17. Propagation maps showing the cellular coverage that the site will provide.

18. A written report indicating the applicant's efforts to secure shared use or co-location with existing towers, other structures or alternative technology or buildings within the town of Mesilla and neighboring areas within the city of Las Cruces and Dona Ana County. Copies of written requests and responses for shared use shall be provided to the PZHAC along with the application for a special use permit.

C. Demonstration of Need. An applicant shall submit to the PZHAC documentation that demonstrates the need for the WTF to provide service within the geographical area proposed to be serviced by such WTF. The documentation shall include propagation studies of the proposed site and all adjoining planned, proposed, in-service or existing sites.

D. Separation Distances. When a second tower is proposed near an existing tower, there shall be a minimum separation distance between them of not less than the combined height of the existing tower and the proposed tower, which distance shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan of the proposed tower. The same separation distance shall apply when more than one tower is proposed at one location.

E. Security Fencing. Towers shall be enclosed by a security fence or wall not less than six feet in height which is equipped with an appropriate anti-climbing device other than barbed or other cutting wire.

F. Screening. WTFs shall be landscaped with a buffer of plant material that effectively screens the view of the tower compound. The standard buffer shall consist of a landscaped strip at least four feet wide outside the perimeter of the compound.

G. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be sufficient buffer. [Ord. 2003-10 § 7]

18.54.080 Buildings or other equipment storage.

The following requirements shall apply to the buildings and all other equipment storage space associated with a WTF requiring a special use permit:

A. The related unmanned equipment structure or cabinet, being part of the WTF, used in association with an antenna(s) located on a tower shall not contain more than 120 square feet of gross floor areas or be more than 10 feet in height and shall be located in accordance with the minimum yard requirements of the zone in which it is located.

B. Such equipment structures or cabinets shall comply with all applicable building codes.

C. Security lighting, if required, shall not exceed 12 feet in height and the location of the lighting fixture together with its cut-off angle shall be such that it does not shine directly on any public right-of-way or any residential premises. [Ord. 2003-10 § 8]

18.54.090 Application review and inspection fee.

An application review and engineering inspection fee of 15 percent of the total estimated cost of the installation of the tower and antenna(s) shall be paid by the applicant upon filing of an application for a special use permit with the town.

This fee shall be deposited in an escrow account and it shall be used to reimburse the town for all reasonable costs of expert services for evaluation and consultation to the town in connection with the review of the application and the construction of the site once the WTF is permitted. In the event the amount held in escrow by the town is more than the amount of the actual invoicing for consultant and expert services for work performed through the date of issuance of a certificate of compliance for the project, the remaining balance shall be promptly refunded to the applicant. In the event the amount is less than the amount of actual invoicing, the town shall rely on MTC 18.85.140(B) of the zoning regulations and standards, which permits charging additional review fees. [Ord. 2003-10 § 9]

18.54.100 Performance security bond.

The applicant and the owner of record of any proposed WTF property site shall, at its cost and expense, be jointly required to execute and file with the town a bond or other form of security acceptable to the town as to type of security and the form and manner of execution, in the amount of at least \$75,000 to assure the faithful performance of the terms and conditions of this chapter and the conditions of any special use permit issued pursuant to this chapter. The full amount of the bond or security shall remain in full force and effect through the term of the special use permit and/or until any necessary site restoration is completed to restore the site to a condition comparable to that which existed prior to the issuance of the original special use permit. [Ord. 2003-10 § 10]

18.54.110 Liability insurance.

A. A holder of a special use permit for a WTF shall secure and at all times maintain public liability insurance for personal injuries, death and property damage and umbrella insurance coverage for the duration of the special use permit in the following amounts:

1. Commercial general liability covering personal injuries, death and property damage and automobile coverage each at \$1,000,000 per occurrence and \$2,000,000 aggregate and the commercial liability policy shall specifically include the town as an additional named insured.
2. Workers' compensation at not less than minimum statutory limits.

B. The insurance policies shall be issued by an insurance agent of an insurance company licensed to do business in the state of New Mexico with a Best's rating of at least A and shall contain an endorsement obligating the insurance company to furnish the town with at least 30 days prior written notice in advance of the cancellation of the insurance. Renewal or replacement policies or certificates shall be delivered to the town at least 15 days before the expiration of the insurance that the policies are to renew or replace.

C. The holder of a special use permit for a WTF shall deliver to the town a copy of each of the policies or certificates representing the insurance in the required amounts before construction of the permitted WTF is initiated. [Ord. 2003-10 § 11]

18.54.120 Indemnification.

Any application for a WTF that is proposed for town property pursuant to this chapter shall contain an indemnification provision. Such indemnification provision shall require the applicant, to the extent permitted by the law, to at all times indemnify and hold harmless the town of Mesilla from and against all claims, liabilities, damages, losses and expenses, including attorneys' fees, which might arise out of or be caused by the performance of work in the location, construction, modification, use, maintenance, repair, replacement or removal of the WTF, which causes contract bodily injury, illness or death or any other injury or for property damage caused by the negligent act or omission of the owner/operator/applicant of the WTF. [Ord. 2003-10 § 12]

18.54.130 Removal of a wireless telecommunications facility.

A. Under the following circumstances, the town may determine that the health, welfare and safety of the town residents warrant and require the removal of a WTF:

1. A permitted WTF has not been operated as a WTF for a continuous period of six months and is therefore considered to have been abandoned;

2. A permitted WTF falls into such a state of disrepair that it creates a health or safety hazard as determined by town staff;

3. A WTF has been located, constructed or modified without first obtaining, or in a manner not authorized by, the required special use permit.

B. If the town makes such a determination as appears in subsection (A) of this section, then the town shall provide the owner of such WTF with a notice of abandonment and an order to remove the same within 90 days of receipt of the notice of abandonment from the town.

C. Failure by the owner or his successors or assigns to remove the abandoned WTF and all associated structures and facilities from the site and to restore the site to as close to its original conditions as is possible or to take substantial steps toward removing the abandoned WTF within said 90 days shall be grounds to remove the WTF at the owner's expense. [Ord. 2003-10 § 13]

18.54.140 Required annual report.

In conjunction with the annual renewal of their business registration, the owner of each WTF shall submit a report to the Town of Mesilla, Town Clerk, PO Box 10, Mesilla, NM 88046, stating the current user status of the tower and providing proof of renewal of the insurance policies or certificates required pursuant to MTC 18.54.110. [Ord. 2003-10 § 14]

18.54.150 Provision for waiver or variance.

A. An administrative waiver of up to a 10 percent difference, except for height, or a variance for over a 10 percent difference, except for height, may be requested by the applicant at the time of filing for the special use permit. The conditions regulating the process for waiver and variance requests are set forth in Chapter 18.85 MTC, Article I, and shall apply in this chapter.

B. In instances where strict compliance with this chapter would result in a violation of a clearly established, applicable provision of the Telecommunications Act of 1996 or other federal law or regulation, a minimal easing of the provision of this chapter may be granted by the board of adjustment to the extent required to comply with such law. [Ord. 2003-10 § 15]

18.54.160 Penalty.

Any person who violates any provision of this chapter or any special use permit issued pursuant to this chapter shall be charged with a petty misdemeanor and upon conviction may be punished by a fine of not more than \$500.00 or imprisonment for not more than 90 days or both such fine and imprisonment as provided for in MTC Title 1. [Ord. 2003-10 § 16]

18.54.170 Default and/or revocation.

A. If a WTF is repaired, rebuilt, placed, moved or modified in a way that is inconsistent or not in compliance with the provisions of this chapter or of the special use permit, then the town shall notify the holder of the special use permit in writing of such violation. Such notice shall specify the nature of the violation(s) or noncompliance and that action to begin correction of the violation(s) must be commenced within seven days of the date of the postmark or personal service of the notice, whichever is earlier, and completed within 45 days of such date. Notwithstanding anything to the contrary in this subsection or any other section of this chapter, if the violation causes or presents an imminent danger to the health or safety of lives or property, the town may, at its sole discretion, order the violation remedied within 24 hours.

B. If within the 45-day time period set forth in subsection (A) of this section, the WTF is not brought into compliance with the provisions of this chapter or of the special use permit, or substantial steps are not taken in order to bring the affected WTF into compliance, then the town may revoke such special use permit for the affected WTF and shall notify the holder of the special use permit within 48 hours of such action. [Ord. 2003-10 § 17]

The Mesilla Town Code is current through Ordinance 2020-04, and legislation passed through June 8, 2020.

Disclaimer: The town clerk's office has the official version of the Mesilla Town Code. Users should contact the town clerk's office for ordinances passed subsequent to the ordinance cited above.

Town Website: <http://www.mesillanm.gov/>

Town Telephone: (575) 524-3262

Code Publishing Company

Doña Ana County, NM

General Reference Maps

2014 Aerial | Addresses | County Address Points

Select Search Type: Account Number Enter Value:

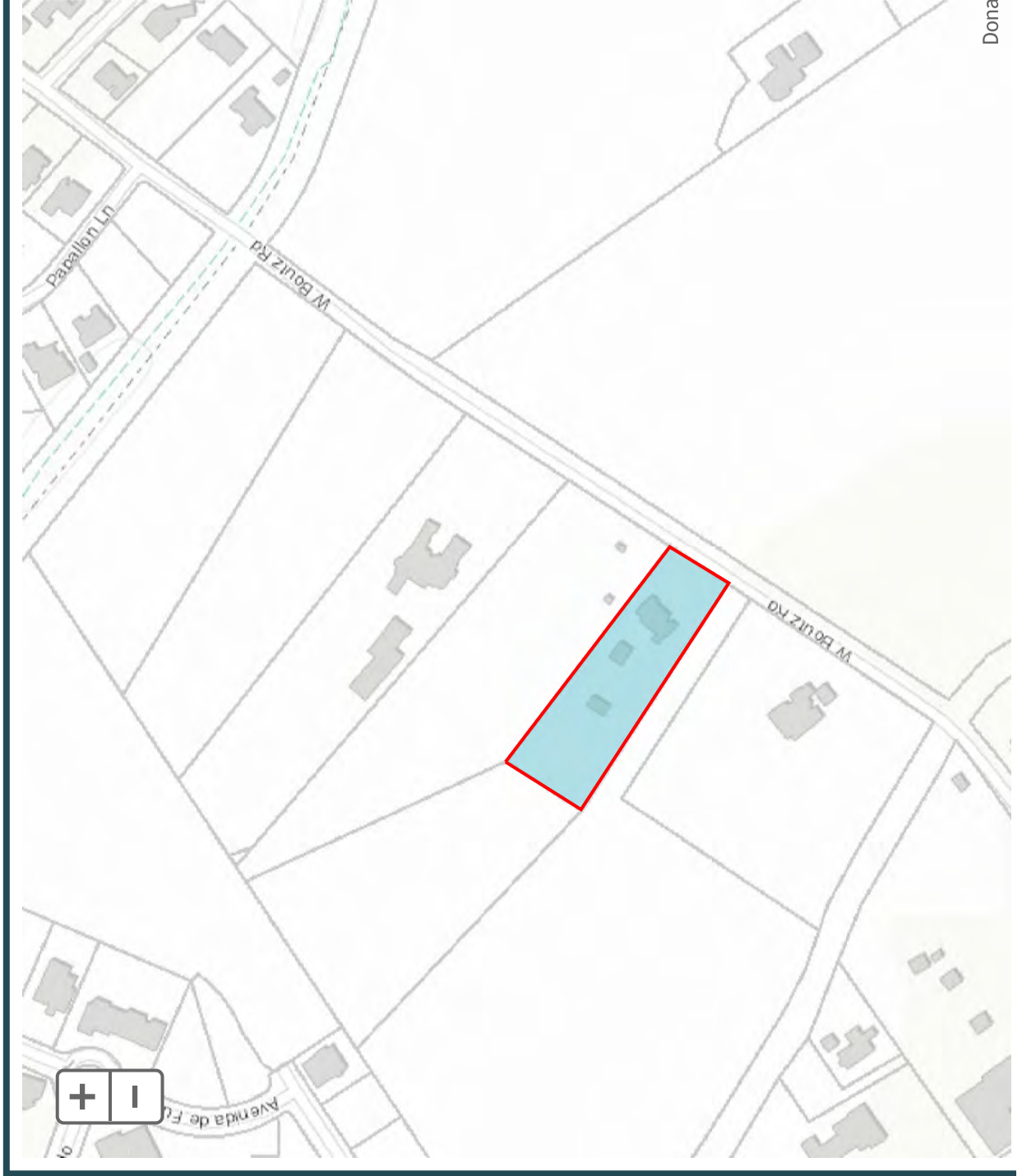
Maps

Legend

Map Themes

- Parcels
- UDC Zoning
- Roads and Transportation
- NM House Districts
- NM Senate Districts
- County Commission Districts
- City Council Districts
- Median Household Income
- General Land Ownership

Account Number: [R0400963](#)
 Parcel Number: 4006137363318
 Owner: KRUEGER SUSAN A
 Mail Address: PO BOX 1143
 Subdivision: MESILLA GREENS (BK 17
 PG 125-126 - 921098)
 Property Address: 1584 W BOUTZ
 RD
 Acres: 2



**PZHAC NEW BUSINESS
NOVEMBER 16, 2020**

**SPECIAL USE PERMIT
[SUP20-001]**

APPLICATION AND INFORMATION

TOWN OF MESILLA
SPECIAL USE PERMIT
APPLICATION

OFFICIAL USE ONLY:

Case # 061139

Fee \$ 310.00

CASE NO. 061139 ZONE: RF SUBMITTED DATE: OCTOBER 21, 2020

VERIZON WIRELESS 505.710.2079 LES GUTERREZ, AGENT
Name of Applicant Applicant's Telephone/Cell Number
3. Gbolita Peak SANTA FE, NM LESENTREVEZ235@GMAIL.COM
Mailing & Physical Address City State Zip Code 87500

SUSAN KRUEGER P.O. Box 1143 Mesilla NM 88046
Property Owner(s) Name (if different than above) LAS CAUCOS 88005
1584 W. BOUTZ RD MESILLA NM 88046
Mailing & Physical Address City State Zip Code

Description of Special Use Permit Requested: VERIZON WIRELESS IS REQUESTING TO CONSTRUCT
A 65' MONG PINE TOWER ON A TRACT OF LAND WITHIN THE TOWN
OF MESILLA, NM

Justification for Request: THE NEW TELECOM FACILITY IS NEEDED TO PROVIDE
EXPANDED DATA & VOICE SERVICES TO NEARBY HOMES, VEHICULAR TRAFFIC
& 911 USERS.

Notice: No application will be accepted without the signature of the owner(s) of record of the above described property.
If more than one, all owners or their agents must sign.

[Signature] LES K GUTERREZ FOR VERIZON WIRELESS
Property Owner Signature (if different than Applicant) Applicant Signature

FOR OFFICIAL USE ONLY

PZHAC Administrative Approval (N/A) BOT Approved Date: _____
 Approved Date: _____ Disapproved Date: _____
 Disapproved Date: _____ Approved with Conditions
 Approved with conditions

CONDITIONS: PZHAC PUBLIC HEARING AND REVIEW REQUIRED
BOT FINAL APPROVAL REQUIRED FOR ZONING APPROVAL
CID BUILDING AND OTHER PERMITS REQUIRED II

ISSUED BY: _____ ISSUE DATE: _____

Community Development Department
2231 Avenida de Mesilla, P.O. Box 10, Mesilla, NM 88046 (575) 524-3262 ext. 104
www.mesilla-nm.gov

The Protective Covenants for Mesilla Greens Subdivision, administered by the Administrative Control Committee, took effect on December 23, 1991; and

Given that, during the twenty-six (26) years and ten (10) months the Protective Covenants for Mesilla Greens Subdivision have been in effect, there has been no need for the Administrative Control Committee to take action; and

Given that, the current Code of the Town of Mesilla contains substantial and up-to-date rules and regulations governing land use and development in the Rural Farm (RF) zone, which is the zoning for the Mesilla Greens Subdivision; and

Given that, development in the Mesilla Greens Subdivision has conformed to the requirements of the Mesilla Town Code;

Now, therefore, having considered each of the above points, I, Betty J. Boldt, the sole remaining member of the Administrative Control Committee, choose, pursuant to the Protective Covenants for Mesilla Greens Subdivision IV 1. "ADDITIONAL POWERS OF COMMITTEE" (b), to exercise my authority to modify deed restrictions, and herewith amend said Protective Covenants I 1. "TERM" as follows:

1. Delete the existing text of I. 1 "TERM" in its entirety; and
2. Replace it with the following text: I. 1 "TERM. These deed restrictions are to run with the land and shall be binding on all parties and all persons claiming under them until 5:00 p.m. Mountain Time on October 30, 2018, after which time and date said deed restrictions shall be removed in whole."

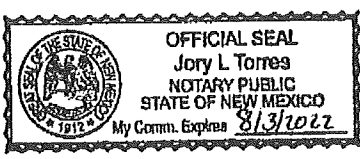
SIGNATURE: Betty Boldt
Betty J. Boldt

DATE: 10/31/18

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 31 DAY OF October 2018.

(SEAL)

Jory L. Torres Jr.
NOTARY PUBLIC
MY COMMISSION EXPIRES: 8/3/2022



Attachment: copy of the Protective Covenants for Mesilla Greens Subdivision

This document was filed for record with the County Clerk of Dona Ana County, New Mexico on the 31 day of October, 2018



June 4, 2020

Mr. Larry Shannon, Senior Planner Community Development Department
Town of Mesilla
2231 Avenida de Mesilla, P.O. Box 10
Mesilla, New Mexico 88046

Re: Verizon Wireless
Proposal for a New Telecommunications Facility
(Verizon Wireless LSC La Posta 1584 W. Boutz Road, Mesilla NM 88046)

Dear Mr. Shannon:

I apologize for the delay in getting this Special Permit request to you for your review. Based on our previous conversations on the Town of Mesilla's Ordinance requirements please find the following submittal documents:

1. Signed application and check for \$600.
2. Propagation and RF Maps showing before and after coverage improvement of new facility.
3. Zoning Drawings for a new 65' Mono-pine structure.
4. Photo-Simulations showing before and after.
5. Release of protective covenants from Mesilla Greens Subdivision.

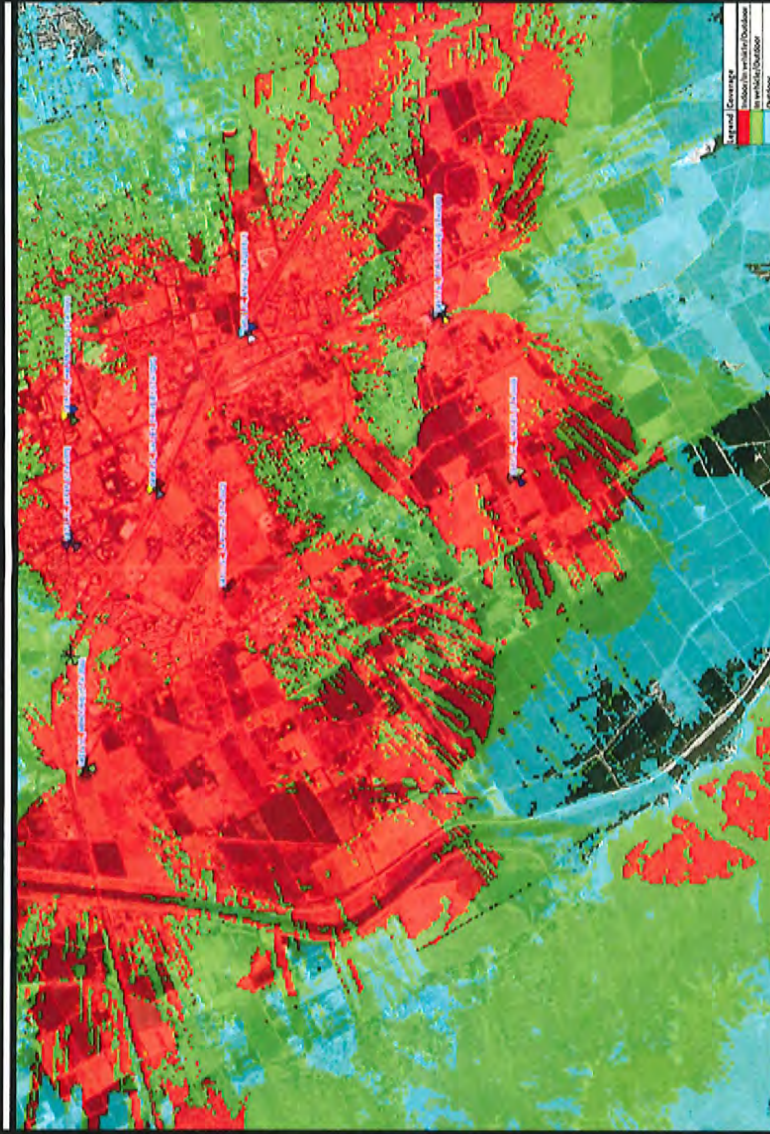
Albert, I would appreciate your review of the enclosed docs and advise what additional open items you need to process our request. Also if you could advise when the zoning/commission dates might be for this project. I look forward to working with you Larry on this project.

Sincerely,

Les F. Gutierrez

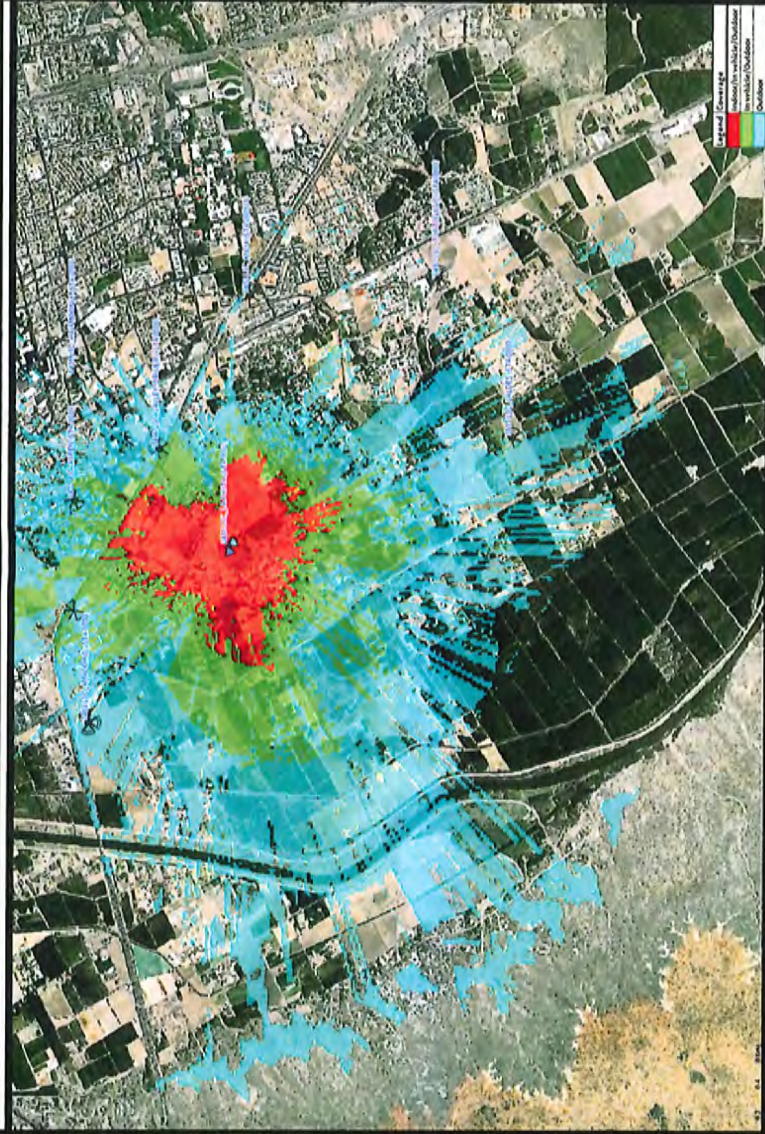
Les F. Gutierrez, Senior Site Acquisition Manager
KGI Wireless/Verizon Wireless.
3150 Carlisle Blvd NE, Suite 211
Albuquerque, NM 87110
505-710-2079

Las Cruces area coverage with no LSC_La Posta



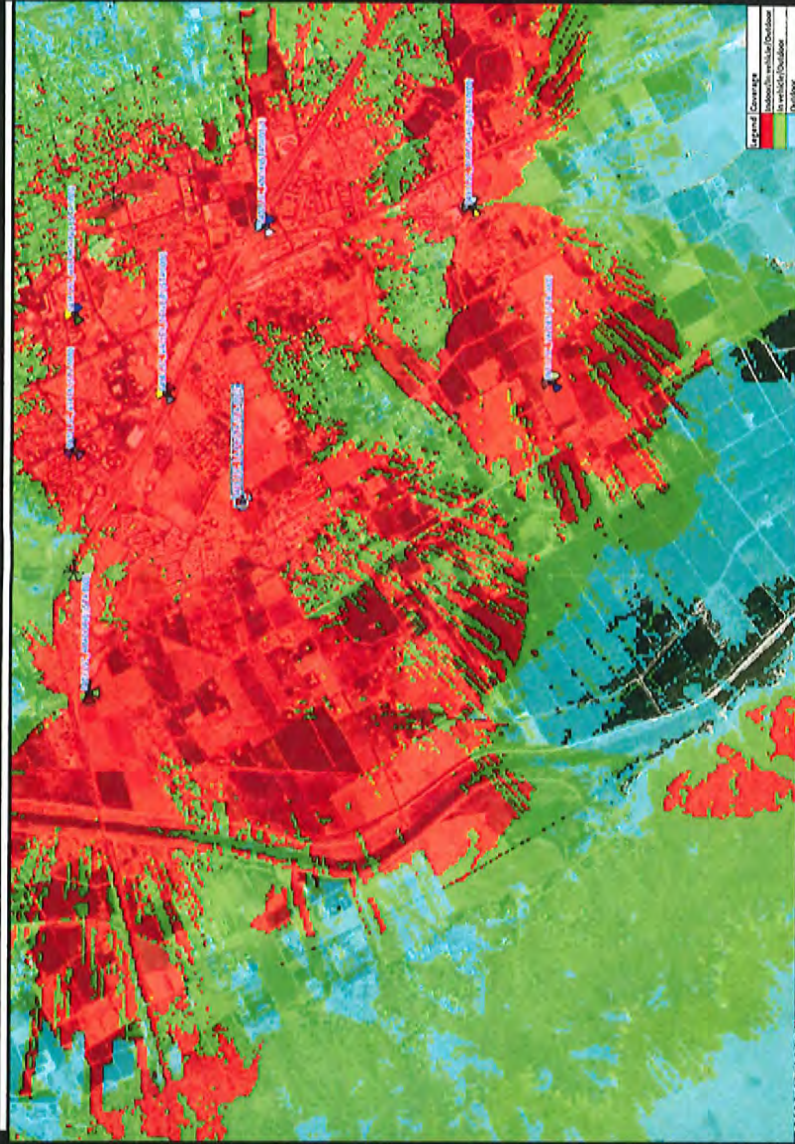
Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

Las Cruces La Posta coverage



Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

Area coverage with LSC_La Posta added



Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

**FOR
INFORMATION
ONLY**

PRELIMINARY DOCUMENTS
 THESE DOCUMENTS ARE RELEASED FOR THE PURPOSE OF
 REVIEW UNDER THE AUTHORITY OF TIER II, BULKWERK ON
 04/24/2019
 THEY ARE NOT TO BE USED FOR CONSTRUCTION, MARKING,
 OR AS A BASIS FOR ANY OTHER ACTION. THESE DOCUMENTS
 FOR ISSUANCE OF A PERMIT, SALES OR AS THE BASIS
 FOR ANY OTHER ACTION.
 TIER II, BULKWERK, P.E., OWNER
 REGISTRATION NUMBER 20042
 EXPIRES 04/24/2019
 RENEWAL DATE DECEMBER 31, 2019
 KCI WIRELESS, INC.



KCI WIRELESS, INC.
 805 LUIS CHAMAS DRIVE
 BUILDING THREE, SUITE 370
 AUSTIN, TX 78746
 TEL: 512.345.9999
 FAX: 512.345.9998

LSC LA POSTA

LOCATION CODE:
286827

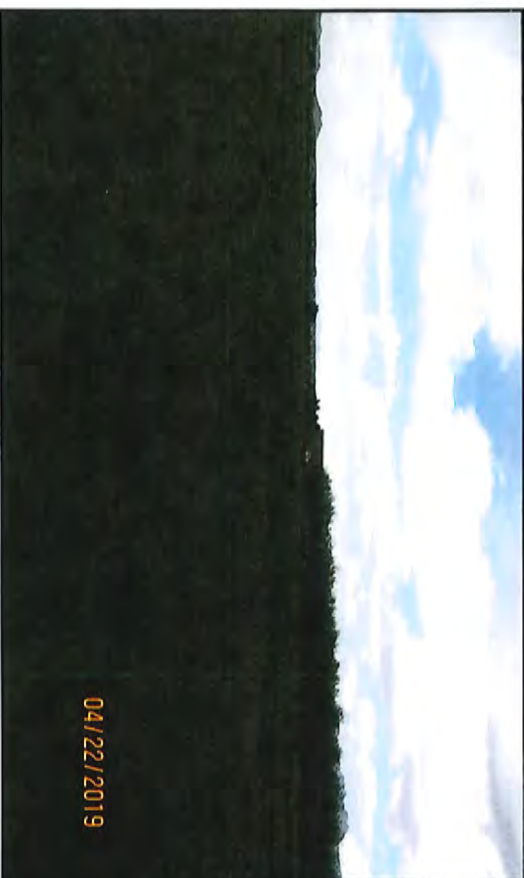
SITE ADDRESS:
 1564 W. BOUTZ RD.
 MESILLA, NM 88046

THESE DRAWINGS ARE THE PROPERTY OF
 VERIZON WIRELESS. THEY ARE INTENDED FOR
 YOUR INFORMATION ONLY. ANY REVISIONS,
 AMENDMENTS OR CHANGES TO THESE DRAWINGS
 WITHOUT THE EXPRESS WRITTEN CONSENT OF
 VERIZON WIRELESS IS PROHIBITED.

NO	DESCRIPTION	BY	DATE

SHEET TITLE:
PHOTO SHEET

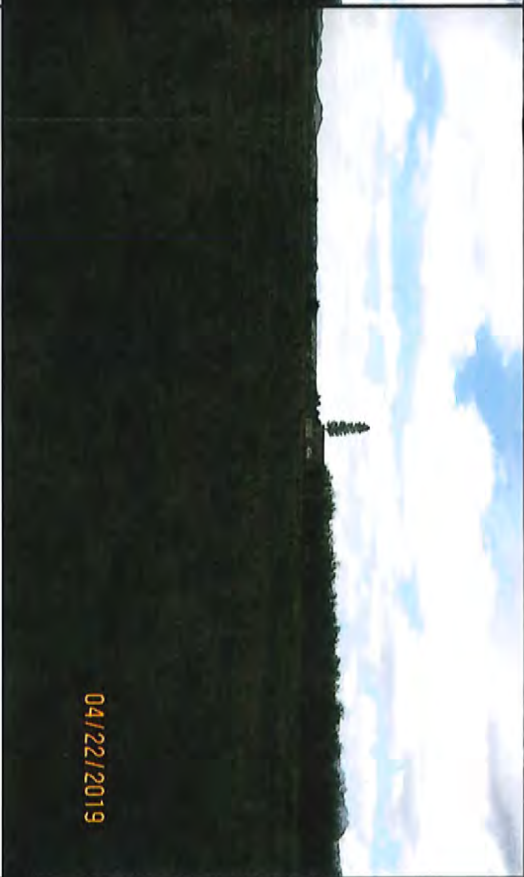
SHEET NUMBER:
PS1



1

LOOKING NORTH BEFORE

SCALE N.T.S.



2

LOOKING NORTH AFTER

SCALE N.T.S.



3

LOOKING SOUTH BEFORE

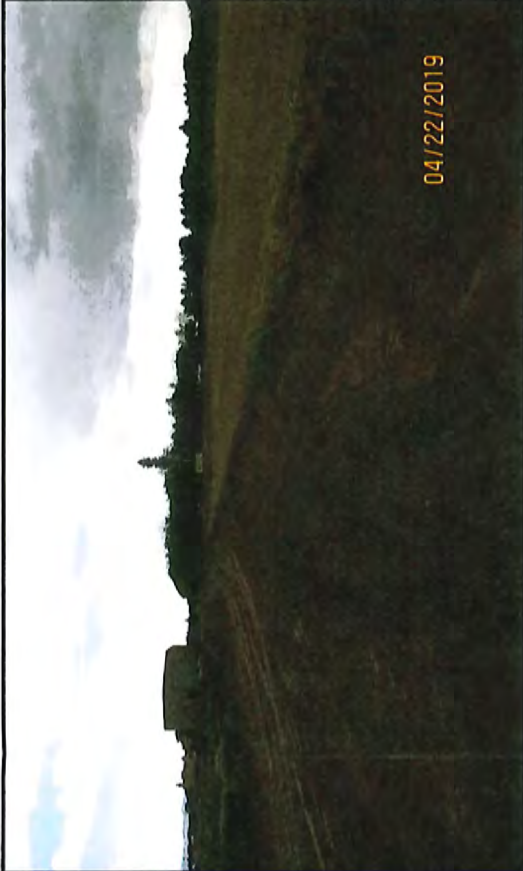
SCALE N.T.S.



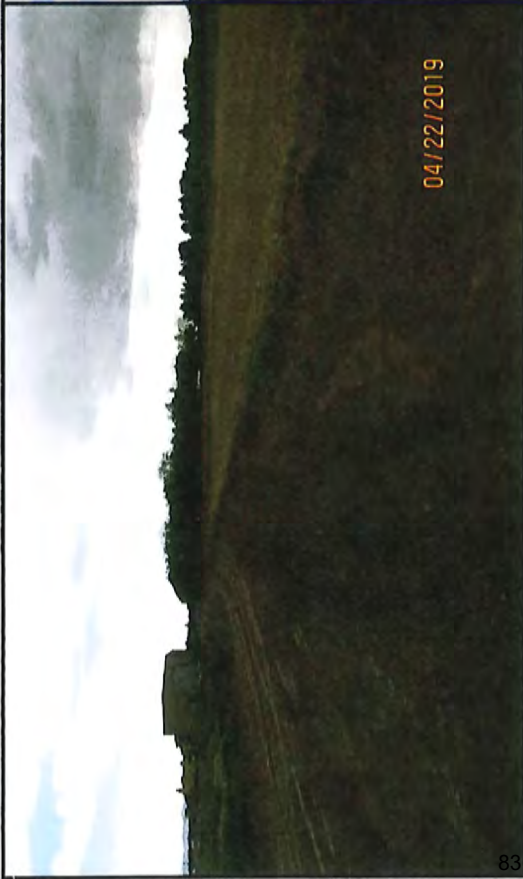
4

LOOKING SOUTH AFTER

SCALE N.T.S.



1 ———
LOOKING EAST BEFORE
SCALE: N.T.S.



2 ———
LOOKING EAST AFTER
SCALE: N.T.S.



3 ———
LOOKING WEST BEFORE
SCALE: N.T.S.



4 ———
LOOKING WEST AFTER
SCALE: N.T.S.

FOR INFORMATION ONLY

PRELIMINARY DOCUMENTS
 THESE DOCUMENTS ARE RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF TERRY S. BOLINGER ON 04/24/2019
 THEY ARE NOT TO BE USED FOR CONSTRUCTION, MARKETING, OR ANY OTHER PURPOSES WITHOUT THE EXPRESS WRITTEN CONSENT OF TERRY S. BOLINGER. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE EXPRESS WRITTEN CONSENT OF TERRY S. BOLINGER IS PROHIBITED.

04/24/2019
 TERRY S. BOLINGER, P.E.
 13864 W. BOUTZ RD.
 MESILLA, NM 88046
 REGISTRATION NUMBER 22427
 EXPIRES 12/31/2019
 TERRY S. BOLINGER, P.E.
 13864 W. BOUTZ RD.
 MESILLA, NM 88046
 REGISTRATION NUMBER 22427
 EXPIRES 12/31/2019



KGI WIRELESS, INC.
 805 LAS CHAVAS PWAY
 BUILDING THREE, SUITE 370
 AUSTIN, TX 78746
 TEL: 512.245.9595
 FAX: 512.345.9898

SITE NAME:
LSC LA POSTA
 LOCATION CODE:
286827
 SITE ADDRESS:
 13864 W. BOUTZ RD.
 MESILLA, NM 88046

ISSUED FOR: DATE
 REVIEW REV A 04/24/2019

NO	DESCRIPTION	BY	DATE

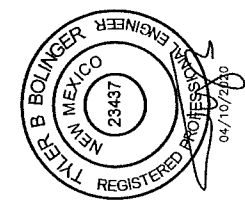
SHEET TITLE:
PHOTO SHEET

SHEET NUMBER:
PS2



PROJECT:
SITE NAME:
LOCATION CODE:
PROJECT NUMBER:
STRUCTURE TYPE:
ADDRESS:

NEW BUILD
LSC LA POSTA
286827
20131016352
65' MONOPINE TOWER
1584 W. BOUTZ ROAD
MESILLA, NM 88046
DONA ANA COUNTY



PE RENEWAL DATE DECEMBER 31, 2021

KG WIRELESS, INC.
 8000 S. CENTRAL AVENUE, SUITE 370
 AUSTIN, TX 78746
 TEL: 512.345.8995
 FAX: 512.345.8998

SITE NAME:
LSC LA POSTA

LOCATION CODE:
286827

SITE ADDRESS:
 1584 W. BOUTZ RD.
 MESILLA, NM 88046

THESE DRAWINGS ARE THE PROPERTY OF VERIZON WIRELESS. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE WRITTEN PERMISSION OF VERIZON WIRELESS IS PROHIBITED.

ISSUED FOR:	DATE
CONSTRUCTION REV 0	08/19/2019
CONSTRUCTION REV 1	01/14/2020
CONSTRUCTION REV 2	04/10/2020

DRAWINGS INDEX	
GENERAL SHEETS	REVISION
T1 TITLE SHEET	0
SP1 SPECIFICATION SHEET	0
GN1 ABBREVIATIONS AND SYMBOLS	0
PS1 SITE PHOTOS	0
CIVIL SURVEY	
SUR1 SURVEY	0
CIVIL PLANS	
C1 OVERALL SITE PLAN	0
C2 DETAILED SITE PLAN	2
C3 TOWER ELEVATION	2
C4 TOWER ELEVATION	2
C5 CIVIL DETAILS	0
C6 CIVIL DETAILS	0
C7 CIVIL DETAILS	0
C8 CIVIL DETAILS	1
ELECTRICAL PLANS	
UCT UTILITY COORD. OVERALL SITE PLAN	0
UC2 UTILITY COORDINATION SITE PLAN	2
E1 ELECTRICAL AND GROUNDING NOTES	0
E2 ONE-LINE DIAGRAM	1
E3 ELECTRICAL DETAILS	1
GROUNDING PLANS	
G1 GROUNDING SITE PLAN	2
G2 GROUNDING DETAILS	1
G3 GROUNDING DETAILS	0
G4 GROUNDING DETAILS	0
RFI INFORMATION	
RF1 ANTENNA INFORMATION	0

PROJECT INFORMATION	
OCCUPANCY CLASSIFICATION:	TYPE II-B
REQUIRED-ALLOWED	NO
COMPLIANCE	YES
PROVIDED	NO
FIRE ALARMS	NOT APPLICABLE
FIRE SPRINKLERS	NOT APPLICABLE
BUILDING HEIGHT	UP TO 50 FEET
BUILDING STORIES	1
BUILDING AREA	UP TO 9000 SQ. FT.
OCCUPANT LOAD	NOT APPLICABLE
NUMBER OF EXITS	1
FIRE RESISTANCE OF EXTERIOR WALLS	1 HOUR
FIRE RESISTANCE OF BUILDING ELEMENTS	1 HOUR
PROTECTION OF OPENINGS	NOT APPLICABLE
NON-SEPARATED OR SEPARATED USES	NOT APPLICABLE
ROOF COVERING MATERIAL	CLASS B
PLUMBING FIXTURES	NONE
PLUMBING MATERIAL	UNOCCUPIED, NO PLUMBING
TOTAL LEASE AREA	400 SQ. FT.

APPLICABLE CODES AND STANDARDS

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

- INTERNATIONAL BUILDING CODE, 2015 EDITION
- INTERNATIONAL ELECTRIC CODE, 2014 EDITION AS ADOPTED BY LOCAL JURISDICTION
- NFPA 70 - NATIONAL ELECTRIC CODE, 2014 EDITION AS ADOPTED BY LOCAL JURISDICTION

ADA COMPLIANCE: THIS FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION LANDINGS AND EXITS SHALL COMPLY WITH ALL APPLICABLE BUILDING CODES.

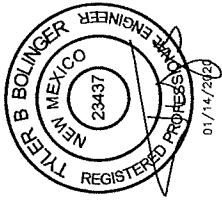
FCC COMPLIANCE: EVERY WIRELESS TELECOMMUNICATIONS FACILITY SHALL MEET THE REGULATIONS OF THE FCC REGARDING PHYSICAL AND ELECTROMAGNETIC INTERFERENCE. THE ONLY SIGNAGE WHICH IS PERMITTED IS THAT WHICH IS REQUIRED BY THE COMMUNICATIONS COMMISSION FROM THIS FACILITY.

HEALTH ISSUES: EVERY WIRELESS TELECOMMUNICATIONS FACILITY SHALL MEET HEALTH AND SAFETY STANDARDS FOR ELECTROMAGNETIC FIELD EMISSIONS AS ESTABLISHED BY THE FEDERAL COMMUNICATIONS COMMISSION OR ANY SUCCESSOR THEREOF, AND ANY OTHER FEDERAL OR STATE AGENCY.

LOCATION MAP	GENERAL PROJECT NOTES
	<p>1. PRIOR TO SUBMITTING A BID, THE CONTRACTOR SHALL BE FAMILIAR WITH THE SCOPE OF WORK AND ALL CONDITIONS AFFECTING THE NEW PROJECT.</p> <p>2. CONTRACTOR SHALL VERIFY ALL FIELD CONDITIONS AND DIMENSIONS OF THE JOB SITE AND CONFIRM PRIOR TO COMMENCEMENT OF ANY WORK.</p> <p>3. ALL FIELD MODIFICATIONS BEFORE, DURING, OR AFTER CONSTRUCTION SHALL BE APPROVED IN WRITING BY A VERIZON WIRELESS REPRESENTATIVE.</p> <p>4. INSTALL ALL EQUIPMENT AND MATERIALS PER THE MANUFACTURER'S RECOMMENDATIONS, UNLESS NOTIFIED BY VERIZON WIRELESS. IN WRITING, DESIGN INTENT SHALL BE THE CONTRACTOR'S RESPONSIBILITY FOR OBTAINING CLARIFICATIONS FROM A VERIZON WIRELESS REPRESENTATIVE AND ADJUSTING THE BID ACCORDINGLY.</p> <p>5. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES OF THE WORK UNDER THE CONTRACT.</p> <p>6. CONTRACTOR SHALL REPAIR ANY DAMAGE THAT MAY OCCUR DURING THE CONSTRUCTION TO THE SATISFACTION OF A VERIZON WIRELESS REPRESENTATIVE.</p> <p>7. THE CONTRACTOR IS RESPONSIBLE FOR RED-LINING THE CONSTRUCTION PLANS TO ILLUSTRATE THE AS BUILT CONDITION OF THE SITE. FOLLOWING THE FINAL INSPECTION BY VERIZON WIRELESS, THE CONTRACTOR SHALL PROVIDE VERIZON WIRELESS WITH ONE COPIES OF ALL RED-LINED DRAWINGS.</p> <p>8. ALL FIELD MODIFICATIONS BEFORE, DURING, OR AFTER CONSTRUCTION SHALL BE APPROVED IN WRITING BY A VERIZON WIRELESS REPRESENTATIVE.</p> <p>9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING HIS/HER WORK WITH THE WORK AND CLEARANCES REQUIRED BY OTHERS RELATED TO SAID INSTALLATIONS.</p>

PROJECT SUMMARY	SCOPE OF WORK	LEGAL DESCRIPTION
<p>APPLICANT: ERIZON WIRELESS 821 EUBANK NE LEBANON, NM 87111 CONTACT: JEFF DEWALT PHONE: 505.250.0004</p> <p>SITE ACQUISITION: KG WIRELESS, INC. BUILDING THREE, SUITE 370 05 LAS CHIMAS PKWY USTIN, TX 78746</p> <p>ENGINEER: KG WIRELESS, INC. BUILDING THREE, SUITE 370 05 LAS CHIMAS PKWY, USTIN, TX 78746</p> <p>REGISTERED PROFESSIONAL ENGINEER: TYLER B. BOLINGER, P.E. RINCIPAL ENGINEER PHONE: 512.334.3256</p> <p>SURVEYOR: LAUSEN LAND SURVEYING LLC 5328 COUNTRY OAKS DR. L PASO TX 79822</p> <p>OWNER/OWNER: ERIZON WIRELESS 26 W GEMINI DRIVE EMPE, AZ 85283 CONTACT:</p> <p>AND OWNER: USAN WRIEGER O BOX 1143 MESILLA, NM 88046 PHONE: 575.525.0854 MAIL: SKRUEGERS75@MSN.COM</p>	<p>SITE LOCATION</p> <p>FROM I-10 TAKE EXIT 140 FOR NM-28/AVENIDA DE MESILLA. TURN SOUTH ONTO NM-28 S/AVENIDA DE MESILLA. (SIGNS FOR HISTORIC LA MESILLA) CONTINUE STRAIGHT TO STAY ON NM-28 S/AVENIDA DE MESILLA. TURN LEFT ONTO W BOUTZ RD. THE SITE WILL BE ON THE LEFT.</p> <p>SCOPE OF WORK</p> <p>1. THIS WIRELESS COMMUNICATIONS FACILITY IS NOT INTENDED FOR HUMAN OCCUPANCY.</p> <p>2. THIS FACILITY DOES NOT REQUIRE POTABLE WATER AND WILL NOT REQUIRE POTABLE WATER SERVICE.</p> <p>3. THE SCOPE OF WORK CONSISTS OF PROPOSED WIRELESS INSTALLATION OF: A. EQUIPMENT CABINET B. 65' MONOPINE TOWER C. ANTENNAS D. ELECTRICAL AND CIVIL CONSTRUCTION</p>	<p>LEGAL DESCRIPTION</p> <p>A PARCEL OF LAND FOR A PROPOSED TELECOMMUNICATIONS LEASE AREA ("PROPOSED 20' X 20' LEASE AREA") WITHIN THAT UNDERLYING PARCEL DESCRIBED GENERALLY AS LOTS 4 AND 5 MESILLA GREENS. (PLAT RECORD BOOK 17, PAGES 125-126) AS THE SAID UNDERLYING PARCEL IS DESCRIBED IN WARRANTY DEEDS RECORDED IN BOOK 357, PAGE 6-44 RECORDED MARCH 17, 1992 (AS TO LOT 4); AND IN BOOK 359, PAGE 601 RECORDED MAY 26, 1992 (AS TO LOT 5), DONA ANA COUNTY DEED RECORDS</p>

NOTE: DRAWING SCALES ARE FOR 11"x17" SHEETS



PE RENEWAL DATE DECEMBER 31, 2021
01/14/2020



KGI WIRELESS, INC.
805 LAS CHAS PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9555
FAX: 512.345.9888

SITE NAME:
LSC LA POSTA
LOCATION CODE:
286827
SITE ADDRESS:
1554 W. BOUTZ RD.
MESILLA, NM 88046

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ISSUED FOR: DATE
CONSTRUCTION REV 0 05/19/2019
CONSTRUCTION REV 1 01/14/2020

REVISION	
NO DESCRIPTION	BY DATE

SHEET TITLE:
ABBREVIATIONS AND SYMBOLS

SHEET NUMBER:
GN1

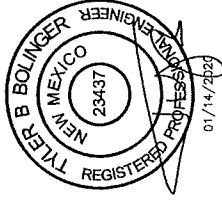
LINE TYPES

EXISTING LAYER	---
PROPOSED LAYER	---
CHAIN-LINK FENCE	---
BARBED-WIRE FENCE	---
MASTER GROUND BAR	---
OVERHEAD TELCO	---
UNDERGROUND POWER	---
UNDERGROUND TELCO	---
UNDERGROUND FIBER	---
UNDERGROUND CABLE	---
UNDERGROUND CABLE & ALARM	---
INTERIOR ELECTRICAL CONDUIT	---
HYBRID CABLE	---
PROPERTY GROUND LINE	---
PROPERTY LEASE LINE	---

GROUNDING SYMBOLS

IRREVERSIBLE CONNECTION	■
EXOTHERMIC	●
MECHANICAL CONNECTION	▲
COPPER GROUND ROD	⊙
CHEM ROD	⊕
GROUND ROD TEST-WELL	⊖
12"/20" GROUND BAR	⊔

ABBREVIATION	DEFINITION	ABBREVIATION	DEFINITION
AVV	ACCELERATED ACCESS VENDOR	ME	MACHINE BOLT
AV	AIR BOLT	MECH	MECHANICAL
ABV	ABOVE	MFR	MANUFACTURER
ACCA	ANTENNA CABLE COVER ASSEMBLY	MGR	MASTER GROUND BAR
ADTL	ADDITIONAL	MIS	MISCELLANEOUS
AF	ABOVE FINISHED FLOOR	MTL	METAL
AFG	ABOVE FINISHED GRADE	(N)	NEW
ALT	ALTERNATE	NO (M)	NUMBER
ALUM	ALUMINUM	NTS	NOT TO SCALE
ANSL	ABOVE MEAN SEA LEVEL	OC	ON CENTER
ANT	ANTENNA	OE/OT	OVERHEAD ELECTRIC/TELCO
APPROX	APPROXIMATE	SPNG	SPRING
ARCH	ARCHITECT(URAL)	(P)	PROPOSED
AWG	AMERICAN WIRE GAUGE	P/C	PLATE OR PROPERTY LINE
B/U	BATTERY BACK UP STATION	PES	PRECAST CONCRETE
BBS	BLOCK	PLY	PLYWOOD
BK	BLOCK	PCC	PORTLAND CEMENT CONCRETE
BLG	BLOCKING	PSI	POUNDS PER SQUARE INCH
BTOW	BARE TINNED COPPER WIRE	PSF	POUNDS PER SQUARE FOOT
BM	BASE TRANSMISSION STATION	PT	PRESSURE TREATED
BN	BOTTOM OF FOOTING	PWR	POWER (CABINET)
BO	BOTTOM OF BRICK/STUCCO FINISHING	QTY	QUANTITY
B	BOTTOM OF CONCRETE	R	RADIO BASED STATION
CAB	CABINET	REF	REFERENCE
CANT	CANTILEVERED	REQD	REQUIRED
CP	CAST IN PLACE	RENF	REINFORCEMENT(ING)
CLG	CELLING	RIG	RIGID GALVANIZED STEEL
CL	CL	RMOTE	REMOTE RADIO HEAD
CLC	CL	SCH	SCHEDULE
CLD	CL	SQ	SQUARE FOOT
CONC	CONCRETE	SHT	SHEET
CONN	CONNECTION(OR)	SM	SIMILAR
CONT	CONTINUOUS	SPEC	SPECIFICATION(S)
d	DIP	SS	STAINLESS STEEL
DBT	DIAMETER	STD	STANDARD
DA	DIAGONAL	STRUC	STRUCTURAL
DM	DIMENSION	TEMP	TEMPERATURE
DBL	DOUBLE	THK	THICKNESS
DBL	DOUBLE GLASS FIR	TIA	TOWER MOUNTED AMPLIFIER
DWG	DRAWING(S)	TN	TIE NAIL
(E)	EXISTING	TDA	TOP OF ANTENNA
EQB	EQUIPMENT GROUND BAR	TDC	TOP OF FOUNDATION
ELEC	ELECTRICAL	TOP	TOP OF PLATE (PARAFET)
ELEV	ELEVATION	TOS	TOP OF WALL
ENR	ENGINEER	TRNSFR	TRANSFORMER
ENT	ELECTRICAL METALLIC TUBING	U2/AT	UNDERGROUND ELECTRIC/TELCO
EQ	EQUAL	UL	UNLESS NOTED OTHERWISE
EQP	EQUIPMENT	UND	UNDERGROUND
EXP	EXPOSITION	WR	WIRE(WITH)
F	FIBER	W	WALL
F	FIBER	WT	WEATHERPROOF
FAB	FABRICATION(OR)		WEIGHT
FF	FINISH FLOOR		
FG	FINISH GRADE		
FR	FRESH CONCRETE		
FCC	FACE OF CONCRETE		
FMS	FACE OF MASONRY		
FOW	FACE OF STUD		
FS	FACE OF WALL		
FIN	FINISH SURFACE		
FIN	FINISH(ED)		
FT	FOOTING		
FT	FOOTING		
FTG	FOOTING		
FRD	FOUNDATION		
G	GROWTH (CABINET)		
GA	GAUGE		
GALV	GALVANIZED		
GLB	GENERAL CONTRACTOR		
GLB (GLU/LAM)	GLUE LAMINATED BEAM		
GRD	GROUND		
GRI	GROUND FAULT CIRCUIT INTERRUPTER		
GPS	GLOBAL POSITIONING SYSTEM		
HGR	HANGER		
HTR	HEIGHT		
ICGB	ISOLATED COPPER GROUND BUS		
IN	INCH(ES)		
IN	INTERIOR		
L	LONGITUDINAL		
LB(S) or #	LAG BOLTS		
LF	LONG TERM		
LTE	LONG TERM EVOLUTION		
MAS	MASONRY		



PE RENEWAL DATE DECEMBER 31, 2021
01/14/2020

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KGI

KGI WIRELESS, INC.
805 LAS UNAS PKWY.
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9885
FAX: 512.345.9888

SITE NAME:
LSC LA POSTA
LOCATION CODE:
286827

SITE ADDRESS:
1584 W. BOUTZ RD.
MESILLA, NM 88046

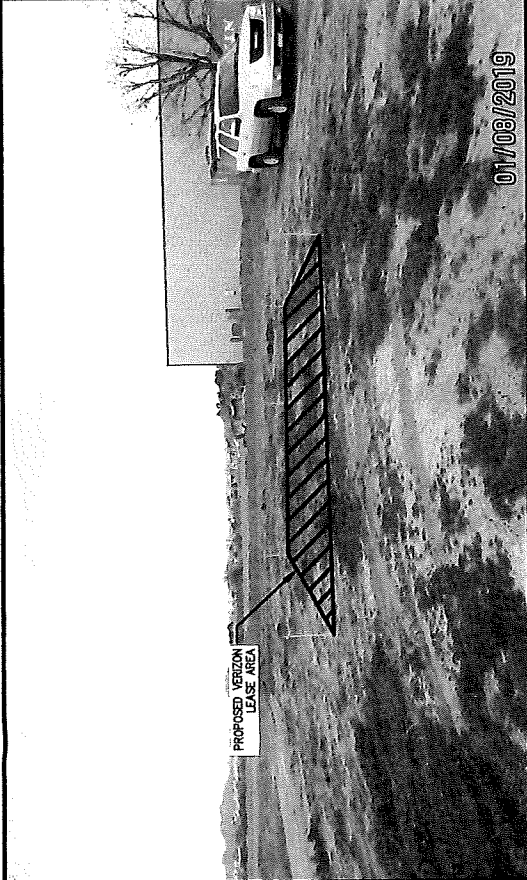
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ISSUED FOR: DATE
CONSTRUCTION REV 0 08/19/2019
CONSTRUCTION REV 1 01/14/2020

NO	DESCRIPTION	BY	DATE

SHEET TITLE:
PHOTO SHEET

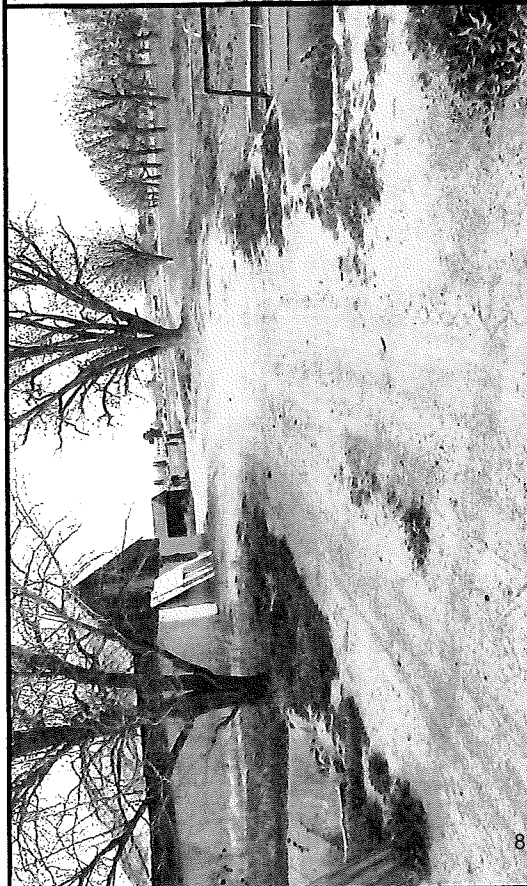
SHEET NUMBER:
PS1



PROPOSED LEASE AREA
(VIEW LOOKING NORTH)

2

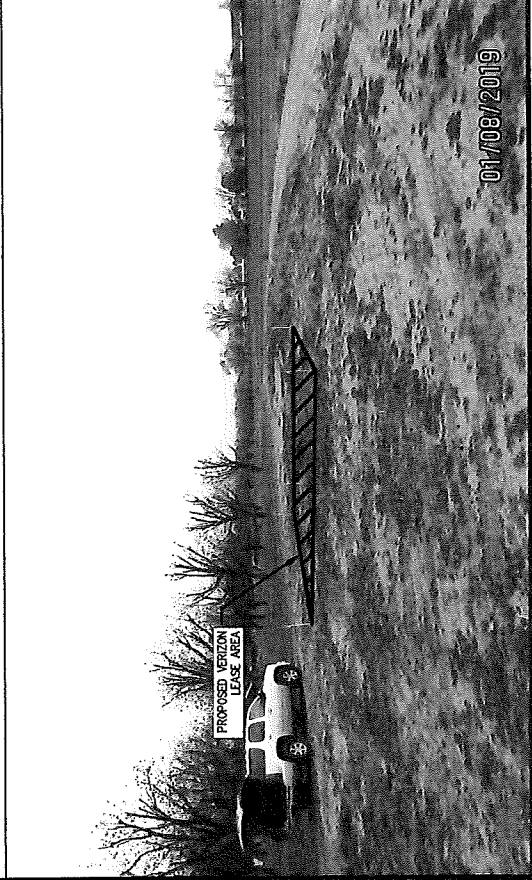
SCALE: N.T.S.



ACCESS ROAD AT DRAINAGE DITCH
(VIEW LOOKING NORTHWEST)

1

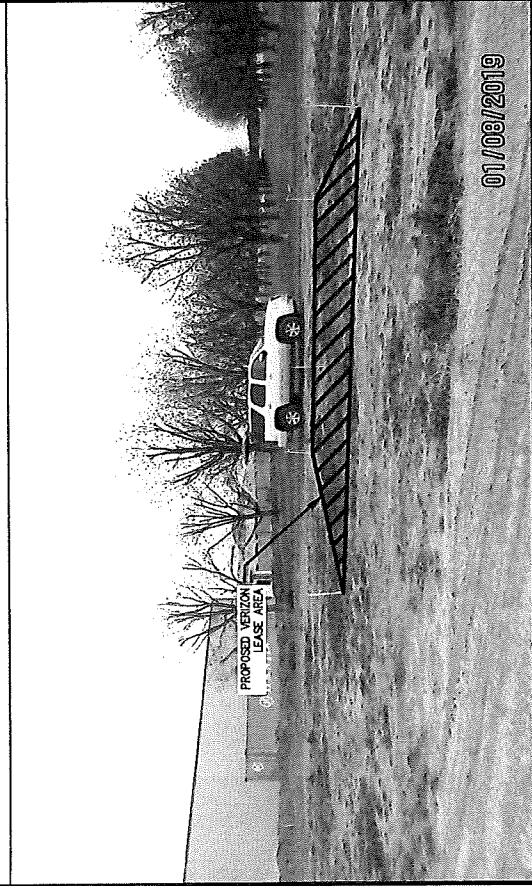
SCALE: N.T.S.



PROPOSED LEASE AREA
(VIEW TO WEST)

4

SCALE: N.T.S.



PROPOSED LEASE AREA
(VIEW LOOKING EAST)

3

SCALE: N.T.S.

TOPOGRAPHIC & PROPOSED LEASE AREA SURVEY
 DEPICTING EXISTING TOPOGRAPHY AND A PROPOSED LEASE AREA LOCATED WITHIN AND BEING A PART OF THAT UNDERLYING PARCEL KNOWN AS LOTS 4 AND 5, MESILLA GREENS,
 DOÑA ANA COUNTY, NEW MEXICO
 (DEED REC. BOOK 357, PG. 644, REC. 3/17/92 AND BOOK 359, PG. 601, REC. 5/26/92)

LINE	SUBSTANTIAL DISTANCE	BEARING	WIDTH	LENGTH
L1	N 59°27'11" E	20.00'		
L2	N 30°32'49" E	20.00'		
L3	S 59°27'11" W	20.00'		
L4	S 30°32'49" W	20.00'		
L5	S 30°32'49" W	105.92'		
L6	S 07°07'10" W	155.78'		
L7	S 13°42'21" E	155.40'		
L8	S 47°00'47" E	164.83'		
L9	S 39°39'32" E	175.66'		
L10	S 73°52'31" E	544.24'		
L11	S 52°25'29" E	1208.97'		



KGI WIRELESS, INC.
 805 LAS CHIMAS PKWY
 BUILDING THREE, SUITE 370
 AUSTIN, TX 78746
 TEL: 512.345.9888
 FAX: 512.345.9889

SITE NAME:
LSC LA POSTA
 LOCATION CODE:
 266827

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ISSUED FOR:
 FRANKLIZE W. TITL
 DATE:
 02/08/2019
 REVIEW:
 03/03/2019
 ADD OFFSET DIM'S TOWER 04/01/2019

NO	DESCRIPTION	REVISION	BY	DATE

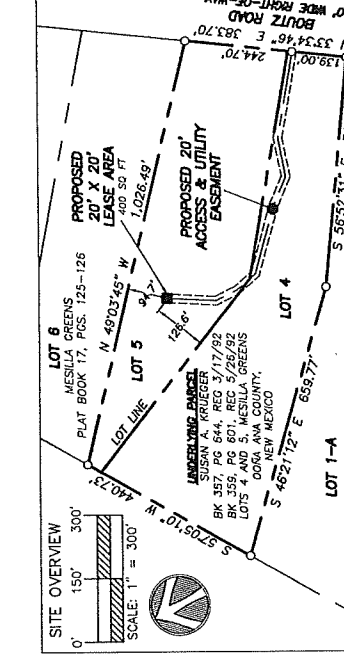
SHEET TITLE:
 SHEET NUMBER:

PROPOSED LEASE AREA DESCRIPTION
 A PARCEL OF LAND DESCRIBED AS MESSILLAS LEASE AREA ("PROPOSED 20' X 20' LEASE AREA") WITHIN A PARCEL OF LAND DESCRIBED AS LOTS 4 AND 5, MESILLA GREENS, (PLAT RECORD BOOK 17, PAGES 129-128) AS THE SAID UNDERLYING PARCEL IS DESCRIBED IN WARRANTY DEEDS RECORDED IN BOOK 357, PAGES 129-128) AND IN BOOK 359, PAGE 601 RECORDED MAY 26, 1992 (AS REFERRED TO AS "DEED") AND IN BOOK 359, PAGE 601 RECORDED MAY 26, 1992 (AS REFERRED TO AS "DEED"). THE SAID UNDERLYING PARCEL IS LOCATED WITHIN AND BEING A PART OF THAT UNDERLYING PARCEL KNOWN AS LOTS 4 AND 5, MESILLA GREENS, DOÑA ANA COUNTY, NEW MEXICO (DEED REC. BOOK 357, PG. 644, REC. 3/17/92 AND BOOK 359, PG. 601, REC. 5/26/92) AS SHOWN ON THE ATTACHED TOPOGRAPHIC & PROPOSED LEASE AREA SURVEY. THE SAID UNDERLYING PARCEL IS BEING MOVED FROM THE ORIGINAL SURVEY TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (3002) AS FOLLOWS:

THE POINT OF BEGINNING ("P.O.B.") BEING THE SOUTHWESTERLY CORNER OF THE PROPOSED 20' X 20' LEASE AREA THE SAME BEING MARKED WITH A 400 SPIKE AND JACK NAILS OF NO. 463,866,171, E.O. 1,473,003.20. THE SAID P.O.B. IS BEING MOVED FROM THE ORIGINAL SURVEY TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (3002) AS FOLLOWS:

1. NORTH 59° 27' 11" WEST 20.00 FEET TO THE SOUTHWESTERLY CORNER OF THE PROPOSED 20' X 20' LEASE AREA (N(1): 465,676.34', E(O): 1,472,594.59');
 2. NORTH 30° 32' 49" EAST 20.00 FEET TO THE NORTHEASTERLY CORNER OF THE PROPOSED 20' X 20' LEASE AREA (N(1): 465,676.34', E(O): 1,472,594.59');
 3. SOUTH 07° 07' 10" WEST 155.78 FEET TO THE NORTHEASTERLY CORNER OF THE PROPOSED 20' X 20' LEASE AREA (N(1): 465,676.34', E(O): 1,472,594.59');
 4. SOUTH 13° 42' 21" EAST 155.40 FEET TO THE NORTHEASTERLY CORNER OF THE PROPOSED 20' X 20' LEASE AREA (N(1): 465,676.34', E(O): 1,472,594.59');
 5. SOUTH 47° 00' 47" EAST 164.83 FEET TO THE NORTHEASTERLY CORNER OF THE PROPOSED 20' X 20' LEASE AREA (N(1): 465,676.34', E(O): 1,472,594.59');
 6. SOUTH 39° 39' 32" EAST 175.66 FEET TO THE NORTHEASTERLY CORNER OF THE PROPOSED 20' X 20' LEASE AREA (N(1): 465,676.34', E(O): 1,472,594.59');
 7. SOUTH 73° 52' 31" EAST 544.24 FEET TO THE NORTHEASTERLY CORNER OF THE PROPOSED 20' X 20' LEASE AREA (N(1): 465,676.34', E(O): 1,472,594.59');
 8. SOUTH 52° 25' 29" EAST 1208.97 FEET TO THE NORTHEASTERLY CORNER OF THE PROPOSED 20' X 20' LEASE AREA (N(1): 465,676.34', E(O): 1,472,594.59').

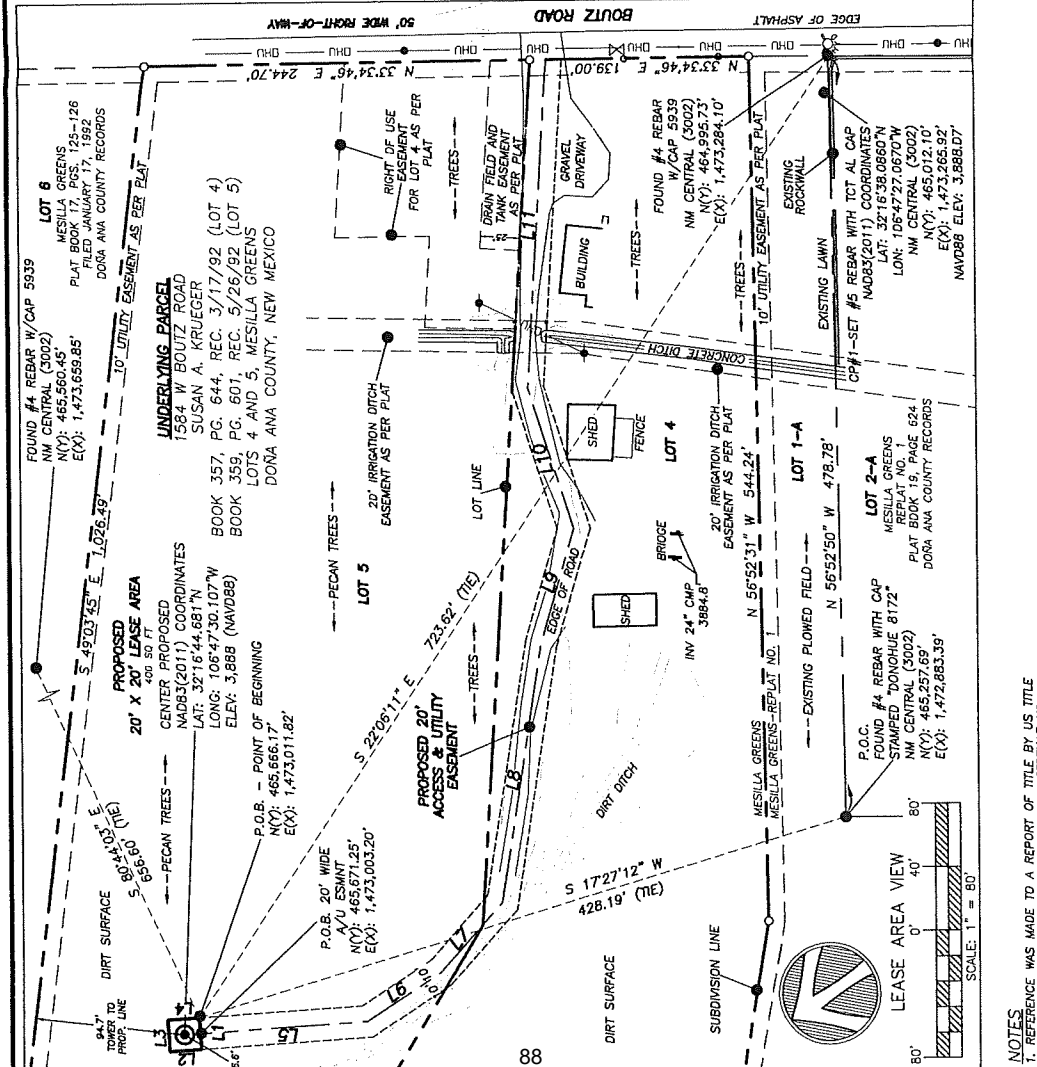
PROPOSED 20' WIDE ACCESS & UTILITY CENTERLINE DESCRIPTION
 THE POINT OF BEGINNING ("P.O.B. ESM") BEING THE MIDPOINT OF THE SOUTHERLY LINE OF THE HEREIN DESCRIBED PROPOSED 20' X 20' LEASE AREA HAVING COORDINATES OF N(1): 465,671.25', E(O): 1,473,003.20;
 THENCE, SOUTH 30° 32' 49" WEST 105.92 FEET TO A POINT;
 THENCE, SOUTH 07° 07' 10" WEST 155.78 FEET TO A POINT;
 THENCE, SOUTH 13° 42' 21" EAST, AT 39.90 FEET CROSSING THE COMMON BOUNDARY LINE OF SAID LOTS 4 AND 5 AND EXTENDING SAID LOT 5, CONTINUING A TOTAL DISTANCE OF 354.00 FEET TO A POINT;
 THENCE, SOUTH 47° 00' 47" EAST 164.83 FEET TO A POINT;
 THENCE, SOUTH 39° 39' 32" EAST 175.66 FEET TO A POINT;
 THENCE, SOUTH 73° 52' 31" EAST 544.24 FEET TO A POINT;
 THENCE, SOUTH 52° 25' 29" EAST 1208.97 FEET TO A POINT;
 THENCE, SOUTH 30° 32' 49" WEST 105.92 FEET TO A POINT IN THE NORTHEASTERLY RIGHT-OF-WAY LINE OF BOULTZ ROAD AT A POINT IN THE CORNER OF SAID LOT 4 LINE OF SAID LOT 4 (N(1): 465,144.87', E(O): 1,473,003.20);
 THENCE, SOUTH 30° 32' 49" WEST 20.00 FEET TO THE P.O.B. AND CONTAINING, IN ALL, 400 SQUARE FEET OF LAND; TOGETHER WITH A PROPOSED EASEMENT, 20' WIDE FOR ACCESS AND UTILITIES DESCRIBED BY CENTERLINE AS FOLLOWS:



CERTIFICATION
 I HEREBY CERTIFY THAT THIS PROPOSED LEASE AREA SURVEY EXHIBIT WAS PREPARED BY ME AND THAT THE INFORMATION PRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I AM A LICENSED SURVEYOR IN THE STATE OF TEXAS AND AM REGISTERED IN THE STATE OF TEXAS UNDER NO. 16467. THIS IS NOT A LAND SUBDIVISION ACCORDING TO THE NEW MEXICO LAND SUBDIVISION ACT (FIELD # 4-91-2019) 02-01-2019

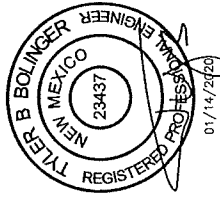
CHRISTINA A. CLAUSON
 REGISTERED PROFESSIONAL SURVEYOR
 STATE OF TEXAS
 NO. 16467

ISSUED FOR:
 FRANKLIZE W. TITL
 DATE:
 02/08/2019
 REVIEW:
 03/03/2019
 ADD OFFSET DIM'S TOWER 04/01/2019



LEGEND
 WATER METER
 T-POST
 FIRE HYDRANT
 POWER POLE
 OVERHEAD POWER LINE
 DHU

NOTES
 1. REFERENCE WAS MADE TO A REPORT OF TITLE BY US TITLE COMPANY, INC., DALLAS, TEXAS, DATED 02/07/2019, REFERENCE NO. 266827. THE SAID REPORT OF TITLE IS INCORPORATED BY REFERENCE TO THIS SURVEY. THERE WERE NO EASEMENTS CALLED OUT AS EXCEPTIONS IN SCHEDULE B, ITEM 8 OF SAID REPORT OF TITLE.
 2. CONTRACTOR BEARS FULL RESPONSIBILITY TO PROPERLY SURVEY AND BEAR ALL UTILITIES PRIOR TO ANY EXCAVATION. UNDERGROUND SITES CONDITIONS.
 3. LESSEE BEARS FULL RESPONSIBILITY IN IDENTIFYING OWNERSHIP BOUNDARIES OF THE PROPOSED PROPERTY, INCLUDING WITHIN THE EXISTING OR PROPOSED EASEMENTS.
 4. BASIS OF BEARINGS IS GRID NORTH, NEW MEXICO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 3002 AND BEARINGS ARE CALCULATED BASED ON TIED TO THE NATIONAL CORS USING GPS OBSERVATIONS.



PE RENEWAL DATE DECEMBER 31, 2021
01/14/2020

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KGI

KGI WIRELESS, INC.
805 LAS OJAS PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9888
FAX: 512.345.9888

SITE NAME:
LSC LA POSTA

LOCATION CODE:
286827

SITE ADDRESS:
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MESILLA, NM 88046

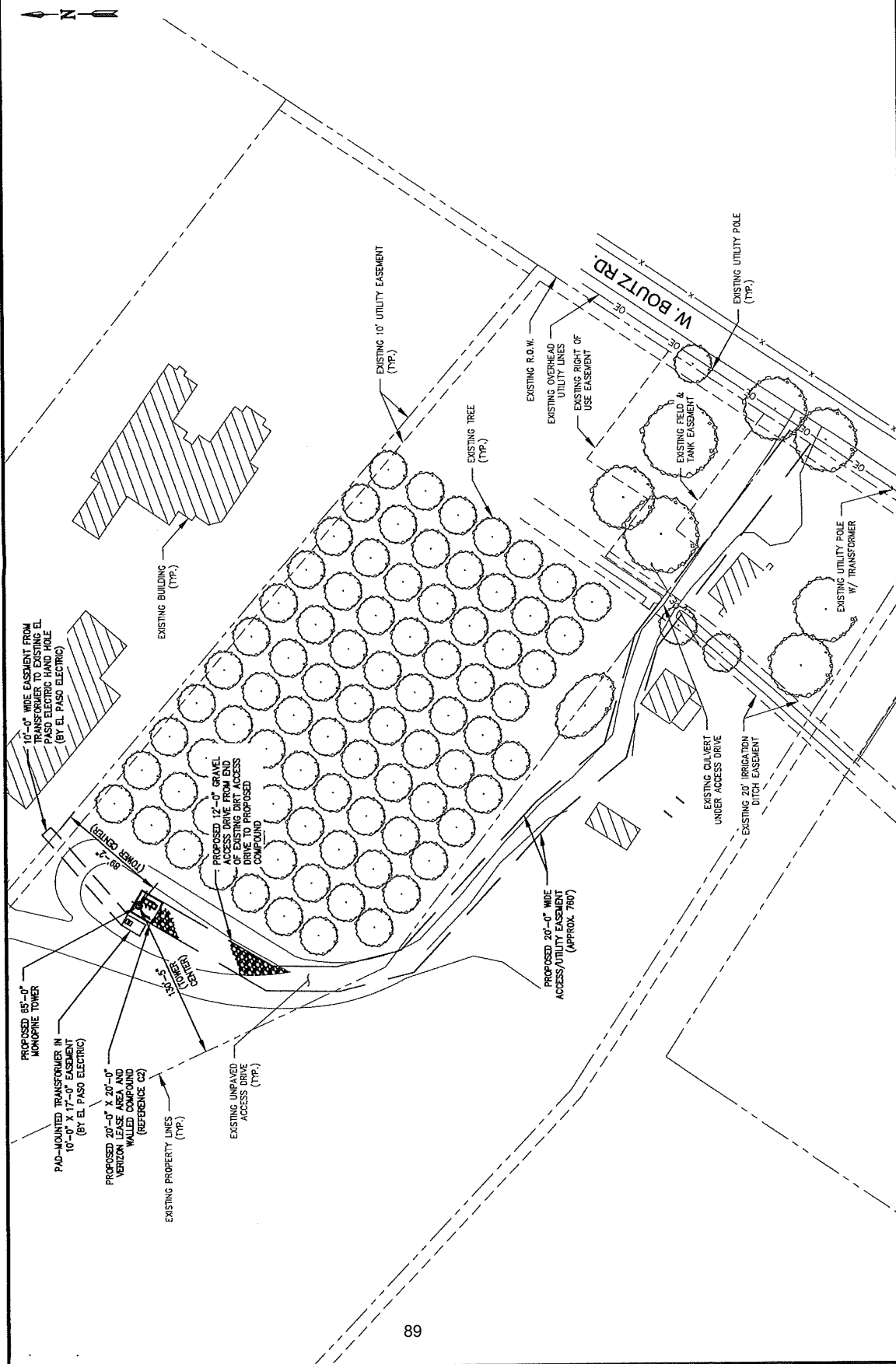
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ISSUED FOR: CONSTRUCTION
CONSTRUCTION REV 9
DATE: 08/19/2019
01/14/2020

NO DESCRIPTION	BY DATE

SHEET TITLE:
OVERALL SITE PLAN

SHEET NUMBER:
C1

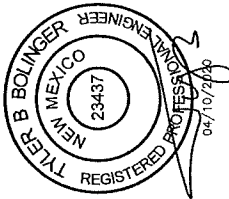


OVERALL SITE PLAN



Know what's below.
Call before you dig.





PE RENEWAL DATE DECEMBER 31, 2021

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KGI

KGI WIRELESS, INC.
805 LAS CIMAS PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9995
FAX: 512.345.9999

SITE NAME:
LSC LA POSTA
LOCATION CODE:
286827

SITE ADDRESS:
1584 W. BOUTZ RD.
MESILLA, NM 88046

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ISSUED FOR:
CONSTRUCTION REV 0
CONSTRUCTION REV 1
CONSTRUCTION REV 2

DATE
08/19/2019
09/11/2019
04/10/2020

NO	DESCRIPTION	BY	DATE
1	REMOVE ICE BRIDGE	MAJR	01/14/20
2	ADDED ADDITIONAL CABLE	MAJR	04/10/20

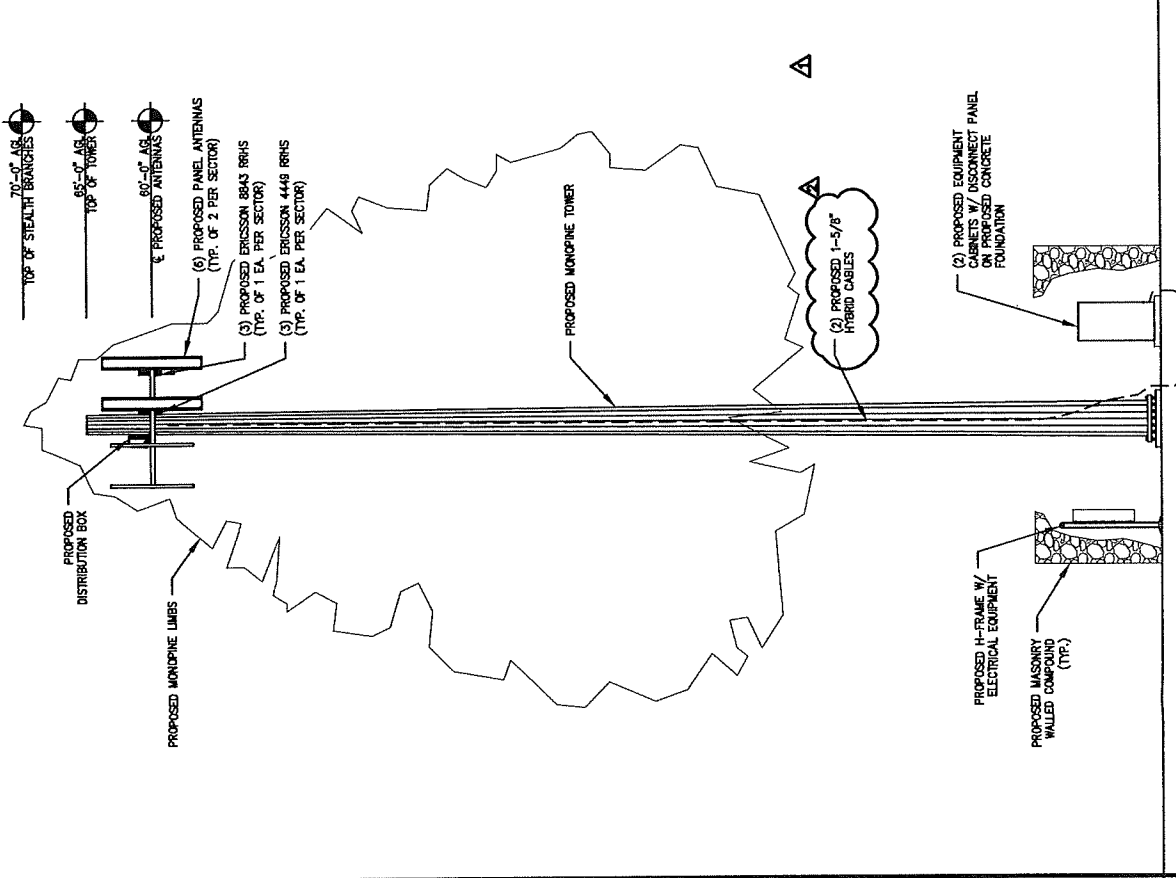
REVISION

SHEET TITLE:

TOWER ELEVATION

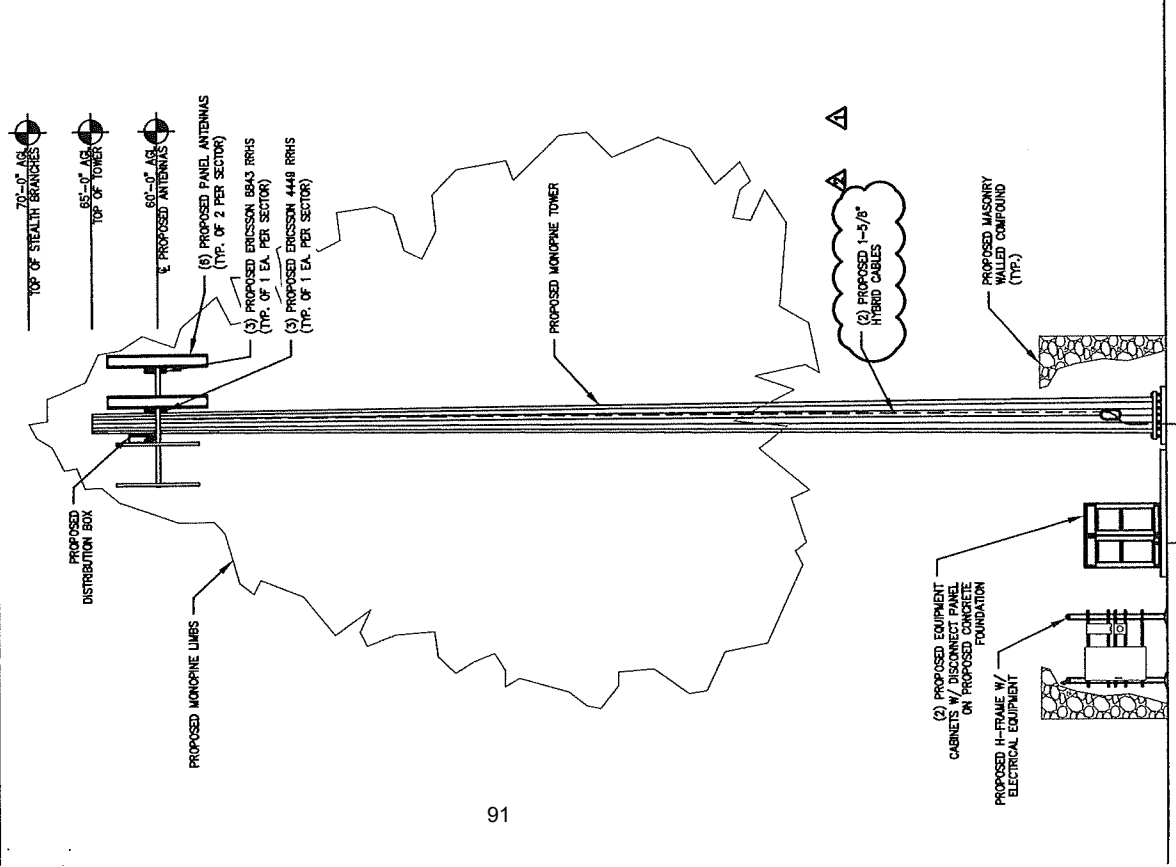
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C3



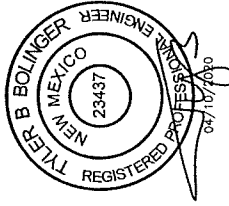
SOUTH VIEW
SCALE: N.T.S.

2



EAST VIEW
SCALE: N.T.S.

1



PE RENEWAL DATE DECEMBER 31, 2021



KGI WIRELESS, INC.
 805 LAS CERRAS PKWY
 BUILDING THREE, SUITE 370
 AUSTIN, TX 78746
 TEL: 512.345.9895
 FAX: 512.345.9898

SITE NAME:
LSC LA POSTA
 LOCATION CODE:
286827

SITE ADDRESS:
 1584 W. BOUTZ RD.
 MESILLA, NM 85046

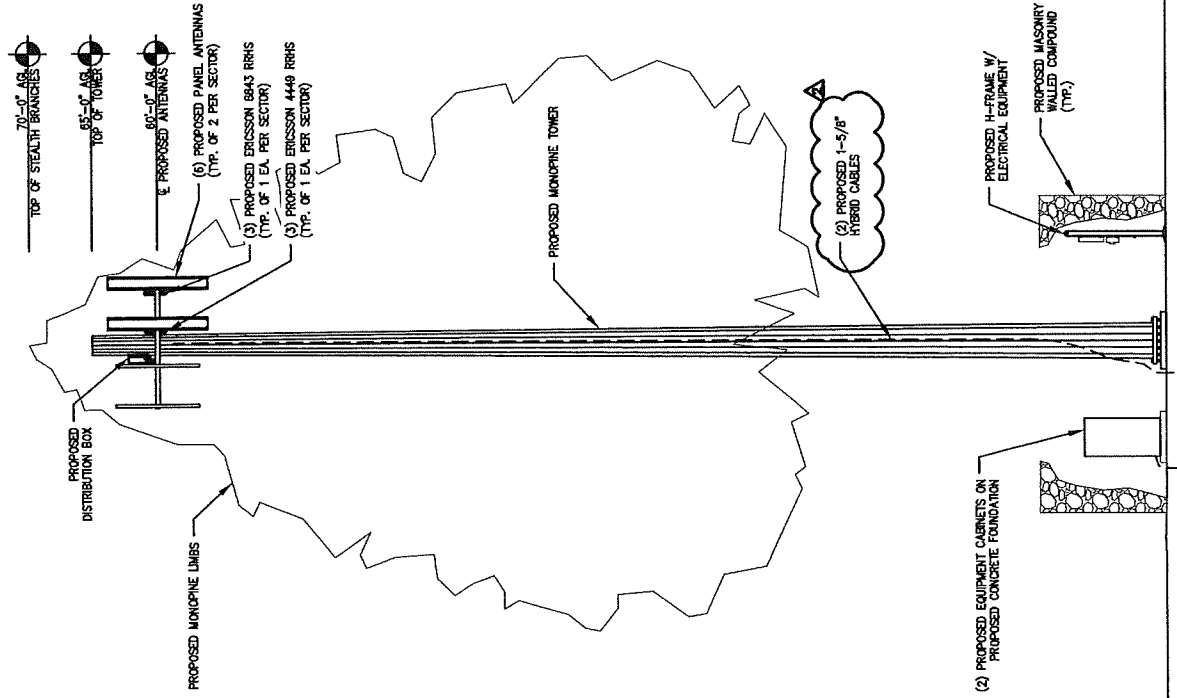
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ISSUED FOR:	DATE
CONSTRUCTION REV 0	08/19/2019
CONSTRUCTION REV 1	01/14/2020
CONSTRUCTION REV 2	04/16/2020

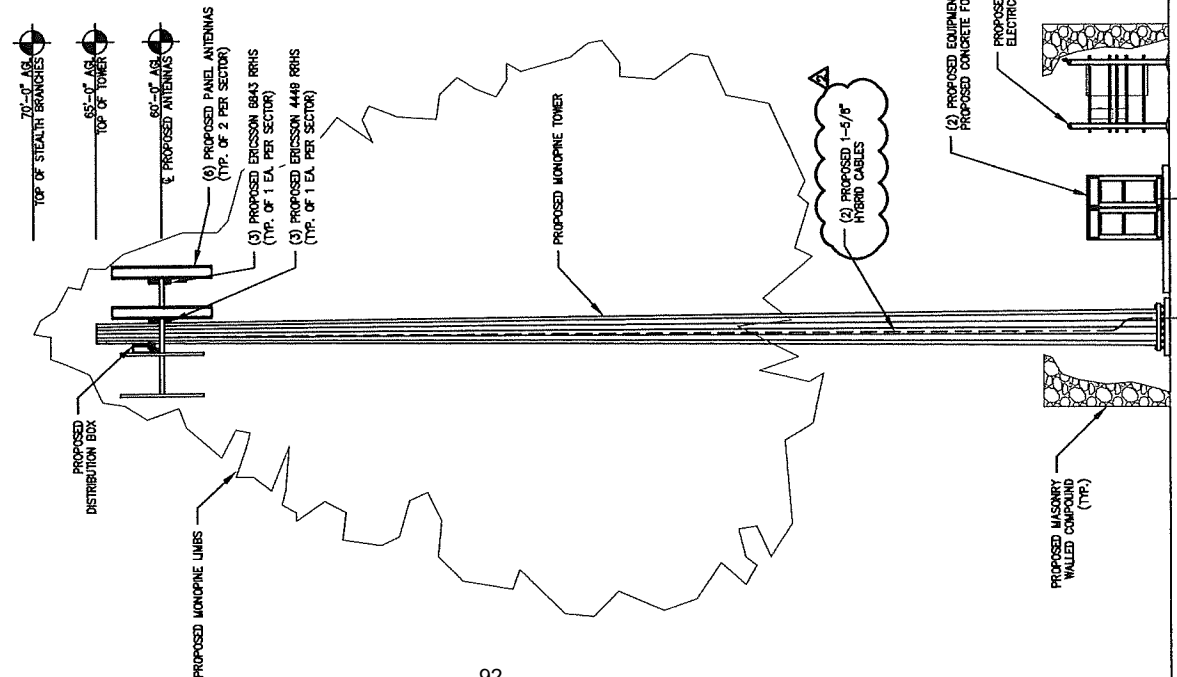
NO	DESCRIPTION	BY	DATE
1	REMOVE ICE BRIDGE	MAUR	01/14/20
2	ADDED ADDITIONAL CABLE MAUR	MAUR	04/10/20

SHEET TITLE:
TOWER ELEVATION

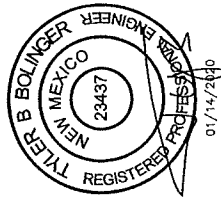
SHEET NUMBER:
C4



2 NORTH VIEW
 SCALE: N.T.S.



1 WEST VIEW
 SCALE: N.T.S.



PE RENEWAL DATE DECEMBER 31, 2021

verizon

KGI

KGI WIRELESS, INC.
805 LAS CINAS PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9595
FAX: 512.345.9598

SITE NAME:
LSC LA POSTA
LOCATION CODE:
286827
SITE ADDRESS:
1584 W. BOUTZ RD.
MESILLA, NM 88046

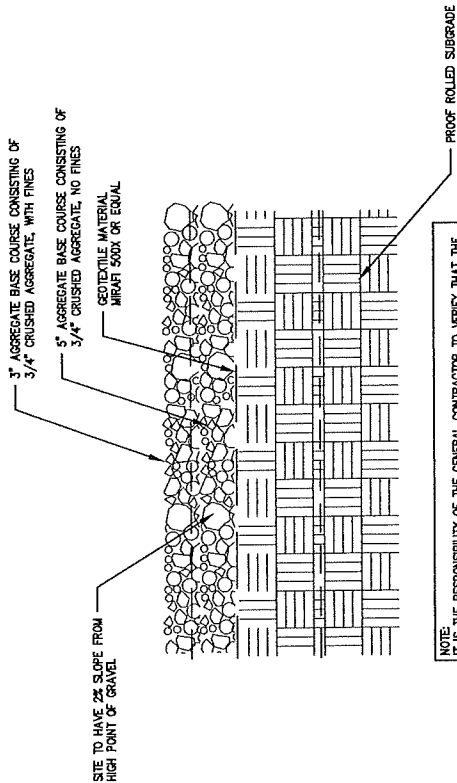
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ISSUED FOR: DATE
CONSTRUCTION REV 0 08/19/2019
CONSTRUCTION REV 1 01/14/2020

NO	DESCRIPTION	BY	DATE

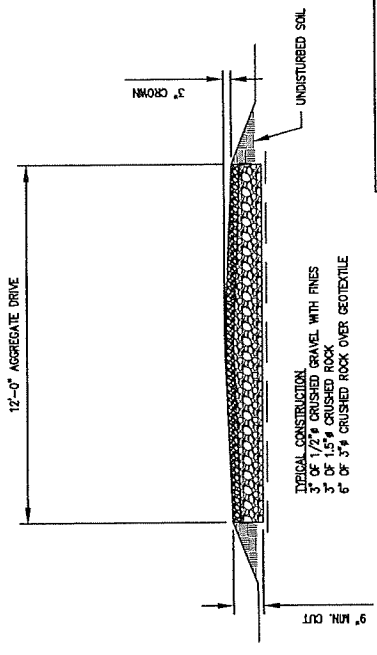
SHEET TITLE:
CIVIL DETAILS

SHEET NUMBER:
C5



NOTE: THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO VERIFY THAT THE LIMESTONE IS UNIFORMLY WHITE IN COLOR AFTER PLACEMENT. CONTRACTOR SHALL GRADE SITE TO DRAIN AWAY FROM FOUNDATION LOCATIONS.

1 — COMPOUND SURFACING
SCALE: N.T.S.

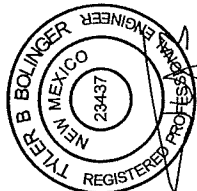


NOTE: ANY CHANGES FROM THIS TYPICAL SECTION MUST BE SUBMITTED AND APPROVED PRIOR TO BID. REFER TO GRADING PLAN FOR ELEVATION CHANGES.

2 — ACCESS DRIVE SECTION
SCALE: N.T.S.

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PE RENEWAL DATE DECEMBER 31, 2021
01/14/2019



KGI WIRELESS, INC.
805 LAS CINAS PARK
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9595
FAX: 512.345.9596

SITE NAME:
LSC LA POSTA
LOCATION CODE:
286827
SITE ADDRESS:
1584 W. BOUTZ RD.
MESILLA, NM 88046

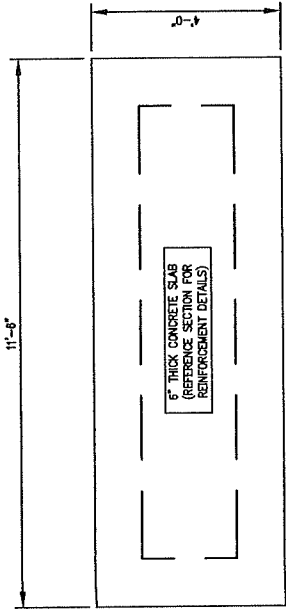
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ISSUED FOR: DATE
CONSTRUCTION REV 9 08/19/2019
CONSTRUCTION REV 9 01/14/2019

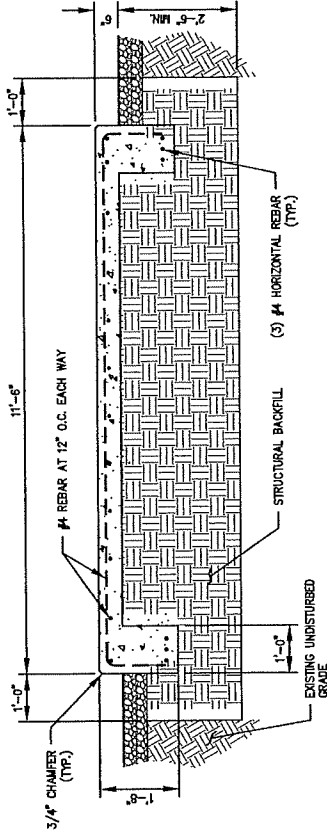
NO	DESCRIPTION	BY	DATE

SHEET TITLE:
CIVIL DETAILS

SHEET NUMBER:
C6

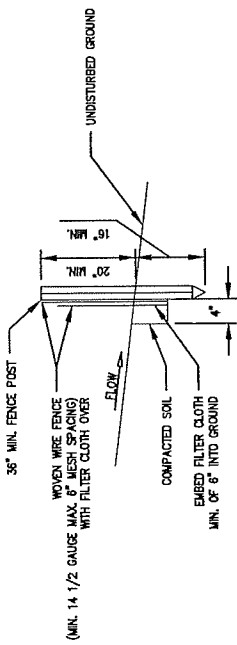
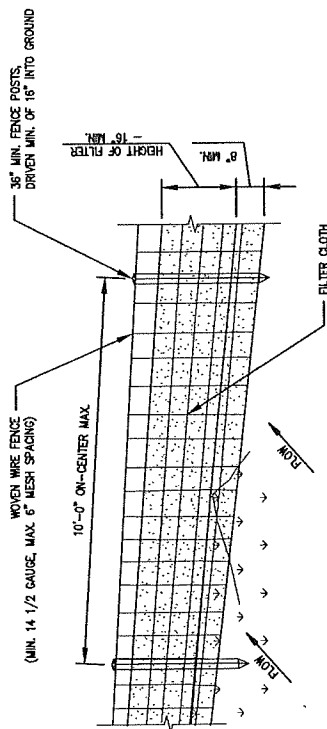


PLAN VIEW



SECTION VIEW

- NOTES:**
- REFER TO CIVIL STRUCTURAL NOTES FOR CONCRETE AND REBAR SPECIFICATIONS.
 - 3" MIN. REBAR CLEAR COVER REQUIRED ON SIDES AND BOTTOM OF PAD. 2" MIN. REBAR CLEAR COVER REQUIRED ON TOP OF PAD.



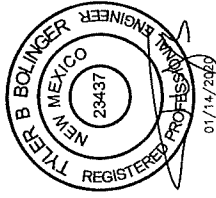
- POSTS:**
STEEL EITHER "T" OR "U" TYPE OR 2"
HARDWOOD FENCE:
WOVEN WIRE, 1 1/2 GA., 6" MAX. MESH OPENING
FILTER CLOTH: X, MIMAT 100X, STABILUNKA T140N
OR APPROVED EQUAL
PREFABRICATED UNIT: GEOPAG, ENVIROFENCE, OR APPROVED EQUAL

- CONSTRUCTION NOTES FOR FABRICATED SILT FENCE**
- WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH TIES.
 - FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 4' AT TOP AND MID SECTION.
 - WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY 6" AND FOLDED.
 - MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

1

SILT FENCE DETAIL

SCALE: N.T.S.



PE RENEWAL DATE DECEMBER 31, 2021
01/14/2020

verizon

KGI

KGI WIRELESS, INC.
805 LAS CINAS PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9888
FAX: 512.345.9888

SITE NAME:

LSC LA POSTA

LOCATION CODE:

286827

SITE ADDRESS:

1584 W. BOUTZ RD.
MESILLA, NM 88046

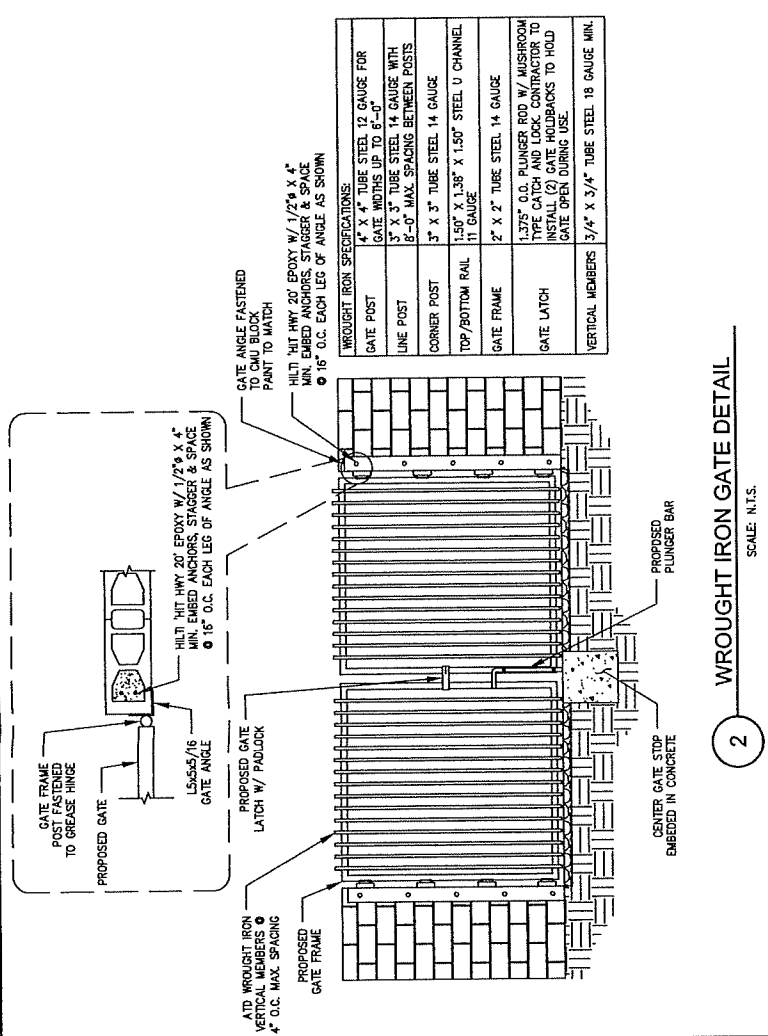
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ISSUED FOR: CONSTRUCTION REV 9
DATE: 08/19/2019
CONSTRUCTION REV 9
DATE: 01/14/2020

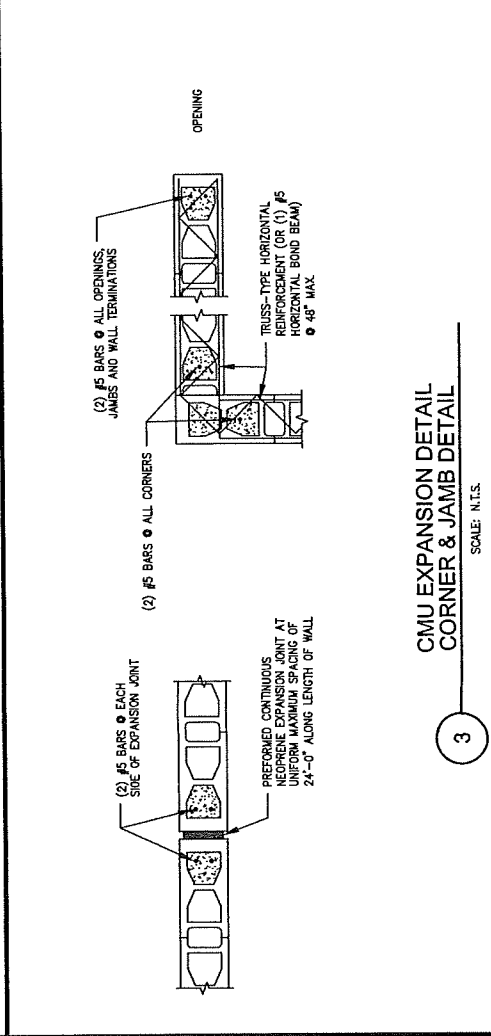
NO	DESCRIPTION	BY	DATE

SHEET TITLE:
CIVIL DETAILS

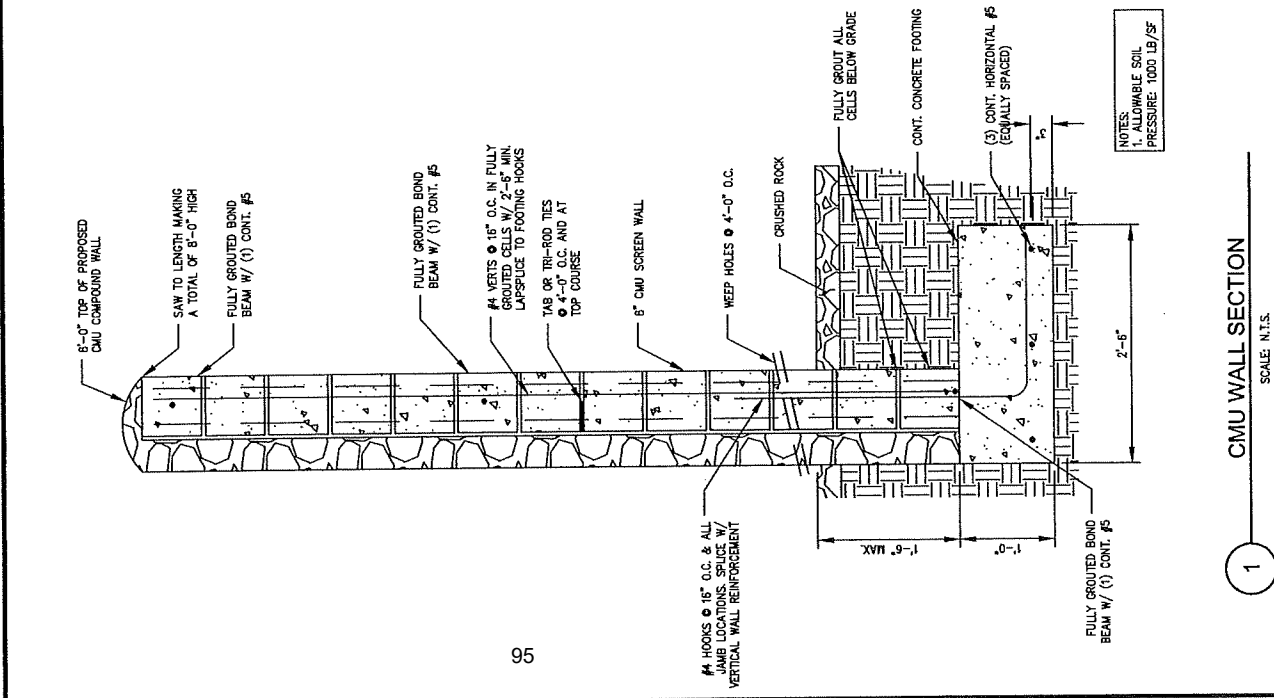
SHEET NUMBER:
C7



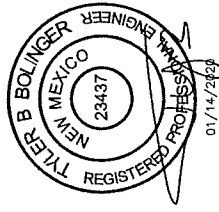
2 WROUGHT IRON GATE DETAIL
SCALE: N.T.S.



3 CMU EXPANSION DETAIL CORNER & JAMB DETAIL
SCALE: N.T.S.



1 CMU WALL SECTION
SCALE: N.T.S.



01/14/2020
PE RENEWAL DATE DECEMBER 31, 2021

verizon

KGI

KGI WIRELESS, INC.
805 LAS CIMAS Pkwy.
BUILDING THREE, SUITE 370
MESA, AZ 85205
TEL: 512.345.9898
FAX: 512.345.9898

SITE NAME:
LSC LA POSTA
LOCATION CODE:
286827

SITE ADDRESS:
1584 W. BOUTZ RD.
MESILLA, NM 88046

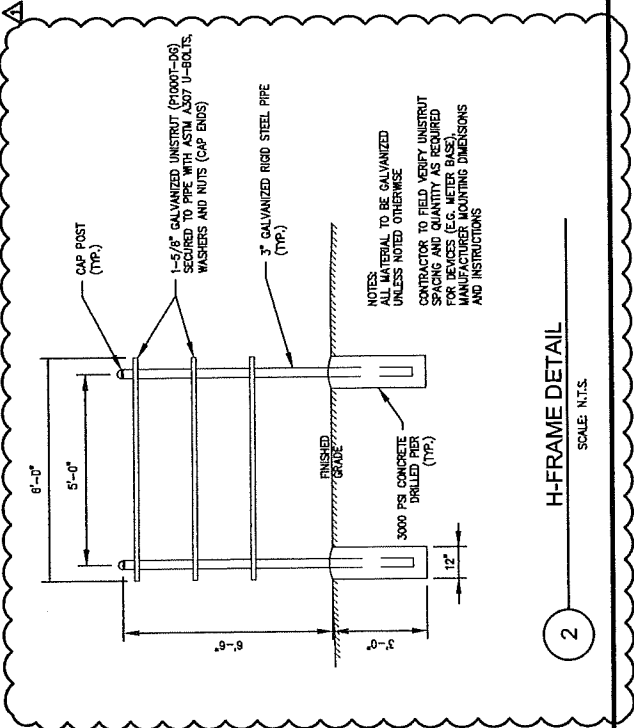
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ISSUED FOR: DATE
CONSTRUCTION REV 0 08/19/2019
CONSTRUCTION REV 1 01/14/2020

NO DESCRIPTION	BY	DATE
1 ADDED DETAILS 2 & 3	MMR	01/14/20

SHEET TITLE:
CIVIL DETAILS

SHEET NUMBER:
C8

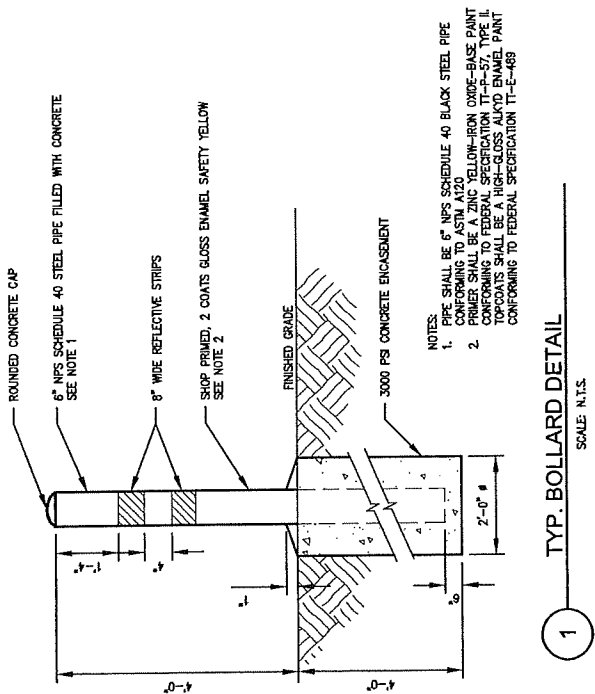


H-FRAME DETAIL

SCALE: N.T.S.

2

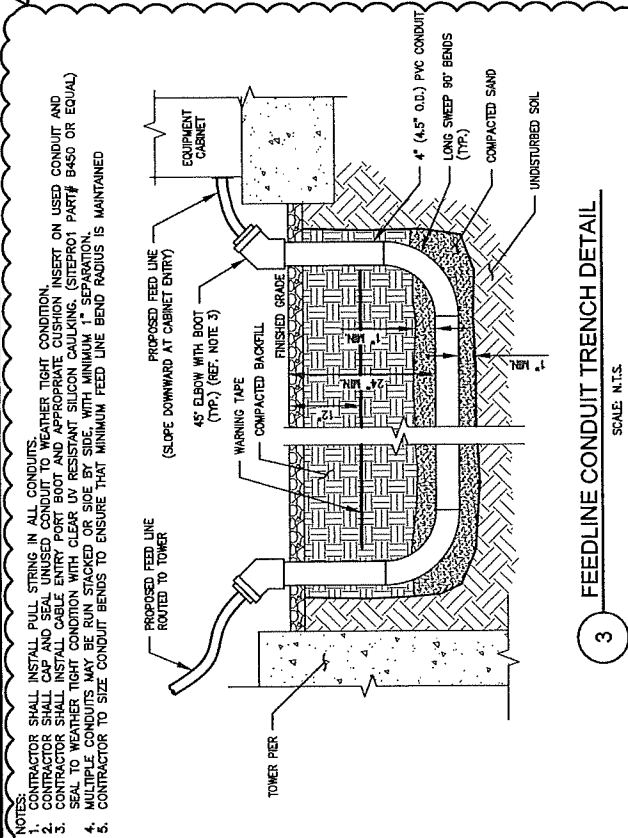
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TYP. BOLLARD DETAIL

SCALE: N.T.S.

1

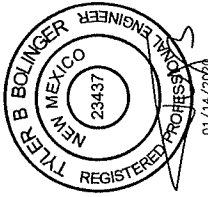


FEEDLINE CONDUIT TRENCH DETAIL

SCALE: N.T.S.

3

NOTES:
1. CONTRACTOR SHALL INSTALL PULL STRING IN ALL CONDUITS.
2. CONTRACTOR SHALL CAP AND SEAL UNUSED CONDUIT TO WEATHER TIGHT CONDITION.
3. CONTRACTOR SHALL INSTALL CABLE ENTRY PORT BOOT AND APPROPRIATE CUSHION INSERT ON USED CONDUIT AND SEAL TO WEATHER TIGHT CONDITION WITH CLEAR UV RESISTANT SILICON CAULKING. (SEE PART 9450 OR EQUAL)
4. MULTIPLE CONDUITS MAY BE RUN STACKED OR SIDE BY SIDE, WITH MINIMUM 1" SEPARATION.
5. CONTRACTOR TO SIZE CONDUIT BENDS TO ENSURE THAT MINIMUM FEED LINE BEND RADIUS IS MAINTAINED



PE RENEWAL DATE DECEMBER 31, 2021
01/14/2023



KGI WIRELESS, INC.
10000 W. LAS CAVAS PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9955
FAX: 512.345.9998

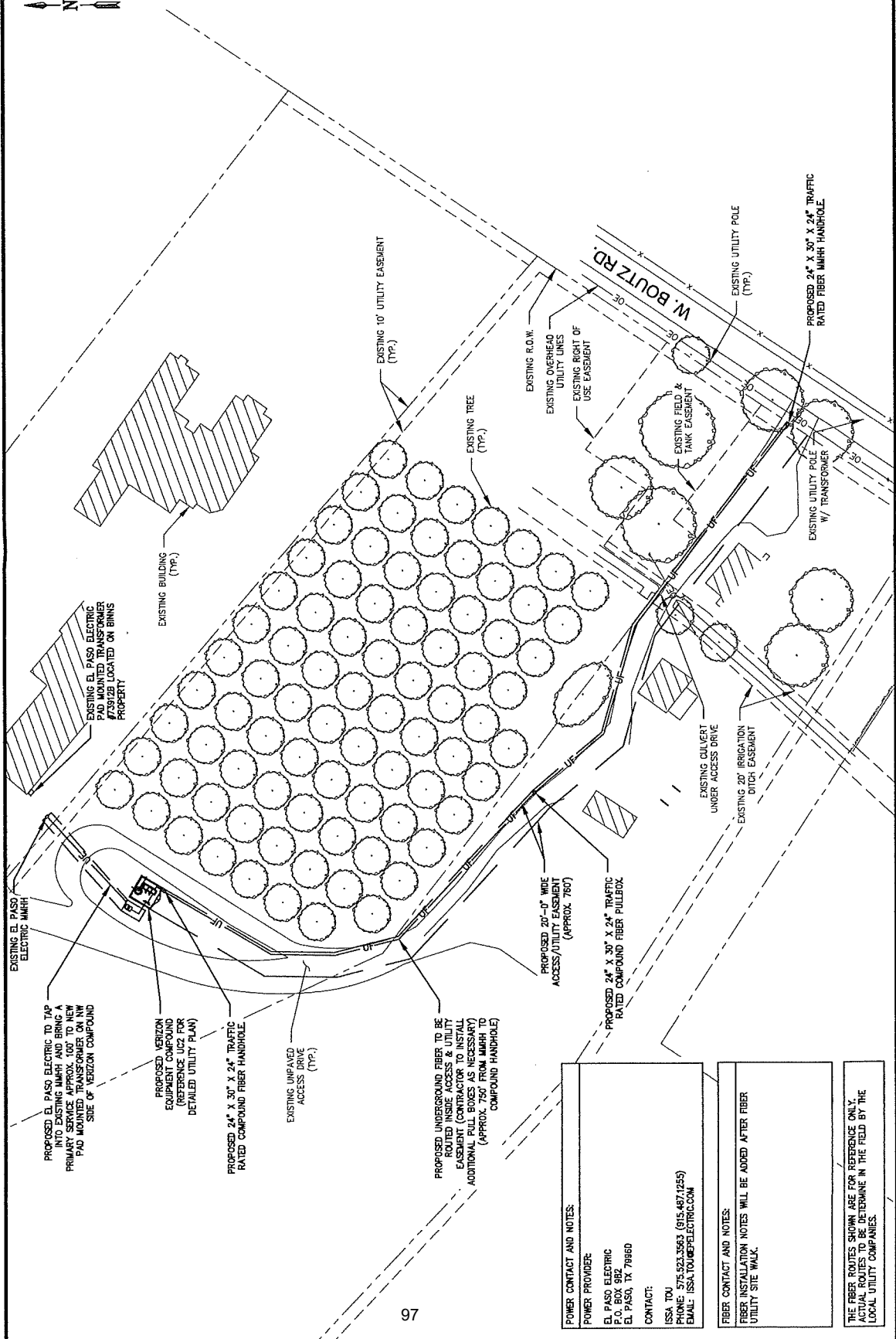
SITE NAME:
LSC LA POSTA
LOCATION CODE:
286827
SITE ADDRESS:
1584 W. BOUTZ RD.
MESILLA, NM 88046

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ISSUED FOR: CONSTRUCTION REV 0
DATE: 08/19/2019
CONSTRUCTION REV 1
DATE: 01/14/2020

NO	DESCRIPTION	BY	DATE

SHEET TITLE:
**UTILITY COORDINATION
SITE PLAN**
SHEET NUMBER:
UC1



UTILITY COORDINATION
OVERALL SITE PLAN

SCALE: N.T.S.

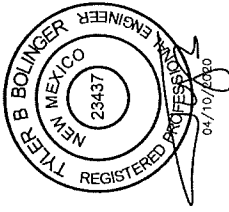
1

POWER CONTACT AND NOTES:
POWER PROVIDER:
EL PASO ELECTRIC
P.O. BOX 980
EL PASO, TX 79860
CONTACT:
ISSA TOU
PHONE: 575.923.3563 (915.487.1255)
EMAIL: ISSA.TOUBELECTRIC.COM

FIBER CONTACT AND NOTES:
FIBER INSTALLATION NOTES WILL BE ADDED AFTER FIBER UTILITY SITE WALK.

THE FIBER ROUTES SHOWN ARE FOR REFERENCE ONLY. ACTUAL ROUTES TO BE DETERMINED IN THE FIELD BY THE LOCAL UTILITY COMPANIES.

SITE POWER
SINGLE PHASE
120 / 240 VAC 60 HZ
200 AMPS



PE RENEWAL DATE DECEMBER 31, 2021

verizon

KGI

KGI WIRELESS, INC.
805 LAS CHAS PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.8595
FAX: 512.345.9898

SITE NAME:
LSC LA POSTA
LOCATION CODE:
286827
SITE ADDRESS:
1584 W. BOUTZ RD.
MESILLA, NM 88046

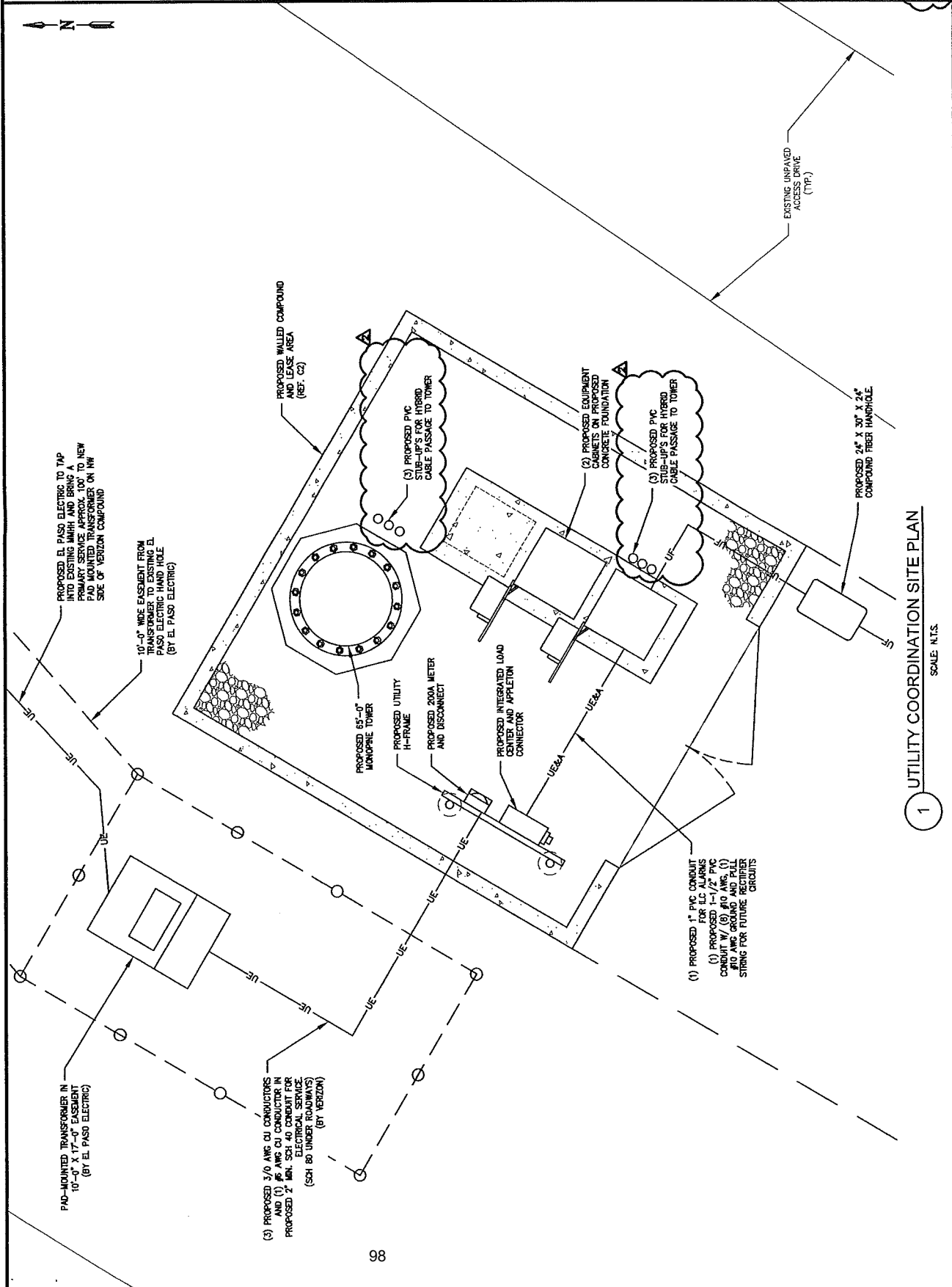
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ISSUED FOR:
CONSTRUCTION REV D 08/19/2019
CONSTRUCTION REV C 03/10/2019
CONSTRUCTION REV 2 04/10/2020

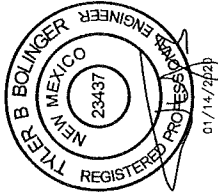
NO	DESCRIPTION	BY	DATE
1	REMOVE ICE BRIDGE	MMR	01/14/20
2	ADDED CONDUIT	MMR	04/10/20

SHEET TITLE:
UTILITY COORDINATION
SITE PLAN

SHEET NUMBER:
UC2



1 UTILITY COORDINATION SITE PLAN
SCALE: N.T.S.



PE RENEWAL DATE: DECEMBER 31, 2021

verizon

KGIO

KGIO WIRELESS, INC.
 605 US HIGHWAY 170
 BLDG 1000
 AUSTIN, TX 78746
 TEL: 512.345.9595
 FAX: 512.345.9898

SITE NAME:
LSC LA POSTA
 LOCATION CODE:
286827

SITE ADDRESS:
 1564 W. BOUTZ RD.
 MESILLA, NM 86046

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ISSUED FOR: DATE
 CONSTRUCTION REV 0 05/19/2019
 CONSTRUCTION REV 1 01/14/2020

REVISION	
NO DESCRIPTION	BY DATE
1 UPDATED EQUIPMENT	MAIR 01/14/20

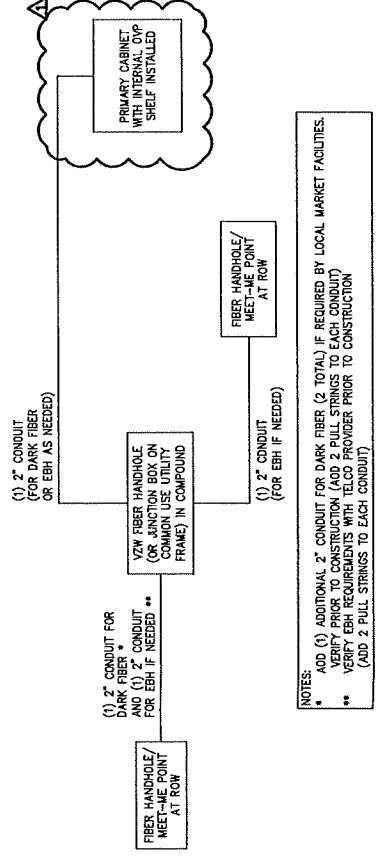
SHEET TITLE:
ONE-LINE DIAGRAM

SHEET NUMBER:
E2

PANEL NUMBER	PARALLEL PANEL	MODEL NUMBER		ASCO D3000 SERIES		KEY DOOR LATCH	YES
		PHASE/WIRE	1 3	200	6SK		
1	240	120	VOLTS	200	AMPS	YES	
2	200	AMPS		200	AMPS	YES	
3	SURFACE						
4	NEMA 3R						
5	1	18	POLES	2	30A		
6	3	1	LOAD	REC'TIFIER			
7	5	1	POLES	2	30A		
8	7	1	LOAD	REC'TIFIER			
9	9	1	POLES	2	30A		
10	11	1	LOAD	REC'TIFIER			
11	13	1	POLES	2	30A		
12	15	1	LOAD	REC'TIFIER			
13	17	1,2,5	POLES	1	20A		
14	19		LOAD	GFI REC'TPY/LIGHT			
15	21		POLES				
16	23		LOAD				
17	25		POLES				
18	27		LOAD				
19	29		POLES				
20			LOAD				
21			POLES				
22			LOAD				
23			POLES				
24			LOAD				
25			POLES				
26			LOAD				
27			POLES				
28			LOAD				
29			POLES				
30			LOAD				
				SUB TOTAL AMPS	72	72	
				FACTORED TOTAL AMPS	160	144	

- NOTES:
- ALL CONDUCTORS ARE TYPE THHN (FEP) COPPER.
 - ALLOW FOR 10% VOLTAGE DROP ON MAIN FEEDER CIRCUITS. IS 50FT.
 - ASCO INTEGRATED LOAD CENTER INCLUDES 200 AMP MAIN DISCONNECT AND TRANSFER SWITCH FOR PORTABLE OR PERMANENT GENERATOR.
 - RECTIFIER LOADS ARE CONSIDERED TO BE NON-CONTINUOUS.

PANEL SCHEDULE
 SCALE: N.T.S.

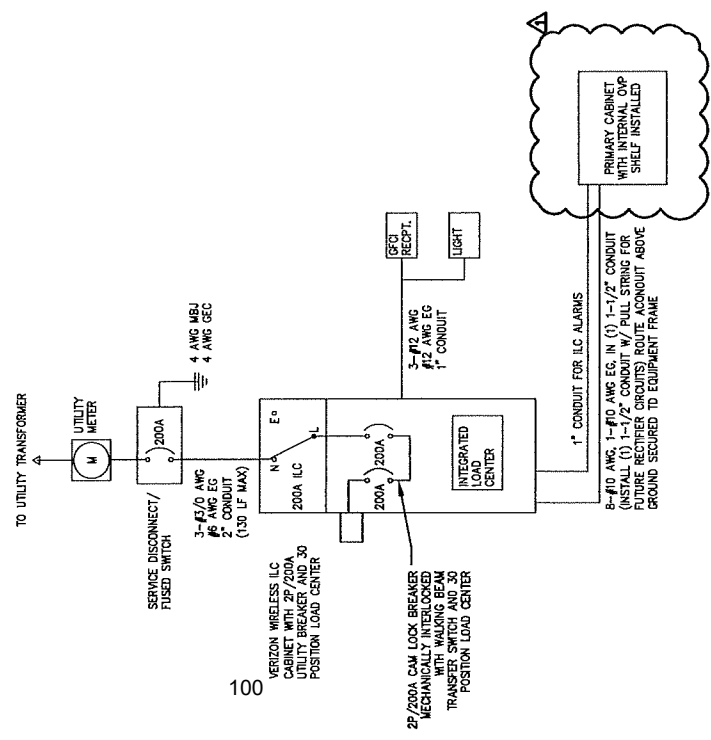


3 FIBER SINGLE LINE DIAGRAM (TYP.)
 SCALE: N.T.S.

LOAD CALCULATION

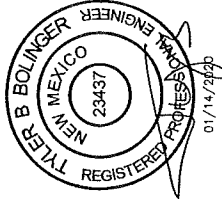
LOAD	AMPS
PROPOSED LOAD:	160.0
TOTAL DEMAND:	160.0

VOLTAGE: 120/240V SINGLE PHASE 3W 200A



- NOTES:
- ALL EQUIPMENT SHALL BE NEMA 3R RATED
 - ALL EQUIPMENT SHALL BE LIGHTNING PROTECTED IN ACCORDANCE WITH TA-222-G AND VERIZON WIRELESS STANDARDS
 - ALL CONDUCTOR SIZES AND DISTANCES HAVE BEEN SIZED FOR 3% MAX VOLTAGE DROP (TOTAL SYSTEM VOLTAGE DROP ON BOTH FEEDERS AND BRANCH CIRCUITS TO THE FARTHEST DEMAND SHALL NOT EXCEED 5%)
 - WIRE SIZING AND MAXIMUM DISTANCES FROM GENERATOR TO ILC ASSUMES POWER FACTOR OF 0.8
 - ALL CONDUIT SHALL BE RIGID PVC CONDUIT SHALL TRANSITION TO GRC PRIOR TO BEING ABOVE GRADE. ALL BENDS SHALL HAVE A MINIMUM 24" RADIUS. ALL FITTINGS SHALL BE SUITABLE FOR USE WITH THREADED RIGID CONDUIT. TYPE WITH LOCAL CONSTRUCTION MANAGER AND ADJUST IF NECESSARY. ALL CONDUIT SHALL MEET NEC, STATE, AND LOCAL CODE REQUIREMENTS AS REQUIRED.

1 ONE-LINE DIAGRAM
 SCALE: N.T.S.



PE RENEWAL DATE DECEMBER 31, 2021



KGI WIRELESS, INC.
805 LAS CINAS, PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9595
FAX: 512.345.9886

SITE NAME:
LSC LA POSTA
LOCATION CODE:
286827
SITE ADDRESS:
1584 W. BOUTZ RD.
MESILLA, NM 88046

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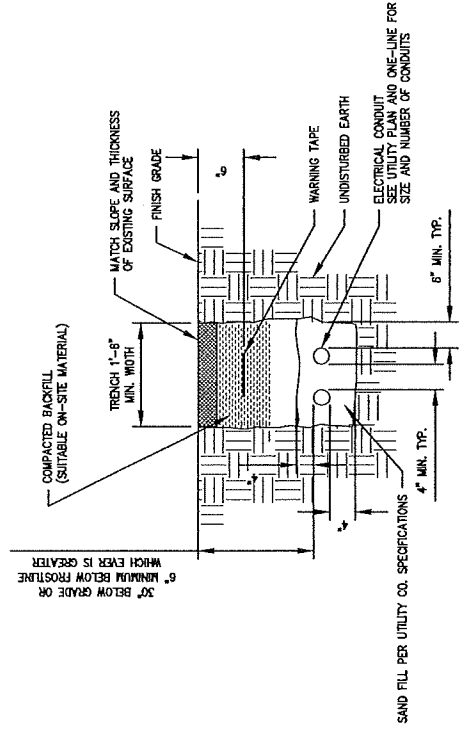
ISSUED FOR: DATE
CONSTRUCTION REV 0 08/19/2019
CONSTRUCTION REV 1 01/14/2020

REVISION	
NO DESCRIPTION	BY DATE
1 REMOVED DETAIL	MJR 01/14/20

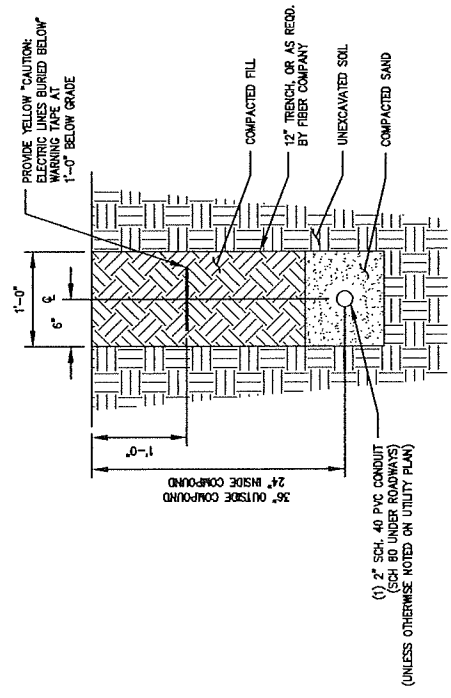
SHEET TITLE:
ELECTRICAL DETAILS

SHEET NUMBER:
E3

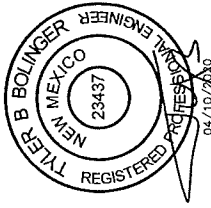
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2 ELECTRICAL TRENCH DETAIL



3 TYP. FIBER TRENCH DETAIL



PE RENEWAL DATE DECEMBER 31, 2021

verizon

KGI

KGI WIRELESS, INC.
805 LAS OJAS PARKY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.9898
FAX: 512.345.9898

SITE NAME:
LSC LA POSTA

LOCATION CODE:
286827

SITE ADDRESS:
1584 W. BOUTZ RD.
MESILLA, NM 88046

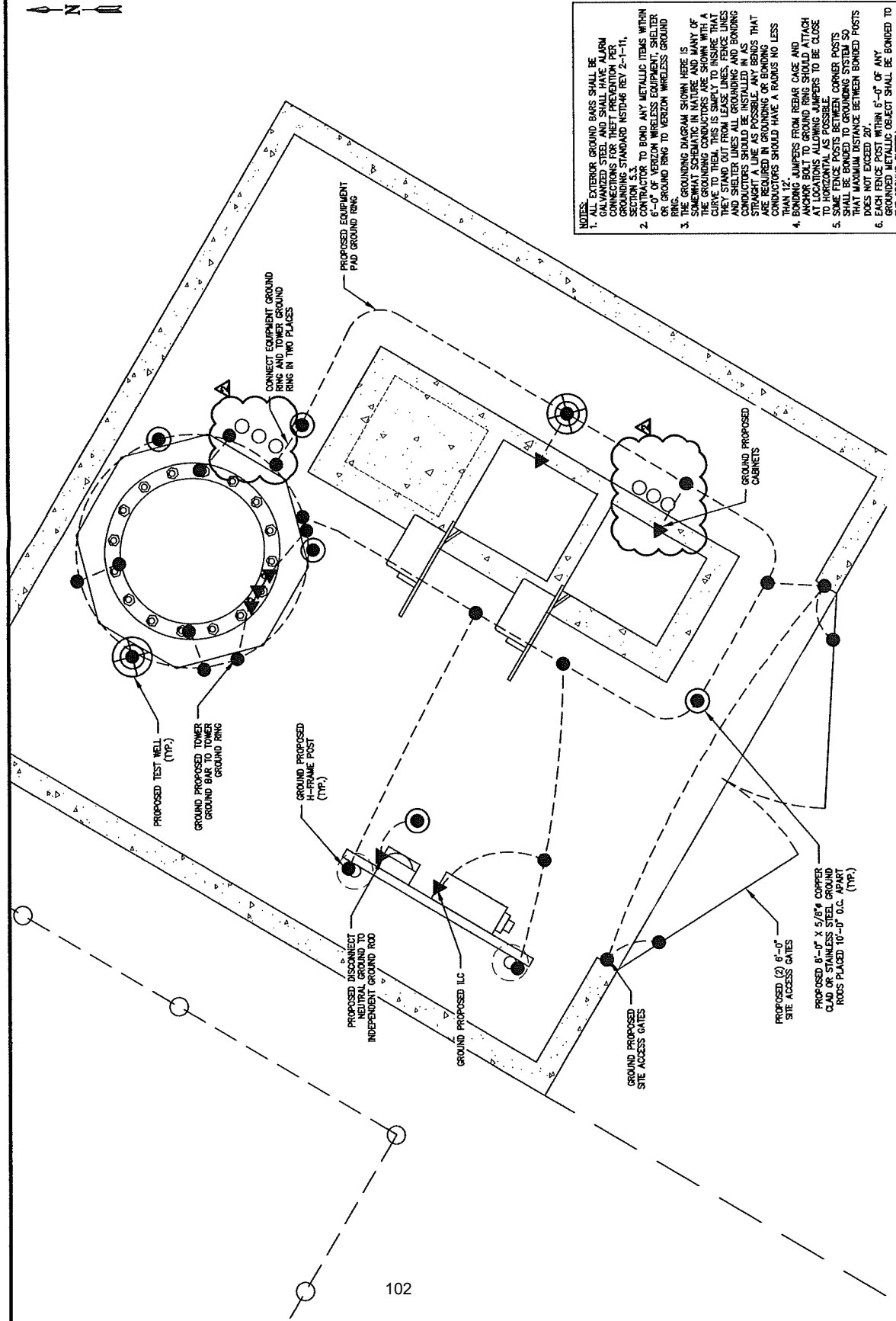
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ISSUED FOR: DATE
CONSTRUCTION REV 0 08/19/2020
CONSTRUCTION REV 1 01/14/2020
CONSTRUCTION REV 2 04/10/2020

NO	DESCRIPTION	BY	DATE
1	REMOVE ICE BRIDGE	MJR	07/14/20
2	ADDED CONDUIT	MJR	04/10/20

SHEET TITLE:
GROUNDING SITE PLAN

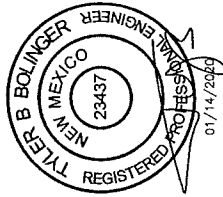
SHEET NUMBER:
G1



- NOTES:**
- EXTERIOR GROUND BARS SHALL BE GALVANIZED STEEL AND SHALL HAVE ALARM CONNECTIONS FOR THEIR PREVENTION PER GROUNDING STANDARD NSTD46 REV 2-1-11.
 - CONNECT ALL METALLIC ITEMS WITHIN OR GROUND RING TO VERIZON WIRELESS GROUND RING.
 - THE GROUNDING DIAGRAM SHOWN HERE IS SOMEWHAT SCHEMATIC IN NATURE AND MANY OF THE GROUNDING ITEMS SHOWN ARE NOT TO BE CONSIDERED AS A REQUIREMENT TO INSURE THAT THEY STAND OUT FROM LEASE LINES, FENCE LINES AND SHELTER LINES ALL GROUNDING AND BONDING CONDUCTORS SHOULD BE INSTALLED IN AS STRAIGHT A LINE AS POSSIBLE. ANY BENDS THAT CONDUCTORS SHOULD HAVE A RADIUS NO LESS THAN 12".
 - BONDING JUMPERS FROM REBAR CAGE AND ANCHOR BOLT TO GROUND RING SHOULD ATTACH AT LOCATIONS ALLOWING JUMPERS TO BE CLOSE TOGETHER AS POSSIBLE.
 - SOLE FENCE POSTS BETWEEN CORNER POSTS SHALL BE BONDED TO GROUNDING SYSTEM SO THAT MAXIMUM DISTANCE BETWEEN BONDED POSTS DOES NOT EXCEED 20'.
 - EACH FENCE POST WITHIN 6'-0" OF ANY GROUNDING METALLIC OBJECT SHALL BE BONDED TO GROUNDING SYSTEM.
 - INSTALL NEW SECONDARY GROUNDING BAR AT BASE OF TOWER IN ACCORDANCE WITH GROUNDING STANDARD NSTD46. CONTRACTOR TO ALSO INSTALL SECONDARY GROUNDING BARS AT ANTENNAS IF REQUIRED TO MAKE COMPLETE GROUNDING SYSTEM IN ACCORDANCE WITH GROUNDING STANDARD NSTD46.

GROUNDING PLAN
SCALE: N.T.S.
1

NOTE:
CONTRACTOR SHALL NOT SUBMIT BIDS OR PERFORM CONSTRUCTION WORK ON THIS PROJECT UNLESS ALL OF THE MATERIALS LISTED IN THE COMPLETE SET OF DRAWINGS LISTED IN THE TITLE-SHEET INDEX.



PE RENEWAL DATE DECEMBER 31, 2021
01/14/2020

verizon

KGI

KGI WIRELESS, INC.
BDS LAS CIMAS PARK
BUILDING THREE SUITE 370
LAS CIMAS, NM 87701
TEL: 512.345.9595
FAX: 512.345.9898

SITE NAME:
LSC LA POSTA
LOCATION CODE:
286827
SITE ADDRESS:
1561 W. BOUTZ RD.
MESILLA, NM 88046

THESE DRAWINGS ARE THE PROPERTY OF VERIZON WIRELESS, INC. AND ARE FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE EXPRESS WRITTEN CONSENT OF VERIZON WIRELESS IS PROHIBITED.

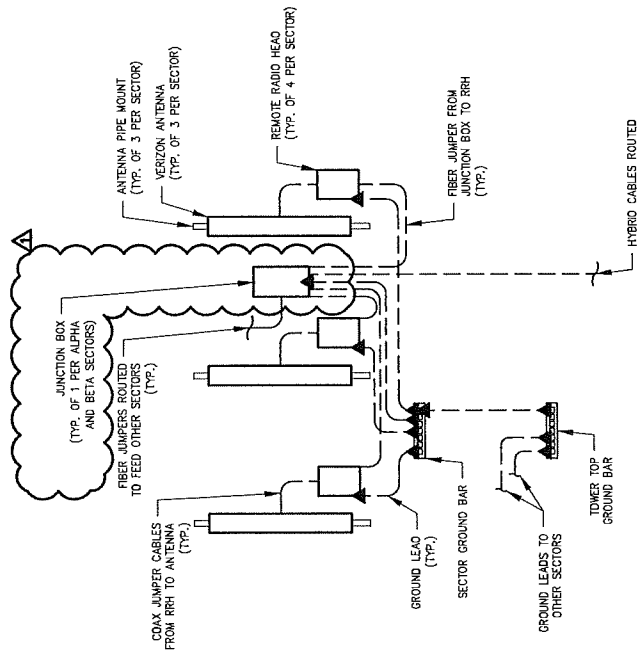
ISSUED FOR: DATE
CONSTRUCTION REV 0 08/19/2019
CONSTRUCTION REV 1 01/14/2020

NO	DESCRIPTION	BY	DATE
1	UPDATED GROUNDING	MJR	01/14/20

SHEET TITLE:
GROUNDING DETAILS

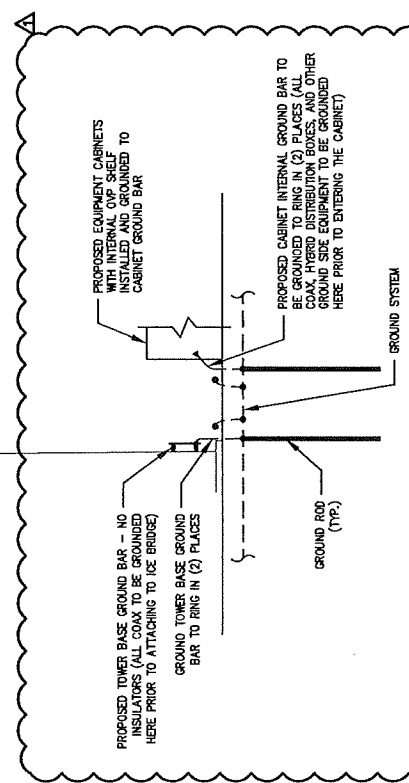
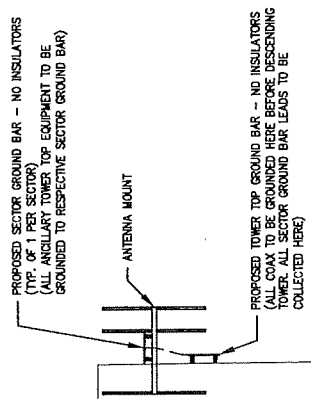
SHEET NUMBER:
G2

NOTE:
GROUNDING DIAGRAM IS TYPICAL FOR ALL SECTORS EXCEPT WHERE NOTED.



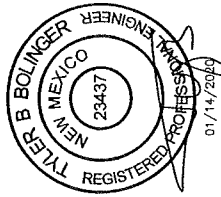
TYP. ANTENNA GROUNDING DIAGRAM
SCALE: N.T.S.

2



TYP. TOWER GROUNDING ELEVATION
SCALE: N.T.S.

1



PE RENEWAL DATE DECEMBER 31, 2021

verizon

KGIO

KGIO WIRELESS, INC.
 15000 W. HAWKWAY
 BUILDING THREE SUITE 370
 AUSTIN, TX 78746
 TEL: 512.345.9595
 FAX: 512.345.9898

SITE NAME:
LSC LA POSTA
 LOCATION CODE:
286827

SITE ADDRESS:
 1564 W. BOUTZ RD.
 MESILLA, NM 88046

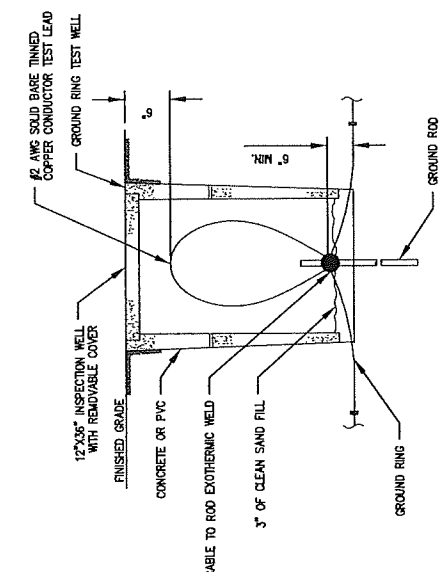
THESE DRAWINGS ARE THE PROPERTY OF VERIZON WIRELESS. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE WRITTEN CONSENT OF VERIZON WIRELESS IS PROHIBITED.

ISSUED FOR: DATE
 CONSTRUCTION REV 0 08/19/2019
 CONSTRUCTION REV 1 01/14/2020

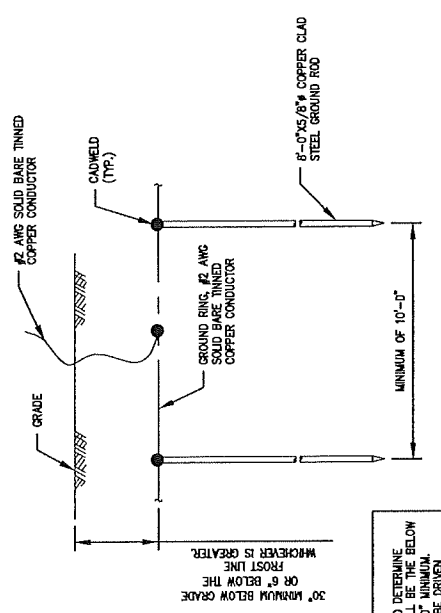
NO	DESCRIPTION	BY	DATE

SHEET TITLE:
GROUNDING DETAILS

SHEET NUMBER:
G3

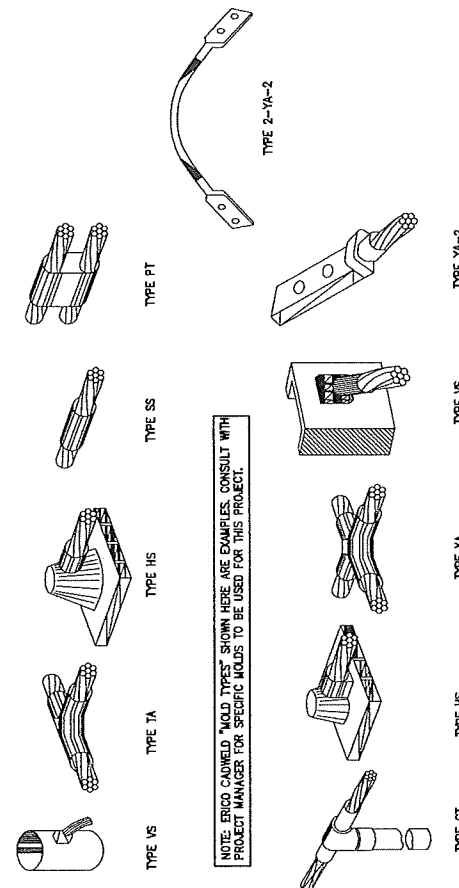


2 TEST WELL DETAIL
 SCALE: N.T.S.

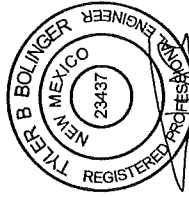


1 GROUND ROD DETAIL
 SCALE: N.T.S.

NOTES:
 1. DESIGNER/ENGINEER TO DETERMINE WHETHER THE GROUND RODS SHALL BE DRIVEN BELOW THE FROST LINE OR 30\"/>



3 TYP. EXOTHERMIC WELDS
 SCALE: N.T.S.



PE RENEWAL DATE DECEMBER 31, 2021
01/14/2020

verizon

KGI

KGI WIRELESS, INC.
805 LAS CINAS PKWY
BUILDING THREE, SUITE 370
AUSTIN, TX 78746
TEL: 512.345.8995
FAX: 512.345.9998

SITE NAME:
LSC LA POSTA
LOCATION CODE:
296827
SITE ADDRESS:
1584 W. BOUTZ RD.
MESILLA, NM 88046

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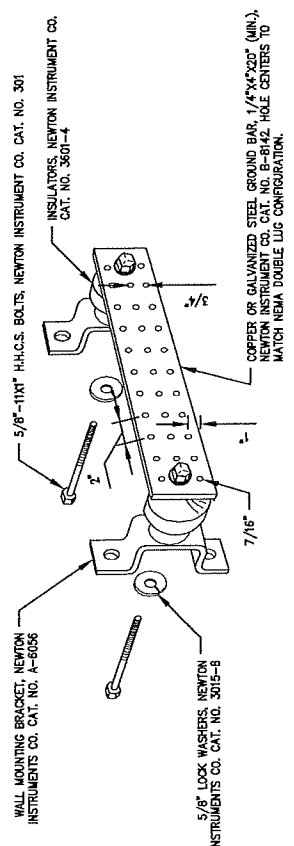
ISSUED FOR: CONSTRUCTION REV 0
DATE: 08/19/2019
CONSTRUCTION REV 1
DATE: 01/14/2020

NO	DESCRIPTION	BY	DATE

REVISION

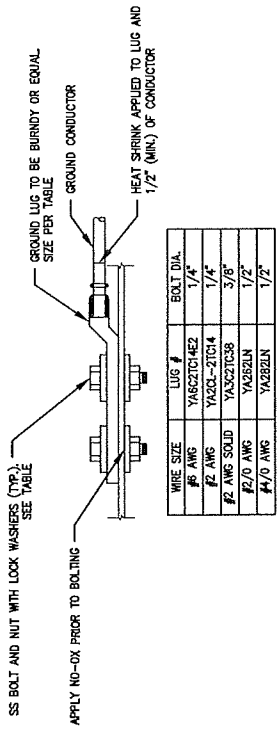
SHEET TITLE:
GROUNDING DETAILS

SHEET NUMBER:
G4



- NOTES:
- GROUND BAR SHALL BE SIZED TO ACCOMMODATE ALL GROUNDING CONNECTIONS REQUIRED PLUS PROVIDE 50% SPARE CAPACITY.
 - GROUND BAR SHALL BE EITHER FIELD FABRICATED OR NEW HOLES DRILLED.
 - GROUND LUGS SHALL MATCH THE HOLE SPACING ON THE BAR.
 - HARDWARE DIAMETER SHALL BE A MINIMUM 3/8\".

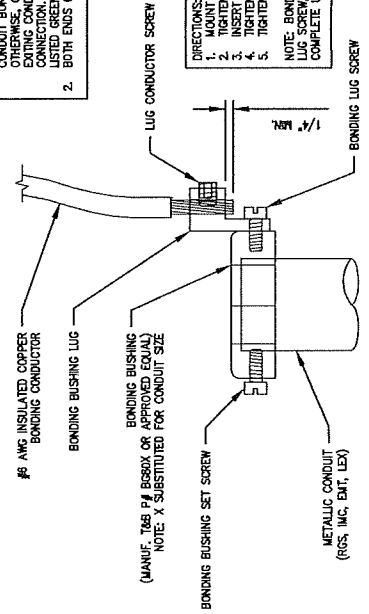
1 TYP. GROUND BAR DETAIL
SCALE: N.T.S.



WIRE SIZE	LUG #	BOLT DIA.
#2 AWG	YA62TCH4E2	1/4"
#2 AWG	YA2CJ-2TCH14	1/4"
#2 AWG SOLID	YA3C2TCH38	3/8"
#2/0 AWG	YA28ZLN	1/2"
#4/0 AWG	YA28ZLN	1/2"

2 TYP. TWO-HOLE LUG DETAIL
SCALE: N.T.S.

- NOTE:
- IF WITHIN 18 INCHES OF A GROUND BAR, CONNECT CONDUIT BOND CONDUCTOR TO GROUND BAR. OTHERWISE, CONNECT TO MAIN GROUND CONDUCTOR. CONDUCTOR SHALL BE BONDING CONDUCTOR. CONNECTION WRAP ELECTRICAL TAPE LISTED GREEN ELECTRICAL TAPE.
 - BOTH ENDS OF CONDUIT TO BE GROUNDED.



- DIRECTIONS:
- MOUNT BONDING BUSHING ONTO CONDUIT
 - TIGHTEN BOND BUSHING SET SCREW
 - INSERT CONDUCTOR INTO BONDING LUG
 - TIGHTEN BONDING CONDUCTOR SCREW
 - TIGHTEN BONDING CONDUCTOR SCREW
- NOTE: BONDING BUSHING, SET SCREW, LUG SCREW, CONDUIT, LUG SCREW, SHOWN AS COMPLETE UNIT.

3 TYP. CONDUIT GROUNDING DETAIL
SCALE: N.T.S.

- GENERAL ANTENNA NOTES:**
- CONTRACTOR TO VERIFY MECHANICAL DOWN TILT WITH FINAL SLF/RF ENGINEER
 - DUAL POLAR ANTENNAS REQUIRE TWO RUNS OF COAX PER ANTENNA
 - CONTRACTOR TO VERIFY ALL ACTUAL LENGTHS IN FIELD PRIOR TO INSTALLATION AND NOTIFY THE FIELD ENGINEER FOR VERIFICATION OF SIZES OF CABLES
 - CONTRACTOR TO PROVIDE AS BUILT FOR THE LENGTH OF CABLES UPON COMPLETION OF INSTALLATION
 - CONTRACTOR TO PROVIDE FINAL CABLE LENGTHS AND RETURN LOSSES FOR ALL CABLES
 - ALL AZIMUTHS REFERENCE TRUE NORTH. CONSULT REQUIRED QUADRANGLE MAP FOR NECESSARY MECHANICAL DECLINATION

NEW LESSEE ANTENNA SCHEDULE:

ATTACH LEVEL (COR)	AZIMUTHS (DEG., TR)	ANTENNA TYPE	ANTENNA QUANTITY	MOUNT TYPE	COAX (QUANTITY) SIZE (NOMINAL)	ESTIMATED CABLE LENGTH	MECHANICAL DOWN TILT
60'-0"	0° 150° 210°	PANEL ANTENNAS	6	SEE ANTENNA MOUNT SCHEDULE	(2) HYBRID CABLE	80'-0"	0°

NOTES:

- FOR EXACT ANTENNA INFORMATION REFER TO THE RF DESIGN
- ALL NEW COAX SHALL BE INSTALLED INSIDE MONOPOLE. (IF POSSIBLE)
- CONTRACTOR TO INSTALL DIPLEXERS IN SHELTER AND ON TOWER AS REQUIRED BY RF DESIGN (IF APPLICABLE)

NEW LESSEE RRH & RAYCAP SCHEDULE:

ATTACH LEVEL (COR)	AZIMUTHS (DEG., TR)	MAKE/MODEL	QUANTITY
60'-0"	-	DISTRIBUTION BOX	1
60'-0"	-	ERISSON 8843 RRHS ERISSON 4449 RRHS	3

SECTOR COLOR CODE:

SECTOR	ANTENNA LOCATIONS	FIRST STRIPE (PCS) OR (LITE) OR (A-BAND) OR (B-BAND)	SECOND STRIPE	THIRD STRIPE
ALPHA	1	RED OR WHITE OR YELLOW OR PURPLE	GREEN	GREEN
	2			
	3			
	4			
BETA	1	RED OR WHITE OR YELLOW OR PURPLE	ORANGE	ORANGE
	2			
	3			
GAMMA	1	RED OR WHITE OR YELLOW OR PURPLE	BROWN	BROWN
	2			
	3			
	4			

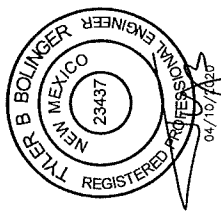
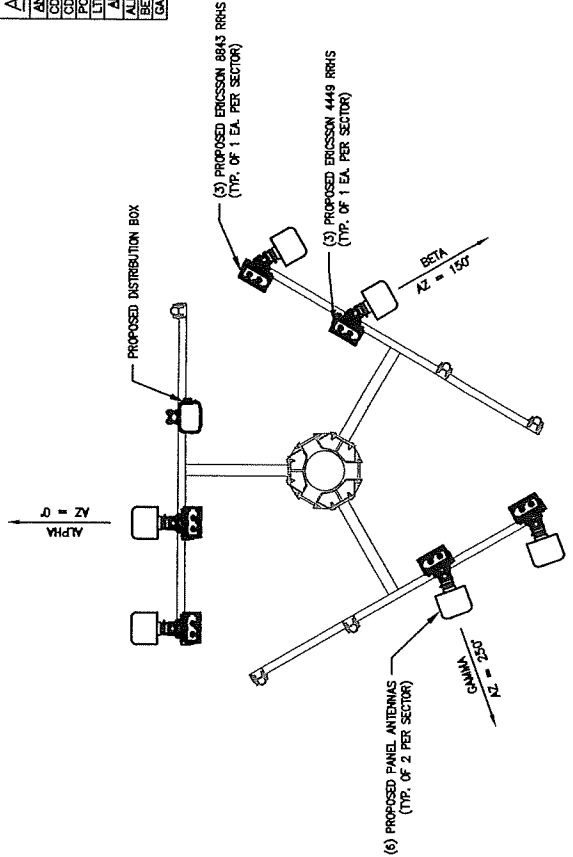
ANTENNA MOUNT SCHEDULE:

QUANTITY	DESCRIPTION	PART NUMBER(S)
1	MONOPOLE CO-LOCATION T-FRAME KIT, 12" TO 50" OD, 10'-6" FACE - (12) 2-3/8"OD X 96" ANTENNA MOUNT PIPES	MC-K10M-12-96

NOTE: ALL PRODUCTS ARE FROM "COMMSCOPE"
WWW.COMMSCOPE.COM

ANTENNA COLOR CODE:

ANTENNA FUNCTION	COLOR
COMA-800 B-BAND	RED
COMA-800 A-BAND	WHITE
PCS-1800	YELLOW
LTE-700	PURPLE
ANTENNA SECTOR	
ALPHA	GREEN
BETA	ORANGE
GAMMA	BROWN



PE RENEWAL DATE DECEMBER 31, 2021



KGI WIRELESS, INC.
805 LAS COMAS WAY
BUILDING 1000
AUSTIN, TX 78746
TEL: 512.345.9895
FAX: 512.345.9898

SITE NAME:
LSC LA POSTA
LOCATION CODE:
286827
SITE ADDRESS:
1584 W. BOLUTZ RD.
MESILLA, NM 86046

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ISSUED FOR: DATE
CONSTRUCTION REV 0 08/19/2019
CONSTRUCTION REV 1 01/14/2020
CONSTRUCTION REV 2 04/10/2020

NO	DESCRIPTION	BY	DATE
2	ADDED ADDITIONAL CABLE MAP	MBR	04/10/20

SHEET TITLE: **ANTENNA INFORMATION**
SHEET NUMBER: **RF1**

1 ANTENNA SECTION @ 60'-0"
SCALE N.T.S.

NOTE: CONTRACTOR SHALL NOT SUBMIT BIOS OR PERFORM CONSTRUCTION WORK ON THIS PROJECT WITHOUT ACCESS TO THE CURRENT COMPLETE SET OF DRAWINGS LISTED IN THE TITLE-SHEET INDEX



Account Id: R0202816
Parcel Number: 4 006137365079
Owners: JW JONES PROPERTIES LLC
Address: 1320 STONEGATE DR
SHERIDAN, WY 82801
Situs Address: 711 ALAMOSA AVE
Legal: S: 25 T: 23S R: 1E PT OF USRS TR 9D-94A1

Account Id: R0202808
Parcel Number: 4006137268122
Owners: HOOVER RICK J TRUSTEE :RICK J HOOVER FAMILY TRUST DTD 11/01/2012
Address: 1551 AVENIDA DE MESILLA
LAS CRUCES, NM 88005
Situs Address: 1551 W AVENIDA DE MESILLA
Legal: S: 25 T: 23S R: 1E MAP 9D TR 95A PART OF TRACT

Account Id: R0400323
Parcel Number: 4006137243181
Owners: KABO DORIANNE J
Address: PO BOX 2065
RUIDOSO, NM 88355
Situs Address: 1 508 N HIGHWAY 28, 1516 N HIGHWAY 28 Mesilla
Legal: S: 25 T: 23S R: 1E BRM 11B TR 2

Account Id: R0401316
Parcel Number: 4006137325182
Owners: BINNS LTD #2
Address: 2700 E MISSOURI STE 1
LAS CRUCES, NM 88011
Situs Address: CALLE DE ALVAREZ Mesilla
Legal: Subd: MERCADO DE LA MESILLA PHASE 2 REPLAT NO 1 (BK 22 PG 123-124 - 073641) Lot: 10
Block: A S: 25 T: 23S R: 1E

Account Id: R0401608
Parcel Number: 4006137284147
Owners: ZIA TRUST INC CUSTODIAN FOR WW BURKE IRA
Address: 4131 CAMINO COYOTE STE A
LAS CRUCES, NM 88011
Situs Address: CALLE DE ALVAREZ Mesilla
Legal: Subd: MERCADO DE LA MESILLA PHASE 3A REPLAT NO 1 (BK 23 PG 145 - 1035564) Lot: 7A S:
25 T: 23S R: 1E

Account Id: R0401176
Parcel Number: 4006137255160
Owners: LEAVITT GROUP SOUTHWEST LLC
Address: PO BOX 1027
CEDAR CITY, UT 84721
Situs Address: CALLE DE ALVAREZ Mesilla
Legal: Subd: MERCADO DE LA MESILLA PHASE 3A (BK 19 PG 124-125 - 9815898) Lot: 2 Block: A S:
25 T: 23S R: 1E

Account Id: R0225735
Parcel Number: 4006137204152
Owners: SINGER MICHAEL INVESTMENT/BENEFITS TRUSTEE
: PEAK TRUST COMPAY AK ADMINISTRATIVE TRUSTEE
: HAL AND FRANCINE SINGER REVOCABLE TRUST DTD AUGUST 16, 2007
Address: 825 BENHAM STREET
HAMDEN, CT 06514
Situs Address: 1610 AVENIDA DE MESILLA
Legal: Subd: TIERRA VERDE PHASE 1 (BK 18 PG 715-717 - 9714532) Lot: TRACT-1 S: 25 T: 23S R: 1E

Account Id: R0221095
Parcel Number: 4006137198175
Owners: HINSA VALLEY CORPORATION ATTN WILLIAM A WALKER JR
Address: PO BOX 2669
LAS CRUCES, NM 8004-2669
Situs Address:
Legal: S: 25 T: 23S R: 1E BRM 9D PT OF 83

Account Id: R0221011
Parcel Number: 4006137195186
Owners: HINSA VALLEY CORPORATION ATTN WILLIAM A WALKER JR
Address: PO BOX 2669
LAS CRUCES, NM 8004-2669
Situs Address: 1710 AVENIDA DE MESILLA
Legal: S: 25 T: 23S R: 1E USRS 9D PT OF TR 83

Account Id: R0401314
Parcel Number: 4006137295165
Owners: CINCO ESTRELLAS LLC
Address: 816 CANTERBURY ARC
LAS CRUCES, NM 88005
Situs Address: 1785 CALLE DE FUENTE Mesilla
Legal: Subd: MERCADO DE LA MESILLA PHASE 2 REPLAT NO 1 (BK 22 PG 123-124 - 073641) Lot: 6
Block: A S: 25 T: 23S R: 1E

Account Id: R0401313
Parcel Number: 4006137291174
Owners: DESERT MIRAGE INC
Address: PO BOX 4080
LAS CRUCES, NM 88003
Situs Address: CALLE DE FUENTE Mesilla
Legal: Subd: MERCADO DE LA MESILLA PHASE 2 REPLAT NO 1 (BK 22 PG 123-124 - 073641) Lot: 5
Block: A S: 25 T: 23S R: 1E

Account Id: R0401312
Parcel Number: 4006137286182
Owners: BUNCH HENRY C & CAROLYN J
Address: PO BOX 1478
MESILLA, NM 88046
Situs Address: 1765 CALLE DE MERCADO Mesilla
Legal: Subd: MERCADO DE LA MESILLA PHASE 2 REPLAT NO 1 (BK 22 PG 123-124 - 073641) Lot: 4
Block: A S: 25 T: 23S R: 1E

Account Id: R0401311
Parcel Number: 4006137282197
Owners: PRESTON WISCONSIN LP
Address: 6600 W TOUHY AVE
NILES, IL 60714
Situs Address: 1755 CALLE DE MERCADO Mesilla
Legal: Subd: MERCADO DE LA MESILLA PHASE 2 REPLAT NO 1 (BK 22 PG 123-124 - 073641) Lot: 3
Block: A S: 25 T: 23S R: 1E

Account Id: R0401310
Parcel Number: 4006137271210
Owners: MINER MARCUS
Address: 6612 VISTA HERMOSA
LAS CRUCES, NM 88007
Situs Address: CALLE DE FUENTE Mesilla
Legal: Subd: MERCADO DE LA MESILLA PHASE 2 REPLAT NO 1 (BK 22 PG 123-124 - 073641) Lot: 2
Block: A S: 25 T: 23S R: 1E

Account Id: R0401309
Parcel Number: 4006137274219
Owners: JAMES R HANSEN & CAROL J WORTNER
Address: 3150 MCDOWELL RD
LAS CRUCES, NM 88005
Situs Address: CALLE DE FUENTE Mesilla
Legal: Subd: MERCADO DE LA MESILLA PHASE 2 REPLAT NO 1 (BK 22 PG 123-124 - 073641) Lot: 1
Block: A S: 25 T: 23S R: 1E

Account Id: R0401240
Parcel Number: 4006137253258
Owners: HACIENDA INVESTMENTS LLC
Address: 5140 NIZHONI TRAIL
LAS CRUCES, NM 88005
Situs Address: 1730 TIERRA DE MESILLA Mesilla
Legal: Subd: MERCADO DE LA MESILLA PHASE 1 & 3B REPLAT NO 1 (BK 24 PG 163 - 1627098) Lot: 2 S:
25 T: 23S R: 1E

Account Id: R0401232
Parcel Number: 4006137242263
Owners: HACIENDA INVESTMENTS LLC
Address: 5140 NIZHONI TRAIL
LAS CRUCES, NM 88005
Situs Address: 1730 TIERRA DE MESILLA Mesilla
Legal: Subd: MERCADO DE LA MESILLA PHASE 3B (BK 20 PG 163-164 - 0231702) Lot: 4 Block: B S:
25 T: 23S R: 1E

Account Id : R0401233
Parcel Number: 4006137233267
Owners: CBE III LLC
Address: PO BOX 116
MESILLA, NM 88046.
SitusAddress: MesillaLegalSubd: MERCADO DE LA MESILLA PHASE 3B (BK 20 PG 163-164 - 0231702)
Lot: 5 Block: B S: 25 T: 23S R: 1E

Account Id: R0401234
Parcel Number: 4006137226270
Owners: CBE III LLC
Address: PO BOX 116
MESILLA, NM 88046.
Situs Address: Mesilla
Legal: Subd: MERCADO DE LA MESILLA PHASE 3B (BK 20 PG 163-164 - 0231702) Lot: 6 Block: B S:
25 T: 23S R: 1E

Account Id: R0401235
Parcel Number: 4006137218272
Owners; CBE III LLCAddressPO BOX 116
MESILLA, NM 88046.
SitusAddressMesillaLegalSubd: MERCADO DE LA MESILLA PHASE 3B (BK 20 PG 163-164 - 0231702) Lot: 7
Block: B S: 25 T: 23S R: 1E

Account Id: R0400932
Parcel Number: 4006137230244
Owners: CBE III LLC
Address: PO BOX 116
MESILLA, NM 88046.
Situs Address: 1891 AVENIDA DE MESILLA Mesilla
Legal: S: 25 T: 23S R: 1E BRM 5 PART OF TR 11B

Account Id: R0400314
Parcel Number: 4006137229231
Owners: KABO DORIANNE J & STEPHEN L CAMP
Address: PO BOX 2065
RUIDOSO, NM 88355
Situs Address: 1801 S HIGHWAY 28,1799 S HIGHWAY 28 Mesilla
Legal: S: 25 T: 23S R: 1E BRM 11B TR 3

Account Id: R0401180
Parcel Number: 4006137230213
Owners: HACIENDA INVESTMENTS LTD
Address: 5140 NIZHONI TRAIL
LAS CRUCES, NM 88005
Situs Address: 1701 CALLE DEL MERCADO Mesilla
Legal: Subd: MERCADO DE LA MESILLA PHASE 1 (BK 19 PG 87-88 - 989472) Lot: 1 Block: B S: 25 T: 23S R:
1E

Account Id: R0400270
Parcel Number: 4006137198287
Owners: CLAYSHULTE NANCY L
Address: PO BOX P
MESILLA, NM 88046
Situs Address: 1850 AVENIDA DE MESILLA Mesilla
Legal: S: 25 T: 23S R: 1E USRS TR 11B-4

Account Id: R0400311
Parcel Number: 4006137228335
Owners: TOW LIMITED LIABILITY COMPANY
Address: 3150 BOWMAN LAS CRUCES, NM 88005
SitusAddress2011 AVENIDA DE MESILLA Mesilla**Legal**S: 25 T: 23S R: 1E BRM 11B TR 1A

Account Id: R0400322
Parcel Number: 4006137241339
Owners: LUCERO MARY (ESTATE OF) & JAMES ZAPIEN JR & GLORIA P
Address: PO BOX 222
MESILLA, NM 88046-0222
Situs Address: 2145 AVENIDA DE MESILLA Mesilla
Legal: S: 25 T: 23S R: 1E BRM 11B TR 17 18B

Account Id: R0400344
Parcel Number: 4006137263363
Owners: TOWN OF MESILLA
Address: PO BOX 10
MESILLA, NM 88046
Situs Address: 2231 AVENIDA DE MESILLA Mesilla
Legal: Subd: USRS TRACT 11B-18 PLAT NO 1 (BK 18 PG 162 - 9428245) Lot: TR A S: 25 T: 23S R: 1E BRM
11B PT OF TR 18A

Account Id: R0400980
Parcel Number: 4006137299393
Owners: LAS CRUCES SCHOOL DISTRICT #2
Address: 505 S MAIN STE #249
LAS CRUCES, NM 88001
Situs Address: 2355 AVENIDA DE MESILLA Mesilla
Legal: S: 25 T: 23S R: 1E USRS TR 11B-19 20

Account Id: R0401580
Parcel Number: 4006137312040
Owners: MARY ALEXANDER MUSEUM PROPERTY LLC
Address: 1912 NEWTON
LAS CRUCES, NM 88001
Situs Address: W BOUTZ RD Mesilla
Legal: Subd: EL TRATADO DE MESILLA (BK 22 PG 649 - 0903547) Lot: 6 S: 25 T: 23S R: 1E

Account Id: R0401579
Parcel Number: 4006137320040
Owners: MARY ALEXANDER MUSEUM PROPERTY LLC
Address: 1912 NEWTON
LAS CRUCES, NM 88001
Situs Address: E BOUTZ RD Mesilla
Legal: Subd: EL TRATADO DE MESILLA (BK 22 PG 649 - 0903547) Lot: 5
S: 25 T: 23S R: 1E

Account Id: R0400978
Parcel Number: 4006137346418
Owners: JOHN WRIGHT REVOCABLE TRUST DATED MARCH 21, 2017
Address: PO BOX 566
MESILLA, NM 88046
Situs Address: W BOUTZ RD #1-5 Mesilla
Legal: Subd: PLAT OF SURVEY TOWN OF MESILLA (BK 24 PG 275 - 1729072) Lot: 3 S: 25 T: 23S R: 1E BRM
11B TR 27B

Account Id: R1903435
Parcel Number: 4006137351406
Owners: TORRES ROY V
:TORRES MERCEDES G
Address: P.O. BOX 391
MESILLA, NM 88046
Situs Address: 1715 W BOUTZ RD Mesilla
Legal: Subd: PLAT OF SURVEY TOWN OF MESILLA (BK 24 PG 275 - 1729072) Lot: 1 S: 25 T: 23S R: 1E
USRS 11B-25 PT OF

Account Id: R0400981
Parcel Number: 4006137342407
Owners: JOHN WRIGHT REVOCABLE TRUST DATED MARCH 21, 2017
Address: PO BOX 566
MESILLA, NM 88046
Situs Address: 1717 W BOUTZ RD Mesilla
Legal: Subd: PLAT OF SURVEY TOWN OF MESILLA (BK 24 PG 275 - 1729072) Lot: 2 S: 25 T: 23S R: 1E BRM
11B TR 26

Account Id R0401020
Parcel Number 4006137356421
Owners MARTINEZ EDWARD & MARTHA J
Address 2690 BOLT ST
LAS CRUCES, NM 88005
SitusAddress 2690 BOLDT ST Mesilla
Legal Subd: MESILLA FARMS SUBDIVISION (BK 15 PG 389-390 - 8822094) Lot: 7 Block: D S: 25 T: 23S R:
1E

Account Id: R0401019
Parcel Number: 4006137365415
Owners: TUFTE SCOTT
Address: 2680 BOLDT ST
LAS CRUCES, NM 88005
Situs Address: 2680 BOLDT ST Mesilla
Legal: Subd: MESILLA FARMS SUBDIVISION (BK 15 PG 389-390 - 8822094) Lot: 8 Block: D S: 25 T: 23S R:
1E

Account Id: R0401110
Parcel Number: 4006137320274
Owners: KRUEGER SUSAN A
Address: PO BOX 1143
MESILLA, NM 88046-1143
SitusAddress: CALLE TERCERA RD Mesilla
Legal: Subd: MESILLA GREENS (BK 17 PG 125-126 - 921098) Lot: PT OF LT 4 S: 25 T: 23S R: 1E

Account Id: R0401219
Parcel Number: 4006137345348
Owners: VELASQUEZ MONICA Y
Address: 1660 W. BOUTZ RD
LAS CRUCES, NM 88005
SitusAddress: 1660 W BOUTZ RD Mesilla
Legal: Subd: MESILLA GREENS REPLAT NO 1 (BK 19 PG 624 - 0110740) Lot: 2A S: 25 T: 23S R: 1E

Account Id: R0401113
Parcel Number: 4006137378269
Owners: BINNS DAVID V & TARA G
Address: 1400 W BOUTZ RD
LAS CRUCES, NM 88005-4069
SitusAddress: 1400 W BOUTZ RD Mesilla
Legal: Subd: MESILLA GREENS (BK 17 PG 125-126 - 921098) Lot: PT OF LT 6 S: 25 T: 23S

Account Id: R0401114
Parcel Number: 4006137386251
Owners: POLONER MATTHEW BAddressPO BOX 681
MESILLA, NM 88046
SitusAddress: W BOUTZ RD Mesilla
LegalSubd: MESILLA GREENS (BK 17 PG 125-126 - 921098) Lot: 7 S: 25 T: 23S R: 1E

Account Id: R0401115
Parcel Number: 4006137404237
Owners: MAYFAIR MANAGEMENT LTD CO
Address: PO BOX 1278
MESILLA, NM 88046-1278
SitusAddress: W BOUTZ RD Mesilla
Legal: Subd: MESILLA GREENS (BK 17 PG 125-126 - 921098) Lot: 8 S: 25 T: 23S R: 1E

Account Id: R0400399
Parcel Number: 4006137420395
Owners: LAN LEA INCAAddress300 MOTEL BLVD
LAS CRUCES, NM 88005-4005
SitusAddress: W BOUTZ RD MesillaLegalS: 25 T: 23S R: 1E BRM 11B TR 24

Account Id: R0400961
Parcel Number: 4006137527325
Owners: LAN LEA INC
Address: 300 MOTEL BLVD
LAS CRUCES, NM 88005-4005
SitusAddress: W BOUTZ RD Mesilla
Legal: S: 25 T: 23S R: 1E BRM 11B TR 23A

Account Id: R0202856
Parcel Number: 4006137510237
Owners: REED AUSTIN B
:BEANBLOSSOM CYNTHIA L
Address: 1040 RAINBOW
LAS CRUCES, NM 88005
SitusAddress: 1040 RAINBOW DR
Legal: Subd: BUENA VISTA ESTATES #4 1551 Lot: TR B1 S: 25 T: 23S R: 1E

Account Id: R0220043
Parcel Number: 4006137476235
Owners: MERRELL FLOYD F & ARACELI D
Address: 1225 W BOUTZ RD
LAS CRUCES, NM 88005
SitusAddress: 1225 W BOUTZ RD
Legal: Subd: BUENA VISTA ESTATES #4 1551 Lot: TR D1 S: 25 T: 23S R: 1E

Account Id: R0202848
Parcel Number: 4006137497220
Owners: BALLINGER JIM & JUDY
Address: 1020 RAINBOW DR
LAS CRUCES, NM 88005
SitusAddress: 1020 RAINBOW DR
Legal: Subd: BUENA VISTA ESTATES #4 1551 Lot: TR A1 S: 25 T: 23S R: 1E

Account Id: R0202837
Parcel Number: 4006137487209
Owners: ALLEY GENE A & STACY J
Address: 1000 RAINBOW DR
LAS CRUCES, NM 88005-3833
Situs Address: 1000 RAINBOW**Legal:** S: 25 T: 23S R: 1E BRM 9D TR 1 2 103A 103B

Account Id: R0229044
Parcel Number: 4006137454208
Owners: MARQUEZ JUAN JOSE & ANAHI LORENA
Address: 1195 PAPILLON LN
LAS CRUCES, NM 88005-3594
SitusAddress: 1195 PAPILLON LN
Legal: Subd: ALICANTE ORCHARD REPLAT NO 1 (BK 20 PG 487 - 0343632) Lot: 2 S: 25 T: 23S R: 1E
NORTHEAST 1/4

Account Id: R0229043
Parcel Number: 4006137461202
Owners: GONZALES RICARDO FLOYD
:GONALES AMBER RENEE
Address: 1185 PAPILLON LN
LAS CRUCES, NM 88005
SitusAddress: 1185 PAPILLON LN
Legal: Subd: ALICANTE ORCHARD REPLAT NO 1 (BK 20 PG 487 - 0343632) Lot: 1 S: 25 T: 23S R: 1E
NORTHEAST 1/4

Account Id: R0229045
Parcel Number: 4006137445198
Owners: AGUIRRE STEPHEN A TRSTEE
:SURVIVOR'S TRUST A SUB-TRUST CREATED UNDER THE STEPHEN A AGUIRRE AND GRACE AGUIRRE
TRUST DATED JANUARY 22, 1993
:BYPASS TRUST A SUB-TRUST CREATED UNDER THE STEPHEN A AGUIRRE AND GRACE AGUIRRE TRUST
DATED JANUARY 22, 1993
Address: 1175 PAPILLON LANE
LAS CRUCES, NM 88005
SitusAddress: 1175 PAPILLON LN
Legal: Subd: ALICANTE ORCHARD REPLAT NO 1 (BK 20 PG 487 - 0343632) Lot: 3 S: 25 T: 23S R: 1E
NORTHEAST ¼

Account Id: R0229046
Parcel Number: 4006137441185
Owners: BURKE WILLIAM W TRUSTEE WILLIAM W BURKE REVOCABLE TRUST
Address: 1690 S TELSHOR BLVD
LAS CRUCES, NM 88011-4889
SitusAddress: 1165 PAPILLON RD
Legal: Subd: ALICANTE ORCHARD REPLAT NO 1 (BK 20 PG 487 - 0343632) Lot: 4 S: 25 T: 23S R: 1E
NORTHEAST 1/4

Account Id: R0229048
Parcel Number: 4006137437168
Owners: STOUT DAVID L & AMANDA K
Address: 1145 PAPILLON LN
LAS CRUCES, NM 88005
SitusAddress: 1145 PAPILLON LN
Legal: Subd: ALICANTE ORCHARD REPLAT NO 1 (BK 20 PG 487 - 0343632) Lot: 6 S: 25 T: 23S R: 1E
NORTHEAST 1/4

Account Id: R0229049
Parcel Number: 4006137427162
Owners: AGUIRRE LAND HOLDINGS LLC
Address: 1175 PAPILLON LANE
LAS CRUCES, NM 88005
SitusAddress: 1126 PAPILLON LN
Legal: Subd: ALICANTE ORCHARD REPLAT NO 1 (BK 20 PG 487 - 0343632) Lot: 7 S: 25 T: 23S R: 1E
NORTHEAST 1/4

Account Id: R0229050
Parcel Number: 4006137414178
Owners: ALICANTE ORCHARD LLC
Address: 1175 PAPILLON LN
LAS CRUCES, NM 88005
SitusAddress: 1136 PAPILLON LN
Legal: Subd: ALICANTE ORCHARD REPLAT NO 1 (BK 20 PG 487 - 0343632) Lot: 8 S: 25 T: 23S R: 1E
NORTHEAST 1/4

Account Id: R0229051
Parcel Number: 4006137402198
Owners: FRF TRUST
Address: 12033 MALVA PL
LAS VEGAS, NV 89138
SitusAddress: 1146 PAPILLON LN

Account Id: R0229052
Parcel Number: 4006137418195
Owners: ENCHANTED DESERT HOMES LLC & FRF TRUST
Address: PO BOX 2105
LAS CRUCES, NM 88004
SitusAddress: 1156 PAPILLON LN
Legal: Subd: ALICANTE ORCHARD REPLAT NO 1 (BK 20 PG 487 - 0343632) Lot: 10 S: 25 T: 23S R: 1E
NORTHEAST 1/4

Account Id: R0229053
Parcel Number: 4006137420206
Owners: FLAMM ROBERT H & DEBBIE K
Address: PO BOX 2105
LAS CRUCES, NM 88004
SitusAddress: 1166 PAPILLON LN
Legal: Subd: ALICANTE ORCHARD REPLAT NO 1 (BK 20 PG 487 - 0343632) Lot: 11 S: 25 T: 23S R: 1E
NORTHEAST 1/4

Account Id: R0229054
Parcel Number: 4006137429214
Owners: SCHMITT HOWARD G
:SCHMITT ANNE M
Address: 1176 PAPIILLON LN
LAS CRUCES, NM 88005
SitusAddress: 1176 PAPIILLON LN
Legal: Subd: ALICANTE ORCHARD REPLAT NO 1 (BK 20 PG 487 - 0343632) Lot: 12 S: 25 T: 23S R: 1E
NORTHEAST 1/4

Account Id: R0229055
Parcel Number: 4006137437222
Owners: SANCHEZ DAWN
Address: 2010 CORN DRIVE
LAS CRUCES, NM 88001
SitusAddress: 1186 PAPIILLON LN
Legal: Subd: ALICANTE ORCHARD REPLAT NO 1 (BK 20 PG 487 - 0343632) Lot: 13 S: 25 T: 23S R: 1E
NORTHEAST 1/4

Account Id: R0229056
Parcel Number: 4006137447230
Owners: ALICANTE ORCHARD LLC
Address: 1175 PAPIILLON LN
LAS CRUCES, NM 88005
SitusAddress: 1196 PAPIILLON LN
Legal: Subd: ALICANTE ORCHARD REPLAT NO 1 (BK 20 PG 487 - 0343632) Lot: 14 S: 25 T: 23S R: 1E
NORTHEAST 1/4

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Mesilla, NM 88046

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



Postage	\$0.55
Total Postage and Fees	\$6.95

Sent To **JAMES ZAPIENJA ESTRE M. LUGO**
 Street and Apt. No., or PO Box No. **P.O. BOX 222**
 City, State, ZIP+4® **MESILLA, NM 88046**

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Las Cruces, NM 88005

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



Postage	\$0.55
Total Postage and Fees	\$6.95

Sent To **JAMES HANSEN**
 Street and Apt. No., or PO Box No. **3150 M.C. DOWELL RD**
 City, State, ZIP+4® **LAS CRUCES, NM 88005**

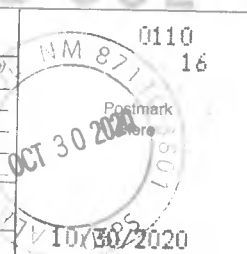
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Las Cruces, NM 88011

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



Postage	\$0.55
Total Postage and Fees	\$6.95

Sent To **BINK LTD 2**
 Street and Apt. No., or PO Box No. **2700 E. MISSOURI STE #4**
 City, State, ZIP+4® **LAS CRUCES, NM 88011**

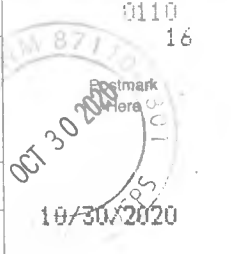
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Las Cruces, NM 88005

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



Postage	\$0.55
Total Postage and Fees	\$6.95

Sent To **GENE STACY ALLEY**
 Street and Apt. No., or PO Box No. **1800 RAINBOW DR.**
 City, State, ZIP+4® **LAS CRUCES, NM 88005**

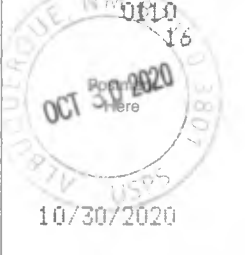
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Sheridan, NY 82801

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



Postage	\$0.55
Total Postage and Fees	\$6.95

Sent To **J.W. JONES Properties LLC**
 Street and Apt. No., or PO Box No. **7320 STORE GATE DR.**
 City, State, ZIP+4® **SHERIDAN, NY 82801**

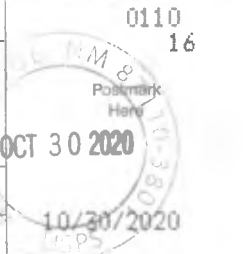
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Las Cruces, NM 88005

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



Postage	\$0.55
Total Postage and Fees	\$6.95

Sent To **MUNICA VELASQUEZ**
 Street and Apt. No., or PO Box No. **1060 W. BARTZ RD**
 City, State, ZIP+4® **LAS CRUCES, NM 88005**

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7020 0090 0000 8881 9484

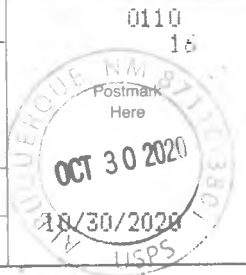
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Las Cruces, NM 89005

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **Rick Haven, TRUSTE**
 Street and Apt. No., or PO Box No. **1551 AVENIDA DE MESITA**
 City, State, ZIP+4® **LAS CRUCES, NM 88046**

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Mesilla, NM 88048

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **MAY FELD MGMT LTD**
 Street and Apt. No., or PO Box No. **P.O. BOX 1278**
 City, State, ZIP+4® **MESITA, NM 88046**

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7020 0090 0000 8881 9422

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Las Cruces, NM 89005

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **EDMUND MARTINEZ**
 Street and Apt. No., or PO Box No. **2290 BOLT ST**
 City, State, ZIP+4® **LAS CRUCES, NM 89005**

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7020 0090 0000 8881 9365

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Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **JIM & JUDY BAIRNBER**
 Street and Apt. No., or PO Box No. **1020 RAINBOW DR**
 City, State, ZIP+4® **LAS CRUCES, NM 89005**

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7020 0090 0000 8881 9323

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Las Cruces, NM 89005

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **AUSTIN REED**
 Street and Apt. No., or PO Box No. **1040 RAINBOW**
 City, State, ZIP+4® **LAS CRUCES, NM 89005**

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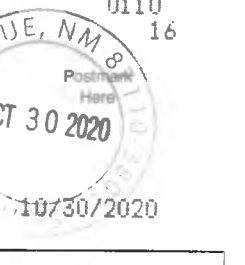
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Las Cruces, NM 89005

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **DAVID STURT**
 Street and Apt. No., or PO Box No. **1145 DOPILLON LN**
 City, State, ZIP+4® **LAS CRUCES, NM 89005**

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Las Cruces, NM 88005

Certified Mail Fee \$3.55

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total Postage and Fees \$6.95

Sent To **HOWARD SEAMITT**
 Street and Apt. No., or PO Box No. **1776 PAPPILLON LN**
 City, State, ZIP+4® **LAS CRUCES NM 88005**

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Las Vegas, NV 89138

Certified Mail Fee \$3.55

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total Postage and Fees \$6.95

Sent To **FRF TRUST**
 Street and Apt. No., or PO Box No. **PO BOX 33 MALVA PL**
 City, State, ZIP+4® **LAS VEGAS, NV 89138**

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Las Cruces, NM 88005

Certified Mail Fee \$3.55

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total Postage and Fees \$6.95

Sent To **HACIENDA INVESTMENTS LLC**
 Street and Apt. No., or PO Box No. **5140 NIZHONI TRAIL**
 City, State, ZIP+4® **LAS CRUCES, NM 88005**

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Las Cruces, NM 88001

Certified Mail Fee \$3.55

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total Postage and Fees \$6.95

Sent To **MARY ALEXANDER MUSEUM PEOPLE**
 Street and Apt. No., or PO Box No. **1912 NEWTON**
 City, State, ZIP+4® **LAS CRUCES, NM 88001**

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Mesilla, NM 88045

Certified Mail Fee \$3.55

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total Postage and Fees \$6.95

Sent To **CBE AF LLC**
 Street and Apt. No., or PO Box No. **P.O. BOX 116**
 City, State, ZIP+4® **MESILLA, NM 88046**

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 Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

Las Cruces, NM 88005

Certified Mail Fee \$3.55

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total Postage and Fees \$6.95

Sent To **FLOYD RICARDO GONZALES**
 Street and Apt. No., or PO Box No. **1185 PAPPILLON LN**
 City, State, ZIP+4® **LAS CRUCES NM 88005**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Las Cruces, NM 88004

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



Postage	\$0.55
Total Postage and Fees	\$6.95

Sent To **HINSA VALLEY Corp**
 Street and Apt. No., or PO Box No. **P.O. Box 2669**
 City, State, ZIP+4® **Las Cruces, NM 88004**

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Mesilla, NM 88046

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



Postage	\$0.55
Total Postage and Fees	\$6.95

Sent To **HANLEY CLAYSHULTE**
 Street and Apt. No., or PO Box No. **P.O. Box D.**
 City, State, ZIP+4® **MESILLA, NM 88046**

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Mesilla, NM 88046

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



Postage	\$0.55
Total Postage and Fees	\$6.95

Sent To **CBE III LLC**
 Street and Apt. No., or PO Box No. **P.O. Box 116**
 City, State, ZIP+4® **MESILLA, NM 88046**

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Las Cruces, NM 88005

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



Postage	\$0.55
Total Postage and Fees	\$6.95

Sent To **Hacienda Investments LLC**
 Street and Apt. No., or PO Box No. **6140 NIZHONTE**
 City, State, ZIP+4® **Las Cruces, NM 88005**

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Mesilla, NM 88046

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



Postage	\$0.55
Total Postage and Fees	\$6.95

Sent To **Henry Banta**
 Street and Apt. No., or PO Box No. **P.O. Box 147E**
 City, State, ZIP+4® **MESILLA, NM 88046**

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Cedar City, UT 84721

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



Postage	\$0.55
Total Postage and Fees	\$6.95

Sent To **LEAVITT Group SW LLC**
 Street and Apt. No., or PO Box No. **P.O. Box 102T**
 City, State, ZIP+4® **Cedar City UT 84721**

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Las Cruces, NM 89011

Certified Mail Fee \$3.55
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55
 Total Postage and Fees \$6.95

Sent To **ZIA TRUST CUST / NN BUNKER TR**
 Street and Apt. No., or PO Box No. **4731 CAMINO COYOTE STE A**
 City, State, ZIP+4® **LAS CRUCES, NM 89011**

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Las Cruces, NM 89003

Certified Mail Fee \$3.55
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55
 Total Postage and Fees \$6.95

Sent To **DESERT MIRAGE INC**
 Street and Apt. No., or PO Box No. **P.O. Box 4060**
 City, State, ZIP+4® **LAS CRUCES, NM 89003**

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Ruidoso, NM 88355

Certified Mail Fee \$3.55
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55
 Total Postage and Fees \$6.95

Sent To **DONALD & STEVE KARO**
 Street and Apt. No., or PO Box No. **P.O. Box 2065**
 City, State, ZIP+4® **RUIDOSO, NM 88355**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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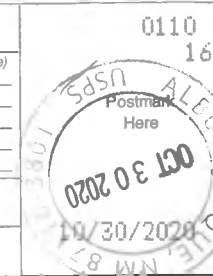
Las Cruces, NM 89005

Certified Mail Fee \$3.55
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55
 Total Postage and Fees \$6.95

Sent To **TON LIMITED LIBRARY**
 Street and Apt. No., or PO Box No. **B150 BOWMAN**
 City, State, ZIP+4® **LAS CRUCES, NM 89005**

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Las Cruces, NM 89001

Certified Mail Fee \$3.55
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55
 Total Postage and Fees \$6.95

Sent To **LAS CRUCES SCHOOL DISTRICT**
 Street and Apt. No., or PO Box No. **505 MAIN STE #249**
 City, State, ZIP+4® **LAS CRUCES, NM 89001**

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Mesilla, NM 89048

Certified Mail Fee \$3.55
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$0.00
 Return Receipt (electronic) \$0.00
 Certified Mail Restricted Delivery \$0.00
 Adult Signature Required \$0.00
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55
 Total Postage and Fees \$6.95

Sent To **C BETH LLC**
 Street and Apt. No., or PO Box No. **P.O. Box 116**
 City, State, ZIP+4® **MESILLA, NM 89048**

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Official Use
 Niles, IL 60714

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95

Postmark Here: 10/30/2020

Sent To: **PRESTON WISCONSIN LP**
 Street and Apt. No., or PO Box No.: **6600 N. TOMMY AVE**
 City, State, ZIP+4: **NILES, IL 60714**

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Official Use
 Mesilla, NM 88046

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95

Postmark Here: 10/30/2020

Sent To: **CBRE III LLC**
 Street and Apt. No., or PO Box No.: **P.O. BOX 116**
 City, State, ZIP+4: **MESILLA, NM 88046**

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Official Use
 Hamden, CT 06514

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95

Postmark Here: 10/30/2020

Sent To: **MICHAEL SINBEN**
 Street and Apt. No., or PO Box No.: **275 BEN HAM ST**
 City, State, ZIP+4: **HAMDEN, CT 06514**

Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Official Use
 Las Cruces, NM 88005

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95

Postmark Here: 10/30/2020

Sent To: **HACIENDA INVESTMENTS LTD**
 Street and Apt. No., or PO Box No.: **5140 KIZHONE TRAIL**
 City, State, ZIP+4: **LAS CRUCES, NM 88005**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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For delivery information, visit our website at www.usps.com

Official Use
 Ruidoso, NM 88355

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95

Postmark Here: 10/30/2020

Sent To: **DORIANNE & STEPHAN KARD**
 Street and Apt. No., or PO Box No.: **P.O. BOX 2065**
 City, State, ZIP+4: **RUIDOSO, NM 88355**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Official Use
 Las Cruces, NM 88005

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95

Postmark Here: 10/30/2020

Sent To: **CINCO ESTREAS LLC**
 Street and Apt. No., or PO Box No.: **216 CARTERBURY AVE**
 City, State, ZIP+4: **LAS CRUCES, NM 88005**

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Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **LAN KEA INC.**
 Street and Apt. No., or PO Box No. **300 MUEL BLVD.**
 City, State, ZIP+4® **LAS CRUCES, NM 88005**

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Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **Floyd + Medell FLUFD**
 Street and Apt. No., or PO Box No. **1225 W. BOUTZ RD.**
 City, State, ZIP+4® **LAS CRUCES, NM 88005**

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Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **JUAN JOSE MAJURZ**
 Street and Apt. No., or PO Box No. **1195 PAPILLON LANE**
 City, State, ZIP+4® **LAS CRUCES, NM 88005**

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For delivery information, visit our website at www.usps.com
 Mesilla, NM 88046

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **Roy Torres + Melanah Torres**
 Street and Apt. No., or PO Box No. **P.O. BOX 391**
 City, State, ZIP+4® **MESILLA, NM 88046**

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Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **SCOTT TUFTS**
 Street and Apt. No., or PO Box No. **2600 BOLDT ST**
 City, State, ZIP+4® **LAS CRUCES, NM 88005**

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Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **DAVID + TARA BINNS**
 Street and Apt. No., or PO Box No. **1400 W. BOUTZ RD**
 City, State, ZIP+4® **LAS CRUCES, NM 88005**

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Las Cruces, NM 88005

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **ALICANTE ORCHARD LLC**
 Street and Apt. No., or PO Box No. **1175 PAPILLON LN**
 City, State, ZIP+4® **LAS CRUCES, NM 88005**

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Las Cruces, NM 88005

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **ALICANTE ORCHARD LLC**
 Street and Apt. No., or PO Box No. **1175 PAPILLON LANE**
 City, State, ZIP+4® **LAS CRUCES, NM 88005**

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com™

Mesilla, NM 88046

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **MATTIEN POLONEN**
 Street and Apt. No., or PO Box No. **P.O. Box 621**
 City, State, ZIP+4® **MESILLA, NM 88046**

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Las Cruces, NM 88011

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **WILLIAM BURKE TRUSTEE**
 Street and Apt. No., or PO Box No. **1690 S. TELSHOW BLVD**
 City, State, ZIP+4® **LAS CRUCES, NM 88011**

U.S. Postal Service™
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Las Cruces, NM 88004

Certified Mail Fee	\$3.55
Extra Services & Fees (check box, add fee as appropriate)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$6.95



Sent To **Robert + Debbie FLAM**
 Street and Apt. No., or PO Box No. **P.O. Box 2105**
 City, State, ZIP+4® **LAS CRUCES, NM 88004**

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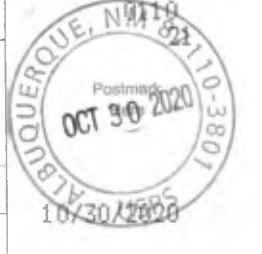
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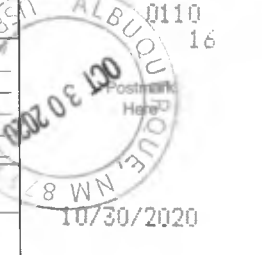
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PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

June 26, 2020

Town of Mesilla

Attn: Planning Department

2231 Avenida de Mesilla

Mesilla, New Mexico 88046

Re: Petition on Future Permit for Tower

Dear Planning Department:

Good day, this is David and Tara Binns and we own property at 1400 West Boutz Road. This letter is coming to you because there is a concern of land being surveyed and developed for the installation of a cell tower in the Town of Mesilla. Our neighbor, Susan Krueger, who owns property is planning to place this tower in the corner of her pecan trees which is also alongside our property and basically in our backyard. Pursuant to our protective covenant's of the Mesilla Greens Subdivision, executed on the 26th of January, 2000 with an expiration date in thirty years. Section II, paragraph 13 states as follows:

TOWERS, ETC. No radio or television transmission tower or radio or television receiving towers shall be erected, placed or permitted upon any part of said property. Satellite dish receivers if erected shall be concealed from view buy landscaping or fencing.

Given these terms we are in fact adhering to these covenants and have had more than one conversation with Susan Krueger which is our neighbor in question. We are expressing concern since she has already begun this project. We absolutely are against this tower going up for several reasons. First and foremost, the health concern for years to come for our families, also the possibility of lowering our value on our property and the obstruction of beautiful views in the area. If a permit is accepted, we will take further recourse to stop this tower from going up. It is our hope that we can end this right here before further energy and time is spent. Please contact us as soon as possible, so that this matter can be taken care of. Thank you for your time and consideration.

Kindly,



David and Tara Binns

PROTECTIVE COVENANTS FOR
MESILLA GREENS SUBDIVISION

The following covenants, attached hereto and made a part hereof, were adopted and executed by the then owners Benjamin Boldt and Betty Boldt on December 23, 1991, and were inadvertently not recorded. The undersigned, as present owner, hereby adopt and reaffirm that said restrictive covenants are binding on the following described real estate from and after December 23, 1991.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed this 26 day of January, 2000

Monica Y. Velasquez
Monica Velasquez

Lot number: #2

STATE OF NEW MEXICO
COUNTY OF DOÑA ANA

The foregoing instrument was acknowledged before me this ____ day of January, 2000, by Monica Velasquez.

Notary Public

My Commission Expires:

*A COPY OF THE COVENANTS WAS ATTACHED, IN AN EFFORT TO NOT DUPLICATE DOCUMENTS, IT WAS REMOVED BECAUSE IT IS LOCATED ON PAGES 7-18.

5:40

11-2-10.16 Board of Trustees to Hold Public Hearing on Commission's Recommendations on Proposed Amendment, Supplement or Repeal

Within forty (40) days following the filing of a written appeal from an order of the Commission denying an application for the amendment of this Ordinance the Board of Trustees shall conduct a public hearing with public notice at least fifteen (15) days prior to the hearing.

11-2-10.17 Decision of Board of Trustees

Any amendment, supplement or repeal of any portion of this Ordinance must be approved, after all hearings by the affirmative vote of at least three trustees.

Town of Mesilla

SECTION 11-2-11 LAND USE REGULATIONS IN THE VARIOUS ZONES

11-2-11.1 RF - Rural Farm Zone

A. Purpose

This zone is intended for the preservation of agricultural use, for the continuance of agriculturally related industries and activities; and for the maintenance of low residential densities.

B. Permitted Uses

A lot in the RF Zone shall be used for the following purposes only:

1. A farm or ranch.
2. A one-family home, only as an accessory to the primary agricultural use.
3. Farm labor housing, only as an accessory to the primary agricultural use.
4. A guest house, used only as an accessory to the primary single-family home and not rented or otherwise conducted as a business.
5. A roadside stand offering for sale only farm products, the majority of which are grown on the premises, provided that such stands shall be removed during any period of time when not in use.

- a. Employment shall be limited to a maximum of five persons plus one additional person for every two acres above the minimum lot size.
 - b. Structures housing cottage industries shall occupy no more than five (5) percent of the lot where they are located.
 - c. No noxious, odorous or hazardous processes shall be employed; nor shall the use or storage of explosives or flammable materials be permitted, excepting those specifically related to the allowed use and in conformance with applicable codes. Dust, noise or glare shall not extend beyond the properties on which they are located.
 - d. One parking space shall be provided for each employee.
 - e. One (1) unlighted sign, having a maximum area of ten (10) square feet shall be permitted.
 - f. Parking, outdoor storage areas or other unsightly appurtenances shall be screened from public view.
2. Agriculturally related industries such as cotton gins, food processing plants, packaging plants or mills providing the following conditions are met:
- a. The site for the use shall be no smaller than five acres.
 - b. Structures housing agriculturally related industries shall occupy no more than twenty (20) percent of the parcel.
 - c. No noxious, odorous or hazardous processes shall be employed, nor shall the use or storage of explosives or flammable materials be permitted, excepting those specifically related to the allowed use and in conformance with applicable codes, nor shall industries emit dust, noise or glare beyond the property.
 - d. No industry shall be permitted closer than five hundred (500) feet from abutting adjacent properties.
 - e. One parking space shall be provided for each employee.
 - f. Parking, outdoor storage areas or other unsightly appurtenances shall be screened from public view.

3. Feedlots provided that the following conditions are complied with:
- a. Livestock in a feedlot shall not be corralled within five hundred (500) feet of any residence or any residential zones. *how many horses / chickens*
 - b. One parking space shall be provided for each employee.
4. Bed and Breakfast Inns may be permitted provided the following conditions are met:
- a. General
 - (1) The owner/manager shall live on site.
 - (2) Employment shall be limited to a maximum of five persons including the owner/manager.
 - (3) No more than seven guest rooms shall be permitted.
 - (4) Length of stay shall be limited to no more than fourteen consecutive days. Bed and breakfast inns are specifically prohibited from allowing guests a permanent residence.
 - (5) Food service shall be limited to breakfasts.
 - b. Land Use Requirements
 - (1) The guest rooms shall be part of or attached to the main residence of the owner/manager.
 - (2) Only one (1) unlighted sign having a maximum area of ten (10) square feet shall be permitted.
 - (3) A minimum of two parking spaces shall be required for the owner/manager. In addition, one parking space shall be required for each employee and one parking space shall be required for each guest room.
 - (4) Inns shall meet the provisions of the New Mexico Uniform Building Code, New Mexico Environmental Improvement Division Regulations and pertinent fire safety regulations.
 - (5) Newly constructed inns or existing residences modified to meet the provisions of this section shall be designed to be compatible with the

residential character of the neighborhood in which they are located. New construction of bed and breakfast inns must meet the architectural guidelines and criteria for development established for Historic Residential and Historic Commercial Zones in Mesilla.

- c. Development Plans. The owner/manager of the land shall submit a complete detailed plan of the project. The development plan shall contain the following information:
- (1) Site plan with scale and north point showing all existing and proposed improvements.
 - (2) Surveyed boundaries or legal description of the area proposed to be developed.
 - (3) Parking areas with arrangement of stalls, location of entrance and exit driveways and their relation to existing streets.
 - (4) Landscaping plan including fencing.
 - (5) Floor plans, elevations and exterior details of proposed improvements.
 - (6) Existing development of adjacent properties within 600' of the exterior boundary of the lot, including the location, type and use of buildings and structures.

D. Uses Prohibited

1. Multi-family uses.
2. Commercial uses other than the sale of agricultural products, the majority of which were produced on the property.
3. Industrial uses other than cottage or agricultural industries.
4. Use of trailers as dwellings with or without wheels attached.
5. Signs other than those permitted by this Ordinance.

E. Development Standards

1. Lot Area - Each lot shall have a minimum area of five (5) acres.
2. Lot Dimensions - Each lot shall have a minimum width of two hundred twenty five (225) feet. Each lot shall have a minimum depth of three hundred (300) feet.
3. Yards - Front: Each lot or parcel of land shall have a front yard extending across the full width of the lot or parcel, with a depth of not less than thirty (30) feet.
4. Height Limitations - The maximum height of buildings or structures in the RF Zone shall be two (2) stories or thirty (30) feet, whichever is less.

11-2-11.2 RA - Residential Agricultural Zone

A. Purpose

This Zone is intended to encourage a suitable environment for single-family residential use on large parcels of land on the periphery of the built-up portions of the Town and to provide for a low density of population.

B. Permitted Uses

- newman*
1. A farm or ranch, provided that livestock or poultry is not kept in corrals, barns or structures located within fifty feet of an adjacent residential property.
 2. A one-family house.
 3. A guest house, used only as an accessory to the primary single-family home and not rented or used as a business.
 4. Home occupations provided that the same conditions listed in the RF Zone are met.
 5. Accessory uses customarily incidental to the uses listed above.
 6. One (1) unlighted sign not to exceed one (1) square foot in area and containing only the name and address of the occupants.
 7. Storage of trailers and campers as specified in the RF Zone.

Lawrence Shannon

From: simpson1850@yahoo.com
Sent: Wednesday, November 11, 2020 5:57 PM
To: Larry Shannon
Subject: Cell Phone Tower Town Meeting

Mr. Shannon,

I am writing on behave of my mother, Nancy Clayshulte, the owner of 1850 Avenida De Mesilla, my husband, Dylan Simpson and myself, Samantha Simpson whom reside at the residence and stand to inherit the property following Nancy's death. Nancy received a letter stating the intentions of a 60ft cell phone tower being placed at a location off of Boutz Rd. within our range of view. For numerous reasons we are against this tower being placed in the area. First, we are concerned about health factors that go along with cell phone towers including but not limited to radiation exposure. Dylan used to work on cell phone towers for a living and can tell you how detrimental to your health they can be. In our society we have enough fears of health concerns, we don't need to add them closer to the one place we should feel safe, home. This is not just for our health but the community of Mesilla. Something to take into consideration is the age of most residents in Mesilla. Pace makers and other medical equipment that runs off of frequencies can be disrupted. Secondly, there is a cell phone tower further east on Boutz by the freeway. Lastly, when my grandfather, Nelson (Dyke) Clayshulte built this home, he built it with the view of the Organs in mind. That view has since been obstructed by the two story building, Acton Academy. We do not want another thing hindering the view as it brings down property value. We are asking to please not allow this tower to be placed for those reasons.

We will also be present at the 2:30 zoom meeting on the 16th.

Thank you,
Samantha Simpson

Lawrence Shannon

From: L J <losjurados@msn.com>
Sent: Wednesday, November 11, 2020 3:43 PM
To: larrys@mesillaNM.gov
Cc: larry@mesillanm.gov
Subject: Application for Special Use Permit for cell tower at 1584 W. Boutz Rd.

Mr. Larry Shannon,
Following are our comments related to the above application, which we are also mailing to you:

We are concerned about the possible installation of this cell phone tower across the street from our home.

We believe it will devalue our residential property and others nearby. It will be unsightly in this particular area, against the backdrop of open fields and residential homes. We also understand that it violates the covenants for that subdivision. Therefore, we are against approving this application.

We would appreciate our concerns being represented in the Public Hearing on November 16, 2020 before the Town of Mesilla Planning, Zoning and Historical Appropriateness Commission.

Respectfully,

Xavier and Lori Jurado
1401 W. Boutz Rd.
Mesilla, NM

Note: Both email addresses above were listed in your letter to Property Owners.

**PZHAC RESOLUTION
NOVEMBER 16, 2020**

SPECIAL USE PERMIT [SUP20-001]

PLANNING ZONING HISTORICAL APPROPRIATENESS COMMISSION (PZHAC)

RESOLUTION 2020-001

WHEREAS, the PZHAC convened on November 16, 2020 at a regular PZHAC meeting and heard the case regarding a special use permit request for a Cellular Telephone Tower at 1584 West Boutz Road in the Town of Mesilla, requested by Verizon Wireless for Susan Krueger, property owner;

WHEREAS, all members of the PZHAC were present, and;

WHEREAS, the application for a special use permit was filed on October 21, 2020; and

WHEREAS, neighboring property owners within 100 feet of the subject property were notified of the proposed special use permit by certified mail as per MTC 18.85.160 and the property was posted giving notice of the proposed hearing; and

WHEREAS, the public hearing was held by the Planning, Zoning, and Historical Appropriateness Commission on November 16, 2020, according to the requirements of MTC 18.85; and

WHEREAS, the public hearing of November 16, 2020 was closed after taking public comments, and;

WHEREAS, a Regular Meeting of the PZHAC was held after the public hearing on November 16, 2020 and the case was considered; and

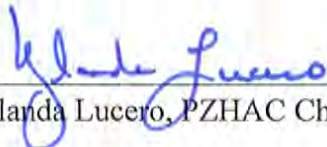
NOW, THEREFORE, BE IT RESOLVED THAT:

The Planning, Zoning and Historical Appropriateness Commission of the Town of Mesilla denies the request for a special use permit for a Cellular Telephone Tower, with findings of fact for said denial as stated in "Attachment A" attached to this resolution.

BE IT FURTHER RESOLVED THAT:

The PZHAC determined from public input, including references by neighboring property owners to a covenant in their deeds restricting towers, that the tower would have negative visual impacts on the immediate area and would be out of character with the historic and aesthetic appeal of the Town.

:
RESOLVED on this 16th day of November, 2020.



Yolanda Lucero, PZHAC Chairperson

ATTACHMENT "A"

FINDINGS OF FACT FOR DENIAL:

- The PZHAC has jurisdiction to review this request.
- The zoning code allows this type of use in the RF zone.
- The requested Special Use Permit will be out of character with the Town's Comprehensive Plan.
- The requested Special Use Permit will create a negative impact on the surrounding properties or the Town.
- The proposed Special Use Permit will not be beneficial to the Town.

**PZHAC MINUTES
NOVEMBER 16, 2020**

SPECIAL USE PERMIT [SUP20-001]



Town of Mesilla, New Mexico

PZHAC PUBLIC HEARING & MEETING AGENDA NOVEMBER 16, 2020

THE PLANNING, ZONING AND HISTORICAL APPROPRIATENESS COMMISSION (PZHAC) WILL HOLD A REGULAR MEETING VIA TELECONFERENCE ON MONDAY, NOVEMBER 16, 2020 AT 2:30 P.M. TO JOIN THE MEETING BY PHONE DIAL 1-346-248-7799, THEN ENTER Meeting ID 603-754-4231 PASSWORD 193857.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL AND DETERMINATION OF A QUORUM

All commissioners were present. (Commissioner Prieto arrived late.) There was a quorum.

III. CHANGES/APPROVAL OF THE AGENDA

There were no changes to the agenda. A motion to approve the Agenda was made by Commissioner Houston, seconded by Commissioner Salas, and approved by a vote of 4 – 0.

IV. *ACCEPTANCE OF THE CONSENT AGENDA

Note: Items on the agenda indicated by an asterisk () are on the consent agenda and will be voted on with one motion unless a Commissioner requests that a specific item be removed for discussion.*

There were no changes to the Consent Agenda. A motion to approve the Consent Agenda was made by Commissioner Salas, seconded by Commissioner Lucero, and approved by a vote of 4 - 0.

A. *PZHAC MINUTES – PZHAC Workshop and Meeting of November 2, 2020.

Approved as part of the Consent Agenda

B. *ADMINISTRATIVE APPROVALS

Zoning Permit:

1. **Case 061141**– 2391 Calle de Parian, submitted by Robert Reynolds, a request for a zoning permit to restucco a storage building on a residential property at this address. Zoned: Historic Residential (HR)

Approved as part of the Consent Agenda

V. PZHAC NEW BUSINESS:

A. PUBLIC INPUT ON CASES

Public input shall be received at larrys@mesillanm.gov at least one hour prior to the meeting and will be read into the record. You will also be given an opportunity to speak during this time by joining the meeting by phone and pressing *9 while in the teleconference. This will let the host know that you wish to speak. You will be prompted by the host or the Commission Chair when to begin speaking.

Four letters were received after the packet was written. All the letter writers were present electronically and chose to speak at the public hearing. (The letters were e-mailed to the commissioners prior to the meeting and are included as part of these minutes.)

B. PUBLIC HEARING AND REGULAR MEETING

A vote was taken by the PZHAC to close the regular meeting and open the public hearing for Case 061139, a Special Use Permit request requiring a public hearing. Discussion was closed to the PZHAC and opened to the public.

Special Use Permit

1. **Case 061139** – 1584 West Boutz Road, submitted by Verizon Wireless for Susan Krueger (property owner); a request for a Special Use Permit to allow the construction of a 65 foot high “mono pine” cell tower on a property at this address. Zoned: Rural Farm (RF)

Staff provided a brief description of the case, explaining that the map provided with the application showed the accurate location of the proposed tower as being adjacent to the property owned by David Binns. Staff also mentioned that the MTC required notification of all property within fifteen hundred feet of the tower (62 property owners), and that this had been done. Based on the responses, which included phone calls as well as the letters previously mentioned during public input, the main issues stated were: 1. The tower will violate restrictive covenants placed on the properties; 2. The fact that the tower can be seen from an entryway into Mesilla; 3. Possible health issues caused by the tower. Staff referenced a letter by Mr. Les Gutierrez, representative for Verizon Wireless, in which he states that Federal regulations do not allow towers to be prohibited for health reasons. Staff also mentioned the fact that a letter, written by Debbie Boldt as the sole remaining member of the administrative control committee for the Mesilla Greens Subdivision, had been provided with the application and that this letter released the covenants from the properties. Staff stated that the property owners involved as part of the Mesilla Greens Subdivision do not believe that covenants can be legally removed in this manner and explained that the Town cannot legally get involved in this dispute. Staff did mention that although the Town cannot enforce covenants and deed restrictions, the Town has referred to them in the past as indicators of how residents wanted to see their part of Town develop. That concluded staff’s presentation and the hearing was opened to public input.

Public input followed (all speakers were sworn in and limited to three minutes):

For:

Susan Krueger (applicant and owner of the subject property)

Explained that Les Gutierrez for Verizon Wireless would present the case and that she would just be listening.

Les Gutierrez (applicant for Verizon Wireless)

Explained the need for the tower and described what a “mono-pine” tower is.

Against:

Tara Binns (Part of Mesilla Greens subdivision Block 17, 1400 West Boutz Road, adjacent to tower)

Stated that the tower would be right next door and that she was concerned with health issues and the fact that the tower would be an eyesore.

Nancy Clayshulte (1850 Avenida de Mesilla)

Said that the tower would be an eyesore (she can see the tower location from her property) and a health issue, and that the tower would not be historical and would be out of character with Mesilla.

Javier Jurado (1401 West Boutz Road, across West Boutz Road from the subject property)

Stated that the tower would be visible from his property and that it would be an eyesore that would negatively affect his property value.

Bonnie Poloner (Part of Mesilla Greens Subdivision Block 17, West Boutz Road)

Concerned that radiation from the tower could be a health issue, and that the tower will be an eyesore.

Ella Franzoy (owns property on Calle de Alvarez)

Purchased her property because of the view and the deed restrictions on her property and the others around her, and that the tower would ruin the view.

Monica Valesquez (Mesilla Greens Subdivision, Replat 1; 1660 West Boutz Road)

Concerned with the length of time the tower will be on the property and the fact that it will remain there long after the use of the tower is discontinued; noise from the operating systems for the tower; bought the property because of the protective covenants and is concerned with their removal; also concerned with the possibility of fire and the fact that the tower may be added to, increasing its size.

Scott Kelsie (2680 Boldt Street)

Bought his property because of the view and would not have purchased it otherwise, likes Mesilla the way it is, the Town does not need cell towers or other modern conveniences; the Town does not need a “,,65 foot fake Christmas tree.”

David Binns (Part of Mesilla Greens subdivision Block 17, 1400 West Boutz Road, adjacent to tower)

Having the tower next door will devalue the property due to the view; if the tower falls it will hit his house; concerned with the covenants and the fact that only the property owners can remove covenants; closed by agreeing with the others who spoke against the tower.

A vote was taken by the PZHAC to close the public hearing for Case 061139 and reopen the regular meeting. Discussion was opened to the PZHAC members.

Decision:

Special Use Permit

Case 061139 – 1584 West Boutz Road, submitted by Verizon Wireless for Susan Krueger (property owner); a request for a Special Use Permit to allow the construction of a 65 foot high “mono pine” cell tower on a property at this address. Zoned: Rural Farm (RF)

Commissioner Nevarez

Stated that he believed that only property owners could remove covenants on their property. The covenants provided in the packet do not have provisions for how the covenants can be removed,

Commissioner Salas

Believes the covenants are still in force and that Ms. Boldt does not have the authority to remove the covenants.

Commission Chair

Felt that the proposal is not appropriate for the area homes.

Commissioner Nevarez

Stated that the homeowners bought in good faith based on the covenants

Commissioner Prieto

Stated that the PZHAC has been restrictive throughout Town and a 65 foot tower would not fit in with the character of the Town.

Les Gutierrez (Representative for Verizon Wireless)

Stated that health reasons could not be used as a reason to deny the tower. He also stated that the height of the tower could possibly be lowered 5 – 10 feet.

David Binns

Stated that we already have towers in the area and that we do not need any more.

Susan Krueger (given the opportunity to speak by the PZHAC)

Stated that Verizon has been looking for a location near here for the past fifteen years, and that staff had told Verizon that towers re allowed in the RF zone by the MTC.

A motion was made by the PZHAC to recommend approval of the Special Use Permit to the Board of Trustees. The motion failed by a vote of 0 – 5 as follows:

Commission Chair Lucero: No, out of respect to the covenants and the residents of the area.

Commissioner Nevarez: No, concerned that the height will detract from Mesilla and out of deference to the property owners

Commissioner Prieto: No, concerned with the covenants and the height of the tower

Commissioner Salas: No, concerned with the covenants and the height of the tower

Commissioner Houston: No, did not see any benefits to Mesilla of a new cell tower, also concerned with the covenants.

Commission Chair Lucero stated that the applicant has a right to appeal the decision of the PZHAC to the BOT and briefly explained the appeal process.

A vote was taken by the PZHAC to close the regular meeting and open the public hearing for Case 061139, a Zone Change request requiring a public hearing, Discussion was closed to the PZHAC and opened to the public.

Zone Change

1. **Case 061140** – 2424 West Union Avenue, submitted by Dominic Licon for David and Eleanor Bustos (property owners); a request for a Zone Change from Rural Farm (RF) to Single Family Residential (R-1) for a four acre parcel located at this address.

Staff provided a brief description of the case, describing the property as four one-acre tracts located in the Rural Farm (RF) zone (this zone requires new lots to five acres in size). Staff also explained that the reason for the request zone change was to allow the applicant to receive one acre of the four acres from the applicant's grandfather so that the applicant could be build a dwelling on the property and live there. This is not possible under the RF zoning of the property since the RF zone does not allow one acre lots to be created, and the Town does not recognize the parcel as consisting of four separate legal non-conforming one acre parcels that were created before the zoning code existed (1972). Staff also stated that, although there are similar small lots zoned RF or RA (Rural/Agricultural) that exist in the area, the proposed zone change to R-1 could constitute "spot zoning" since there is no other R-1 zoning in the immediate area. Staff also explained that if the zone change were to be approved, that applicant would need to complete the subdivision process in order to create separate one acre lots.

*Public input followed (all speakers were sworn in and limited to three minutes):
For:*

Dominic Licon (applicant)

Explained that he needed to live on the property due to care for his grandfather due to the grandfathers age and health. He addressed the Mayor's concern with preserving agriculture in Mesilla by stating that trees on the property would be saved. He also stated that the Town does not have a zone that addresses four acre properties, and that a zone change is necessary because the Dona Ana County Assessor's office does not recognize the creation of the four one acre parcels.

Dave Bustos (2424 Union Avenue, grandfather of the applicant and owner of the subject property)

Stated that he bought the property in 1975 as separate lots and that the property has room for more trees.

Bill Lutz (2110 Main Street, Las Cruces; Attorney for the applicant)

Neighboring lots are non-conforming, and the Town has no information as to how the lots were created or zoned. There are subdivisions all over the area that have small lots, therefore this is not spot zoning. The property was purchased from Nall as one acre lots.

There was no further input.

A vote was taken by the PZHAC to close the public hearing for Case 061139 and reopen the regular meeting. Discussion was opened to the PZHAC members.

Decision:

Zone Change

2. **Case 061140** – 2424 West Union Avenue, submitted by Dominic Licon for David and Eleanor Bustos (property owners); a request for a Zone Change from Rural Farm (RF) to Single Family Residential (R-1) for a four acre parcel located at this address.

Commissioner Salas

Stated that Dona Ana County records shows the subject property as only one property

Commission Chair Lucero

Stated that although she feels for the Bustos as grandparents, the Town is trying to preserve the "Greenbelt" around the core area, and the Town Code and the Comprehensive Plan will not allow this zone change. The request is inconsistent with the Plan or the interpretation of the Ordinance.

Commissioner Salas

Referencing the legal opinion by the Town attorney in April of this year, certain areas may need to be looked at and rezoned.

A motion was made by the PZHAC to recommend approval of the zone change to the Board of Trustees. The motion failed by a vote of 1 – 3 as follows (Commissioner Prieto recused himself from voting):

Commissioner Houston: No, within the framework of the legal opinion.

Commissioner Salas: No, although there are areas that need to be rezoned.

Commissioner Nevarez: Yes, as a symbolic gesture

Commission Chair Lucero: No, with a heavy heart because the rezoning would be inconsistent with the Comprehensive Plan.

VI. PZHAC/STAFF COMMENTS

None

VII. ADJOURNMENT

The meeting was adjourned at 4:10 pm.