

STATEMENT OF ACKNOWLEDGEMENT AND AGREEMENT TO
THE REQUIREMENTS OF THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE
PERTAINING TO WIRELESS COMMUNICATION FACILITIES

By the signature(s) below, I (we) hereby acknowledge and agree to abide by the following requirements of the Wichita-Sedgwick County Unified Zoning Code pertaining to Wireless Communication Facilities:

1. There shall be no nighttime lighting of or on wireless communication facilities except for aircraft warning lights or similar emergency warning lights required by applicable governmental agencies. Flashing white obstruction lights shall not be permitted for nighttime operation. Lighting for security purposes shall be permitted at the base of wireless communication facilities. Temporary lighting for nighttime repairs shall be permitted.
2. No signs shall be allowed on an antenna support structure other than those required by applicable governmental agencies.
3. The support structure shall be designed, and the ground area shall be adequate or will be made adequate, to accommodate at least 1 other carrier, if more than 80 feet in height, and at least 2 other carriers, if more than 100 feet in height. Reasonable accommodations will be made to lease space on the facility to other carriers so as to avoid having a proliferation of support structures that are not fully utilized. The owner(s) shall make available in the future the opportunity for another party to pay the cost to modify or rebuild the structure to support additional communication equipment where economically and technically feasible.
4. Facilities cannot be unused for any continuous 12 month period. Unused facilities, including the uppermost 20% of support structures that are unused (except where removal of the uppermost 20% would require the removal of a lower portion the support structure that is in use, in which case the required removal will be raised to the next highest portion of the support structure not in use), shall be removed by the owner within 60 days if the wireless communication facility, or portion thereof, has been unused for 12 consecutive months. If such a facility or portion of a facility is not removed by the owner, then the City or County may employ all legal measures, including, if necessary, obtaining authorization from a court of competent jurisdiction, to remove it, and after removal may place a lien on the subject property for all direct and indirect costs incurred in its dismantling and disposal, including court costs and reasonable attorney fees. Under this paragraph, "owner" shall include both the owner of the real property and the owner of the wireless communication facility, whether such ownership is divided or in the same person.
5. The Wireless Communication Facility shall comply with all federal, state, and local rules and regulations.

By the signature(s) below, I (we) hereby acknowledge that failure to abide by the above stated requirements of the Wichita-Sedgwick County Unified Zoning Code pertaining to Wireless Communication Facilities shall result in the revocation of the Building Permit, Administrative Permit, or Conditional Use Permit, as applicable.

Property Owner Signature

Facility Owner Signature

Printed Property Owner Name

Printed Facility Owner Name

Property Owner Street Address

Facility Owner Street Address

Property Owner City, State, Zip Code

Facility Owner City, State, Zip Code

01/08/2010 LE

Approved As To Form
