

# CITY OF HIGH POINT AGENDA ITEM



<b>Title:</b>	<b>Amendment to Right-Of-Way Encroachment RE-19-0011</b> (Verizon Wireless)		
<b>From:</b>	Chris Andrews, Interim Planning & Development Director	<b>Meeting Date:</b>	June 21, 2022
<b>Public Hearing:</b>	No Staff Report	<b>Advertising Date:</b>	Not Applicable
<b>Attachments:</b>	First Amendment to Right of Way Encroachment Agreement	<b>Advertised By:</b>	Not Applicable

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## **PURPOSE:**

To amend a previously approved right of way encroachment to change the location of a proposed small wireless facility, as proposed by Verizon Wireless.

## **BACKGROUND:**

Staff report and recommendation is enclosed.

## **BUDGET IMPACT:**

There is no budget impact.

## **RECOMMENDATION / ACTION REQUESTED:**

Staff recommends approval of the amendment to Right-Of-Way Encroachment RE-19-0011.

**CITY OF HIGH POINT  
PLANNING AND DEVELOPMENT DEPARTMENT  
RIGHT-OF-WAY ENCROACHMENT AMENDMENT  
(RE-19-0011)  
JUNE 21, 2022**

**Request**

<b>Applicant:</b> Verizon Wireless	<b>Proposal:</b> To amend a previously approved right of way encroachment to change the location of a proposed small wireless facility.
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**Analysis**

Right of way encroachment RE-19-0011 was first approved by City Council on June 17, 2019, but Verizon has requested an amendment to the encroachment, as a proposed location of a small wireless facility has changed within their Deep River network. Only the location of the small wireless facility as shown within Exhibit A-2 is proposed to be amended.

**Recommendation**

The proposed right of way encroachment amendment has been reviewed by the City of High Point Planning and Development and Legal departments. Staff recommends approval of this right of way encroachment amendment.

**Report Preparation**

This report was prepared by Christopher Andrews, AICP, Interim Planning and Development Director.

**NORTH CAROLINA  
GUILFORD COUNTY**

**FIRST AMENDMENT TO  
RIGHT OF WAY  
ENCROACHMENT AGREEMENT**

**THIS FIRST AMENDMENT TO RIGHT OF WAY ENCROACHMENT AGREEMENT** (“Amendment”), entered into this the \_\_\_\_ day of June, 2022, between the **CITY OF HIGH POINT**, a North Carolina municipal corporation with a principal place of business located at 211 South Hamilton Street, High Point, North Carolina, 27260 (“City”), and **ALLTEL COMMUNICATIONS OF NORTH CAROLINA LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS**, a foreign limited liability company with a principal place of business located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey, 07920 (“Company”).

**WITNESSETH:**

**WHEREAS**, the City owns the public right of way within its municipal boundaries; and

**WHEREAS**, the Company desires to use the public right of way of the City to conduct business as a communications service provider; and

**WHEREAS**, the Company operates small cell wireless communications facilities within the City in and along certain rights of way outlined in Exhibit A attached hereto (“System”); and

**WHEREAS**, the Company wishes to amend Exhibit A-2, SMC Deepriver Sites, to change a location.

**NOW, THEREFORE**, the City and the Company, in consideration of their mutual covenants, hereby agree as follows:

**AGREEMENT**

Exhibit A-2, SMC Deepriver Sites, is amended and replaced in its entirety with the revised exhibit attached hereto.

**IN WITNESS WHEREOF**, the City and the Company have caused this Agreement to be executed by their duly authorized representatives.

*Separate signature pages to follow*

ALLTEL COMMUNICATIONS OF  
NORTH CAROLINA LIMITED  
PARTNERSHIP d/b/a VERIZON  
WIRELESS

By: Eric Mann

Printed Name: Eric A. Mann  
Dir - Ntwk Field Eng

Title: \_\_\_\_\_

STATE OF North Carolina, COUNTY OF Mecklenburg

I, J. Ashley Cline a Notary Public of Cabarrus County  
and aforesaid state, certify that Eric Mann, personally appeared before me this  
day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 14 day of June, 2022.



J. Ashley Cline  
Notary Public  
exp. 11/26

**CITY OF HIGH POINT**

By: \_\_\_\_\_  
Greg Ferguson, Deputy City Manager

STATE OF NORTH CAROLINA, COUNTY OF \_\_\_\_\_

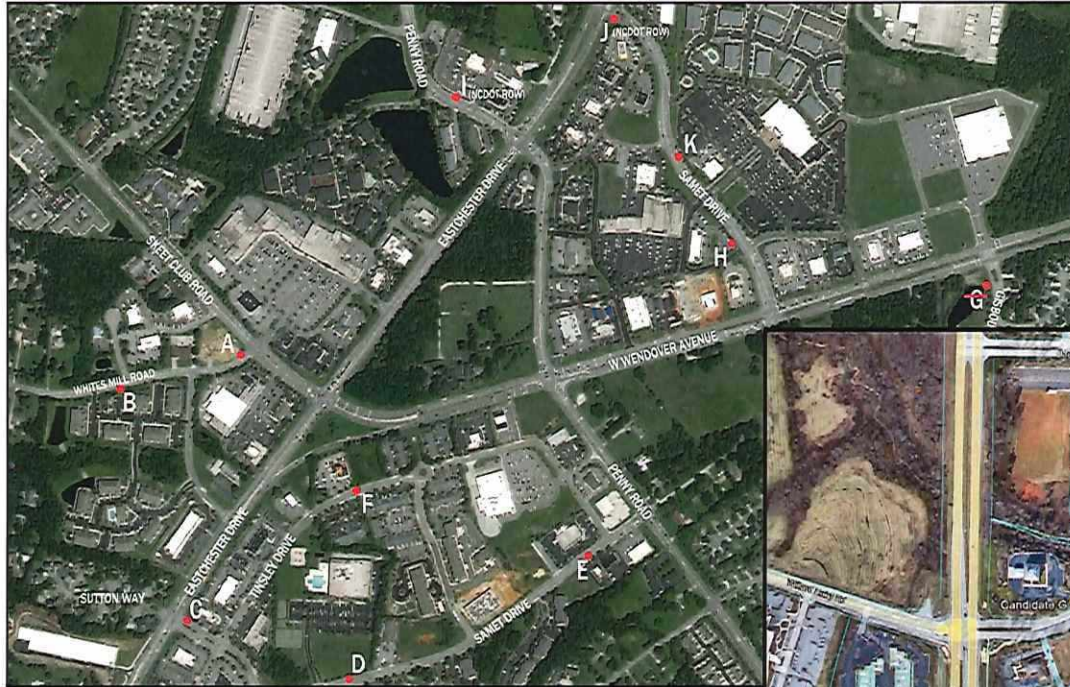
I, \_\_\_\_\_ a Notary Public of \_\_\_\_\_ County  
and aforesaid state, certify that \_\_\_\_\_, personally appeared before me this  
day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Notary Public

**EXHIBIT A-2**  
**SMC Deepriver Sites**

# SMC\_DEEPRIVER\_5G SITES



SITE LOCATION PLAN



SITE INDEX

SITE	POLE TYPE	SITE NAME	LATITUDE	LONGITUDE	GROUND ELEVATION	ADDRESS	SHEET		
A	TYPE 2	SMC_DEEPRIVER_5G_002	36.031112	36°01'52.00"(N)	-79.970031	79°58'12.11" (W)	876.7'	1586 SKEET CLUB ROAD, HIGH POINT, NC 27265	CD-7
B	TYPE 1	SMC_DEEPRIVER_5G_003	36.030521	36°01'49.88" (N)	-79.972482	79°58'20.86" (W)	856.5'	3567 WHITES MILL ROAD, HIGH POINT, NC 27265	CD-8
C	TYPE 1	SMC_DEEPRIVER_5G_005	36.026710	36°01'38.16" (N)	-79.971060	79°58'15.82" (W)	873.7'	3801 SUTTON WAY, HIGH POINT, NC 27265	CD-9
D	TYPE 1	SMC_DEEPRIVER_5G_006	36.025760	36°01'32.74" (N)	-79.967780	79°58'03.94" (W)	865.2'	3811 SAMET DRIVE, HIGH POINT, NC 27265	CD-10
E	TYPE 1	SMC_DEEPRIVER_5G_007	36.027850	36°01'40.28" (N)	-79.962930	79°57'46.55" (W)	865.8'	5301 SAMET DRIVE, HIGH POINT, NC 27265	CD-11
F	TYPE 1	SMC_DEEPRIVER_5G_008	36.028890	36°01'44.00" (N)	-79.967650	79°58'03.54" (W)	889.4'	3911 TINSLEY DRIVE, HIGH POINT, NC 27265	CD-12
G	TYPE 1	SMC_DEEPRIVER_5G_010	36.044350	36°02'39.66" (N)	-79.060653	79°57'38.30" (W)	819'	4045-Z Mendenhall Oaks Pkwy, HIGH POINT, NC 27265	CD-13
H	TYPE 1	SMC_DEEPRIVER_5G_011	36.033230	36°01'59.63" (N)	-79.960080	79°57'36.29" (W)	886.2"	5815 SAMET DRIVE, HIGH POINT, NC 27265	CD-14
I	TYPE 1	SMC_DEEPRIVER_5G_013	36.035400	36°02'07.44" (N)	-79.965720	79°57'56.59" (W)	843.2'	2410 PENNY ROAD, HIGH POINT, NC 27265 (NCDOT ROW)	CD-15
J	TYPE 1	SMC_DEEPRIVER_5G_014	36.036560	36°02'11.62" (N)	-79.962150	79°57'43.74" (W)	847.4'	5870 SAMET DRIVE, HIGH POINT, NC 27265 (NCDOT ROW)	CD-16
K	TYPE 1	SMC_DEEPRIVER_5G_016	36.034460	36°02'04.06" (N)	-79.961180	79°57'40.25" (W)	878.3'	5840 SAMET DRIVE, HIGH POINT, NC 27265	CD-17

CONSTRUCTION DRAWING

PREPARED FOR:



SUBMITTALS

REV	DATE	ISSUED FOR	DRAWN
1	06/11/19	INITIAL ISSUE	NMM

STAMP

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT

TEMSCO, P.C.



301 McCullough Drive, Charlotte, NC 28262  
T: (207) 591-6427  
info@tilsontech.com tilsontech.com

(11) SMC\_DEEPRIVER\_5G

HIGH POINT, NC 27265  
GUILFORD COUNTY

SHEET TITLE

TITLE SHEET

DRAFTED BY:	APPROVED BY:	SHEET:	REV
NMM	ETA	CD-1	0