

CITY OF HENDERSON
Attn: Director of Public Works
240 South Water Street
P.O. Box 95050
Henderson, NV 89009-5050

Re: Tolling Letter and Request for Pre-Application Discussions

The undersigned Agent, acting on behalf of _____ (“Applicant”), hereby submits this Tolling Letter for the opportunity to present plans, including proposed configurations for telecommunications communications facilities, pole designs and installations, to City staff on an informal basis in order to ask questions or get clarification on whether plans or a potential request for license authorization (“Proposed Configuration”) are likely to meet all applicable Requirements prior to the submission of an application for formal review (“Pre-application Discussions”). Capitalized terms have the meaning ascribed to such terms in this Tolling Letter or the Telecommunications Facility Policies and Procedures Manual published by the Department of Public Works.

This Tolling Letter applies to the following proposed sites:

As a material inducement for the City’s participation in the Pre-application Discussions, Agent hereby acknowledges and agrees that:

- (1) any viewpoints or opinions expressed by City staff regarding a Proposed Configuration, including any preliminary indications of approval, do not constitute a representation or covenant that the configuration will comply with all applicable Requirements as thereafter amended or modified;
- (2) applications containing a Proposed Configuration will be subject to approval or denial as appropriate under applicable Requirements;
- (3) any submittal for pre-application review or request for informal discussion of a Proposed Configuration with City staff is not an application subject to any deemed-approved or shot clock requirements under applicable Requirements;
- (4) although this Tolling Letter does not toll the processing deadlines to a date certain, the timeline for any deemed-approved or shot clock requirements under applicable law will commence upon the submission of a formal application after the Pre-application Discussions and no claim for unreasonable or unlawful delay in processing any such applications shall commence to run until the date that any such applications are submitted formally to City in accordance with applicable Requirements, including Title 17 of the Henderson Municipal Code;
- (5) by signing below, Agent represents and warrants that it is authorized to execute and deliver this Tolling Agreement on behalf of Applicant;

(6) City staff would not engagement in any Pre-application Discussions but for the foregoing acknowledgments and agreement of Agent to bind itself and Applicant to the terms and conditions of this Tolling Letter.

AGENT REPRESENTING

By: _____

Printed Name: _____

Title: _____

Date: _____

Accepted:

CITY OF HENDERSON

ED MCGUIRE
DIRECTOR OF PUBLIC WORKS