

L400216



To: James Spence
Organization: FMG North Texas. LLC
Fax: (903) 463-8305
From: Jerry Angle
Oklahoma Department of Transportation
200 N. E. 21st Street, Rm. 2 A-3
Oklahoma City, OK 73105
Phone Number (405) 521-3005
Date: 6/25/2019
Subject: A letter from the Oklahoma Dept. of Transportation
for Reg. No. 8538
Pages: 5
Comments: Original letter and enclosure are being mailed.



OKLAHOMA DEPARTMENT OF TRANSPORTATION

Outdoor Advertising Control

200 N.E. 21st Street
Oklahoma City, OK 73105-3204
(405) 521-3005

June 25, 2019

FMG North Texas, LLC
Attn: James Spence
2931 Texoma DR.
Denison, TX 75020

Faxed to (903) 463-8305

*Re: Notice of Discontinued Sign Review
Sign Registration No. 8538
Sign File Number 1194-02
US-69, Muskogee County*

Dear Mr. Spence:

During a recent sign inventory it was noticed that the above-referenced sign structure did not appear to be in use. Title 730:35-5-3 of the Oklahoma Administrative Code (OAC) stipulates that registered signs, not displaying advertising for a period of one year, shall be considered discontinued and removed at the expense of the sign owner. We have enclosed a copy of an excerpt from the OAC which references "discontinued or blank signs," along with a photo of the sign taken on the date of the inventory for that area, and a copy of the original permit application. This sign is located on the west side of US-69, approximately 10 miles north of I-40.

Therefore at this time we are placing this sign in "Discontinued Review" status as of June 24, 2019.. If the sign continues to be un-used, and we have received no photographic evidence that it has been used within a one year period (by June 24, 2020,) the sign will then be deemed illegal and required to be removed. Please be sure to forward a confirmation photograph if you place advertisement on the sign so that we can place the verification in the file and remove the sign from suspended status. However if you have no intention of continuing use of the sign, we respectfully request that the sign be removed prior to the one year period.

Your cooperation is greatly appreciated. If you have any questions or need additional information please call our office.

Respectfully,

Barbara Hoppes
Transportation Manager
Outdoor Advertising Control Branch

BH/ja

Enclosures

"The mission of the Oklahoma Department of Transportation is to provide a safe, economical, and effective transportation network for the people, commerce and communities of Oklahoma."

AN EQUAL OPPORTUNITY EMPLOYER



Reg. No. 8538
Sign File No. 1194-02
US-69, Muskogee County

OKLAHOMA DEPARTMENT OF HIGHWAYS
APPLICATION FOR SIGN REGISTRATION AND PERMIT

*Okto P
28th*

FOR OFFICIAL USE ONLY		
date 7-18-78	trans. no. 9324	owner no. 175
fee amt. \$ 10.00	rec'l. no. 1792	reg. no. 8538

Roberts Enterprises, Inc.

SIGN OWNER IDENTIFICATION:

101 Owner's Name Roberts Enterprises, Inc. 102 Telephone: Area Code and No. 316-856-2321

103 Address: Line 1 P. O. Drawer 29 104 Line 2 Baxter Springs

105 Line 3 Kansas 106 Zip Code 66713

LOCATION OF SIGN:

201 Located on Highway U 69 202 County Name Muskogee 203 City Name Oktaha 204 Side of Road W

205 Number of Nearest Intersecting Highway I-40 206 Direction from Intersection N 207 Distance from Intersection 10.0 Miles - Tenths

208 Street Address NONE 209 Distance from Right of Way 3 ft. 210 Federal-aid Class FAP IS or FAP

211 Land Owner's Name Forest Elam 212 Address Line 1 Route 1

213 Line 2 Oktaha 214 Line 3 Oklahoma 215 Zip 74450

PHYSICAL DESCRIPTION OF SIGN:

301 Date Sign was Erected 07/12/78 302 DIMENSIONS: A) Height of Facing (max.) 10' B) Width of Facing (max.) 24' C) Overall Height Above Ground 16'

303 Arrangement of Panels: Single V Type Double Decked Side by Side Back to Back Other

304 Number of Panels 1 305 Is sign illuminated? Yes No

306 Sign Message: Panel 1 Pack's One Stop - Oktaha 307 Panel 2 NONE

ZONING AND LAND USE OF SIGN LOCATION:

401 Is sign location legally zoned? Yes No

IF YES: 410 A) Commercial Industrial Other

IF NO: 420 A) Is sign within 600 feet of any business? Yes No

411 B) Zoned by _____ 421 B) Name of Business Phelps Salvage

430 Was sign erected under lease or other landowner permission? Yes No

REMARKS: *Ok. # 44385* *U 69-51-56* *1194-02*

STATE OF Kansas
County of Cherokee } ss.
Bernice Shirley, being of lawful age and first duly sworn, upon his oath deposes and states:

CHECK ONE:
() That I am the above-mentioned individual.
(X) That I am the Secretary (title) of the above-mentioned corporation which is organized under the laws of Kansas (State), with its principal office and place of business in Baxter Springs, Kansas (city, state); that I have the power and authority for and on behalf of said corporation to make this affidavit and in its behalf, and do so make same.
() That I am _____ (title) of the above-named firm, which is not a corporation; that I have the power and authority for and on behalf of said firm and its members and owners to make this affidavit for and in its and their behalf, and do so make same.

That I have read the foregoing and that the facts set out therein are true and correct to the best of my knowledge and belief.

Notary Public
Subscribed and sworn to before me this 14th day of July, 1978
Bernice Shirley (Signature)
Cheryl Vanatta

"Damage" means injury or harm as a result of wear and tear, storms, or other natural causes including, but not limited to, insect damage. If such damage occurs, the owner of the damaged sign shall notify the Department by letter within thirty (30) days of the occurrence, giving the sign's registration number, date damage occurred, whether or not the sign will be repaired, an itemized list of repairs, and a picture of the damaged structure. Failure to comply with any part of the above requirements before repairing a damaged sign shall result in forfeiture of any nonconforming or grandfather status granted by the 1972 Highway Advertising Control Act. After receiving authorization and repairs have been completed, the owner shall send a picture of the repaired structure.

"Department" means the Oklahoma Department of Transportation.

"Destruction" means that a sign shall be considered destroyed when damaged, from any cause except a criminal or tortious act, exceeds fifty percent (50%) of the sign structure.

"Directional signs" means signs giving directional information about goods and services of interest to the traveling public. Such signs shall be limited to those pertaining to rest stops, camping grounds, food services, fuel and automotive services, and lodging.

"Director" means the Director of the Department of Transportation or his designee.

"Discontinued or blank sign" means a registered sign not displaying products or service advertising contents for a period of one (1) year shall be considered discontinued and removed at the expense of the sign owner. Leasing information shall be considered advertising content for purposes of this definition.

"Divided highway" means that part of a primary highway which has been constructed as divided, dual lane fully controlled access to the throughways except for the established interchanges.

"Federal-aid primary highway" means any highway at any time officially designated as part of the Federal-aid Primary System by the Department and approved by the appropriate authority of the federal government.

"Grandfathered sign" means a sign which was lawfully erected but does not comply with all the provisions of the State law or State regulations passed at a later date or later fails to comply with State law or State regulations due to changed conditions. Illegally erected or maintained signs are not nonconforming signs. (Same as Non-conforming (grandfathered) sign.)

"Illegal sign" means signs that are situated in controlled areas adjacent to Interstate and Federal-aid Primary Systems which are outside zoned and unzoned commercial or industrial areas, are not listed on the 1972 inventory and do not qualify either as on-premise, directional or official signs and notices required or authorized by law. Signs erected within zoned and unzoned commercial and industrial areas without the benefit of a permit or which are erected or maintained not in accordance with permit requirements are also illegal.

"Information signs" mean signs containing directions or information about public persons or public places which are owned or operated by federal, state, or local governments or

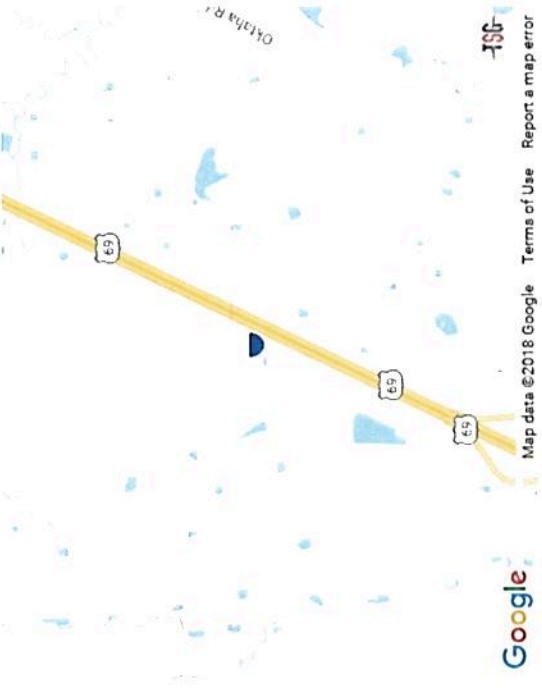
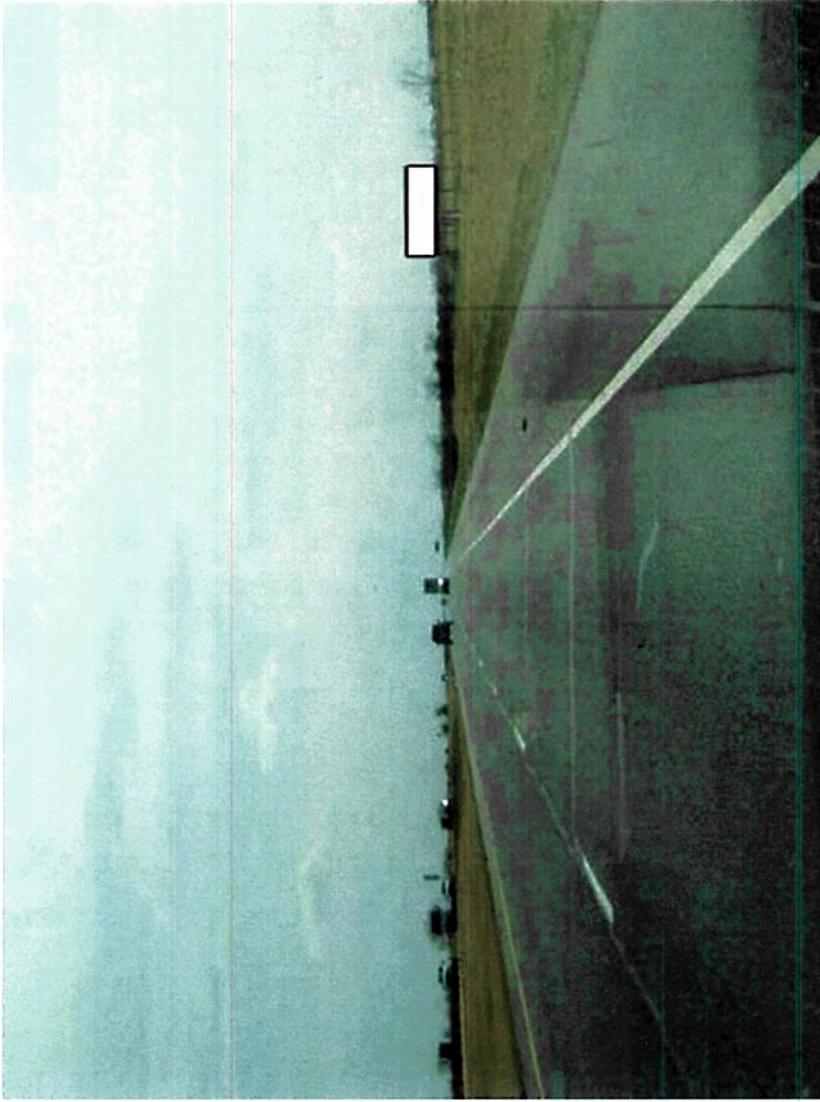
S101839N • US 69 12 mi N/O I-40 WS F/N

MEDIA TYPE: **Bulletin**

CITY: **RENTIESVILLE**

COUNTY: **MUSKOGEE**

STATE: **OKLAHOMA**



Geopath Number: **30558842**
 Total Weekly Impressions: **32,746***
 Direction Facing: **N**
 Illuminated: **No**
 Size: **8 X 24**
 State: **OKLAHOMA**
 Zip Code: **74361**
 Latitude: **35.6207**
 Longitude: **-95.4679**

* The Geopath Audience Location Measurement system data is provided by the Traffic Audit Bureau for Media Measurement, Inc. New York, New York © Copyright 2018. All Rights Reserved

FAIRWAY OUTDOOR ADVERTISING 903-463-8300 fairwayoutdoor.com
 2931 Texoma Drive, Denison, TX 75020

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