

WRXR-FM
Rossville, GA
Engineering Exhibit
Capstar TX Limited Partnership

This FCC 301 application by Capstar TX Limited Partnership for WRXR-FM to correct geographic coordinates and elevation to match that of the stations antenna structure registration (1019557). No physical construction is required of this “coordinate correction”. Due to a “lower” height above average terrain resulting from this correction, a minor increase in effective radiated power from 1.55 to 1.8 kW is allowed so WRXR will continue to operate with facilities equivalent to a full class A station.

As shown in the spacing study below, this “corrected” site is fully spaced to all stations and allocations except WRKK-FM Sparta, TN. Made part of this exhibit is a 1994 agreement between the stations which allows for full class A operation for both stations in keeping with 73.213(c)(2).

ComStudy 2.2 search of channel 288 (105.5 MHz Class A) at 34-57-23.0 N, 85-17-32.0 W.

Callsign	State	City	Chnl	ERP_w	Class	Status	Distance	Sep	Clr
WRXR-FM	GA	ROSSVILLE	288	1550	A	LIC	0.1	115	-114.9
WRXR-FM	GA	ROSSVILLE	288	540	A	LIC	10.85	115	-104.2
	TN	SPARTA	288	0	A	APP	101.29	115	-13.7
WRKK-FM	TN	SPARTA	288	1050	A	LIC	101.29	115	-13.7
WYTM-FM	TN	FAYETTEVILLE	288	3000	A	LIC	118.99	115	4
WLCL	GA	CANTON	289	20000	C2	CP	125.2	106	19.2
WLCL	GA	CANTON	289	16500	C2	LIC	125.29	106	19.3
	TN	MORRISON	287	0	A	APP	92.09	72	20.1
	GA	PLAINVILLE	285	0	A	APP	60.79	31	29.8
WDNT-FM	TN	DAYTON	285	1300	A	LIC	63.38	31	32.4
WDNT-FM	TN	DAYTON	285	0	A	USE	63.38	31	32.4

AGREEMENT

This Agreement made this 19th day of May, 1994, by and between WICKS RADIO LIMITED PARTNERSHIP, a Delaware Limited Partnership ("Wicks") and AUSTIN BROADCASTING CORPORATION, a Tennessee Corporation ("Austin").

WITNESSETH:

WHEREAS, Wicks is licensee of Radio Station WLMX-FM, authorized to serve Rossville, Georgia on the frequency 105.5 MHz, with 3 kilowatts effective radiated power ("ERP") (herein referred to as "Station A");

WHEREAS, Austin is licensee of Radio Station WSMT-FM, authorized to serve Sparta, Tennessee on the frequency 105.5 MHz, with 3 kilowatts ERP (herein referred to as "Station B");

WHEREAS, the Federal Communications Commission ("FCC"), pursuant to the provisions of Section 73.213(c)(2) of the FCC's Rules permits stations such as Station A and Station B to operate with 6 kilowatts ERP with antenna height above average terrain of 328 feet or the equivalent (herein "Maximum Class A Facilities"); and

WHEREAS, both Station A and Station B desire to increase their power to Maximum Class A Facilities or the equivalent as provided herein.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein and for other good and valuable consideration,

and intending legally to be bound, Wicks and Austin agree as follows:

1. Waiver of Section 73.207. Wicks and Austin hereby consent to waive the requirements of Title 47 C.F.R. Section 73.207 with respect to the minimum distance separation between Station A and Station B. Wicks and Austin further mutually consent to the grant of applications for either station to increase to Maximum Class A Facilities or the equivalent on this basis either at their respective presently authorized sites or at other sites which the FCC shall approve providing that the distance between such other site proposed by Station A or Station B and the other party's authorized site is not shorter by more than two (2) miles than the distance between the authorized construction permit or licensed sites of Station A and Station B as they exist on the date hereof. It is the intention of the parties to accept any mutual interference from Station A and Station B as may be caused by operation of either or both of Station A and Station B operating in the manner contemplated by this Agreement. Either Station A or Station B may increase to Maximum Class A Facilities or equivalent as soon as possible without waiting until the other station's application is granted or grantable or whether the other station is ready to increase power. The parties specifically authorize each other to file copies of this Agreement and the attached consent with any application filed with the FCC.

2. Consent Forms. Attached hereto as Attachments A and B are consent forms which shall be executed by Wicks and Austin upon execution of this Agreement. Wicks and Austin shall promptly prepare and file with the FCC applications, complete in all material respects, to increase Station A and Station B to Maximum Class A Facilities at their present or other proposed sites and shall diligently prosecute said applications. Each party agrees to cooperate with the FCC and each other, and to promptly file all amendments and promptly respond to any inquiries of the FCC relative to a grant of the applications. Wicks and Austin agree to prepare an engineering study for filing with the FCC which shall depict the interference which may be caused by operation of Station A and Station B at Maximum Class A Facilities or the equivalent. Nothing herein shall be construed as preventing or prohibiting either party from changing its transmitting site location at any time in the future and retaining Maximum Class A Facilities or the equivalent, subject to the other terms of this Agreement.

3. Representation. Each party represents that its above-referenced application is grantable by the Commission subject to the execution of this Agreement and that no other agreement or consent of any other permittee, licensee or other party is necessary to obtaining FCC grant of its application or, if necessary, such agreement or consent has been obtained and is attached hereto.

4. Assignment. This Agreement must be assigned by the parties to any future licensees of Station A and Station B.

5. Notices. All necessary notices, demands and requests shall be deemed duly given, if mailed by registered mail, postage prepaid, and addressed to the following:

If to Station A:

Mr. Craig B. Klosk
The Wicks Group
405 Park Avenue, Suite 702
New York, New York 10022

cc: Allan G. Moskowitz, Esq.
Kaye, Scholer, Fierman, Hays & Handler
901 15th Street, N.W., Suite 1100
Washington, D.C. 20005

and

If to Station B:

Mr. Bill Austin
Radio Station WSMT-FM
Route 8, Box 13
Sparta, Tennessee 38583

cc: Larry D. Perry, Esq.
11464 Saga Lane, Suite 400
Knoxville, Tennessee 37931

6. Miscellaneous.

(a) This Agreement contains the entire agreement of the parties with respect to the transactions contemplated and supersedes all prior negotiations between the parties concerning the subject matter contained herein. No change, modification or waiver of any provision hereof will be valid unless in writing and signed by the party to be bound;

(b) No delay or failure on the part of either party in exercising any rights hereunder, and no partial or single exercise thereof, will constitute a waiver of such rights or of any other rights hereunder;

(c) This Agreement will be binding upon, inure to the benefit of and be enforceable by the parties hereto and their respective heirs, executors, administrators, successors and assigns;

(d) Nothing in this Agreement will be construed as giving any person, firm, corporation or other entity, other than the parties hereto, their respective heirs, executors, administrators, successors and assigns any right, remedy or claim under or in respect of this Agreement or any provision hereof;

(e) This Agreement shall be construed and interpreted in accordance with the laws of the State of Tennessee; and

(f) This Agreement may be executed in counterpart, each of which shall be deemed an original.


STATION A:

WICKS RADIO LIMITED PARTNERSHIP

ATTEST: (SEAL) _____



(Affix Corporate Seal)



Craig B. Klosk, Secretary
Wicks Broadcast Management, Inc.,
General Partner of Wicks Radio
Management Limited Partnership

STATION B:

AUSTIN BROADCASTING CORPORATION

ATTEST: (SEAL)

Seal

(Affix Corporate Seal)

Biff Austin

Biff Austin, Secretary

City/County of New York)
State of New York) ss:

I, Beth Pacheco, a Notary Public in and
for said City/County and State, do hereby certify that on the
19th day of May, 1994, before me personally came
James D. Hisk, with whom I am personally
acquainted, who executed the foregoing instrument.

WITNESS my hand and notarial seal, this 19th day of
May, 1994.

Beth Pacheco

My Commission Expires: 10/5/95

BETH PACHECO
Notary Public, State of New York
No. 60-4907109
Qualified in Westchester County
Commission Expires October 5, 1995

City/County of White)
)
State of Tennessee) ss:

I, Larry D. Perry, a Notary Public in and
for said City/County and State, do hereby certify that on the
20th day of May, 1994, before me personally came
Bill Austin, with whom I am personally
acquainted, who executed the foregoing instrument.

WITNESS my hand and notarial seal, this 20th day of
May, 1994.

My Commission Expires: 5/21/97

CONSENT

Wicks Radio Limited Partnership ("Wicks"), licensee of co-channel Radio Station WLMX-FM, Rossville, Georgia, hereby grants its consent to Austin Broadcasting Corporation ("Austin"), pursuant to Section 73.213(c)(2) of the Federal Communications Commission's ("FCC") Rules, to a grant of Austin's application for a construction permit to increase power of Radio Station WSMT-FM, Sparta, Tennessee, to Maximum Class A Facilities as defined in Section 73.211 of the FCC's Rules and subject to the terms of that certain agreement dated May 19, 1994, a copy of which is annexed hereto and considered a part hereof, even though the reference distance separation between WLMX-FM and WSMT-FM does not comply with FCC Rules. Wicks agrees to accept any mutual interference which may arise from operation of WLMX-FM and WSMT-FM at Maximum Class A Facilities or from the operation of WSMT-FM at Maximum Class A Facilities and WLMX-FM at its current facilities. Wicks represents that it will not now or at any future time object in any manner to Austin's operation of WSMT-FM as contemplated by the annexed agreement.

EXECUTED this 19th day of May, 1994.

WICKS RADIO LIMITED PARTNERSHIP



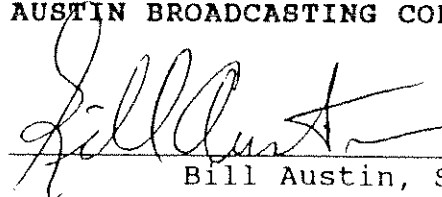
Craig B. Klosk, Secretary
Wicks Broadcast Management, Inc.,
General Partner of Wicks Radio
Management Limited Partnership

CONSENT

Austin Broadcasting Corporation ("Austin"), licensee of co-channel Radio Station WSMT-FM, Sparta, Tennessee, hereby grants its consent to Wicks Radio Limited Partnership ("Wicks"), pursuant to Section 73.213(c)(2) of the Federal Communications Commission's ("FCC") Rules, to a grant of Wicks' application for a construction permit to increase power of Radio Station WLMX-FM, Rossville, Georgia, to Maximum Class A Facilities as defined in Section 73.211 of the FCC's Rules and subject to the terms of that certain agreement dated May 19, 1994, a copy of which is annexed hereto and considered a part hereof, even though the reference distance separation between WLMX-FM and WSMT-FM does not comply with FCC Rules. Austin agrees to accept any mutual interference which may arise from operation of WLMX-FM and WSMT-FM at Maximum Class A Facilities or from the operation of WLMX-FM at Maximum Class A Facilities and WSMT-FM at its current facilities. Austin represents that it will not now or at any future time object in any manner to Wicks' operation of WLMX-FM as contemplated by the annexed agreement.

EXECUTED this 20th day of May, 1994.

AUSTIN BROADCASTING CORPORATION

A handwritten signature in dark ink, appearing to read "Bill Austin", is written over a horizontal line.

Bill Austin, Secretary

ORIGINAL

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER

THE MCPHERSON BUILDING

901 FIFTEENTH STREET, N.W., SUITE 1100

WASHINGTON, D.C. 20005-2327

425 PARK AVENUE
NEW YORK, NY 10022-3598
(212) 836-8000

1999 AVENUE OF THE STARS
SUITE 1600
LOS ANGELES, CA 90067-6048
(310) 788-1000

SQUARE DE MEEÛS 30
1040 BRUSSELS, BELGIUM
(322) 514-4300

(202) 682-3500

FACSIMILE
(202) 682-3580

18TH FLOOR
NINE QUEEN'S ROAD CENTRAL
HONG KONG
(852) 845-8989

SCITE TOWER, SUITE 708
22 JIANGUOMENWAI DAJIE
BEIJING
PEOPLE'S REPUBLIC OF CHINA
(861) 512-4755

FACSIMILE
NEW YORK (212) 836-8689
WASHINGTON (202) 682-3580
LOS ANGELES (310) 788-1200
BRUSSELS (322) 514-4437
HONG KONG (852) 845-3682
(852) 845-2389
BEIJING (861) 512-4760

WRITER'S DIRECT DIAL NUMBER

(202) 682-3501

May 27, 1994

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Mass Media Services
P.O. Box 358195
Pittsburgh, PA 15251-5195

Re: Application for Minor Modification
of Construction Permit (MPR)
Construction Permit File No. BPH-920228JP
Radio Station WLMX-FM
Rossville, Georgia
Wicks Radio Limited Partnership

Dear Mr. Caton:

On behalf of Wicks Radio Limited Partnership, licensee of Radio Station WLMX-FM, Rossville, Georgia, and holder of the above-referenced construction permit, we are filing herewith an original and two copies of an application, on FCC Form 301, to modify the construction permit. Pursuant to the FCC's filing fee schedule, a check for \$565.00 is attached.

The instant application proposes to modify the above-referenced construction permit to change transmitter site, increase power and other changes, to be authorized simultaneously with a similar application of Radio Station WSMT-FM, Sparta, Tennessee, which is being filed contemporaneously with this application. The two stations have entered into an agreement accepting interference from one another pursuant to the Commission's Rules.

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER

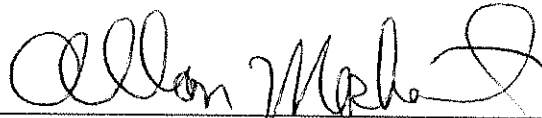
Mr. William F. Caton
May 27, 1994
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Should any questions arise with respect to this matter,
please contact the undersigned counsel.

Respectfully submitted,

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER

By:


Allan G. Moskowitz

cc: Larry Perry, Esq.