

EXHIBIT 5 - Letter from Tower Owner

October 1, 2021

Theatre Organ Preservation of NE

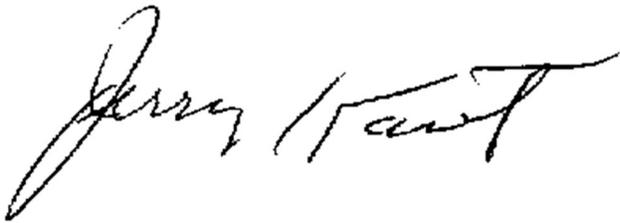
109 West 10th Street

McCook, NE 69001

This letter is to state that I am the owner of the 180' tower FCC ASR # 1316688 constructed in the 1980s and currently unutilized at the location of 40.190603 North Latitude and 100.807689 West Longitude. I have FAA under Aeronautical study 2020-ACE-4916 a determination which was issued a finding of no hazard as the tower was already existing

The Theatre Organ Preservation of NE has my permission to locate an FM broadcast antenna on this tower when a construction permit is granted.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Kautz". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

Jerrell (Jerry) Kautz

8006 Roos Rd

Houston, TX 77036

713-498-3381 (Cell)



Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2020-ACE-4916-OE

Issued Date: 08/20/2020

Jerry Kautz
Jerry Kautz
8006 Roos Rd
Houston, TX 77036

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower Rohn 45G Culbertson, NE
Location:	Culbertson, NE
Latitude:	40-11-26.17N NAD 83
Longitude:	100-48-27.68W
Heights:	2808 feet site elevation (SE) 180 feet above ground level (AGL) 2988 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

This determination cancels and supersedes prior determinations issued for this structure.

If we can be of further assistance, please contact our office at (816) 329-2527, or marla.wierman@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2020-ACE-4916-OE.

Signature Control No: 444875432-448868268

(DNE)

Marla Wierman
Technician

Attachment(s)
Frequency Data
Map(s)

cc: FCC