

ANTHONY S MINA
75 E. DOGWOOD TRAIL
SOUTHERN SHORES, NC 27949
chestercountylawn@yahoo.com

February 17, 2025

**MOTION TO PROHIBIT WES HASKETT FROM USING TOWN MONEY FOR ANY EXPENSE
ASSOCIATED WITH THE MARCH 17, 2025 APPEAL OF JANUARY 21, 2025 SUBDIVISION DENIAL
DUE TO HASKETT'S INVOLVEMENT WITH VIOLATIONS OF 18 U.S. CODE § 1512- TAMPERING
WITH A WITNESS, VICTIM OR AN INFORMANT WITH THE SOUTHERN SHORES BEACON *****

*****THESE EXPENSES INCLUDE, BUT ARE NOT LIMITED TO, WES HASKETT'S ATTORNEY FEES,
THE PLANNING BOARD'S ATTORNEY FEES, SOUTHERN SHORES EMPLOYEE AND LAW
ENFORCEMENT COSTS AND COURT REPORTER COSTS**

I, Applicant Anthony S Mina hereby Motion To Prohibit Wes Haskett From Using Town Money For Any Expense Associated With The March 17, 2025 Appeal Of The January 21, 2021 Subdivision Denial Due To Haskett's Involvement With Violations Of 18 U.S. Code § 1512-Tampering With A Witness, Victim Or An Informant With The Southern Shores Beacon and in support thereof aver the following:

- 1) Wes Haskett is a Southern Shores Town Employee required to comply with the Southern Shores Town Code of Ethics. A true and correct copy of the code of ethics is attached hereto and marked "Exhibit A".
- 2) Paragraph 1 of the Code of Ethics provides: I will always obey the law and will not try in any way to influence the application of the law by any of the town's authorities or personnel. Paragraph 2 of the Code of Ethics provides: I will always uphold the integrity and independence of my job. Paragraph 3 of the Code of Ethics provides: I will always avoid any impropriety in all of my activities. Paragraph 4 of the Code of Ethics provides: I will manage and spend the town's funds as if they were my own and will have the best interests of all Southern Shores taxpayers in mind in the expenditure of these funds. Paragraph 7 of the Code of Ethics provides: I will always respond promptly to any concern brought to me by any employee or Town resident. In this regard I will grant no special consideration, treatment or advantage to any citizen beyond that which is available to any other citizen.

- 3) Wes Haskett's paid attorney Lauren Womble was quoted in the Southern Shores Beacon stating "We question the Town's decision even to let Mr. Mina file a request for a variance, inasmuch as a variance is not the "appropriate remedy". A true and correct copy of the Southern Shores Beacon's publication is attached hereto and marked Exhibit "B".
- 4) Wes Haskett provided Applicant a Variance Application on November 1, 2023 when Applicant asked how leniency is asked for in Southern Shores and on May 17, 2023 Wes Haskett emailed Applicant and stated "An exception would be in the form of a variance" when asked the proper way to ask Southern Shores to make an exception to their local code. A true and correct copy of the November 1, 2023 and May 17, 2023 emails are attached hereto as "Exhibit C" along with an email to the Southern Shores Beacon proving the falsity of the defaming, ridiculing article published about Applicant.
- 5) The Southern Shores Beacon article and Lauren Womble publicly stated Applicant is the cause of a waste of town money for the Variance hearing when the facts are Wes Haskett indicated Applicant should file a Variance Application to ask for his lot subdivision approval.
- 6) On October 14, 2024 Wes Haskett claimed in his VA-24-01 Staff Report "All applicable notification requirements established in N.C.G.S. 160D-601 and in the Town's Zoning Ordinance were satisfied prior to the adoption of the August 3, 2021 Town Code Text Amendment and June 6, 2023 Zoning Ordinance Amendment."
- 7) Wes Haskett's March 31, 2023 lot width amendment (which was the only reason Applicant's July 3, 2024 subdivision Application with "Exhibit A" was denied) was scheduled to be heard by the Planning Board on May 15, 2023. A true and correct copy of the May 15, 2023 Planning Board Agenda is attached hereto and marked "Exhibit C of the January 6 subdivision application".
- 8) Town Code 36-362(b) provides: *Notices*. Notice of hearings conducted pursuant to this article shall be mailed to: (i) the person or entity whose appeal, application, or request is the subject of the hearing; **(ii) to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing;** (iii) to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and **(iv) to any other persons entitled to receive notice as provided by this CHAPTER.** In the absence of evidence to the contrary, the town may rely on the Dare County tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least ten days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the town shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way. A true and correct copy of Town Code Section 36-362 governing the Planning Board/Board of Adjustments is attached hereto and marked "Exhibit D of the January 6 subdivision application".
- 9) A Southern Shores Public Records Request Response dated June 20, 2024 states mailed letters were not provided for the May 15, 2023 Planning Board hearing on Wes Haskett's March 31, 2023 lot width amendment and Posted Notice was not placed at 75 E. Dogwood Trail. A true and correct copy of the Southern Shores Public Records Request Response is attached hereto and marked "Exhibit E of the January 6 subdivision application".
- 10) On October 30, 2024 Wes Haskett responded to a Southern Shores Public Records Request for proof of notification pursuant to Town Code 36-362(b) for the May 15, 2023 Planning Board meeting and **WES HASKETT FALSELY CLAIMED** "The Planning Board did not hold a hearing for

TCA-21-06 on July 19, 2021 or ZTA-23-03 on May 15, 2023 because no hearings were required (hearings were subsequently required and held by the Town Council). There also was no posted or mailed notices for the Planning Board's consideration of TCA-21-06 on July 19, 2021 and ZTA-23-03 on May 15, 2023 because they weren't required". A true and correct copy of **WES HASKETT'S FALSE CLAIMS** is attached hereto and marked "Exhibit F of the January 6 subdivision application".

- 11) **THE TRUTH IS** Wes Haskett knows the Planning Board heard his March 31, 2023 lot width amendment on May 15, 2023 pursuant to Town Code 36-415 and recommended approval because Wes Haskett emailed Applicant on June 1, 2023 and stated "...we have been discussing amending our current lot width requirements. The Town Planning Board recommended approval of the attached amendments on May 15th and Town Council will be holding a public hearing on June 6th. A true and correct copy of Wes Haskett emailing Plaintiff's details from the May 15, 2023 Planning Board hearing is attached hereto and marked "Exhibit G of the January 6 subdivision application".
- 12) **FOR SOME REASON THE MINUTES FOR THE MAY 15, 2023 PLANNING BOARD HEARING AREN'T ON SOUTHERN SHORES WEBSITE, WHERE THEY SHOULD BE PROVING THE PLANNING BOARD HEARD WES HASKETT'S MARCH 31, 2023 LOT WIDTH AMENDMENT.**
- 13) **UNFORTUNATELY FOR WES HASKETT'S FALSE STATEMENTS,** the June 6, 2023 Town Council meeting minutes state "The Planning Board recommended approval of the application (4-1) at the May 15, 2023 Planning Board Meeting." A true and correct copy of pages 7-9 from the June 6, 2023 Town Council Minutes is attached hereto and marked "Exhibit H of the January 6 subdivision application"
- 14) Southern Shores Town Code does not define "hearing" and in the United States of America a hearing is an opportunity to be heard, as Wes Haskett had his opportunity to be heard by the Planning Board on May 15, 2023 and received a recommended approval of his lot width amendment.
- 15) Town Code 36-414(a) provides: The town council may, on its own motion or upon motion or upon petition by any person within any zoning jurisdiction of the town, after public notice and hearing, amend, supplement, change, modify or repeal the regulations herein established or the maps which are part of this chapter, subject to the rules prescribed in this article. No regulation or map shall be amended, supplemented, changed, modified or repealed until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Prior to adopting or rejecting any zoning amendment, the planning board shall adopt a statement describing whether its action is consistent with the adopted town comprehensive land use plan and explaining why the planning board considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review. A notice of such hearing shall be given one a week for two successive calendar weeks in a newspaper of general circulation in the town, said notice to be published the first time not less than ten days nor more than 25 days prior to the date fixed for the hearing.
- 16) **Town Code 36-414(b) provides: In addition and where a zoning map amendment is proposed, the town shall cause to be placed a sign on the subject property announcing the date, time, and place of the public hearing for the purpose of notifying persons of the proposed rezoning.**
- 17) Southern Shores Town Code does not define "zone/zoning/rezoning" and in the United States of America changing subdividable property to unsubdividable property is rezoning the characteristic of the property.

- 18) Wes Haskett did not place a sign on 75 E. Dogwood Trail announcing the date, time, and place of the public hearing for the purpose of notifying persons of the proposed rezoning to rezone 75 E. Dogwood Trail from "subdividable by right of property owner" to "unsubdividable" (**WES HASKETT FALSELY CLAIMS IN HIS JULY 16, 2024 SUBDIVISION DENIAL THAT A JUNE 6, 2023 LOT WIDTH AMENDMENT APPLIES TO 75 E DOGWOOD TRAIL BUT PUBLIC RECORDS PROVE THE NOTIFICATION PRE-REQUISITES REQUIRED TO EFFECTUATE A ZONING AMENDMENT WEREN'T MAILED TO OR POSTED AT 75 E DOGWOOD TRAIL AND ALSO ARE NOT IN THE 75 E DOGWOOD TRAIL FILE, MAKING THE JUNE 6, 2023 LOT WIDTH AMENDMENT UNENFORCABLE AT 75 E DOGWOOD TRAIL (BECAUSE 75 E DOGWOOD TRAIL WAS NOT THE SUBJECT PROPERTY UNDER TOWN CODE NOTIFICATION REQUIREMENTS)**)
- 19) Wes Haskett and/or his attorney Lauren Womble fraudulently misrepresented the language (under oath) of Town Code 36-414(b) at the October 21, 2024 (after being informed of the Fraud Insurance Claim Against Wes Haskett) Variance hearing in their claims that notification requirements for the June 6, 2023 lot width amendment were complied with prior to Wes Haskett denying the July 3, 2024 lot sub-division application submitted by Applicant.
- 20) **WES HASKETT MADE A FALSE REPORT TO LAW ENFORCEMENT ON MAY 21, 2024 IN VIOLATION OF N.C.G.S. 14-225** claiming he had a legal basis to amend zoning code on June 6, 2023 at 75 E. Dogwood Trail but, **WES HASKETT FRAUDULENTLY DELETED TOWN CODE NOTIFICATION REQUIREMENTS AT SECTION 36-414(b) AND OMITTED NOTIFICATION REQUIRMENTS AT TOWN CODE 36-362(b).** A true and correct copy of Wes Haskett's false report to law enforcement is attached hereto and marked "Exhibit I of the January 6 subdivision application".
- 21) **WES HASKETT'S ABUSE OF ZONING CODES (IN A MANNER DIFFERENT THAN ENFORCMENT AGAINST OTHER PROPERTY OWNERS) IS A CONTINUING PATTERN OF CORRUPTION PROVING WES HASKETT HAS AN UNDISCLOSED SPECIAL INTEREST IN 75 E DOGWOOD TRAIL.**
- 22) During the month of May, 2023 when Wes Haskett was supposed to have posted notice at effected properties of the lot width amendment he claims now effects 75 E Dogwood Trail **WES HASKETT WAS FRAUDULENTLY HIDING THE LOT WIDTH AMENDMENT FROM APPLICANT WHEN APPLICANT AND WES HASKETT EMAILED 4 TIMES ABOUT THE SUBDIVISION AT 75 E DOGWOOD TRAIL AND/OR LOT WIDTH REQUIRMENTS*****DURING THIS TIME OF FRAUDULENT CONCEALMENT THE PREVIOUS OWNER NEGOTIATED AN ADDITIONAL \$75,000 FROM APPLICANT FOR A LOT THAT WAS SUBDIVIDABLE, AS PROVEN BY "EXHIBIT B of the January 6 subdivision application"******* A true and correct copy of Wes Haskett's 4 emails to Applicant are attached hereto and marked "Exhibit J of the January 6 subdivision application"
- 23) Wes Haskett signed a plat at 172 Ocean Boulevard and a plat at 233 N. Dogwood Trail that did not meet setback and/or lot width requirements but Wes Haskett is harassing Applicant with a lot width amendment at 75 E. Dogwood Trail that has never been effectuated at 75 E. Dogwood Trail with notification prior to a hearing and also was harassing Applicant with a set back encroachment claim for months until Applicant filed a building permit to remove Wes Haskett's claimed setback encroachment (Wes Haskett said the setback encroachment no longer prevented the subdivision one day after Applicant filed a building permit to remove 1' of his house). **A TRUE AND CORRECT COPY OF WES HASKETT'S UNDISCLOSED SPECIAL INTEREST IN 75 E DOGWOOD TRAIL**

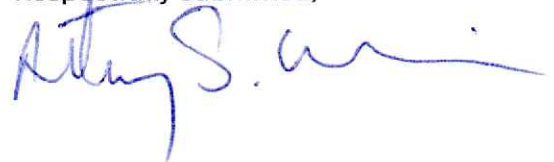
AND HARASSMENT OF APPLICANT WITH ZONING CODES NOT BEING ENFORCED ON OTHER PROPERTY OWNERS IS ATTACHED HERETO AND MARKED "EXHIBIT K" OF THE JANUARY 6, 2025 SUBDIVISION APPLICATION.

- 24) **WES HASKETT CLAIMED 233 N. DOGWOOD TRAIL AND THE 0 DOGWOOD TRAIL ADJACENT LOTS WERE CREATED PRIOR TO THE TOWN'S INCORPORATION IN 1979 BUT A SECOND PUBLIC RECORDS REQUEST PROVED WES HASKETT SIGNED THE PLAT ON 7-21-16.** A true and correct copy of Wes Haskett's claim and 7-16-2016 signed plat is attached hereto and marked "Exhibit L of the January 6 subdivision application".
- 25) Applicant requested a complete copy of the records from 170 & 172 Ocean Boulevard but Applicant was unable to find the complaint made against Wes Haskett for approving a plat without setback requirements being complied with. A true and correct copy of the complaint made against Wes Haskett's plat approval is attached hereto and marked "Exhibit M of the January 6 subdivision application".
- 26) The facts and law regarding the March 31, 2023 lot width amendment being unenforceable at 75 E. Dogwood Trail are as follows:
- Wes Haskett did not post notice of his March 31, 2023 proposed lot width amendment to rezone subdividable property as unsubdividable at 75 E Dogwood Trail pursuant to Town Code 36-414(b).
 - Wes Haskett hid the proposed lot width amendment from Anthony Mina in (4) emails during the month of May, 2023 as the previous owner of 75 E Dogwood Trail negotiated an additional \$75,000 from Anthony Mina for a lot that was subdividable, as proven with Wes Haskett's subdivision denial dated July 16, 2024 (where the only reason the subdivision was denied is the March 31, 2023 lot width amendment).
 - On June 7, 2023 Anthony Mina emailed Wes Haskett and asked how property owners were notified of the March 31, 2023 lot width amendment and on June 12, 2023 Wes Haskett refused to answer the question and instructed Anthony Mina to direct the question to Philip Hornthal.
 - Anthony Mina has proven with several public records requests that Southern Shores did not effectuate a lot width zoning amendment at 75 E Dogwood Trail with notice pursuant to Town Code 36-414(b) or Town Code 36-362(b) for either the May 15, 2023 Planning Board hearing or the June 6, 2023 Town Council Hearing.
 - The Town Ethics Policy prohibits Town money from being spent on attorneys doing anything that is not in the best interest of ALL property owners.
 - The Town Ethics Policy requires Southern Shores to correct their wrong doing.
- 27) Wes Haskett proved with his Exhibit K of the Subdivision Appeal Application that Wes Haskett does not need Appellate Review filed to correct wrong doing.
- 28) Wes Haskett's refusal to correct his wrong doing in his subdivision application denials using unenforceable zoning codes prove Wes Haskett's illegal special interest in 75 E Dogwood Trail that he fraudulently demonstrated in May of 2023 when hiding the lot width amendment Haskett used to deny the subdivision as Linda Lauby negotiated an additional \$75,000 from Applicant for a lot that was subdividable.

WHEREFORE, Applicant Anthony Mina respectfully requests that Wes Haskett be prohibited from using town money on any expense associated with the March 17, 2025 Appeal of the January 6, 2025 subdivision application, including town money for the cost of the employees, attorneys and court reporter needed for the March 17, 2025 Appeal hearing.

February 14, 2025

Respectfully Submitted,



Code of Ethics for Town of Southern Shores Employees

The proper operation of democratic government in the Town of Southern Shores requires that Public Officials and employees: a) be independent, impartial and responsible to the people, b) make decisions and policy in public, c) not use their position for personal gain and d) conduct all duties and direct all actions to maintain public confidence in the integrity of Southern Shores Government and its employees.

In recognition of these requirements a Code of Ethics and Standards of Conduct is hereby promulgated:

As an employee in the Town of Southern Shores:

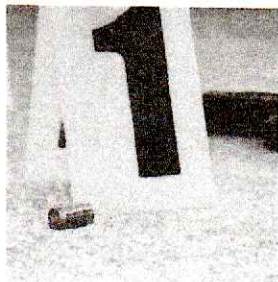
1. I will always obey the law and will not try in any way to influence application of the law by any of the town's authorities or personnel.
2. I will always uphold the integrity and independence of my job.
3. I will always avoid any impropriety or the appearance of impropriety in all of my activities.
4. I will manage and spend the town's funds as if they were my own and will have the best interests of all Southern Shores taxpayers in mind in the expenditure of these funds.
5. I will always minimize the risk of conflict of my private life dealings with my official duties. This particularly applies to any private employment or service for private interests when incompatible with the proper discharge of my official duties.
6. I will never use my position to harass or adversely influence any of the Town's other employees.
7. I will always respond promptly to any concern brought to me by any employee or Town resident. In this regard I will grant no special consideration, treatment or advantage to any citizen beyond that which is available to any other citizen.
8. I will not engage in any contractual dealing with the Town or try to influence any such dealing on the behalf of any friend or relative.
9. I will accept no gift or other gratuity, including meals, from anyone that could do business with the Town or that is presently conducting business with the Town. This will also apply to any gift that a reasonable person believed was intended to influence an employee in the performance of official duties.

Exempted from the provision concerning gifts are advertising items or souvenirs of nominal value or meals furnished at banquets. Gifts between employees and their friends and relatives are also exempted.

" EXHIBIT A "

After a 5 ½-hour hearing, with two recesses, the Town Board of Adjustment voted unanimously last night to deny a variance to Anthony Mina that would have allowed him to subdivide the 46,500-square-foot property at 75 E. Dogwood Trail that he owns with his fiancée.

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(See The Beacon, 10/19/24, for factual background.)

The hearing may have been excessively long, but the Board's decision was made quickly and without discussion. It was a foregone conclusion. Mr. Mina did not have a meritorious case, just a personal grievance against the Town, in particular, against Town Deputy Manager/Planning Director Wes Haskett.

We are not acquainted with how this grievance escalated to the point of wasting 5 ½ hours of attendees' time and public money spent on two attorneys (one representing the Town; the other representing the Board of Adjustment), one court reporter, three police officers (we believe one left early), and overtime for Mr. Haskett and Town Manager Cliff Ogburn, but we trust the Town will conduct a post-mortem and figure out how it could have handled interactions with Mr. Mina better.

We question the Town's decision even to let Mr. Mina file a request for a variance, inasmuch as a variance is not the "appropriate remedy," as Town Attorney Lauren Arigaza-Womble of Hornthal, Riley, Ellis & Maland said several times during the hearing, for the hardship that Mr. Mina claimed.

Ms. Arigaza-Womble quoted Professor Adam Lovelady, an expert in land-use law at the University of North Carolina School of Government, for the principle that: "A variance is not the appropriate remedy for a condition or hardship that is shared by the neighborhood or the community as a whole," such as would be the case where a zoning ordinance, of which an individual complains, affects everyone in the community.

At the beginning of the hearing, it appeared that Mr. Mina had not even wanted to file a request for a variance, for which he paid a \$350 fee. He sought to "preclude" the hearing and told the Board of Adjustment that the Town had "no legal basis to force me to be here."

This posture was one of many confusing revelations by Mr. Mina, whose recourse with the Town is to attempt to change the ordinance that prevents him from subdividing his property in his favor.

TEDIOUS, EXHAUSTIVE HEARING

We did not stay for the conclusion of the hearing, dear readers, taking our leave at 9 p.m., when the second recess was called.

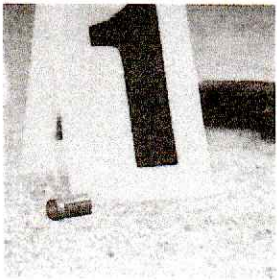
EXHIBIT B

By then, we had heard a tedious and exhaustive recitation of Mr. Mina's Variance Application 24-01, which BOA Chairperson Andy Ward took him through, section by section, even though the application was available for all Board members and the public to read, and Mr. Mina, who represented himself, could have summarized it in his direct testimony.

We also had heard an excessive amount of irrelevant material introduced by Mr. Mina into the record, through his oral testimony and his documentation, even though Ms. Arigaza-Womble, properly and continuously objected to it.

Mr. Ward allowed Mr. Mina to have his say, while also trying to keep him focused on facts and not on "innuendo" and "accusations."

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But Mr. Mina's argument was based on fraud, not on any of the criteria relevant to the granting of a variance.

"Fraud," he said early on, after moving to "preclude" last night's hearing—a motion that became moot as the hearing continued—"is a big factor in me obtaining the variance."

Mr. Mina claimed that Mr. Haskett and the Town of Southern Shores had led him to believe falsely that the lot at 75 E. Dogwood Trail, which he purchased July 5, 2023, could be subdivided, when, in fact, regulations in the Town Code of Ordinances prevent such a subdivision. He repeatedly said that Mr. Haskett had "hidden" the zoning code(s) from him.

He alleged a "real estate scam" or conspiracy to defraud him, and he has sued those people he believes are co-conspirators in federal court. Mr. Mina filed his lengthy complaint in the Eastern District of the U.S. District Court of North Carolina. (The case number is 2:24-CV-00042.)

Lest anyone be as confused as Mr. Mina clearly was about the zoning ordinances in the Town Code—which are sometimes referred to as the "Zoning Code" or the "Zoning Ordinance"—we would like to clarify that Southern Shores' zoning ordinances are part of the Town Code, which is readily available on the Town website.

An ordinance is a municipal law: It is a law enacted by local government.

Mr. Haskett could not "hide" the Town's ordinances if he wanted to.

When the Southern Shores Town Council passes a Zoning Text Amendment (ZTA) or a Town Code Amendment (TCA), it is passing new law. The ZTA or TCA amends (changes) the text that already exists in the Town Code.

[Handwritten mark, possibly a signature or initials]

EXHIBIT B

The Town Code is made up of chapters, the 36th of which is about zoning, and, therefore, is often referred to as the "Zoning Code." The 30th chapter is about subdivisions and is often referred to as the "Subdivision Ordinance." The so-called Zoning Code and Subdivision Ordinance are not separate from the Town Code; they are part of it.

ACCESS TO SUBDIVISION LOTS

Access to newly created lots is a significant issue with a subdivision.

Before Aug. 3, 2021, the Town Code allowed subdividers to create access by one of two ways: 1) by having all lots front on a public road; or 2) by creating a public-access easement that connected new lots to a public road and met certain standards of width, length, and the like.

On Aug. 3, 2021, however, the Town Council passed TCA 21-06, which eliminated the access-easement option then codified in the subdivision chapter at section 30-96(f).

So, two years before Mr. Mina bought his property, the Town Council rendered it impossible for him to subdivide his lot without ensuring that each lot fronted on a public road.

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Mr. Mina presented no evidence at the hearing to suggest, much less prove, that the required public notice of the hearing on TCA 21-06 was defective in any way. He insinuated that it was, but he presented no facts to bolster that insinuation.

As Mr. Haskett testified, he did not know Mr. Mina in 2021, and he was not the proponent of TCA 21-06. It was the Town Council that asked for a change in the law. (See our report of 10/19/24.)

Mr. Mina submitted to the Town two applications for a subdivision of 75 E. Dogwood, each of which had a preliminary plat and each of which appears to depend upon an easement for access to a back lot. The Town received both on July 3, 2024, and Mr. Haskett denied both. Mr. Mina did not appeal either denial during the 30 days allotted to him by ordinance for an appeal.

One of the denials also cited Mr. Mina's failure to conform to a newly enacted zoning ordinance defining mandatory minimum lot size in the RS-1 single-family-dwelling residential district.

Contrary to Mr. Mina's reading of the new lot-width ordinance, which is Town Code section 36-202(d), it only applies to lots created after June 6, 2023 through subdivision or recombination. It does not render all lots that are not 100 feet wide at every width measurement non-conforming.

The facts established that Mr. Mina exchanged many emails with Mr. Haskett in the month before the lot-width ordinance changed on June 6, 2023, which was about a month before he bought 75 E. Dogwood Trail. There were so many emails, according to Mr. Haskett, that it would take him hours to

EXHIBIT B

count them.

Mr. Mina states in his application that the Town Planning Director deliberately withheld from him "pertinent information" about the soon-to-be-changed lot-width ordinance.

Mr. Haskett testified that he had no reason to believe that minimum lot width would be relevant to any applications that Mr. Mina might submit.

Mr. Ward sustained objections from Ms. Arigaza-Womble about Mr. Mina's allegations that the Town did not give proper notice for the public hearings that were held on the ZTA and TCA that changed the ordinances Mr. Mina cited. Mr. Ward stated for the record that the ordinances were legally adopted.

COMMUNICATING WITH AGGRIEVED PROPERTY OWNERS

We are not able to comment with knowledge about what happened between Mr. Haskett and Mr. Mina to sour their communications—and between Mr. Mina and Mr. Ogburn—and we will not make any assumptions.

It is clear from Mr. Mina's variance application and from everything he said last night that he is confused and operating under misconceptions. It is also clear that he believes people have mistreated him. We are not going to speculate as to why.

Mr. Mina came across at the hearing as frenetic—what people would describe as hyper—and intense, but also polite and respectful.

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REPORT THIS AD

We all know people who cannot be reasoned with, who cannot accept the truth or their own responsibility, and who look to blame others or even believe others are out to get them.

The question we are left with is the one we started with: How could the Town have prevented the exercise in futility that we witnessed last night?

No one benefited from what occurred, and if Mr. Mina appeals the Board's decision to the Superior Court of Dare County—he has 30 days to decide, and he indicated last night he probably would—the Town will expend more hours and money on this case, as will Mr. Mina, who professed to be more interested in working on his home-improvement business than on litigation.

All we would suggest is that the next time a "problem" arises with an aggrieved property owner that the Town staff cannot handle that they have a means for resolving it that does not include referring that property owner to the Town Attorney. No one wants to talk to a lawyer. Unless they're acting as independent dispute mediators, lawyers are adversaries and can be quite intimidating to people who are not accustomed to engaging with them.

A neutral third party might have been helpful in communicating with Mr. Mina.

By Ann G. Sjoerdsma, The Southern Shores Beacon

ADVERTISEMENT

EXHIBIT B

RE: 75 East Dogwood Trail Subdivision

From: Wes Haskett (whaskett@southernshores-nc.gov)

To: chestercountylawn@yahoo.com

Cc: emorey@southernshores-nc.gov; cogburn@southernshores-nc.gov; phornthal@hrem.com

Date: Wednesday, November 1, 2023 at 09:33 AM EDT

Good morning, Mr. Mina. We do have a process for Variances. They are considered by our Town Planning Board (performing the duties of the Board of Adjustment). The standards and application requirements for Variances can be found here: https://library.municode.com/nc/southern_shores/codes/code_of_ordinances?nodeId=PTIICOOR_CH36ZO_ARTXIIBOAD_S36-367VA. I have attached a copy of our Variance application.

Wes Haskett

Deputy Town Manager/Planning Director

Town of Southern Shores

(252) 261-2394 (ph)

(252) 255-0876 (fx)

www.southernshores-nc.gov

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Tuesday, October 31, 2023 9:04 PM

To: Wes Haskett <whaskett@southernshores-nc.gov>

Cc: Elizabeth Morey <emorey@southernshores-nc.gov>; Cliff Ogburn <cogburn@southernshores-nc.gov>; Phillip Hornthal <phornthal@hrem.com>

Subject: Re: 75 East Dogwood Trail Subdivision

Thank you for the email. The part of your email I do not understand (I apologize for not knowing the proper legal terms) is how to make an application for a building or zoning permit that does not meet all the applicable requirements, if required. Dare county and Kitty Hawk deviate from zoning requirements in ways that cause neighbors to suffer damages because of the leniency and I was wondering how leniency is asked for in Southern Shores for

EXHIBIT C

aesthetically pleasing improvements. In Pennsylvania I was used to variances being the formal way of obtaining leniency.

I am hoping I can just get 75 east dogwood trail documented according to the actual measurements so I don't need to ask for leniency but I want to be prepared to do whatever I need to do to obtain the lot sub-division I purchased 75 East Dogwood Trail with.

Thank you,

Anthony S Mina

On Tuesday, October 31, 2023 at 01:44:27 PM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good afternoon, Mr. Mina. There are several surveyors in the area that prepare subdivision plats but I cannot make a recommendation. The Outer Banks Homebuilders Association may be able to recommend someone. They can be reached at 252-449-8232. The Town can only approve subdivision plats and permits if they meet all applicable requirements.

Wes Haskett

Deputy Town Manager/Planning Director

Town of Southern Shores

(252) 261-2394 (ph)

(252) 255-0876 (fx)

www.southernshores-nc.gov

EXHIBIT C

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Monday, October 30, 2023 11:44 PM

To: Wes Haskett <whaskett@southernshores-nc.gov>

Cc: Elizabeth Morey <emorey@southernshores-nc.gov>; Cliff Ogburn <cogburn@southernshores-nc.gov>; Phillip Hornthal <PHornthal@hrem.com>

Subject: Re: 75 East Dogwood Trail Subdivision

Hello Southern Shores,

I am having a little problem getting the sub division plan to Southern Shores because the potentially sub dividable lot I bought from Jim Munroe at Outer Banks Realty with a survey provided with the listing supposedly shrunk 10' in the back width and 1' in the front width last week when I hired the surveyor who surveyed 73 East Dogwood Trail for the owners who also bought their house from Jim Munroe.

Does Southern Shores have any suggestions? The survey I was given obviously isn't worth anything to me since I bought a larger, potentially sub-dividable lot and the surveyor won't even document a measurement he provided for me after he did the 73 East Dogwood Trail survey.

Could you please tell me the proper way to ask Southern Shores for leniency when reviewing my sub-division plan and future building permits if there is ever any building or zoning codes that I would like to be exempt from.

I am currently trying to sell my last house in Kitty Hawk and Dare County and Kitty Hawk don't enforce zoning codes on the street I lived on and I am expecting between \$30,000 and \$50,000 worth of damages because of the zoning codes not being enforced on Vista Lane. I was forced to file a zoning complaint with Jasper Rogers but Vista Lane is still an unsafe junkyard with abandoned vehicles on Kitty Hawk property. The hummer in the one picture across the street from my old house is on 3 wheels and a jackstand that appears to be falling/sinking...right where my kids and the other neighborhood kids play and do things like reach under vehicles to get their ball.

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Fw: Defaming Harassment Published On The Southern Shores Beacon From Variance Hearing Heard On October 21, 2024

From: Anthony Mina (chestercountylawn@yahoo.com)

To: annsj@earthlink.net

Date: Monday, December 23, 2024 at 12:46 AM EST

Please see www.savesouthernshores.com for the Variance Application not attached to this email (the file size was too big for your email account). Anthony S Mina

----- Forwarded Message -----

From: Anthony Mina <chestercountylawn@yahoo.com>

To: "annsj@earthlink.net" <annsj@earthlink.net>; "ssbeaconeditor@gmail.com" <ssbeaconeditor@gmail.com>

Cc: "olivia.s.hines@nccourts.org" <olivia.s.hines@nccourts.org>; "olivia.s.hines@nccourts.org"

<olivia.s.hines@nccourts.org>; Andrea C. Powell <andrea.powell@nccourts.org>; FBI

<philadelphia.complaints@ic.fbi.gov>; "ncago@ncdoj.gov" <ncago@ncdoj.gov>; "ncago@ncdoj.gov"

<ncago@ncdoj.gov>; Anthony Mina <chestercountylawn@yahoo.com>

Sent: Monday, December 23, 2024 at 12:40:09 AM EST

Subject: Defaming Harassment Published On The Southern Shores Beacon From Variance Hearing Heard On October 21, 2024

Dear Ms. Sjoerdsma,

Thank you for taking the time to publish information from the October 21, 2024 Variance Hearing. I also appreciate you taking the time to exercise your 1st Amendment Rights and voice your opinions. However, I do have to respectfully tell you that you are not permitted to publish false information mistakenly or intentionally about anyone, including me. I understand Andy Ward provided some of the false information, but a Southern Shores Public Records Response proved Andy Ward wrong.

I think it is great that the Southern Shore's Beacon states that "Since its debut, The Beacon has taken on an identity as a watchdog for the Town of Southern Shores and its property owners. The Beacon prides itself on its fact-based research and commentary and on its breaking-news reporting."

Please correct the following false information on the Southern Shores Beacon and make sure the corrected information reaches the same readers the false information reached:

Your publication states: "Lest anyone be as confused as Mr. Mina clearly was about the zoning ordinances in the Town Code—which are sometimes referred to as the "Zoning Code" or the "Zoning Ordinance"—we would like to clarify that Southern Shores' zoning ordinances are part of the Town Code, which is readily available on the Town website. An ordinance is a municipal law: It is a law enacted by local government. Mr. Haskett could not "hide" the Town's ordinances if he wanted to."

ISSUE #1

EXHIBIT C

The facts are Wes Haskett filed an application to amend lot widths on March 31, 2023 and Town Code 36-362(b) required Wes Haskett to mail the affected properties a letter and post notice at affected properties prior to the May 15, 2023 Planning Board/Adjustment Board hearing on the lot width amendment. Not only did Wes Haskett not mail 75 E. Dogwood Trail a letter or post notice of a zoning amendment at 75 E Dogwood Trail, Wes Haskett also refused to tell me about the proposed lot width amendment in 4 emailed questions about lot width requirements and/or the 75 E. Dogwood Trail subdivision during May, 2023. These 4 emails were entered into evidence and can be seen in the attached "Petition For Writ of Certiorari With Proof of False Pretense, False Sworn Testimony And A False Report To Law Enforcement By Wes Haskett" as "Exhibit F". Exhibit 2C of my Variance Application is a Southern Shores Public Information Request Response that proved mailed notice and posted notice was not provided to 75 E. Dogwood Trail. Town Code 36-414(b) also requires posted notice at affected properties prior to subdividable property being rezoned as unsubdividable because of a zoning amendment. As Wes Haskett was hiding his proposed lot width amendment from me and 75 E. Dogwood Trail the previous owner of 75 E Dogwood Trail negotiated an additional \$75,000 from me for a lot that was subdividable, knowing I would not pay the extra \$75,000 for an unsubdividable lot.

A VERY, VERY IMPORTANT FACT FOR YOUR WATCHDOG PUBLICATION IS THAT THE SOUTHERN SHORES PLANNING BOARD ATTORNEY JAY WHELESS AND TOWN ATTORNEY LAUREN WOMBLE WERE BOTH MISREPRESENTING THE LANGUAGE OF TOWN CODE 36-414(b) AND WHEN I OBJECTED AND STATED THEY WERE COLLUDING JAY WHELESS STATED I WAS ACCUSING THE WHOLE TOWN OF IMPROPRIETY. Town Money can not be spent on attorneys misrepresenting Town Codes.

Andy Ward and Wes Haskett's claims that notification requirements were met is what law enforcement call a "criminal conspiracy". Exhibit 2C of my Variance Application is proof from Southern Shores notification requirements were not met.

IN OTHER WORDS, HIDING THE LOT WIDTH AMENDMENT AS I TESTIFIED IS EXACTLY WHAT WES HASKETT DID FROM ME AND THE 75 E DOGWOOD TRAIL PROPERTY. THE SOUTHERN SHORES BEACON'S CLAIM THAT "WES HASKETT COULD NOT "HIDE" ZONING CODE IF HE WANTED TO IS A COMPLETE FALSE FACT.

ISSUE #2

The Southern Shores Beacon falsely states "Mr. Mina submitted to the Town two applications for a subdivision of 75 E. Dogwood, each of which had a preliminary plat and each of which appears to depend upon an easement for access to a back lot."

The facts are I submitted 2 applications for a lot subdivision one of which did not depend upon easement access and was denied for one reason, the lot width amendment referenced in Issue #1 that Wes Haskett never complied with notification requirements for at 75 E Dogwood Trail. Notification requirements are a mandated pre-requisite to zoning code being enforceable and as such, the 75 E Dogwood Trail sub-division should have been approved prior to the Variance Hearing. The 2nd subdivision application which was designed with an access easement was denied because of an easement restriction that was also adopted without notification requirements being met at 75 E. Dogwood Trail. My two subdivision application denials were part of my Variance Application as Exhibit 1A and 1B with their corresponding subdivision plats at Exhibit 2A and 2B. (I also obtained a complete copy of the 75 E. Dogwood Trail file and the file also did not contain any letters regarding zoning amendments affecting the property)

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ISSUE #3

The Southern Shores Beacon false states "Mr. Mina presented no evidence at the hearing to suggest, much less prove, that the required public notice of the hearing on TCA 21-06 was defective in any way. He insinuated that it was, but he presented no facts to bolster that insinuation."

The facts presented proving notification requirements pursuant to Town Code 36-362(b) and Town Code 36-414(b) were not complied with at 75 E. Dogwood Trail came from Southern Shores Town Office Employee Sheila Kane in a Public Records Response and were Exhibit 2C of my Variance Application (Exhibit F of the attached Writ of Certiorari").

****Those 3 issues are false facts that law requires to be corrected for several reasons in addition to defamation/slander laws****

The other reasons are:

- That because I caught Wes Haskett and Southern Shores lying about meeting notification requirements, the retaliation against me violates North Carolina Witness Intimidation Law § 14-226. Intimidating or interfering with witnesses.

- I've been reported for violating Southern Shores sign code by both Andy Ward and Ann Sjoerdsma for a sign in the right of way. Both Andy Ward and Ann Sjoerdsma only reported me when there was about 6-10 other signs on Dogwood Trail in violation of sign code that they could not miss when coming and going from Dogwood Trail (There is a continuing pattern of lies and harassment targeting me).

I also wanted the Southern Shores Beacon to know that their article referenced how much of a waste of the town's money my Variance hearing was, and I completely agree. If Southern Shores corrected their wrongdoing as their ethics policy requires, the Variance hearing would have never been necessary. But now, Southern Shores has to explain their lies to the Dare County Superior Court and their ethics policy prohibits town money from being spent on things that are not in all of the property owner's interests. Lying about meeting notification requirements to change property owner's property rights is not in any property owner's interests, so Wes Haskett should be required to pay for all his legal fees from the Variance and in the Dare County Superior Court.

Lastly, the Southern Shores Beacon commented about why the town even let me file a variance with the following comment:

"We question the Town's decision even to let Mr. Mina file a request for a variance, inasmuch as a variance is not the "appropriate remedy," as Town Attorney Lauren Arigaza-Womble of Hornthal, Riley, Ellis & Maland said several times during the hearing, for the hardship that Mr. Mina claimed."

Please find the emails at the end of this email where Wes Haskett advised me to file a Variance if I wanted to ask for an exception from the zoning codes.

I sincerely apologize for contacting you and telling you some facts need to be changed, but the bottom line is the article written about me repeatedly diminishes my credibility and character with misrepresentations. I work hard to

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provide for my family and can't afford to have my reputation in the community damaged by the false information in the Southern Shores Beacon. As of right now, if you made mistakes, your mistakes violate defamation, harassment and witness intimidation laws. If the information is not corrected as I asked by December 26, 2024 I am going to ask law enforcement to shut down the Southern Shores Beacon and arrest Ann Sjoerdsma. I am the victim here. There is no way around the fact that notification requirements were not met for a zoning code that was hidden from me when the previous owner negotiated an additional \$75,000 from me.

If you want to say something respectable about me you may tell people that I am a home improvement provider that presented an article written about me by the Philadelphia Inquirer at: <https://www.inquirer.com/real-estate/housing/market-rebuilt-four-bedroom-home-malvern-867000-20220810.html>

You may also say that I have started a website called www.savesouthernshores.com where I will be exposing Wes Haskett's corruption, which Chief Kole has yet to stop with knowledge Wes Haskett is committing crimes (See the attached Notice of Chief Kole's Slavery/Involuntary Servitude Conspiracy Against Anthony Mina). I hope the focus of the website will eventually be more about giving back to the community, but as of right now, the town government is morally bankrupt and operating under the misconception that lies will get them out of the trouble lies got them into. Because of the negative information I have to share with Southern Shores' property owners my public relations research indicated that after the holidays would be a better time for me to start spreading the news.

If you want to help me, you may contact me to discuss a "GoFundMe" page I am going to advertise after Christmas to help my family recover damages caused by Wes Haskett's lies. My GoFundMe page is going to be much different than the typical GoFundMe page because I am going to guarantee any donors repayment, with a generous interest rate. What Wes Haskett did was take my right to subdivide when my extra lot was planned to be a source of income for my business to use for renovation and construction costs prior to me reselling 75 E Dogwood Trail. I've never heard of a GoFundMe campaign guaranteeing repayment and I'm going to expose Wes Haskett's corruption on the GoFundMe page and also guarantee repayment with the equity in my property (so the GoFundMe page is equivalent to a 2nd Mortgage contract)

Thank you,
Anthony S Mina

On Thursday, May 18, 2023, 01:51:04 PM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good afternoon. See my responses below.

Wes Haskett

Deputy Town Manager/Planning Director

Town of Southern Shores

(252) 261-2394 (ph)

EXHIBIT C

(252) 255-0876 (fx)

www.southernshores-nc.gov

image001

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Wednesday, May 17, 2023 12:18 PM

To: Wes Haskett <whaskett@southernshores-nc.gov>

Subject: Re: 75 E. Dogwood Trail Zoning Question

Hello,

Thank you for your help.

-

Could you please tell me which ordinance I need to read to understand the zoning requirements for subdividing a lot that has an existing structure that could possibly be 14' from the property line. WES'S RESPONSE:

See Town Code Section 30-97(2): https://library.municode.com/nc/southern_shores/codes/code_of_ordinances?nodeId=PTIICOOR_CH30SU_ARTIVMISTDEGE_S30-97DEST.

-

Could you also please tell me about Southern Shores' procedure for asking Southern Shores to make an exception to their local code. For example, if I hired an attorney to file my applications and ask Town Council or Dare County to approve the subdivision. WES'S

RESPONSE: An exception would be in the form of a Variance. Our Town Planning Board considers Variances which are only granted if the applicant can demonstrate that there is a hardship involved if a Variance is not granted. See attached application which includes questions that address the criteria for granting a Variance.

75 E. Dogwood Trail can be divided so each property has street frontage and a 100' lot width at the front of the building (by making the existing lot similar to a "flag lot"). I would just prefer not to literally remove 1' of the existing home if the home was really built 14' from a property line that required 15'. WES'S

RESPONSE: Please submit a drawing showing what you have in mind, including the existing structure and measurements from existing and proposed property lines.

If you would like, I am available to meet with you to make sure I am creating a subdivision plan consistent with other approved subdivisions and existing zoning requirements. WES'S RESPONSE:

I am available to meet next Tuesday at 10:30 or 2:00 if you'd like to meet to discuss and review your drawing.

Thank you,
Anthony S Mina

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ANTHONY S MINA
75 E. DOGWOOD TRAIL
SOUTHERN SHORES, NC 27949
chestercountylawn@yahoo.com

February 17, 2025

**BRIEF IN SUPPORT OF MOTION TO PROHIBIT WES HASKETT FROM USING TOWN MONEY FOR
ANY EXPENSE ASSOCIATED WITH THE MARCH 17, 2025 APPEAL OF JANUARY 21, 2025
SUBDIVISION DENIAL DUE TO HASKETT'S INVOLVEMENT WITH VIOLATIONS OF 18 U.S. CODE §
1512- TAMPERING WITH A WITNESS, VICTIM OR AN INFORMANT WITH THE SOUTHERN
SHORES BEACON*****

*****THESE EXPENSES INCLUDE, BUT ARE NOT LIMITED TO, WES HASKETT'S ATTORNEY FEES,
THE PLANNING BOARD'S ATTORNEY FEES, SOUTHERN SHORES EMPLOYEE AND LAW
ENFORCEMENT COSTS AND COURT REPORTER COSTS**

Wes Haskett started a conspiracy against Anthony Mina in May of 2023 when he was supposed to have posted notice of the March 31, 2023 lot width amendment at effected property(s) pursuant to Town Code 36-414(b) and/or Town Code 36-362(b) notifying the property owner of the rezoning of subdividable property as unsubdividable. Not only did Wes Haskett not have posted notice at 75 E Dogwood Trail prior to the May 15, 2023 Planning Board hearing or June 6, 2023 Town Council hearing, Wes Haskett also withheld the proposed lot width amendment from Anthony Mina in (4) emails during the month of May, 2023 when Anthony Mina specifically asked about the 75 E Dogwood Trail subdivision and lot width requirements. As Wes Haskett withheld the March 31, 2023 lot width amendment, the previous owner of 75 E Dogwood Trail negotiated an additional \$75,000 from Anthony Mina for a lot that was subdividable, as Anthony Mina has proven with Wes Haskett's subdivision denial on July 16, 2024 where the only reason for the subdivision denial is the March 31, 2023 lot width amendment.

On June 7, 2023 Anthony Mina emailed Wes Haskett and asked how property owners were notified of the proposed zoning amendment dated March 31, 2023 and Wes Haskett refused to answer the question and on June 12, 2023 emailed Anthony Mina instructions to direct the question to Philip Hornthal.

Southern Shores Town Ethics Policy prohibits Town money from being spent on anything not in the best interests of ALL of the property owners. Despite the Town Ethics Policy requiring Southern Shores to correct their wrong doing Wes Haskett, Cliff Ogburn and Philip Hornthal have engaged in a witness/victim/informant tampering conspiracy against Anthony Mina, in violation of Federal Laws.

Wes Haskett has repeatedly used illegally adopted zoning codes and zoning codes not used on other property owners to prohibit the 75 E Dogwood Trail subdivision as well as provide the Board of Adjustments false information and Chief Dave Kole a false report claiming notification requirements were met for the lot width amendment (Haskett deleted Town Code 36-414(b) from his May 21, 2024 email to Chief Kole). Wes Haskett has continued to deny the 75 E Dogwood Trail subdivision in the year 2025 with knowledge that Haskett is committing tax fraud by denying a lot subdivision on property that has not had a property tax reduction due to rezoning taking the right to subdivide property which any competent town employee knows reduces the value of property. Haskett has also continued to make false statements concerning the 75 E Dogwood Trail subdivision after being informed that Anthony Mina has initiated a fraud insurance claim against Southern Shores (specifically Wes Haskett) for the false statements and hidden March 31, 2023 zoning amendment which resulted with the previous owner obtaining an additional \$75,000 from Anthony Mina.

Wes Haskett's special interest (and fraud) involving 75 E Dogwood Trail is summed up in the following facts:

- Wes Haskett did not post notice of his March 31, 2023 proposed lot width amendment to rezone subdividable property as unsubdividable at 75 E Dogwood Trail pursuant to Town Code 36-414(b).
- Wes Haskett hid the proposed lot width amendment from Anthony Mina in (4) emails during the month of May, 2023 as the previous owner of 75 E Dogwood Trail negotiated an additional \$75,000 from Anthony Mina for a lot that was subdividable, as proven with Wes Haskett's subdivision denial dated July 16, 2024 (where the only reason the subdivision was denied is the March 31, 2023 lot width amendment).
- On June 7, 2023 Anthony Mina emailed Wes Haskett and asked how property owners were notified of the March 31, 2023 lot width amendment and on June 12, 2023 Wes Haskett refused to answer the question and instructed Anthony Mina to direct the question to Philip Hornthal.
- Anthony Mina has proven with several public records requests that Southern Shores did not effectuate a lot width zoning amendment at 75 E Dogwood Trail with notice pursuant to Town Code 36-414(b) or Town Code 36-362(b) for either the May 15, 2023 Planning Board hearing or the June 6, 2023 Town Council Hearing.
- The Town Ethics Policy prohibits Town money from being spent on attorneys doing anything that is not in the best interest of ALL property owners.
- The Town Ethics Policy requires Southern Shores to correct their wrong doing.

WHEREFORE, WES HASKETT MUST BE PROHIBITED FROM USING ANY TOWN MONEY ON HIS ILLEGAL, SPECIAL INTEREST IN 75 E DOGWOOD TRAIL AS THE ONLY THING LAW AND

TOWN CODE PERMITS IS WES HASKETT TO CORRECT HIS WRONG-DOING BY APPROVING THE
75 E DOGWOOD TRAIL LOT SUBDIVISION

February 14, 2025

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Kerry S. [unclear]", written over a horizontal line.