

## 2023 CELL TOWER APPLICATION

Dear Applicant:

We are pleased to offer the included Forms of Application for a Land Lease as you recently requested. The Florida East Coast Railway Company has served the citizens of our State, on its current alignment, for more than 100 years. They have had the good fortune of experiencing both a growing need for an efficient goods transportation service, and a leadership with the foresight to properly manage the physical plant and real properties of the railroad business. No small part of that foresight is the need to accommodate the needs of individuals, partnerships, corporations and governmental entities, such as yours, in the service of your customers. After all, it is most likely that you or your customers are to some extent a customer of the FEC Railway directly, or indirectly.

The founders and their successors of the Railway were in a position to have acquired the right-of-way by Fee Simple instruments. The property is thus private, just as those things you own are private to you. To accommodate your needs we will consider granting a specific non-exclusive license for use of our property. We will accept an application package when submitted with the following: current year application (completely and accurately filled out), plan/sketch, aerial view (11"x17" in U.S. Survey feet) and applicable fees. Handholes, utility installations and planned improvements are required to be shown on your plans. Commonly, we are able to offer a form of agreement in

response to a complete and correct application package in approximately 8-10 calendar weeks. The yearly rent is determined based on the size, length, location and use of the property. Applications will be processed as quickly as possible.

Applications will not be processed if they are not completely and correctly filled out, are missing information, and/or are missing the non-refundable application fees. The fee information can be found on the application page. The fees are non-refundable regardless of the outcome of the application. Multiple locations can not be submitted on one application. We will request an additional fee if the scope of the project requires outsourcing for additional engineering consultant review, a re-submitted application reflects a significantly different project, and/or has numerous revisions. All applications pending a requested correction, update or fees without resolution beyond 90 days will be closed. A new application package, including fees will need to be re-submitted.

A Certificate of Insurance must be provided in accordance with FEC's insurance requirements, before FEC will execute the Agreement. FEC's insurance requirements are attached to this application package and should be provided to the insurance agent to assure the certificate of insurance meets these provisions.

Sincerely,

Land Lease Administration  
FEC ROW, LLC

## GENERAL INFORMATION

**1. Application Lease of FEC Real Estate**

FEC will begin the review process upon receipt of a completed Application for Lease of Real Estate on FEC's approved forms.

**2. Application Fee**

An Application Fee of \$1,500 must be submitted, payable to FEC ROW LLC, along with the Application. This Application Fee is nonrefundable. Additional fees will apply if improvements are made to FECR property and \$1,500 Engineering Review Fee payable to Florida East Coast Railway, LLC in case of an Aerial Lease or any other improvements are planned for the premises, other than fencing. If lease is not executed within ninety (90) days from the date of the original submittal, then a new application and fees must be submitted.

**3. Credit Check**

A credit check will be conducted on all applicants. Please fill out the attached form and return it with this package.

**4. Security Deposit**

A security deposit, to be determined, will be due upon execution of the lease and before FEC will execute the lease.

**5. Certificate of Insurance**

You must provide an insurance certificate in accordance with FEC's insurance requirements, as set forth in the lease, before FEC will execute the lease. FEC's insurance requirements are attached. You should provide this insurance requirement to your insurance agent to ensure that the insurance certificate your agent provides FEC meets all provisions of the insurance requirements.

**6. Annual Rent**

Annual rent is payable in advance upon execution of the lease. Please send your first payment with the executed lease.

**7. Fencing**

The area to be leased must be fenced, in accordance with FEC's specifications, before occupancy of the property is permitted.

**8. Removal of Improvements**

Upon termination of the lease, you must remove all improvements on the property. Rent will continue to be due and payable to FEC until the date FEC has provided you written notice that FEC has accepted the condition of the property.

FEC Real Estate Services affiliate, FEC ROW LLC (hereinafter "FEC"), has been granted exclusive right by Florida East Coast Railway, L.L.C. (hereafter "FECR"), to lease portions of FECR's railway right of way corridor to third parties. The details above are a brief outline of some of FEC's requirements for entering into a lease of real estate within FECR's right-of-way.

FEC ROW, LLC  
2023 CELL TOWER APPLICATION

Date: \_\_\_\_\_

☐ New License Request

☐ Modification Request

**CONTACT DETAILS**

Applicant Name: _____	Phone: _____
Address: _____	City, St, ZIP: _____
Contact: _____	Email: _____
Tenant Name: _____	Tenant Lease #: _____
Address: _____	City, St, ZIP: _____
Contact: _____	Email: _____
Work Phone: _____	Cell Phone _____
Emergency Contact Name: _____	Emergency Contact Phone: _____

**INSTALLATION LOCATION DETAILS**

Site location mile post: _____ + _____ (ex. 299+1681)	Branch: _____
Site Address: _____	City, St, ZIP: _____
GPS Coordinates: _____ <small>decimal format</small>	County: _____
Nature of encroachment: _____	
Encroachment area: _____	

**FACILITY DETAILS**

Does requested equipment installed require tower extension?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does requested equipment installation require tower?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Replacement- Construction / installation commencement date:	_____	

**GROUND EQUIPMENT SPACE – POWER REQUIREMENTS**

Adding a generator:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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**EQUIPMENT DETAIL**

☐ No ground equipment      ☐ Other, explain: \_\_\_\_\_

Equipment space: \_\_\_\_\_

Equipment PAD dimensions: \_\_\_\_\_

Ground Equipment Information:

TX Frequency (MHz): _____	Max Power
Rx Frequency (MHz): _____	Output/Radio (watts): _____
Max Tx OutPut (watts): _____	Max ERP (watts): _____

**REMITTANCE DETAILS**

Submit application with two (2) copies of plan/profile drawings (11"x17" in U.S. Survey feet) with the non-refundable fees: \$1,500 Application fee payable to FEC ROW, LLC and \$1,500 Engineering Review Fee payable to Florida East Coast Railway, LLC. Modification application: \$500 and \$1,500 Engineering Review Fee. Expedite fee upon request.

Send to: **FEC ROW, LLC**  
**Attn: Land Lease Manager**  
**7150 Philips Highway**  
**Jacksonville, FL 32256**

LEASE OF REAL ESTATE  
INFORMATION REQUIREMENTS FOR LEGAL ENTITIES  
(Leases within Florida East Coast Railway's right-of-way)

Type of Entity

Documentation Required

Corporation

Legal Name of Corporation  
Name of President  
State of Incorporation  
Federal Identification Number

Individual

Full Name of Individual  
Social Security Number  
If applicable, any applicable trade name (DBA)  
Copy of Business License

Limited Liability Corporation

Name, address, and contact information of managing  
Member State where registered  
Federal Identification Number

Limited Partnership

Name, address, and contact information of the General  
Partner State where the partnership is registered  
Federal Identification Number

**INSURANCE REQUIREMENTS  
(LAND LEASES – CELL TOWERS)**

**I. Lessee's Insurance**

Lessee will throughout the Term and any Renewal Terms (and any other period when Lessee is in possession of the Leased Premises or has failed to comply with the requirements of paragraph 14 of this Lease) carry and maintain, at its sole cost and expense, the following types of insurance, which shall provide coverage on an occurrence basis, with respect to the Leased Premises, in the amounts specified with deductible amounts reasonably satisfactory to Florida East Coast Railway LLC (hereafter "FEC"):

**1) Commercial General Liability Insurance**

- Minimum limits of \$1,000,000.00 per occurrence
- Minimum limits of \$2,000,000.00 general aggregate
- Florida East Coast Railway named as additional insureds
- A.M Best's rating of A-, Class IX, or otherwise approved in advance

**2) Comprehensive Automobile Liability Insurance (required if Company owned/leased vehicles access leased premises)**

- Minimum limits of \$1,000,000.00 per occurrence for bodily injury
- Minimum limits of \$500,000.00 per person
- Minimum limits of \$100,000.00 property damage
- or a combined single limit of \$1,000,000 for both owned and non-owned vehicles.
- Florida East Coast Railway named as additional insureds
- A.M Best's rating of A-, Class IX, or otherwise approved in advance

**3) Excess Liability Insurance. Lessee shall also carry and maintain umbrella liability insurance with a limit of not less than \$4,000,000.00 per occurrence.**

**4) Workers' Compensation and Employers' Liability Insurance (waived for an individual with no employees or business/corporation not required by State Law to carry coverage)**

- Limits no less than \$500,000 each employee
- Limits no less than \$500,000 each accident
- Limits no less than \$1,000,000 policy limit
- A.M Best's rating of A-, Class IX, or otherwise approved in advance

Florida East Coast Railway, LLC and FEC ROW, LLC named as additional insureds with the address at 7150 Philips Highway, Jacksonville, FL 32256.

## CREDIT APPLICATION

### GENERAL INFORMATION

Lessee Business/Individual Name:  
(use complete legal name)

☐ Corporation   
 ☐ Partnership   
 ☐ Proprietorship   
 ☐ Other

Physical Address:

City, State, Zip Code:

Phone number:

Fax Number:

Email:

Name/Title or Principle Officer, Partner,  
or Proprietor:

\$ Volume per Month:

Number of years in business:

Duns#:

### BILL TO INFORMATION

Lessee Business/Individual Name:  
(bill to name)

Bill to Address:

City, State, Zip Code:

Contact name:

Phone Number:

Fax Number:

Email:

### REFERENCES

BANK:

Name:

Address (including City, State, Zip Code):

Contact:

TRADE:

Name:

Address (including City, State, Zip Code):

Contact:

**The customer acknowledges and agrees to this credit application in their request to their application with FEC ROW.**

### ACCEPT AND AGREED

**CUSTOMER**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

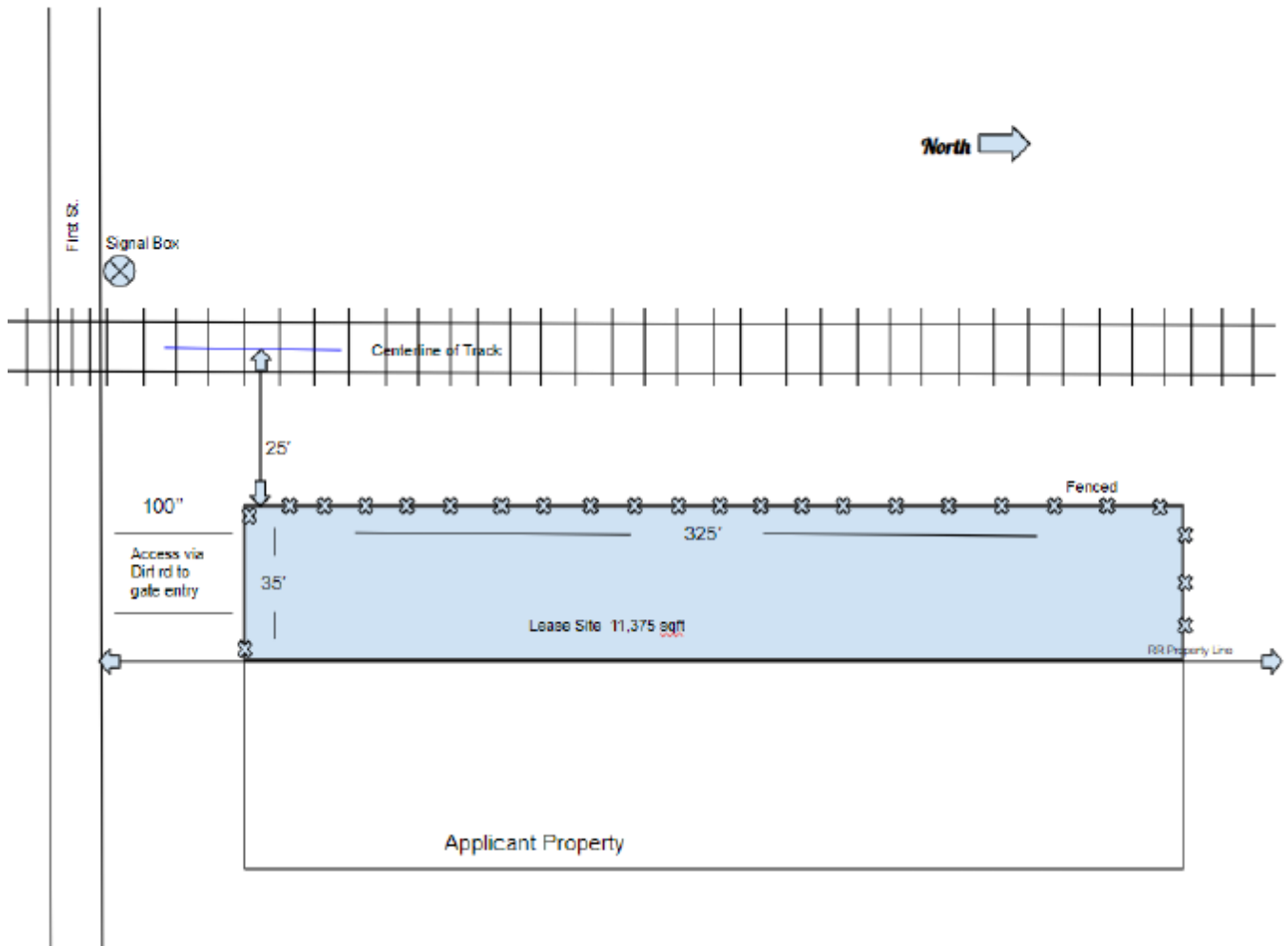
Title: \_\_\_\_\_

Date: \_\_\_\_\_

NOTE: Please complete, scan and email to [creditapplications@fecrwy.com](mailto:creditapplications@fecrwy.com). For additional questions, please call: 904-538-6203. Please send all written inquiries to: Manager, Credit & Collections, Florida East Coast Railway, 7150 Philips Hwy., Jacksonville, FL 32256.

Rev 3/23

## EXAMPLE OF A PLAN/SKETCH



Sketch/plan must provide or identify the following:

- City and County
- Closest cross street/intersection
- FEC Right-of-Way
- Railway gate arms and signal equipment
- Any utilities, handholes
- Landmarks and/or business address
- Improvements: identify any existing or new improvements to be added such as storage building, concrete, signage, plants, fence, etc.

## PAYMENT INSTRUCTIONS

### APPLICATION FEE (non-refundable)

- New application - amount: \$1,500.00
- Modification application - amount: \$500.00
- Payable to FEC ROW, LLC.
- No additional application fees required if there are no new improvements added to the lease area.

### ENGINEERING REVIEW FEE (non-refundable)

- Amount: \$1,500.00
- Payable to Florida East Coast Railway, LLC.
- Paid in addition to Application Fee if there will be ANY NEW improvements made to land lease area not included in the original agreement or previous amendments to the Land Lease, example: asphalt, cement, block wall, trees, etc. Please note: if plans submitted in “phases” requiring additional review by Engineers, additional \$1,500 Engineering Review Fee(s) will be required.

### PAYMENT OPTIONS:

#### If by US Mail: (FEC receives fund within 5-10 business days, except overnight)

FEC ROW, LLC  
Attn: Land Lease Manager  
7150 Philips Highway,  
Jacksonville, FL 32256

#### If by ACH: (FEC receives fund within 1-2 business days)

Name on Bank Account: FEC ROW, LLC  
ABA Number: 111000012  
FEC Bank Account Number: 004451236762  
REF: FEC ROW/ COMPANY NAME

#### If by FED Wire Transfer Credit: (FEC receives funds instantly)

Name on Bank Account: FEC ROW, LLC  
ABA Number: 026009593  
FEC Bank Account Number: 004451236762  
SWIFT CODE: BOFAUS3N  
REF: FEC ROW/ COMPANY NAME



## 2023 LAND LEASE APPLICATION SUBMITTAL CHECKLIST

- Current year Lease Application form completely and accurately filled out
- Application fee and Engineering Review fee (if applicable) must be included in the Lease Application package
- (2) 11"x17" sets of the plan/sketch must be included in the application package
- FEC Right-of-Way must be clearly identified in application package including also streets, Railway gate arms and signal equipment, handholes and planned improvements are required to be shown on your plans
- All wording on plan/sketch must be legible
- Credit Check application form completely and accurately filled out
- Business License for the business intended to be operated
- Document required for legal entity type
- If you are a renter of the property adjacent to real estate that will be used in conjunction with the property to be leased, please provide copy of your lease
- Certificate of Insurance will have to be provided when lease is sent to FEC for execution

Application fee payable to: **FEC ROW, LLC**

Engineering Review fee payable to: **Florida East Coast Railway, LLC**