

2024 CELL TOWER APPLICATION

Dear Applicant:

We are pleased to offer the included Forms of Application for a Cell Tower License 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 re 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,

Real Estate Department
FEC ROW, LLC

GENERAL INFORMATION

1. Application Lease of Cell Tower License

FEC will begin the review process upon receipt of a completed Application for Cell Tower License on FEC's approved forms.

2. Application Fee

An Application Fee of \$1,500 and Right of Entry Fee of \$1,500 must be submitted, payable to FEC ROW LLC, and \$1,500 Engineering Review Fee payable to Florida East Coast Railway, LLC along with the Application. This Application, Right of Entry and Engineering Review Fees are non-refundable. If license is not permitted 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. 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 agreement. 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.

5. License Fee

License Fee is payable in advance upon execution of the agreement. Please send your first payment with the executed agreement.

6. Fencing

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

7. Removal of Improvements

Upon termination of the agreement, you must remove all Cell Tower Facilities and Third Party Occupants on the property. Licensee Fee and Additional License Fee 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
2024 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: _____ County: _____
decimal format

Nature of encroachment: _____

Encroachment area: _____

FACILITY DETAILS

Does requested equipment installed require tower extension? Yes No

Does requested equipment installation require tower? Yes No

Replacement- Construction / installation commencement date: _____

GROUND EQUIPMENT SPACE – POWER REQUIREMENTS

Adding a generator: Yes No

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, \$1,500 Right of Entry Fee (ROE) payables to FEC ROW, LLC and \$1,500 Engineering Review Fee payable to Florida East Coast Railway, LLC. Modification application: \$500, ROE Fee \$1,500 and Engineering Review Fee \$1,500. Expedite fee upon request.

Send to: **FEC ROW, LLC**
 Attn: Real Estate Department
 7150 Philips Highway
 Jacksonville, FL 32256

**2024 APPLICATION FOR CONTRACTOR OCCUPANCY ON FEC RAILWAY PROPERTY
 RIGHT OF ENTRY (ROE) / INSPECTION FORM**

Date: _____

CONTACT INFORMATION

Contractor Company Name:			
Contractor Corporate Name (if different from above):		State of Incorporation:	
Contractor Contact Name:			
Contractor Phone:		Contractor Email:	
Mailing Address:			
City, State, Zip Code:			
Name of FEC Tenant (if applicable):			
Tenant Contact Name:			
Tenant Phone:		Tenant Email:	

PROPOSED WORK OR ACCESS LOCATION

Nearest Street Crossing FEC:		County:	
City:		State:	
Facility location is at mile post:	_____ + _____ (ex. 299+1681)	Branch:	
GPS Entry: <i>(decimal format)</i>		GPS Exit: <i>(decimal format)</i>	

DESCRIPTION, SCOPE OF WORK AND PURPOSE

Provide scope of work on Railroad property (include purpose, equipment being used) and submit aerial view/drawings:

Estimated duration of work:		Estimated start date:	
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REMITTANCE DETAILS

Submit the application of proposed occupancy in duplicate with a non-refundable \$1,500 Right of Entry Fee made payable to FEC ROW, LLC. Send to:

**FEC ROW, LLC
 Attn: Real Estate Department
 7150 Philips Highway
 Jacksonville, FL 32256**

AUTHORIZATION FROM LICENSEE

Licensee Signature:		Date:	
Licensee Name:		Licensee Phone:	
Licensee Title:		Licensee Email:	

CELL TOWER LICENSE AGREEMENT
INFORMATION REQUIREMENTS FOR LEGAL ENTITIES
(Licenses 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
(LICENSES – CELL TOWERS)**

I. Licensee's Insurance

Licensee will throughout the Initial Term and any Renewal Terms (and any other period when Licensee and Sublicensee is in possession of the License Area or has failed to comply with the requirements of the Agreement) 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 License Area, 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 License Area)

- 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. Licensee 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

Applicant Business/Individual Name: (use complete legal name)				
	<input type="checkbox"/> Corporation	<input type="checkbox"/> Partnership	<input type="checkbox"/> Proprietorship	<input type="checkbox"/> 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

Applicant 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 applicant acknowledges and agrees to this credit application in their request to their application with FEC ROW.

ACCEPT AND AGREED

APPLICANT

Signature: _____

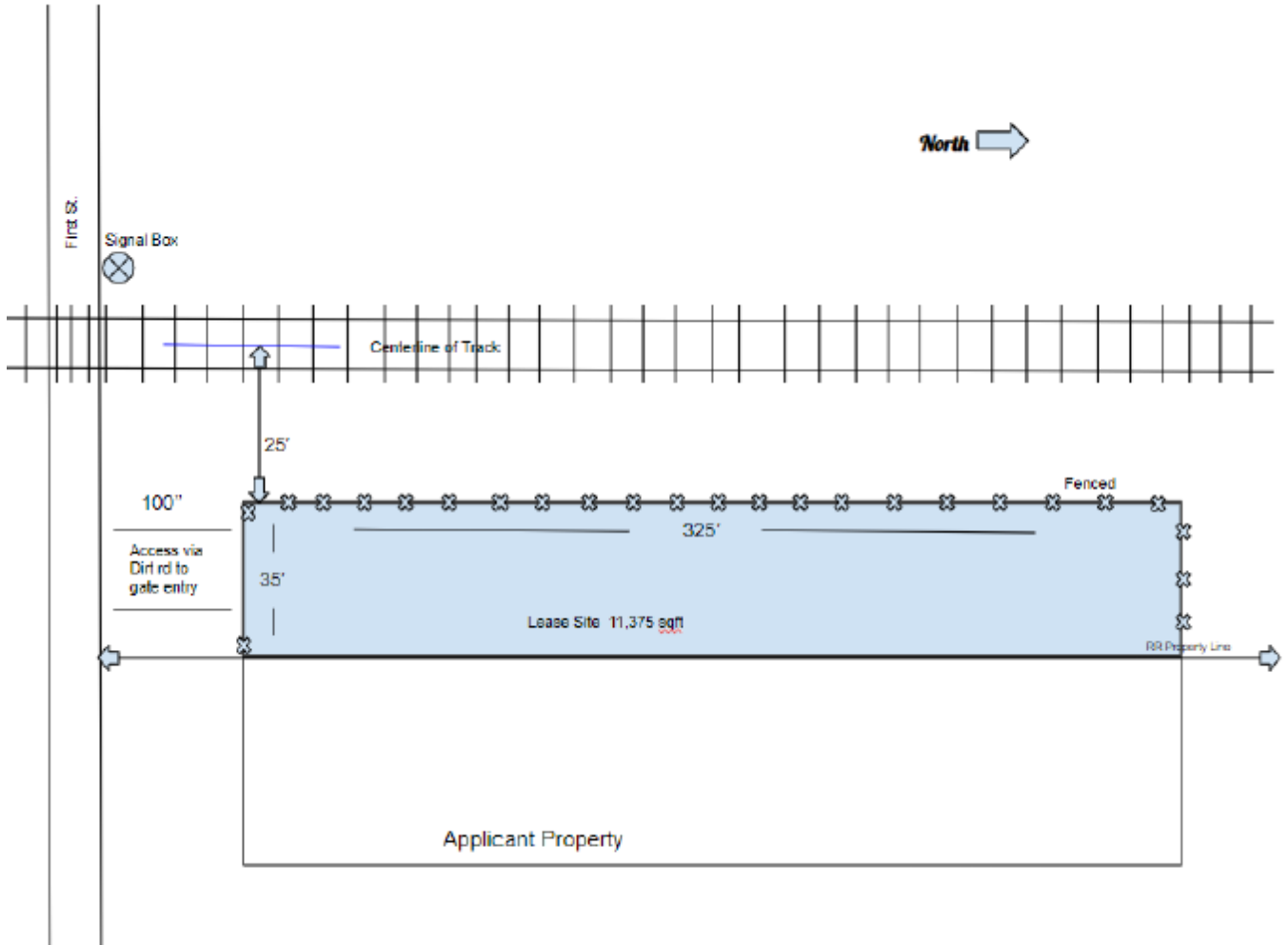
Print Name: _____

Title: _____

Date: _____

NOTE: Please complete, scan and email to 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.

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 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.

RIGHT OF ENTRY FEE (non-refundable)

- Amount: \$1,500.00
- Payable to FEC ROW, LLC.

ENGINEERING REVIEW FEE (non-refundable)

- Amount: \$1,500.00
- Payable to Florida East Coast Railway, LLC.

PAYMENT OPTIONS:

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

FEC ROW, LLC
Attn: Real Estate Department
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

2024 CELL TOWER LICENSE APPLICATION SUBMITTAL CHECKLIST

- Current year Cell Tower License Application form completely and accurately filled out
- Right of Entry form must be filled out with the information of the contractor that will be performing the work, in case there is not a contractor assigned yet, it will need to be filled out with Licensee's information, and once there is a contractor assigned, an updated ROE form must be submitted.
- Application fee, ROE fee and Engineering Review fee must be included in the 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 only when first time applying for a cell tower license agreement, does not apply for modifications.
- 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 FEC property 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 license agreement is sent to FEC for execution

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

Right of Entry fee payable to: **FEC ROW, LLC**

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