

TOWER BLANKET LICENSE AGREEMENT APPLICATION

Dear Applicant:

We are pleased to offer the included Application Forms for a Tower Blanket License Agreement. The Florida East Coast Railway (FEC) Company has served the citizens of our State, on its current alignment, for more than 100 years. Tracing its lineage back to 1885 and owing roots to the legendary Henry M. Flagler (who founded Palm Beach, Miami and most of the east coast of Florida), the Florida East Coast Railway is the sole rail provider operating along the east coast of Florida. FEC provides flexible, cost-effective rail and logistics solutions to meet the demanding transportation needs of domestic and international intermodal and carload customers.

The FEC is a Class II regional railroad that owns all of the 351-mile mainline track, and other Railway properties from Jacksonville to Miami. The founders and their successors of the Railway have acquired the right-of-way and its other properties by Fee Simple title (this includes air-rights). The property is thus private, just as those things you own are private to you. To accommodate your needs, we will consider granting a lease for the use of our property.

We are only able to accept and process a complete application package, that includes all required forms and fees submitted together. A complete package consists of the items listed on the application submittal checklist. The fees can be found on the application page and are non-refundable regardless of the outcome of the application. We may 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. Please note that a new tower license application package must be submitted concurrently, multiple locations must be submitted individually.

When an application package is received it will be reviewed, and if complete, it will be processed. Applications missing the properly completed required forms and fees will not be processed. Commonly, we are able to offer an agreement in response to a complete and correct application package within ninety (90) business days. Notifications for complete and accurate applications not approved will be provided within sixty (60) business days. Any applications pending a requested correction or update for more than fourteen (14) days will be closed.

A Certificate of Insurance must be provided in accordance to FEC's insurance requirements before FEC executes the agreement. FEC's insurance requirements must be provided to the insurance agent to assure the certificate of insurance meets these provisions.

Sincerely,

Real Estate Team
FEC ROW, LLC

**TOWER BLANKET LICENSE AGREEMENT
APPLICATION SUBMITTAL CHECKLIST**

- Application Forms fully and accurately completed.
- Application Fee must be included in the application package.
- A new tower license application package must be submitted concurrently, multiple locations must be submitted individually.
- Credit Check form filled out completely.
- Applicant Business License for operation at location.
- Document required for legal entity type. Documentation must show proof that the entity has authorization to do business in Florida.
- Certificate of Insurance, complying with FEC requirements (see Insurance Requirements), will have to be provided when lease is sent to FEC for execution.

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

The checklist above is a guide and is not meant to be all inclusive as each application is individual and additional information may be required.

**TOWER BLANKET LICENSE AGREEMENT APPLICATION
GENERAL INFORMATION**

1. FEC Tower Blanket License Application

FEC will begin the review process upon receipt of a completed Application on FEC's approved forms. If the agreement is not executed within ninety (90) days from the date of the original submittal, then a new application and fee must be submitted.

2. Application Fee

An Application Fee of \$2,000 must be submitted, payable to FEC ROW LLC, as part of the application package. This Application Fee is non-refundable.

3. Credit Check

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

4. License Fee

The License Fee is payable once in advance upon execution of the lease. Please send your first rent payment including sales tax (if applicable) with the executed lease.

5. Security Deposit

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

6. Certificate of Insurance

You must provide an insurance certificate in accordance with FEC's insurance requirements before FEC executes the lease, FEC's insurance requirements are attached. You should give this insurance requirement to your insurance agent to ensure that the insurance certificate they provide complies with all the necessary provisions.

7. Removal of Improvements

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

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.

TOWER BLANKET LICENSE AGREEMENT APPLICATION

Date: _____

Applicant Information:

Applicant Name: _____
Address: _____ City, St, ZIP: _____
Contact Person: _____ Contact Email: _____
Contact Work Phone: _____ Contact Cell Phone: _____

Billing Contact Information:

Company Name: _____
Address: _____ City, St, ZIP: _____
Contact Person: _____ Contact Email: _____
Contact Work Phone: _____ Contact Cell Phone: _____

Legal Information for Real Estate Lease:

Name of Entity Leasing Property: _____
Type of Entity Leasing Property: _____
Address of Entity: _____ City, St, ZIP: _____

Notice of Provision – To whom and where do you want your legal notices to be mailed:

Name: _____
Address: _____ City, St, ZIP: _____
Attention of: (name) _____ Title: _____
Copy to:
Name: _____
Address: _____ City, St, ZIP: _____
Attention of: (name) _____ Title: _____

Information regarding FECR property to be occupied:

1. Provide the following:
Property Appraiser
Parcel ID Number: _____
Nearest Street Crossing
Railroad tracks: _____
City: _____ County: _____

Submit the Real Estate Lease Application and non-refundable fee(s) to:

FEC ROW, LLC
Attn: Land Lease Manager
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. 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.

TOWER BLANKET LICENSE AGREEMENT
INFORMATION AND DOCUMENTATION REQUIRED FOR LEGAL ENTITIES

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 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

**TOWER LICENSE
INSURANCE REQUIREMENTS**

I. Licensee's Insurance

Licensee will throughout the Term and any Renewal Terms (and any other period when Licensee is in possession of the Licensed 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 Licensed Area, in the amounts specified with deductible amounts reasonably satisfactory to Florida East Coast Railway LLC (hereafter "FEC"):

- 1) Commercial General Liability Insurance
 - \$1,000,000.00 per occurrence
 - \$2,000,000.00 general aggregate
 - Florida East Coast Railway named as additional insureds with waiver of subrogation
 - A.M Best's rating of A-, Class IX, or otherwise approved in advance

- 2) Comprehensive Automobile Liability Insurance (required if Lessee owned/leased vehicles access leased premises)
 - A combined single limit of \$1,000,000 for both owned and non-owned vehicles
 - Florida East Coast Railway named as additional insureds with waiver of subrogation
 - 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. FEC ROW LLC and Florida East Coast Railway named as additional insured.

- 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)
 - \$1,000,000 each employee
 - \$1,000,000 each accident
 - \$1,000,000 policy limit
 - A.M Best's rating of A-, Class IX, or otherwise approved in advance
 - Waiver of Subrogation in favor of FEC ROW LLC and Florida East Coast Railway.

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

PAYMENT INSTRUCTIONS

APPLICATION FEE (non-refundable)

- Amount: \$2,000.00
- Payable to FEC ROW, LLC.

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