

TOWER LICENSE APPLICATION

Dear Applicant:

We are pleased to offer the included Application Forms for a Tower 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.

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 a license 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. Multiple locations must be submitted individually. Each license is unique and the annual license fee for an approved license is based on various criteria such as purpose, square footage, city, location, etc... Any applications pending a requested correction or update for more than fourteen (14) business 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 LICENSE APPLICATION SUBMITTAL CHECKLIST

- Application Forms fully and accurately completed.
- Application Fee, Right of Entry Fee and Engineering Review Fee must be included in the application package.
- One drawing (11"x17" in U.S. Survey feet). The drawing must include:
 - Location of the crane with swing radius of the jib clearly identified
 - Planned improvements (example: concrete pad, utilities, fence, etc.)
 - Railway right of way, tracks and signal equipment. See example of sketch attached as an exhibit on this application package.
 - Existing handholes and utilities and any proposed new utilities clearly identified.
- An aerial view of the proposed licensed area.
- All wording on drawings must be legible.
- FECR Right-of-Way and property line must be clearly identified on the drawing.
- Updated Certificate of Insurance of applicant and contractor, complying with FEC requirements (see Insurance Requirements), will have to be provided when agreement is sent to FEC for execution.

Application Fee and ROE fees payable to: **FEC ROW, LLC**

Engineering Review Fee payable to: **Florida East Coast Railway, 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 LICENSE 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 one (1) set of drawings (11"x17" in U.S. Survey feet) with the non-refundable fees: \$2,000 Application Fee and \$1,750 Right of Entry Fee payables to FEC ROW, LLC and \$1,600 Engineering Review Fee payable to Florida East Coast Railway, LLC. Modification application: \$1,000 and \$1,600 Engineering Review Fee. Expedite fee upon request.

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

RIGHT OF ENTRY (ROE) APPLICATION FOR CONTRACTOR(S) ON FEC RAILWAY PROPERTY

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:			
Work being done for:			
Tenant Contact Name, Phone Number and Email:			

PROPOSED ADVERTISING DISPLAY 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>	

INSTALLATION
Provide scope of work on Railroad property (describe the existing and/or new advertising display details):

REMITTANCE DETAILS
Submit the application of proposed occupancy in duplicate with a non-refundable \$1,750 Right of Entry Fee (included in the \$3,750 application fee) made payable to FEC ROW, LLC. Send to:
FEC ROW, LLC Attn: Land Lease Manager 7150 Philips Highway Jacksonville, FL 32256

AUTHORIZATION FROM LICENSEE			
Licensee Signature:		Date:	
Licensee Name:		Licensee Phone:	
Licensee Title:		Licensee Email:	

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

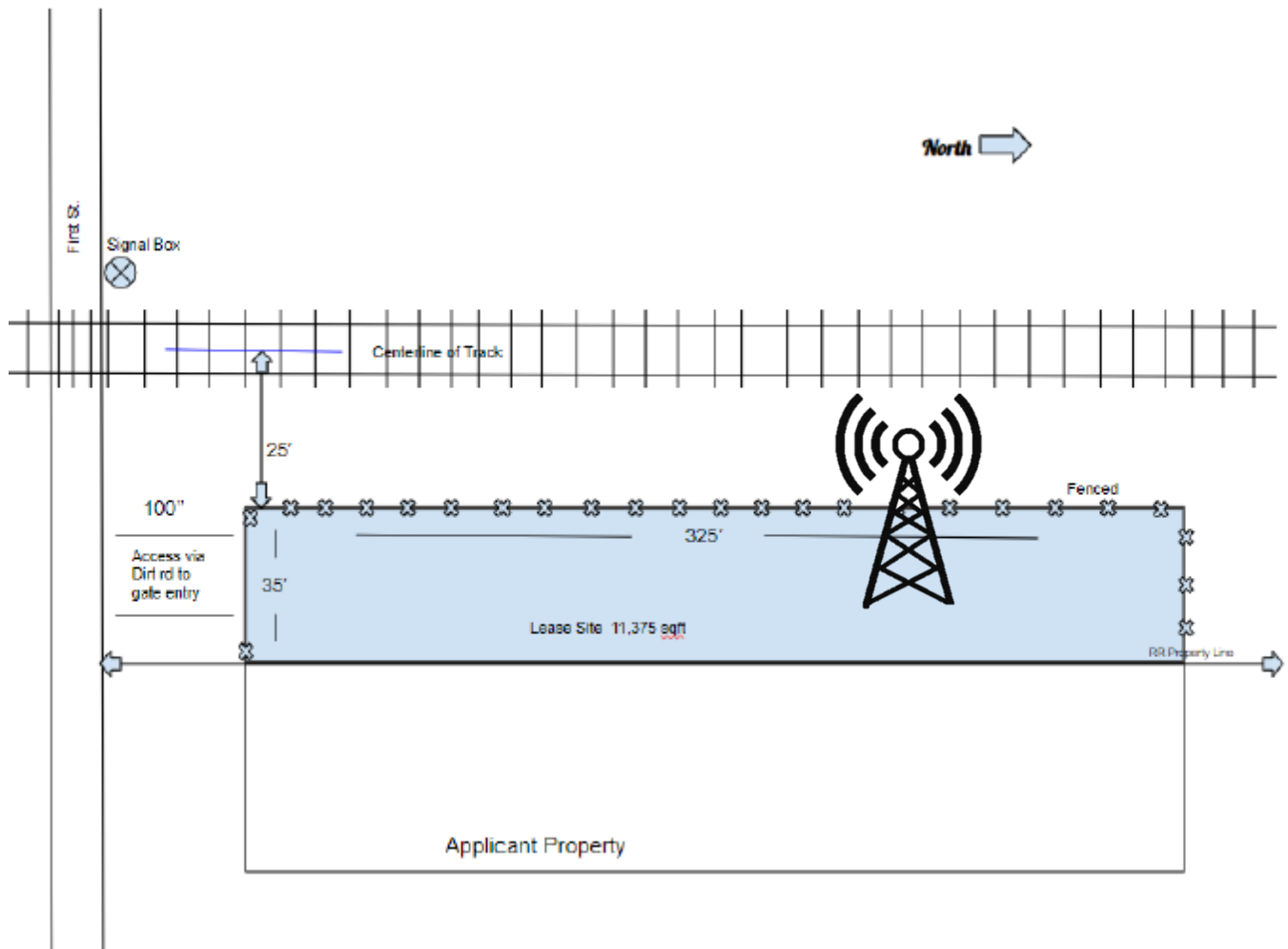
3) Excess Liability Insurance. Lessee shall also carry and maintain umbrella liability insurance with a limit of not less than \$4,000,000.00 per occurrence. FEC ROW LLC and Florida East Coast Railway named as additional insured.

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.

EXAMPLE OF A PLAN/SKETCH



Sketch/plan must provide or identify the following:

- City and County
- Closest cross street/intersection
- FEC Right-of-Way and or property line
- Railway gate arms and signal equipment
- Any utilities, handholes
- Landmarks and/or business address
- Improvements: identify any existing or new improvements to be added
- The Licensed Area must be fenced, in accordance with FEC's specifications, before occupancy of the property is permitted

PAYMENT INSTRUCTIONS

APPLICATION FEE (non-refundable)

- New application - amount: \$2,000.00
- Modification application - amount: \$1,000.00
- Payable to FEC ROW, LLC.

RIGHT OF ENTRY FEE (non-refundable)

- Right of Entry Fee - amount: \$1,750.00
- Payable to FEC ROW, LLC.

ENGINEERING REVIEW FEE (non-refundable)

- Amount: \$1,600.00
- 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: 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