### **AGENDA SUMMARY ITEM**

Agenda Item #: C-" _
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**Agenda Item:** Approval and authorization for the Mayor to sign the "First Amendment to Co-Location Agreement" between the Village of Royal Palm Beach and T-Mobile South LLC regarding the cell tower site at 1050 Royal Palm Beach Blvd.

On November 8, 2016, T-Mobile and the Village entered into a Co-Location Agreement in order for T-Mobile to lease 194 square feet of ground space from the Village adjacent to the cell tower site located at 1050 Royal Palm Beach Boulevard. T-Mobile has requested to lease an additional 60 square feet of ground space from the Village at this same location. If approved, this First Amendment to the Co-location Agreement will allow T-Mobile to lease the additional ground space. T-Mobile has agreed to pay the Village rent for this additional ground space pursuant to the payment formula and schedule established in the original Co-Location Agreement.

# **Recommended Action:**

Staff recommends that the Village Council approve the First Amendment to Co-Location Agreement with T-Mobile South LLC, and authorize the Mayor to sign.

	Village Manager		Village Council
Initiator	Approval	Agenda Date	Action
Stanley G. Hochman			
Finance Director		July 18, 2019	

### FIRST AMENDMENT TO CO-LOCATION AGREEMENT

THIS FIRST AMENDMENT TO CO-LOCATION AGREEMENT ("First Amendment") is hereby entered into this \_\_\_\_\_ day of May, 2019, effective retroactively to May 8, 2019, by and between the Village of Royal Palm Beach, a municipal corporation, ("Village") having its principal office located at 1050 Royal Palm Beach Boulevard, Royal Palm Beach, Florida, 33411; and T-MOBILE SOUTH LLC, a Delaware limited liability company, with its principal offices at 12920 S. E. 38<sup>th</sup> Street, Bellevue, WA 98006 ("T-Mobile").

WHEREAS, the Village and T-Mobile (or as applicable, their respective predecessors in interest) entered into a Co-location Agreement dated November 8, 2016 (the "Agreement"), allowing T-Mobile to lease 194 square feet of ground space from the Village adjacent to the American Tower Premises located at 1050 Royal Palm Beach Blvd., Royal Palm Beach, Florida, in order for T-Mobile to co-locate certain wireless communication facilities at that location; and

WHEREAS, T-Mobile seeks to lease an additional 60 square feet of ground space from the Village adjacent to the American Tower Premises in order to co-locate additional wireless communication facilities; and

WHEREAS, the Village is willing to modify the Agreement in order to allow for T-Mobile to lease the additional 60 square feet of ground space.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, as well as other good and valuable consideration outlined herein, the receipt and sufficiency of which are hereby acknowledged, the Village and T-Mobile hereby agree as follows:

1. ADDITIONAL LEASE AREA AND USE. T-Mobile previously leased 194 square feet of ground space from the Village and now seeks to lease an additional 60 square feet of ground space in order to accommodate additional wireless communication facilities. The Village agrees to allow T-Mobile to locate facilities on the additional 60 square feet of ground space, which are more particularly described on Exhibit "1", which is attached hereto and incorporated herein by reference (hereinafter referred to as the "Additional WCF" and the "Additional Lease Area"). In total, T-Mobile shall lease 254 square feet of land from the Village pursuant to the Agreement and this First Amendment (hereinafter collectively referred to as the "Lease Area"). Tenant has no objection to the location of the Additional WCF on the Additional Lease Area as such an arrangement was specifically agreed to in Section 7 of the American Tower Premises Lease. The location of a non-exclusive easement for access to the Lease Area is described on Exhibit "A". The Additional Lease Area will be used by T-Mobile for the purpose of co-locating, removing, replacing, maintaining and operating, at its sole expense, the Additional WCF, or other electronic signal transmission device or technology, including related antenna equipment and fixtures. Any WCF in the Additional Lease Area which produces noise

shall be sited and/or insulated in such a fashion as to minimize the audio impact on adjacent property and buildings, and shall not exceed fifty (50) decibels (50 db) when measured from the nearest property line to such equipment.

## 2. FEES.

A. <u>INITIAL TERM FEE</u>. The initial annual user fee for the Additional Lease Area will be THREE THOUSAND NINE HUNDRED SIXTY-ONE DOLLARS AND TWENTY CENTS (\$3,961.20), which is equivalent to Three Hundred Thirty Dollars and Ten Cents (\$330.10) per month. The total fee due on the Additional Lease Area for the two (2) years and six (6) months remaining on the initial five (5) year term under the Agreement (the "Initial Term") is <u>NINE THOUSAND NINE HUNDRED THREE DOLLARS AND ZERO CENTS (\$9,903.00)</u> (hereinafter the "Additional Lease Area Initial Term Fee"). T-Mobile shall pay the Additional Lease Area Initial Term Fee within thirty (30) days after the Effective Date of this First Amendment.

B. <u>RENEWAL TERM FEES</u>. The total fee for each of the Renewal Terms for both the original Lease Area described in the Agreement and the Additional Lease Area described in this First Amendment, which in total comprises 254 square feet of ground space (the "Renewal Term Fee"), shall be as follows:

TERM FEE (5 YEAR TOTAL PAYBLE IN ADVANCE)	102,010.75	124,111.67	151,000.83	183,715.60	223,518.11	784,356.96
RENEWAL	20,402.15	24,822.33	30,200.17	36,743.12	44,703.62	
	19,617.45	23,867.63	29,038.62	35,329.92	42,984.25	
	18,862.93	22,949.64	27,921.75	33,971.08	41,331.01	
	18,137.44	22,066.97	26,847.84	32,664.50	39,741.36	
	\$ 17,439.84	\$ 21,218.24	\$ 25,815.23	\$ 31,408.17	\$ 38,212.84	
	RENEWAL	RENEWAL	RENEWAL	RENEWAL	RENEWAL	
	FIRST	SECOND	THIRD	FOURTH	FIFTH	
shan be as fond		R RENEWAL TER	M AMOUNTS FO	R CO-LOCATION	AGREEMENT	

Each Renewal Term Fee shall be payable in advance for the entire Renewal Term at the beginning of each, five (5) Year Renewal Term. T-Mobile shall pay each Renewal Term Fee to the Village on or before the first day of the applicable Renewal Term.

3. NOTICES. T-Mobile's notice address is hereby amended as follows:

T-Mobile South LLC 12920 SE 38<sup>th</sup> Street Bellevue, WA 98006

Attn: Property Management

## Site #6WP2021B

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- 4. <u>REAFFIRMATION OF RIGHTS AND OBLIGATIONS</u>. The terms and conditions of the Agreement are incorporated herein by this reference, and capitalized terms used in this First Amendment shall have the same meanings such terms are given in the Agreement. Except as specifically set forth herein, this First Amendment shall in no way modify, alter or amend the remaining terms of the Agreement, all of which are ratified by the parties and shall remain in full force and effect. To the extent there is any conflict between the terms and conditions of the Agreement and this First Amendment, the terms and conditions of this First Amendment will govern and control.
- 5. <u>THIRD-PARTY CONSENTS</u>: The Village represents and warrants to T-Mobile that the consent or approval of no third party, including, without limitation, a lender, is required with respect to the execution of this First Amendment, or if any such third party consent or approval is required, the Village has obtained any and all such consents or approvals.

IN WITNESS WHEREOF, the parties have executed this First Amendment on the dates set forth above.

WIINESSES:	
By:	T-MOBILE SOUTH LLC
Print Name:	
By:	By:
Print Name:	Print Name:
	Title:
	Date:
WITNESSES:	
By:	VILLAGE OF ROYAL PALM BEACH
Print Name:	
By:	By:
Print Name:	Name:
	Its:
	Date:
ATTOROGE	
ATTEST:	
	_ (SEAL)
Diane DiSanto, Village Clerk	



April 24, 2019

## **VIA FEDEX**

Village of Royal Palm Beach Attn: Village Manager 1050 Royal Palm Beach Blvd. Royal Palm Beach, FL 33411

# RE: Separate Ground Lease Space for T-Mobile's Generator at AARQ FL/ATC# 273355

To Whom It May Concern:

American Tower has no objection to T-Mobile obtaining additional ground space directly from the Village so long as the ground space is not within American Tower's Leased Premises.

Please do not hesitate to contact me with any questions directly at (781) 926-4738 or Susana.Picillo@americantower.com.

Sincerely,

Susana Pícíllo

Susana Picillo Attorney American Tower Corporation PARENT PARCEL (OFFICIAL RECORD BOOK 2495, PAGE 1829)

COMMENCING AT THE NORTHWEST CORNER OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, RUN EASTERLY ALONG THE NORTH LINE OF SAID SECTION 26 ON A BEARING OF NORTH 88°10'42" EAST A DISTANCE OF 1384.2 FEET TO THE RADIUS POINT OF A CURVE CONCAVE TO THE NORTHWEST, SAID CURVE HAVING A CENTRAL ANGLE OF 87°23'53" AND A RADIUS OF 1,000 FEET; THENCE CONTINUE EASTERLY ON A BEARING OF SOUTH 88°47'02" EAST A DISTANCE OF 1,000 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE ROAD, SAID POINT BEING THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING RUN SOUTHWESTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 1,000 FEET AND A CENTRAL ANGLE OF 87°23'53" A DISTANCE OF 1,525.38 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ROYAL PALM BEACH BOULEVARD; THENCE RUN NORTHERLY ALONG THE EAST RIGHT-OF-WAY LINE OF ROYAL PALM BEACH BOULEVARD ON A BEARING OF NORTH 0°54'26" EAST A DISTANCE OF 948.05 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE ROAD; THENCE RUN EASTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE ROAD ON A BEARING OF NORTH 88°10'42" EAST A DISTANCE OF 961.06 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 16.49 ACRES, MORE OR LESS, ALL BEING IN TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

TOWER PARCEL (PROVIDED BY THE CLIENT)

THAT PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN THE CENTERLINE OF SPARROW DRIVE (60' WIDE RIGHT OF WAY), SAID POINT BEING 30.23 FEET SOUTH OF THE SOUTHERLY CORNER OF LOT 4, BLOCK "M", THE WILLOWS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 29, PAGE 102 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA: THENCE NORTHWESTERLY ALONG SAID CENTERLINE AND ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1280.00 FEET, A CENTRAL ANGLE OF 41°01'06" AND A CHORD OF 896.91 FEET, THAT BEARS NORTH 46°40'19" EAST, FOR 916.36 FEET TO A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN SAID CENTERLINE. SAID POINT LYING 30.23 FEET SOUTHEASTERLY FROM THE MOST SOUTHERLY CORNER OF LOT 25, BLOCK "L", OF SAID THE WILLOWS; THENCE NORTH 58°32'34" WEST FOR 523.40 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88°03'42" WEST FOR 43.00 FEET; THENCE NORTH 01°56'18" WEST FOR 42.00 FEET TO AN INTERSECTION WITH THE EXTERIOR FACE OF THE SOUTHERLY WALL OF AN EXISTING ONE STORY COMMERCIAL BUILDING; THENCE EASTERLY ALONG SAID EXTERIOR FACE FOR THE FOLLOWING THREE (3) DESCRIBED COURSES; (1) NORTH 88°03'42" EAST FOR 33.00 FEET; (2) SOUTH 01°53'51" EAST FOR 14.96 FEET; (3) NORTH 88°06'09" EAST FOR 10.01 FEET; THENCE SOUTH 01°56'18" EAST FOR 27.04 FEET TO SAID POINT OF BEGINNING.

CONTAINING 1,656 SQUARE FEET MORE OR LESS.

20 FOOT WIDE INGRESS & EGRESS EASEMENT (PROVIDED BY THE CLIENT)

THAT PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LYING WITHIN 10 FEET OF BOTH SIDES OF A CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN THE CENTERLINE OF SPARROW DRIVE (60' WIDE RIGHT OF WAY). SAID POINT BEING 30.23 FEET SOUTH OF THE SOUTHERLY CORNER OF LOT 4, BLOCK "M", THE WILLOWS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 29, PAGE 102 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTHWESTERLY ALONG SAID CENTERLINE AND ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1280.00 FEET, A CENTRAL ANGLE OF 41°01'06" AND A CHORD OF 896.91 FEET, THAT BEARS NORTH 46°40'19" EAST, FOR 916.36 FEET TO A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN SAID CENTERLINE, SAID POINT LYING 30.23 FEET SOUTHEASTERLY FROM THE MOST SOUTHERLY CORNER OF LOT 25, BLOCK "L", OF SAID THE WILLOWS; THENCE NORTH 58°32'34" WEST FOR 523.40 FEET TO THE SOUTHEAST CORNER OF A TOWER PARCEL; THENCE SOUTH 88°03'42" WEST ALONG THE SOUTH LINE OF SAID TOWER PARCEL FOR 43.00 FEET TO THE SOUTHWEST CORNER OF SAID TOWER PARCEL: THENCE NORTH 01°53'51" WEST ALONG THE WEST LINE OF SAID TOWER PARCEL FOR 10.00 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF THE HEREIN DESCRIBED 20 FOOT WIDE INGRESS AND EGRESS EASEMENT: THENCE SOUTH 88°03'42" WEST FOR 7.59 FEET; THENCE SOUTH 63°06'19" WEST FOR 115.43 FEET; THENCE NORTH 33°05'16" WEST FOR 118.55 FEET; THENCE NORTH 49°07'15" EAST FOR 112.92 FEET; THENCE NORTH 88°30'02" EAST FOR 183.64 FEET; THENCE NORTH 01°21'29" EAST FOR 128.19 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF OKEECHOBEE ROAD (106 FOOT WIDE RIGHT OF WAY) AND THE POINT OF TERMINUS OF THE HEREIN DESCRIBED CENTERLINE.

CONTAINING 0.31 ACRES MORE OR LESS.

10 FOOT WIDE UTILITY EASEMENT (PROVIDED BY THE CLIENT)

THAT PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LYING WITHIN 5 FEET OF BOTH SIDES OF A CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN THE CENTERLINE OF SPARROW DRIVE (60' WIDE RIGHT OF WAY), SAID POINT BEING 30.23 FEET SOUTH OF THE SOUTHERLY CORNER OF LOT 4, BLOCK "M", THE WILLOWS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 29, PAGE 102 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA: THENCE NORTHWESTERLY ALONG SAID CENTERLINE AND ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1280.00 FEET, A CENTRAL ANGLE OF 41°01'06" AND A CHORD OF 896.91 FEET, THAT BEARS NORTH 46°40'19" EAST, FOR 916.36 FEET TO A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN SAID CENTERLINE, SAID POINT LYING 30.23 FEET SOUTHEASTERLY FROM THE MOST SOUTHERLY CORNER OF LOT 25, BLOCK "L", OF SAID THE WILLOWS; THENCE NORTH 58°32'34" WEST FOR 523.40 FEET TO THE SOUTHEAST CORNER OF A TOWER PARCEL; THENCE NORTH 01°56'18" WEST ALONG THE EAST LINE OF SAID TOWER PARCEL FOR 8.05 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF THE HEREIN DESCRIBED 10 FOOT WIDE UTILITY EASEMENT; THENCE NORTH 88°05'57" EAST FOR 70.38 FEET; THENCE NORTH 01°53'51" EAST FOR 51.38 FEET; THENCE NORTH 07°05'47" WEST FOR 56.11 FEET TO THE POINT OF TERMINUS OF THE HEREIN DESCRIBED CENTERLINE.

CONTAINING 1,779 SQUARE FEET, MORE OR LESS.

T-MOBILE LEASE PARCEL (PREPARED BY GEOLINE SURVEYING, INC.)

THAT PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN THE CENTERLINE OF SPARROW DRIVE (60' WIDE RIGHT OF WAY). SAID POINT BEING 30.23 FEET SOUTH OF THE SOUTHERLY CORNER OF LOT 4, BLOCK "M", THE WILLOWS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 29, PAGE 102 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTHWESTERLY ALONG SAID CENTERLINE AND ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1280.00 FEET, A CENTRAL ANGLE OF 41°01'06" AND A CHORD OF 896.91 FEET, THAT BEARS NORTH 46°40'19" EAST, FOR 916.36 FEET TO A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN SAID CENTERLINE, SAID POINT LYING 30.23 FEET SOUTHEASTERLY FROM THE MOST SOUTHERLY CORNER OF LOT 25, BLOCK "L", OF SAID THE WILLOWS; THENCE NORTH 58°32'34" WEST FOR 523.40 FEET TO THE SOUTHEAST CORNER OF A TOWER PARCEL; THENCE SOUTH 88°03'42" WEST ALONG THE SOUTH LINE OF SAID TOWER PARCEL FOR 16.91 FEET; THENCE NORTH 01°56'18" WEST FOR 18.72 FEET TO THE POINT OF BEGINNING: THENCE NORTH 72°32'03" WEST FOR 9.98 FEET; THENCE NORTH 00°42'13" EAST FOR 14.81 FEET; THENCE SOUTH 89°17'47" EAST FOR 2.00 FEET; THENCE NORTH 00°42'13" EAST FOR 2.26 FEET; THENCE NORTH 88°03'42" EAST FOR 9.71 FEET; THENCE SOUTH 01°55'06" WEST FOR 11.33 FEET; THENCE SOUTH 88°06'09" WEST FOR 2.57 FEET; THENCE SOUTH 01°53'51" EAST FOR 6.34 FEET; THENCE SOUTH 72°32'03" EAST FOR 1.12 FEET; THENCE SOUTH 17°27'57" WEST FOR 2.40 FEET TO SAID POINT OF BEGINNING.

CONTAINING 194 SQUARE FEET (0.004 ACRES), MORE OR LESS.

T-MOBILE ADDITIONAL LEASE PARCEL (PREPARED BY GEOLINE SURVEYING, INC.)

THAT PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN THE CENTERLINE OF SPARROW DRIVE (60' WIDE RIGHT OF WAY), SAID POINT BEING 30.23 FEET SOUTH OF THE SOUTHERLY CORNER OF LOT 4, BLOCK "M", THE WILLOWS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 29, PAGE 102 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTHWESTERLY ALONG SAID CENTERLINE AND ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1280.00 FEET, A CENTRAL ANGLE OF 41°01'06" AND A CHORD OF 896.91 FEET, THAT BEARS NORTH 46°40'19" EAST, FOR 916.36 FEET TO A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN SAID CENTERLINE. SAID POINT LYING 30.23 FEET SOUTHEASTERLY FROM THE MOST SOUTHERLY CORNER OF LOT 25, BLOCK "L", OF SAID THE WILLOWS; THENCE NORTH 58°32'34" WEST FOR 523.40 FEET TO THE SOUTHEAST CORNER OF A TOWER PARCEL; THENCE SOUTH 88°03'42" WEST ALONG THE SOUTH LINE OF SAID TOWER PARCEL FOR 16.91 FEET; THENCE NORTH 01°56'18" WEST FOR 18.72 FEET TO THE SOUTHEASTERLY CORNER OF A T-MOBILE LEASE PARCEL; THENCE NORTH 72°32'03" WEST ALONG THE SOUTHERLY LINE OF SAID T-MOBILE LEASE PARCEL FOR 9.98 FEET TO THE SOUTHWESTERLY CORNER OF SAID T-MOBILE LEASE PARCEL; THENCE NORTH 00°42'13" EAST ALONG THE WESTERLY LINE OF SAID T-MOBILE LEASE PARCEL FOR 4.81 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°17'47" WEST FOR 6.00 FEET; THENCE NORTH 00°42'13" EAST ALONG A LINE PARALLEL WITH SAID WESTERLY LINE FOR 10.00 FEET: THENCE SOUTH 89°17'47" EAST FOR 6.00 FEET TO AN INTERSECTION WITH SAID WESTERLY LINE; THENCE SOUTH 00°42'13" WEST FOR 10.00 FEET TO SAID POINT OF BEGINNING.

CONTAINING 60 SQUARE FEET (0.001 ACRES), MORE OR LESS.



# **FAA TOWER CERTIFICATION**

Date: June 17, 2019

Royal Palm Site / Site # 6WP2021B EXISTING TOWER Re:

Palm Beach County, Florida

I hereby certify that the following Latitude and Longitude values for the center of the above referenced tower are accurate to within +/- 20 feet horizontally; and that the following tower site ground elevation is accurate to within +/- 3 feet vertically, as observed in the field on June 6, 2019.

NAD83

Latitude: 26° 42' 19.52" N. Longitude: 80° 13' 37.72" W.

NAD27

Latitude: 26° 42' 18.29" N. Longitude: 80° 13' 38.55" W.

Ground Elevation at base of tower: 17.9 Feet NAVD 1988

19.4 Feet NGVD 1929

Top of the tower height above ground: 130.7' +/-1' (includes 0.9 tall concrete caisson)

Elevation of the top of the tower: 148.6' NAVD88

150.1' NGVD29

Top of the highest appurtenance (lightning rod) height above ground: 138.4' +/- 1'

Elevation of the top of the highest appurtenance: 156.3' NAVD88

157.8' NGVD29

GeoLine Surveying, Inc.

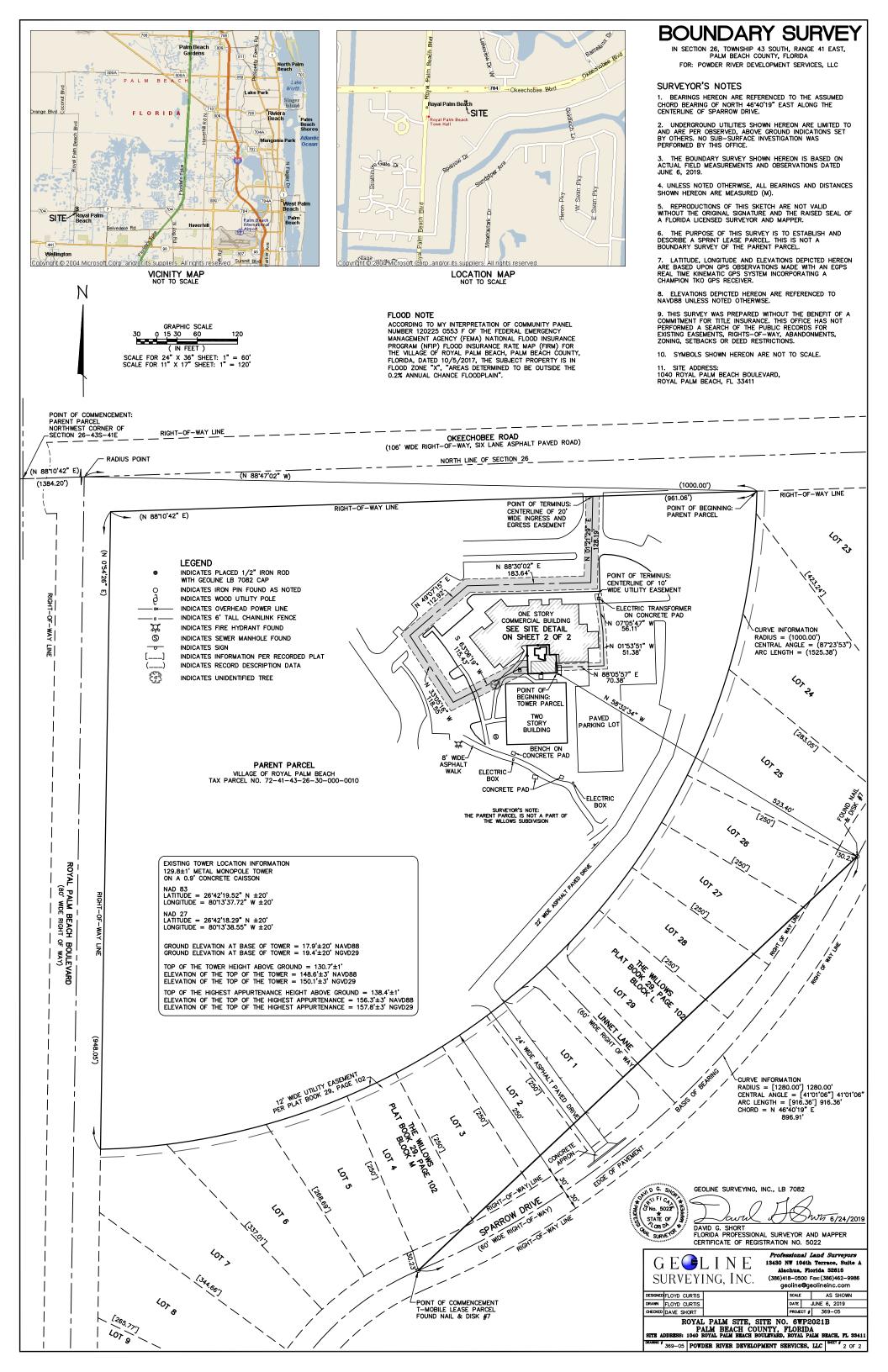
David G. Short, P.S.M. Date: 06/17/2018

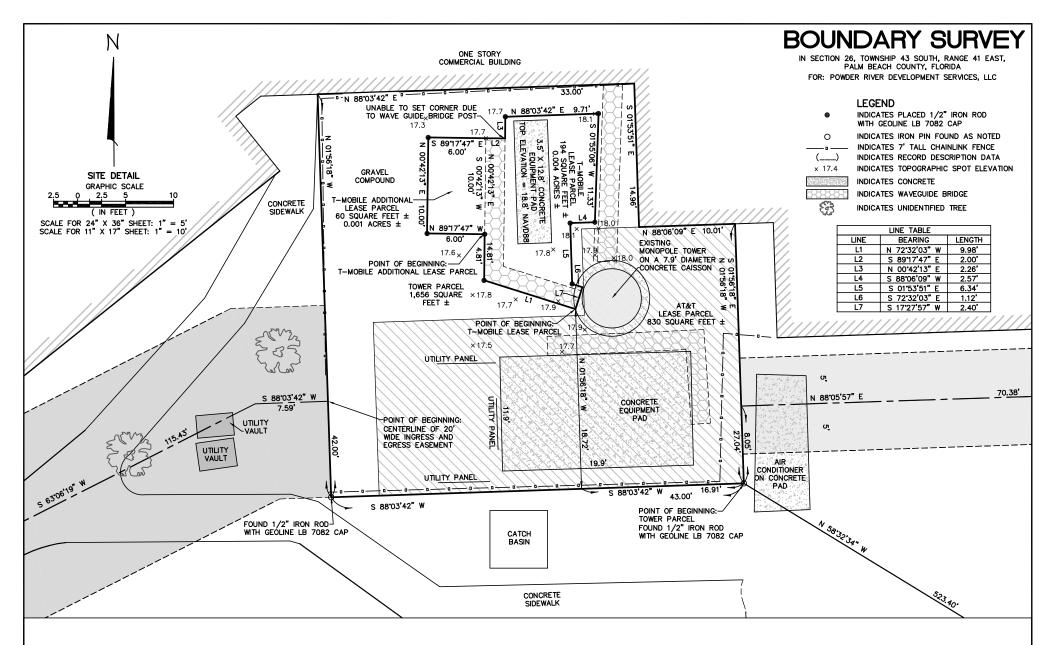
Professional Surveyor and Mapper

Florida Certificate of Registration No. 5022

Florida DBPR Certificate of Authorization No. LB7082 s:\office documents\word docs\powder river\369-06 faaet.doc







#### PROPERTY DESCRIPTIONS

PARENT PARCEL (OFFICIAL RECORD BOOK 2495, PAGE 1829)

COMMENCING AT THE NORTHWEST CORNER OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, RUN EASTERLY ALONG THE NORTH LINE OF SAID SECTION 26 ON A BEARING OF NORTH 88\*10\*42" EAST A DISTANCE OF 1384.2 FEET TO THE RADIUS POINT OF A CURVE CONCAVE TO THE NORTHWEST, SAID CURVE HAVING A CENTRAL ANGLE OF 87:23\*53" AND A RADIUS OF 1,000 FEET; THENCE CONTINUE EASTERLY ON A BEARING OF SOUTH 88\*47\*02" EAST A DISTANCE OF 1,000 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE ROAD, SAID POINT BEING THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING RUN SOUTHWESTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 1,000 FEET AND A CENTRAL ANGLE OF 87'23'55" A DISTANCE OF 1,525.38 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ROYAL PALM BEACH BOULEVARD; THENCE RUN NORTHERLY ALONG THE EAST RIGHT-OF-WAY LINE OF ROYAL PALM BEACH BOULEVARD, THENCE RUN NORTHERLY ALONG THE EAST RIGHT-OF-WAY LINE OF OF STAYL PALM BEACH BOULEVARD ON A BEARING OF NORTH 8'54'26" EAST A DISTANCE OF 948.05 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE ROAD ON A BEARING OF NORTH 88'10'42" EAST A DISTANCE OF 961.06 FEET TO THE POINT NORTH 88'10'42" EAST A DISTANCE OF 961.06 FEET TO THE POINT NORTH 88"10'42" EAST A DISTANCE OF 961.06 FEET TO THE POINT

SAID TRACT CONTAINING 16.49 ACRES, MORE OR LESS, ALL BEING IN TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY,

TOWER PARCEL (PROVIDED BY THE CLIENT)

THAT PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN THE CENTERLINE OF SPARROW DRIVE (60' MDE RIGHT OF MAY), SAID POINT BEING 30.23 FEET SOUTH OF THE SOUTHERLY CORNER OF LOT 4, BLOCK "M", THE WILLOWS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 29, PAGE 102 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTHWESTERLY ALONG SAID CENTERLINE AND ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1280.00 FEET, A CENTRAL ANGLE OF 41'01'06" AND A CHORD OF 896.91 FEET, THAT BEARS NORTH 46'40'19" EAST, FOR 916.36 FEET TO A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN SAID CENTERLINE, SAID POINT LYING 30.23 FEET SOUTHEASTERLY FROM THE MOST SOUTHERLY CORNER OF LOT 25, BLOCK "L", OF SAID THE WILLOWS; THENCE NORTH 56'18" WEST FOR 52.3.4 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88'03'42" WEST FOR 43.00 FEET; THENCE NORTH 01'55'18" WEST FOR 42.00 FEET TO AN INTERSECTION WITH THE EXTERIOR FACE OF THE SOUTHERLY WALL OF AN EXISTING ONE STORY COMMERCIAL BUILDING; THENCE EASTERLY ALONG SAID EXTERIOR FACE FOR THE FOLLOWING THREE (3) DESCRIBED COURSES; (1) NORTH 88'03'42" EAST FOR 33.00 FEET; (2) SOUTH 01'53'51" EAST FOR 14.96 FEET; (3) NORTH 88'06'09" EAST FOR 10.01 FEET; THENCE SOUTH 01'56'18" EAST FOR 27.04 FEET TO SAID POINT OF BEGINNING.

CONTAINING 1,656 SQUARE FEET MORE OR LESS.

20 FOOT WIDE INGRESS & EGRESS EASEMENT (PROVIDED BY THE CLIENT)

THAT PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LYING WITHIN 10 FEET OF BOTH SIDES OF A CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

WHINI TO THELE OF BOTH SIDES OF A CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN THE CENTERLINE OF SPARROW DRIVE (60' WIDE RIGHT OF WAY), SAID POINT BEING 30.23 FEET SOUTH OF THE SOUTHERLY CORNER OF LOT 4, BLOCK "M", THE WILLOWS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 29, PAGE 102 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTHWESTERLY ALONG SAID CENTERLINE AND ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1280.00 FEET, A CENTRAL ANGLE OF 41'01'06" AND A CHORD OF 896.91 FEET, THAT BEARS NORTH 46'40'19" EAST, FOR 916.36 FEET TO A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN SAID CENTERLINE, SAID POINT LYING 30.23 FEET SOUTHEASTERLY FROM THE MOST SOUTHERLY CORNER OF LOT 25, BLOCK "L", OF SAID THE WILLOWS; THENCE NORTH 58'32'34" WEST FOR 523.40 FEET TO THE SOUTHEAST CORNER OF A TOWER PARCEL; THENCE SOUTH B8'03'42" WEST ALONG THE SOUTH LINE OF SAID TOWER PARCEL FOR 10.00 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF THE HEREIN DESCRIBED 20 FOOT WIDE INGRESS AND EGRESS EASEMENT; THENCE SOUTH B8'03'42" WEST FOR 118.45 FEET; THENCE NORTH 33'05'16" WEST FOR 118.55 FEET; THENCE NORTH 43'05'16" WEST FOR 118.45 FEET; THENCE NORTH 63'06'19" EAST FOR 12.91 FEET; THENCE NORTH 18'30'02" EAST FOR 18.364 FEET; THENCE NORTH 18'30'02" EAST FOR 18.364 FEET; THENCE NORTH 10'12'1'29" EAST FOR 12.81 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF OKEECHOBEE ROAD (106 FOOT WIDE RIGHT OF WAY LINE OF OKEECHOBEE ROAD (106 FOOT WIDE RIGHT OF WAY LINE OF OKEECHOBEE ROAD (106 FOOT WIDE RIGHT OF WAY LINE OF OKEECHOBEE ROAD (106 FOOT WIDE RIGHT OF WAY LINE OF OKEECHOBEE ROAD (106 FOOT WIDE RIGHT OF WAY LINE OF THE POINT OF TERMINUS OF

CONTAINING 0.31 ACRES MORE OR LESS.

## PROPERTY DESCRIPTIONS (CONTINUED)

10 FOOT WIDE UTILITY EASEMENT (PROVIDED BY THE CLIENT)

THAT PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LYING WITHIN 5 FEET OF BOTH SIDES OF A CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN THE CENTERLINE OF SPARROW DRIVE (80' WIDE RIGHT OF WAY), SAID POINT BEING 30.23 FEET SOUTH OF THE SOUTHERLY CORNER OF LOT 4, BLOCK "M", THE WILLOWS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 29, PAGE 102 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTHWESTERLY ALONG SAID CENTERLINE AND ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1280.00 FEET, A CENTRAL ANGLE OF 41'01'06" AND A CHORD OF 896.91 FEET, THAT BEARS NORTH 46'40'19" EAST, FOR 916.36 FEET TO A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN SAID CENTERLINE, SAID POINT LYING 30.23 FEET SOUTHEASTERLY FROM THE MOST SOUTHERLY CORNER OF LOT 25, BLOCK "L", OF SAID THE WILLOWS; THENCE NORTH 58'32'3" WEST FOR 523.40 FEET TO THE SOUTHEAST CORNER OF A TOWER PARCEL: THENCE NORTH 01'56'18" WILLOWS; THENCE NORTH 58"32"34" WEST FOR 52.3.40 FEET TO THE SOUTHEAST CORNER OF A TOWER PARCEL; THENCE NORTH 01"56"18" WEST ALONG THE EAST LINE OF SAID TOWER PARCEL FOR 8.05 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF THE HEREIN DESCRIBED 10 FOOT WIDE UTILITY EASEMENT; THENCE NORTH 88"05"57" EAST FOR 70.38 FEET; THENCE NORTH 01"53"51" EAST FOR 51.38 FEET; THENCE NORTH 07"05"47" WEST FOR 56.11 FEET TO THE POINT OF TERMINUS OF THE HEREIN DESCRIBED CENTERLINE.

CONTAINING 1,779 SQUARE FEET, MORE OR LESS.

T-MOBILE LEASE PARCEL (PREPARED BY GEOLINE SURVEYING, INC.)

THAT PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN THE CENTERLINE OF SPARROW DRIVE (60' WIDE RIGHT OF WAY), SAID POINT BEING 30.23 FEET SOUTH OF THE SOUTHERLY CORNER OF LOT 4, BLOCK "M". THE WILLOWS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 29, PAGE 102 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTHWESTERLY ALONG SAID CENTERLINE AND ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1280.00 FEET, A CENTRAL ANGLE OF 41'01'06' AND A CHORD OF 896.91 FEET, THAT BEARS NORTH 46'40'19" EAST, FOR 916.36 FEET TO A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN SAID CENTERLINE, SAID POINT LYTING 30.23 FEET SOUTHEASTERLY FROM THE MOST SOUTHERLY CORNER OF LOT 25, BLOCK "L", OF SAID THE WILLOWS; THENCE NORTH 58'32'34" WEST FOR 523.40 FEET TO THE SOUTHLEAST CORNER OF A TOWER PARCEL; THENCE SOUTH 88'03'42" WEST ALONG THE SOUTH LINE OF SAID TOWER PARCEL FOR 16.91 FEET; THENCE NORTH 01'56'18" WEST FOR 18.72 FEET TO THE POINT OF BEGINNING; THENCE NORTH 72'32'03" WEST FOR 9.98 FEET; THENCE NORTH 00'42'13" EAST FOR 14.81 FEET; THENCE SOUTH 691'14'7" EAST FOR 2.00 FEET; THENCE NORTH 00'42'13" EAST FOR 1.133 FEET; THENCE SOUTH 01'55'06" WEST FOR 11.33 FEET; THENCE SOUTH 55'06" WEST FOR 11.33 FEET; THENCE SOUTH 15'5'06" WEST FOR 11.33 FEET; THENCE SOUTH 17'27'57" WEST FOR 2.40 FEET TO SAID POINT OF BEGINNING FEET; THENCE SOUTH 17"27"57" WEST FOR 2.40 FEET TO SAID

CONTAINING 194 SQUARE FEET (0.004 ACRES), MORE OR LESS.

T-MOBILE ADDITIONAL LEASE PARCEL (PREPARED BY GEOLINE SURVEYING, INC.)

THAT PART OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SOUTH, RANGE 41 EAST, PALM BEACH COUNT; FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN THE CENTERLINE OF SPARROW DRIVE (60' WIDE RIGHT OF WAY), SAID POINT BEING 30.23 FEET SOUTH OF THE SOUTHERLY CORNER OF LOT 4, BLOCK "M", THE WILLOWS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 29, PAGE 102 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTHWESTERLY ALONG SAID CENTERLINE AND ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1280.00 FEET, A CENTRAL ANGLE OF 41'01'06" AND A CHORD OF 896.91 FEET, THAT BEARS NORTH 46'40'19" EAST, FOR 916.36 FEET TO A FOUND NAIL & DISK MARKING A POINT OF REVERSE CURVATURE IN SAID CENTERLINE, SAID POINT LYING 30.23 FEET SOUTHEASTERLY FROM THE MOST SOUTHERLY CORNER OF LOT 25, BLOCK "L", OF SAID THE WILLOWS; THENCE NORTH 58'32'34" WEST FOR 523.40 FEET TO THE SOUTHEAST CORNER OF A TOWER PARCEL; THENCE SOUTH 88'03'42" WEST ALONG THE SOUTH LINE OF SAID TOWER PARCEL FOR 16.91 FEET; THENCE NORTH 01'56'18" WEST FOR 18.72 FEET TO THE SOUTHEASTERLY CORNER OF A TOMOBILE LEASE PARCEL; THENCE NORTH 72'32'03" WEST ALONG THE SOUTHERLY LINE OF SAID TOMBILE LEASE PARCEL; THENCE NORTH 72'32'03" WEST ALONG THE SOUTHERLY LINE OF SAID TOMBILE LEASE PARCEL; THENCE NORTH 10'42'13" EAST ALONG THE WESTERLY LINE OF SAID TOMBILE LEASE PARCEL; THENCE NORTH 00'42'13" EAST ALONG THE WESTERLY LINE OF SAID TOMBILE LEASE PARCEL; THENCE NORTH 00'42'13" EAST ALONG THE WESTERLY LINE OF SEGINNING; THENCE NORTH 8917'47" WEST FOR 6.00 FEET; THENCE NORTH 00'42'13" EAST ALONG A LINE PARALLEL WITH SAID WESTERLY LINE OF THE SOUTH 00'42'13" EAST ALONG THE WESTERLY LINE OF SEGINNING; THENCE NORTH 8917'47" WEST FOR 6.00 FEET; THENCE NORTH 00'42'13" WEST FOR 10.00 FEET TO SAID POINT OF BEGINNING. THENCE SOUTH 00°42'13" WEST FOR 10.00 FEET TO SAID POINT OF

CONTAINING 60 SQUARE FEET (0.001 ACRES), MORE OR LESS.



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