

RESOLUTION NO. 2017-395

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A FIRST AMENDMENT TO A NON-EXCLUSIVE COMMUNICATIONS TOWER LEASE AGREEMENT WITH VERIZON WIRELESS PERSONAL COMMUNICATIONS LP, AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AMENDMENT ON BEHALF OF THE COUNTY.**

**RECITALS**

**WHEREAS**, St. Johns County ("County") owns a communication tower facility located at 9685 Light Avenue ("Tower") which is an integral part of an interoperable communication system for use by local, state and federal public safety agencies; and

**WHEREAS**, St. Johns County and Verizon Wireless Personal Communications LP ("Verizon") entered into a Non-Exclusive Communication Tower Lease Agreement ("Lease Agreement") dated March 20, 2017, approved in Resolution 2016-288, with respect to the land and tower at 9685 Light Avenue; and

**WHEREAS**, Verizon desires to add a microwave dish at the premises to provide enhanced wireless communication service in the surrounding area, and has provided construction plans and a structural report; and

**WHEREAS**, entering into the proposed First Amendment to Lease Agreement, attached hereto as Exhibit "A", incorporated by reference and made a part hereof, serves the best interests of the citizens of the County.

**NOW THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of St. Johns County, Florida, as follows:

**Section 1.** The above Recitals are incorporated by reference into the body of this Resolution and such Recitals are adopted as findings of fact.

**Section 2.** The Board of County Commissioners hereby approves the material terms and conditions of the First Amendment to Lease Agreement, and authorizes the County Administrator, or designee, to execute the Amendment in substantially the form attached hereto, and any future amendments to the Lease Agreement that do not substantially change the material terms and conditions of the Lease Agreement.

**Section 3.** To the extent that there are typographical and/or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Board of County Commissioners.

**Section 4.** The Clerk of the Court of St. Johns County is instructed to file the original First Amendment to Lease Agreement in the Public Records of St. Johns County, Florida.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida, this 5<sup>th</sup> day of December, 2017.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Henry Dear  
Henry Dear, Chair

ATTEST: Hunter S. Conrad, Clerk

By: Pam Halterman  
Deputy Clerk

RENDITION DATE 12/6/17



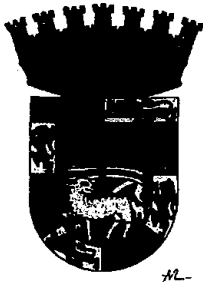


EXHIBIT "A" TO RESOLUTION

**FIRST AMENDMENT TO  
ST. JOHNS COUNTY NON-EXCLUSIVE  
COMMUNICATIONS TOWER LEASE AGREEMENT**  
(Lessee Site Name/No.: RCC Flagler Estates/102644)

**THIS FIRST AMENDMENT TO COMMUNICATIONS TOWER LEASE AGREEMENT** ("Amendment", dated \_\_\_\_\_, 2017, is made by and between St. Johns County, a political subdivision of the State of Florida, having administrative offices located at 500 San Sebastian View, St. Augustine, Florida 32084 ("Lessor"), and Verizon Wireless Personal Communications LP, a Delaware limited partnership d/b/a Verizon Wireless, with its principal offices at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 (telephone number 866-862-4404) ("Lessee").

**WITNESSETH:**

**WHEREAS**, Lessor and Lessee entered into a Communication Tower Lease Agreement dated March 20, 2017, with respect to the land and tower located at 9685 Light Avenue, Hastings, Florida 32145 in St. Johns County, Florida ("Premises"); and

**WHEREAS**, Lessee desires to add a microwave dish and associated equipment at the Premises and update the construction plans and lease equipment schedule to reflect the equipment change.

**NOW THEREFORE**, in consideration of the mutual representations herein contained, Lessor and Lessee agree as follows:

**SECTION 1.** Exhibit B to the Agreement (Prerequisites), Exhibit C to the Agreement ((Tower and Ground Lease Area), and Exhibit D to the Agreement (Lessee Equipment Schedule) are hereby supplemented with Exhibit B-1, C-1 and D-1, respectively, attached hereto and incorporated herein by reference.

**SECTION 2.** Lessee shall pay Lessor an additional monthly rent payment in the amount of THREE HUNDRED FIFTY DOLLARS AND NO CENTS (\$350.00), for a total initial monthly rent payment of TWO THOUSAND THREE HUNDRED FIFTY DOLLARS AND NO CENTS (\$2,350.00), plus all taxes, if applicable, which shall be subject to an annual two percent (2%) increase over the rent paid the previous year. The initial rent payment as well as the additional rent payment shall be due on the Commencement Date, and each subsequent monthly payment shall be due on or before the first (1<sup>st</sup>) day of each calendar month ("Due Date") for the term of this Lease Agreement. A late fee in the amount of five percent (5%) shall be assessed against any monthly rent payment not made on or before the Due Date.

**SECTION 3.** Except as specifically set forth above, this Amendment shall in no way modify, alter or amend the remaining provisions of the Agreement, all of which shall remain in full force and effect. To the extent that there is any conflict between the provisions of the Agreement and this Amendment, the provisions of this Amendment will govern and control.

IN WITNESS WHEREOF, the parties have caused the Amendment to be effective as of the last date written below.

WITNESSES:

"LESSOR"

St. Johns County, a political subdivision of the State of Florida

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

By: \_\_\_\_\_

Name: Michael D. Wanchick

Title: County Administrator

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

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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: \_\_\_\_\_

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

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

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

WITNESSES:

"LESSEE"

Verizon Wireless Personal Communications LP, a Delaware limited partnership d/b/a Verizon Wireless

*Anna McDemore*  
\_\_\_\_\_  
Name: *Anna McDemore*

By:  \_\_\_\_\_

Frank Wise

Executive Director-Network Field Engineering

*Doris P. Roosen*  
\_\_\_\_\_  
Name: *DORIS P. ROOSEN*

Date: *10/24/17* \_\_\_\_\_

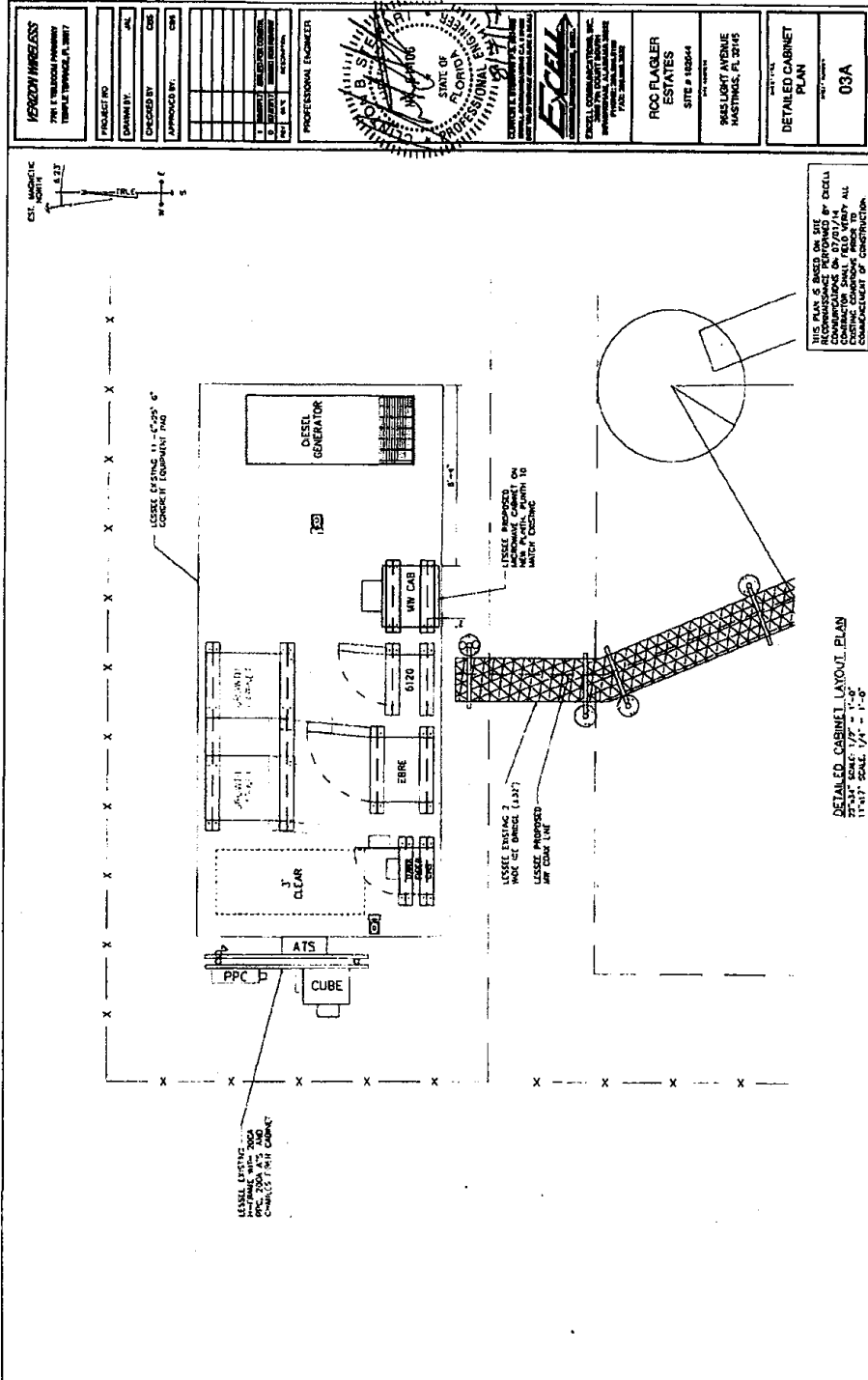
<p style="text-align: center;"><b>verizon</b> wireless (HEREIN AFTER REFERRED TO AS "LESSEE")</p> <p style="text-align: center;"><b>SITE NAME: RCC FLAGLER ESTATES</b> 9685 LIGHT AVENUE HASTINGS, FL 32145 SITE # 102844</p>	<p style="text-align: center;"><b>PROJECT DATA</b></p> <p><b>APPLICANT ADDRESS</b> 7716 TELLOCOO PARKWAY, SUITE 600 TEMPLE TERRACE, FL 32177</p> <p><b>CONTACT: DAVO MORE</b> CONSTRUCTION 9685 LIGHT AVENUE HASTINGS, FL 32145 EMAIL: dm@verizon.com</p> <p><b>PROJECT ENGINEER</b> EXCEL COMMUNICATIONS, INC. 10000 W. UNIVERSITY BLVD., SUITE 100 MIRAGE, FL 32127 CONTACT: GUY STEWART PHONE: 386-314-0441</p> <p><b>TOWER OWNER</b> ST. JOHNS COUNTY 100 W. UNIVERSITY BLVD., SUITE 100 ST. AUGUSTINE, FL 32084 CONTACT: MICHAEL STANLEY PHONE: 386-314-0441</p>	<p style="text-align: center;"><b>SITE DATA</b></p> <p>LOCATION: 9685 LIGHT AVENUE HASTINGS, FL 32145</p> <p><b>POWER COMPANY:</b> FLORIDA POWER &amp; LIGHT PHONE: 386-314-0441 CONTACT: TERRY</p> <p><b>TELEPHONE COMPANY</b> FLORIDA POWER &amp; LIGHT PHONE: 386-314-0441 CONTACT: TERRY</p> <p><b>911 SITE ADDRESS</b> HASTINGS, FL 32145</p> <p><b>POLICE DEPARTMENT</b> ST. JOHNS COUNTY DEPT OFFICE PHONE: 386-314-0441</p> <p><b>FIRE DEPARTMENT</b> ST. JOHNS COUNTY DEPT OFFICE PHONE: 386-314-0441</p>
<p><b>DRAWING INDEX</b></p> <p>01 TITLE SHEET 02 CONSTRUCTION NOTES 03 SITE PLAN 03A DETAILED CABINET PLAN 04 TOWER ELEVATION &amp; ANTENNA DETAILS 05 ELECTRICAL NOTES 06 ELECTRICAL &amp; GROUNDING PLAN 07 SINGLE LINE DIAGRAM &amp; DETAILS</p>	<p><b>PERMITTING</b></p> <p>ST. JOHNS COUNTY, FL 100 W. UNIVERSITY BLVD., SUITE 100 ST. AUGUSTINE, FL 32084 PHONE: 386-314-0441</p>	<p style="text-align: center;"><b>811</b></p>
<p><b>APPLICABLE BUILDING CODES AND STANDARDS</b></p> <p>CONTRACTOR SHALL COMPLY WITH ALL THE FOLLOWING CODES, ORDINANCES, REGULATIONS, AND STANDARDS FOR THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.</p>		
<p><b>AREA MAP</b></p>		
<p><b>VICINITY MAP</b></p>		
<p><b>PROFESSIONAL ENGINEER</b></p> <p style="text-align: center;">   <b>GUY STEWART</b>          PROFESSIONAL ENGINEER          STATE OF FLORIDA          LICENSE NO. 12345       </p>		
<p><b>EXCEL COMMUNICATIONS, INC.</b></p> <p>10000 W. UNIVERSITY BLVD., SUITE 100 MIRAGE, FL 32127 PHONE: 386-314-0441</p>		
<p><b>RCC FLAGLER ESTATES</b></p> <p>SITE # 102844</p> <p>9685 LIGHT AVENUE HASTINGS, FL 32145</p>		
<p><b>TITLE SHEET</b></p> <p>01</p>		

LESSEE herein referred to as "Verizon Wireless"

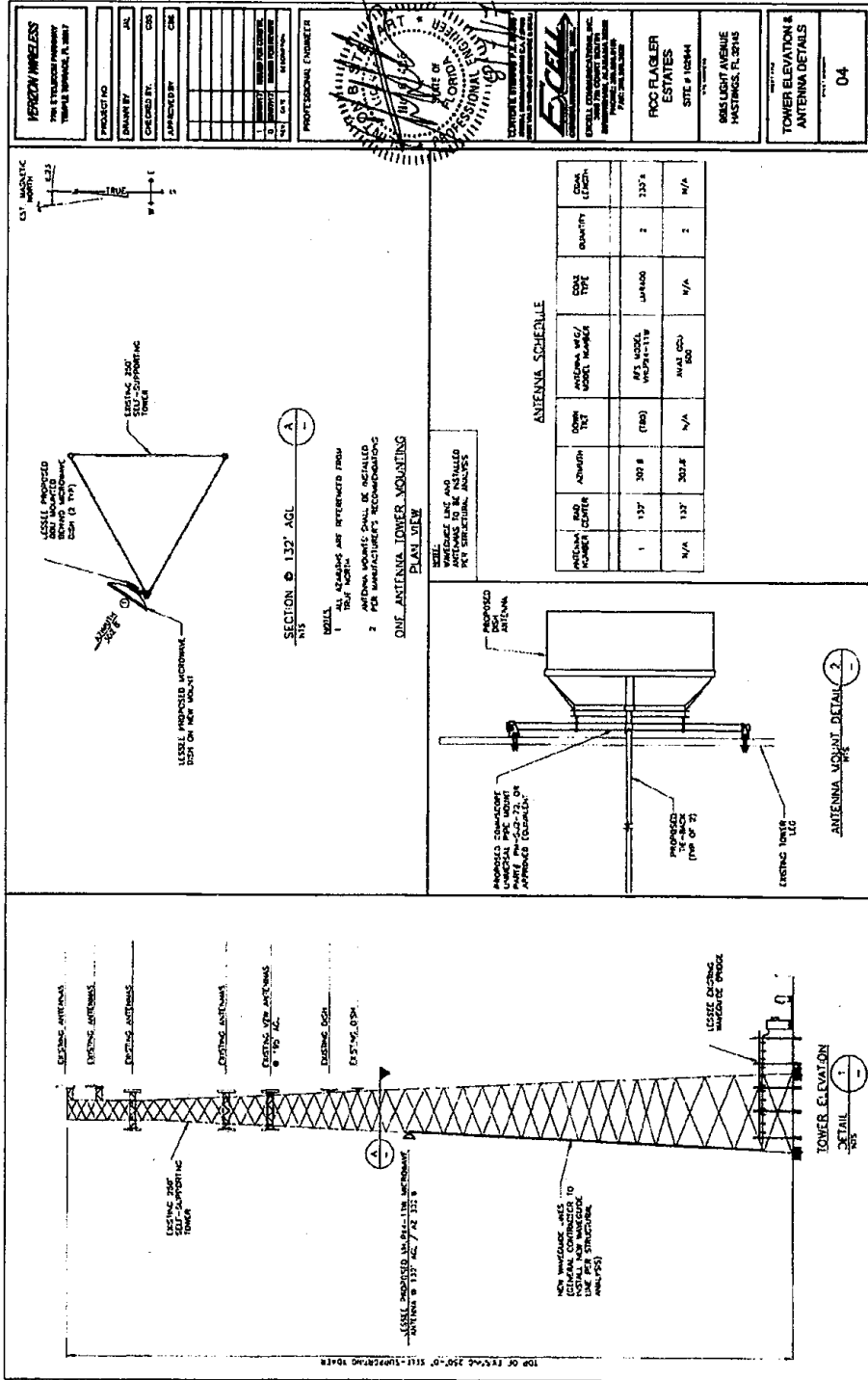




EXHIBIT B-1  
(Page 4 of 8)



LESSEE herein referred to as "Verizon Wireless"



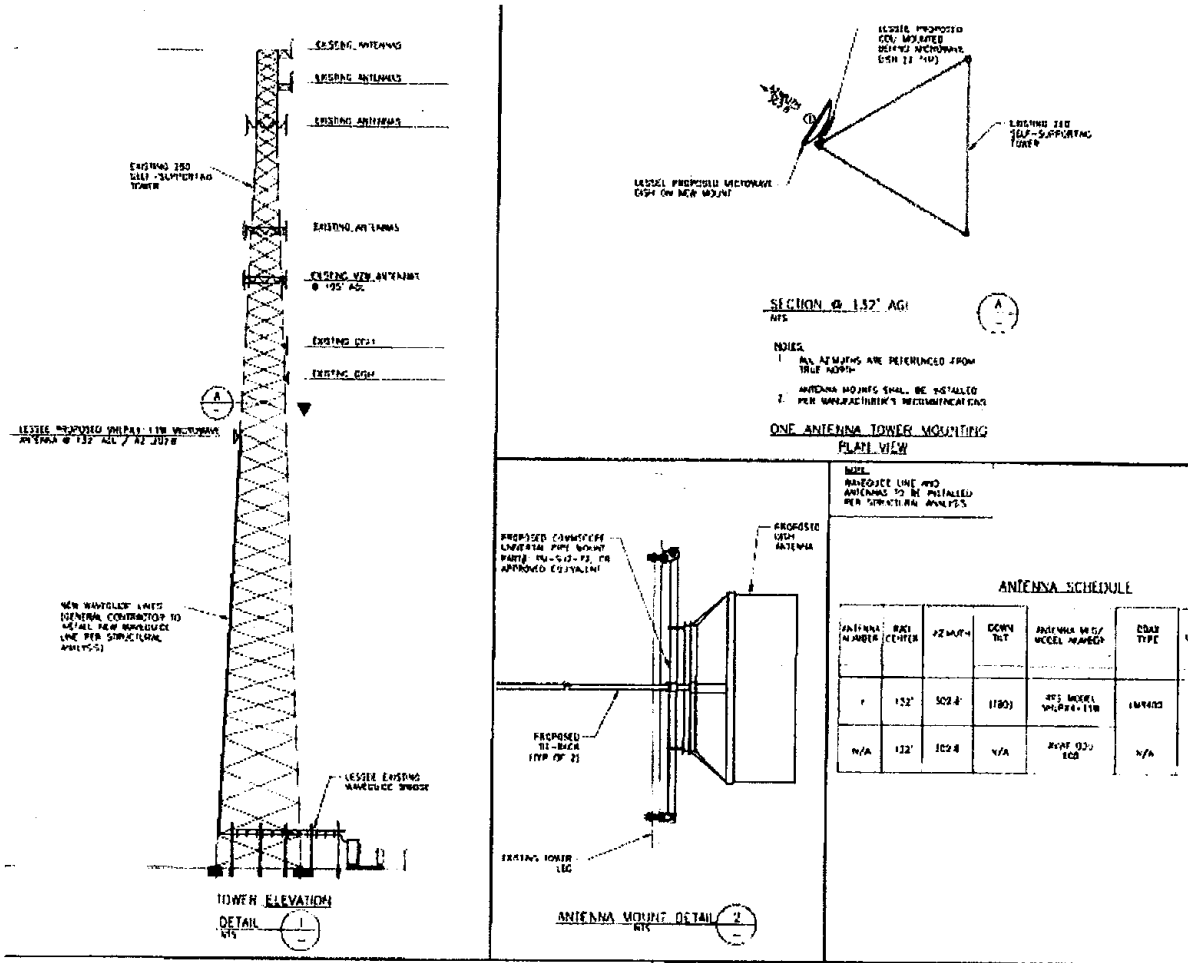
LESSEE herein referred to as "Verizon Wireless"





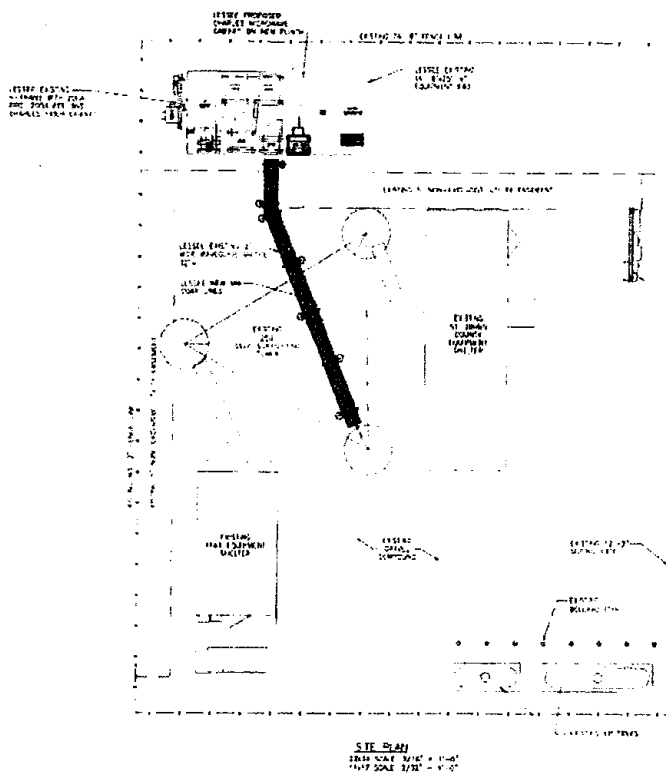


EXHIBIT C-1  
Tower and Ground Lease Area  
(Page 1-2)

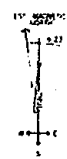


LESSEE herein referred to as "Verizon Wireless"

EXHIBIT C-1  
 Tower and Ground Lease Area  
 (Page 2 of 2)



NOT TO SCALE  
 WITH EXISTING  
 AND FUTURE  
 UTILITIES



<b>VERIZON WIRELESS</b>	
FOR & THROUGH PROPERTY	
TOWER #100000, FL 2017	
PROJECT NO.	001
DATE	04/17/17
DESIGNED BY	CSG
CHECKED BY	CSG
DATE	04/17/17
PROJECT NO.	001
DATE	04/17/17
PROFESSIONAL ENGINEER	
<b>RCC FLACELI</b> <b>ESTATES</b> S/F # 100644 1445 LIGHT AVENUE HALLANDALE, FL 33115	
<b>SITE PLAN</b> <b>03</b>	

THIS PLAN IS BASED ON THE  
 RECORDS OF THE  
 COUNTY OF BROWARD  
 COUNTY, FLORIDA, AND ALL  
 RECORDS CONTAINED THEREIN  
 PERTAINING TO THE  
 CONSTRUCTION OF THIS  
 PROJECT.

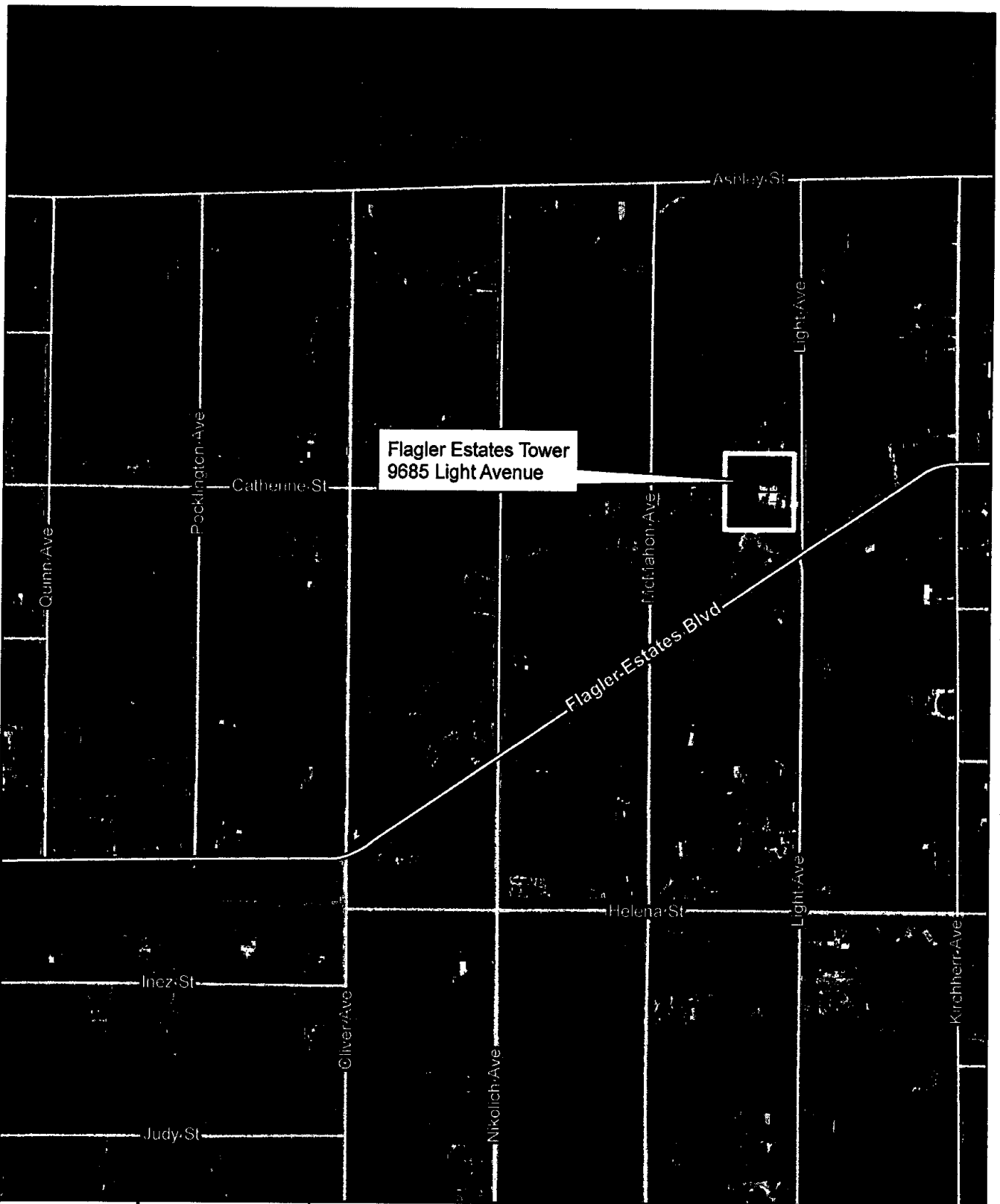
LESSEE herein referred to as "Verizon Wireless"

EXHIBIT D-1

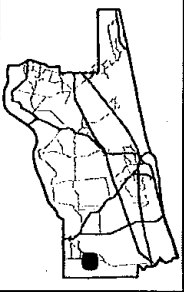
LESSEE equipment


ANTENNA NUMBER	RAD CENTER	AZIMUTH	DOWN TILT	ANTENNA MFG/MODEL NUMBER	COAX TYPE	QUANTITY	COAX LENGTH
1	132'	302.8	TBD	RFS MODEL VHLPX4-11W	LMR400	2	230'+/-
N/A	132'	302.8'	N/A	AVAT ODU 600	N/A	2	N/A

LESSEE herein referred to as "Verizon Wireless"



**Flagler Estates Tower  
9685 Light Avenue**



  
 2013 Aerial Imagery  
 0 150 300  
 Feet  
 November 1, 2017

**First Amendment to  
 Non-Exclusive Communications  
 Tower Lease Agreement**  
  
*Verizon Wirelss Personal  
 Communication, LP*

**Land Management  
 Systems  
 Real Estate  
 Division  
 (904) 209-0764**  
  

**Disclaimer:**  
 This map is for reference use only.  
 Data provided are derived from multiple  
 sources with varying levels of accuracy.  
 The St. Johns County Real Estate  
 Division disclaims all responsibility  
 for the accuracy or completeness  
 of the data shown hereon.

