RESOLUTION NO. 98-74

RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA AUTHORIZING THE EXECUTION OF A CERTAIN LICENSE TO BELL SOUTH TELECOMMUNICATION INC. ("BELL SOUTH") FOR THE BENEFIT OF THE BAYVIEW NURSING AND ASSISTED LIVING FACILITIES.

WHEREAS, Bayview Nursing and Assistant Living Facilities has a lease on property owned by St. Johns County "the property", and

WHEREAS, Bayview Nursing and Assistant Living Facilities have requested that BellSouth Telecommunication Inc. ("BellSouth") service their facilities located on "the property", and

WHEREAS, BellSouth will require a License from St. Johns County as owners of "the property" to construct and maintain their facilities located thereon.

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

Section 1. The Board hereby approves the License in substantially the form attached hereto and authorizes the County Administrator to execute such License (or one in substantially this form).

Section 2. The Clerk is instructed to file the original License and mail executed copies of this Resolution and License to Fernando García, Esquire, Adorno & Zeder, A Professional Association, 2601 South Bayshore Drive, Miami, Florida, 33313 and to Linda Jones, Right of Way Agent, Truevance Corporation, Communications Consultants, 3633 Andrew Jackson Drive, Pace, Florida, 32571.

ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 24 day of March, 1998.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
By: Moses A. Floyd
Chairman

ATTEST: Cheryl Strickland, Clerk
By: Deputy Clerk
LICENSE

For and in consideration of Ten dollars ($10.00) and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, ST. JOHNS COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, the undersigned owner(s) of the premises described below, hereinafter referred to as Grantor, do(es) hereby grant to BELLSouth TELECOMMUNICATIONS, INC., a Georgia corporation, its licensees, contractors, agents, successors, assigns, and allied and associated companies, hereinafter referred to as Grantee, a License to construct, operate, maintain, add, and/or remove such systems of communications, facilities, or related services as the Grantee may from time to time require upon, over, and under the following lands located in St. Johns County, Florida Records, and, to the fullest extent the Grantor has the power to grant, upon, over, along, and under the roads, streets, or highways adjoining or through said real property which is legally described as follows and is hereinafter referred to as the Licensed Property:

SEE ATTACHED EXHIBIT "A"

The following rights are also granted with regard to the Licensed Property: the right to allow any other person, firm, or corporation to attach wires or lay cable or conduit or other appurtenances upon, over, and under said License and Licensed Property for communications or electric power transmission or distribution; ingress to and egress from said License and Licensed Property at all times; the right, but not the obligation, to clear the License and keep it cleared of all trees, undergrowth, or other obstructions; the right, but not the obligation, to trim and cut and keep trimmed and cut all dead, weak, leaning, or dangerous trees or limbs outside the License which might interfere with or fall upon the lines or systems of communication or power transmission or distribution; the right to relocate said facilities, systems of communications, or related services on said Licensed Property to conform to any future highway relocation, widening, or improvements or any requirements of the Grantee.
To have and to hold the above granted License unto BellSouth Telecommunications, Inc., its licensees, agents, successors, assigns, and allied and associated companies forever and in perpetuity subject to the provisions hereof. This License shall become irrevocable upon commencement of installation by Grantee of communications systems or facilities on the Licensed Property and it shall remain irrevocable so long as telecommunications service is provided by such systems or facilities or such systems or facilities are being installed by the Grantee. No other person or entity shall be granted an interest in the Licensed Property or another license which supersedes this License. Any interest granted in the Licensed Property or other license granted by Grantor after the date of this License shall be exercised only in a manner that does not conflict with, restrict or adversely affect Grantee's use of the License granted herein.

The License is binding and is enforceable against and on the Licensed Property, the Grantor and its successors and assigns.

Grantor acknowledges that Grantee, in reliance on this License, will be expending substantial sums of money and/or incurring substantial obligations in connection with the installation of systems or facilities on the Licensed Property.

In witness whereof, the undersigned has/have caused this instrument to be executed on the 24th day of March 1, 1998.

"GRANTOR"

Signed, sealed, and delivered
in the presence of:

Patricia De Grand
Witness Patricia De Grand

Stacy A. McDaniels
Witness Stacy A. McDaniels

ST. JOHNS COUNTY, FLORIDA, A
POLITICAL SUBDIVISION OF THE STATE
OF FLORIDA

By: Ben W. Adams, Jr.
Name: Ben W. Adams, Jr.
Title: County Administrator
Date: March 24, 1998
State of Florida
County of St. Johns

I HEREBY CERTIFY that Ben W. Adams, Jr. as County Administrator of St. Johns County, Florida, a Political Subdivision of the State of Florida, personally appeared before me and acknowledged that he/she was the same. The foregoing instrument was acknowledged before me this 24th day of March, by Ben W. Adams, Jr., who is personally known to me or has produced as identification and who did/did not take an oath.

Witness my hand and official seal in the County and State last aforesaid this 24th day of March, 1998.

Yvonne Carter
Notary Public

Print Name
C0516022
Commission Number:

My Commission Expires:
February 3, 2000

Grantor's Address:
P.O. Drawer 249
St. Augustine, Fl 32085-0249

Grantee's Address:
BellSouth Telecommunications, Inc.
301 West Bay Street Room 15661
Jacksonville, Fl 32202

TO BE COMPLETED BY BELL SOUTH TELECOMMUNICATIONS, INC.

<table>
<thead>
<tr>
<th>District</th>
<th>FRC</th>
<th>Wire Center/NXX</th>
<th>Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drawing</td>
<td>Area Number</td>
<td>Plat Number</td>
<td>RWID</td>
</tr>
</tbody>
</table>

Approval Title

The undersigned, as lessee of the Licensed Property, hereby joins in this License for the purpose of acknowledging its acceptance and agreement to same.
Signed, sealed, and delivered in the presence of:

Stacey MacCarth
Witness

Yvonne Carter
Witness

State of Florida
County of St. Johns

I HEREBY CERTIFY that Larry B. Lake, as Executive Director of St. Johns County Welfare Federation, a Florida not-for-profit corporation, personally appeared before me and acknowledged that he/she was the same. The foregoing instrument was acknowledged before me this 24th day of March, by Larry B. Lake, who is personally known to me or has produced [identification] as identification and who did/did not take an oath.

Witness my hand and official seal in the County and State last aforesaid this 24th day of March, 1998.

Yvonne Carter
Notary Public

Print Name

Commission Number:

My Commission Expires:

February 3, 2000
SKETCH TO ACCOMPANY DESCRIPTION OF:
A PROPOSED BELL South EQUIPMENT LICENSE LOCATION
BEING PART OF BLOCK 49, POWDERHOUSE LOT,
IN THE CITY OF ST. AUGUSTINE, FLORIDA, IN
TOWNSHIP 7 SOUTH, RANGE 30 EAST,
ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at a point on the northern boundary line of Block 49 Powder House Lot and its intersection with the westerly right of way line of Marine Street (a 40 foot right of way as now exist), being an 8' x 8' monument; thence departing said northerly line of Block 49, Powder House Lot, South 212'700" East, a distance of 17.31 feet to the Point of Beginning; thence North 82'00'36" East, within the vacated former Railroad Street right of way, a distance of 405.53 feet, to a point on the easterly boundary line of Block 49, Powder House Lot; thence South 44°22'16" West, along said easterly line of Block 49, Powder House Lot, a distance of 38.48 feet; thence continuing along said easterly line, South 17°30'25" East, a distance of 246.17 feet to an intersection with a jurisdictional wetlands line, thence fellow said wetlands line the following courses: South 47°10'18" West, 101.62 feet; South 28°37'16" West, 30.89 feet; North 84°31'39" West, 22.72 feet; South 26°14'44" East, 76.23 feet; South 19°58'21" East, 45.68 feet; South 22°30'06" East, 43.19 feet; South 10°46'53" West, 38.78 feet; South 50°23'27" East, 24.61 feet to a point; thence South 67°35'44" West, departing said jurisdictional wetlands line, a distance of 268.81 feet to corner; thence North 212'700" West, a distance of 396.12 feet to the Point of Beginning.

Subject parcel thus described contains 181,291 square feet or 4.1610 acres, more or less.

CERTIFIED AS BEING CORRECT TO:
BELL South TELEPHONE COMPANY

NOTE:
1. ALL BOUNDARY INFORMATION PERTAINS TO LEGAL DESCRIPTION OF PARENT TRACT.
2. SUBJECT SKETCH WAS DONE WITHOUT BENEFIT OF TITLE ABSTRACT; THEREFORE, THERE MAY BE EASEMENTS AFFECTING SUBJECT PROPERTY THAT ARE NOT SHOWN HEREIN.

ATLANTIC ~ GULF SURVEYING CO.
L & E ENGINEERING SURVEYS
1000 CLAY ST
JACKSONVILLE, FLORIDA 32206
904-255-4560

I HEREBY CERTIFY THIS SKETCH WAS DONE UNDER MY DIRECT SUPERVISION, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING AS SET FORTH UNDER RULE 810-760-6.003 OF CHAPTER 472. FLORIDA STATUTES.

BY:
BRIAN R. MARIE
FLORIDA CERTIFICATE NO. 4660

Abbevions:
N = NORTH
S = SOUTH
EAST
W = WEST
NORTH
SOUTH
EAST
WEST
FIND
FOUND
FOUND CONCRETE MONUMENT
TRaverse OR CONTROL POINT
EDGE OF PAVEMENT

JOB NO.
DATE OF SURVEY
DATE
DRAWN
CHARTER
FIELD BOOK
SCALE

0855326
2-13-98
N/A
B.M.
N/A
1" = 100'

REVISIONS:

Sheet 2 of 2
PROPOSED BELL SOUTH EQUIPMENT LICENSE LOCATION

A PART OF BLOCK 49, POWDER HOUSE LOT, IN THE CITY OF ST. AUGUSTINE,
TOWNSHIP 7 SOUTH, RANGE 30 EAST, TALLAHASSEE MERIDIAN, IN ST. JOHNS
COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at a point on the northern boundary line of Block 49 Powder House Lot and its intersection with the
westerly right of way line of Marine Street ( a 40 foot right of way as now exists ), being an 8" x 8" monument
thence departing said northerly line of Block 49, Powder House Lot, South 21'27"00' East, a distance of 613.43
feet to a PF nail & disk in asphalt; thence North 67'05"44' East, a distance of 81.00 feet to a point;
thence perpendicular to the last described line, North 22'54"16' West, a distance of 13.00 feet to the
Point of Beginning of subject easement; thence continue North 22'54"16' West, a distance of 15.00 feet to a
point; thence South 67'05"44' West, a distance of 50.27 feet to a point on the northerly line of a 30 foot
wide access easement; thence North 21'27"00' West, along said northerly line thereof, a distance of 10.00 feet
to a point; thence North 67'05"44' East, a distance of 75.02 feet to a point; thence South 22'54"16' East, a
distance of 25.00 feet to a point; thence South 67'05"44' West, a distance of 25.00 feet to the Point of
Beginning.

Exhibit "A"