



**COUNTY ATTORNEY'S OFFICE
MEMORANDUM**

TO: Board of County Commissioners

THROUGH: Stephen P. Lee, Deputy County Attorney *[Signature]*

FROM: Henry M. Brown, Assistant County Attorney *HMB*
Ext. 5736

CONCUR: Pam Hastings, Administrative Manager/Public Works Department
David V. Nichols, P.E./Principal Engineer/Engineering Division *[Signature]*

DATE: July 18, 2005

SUBJECT: Lease for Easement Holder:
Verizon Wireless Personal Communications, LP
Lake Drive road improvement project
Parcel Nos. 112/712
Seminole County v. Veigle, et al.
Case No. 2004-CA-1884-13-L

This Memorandum requests approval by the Board of County Commissioners (BCC) and execution by the Chairman of a Subordination of Utility Interests agreement with respect to the Lease For Easement interest of Verizon Wireless Personal Communications, LP (Verizon) relating to Lake Drive, particularly Parcel Nos. 112/712. The referenced parcels have been acquired by Order of Take.

The BCC adopted Resolution No. 2004-R-75, on April 13, 2004, authorizing the acquisition of parcels involved with Lake Drive and finding that the Lake Drive road improvement project was necessary and serves a public purpose and is in the best interests of the citizens of Seminole County.

Verizon has signed and tendered a recordable instrument, entitled Subordination of Utility Interests for filing in the land records. Please see location map attached as Composite Exhibit A and a copy of the Subordination agreement attached as Composite Exhibit B.

Verizon's interest in the referenced property is a Lease For Easement of the subject property for telephone equipment. Verizon has agreed to provide the subordination of its easements interests without charge.

HMB/dre

Composite Exhibit A - Location Maps

Composite Exhibit B - Subordination Agreement

P:\USERS\DEGEMMY DOCUMENTS\MEMOAGENDA ITEM LAKE DRIVE 112 712 VERIZON SUBORDINATION.DOC

Exhibit A

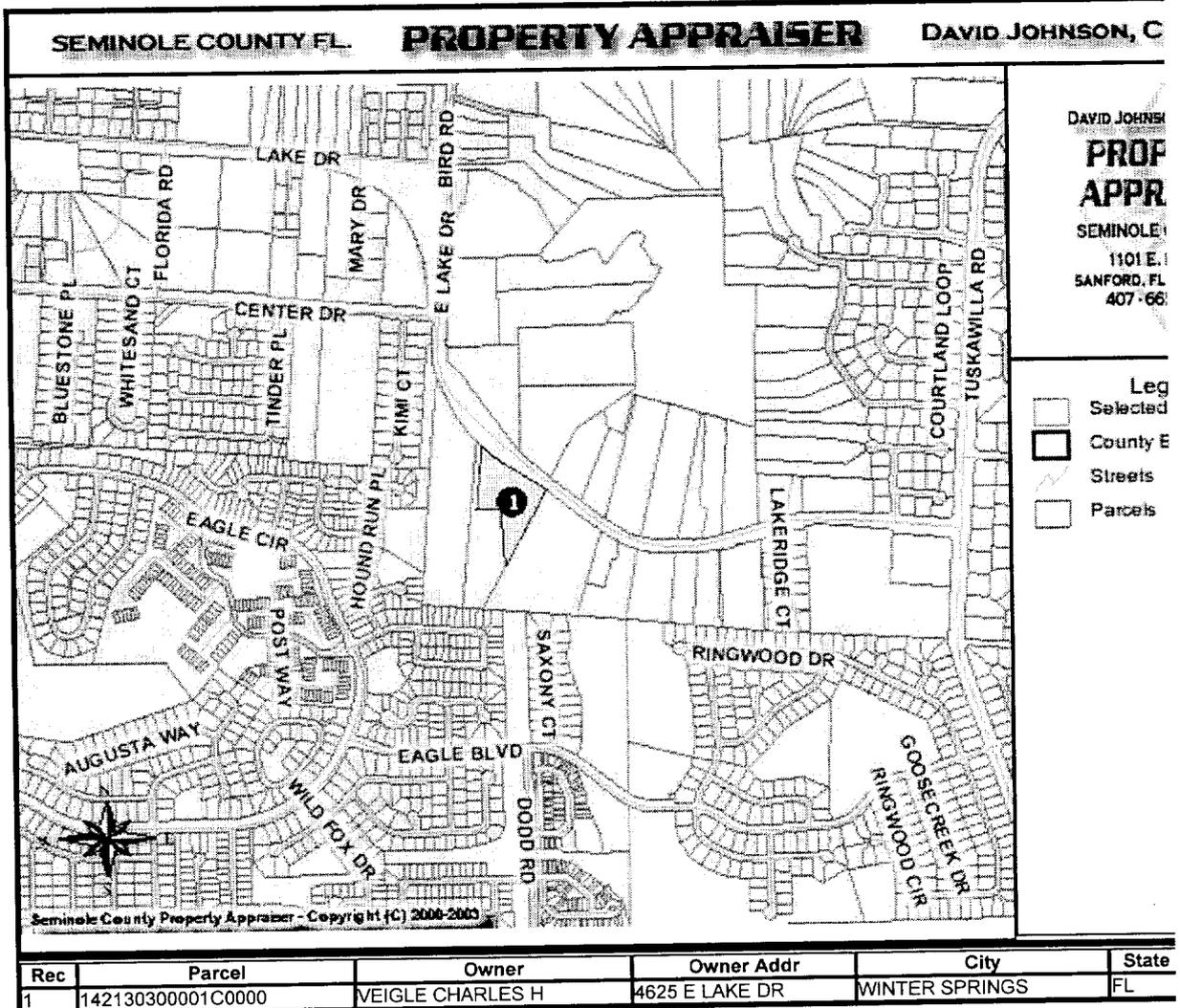


Exhibit B

Parcel Nos.112 and 712
Lake Drive,
Seminole County, Florida

SUBORDINATION OF UTILITY INTERESTS **(Verizon Wireless Site ID: 80304 Charlie Viegle)**

THIS AGREEMENT, entered into this _____ day of _____, 2005, by and between VERIZON WIRELESS PERSONAL COMMUNICATIONS, LP, a Delaware limited partnership d/b/a VERIZON WIRELESS previously doing business as PRIMECO PERSONAL COMMUNICATIONS, LIMITED PARTNERSHIP ("VERIZON WIRELESS"), whose address is 180 Washington Valley Road, Bedminster, New Jersey 07921, hereinafter referred to as "VERIZON WIRELESS", and SEMINOLE COUNTY, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as the "COUNTY".

WITNESSETH:

WHEREAS, VERIZON WIRELESS presently has an interest in certain lands that have been determined necessary for use as right-of-way for additional traffic lanes and improved drainage facilities on **Lake Drive**; and

WHEREAS, the proposed use of these lands for use as right-of-way for additional traffic lanes and improved drainage facilities purposes on **Lake Drive** will require subordination of the interest claimed in such lands by VERIZON WIRELESS to the COUNTY; and

WHEREAS, the COUNTY is willing to pay to have VERIZON WIRELESS's facilities relocated, if necessary, or to replace VERIZON WIRELESS's easements with new easements encumbering different lands if necessary, to prevent conflict between the facilities so that the benefits of each may be retained,

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, VERIZON WIRELESS and the COUNTY agree as follows:

VERIZON WIRELESS subordinates any and all of its interest in the lands described as follows:

FEE SIMPLE

PARCEL NO.: 112

A portion of that parcel of land described in Official Record Book 1421, page 1035 as recorded in the Public Records of Seminole County, Florida, being that portion of Section 14, Township 21 South, Range 30 East of Seminole County, Florida, described as follows:

Part "A" (Right of Way):

Commence at the Northwest corner of Government Lot 4, Section 13, Township 21 South, Range 30 East, said corner being the intersection of the West line of said Section 13 and the Southerly Grant Line of the Philip R. Young Grant as shown on Seminole County Right of Way Map for Lake Drive, County Project No. PS-331; thence N84°55'54"W along said Southerly Grant Line a distance of 967.22 feet; thence N84°55'33"W a distance of 704.24 feet; thence N84°55'58"W a distance of 347.34 feet to the Southeast corner of that parcel of land described in the aforesaid Official Record Book 1421, page 1035; thence departing said Southerly Grant Line run N30°20'12"E along the East line of said parcel a distance of 955.94 feet for a Point of Beginning; thence departing said East line run N58°17'00"W a distance of 336.88 feet to a point of curvature of a curve concave Northeasterly having a radius of 1012.93 feet and a chord bearing of N50°46'44"W; thence run Northwesterly along the arc of said curve through a central angle of 15°00'32", a distance of 265.34 feet to a point on the West line of the aforesaid parcel; thence run N04°59'35"E along said West line a distance of 217.69 feet to a point on the existing Southerly right of way line of Lake Drive as recorded in Deed Book 196, page 327, Public Records of Seminole County, Florida and shown on said Lake Drive Right of Way Map; thence run S45°24'37"E along said right of way line a distance of 429.05 feet to a point of curvature of a curve concave Northeasterly having a radius 1939.86 feet and a chord bearing of S48°14'07"E; thence run Southeasterly along said Right of Way line and along the arc of said curve through a central angle of 05°39'00" a distance of 191.29 feet to a point of tangency; thence run S51°03'37"E along said right of way line a distance of 89.11 feet to a point on the East line of the aforesaid parcel described in Official Record Book 1421, page 1035, Public Records of Seminole County, Florida; thence departing said right of way line run S30°20'12"W along said East line a distance of 88.86 feet to the Point of Beginning.

Containing 2.066 acres, more or less.

TOGETHER WITH:

Part "B" (Storm Water Retention Area):

described as follows:

Commence at the Northwest corner of Government Lot 4, Section 13, Township 21 South, Range 30 East, said corner being the intersection of the West line of said Section 13 and the Southerly Grant Line of the Philip R. Young Grant as shown on Seminole County Right of Way Map for Lake Drive, County Project No. PS-331; thence N84°55'54"W along said Southerly Grant Line a distance of 967.22 feet; thence N84°55'33"W a

distance of 704.24 feet; thence N84°55'58"W a distance of 347.34 feet to the Southeast corner of that parcel of land described in the aforesaid Official Record Book 1421, page 1035, for a Point of Beginning; thence continue along said Southerly Grant Line N84°55'58"W, a distance of 110.47 feet to the Southwest corner of said parcel; thence departing said Southerly Grant line run N04°59'35"E along the West line of said parcel a distance of 1164.11 feet to a point on a curve concave Northeasterly having a radius of 1012.93 feet and a chord bearing of S44°45'24"E; thence run Southeasterly along the arc of said curve through a central angle of 02°57'53", a distance of 52.41 feet to a point lying 40.00 feet Easterly of when measured perpendicularly to the aforesaid West parcel line; thence departing said curve run S04°59'35"W parallel to said Westerly parcel line a distance of 454.08 feet; thence run N89°15'39"E, a distance of 169.02 feet to a point on the Westerly line of that certain 175-ft. wide Florida Power Corporation Easement described in Official Records Book 419, page 251 of the Public Records of Seminole County, Florida, and shown on the aforesaid Lake Drive Right of Way Map; thence run S00°44'21"E along said West line a distance of 403.76 feet to a point on the East line of the aforesaid parcel described in Official Record Book 1421, page 1035, Public Records of Seminole County, Florida; thence run along said East parcel line S30°20'12"W a distance of 322.48 feet to the Point of Beginning.

Containing 3.691 acres, more or less.

Containing a total of 5.757 acres, more or less.

AND ALSO

TEMPORARY CONSTRUCTION EASEMENT

PARCEL NO.: 712

A portion of that parcel of land described in Official Record Book 1421, page 1035 as recorded in the Public Records of Seminole County, Florida, being that portion of Section 14, Township 21 South, Range 30 East of Seminole County, Florida,

described as follows:

Commence at the Northwest corner of Government Lot 4, Section 13, Township 21 South, Range 30 East, said corner being the intersection of the West line of said Section 13 and the Southerly Grant Line of the Philip R. Young Grant as shown on Seminole County Right of Way Map for Lake Drive, County Project No. PS-331; thence N84°55'54"W along said Southerly Grant Line a distance of 967.22 feet; thence N84°55'33"W a distance of 707.88 feet; thence N84°55'58"W a distance of 347.34 feet to the Southeast corner of that parcel of land described in the aforesaid

Official Record Book 1421, page 1035; thence departing said Southerly Grant Line run N30°20'12"E along the East line of said parcel a distance of 955.94 feet; thence departing said East line run N58°17'00"W a distance of 313.48 feet for a Point of Beginning; thence run S08°21'55"E a distance of 16.99 feet; thence run N58°16'40"W a distance of 47.51 feet; thence run N13°32'59"W a distance of 18.96 feet to a point on a curve concave Northeasterly having a radius of 1012.93 feet and a chord bearing of S57°31'47"E; thence run Southeasterly along the arc of said curve through a central angle of 01°30'25" a distance of 26.64 feet to the point of tangency; thence run S58°17'00"E tangent to said curve a distance of 23.40 feet to the Point of Beginning.

Containing 635 square feet, more or less.

to the interest of the COUNTY, its successors, or assigns, for the purpose of constructing, improving, maintaining and operating a road, including drainage facilities, over, through, upon, and/or across such lands, including, but not limited to, the claim of interest based on the following:

NATURE OF ENCUMBRANCE	DATE	FROM OR AGAINST	IN FAVOR OF	RECORDED BOOK/PAGE
Short Form Lease (Attached As Exhibit B)	11/01/96	Charles H. Veigle	Verizon Wireless	3238/0645

PROVIDED that VERIZON WIRELESS have the following rights:

1. VERIZON WIRELESS shall have the right to construct, operate, maintain, remove, and relocate facilities on, within, and upon the lands described herein. Any new construction or relocation of facilities within the lands will be subject to prior approval by the County Engineer of Seminole County.
2. VERIZON WIRELESS shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the COUNTY's facilities.
3. VERIZON WIRELESS agrees to repair any damage to COUNTY facilities and to indemnify the COUNTY against any loss or damage resulting from the VERIZON WIRELESS exercising its rights outlined in Paragraphs 1 and 2 above.
4. Should the COUNTY require VERIZON WIRELESS to alter, adjust, or relocate its facilities located within said lands, the COUNTY hereby agrees to pay the cost

of such alteration, adjustment or relocation, including, but not limited to the cost of acquiring appropriate replacement easements. Any relocation, alteration or removal of VERIZON WIRELESS's facilities not required by the COUNTY shall be performed at VERIZON WIRELESS's sole cost and expense.

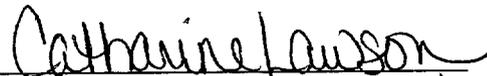
IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

WITNESSES



STEVEN B. COLE

(Print Name)



CATHARINE LAWSON

(Print Name)

**VERIZON WIRELESS PERSONAL
COMMUNICATIONS, L P, a Delaware limited
partnership d/b/a Verizon Wireless**

By: 

Name: Hans F. Leutenegger
Title: as its Area Vice President,
Network, South Area

Date: 7-11-2005

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
CARLTON D. HENLEY, Chairman

Date: _____

For the use and reliance of
Seminole County only. Ap-
proved as to form and legal
sufficiency.

As authorized for execution by the Board
of County Commissioners at its _____
2005, regular meeting.



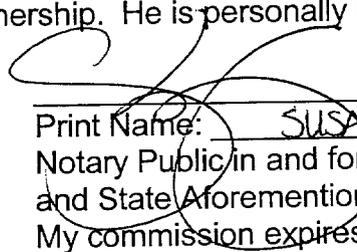
County Attorney

HMB/sb
06/23/05 (dre)

Parcel Nos.112 and 712
Lake Drive,
Seminole County, Florida

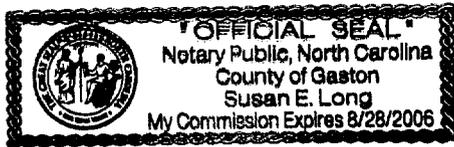
STATE OF NORTH CAROLINA
COUNTY OF Mecklenburg

The foregoing instrument was acknowledged before me this 11th day of July, 2005, by Hans F. Leutenegger, as Area Vice President, Network, South Area, of Verizon Wireless Personal Communications LP, a Delaware limited partnership d/b/a Verizon Wireless, on behalf of the partnership. He is personally known to me.



Print Name: SUSAN LONG
Notary Public in and for the County
and State Aforementioned
My commission expires: _____

(NOTARY SEAL)



IN THE CIRCUIT COURT FOR THE
EIGHTEENTH JUDICIAL CIRCUIT,
IN AND FOR SEMINOLE COUNTY,
FLORIDA.

CASE NO.: 2004-CA-1884-13-L

SEMINOLE COUNTY, a political
subdivision of the State of
Florida,

Petitioner,

vs.

CHARLES H. VEIGLE, et al.,

Defendant(s).

**ORDER OF TAKING
RELATING TO LAKE DRIVE, PARCEL NOS. 112/712**

THIS CAUSE coming on to be heard by the Court on the 20th day of October, 2004, and it appearing that proper notice was first given to all the Defendants and all persons having or claiming any equity, lien, title, or other interest in or to the parcels of real property described in the Petition, and that the Petitioner would apply to this Court on the 20th day of October, 2004, for an Order Of Taking, and the Court being otherwise fully advised in the premises, upon consideration, it is

ORDERED AND ADJUDGED that:

1. The Court has jurisdiction of the subject matter and of the parties to this cause.

2. The pleadings in this cause are sufficient, and the Petitioner is properly exercising its delegated authority.

3. The Estimate of Values, as amended, filed in this cause by the Petitioner as to Parcel Nos. 112/712 were and are made in good faith and without prejudice as to determination of full compensation in accordance with Florida law.

4. The Petitioner is entitled to possession of and shall have title to Parcel No. 112 and the right to use Parcel No. 712 prior to the entry of a Final Judgment, to-wit:

FEE SIMPLE

PARCEL NO.: 112

A portion of that parcel of land described in Official Record Book 1421, page 1035 as recorded in the Public Records of Seminole County, Florida, - being that portion of Section 14, Township 21 South, Range 30 East of Seminole County, Florida,

described as follows:

Part "A" (Right of Way):

Commence at the Northwest corner of Government Lot 4, Section 13, Township 21 South, Range 30 East, said corner being the intersection of the West line of said Section 13 and the Southerly Grant Line of the Philip R. Young Grant as shown on Seminole County Right of Way Map for Lake Drive, County Project No. PS-331; thence N84°55'54"W along said Southerly Grant Line a distance of 967.22 feet; thence N84°55'33"W a distance of 704.24 feet; thence N84°55'58"W a distance of 347.34 feet to the Southeast corner of that parcel of land described in the aforesaid Official Record Book 1421, page 1035; thence departing said Southerly Grant Line run N30°20'12"E along the East line of said parcel a distance of 955.94 feet for a Point of Beginning;

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Containing 635 square feet, more or less.

PARCEL I.D. NO.: 14-21-30-300-001C-0000

OWNER: Charles H. Veigle
c/o Richard N. Milian, Esq.
390 North Orange Avenue
Suite 1100
Orlando, FL 32801

GOOD FAITH ESTIMATE OF VALUE \$435,500.00

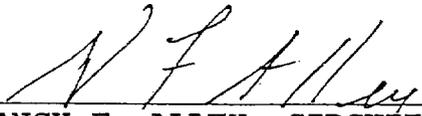
upon payment into the Registry of this Court of the deposit hereafter specified; that said deposit of money will fully secure and compensate the persons lawfully entitled to

compensation, as will be determined ultimately by Final Judgment of the Court, and which said sum of money to be deposited is in no instance less than the value of the parcels of said land as fixed by the estimate of values, as amended, set by the Petitioner. **PROVIDED, FURTHER,** that the sum of money in the total amount of FIVE HUNDRED FORTY-FOUR THOUSAND FIVE HUNDRED TWENTY-FIVE AND NO/100 DOLLARS (\$544,525.00); ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$150.00) of which is the Clerk's fee for receiving said deposit, shall be deposited in the Registry of this Court within twenty (20) days after the date of this Order. Upon making such deposit, the Petitioner shall notify in writing all attorneys of record and those Defendants not represented by counsel that the deposit has been made, and immediately thereafter the full amount of the Good Faith Estimate of Value, FOUR HUNDRED THIRTY-FIVE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$435,500.00) for Parcel Nos. 112/712 may be withdrawn by the following Defendant/owner, **CHARLES H. VEIGLE**, subject to claims for apportionment, in accordance with the provisions of *Section 74.071, Florida Statutes*, upon payment of all unpaid taxes, delinquent tax certificates and pro rata share of estimated current year taxes on the parcel subject to this cause.

5. The Petitioner is entitled to possession of and shall have title to Parcel No. 112 and the right to use Parcel No. 712 as described in the Petition and this Order without further notice or Order of this Court. The Petitioner's possession of the parcel described in the Petition is subject to a ~~non-exclusive license of~~ ^{possession and} continued use. ~~The license of continued use is provided by the Petitioner to the fee owner. The non-exclusive license is given~~ for a period of October 20, 2004, through and including January 31, 2005. ~~The non-exclusive~~ ^{continued possession} license is given in part for the purpose of permitting the Defendant to effectuate a cure to the removal of the existing septic system to assure that sewer service to the building improvements on the remainder of Parcel Nos. 112/712 are not disrupted during construction. The good faith estimate of value includes a cure cost to install a pump station and septic tank costs to provide sanitary sewer service. On January 31, 2005, ~~the non-exclusive license~~ ^{continued possession} shall terminate.

6. If the Petitioner shall default in the depositing of said sum of money within the time provided, this Order shall be void and of no further force or effect.

DONE AND ORDERED in Chambers at Sanford, Seminole County,
Florida, this 20th day of October, 2004.



NANCY F. ALLEY, CIRCUIT JUDGE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the addressees named below, by U.S. Mail or, if indicated, by hand delivery, this 20th day of October, 2004.

Richard N. Milian, Esq.
P. O. Box 4961
Orlando, FL 32801
Attorney for Defendant,
Charles H. Veigle
(Parcel Nos. 112/712)

AT&T Corp.
c/o C.T. Corporation System
Registered Agent
1200 South Pine Island Road
Plantation, FL 333

Bruce C. Crawford, Esq.
100 First Avenue South
Suite 500
St. Petersburg, FL 33701
Attorney for Defendant,
Florida Power Corporation

Henry M. Brown
Assistant County Attorney
Seminole County Services Bldg.
1101 East First Street
Sanford, FL 32771
Attorney for Petitioner

Scott Stigall, Esq.
601 Bayshore Blvd.
Suite 700
Tampa, FL 33606
Attorney for Defendant,
Verizon Wireless Personal
Communications, L.P.



JUDICIAL ASSISTANT/ATTORNEY

P:\USERS\DEGE\MY DOCUMENTS\ED\VEIGLE\VEIGLE ORDER OF TAKING.DOC

17/2-8

80304-8

THIS INSTRUMENT PREPARED BY:
NAME George Howell III

ATTACHMENT "B"

ADDRESS PrimeCo Personal Communications, L.P. SHORT FORM LEASE

8875 Hidden River Parkway, Suite 350 (PCS SITE LEASE)
Tampa, Florida 33637

OFFICIAL RECORDS
BOOK PAGE
3238 0645
SEMINOLE CO. FL

This Short Form Lease evidences that a lease was made and entered into by written PCS Site Lease dated 28 of 11/19 96, between Charles H. Veigle (Owner) and PRIMECO PERSONAL COMMUNICATIONS, L.P., a Delaware limited partnership ("PCS"), the terms and conditions of which are incorporated herein by reference. Owner hereby leases to PCS a certain site located at 4625 East Lake Drive City of Winter Springs County of Seminole State of Florida within the property of Owner which is described in Attachment "A" attached hereto, with grant of easement for unrestricted rights of access thereto and to electric and telephone facilities, all as more specifically described in the PCS Site Lease, the terms of which are incorporated herein by reference, for a term of five (5) years commencing on November 1, 1996, which term is subject to four (4) additional five (5) year extension periods by PCS.

IN WITNESS WHEREOF, the parties have executed this Short Form Lease as of the day and year first above written.

Signed in the presence of two witnesses:
(1) [Signature]
J.C. Buckleit
(PRINT NAME SIGNED ABOVE)

(2) [Signature]
Charles Veigle JR
(PRINT NAME SIGNED ABOVE)

(1) [Signature]
James B. Malless
(PRINT NAME SIGNED ABOVE)

(2) [Signature]
Clinton E. Hattick
(PRINT NAME SIGNED ABOVE)

MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY FL

OWNER: [Signature]
By: _____

As to: owner
CHARLES H. VEIGLE
(PRINT NAME SIGNED ABOVE)
Address: 4625 East Lake Drive
Winter Springs, FL 32708

See Attachment "SN" for continuation of Owner signatures
PCS: PRIMECO PERSONAL COMMUNICATIONS, L.P.

BY [Signature]
As to: DANIEL P. BEHUNIAK
President & COO Southeast Region
Address: 8875 Hidden River Parkway, Suite 350
Tampa, Florida

RECORDED & VERIFIED

STATE OF FLORIDA
COUNTY OF SEMINOLE

050985

1997 MAY 14 PM 12:50

The foregoing instrument was acknowledged before me this 27th day of Jan, 1997 by CHARLES H. VEIGLE by _____ as _____ of _____ a partnership. He/She is personally known to me or has produced _____ partner (or agent) on behalf of _____ a partnership. He/She is personally known to me or has produced _____ identification.

Notary Public, State of Florida
My Comm. Exp. Sept 21, 1997
My Commission Expires: _____
My Commission Expires: _____

[Signature]
OFFICIAL NOTARY SIGNATURE
Notary Public—State of Florida
Commission Number: _____
(Printed, Typed or Stamped Name of Notary)
Commission Number: _____

DANIEL P. BEHUNIAK
President & COO Southeast Region
8875 Hidden River Parkway, Suite 350
Tampa, Florida 33637

STATE OF Florida
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 20th day of March, 1997, by _____ of PRIMECO PERSONAL COMMUNICATIONS, L.P., a Delaware limited partnership, on behalf of the partnership. He/She is either personally known to me or has produced _____ identification.

(APPLY NOTARIAL SEAL)
[Signature]
JANICE E. LOPILATO
My Comm. Exp. 8/28/98
My Commission Expires: _____
My Commission Expires: _____
(Printed, Typed or Stamped Name of Notary)
Commission Number: _____

[Signature]
OWNER INITIALS
[Signature]
PCS INITIALS
(FLORIDA 8/1/98)

ATTACHMENT "A"
PCS SITE AGREEMENT

See Attachment A1

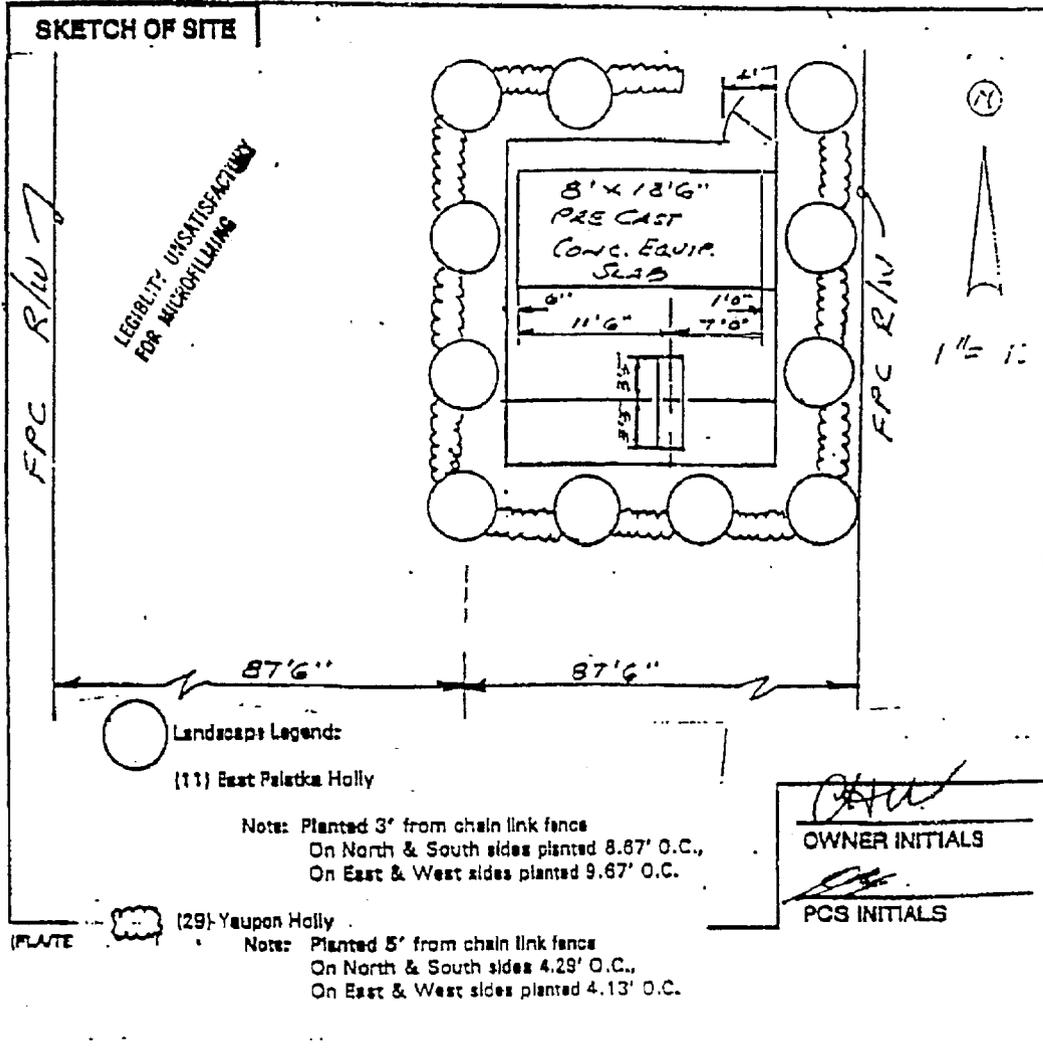
SITE DESCRIPTION

SITE ID: 80304-8

OFFICIAL RECORDS
BOOK PAGE
3238 0646
SEMINOLE CO. FL

Site situated in the City of WINTER SPRINGS County of SEMINOLE State of FLORIDA
commonly described as 4625 East Lake Drive

See Attachment A1



SEE ATTACHED
A2

ATTACHMENT A1

Site Id : 80304-8

OFFICIAL RECORDS
BOOK PAGE
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SEMINOLE CO. FL

A tract of land located in Section 14, Township 21 South, Range 30 East, SEMINOLE County, Florida, described as follows: From the Northwest corner of GOVERNMENT Lot 4, Section 13, Township 21 South, Range 30 East, said point also being the intersection of the East line of said Section 14, with the South line of the Phillip R. Yonge Grant; thence North 85°58'10" West along the South line of the Phillip R. Yonge Grant, a distance of 2018.80 feet for a Point of Beginning; thence North 29°15'27" East, a distance of 1049.14 feet to a point on the Southerly right-of-way line of East Lake Drive; thence North 51°50'55" West, along said right-of-way line a distance of 88.57 feet to the point of curvature of a curve concave to the Northeast, having a radius of 1940.08 feet and a central angle of 05°59'00"; thence Northwesterly along the arc of said curve, a distance of 191.31 feet to the point of tangency; thence North 46°19'55" West, a distance of 432.26 feet; thence South 03°57'23" West, parallel with the East line of Watt's Farm's as recorded in Plat Book 6, page 00, Public Records of SEMINOLE County, Florida, a distance of 1388.92 feet to a point on the South line of the Phillip R. Yonge Grant; thence South 85°58'10" East along said South line, a distance of 110.47 feet to the Point of Beginning.

