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November 20, 2013

Public Works Department – Engineering Services  
City of Fort Lauderdale  
100 N Andrews Avenue  
4<sup>th</sup> & 5<sup>th</sup> Floor  
Fort Lauderdale, Florida 33301

Subject: Utility Easement and Future Utility Relocation

To whom it may concern:

An affiliate of Florida East Coast Industries is purchasing land shown on Exhibit A attached hereto from Florida Power and Light Company with the intent to dedicate a portion of the property to the City of Fort Lauderdale for Right of Way. As discussed, please acknowledge the following statement regarding future relocation costs that may be incurred because of the City of Fort Lauderdale’s request to relocate existing or future utilities:

In the event that any portion of the Easement Area described in the Easement Agreement attached hereto and incorporated herein by reference as Exhibit A is used or conveyed to the City of Fort Lauderdale for roadway purposes, City of Fort Lauderdale agrees that, notwithstanding Chapter 337, Florida Statutes, any permit, franchise agreement or other law, regulation, statute or rule, the Easement Agreement shall not be deemed subordinate to the City of Fort Lauderdale’s rights and privileges in and to the Easement Area and the City of Fort Lauderdale shall accept the conveyance of all or a portion of the Easement Area with the express understanding and agreement that the City of Fort Lauderdale shall pay for any relocation or adjustment of existing facilities, if such relocation or adjustment is caused by present or future uses or occupancy of the Easement Area by the City of Fort Lauderdale or any party claiming by or through the City of Fort Lauderdale, including, but not limited to, the cost of acquiring replacement easements. The City of Fort Lauderdale shall have the right to maintain pavement or other roadway improvements upon the Easement Area in a manner that does not interfere with Florida Power and Light’s easement rights hereunder.

The City of Fort Lauderdale further acknowledges that Florida Power and Light Company will rely on this letter agreement in selling the property.

If you are in agreement with the above, please sign below where indicated.  
Please let us know if you have any questions or would like to discuss further.

Sincerely,

Jose Gonzalez  
Vice President – Corporate Development  
Florida East Coast Industries, Inc.

The undersigned has the authority to execute this letter and acknowledges and agrees to the terms set forth above.

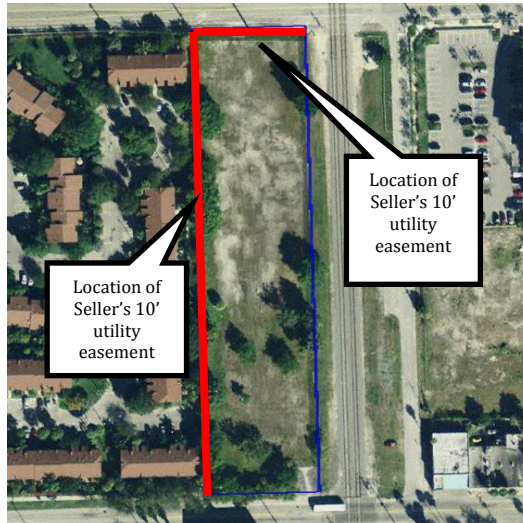
City of Fort Lauderdale

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**EXHIBIT "A"**

**Easement Area and Easement Agreement**

**Site Map**



**LAND DESCRIPTION:**

Lot 1, less the west 50.00 feet, Block 4, TOWN OF FORT LAUDERDALE, according to the Plat thereof, as recorded in Plat Book "B", Page 40 of the Public Records of Dade County, Florida.

Said lands situate in the City of Fort Lauderdale, Broward County, Florida and containing 93,201 square feet (2.1396 acres) more or less.