

Meeting Date
March 17, 2015



AGENDA	
Section	New Business
Item No.	V.E. 1

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Clear Channel Outdoor's request to upgrade a nonconforming billboard sign
DEPT/OFFICE:	County Manager's Office/County Attorney's Office

Requested Action:
Consider Clear Channel Outdoor's request to upgrade a nonconforming billboard sign

Summary Explanation & Background:

Clear Channel Outdoor desires to upgrade a non-digital (static) billboard face to a digital face. This upgrade is not allowed under current code as it is an unpermitted upgrade to a nonconforming sign. Section 62-3304, Code of Ordinances of Brevard County, Florida. The new proposed location is "Digital Board 5316" (Map 1) which is located directly across from Grills Restaurant at 6075 U.S. Hwy 1, Palm Shores (unincorporated). Additionally, Clear Channel wishes to remove a digital billboard face and convert it to a non-digital (static) billboard face located along I-95, south of Viera Blvd. ("Digital Board 5444"; Map 1).

As background, the existing digital sign faces were allowed pursuant to a settlement agreement providing compensation for taking one billboard for the Pineda Extension Project. That agreement allowed Clear Channel to erect four (4) digital sign faces at specified locations and included a \$35,000 payment to Clear Channel. The agreement does not provide a code exemption for the future relocation of the sign faces.

Clear Channel has suggested an amendment to the settlement agreement to allow the proposed changes; however, it is the opinion of the County Attorney's Office that since the County satisfied the terms of the settlement agreement in 2011, amendment to that document is not an available means to address Clear Channel's request. Consequently, an amendment to the applicable zoning ordinance allowing future relocation of digital sign faces erected pursuant to an eminent domain settlement agreement would be required to implement the Clear Channel proposal.

Options:

- 1) Deny Clear Channel's request.
- 2) Direct staff to draft an ordinance amendment allowing future relocation of digital sign faces erected pursuant to an eminent domain settlement agreement.

Clerk to the Board Instructions:

Exhibits Attached: Request from Clear Channel Outdoor

Contract /Agreement (If attached):	Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
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County Manager	Assistant County Manager, Mel Scott	Scott L. Knox, County Attorney
Stockton Whitten	Assistant County Manager, Venetta Valdengo	



Tammy Etheridge, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972

March 18, 2015

MEMORANDUM

TO: Scott Knox, County Attorney

RE: Item VI.E.1., Fourth Amendment to Settlement Agreement for Outdoor Request to Upgrade a Nonconforming Billboard Sign

The Board of County Commissioners, in regular session on March 17, 2015, approved Option 2, to directed staff to draft an ordinance amendment allowing future relocation of digital sign faces erected pursuant to an eminent domain settlement agreement; and to defer Option 1.

Your continued cooperation is always appreciated.

Sincerely,

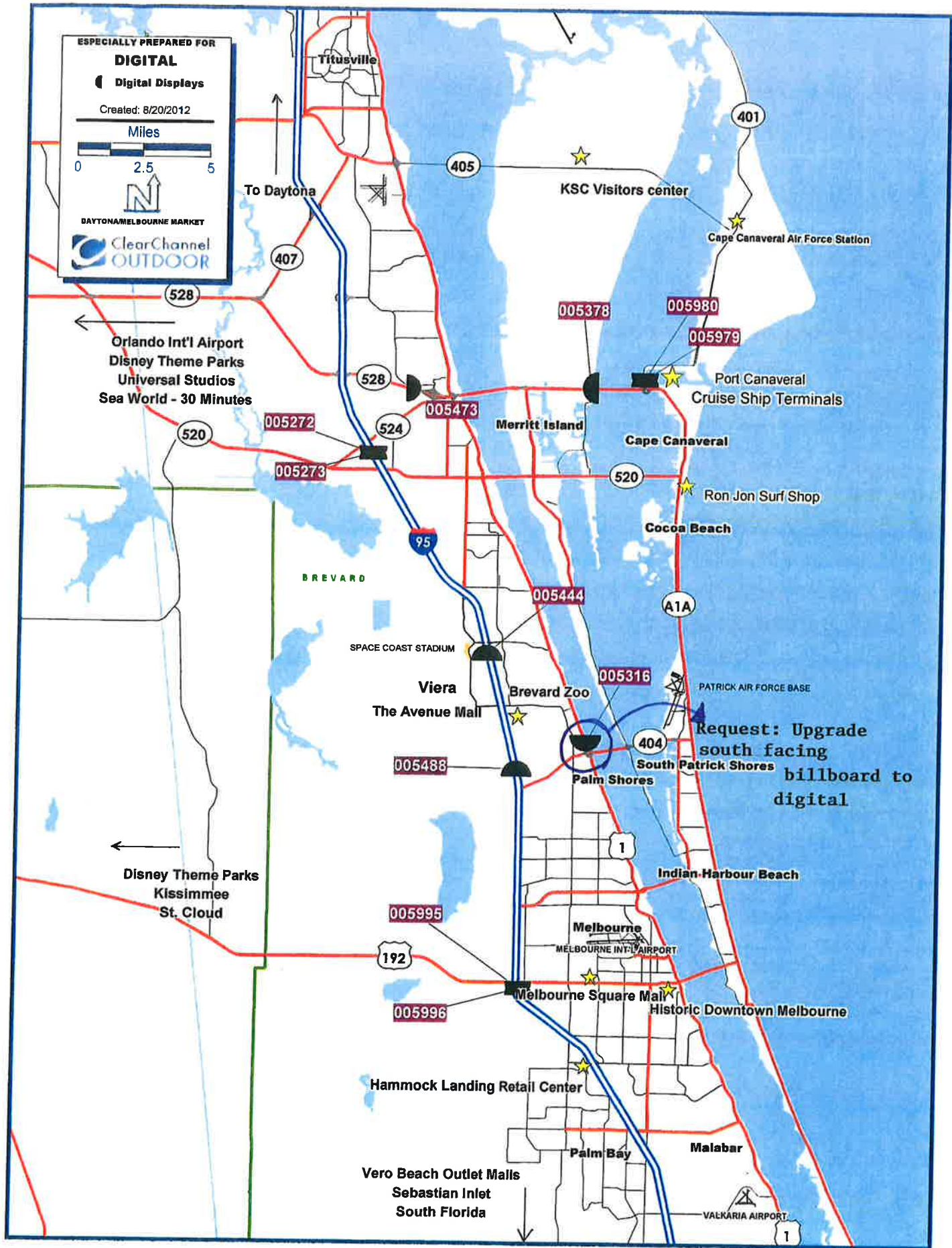
BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge

Tammy Etheridge, Deputy Clerk

/kg

Map 1



February 23, 2015

Mel Scott
2725 Judge Fran Jamieson Way, Bldg. C
Viera, FL 32940

Mr. Scott,

Clear Channel Outdoor is requesting to amend the settlement agreement to Move Digital Board 5444 (Site 2 Exhibit 3 of the Third Amendment) to the backside of Digital Board 5316 (Site 4 Exhibit 5 of the Third Amendment)

Regards,



Matt Ashley
VP Real Estate and Public Affairs
Clear Channel Outdoor – Daytona/Melbourne
321-726-6611
MattAshley@clearchannel.com

FOURTH AMENDMENT TO SETTLEMENT AGREEMENT
BREVARD COUNTY AND CLEAR CHANNEL OUTDOOR, INC.
Pineda Causeway Extension Project

THE SETTLEMENT AGREEMENT dated September 26, 2007, by and between THE BOARD OF COUNTY COMMISSIONERS, BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY," and CLEAR CHANNEL OUTDOOR, INC., a Delaware corporation, formerly registered in Florida as CC Outdoor, Inc. f/k/a Eller Media Company, successor by merger with POA ACQUISITION CORPORATION, hereinafter referred to as "CLEAR CHANNEL", whose address is: 2325 E. Camelback Road, Suite 400, Phoenix, Arizona 85016, as amended by that certain Amendment to Settlement Agreement dated February 3, 2009, [Second] Amendment to Settlement Agreement dated _____, 2010 and that Third Amendment to Settlement Agreement dated December 13, 2013 ("Third Amendment") (collectively as so amended, the "Agreement"), is further amended by this Fourth Amendment to Settlement Agreement ("Fourth Amendment") as follows:

WHEREAS, CLEAR CHANNEL wishes to amend the Third Amendment to Settlement Agreement to move the Digital Billboard described in Exhibit "3" known as Site 2 as set forth in the Third Amendment to the approved location described in Exhibit "5" known as Site 4 as set forth in the Third Amendment;

WHEREAS, following such modification CLEAR CHANNEL shall only be entitled to convert (4) digital billboard sign faces; however CLEAR CHANNEL shall be permitted to have two digital sign faces at Site 4 Exhibit "5"; and

WHEREAS, the COUNTY agrees with the modification requested by CLEAR CHANNEL and desires to modify the Agreement to reflect such change.

NOW, THEREFORE, for good and valuable consideration, it is mutually agreed as follows:

1. The recitals set forth above are true and correct and are hereby incorporated by reference.
2. The third and fourth sentences of Paragraph 2, Alternative C, subparagraph (e) (i) of the Agreement is amended to read as follows:

"Only four (4) digital billboard sign faces total are permitted on these sites per this Agreement each site may contain one digital sign face per site provided Site 4 Exhibit 5 as set forth on the Third Amendment shall be permitted to include two (2) digital faces which shall be back-to-back on the structure located on such site. Remaining billboard sign faces on all sites, other than Site 4 on Exhibit 5 which is permitted to include two (2) digital faces, shall remain traditional billboard sign faces subject to the nonconforming use provisions of the county code and the structural support conversion allowed for the digital portion above."

3. Effective Date. This Fourth Amendment shall not become effective until the date a fully executed version hereof is recorded in the official land records of Brevard County, Florida.

4. **Capitalized Terms.** All capitalized terms shall have the same meanings as defined in the Settlement Agreement unless otherwise defined herein.

5. **No Other Changes.** Except as expressly modified herein, all other provisions of the Settlement Agreement are hereby ratified and confirmed and remain in full force and effect. To the extent there is a conflict between the Settlement Agreement and this Fourth Amendment, this Fourth Amendment shall prevail.

[Signature Pages Follow]

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on this day and year first above written.

CLEAR CHANNEL:

CLEAR CHANNEL OUTDOOR, INC.,
a Delaware corporation

Larry McIntyre, President
Daytona Beach/Melbourne Division

Dated: _____

COUNTY:

BOARD OF COUNTY
COMMISSIONERS
BREVARD COUNTY, FLORIDA

Robin Fisher

Dated: 3-17-15

ATTEST:

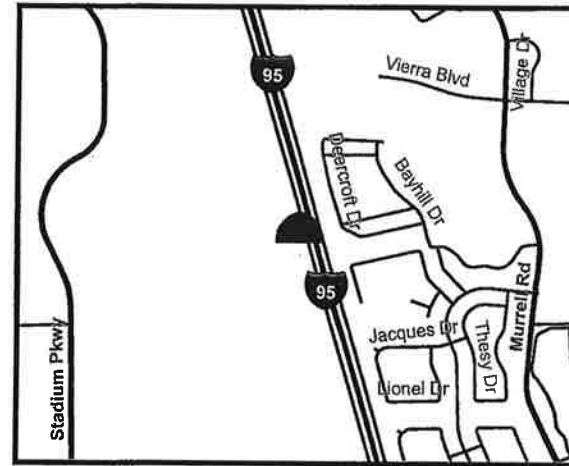
Scott Ellis, Clerk

Reviewed for legal form and content:

[ADD NOTARY PAGES PRIOR TO RECORDING]

DAYTONA BEACH/MELBOURNE

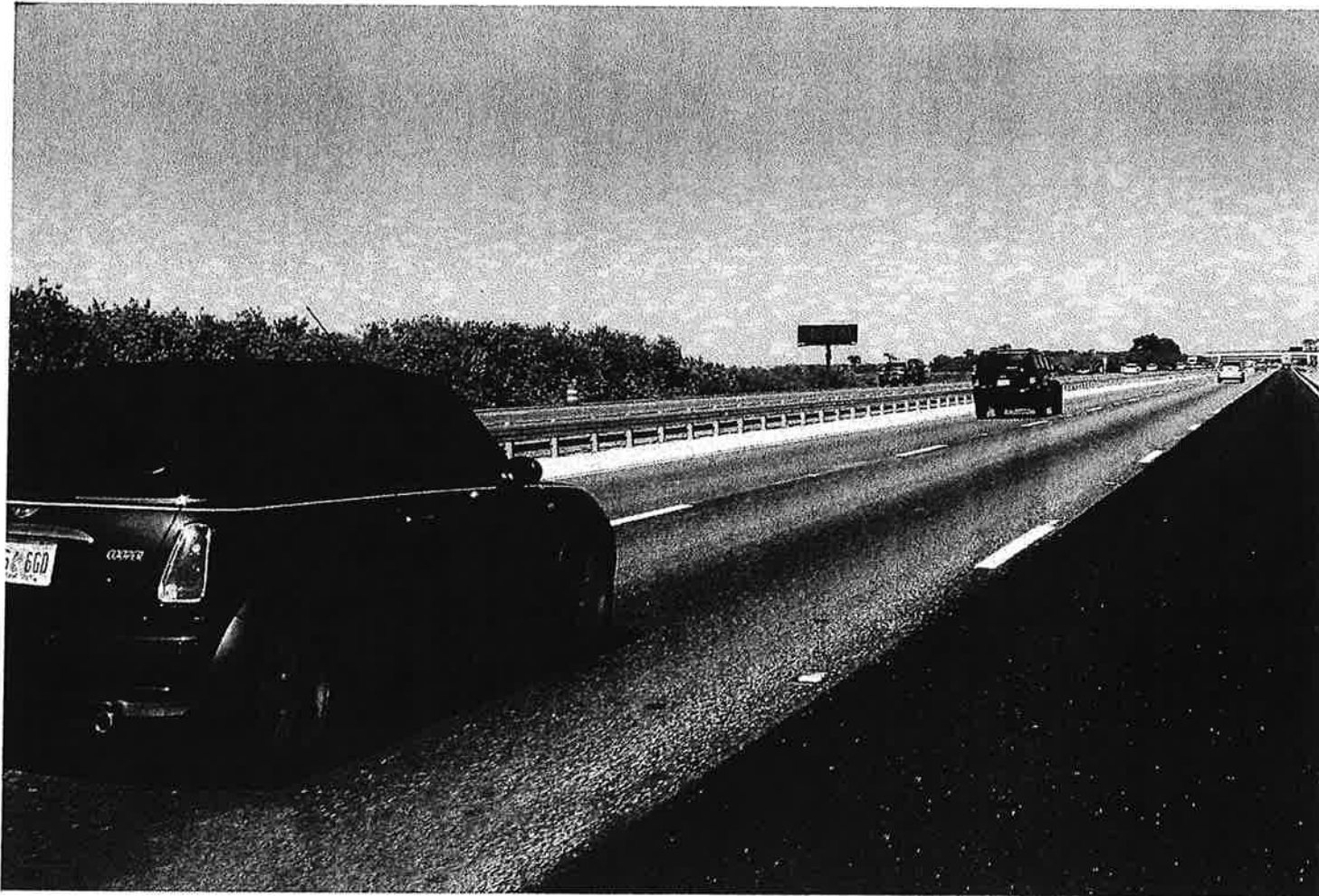
LOCATION #: 005444
DESCRIPTION: I-95 2.2 mi N/O Wickham Rd WS
CITY: Viera
ZIP: 32940
FACING: Facing: South
SIZE: 10'6" x 36'
TOTAL 18+ IMPS: 20,876 (Weekly)
TAB PANEL ID: 333788



Latitude: 28.25933 Longitude: -80.72758

This digital display on I-95 is ideal for targeting commuter and tourist traffic heading to Orlando, Cape Canaveral, Kennedy Space Center and the busy cruise terminals of Port Canaveral.

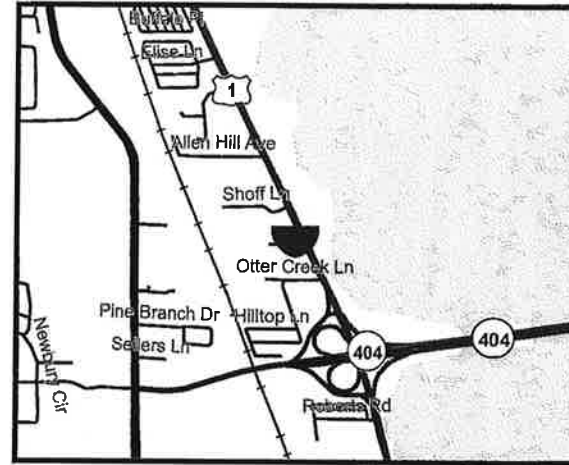
I-95 is a heavily travelled artery with a mixture of locals and tourists all year around.
8 spots for 8 seconds each. 1,250 spots per day.



The TAB Out of Home Ratings™ data is proprietary intellectual property owned by the Traffic Audit Bureau for Media Measurement, Inc. and is to be used only by the recipient solely and exclusively for its planning and/or buying of out-of-home media advertisements. The Total 18+ Imps (Weekly) reported for digital now represent only those impressions for a single spot in rotation. ©Copyright 2014. All rights reserved.

DAYTONA BEACH/MELBOURNE

LOCATION #: 005316
DESCRIPTION: US 1 0.4 mi N/O SR 404 Pineda Cswy WS
CITY: Viera
ZIP: 32940
FACING: Facing: North
SIZE: 10'6" x 36'
TOTAL 18+ IMPS: 17,758 (Weekly)
TAB PANEL ID: 333722

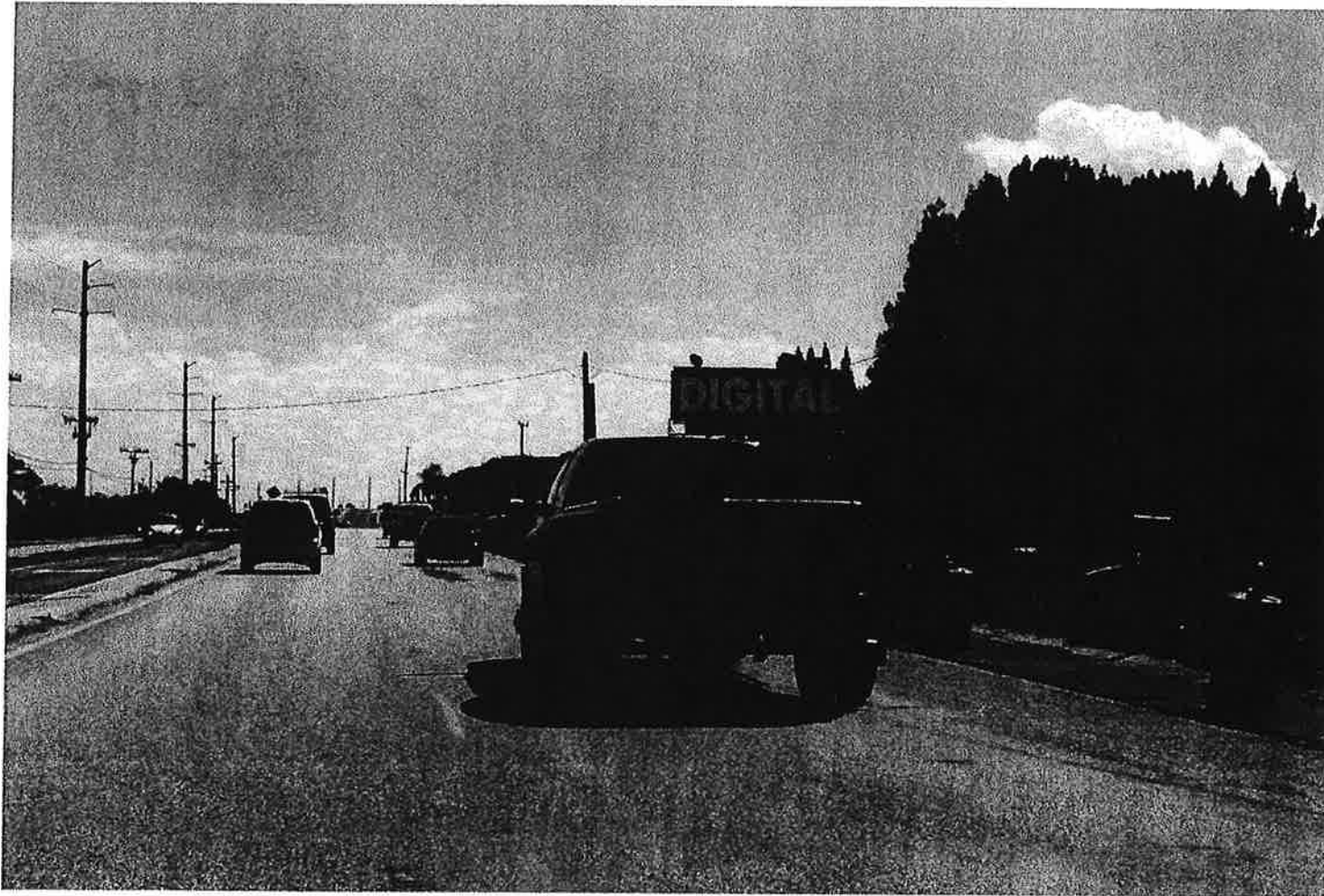


Latitude: 28.21032 Longitude: -80.66469

This digital display directly targets traffic on busy US1 heading from Cocoa, Rockledge and Merritt Island going into Melbourne and Patrick Air Force base.

US 1 in this area sees heavy traffic with a mixture of locals and tourist all year around.

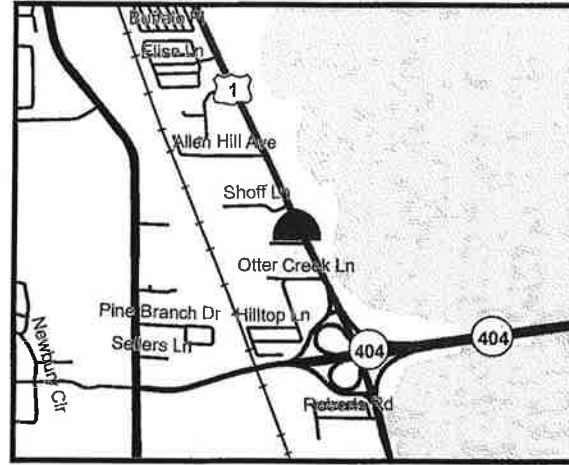
8 spots for 8 seconds each. 1,250 spots per day.



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DAYTONA BEACH/MELBOURNE

LOCATION #: 005317
DESCRIPTION: US 1 0.4 mi N/O SR 404 Pineda Cswy WS
CITY: Viera
ZIP: 32940
FACING: Facing: South
SIZE: 10'6" x 36'
TOTAL 18+ IMPS: 114,766 (Weekly)
TAB PANEL ID: 333723



Latitude: 28.21031 Longitude: -80.66468

Targets traffic coming from Melbourne, beaches, and Patrick Air Force Base heading into Rockledge.



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5544 W. 147TH STREET

OAK FOREST, ILLINOIS 60452

(708) 489-0400
FAX (708) 489-9380

Tuesday, March 11, 2014

Pete Mack
Clear Channel Outdoor
2890 Harper Road
Melbourne, Florida 32904

Re: Adding second digital face to billboard located at
US-1 W/S 0.4 mi S/O SR-404 in Brevard County, Florida
Built according to GRC Drawing 20-2229

Dear Pete:

The addition of the second digital face to the referenced billboard structure is acceptable. The structure that was built in 2011 according to GRC Drawing 20-2229 was originally designed to support two digital faces. All the details shown in that drawing are valid. Since this structure was originally designed to support such a face, the design loads on this structure are not changed. This work does not increase the design gravity loads as described in §303.3 of the 2010 Florida Building Code, Existing Building. For the same reason, this work meets the exception described in §303.4 of the 2010 Florida Building Code, Existing Building.

While a permit is still required for the work, the main structure need not be altered to support the loads from the new face. The face requires stringers and clips to be sized and located per the original drawings (GRC Drawing 20-2229).

Yours truly

Frank Voss
GRC Engineering, Inc.





November 24, 2010

MEMORANDUM

TO: Scott Knox, County Attorney Attn: Eden Bentley

RE: Item VI.A, Clear Channel Settlement Agreement

The Board of County Commissioners, in regular session on November 23, 2010, approved the amendment of Clear Channel Settlement Agreement by adding an alternative of rebuilding billboards at existing sites under limited conditions. Enclosed are fully-executed and two certified copies of Settlement Agreement for your action.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge

TJ Tamara Van Fossan, Deputy Clerk
/ds

Encls. (3)

cc: Contracts Administration
Public Works Director
Finance
Budget

THIRD AMENDMENT TO SETTLEMENT AGREEMENT

BREVARD COUNTY AND CLEAR CHANNEL OUTDOOR, INC.

Pineda Causeway Extension Project

THE SETTLEMENT AGREEMENT dated September 26, 2007, by and between THE BOARD OF COUNTY COMMISSIONERS, BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY," and CLEAR CHANNEL OUTDOOR, INC., a Delaware corporation, formerly registered in Florida as CC Outdoor, Inc. f/k/a Eller Media Company, successor by merger with POA ACQUISITION CORPORATION, hereinafter referred to as "CLEAR CHANNEL", whose address is: 2201 E. Camelback Road, Suite 500, Phoenix, Arizona 85016, as amended by that certain Amendment to Settlement Agreement dated February 3, 2009 and that Amendment to Settlement Agreement dated _____, 2010 (collectively, the "Agreement"), is further amended by this Third Amendment to Settlement Agreement ("Third Amendment") as follows:

WHEREAS, the COUNTY and CLEAR CHANNEL, have agreed that there is a third alternative that would constitute a reasonable settlement for the loss of Billboard Site "B" and the relocation of access to Billboard Site "A" and Billboard Site "C"; and

WHEREAS, under Paragraph 2 only two alternatives are discussed; and

WHEREAS, CLEAR CHANNEL in accordance with the requirements of both Alternatives A and B has already conveyed to the COUNTY its interest in Site "B" by Quit Claim Deed, recorded in Book 5815, Page 3220, Official Records of Brevard County, Florida (the delivery of such deed being referred to below as the "Closing on Site "B"");

WHEREAS, the Agreement contemplated that the COUNTY and CLEAR CHANNEL would execute certain additional form documents attached as exhibits to the Agreement upon the

election of either Alternative A or B, including termination of leases and easements to billboard sites, as applicable; and

WHEREAS, the parties executed such additional form documents attached to the Agreement with the intent that such documents be held pending the proper election of either Alternative A or B; however, the COUNTY mistakenly recorded the following documents prior to any election being made: (1) Grant of Perpetual Easements and Declaration of Restrictions, dated September 25, 2007, recorded in Book 5815, Page 3175, and (2) Lease Modification (Release and Substitution of Lease Area) dated September 25, 2007, recorded in Book 5815, Page 3198 (all of the official land records of Brevard County, Florida); and

WHEREAS, the parties have acknowledged that the recording was premature and have continued to function in their business relationship in accordance with the terms of the Agreement notwithstanding such recording; and

WHEREAS, the COUNTY and CLEAR CHANNEL wish to amend the Agreement to include a third alternative to be referred to as "Alternative C" and to provide for the amendment of the documents recorded in the official land records to reflect the intention of the parties upon the election of Alternative C; and

WHEREAS, the Agreement was previously amended to extend the provisions of Paragraph 3 to July 25, 2010 and amended again to July 25, 2011.

NOW, THEREFORE, it is mutually agreed as follows:

1. The recitals set forth above are true and correct and are hereby incorporated by reference.
2. Paragraph 2 of the Agreement is amended to add Alternative C, subparagraph (e) as follows:

ALTERNATIVE C

e. Notwithstanding the potential for Alternative A and Alternative B, the COUNTY and CLEAR CHANNEL developed a third possible alternative after the Closing on Site "B" and the deposit by the COUNTY of Five Hundred Thousand Dollars and No Cents (\$500,000.00) in an interest bearing escrow account. The COUNTY is presently considering the approval of amendments to the County Code, a copy of such amendments being attached hereto as Exhibit 1 and incorporated herein by this reference ("Proposed Amendments"). The COUNTY agrees to timely review and consider the Proposed Amendments, but the parties agree that the COUNTY is under no obligation to approve the Proposed Amendments. If the COUNTY approves the Proposed Amendments, or approves amendments that are in a form substantially similar to the Proposed Amendments and which continue to provide for all rights granted to CLEAR CHANNEL hereunder, then CLEAR CHANNEL shall be deemed to have approved Alternative C as set forth in this subsection (and not the settlements described in Alternatives A and B) and agrees to accept in lieu of compensation for the loss of Site "B" the following:

i. CLEAR CHANNEL may convert, pursuant to the provisions of the Proposed Amendments, four (4) billboard sign faces to digital billboard sign faces at the four (4) sites shown in Exhibits "2-5" of this Agreement, copies of which are attached hereto and incorporated herein by this reference. Sign structures being converted to the digital billboard sign faces may be upgraded, as necessary, to a steel monopole type construction that will sufficiently handle the weight and load of a digital billboard and meet the requirements of the building code. Only four (4) digital billboard sign faces total are permitted on these sites per this Agreement, one digital sign face per site. Remaining billboard sign faces on these sites shall

remain traditional billboard sign faces subject to the nonconforming use provisions of the county code and the structural support conversion allowed for the digital portion above.

ii. CLEAR CHANNEL has conveyed to the COUNTY its interest in Site "B" and any other interchange area, by Quit Claim Deed recorded in Book 5815, Page 3220, Official Land Records of Brevard County. CLEAR CHANNEL has also terminated its lease relating to Site "B" by execution of that certain Termination of Lease as to Certain Real Property, recorded in Book 5815, Page 3222, Official Records of Brevard County.

iii. CLEAR CHANNEL agrees that, after all four digital billboard sign faces are fully permitted and constructed, or, two (2) years from the effective date of the Proposed Amendments, whichever occurs first, provided the County responds to permit applications in a timely fashion, the Escrow Agent shall pay CLEAR CHANNEL Thirty-Five Thousand Dollars and No Cents (\$35,000.00) plus any accrued interest attributable to the \$35,000.00, which the parties expressly acknowledge and agree is solely to pay CLEAR CHANNEL for the cost of removal and demolition for the billboard removed and in lieu of compensation for the billboard condemned in accordance with the Proposed Amendments, and which shall constitute the sole payment to CLEAR CHANNEL for all claims by CLEAR CHANNEL against Brevard County as a result of the COUNTY'S acquisition of property for the Pineda Extension and the Pineda Interchange. The Escrow Agent shall pay the remaining Four Hundred Sixty-Five Thousand Dollars and No Cents (\$465,000.00) plus accrued interest to the COUNTY. These respective payments shall be paid by the Escrow Agent to CLEAR CHANNEL and the COUNTY simultaneously upon written notice to the Escrow Agent attaching either (i) certificates of completion or other final permit approvals evidencing the completion of the installation of the four (4) digital billboard sign faces; or (ii) an affidavit by the

Jim Ford, C.F.A.
Property Appraiser
Brevard County, FL



Property
Research



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General Parcel Information for 26-36-27-00-00004.0-0000.00

Parcel Id:	26-36-27-00-00004.0-0000.00	Map/Ortho	Aerial	Millage Code:	4200	Exemption:	C	Use Code:	8600
* Site Address:	4300 TURTLE MOUND RD CELLTW, MELBOURNE 32940							Tax Acct:	2623256

* Site address information is assigned by the Brevard County Address Assignment Office for B9-1-1 purposes; this information may not reflect community location of property.

Tax information is available at the Brevard County Tax Collector's web site
(Select the back button to return to the Property Appraiser's web site)

Owner Information

Owner Name:	BREVARD COUNTY
Second Name:	
	C/O ASSET MANAGEMENT
Mailing Address:	700 PARK AVE S
City, State, Zipcode:	TITUSVILLE, FL 32780

Abbreviated Description

Sub Name:	PART OF E 1/2 OF NE 1/4 LYING E I-95 AS DESC IN ORB 4067 PG 3685 & 5789 PG 2094 EXC ORB 4067 PG 1744
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Value Summary

	2008	2009	2010
* Market Value Total:	\$228,000	\$193,720	\$173,260
Agricultural Market Value:	\$0	\$0	\$0
Assessed Value Non-School:	\$228,000	\$193,720	\$173,260
Assessed Value School:	\$228,000	\$193,720	\$173,260
** Homestead Exemption:	\$0	\$0	\$0
** Additional Homestead:	\$0	\$0	\$0
** Other Exemptions:	\$228,000	\$193,720	\$193,720
*** Taxable Value Non-School:	\$0	\$0	\$0
*** Taxable Value School:	\$0	\$0	\$0

Land Information

Acres:	6.76
Site Code:	95

* This is the value established for ad valorem purposes in accordance with s.193.011(1) and (8), Florida Statutes. This value does not represent anticipated selling price for the property.

** Exemptions as reflected on the Value Summary table are applicable for the year shown and may or may not be applicable if an owner change has occurred.

*** The additional exemption does not apply when calculating taxable value for school districts pursuant to amendment 1.

Sales Information

Official Records Book/Page	Sale Date	Sale Amount	Deed Type	*** Sales Screening Code	*** Sales Screening Source	Physical Change Code	Vacant/Improved
5789/2094	5/2007	\$100	WD	PT			V
5731/4210	12/2006	\$347,000	WD	PT	08		V
5731/4201	12/2006	\$1,735,500	WD	PT	08		I
4067/3685	9/1999	\$100	PT				I

*** Sales Screening Codes and Sources are from analysis by the Property Appraiser's staff.
They have no bearing on the prior or potential marketability of the property.

Proposed Taxes 2010

Taxing Authorities	Taxes Billed
Ad Valorem	
County	\$0.00
School	\$0.00
City and/or MSTU	\$0.00
Water Management	\$0.00
SP District	\$0.00
Debt Payment	\$0.00
Total Ad Valorem	\$0.00

Rollback Taxes 2010

Taxing Authorities	Taxes Billed
Ad Valorem	
County	\$0.00
School	\$0.00
City and/or MSTU	\$0.00
Water Management	\$0.00
SP District	\$0.00
Debt Payment	\$0.00
Total Ad Valorem	\$0.00

Data Last Updated: Wednesday, October 27, 2010 - Printed On: Wednesday, October 27, 2010.

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COUNTY attesting that the two (2) year period has completed; provided, however, the Escrow Agent shall not release any sums as a result of the completion of the two (2) year period if CLEAR CHANNEL has filed an affidavit with the Escrow Agent attesting that both (A) permits for the referenced billboards have been applied for by CLEAR CHANNEL with all required information provided and fees paid and (B) the COUNTY has not responded appropriately and timely to the completed permit applications.

iv. Site "A" shall remain in place pursuant to that certain Lease Modification (Release and Substitution of Lease Area) dated September 25, 2007 by and between CLEAR CHANNEL and the COUNTY, recorded in Book 5815, Page 3198, Public Records of Brevard County. The parties agree to execute that certain Amendment to Lease Modification (Release of Site C), a copy of which is attached hereto as Exhibit "6" ("Lease Amendment") reflecting that the lease no longer applies to Site "C."

v. Site "C" shall be one of the four (4) locations approved herein for the installation of a digital billboard and shall remain in place pursuant to that certain Grant of Perpetual Easements and Declaration of Restrictions recorded in Book 5815, Page 3175, Public Records of Brevard County, Florida. CLEAR CHANNEL and the COUNTY agree to execute that certain Amendment to Grant of Perpetual Easements and Declaration of Restrictions ("Easement Amendment"), a copy of which is attached hereto as Exhibit "7," reflecting the termination of the sign, access and utility easements related to Site A.

vi. The Lease Amendment and the Easement Amendment shall be executed by the parties within twenty (20) days after execution of this Third Amendment by the last party. Provided, however, such documents shall not become effective until recorded in the official land records of Brevard County. The COUNTY shall record such documents

immediately upon CLEAR CHANNEL having elected, or having been deemed to have elected, this Alternative C.


3. All capitalized terms shall have the same meanings as defined in the Agreement unless otherwise defined herein.

4. Except as expressly modified herein, all other provisions of the Agreement are hereby ratified and confirmed and remain in full force and effect. To the extent there is a conflict between the Agreement and this Third Amendment, this Third Amendment shall prevail.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on this day and year first above written.

CLEAR CHANNEL

CLEAR CHANNEL OUTDOOR, INC.,
a Delaware corporation


Larry McIntyre, President
Daytona Beach/ Melbourne Division

Dated: 11/18/10

ATTEST:


Scott Ellis, Clerk

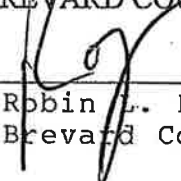
Reviewed for legal form and content:

Eden Bentley, Deputy County Attorney

Exhibits:

COUNTY:

BOARD OF COUNTY
COMMISSIONERS,
BREVARD COUNTY, FLORIDA

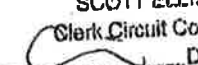

Robbin L. Fisher, Chairman
Brevard County Commission

Dated: 11/23/10

As approved by the Brevard County
Commission 11/23/10

STATE OF FLORIDA
COUNTY OF BREVARD

This is to certify that the foregoing is a
true and current copy of the Settlement
Agreement witness my hand
and official seal this 29 day of
November 2010

SCOTT ELLIS
Clerk Circuit Court
BY  D.C.

- Exhibit 1: Proposed Code Amendments
- Exhibit 2: Site 1
- Exhibit 3: Site 2
- Exhibit 4: Site 3
- Exhibit 5: Site 4
- Exhibit 6: Form of First Amendment to Lease Modification – Release of Site C
- Exhibit 7: Form of First Amendment to Grant of Perpetual Easements and Declaration of Restrictions (Termination of Billboard Site A)

Exhibit "1"
Proposed Code Amendments

ORDINANCE NO. 2010-_____

AN ORDINANCE AMENDING CHAPTER 62, "LAND DEVELOPMENT REGULATIONS", CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA; AMENDING ARTICLE IX ENTITLED "SIGNS" ALLOWING ALTERATIONS OF EXISTING BILLBOARDS TO ALLOW DIGITAL DISPLAYS UNDER CERTAIN CONDITIONS INVOLVING CONDEMNATIONS, SPECIFICALLY AMENDING SECTION 62-3301, TO ADDRESS DIGITAL BILLBOARDS IN THE OFF-PREMISE SIGN DEFINITION; AMENDING SECTION 62-3306 "PERMITS" TO ADD SUBSECTION (e) ADDRESSING DIGITAL BILLBOARDS AND REQUIREMENTS FOR DIGITAL BILLBOARDS AND PROVIDING AN EXEMPTION FROM LIGHTING STANDARDS; AMENDING SECTION 62-3309, (a)(12) TO ALLOW MODIFICATION OR REPLACEMENT OF NONCONFORMING BILLBOARDS UNDER CERTAIN CIRCUMSTANCES; AMENDING SECTION 62-3318 (a) (5) TO ALLOW THE BOARD THE ABILITY TO ENTER INTO SETTLEMENT AGREEMENTS WITH OFF-PREMISE/BILLBOARD SIGN OWNERS REGARDING THE CONVERSION OF EXISTING SIGNS TO DIGITAL BILLBOARDS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AREA ENCOMPASSED; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF BREVARD COUNTY, FLORIDA.

WHEREAS, the Brevard County Board of County Commissioners recognizes that there are billboards or off-premise signs located in Brevard County; and

WHEREAS, the County has projects which affect billboards; and

WHEREAS, Ordinance 03-47 adopted October 2, 2003 has identified all existing billboards to be nonconforming; and

WHEREAS, the damages may be substantial when condemnation of billboards occur; and

WHEREAS, damage claims for billboards can cost thousands of dollars; and

WHEREAS, the importance of saving County tax dollars may outweigh the need to apply rigid restrictions on the alteration of nonconforming billboards in certain limited circumstances involving eminent domain; and

WHEREAS, the Board of County Commissioners, on September 7, 2010 directed preparation of an amendment to amend the LDR's in order to allow refurbishment/replacement of off-premise signs (billboards); and

WHEREAS, the Local Planning Agency, on October 18, 2010, reviewed the proposed ordinance and made recommendations; and

WHEREAS, the Building & Construction Advisory Committee, on October 13, 2010, reviewed the proposed ordinance and made recommendations; and

WHEREAS, the Board of County Commissioners has reviewed the recommendations of the Local Planning Agency and the Building & Construction Advisory Committee and has considered the comments of interested citizens in public hearing; and

WHEREAS, the Board of County Commissioners has determined that the proposed amendment serves the public health, safety and welfare of the citizens of Brevard County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, as follows:

Underline indicates additions.

~~Strike-through indicates deletions.~~

SECTION 1. Chapter 62, Article IX, Section 62-3301, Code of Ordinances of Brevard County, Florida, is hereby amending the definition of "off-premises sign" as follows:

Sec. 62-3301. - Definitions.

Off-premises sign means any permanently affixed structure that is erected and maintained for the purpose of advertising the name of a business, services, accommodations, products or activities that are not available on the premises on which the sign is located. A Digital Billboard is an off-premise sign that utilizes digital message technology, capable of changing the static message or copy on the sign electronically. A digital billboard may be internally or externally illuminated.

SECTION 2. Chapter 62, Article IX, Section 62-3306 (e), Code of Ordinances of Brevard County, Florida, is hereby created:

Sec. 62-3306. - Permits generally.

(e) Digital Billboards may be permitted at existing off-premise sign structures, in non-residential zoning districts subject to the following requirements:

1. The County shall only approve and issue permits for digital billboards that upgrade existing nonconforming billboards in instances where the county has made a legal settlement or agreed to do so in the course of condemnation and/or eminent domain proceedings. Otherwise, the general nonconforming provisions

of this section shall apply.

2. Operational limitations. Digital Billboards shall contain static messages only and shall not have movement or the appearance or optical illusion of movement of any part of the sign structure, design, or pictorial segment of the sign. Each static message shall not include movement or the appearance of movement or the flashing, scintillating or the varying of light intensity.
3. Minimum display time. Each message on the sign must be displayed for a minimum of six (6) seconds.
4. Digital Billboard illumination shall be exempt from the requirements of Sec. 62-2257, Code of Ordinance of Brevard County, Florida.
5. Each display shall have a light sensing device with dimming ability that will adjust the brightness of the billboard as ambient lighting conditions change. Light intensity will be adjusted so as not to exceed 0.3 foot candles above ambient lighting, as measured using a foot-candle meter at a preset distance. The pre-set distance to measure the foot candle impacts vary with the expected viewing distances and the face size of each sign noted below. Measurement shall be performed perpendicular from the sign face and at the distances stated for each face size:

<u>Face Size</u>	<u>Distance</u>
12x25	150'
10'6"x36'	200'
14x48	250'

6. Notwithstanding the nonconforming status of an off-premise sign, where a settlement agreement has been reached in the course of condemnation and/or eminent domain proceedings, an existing off-premise sign structure may be permitted by the commission to be upgraded to a steel monopole type construction that will sufficiently handle the weight and load of a digital billboard and meet the requirements of the building code. Any such upgrade shall not violate any law of the State of Florida or the United States. This type of modification is only available where the owner of the billboard accepts a modified billboard in lieu of compensation for the billboard condemned. Payment for the billboard condemned makes the owner ineligible for the application of the modification of nonconforming billboard provisions contained herein. Billboard owners may be paid the cost of removal and demolition for the billboard condemned without losing eligibility to use the provisions of this ordinance.
7. The technology currently being deployed for Digital Billboards is LED (light emitting diode), but there may be alternate, preferred and superior technology

* The adoption of the Proposed Amendments without Section 62-3306(e)9 shall also be deemed acceptable to Clear Channel.
available in the future.

8. Owners of Digital Billboards are encouraged to coordinate with the local authorities to display, without charge, on an as-needed basis, regional emergency information important to the traveling public including, but not limited to Amber Alerts, evacuation information, hurricane warnings or pertinent emergency management information.
- * 9. Sign Area. Replacement signs pursuant to settlement agreements described herein may not have an active copy area that exceeds the size of the non-conforming sign being replaced. The maximum active copy area for a Digital Billboard shall be three hundred seventy-eight (378) square feet per sign face.

SECTION 3. Chapter 62, Article IX, Section 62-3309 (a) (12), Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

Sec. 62-3309. - Prohibited signs.

(a)

Generally. The following types of signs are prohibited:

(12)

No off-premises signs shall be erected after October 16, 2003, except that upgrades, replacements, or modifications to existing signs may be permitted as authorized by this ordinance for condemnation settlement proceedings addressing replacement of existing nonconforming off-premise signs or billboards notwithstanding the provision of subsection (b) below and new digital or traditional billboards may replace existing nonconforming off-premise signs or billboards where the county has made a legal settlement or agreed to do so in the course of condemnation and/or eminent domain proceedings.

SECTION 4. Chapter 62, Article IX, Section 62-3318 (a) (5), Code of Ordinances of Brevard County, Florida, is hereby amended as follows:

Sec. 62-3318. - Off-premises signs.

(a)

Off-premises signs.

(5)

Board's power and right to legislate. This section shall not affect the board's powers and right to legislate or regulate an owner's obligation to maintain in good condition any off-premises sign already constructed and erected as of October 16, [2003,] removal of any off-premises sign from along any portion of a county, state, interstate highway system or

the federal-aid primary highway system, or enforcement of this section. This section shall not affect the board's powers and right to enter into settlement agreements with sign owners allowing the installation of digital technology and the conversion of existing signs to digital billboards as part of a settlement of eminent domain proceedings.

SECTION 5. Conflicting Provisions. In the case of a direct conflict between any provision of this ordinance and a portion or provision of any other appropriate federal, state or county law, rule, code or regulation, the more restrictive shall apply.

SECTION 6. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 7. Area Encompassed. This ordinance shall take effect only in the unincorporated area of Brevard County, Florida.

SECTION 8. Effective Date. A certified copy of this ordinance shall be filed with the Office of the Secretary of State, State of Florida within ten (10) days of enactment. This ordinance shall take effect upon adoption and filing as required by law.

SECTION 9. Inclusion in code. It is the intention of the Board of County Commissioners that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of Brevard County, Florida; and that the sections of this ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

DONE, ORDERED AND ADOPTED, in regular session, this 23rd day of November, 2010.

Attest:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Scott Ellis, Clerk

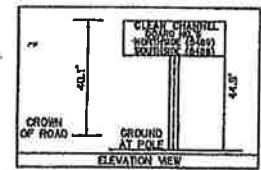
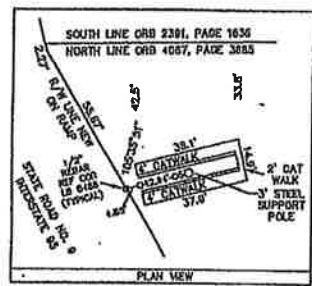
Mary Bolin, Chairperson
(as approved by the Board on November 23, 2010)

(S E A L)

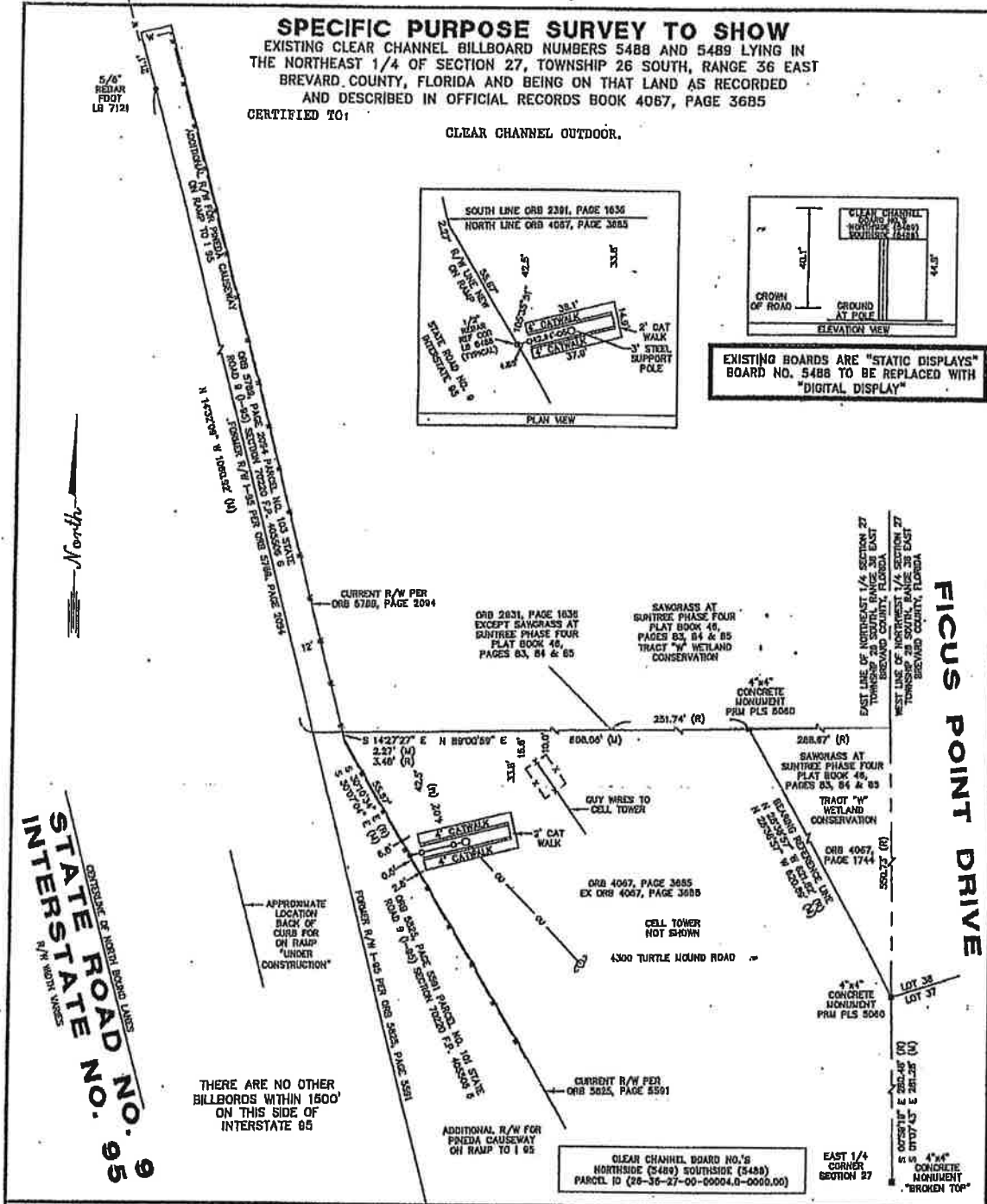
Reviewed for legal form and content by: _____

SPECIFIC PURPOSE SURVEY TO SHOW
 EXISTING CLEAR CHANNEL BILLBOARD NUMBERS 5488 AND 5489 LYING IN
 THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 26 SOUTH, RANGE 36 EAST
 BREVARD COUNTY, FLORIDA AND BEING ON THAT LAND AS RECORDED
 AND DESCRIBED IN OFFICIAL RECORDS BOOK 4067, PAGE 3685
 CERTIFIED TO:

CLEAR CHANNEL OUTDOOR.



EXISTING BOARDS ARE "STATIC DISPLAYS"
 BOARD NO. 5488 TO BE REPLACED WITH
 "DIGITAL DISPLAY"



THERE ARE NO OTHER
 BILLBOARDS WITHIN 1800'
 ON THIS SIDE OF
 INTERSTATE 95

CLEAR CHANNEL BOARD NO.'S
 NORTHSIDE (5488) SOUTHSIDE (5489)
 PARCEL ID (28-36-27-00-00004.0-0000.00)

FLOOD ZONE "X" = AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN / FLOOD ZONE "X (SHADED)" = AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DAMAGE AREAS LESS THAN 1 SQUARE FOOT; AND AREAS PROTECTED BY LEAKS FROM 1% ANNUAL CHANCE FLOOD.

ASSOCIATED SURVEYORS INC.
 LAND & ENGINEERING SURVEYS
 3846 BLANDING BOULEVARD
 JACKSONVILLE, FLORIDA 32210
 904-771-8488
 CERTIFICATE OF AUTHORIZATION NO. LB 0005488

GENERAL NOTES:
 1. BEARINGS ARE BASED ON PLAT BOOK 38, PAGE 82.
 2. STRUCTURE NO. N/A. SHOWN HEREON LIES WITHIN FLOOD ZONE N/A AS BEST DETERMINED FROM F.E.M.A. FLOOD MAPS PANEL NO. N/A DATED N/A.
 3. THIS IS A SURFACE SURVEY ONLY. THE EXTENT OF UNDERGROUND FOOTINGS, PIPES AND UTILITIES, IF ANY, NOT DETERMINED.
 4. JURISDICTIONAL AND/OR ENVIRONMENTALLY SENSITIVE AREAS IF ANY, NOT LOCATED BY THIS SURVEY.
 5. THIS SURVEY BASED ON LEGAL DESCRIPTIONS FURNISHED. THE PUBLIC RECORDS WERE NOT SEARCHED BY THIS SURVEYOR FOR EASEMENTS, TITLE COVENANTS, B.R.L.'S, RESTRICTIONS, CLOSURES, TAKINGS OR ORDINANCES, ETC. THERE COULD BE OTHER MATTERS OF RECORD THAT AFFECT THIS PARCEL.
 6. UNLESS OTHERWISE STATED ALL IRON PIPES FOUND HAVE NO IDENTIFICATION.

I HEREBY CERTIFY THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 610.17-6, FLORIDA ADMINISTRATIVE CODE, CHAPTER 472, F.S.
 BY: *Charles L. Starling*
 CHARLES B. HATCHER FLORIDA CERTIFICATE NO. 3771
 CHARLES L. STARLING FLORIDA CERTIFICATE NO. 4578
 RAYMOND J. SCHAEFER FLORIDA CERTIFICATE NO. 8132

LEGEND/ABBREVIATIONS

○ SET IRON PIPE OR REBAR	P.C. = POINT OF CURVE	CH = CHORD
○ "ASSOC. SURVEY" OR L.B. 6488	P.T. = POINT OF TANGENCY	(R) = RECORD
● FOUND IRON PIN OR PIPE (IP)	-O-U- OVER HEAD UTILITIES	(M) = MEASURED
■ FOUND CONCRETE MONUMENT (C.M.)	○ = FIRE HYDRANT	(C) = COMPUTED DATA
x = CROSS CUT OR SMALL HOLE	○ = CONCRETE	RL = RADIUS
O.R.B. = OFFICIAL RECORD BOOK	A.C. = AIR CONDITIONER	L = AND LENGTH
O.R.V. = OFFICIAL RECORD VOLUME	WB = WATER METER	≡ = PHONE RISER
P.R.M. = PERMANENT REFERENCE MONUMENT	P.E. = POOL EXHAUST	R/W = RIGHT OF WAY
B.R.L. = BUILDING RESTRICTION LINE	X-X CHAIN LINK FENCE	D.V. = DETERMINE THE
E.T. = ELECTRIC TRANSFORMER & PAD	—W— WIRE FENCE	○ = UTILITY POLE
J.E.A. = JACKSONVILLE ELECTRIC AUTHORITY	—U— U-UTILITY FENCE	—= CUT ANCHOR
C & R = COVENANTS & RESTRICTIONS	—I— I-IRON FENCE	COVD = COVERED
P.O.C. = POINT OF BEGINNING CURVE	—B— BETWEEN	E.B. = ELECTRIC BOX
P.R.C. = POINT OF REVERSE CURVE	(E.T.) = EAVE TIE	

JOB NO. 58025 DATE 10-19-2010
 SCALE: 1" = 40' DRAFTER CLS

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Click Action: Parcel Info Distance 0

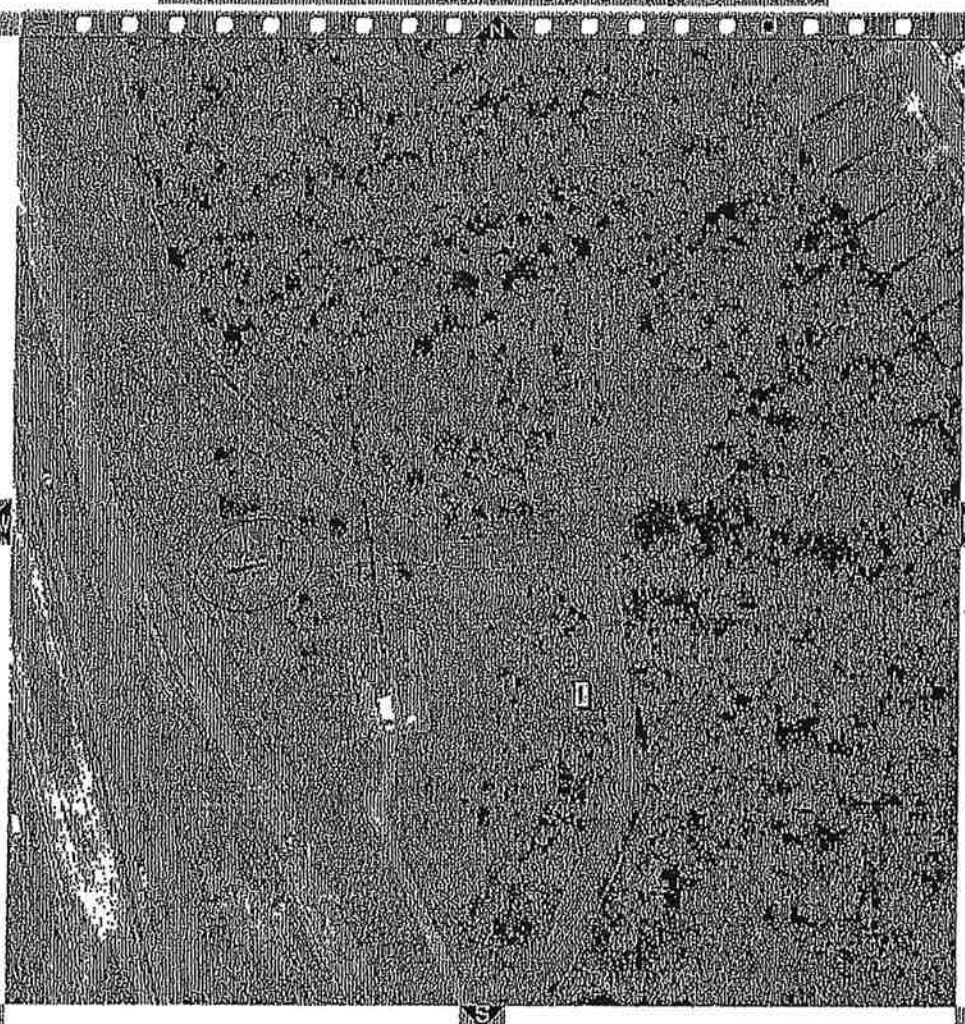
The map interface displays a parcel with various overlays. The toolbar on the right includes the following options:

- View:** Map (selected), Aerial, Change
- Locate:** Tax Acct
- Zoom to:** Brevard County
- Printable Version:** Map, Preview
- Check below the:**
 - Parcels
 - Ge
 - Schools
 - Lil
 - Sections
 - W
- Help** **Leg**

Attention: The browser zoom level must be 100% to view the map. Click to select the parcel.

Zoom To	Account	Owner	Property Address	Parcel Identifier
1	Aerial 2623256	BREVARD COUNTY	4300 TURTLE MOUND RD	26-36-27-00-00004.0-0000.0

Click Action: Parcel Info Distance 0



View
 Map Aerial
[Change](#)

Locate
 Parcel ID

Zoom to
 Brevard County

Printable Version
 Map [Preview](#)

Check below the
 Parcels
 Schools
 RoadNames
 Water
[Update](#)

[Help](#) [Legend](#)

Attention: The browser level must be 100% click to select the parcel.

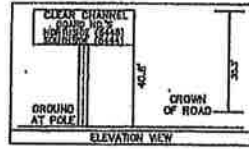
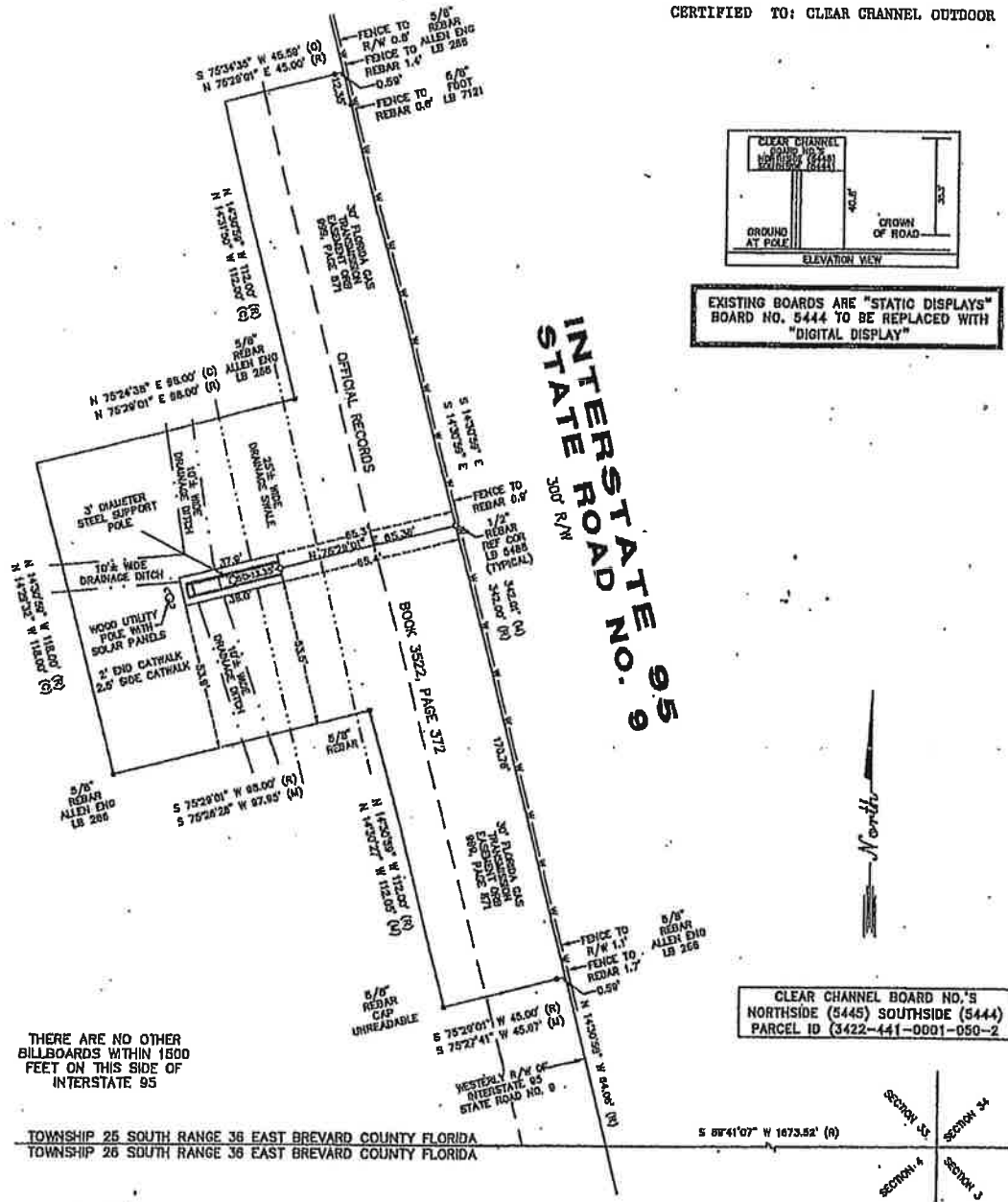
New!	Parcel Identifier	Address	Millage Code	Exemption Code	Use Code	Tax Account
1	Aerial 26-36-27-00-00004.0-0000.0	4300 TURTLE MOUND RD	4200	C	8600	2623256

Exhibit "2"
Site 1

Exhibit "3"
Site 2

SPECIFIC PURPOSE SURVEY TO SHOW
 EXISTING CLEAR CHANNEL BILLBOARD NUMBERS 5444 AND 5445
 LYING IN SECTION 33, TOWNSHIP 25 SOUTH, RANGE 36 EAST,
 BREVARD COUNTY, FLORIDA AND BEING ON THAT LAND AS RECORDED
 AND DESCRIBED IN OFFICIAL RECORDS BOOK 3522, PAGE 372

CERTIFIED TO: CLEAR CHANNEL OUTDOOR



EXISTING BOARDS ARE "STATIC DISPLAYS"
 BOARD NO. 5444 TO BE REPLACED WITH
 "DIGITAL DISPLAY"

INTERSTATE 95
 STATE ROAD NO. 9
 300' R/W

CLEAR CHANNEL BOARD NO.'S
 NORTHSIDE (5445) SOUTHSIDE (5444)
 PARCEL ID (3422-441-0001-050-2)

THERE ARE NO OTHER
 BILLBOARDS WITHIN 1500
 FEET ON THIS SIDE OF
 INTERSTATE 95

TOWNSHIP 25 SOUTH RANGE 36 EAST BREVARD COUNTY FLORIDA
 TOWNSHIP 26 SOUTH RANGE 36 EAST BREVARD COUNTY FLORIDA

ASSOCIATED SURVEYORS INC.
 LAND & ENGINEERING SURVEYS
 3846 BLANDING BOULEVARD
 JACKSONVILLE, FLORIDA 32210
 904-771-6468
 CERTIFICATE OF AUTHORIZATION NO. LB 0005488

- GENERAL NOTES:**
- BEARINGS ARE BASED ON 080 3522 PAGE 372
 - STRUCTURE NO. N/A, SHOWN HEREON LIES WITHIN FLOOD ZONE N/A, AS BEST DETERMINED FROM FEMA FLOOD MAPS PANEL NO. N/A, DATED N/A.
 - THIS IS A SURFACE SURVEY ONLY. THE EXTENT OF UNDERGROUND FOOTINGS, PIPES AND UTILITIES, IF ANY, NOT DETERMINED.
 - JURISDICTIONAL AND/OR ENVIRONMENTALLY SENSITIVE AREAS IF ANY, NOT LOCATED BY THIS SURVEY.
 - THIS SURVEY BASED ON LEGAL DESCRIPTIONS FURNISHED. THE PUBLIC RECORDS WERE NOT SEARCHED BY THIS SURVEYOR FOR EASEMENTS, TITLE COVENANTS, B.R.L.'S, RESTRICTIONS, CLOSURES, TAXINGS OR ORDINANCES, ETC. THERE COULD BE OTHER MATTERS OF RECORD THAT AFFECT THIS PARCEL.
 - UNLESS OTHERWISE STATED ALL IRON PIPES FOUND HAVE NO IDENTIFICATION.

I HEREBY CERTIFY THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, CHAPTER 472, F.S.

BY: *Charles B. Hatcher*
 CHARLES B. HATCHER, FLORIDA CERTIFICATE NO. 3771
 CHARLES L. STARLING, FLORIDA CERTIFICATE NO. 4578
 RAYMOND J. SCHAEFER, FLORIDA CERTIFICATE NO. 6132

JOB NO. 58024 DATE 10-18-2010
 SCALE: 1" = 40' DRAFTER CLS

LEGEND/ABBREVIATIONS

○ SET IRON PIPE OR REBAR	P.C. = POINT OF CURVE	CH = CHORD
● THIS SURVEY OR L.B. 0005488	P.T. = POINT OF TANGENCY	(B) = RECORD
● FOUND IRON PIN OR PIPE (IP)	Q.U. = OVER HEAD UTILITY	(U) = MEASURED
■ FOUND CONCRETE MONUMENT (CM)	○ FIRE HYDRANT	(C) = CALCULATED DATA
X = CROSS CUT OR DRILL HOLE	CONC. = CONCRETE	R. = RADIUS
○/V = OFFICIAL RECORD BIDD	A.C. = AIR CONDENSER	L. = ARC LENGTH
○/V = OFFICIAL RECORD VOLUME	OB = WATER METER	≡ = PHONE RISER
PARL = PERMANENT REFERENCE MONUMENT	PEQ. = POOL EQUIPMENT	R/W = RIGHT OF WAY
B.R.L. = BUILDING RESTRICTION LINE	— & — CHAIN LINK FENCE	B.T. = BUILDING TIE
E.T. = ELECTRIC TRANSFORMER & PAD	— & — WIRE FENCE	○ = UTILITY POLE
J.E.A. = JACKSONVILLE ELECTRIC AUTHORITY	U = WOOD FENCE	○ = CITY MARKER
C & T = COVENANTS & RESTRICTIONS	— & — IRON FENCE	○/V = COVERED
P.C.C. = POINT OF COMPOUND CURVE	BTN. = BETWEEN	E.O. = ELECTRIC BOX
P.R.C. = POINT OF REVERSE CURVE	(E.T.) = EAVE TIE	

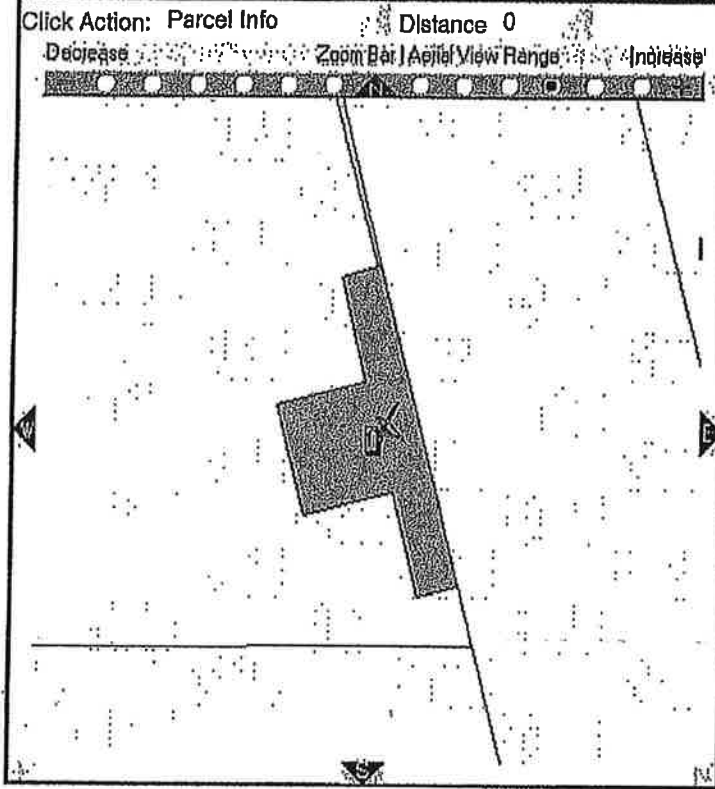
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Jim Ford, CFA
Brevard County Property Appraiser - Map Search

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Click Action: Parcel Info Distance 0

Decrease Zoom Bar Aerial View Range Increase



View
 Map Aerial (Ortho)
 Change

Locate
 Parcel ID Locate

Zoom to
 Brevard County Go

Printable Version
 Map Preview

Check below then Update
 Parcels GolfCourses
 Schools Libraries
 RoadNames Sections
 Water
 Update

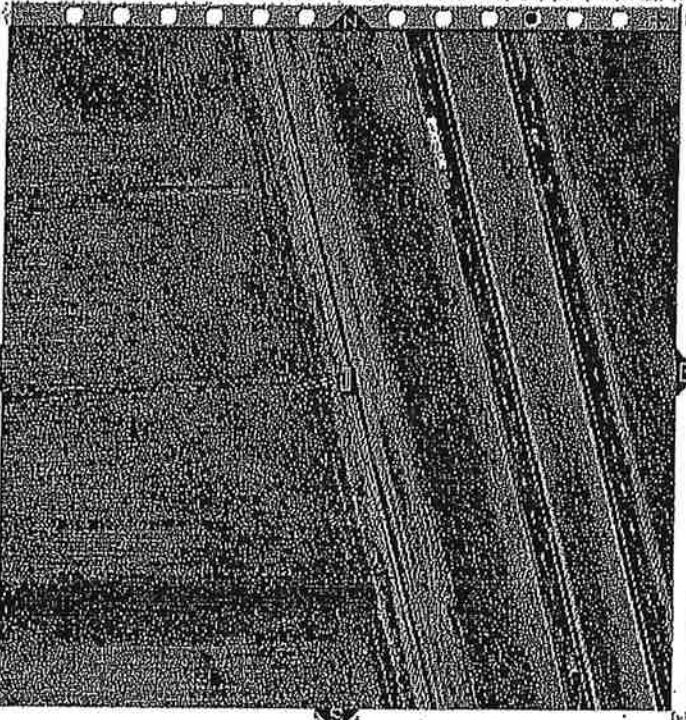
[Help](#) [Legend](#)

<input type="checkbox"/>	Parcel Identifier	Address	Millage Code	Exemption Code	Use Code	Tax Account
<input checked="" type="checkbox"/> Aerial	25-36-33-00-00753.0-0000.0		4300		9	2523551

Jim Ford, CFA
Brevard County Property Appraiser - Map Search

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Click Action: Parcel Info Distance 0
 Decrease Zoom In Aerial View Range Increase



View
 Map Aerial (Ortho)

Locate
 Parcel ID : #

Zoom to
 Brevard County

Printable Version
 Map

Check below then Update
 Parcels Golf Courses
 Schools Libraries
 RoadNames Sections
 Water

[Help](#) [Legend](#)

<input type="checkbox"/> New!	Parcel Identifier	Address	Millage Code	Exemption Code	Use Code	Tax Account
<input checked="" type="checkbox"/> Aerial	25-36-33-00-00753.0-0000.0		4300		9	2523551

Jim Ford, C.F.A.
Property Appraiser
Brevard County, FL



**Property
 Research**

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General Parcel Information for 25-36-33-00-00753.0-0000.00

Parcel Id:	25-36-33-00-00753.0-0000.00	Map/Ortho	Aerial	Millage Code:	4300	Exemption:	Use Code:	2
* Site Address:							Tax Acct:	2523551

* Site address information is assigned by the Brevard County Address Assignment Office for B9-1-1 purposes; this information may not reflect community location of property.

Tax information is available at the [Brevard County Tax Collector's web site](#)
 (Select the back button to return to the Property Appraiser's web site)

Owner Information

Owner Name:	VIERA COMPANY, THE
Second Name:	
Mailing Address:	7380 MURRELL ROAD
City, State, Zipcode:	VIERA, FL 32940

Abbreviated Description

Sub Name:	PART OF SW 1/4 OF SE 1/4 W OF L-95 AS DESC IN ORB 3522 PG 372
------------------	---

Value Summary

	2008	2009
* Market Value Total:	\$18,300	\$14,640
Agricultural Market Value:	\$0	\$0
Assessed Value Non-School:	\$18,300	\$14,640
Assessed Value School:	\$18,300	\$14,640
** Homestead Exemption:	\$0	\$0
** Additional Homestead:	\$0	\$0
** Other Exemptions:	\$0	\$0
*** Taxable Value Non-School:	\$18,300	\$14,640
*** Taxable Value School:	\$18,300	\$14,640

Land Information

Acres:	0.61
Site Code:	95
Land Value:	\$14,640

* This is the value established for ad valorem purposes in accordance with s.193.011(1) and (8), Florida Statutes. This value does not represent anticipated selling price for the property.

** Exemptions as reflected on the Value Summary table are applicable for the year shown and may or may not be applicable if an owner change has occurred.

*** The additional exemption does not apply when calculating taxable value for school districts pursuant to amendment 1.

Sales Information

Official Records Book/Page	Sale Date	Sale Amount	Deed Type	*** Sales Screening Code	*** Sales Screening Source	Physical Change Code	Vacant/Improved
3522/0372	11/1995	\$100	QC				V

*** Sales Screening Codes and Sources are from analysis by the Property Appraiser's staff. They have no bearing on the prior or potential marketability of the property.

[New Search](#) [Help](#)

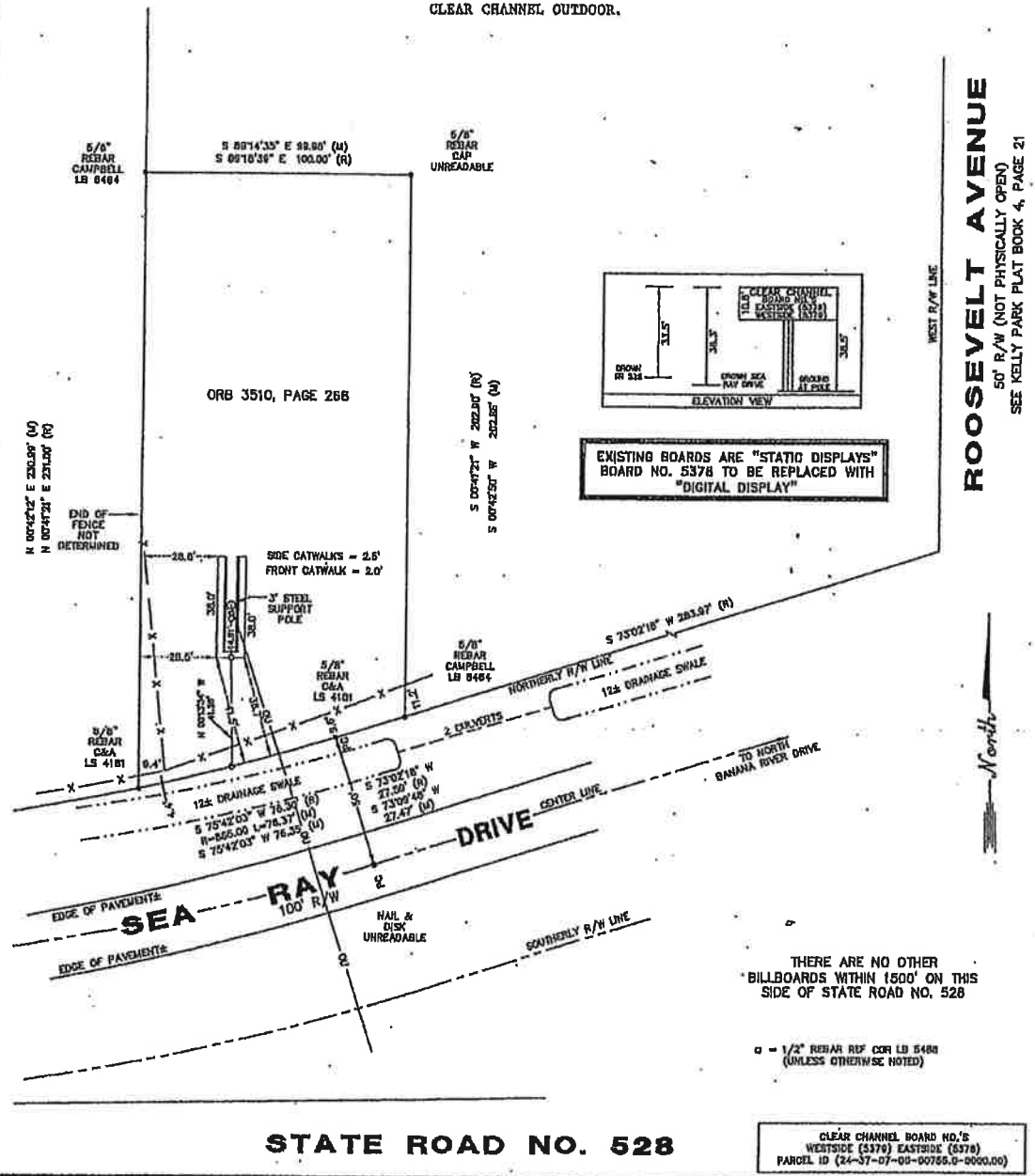
[Home](#) [Meet Jim Ford](#) [Budget History](#) [Appraiser's Job](#) [General Info](#) [Amendment 1](#) [Save Our Homes](#) [Exemptions](#) [Taxable Property](#) [Locations](#) [Forms](#) [Appeals](#) [Property Research](#) [Map Search](#) [Maps & Data](#) [Unusable Property](#) [Tax Authorities](#) [Tax Facts](#) [FAQ](#) [Links](#) [In The News](#) [Tax Estimator](#) [Contact Us](#)

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Exhibit "4"
Site 3

SPECIFIC PURPOSE SURVEY TO SHOW
 EXISTING CLEAR CHANNEL BILLBOARD NUMBERS 5378 AND 5379
 LYING IN GOVERNMENT LOT 4, SECTION 7, TOWNSHIP 24 SOUTH, RANGE 37 EAST,
 BREVARD COUNTY, FLORIDA AND BEING ON THAT LAND AS RECORDED
 AND DESCRIBED IN OFFICIAL RECORDS BOOK 3510, PAGE 268
 CERTIFIED TO:

CLEAR CHANNEL OUTDOOR.



STATE ROAD NO. 528

CLEAR CHANNEL BOARD NO. 5
 WESTSIDE (5378) EASTSIDE (5379)
 PARCEL ID (24-37-07-09-00755.0-0000.00)

FLOOD ZONE "A" - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN / FLOOD ZONE "X (SHADED)" - AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

ASSOCIATED SURVEYORS INC.
 LAND & ENGINEERING SURVEYS
 3848 BLANDING BOULEVARD
 JACKSONVILLE, FLORIDA 32210
 904-771-6468
 CERTIFICATE OF AUTHORIZATION NO. LB 0005488

GENERAL NOTES:
 1. BEARINGS ARE BASED ON ORB 3510, PAGE 268.
 2. STRUCTURE NO. N/A. SIGNON HEREON LIES WITH FLOOD ZONE N/A AS BEST DETERMINED FROM F.E.M.A. FLOOD MAPS PANEL NO. N/A DATED N/A.
 3. THIS IS A SURFACE SURVEY ONLY. THE EXTENT OF UNDERGROUND FOOTINGS, PIPES AND UTILITIES, IF ANY, NOT DETERMINED.
 4. JURISDICTIONAL AND/OR ENVIRONMENTALLY SENSITIVE AREAS IF ANY, NOT LOCATED BY THIS SURVEY.
 5. THIS SURVEY BASED ON LEGAL DESCRIPTIONS FURNISHED. THE PUBLIC RECORDS WERE NOT SEARCHED BY THIS SURVEYOR FOR EASEMENTS, TITLE COVENANTS, B.I.L.'S, RESTRICTIONS, CLOSURES, TAKINGS OR ORDNANCES, ETC. THERE COULD BE OTHER MATTERS OF RECORD THAT AFFECT THIS PARCEL.
 6. UNLESS OTHERWISE STATED ALL IRON PIPES FOUND HAVE NO IDENTIFICATION.

I HEREBY CERTIFY THIS SURVEY WAS DONE UNDER MY DIRECT SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING PURSUANT TO CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, CHAPTER 472, F.S.
 BY: *Charles L. Starling*
 CHARLES B. HATCHER, FLORIDA CERTIFICATE NO. 3721
 CHARLES L. STARLING, FLORIDA CERTIFICATE NO. 4570
 RAYMOND J. SCHAEFER, FLORIDA CERTIFICATE NO. 6132

JOB NO. 58022 DATE 10-17-2010
 SCALE: 1" = 40' DRAFTER C.L.S.

LEGEND/ABBREVIATIONS

○ SET IRON PIPE OR REBAR	P.C. = POINT OF CURVE	(C) = CHORD
"ASSOC. SURVEY" OR L.B. 5488	P.T. = POINT OF TANGENCY	(M) = MEASURED
● FOUND IRON PIN OR PIPE (IP)	-B.U. = OVER HEAD UTILITIES	(U) = COMPUTED DATA
■ FOUND CONCRETE MONUMENT (C.M.)	CT = FIRE HYDRANT	∅ = RADIUS
X = CROSS CUT OR DRILL HOLE	CONC. = CONCRETE	L = AND LENGTH
O.R.B. = OFFICIAL RECORD BOOK	A/C = AIR CONDITIONER	∅ = PHONE RISER
O.R.V. = OFFICIAL RECORD VOLUME	ED = WATER METER	R/W = RIGHT OF WAY
P.R.L. = PERMANENT REFERENCE MONUMENT	EQ = FUEL EQUIPMENT	B.T. = BUILDING TRAIL
B.R.L. = BUILDING RESTRICTION LINE	X-X = CHAIN LINK FENCE	∅ = UTILITY POLE
E.T. = ELECTRIC TRANSFORMER & PAD	W = WOOD FENCE	→ = CUT ANCHOR
J.E.A. = JACKSONVILLE ELECTRIC AUTHORITY	I-I = IRON FENCE	COVD = COVERED
C & R = COVENANTS & RESTRICTIONS	P.O.C. = POINT OF COMPOUND CURVE	E.B. = ELECTRIC BOX
P.O.C. = POINT OF COMPOUND CURVE	P.L.C. = POINT OF REVERSE CURVE	
	(C.T.) = EAVE TIC	

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Click Action: Parcel Info Distance 0

View
 Map Aerial
[Changes](#)

Locate
 Tax Acct [Info](#)

Zoom to
 Brevard County

Printable Version
[Map](#) [Review](#)

Check below the
 Parcels |
 Schools |
 RoadNames |
 Water
[Update](#)

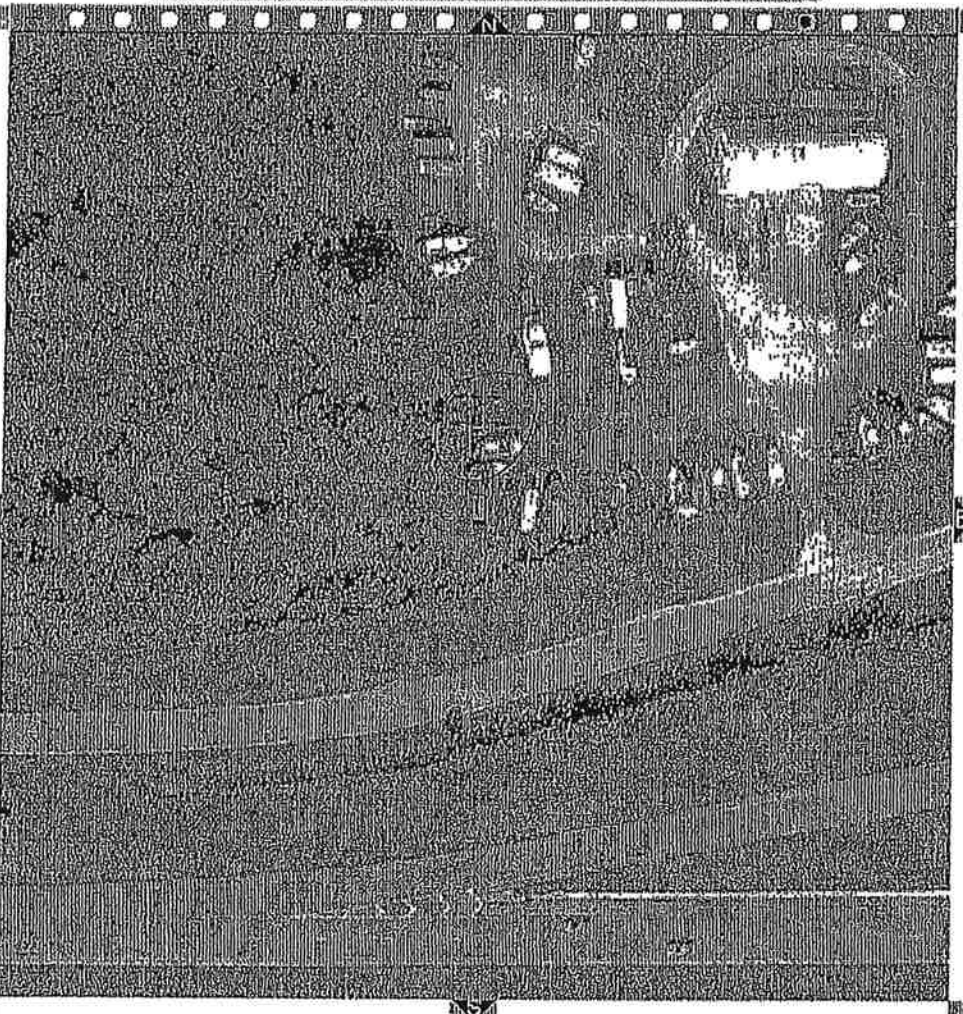
[Help](#) [Legend](#)

Attention: The b level must be 10 click to select the parcel.

Zoom To	Account	Owner	Property Address	Parcel Identifier
1	Aerial	2443801	KABBOORD PROPERTIES INC	24-37-07-00-00755.0-0000.0

Click Action: Parcel Info Distance 0

Database: 2010B Aerial View of Parcel



View
Map Aerial
Change

Locate
Parcel ID: 24-37-07-00-00755.0-0000.0

Zoom to
Brevard County

Printable Version
Map Preview

Check below the
 Parcels
 Schools
 RoadNames
 Water
 Update

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Attention: The browser level must be 100% click to select the parcel.

Zoom To	Map	Account	Owner	Property Address	Parcel Identifier
1	Aerial	2443801	KABBOORD PROPERTIES INC		24-37-07-00-00755.0-0000.0

Jim Ford, C.F.A.
Property Appraiser
Brevard County, FL



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[Exemptions](#) [Tangible Property](#) [Locations](#) [Forms](#) [Appeals](#) [Property Research](#) [Map Search](#) [Maps & Data](#) [Unusable Property](#) [Tax Authorities](#) [Tax Facts](#) [FAQ](#) [Links](#) [News Items](#) [Contact Us](#)

General Parcel Information for 24-37-07-00-00755.0-0000.00

Parcel Id:	24-37-07-00-00755.0-0000.00	Map/Ortho	Aerial	Millage Code:	2200	Exemption:	Use Code:	4000
* Site Address:							Tax Acct:	2443801

* Site address information is assigned by the Brevard County Address Assignment Office for B9-1-1 purposes; this information may not reflect community location of property.

Tax information is available at the [Brevard County Tax Collector's web site](#)
 (Select the back button to return to the Property Appraiser's web site)

Owner Information

Owner Name:	KABBOORD PROPERTIES INC
Second Name:	
Mailing Address:	3201 ATLANTIC AVE N
City, State, Zipcode:	COCOA BCH, FL 32931

Abbreviated Description

Sub Name:	PART OF GOVT LOT 4 NORTH OF HWY AS DESC IN ORB 3510 PG 268
-----------	---

Value Summary

	2008	2009	2010
* Market Value Total:	\$37,100	\$32,600	\$27,660
Agricultural Market Value:	\$0	\$0	\$0
Assessed Value Non-School:	\$37,100	\$32,600	\$27,660
Assessed Value School:	\$37,100	\$32,600	\$27,660
** Homestead Exemption:	\$0	\$0	\$0
** Additional Homestead:	\$0	\$0	\$0
** Other Exemptions:	\$0	\$0	\$0
*** Taxable Value Non-School:	\$37,100	\$32,600	\$27,660
*** Taxable Value School:	\$37,100	\$32,600	\$27,660

Land Information

Acres:	0.5
Site Code:	
Land Value:	\$27,660

* This is the value established for ad valorem purposes in accordance with s.193.011(1) and (8), Florida Statutes. This value does not represent anticipated selling price for the property.
 ** Exemptions as reflected on the Value Summary table are applicable for the year shown and may or may not be applicable if an owner change has occurred.
 *** The additional exemption does not apply when calculating taxable value for school districts pursuant to amendment 1.

Sales Information

Official Records Book/Page	Sale Date	Sale Amount	Deed Type	*** Sales Screening Code	*** Sales Screening Source	Physical Change Code	Vacant/Improved
3510/0268	10/1995	\$100	QC				V

*** Sales Screening Codes and Sources are from analysis by the Property Appraiser's staff. They have no bearing on the prior or potential marketability of the property.

Proposed Taxes 2010

Rollback Taxes 2010

Taxing Authorities	Taxes Billed
Ad Valorem	
County	\$139.34
School	\$211.68
City and/or MSTU	\$58.93
Water Management	\$11.50
SP District	\$3.61
Debt Payment	\$27.32
Total Ad Valorem	\$452.38

Taxing Authorities	Taxes Billed
Ad Valorem	
County	\$139.34
School	\$242.77
City and/or MSTU	\$61.13
Water Management	\$13.00
SP District	\$4.05
Debt Payment	\$27.32
Total Ad Valorem	\$487.61

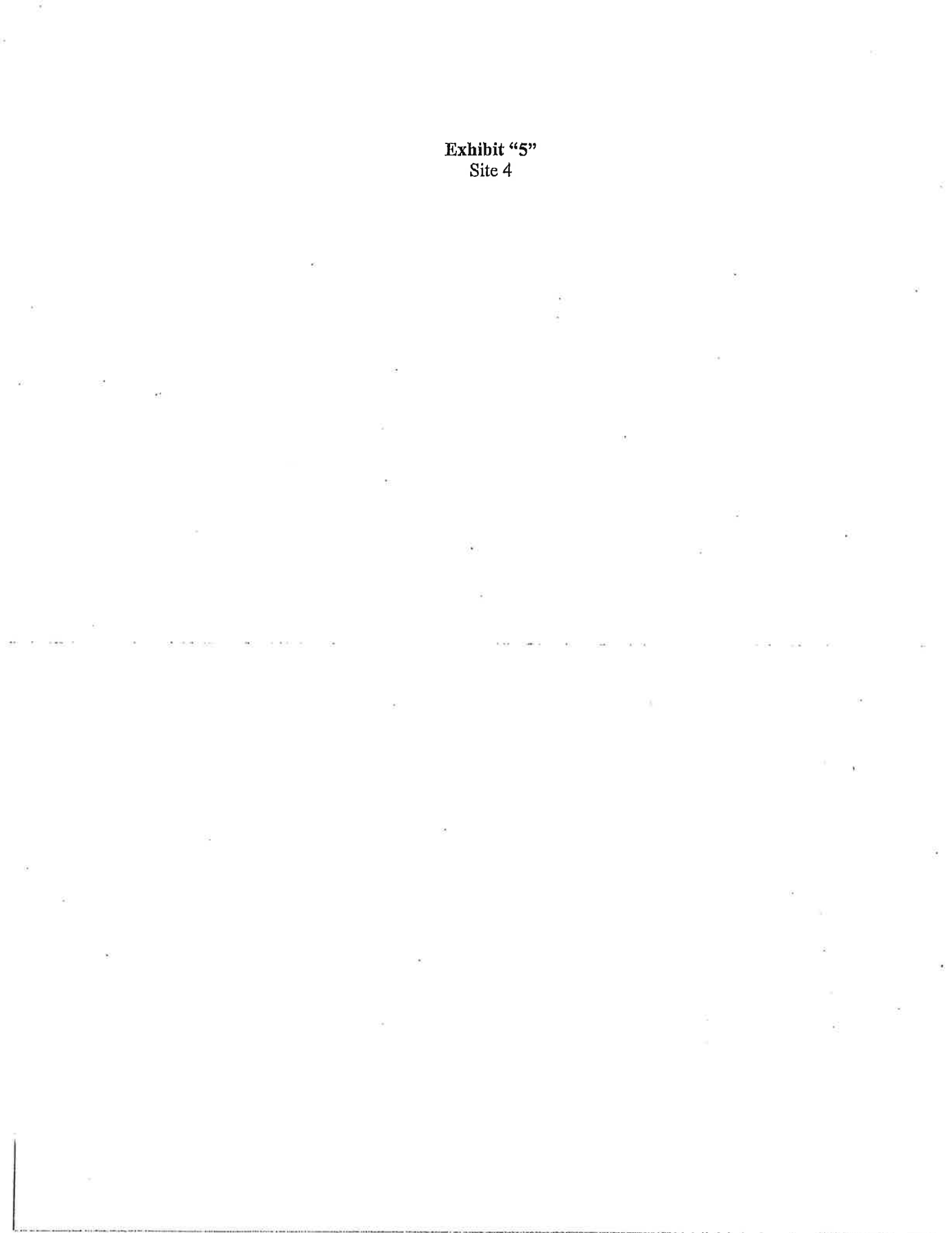
Data Last Updated: Wednesday, October 27, 2010 - Printed On: Wednesday, October 27, 2010.

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[Exemptions](#) [Transferable Property](#) [Localities](#) [Forms](#) [Appeals](#) [Property Research](#) [Map Search](#) [Maps & Data](#) [Unusable Property](#) [Tax Authorities](#) [Tax Facts](#) [FAQ](#) [Links](#) [News Items](#) [Contact Us](#)

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Exhibit "5"
Site 4



Jim Ford, CFA
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Click Action: Parcel Info Distance 0

Decrease Zoom Bar Aerial View Range Increase

View
 Map Aerial (Ortho)
 Change

Locate
 Parcel ID Locate

Zoom to
 Brevard County Go

Printable Version
 Map Preview

Check below then Update

Parcels Golf Courses
 Schools Libraries
 Road Names Sections
 Water

Update

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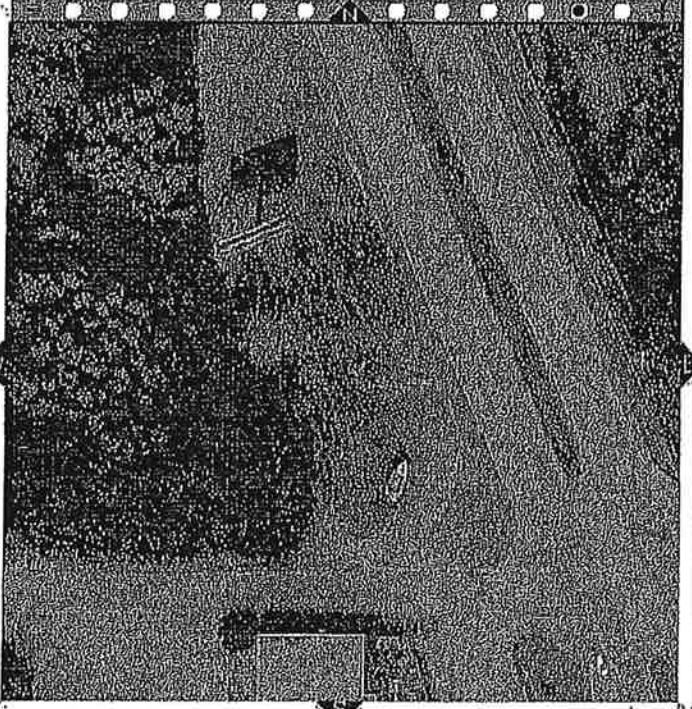
<input type="checkbox"/> New	Parcel Identifier	Address	Millage Code	Exemption Code	Use Code	Tax Account
<input checked="" type="checkbox"/> Aerial	26-37-19-DS-00000.0-0020.0	6210 N HIGHWAY 1	4200		1700	2606050

Jim Ford, CFA

Brevard County Property Appraiser - Map Search

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Click Action: Parcel Info Distance 0
 Décrease Zoom Bar Aerial View Range Increase



View
 Map Aerial (Ortho)

Locate
 Parcel ID

Zoom to
 Brevard County

Printable Version
 Map

Check below then Update

Parcels Golf Courses
 Schools Libraries
 RoadNames Sections
 Water

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<input type="checkbox"/>	Parcel Identifier	Address	Millage Code	Exemption Code	Use Code	Tax Account
1 Aerial	26-37-19-DS-00000-0-0020.0	6210 N HIGHWAY 1	4200		1700	2606050

Jim Ford, C.F.A.
Property Appraiser
Brevard County, Fl



**Property
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General Parcel Information for 26-37-19-DS-00000.0-0020.00

Parcel Id:	26-37-19-DS-00000.0-0020.00	Map/Ortho	Aerial	Millage Code:	4200	Exemption:		Use Code:	1700
* Site Address:	6210 N HIGHWAY 1, MELBOURNE 32940							Tax Acct:	2606050

* Site address information is assigned by the Brevard County Address Assignment Office for E9-1-1 purposes; this information may not reflect community location of property.

Tax information is available at the [Brevard County Tax Collector's web site](#)
 (Select the back button to return to the Property Appraiser's web site)

Owner Information

Owner Name:	MACASPHALT
Second Name:	
	ATTN: TAX DEPT
Mailing Address:	P O BOX 55038
City, State, Zipcode:	LEXINGTON, KY 40555

Abbreviated Description

Sub Name:	PART OF LOT LYING W
	OF HWY AS DESC IN ORB
	VILLA REC IN
	DB 318 PG 182
	957 PG 259 KNOWN AS PT
	OF LOTS 20,21,22&23

Value Summary

	2008	2009
* Market Value Total:	\$2,070,000	\$1,841,460
Agricultural Market Value:	\$0	\$0
Assessed Value Non-School:	\$2,070,000	\$1,841,460
Assessed Value School:	\$2,070,000	\$1,841,460
** Homestead Exemption:	\$0	\$0
** Additional Homestead:	\$0	\$0
** Other Exemptions:	\$0	\$0
*** Taxable Value Non-School:	\$2,070,000	\$1,841,460
*** Taxable Value School:	\$2,070,000	\$1,841,460

Land Information

Acres:	15.08
Site Code:	300

* This is the value established for ad valorem purposes in accordance with s.193.011(1) and (8), Florida Statutes. This value does not represent anticipated selling price for the property.

** Exemptions as reflected on the Value Summary table are applicable for the year shown and may or may not be applicable if an owner change has occurred.

*** The additional exemption does not apply when calculating taxable value for school districts pursuant to amendment 1.

Sales Information

Official Records Book/Page	Sale Date	Sale Amount	Deed Type	*** Sales Screening Code	*** Sales Screening Source	Physical Change Code	Vacant/Improved
0957/0259	6/1967	\$50,000					

*** Sales Screening Codes and Sources are from analysis by the Property Appraiser's staff. They have no bearing on the prior or potential marketability of the property.

Building Information Building Photos

PDC #	Use Code	Year Built	Story Height	Frame Code	Exterior Code	Interior Code	Roof Type	Roof Mater.	Floors Code	Ceiling Code
1	1700	1988	10	04	09	03	09	03	03	03

Building Area Information

PDC #	Base Area	Garage Area	Open Porches	Car Port	Screened Porches	Utility Rooms	Enclosed Porch	Basements	Attics	Bonus Rooms	RV Carport	R Gar
1	1904	0	0	0	0	0	0	0	0	0	0	0

Extra Feature Information

Extra Feature Description	Units
PAVING	48828
LIGHT POLES	3
OUTBUILDING	48
FENCE	722
FENCE	260
FENCE	462

Data Last Updated: Tuesday, May 18, 2010. Printed On: Tuesday, May 18, 2010.

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Exhibit "6"

Form of First Amendment to Lease Modification – Release of Site C

WHEN RECORDED RETURN TO:
Clear Channel Outdoor, Inc.
2850 East Camelback Road, Suite 300
Phoenix, AZ 85016

First Amendment to Lease Modification
(Release of Site C)

This FIRST AMENDMENT TO LEASE MODIFICATION ("First Amendment") is made and entered into this ____ day of _____, 201____ by and between BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter referred to as the "COUNTY", and CLEAR CHANNEL OUTDOOR, INC., a Delaware corporation, f/k/a Eller Media Company, successor by merger with POA ACQUISITION CORPORATION, hereinafter referred to as "CLEAR CHANNEL" whose address is 2850 East Camelback Road, Suite 300, Phoenix, AZ 85016.

WITNESSETH:

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, on February 7, 1996, Azan Temple Holding Company, Inc., as lessor, and POA Acquisition Corporation, as lessee, entered into that certain Lease Agreement involving a billboard site referred to as Billboard Site "A" located in Brevard County, Florida, an original of which Lease Agreement was recorded in Official Records Book 3597, Page 3238, and re-recorded in Book 3661, Page 4351, all of the Public Records of Brevard County, Florida; (the "Original Site A Lease"); and

WHEREAS, on February 7, 1996, Azan Temple Holding Company, Inc., as lessor, and POA Acquisition Corporation, as lessee, entered into that certain Lease Agreement involving a billboard site referred to as Billboard Site "C" located in Brevard County, Florida, an original of which Lease Agreement was recorded in Official Records Book 3597, Page 3236, and re-recorded in Book 3661, Page 4343, all of the Public Records of Brevard County, Florida; (the "Original Site C Lease"); and

WHEREAS, the Original Site A Lease and the Original Site C Lease were subsequently amended by that certain Lease Modification (Release and Substitution of Lease Area) dated September 25, 2007 by and between the COUNTY and CLEAR CHANNEL ("Lease Modification"), which was recorded in Book 5815, Page 3198, Public Records of Brevard County, Florida (the Original Site A Lease and the Original Site C Lease, as amended by said Lease Modification being referred to herein as the "Existing Lease"); and

WHEREAS, the COUNTY is the successor in interest to all of the rights of the Lessor under the Existing Lease; and

WHEREAS, CLEAR CHANNEL is the successor in interest to all of the rights of Lessee under the Existing Lease; and

WHEREAS, the parties desire to amend the Existing Lease to eliminate Site C from the terms of the lease, provide for the continuation and extension of the term of the Existing Lease as it applies to Site A (as reconfigured in the Lease Modification) and release a provision of the Existing Lease that is no longer applicable.

NOW, THEREFORE, WITNESSETH, That, for and in consideration of the premises set forth herein and one dollar and other good and valuable consideration paid, receipt of which is hereby acknowledged, the COUNTY and CLEAR CHANNEL agree as follows:

1. Recitals. The recitals set forth above are true and correct and are hereby incorporated by reference.

2. Authority. The COUNTY and CLEAR CHANNEL hereby represent and warrant, each to the other, that they are the sole and exclusive owners of their respective interests, in and to the Existing Lease and have full power and authority to enter into this First Amendment.

3. Termination and Release of Site "C" from Existing Lease. The Existing Lease is hereby amended to terminate and release Site "C" from the provisions of the Existing Lease. Accordingly, the Easement Agreement is hereby amended by deleting the following Exhibits related to Billboard Site "C" from the Easement Agreement:

(i) Exhibit A-4 and Exhibit A-5 (Legal Description and Sketch of Description of Billboard Site "C");

(ii) Exhibit B-1 through Exhibit B-2 (Legal Description and Sketch of Description for Access Easements for Billboard Site "C"); and

(iii) Exhibit C-1 and Exhibit C-2 (Legal Description and Sketch of Description for Utility Easements for Billboard Site "C").

4. Acknowledgement of Continued Operation or Reinstatement of Site "A" Billboard Lease. The parties acknowledge that no termination of the Existing Lease on Billboard Site "A" was intended by the parties, and that the Existing Lease has been in effect throughout the COUNTY's ownership of Site "A" and shall remain in effect pursuant to the terms of the Existing Lease, as amended hereby.

5. Sale Clause and Development Clause. The Sale Clause and Development Clause set forth on the Addendum to the Original Site A Lease is hereby deleted.

6. Effective Date. This First Amendment shall not become effective until the date a fully executed version is recorded in the official land records of Brevard County, Florida.

7. Capitalized Terms. All capitalized terms shall have the same meanings as defined in the Existing Lease unless otherwise defined herein.

8. No Other Changes. Except as expressly modified herein, all other provisions of the Existing Lease are hereby ratified and confirmed and remain in full force and effect. To the extent there is a conflict between the Existing Lease and this First Amendment, this First Amendment shall prevail.

IN WITNESS WHEREOF, Grantor and Grantee have executed this First Amendment as of the date first above written.

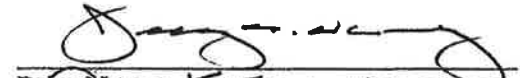
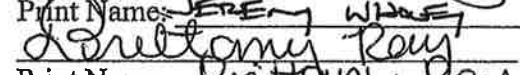
WITNESSES:

"COUNTY"

BREVARD COUNTY, FLORIDA

By: _____
Its: _____

ATTEST: _____
Laurie S. Rice, Chief Deputy Clerk

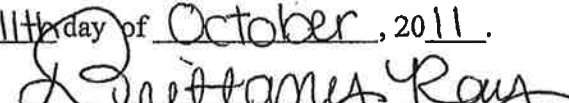

Print Name: Jeremy White

Print Name: Brittany Ray

STATE OF FLORIDA
COUNTY OF BREVARD

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Robin Fisher, personally known to me to be the _____ of BREVARD COUNTY, BOARD OF COUNTY COMMISSIONERS, and the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledge that he/she signed, sealed and delivered the said instrument in his/her said capacity and as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 11th day of October, 2011.

(Notary Seal)


Printed Name: Brittany Ray
Notary Public, State of Florida
Commission No. DD930475
My commission expires: 10/27/13



Signed, sealed and delivered in the Presence of:

"CLEAR CHANNEL"

Clear Channel Outdoor, Inc., a Delaware corporation

By: _____
Print Name: _____
As Its: _____

Print Name: _____

Print Name: _____

STATE OF FLORIDA

COUNTY OF _____

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that _____, personally known to me to be the _____ of CLEAR CHANNEL OUTDOOR, INC., a Delaware corporation, and the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledge that he/she signed, sealed and delivered the said instrument in his/her said capacity and as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this ____ day of _____, 20 ____.

(Notary Seal)

Printed Name: _____
Notary Public, State of _____
Commission No. _____
My commission expires: _____

Exhibit "7"

**Form of First Amendment to Grant of Perpetual Easements and
Declaration of Restrictions (Termination of Billboard Site "A" Easements)**

WHEN RECORDED RETURN TO:
Clear Channel Outdoor, Inc.
2850 East Camelback, Suite 300
Phoenix, AZ 85016

First Amendment to Grant of Perpetual Easements and Declaration of Restrictions
(Termination of Billboard Site "A" Easements)

This FIRST AMENDMENT TO GRANT OF PERPETUAL EASEMENTS AND DECLARATION OF RESTRICTIONS ("First Amendment") is made as of the ____ day of _____, 201__ by and between BREVARD COUNTY, FLORIDA ("Grantor") and CLEAR CHANNEL OUTDOOR, INC., a Delaware corporation ("Grantee").

WITNESSETH:

WHEREAS, pursuant to that certain Grant of Perpetual Easements and Declaration of Restrictions recorded in Official Record Book 5815, Page 3175, Public Records of Brevard County, Florida ("Easement Agreement"), Grantor granted to Grantee certain Sign Easements, Access Easements, and Utility Easements over, under, upon, and across certain Real Estate for Billboard purposes delineated in the Easement Agreement; and

WHEREAS, the Sign Easements, Access Easements, and Utility Easements granted pursuant to the Easement Agreement relate to two (2) separate Billboard sites referred to in the exhibits to the Easement Agreement as Billboard Site "A" and Billboard Site "C"; and

WHEREAS, Grantor and Grantee desire to amend the Easement Agreement to terminate all Sign Easements, Access Easements, and Utility Easements related to Billboard Site "A."

NOW THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee hereby agree as follows:

1. Recitals; Defined Terms. The recitals set forth above are true and correct and are hereby incorporated by reference.

2. Authority. Grantor and Grantee hereby represent and warrant, each to the other, that they are the sole and exclusive owners of their respective interests, as Grantor and Grantee, in and to the Easement Agreement and have full power and authority to enter into this First Amendment.

3. Termination of Easements Applicable to Billboard Site "A". Grantee does hereby remise, release, and quit-claim unto Grantor, forever, all the right, title, interest, claim and demand which the Grantee has in and to those certain Sign Easements, Access Easements, and Utility Easements related to Billboard Site "A", as such Billboard Site "A" is more particularly described on Exhibit B-1, Exhibit B-2, and Exhibit B-3 of the Easement Agreement. Accordingly, the Easement Agreement is hereby amended by deleting the following Exhibits related to Billboard Site "A" from the Easement Agreement:

(i) Exhibit B-1 through Exhibit B-3 (Legal Description and Sketch of Description of Billboard Site "A");

(ii) Exhibit C-3 through Exhibit C-5 (Legal Description and Sketch of Description for Access Easements for Billboard Site "A"); and

(iii) Exhibit C-10 through Exhibit C-12 (Legal Description and Sketch of Description for Utility Easements for Billboard Site "A").

4. Effective Date. This First Amendment shall not become effective until the date a fully executed version is recorded in the official land records of Brevard County, Florida.

5. Capitalized Terms. All capitalized terms shall have the same meanings as defined in the Easement Agreement unless otherwise defined herein.

6. No Other Changes. Except as expressly modified herein, all other provisions of the Easement Agreement are hereby ratified and confirmed and remain in full force and effect. To the extent there is a conflict between the Easement Agreement and this First Amendment, this First Amendment shall prevail.

[Signature Pages Follow]

IN WITNESS WHEREOF, Grantor and Grantee have executed this First Amendment as of the date first above written.

WITNESSES:

"GRANTOR"

BREVARD COUNTY, FLORIDA

By: [Signature]
Its: _____

ATTEST: [Signature]

Laurie S. Rice, Chief Deputy Clerk

[Signature]
Print Name: JERRY WILSON
[Signature]
Print Name: Brittany Ray

STATE OF FLORIDA

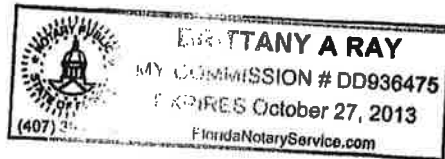
COUNTY OF BREVARD

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that Robin Fisher, personally known to me to be the _____ of BREVARD COUNTY, BOARD OF COUNTY COMMISSIONERS, and the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledge that he/she signed, sealed and delivered the said instrument in his/her said capacity and as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 11 day of October, 20 11.

(Notary Seal)

[Signature]
Printed Name: Brittany Ray
Notary Public, State of Florida
Commission No. DD936475
My commission expires: 10/27/13



Signed, sealed and delivered in the Presence of:

“GRANTEE”

Clear Channel Outdoor, Inc., a Delaware corporation

By: _____
Print Name: _____
As Its: _____

Print Name: _____

Print Name: _____

STATE OF FLORIDA

COUNTY OF _____

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that _____, personally known to me to be the _____ of CLEAR CHANNEL OUTDOOR, INC., a Delaware corporation, and the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledge that he/she signed, sealed and delivered the said instrument in his/her said capacity and as his/her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this ____ day of _____, 20 ____.

(Notary Seal)

Printed Name: _____
Notary Public, State of _____
Commission No. _____
My commission expires: _____

Sec. 62-3306. Permits generally.

- (a) *Required permits and approvals; building permit.* Except as provided in section 62-3307, exemptions from permit requirement, no person, property owner, or sign contractor shall erect, construct, locate, make structural repairs or maintain or permit to be erected, constructed, located, structurally repaired or maintained any sign on property located within the unincorporated area of the county, without prior issuance of a building or electrical permit by the county.
- (b) *Transfer.* Permits issued under this article may be transferred from one owner of the property or sign to another, but may not be transferred from one location or property to another.
- (c) Applications for required permits shall be approved or denied with written cause within 15 business days of submittal. The 15 business day period shall run from the date the applicant certifies in writing that the application is complete. In the event more information is required from the applicant to complete review of the application, the 15 business day period shall run from the receipt of the additional information. In the event the applicant has not been notified that the application has been denied upon the expiration of the 15 business day period, the permit shall be automatically issued and forwarded to the applicant.
- (d) Digital billboards may be permitted at existing off-premise sign structures, in non-residential zoning districts subject to the following requirements:
 - 1. The county shall only approve and issue permits for digital billboards that upgrade existing nonconforming billboards in instances where the county has made a legal settlement or agreed to do so in the course of condemnation and/or eminent domain proceedings. Otherwise, the general nonconforming provisions of this section shall apply.
 - 2. Operational limitations. Digital billboards shall contain static messages only and shall not have movement or the appearance or optical illusion of movement of any part of the sign structure, design, or pictorial segment of the sign. Each static message shall not include movement or the appearance of movement or the flashing, scintillating or the varying of light intensity.
 - 3. Minimum display time. Each message on the sign must be displayed for a minimum of six seconds.
 - 4. Digital billboard illumination shall be exempt from the requirements of section 62-2257
 - 5. Each display shall have a light sensing device with dimming ability that will adjust the brightness of the billboard as ambient lighting conditions change. Light intensity will be adjusted so as not to exceed 0.3 foot candles above ambient lighting, as measured using a foot-candle meter at a present distance. The pre-set distance to measure the foot-candle impacts vary with the expected viewing distances and the face size of each sign noted below. Measurement