



9/20/08

301 West Bay Street
8th Floor, SC J915
Jacksonville, FL 32202
Fax (904)633-4581

FOR LAND LEASE REQUESTS ONLY

To: All Applicants

From: Sales and Leasing
CSX Real Property, Inc.

Subject: Applications for Lease of Property.

Attached are the form and instructions for preparing your application to lease Property of CSX. Submit applications to the address above, ATTN: Denise Arvanitas.

To expedite the processing of your application, please provide the following (instructions enclosed):

1. One original of the application form.
2. Photograph of the property to be leased.
3. General location map (sample enclosed).
4. Sketch of property to be leased – can be either:
Fragment copy of CSXT's applicable valuation map (with area highlighted)
OR
Fragment copy of applicable county tax map (with area highlighted) AND "Detailed location Information" provided on application form.
Note: Additional drawings may be submitted for clarification, if necessary.
5. Check made payable to CSX Transportation, Inc. for \$750.00, non-refundable Application Fee.

Questions concerning the application and agreement process, or requests for additional copies of the application package, should be directed to CSX Real Property at (904)633-4568.

When the completed application form and drawing are received, the proposed agreement will be sent to you in approximately 45 days (provided the application is approved). Incomplete applications or drawings will be returned to the applicant and not handled until the correct information is received.

NO VERBAL AUTHORIZATION IS VALID TO USE AND/OR WORK ON CSXT PROPERTY. EXECUTED AGREEMENTS ARE REQUIRED PRIOR TO ANY ENTRY ON CSXT PROPERTY OR WORK BEING PERFORMED.

Your cooperation is greatly appreciated.

Instructions for Preparing Application Form

- “Applicant Information” section must be filled out completely. The agreement will be prepared in the name of the Applicant. It is important to provide the complete Legal Name.
- Applications must meet the following criteria:
 1. The Premises cannot be used for 1) residential, educational or recreational purposes; 2) a scrap or junk yard, the burning of refuse, deposit of debris, garbage, sewage, or waste of any kind; or 3) any unsanitary or unhealthful purposes of any kind or nature, or any other use contrary to any laws or regulations.
 2. No structures are permitted within 1,000 feet of a railroad/road grade crossing.
- No part of the leased area shall be within 25 feet of the centerline of the nearest track. The distance to/from the CSXT milepost is a field measurement. Railroad mileposts are located along the track, similar to highway mileposts, and generally exist along every mile of the railroad. It is a whole number and is written vertically on a white sign or concrete post. It is not critical that milepost information be provided, if other information provided is sufficient to identify the exact location of your project (examples: locations marked and included on highway maps, street location maps, topographical maps, etc). ***NOTE: This is not authorization to enter onto CSX property for the purpose of obtaining milepost information.***
- Please remember to date your application form.
- CSXT Valuation maps, if needed for location information or property ownership, may be purchased through Heery International. To request a CSX valuation map, obtain a copy of the Valuation Map Reproduction Request Form by calling (904) 633-4762, Fax # (904) 633-4545 or access the following web address:

http://www.csx.com/?fuseaction=general.csxp_map
- In order to process the request for valuation map, the county and state must be provided along with one of the following: GIS#, valuation section and sheet, milepost with prefix, DOT crossing number, nearest street and distance from that street, or an attached map of the area.
- Your description of the use of the property must be very explicit. If approved, the use you’ve specified will be included in the agreement and any additional use will be considered a breach of the agreement and may result in its cancellation. Your application and/or correspondence should include a statement indicating whether or not it will be necessary to physically cross any railroad track (with vehicles or on foot) to access the property.

Application Fee

The following fee is non-refundable and must be submitted with the application. Failure to do so may result in the application being returned. All checks should be made payable to CSX Transportation, Inc.

Application Fee: \$750.00

NOTE: *The non-refundable application fee is an administrative processing fee only; it does not guarantee approval of your request.*

Instructions for Preparing Application Attachments

For uniformity in the preparation of attachments to accompany applications, and in order to facilitate prompt processing, the following instructions will apply to all application attachments. Failure to include all pertinent information (either on the application or attachment) may result in the delay of processing or return of the application.

The size of the attachments (drawings, sketches, etc.) must be 8-1/2" x 11" or 8-1/2" x 14" or 11" x 17." Larger drawings or construction plans may be submitted if necessary for clarification but cannot be used in lieu of the required attachment.

The general location map, CSXT valuation map fragment, and tax map fragment must:

- Display north arrow
- Show proposed lease area, with dimensions noted
- Include Val. map number or tax map number

The photograph must clearly show the entire section to be leased and any improvements, attachments or encroachments already on the property.

Insurance Requirements

The following list represents the insurance which will be required in the lease agreement. You will be required to provide proof of insurance when you sign the lease agreement.

- Lessee shall procure, and shall also maintain during continuance of the Lease, at its sole cost and expense, a policy of Public Liability Insurance or Commercial Liability Insurance, naming Lessee as insured and Lessor as additional insured, covering liability under the Lease. Coverage of not less than THREE MILLION U.S. DOLLARS (\$3,000,000.00) Combined Single Limit per occurrence for bodily injury and property damage is required as a minimum to protect Lessee's assumed obligations. If said policy does not automatically cover Lessee's contractual liability under the Lease, a specific endorsement adding such coverage shall be purchased by Lessee. If said policy is written on a "claims made" basis instead of an "occurrence" basis, Lessee shall arrange for adequate time for reporting losses. Failure to do so shall be at Lessee's sole risk.
- In addition to the above-described CGL insurance, if Lessee contracts for new construction or structural alterations to the Premises, Lessee shall provide or shall cause its contractor to provide, prior to commencement of any construction activity, and maintain during the period of construction and all related activities, at no cost to Lessor, a policy of Owner's Protective Liability Insurance designating Lessor as insured, with a limit of not less than THREE MILLION U.S. DOLLARS (\$3,000,000.00) Combined Single Limit per occurrence for all bodily injury and property damage liability. If the construction or alterations involve an exposure to train operations on tracks of Lessor, the insurance shall be written on the ISO/RIMA Form (ISO Form CG-00-35, or current) of Railroad Protective Insurance, with Pollution Exclusion Amendment (ISO Endorsement No. CG-28-31), having a limit of not less than FIVE MILLION U.S. DOLLARS (\$5,000,000.00) Combined Single Limit per occurrence for bodily injury and property damage and at least a TEN MILLION U.S. DOLLARS (\$10,000,000.00) aggregate limit during each annual policy period.

SAMPLE CGL CERTIFICATE

CERTIFICATE OF LIABILITY INSURANCE				DATE (MM/DD/YY)	
PRODUCER		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR REPLY TO THE COVERAGE AFFORDED BY THE POLICIES BELOW.			
<div style="border: 1px solid red; padding: 5px; color: red; font-weight: bold;"> The Licensee/Lessee/Industry identified in the agreement must be the named insured. CSXT will not accept the contractor's CGL certificate. </div>		COMPANY A			
PHONE:		FAX:			
INSURED		COMPANY B			
		COMPANY C			
COVERAGES		<div style="border: 1px solid red; padding: 5px; color: red; font-weight: bold;"> The amount in this "Each Occurrence" box must be at least \$3,000,000.00; or the amount in this box combined with the "Each Occurrence" coverage of any Excess Liability must be at least \$3,000,000.00. </div>		SIR May Apply	
THIS IS TO CERTIFY THAT THE ABOVE FOR THE CONTRACT OR ON THE INSURANCE POLICY. LIMITS SHOWN MAY HAVE BEEN PAID CLAIMS.		TO THE INSURED NAMED HEREIN OR CONDITION OF ANY POLICY OR MAY PERTAIN, INCLUDING TERMS, EXCLUSIONS AND LIMITS.			
CO LTR	TYPE OF INSURANCE	POLICY NUMBER	EFF DATE	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT <input type="checkbox"/> _____			GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ PERSONAL & ADV INJURY \$ EACH OCCURRENCE \$ FIRE DAMAGE (ANY ONE FIRE) \$ MED EXP (ANY ONE PERSON) \$	
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS			COMBINED SINGLE LIMIT \$ BODILY INJURY (PER PERSON) \$ BODILY INJURY (PER ACCIDENT) \$ PROPERTY DAMAGE \$ AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: \$ EACH ACCIDENT \$ AGGREGATE \$ EACH OCCURRENCE \$ AGGREGATE \$ RETENTION \$	
	<div style="border: 1px solid red; padding: 5px; color: red; font-weight: bold;"> This box should contain the following: "CSX Transportation, Inc. is included as an additional insured. This certificate applies to all contracts/agreements between the named Insured and CSXT." </div>				
A	EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> DEDUCTIBLE			WC STATUTORY LIMITS EL EACH ACCIDENT \$ EL DISEASE-POLICY LIMIT \$ EL DISEASE-EA EMPLOYEE \$	
WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY THE PROPRIETOR/PARTNERS/EXECUTIVE OFFICERS ARE: <input type="checkbox"/> INCL <input type="checkbox"/> EXCL					
DESCRIPTIONS OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS					
CERTIFICATE HOLDER		CANCELLATION			
CSX TRANSPORTATION, INC. 500 WATER STREET, J-180 JACKSONVILLE, FL 32202		SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE MODIFIED, CANCELLED, OR NOT RENEWED, THE ISSUING INSURER SHALL MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED HEREIN. AUTHORIZED REPRESENTATIVE			

This provision is required per the terms of the agreement. The following provision is not acceptable on the certificate:

"Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company its agents or representatives."

Application for Land Lease

Applicant Information	Application Date _____
1 Complete <u>Legal Name</u> of applicant _____	
2 Company Contact Name _____ Title _____	
3 Telephone (_____) _____ Fax (_____) _____	
4 Address _____ City _____ State _____ Zip _____	
5 Type of business _____ Corporation (State of incorporation _____) _____ Partnership (type and state of Partnership _____) _____ Individual _____ Developer _____ Municipality _____	

Billing Information	Note Leave blank if same as above
6 Company Name _____	
7 Company Contact Name _____ Title _____	
8 Telephone (_____) _____ Fax (_____) _____	
9 Address _____ City _____ State _____ Zip _____	

Lease Area Information
10 Your Reference No _____
11 Location _____ City _____ County _____ State _____
12 Attachments provided (check all that apply) _____ photograph (REQUIRED) _____ general location map (REQUIRED) _____ CSXT Val Map fragment OR _____ Copy of county tax map (MUST select at least one) Note If CSXT Val Map not used Question # 16 MUST be completed ENTIRELY
13 Intended Use of Property (be explicit) _____ _____
14 How close will the lease be to the centerline of the nearest track? _____ feet
15 Size of area to be leased Dimensions? (Ex 20 x 50) _____ Area? _____ square feet OR _____ acres
16 Detailed Location Information (Required if CSXT Val Map fragment not provided) Beginning of lease area _____ feet _____ (direction N E S W) from Railroad M P _____ Offset (distance) from nearest track _____ Ending of lease area _____ feet _____ (direction N E S W) from Railroad M P _____ Offset (distance) from nearest track _____ Which side of the track is the leased area on? _____ (N E S W) Street address of property to be leased _____
17 How did you verify that property and/or trackage is CSXT s? _____
18 Expected duration of lease from (date) _____ to (date) _____
19 Are there any structures or improvements on the property? _____ If yes attach detailed explanation
20 Do you plan to make any attachments or improvements to the property? _____ If yes attach details

Railroad Use Only
21 Region _____
22 Val Map No _____ Parcel No(s) _____ PIN No(s) _____
23 Rental \$ _____ Payable _____ annually _____ other _____
24 Comments _____ _____
25 Prop Serv Contact _____ RPI Contact _____
26 Approved? Yes _____ No _____ By _____

General Location Map - Cumberland, MD



