

**Palm Beach County Zoning Division**  
2300 N. Jog Road  
West Palm Beach, Florida 33411  
Phone: (561) 233-5200  
Fax: (561) 233-5165



**COMMERCIAL COMMUNICATION TOWER REMOVAL AGREEMENT**

This Agreement is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between \_\_\_\_\_, a \_\_\_\_\_ corporation (TOWER OPERATOR), having an address of \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, property owner (OWNER) having an address of \_\_\_\_\_, \_\_\_\_\_, and Palm Beach County, a political subdivision of the State of Florida.

**WHEREAS**, TOWER OPERATOR owns and operates a commercial communication tower within the County of Palm Beach (COUNTY) located on land leased to TOWER OPERATOR by OWNER and more fully described in the legal description attached as Exhibit "A".

**WHEREAS**, TOWER OPERATOR intends to use said tower as a commercial communication tower; and

**WHEREAS**, COUNTY has granted TOWER OPERATOR an approval to use the property for a commercial communication tower, and has granted a permit to erect a commercial communication tower; and

**WHEREAS**, the parties make this Agreement pursuant to Article 4.B.9 Commercial Communication Tower, of the Unified Land Development Code of Palm Beach County, Florida (December 4, 2003) and as amended.

NOW, THEREFORE, in consideration of ten dollars (\$10.00), and the granting of the use of the property for a commercial communication tower, it is agreed as follows:

1. TOWER OPERATOR and OWNER agree that in the event the commercial communication tower located on the real property described above shall become abandoned (as defined in Article 4.B.9.G.1) or ceases to be used, TOWER OPERATOR and OWNER shall remove said tower within three (3) months of the cessation of use.

2. Abandonment or cessation of use shall be defined as the non-use of the tower for the purposes permitted, by the TOWER OPERATOR or any of its lessees or OWNER. Use shall be defined as the reception or broadcasting of radio, light or electromagnetic type signals to or from the communication tower.

3. This Agreement shall be binding upon TOWER OPERATOR, OWNER, and their assigns and successors.

4. TOWER OPERATOR or OWNER shall notify Palm Beach County Zoning Division within thirty (30) days of cessation of use.

5. In the event that TOWER OPERATOR or OWNER fail to remove the tower within the three (3) months set forth herein, COUNTY may have the tower removed without notice and OWNER shall be responsible for the COUNTY's reasonable direct and indirect costs of removal. TOWER OPERATOR or OWNER has posted surety which COUNTY shall draw to pay the cost of removal. The COUNTY may record a lien against the real property or personal property of OWNER and TOWER OPERATOR for costs of removal which exceed the surety or if the surety is invalid or expired for any reason.

6. COUNTY shall not be responsible to OWNER or TOWER OPERATOR for damage to any structures or property caused through removal of the tower.

7. This Agreement shall be recorded in the Public Records of Palm Beach County, Florida and shall run with the land and be binding on any successor or assigns of OWNER and OPERATOR.

**WHEREFORE**, the parties hereto have entered into this Agreement the year and date first stated above.

**Witnesses:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

**OWNER:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Company

\_\_\_\_\_  
Phone No.

**NOTARY PUBLIC INFORMATION:**

**STATE OF FLORIDA  
COUNTY OF PALM BEACH**

Sworn to and subscribed before me by means of [ ] physical presence or [ ] online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_ (*name of person making statement*). He/she is personally known to me or has produced \_\_\_\_\_ (*type of identification*) as identification.

\_\_\_\_\_  
(Name - type, stamp or print clearly)

\_\_\_\_\_  
(Signature)

My Commission Expires on: \_\_\_\_\_

NOTARY'S SEAL OR STAMP

**WITNESSES:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

**TOWER OPERATOR:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Company

\_\_\_\_\_  
Phone No.

**NOTARY PUBLIC INFORMATION:**

**STATE OF FLORIDA  
COUNTY OF PALM BEACH**

Sworn to and subscribed before me by means of [ ] physical presence or [ ] online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_ (*name of person making statement*). He/she is personally known to me or has produced \_\_\_\_\_ (*type of identification*) as identification.

\_\_\_\_\_  
(Name - type, stamp or print clearly)

\_\_\_\_\_  
(Signature)

My Commission Expires on: \_\_\_\_\_

NOTARY'S SEAL OR STAMP

**PALM BEACH COUNTY:**

By: \_\_\_\_\_  
Zoning Director or designee

**NOTARY PUBLIC INFORMATION:**

**STATE OF FLORIDA  
COUNTY OF PALM BEACH**

Sworn to and subscribed before me by means of [ ] physical presence or [ ] online notarization, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_ (*name of person making statement*). He/she is personally known to me or has produced \_\_\_\_\_ (*type of identification*) as identification.

\_\_\_\_\_  
(Name - type, stamp or print clearly)

\_\_\_\_\_  
(Signature)

My Commission Expires on: \_\_\_\_\_

**NOTARY'S SEAL OR STAMP**

**EXHIBIT A  
LEGAL DESCRIPTION**