

ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

I, the undersigned Applicant or Agent, and Property Owner, hereby acknowledge and agree that:

- Applicant and/or Property Owner has the option of deferring their case to be heard at a future date under established non-emergency hearing procedures.
- Applicant and/or Property Owner knowingly and willingly chooses to proceed to hearing under the Communications Media Technology (CMT) Quasi-Judicial, Legislative, and Administrative Hearing Procedures.
- CMT procedures are held only during a declared State of Emergency by the Governor. Such procedures may or may not comply with Florida Statutes or Case Law governing Quasi-Judicial, Legislative or Administrative Hearings.
- Applicant and/or Property Owner knowingly waives the right of cross-examination of witness or commenters choosing to participate in the hearing utilizing CMT.
- Decisions and Orders of any board or commission may be subject to challenge by private parties, government agencies, and affected or aggrieved persons. Further, such Orders or Decisions are subject to be overturned by a court of competent jurisdiction. Applicant and/or Property Owner agree to indemnify and hold harmless the City of St. Augustine, its boards and commission, staff, and appointed and elected officials, for any claims arising out of Applicant and/or Property Owner's decision to proceed to hearing utilizing CMT procedures. Applicant and/or Property Owner agree to pay all attorneys fees and costs incurred by the City in defending Decisions or Orders utilizing CMT procedures related to their hearing.
- Applicant and/or Property Owner fully understand the risks and costs of litigation and have independently assessed these risks and costs and choose to proceed with hearing of the application utilizing CMT procedures.

Applicant and/or Property Owner further acknowledges that he/she has had an opportunity to consult with and be represented by counsel of their choosing and is advised to do so. Applicant and/or Property Owner is fully aware of procedures and rights waived above. Applicant and/or Property Owner freely, without duress or coercion, and based on Applicant and/or Property Owners own judgment wish to proceed with hearing of their application utilizing CMT hearing procedures.

[Signatures Appear on Following Page]

PROPERTY OWNER

(Print Name)

(Signature)

STATE OF FLORIDA
COUNTY OF _____

I HEREBY CERTIFY that on this day, personally appeared before me, by means of [] physical presence or [] online notarization, _____, who is personally known to me or who has produced _____ as identification, who is the person described in and who executed the foregoing instrument and who acknowledged before me that he/she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this _____ day of _____, 2020.

Notary Public, State of Florida

APPLICANT OR APPLICANT'S AGENT

(Print Name)

(Signature)

STATE OF FLORIDA
COUNTY OF _____

I HEREBY CERTIFY that on this day, personally appeared before me, by means of [] physical presence or [] online notarization, _____, who is personally known to me or who has produced _____ as identification, who is the person described in and who executed the foregoing instrument and who acknowledged before me that he/she executed the same for the uses and purposes therein expressed.

Witness my hand and official seal, this _____ day of _____, 2020.

Notary Public, State of Florida