

ORIGINAL

MEMORANDUM

March 3, 2003

RECEIVED-FPSC  
03 MAR -4 AM 10:38  
COMMISSION  
CLERK

TO: DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES

FROM: OFFICE OF THE GENERAL COUNSEL (CROSBY)

RE: DOCKET NO. 021036-WS - APPLICATION FOR AMENDMENT OF CERTIFICATES NOS. 618-W AND 432-S TO EXTEND WATER AND WASTEWATER SERVICE IN SUMTER COUNTY BY NORTH SUMTER UTILITY COMPANY, L.L.C.

Attached is a letter dated February 24, 2003, from Martin S. Friedman, Attorney, Rose, Sundstrom & Bentley, LLP, transmitting a copy of a Title Insurance Policy which covers fee and easement parcels which are to be utilized by North Sumter Utility, Inc. The utility previously submitted a Quit Claim Deed as proof of ownership of the property. PLEASE PLACE THE LETTER AND THE ATTACHMENT IN THE ABOVE-REFERENCED DOCKET FILE. Thanks.

alc

Attachment

cc: Division of Economic Regulation (Walden)

AUS \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM \_\_\_\_\_  
CTR \_\_\_\_\_  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
OPC \_\_\_\_\_  
MMS \_\_\_\_\_  
SEC   I    
OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

02122 MAR-4 3

FPSC-COMMISSION CLERK

LAW OFFICES  
**ROSE, SUNDSTROM & BENTLEY, LLP**

2548 BLAIRSTONE PINES DRIVE  
TALLAHASSEE, FLORIDA 32301

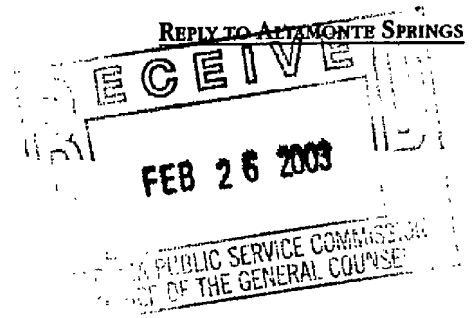
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February 24, 2003



Ms. Alice Crosby  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399


Re: Docket No. 021036-WS; Application of North Sumter Utility Company, LLC, for  
Amendment to Certificate of Authorization  
Our File No.: 34078.02

Dear Alice:

The Quit Claim Deed which was given by PM3, Ltd., to North Sumter Utility Company, L.L.C., was for the purpose of correcting a minor error in a legal description that was discovered in connection with the financing of this project. That property is a part of the wastewater treatment plant property, and I have enclosed a copy of the Title Insurance Policy issued by Attorney's Title Insurance Fund, Inc., which, as you can see, covers both fee and easement parcels which are to be utilized by North Sumter Utility, Inc.

Should you have any questions regarding the enclosed or require any additional information in connection with the above-referenced Application, please do not hesitate to give me a call.

Very truly yours,

  
MARTIN S. FRIEDMAN  
For the Firm

MSF:dmp  
Enclosure

cc: Mr. John Wise (w/o enclosure)

**Attorneys' Title Insurance Fund, Inc.**  
**MORTGAGEE POLICY**  
**Schedule A**

Policy No.:  
MP-3025921

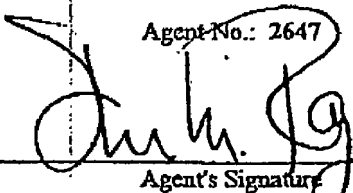
Effective Date:  
November 22, 2002 @ 10:29 AM

Agent's File Reference:  
010779

Amount of Insurance: \$11,803,944.89

1. Name of Insured: Wachovia Bank, National Association, its successors and/or assigns as their interests may appear
2. The estate or interest in the land described in this Schedule and which is encumbered by the insured mortgage is a fee simple (if other, specify same) and is at the effective date hereof vested in:  
  
North Sumter Utility Company, L.L.C.
3. The land referred to in this policy is described as follows:  
  
See Attached Exhibit A
4. The mortgage, herein referred to as the insured mortgage, and the assignments thereof, if any, are described as follows:  
  
Mortgage and Security Agreement dated November 1, 2002 in the original principal amount of \$13,900.00, executed by North Sumter Utility Company, L.L.C. in favor of Sumter County Industrial Development Authority recorded in Official Records Book 1021, Page 604, as assigned to Wachovia Bank, National Association by Assignment dated November 22, 2002 and recorded in Official Records Book 1021, Page 622, Public Records of Sumter County, Florida.

Issuing Agent:  
  
McLin & Burnsed PA  
1100 Main Street, Suite 211  
The Villages, FL 32159

Agent No.: 2647  
  
Agent's Signature  
Steven M. Roy/jac  
Attorney at Law

Fern MP-SCH. A

(rev. 1/98)  
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**Attorneys' Title Insurance Fund, Inc.**  
**MORTGAGEE POLICY**  
**Schedule B**

Policy No.:  
MP-3025921

Agent's File Reference:  
010779

This policy does not insure against loss or damage by reason of the following:

1. Right of Way Easement recorded in Official Records Book 153, Page 390 as amended by the Quit Claim Deed recorded in Official Records Book 751, Page 132, Public Records of Sumter County, Florida..
2. Agreement recorded in Official Records Book 686, Page 123, as amended by the Amended and Restated Agreement recorded in Official Records Book 795, Page 161, Public Records of Sumter County, Florida.
3. Notice recorded in Official Records Book 819, Page 157; Amendment recorded in Official Records Book 950, Page 621, and in Official Records Book 844, Page 3, Public Records of Sumter County, Florida.
4. Right of Way Basement recorded in Official Records Book 42, Page 177, Public Records of Sumter County, Florida.
5. Right of Way Easement recorded in Official Records Book 71, Page 174, a portion of which was released pursuant to the Quit Claim Deed recorded in Official Records Book 835, Page 777, Public Records of Sumter County, Florida. (as to the Easement Parcels)
6. Notice of Wetland Impact Development Agreement recorded in Official Records Book 1004, Page 728, Public Records of Sumter County, Florida.
7. Notice Recorded in Official Records Book 963, Page 115, Public Records of Sumter County, Florida. (as to the Easement Parcels)
8. Terms and provisions of that Grant of Easement in favor of North Sumter Utility Company, L.L.C. recorded in Official Records Book 1021, Page 602, Public Records of Sumter County, Florida.
9. NOTE: The following is subordinate to the insured mortgage and are being supplied for information only:
  - a. UCC recorded in Official Records Book 1021, Page 624, Public Records of Sumter County, Florida.

**EXHIBIT A****FEE PARCELS****NSU WWTP**

THAT PORTION OF THE NW1/4 OF SECTION 35, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

FROM THE NORTHEAST CORNER OF SAID NW1/4 OF SECTION 35, RUN THENCE S00°15'33"W ALONG THE EAST LINE THEREOF 120.08 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EAST LINE, S00°15'33"W, 1,915.97 FEET; THENCE DEPARTING SAID LINE, N89°44'27"W, 600.40 FEET; THENCE N00°15'33"E, 419.00 FEET TO A POINT ON THE ARC OF A CURVE CONCAVE NORTHWEST, AND HAVING A RADIUS OF 5,507.00 FEET, AND A CHORD BEARING AND DISTANCE OF N37°08'29"E, 342.04 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 03°33'33", AN ARC DISTANCE OF 342.09 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE WEST AND HAVING A RADIUS OF 2,090.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35°06'10", AN ARC DISTANCE OF 1,280.45 FEET; THENCE N00°15'33"E, 21.55 FEET; THENCE S89°44'27"E, 15.00 FEET TO THE POINT OF BEGINNING, CONTAINING 12.67 ACRES, MORE OR LESS.

**WATER TREATMENT PLANT #1**

THAT PORTION OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 18 SOUTH, RANGE 23 EAST, DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF THE SAID NORTHWEST 1/4; RUN S89°46'52"E ALONG THE SOUTH LINE THEREOF A DISTANCE OF 1160.16 FEET; THENCE N00°13'08"E, 724.81 FEET TO THE POINT OF BEGINNING; THENCE N07°34'16"E, 94.38 FEET; THENCE S82°25'44"E, 180.21 FEET; THENCE S07°34'16"W, 94.38 FEET; THENCE N82°25'44"W, 180.21 FEET TO THE POINT OF BEGINNING.

**WELL SITE**

A PARCEL OF LAND LYING IN THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, SAID PARCEL BEING A CIRCLE AND HAVING A RADIUS OF 100.00 FEET, ITS RADIUS POINT BEING LOCATED AS FOLLOWS:

COMMENCE AT THE SOUTH 1/4 CORNER OF SECTION 16, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA; THENCE S89°34'03"E ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 2647.91 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE N11°03'09"E, 2087.85 FEET TO SAID RADIUS POINT.

EASEMENT PARCELS

## WATER TREATMENT PLANT NO. 1

AN EASEMENT 20.00 FEET WIDE LYING 10.00 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, BEING PART OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA;

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 15; THENCE S89°46'52"E ALONG THE SOUTH LINE THEREOF FOR 1160.16 FEET; THENCE N00°13'08"E FOR 724.81 FEET; THENCE N07°34'16"E FOR 21.63 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE N82°25'44"W A DISTANCE OF 94.06; THENCE N07°34'16"E FOR 126.39 FEET; THENCE N20°24'08"E FOR 271.17 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 466 AND THE POINT OF TERMINATION OF SAID CENTERLINE.

## FOR NSU WELL SITE AND WWTP SITE

THAT PART OF SECTIONS 15, 22, 23, 26 AND 35, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, LYING 12.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE, BEING DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 15 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 466; THENCE S00°18'39"W ALONG SAID WEST LINE FOR 370.22 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 3000.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 27°57'35" FOR A DISTANCE OF 1463.97 FEET TO POINT "A"; THENCE CONTINUE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°45'22" FOR A DISTANCE OF 39.59 FEET TO THE POINT OF TERMINATION FOR THE NSUWTP WELL SITE; THENCE FROM SAID POINT "A" RUN S60°40'51"W, FROM A RADIAL LINE WHICH BEARS S62°21'13"W, FOR A DISTANCE OF 85.87 FEET; THENCE S29°19'09"E FOR 175.16 FEET; THENCE N60°40'51"E FOR 85.87 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 3000.00 FEET; THENCE SOUTHEASTERLY FROM A RADIAL LINE WHICH BEARS S59°00'29"W, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°00'26" FOR A DISTANCE OF 471.61 FEET TO THE POINT OF TANGENCY; THENCE S39°59'57"E FOR 1133.50 FEET; THENCE S06°44'45"W FOR 877.66 FEET; THENCE S12°37'13"E FOR 633.85 FEET; THENCE S37°44'59"E FOR 317.78 FEET; THENCE S44°12'03"E FOR 536.70 FEET; THENCE S28°11'32"E FOR 524.78 FEET; THENCE S36°55'03"E FOR 472.54 FEET; THENCE S62°45'27"E FOR 664.73 FEET; THENCE S83°03'29"E FOR 250.07 FEET; THENCE S77°36'47"E FOR 597.92 FEET; THENCE N85°53'38"E FOR 2170.41 FEET; THENCE S52°26'40"E FOR 348.12 FEET; THENCE S48°45'40"E FOR 228.02 FEET; THENCE S22°19'41"E FOR 438.22 FEET; THENCE S28°31'27"E FOR 234.65 FEET; THENCE S29°24'19"E FOR 796.17 FEET; THENCE S39°51'28"E FOR 307.77 FEET; THENCE S15°06'37"E FOR 447.49 FEET; THENCE S21°03'34"E FOR 532.62 FEET; THENCE S00°39'21"W FOR 5233.37 FEET; THENCE S00°15'33"W FOR 788.21 FEET TO THE POINT OF TERMINATION OF SAID CENTER LINE.