

040497-WS

ORIGINAL

David B. Erwin
Attorney At Law

127 Riversink Road
Crawfordville, Florida 32327

Telephone 850.926.9331
Fax 850.926.8448
daveerwin@direcway.com

May 25, 2004

Blanca Bayo
Division of Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED FPSC
MAY 25 PM 2:29
COMMISSION
CLERK

In re: Application for Amendment of Certificates –
Indiantown Company, Inc.

Dear Ms. Bayo:

Please find enclosed the original and five copies of the Application for Amendment of Certificates Nos. 387-W and 331-S to add territory to the certificated territory of Indiantown Company, Inc. (IC).

Also enclosed is IC's check in the amount of \$2,000 to cover the filing fee of \$1,000 for each system, which IC submits is the proper fee, based upon allowed densities in the territory sought for inclusion in the IC certificates.

IC has not submitted the original certificates along with this application, since they cannot be found. The certificates in the possession of IC appear to be copies, rather than originals. IC requests that duplicate originals be issued upon the conclusion of this application.

IC herewith submits an original and copies of a map of the territory currently served and sought for future service. The company does not have a copy of system maps for each system, but IC believes that information about the water and wastewater systems has been collected by and is in the possession of the PSC, as the result of engineering studies by PSC staff conducted in the course of IC's last rate case, Docket No. 990939-WS.

*Original Map +
tariff forwarded to ECR*

Check received with filing and forwarded
to Fiscal for deposit. Fiscal to forward
deposit information to Records.

Initials of person who forwarded check:

1
DOCUMENT NUMBER-DATE
05960 MAY 25 04
FPSC-COMMISSION CLERK

Late filed exhibits will be submitted as soon as they have been prepared or become available.

Please contact me if you need any further information or explanation.

Sincerely,

A handwritten signature in black ink, appearing to read "David B. Erwin". The signature is fluid and cursive, with a prominent initial "D" and "E".

David B. Erwin

DBE:jm

Enclosures

Copy: Jeff Leslie

APPLICATION FOR AMENDMENT OF CERTIFICATE
(EXTENSION OR DELETION)
(Pursuant to Section 367.045, Florida Statutes)

To: Director, Division of the Commission Clerk & Administrative Services
Florida Public Service Commission
Tallahassee, Florida 32399-0850

The undersigned hereby makes application for amendment of Water Certificate No. 387-W
and/or Wastewater Certificate No. 331-S to ADD (add or delete) territory located in MARTIN
___ County, Florida, and submits the following information:

PART I APPLICANT INFORMATION

A) The full name (as it appears on the certificate), address and telephone number of the applicant:

INDIANTOWN COMPANY, INC.

Name of utility

(772) 597-2201

Phone No.

(772) 597-5067

Fax No.

15851 S.W. FARMS RD.

Office street address

INDIANTOWN, FLORIDA 34956

City

State

Zip Code

Mailing address if different from street address

Internet address if applicable

B) The name, address and telephone number of the person to contact concerning this application:

JEFF LESLIE

Name

(772) 597-2104

Phone No.

15925 S.W. WARFIELD BLVD.

Street address

INDIANTOWN, FLORIDA 34956

City

State

Zip Code

PART II NEED FOR SERVICE

- A) Exhibit A - If the applicant is requesting an extension of territory, a statement regarding the need for service in the proposed territory, such as anticipated development in the proposed service area.
- B) Exhibit N/A If the applicant is requesting a deletion of territory, a statement specifying the reasons for the proposed deletion, demonstrating that it is in the public interest and explaining the effect of the proposed deletion on the ability of any customer, or potential customer, to receive water and/or wastewater service, including alternative source(s) of service.
- C) Exhibit B - A statement that to the best of the applicant's knowledge, the provision of service will be consistent with the water and wastewater sections of the local comprehensive plan at the time the application is filed, as approved by the Department of Community Affairs, or, if not, a statement demonstrating why granting the amendment would be in the public interest.

PART III SYSTEM INFORMATION

- A) **WATER**
 - (1) Exhibit C - A statement describing the proposed type(s) of water service to be provided by the extension (i.e., potable, non-potable or both).
 - (2) Exhibit D - A statement describing the capacity of the existing lines, the capacity of the existing treatment facilities, and the design capacity of the proposed extension.
 - (3) Exhibit N/A The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded.
 - (4) Exhibit E - A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc.
 - (5) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted. N/A

- (6) Exhibit F - Evidence the utility owns the land where the water facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative. **THIS WILL BE A LATE-FILED EXHIBIT**

B) WASTEWATER

- (1) Exhibit D - A statement describing the capacity of the existing lines, the capacity of the existing treatment and disposal facilities, and the design capacity of the proposed extension.
- (2) Exhibit N/A - The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded.
- (3) Exhibit G - If the utility is planning to build a new wastewater treatment plant, or upgrade an existing plant to serve the proposed territory, provide a written description of the proposed method(s) of effluent disposal.
- (4) Exhibit G - If (3) above does not include effluent disposal by means of reuse, provide a statement that describes with particularity the reasons for not using reuse.
- (5) Exhibit E - A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc.
- (6) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted. N/A
- (7) Exhibit H - Evidence the utility owns the land where the wastewater facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative. **THIS WILL BE A LATE-FILED EXHIBIT**

PART IV FINANCIAL AND TECHNICAL INFORMATION

- A) Exhibit I - A statement as to the applicant's technical and financial ability to render reasonably sufficient, adequate and efficient service.
- B) Exhibit J - A detailed statement regarding the proposed method of financing the construction, and the projected impact on the utility's capital structure.
- C) Provide the number of the most recent Commission order establishing or amending the applicant's rates and charges. PSC-00-2245-CO-WS WHICH CONSUMATED PSC-00-2054-PAA-WS
- D) Exhibit K - A statement regarding the projected impact of the extension on the utility's monthly rates and service availability charges.

PART V TERRITORY DESCRIPTION AND MAPS

A) **TERRITORY DESCRIPTION**

Exhibit L - An accurate description of the territory proposed to be added or deleted, using township, range and section references as specified in Rule 25-30.030(2), F.A.C. If the water and wastewater territory is different, provide separate descriptions.

B) **TERRITORY MAPS**

Exhibit M - One copy of an official county tax assessment map or other map showing township, range and section with a scale such as 1"=200' or 1"=400' on which the proposed territory to be added or deleted is plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning. If the water and wastewater territory is different, provide separate maps.

C) **SYSTEM MAPS**

Exhibit N - One copy of detailed map(s) showing proposed lines and facilities and the territory proposed to be served. Map(s) shall be of sufficient scale and detail to enable correlation with a description of the territory proposed to be served. Provide separate maps for water and wastewater systems.

PART VI NOTICE OF ACTUAL APPLICATION

- A) Exhibit O - An affidavit that the notice of actual application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail to the following:
- (1) the governing body of the municipality, county, or counties in which the system or the territory proposed to be served is located;
 - (2) the privately owned water and wastewater utilities that hold a certificate granted by the Public Service Commission and are located within the county in which the territory proposed to be served is located;
 - (3) if any portion of the proposed territory is within one mile of a county boundary, the utility shall notice the privately owned utilities located in the bordering counties that hold a certificate granted by the Commission;
 - (4) the regional planning council;
 - (5) the Office of Public Counsel;
 - (6) the Public Service Commission's Director of Records and Reporting;
 - (7) the appropriate regional office of the Department of Environmental Protection; and
 - (8) the appropriate water management district.

Copies of the Notice and a list of entities noticed shall accompany the affidavit.
THIS MAY BE A LATE-FILED EXHIBIT *THIS WILL BE LATE-FILED*

- B) Exhibit P - An affidavit that the notice of actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery to each customer of the system. A copy of the notice shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.
THIS WILL BE LATE-FILED

- C) Exhibit Q - Immediately upon completion of publication, an affidavit that the notice of actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.
THIS WILL BE LATE-FILED

PART VII FILING FEE

Indicate the filing fee enclosed with the application:

\$1,000 (for water) and/or \$1,000 (for wastewater).
BASED ON ZONING MAXIMUM DENSITY

Note: Pursuant to Rule 25-30.020, Florida Administrative Code, the amount of the filing fee is as follows:

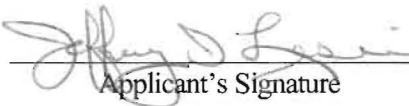
- (1) For applications in which the area to be extended or deleted has the proposed capacity to serve up to 100 ERCs, the filing fee shall be **\$100.**
- (2) For applications in which the area to be extended or deleted has the proposed capacity to serve from 101 to 200 ERCs, the filing fee shall be **\$200.**
- (3) For applications in which the area to be extended or deleted has the proposed capacity to serve from 201 to 500 ERCs, the filing fee shall be **\$500.**
- (4) For applications in which the area to be extended or deleted has the proposed capacity to serve from 501 to 2,000 ERCs, the filing fee shall be **\$1,000.**
- (5) For applications in which the area to be extended or deleted has the proposed capacity to serve from 2,001 to 4,000 ERCs, the filing fee shall be **\$1,750.**
- (6) For applications in which the area to be extended or deleted has the proposed capacity to serve more than 4,000 ERCs, the filing fee shall be **\$2,250.**

PART VIII TARIFF AND ANNUAL REPORTS

- A) Exhibit R - An affidavit that the utility has tariffs and annual reports on file with the Commission.
- B) Exhibit S - The original and two copies of proposed revisions to the utility's tariff(s) to incorporate the proposed change to the certificated territory. Please refer to Rules 25-9.009 and 25-9.010, Florida Administrative Code, regarding page numbering of tariff sheets before preparing the tariff revisions. (The rules and sample tariff sheets are attached.)

PART IX AFFIDAVIT

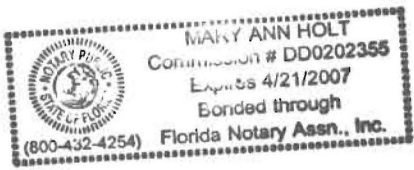
I JEFFREY S. LESLIE (applicant) do solemnly swear or affirm that the facts stated in the forgoing application and all exhibits attached thereto are true and correct and that said statements of fact thereto constitutes a complete statement of the matter to which it relates.

BY: 
Applicant's Signature

JEFFREY S. LESLIE
Applicant's Name (Typed)

VICE PRESIDENT
Applicant's Title *

Subscribed and sworn to before me this 21st day in the month of MAY
in the year of 2004 by JEFFREY S. LESLIE who is personally known to me
or produced identification N/A
Type of Identification Produced




Notary Public's Signature

Print, Type or Stamp Commissioned
Name of Notary Public

* If applicant is a corporation, the affidavit must be made by the president or other officer authorized by the by-laws of the corporation to act for it. If applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.

EXHIBIT A

At the present time, there are no definite plans for developments in the proposed extended areas that the applicant is requesting. However, there seem to be several prominent nationwide and statewide developers that are making inquiries and are prepared to do feasibility studies in and around Indiantown. Since the applicant's proposed extended areas are already designated by Martin County as being in the Indiantown Urban Service District, the applicant would like to make these adjustments to conform the existing PSC service area to the Urban Service District designated service area. This would allow the applicant to readily serve any future developments in these areas.

EXHIBIT B

To the best of the applicant's knowledge, the provision of water and wastewater service in the territory sought to be added to the Certificates 387-W and 331-S will be in substantial compliance with the water and wastewater sections of the Martin County Comprehensive Plan, at the time this application is filed.

Chapter 10 of the comprehensive plan is entitled, "Sanitary Sewer Services Element." Section 10-4A1f(1) and the Future Land Use Map (Figure 4-5) allow extension of service of sanitary sewer lines only to areas delineated as Primary or Secondary Urban Service Districts. The application of Indiantown Company proposes service only to such urban districts by Indiantown Company, which is designated as a Regional Wastewater Facility by Section 10-2D and Table 10-1.

Chapter 11 of the comprehensive plan is entitled, "Potable Water Service Element." Section 11-4A3a(2) limits water service growth to those areas designated as Primary or Secondary Urban Service Districts. The application of Indiantown Company proposes service only to such urban districts by Indiantown Company, which is designated as a Regional Water Facility by Section 11-3 and Figure 11-1.

This statement has been made after counsel for Indiantown Company reviewed the Martin County Comprehensive Plan at the Department of Community Affairs (DCA), Tallahassee, Florida, along with DCA employee, Roger Wilburn, and reported the results of the review to applicant.

EXHIBIT C

The applicant will provide potable water to customers within the territory sought by this application.

EXHIBIT D

Since it has been determined that the applicant would have a minimum 30 month lead time until a development would actually need service, and since the applicant has ample capacity to service the beginning phases of development, no extension is proposed.

EXHIBIT E

As noted above, there are no specific developments proposed at this time; however, the applicant would anticipate that the majority of development would be residential and would consist of single family and multi family dwellings.

EXHIBIT G

The applicant has no current plan to build a new wastewater treatment plant or upgrade the existing plant. The reason for this is because there are no specific development plans of which the applicant is aware that might guide the applicant in this regard.

EXHIBIT I

Indiantown Company, Inc. (water and wastewater) has been in existence and has been serving the Indiantown Community for over 50 years. The owner of the company also owns the local telephone, refuse and rolloff companies as well as the local Bank. The water and wastewater company presently has an approved service availability policy and has and will utilize the rate case and index increase process, as needed.

EXHIBIT J

Any future construction would be financed approximately 75% by developer contributions and 25% out of company capital or borrowing.

EXHIBIT K

The applicant is unable to calculate the projected impact of this application on the utility's monthly rates and service availability charges because of the lack of specific development plans.

EXHIBIT L

Territory Description

Township 39 South, Range 39 East, Martin County

Existing Territory: (See Order No. PSC-92-0116-FOF-WS)

All of Section 33

Section 31, the South 1/4

Add the following Territory: (This application)

Section 32, the West 1/2

Section 31, the North 3/4

Combined Territory: (If application granted)

All of Sections 31, and 33 and the West 1/2 of Section 32

Township 40 South, Range 39 East, Martin County

Existing Territory: (See Order No. PSC-92-0116-FOF-WS)

All of Section 5

All of Section 6

All of Sections 4, 7, 8, 9 North of the St. Lucie Canal R/W

Add the following Territory: (This application)

Section 8, all of the Northeast 1/4 lying North of SR 710 and South of the St. Lucie Canal R/W.

Section 9, that portion lying South of the St. Lucie Canal R/W, West of S. W. Indiantown Avenue and East of SR 710.

Combined Territory: (If application granted)

All of Section 5

All of Section 6

All of Sections 4 and 7 North of the St. Lucie Canal R/W

Section 8, all that portion North of the St. Lucie Canal R/W and all that portion of the Northeast ¼ lying North of SR 710 and South of the St. Lucie Canal R/W.

Section 9, all that portion North of the St. Lucie Canal R/W and that portion lying South of the St. Lucie Canal R/W, West of SW Indiantown Avenue and East of SR 710.



Township 40 South, Range 38 East

No change in territory as listed in Order No. PSC-92-0116-FOF-WS.

Township 39 South, Range 38 East

No change in territory as listed in Order No. PSC-92-0116-FOF-WS.

EXHIBIT M

 Proposed Additions to Area
 Existing PSC Service Area



Martin County

Plot Name: C:\projects\p\p\mkt\indtownUSD.mxd
 Plot Location: C:\projects\p\p\mkt\indtownUSD.pdf
 Created By: James Perkins (JTP Dep)
 Plot Date: March 29, 2004

Primary USD
 Secondary USD

Indiantown Urban Service Districts

0 0.5 1 2 Miles



Disclaimer:
 "The Geographic Information System (GIS) Product received from Martin County (COUNTY) as fulfillment of a public records request is provided "as is" without warranty of any kind, and the COUNTY expressly disclaims all express and implied warranties, including but not limited to: the implied warranties of merchantability and fitness for a particular purpose. The COUNTY does not warrant, guarantee, or make any representations regarding the use or the results of the use of the information provided to you by the COUNTY in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the COUNTY is solely assumed by the recipient."

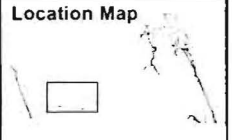


EXHIBIT N

The applicant is unable to provide a detailed map of proposed lines and facilities until such time as detailed and specific developer plans are provided to applicant.

EXHIBIT R

Set forth below is the affidavit required by Part VIII (A) of the PSC application form for an amendment of certificate application:

AFFIDAVIT

I, Jeff Leslie, having been duly sworn, hereby state that Indiantown Company, Inc., has tariffs and current annual reports on file with the Commission.



NOTARY

Subscribed and sworn to before me this 21st day of May, 2004, by Jeff Leslie, who is personally known to me.



NOTARY PUBLIC'S SIGNATURE



PRINT, TYPE OR STAMP NAME OF NOTARY

EXHIBIT S

Attached are tariff sheets in legislative format and in final form that reflect the addition of the territory sought for inclusion in Certificates 387-W and 331-S.

Second
First Revised Sheet No. 3.0
Cancels Original Sheet No. 3.0
First Revised

NAME OF COMPANY: INDIANTOWN COMPANY, INC.

WASTEWATER TARIFF

TERRITORY SERVED

CERTIFICATE NUMBER - 331-S

COUNTY - MARTIN

COMMISSION ORDERS APPROVING TERRITORY SERVED -

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
11891	4/27/83	810037-WS (CR)	Grandfather
PSC-92-0116-FOF-WS	3/30/92	910726-WS	Amendment

(Add order growing out of this application)

Amendment

ROBERT M. POST, JR.
PRESIDENT

First Revised

Original Sheet No. 3.2

Cancel Original Sheet No 3.2

NAME OF COMPANY: INDIANTOWN COMPANY, INC.

WASTEWATER TARIFF

DESCRIPTION OF TERRITORY SERVED

Order No. PSC-92-0116-FOF-WS

ENTIRE SERVICE TERRITORY DESCRIPTION

Township 40 South, Range 38 East, Martin County

Section 2

The area lying North of West Farm Road. (West Farm Road can be described approximately as follows: From the Northeast corner of said section run South along the East Section line a distance of 1,314 feet to the intersection of West Farm Road; thence North 77° West a distance of 1,241 feet; thence North 61° West a distance of 2,093 feet to the intersection of the North line of said section. This point also being 3,090 feet West of the Northeast corner of said section.)

Township 39 South, Range 39 East, Martin County

All of Section 33

Section 32, The West 1/2
all of Section 31, The South 1/4

Township 40 South, Range 39 East, Martin County

All of Section 5

All of Section 6

All of Sections ^{and} 4, 7, ~~8, 9~~, North of the St. Lucie Canal R/W

Section 8, all that portion North of the St. Lucie Canal R/W and all that portion of the Northeast 1/4 lying North of SR 710 and South of the St. Lucie Canal R/W.

Section 9, all that portion North of the St. Lucie Canal R/W and that portion lying South of the St. Lucie Canal R/W, West of S.W. Indiantown Avenue and East of SR 710.

ROBERT M. POST, JR.
PRESIDENT

Second

~~First~~ Revised Sheet No. 3.0
Cancels ~~Original~~ Sheet No. 3.0

First Revised

NAME OF COMPANY: INDIANTOWN COMPANY, INC.

WATER TARIFF

TERRITORY SERVED

CERTIFICATE NUMBER - 387-W

COUNTY - MARTIN

COMMISSION ORDERS APPROVING TERRITORY SERVED -

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
11891	4/27/83	810037-WS (CR)	Grandfather
PSC-92-0116-FOF-WS	3/30/92	910726-WS	Amendment

(Add order growing out of this
application)

Amendment

ROBERT M. POST, JR.
PRESIDENT

First Revised
-Original Sheet No. 3.2
Cancel Original Sheet No. 3.2

NAME OF COMPANY: INDIANTOWN COMPANY, INC.

WATER TARIFF

DESCRIPTION OF TERRITORY SERVED

Order No. PSC-92-0116-FOF-WS

ENTIRE SERVICE TERRITORY DESCRIPTION

Township 40 South, Range 38 East, Martin County

Section 2

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Township 39 South, Range 39 East, Martin County

All of Section 33

Section 32, The West 1/2
All of Section 31, The South 1/4

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All of Section 6

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Section 9, all that portion North of the St. Lucie Canal R/W and that portion lying South of the St. Lucie Canal R/W, West of S.W. Indiantown Avenue and East of SR 710.

ROBERT M. POST, JR.
PRESIDENT

INDIANTOWN COMPANY, INC.
WASTEWATER TARIFF

Second Revised Sheet No. 3.0
Cancels First Revised Sheet No. 3.0

TERRITORY SERVED

CERTIFICATE NUMBER – 331-S

COUNTY – MARTIN

COMMISSION ORDERS APPROVING TERRITORY SERVED –

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11891	4/27/83	810037-WS (CR)	Grandfather
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Add order growing out of this application			Amendment

Robert M. Post, Jr., President

DESCRIPTION OF TERRITORY SERVED

Order No. PSC-92-0116-FOF-WS

ENTIRE SERVICE TERRITORY DESCRIPTION

Township 40 South, Range 38 East, Martin County

Section 2

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Township 39 South, Range 39 East, Martin County

All of Section 33

Section 32, the West 1/2

All of Section 31

Township 40 South, Range 39 East, Martin County

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Section 9, all that portion North of the St. Lucie Canal R/W and that portion lying South of the St. Lucie Canal R/W, West of S.W. Indiantown Avenue and East of SR 710.

Robert M. Post, Jr., President

INDIANTOWN COMPANY, INC.
WATER TARIFF

Second Revised Sheet No. 3.0
Cancels First Revised Sheet No. 3.0

TERRITORY SERVED

CERTIFICATE NUMBER – 387-W

COUNTY – MARTIN

COMMISSION ORDERS APPROVING TERRITORY SERVED –

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
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Add order growing out of this application			Amendment

Robert M. Post, Jr., President

DESCRIPTION OF TERRITORY SERVED

Order No. PSC-92-0116-FOF-WS

ENTIRE SERVICE TERRITORY DESCRIPTION

Township 40 South, Range 38 East, Martin County

Section 2

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Township 39 South, Range 39 East, Martin County

All of Section 33

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Township 40 South, Range 39 East, Martin County

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Section 9, all that portion North of the St. Lucie Canal R/W and that portion lying South of the St. Lucie Canal R/W, West of S.W. Indiantown Avenue and East of SR 710.

Robert M. Post, Jr., President