

ORIGINAL

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November 23, 2004

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

RECEIVED-FPSC
NOV 23 AM 11:54
COMMISSION
CLERK

In re: Application of Indiantown Company, Inc. for Amendment of Certificates 387-W and 331-S
Docket No. 040497-WS

Dear Ms. Bayo:

On October 27, 2004, Indiantown Company, Inc. submitted an opinion letter from Attorney Michael C. Dale, dated September 17, 2004, to comply with the requirement of Order No. PSC-04-0967-FOF-WS that Indiantown Company, Inc. provide proof of ownership of treatment facilities. The letter mentioned a deed dated October 24, 1997. The staff wanted a copy of the deed, and it is enclosed.

If anything else is needed, please let me know.

Sincerely,



David B. Erwin

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH _____

Copy: Tom Walden
Jeff Leslie, Indiantown Company

DOCUMENT NUMBER-DATE

12538 NOV 23 04

FPSC-COMMISSION CLERK

MARSHA STILLER
CLERK OF CIRCUIT COURT
MARTIN CO., FL

RECORDED
BY
VERIFIED
D.C.

01272487

98 JAN -2 PM 3:23

THIS INSTRUMENT PREPARED BY
AND IS TO BE RETURNED TO:
Michael L. Dale, Esquire
5154 SB Federal Highway
Stuart, Florida 34997
Courthouse Box 78

DOC-DWD \$ 4095.00 MARSHA STILLER
DOC-PTS \$ _____ MARTIN COUNTY
DOC-ADM \$ _____ CLERK OF CIRCUIT COURT
BY TAX \$ _____ BY [Signature] D.C.

Grantee #1 S.S. No. _____
Grantee #2 S.S. No. _____

Property Appraiser's No. _____

This Warranty Deed Made and executed the 24th day of October, 1997, by INDIANTOWN COMPANY, INC., a Florida Corporation, and having its principal place of business at P.O. Box 518, Indiantown, FL 34956 hereinafter called the grantor, to ICO ENTERPRISES, INC., a Florida Corporation, whose post office address is P.O. BOX 518, Indiantown, FL 34956 hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, That the grantor, for and in consideration of the sum of TEN XX/100 (\$10.00) DOLLARS and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirms unto the grantee, all that certain land situate in Martin County, State of Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Together, with all the tenements, hereditaments and appurtenances thereto belonging to in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that it has good, right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

In Witness Whereof, the said corporation has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST: [Signature] SECRETARY INDIANTOWN COMPANY, INC., a Florida Corp.

Signed Sealed and delivered in the presence of:

[Signature]
Witness Signature
Printed Name: JERRY S. SUE

BY: [Signature]
ROBERT M. POST, JR., President



[Signature]
Witness Signature
Printed Name: Kenneth A. Norman

STATE OF FLORIDA
COUNTY OF MARTIN

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared ROBERT M. POST, JR., and Elizabeth Gentry known to me to be the President and Secretary respectively of INDIANTOWN COMPANY, INC., a Florida Corporation, the corporation in whose name the foregoing instrument was executed, and that they severally acknowledged executing the same for such corporation freely and voluntarily, under authority duly vested in them by said corporation, and that the seal affixed thereto is the true corporate seal of said corporation, that I relied upon the following forms of identification of the above-named person(s):

- personally known or
- has produced as identification _____

Witness my hand and official seal in the County and State last aforesaid this 24th day of October, 1997.

Sign [Signature]
Print Joan Shevlin
State of Florida at Large (Seal)
My commission expires:

ATTACHED TO AND MADE A PART OF THAT CERTAIN DEED FROM INDIANTOWN COMPANY, INC., A FLORIDA CORPORATION, TO ICO ENTERPRISES, INC., A FLORIDA CORPORATION DATED THE 24th DAY OF OCTOBER, 1997.

EXHIBIT "A"

PARCEL ONE: (water plant):

Being all of Tract "A", according to the unrecorded plat of INDIANTOWN INDUSTRIAL PARK, as recorded in Official Records Book 332, Page 2237, public records of Martin County, Florida.

TOGETHER WITH an easement over the Northeasterly 50.00 feet of Lots 1 through 12, inclusive, of Block 3, according to the unrecorded plat of INDIANTOWN INDUSTRIAL PARK as recorded in Official Records Book 332, Page 2237, public records of Martin County, Florida.

PARCEL TWO: (sewer plant):

Being a Parcel of land lying in Section 6, Township 40 South, Range 39 East, and being more particularly described as follows:

Being all of Lots 4 through 18, Block 11;

AND

Being all of Lots 3 through 26, Block 14;

AND

That portion of the 60.00 feet wide Right-of-way for Gateway Avenue being bounded on the South by the North right-of-way line of the Rowland Canal; on the North by the Southwesterly prolongation of the Northwesterly boundary of said Lot 4, Block 11, to the centerline of said right-of-way and the northeasterly prolongation of the Northwesterly boundary of Lot 3, Block 14, to the centerline of said right-of-way.

AND

That portion of the 60.00 feet wide Right-of-way for Forest Street, being bounded on the West by the centerline of Wood Street;

AND

That portion of the West 640 feet of the South 600 feet of the North 2350 feet of said Section 6, lying northerly of the existing Rowland Canal.

All according to the unrecorded plat of INDIANTOWN INDUSTRIAL PARK as recorded in Official Records Book 332, Page 2237, public records of Martin County, Florida.

