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ROBERT M. C. ROSE, (1924-2006)

May 1, 2008

MARTIN S. FRIEDMAN, P.A.
BRIAN J. STREET

CHRISTIAN W. MARCELLI, OF COUNSEL
(LICENSED IN NEW YORK ONLY)

VIA HAND DELIVERY

Ms. Ann Cole
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket No. 060602
Town and Country Utilities Company;
Executed Warranty Deed
Our File No. 40050.03

RECEIVED-FPSC
08 MAY -1 AM 11:57
COMMISSION
CLERK

Dear Ms. Cole:

On April 7, 2008, the Commission issued Order No. PSC-08-0228-PAA-WS, which states in part:

CMP _____ ORDERED that with 30 days from the date of the Consummating Order, Town and
COM _____ Country Utilities Company shall file an executed and recorded warranty deed for the
water and wastewater plant facilities.

CTR _____
ECR _____ Enclosed please find an original and seven (7) copies of a Special Warranty Deed dated April
GCL 1 recorded with the Charlotte County Clerk on April 30, 2008 at OR Book 3285, Page 465 evidencing
OPC _____ the Utility's ownership of the plant site. Should you have any questions regarding this matter, please
do not hesitate to call.

RCA _____

SCR _____

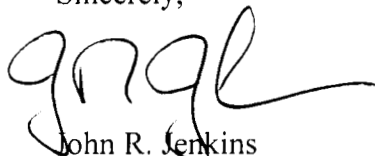
SGA _____

SEC _____

OTH _____ JRJ/kem

Enclosures

Sincerely,



John R. Jenkins
For the Firm

cc: Terry Holihen, Esq. (without enclosure)
Mr. Michael Acosta (without enclosure)

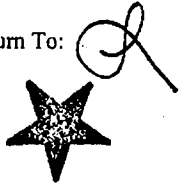
DOCUMENT NUMBER-DATE

03550 MAY-1 8

FPSC-COMMISSION CLERK

Rec. \$ 44.00
D/S \$.70

This Instrument Prepared By/Return To:
ERICA S. CHUTKAN, ESQ.
Kitson & Partners, LLC
17837 Murdock Circle
Port Charlotte, FL 33948
Phone: (941) 235-6900



BARBARA T. SCOTT, CLERK, CHARLOTTE COUNTY
OR BOOK 3285, PGS 465-469 5 pg(s)
INSTR # 1760356
Doc Type D, Recorded 04/30/2008 at 04:44 PM
Deed Doc: \$0.70 Rec. Fee: \$44.00
Cashiered By: TRICIAHJ Doc. #:1

Special Warranty Deed

THIS SPECIAL WARRANTY DEED made this 28th day of April, 2008 between BABCOCK PROPERTY HOLDINGS, LLC, a Delaware limited liability company, whose mailing address is 9055 Ibis Boulevard, West Palm Beach, Florida 33412 ("Grantor"); and MSKP TOWN AND COUNTRY UTILITY, LLC, a Delaware limited liability company, whose mailing address is 17837 Murdock Circle, Port Charlotte, Florida 33948 ("Grantee").

Witnesseth that the Grantor, for and in consideration of the sum of Ten and No/100 U.S. Dollars (\$10.00), lawful money of the United States of America, and other good and valuable consideration, cash in hand paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, alienate, remise, release, convey and confirm unto the Grantee and its successors and/or assignees forever, the following parcel of land (the "Land"), situate, lying, and being in Charlotte County, Florida, and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO.

LESS AND RESERVE all oil, gas, and minerals on and under the above-described property by Grantor, if any, which are reserved by Grantor, together with the right to explore for and to mine and develop the same.

SUBJECT, HOWEVER, TO THE FOLLOWING:

1. Real property taxes and assessments for the year 2008 and for subsequent years.
2. Zoning and other regulatory laws and ordinances affecting the Land.
3. Easements, restrictions, reservations, rights of way, and covenants of record.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or anyway appertaining, and all the estate, right, title interest, lien equity,

DOCUMENT NUMBER-DATE

03550 MAY-1 08

FPSC-COMMISSIONER CLERK

and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit and behalf of the Grantee forever.

AND the GRANTOR does hereby covenant with said Grantee that the Grantor is lawfully seized of said Land in fee simple; that the Grantor has good right and lawful authority to sell and convey said Land, and hereby warrants the title to said Land and will defend the same against the lawful claims of any persons, claiming by, through or under the said Grantor, excepting from the foregoing warranties, the matters which may have been otherwise disclosed or agreed to in writing between Grantor and Grantee prior to the date hereof.

IN WITNESS WHEREOF, Grantor has caused these presents to be signed in its name by its proper officers the day and year first written above.

Signed, sealed and delivered in the presence of these Witnesses:

BABCOCK PROPERTY HOLDINGS, LLC, a Delaware limited liability company

SIGN: *Terrence R. Holihen*

BY: *[Signature]*
Sydney W. Kitson, President

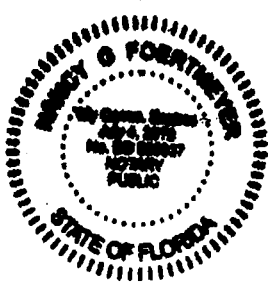
PRINT: Terrence R. Holihen

SIGN: *Nancy D. Fortmeyer*

PRINT: Nancy D. Fortmeyer

STATE OF FLORIDA
COUNTY OF Palm Beach

The foregoing instrument was acknowledged by me this 28 day of April, 2008 by Sydney W. Kitson, as President of BABCOCK PROPERTY HOLDINGS, LLC, a Delaware limited liability company, on behalf of the company. He is personally known by me or who has produced _____



Nancy D. Fortmeyer (SEAL)
Notary Public
State of Florida
My Commission Expires: July 4, 2010

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S52°57'24"E	283.40
L2	S07°52'40"W	318.21
L3	S25°50'11"E	248.60
L4	S27°20'08"W	312.11
L5	S82°41'51"W	154.49
L6	S01°07'45"W	153.96
L7	S66°54'25"E	52.05
L8	N34°05'18"W	223.24
L9	N20°46'44"E	319.44
L10	N53°30'38"E	153.23
L11	S81°30'58"E	161.13
L12	N48°59'05"E	46.63
L13	N20°31'36"W	147.11
L14	N12°45'41"W	163.03
L15	N25°47'33"E	77.49
L16	N36°39'09"E	195.43
L17	N79°39'00"E	170.64
L18	N54°00'05"E	304.80
L19	N80°36'47"E	296.88
L20	N31°14'24"E	377.88
L21	N57°57'53"W	274.56
L22	N41°53'57"W	363.15
L23	N13°43'59"E	344.87
L24	N63°08'52"E	421.41
L25	N22°50'45"W	127.48
L26	S79°58'23"W	320.11
L27	N59°03'37"W	307.79
L28	N06°02'21"W	236.53
L29	N48°14'14"W	369.12
L30	S48°25'41"W	256.05
L31	S16°51'51"E	426.66
L32	S22°51'05"W	266.06
L33	S77°18'43"W	268.29
L34	N60°24'50"W	357.71
L35	S00°26'26"W	1370.27

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	902.50	25°20'59"	S79°34'55"E	396.05	399.30

DESCRIPTION: Utility Site

A parcel of land lying in Section 19, Township 42 South, Range 26 East, Charlotte County, Florida, being more particularly described as follows:

Commencing at the Southwest corner of Section 31, Township 42 South, Range 26 East, Charlotte County, Florida; thence N00°36'46"E, along the West line of said section, a distance of 5337.20 feet to the Southwest corner of Section 30, Township 42 South, Range 26 East, Charlotte County, Florida; thence N00°26'10"E, along the West line of said section, a distance of 5282.29 feet to the Southwest corner of Section 19, Township 42 South, Range 26 East, Charlotte County, Florida; thence N00°31'45"E, along the West line of said section, a distance of 1391.85 feet; thence S89°28'15"E a distance of 604.34 feet to the Point of Beginning of the parcel of land herein described; thence S52°57'24"E a distance of 283.40 feet; thence S07°52'40"W a distance of 318.21 feet; thence S25°50'11"E a distance of 248.60 feet; thence S27°20'08"W a distance of 312.11 feet; thence S82°41'51"W a distance of 154.49 feet; thence S01°07'45"W a distance of 153.96 feet to the point of curve of a non tangent curve to the right; thence along the curve (said curve being curved concave to the south, having a central angle of 25°20'59" and a radius of 902.50 feet, with a chord bearing of S79°34'55"E and a chord length of 396.05 feet) a distance of 399.30 feet to the end of this curve; thence S66°54'25"E a distance of 52.05 feet; thence N34°05'18"W a distance of 223.24 feet; thence N20°46'44"E a distance of 319.44 feet; thence N53°30'38"E a distance of 153.23 feet; thence S81°30'58"E a distance of 161.13 feet; thence N48°59'05"E a distance of 46.63 feet; thence N20°31'36"W a distance of 147.11 feet; thence N12°45'41"W a distance of 163.03 feet; thence N25°47'33"E a distance of 77.49 feet; thence N36°39'09"E a distance of 195.43 feet; thence N79°39'00"E a distance of 170.64 feet; thence N54°00'05"E a distance of 304.80 feet; thence N80°36'47"E a distance of 296.88 feet; thence N31°14'24"E a distance of 377.88 feet; thence N57°57'53"W a distance of 274.56 feet; thence N41°53'57"W a distance of 363.15 feet; thence N13°43'59"E a distance of 344.87 feet; thence N63°08'52"E a distance of 421.41 feet; thence N22°50'45"W a distance of 127.48 feet; thence S79°58'23"W a distance of 320.11 feet; thence N59°03'37"W a distance of 307.79 feet; thence N06°02'21"W a distance of 236.53 feet; thence N48°14'14"W a distance of 369.12 feet; thence S48°25'41"W a distance of 256.05 feet; thence S16°51'51"E a distance of 426.66 feet; thence S22°51'05"W a distance of 266.06 feet; thence S77°18'43"W a distance of 268.29 feet; thence N60°24'50"W a distance of 357.71 feet; thence S00°26'26"W a distance of 1370.27 feet to the Point of Beginning.

Containing 62.29 acres, more or less.

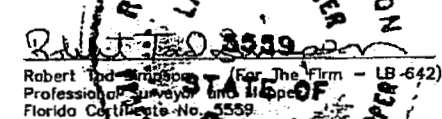
NOTES:

1. THIS IS NOT A BOUNDARY SURVEY, NOR IS IT INTENDED TO BE USED AS ONE.
2. Sketch of Description performed as requested by Kitson & Partners.
3. Bearing Reference: State Plane Coordinate, Florida West Zone, NAD 83(99). Bearing of S89°41'45"E on the South line of Section 31, Township 42 South, Range 26 East.
4. Dimensions and acreage shown on survey map are grid values.
5. This sketch of description is subject to easements, restrictions, reservations and rights-of-way of record.
6. This sketch of description is not a determination of the limits of ownership.

This sketch of description is only for the benefit of:

Babcock Ranch Community

I hereby certify that this sketch of description was prepared under my direction and is correct to the best of my knowledge and belief and meets the minimum technical standards for surveys as required by law, Florida Statute Chapter 472, Chapter 6017 F.A.C.



Robert Tad Wampler (For The Firm - LB-642)

Professional Surveyor and Mapper OF

Florida Certificate No. 4559

Date signed: _____

This sketch of description is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper.

Babcock Ranch Community
Charlotte County, Florida

**JOHNSON
ENGINEERING**

251 WEST HICKPOCHEE AVENUE
LABELLE, FLORIDA 33939
PHONE (863) 612-0594
FAX (863) 612-0341
E.B. #642 & L.B. #642

Utility Site
Sketch of Description

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
03-10-2008	20066400-05	19-42-26	As Shown	1 OF 3

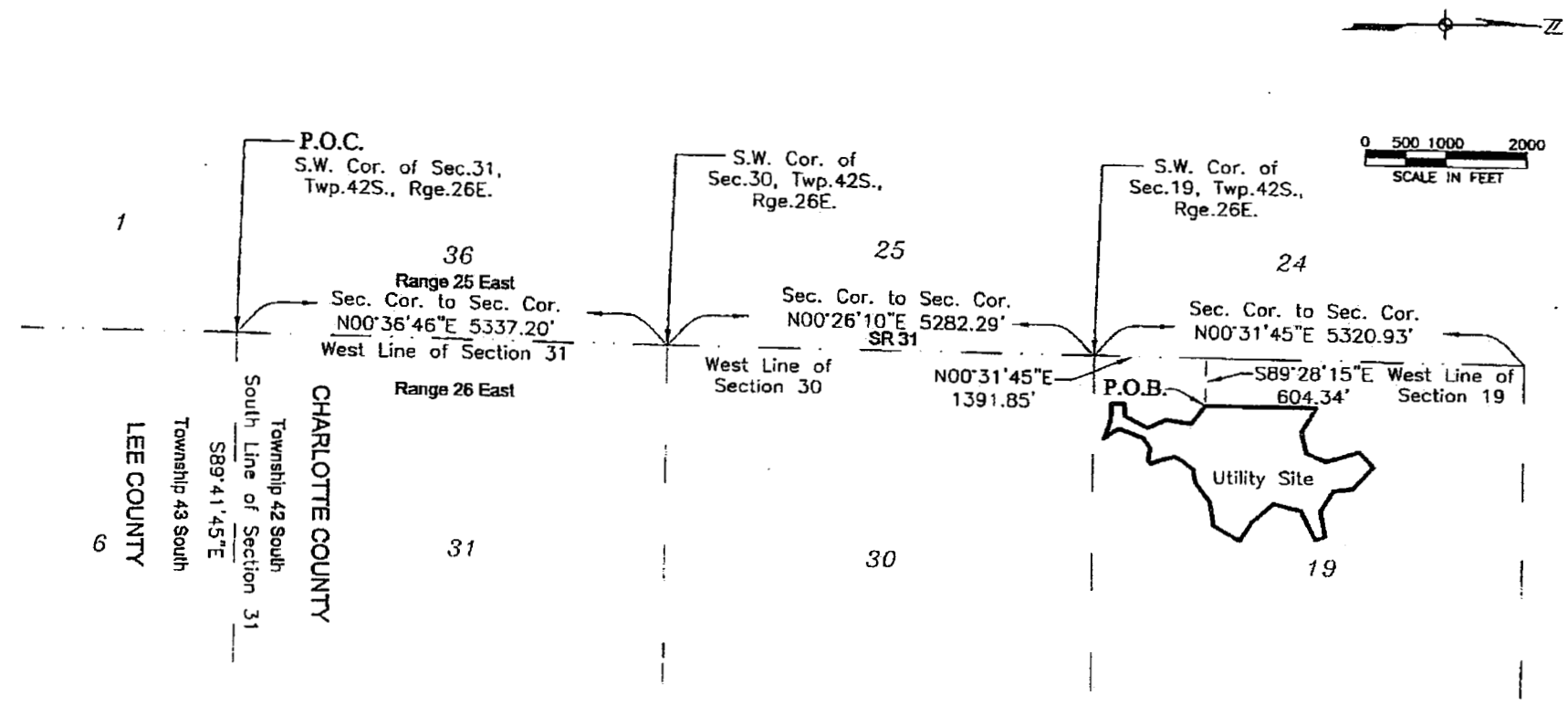
EXHIBIT A-1 03550 MAY-1 08

FPSC-COMMISSION CLERK

20066400-05\UTILITY SITE sketch--desc.dwg (DESCRIPTION) (1) rts Mar 10, 2008 - 3:43pm

EXHIBIT A-2

S:\20066400-05\UTILITY SITE sketch-desc.dwg (OVERALL) (2) Thu Mar 10, 2006 - 3:38pm



LEGEND:
 P.O.B. = Point of Beginning
 P.O.C. = Point of Commencement
 Rge. = Range
 Sec. = Section
 Twp. = Township
 Cor. = Corner

Babcock Ranch Community
 Charlotte County, Florida

JOHNSON
 ENGINEERING

251 WEST HICKPOCHEE AVENUE
 LABELLE, FLORIDA 33935
 PHONE (863) 612-0594
 FAX (863) 612-0341
 E.B. #642 & L.B. #642

Utility Site
 Sketch of Description

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
03-10-2008	20066400-05	19-42-26	As Shown	2 OF 3

EXHIBIT A-3

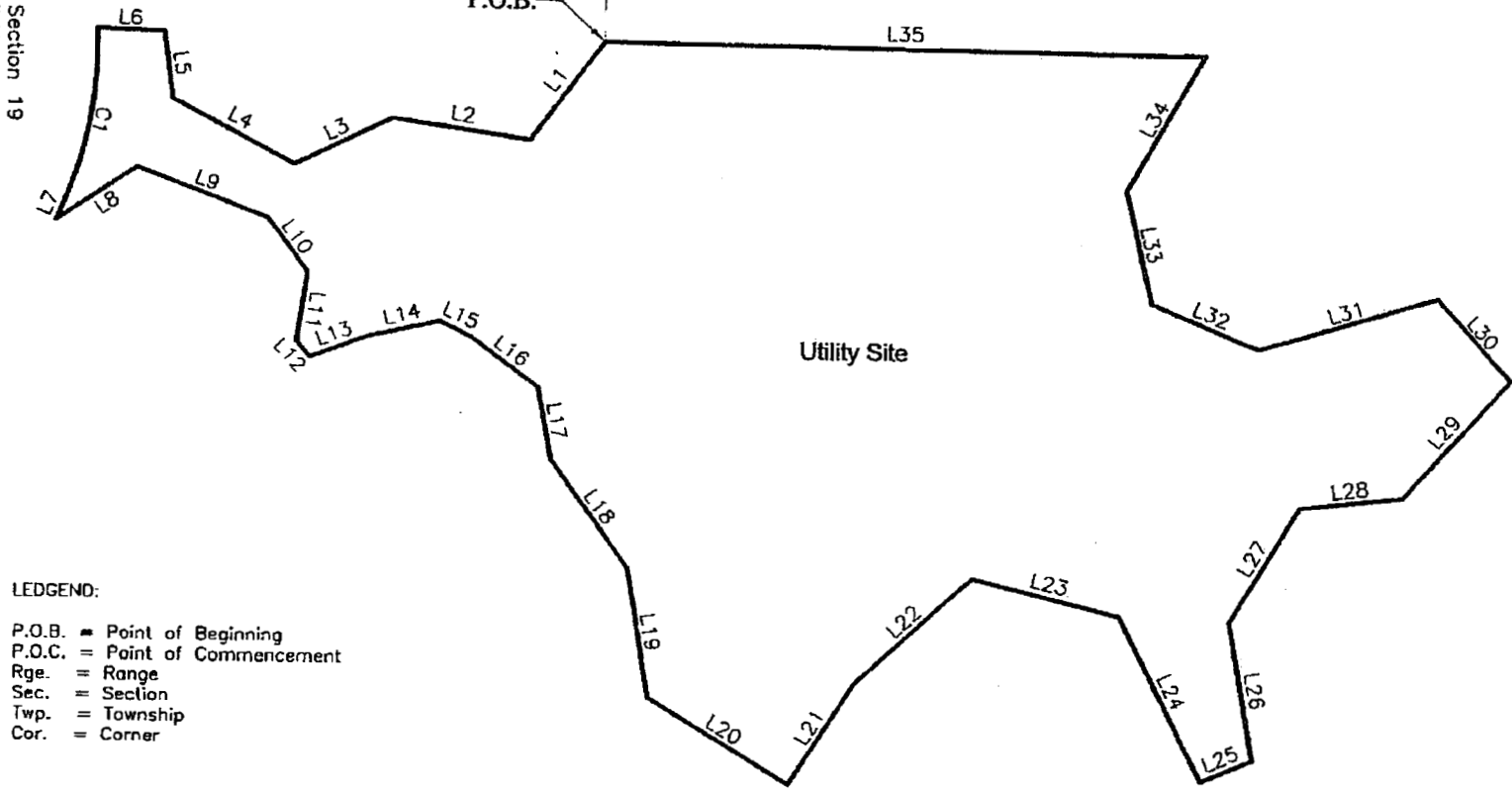
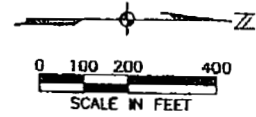
S:\20066400-05\UTILITY SITE sketch-desc.dwg (SKETCH (3)) rts Mar 10, 2008 - 3:37pm

South Line of Section 19

West Line of Section 19
SR 31

S89°28'15"E
604.34'

P.O.B.



LEDGEND:

- P.O.B. = Point of Beginning
- P.O.C. = Point of Commencement
- Rge. = Range
- Sec. = Section
- Twp. = Township
- Cor. = Corner

Babcock Ranch Community
Charlotte County, Florida

JOHNSON
ENGINEERING

251 WEST HICKPOCHEE AVENUE
LABELLE, FLORIDA 33935
PHONE (863) 612-0594
FAX (863) 612-0341
E.B. #642 & L.B. #642

Utility Site
Sketch of Description

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
03-10-2008	20066400-05	19-42-26	As Shown	3 OF 3