

**Dorothy Menasco**

**From:** Bronwyn Revell [brevell@sfflaw.com]  
**Sent:** Wednesday, May 23, 2012 9:34 AM  
**To:** Filings@psc.state.fl.us  
**Cc:** Ralph Jaeger; John Wharton; Michael Minton; Lee Dobbins  
**Subject:** {BULK} Docket No. 090445-WS  
**Importance:** Low

**Attachments:** Third Amd to Water Lease Agreement.pdf; Third Amd to Wastewater Lease Agreement.pdf

a. The full name, address, telephone number, and e-mail address of the person responsible for the electronic filing:

John L. Wharton  
 Sundstrom, F riedman & Fumero, LLP  
 2548 Blairstone Pines Drive  
 Tallahassee, FL 32301  
 (850) 877-6555  
[johnw@rsbattorneys.com](mailto:johnw@rsbattorneys.com)

b. The docket number and title if filed in an existing docket: 090445-WS  
 Application of Grove Land Utilities, LLC

c. The name of the party on whose behalf the document is filed:  
 Grove Land Utilities, LLC

d. The total number of pages in each attached document: 2 documents, 5 pages each

e. A brief but complete description of each attached document:

Third Amendment to Water Lease Agreement and Third Amendment to Wastewater Lease Agreement

**BRONWYN REVELL***Legal Assistant*

**SUNDSTROM,  
 FRIEDMAN & FUMERO, LLP**  
 Attorneys | Counselors



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DOCUMENT NUMBER: 03293

MAY 23 2012

FPSC-COMMISSION CLERK

5/24/2012

**THIRD AMENDMENT TO WATER LEASE AGREEMENT**

**THIS THIRD AMENDMENT TO WATER LEASE AGREEMENT** (this "Amendment") is hereby entered into by and between EVANS PROPERTIES, INC., a Florida corporation ("Lessor"), and GROVE LAND UTILITIES, LLC, a Florida limited liability company ("Lessee") on May 17, 2012.

**WITNESSETH:**

**WHEREAS**, Lessor and Lessee entered into that certain Water Lease Agreement (the "Water Lease Agreement") dated September 2, 2009.

**WHEREAS**, Lessor and Lessee executed that certain First Amendment to Water Lease Agreement dated February 15, 2012 (the "First Amendment"), and that certain Second Amendment to Water Lease Agreement dated February 24, 2012 (the "Second Amendment"). (The Water Lease Agreement, as amended by the First Amendment and the Second Amendment, shall hereinafter be collectively referred to as the "Lease").

**WHEREAS**, Lessor and Lessee have deemed it in their best interest to amend the terms of the Lease as provided hereinbelow.

**NOW THEREFORE**, in consideration of Ten Dollars (\$10.00) in hand paid, the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. **Exhibit "A"** to the Lease is hereby replaced by the sketches and legal descriptions attached hereto as **Exhibit "A"**. Lessor and Lessee hereby agree that the term "Leased Premises" as used in the Lease shall hereafter refer to the real property described in **Exhibit "A"**, attached hereto.
2. Except as otherwise provided herein, all provisions of the Lease shall remain in full force and effect as amended hereby.
3. This Amendment may be executed in any number of identical counterparts each of which shall be deemed to be an original for all purposes but all of which shall constitute one and the same instrument, and a copy of such signature received through telefax transmission shall bind the party whose signature is so received as if such signature were an original. In making proof of this Amendment, it shall not be necessary to produce or account for more of such counterparts than are required to show that each party hereto executed at least one such counterpart.

**IN WITNESS WHEREOF**, the parties hereto have executed this Third Amendment to Water Lease Agreement on the date shown above.

**LESSOR:**

**EVANS PROPERTIES, INC., a  
Florida corporation**

By: Ronald L. Edwards  
Ronald L. Edwards, President

**[CORPORATE SEAL]**

**LESSEE:**

**GROVE LAND UTILITIES, LLC, a Florida  
limited liability company**

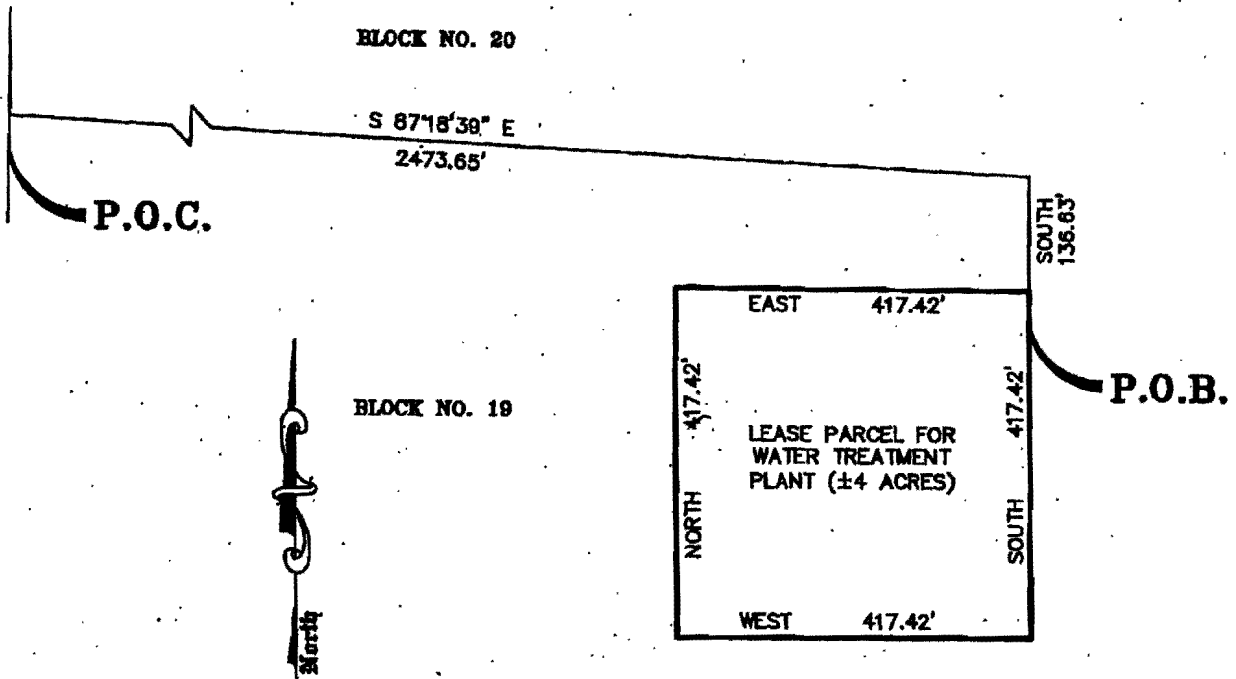
By: Ronald L. Edwards  
Ronald L. Edwards, Manager

# SKETCH & LEGAL DESCRIPTION

THIS IS NOT A SURVEY

**Exhibit "A"**

Page 1 of 3



BEING A PORTION OF BLOCK NO. 19, AGRICULTURE PLAT OF FLORIDA MAID CITRUS GROVE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE 1, PUBLIC RECORDS OF ST. LUCIE COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK NO. 19, THENCE HEAD S 87°18'39" E, ALONG THE NORTH LINE OF SAID BLOCK NO. 19, A DISTANCE OF 2473.65 FEET, THENCE SOUTH A DISTANCE OF 138.63 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE SOUTH A DISTANCE OF 417.42 FEET, THENCE WEST A DISTANCE OF 417.42 FEET, THENCE NORTH A DISTANCE OF 417.42 FEET, THENCE EAST A DISTANCE OF 417.42 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL LYING WITHIN SECTION 6, TOWNSHIP 34 SOUTH, RANGE 38 EAST AND CONTAINING FOUR ACRES, MORE OR LESS.

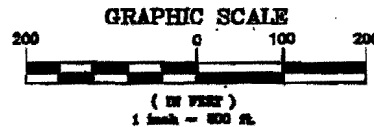
NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORK, VIEWING OF THE SUBJECT PROPERTY OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.

P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT

BEARINGS SHOWN HEREON ARE ASSUMED AND RELATIVE TO THE NORTH LINE OF BLOCK NO. 19 HAVING A BEARING OF S 87°18'39" E.

*[Signature]*  
Michael T. Kolodziejczyk  
Professional Surveyor & Mapper  
Florida Certificate No. 3884  
Date 5-1-2012



Sheet 1 of 1

**SKETCH & DESCRIPTION**  
OF LEASE PARCEL FOR

**WATER TREATMENT PLANT**  
SAINT LUCIE COUNTY - I.D. 4

File: 09-077.01  
calc.dwg  
Date: 4-27-2012

Tech: SNB



**CULPEPPER & TERPENING, INC**

CONSULTING ENGINEERS | LAND SURVEYORS  
2980 SOUTH 25th STREET  
FORT PIERCE, FLORIDA 34981  
PHONE 772-464-3537 FAX 772-464-9497  
www.ct-eng.com

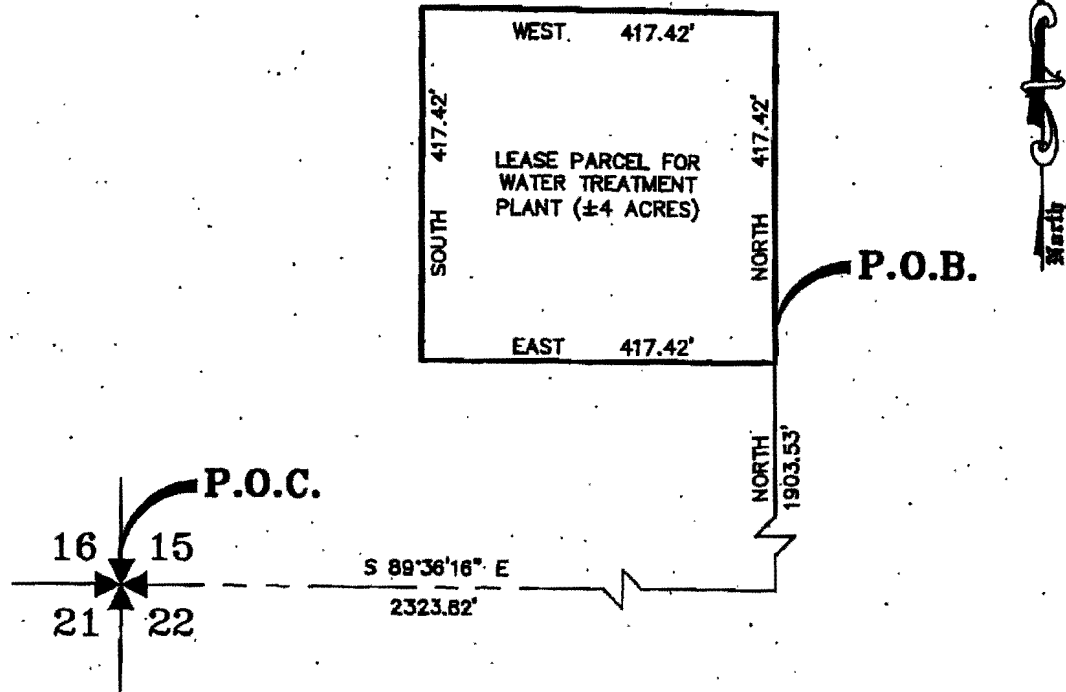
STATE OF FLORIDA CERTIFICATION No. LB 4286

# SKETCH & LEGAL DESCRIPTION

THIS IS NOT A SURVEY

Exhibit "A"

Page 2 of 3



BEING A PORTION OF THE SECTION 15, TOWNSHIP 34 SOUTH, RANGE 36 EAST, IN OKEECHOBEE COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 15, THENCE HEAD S 89°36'16" E, ALONG THE SOUTH LINE OF SAID SECTION 15, A DISTANCE OF 2323.82 FEET, THENCE NORTH A DISTANCE OF 1903.53 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE NORTH A DISTANCE OF 417.42 FEET, THENCE WEST A DISTANCE OF 417.42 FEET, THENCE SOUTH A DISTANCE OF 417.42 FEET, THENCE EAST A DISTANCE OF 417.42 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINING FOUR ACRES, MORE OR LESS.

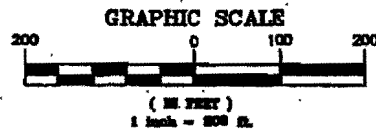
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P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT

BEARINGS SHOWN HEREON ARE ASSUMED AND RELATIVE TO THE SOUTH LINE OF SECTION 15, TOWNSHIP 34 SOUTH, RANGE 36 EAST HAVING A BEARING OF S 89°36'16" E.

*Michael T. Kolodziejczyk*  
Michael T. Kolodziejczyk  
Professional Surveyor & Mapper  
Florida Certificate No. 3864  
Date 5-1-2012



Sheet 1 of 1

**SKETCH & DESCRIPTION**  
OF LEASE PARCEL FOR

**WATER TREATMENT PLANT**  
OKEECHOBEE COUNTY - I.D. 1

File: 09-077.01  
calc.dwg  
Date: 4-27-2012

Tech: SNB



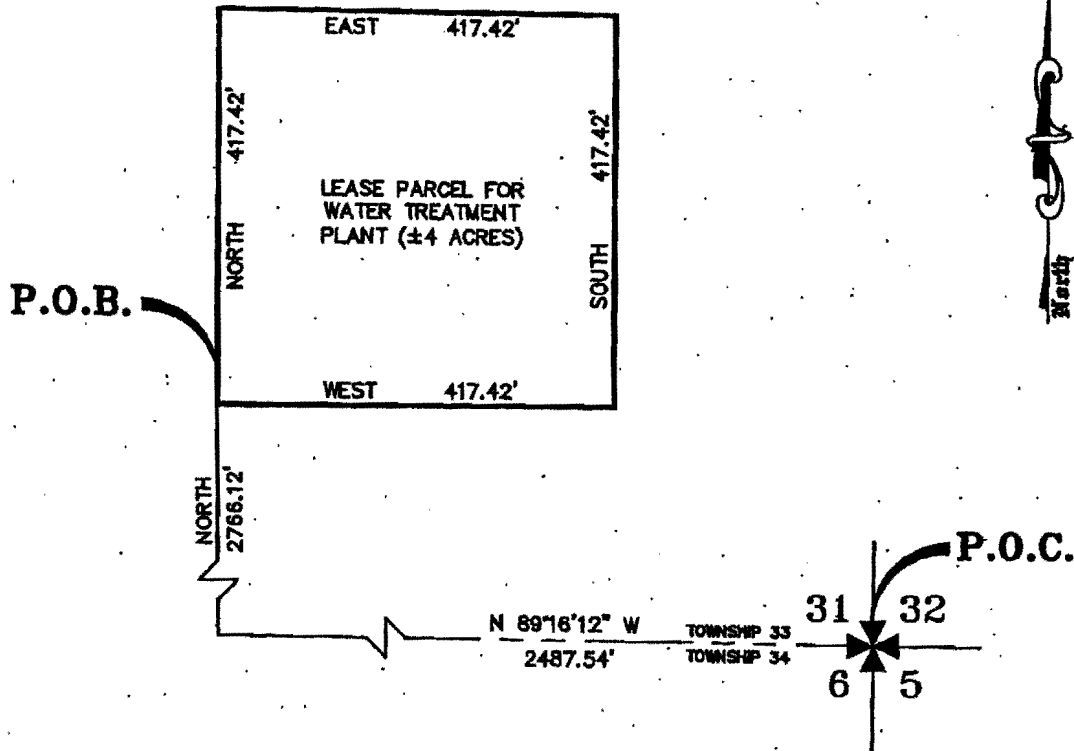
**CULPEPPER & TERPENING, INC**  
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www.c-t-eng.com  
STATE OF FLORIDA CERTIFICATION No. LB 4286

# SKETCH & LEGAL DESCRIPTION

THIS IS NOT A SURVEY

Exhibit "A"

Page 3 of 3



BEING A PORTION OF THE SECTION 31, TOWNSHIP 33 SOUTH, RANGE 38 EAST, IN INDIAN RIVER COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 31, THENCE HEAD N 89°16'12" W, ALONG THE SOUTH LINE OF SAID SECTION 31, A DISTANCE OF 2487.54 FEET, THENCE NORTH A DISTANCE OF 2766.12 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE NORTH A DISTANCE OF 417.42 FEET, THENCE EAST A DISTANCE OF 417.42 FEET, THENCE SOUTH A DISTANCE OF 417.42 FEET, THENCE WEST A DISTANCE OF 417.42 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINING FOUR ACRES, MORE OR LESS.

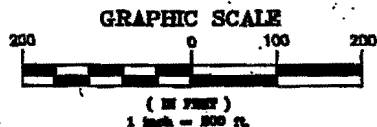
NOTE: THIS IS NOT A SKETCH OF SURVEY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON. THERE HAS BEEN NO FIELD WORKVIEWING OF THE SUBJECT PROPERTY OR MONUMENTS SET IN CONNECTION WITH THE PREPARATION OF THE INFORMATION SHOWN HEREON.

NOTE: LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY AND/OR EASEMENTS OF RECORD.

P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT

BEARINGS SHOWN HEREON ARE ASSUMED AND RELATIVE TO THE SOUTH LINE OF SECTION 31, TOWNSHIP 33 SOUTH, RANGE 38 EAST HAVING A BEARING OF S 89°16'12" E.

*Michael T. Kłodziejczyk*  
Michael T. Kłodziejczyk  
Professional Surveyor & Mapper  
Florida Certificate No. 3884  
5/1/2012  
Date



Sheet 1 of 1

**SKETCH & DESCRIPTION**  
OF LEASE PARCEL FOR  
**WATER TREATMENT PLANT**  
INDIAN RIVER COUNTY - I.D. 2

File: 09-077.01  
calc.dwg  
Date: 4-27-2012  
Tech: SNB



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