

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Application for) DOCKET NO. 931111-SU
certificate to operate) ORDER NO. PSC-94-1524-FOF-SU
wastewater utility in Franklin) ISSUED: December 12, 1994
County by RESORT VILLAGE)
UTILITY, INC.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER GRANTING CERTIFICATE, DECLINING APPROVAL OF
WASTEWATER RATES AND CHARGES, REQUIRING REVISED FILING OF
REQUEST FOR WASTEWATER RATES AND CHARGES, AND
REQUIRING STATUS REPORTS

BY THE COMMISSION:

BACKGROUND

On November 18, 1993, Resort Village Inc., (Resort Village or utility) filed an application for an original wastewater certificate for a proposed system in Franklin County. The utility proposes to provide wastewater treatment facilities to serve St. George Island Resort Village, a planned complex of commercial and multi-residential buildings to be developed by Coastal Development Consultants, Inc. (Coastal Development or developer) and Dr. Ben Johnson. The development and the utility will be located on St. George Island.

The utility will be a Class C utility at buildout of the initial wastewater treatment plant. The utility proposes to build a 90,000 gallon per day (gpd) wastewater treatment plant in three phases of 30,000 gpd each. The utility plans to serve 133 equivalent residential connections (ERCs) with each phase, with a total of 399 ERCs at complete buildout. Based upon initial calculations, the utility will collect annual operating revenues of approximately \$70,000, with a net operating income of approximately \$10,500 at 80 percent buildout of the first phase of the wastewater treatment plant.

On January 4, 1994, the Franklin County Commission denied Coastal Development's request to amend the 1977 St. George Island

DOCUMENT NUMBER-DATE

12415 DEC 12 94

FPSC-RECORDS/REPORTING

Development Order. The County Commission denied the proposed development plan, including 60 multi-family residential units, and required any future application to adequately address sewage disposal and provide assurances that the quality and productivity of Apalachicola Bay will be maintained. Coastal Development filed an appeal of the decision with the Florida Land and Water Adjudicatory Commission, and the appeal was referred to the Division of Administrative Hearings (DOAH). A final decision has not been rendered in that proceeding.

On February 2, 1994, the utility filed corrections to several deficiencies in its application. The utility also noted that because of Franklin County's denial of multi-family residential units in the development plan, the utility would no longer have multi-residential customers. The response included corrected schedules reflecting this change.

The utility has an application pending with the Department of Environmental Protection (DEP), and asserts that it must obtain certification from the Commission in order to obtain a permit. Once DEP determines that the utility's application is complete, the utility must publish a notice of intent to issue the permit. At that point, a member of the public may object to the permit. Additionally, Coastal Development must submit site specifications to the Franklin County Commission for approval before any construction can begin.

Five individuals filed objections to Resort Village's notice of application. The objectors raised concerns about land use and zoning classifications, the system's compatibility with local comprehensive plans and development patterns, and the potential for water shortages on the island. The objectors all raised concerns about the location of the facilities next to an environmentally sensitive area near the Apalachicola Bay, and the possible risk of storm surges and flooding.

On April 26, 1994, Resort Village filed a Motion to Dismiss the objections. By Order No. PSC-94-1132-FOF-SU, issued September 14, 1994, we granted Resort Village's Motion to Dismiss and thereby dismissed the five objections to the utility's application for an original certificate. In that Order, we determined that the individuals who filed objections had not demonstrated that their substantial interests would be affected by this proceeding, nor did they demonstrate that the Commission's proceedings could address the relief sought. Pursuant to Section 367.011, Florida Statutes, the Commission's jurisdiction extends to the authority, service and rates of regulated utilities. The primary focus of Section 367.045, Florida Statutes, and Rule 25-22.036, Florida

Administrative Code, is whether the utility has the financial and technical ability to provide wastewater service. The Commission's certification proceeding does not address the environmental concerns raised in the objections. We further found that the grounds for the individuals' objections could be and were being addressed in other forums.

APPLICATION

The application is in compliance with the governing statute, Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules concerning an application for original certificate and initial rates and charges. The application contained a check in the amount of \$150, which was the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code.

Pursuant to Rule 25-30.033(1)(j), Florida Administrative Code, the applicant must demonstrate that it owns the land upon which the utility's facilities are located. The utility provided evidence in the form of a contract for sale and purchase of the land and an unexecuted warranty deed. Rule 25-30.033(1)(j) allows this form of evidence provided the applicant submits an executed copy of the warranty deed within thirty days after the issuance date of the order granting the certificate.

Adequate service territory and system maps and a territory description have been provided as prescribed by Rule 25-30.033(1)(l), (m) and (n), Florida Administrative Code. A description of the territory requested by the applicant is appended to this Order as Attachment A. In addition, the application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida Administrative Code.

The utility proposes to build a 90,000 gallon per day (gpd) wastewater treatment plant in three phases of 30,000 gpd each. The application states that the plant will provide advanced wastewater treatment and will utilize subsurface absorption beds (percolation ponds). The application further states that land is very expensive on St. George Island, and state regulators have expressed a preference for preservation of existing native vegetation where feasible. Subsurface absorption beds use less land area, and involve less disturbance of the existing native vegetation, in comparison with spray irrigation. The utility also stated in its application that to the extent regulators permit, treated effluent will be used to meet any irrigation requirements within the Resort Village.

This Commission encourages utilities to implement effluent reuse when possible. However, this utility is limited in this regard as there is very little, if any, landscaping on the Island which requires irrigation. Nevertheless, the utility is encouraged to continue to pursue effluent reuse to the extent possible.

The utility plans to serve 133 ERCs with each phase, with a total of 399 ERCs at complete buildout. The applicant originally proposed to provide multi-residential and general service to the development's condominiums, hotel, restaurants, and retail shops. It was anticipated that Phase I would be complete in 1994, Phase II would be complete in 1998, and Phase III would be complete in 2003. It was also anticipated that Phase I would reach 80 percent buildout in 1997. Due to the Franklin County Commission's denial of the proposed multi-residential units, and the subsequent appeal of that decision, these anticipated completion dates will change. In the event the developer is unable to construct multi-residential units, the developer plans to increase the number of hotel units and restaurant seats. The utility should serve approximately the same number of ERCs under either scenario.

Rule 25-30.033(1)(e), Florida Administrative Code, requires the applicant to provide a statement showing the financial and technical ability of the applicant to provide service, and the need for service in the proposed area. Additionally, it requires that the applicant identify any other utilities within the area proposed to be served that could potentially provide service, and the steps the applicant took to ascertain whether such other service is available.

Financial Ability

The application contains a pro forma capital structure which includes \$220,000 in common equity. The applicant has indicated that all of the equity will be invested by Dr. Ben Johnson. The utility plans to arrange bank financing for the difference between the cost of the plant and the portion of the cost provided by equity. The utility stated that it does not anticipate any problems in obtaining the necessary debt financing. However, if the utility is limited in the amount of available bank financing, Dr. Johnson plans to invest the additional equity. The utility has not yet made arrangements for bank financing.

It appears that there will be adequate resources for the utility during the initial years of operation. However, there are not any excess funds readily available in the event the original cost estimates are too low. Initial projections demonstrate that this will be a high cost utility. The combination of advanced

wastewater treatment and a small customer base will result in high rates. Our preliminary calculation indicates that total service availability charges of \$3,490 per ERC would be necessary to achieve the maximum contribution-in-aid-of-construction (CIAC) level specified in Rule 25-30.580(1)(a), Florida Administrative Code. Service availability charges of at least \$480 would be necessary to achieve the minimum CIAC level as defined in Rule 25-30.580(1)(b), Florida Administrative Code. Approval of this minimum service availability charge would greatly increase the proposed rates.

These circumstances raise a concern over the viability of this utility. As stated below, we have not approved rates and charges for this utility at this time because of the uncertainty of its customer base. We have ordered the utility to file proposed rates and charges after the final development plans are resolved. In order to address these concerns, we believe that the utility should design the service availability charges to achieve the maximum 75 percent CIAC level. Additionally, the service availability policy should include a provision for the collection of guaranteed revenues.

Rule 25-30.515(9), Florida Administrative Code, defines a guaranteed revenue charge as a charge designed to cover the utility's costs including, but not limited to the cost of operation, maintenance, depreciation, and any taxes, and to provide a reasonable return to the utility for facilities, a portion of which may not be used and useful to the utility or its existing customers. Guaranteed revenues are designed to help the utility recover a portion of its cost from the time capacity is reserved until a customer begins to pay monthly service rates. In consideration of the high cost of operation and uncertainties about financing, the collection of guaranteed revenues is a crucial element to the success of this utility.

Through the combination of Dr. Johnson's investment, maximum service availability charges, and guaranteed revenue charges, there should be sufficient resources to sustain the utility during its initial years of operation.

Technical Ability

In its application the utility stated that it has no technical staff, and is relying on professional service firms. The application included statements regarding the technical ability of the individuals and firms responsible for the design of the wastewater treatment and collection systems, and the management and regulatory functions of the Utility.

After the facility is on line, daily maintenance will be accomplished by a part time operator and/or outside personnel. The utility has contracted with Southern Water Service of Quincy, Florida, for this service. Southern Water Service provides the state-required operations, and coordinates the training of other local maintenance personnel. Southern Water Service has indicated a willingness and ability to provide the necessary services to meet the requirements of DEP.

Management and regulatory services will be provided by an affiliated company, Ben Johnson Associates, Inc. This firm's clients include regulatory commissions, regulated utilities, and other corporations and government agencies throughout the United States. The firm includes a staff of professionals with expertise in finance and management, and they have extensive experience with regulated utilities. The application further states that the utility is receiving professional services from this affiliate at the standard hourly rates which are charged to regulatory commissions and other clients around the country.

DEP reported that Southern Water Service is currently in good standing with the Department. Ben Johnson Associates, Inc. has many years of experience in utility related matters. Therefore, we find that the companies retained by the applicant possess the technical ability to operate this utility.

Need for Service

The utility states in its application that because of DEP's concern about adjacent Outstanding Florida Waters, it is necessary to provide advanced wastewater treatment facilities to serve the St. George Island Resort Village. The application further states that there are no other advanced wastewater facilities on St. George Island, nor are there any wastewater utilities operating on the Island. The nearest wastewater utilities are located in Apalachicola and Eastpoint, Florida, several miles from the proposed service area. In order for either of these utilities to serve the Resort Village development, collection lines would be required that would cross Apalachicola Bay. The applicant believes this would not be a cost effective, nor an environmentally attractive, alternative to the proposed facilities.

Concerns have been raised regarding the need for service in this area. Obviously, if Coastal Development gains approval to construct its proposed hotels, restaurants, and shops on St. George Island, there will be a need for service. However, with the pending DOAH decision, DEP permitting process, and site specification approval by the Franklin County Commission, there is

a great deal of uncertainty as to when and if the need for service will actually arise. DEP and the Franklin County Commission have not made their decisions regarding approval of the applicant's proposed plans at this point. However, as stated herein, these other proceedings do not impact upon our review of this application for a wastewater certificate.

Other Utilities in the Area

Section 367.045(5)(a), Florida Statutes, states in part that the Commission may deny an application for a certificate of authorization for any new Class C wastewater system, as defined by Commission rule, if the public can be adequately served by modifying or extending a current wastewater system.

This Commission does not currently regulate any wastewater treatment plants located on St. George Island. We granted an exemption to one utility located on the Island. Order No. PSC-92-1062-FOF-SU, issued September 24, 1992, in Docket No. 920758-SU, approved Regency Sewer Authority, Inc.'s request to be exempt from Commission jurisdiction as a non-profit association. That utility was not built at the time the exemption was granted. It was proposed to serve residential and commercial customers. However, Regency Sewer Authority is now planning to provide wastewater service through septic tanks rather than a wastewater treatment plant as was originally planned.

According to DEP, there are three wastewater treatment plants located on the Island: Buccaneer Inn, which has a capacity of 13,000 gpd and is operating at 50 percent of designed capacity; Villas of St. George, which has a capacity of 15,000 gpd and is operating at 75 percent of its designed capacity; and 300 Ocean Mile, which has a capacity of 30,000 and is operating at full capacity. Buccaneer Inn and Villas of St. George could possibly provide limited service to other developments, but do not have the capacity to serve the entire Resort Village development. Based upon our review, there are no other utilities on the Island that could serve the entire Resort Village development without significant plant expansions.

Comprehensive Plan

Rule 25-30.033(1)(f), Florida Administrative Code, requires that the applicant provide 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 as approved by the Department of Community Affairs at the time the application is filed, or, if not consistent, a statement

demonstrating why granting the certificate of authorization would be in the public interest.

The application stated that the Franklin County Comprehensive Plan includes two applicable policies concerning wastewater. First, it states that the restrictions on installation of onsite wastewater treatment systems must be at least as stringent as those applied by the State of Florida. Second, the County allows for onsite wastewater treatment systems to exist until a central system is put into place. The application states that the proposed central collection and treatment facility is consistent with the intent of the Franklin County Comprehensive Plan, which is to protect the natural environment while allowing onsite systems until a central system is in place.

Section 367.045(5)(b), Florida Statutes, states that when granting or amending a certificate of authorization, the Commission need not consider whether the issuance or amendment of the certificate of authorization is inconsistent with the local comprehensive plan of a county or municipality unless a timely objection to the notice required by the section has been made by an appropriate motion or application. If such an objection has been timely made, the Commission shall consider, but is not bound by, the local comprehensive plan of the county or municipality.

The local planning agency was provided notice of the application and did not file an objection to the application. As discussed herein, some of the objections to the application did address the comprehensive plan. However, this issue is currently being addressed in another forum and will eventually be resolved by other agencies. This issue is not sufficient cause for this Commission to deny the utility's application for a certificate of authorization.

Based on the foregoing, we find that it is in the public interest to grant Resort Village Utility, Inc. Certificate No. 492-S to serve the territory described in Attachment A, which is incorporated by reference herein. The utility shall file an executed and recorded copy of the warranty deed within thirty days of the issuance date of this Order.

RATES AND CHARGES

As discussed herein, the utility's proposed amendment to the St. George Island 1977 Development Order was denied by the Franklin County Commission. The Utility appealed that decision and a DOAH hearing was held to consider the appeal. Until the appellate, DEP permitting, and Franklin County site specification approval

processes are completed, there is still uncertainty over the type and number of customers that will ultimately be served by the utility, and when that service will begin. These processes could be completed in the very near future or could take many more months. In consideration of the uncertain outcome of those proceedings, we find it to be appropriate to set initial rates and charges for the utility after the development plans are finalized.

Therefore, initial wastewater rates, charges, and return on equity shall not be approved at this time. The utility shall file status reports every six months until the final development plans are approved. The reports shall include the status of the appeal, DEP permitting process, utility construction, and any other information the utility believes is pertinent. Upon final approval of the development, the utility shall file revised data reflecting the actual development plans. Additionally, the utility shall file a revised service availability policy with a provision for the collection of guaranteed revenues, and shall include guaranteed revenue agreements.

This docket shall remain open for the setting of initial rates, charges, and return on equity at a later date.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that Resort Village Utility, Inc. is hereby granted Certificate No. 492-S to provide service to the territory described in Attachment A of this Order. It is further

ORDERED that Resort Village Utility, Inc. shall file a copy of an executed and recorded warranty deed in the name of the utility within 30 days of the date of this Order as evidence that it owns the land upon which its facilities are located. It is further

ORDERED that the rates, charges, and return on equity for Resort Village Utility, Inc., shall not be approved until final disposition of its development plans are made. It is further

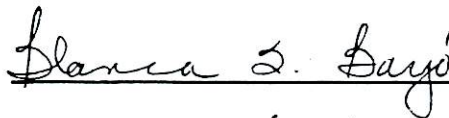
ORDERED that, upon final approval of the development, the Resort Village Utility, Inc. shall file revised data reflecting the actual development plans and a revised service availability policy with a provision for the collection of guaranteed revenues, and shall include guaranteed revenue agreements in its filing. It is further

ORDER NO. PSC-94-1524-FOF-SU
DOCKET NO. 931111-SU
PAGE 10

ORDERED that the Resort Village Utility, Inc. shall file status reports containing the information required by this Order with the Commission every six months. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission, this 12th day of December, 1994.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

MEO

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.

ATTACHMENT A

RESORT VILLAGE UTILITY, INC.

TERRITORY DESCRIPTION

The following described lands located in a portion of Section 35, Township 9 South, Range 7 West, and Section 2, Township 10 South, Range 7 West, Franklin County Florida; being more particularly described as follows: Commence at the POINT OF REFERENCE which is the Northeast corner of Section 29, Township 9 South, Range 6 West, Franklin County Florida. Thence from the POINT OF REFERENCE proceed South 8,366.47 feet, more or less; thence West 14,980.22 feet more or less, to the POINT OF BEGINNING which is a concrete marker number 2658 marking the Northwest corner of Sea Palm Village, a subdivision recorded in the public records of Franklin County, Florida, plat book 4, page 27. Thence from the POINT OF BEGINNING proceed South 31 degrees 34 minutes 12 seconds East 475.07 feet; thence South 07 degrees 39 minutes 32 seconds West 334.40 feet; thence South 31 degrees 34 minutes 07 seconds East 891.06 feet to a point of intersection with the mean high water line of the Gulf of Mexico; thence proceed along said mean high water line South 54 degrees 47 minutes 20 seconds West 512.99 feet; thence south 61 degrees 06 minutes 08 seconds West 452.25 feet to the Southeast corner of the Bluffs, Phase 2, a subdivision recorded in the public records of Franklin County, Florida, plat book 5, page 46; thence leaving said mean high water line, proceed North 31 degrees 16 minutes 36 seconds West along the Easterly boundary of said subdivision 414.45 feet; thence proceed North 31 degrees 15 minutes 49 seconds West 100.42 feet thence proceed northeasterly along the arc of a curve (radius of 732.00 feet, chord of 130.12 feet, chord bearing of North 48 degrees 30 minutes 29 seconds East) 128.26 feet; thence proceed North 44 degrees 16 minutes 54 seconds west 4360.46 feet to the mean highwater line of Apalachicola Bay; thence proceed along said mean highwater line, North 74 degrees 49 minutes 04 seconds East 96.58 feet; thence North 51 degrees 35 minutes 31 seconds East 182.48 feet; thence North 32 degrees 50 minutes 33 seconds East 78.72 feet; thence North 67 degrees 07 minutes 24 seconds East 72.63 feet; thence North 77 degrees 15 minutes 17 seconds East 28.75 feet; thence South 87 degrees 35 minutes 46 seconds East 67.75 feet; thence South 68 degrees 53 minutes 34 seconds East 93.67 feet; thence South 89 degrees 05 minutes 16 seconds East 60.81 feet; thence North 75 degrees 48 minutes 57 seconds East 74.89 feet; thence North 59 degrees 44 minutes 47 seconds East 40.94 feet; thence

North	70	degrees	10	minutes	07	seconds	East	72.80	feet;	thence
North	55	degrees	37	minutes	06	seconds	East	55.54	feet;	thence
South	89	degrees	26	minutes	42	seconds	East	33.99	feet;	thence
South	82	degrees	58	minutes	35	seconds	East	39.61	feet;	thence
South	80	degrees	59	minutes	22	seconds	East	61.13	feet;	thence
South	08	degrees	08	minutes	24	seconds	East	11.29	feet;	thence
South	84	degrees	12	minutes	49	seconds	East	34.11	feet;	thence
North	76	degrees	59	minutes	54	seconds	East	50.29	feet;	thence
South	41	degrees	05	minutes	38	seconds	East	23.20	feet;	thence
South	51	degrees	30	minutes	26	seconds	East	39.51	feet;	thence
South	16	degrees	20	minutes	48	seconds	East	21.44	feet;	thence
North	60	degrees	20	minutes	15	seconds	West	12.32	feet;	thence
North	53	degrees	20	minutes	29	seconds	West	13.28	feet;	thence
South	67	degrees	27	minutes	17	seconds	West	9.23	feet;	thence
North	20	degrees	03	minutes	19	seconds	West	7.98	feet;	thence
North	56	degrees	48	minutes	04	seconds	West	12.87	feet;	thence
North	18	degrees	19	minutes	30	seconds	West	19.42	feet;	thence
South	75	degrees	29	minutes	36	seconds	West	26.46	feet;	thence
North	89	degrees	58	minutes	09	seconds	West	46.32	feet;	thence
North	68	degrees	44	minutes	25	seconds	West	21.36	feet;	thence
North	72	degrees	53	minutes	24	seconds	West	47.70	feet;	thence
North	88	degrees	45	minutes	57	seconds	West	18.71	feet;	thence
North	69	degrees	33	minutes	38	seconds	West	38.07	feet;	thence
South	74	degrees	53	minutes	18	seconds	West	31.11	feet;	thence
South	52	degrees	35	minutes	45	seconds	West	56.67	feet;	thence
South	22	degrees	15	minutes	03	seconds	West	14.20	feet;	thence
North	86	degrees	33	minutes	18	seconds	West	8.90	feet;	thence
South	70	degrees	43	minutes	44	seconds	West	11.86	feet;	thence
North	88	degrees	20	minutes	28	seconds	West	22.70	feet;	thence
South	43	degrees	21	minutes	15	seconds	West	10.72	feet;	thence
South	18	degrees	02	minutes	20	seconds	West	10.73	feet;	thence
South	34	degrees	23	minutes	19	seconds	West	8.82	feet;	thence
South	49	degrees	10	minutes	19	seconds	East	19.97	feet;	thence
North	89	degrees	01	minutes	31	seconds	West	33.89	feet;	thence
North	55	degrees	23	minutes	18	seconds	West	18.62	feet;	thence
South	71	degrees	17	minutes	20	seconds	West	49.24	feet;	thence
South	83	degrees	19	minutes	41	seconds	West	19.47	feet;	thence
North	81	degrees	29	minutes	01	seconds	West	18.14	feet;	thence
South	86	degrees	13	minutes	37	seconds	West	37.92	feet;	thence
North	84	degrees	43	minutes	26	seconds	West	41.86	feet;	thence
North	46	degrees	16	minutes	06	seconds	West	20.07	feet;	thence
North	67	degrees	41	minutes	14	seconds	West	24.46	feet;	thence
North	85	degrees	18	minutes	41	seconds	West	28.33	feet;	thence
North	78	degrees	39	minutes	11	seconds	West	19.92	feet;	thence
North	63	degrees	03	minutes	43	seconds	West	14.57	feet;	thence
South	63	degrees	20	minutes	25	seconds	West	14.60	feet;	thence
North	88	degrees	17	minutes	24	seconds	West	19.53	feet;	thence
North	87	degrees	57	minutes	22	seconds	West	24.54	feet;	thence

South 70 degrees 38 minutes 18 seconds West	25.15 feet; thence
South 55 degrees 30 minutes 42 seconds West	39.06 feet; thence
South 83 degrees 43 minutes 24 seconds West	8.57 feet; thence
South 34 degrees 59 minutes 06 seconds West	13.52 feet; thence
South 12 degrees 14 minutes 41 seconds West	8.03 feet; thence
South 04 degrees 10 minutes 33 seconds West	12.05 feet; thence
South 33 degrees 45 minutes 38 seconds West	16.25 feet; thence
South 63 degrees 20 minutes 30 seconds West	14.89 feet; thence
South 30 degrees 14 minutes 38 seconds East	501.80 feet; thence
South 53 degrees 20 minutes 17 seconds East	282.63 feet; thence
South 35 degrees 39 minutes 11 seconds East	242.45 feet; thence
South 49 degrees 45 minutes 47 seconds East	148.83 feet; thence
South 19 degrees 21 minutes 49 seconds West	115.07 feet; thence
South 40 degrees 06 minutes 51 seconds East	707.81 feet; thence
South 35 degrees 26 minutes 02 seconds East	67.25 feet; thence
South 44 degrees 19 minutes 59 seconds East	179.81 feet; thence
South 63 degrees 32 minutes 34 seconds East	51.74 feet; thence
South 32 degrees 11 minutes 59 seconds East	80.00 feet; thence
South 44 degrees 19 minutes 59 seconds East	54.51 feet; thence
North 84 degrees 39 minutes 15 seconds East	151.38 feet; thence
North 41 degrees 43 minutes 02 seconds West	193.26 feet; thence
North 20 degrees 34 minutes 44 seconds West	270.50 feet; thence
North 15 degrees 43 minutes 04 seconds West	167.08 feet; thence
North 51 degrees 35 minutes 49 seconds East	89.49 feet; thence
South 41 degrees 10 minutes 08 seconds East	227.54 feet; thence
South 52 degrees 05 minutes 25 seconds East	123.65 feet; thence
South 10 degrees 27 minutes 31 seconds East	57.08 feet; thence
South 61 degrees 55 minutes 09 seconds East	122.94 feet; thence
South 42 degrees 03 minutes 19 seconds East	104.71 feet; thence
South 21 degrees 07 minutes 10 seconds East	233.80 feet; thence
South 02 degrees 59 minutes 41 seconds West	79.58 feet; thence
South 29 degrees 36 minutes 39 seconds West	66.57 feet; thence
North 64 degrees 29 minutes 11 seconds West	96.76 feet; thence
South 64 degrees 50 minutes 40 seconds West	53.82 feet; thence
South 31 degrees 13 minutes 49 seconds East	231.69 feet; thence
North 21 degrees 34 minutes 54 seconds East	46.94 feet; thence
North 20 degrees 36 minutes 37 seconds East	39.24 feet; thence
North 14 degrees 20 minutes 13 seconds East	78.45 feet; thence
South 17 degrees 06 minutes 20 seconds East	80.09 feet; thence
North 58 degrees 03 minutes 38 seconds East	28.16 feet; thence
South 06 degrees 14 minutes 21 seconds East	54.85 feet; thence
South 59 degrees 37 minutes 51 seconds East	75.39 feet; thence
North 11 degrees 04 minutes 29 seconds West	225.64 feet; thence
North 07 degrees 09 minutes 31 seconds East	59.45 feet; thence
North 23 degrees 09 minutes 19 seconds East	45.95 feet; thence
North 18 degrees 42 minutes 44 seconds East	40.54 feet; thence
North 65 degrees 37 minutes 42 seconds East	110.74 feet; thence
North 54 degrees 25 minutes 40 seconds East	50.41 feet; thence

South 74 degrees 03 minutes 16 seconds East 45.84 feet; thence
South 80 degrees 13 minutes 07 seconds East 42.31 feet; thence
South 49 degrees 50 minutes 58 seconds East 96.47 feet; thence
South 67 degrees 04 minutes 01 seconds East 32.93 feet; thence
North 34 degrees 06 minutes 31 seconds East 59.73 feet; thence
North 62 degrees 33 minutes 23 seconds East 42.71 feet; thence
South 76 degrees 53 minutes 52 seconds East 59.26 feet; thence
North 52 degrees 08 minutes 40 seconds East 96.34 feet to a re-rod
on the Southerly boundary of Pelican Point, a subdivision as per
map or plat thereof recorded in Public Records of Franklin County,
Florida; thence leaving said mean highwater line run North 87
degrees 41 minutes 17 seconds East along the Southerly boundary of
said subdivision 289.91 feet to a concrete monument; thence proceed
southerly along the arc of a curve (radius of 258.71 feet, chord of
123.00 feet, chord bearing North 22 degrees 50 minutes 43 seconds
East); thence proceed South 09 degrees 05 minutes 36 seconds West
83.75 feet; thence proceed northeasterly along the arc of a curve
(radius of 379.37 feet, chord of 327.02 feet, chord bearing North
52 degrees 12 minutes 54 seconds East) to the POINT OF BEGINNING,
containing 58 acres, more or less.