

Original
FILE COPY

GATLIN, SCHIEFELBEIN & COWDERY, P.A.

Attorneys at Law

**The Mahan Station
1709-D Mahan Drive
Tallahassee, Florida 32308**

**B. KENNETH GATLIN
WAYNE L. SCHIEFELBEIN
KATHRYN G.W. COWDERY**

July 21, 1997

TELEPHONE (904) 877-5609
TELECOPIER (904) 877-9631
FAX (904) 877-9631
E-MAIL: bkgatlin@netally.com

HAND DELIVERY

**Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850**

**RE: Docket No. 970696-WS
Application for Extension of Service Area (Amendment of
Certificates Nos. 27-W and 24-S) by FLORIDA CITIES WATER COMPANY
in Lee County, Florida.**

Dear Ms. Bayo:

Enclosed for filing in the above docket are an original and 12 copies of the Application for Extension of Service Area (Amendment of Certificates Nos. 27-W and 24-S) by Florida Cities Water Company in Lee County, Florida.

Also enclosed is a check in the amount of \$3,250.00 as payment of the applicable filing fee.

Please note that Docket No. 970696-WS was originally opened to consider Florida Cities Water Company's Application to Extend Temporary Water Service in Lee County. On June 24, 1997, the PSC approved that application and ordered this docket to remain open to process the application submitted herewith.

Please acknowledge receipt of the foregoing by stamping the enclosed extra copy of this letter and returning same to my attention. Thank you for your assistance.

Sincerely,



Wayne L. Schiefelbein

Check received with filing and forwarded to Fiscal for deposit. Filing fee of \$3,250.00 and a copy of check to be filed with proof of deposit.

Initials of person who forwarded check:

WLS

WLS/pav
Enclosures

cc: John Williams, Div. of Water & Wastewater
(includes Exhibit 1 Illustrative map, Composite Exhibit 4 System maps, and Exhibit 5 Territorial map.)

DOCUMENT NOT RECORDED

07289 JUL 23 1997

RECORDED AT 10:00 AM

GATLIN, SCHIEFELBEIN & COWDERY, P.A.

Attorneys at Law

The Mahan Station
1709-D Mahan Drive
Tallahassee, Florida 32308

B. KENNETH GATLIN
WAYNE L. SCHIEFELBEIN
KATHRYN G.W. COWDERY

DEPOSIT
July 21, 1997 0571

DATE

JUL 21 1997

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FAX COPIER (904) 877-9031
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Please acknowledge receipt of the foregoing by stamping the

DATE 6/30/97

FLORIDA CITIES WATER COMPANY

4837 Swift Road, Suite 100

Sarasota, Florida 34231

P.O. Box 21119 (34278-4119)

Telephone (941) 925-3088

82-027 131172

VENDOR 110-06328-6

NationsBank
NationsBank of Florida, N.A.

VOID AFTER 90 DAYS

*****3,250.00

THREE THOUSAND, TWO HUNDRED FIFTY DOLLARS AND NO CENTS

PAY
TO THE
ORDER
OF

FLORIDA PUBLIC SERVICE
COMMISSION
2540 SHUMARD OAK BLVD
TALLAHASSEE, FL

32399-0870



AUTHORIZED SIGNATURES

GATLIN, SCHIEFELBEIN & COWDERY, P.A.

Attorneys at Law

The Mahan Station
1709-D Mahan Drive
Tallahassee, Florida 32308

DEPOSIT

DATE

B. KENNETH GATLIN
WAYNE L. SCHIEFELBEIN
KATHRYN G. W. COWDERY

July 21, 1997 0571

JUL 21 1997

TELEPHONE (904) 877-9639
FAX COPIER (904) 877-9031
E-MAIL: bgatlin@netally.com

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Florida Public Service Commission
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WLS/pav
Enclosures

cc: John Williams, Div. of Water & Wastewater
(includes Exhibit 1 Illustrative map, Composite Exhibit 4 System
maps, and Exhibit 5 Territorial map.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Extension
of Service Area (Amendment of)
Certificates Nos. 27-W and 24-S)
by FLORIDA CITIES WATER COMPANY)
in Lee County, Florida.)

Docket No. 970696-WS

FLORIDA CITIES WATER COMPANY'S APPLICATION FOR EXTENSION
OF SERVICE AREA (AMENDMENT OF CERTIFICATES NOS. 27-W AND 24-S)
IN LEE COUNTY, FLORIDA

Pursuant to Section 367.045, Florida Statutes, Florida Cities Water Company (FCWC), by and through its undersigned counsel, files this application for extension of service area (amendment of Certificates Nos. 27-W and 24-S) in Lee County, Florida, and in accordance with Rule 25-30.036, Florida Administrative Code, hereby supplies the following information:

1. The name and address of the utility is:

Florida Cities Water Company
7401 College Parkway
Fort Myers, Florida 33907

The name and address of the person to receive a copy of all papers, pleadings, and filings in this docket is:

Wayne L. Schiefelbein
Gatlin, Schiefelbein and Cowdery, P.A.
1709-D Mahan Drive
Tallahassee, Florida 32308

Attorneys for Florida Cities Water Company

2. a) FCWC has reviewed the areas adjacent to its currently certificated water and wastewater territories served by its South Ft. Myers Division. After consultation with its neighboring service providers, Lee County and Gulf Utility Company (Gulf), FCWC has identified those adjacent areas to which service

would be most likely needed and most e.ficiently provided by FCWC in the future. By this application, FCWC seeks to extend its territories to include such areas and to avoid the expense and delay of applying for many small extensions.

b) During the course of this review, FCWC has also identified one water customer outside of its certificated territory, Full Service Storage, which FCWC has been serving since 1987. FCWC believes that at the time it initiated service to such customer there were ambiguities in the legal description of its territory. This customer should have been included by FCWC in its last extension application (Docket No. 941271-WS) but was inadvertently omitted. FCWC therefore seeks by the instant application to correct this error and include such customer in its water territory.

3. a) FCWC has prepared for illustrative purposes a map depicting the location of the territorial extensions requested by this application, which are identified thereon as Areas A, B, C and D, and existing inter-connections between FCWC, Lee County and Gulf. This map is identified as Exhibit 1 and has been provided directly to the Staff of the Commission.

b) The following types of customers would be served by the extension. The ERC estimates for residential areas are based on the values presented in the Lee County land use plan. The ERC estimates for industrial areas are based on the experience of FCWC

and its affiliate, Poinciana Utilities Inc. (PUI), in existing industrial areas within FCWC's and PUI's currently certificated territories.

Land Use	Acreage	ERCs per Acre	Total ERCs
<u>Area A (Water & Wastewater)</u>			
Outlying Suburban (single family)	160	3.0	480
Public Facilities	160	1.0	160
Wetland (single family)	7,600	0.05	380
<u>Area B (Water only)</u>			
Industrial Development	20	1.33	27
<u>Area C (Water only)</u>			
Industrial Development	1,400	1.33	1,862
Industrial Commercial	200	1.33	266
Airport Commerce	1,440	1.5	2,160
Rural	160	1.0	160
Density Reduction/ Groundwater Resource	320	0.1	32
Wetland	320	0.05	16
<u>Area D (Water only)</u>			
Urban Community (single family)	149	3.0	447
TOTALS			
Water	11,929	NA	5,990
Wastewater	7,920	NA	1,020

4. a) There is an immediate need for water service in areas A and B, and for wastewater service in area A. Worthington

Communities is currently constructing various phases of its Lexington development in the northern part of Area A. Area B, currently in Gulf's certificated water territory, is a small area located off of Jean Street. This includes the two parcels which are the subject of FCWC's Request for Authority to Extend Temporary Water Service, which was recently approved by the PSC. (Order No. PSC-97-0784-FOF-WS) The owners of those two parcels, Messrs. Brownlee and Linn, have requested service from FCWC. FCWC has also received several inquiries regarding water service in Area C. Area D is also currently in Gulf's certificated water territory. Gulf has requested FCWC to add Area D to its certificated territory.

b) Full Service Storage, the water customer currently served by FCWC outside of its certificated territory, continues to need uninterrupted service. This customer is located in Area C and consists of an estimated 6.31 ERCs.

5. FCWC has the financial and technical ability to provide service to the proposed extension. FCWC is a large, multi-county operation in the State of Florida, and has been in the water and wastewater utility business since 1965. FCWC's operations are financially well supported, and the technical support and expertise are firmly in place. The proposed extension is not expected to have any impact in these regards.

6. To the best of FCWC's knowledge, the provision of service by FCWC to the proposed extension would be consistent with the

water and wastewater elements of the Lee County comprehensive plan at the time the instant application is filed.

7. There are no existing County or private facilities within the immediate geographical areas capable of providing water and/or wastewater service to Area A, or water service to Areas B, C and D. Although Areas B and D are currently in Gulf's certificated water territory, Gulf does not have existing lines from which service can be provided in a cost-effective manner. FCWC can provide service to Areas B and D in a more cost-effective manner by connecting to nearby existing mains. It is FCWC's understanding that therefore neither Lee County or Gulf will object to the proposed extension.

8. FCWC owns the land on which the treatment facilities that would serve the proposed territory are located, as evidenced by copies of the warranty deeds attached hereto as Composite Exhibit 2.

9. A description of the territory proposed by this application to be added to FCWC's certificated territory, using township, range and section references, is attached hereto as Composite Exhibit 3.

10. Detailed system maps showing the proposed lines, treatment facilities and the territory proposed to be served, of sufficient scale and detail to enable correlation with the description of the territory, are identified as Composite Exhibit 4 and have been provided to the Staff of the Commission.

11. a) FCWC has submitted an application to the Florida Department of Environmental Protection (FDEP) for a permit to construct a 2.5 mgd expansion of its Fiesta Village Advanced Wastewater Treatment Plant. This plant expansion is being constructed to meet anticipated growth in demand throughout FCWC's service area and not specifically because of the proposed extension. The plant would be expanded even if FCWC were not seeking approval of the proposed extension.

b) In any event, FCWC currently uses and will continue to use effluent disposal by means of spray irrigation, as well as surface water discharge.

12. A map showing township, range and sections, with the proposed territory plotted thereon by metes and bounds or quarter section, is identified as Exhibit 5 and has been provided to the Staff of the Commission.

13. a) The Green Meadows and College Parkway Water Treatment Plants would serve the proposed water extension through connections with a common distribution system known as the South Distribution System. The combined treatment capacity is 10.5 mgd but is currently limited to 9.75 mgd due to raw water withdrawal limitation at College Parkway WTP. The annual average daily flow for the period ended April 30, 1997 for the plants is 5.607 mgd, with peak day flow at 7.78 mgd. The estimated increase in average daily flow associated with the proposed extension is 1.498 mgd, and

the estimated increase in peak day flow at 2.079 mgd. With 6 million gallons of storage to meet peak demand, there is sufficient water treatment capacity to serve the proposed extension.

b) The Fiesta Village Advanced Wastewater Treatment Plant would serve the proposed wastewater extension. The activated, permitted capacity of the facility is currently 2.5 mgd, based on annual average daily flow. The annual average daily flow for the twelve-month period ended April 30, 1997 is 2.026 mgd, with flows for the peak day at 3.089. The estimated increase in average annual daily flow associated with the proposed extension is 0.255 mgd, which would result in total annual average daily flow of 2.281 mgd, within the existing permitted capacity of the plant. A peaking factor of 2.5 was used in the design of this plant. The existing peak daily flows are easily handled by the plant without any degradation in the quality of service, and the proposed extension is not expected to have any material impact in this regard. As indicated in paragraph 11(a), FCWC has submitted an application to FDEP to expand the plant.

c) Water service in Areas A, B, C and D would be provided by mains constructed by developers and contributed to FCWC. The new mains would be connected to an existing 12-inch main on Winkler Road, which has the capacity to serve the proposed extension in Area A, and an existing 16-inch main on Alico Road, which has the capacity to serve the proposed extension in Areas B,

C and D.

d) Wastewater service in Area A would be provided by collection lines and facilities constructed by developers and contributed to FCWC. The new collection lines and facilities would be connected to an existing 10-inch force main on Winkler Road, which has the capacity to serve the proposed extension in Area A.

14) The FDEP has issued the following permits for the systems serving or proposed to serve the requested extension

<u>Permit Number</u>	<u>Date</u>	<u>Facility</u>	<u>Permit Type</u>
A036-250717	5/94	College Parkway WTP	Air Pollution
A036-25-723	5/94	Green Meadows WTP	Air Pollution
D036221765	3/93	Fiesta Village AWWTP	Operations

15. No construction would be required on the part of FCWC as a direct result of the proposed extension. Developers desiring service would construct the facilities necessary to connect to existing mains. It is anticipated that development in the proposed extension will occur over a period of several years. FCWC's water and wastewater treatment facilities will be expanded as growth in the overall service area dictates, not specifically as a result of the proposed extension.

16. Given FCWC's broad existing customer base, the fact that developers will construct and contribute the facilities necessary to connect to existing mains, and the fact that development will

occur over several years, the proposed extension is not expected to materially impact either FCWC's rates or service availability charges.

17. The original and two copies of proposed tariff sheets which include the proposed extension are attached as Composite Exhibit 6.

18. After a diligent search, FCWC has determined that it has misplaced Certificates Nos. 27-W and 24-S, and is therefore unable to submit them with this application.

19. Pursuant to Rule 25-30.020, Florida Administrative Code, the filing fee for the application is \$3,250.00 (\$2250.00 for water and \$1,000.00 for wastewater). A check in that amount payable to the Commission accompanies this application.

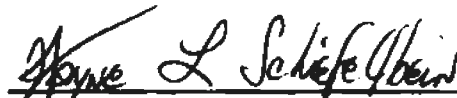
20. FCWC will provide a Notice of the proposed extension to the requisite governmental authorities and certificated water and wastewater utilities located within Lee County as identified on the list provided to FCWC by Commission staff, and to each known potential customer to be served by the proposed extension, and will publish a Notice of the proposed extension in a newspaper of general circulation in the territory proposed to be added. Completion of this Notice is expected no later than seven days after the date of the application is filed. FCWC will thereafter file with the PSC affidavits of, and proof of publication of, the Notice.

21. Order Nos. PSC-93-1288-FOF-SU and PSC-93-1288A-FOF-SU are the most recent orders of the Commission establishing or amending the existing wastewater rates and charges for the South Ft. Myers system. Water rates and charges were last amended by Order No. PSC-96-0859-FOF-WU. South Ft. Myers wastewater rates were the subject of an index increase implemented in 1996.

22. An affidavit that FCWC has tariffs and annual reports on file with the Commission is attached hereto as Exhibit 7.

Based on the foregoing, FCWC requests that Certificates Nos. 27-W and 24-S be amended to extend its authorized territory to include the territory requested by this application.

Respectfully submitted,



Wayne L. Schiefelbein
Gatlin, Schiefelbein & Cowaery, P.A.
1709-D Mahan Drive
Tallahassee, FL 32308
(904) 877-5609

Attorneys for
Florida Cities Water Company

Composite Exhibit 2

Deeds to treatment plant facilities sites

- a) Green Meadows WTP
- b) College Parkway WTP
- c) Fiesta Village AWWTP

This Indenture,

Made this 26th day of July, 1957

Please read herein the words "party" which include the heirs, personal representatives, successors and assigns of the parties hereto. The use of the singular number shall extend to the plural and the plural to the singular. The use of any gender shall extend to the other.

Between **FLORIDA UTILITY LAND COMPANY**
 a corporation existing under the laws of the State of Florida
 having its principal place of business in the County of Sarasota and
 State of Florida party of the first part, and
FLORIDA CITIES WATER COMPANY, a Florida corporation, whose address
 is: 2172 Gulf Gate Drive, Sarasota
 of the County of Sarasota and State of Florida
 party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of
 the sum of Ten Dollars and other valuable considerations-----dollars,
 to it in hand paid by the said party of the second part, the receipt whereof is hereby
 acknowledged, has granted, bargained and sold to the said party of the second part
 forever, the following described land, situate, lying and being in the County of
 Lee, State of Florida, to wit:

Begin at the SW corner of the SE 1/4 of Section 14, Township 45 South,
 Range 24 East; thence North 02°11'15" West along the westerly line of
 said SE 1/4 for 516.65 feet; thence North 02°06'50" East for 125' to the
 point of beginning; thence continue North 85°06'50" E. for 60.01'; thence
 North 02°11'15" West for 436.56' to southerly right-of-way of proposed
 100' wide College Parkway; thence South 85°05'55" West along said
 southerly right-of-way for 60.01'; thence South 02°11'15" East for
 436.51' to the point of beginning.

Subject to existing easements, restrictions and reservations of record
 and taxes for the calendar year 1957.

And the said party of the first part does hereby fully warrant the title to said land,
 and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has
 caused these presents to be signed in its name by its President,
 and its corporate seal to be affixed, attested by its Asst. Secy.
 and Asst. Treasurer the day and year above written.



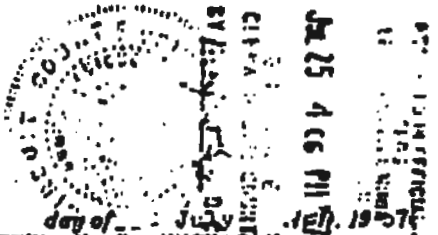
A. J. Kalata, Jr.
 Assistant Secretary
 Signed, Sealed and Delivered to Our Brethren

FLORIDA UTILITY LAND COMPANY
 By *[Signature]*
 VICE - President

State of Florida
 County of SARASOTA

I Herby Certify That on this 26th day of July, 1957
 before me personally appeared ~~XXXXXXXXXXXX~~ K. R. KNOBLOCK and
 A. J. KALATA, JR., Asst. Vice President and Assistant Secretary
 respectively of FLORIDA UTILITY LAND COMPANY, a corporation
 under the laws of the State of Florida, to me known to be the
 persons described in and who executed the foregoing conveyance to
 FLORIDA CITIES WATER COMPANY, a Florida corporation

and severally acknowledged the execution thereof to be their free act and deed as
 such officers, for the uses and purposes therein mentioned; and that they affixed
 thereto the official seal of said corporation, and the said instrument is the act and
 deed of said corporation.
 Witness my signature and official seal at Sarasota
 in the County of Sarasota and State of Florida, the day and
 year last aforesaid.



[Signature]
 Notary Public
 My Commission Expires

COLLEGE
 PARKWAY
 WTP



STATE OF FLORIDA
 1200

Deed Substantive, made this 31st day of March A.D. 19 83

between WILL E. SHINE and LOUISE E. SHINE, husband and wife

N 1666 N 308

part 1st of the original and **SHINE, KITTY WATER COMPANY** whose address is 1113 Child State Drive, Panama, Florida 32401

part 7 of the second part.

WHEREAS, from the said part 1st of the first part, for and in consideration of the sum of ----- Ten Dollars and other valuable consideration

to them to be paid by the said part 7 of the second part the sum referred to herein referred to be ----- by three promissory notes, to wit, ----- and ----- and ----- of the second part, and to ----- State and origin, to-wit, all the following described in ----- or parcel ----- of land situated in the County of ----- State of ----- and known and described as follows, to-wit:

A parcel of land located in the SW corner of Section 23, Township 44 North, Range 26 East, Lee County, Florida, being more particularly described as the four 200.00 feet of the East 200.00 feet of Section 23, Township 44 North, Range 26 East, Lee County, Florida.

Subject to restrictions, encumbrances and easements of record in the Public Records of Lee County, Florida.

This deed prepared by
Balfour Beatty Company
By: W. E. Spahnary
P. O. Box 24
Atlanta, Florida 30302
1983

RECORDED IN OFFICE
OF THE COUNTY CLERK
OF LEE COUNTY
FLORIDA
MAR 1 1983
11:30 AM

It is Here and is Both the Grantor, together with all the beneficiaries and assignees, heirs, assigns and all other persons claiming, to the said part 7 of the second part, the ----- origin, to-wit, and the said part 1st of the first part do hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

Part 7 of the second part contains a the payment of taxes for the year 1983 subsequent years.

It is Hereby Stipulated, the said part 1st of the first part be in possession of said land ----- and shall ----- the day and year above written.

Signed, sealed and delivered in the presence of

Will E. Shine Will E. Shine (S) (S)
Louise E. Shine Louise E. Shine (S) (S)

State of FLORIDA County of LEE

I Herby Certify, that on the day personally appeared before me, an officer duly authorized

to administer oaths and take acknowledgements WILL E. SHINE and LOUISE E. SHINE, husband and wife

to me well known to be the persons described to and who executed the foregoing foregoing instrument, and advised me that they executed the same freely and voluntarily for the purposes therein expressed.

Witness my hand and official seal this 31st day of March 1983.

By Commissionary Shirley Hill 17

GREEN MEADOWS

LESS the right-of-way of San Souci Drive, as same is dedicated and set forth upon the recorded plat of FIESTA VILLAGE, as recorded in Plat Book 10, page 65.

ALSO, from the NE corner of Section 28, Township 45 South, Range 24 East, run S. along the E. line of said Section a distance of 1155 feet; thence S. 72°30' W. 210 feet to the point of beginning. Thence continuing on the same course 180 feet; thence North, parallel to the E. section line, 175 feet; thence S. 73°00' E. 180 feet to a point of curvature; thence by a curve to the right with a radius of 40 feet through a central angle of 145°30' to the P.O.B. Being a tract of land lying in the NE 1/4 of Section 28, Township 45 South, Range 24 East, Lee County, Florida and bounded on the North, East and South by a 50-foot street, and on the West by other lots, Subject to a 6-foot easement for drainage or utilities on each boundary and subject to other existing easements, restrictions and reservations of record.



LEE COUNTY
STATE OF FLORIDA
DOCUMENTARY STAMP TAX
FEB 28 1966
COMPTROLLER
P.B. 190141
9900



RECORDED IN OFFICIAL RECORDS
LEE COUNTY, FLORIDA
RECORD VERIFIED

LEE COUNTY
STATE OF FLORIDA
DOCUMENTARY STAMP TAX
FEB 28 1966
COMPTROLLER
P.B. 190141
0060

Feb 28 4 01 PM '66

D. T. FARABEE
CLERK CIRCUIT COURT
Fort Myers, Fla. D. C.



A. K. S.



TO
FROM CORPORATION
Date
ABSTRACT OF DESCRIPTION

STATE OF FLORIDA }
COUNTY OF LEE } SS:

I HEREBY CERTIFY that on this 24 day of February, A.D., 1966, before me personally appeared JOSEPH BAUM, President of BOULEVARD HEIGHTS OF FORT MYERS, INC., a Florida corporation, to me known to be the persons described in and who executed the foregoing conveyance to FLORIDA CITIES WATER COMPANY, a Florida corporation, and acknowledged the execution thereof to be his free act and deed as such officer for the uses and purposes therein mentioned; and that he affixed thereto the official of said corporation, and the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at Fort Myers, Lee County, Florida the day and year last aforesaid.

Mary Soliman
Notary Public

INDEXED
Commission Expires:
NOTARY PUBLIC STATE OF FLORIDA at LARGE
MY COMMISSION EXPIRES MAY 18, 1967
ISSUED THROUGH "FED. W. TELEGRAPH"

This Indenture,

Made this 24th day of February, 1966 at Pieta Village

Whenever used herein, the term "party" shall include the heirs, personal representatives, necessary and/or assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders.

HWTP

BOULEVARD UTILITIES CORP., a Florida corporation; a

Between **BOULEVARD HEIGHTS OF FORT MYERS, INC.,** Florida

a corporation existing under the laws of the State of Florida having its principal place of business in the County of Lee and State of Florida party of the first part, and

FLORIDA CITIES WATER COMPANY, a corporation existing under the laws of the State of Florida, whose correct mailing address is: P.O. Box 3494 North Fort Myers of the County of Lee and State of Florida party of the second part.

Witnesseth, that the said party of the first part, for and in consideration of the sum of Ten Dollars and other valuable considerations-----Dollars, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part forever, the following described land, situate, lying and being in the County of Lee State of Florida, to wit:

The East 1/2 of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 21, Township 45 South, Range 24 East, which includes:

The Southerly 22.46 feet of Lot 12, Block 1, of that certain subdivision known as PIESTA VILLAGE, according to the map or plat thereof on file and recorded in the office of the Clerk of the Circuit Court of Lee County, Florida, in Plat Book 10, at page 65; AND

The East 22.78 feet of Lot 6, and all of lot 7, Block 5, of that certain subdivision known as PIESTA VILLAGE FIRST ADDITION, according to the map or plat thereof on file and recorded in the office of the Clerk of the Circuit Court of Lee County, Florida, in Plat Book 12, at page 135.

(continued on reverse side)

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof, the said party of the first part has caused these presents to be signed in its name by its President and its corporate seal to be affixed, attested by its the day and year above written.

(Corporate Seal)

BOULEVARD UTILITIES CORP.
By Joseph Baum President

Signed, Sealed and Delivered in our Presence:

BOULEVARD HEIGHTS OF FORT MYERS, INC.
By Joseph Baum President

May DeLoach
Charles R. ...
As to both grantors
State of Florida,

County of LEE

I HEREBY CERTIFY, That on this 24 day of February 1966 before me personally appeared **JOSEPH BAUM** President and

respectively of **BOULEVARD UTILITIES CORP.**, a corporation under the laws of the State of Florida, to me known to be the persons described in and who executed the foregoing conveyance to

FLORIDA CITIES WATER COMPANY, a Florida corporation

and severally acknowledged the execution thereof to be their free act and deed as such officers, for the uses and purposes therein mentioned; and that they affixed thereto the official seal of said corporation, and the said instrument is the act and deed of said corporation.

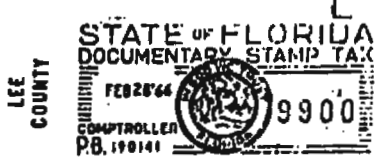
WITNESS my signature and official seal at Fort Myers in the County of Lee and State of Florida, the day and year last aforesaid.

Joseph Baum
Notary Public
My Commission Expires 6-1-66
NOTARY PUBLIC STATE OF FLORIDA

LESS the right-of-way of San Souci Drive, as same is dedicated and set forth upon the recorded plat of FIESTA VILLAGE, as recorded in Plat Book 10, page 65.

parcel 2

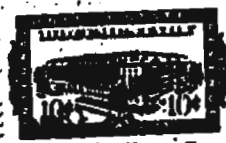
ALSO, from the NE corner of Section 28, Township 45 South, Range 24 East, run S. along the E. line of said Section a distance of 1155 feet; thence S. 72°30' W. 210 feet to the point of beginning. Thence continuing on the same course 180 feet; thence North, parallel to the E. section line, 175 feet; thence S. 73°00' E. 180 feet to a point of curvature; thence by a curve to the right with a radius of 40 feet through a central angle of 145°30' to the P.O.B. Being a tract of land lying in the NE 1/4 of Section 28, Township 45 South, Range 24 East, Lee County, Florida and bounded on the North, East and South by a 50-foot street, and on the West by other lots, Subject to a 6-foot easement for drainage or utilities on each boundary and subject to other existing easements, restrictions and reservations of record.



RECORDED IN OFFICIAL RECORDS LEE COUNTY, FLORIDA RECORD VERIFIED

FEB 28 4 01 PM '66

D. T. FARAGEE
CIRK CIRCUIT COURT
LEE COUNTY, FLORIDA



A.K.A.S



Vertical lines for stamping: Date, ABSTRACT OF DESCRIPTION, TO, FROM CORPORATION, Notary Public

STATE OF FLORIDA } ss:
COUNTY OF LEE

I HEREBY CERTIFY that on this 24 day of February, A.D., 1966, before me personally appeared JOSEPH BAUM, President of BOULEVARD HEIGHTS OF FORT MYERS, INC., a Florida corporation, to me known to be the persons described in and who executed the foregoing conveyance to FLORIDA CITIES WATER COMPANY, a Florida corporation, and acknowledged the execution thereof to be his free act and deed as such officer for the uses and purposes therein mentioned; and that he affixed thereto the official of-said corporation, and the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at Fort Myers, Lee County, Florida the day and year last aforesaid.

Notary Signature
Notary Public
Notary Seal: D. T. FARAGEE, CIRK CIRCUIT COURT, LEE COUNTY, FLORIDA

INDEXED
NOTARIES
Commission Expires:
NOTARY PUBLIC STATE OF FLORIDA at LARGE
MY COMMISSION EXPIRES JULY 19, 1967
BONDED THROUGH F.A.C. N. OF TOLSON

Composite Exhibit 3

Legal description of proposed extension

JOHNSON ENGINEERING, INC.

FORT MYERS
NAPLES
PORT CHARLOTTE

ENGINEERS, SURVEYORS AND ECOLOGISTS

June 30, 1997

2158 JOHNSON STREET
TELEPHONE (941) 334-0048
TELECOPIER (941) 334-3681
POST OFFICE BOX 1550
FORT MYERS, FLORIDA
33902-1550

DESCRIPTION FLORIDA CITIES WATER COMPANY SOUTH FORT MYERS FRANCHISE AREA LEE COUNTY, FLORIDA

ADDITION OF WATER FRANCHISE

CARLE JOHNSON
1911 1988

Section 8, Township 46 South, Range 24 East.

All that part of the Southeast quarter (SE-1/4), Less the North 650 feet thereof.

Section 9, Township 46 South, Range 24 East.

All that part of the South half (S-1/2), Less the North 650 feet thereof.

Section 10, Township 46 South, Range 24 East.

All that part of the South half (S-1/2), Less the North 650 feet thereof.

Section 11, Township 46 South, Range 24 East.

All that part of the Southwest quarter (SW-1/4) lying Westerly of Hendry Creek, Less the North 650 feet thereof.

Section 14, Township 46 South, Range 24 East.

All that part Westerly of Hendry Creek.

Section 15, Township 46 South, Range 24 East.

All of the Section.

Section 16, Township 46 South, Range 24 East.

All of the Section.

Section 17, Township 46 South, Range 24 East.

All of the Section, Less the Northwest quarter (NW-1/4) thereof.

Section 18, Township 46 South, Range 24 East.

All of the South half (S-1/2) Easterly of Hurricane Bay.

CHAIRMAN
FORREST H. BANKS

PRESIDENT
STEVEN K. MORRISON

PARTNERS
CARL A. BARRACO
GARY R. BULL
DAN W. DICKEY
JOSEPH W. EBNER
ARCHIE T. GRANT JR.
KENTON H. KEILING
W. DAVID KEY, JR.
W. BRITT POMEROY
ANDREW D. TILTON
KEVIN M. WINTER

ASSOCIATES
STEVEN L. FORD
PATRICIA H. NEWTON
MARK G. WENTZEL

CONSULTANT
LESTER L. BULSON

Section 19, Township 46 South, Range 24 East.

All the East half (E-1/2) Easterly of Hurricane Bay and Northerly of Matanzas Pass.

Section 20, Township 46 South, Range 24 East.

All of the section, less Hurricane Bay, Hell Peckney Bay and that part on Estero Island.

Section 21, Township 46 South, Range 24 East.

All of the Section, less Hell Peckney Bay.

Section 22, Township 46 South, Range 24 East.

All of the Section.

Section 23, Township 46 South, Range 24 East.

All of the Section Westerly of the Hendry Creek and Rocky Bay.

Section 26, Township 46 South, Range 24 East.

All of the Section, less Estero Bay.

Section 27, Township 46 South, Range 24 East.

All of the Section, less Estero Bay

Section 28, Township 46 South, Range 24 East.

All of the section, less Hell Pekney Bay, Estero Bay and that part on Estero Island.

Section 29, Township 46 South, Range 24 East.

All that part Northerly of Matanzas Pass.

Section 1, Township 46 South, Range 25 East.

All the Section, Less the South 1320 feet thereof.

Section 2, Township 46 South, Range 25 East.

All the Section, Less the South 1320 feet thereof.

Section 3, Township 46 South, Range 25 East.

All the Section, Less the South 1320 feet thereof.

Section 4, Township 46 South, Range 25 East.

All the Section, Less the South 1320 feet thereof.

AND LESS:

All that part of Section 4 being described as follows:

From the southwest corner of Section 4, Township 46 South, Range 25 East run N 00° 16' 32" W along the west line of said Section 4 for 1,320 feet, more or less, to an intersection with a line that is 1,320 feet north of (as measured on a perpendicular) and parallel with the south line of said Section 4 and the Point of Beginning.

From said Point of Beginning continue N 00° 16' 32" W along the west line of said Section 4 for 1,150.27 feet; thence run N 89° 47' 16" E for 1,014.22 feet; thence run S 00° 16' 32" E for 1,050.20 feet to an intersection with a line that is 1,320 feet north of (as measured on a perpendicular) and parallel with the south line of said Section 4; thence run S 89° 47' 01" W along said parallel line for 1,014.22 feet to the Point of Beginning.

Bearings hereinabove mentioned are based on the west line of Section 4, Township 46 South, Range 25 East to bear N 00° 16' 32" W.

Section 5, Township 46 South, Range 25 East.

All the Section, Less the South 1320 feet thereof.

AND LESS:

All that part of Section 5 being described as follows:

From the south quarter (S-1/4) corner of Section 5, Township 46 South, Range 25 East run N 89° 47' 03" E along the south line of Section 5 for 1,632.63 feet; thence run N 00° 16' 03" W for 1,320 feet, more or less to an intersection with a line that is 1,320 feet north of (as measured on a perpendicular) and parallel with the south line of said Section 5 and the Point of Beginning.

From said Point of Beginning continue N 00° 16' 03" W for 1,150.11 feet; thence run N 89° 47' 16" E for 1,106.69 feet to an intersection with the east line of said Section 5; thence run S 00° 16' 32" E along said east line for 1,150.27 feet to an intersection with a line that is 1,320 feet north of (as measured on a perpendicular) and parallel with the south line of said Section 5; thence run S 89° 47' 03" W along said parallel line for 1,017 feet, more or less, to the Point of Beginning.

Bearings hereinabove mentioned are based on the south line of Section 5, Township 46 South, Range 25 East to bear N 89° 47' 03" E.

Section 6, Township 46 South, Range 25 East.

All of the East half (E-1/2), Less the South 1320 feet thereof.

Section 7, Township 46 South, Range 25 East.

All that part of the North half (N-1/2) lying Westerly of a line 1000 feet Westerly from and parallel with the Westerly right-of-way line of U.S. 41 (State Road 45).

Section 8, Township 46 South, Range 25 East.

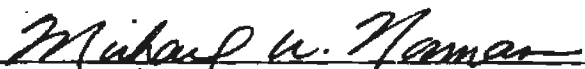
All of the West half (W-1/2) of the Southwest quarter (SW-1/4) of the Northeast quarter (NE-1/4).

Section 5, Township 46 South, Range 26 East.

The West half (W-1/2), Less the South 1320 feet thereof.

Section 6, Township 46 South, Range 26 East.

All the Section, Less the South 1320 feet thereof.


Michael W. Norman (For The Firm LB-642)
Professional Surveyor and Mapper
Florida Certificate No. 4500

MWN/kc
19526

JOHNSON ENGINEERING, INC.

FORT MYERS
NAPLES
PORT CHARLOTTE

ENGINEERS, SURVEYORS AND ECOLOGISTS

July 1, 1997

2158 JOHNSON STREET
TELEPHONE (941) 334-0046
TELECOPIER (941) 334-3661
POST OFFICE BOX 1950
FORT MYERS, FLORIDA
33902-1950

CARL E. JOHNSON
1911 1990

DESCRIPTION FLORIDA CITIES WATER COMPANY SOUTH FORT MYERS FRANCHISE AREA LEE COUNTY, FLORIDA

ADDITION OF WASTEWATER FRANCHISE

Section 8, Township 46 South, Range 24 East.

All that part of the Southeast quarter (SE-1/4), Less the North 650 feet thereof.

Section 9, Township 46 South, Range 24 East.

All that part of the South half (S-1/2), Less the North 650 feet thereof.

Section 10, Township 46 South, Range 24 East.

All that part of the South half (S-1/2), Less the North 650 feet thereof.

Section 11, Township 46 South, Range 24 East.

All that part of the Southwest quarter (SW-1/4) lying Westerly of Hendry Creek, Less the North 650 feet thereof.

Section 14, Township 46 South, Range 24 East.

All that part Westerly of Hendry Creek.

Section 15, Township 46 South, Range 24 East.

All of the Section.

Section 16, Township 46 South, Range 24 East.

All of the Section.

Section 17, Township 46 South, Range 24 East.

All of the Section, Less the Northwest quarter (NW-1/4) thereof.

Section 18, Township 46 South, Range 24 East.

All of the South half (S-1/2) Easterly of Hurricane Bay

CHAIRMAN
FORREST H. BANKS

PRESIDENT
STEVEN K. MORRISON

PARTNERS
CARL A. BARRACO
GARY R. BULL
DAN W. DICKEY
JOSEPH W. EBNER
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KEVIN M. WINTER

ASSOCIATES
STEVEN L. FORD
PATRICIA H. NEWTON
MARK G. WENTZEL

CONSULTANT
LESTER L. BULSON

JOHNSON ENGINEERING, INC.

Addition of Wastewater Franchise

07/01/97

Page 2

Section 19, Township 46 South, Range 24 East.

All the East half (E-1/2) Easterly of Hurricane Bay and Northerly of Matanzas Pass.

Section 20, Township 46 South, Range 24 East.

All of the Section, less Hurricane Bay, Hell Peckney Bay and that part on Estero Island.

Section 21, Township 46 South, Range 24 East.

All of the Section, less Hell Peckney Bay.

Section 22, Township 46 South, Range 24 East.

All of the Section.

Section 23, Township 46 South, Range 24 East.

All of the Section Westerly of the Hendry Creek and Rocky Bay.

Section 26, Township 46 South, Range 24 East.

All of the Section, less Estero Bay.

Section 27, Township 46 South, Range 24 East.

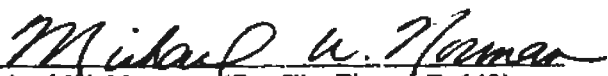
All of the Section, less Estero Bay.

Section 28, Township 46 South, Range 24 East.

All of the Section, less Hell Peckney Bay, Estero Bay and that part on Estero Island.

Section 29, Township 46 South, Range 24 East.

All that part Northerly of Matanzas Pass.


Michael W. Norman (For The Firm LB-642)
Professional Surveyor and Mapper
Florida Certificate No. 4500

Composite Exhibit 4

System maps

(Furnished directly to John Williams,
Division of Water and Wastewater)

Exhibit 5

Territorial Map

**(Furnished directly to John Williams,
Division of Water & Wastewater)**

Composite Exhibit 6

Proposed tariff sheets

FLORIDA CITIES WATER COMPANY
Lee County Water
South Fort Myers Territory

Fifth Revised Sheet No. 3.0
Cancels Fourth Revised Sheet No. 3.0

TERRITORY SERVED

CERTIFICATE NUMBER - 27-W

COUNTY - LEE

COMMISSION ORDERS APPROVING TERRITORY SERVED -

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
4901	06/08/70	70167-W	Grandfather
5320	02/09/72	71514-WS	Extension
5399	05/02/72	72025-W	Extension
5771	06/12/73	72629-WS	Extension
8294	05/03/78	770786-WS	Extension
9555	09/19/80	800307-WS	Extension
17813	07/07/87	870630-WS	Extension
PSC-92-0974-FOF-WS	09/10/92	911203-WS (And Rewrite of North Territory)	Extension
PSC-95-1363-AS-WS	11/03/95	941271-WS	Extension
		970696-WS	Extension

(Continued to Sheet No. 3.1)

Gerald Allen
President

**FLORIDA CITIES WATER COMPANY
Lee County Water
South Fort Myers Territory**

**First Revised Sheet No. 3.1
Cancels Original Sheet No. 3.1**

**Description of Territory Served
WATER SERVICE AREA
SOUTH FORT MYERS FRANCHISE OF
FLORIDA CITIES WATER COMPANY
LEE COUNTY, FLORIDA**

IN TOWNSHIP 45 SOUTH, RANGE 23 EAST:

Section 25:

All of the section.

Section 27:

All that part lying southerly of the Caloosahatchee River.

Section 28:

All that part lying southerly of the Caloosahatchee River.

Section 33:

All of the section.

Section 34:

All of the section.

Section 35:

All of the section.

Section 36:

All of the section.

IN TOWNSHIP 46 SOUTH, RANGE 23 EAST:

Section 1:

All of the section.

**Gerald S. Allen
President**

**FLORIDA CITIES WATER COMPANY
Lee County Water
South Fort Myers Territory**

**First Revised Sheet No. 3.2
Cancels Original Sheet No. 3.2**

**Section 2:
All of the section.**

**Section 3:
All of the section.**

**Section 4:
All of the section.**

**Section 9:
All of the section.**

**Section 10:
All of the section.**

**Section 11:
All of the section.**

**Section 12:
All of the section.**

**Section 13:
All of the section.**

**Section 14:
All of the section.**

**Section 24:
All of the section.**

IN TOWNSHIP 45 SOUTH, RANGE 24 EAST:

**Section 14:
All of the south half (S-1/2).**

**Gerald S. Allen
President**

Section 15:

All that part of the northeast quarter (NE-1/4) of the southeast quarter (SE-1/4) lying northerly of College Parkway (100 feet wide),

AND

All that part of the section lying southerly of College Parkway (100 feet wide),

EXCEPTING THEREFROM:

From the northwest corner of the southeast quarter (SE-1/4) of the southwest quarter (SW-1/4) run southerly along the west line of said fraction for 108 feet to the south line of said College Parkway and the Point of Beginning.

From said Point of Beginning continue southerly along said west line of said fraction for 599.76 feet; thence deflect 89° 58' 10" to the left and run easterly, parallel with said south line of College Parkway, for 459.05 feet to an intersection with the west line of Winkler Road (100 feet wide); thence deflect 88° 23' 20" to the left and run northerly along said west line for 600 feet to said south line of College Parkway; thence deflect 91° 36' 40" to the left and run westerly along said south line for 476.24 feet to the Point of Beginning.

Section 16:

All that part lying easterly of McGregor Boulevard (State Road 867) and southerly of College Parkway,

EXCEPTING THEREFROM the following described two parcels:

Parcel One

From the intersection of the southeast line of (40 feet from the centerline) of said McGregor Boulevard and the south line of said College Parkway, run easterly along said south line for 210 feet to the Point of Beginning.

From said Point of Beginning run southerly, perpendicular to said south line of College Parkway, for 115 feet; thence run westerly, parallel with said south line, for 248.41 feet to an intersection with said southeast line of McGregor Boulevard; thence run southwestly along said southeast line for 26.36 feet; thence run easterly, parallel with said south line of College Parkway, for 256.75 feet; thence deflect 90° to the right and run southerly, perpendicular to said south line of College Parkway, for 413.99 feet; thence deflect 90° to the left and run easterly for 393.75 feet; thence deflect 90° to the left and run northerly for 496.58 feet to an intersection with said south line of College Parkway; thence deflect 74° to the left and run northwestly along said south line of College Parkway for 68.88 feet to a point of curvature;

Gerald S. Allen
President

thence continue westerly along said south line along the arc of a curve to the left of radius 991.76 feet, for 276.05 feet to a point of tangency; thence continue westerly along said south line for 54.17 feet to the Point of Beginning, and

Parcel Two

From the northeast corner of the southwest quarter (SW-1/4) of the southeast quarter (SE-1/4) of said Section 16 run S 89° 09' 00" W along the north line of said fraction for 789.63 feet to the east line of McGregor Boulevard and the Point of Beginning, said point being 40 feet (as measured on a perpendicular) from the centerline of said McGregor Boulevard and said point being also 10 feet southerly from (as measured on a perpendicular) the south line of College Parkway extended.

From said Point of Beginning run S 17° 43' 00" W along said east line of McGregor Boulevard for 110.76 feet to a point 115 feet (as measured on a perpendicular) south of said south line of College Parkway; thence run N 89° 09' 00" E, parallel with said College Parkway, for 170 feet; thence run N 17° 43' 00" E for 121.31 feet to said south line of College Parkway; thence run S 89° 09' 00" W along said south line for 170 feet to said east line of McGregor Boulevard; thence run S 17° 43' 00" W along said east line for 10.55 feet to the Point of Beginning.

Section 19:

All that part lying southeasterly of the Caloosahatchee River.

Section 20:

All of the south half (S-1/2) and all that part of the north half (N-1/2) included in Town and River Estates, Unit 7 as shown on plat recorded in Plat Book 25 at Page 132, Lee County Records.

Section 21:

All of the section except that part of the northwest quarter (NW-1/4) lying northwesterly of McGregor Boulevard (State Road 867).

Section 22:

All of the section.

Section 23:

All of the section.

Gerald S. Aller
President

FLORIDA CITIES WATER COMPANY
Lee County Water
South Fort Myers Territory

First Revised Sheet No. 3.5
 Cancels Original Sheet No. 3.5

Section 26:

All of the section.

Section 27:

All of the section.

Section 28:

All of the section.

Section 29:

All of the section.

Section 30:

All of the section.

Section 31:

All of the section.

Section 32:

All of the section.

Section 33:

All of the section.

Section 34:

All of the section.

Section 35

All of the section.

Section 36:

All of the south half (S-1/2) and all that part of the northwest quarter (NW-1/4) lying southwesterly of US 41 (State Road 45).

Gerald S. Allen
President

FLORIDA CITIES WATER COMPANY
Lee County Water
South Fort Myers Territory

Second Revised Sheet No. 3.6
 Cancels First Revised Sheet No. 3.6

IN TOWNSHIP 46 SOUTH, RANGE 24 EAST;

Section 1:

All of the section.

Section 2:

All of the section.

Section 3:

All of the section.

Section 4:

All of the section.

Section 5:

All of the section.

Section 6:

All of the section.

Section 7:

All of the section.

Section 8:

All of the Section.

Section 9:

All of the Section.

Section 10:

All of the Section.

Section 11:

All that part lying westerly of Hendry Creek.

Section 12:

**All of the Northeast quarter (NE-1/4) of the Northwest quarter (NW-1/4)
of the Northeast quarter (NE-1/4).**

Gerald S. Allen
President

Section 14:

All that part Westerly of Hendry Creek.

Section 15:

All of the Section.

Section 16:

All of the Section.

Section 17:

All of the Section.

Section 18:

All of the north half (N-1/2) and all of the southwest quarter (SW-1/4) lying westerly of Hurricane Bay.

AND

All of the South half (S-1/2) Easterly of Hurricane Bay.

Section 19:

All that part on San Carlos Island and Estero Island

AND

All that part Easterly of Hurricane Bay.

Section 20:

All that part on Estero Island.

AND

All that part Northerly of Matanzas Pass, Westerly of Hell Peckney Bay and Easterly of Hurricane Bay.

Section 21:

All of the Section Westerly, Northerly and Easterly of Hell Peckney Bay.

Section 22:

All of the Section.

Section 23:

All of the Section Westerly of the Hendry Creek and Rocky Bay.

Gerald S. Allen
President

**FLORIDA CITIES WATER COMPANY
Lee County Water
South Fort Myers Territory**

**Second Revised Sheet No. 3.8
Cancels First Revised Sheet No. 3.8**

Section 26:

All of the Section Northerly of Estero Bay.

Section 27:

All of the Section Northerly of Estero Bay.

Section 28:

All that part of Estero Island.

AND

All that part Northerly of Matanzas Pass and Estero Bay.

Section 29:

All that part on Estero Island.

AND

All that part Northerly of Matanzas Pass.

Section 30:

All that part on Estero Island.

Section 33:

All that part on Estero Island.

Section 34:

All that part on Estero Island.

IN TOWNSHIP 47 SOUTH, RANGE 24 EAST:

Section 3:

All that part on Estero Island.

Section 10:

All that part on Estero Island.

**Gerald S. Allen
President**

IN TOWNSHIP 46 SOUTH, RANGE 25 EAST

Section 1:

All of Section.

Section 2:

All of Section.

Section 3:

All of Section.

Section 4:

All of Section.

Section 5:

All of Section.

Section 6:

All of Section.

Section 7:

All that part lying easterly of a line 1000 feet westerly from and parallel with the westerly line of US 41 (State Road 45).

AND

All that part of the North half (N-1/2) lying Westerly of a line 1000 feet Westerly from and parallel with the Westerly right-of-way line of U.S. 41 (State Road 45).

Section 8:

All of the west half (W-1/2) of the northwest quarter (NW-1/4) and the North 1320 feet of the northeast quarter (NE-1/4) of the northwest quarter (NW-1/4) and the north 1320 feet of the Northeast quarter (NE-1/4).

AND

All of the southeast quarter (SE-1/4) of the northwest quarter (NW-1/4).

Section 10:

All the North 1320 feet.

Gerald S. Allen
President

Section 11:

All the North 1320 feet.

Section 12:

All the North 1320 feet.

Section 18:

All that part of the northeast quarter (NE-1/4) described as follows:

From the northeast corner of said section run S 88° 52' 30" W along the north line of said section for 218.15 feet to the southwest line of US 41 (State Road 45) and the Point of Beginning.

From said Point of Beginning run S 20° 35' 30" E along said southwest line for 1151.70 feet; thence run S 79° 41' 20" W for 1537.96 feet; thence run N 01° 00' 20" W for 1331.39 feet to said north line of Section 18; thence run N 88° 52' 30" E along said north line for 1131.65 feet to the Point of Beginning.

IN TOWNSHIP .6 SOUTH, RANGE 26 EAST:

Section 5:

The South 1320 feet of the west half (W-1/2).

Section 6:

All of Section.

Section 7:

The North 1320 feet.

Section 8:

The North 1320 feet of the west half (W-1/2).

Gerald S. Allen
President

FLORIDA CITIES WATER COMPANY
Lee County Wastewater
South Fort Myers Territory

Fifth Revised Sheet No. 3.0
Cancels Fourth Revised Sheet No. 3.0

TERRITORY SERVED

CERTIFICATE NUMBER - 24-S

COUNTY - LEE

COMMISSION ORDERS APPROVING TERRITORY SERVED -

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
4890	05/20/70	70168-S	Grandfather
5132	06/08/71	71122-S	Extension
5320	02/09/72	71514-WS	Extension
5671	03/07/73	72520-S	Extension
5771	06/12/73	72629-WS	Extension
8294	05/03/78	770786-WS	Extension
9555	09/19/80	800307-WS	Extension
17813	07/07/87	870630-WS	Extension
PSC-92-0974-FOF-WS	09/10/92	911203-WS (And Rewrite of North Territory)	Extension
PSC-95-1363-AS-WS	11/03/95	941271-WS	Extension
		970696-WS	Extension

(Continued to Sheet No. 3.1)

Gerald Allen
President

FLORIDA CITIES WATER COMPANY
Lee County Wastewater
South Fort Myers Territory

First Revised Sheet No. 3.1
Cancel Original Sheet No. 3.1

Description of Territory Served
SEWER SERVICE AREA
SOUTH FORT MYERS FRANCHISE OF
FLORIDA CITIES WATER COMPANY
LEE COUNTY, FLORIDA

IN TOWNSHIP 45 SOUTH, RANGE 24 EAST:

Section 14:

All of the south half (S-1/2).

Section 15:

All that part of the northeast quarter (NE-1/4) of the southeast quarter (SE-1/4) lying northerly of College Parkway (100 feet wide) and

All that part of the section lying southerly of College Parkway (100 feet wide),

EXCEPTING THEREFROM:

From the northwest corner of the southeast quarter (SE-1/4) of the southwest quarter (SW-1/4) run southerly along the west line of said fraction for 108 feet to the south line of said College Parkway and the Point of Beginning.

From said Point of Beginning continue southerly along said west line of said fraction for 599.76 feet; thence deflect 89° 58' 10" to the left and run easterly, parallel with said southerly line of College Parkway, for 459.05 feet to an intersection with the west line of Winkler Road (100 feet wide); thence deflect 88° 23' 20" to the left and run northerly along said west line for 600 feet to said south line of College Parkway; thence deflect 91° 36' 40" to the left and run westerly along said south line for 476.24 feet to the Point of Beginning.

Section 16:

All that part of the north half (N-1/2) of the southwest quarter (SW-1/4) lying north of Cape Coral Bridge Road;

All that part of the west half (W-1/2) of the northwest quarter (NW-1/4) lying south of the Caloosahatchee River;

A strip 100 foot wide centered on the centerline of the Cape Coral Bridge Road from McGregor Boulevard westerly to the center of the south line of the northeast quarter (NE-1/4) of the southwest quarter (SW-1/4)

Gerald S. Allen
President

AND

All that part of the section lying easterly of McGregor Boulevard (State Road 867) and southerly of College Parkway,

EXCEPTING THEREFROM the following described two parcels:

Parcel One

From the intersection of the southeast line (40 feet from the centerline) of McGregor Boulevard (State Road 867) and the south line of said College Parkway run easterly along said south line of College Parkway for 210 feet to the Point of Beginning.

From said Point of Beginning run southerly, perpendicular to said south line of College Parkway, for 115 feet; thence run westerly, parallel with said south line, for 248.41 feet to an intersection with said southeast line of McGregor Boulevard; thence run southwesterly along said southeast line for 26.36 feet; thence run easterly, parallel with said south line of College Parkway, for 256.75 feet; thence deflect 90° to the right and run southerly, perpendicular to said south line of College Parkway, for 41° 99 feet; thence deflect 90° to the left and run easterly for 393.75 feet; thence deflect 90° to the left and run northerly for 496.58 feet to an intersection with said south line of College Parkway; thence deflect 74° to the left and run northwesterly along said south line of College Parkway for 68.88 feet to a point of curvature; thence continue westerly along said south line, along the arc of a curve to the left of radius 991.76 feet, for 276.05 feet to a point of tangency; thence continue westerly along said south line for 54.17 feet to the Point of Beginning, and

Parcel Two

From the northeast corner of the southwest quarter (SW-1/4) of the southeast quarter (SE-1/4) of said Section 16, run S 89° 09' 00" W along the north line of said fraction for 789.63 feet to the east line of McGregor Boulevard (State Road 867) and the Point of Beginning, said point being 40 feet (as measured on a perpendicular) from the centerline of said McGregor Boulevard and said point being 10 feet southerly from (as measured on a perpendicular) the south line of College Parkway extended. From said Point of Beginning run S 17° 43' 00" W along said east line of McGregor Boulevard for 110.76 feet to a point 115 feet (as measured on a perpendicular) south of said south line of College Parkway; thence run N 89° 09' 00" E, parallel with said College Parkway for 170 feet; thence run N 17° 43' 00" E for 121.31 feet to said south line of College Parkway; thence run S 89° 09' 00" W along said south line for 170 feet to said east line of McGregor Boulevard; thence run S 17° 43' 00" W along said east line for 10.55 feet to the Point of Beginning.

Gerald S. Allen
President

Section 17:

All that part of the east half (E-1/2) lying north of Cape Coral Bridge Road and southeasterly of the Caloosahatchee River.

Section 20:

All of Government Lot 2, and
All that part of the east half (E-1/2) of the southeast quarter (SE-1/4) lying east of Deep lagoon, a waterway, and
All that part included in Town and River Estates Unit 7 as shown on plat recorded in Plat Book 25 at Page 134, Lee County Records, and
All that part subdivided as Palmetto Point as shown on plat recorded in Plat Book 29 at Pages 21, 22 and 23, Lee County Records.

Section 21:

All of the section except that part of the northwest quarter (NW-1/4) lying west of McGregor Boulevard (State Road 867).

Sections 20 and 21, Township 45 South, Range 24 East.

From the intersection of the centerline of McGregor Boulevard (State Road 867) and the south line of the northwest quarter (NW-1/4) of Section 21, Township 45 South, Range 24 East, run S 89° 00' 14" W along said south fractional line for a distance of 194.26 feet to the Point of Beginning.

From said Point of Beginning continue S 89° 00' 14" W along the south line of the northwest quarter (NW-1/4) of said Section for 2363.31 feet; thence run N 00° 59' 46" W for 140.02 feet; thence run N 89° 00' 14" E for 409.97 feet; thence run N 88° 38' 45" E for 160.00 feet; thence run N 89° 00' 14" E for 1485.00; thence run N 64° 35' 14" E for 36.02 feet; thence run S 63° 32' 13" E for 131.53 feet; thence run N 17° 43' 00" E for 91.20 feet; thence run S 72° 17' 00" E for 181.00 feet; thence run S 17° 43' 00" W for 130.46 feet; to the Point of Beginning.

Bearings hereinabove mentioned are based on the south line of the northwest quarter (NW-1/4) of Section 21, Township 45 South, Range 24 East to bear S 89° 00' 14" W.

Section 22:

All of the section.

Gerald S. Allen
President

Section 23:

All of the section.

Section 26:

All of the section.

Section 27:

All of the section.

Section 28:

All of the east half (E-1/2) and all that part of the west half (W-1/2) lying southeasterly of McGregor Boulevard (State Road 867).

Section 29:

All that part included in Palmetto Point as shown on plat recorded in Plat Book 29 at pages 21, 22 and 23, Lee County Records, and

All that part included in Palmetto Point Unit 2 as shown on plat recorded in Plat Book 30 at Page 98, Lee County Records and

All that part of the east half (E-1/2) lying southeasterly of McGregor Boulevard (80 feet wide) (State Road 867) and easterly of former Iona Drainage Canal C.

AND

All that part of the west half (W-1/2) of the west half (W-1/2) of the east half (E-1/2) of the southwest quarter (SW-1/4) lying south of McGregor Boulevard (State Road 867).

Section 32:

All that part lying easterly of Big Slew Canal (former Iona Drainage District Canal C) as shown on plat of Harlem Heights recorded in Plat Book 8 at Page 76, Lee County Records.

Section 33:

All of the section.

Section 34:

All of the section.

Section 35:

All of the section.

Gerald S. Allen
President

Section 36:

All that part of the north half (N-1/2) lying west of U.S. 41 (State Road 45).

IN TOWNSHIP 46 SOUTH, RANGE 24 EAST:

Section 2:

All of the section lying westerly of Hendry Creek.

Section 3:

All of the Section.

Section 4:

All of the section lying easterly of Cow Slough.

Section 8:

All of the Section.

Section 9:

All of the Section.

Section 10:

All of the Section.

Section 11:

All that part lying westerly of Hendry Creek.

Section 14:

All that part Westerly of Hendry Creek.

Section 15:

All of the Section.

Section 16:

All of the Section.

Section 17:

All of the Section.

Gerald S. Allen
President

Section 18:

All of the north half (N-1/2) and all of the southwest quarter (SW-1/4) lying westerly of Hurricane Bay.

AND

All of the South half (S-1/2) Easterly of Hurricane Bay.

Section 19:

All that part on the San Carlos Island and Estero Island.

AND

All that part Easterly of Hurricane Bay.

Section 20:

All that part on Estero Island.

AND

All that part Northerly of Matanzas Pass, Westerly of Hell Peckney Bay and Easterly of Hurricane Bay.

Section 21:

All of the Section Westerly, Northerly and Easterly of Hell Peckney Bay.

Section 22:

All of the Section.

Section 23:

All of the Section Westerly of the Hendry Creek and Rocky Bay.

Section 26:

All of the Section Northerly of Estero Bay.

Section 27:

All of the Section Northerly of Estero Bay.

Section 28:

All that part of Estero Island.

AND

All that part Northerly of Matanzas Pass and Estero Bay.

Gerald S. Allen
President

FLORIDA CITIES WATER COMPANY
Lee County Wastewater
South Fort Myers Territory

Original 3.5-3

Section 29:

All that part on Estero Island.

AND

All that part Northerly of Matanzas Pass.

Gerald S. Allen
President

Exhibit 7

Affidavit on tariffs and annual reports

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Extension)
of Service Area (Amendment of)
Certificates Nos. 27-W and 24-S))
by FLORIDA CITIES WATER COMPANY)
in Lee County, Florida)

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF SARASOTA

BEFORE me personally appeared Michael Acosta, who is
Vice President, Engineering & Operations of Florida Cities Water Company and who,
upon being duly sworn, deposes and says that:

Florida Cities Water Company has tariffs and annual reports on file with the Commission
as required by Commission regulations.

Further affiant says not.

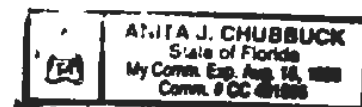


As: Vice President, Engineering &
Operations

SWORN TO AND SUBSCRIBED before me this 16th day of May, 1997.



Notary Public



Anita J. Chubbuck

Printed Name

PERSONALLY KNOWN BY ME
C PRODUCED I.D.