

FLORIDA PUBLIC SERVICE COMMISSION
Capital Circle Office Center • 2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

MEMORANDUM

SEPTEMBER 25, 1997

RECEIVED

SEP 25 1997
11:58
FPSC - Records/Reporting

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)
FROM: DIVISION OF WATER & WASTEWATER (REDEMANN)
DIVISION OF LEGAL SERVICES (GERVASI) *RRR bsr ch h*
RE: DOCKET NO. 960867-WU - APPLICATION FOR AMENDMENT OF
CERTIFICATE NO. 427-W BY WINDSTREAM UTILITIES COMPANY.
COUNTY: MARION
AGENDA: OCTOBER 7, 1997 - REGULAR AGENDA - DECISION ON
STIPULATION PRIOR TO HEARING - INTERESTED PERSONS MAY
PARTICIPATE
CRITICAL DATES: NONE
SPECIAL INSTRUCTIONS: S:\PSC\LEG\WP\960867WS.RCM

CASE BACKGROUND

Windstream Utilities Company (Windstream or utility) is a Class C utility which provides water service to approximately 472 water customers in Marion County and 48 water customers in Citrus County. Wastewater service is provided by septic tanks. The utility's 1996 annual report shows an annual operating revenue of \$161,454 and a net operating loss of \$2,112.

Pursuant to Section 367.045, Florida Statutes, on July 29, 1997, Windstream filed an application for amendment of Certificate No. 427-W to add territory in Marion County, including the proposed J.B. Ranch, a 459-acre development which will consist of 694 residential units and 165 general service units. In its application, the utility stated that the Marion County Land Development Code requires developments of more than 15 units located within one mile of an existing water system to connect to such water system. According to the utility, the newly revised amendment of its service area would implement the requested development code. On August 27, 1996, Barrett Family Partnership IV, LTD. (J.B. Ranch), timely filed a Petition in Opposition to Windstream's application. Accordingly, this matter was set for hearing and an order establishing procedure, Order No. PSC-96-1273-PCO-WU, was issued October 10, 1996.

DOCUMENT NUMBER-DATE

09838 SEP 25 97

FPSC-RECORDS/REPORTING

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On December 18, 1996, Windstream filed a Notice of Amendment to Application, whereby it modified its original application to remove the JB Ranch property from the proposed territory to be served. On December 20, 1996, Marion County (County) filed a Petition for Leave to Intervene or Alternative Petition in Opposition to Amended Application for Amendment to Certificate 427-W. On December 30, 1996, Windstream filed a Motion to Dismiss Protests. On December 31, 1996, the Commission received a letter from JB Ranch, dated December 24, 1996, stating that if, in fact, JB Ranch is eliminated from the proposed territory, then its protest should be withdrawn. On January 8, 1997 and January 9, 1997, respectively, JB Ranch and the County filed a Memorandum in Opposition and Response to Motion to Dismiss Protests.

On January 13, 1997, Windstream filed a Response to the County's Petition for Leave to Intervene. On January 15, 1997, the County filed a Reply to Windstream's Response. On January 17, 1997, Windstream filed a Motion to Strike the County's Reply. On January 21, 1997, JB Ranch filed its Reply to Windstream's Response to the County's Petition for Leave to Intervene.

On January 21, 1997, the Commission received a letter from JB Ranch, stating that its December 24, 1996, letter was not and should not be considered a notice to withdraw its protest, as it was in the nature of an inquiry only as to the status of the application. On January 23, 1997, the County filed a Memorandum in Opposition and Response to Windstream's Motion to Strike.

By Order No. PSC-97-0470-FOF-WU, issued April 23, 1997, the Commission found JB Ranch's December 24 letter to be a withdrawal of its protest based on Windstream's amendment to its application, and thus found Windstream's motion to dismiss with regard to JB Ranch to be moot. Moreover, the Commission granted the County's petition for leave to intervene and Windstream's motion to strike the County's reply, and set the matter for hearing on its own motion. Accordingly, the matter was scheduled for a prehearing on May 28, 1997, and a formal hearing on June 17, 1997.

On May 22, 1997, Windstream and the County filed a Joint Motion for Continuance of the prehearing and hearing to allow them time to settle their dispute. The motion was granted by Order No. PSC-97-0605-PCO-WU, issued May 27, 1997, and the Chairman canceled the May, 1997, prehearing and hearing dates.

On June 5, 1997, Windstream filed a letter advising that the parties have entered into a stipulated agreement (agreement), and attached a copy of the agreement to the letter. By the agreement, Windstream agreed to modify its amendment application to remove certain lands which the parties agree that the County should be

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allowed to serve in exchange for the County's agreement to withdraw its protest. In order to conform with the requirements of the agreement, by its June 5 letter, the utility modified its application for extension of service territory to include only certain of the areas which it originally requested to serve, contingent upon the Commission's receipt of the County's withdrawal of protest. On June 17, 1997, the County filed a Notice of Withdrawal of Protest, based upon the agreement. A copy of the agreement and the Notice of Withdrawal of Protest are appended to this recommendation as Attachment A.

In addition to the merits of the amendment application, as modified by the utility, this recommendation addresses the notice of protest withdrawal and the agreement between the parties.

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DISCUSSION OF ISSUES

ISSUE 1: Should the County's Notice of Withdrawal of Protest be acknowledged and the agreement between the parties approved?

RECOMMENDATION: Yes, the Notice of Withdrawal of Protest should be acknowledged and the agreement should be accepted. (GERVASI)

STAFF ANALYSIS: As discussed in the case background, Windstream amended its original application on December 18, 1996, to remove the JB Ranch property from the proposed territory to be served, and the Commission subsequently found that JB Ranch withdrew its protest to the application, as amended. The JB Ranch property is no longer included in the utility's amendment application.

Also as discussed in the case background, on June 5, 1997, Windstream filed a letter advising that it has entered into an agreement with the County. The utility attached a copy of the agreement to the letter. By the agreement, dated June 3, 1997, Windstream agreed to modify its amendment application to remove certain other lands which the parties agree that the County should be allowed to serve in exchange for the County's agreement to withdraw its protest. In order to conform with the requirements of the agreement, by its June 5 letter, the utility again modified its application for extension of service territory to include only part of the area which it originally requested to serve, contingent upon the Commission's receipt of the County's withdrawal of protest. The utility also attached to the letter a revised territory description and tariff pages reflecting the modification of the requested territory. On June 17, 1997, the County filed its Notice of Withdrawal of Protest, based upon the agreement. A copy of the Notice of Withdrawal of Protest and the agreement are appended to this recommendation as Attachment A.

Upon review of the agreement, it appears that that the parties have reached a reasonable compromise among themselves to resolve their dispute, which obviates the necessity of conducting a hearing and results in a saving of resources and time for both the parties and the Commission. Staff believes that the agreement is an appropriate resolution to the parties' dispute. Accordingly, staff recommends that the agreement should be approved and that the County's Notice of Withdrawal of Protest should be acknowledged.

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ISSUE 2: Should Windstream's application for amendment of Water Certificate No. 427-W be granted, as modified to conform with the agreement entered into between the parties?

RECOMMENDATION: Yes. If the Commission approves staff's recommendation in Issue 1, Windstream's application should be granted for the additional territory described in Attachment B and the composite description in Attachment C of the utility's existing and new territory of Majestic Oaks and Sun Country. Windstream should charge the customers in the amended territory the applicable rates of the water plant to which the customers are connected; either Majestic Oaks or Sun Country. These rates and charges should be charged until authorized to change by the Commission in a subsequent proceeding. (REDEMANN)

STAFF ANALYSIS: As stated earlier, on July 29, 1996, pursuant to Section 367.045, Florida Statutes, the utility filed an application for amendment of Certificate No. 427-W to add territory in Marion County. The application contained a check in the amount of \$1,000, which is the correct filing fee pursuant to Rule 25-30.020, Florida Administrative Code. The utility has provided a copy of warranty deeds for the Majestic Oaks Water Treatment Plant and the Sun Country Water Treatment Plant, which provide for the continued use of the land, as required by Rule 25-30.036(3)(d), Florida Administrative Code.

Adequate service territory and system maps and a territory description have been provided as prescribed by Rule 25-30.036(3)(e), (f) and (I), Florida Administrative Code. Descriptions of the water territory are appended to this recommendation as Attachments B and C, respectively. Attachment B includes the amended area. Attachment C includes a composite description for the utility's existing and new territory for the service areas of Sun Country and Majestic Oaks. This composite description includes the areas granted by Order No. PSC-94-0082-POF-WU, issued January 24, 1994, in Docket No. 900496-WU (transfer of Sun Country); Order No. 24435, issued April 25, 1991, in Docket No. 900311-WU (amendment to add the Majestic Oaks system); Order No. 24375, issued April 17, 1991, in Docket No. 900455-WU (amendment to add Pigeon Park); and the new area requested in this docket, as modified by the utility. The utility has submitted an affidavit consistent with Section 367.045(2)(d), Florida Statutes, that it has tariffs and annual reports on file with the Commission. The utility has returned the certificate for entry of the additional territory and has filed revised tariff sheets which reflect the amended territory description.

In addition, the application contains proof of compliance with the noticing provisions set forth in Rule 25-30.030, Florida

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Administrative Code. As discussed earlier, two objections to the application were filed. However, by Order No. PSC-97-0470-FOF-WU, the Commission found that JB Ranch withdrew its objection, and in Issue 1, staff recommends that the County's Notice of Protest Withdrawal be acknowledged. If the Commission approves staff's recommendation in Issue 1, there will be no pending protests to the modified application. The local planning agency was provided notice of the application and did not file a protest. Staff has contacted the Department of Environmental Protection (DEP) and has learned that there are no outstanding notices of violation regarding this utility.

The utility has been in existence since 1984. According to the application, the utility has operated its systems in a professional manner in compliance with all regulatory requirements for providing service. Windstream will continue to utilize appropriate professional staff in order to provide service to the proposed area. According to DEP, the Majestic Oaks Water Treatment Plant has a capacity of 384,000 gallons per day (gpd) and the Sun Country Estates (Paddock Downs) Water Treatment Plant has a capacity of 240,000 gpd. The hydropneumatic tanks are the limiting factor on the capacity of the plants at this time. Flows at the Majestic Oaks Plant are approximately 185,000 gpd. The utility plans to provide water service primarily from the Majestic Oaks Water Plant, and to use the Sun Country Water Plant for backup. These water plants are not interconnected at this time. The utility has plans to interconnect the water systems and to add equipment when additional water is needed. These facilities will be funded through a combination of required contributions and infusion of either debt or equity capital. Based on the above information, staff believes that the utility has the capacity and the technical expertise to serve customers now and into the future.

Windstream's approved rates and charges were approved for the Sun Country System by Order No. PSC-94-0082-FOF-WU. Windstream's Majestic Oaks' rates and charges were approved by Order No. 24435. Pigeon Park's approved rates and charges were approved by Order No. 24375. The utility has been indexing the rates to keep up with inflation. The last index was approved on August 11, 1997. The Majestic Oaks water plant serves the Majestic Oaks and the Pigeon Park subdivisions. The rates and charges are the same for both of these service areas.

Windstream should charge the customers in the amended territory the applicable rates of the water plant to which the customers are connected; either Majestic Oaks or Sun Country. These rates and charges are contained in the utility's tariff and should be charged until authorized to change by the Commission in a subsequent proceeding. The utility estimates that these water

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plants will be interconnected in 7 years. When the two water plants become interconnected, neighbors will have different rates and charges, even though they will be receiving water from the same water line, and from the same water treatment plants (Sun Country and Majestic Oaks). Therefore, staff believes that the utility's rates should be reevaluated at that time.

Based on the above information, and if the Commission approves staff's recommendation in Issue 1, staff recommends that it is in the public interest to grant Windstream's modified application for amendment of Water Certificate No. 427-W, to add the additional territory described in Attachment B, and to approve the composite description in Attachment C of the utility's existing and new territory of Majestic Oaks and Sun Country. Windstream should charge the customers in the amended territory the applicable rates of the water plant to which the customers are connected; either Majestic Oaks or Sun Country. These rates and charges should be charged until authorized to change by the Commission in a subsequent proceeding.

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ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes, because no further action is necessary, this docket should be closed. (GERVASI)

STAFF ANALYSIS: Because no further action is necessary, this docket should be closed.

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ATTACHMENT A
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

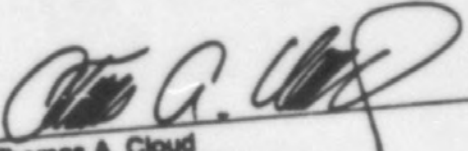
In re: Application for amendment
of Certificate No. 427-W to add
territory in Marion County by
Windstream Utilities Company.

Docket No. 960867-WU

NOTICE OF WITHDRAWAL OF PROTEST

COMES NOW MARION COUNTY (the "County"), by and through its undersigned counsel and files this Notice of Withdrawal of Protest (this "Notice") in Florida Public Service Commission Docket No. 960867-WU. This withdrawal is based upon execution of the Stipulated Agreement, dated June 3, 1997, the filing of the Amendment to Application for Amendment to Certificate, and that letter dated June 10, 1997 deleting the color coded map. These documents are attached to and incorporated in this Notice as Composite Exhibit "A."

Respectfully submitted,


Thomas A. Cloud
Fla. Bar No. 293326
GRAY, HARRIS & ROBINSON, P.A.
Post Office Box 11188
Tallahassee, FL 32302-3188
Telephone: (904) 222-7717

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and 7 copies was served via overnight delivery

to:

- (1) Blanca S. Bayo, Director
Division of Records and Reporting

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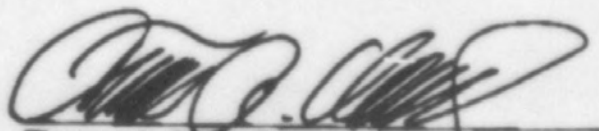
ATTACHMENT A
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Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
904/413-8770

With a copy via hand delivery/U.S. Mail to:

- (2) Donna Cyrus-Williams, Esquire
Florida Public Service Commission, Legal Division
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
904/413-8222
Counsel for the PSC
- (3) Martin S. Friedman, Esquire
ROSE, SUNDSTROM & BENTLEY
2548 Blairstone Pines Drive
Post Office Box 1567
Tallahassee, FL 32302-1567
904/877-8555
Counsel for Windstream Utilities Co.
- (4) Carlyle Ausley
AUSLEY CONSTRUCTION COMPANY
1107 E. Silver Springs Blvd., #2
Ocala, FL 34470
- (5) Joseph Lettelleir
JB Ranch
300 S. Duncan Avenue, Suite 296
Clearwater, FL 34615

this 16~~th~~ day of June, 1997.



Thomas A. Cloud, Esquire
Fla. Bar No. 293326
GRAY, HARRIS & ROBINSON, P.A.
Post Office Box 3068
Orlando, FL 32802-3068
Telephone: (407) 843-8880

**COMPOSITE
EXHIBIT "A"**

STIPULATED AGREEMENT

THIS AGREEMENT made and entered into this 5 day of June, 1997, by and between MARION COUNTY, a political subdivision of the State of Florida (hereafter the "COUNTY"), and WINDSTREAM UTILITIES COMPANY, a Florida corporation (hereafter "WINDSTREAM").

RECITALS

1. WINDSTREAM filed an Application for Amendment of Certificate No. 427-W to add territory in Marion County, Florida.
2. The COUNTY objected to WINDSTREAM's Application.
3. The parties have now agreed to resolve their differences through a territorial settlement.

ACCORDINGLY, for and in consideration of the Recitals, the mutual undertakings and agreements herein contained and assumed, and other good and valuable considerations received by each party from the other, the receipt and sufficiency of which are acknowledged, the parties do hereby agree as follows:

SECTION 1. RECITALS. The above Recitals are true and correct, and form a material part of this Agreement.

SECTION 2. RESOLUTION OF DISPUTE. It is in the best interest of both parties to resolve their dispute concerning the proposed provision of water service to various parcels of property within Marion County currently proposed for service by Windstream Utilities Company in PSC Docket No. 960867-WU, and for other parcels of property in the immediate vicinity thereof.

SECTION 3. MODIFICATION OF APPLICATION BY WINDSTREAM. Mindful of the cost of continued litigation and other valid considerations, Windstream agrees to modify its application currently pending before the Florida Public Service Commission in Docket No. 960867-WU in order to remove lands which the parties agree the County should be allowed to serve in exchange for Marion County agreeing to withdraw their protest in opposition to Windstream's application in Docket No. 96087-WU.

SECTION 4. ALLOCATION OF TERRITORY. Windstream, immediately upon approval of this agreement by the full Marion County Commission, will file an amendment to its application pending before the Florida Public Service Commission to include only the lands described by legal description in Exhibit "1" hereto and as

COMPOSITE
EXHIBIT "A"

ATTACHMENT A
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depicted on the map attached as Exhibit "2" hereto within its certificated water service area.

SECTION 5. COUNTY WITHDRAWAL OF PROTEST. Once the amended application referenced above is filed, the County will file its Notice of Withdrawal of Protest in Public Service Commission docket No. 960867-WU and to support Windstream's amended application contingent upon revision to that application in conformance with the territory outlined herein and in Exhibit "1" and "2" hereof and contingent upon the executed Stipulated Agreement.

SECTION 6. NO TERRITORIAL INVASIONS. Hereafter, neither party will invade the territory of the other or propose to provide water service to such territory of the other unless and until written authorization to do so is provided by the party whose service territory is in question.

SECTION 7. COOPERATION. To the extent the County or Windstream is unable to provide service to a portion of its territory as evidenced by a written statement directly to the other party of its inability or unwillingness to do so, the parties will cooperate to ensure that water service is provided by whoever is best able to do so in the quickest and most efficient manner.

SECTION 8. SPECIFIC PERFORMANCE. The Stipulated Agreement shall be specifically enforceable in accordance with its terms by either party against the other by filing with the Fifth Judicial Circuit Court in and for Marion County, Florida."

IN WITNESS WHEREOF, the parties hereto have hereunder executed this Agreement on the date and year first above written.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF MARION COUNTY, FLORIDA


David Ellsperman, Clerk

BY: 
Larry Crestul, Chairman

STATE OF FLORIDA
COUNTY OF MARION

SWORN to and subscribed freely and voluntarily for the purposes therein expressed before me by LARRY CRESTUL, Chairman of the Board of County Commissioners, known to me to be the person described in and who executed the foregoing, this 25th day of June, 1997.

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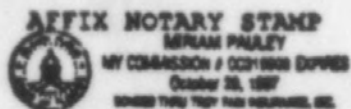
COMPOSITE
EXHIBIT "A"

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WITNESS my hand and official seal in the County and State last
aforesaid this 3rd day of June, 1997.

Miriam Pauley
Signature of Notary Public

Miriam Pauley
Print Notary Name
My Commission Expires: _____
Commission No.: _____
 Personally known, or
 Produced Identification
Type of Identification Produced



SIGNED, SEALED, AND
DELIVERED IN THE
PRESENCE OF:

[Signature]

EARL D. JUDD
(Print Name)

[Signature]

EARL D. JUDD
(Print Name)

WINDSTREAM UTILITIES COMPANY

BY: [Signature]
Sharon Dlouhy, its President
[Signature]
L. E. Dlouhy,
Remaining Stockholder

[CORPORATE SEAL]

STATE OF FLORIDA
COUNTY OF MARION

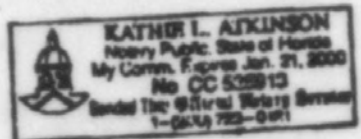
SWORN to and subscribed freely and voluntarily for the purposes
therein expressed before me by SHARON DLOWY, President of
Windstream Utilities Company, and L. E. DLOWY, Vice President of
Windstream Utilities Company, known to me to be the persons
described in and who executed the foregoing, this 3rd day of
May, 1997.

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ATTACHMENT A
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COMPOSITE
EXHIBIT "A"

WITNESS my hand and official seal in the County and State last
aforesaid this 27th day of May, 1997.



AFFIX NOTARY STAMP

Kathie L. Atkinson
Signature of Notary Public
Kathie L. Atkinson
Print Notary Name
My Commission Expires: _____
Commission No.: _____
 Personally known, or
 Produced Identification
Type of Identification Produced _____

**COMPOSITE
EXHIBIT "A"**

LEGAL DESCRIPTIONS:

THE N.E. 1/4 OF THE N.E. 1/4 OF SECTION 21, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA,
AND

SECTION 16, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, AND THAT PART OF SECTIONS
8, AND 17, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA, LYING SOUTH AND EAST OF STATE
ROAD 208.

EXCEPT THE FOLLOWING:

THE SOUTH 1/2 OF THE S.E. 1/4 OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION
COUNTY, FLORIDA.

AND EXCEPT:

THE SOUTH 1/2 OF THE S.E. 1/4 OF THE S.W. 1/4 OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION
COUNTY, FLORIDA.

AND EXCEPT: *(DEER CREEK AND SOUTH EXCEPTION)*

THE WEST 1/3 OF THE S.W. 1/4 OF SECTION 17, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA.

AND EXCEPT: *(MARION LANDING AREA EXCEPTION)*

FROM THE S.W. CORNER OF THE S.E. 1/4 OF SECTION 8, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY,
FLORIDA, AND THE POINT OF BEGINNING; RUN N 0°19'46" E FOR A DISTANCE OF 899.77 FEET TO A POINT ON THE
SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 208; THENCE RUN N 41°47'37" E ALONG SAID RIGHT-OF-
WAY LINE FOR A DISTANCE OF 1017.47 FEET TO A POINT; THENCE RUN S 0°26'08" W FOR A DISTANCE OF 1631.43
FEET TO A POINT ON THE SOUTH LINE OF THE S.E. 1/4 OF SAID SECTION 8; THENCE CONTINUE S 0°26'08" W FOR A
DISTANCE OF 1323.60 FEET TO A POINT; THENCE RUN S 89°43'37" E FOR A DISTANCE OF 451.34 FEET TO A POINT;
THENCE CONTINUE S 89°43'47" E FOR A DISTANCE OF 1377.18 FEET TO A POINT; THENCE RUN S 0°25'23" W, ALONG A
LINE PARALLEL TO AND 40.00 FEET WEST OF THE EAST LINE OF THE N.E. 1/4 OF SECTION 17, TOWNSHIP 16 SOUTH,
RANGE 21 EAST, FOR A DISTANCE OF 1321.19 FEET TO A POINT; THENCE RUN S 0°26'43" W, ALONG A LINE
PARALLEL TO AND 40.00 FEET WEST OF THE EAST LINE OF THE S.W. 1/4 OF SAID SECTION 17, FOR A DISTANCE OF
1321.36 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE S.W. 1/4 OF SAID SECTION 17; THENCE
RUN S 89°39'04" W ALONG SAID SOUTH LINE FOR A DISTANCE OF 2637 FEET * TO A POINT; THENCE CONTINUE
S 89°39'04" W FOR A DISTANCE OF 290.40 FEET TO A POINT; THENCE RUN N 0°31'41" E FOR A DISTANCE OF 1995.16
FEET TO A POINT; THENCE RUN N 89°45'19" E FOR A DISTANCE OF 290.40 FEET TO A POINT; THENCE RUN N 0°31'41" E
ALONG THE WEST LINE OF THE EAST 1/2 OF SAID SECTION 17 FOR A DISTANCE OF 1907 FEET * TO THE POINT OF
BEGINNING.

ALL LYING AND BEING IN MARION COUNTY, FLORIDA.

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ATTACHMENT B
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WINDSTREAM UTILITIES COMPANY

MARION COUNTY

MAJESTIC OAKS AND SUN COUNTRY ESTATES

NEW WATER SERVICE AREA

AREA 1

From the South 1/4 Corner of Section 8, Township 16 South, Range 21 East, Marion County, Florida, and the Point of Beginning of the tract of land hereinafter described, run North 0°19'46" East along the West Line of the SE 1/4 of Said Section 8 for a Distance of 859.77 Feet to a Point on the Southeasterly Right-of-Way Line of State Road 200,(100'R/W); Thence run South 41°47'57" West along Said Right-of-Way Line for a Distance of 3803.85 Feet to a Point; Thence run South 89°45'19" East along the North Line of the South 1/4 of the NW 1/4 of Section 17, Township 16 South, Range 21 East, for a Distance of 2500.12 Feet to a Point; Thence run North 0°52'26" East along the East line of the NW 1/4 of said Section 17 for a Distance of 1986.87 Feet to the POINT OF BEGINNING.

AREA 2

From the SE Corner of Section 8, Township 16 South, Range 21 East, Marion County, Florida, and the Point of Beginning of the tract of land hereinafter described, run North 0°12'01" East along the East Line of the SE 1/4 of Said Section 8 for a Distance of 2666.18 Feet to the East 1/4 Corner of Said Section 8; Thence run North 0°11'53" East along the East Line of the NE 1/4 of Said Section 8 for a Distance of 1270.49 Feet to a Point on the Centerline of State Road 200; Thence run South 41°32'55" West along Said Centerline for a Distance of 2589.34 Feet to a Point; Thence run South 89°46'35" East for a Distance of 397.25 Feet to a Point; Thence run South 0°23'25" West for a Distance of 665.62 Feet to a Point; Thence run North 89°44'10" West for a Distance of 10 Feet to a Point, Thence run South 0°23'25" West for a Distance of 1331.23 Feet to a Point; Thence run South 0°28'47" West for a Distance of 1322.79 Feet to a Point; Thence run North 89°55'07" East for a Distance of 1331.19 Feet to a Point; Thence run South 0°25'52" West along the West Line of the NW 1/4 of Section 16, Township 16 South, Range 21 East, for a Distance of 1321.26 Feet to the West 1/4 Corner of Said Section 16; Thence run South 0°26'43" West for a Distance of 660.84 Feet to a Point; Thence run South 89°47'48" East for a Distance of 1321.17 Feet; Thence run North 0°27'01" East for a Distance of 661.54 Feet to a Point; Thence run North 0°26'37" East for a Distance of 2644.80 Feet to a Point on the North Line of the NW 1/4 of Said Section 16; Thence run North 89°57'48" West along Said North Line for a Distance of 1321.84 Feet to the POINT OF BEGINNING.

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ATTACHMENT B
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WINDSTREAM UTILITIES COMPANY

MARION COUNTY

MAJESTIC OAKS AND SUN COUNTRY ESTATES

NEW WATER SERVICE AREA

AREA 3

From the NE Corner of Section 16, Township 16 South, Range 21 East, Marion County, Florida, and the Point of Beginning of the Tract of Land hereinafter described, run North $89^{\circ}57'53''$ West along the North Line of the NE 1/4 of Said Section 16 for a Distance of 1982.73 Feet to a Point; Thence run South $0^{\circ}27'46''$ West for a Distance of 3948.21 Feet to a Point; Thence run South $89^{\circ}31'28''$ East for a distance of 660.61 Feet to a Point; Thence run South $0^{\circ}28'31''$ West for a Distance of 1350.81 Feet to a Point; Thence run South for a Distance of 1320 Feet to a Point; Thence run East for a Distance of 1320 Feet to a Point; Then run North $0^{\circ}01'32''$ E along the East Line of Section 21, Township 16 South, Range 21 East, for a Distance of 1311.83 Feet to the NW Corner of Said Section 21; Thence run North $0^{\circ}29'40''$ East along the East Line of the SE 1/4 of Said Section 16 for a Distance of 2624.39 Feet to the East 1/4 Corner of Said Section 16; Thence run North $0^{\circ}28'09''$ East along the East Line of the NE 1/4 of Said Section 16 for a Distance of 2687.09 Feet to the POINT OF BEGINNING.

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WINDSTREAM UTILITIES COMPANY

MARION COUNTY

MAJESTIC OAKS AND SUN COUNTRY ESTATES

COMPOSITE WATER SERVICE AREA

In all or parts of Township 16 South, Range 21 East, Sections 8, 16, 17 and 21.

The NE 1/4 of the NE 1/4 of Section 21, Township 16 South, Range 21 East, Marion County, Florida.

And

Section 16, Township 16 South, Range 21 East, Marion County, Florida, and That Part of Sections 8 and 17, Township 16 South, Range 21 East, Marion County, Florida, lying South and East of State Road 200.

Except the Following:

The South 1/2 of the SE 1/4 of Section 17, Township 16 South, Range 21 East, Marion County, Florida.

And Except:

The South 1/2 of the SE 1/4 of the SW 1/4 of Section 17, Township 16 South, Range 21 East, Marion County, Florida.

And Except: (Deer Creek and South Exception)

The West 1/2 of the SW 1/4 of Section 17, Township 16 South, Range 21 East, Marion County, Florida.

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WINDSTREAM UTILITIES COMPANY

MARION COUNTY

MAJESTIC OAKS AND SUN COUNTRY ESTATES

COMPOSITE WATER SERVICE AREA

And Except: (Marion Landing Exception)

From the SW Corner of the SE 1/4 of Section 8, Township 16 South, Range 21 East, Marion County, Florida, and the Point of Beginning; run North 0°19'46" East for a Distance of 859.77 Feet to a Point on the Southeasterly Right-of-way Line of State Road 200; Thence run North 41°47'57" East along Said Right-of-Way Line for a Distance of 1017.47 Feet to a Point; Thence run South 0°26'05" West for a Distance of 1621.43 Feet to a Point on the South Line of the SE 1/4 of Said Section 8; Thence continue South 0°26'05" West for a Distance of 1323.60 Feet to A Point; Thence run South 89°43'37" East for a Distance of 651.34 Feet to a Point; Thence continue South 89°43'47" East for a Distance of 1377.18 Feet to a Point; Thence run South 0°25'25" West, along a Line Parallel to and 40.00 Feet West of the East Line of the NE 1/4 of Section 17, Township 16 South, Range 21 East, for a Distance of 1321.19 Feet to a Point; Thence run South 0°26'43" West, along a Line Parallel to and 40.00 Feet West of the East Line of the SW 1/4 of Said Section 17, for a Distance of 1321.50 Feet to a Point on the South Line of the North 1/2 of the SW 1/4 of Said Section 17; Thence run South 89°59'04" West along Said South line for a Distance of 2637 Feet ± to a Point; Thence continue South 89°59'04" West for a Distance of 290.40 Feet to a Point; Thence run North 0°31'41" East for a Distance of 1995.16 Feet to a Point; Thence run North 89°45'19" East for a Distance of 290.40 Feet to a Point; Thence run North 0°31'41" East along the West Line of the East 1/2 of Said Section 17 for a Distance of 1987 Feet ± to the POINT OF BEGINNING.

All lying and being in Marion County, Florida.