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ROBERT M. C. ROSE
OF COUNSEL

May 6, 1998

VIA HAND DELIVERY

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

Re: Spruce Creek South Utilities, Inc.; PSC Docket No. 980467-WS
Application of Florida Water Services Corporation for Amend-
ment of Service Territory
Our File No. 28039.03

Dear Ms. Bayo:

Our engineer has now had the opportunity to review the
ACK Restrictive Amendment filed by Florida Water Services Corporation
AFA on April 28th in the above-referenced proceeding. Based upon his
APP review of the excerpt from Revised Exhibit "Q", it appears as
CAF though the service territory of the Spruce Creek South Utilities,
CMU Inc. (The Preserve) granted to Spruce Creek South by Order No. PSC-
CTR 96-0958-FOF-WS has now been removed from the Florida Water Services
EAG Corporation's proposed territory. To the extent the Commission
finds this to be the case, Spruce Creek South Utilities, Inc. does
not wish to pursue an objection to Florida Water Services proposed
extension of territory.

LEG 1
LIN Attached is our engineer's letter outlining these findings and
excerpt of Revised Exhibit "Q".

OPC _____
RCH _____
SEC 1
WAS 1
OTH _____

DOCUMENT NUMBER-DATE

05100 MAY-6 88

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Blanca S. Bayo, Director
May 6, 1998
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Should you or any members of the staff have any questions in this regard, please let me know.

Sincerely,

ROSE, SUNDSTROM & BENTLEY, LLP



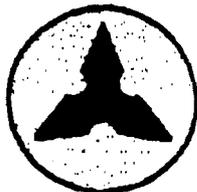
F. Marshall Deterding
For The Firm

FMD/tms

Enclosure

cc: Hans Ottinot, Esquire
Richard Redemann, P.E.
John D. Williams
Matthew Feil, Esquire
Mr. James Ayers
Steve Barley

spruce\bayo.ltr



FARNER BARLEY

ENGINEERS SURVEYORS PLANNERS

AND ASSOCIATES, INC.

VIA FAX & U.S. MAIL
(850) 656-4029

May 5, 1998

F. Marshall Deterding
ROSE, SUNDSTROM & BENTLEY, LLP
2548 Blairstone Pine Drive
Post Office Box 1567
Tallahassee, Florida 32302-1567

**Re: Spruce Creek South Utilities, Inc.
Objections to Territory Extension of Florida Water Services in PSC Docket No.
980467-WS Including Area in "The Preserve"**

Dear Marty:

At the request of James Ayes, Vice President of Spruce Creek Land Development, I have examined the legal description of the land described on the *REVISED EXHIBIT "Q"* (The Territory Extension of Florida Water Services Corporation) in relationship to the Spruce Creek Preserve legal description as shown on the attached Exhibit "A".

Please consider this my certification that none of Exhibit "A" falls within the land described on *REVISED EXHIBIT "Q"*. The Spruce Creek property falls in the parcels in Sections 4 and 9, Township 17 South, Range 20 East, Marion County, Florida that have been stricken.

Should you have any questions or need additional information, please call.

Sincerely,

FARNER, BARLEY & ASSOCIATES, INC.

William S. Barley, P.S.M.

WSB:tm

encl.

cc: James Ayes w/Spruce Creek Land Development

Revised Exhibit Q

An accurate description of the territory proposed to be added or deleted, using township, range, and section references as specified in Rule 25-30.030(2), F.A.C. If the water and wastewater territory is different, provide separate descriptions.

The proposed addition to both the water and wastewater territories is as follows:

Township 17 South, Range 20 East, Marion County, Florida.

Section 2

The South 1/2 of said Section 2.

Section 3

The South 1/2 of said Section 3 lying East of the centerline of State Road 200.

~~Section 4~~

~~That part of Section 4 lying East of the centerline of State Road 200.~~

Section 9

~~That part of Section 9 lying East of the centerline of State Road 200.~~

The East 50 feet of the North 1520 feet of said Section 9.

Sections 10, 11, 13, 14, 15

All of said Sections.

Section 16

That part of Section 16 lying East of the centerline of State Road 200 less and except:

The Northeast 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Northwest 1/4 of said Section 16.

Section 17

That part of Section 17 lying East of the centerline of State Road 200.

EXHIBIT "A"

THAT PORTION OF SECTION 4, TOWNSHIP 17 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA, LYING EAST OF STATE ROAD NO. 200, EXCEPT THE EAST 50 FEET THEREOF.

AND ALSO:

THAT PORTION OF SECTION 9, TOWNSHIP 17 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA, LYING EAST OF STATE ROAD NO. 200, LESS AND EXCEPT THE EAST 50 FEET OF THE NORTH 1520 FEET THEREOF, LESS AND EXCEPT THE EAST 50 FEET OF THE NORTH 1520 FEET THEREOF, LESS AND EXCEPT THAT PORTION CONVEYED IN RIGHT-OF-WAY DEEDS RECORDED IN OFFICIAL RECORDS BOOK 1273 AT PAGE 1293 AND OFFICIAL RECORDS BOOK 798 AT PAGE 34 OF THE PUBLIC RECORDS OF MARION COUNTY, FLORIDA.

AND ALSO:

THE NE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE NW 1/4 OF SECTION 16, TOWNSHIP 17 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA.