

ORIGINAL

July 25, 2001

VIA U.S. MAIL

Osceola County Clerk of Courts
ATTN: Recording Dept.
12 South Vernon Avenue
Kissimmee, FL 34741

City of Kissimmee Clerk's Office
ATTN: Sandra L. Yeager
101 N. Church Street, Ste. 530
Kissimmee, FL 34741-5054

City of St. Cloud
ATTN: Clerk's Office
1300 Ninth Street
St. Cloud, FL 34769

Florida Public Service Commission Clerk's Office
ATTN: Blanca Bayo
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

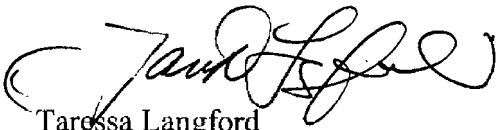
Re: Florida Governmental Utility Authority Resolution No. 2001-04

Dear Sir or Madam:

Enclosed please find a copy of the Florida Governmental Utility Authority ("FGUA") Resolution No. 2001-04, approved by the FGUA Board on July 19, 2001, for your records. This resolution designates a portion of Osceola County, Florida as the exclusive water and wastewater service area of the FGUA, subject to the rights of O&S Water Company.

Should you have any questions or need additional information, please contact our office.

Sincerely,



Tarossa Langford
Clerk to the FGUA Board

- APP _____ Enclosure
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- LEG _____
- OPC _____
- PAI _____
- RGO _____
- SEC _____
- SER _____
- OTH _____

DOCUMENT NUMBER - DATE

09231 JUL 30 01

FPSC-COMMISSION CLERK

FLORIDA PUBLIC SERVICE COMMISSION

2001 JUL 30 AM 8 47

DIVISION OF ADMINISTRATION

RESOLUTION NO. 2001-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FLORIDA GOVERNMENTAL UTILITY AUTHORITY DESIGNATING A PORTION OF OSCEOLA COUNTY, FLORIDA, AS THE EXCLUSIVE WATER AND WASTEWATER SERVICE AREA OF THE FLORIDA GOVERNMENTAL UTILITY AUTHORITY; PROVIDING AUTHORITY; PROVIDING FINDINGS OF PUBLIC PURPOSE; DESIGNATING AN EXCLUSIVE WATER AND WASTEWATER SERVICE AREA, SUBJECT TO THE RIGHTS OF O&S WATER COMPANY; PROVIDING FOR NOTICE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the provision of water and wastewater utility services is an essential governmental function, in all respects for the benefit of the people served thereby, for the increase of their commerce and prosperity and for the improvement of their health, environment and living conditions;

WHEREAS, the Florida Governmental Utility Authority is a legal entity and public body created to acquire, own, construct, improve, operate and manage public water and wastewater facilities;

WHEREAS, the provision of water and wastewater services by the Florida Governmental Utility Authority provides for greater efficiencies, responsiveness, and accountability to customers than the provision of the same or similar services by a for-profit utility company;

WHEREAS, subject to the rights of the O&S Water Company, it is in the best interest of Osceola County and its citizens to have the Florida Governmental Utility Authority provide potable water and wastewater treatment and disposal services to properties within the Edgewater Development, Phase I, as described in Exhibit A hereto (the "Edgewater Service Area");

WHEREAS, the Board of County Commissioners of Osceola County, Florida, approved a Comprehensive Development Plan for the Edgewater Development, Phase I, on or about April 23, 2001, and thereby approved the FGUA as the water and wastewater service provider to the Edgewater Development, Phase I; and

WHEREAS, the Florida Governmental Utility Authority is presently willing and able to provide water and wastewater services to those properties within the Edgewater Service Area.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FLORIDA GOVERNMENTAL UTILITY AUTHORITY, AS FOLLOWS:

SECTION 1. AUTHORITY. This resolution is adopted pursuant to the provisions of the First Amended and Restated Interlocal Agreement Relating to Establishment of the Florida Governmental Utility Authority, dated as of December 1, 2000, as it may be amended from time to time (the "Interlocal Agreement"), and section 163.01(7), Florida Statutes.

SECTION 2. FINDINGS. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 3. DESIGNATION OF EXCLUSIVE WATER AND WASTEWATER SERVICE AREA. Subject to the rights of the O&S Water Company, the Edgewater Service Area, as described in Exhibit A hereto and incorporated herein by reference, is hereby declared the exclusive water and wastewater service area of the Florida Governmental Utility Authority.

SECTION 4. NOTICE TO OTHER GOVERNMENTAL ENTITIES WITHIN OSCEOLA COUNTY. The Clerk of the FGUA is hereby directed to file a certified copy of this resolution with Osceola County, the City of Kissimmee and the City of St. Cloud.

SECTION 5. EFFECTIVE DATE. This resolution shall become effective immediately upon its passage and adoption.

PASSED AND DULY ADOPTED this 19th day of July, 2001.

**FLORIDA GOVERNMENTAL
UTILITY AUTHORITY**


BY: CHAIRMAN

ATTEST:


BY: CLERK

**REVIEWED AND APPROVED
AS TO FORM:**


BY: GENERAL COUNSEL

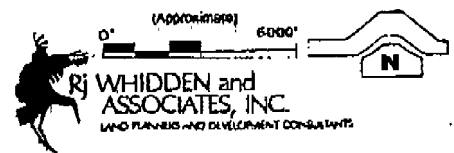
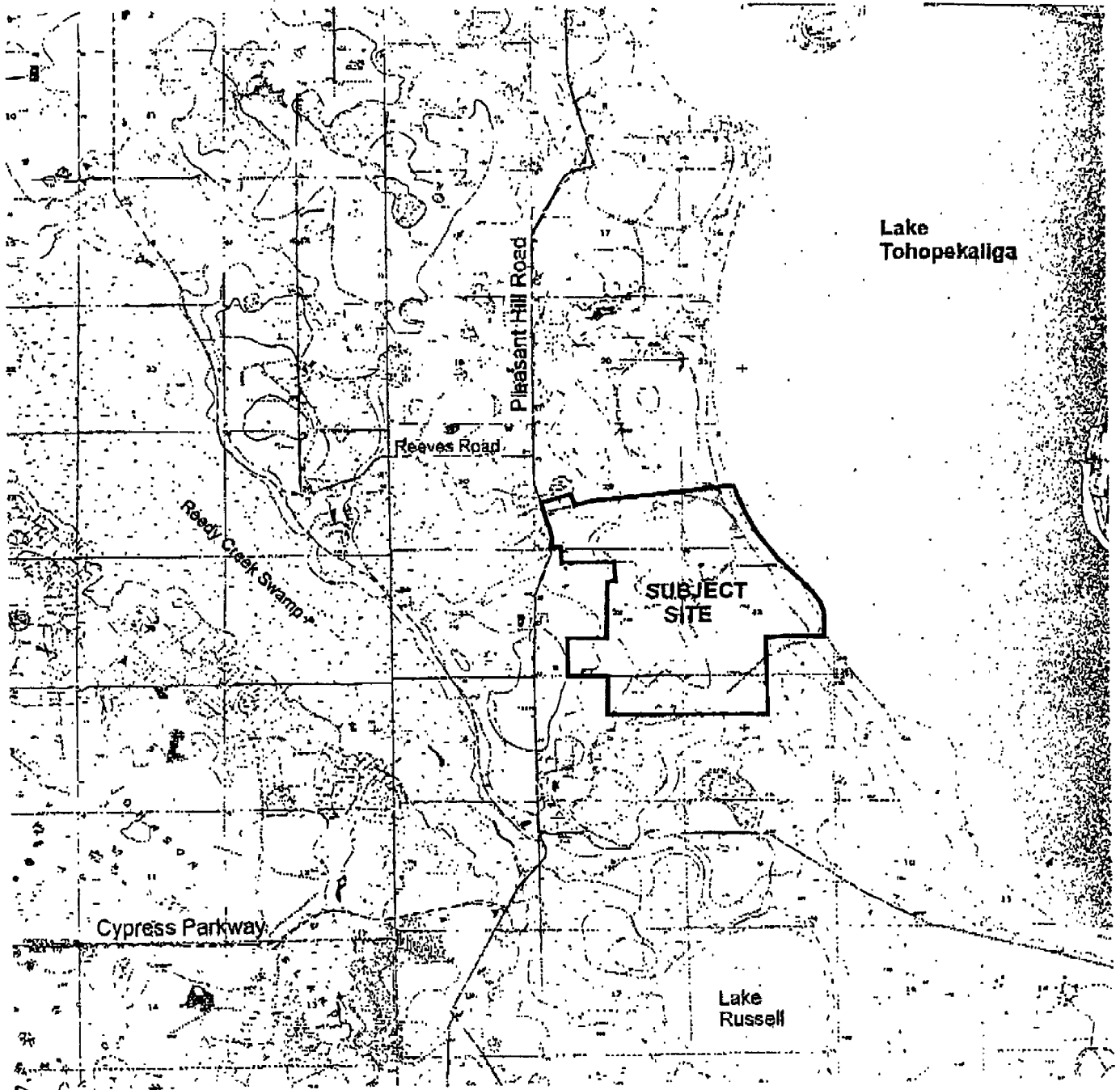
Exhibit A

Legal Description and Map of Edgewater Service Area

EDGEWATER PRD

SECTIONS 28,29,32 & 33, TOWNSHIP 26 SOUTH, RANGE 29 EAST
OSCEOLA COUNTY, FLORIDA

VICINITY MAP



DESCRIPTION:

ALL OF GOVERNMENT LOT 4 AND THAT PORTION OF GOVERNMENT LOT 3 LYING SOUTH OF THE OSCEOLA COUNTY PROPERTY AS DESCRIBED IN DEED BOOK 1174, PAGE 1288, LYING ABOVE THE HIGH WATER MARK OF LAKE TOHOPEKALIGA, IN SECTION 28, TOWNSHIP 26 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA.

AND

ALL OF SECTION 29 LYING SOUTH OF THE NORTH LINE OF MAC OVERSTREET ROAD AND EAST OF THE EASTERLY RIGHT OF WAY OF PLEASANT HILL ROAD, LESS AND EXCEPT THE FOLLOWING:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 26 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA, RUN WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4, 1545.3 FEET TO THE POINT OF BEGINNING; RUN THENCE NORTH AT RIGHT ANGLES TO SAID SOUTH LINE, 500.0 FEET; RUN THENCE WEST, PARALLEL TO SAID SOUTH LINE, 347 FEET MORE OR LESS TO THE EAST RIGHT OF WAY LINE OF PLEASANT HILL ROAD; RUN THENCE SOUTHERLY ALONG THE EAST RIGHT OF WAY OF SAID ROAD, TO THE SOUTH LINE OF SAID SOUTHWEST 1/4; RUN THENCE EAST, 441.41 FEET MORE OR LESS TO THE POINT OF BEGINNING.

AND

ALL OF THE EAST 1/2, AND THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32 TOWNSHIP 26 SOUTH RANGE 29 EAST LESS AND EXCEPT THE FOLLOWING:

BEGIN AT THE NORTH 1/4 CORNER OF SECTION 32, TOWNSHIP 26 SOUTH, RANGE 29 EAST; THENCE RUN $89^{\circ}32'55''$ EAST, WITH THE NORTH LINE OF SAID SECTION 32, 330.00 FEET; THENCE RUN SOUTH $00^{\circ}06'34''$ EAST, 660.00 FEET; THENCE RUN SOUTH $89^{\circ}32'55''$ WEST, 330.00 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 32; THENCE RUN NORTH $00^{\circ}06'34''$ WEST WITH SAID WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 32, 660.00 FEET TO THE POINT OF BEGINNING.

AND

ALL OF THE WEST 1/2, AND GOVERNMENT LOTS 1 AND 2 ABOVE THE ORDINARY HIGH WATER LINE OF LAKE TOHOPEKALIGA, OF SECTION 33, TOWNSHIP 26 SOUTH, RANGE 29 EAST.

AND

A PARCEL OF LAND LOCATED IN SECTION 29, TOWNSHIP 26 SOUTH, RANGE 29 EAST, IN OSCEOLA COUNTY, FLORIDA; BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE NORTHWEST ONE-QUARTER OF SECTION 29, TOWNSHIP 26 SOUTH, RANGE 29 EAST; THENCE NORTH $89^{\circ}43'56''$ EAST ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 29, A DISTANCE OF 110.00 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF PLEASANT HILL ROAD (CR-531); THENCE DEPART SAID NORTH LINE ON A BEARING OF SOUTH $01^{\circ}02'01''$ EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 642.58 FEET; THENCE SOUTH $00^{\circ}59'19''$ EAST, ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 646.44 FEET; THENCE SOUTH $00^{\circ}07'22''$ EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 835.64 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY, SAID CURVE HAVING A RADIUS OF 2220.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID RIGHT OF WAY LINE, A DISTANCE OF 731.56 FEET THROUGH A CENTRAL ANGLE OF $18^{\circ}52'51''$ (CHORD DISTANCE 728.26 FEET; CHORD BEARING SOUTH $09^{\circ}33'47''$ EAST) TO THE POINT OF TANGENCY; THENCE SOUTH $19^{\circ}00'13''$ EAST

ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 416.25 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 19°00'13" EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 400.20 FEET; THENCE DEPART SAID RIGHT OF WAY LINE ON A BEARING OF NORTH 75°13'36" EAST, A DISTANCE OF 1002.89 FEET; THENCE NORTH 18°35'45" WEST, A DISTANCE OF 400.00 FEET; THENCE SOUTH 75°13'36" WEST, A DISTANCE OF 1005.75 FEET TO THE POINT OF BEGINNING.

ALL LYING AND SITUATE WITHIN OSCEOLA COUNTY, FLORIDA.

DIPPING VAT AT EDGEWATER PROPERTY LEGAL DESCRIPTION:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 26 67°08'14" EAST, A DISTANCE OF 1190.53 FEET TO THE POINT OF BEGINNING; THENCE RUN EAST, A DISTANCE OF 450.00 FEET; THENCE RUN SOUTH, A DISTANCE OF 550.00 FEET; THENCE RUN WEST, A DISTANCE OF 450.00 FEET; THENCE RUN NORTH, A DISTANCE OF 550.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.68 ACRES, MORE OR LESS.

BEARINGS FOR THE ABOVE DESCRIBED LEGAL DESCRIPTION ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 26 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA, AS BEING NORTH 00°03'06" WEST.