

ORIGINAL



# City of Cape Canaveral

February 13, 2002

Director, Division of the Commission Clerk and Administrative Services  
2540 Shumard Oak boulevard  
Tallahassee, Florida 32399-0850

RE: Order No. 22075 Water and Wastewater Service Area

Dear: To Whom it May Concern:

The attached "Notice of Application" Order No. 22075 Water and Wastewater Service Area was received by the City of Cape Canaveral Public Works Department. Please be advised that the above stated Service Area is not part of the City of Cape Canaveral's Service Area and is not part of the City of Cape Canaveral.

Please contact me at my office (321) 868-1240 for any additional concerns.

Sincerely,

Ed Gardulski  
Public Works Director

CC: Bennett Boucher, City Manager  
Mark McQuagge, City Attorney  
F. Marshall Deterding, Esquire

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DISTRIBUTION CENTER  
2002 FEB 18 AM 9:15

DOCUMENT NUMBER - DATE  
01833 FEB 18 2002  
FPSC-COMMISSION CLERK

February \_\_, 2002  
NOTICE OF APPLICATION FOR TRANSFER  
OF WASTEWATER CERTIFICATE AND FACILITIES

IRD Osprey, LLC d/b/a Aquarina Utilities, 7860 Peters Road, Suite F-111, Plantation, Florida 33324, pursuant to Section 367.071, Florida Statutes, hereby notices its intent to apply to the Florida Public Service Commission for Transfer of Certificate and Facilities of Service Management Systems, Inc. to provide water and wastewater services to the following described territory located in Brevard County, Florida:

Order No. 22075 - Water and Wastewater Service Area

The Hammock Condominium  
Township 29 South, Range 38 East, In Section 36

From the Northwest corner of Section 36 run East along the North Section line 2,900 feet to the East right-of-way line of State Road No. A1A; thence run South 26 51'00" East 1,980 feet along the East right-of-way line of State Road No. A1A. This point also known as the Southeast corner of said Lot 1. From the Southeast corner of said Lot 1, thence run South 68 33'54" West along the Southerly boundary of said Lot 1 for 917.97 feet to the Point of Beginning of the following described parcel; thence continue South 68 33'54" West a distance of 224.55 feet; thence run North 26 09'57" West a distance of 233.68 feet; thence run North 63 50'03" East a distance of 127.83 feet to a point of curvature of a circular curve, concave to the Southeast and having a radius of 118.0 feet; thence run Northeasterly along the arc of said curve through a central angle of 06 34'42" an arc distance of 13.44 feet to a point of tangency; thence run North 70 21'45" East a distance of 110.59 feet; thence run South 19 38'45" East a distance of 240.42 feet to the Point of Beginning.

Also, from the Northwest corner of Section 36 run East along the North section line 2,900 feet to the East right-of-way line of State Road No. A1A; thence run South 26 51'00" East 1,980 feet along the East right-of-way line of State Road No. A1A. This point also known as the Southeast corner of said Lot 1. Commence at the Southeast corner of said Lot 1; thence South 68 33'54" West a distance of 1,482.99 feet, thence run North 01 38'06" East a distance of 295.81 feet to the Point of Beginning of the following described parcel; thence continue North 01 38'06" East a distance of 187.16 feet, thence run South 83 21'54" East a distance of 235.37 feet to a point of curvature of a circular curve, concave to the East and having a radius of 120.0 feet bearing North 67 46'27" West from the center of the next described curve; thence Southerly along the arc of said curve through a central angle of 48 23'30" an arc distance of 101.35 feet to a point of tangency, thence run South 26 09'57" East a distance of 22.12 feet; thence run South 63 50'03" West a distance of 155.27 feet to a point of curvature of a circular curve concave to the North and having a radius of 112.0 feet; thence run Westerly along the arc of said curve through a central angle of 48 45'15" an arc distance of 95.30 feet to a point of tangency; thence run North 67 24'43" West a distance of 23.81 feet to the Point of Beginning.

The service description is also described as follows: Phase I of the Hammock Condominium, units 101 thru 309.

Order No. 23059 - Water and Wastewater Service Area

Aquarina Planned Unit Development - Government Lot 4 and 5, Section 25, Township 29 South, Range 38 East, Brevard County, Florida, less the right of way for State Road A1A; and Government Lot 1, Section 35, Township 29 South, Range 38 East, Brevard County, Florida; and Government Lots 1, 2 and 3, Section 36, Township 29 South, Range 38 East, Brevard County, Florida, less the right of way for State Road A1A, the South 50.00 feet of said Government Lots 1, 2 and 3 lying West of State Road A1A, and that portion of said Government Lot 1 parallel with and adjacent to the existing West right of way line of State Road A1A to a depth of 20.00 feet (196.9 Acres ±)

Also described as:

In Township 29 South, Range 38 East, Sections 25, 35 and 36 in Brevard County.

From the NW corner of Section 36, Township 29 South, Range 38 East, Brevard County also known as the point of beginning, run due North along the West line of the Southwest quarter of Section 25 a distance of 1,600 feet more or less. From said point run due East along the North line of Government Lots 4 and 5 less the right-of-way for State Road A1A a distance of 3,300 feet more or less to a point located on the West Bank of the Atlantic Ocean. From said point run Southeasterly along the bank of the Atlantic Ocean a distance of 4,000 feet more or less to a point being the Southeast corner of Government Lot 1. From said point run due West along the South line of Government Lot 1, 2 and 3 less the right-of-way for State Road A1A a distance of 4,500 feet more or less to a point on the East Bank of the Indian River. From said point run Northwesterly parallel with the East Bank of the Indian River to a point located on the North line of Section 35, Township 29 South, Range 38 East in Brevard County. From said point run due East along the North line Of Section 35 a distance of 400 feet more or less to the Point of Beginning.

Order No. PSC-92-0119-FOF-WS

The following described lands located in Brevard County, Florida:

**Water**

A portion of Section 36, Township 29 South, Range 38 East, Section 31, Township 29 South, Range 38 East and Section 6, Township 30 South, Range 39 East, Section 1, Township 30 South, Range 39 East, Brevard County, Florida being more particularly described as follows:

From the Northwest Corner of said Section 36 run Easterly along the North line of said Section 36 a distance of 2,985 feet more or less to the centerline of State Road A1A; thence run Southeasterly along the centerline of State Road A1A 1,520 feet more or less to the intersection of the North line of Government Lot 6, Section 36, Township 29 South, Range 38 East, with the Centerline of State Road A1A, being the Point of Beginning of the herein described parcel; thence run Easterly along the North line of said government Lot 6 a distance of 300 feet more

of less to the mean high water line of the Atlantic Ocean; thence run Southeasterly along said mean high water line thru said Sections 36, 31 and 6 a distance of 9,100 feet more or less to the South line of Government Lot 3 of said Section 6, Township 30 South, Range 39 East; thence departing said mean high water line run Westerly along the South line of said Government Lot 3 a distance of 1,550 feet more or less to the mean high water line of the Indian River; thence run Northwesterly along said mean high water line 13,300 feet more or less to the North line of Government Lot 4, of said Section 36, Township 29 South, Range 38 East; thence run Easterly along the North lines of Government Lots 4, 5 and 6 of said Section 36 a distance of 3,300 feet more or less to the Point of Beginning.

Less and Except "The Hammock Condominium I", being a portion of Government Lots 5 and 6 of Said Section 36, Township 29 South, Range 38 East, being described in Official Records Book 2732, Page 1060 of the Public Records of Brevard County, Florida.

#### **Water and Wastewater**

A Portion of Lot 1, Sunnyland Groves Subdivision, according to the Plat thereof as recorded in Plat Book 9, Page 42, Public Records of Brevard County, Florida, being a Portion of Government Lots 5 and 6, Section 36, Township 29 South, Range 38 East, being more particularly described as follows:

From the Northwest Corner of said Section 36 run Easterly along the North line of said Section 36 a distance of 2,985 feet more or less to the Centerline of State Road A1A; thence run Southeasterly along the Centerline of State Road A1A 1,835 feet more or less; thence run South 68 33'54" West, along the Easterly extension of the Southerly line of said Lot 1 and the Southerly line of said Lot 1, 968.19 feet to the Point of Beginning of the following described parcel; thence continue South 68 33'54" West a distance of 224.55 feet; thence run North 26 09'57" West a distance of 233.68 feet; thence run North 63 50'03" East a distance of 127.83 feet to a point of curvature of a circular curve, concave to the Southeast and having a radius of 118.0 feet; thence run Northeasterly along the arc of said curve through a central angle of 06 31'42" an arc distance of 13.44 feet to a Point of Tangency; thence run North 70 21'45" East a distance of 110.59 feet; thence run South 19 38'15" East a distance of 240.42 feet to the Point of Beginning.

Containing 1.31 Acres, more or less, and less any reservations, dedications, or easements of record.

#### **Wastewater**

A portion of Section 25, Township 29 South, Range 38 East and Section 26, Township 29 South, Range 38 East, Brevard County, Florida being more particularly described as follows:

From the Northwest Corner of said Section 25 run Southerly along the West line of said Section 25 a distance of 2,640 feet more or less to the Southwest corner of Government Lot 2 and the Point of Beginning of the herein described parcel; thence run Northerly along the West line of said Government Lot 2 a distance of 1,320 feet more or less to the Northwest corner of said Government Lot 2; thence run Easterly along the North line of said Government Lot 2 a distance of 1,300 feet more or less to the mean high water line of the Atlantic Ocean, thence run Southeasterly along said mean high water line thru said Government Lot 2 and Government Lot 3, of said Section 25 a distance of 3,100 feet more or less to the South line of Government Lot 3 of said Section 25; thence departing said mean high water line run Westerly along the South line of said Government Lot 3 a distance of 2,700 feet more or less to the Southeast corner of Government Lot 3 of the aforesaid Section 26; thence continue Westerly along the South line of said Government Lot 3, Section 26 a distance of 1,270 feet more or less to the mean high water line of Mullet Creek; thence run Northwesterly along said mean high water line 1,750 feet more or less to the North Line of Government Lot 11 of said Section 26; thence departing said mean high water line run Easterly along the North line of said Government Lots 11 and 3, Section 26 a distance of 2,400 feet more or less to the Point of Beginning.

Together with a Portion of Section 36, Township 29 South, Range 38 East, Brevard County, Florida being more particularly described as follows;

From the Northwest corner of said Section 36 run Easterly along the North line of said Section 36 a distance of 2,985 feet more or less to the centerline of State Road A1A; thence run Southeasterly along the centerline of State Road A1A 1,520 feet more or less to the intersection of the North line of Government Lot 6 of said Section 36 with the Centerline of State Road A1A being the Point of Beginning of the herein described parcel; thence run Easterly along the North line of said Government Lot 6 a distance of 300 feet more or less to the mean high water line of the Atlantic Ocean; thence run Southeasterly along said mean high water line thru Government Lots 6 and 8 of said Section 36 a distance of 3,050 feet more or less to the South line of said Government Lot 8; thence departing said mean high water line run Westerly along the South line of said Government Lot 8 a distance of 700 feet more or less to the mean high water line of the Indian River; thence run Northwesterly along said mean high water line 5,700 feet more or less to the North line of Government Lot 4 of said Section 36; thence run Easterly along the North lines of Government Lots 4, 5, and 6 of said Section 36 a distance of 3,300 feet more or less to the Point of Beginning.

Less and except "The Hammock Condominium I", being a portion of Government Lots 5 and 6 of said Section 36, Township 29 South, Range 38 east, being described in Official Records Book 2732, Page 1060 of the Public Records of Brevard County, Florida.

The original territory as described in Order No. PSC-92-0119-FOF-WS, issued in March of 1992 contained a minor scrivener's error which has been corrected in the above-referenced description, and which will be corrected in a subsequent PSC Order. Any objections to the Application must be made in writing and filed with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with copy to F. Marshall Deterding, Esquire, Rose, Sundstrom & Bentley, 2548 Blairstone Pines Drive, Tallahassee, Florida 32301, no later than 30 days after the last date that the Notice was mailed or published, whichever is later.