

LAW OFFICES  
**ROSE, SUNDBSTROM & BENTLEY, LLP**  
2548 BLAIRSTONE PINES DRIVE  
TALLAHASSEE, FLORIDA 32301

(850) 877-6555  
Fax (850) 656-4029  
www.rsbatorneys.com

CHRIS H. BENTLEY, P.A.  
ROBERT C. BRANNAN  
F. MARSHALL DETERDING  
DAVID F. CHESTER  
MARTIN S. FRIEDMAN, P.A.  
JOHN R. JENKINS, P.A.  
STEVEN T. MINDLIN, P.A.  
DAREN L. SHIPPY  
WILLIAM E. SUNDBSTROM, P.A.  
DIANE D. TREMOR, P.A.  
JOHN L. WHARTON  
ROBERT M. C. ROSE, *OF COUNSEL*  
WAYNE L. SCHIEFELBEIN, *OF COUNSEL*

**ORIGINAL**  
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CENTRAL FLORIDA OFFICE  
600 S. NORTH LAKE BLVD., SUITE 160  
ALTAMONTE SPRINGS, FLORIDA 32701  
(407) 830-6331  
FAX (407) 830-8522

December 26, 2002

REPLY TO ALTAMONTE SPRINGS

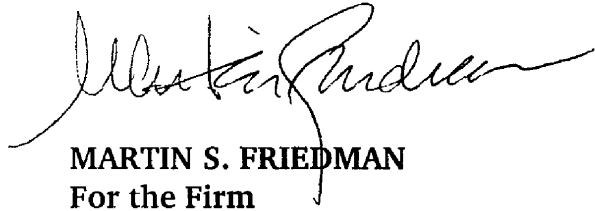
**Ms. Bianca Bayo**  
Commission Clerk and Administrative Services Director  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

**RE: Docket No. 020382-WS; River Ranch Water Management, LLC**  
**Our File No.: 37027.01**

Dear Ms. Bayo:

Enclosed is an Owner's Title Insurance Policy issued by First American Title Insurance Company for the property upon which the water and wastewater plants are located; which property was acquired by River Ranch Water Management, L.L.C., by Quit Claim Deed. I believe this completes the information necessary for the Commission to approve this Application.

Very truly yours,



MARTIN S. FRIEDMAN  
For the Firm

AUS \_\_\_\_\_  
CAF \_\_\_\_\_  
CMP \_\_\_\_\_  
COM \_\_\_\_\_ MSF/dmp  
CTR \_\_\_\_\_ Enclosures  
ECR \_\_\_\_\_  
GCL \_\_\_\_\_  
OPC \_\_\_\_\_  
MMS \_\_\_\_\_  
SEC \_\_\_\_\_  
OTH \_\_\_\_\_

cc: Mr. Mark Waltrip (w/o enclosure)  
Mr. Bill Goaziou (w/o enclosure)  
James Basque, Esquire (w/o enclosure)  
Ms. Cheryl Johnson (w/enclosure)

River Ranch\PSC Clerk (Bayo) 05.ltr

DOCUMENT NUMBER-DATE

14070 DEC 30 02

FPSC-COMMISSION CLERK

ORIGINAL

FATIC 524

Policy No. **FA-35- 529581**

# POLICY OF TITLE INSURANCE



1888-1918

## *First American Title Insurance Company*

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the Insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title,
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

*First American Title Insurance Company*

BY *Gary L. Kenneth* PRESIDENT

ATTEST *Mark R. Amerson* SECRETARY

DOCUMENT NUMBER DATE

14070 DEC 30 88

FPSC-COMMISSION CLERK

# First American Title Insurance Company

FATIC-521  
Schedule A Owner's Policy

## SCHEDULE A

Issuing Office File No.: **0108.1089** Policy No.: **FA-35-529581**

Date of Policy: **November 15, 2002** at **8:00 a.m.** Amount of Insurance: **\$100,000.00**

1. Name of Insured:  
**River Ranch Water Management, L.L.C., a Florida Limited Liability Company**
2. The estate or interest in the land which is covered by this policy is:  
**Fee Simple**
3. Title to the estate or interest in the land is vested in:  
**River Ranch Water Management, L.L.C., a Florida Limited Liability Company**
4. The land referred to in this policy is described as follows:  
**See Attached Schedule A (Continued)**

**Greenspoon, Marder, Hirschfeld, Rafkin ,  
Ross & Berger, P.A.**

By: 

James F. Basque  
Authorized Signatory

# First American Title Insurance Company

## Schedule A (Continued)

Agent File No.: **0108.1089**

SEWAGE TREATMENT PLANT SITE more particularly described as follows:  
Begin 239.31 feet East and 659.87 feet North of the South ¼ corner of Section 23, Township 31 South, Range 31 East, Polk County, Florida, and run N 37° 36' 12" W, along the Northeasterly proposed right of way line of River Ranch Boulevard, 1594.51 feet to a point; thence run North 77° 18' 48" East, 1309.37 feet; thence South 21° 56' 23" East, 588.47 feet; thence South 34° 53' 15" East, 476.79 feet to a Permanent Reference Monument; thence South 52° 23' 48" West, along the Northerly boundary of RIVER RANCH SHORES UNIT TWO as recorded in Plat Book 49, Page 6, of the Public Records of Polk County, Florida, 1006.00 feet to another Permanent Reference Monument and the Point of Beginning.

Together with an Easement 10 feet wide for a force main with its centerline described as follows:

Commence at the South ¼ Section corner of Section 23, Township 31 South, Range 31 East, Polk County, Florida, run thence East 239.31 feet; North 659.87 feet; North 37° 36' 12" West, 1594.51 feet; North 77° 18' 48" East, 1148.60 feet to the Point of Beginning: From the Point of Beginning run North 16° 48' 32" West, 508.00 feet; thence North 61° 35' 28" East, 232.00 feet; thence North 28° 24' 32" West, 25.00 feet to the point of termination from said centerline.

ALSO together with an Easement 30 feet wide for a Water Main and Access Road Easement with its centerline described as follows: Commence at the Northwesterly corner of the above described Sewage Treatment Plant Site and run North 77° 18' 48" East, along its Northern boundary, 710.16 feet to the point of beginning of said centerline; thence run North 21° 38' 45" East, 363 feet to the Water Tank Site and the point of termination for said centerline.

ALSO together with an Easement 20 feet wide for Drainage with its centerline described as follows: Commence at the Northeasterly corner of the above described Sewage Treatment Plant Site and run South 21° 56' 23" East, along its Easterly boundary, 185 feet to the point of beginning of said centerline; thence run North 68° 03' 37" East, 50 feet to an existing Drainage Canal and the point of termination for this centerline.

WATER TANK SITE, WATER PUMPING STATION SITE, ROAD EASEMENT AND WATER MAIN EASEMENT, all more particularly described as follows:

Water Tank Site: Commence at a Permanent Reference Monument which lies 239.31 feet East, and 659.87 feet North of the South ¼ corner of Section 23, Township 31 South, Range 31 East, Polk County, Florida and run North 37° 36' 12" West, along the Northeasterly proposed right of way line of River Ranch Boulevard, 1594.51 feet to a concrete monument; thence run North 77° 18' 48" East, 1215.10 feet; thence North 22° 55' 02" West, 331.72 feet to the Point of Beginning; From the Point of Beginning continue North 22° 55' 02" West, 190.00 feet; thence South 67° 04' 58" West, 253.00 feet; thence South 22° 55' 02" East, 163.00 feet; thence South 68° 59' 50" East, 216.96 feet; thence North 22° 04' 58" East, 110.00 feet; thence Northeasterly along the arc of a curve to the

# First American Title Insurance Company

left (radius 64.65 feet, central angle 45° 00' 00") 50.78 feet to the Point of Beginning.

Water Pumping Station Site: Commence at a Permanent Reference Monument which lies 239.31 feet East and 659.87 feet North of the South ¼ corner of Section 23, Township 31 South, Range 31 East, Polk County, Florida, run North 37° 36' 12" West, along the Northeasterly proposed right of way line of River Ranch Boulevard, 1594.51 feet to a concrete monument; thence run North 77° 18' 48" East, 1215.10 feet; thence North 22° 55' 02" West, 521.72 feet; thence run North 67° 04' 58" East, 190.00 feet to the point of beginning; From the Point of Beginning continue North 67° 04' 58" East, 80.00 feet; thence run North 22° 55' 02" West, 85.00 feet; thence South 67° 04' 58" West, 80.00 feet; thence South 22° 55' 02" East, 85.00 feet to the Point of Beginning.

Road Easement: All lands lying with 25 feet right and left of the following described centerline: Commence at a Permanent Reference Monument which lies 239.31 feet East and 659.87 feet North of the South ¼ corner of Section 23, Township 31 South, Range 31 East, Polk County, Florida, and run North 37° 36' 12" West, along the Northeasterly proposed right of way line of River Ranch Boulevard, 1594.51 feet to a concrete monument; thence run North 77° 18' 48" East, 1215.10 feet; thence North 22° 55' 02" West, 496.72 feet to the point of beginning; From the Point of Beginning run North 67° 04' 58" East, 270.00 feet to the point of termination for said centerline on the Westerly boundary of an existing road.

Water Main Easement: An Easement 15 feet wide for a Water Main with its centerline described as follows: Commence at the Northeasterly corner of the above described Water Tank Site and run South 67° 04' 58" West, along its Northerly boundary, 150.5 feet to the point of beginning; thence North 23° 13' 24" West, 218.23 feet; thence South 78° 01' 23" West, 172.10 feet; thence South 62° 42' 54" West, 161.33 feet; thence South 68° 56' 05" West, 254.07 feet; thence North 23° 48' 25" West, 683.03 feet for a point which lies 10 feet South of the Southerly boundary of River Ranch Drive and the point of termination for this centerline; thence an Easement 20 feet wide along the Southerly boundary of River Ranch Drive in a Northwesterly direction to its intersection with River Ranch Boulevard.

FATIC-514  
Schedule B  
ALTA Owner's Policy  
(with printed mineral exception)

## SCHEDULE B

Issuing Office File No.: **0108.1085**

Policy No.: **FA-35-529581**

### EXCEPTIONS FROM COVERAGE

**This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:**

1. Any rights, interests, or claims of parties in possession of the land not shown by the public records.
2. Any rights, interests, or claims affecting the land which a correct survey would disclose and which are not shown by the public records.
3. Any lien for services, labor, or materials in connection with improvements, repairs or renovations provided before, on, or after Date of Policy, not shown by the public records.
4. Any dispute as to the boundaries caused by a change in the location of any water body within or adjacent to the land prior to Date of Policy, and any adverse claim to all or part of the land that is, at Date of Policy, or was previously, under water.
5. Taxes or special assessments not shown as liens in the public records or in the records of the local tax collecting authority, at Date of Policy.
6. Any mineral or mineral rights leased, granted or retained by prior owners.
7. Taxes and assessments for the year **2002** and subsequent years.
8. Agreement Setting Forth DRI Requirements for Outdoor Resorts River Ranch, Inc., in Polk County, Florida, recorded January 5, 1990 in Official Records Book 2812, Page 1203, and amended by the First Amendment recorded in Official Records Book 2852, Page 1497 and Second Amendment recorded in Official Records Book 2977, Page 108; with Resolutions recorded in Official Records Book 3023, Page 1866, Official Records Book 3030, Page 488, Official Records Book 4283, Page 63, and Official Records Book 4513, Page 10, all in the Public Records of Polk County, Florida.

## SCHEDULE B (CONTINUED)

9. Restrictions, covenants, and conditions, which contain a provision for the collection of assessments, contained in the Deed of Restrictions recorded March 3, 1970 in Official Records Book 1273, Page 30 with the Use Restrictions for Deed of Restrictions recorded March 3, 1970 in Official Records Book 1273, Page 155; and amended by the Amendments recorded in Official Records Book 1322, Page 984, Official Records Book 1356, Page 873, Official Records Book 1364, Page 991, and Official Records Book 1562, Page 1952; with a Cancellation of Restrictions recorded in Official Records Book 2014, Page 1939; and Developer's Rights assigned to River Ranch Shores Homeowner's Association, Inc., by the Assignment of Rights recorded in Official Records Book 3846, Page 97, all in the Public Records of Polk County, Florida.
10. Claims by the State of Florida to those portions of the Subject property that comprise sovereignty lands (including without limitation submerged, filled and artificially exposed lands) that (i) have not been previously conveyed or transferred by the state, or (ii) are legally excluded from prior state conveyances of other types of land.
11. Terms, conditions and provisions of that Sovereign Lands Easement by and between SOUTH FLORIDA WATER MANANGEMENT DISTRICT, a public Florida corporation, and RIVER RANCH, INC., a Florida corporation, recorded May 7, 1991 in Official Records Book 2969, Page 309, Public Records of Polk County, Florida.
12. Terms, provisions and conditions Perpetual Access Road Easement recorded on July 26, 1989 in Official Records Book 2763, Page 511, Public Records of Polk County, Florida.
13. The subject property lies within the SOUTH FLORIDA WATER MANAGEMENT DISTRICT and is subject to the rules, regulations and future assessments.
14. An undivided-one half interest in and to all the oil, gas and minerals which maybe upon, under or in the subject land, as reserved by Consolidated Financial Corporation, a Florida corporation, in the Indenture recorded in Official Records Book 636, Page 781; and subsequently conveyed to Consolidated-Tomoka Land Co., by the Deed recorded October 2, 1969, in Official Records Book 1247, Page 612, all in the Public Records of Polk County, Florida. (NOTE: The determination as to the ownership in the mineral rights has not been searched or examined)
15. An undivided  $\frac{3}{4}$  interest in all phosphate, minerals and metals that are or maybe in, on, or under said land and undivided one-half interest in all the petroleum that is or maybe in, on, or under said land with privilege to mine and develop the same retained by the SOUTH FLORIDA WATER MANANGEMENT DISTRICT, a public Florida corporation, by the Quit-Claim Deed recorded May 7, 1991 in Official Records Book 2969, Page 324; together with Non-Use Commitment recorded in Official Records Book 2969, Page 328, all in the Public Records of Polk County, Florida. (NOTE: The determination as to the ownership in the mineral rights has not been searched or examined)
16. Perpetual Access Road Easement in favor of SOUTH FLORIDA WATER MANANGEMENT DISTRICT, a public Florida corporation, recorded July 26, 1989 in Official Records Book 2763, Page 508, Public Records of Polk County, Florida.

## SCHEDULE B (CONTINUED)

17. Terms, conditions and provisions of that Easement Agreement by and between SOUTH FLORIDA WATER MANANGEMENT DISTRICT, a public Florida corporation, and RIVER RANCH, INC., a Florida corporation, recorded May 7, 1991 in Official Records Book 2969, Page 332, Public Records of Polk County, Florida.
18. Terms, conditions and provisions contained in the Agreement by and between SOUTH FLORIDA WATER MANANGEMENT DISTRICT, a public Florida corporation, and OUTDOOR RESORTS, RIVER RANCH recorded July 26, 1989 in Official Records Book 2763, Page 497, Public Records of Polk County, Florida.
19. Telephone Distribution Easement Deed/Corporation in favor of GTE Florida Incorporated, a Florida corporation, its successors and assigns, recorded in Official Records Book 3358, Page 1456, Public Records of Polk County, Florida.
20. Easement in favor of Peace River Electric Cooperative, Inc., a Florida corporation, recorded in Official Records Book 1561, Page 804 re-recorded in Official Records Book 1563, Page 89, all in the Public Records of Polk County, Florida.
21. Agreement for Drainage Easements recorded in Official Records Book 2014, Page 1936, Public Records of Polk County, Florida.
22. Subject to any and all fees, accrued rents, costs and administrative fines by the Board of Trustees of the Internal Improvement Fund arising out of the Temporary Use Agreement recorded in Official Records Book 4230, Page 1440; along with the Notices of Unauthorized Structures recorded in Official Records Book 4723, Page 2189 and Official Records Book 5115, Page 2180, all in the Public Records of Polk County, Florida.
23. Terms, conditions, provisions and/or claims by the Board of Trustees of the Internal Improvement Fund arising out of the filing of the Notices of Unauthorized Structures recorded in Official Records Book 4723, Page 2189 and Official Records Book 5115, Page 2180, all in the Public Records of Polk County, Florida.

### **Notices - Where Sent**

All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this policy and shall be addressed to the Company, Attention: Claims Department, 2075 Centre Pointe Boulevard, Tallahassee, Florida 32308-3752.

### **Service, Quality and Availability**

First American Title Insurance Company cares about its customers and their ability to obtain information and service on a convenient, timely and accurate basis. A qualified staff of service representatives is dedicated to serving you. A toll-free number is available for your convenience in obtaining information about coverage and to provide assistance in resolving complaints at 1-800-929-7186. Office hours are from 8:30 a.m. through 5:30 p.m. Monday through Friday.



Issuing Office File No.: **1080.1089**

**FA-35-529581**

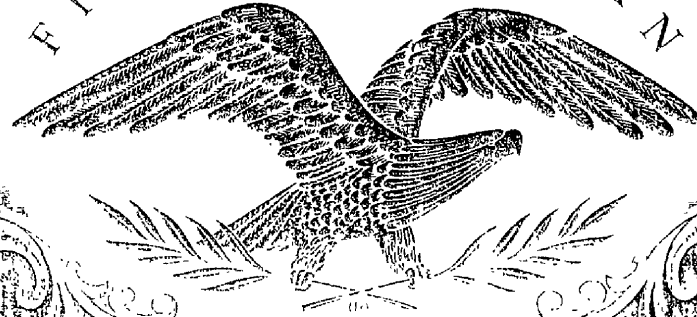
Service, Quality and Availability

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FIRST AMERICAN



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*First American Title Insurance Company*

POLICY  
OF  
TITLE  
INSURANCE

