

ORIGINAL
RUTLEDGE, ECENIA, PURNELL & HOFFMAN

03 0966-W

PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

STEPHEN A. ECENIA
RICHARD M. ELLIS
KENNETH A. HOFFMAN
THOMAS W. KONRAD
MICHAEL G. MAIDA
MARTIN P. McDONNELL
J. STEPHEN MENTON

POST OFFICE BOX 551, 32302-0551
215 SOUTH MONROE STREET, SUITE 420
TALLAHASSEE, FLORIDA 32301-1841

TELEPHONE (850) 681-6788
TELECOPIER (850) 681-6515

R. DAVID PRESCOTT
HAROLD F. X. PURNELL
MARSHA E. RULE
GARY R. RUTLEDGE
GOVERNMENTAL CONSULTANTS
MARGARET A. MENDUNI
M. LANE STEPHENS

October 3, 2003

Ms. Blanca Bayo, Director
Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RECEIVED-FPSC
03 OCT -6 AM 8:41
COMMISSION
CLERK
HAND DELIVERED

Re: In re: Application for Acknowledgment of Transfer of Land and Facilities in Marion and Sumter Counties to Marion County and Cancellation of Certificate Nos. 373-W and 322-S

Dear Ms. Bayo:

Enclosed for filing on behalf of Florida Water Services Corporation ("Florida Water") is an original and five copies of Florida Water's Application for Acknowledgment of Transfer of Land and Facilities in Marion and Sumter Counties to Marion County and Cancellation of Certificate Nos. 373-W and 322-S.

The original certificates are also enclosed for the Commission's use in this docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the copy to me.

Thank you for your assistance with this filing.

RECEIVED & FILED
10
FPSC-BUREAU OF RECORDS

Sincerely,
J. Stephen Menton
J. Stephen Menton

JSMrd
Enclosures
Flawater\Bayo.marion

Original Tariffs forwarded to ECR.

DOCUMENT NUMBER-DATE
09653 OCT-6 2003
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application by Florida Water Services)
Corporation for Acknowledgment of Transfer of)
Marion and Sumter County Land and Facilities to)
the Marion County and Cancellation of Certificate)
Nos. 373-W and 322-S.)
_____)

Docket No. _____

Filed: October 3, 2003

**APPLICATION FOR ACKNOWLEDGMENT OF
TRANSFER OF LAND AND FACILITIES IN MARION AND
SUMTER COUNTIES TO MARION COUNTY AND CANCELLATION
OF CERTIFICATE NOS. 373-W AND 322-S**

Florida Water Services Corporation ("Florida Water"), by and through its undersigned counsel, and pursuant to Section 367.071(4)(a), Florida Statutes, and Rule 25-30.037(4), Florida Administrative Code, hereby files this Application for Acknowledgment of the transfer of Florida Water's Marion and Sumter County land and facilities to Marion County (the "County"). In support of this Application, Florida Water states as follows:

1. The name and address of the regulated utility is:

Florida Water Services Corporation
1000 Color Place
Apopka, Florida 32703
(407) 598-4165 (Telephone)
(407) 598-4241 (Facsimile)

2. The name and address of Florida Water's authorized representatives are:

Kenneth A. Hoffman, Esq.
J. Stephen Menton, Esq.
Rutledge, Ecenia, Purnell & Hoffman, P.A.
P. O. Box 551
Tallahassee, Florida 32302
(850) 681-6788 (Telephone)
(850) 681-6515 (Facsimile)

DOCUMENT NUMBER CASE

09653 OCT-6 8

FPSC-COMMISSION CLERK

3. The name and address of the purchaser for purposes of this Application is:

Marion County
110 NW 1st Avenue
Ocala, FL 34475

4. The County's representative for purposes of this Application is:

Gordon B. Johnston
601 S.E. 25th Avenue
Ocala, FL 34471
(352) 620-3330 (Telephone)

5. Florida Water has been issued Certificate Nos. 373-W and 322-S by the Commission related to Florida Water's water and wastewater operations in Marion and Sumter Counties.

6. On August 14, 2003, the Circuit Court of the Fifth Judicial Circuit in and for Marion County, Florida, entered a Stipulated Order of Taking in Marion County v. Florida Water Services Corporation, Case No. 03-1386-CA-6, pursuant to the condemnation procedures set forth under Chapter 73, Florida Statutes. As a result of this condemnation proceeding, the County has acquired title to Florida Water's land and facilities in Marion and Sumter Counties and has assumed operation of such facilities as of September 13, 2003. A copy of the Stipulated Order of Taking entered in the Condemnation Proceedings is attached hereto as Composite Exhibit "A."

7. The County is exempt from regulation by the Commission pursuant to Section 367.022(2), Florida Statutes.¹

8. The County has obtained the most recently available income and expense statement, balance sheet, statement of rate base for regulatory purposes, and contributions-in-aid-of-

¹A County is a "governmental authority" subject to the "approval as a matter of right" provisions of Section 367.071(4)(a), Florida Statutes. See §§367.021(7) and 1.01 (8), Fla. Stat. (2002).

construction applicable to the land and facilities to be transferred by Florida Water to the County, as contemplated by Section 367.071(4)(a), Florida Statutes.

9. Florida Water has provided the County with access to the books and records of the Marion and Sumter County System and these books and records for the System will be transferred to the County upon closing.

10. The deposits for Florida Water's customers in Marion and Sumter Counties and all accumulated interest have been transferred to the County and the County has assumed liability for same.

11. All regulatory assessment fees for Florida Water through 2002 have been paid in full. Regulatory assessment fees for 2003 will be paid by Florida Water when due.

12. There are no regulatory fines or refunds owed by Florida Water with respect to the system.

13. The legal description of Florida Water's water territory in Marion and Sumter Counties is attached hereto as Exhibit "B." The legal description of Florida Water's wastewater territory in Marion and Sumter Counties is attached hereto as Exhibit "C."

14. All additional and supplemental information required under Rule 25-30.038(4), Florida Administrative Code, is included in the Application attached hereto as Exhibit "D."

15. Florida Water's original Certificate Nos. 373-W and 322-S are filed herewith.

WHEREFORE, Florida Water requests that this Commission:

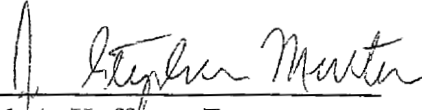
A. Grant Florida Water's Application;

B. Acknowledge the transfer of Florida Water's land and facilities in Marion and Sumter Counties to the County, as a matter of right pursuant to Section 367.071(4)(a), Florida Statutes;

C. Cancel Certificate Nos. 373-W and 322-S; and

D. Grant such other relief as is appropriate.

Respectfully submitted this 3 day of October, 2003.



Kenneth A. Hoffman, Esq.
J. Stephen Menton, Esq.
Rutledge, Ecenia, Purnell & Hoffman, P.A.
P. O. Box 551
Tallahassee, Florida 32302
(850) 681-6788 (Telephone)
(850) 681-6515 (Facsimile)

Seila - Marion

IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT, IN
AND FOR MARION COUNTY,
FLORIDA

CASE NO: 03-1386-CA-6

DIVISION: A

MARION COUNTY, a political subdivision of
the State of Florida

Plaintiff,

vs.

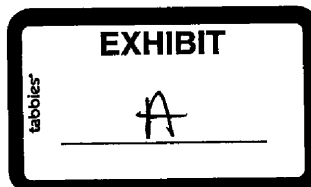
FLORIDA WATER SERVICES CORPORATION,
a Florida Corporation, et al.,
Defendants.

STIPULATED ORDER OF TAKING

Pursuant to the stipulation of the Plaintiff, MARION County, and Defendant, Florida Water Services Corporation, owner of the property and interests which are the subject of this eminent domain proceeding, and the court being fully advised in the premises, it is

ORDERED AND ADJUDGED:

1. This Court has jurisdiction of the subject matter and the parties to this cause.
2. The pleadings in this case are sufficient and the Plaintiff is properly exercising its delegated authority.
3. The plaintiff and Florida Water Services Corporation have acknowledged and agreed that the amount of Twenty-Two Million Three Hundred Fifty Thousand Dollars and no/100 cents (\$22,350,000.00) is the fair and reasonable amount of full compensation to be deposited in good faith in the Registry of the Court in connection with this Stipulated Order of Taking.



21

4. The interest sought to be condemned herein as to the subject property is as described on Exhibit "A" attached hereto, and any property subsequently conveyed pursuant to that certain Agreement Regarding Funds Held in Trust executed this date by the Plaintiff, by and through its attorney, Gordon B. Johnston, and Brigham Moore, LLP, on behalf of Florida Water Services Corporation, and attached hereto as Exhibit "B" ("Agreement").

5. Upon payment of the deposit hereinafter specified into the Registry of this Court, all rights, title, or interests specified in the Complaint in Eminent Domain, and as more specifically set forth in those legal descriptions attached hereto in Exhibit "A", shall vest in the Plaintiff free of all claims, liens and/or encumbrances.

6. The deposit of the sum referenced herein will secure the persons lawfully entitled to the compensation, as set forth in the Stipulated Final Judgment of this Court.

7. The Plaintiff and Defendant Florida Water Services Corporation, acknowledge that the Plaintiff is closing on acquisition bonds on or before August 22, 2003, and will use the proceeds from said bonds to acquire the property specified herein. It is therefore agreed that the deposit in the Registry of the Court required herein may be made by Plaintiff on or before August 22, 2003.

8. The sum of money to be deposited in the Registry of the Court no later than the close of business on August 22, 2003 shall be in the amount of Twenty-Two Million Three Hundred Fifty Thousand Dollars and no/100 cents (\$22,350,000.00); which sum includes all claims of Florida Water Services Corporation for full compensation including all attorney fees and costs. *of \$350,000*

9. Upon the deposit as set forth above, and without further notice or order of this Court, the Plaintiff shall be entitled to possession of the property described in the Complaint in Eminent Domain; provided, however, that Plaintiff and Defendant Florida Water Services Corporation have stipulated and agreed that Defendant Florida Water Services Corporation shall remain in possession of that property for purposes of the continued operation of the water utility facility located thereon, for a period of 90 days from date of the deposit referenced above, or for such period of time and on such terms as may be agreed upon by the parties.


DONE AND ORDERED in chambers at MARION County, Florida, this 4 day of August, 2003.


CIRCUIT JUDGE

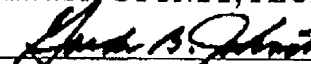
STIPULATION

Plaintiff, MARION County, and Defendant, Florida Water Services Corporation, as owner of the property and interests which are the subject of this action in eminent domain, stipulate and consent to the entry of the Stipulated Order of Taking set forth above.

BRIGHAM MOORE, LLP


S.W. Moore
Florida Bar No. 157268
100 Wallace Avenue, Suite 310
Sarasota, Florida 34237
(941) 365-3800 (telephone)
(941) 952-1414 (facsimile)
Special Counsel for Defendant
Florida Water Services Corporation

MARION COUNTY, FLORIDA


Gordon B. Johnston
Florida Bar No. 040143
601 SE 25th Avenue
Ocala, Florida 34471
(352) 620-3330 (telephone)
(352) 620-3790 (facsimile)
Attorney for Marion County

IN THE CIRCUIT COURT, FIFTH
JUDICIAL CIRCUIT, IN AND FOR
MARION COUNTY, FLORIDA

CASE NO. : 03-1386-CA-G

MARION COUNTY, a political subdivision of the
State of Florida,

Plaintiff,

vs.

FLORIDA WATER SERVICES
CORPORATION, a Florida corporation; et al.,

Defendants.

STIPULATED AMENDED ORDER OF TAKING

Pursuant to the stipulation of Plaintiff, MARION County, and Defendant, Florida Water Services Corporation, owner of the property and interests which are the subject of this eminent domain proceeding, and the Court being fully advised in the premises, it is

ORDERED AND ADJUDGED:

1. On August 4, 2003, this Court entered a Stipulated Order of Taking providing for a deposit of \$22,350,000.00 into the registry of the court on or before August 22, 2003.
2. The parties are in the process of negotiating all outstanding issues leading to Final Judgment in this condemnation action and the parties have requested an extension of the deposit date to on or before September 12, 2003.
3. The Order of Taking dated August 4, 2003 is hereby amended to extend the deposit date to September 12, 2003 and County shall not take title to the property until such deposit is made.


DONE AND ORDERED in chambers at MARION County, Florida, this 14 day
of August, 2003.


Jack Singbush, Circuit Judge

STIPULATION


Plaintiff, MARION County, and Defendant, Florida Water Services Corporation, as owner of the property and interests which are the subject of this action in eminent domain, stipulate and consent to the entry of the Stipulated Amended Order of Taking set forth above. The parties have discussed this Stipulated Amended Order of Taking with all Defendants in this action and are authorized to represent that such Defendants have no objection to this Amended Order of Taking

BRIGHAM MOORE, LLP

 8/13/03
S. W. Moore
Florida Bar No. 157268
100 Wallace Avenue, Suite 310
Sarasota, Florida 34237
(941) 365-3800 (telephone)
(941) 952-1414 (facsimile)

Special Counsel For Defendant
Florida Water Services Corporation

MARION COUNTY, FLORIDA

 8/13/03
Gordon B. Johnston
Florida Bar No. 040143
601 SE 25th Avenue
Ocala, Florida 34471
(352) 620-3330 (telephone)
(352) 620-3790 (facsimile)

Attorney for Marion County

COPY

Jim

**IN THE CIRCUIT COURT OF THE
FIFTH JUDICIAL CIRCUIT, IN AND
FOR MARION COUNTY, FLORIDA**

CASE NO: 03-1386-CA-G

DIVISION: A

MARION COUNTY, a political subdivision of
the State of Florida

Plaintiff,

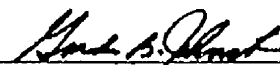
vs.

**FLORIDA WATER SERVICES
CORPORATION**, a Florida Corporation; et al
Defendants.

NOTICE OF DEPOSIT

NOTICE IS HEREBY GIVEN that Petitioner, Marion County has deposited the sum of \$22,350,000.00 in the registry of the Court pursuant to the Stipulated Amended Order of Taking.

I Hereby Certify that a copy of this notice was furnished by U.S. mail to all parties named on the attached mailing list this 11th day of September, 2003.



GORDON B. JOHNSTON
COUNTY ATTORNEY
Florida Bar No. 040143
601 SE 25th Avenue
Ocala, Florida 34471
(352) 620-3330 (telephone)
(352) 620-3790 (facsimile)

CASE NO. 03-1386-CA-G

SERVICE LIST

MARION COUNTY, FLORIDA
c/o Gordon B. Johnston, Esquire
County Attorney
601 S.E. 25th Avenue
Ocala, Florida 34471

FLORIDA WATER SERVICES CORPORATION
c/o S. William Moore, Esquire
Brigham Moore, LLP
3277 Fruityville Road, Unit E
Sarasota, Florida 34237

DELTONA CORPORATION, a Florida corporation
c/o Sharon J. Hummerhielm, as Registered Agent
999 Brickell Avenue, Suite #700
Miami, Florida 33131

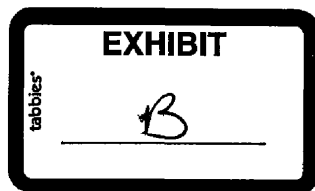
DEL WEBB SPRUCE CREED COMMUNITIES, an Arizona corporation
c/o CT Corporation Systems, as Registered Agent
1200 South Pine Island Road
Plantation, Florida 33324

STONECREST CORPORATION, a Florida corporation
c/o L. Hall Robertson, Jr., Registered Agent
11053 S.E. 174th Loop
Summerfield, Florida 34491

SUNTRUST BANK
f/k/a SunTrust Bank, Central Florida, National Association
c/o Cathy Homa Arther, as Registered Agent
200 S. Orange Avenue
Orange, Florida 32801

THOMAS (MAC) OLSON, TAX COLLECTOR
503 S.E. 25th Avenue
Ocala, Florida 34471

**MARION COUNTY
LEGAL DESCRIPTION
WATER TERRITORY**



MARION COUNTY

Description Of Territory Served

CITRUS PARK

Township 15 South, Range 22 East, Marion County, Florida.

Section 33

**That part of the North 2/3 of said section 33 lying North and East of the Seaboard
Coastline Railway.**

Effective Date: April 18, 1997

By: 
**Forrest L. Ludsen, Vice President
Finance and Administration**

MARION COUNTY

Description Of Territory Served

MARION OAKS

Township 17 South, Range 19 East and 20 East, Marion County, Florida.

That part of Sections 13 and 24 in Township 17 South, Range 19 East, Marion County, Florida and Sections 3, 4, 5, 7, 8, 9, 16, 17, 18, 19, 20 and 30 in Township 17 South, Range 20 East, Marion County, Florida being one mile in width and being more particularly described as:

A tract of land lying northerly and easterly of the Withlacoochee River, lying southerly of the south quarter section line of Sections 3, 4, and 5 of Township 17 South, Range 20 East, Marion County, Florida, and lying continuous to, northerly of and measuring one mile perpendicular to the center of State Road 200.

And also,

Section 1

The South $\frac{1}{4}$ of said Section 1.

Section 2

The South $\frac{1}{4}$ of said Section 2.

Section 3

The South $\frac{1}{4}$ 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

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

Sections 10, 11, 12, 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 $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 16.

Section 17

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

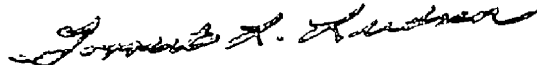
Section 19

That part of Section 19 lying East of the centerline of State Road 200.

Effective Date:

February 10, 2000

By:


Forrest L. Ludsen, Senior Vice President
Rates & Regulations

MARION COUNTY

Description Of Territory Served

MARION OAKS (Cont.)

Section 20

That part of Section 20 lying East of the centerline of State Road 200.

Sections 21, 22, 23, 24, 25, 26, 27, 28

All of said Sections.

Section 29

That part of Section 29 lying North and East of the Withlacoochee River.

Section 30

That part of Section 30 lying North and East of the Withlacoochee River and East of the centerline of State Road 200.

Section 32

That part of Section 32 lying North and East of the Withlacoochee River.

Section 33

That part of Section 33 lying North and East of the Withlacoochee River.

Sections 34, 35, 36

All of said Sections.

Township 17 South, Range 21 East, Marion County, Florida.

Section 1

The Southwest $\frac{1}{4}$ of said Section 1 lying West of the Westerly right-of-way of Interstate 75.

Section 2

The South $\frac{1}{4}$ of said Section 2 and the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 2 and the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 2 and the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 2 and the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 2.

Section 3

The South $\frac{1}{4}$ of said Section 3.

Section 4

The South $\frac{1}{4}$ of said Section 4.

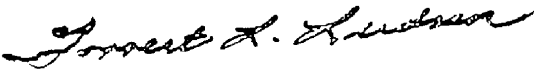
Section 5

The South $\frac{1}{4}$ of said Section 5.

Effective Date:

February 10, 2000

By:


Forrest L. Ludsen, Senior Vice President
Rates & Regulations

MARION COUNTY

Description Of Territory Served

MARION OAKS (Cont.)

Section 6

The South $\frac{1}{4}$ of said Section 6.

Sections 7, 8, 9, 10, 11

All of said Sections.

Section 12

That part of Section 12 lying West of the Westerly right-of-way of Interstate 75.

Section 13

That Southwest $\frac{1}{4}$ less and except the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 13.

Sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23

All of said Sections.

Section 24

The West $\frac{1}{2}$ of said Section 24 and the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section 24 and the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 24.

Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35

All of said Sections.

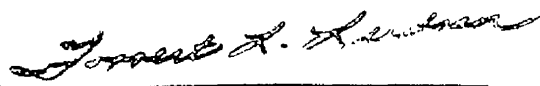
Section 36

All of said Section 36 less and except the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 36.

Effective Date:

February 10, 2000

By:


Forrest L. Ludsen, Senior Vice President
Rates & Regulations

MARION COUNTY

Description Of Territory Served

SALT SPRINGS


Township 13 South, Range 26 East, Marion County, Florida.

That portion of the Joseph M. Hernandez Grant lying West of State Road 19, Southerly of State Road 316, and Easterly of the water's edge of Lake Warner (also known as Little Lake Kerr).

And

That portion of the Joseph M. Hernandez Grant lying East of State Road 19, extending for 1,000 feet into the U.S. Forestry Service land, that is also lying between Fort Gates Ferry Road to the North and the intersection of State Road 314 and State Road 19 to the South.

Effective Date: April 18, 1997

By: 
Forrest L. Lutsen, Vice President
Finance and Administration

MARION COUNTY

Description Of Territory Served

SAMIRA VILLAS

Township 16 South, Range 20 East, Marion County, Florida.

Sections 24 and 25

Commence at the intersection of the South boundary of Section 24, Township 16 South, Range 20 East, and the Southerly right-of-way of County Road 200 (100 feet right-of-way); thence N 41° 34' 12" E, along said Southerly right-of-way 467.96 feet; thence S 48° 25' 48" E, 250.00 feet; thence S 41° 34' 12" W, 53.00 feet to the Point of Beginning; thence continue S 41° 34' 12" W, 247.00 feet; thence S 48° 25' 48" E, 250.00 feet, to the Northerly right-of-way of SW 84th Avenue Road (Sweepstakes Drive); thence N 41° 34' 12" E along said right-of-way 167.79 to the Point of Curvature of a curve concave Southeasterly and having as its elements a central angle of 12° 46' 48" and a radius of 500.00 feet; thence along said curve an arc distance of 111.53 feet; thence N 54° 21' 00" E, 236.59 feet, to the Point of Curvature of a curve concave Southwesterly and having as its elements a central angle of 105° 32' 00" and a radius of 25.00 feet; thence along said curve an arc distance of 46.05 feet to the intersection of the Southerly right-of-way of SW 100th Street (Kingsland Country Drive); thence N 51° 11' 20" W along said right-of-way 135.25 feet; thence S 54° 21' 00" W, 246.44 feet, to the Point of Curvature of a curve concave Northwesterly and having as its elements a central angle of 77° 13' 12" and a radius of 10.00 feet; thence along said curve an arc distance of 13.48 feet; thence N 48° 25' 48" W, 52.86 feet, to the Point of curvature of a curve concave Southerly and having as its elements a central angle of 90° 00' 00" and a radius of 35.00 feet; thence along said curve an arc distance of 54.98 feet to the Point of Beginning, containing 2.58 acres more or less.

Effective Date: April 18, 1997

By: 
Forrest L. Ludsen, Vice President
Finance and Administration

MARION COUNTY

Description Of Territory Served

STONECREST

Township 17 South, Range 23 East

Section 25

The South 1,650 feet of the West 660 feet.

Section 26

The South 1,683 feet of the East 412.5 feet.

Section 35

The East $\frac{1}{2}$, less that portion lying South and West of U.S. Highway 27 and 441.

Section 36

All of Section 36, less the East 880 feet of the North 1,980 feet of the Northwest $\frac{1}{4}$, and less the East 264 feet of the North 594 feet of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, and less all of that portion lying South and West of U.S. Highway 27 and 441.

Township 17 South, Range 24 East

Section 31

The South $\frac{3}{4}$ of the Southwest $\frac{1}{4}$ and the West $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$.

Effective Date:

MAY 27 2002

By:


Forrest L. Ludsen, Senior Vice President
Rates & Regulatory Affairs

MARION/SUMTER COUNTY

Description Of Territory Served

SPRUCE CREEK GOLF & COUNTRY CLUB

Township 16 South, Range 23 East, Marion County, Florida.

Section 33

The Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying South of U.S Highway No 441, and all of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 33.

Section 34

The West $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ lying South of U.S. Highway No 441 and that portion of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 34, described as follows:

Begin at the intersection of the southerly right-of-way line of Southeast County Highway C-25 (100 feet wide) with the east line of aforesaid East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, thence N 70° 50' 18" W along said right-of-way line 351.39 feet, thence departing said right-of-way line S 00° 01' 36" W, 240.00 feet, thence N 89° 58' 24" W 135.00 feet; thence N 00° 01' 36" E, 251.70 feet to the point of the curve concave to the southeast with a radius of 25.00 feet and a central angle of 109° 08' 06" and a chord bearing and distance of N 54° 35' 39" E 40.74 feet, having the distance of the curve 47.62 feet, said point being on the aforesaid south right-of-way-line, thence along said right-of-way line run N 70° 50' 18" W, 240.87 feet to the west line of aforesaid East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence along said west line run southerly to the Southwest corner of said East $\frac{1}{2}$ of Southwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$, thence easterly to the Southeast corner of said East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$, thence along the east line thereof run northerly to the Point of Beginning

Township 17 South, Range 23 East, Marion County, Florida.

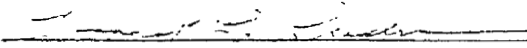
Section 3

The South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 3 and the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3, and the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3; and the South $\frac{1}{2}$ of Section 3, except the East 30 feet thereof, and the West $\frac{1}{2}$ of Northeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of Section 3, and the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3.

Section 9

The East $\frac{1}{2}$ of Section 9, and the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 9, and that part of the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 9 lying East of U S Highways 441 and 27 (200 feet wide)

Effective Date: March 15, 2002

By: 
Forrest L. Ludsen, Senior Vice President
Rates & Regulatory Affairs

MARION/SUMTER COUNTY

Description Of Territory Served

SPRUCE CREEK GOLF & COUNTRY CLUB (Cont.)

Section 10

The North ½ of said Section 10, except the East 315 feet thereof; and the North ½ of the South ½ of said Section 10, except the East 315 feet thereof; and the Southwest ¼ of the Southeast ¼ of said Section 10, except the South 40 feet thereof; and the North ½ of the South ½ of the Southwest ¼ of said Section 10; and the Southeast ¼ of the Southwest ¼ of the Southwest ¼ of said Section 10, and the East ½ of Southwest ¼ of Southwest ¼ of said Section 10, together with the following property described as:

Commencing at the Southwest corner of the East ½ of Southwest ¼ of Southwest ¼ of the Southwest ¼ of said Section 10, thence West 198.79 feet, thence North 25.00 feet, thence East 198.79 feet, thence South 25.00 feet to the Point of Beginning.

And.

The Southeast ¼ of the Southeast ¼ of the Southwest ¼, except the North 329.43 feet thereof of said Section 10, and the North 65.88 feet of the South 199.57 feet of the North 463.07 feet of the Southeast ¼ of the Southeast ¼ of the Southwest ¼ of said Section 10; and the North 263.50 feet of the Southeast ¼ of the Southeast ¼ of the Southwest ¼ of said Section 10; and the East 20.00 feet of the Southeast ¼ of the Southeast ¼ of the Southwest ¼ of said Section 10, except the North 263.50 feet

Section 16

That part of the North ½ of the North ½ of said Section 16 lying East of said Highways 441 and 27; and the South ½ of the Northeast ¼ of the Northwest ¼ of said Section 16, except those lands lying within the right-of-way of State Road 500 - U.S. 441 (200 feet wide)

SPRUCE CREEK PRESERVE

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

Section 9

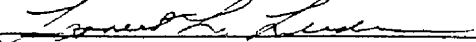
That portion of said Section 9 lying East of State Road No. 200, less and except the East 50.00 feet of the North 1,520.00 feet thereof.

Section 16

The Northeast ¼ of the Northeast ¼ of Section 16; and the Northeast ¼ of the Northwest ¼ of said Section 16, less and except that portion conveyed in the right-of-way deeds recorded in Official Records Book 1,273 at Page 1,293 and Official Records Book 798 at Page 32 of the Public Records of Marion County, Florida.

Containing 416.01 acres, more or less.

Effective Date: March 15, 2002

By: 
Forrest L. Ludsen, Senior Vice President
Rates & Regulatory Affairs

MARION/SUMTER COUNTY

Description Of Territory Served

SPRUCE CREEK SOUTH

Township 17 South, Range 23 East, Marion County, Florida.

Section 34

The South $\frac{1}{4}$ of the East $\frac{1}{2}$ of said Section 34, and the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 34, and the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 34.

Section 35

That part of the East $\frac{1}{2}$ of said Section 35 lying Southwest of U S Highway 441/27, and the Southwest $\frac{1}{4}$ of said Section 35.

Section 36

That part of Section 36 lying Southwest of U S. Highway 441/27 (200 feet wide)

Township 18 South, Range 23 East, Sumter County, Florida

Section 1 (Oakland Hills Professional Center)

Commence at the Southwest corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 1; thence N 88° 27' 07" E, along the South line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 1, a distance of 175.33 feet to a point on the Southwesterly right-of-way line of U S. Highway 441/27 (being a 200-foot right-of-way) and the Point of Beginning Thence S 41° 46' 50" E, along said right-of-way line, a distance of 370.00 feet to a point on the Northerly right-of-way line of County Road 109; thence S 48° 13' 10" W, along said right-of-way line, a distance of 100.41 feet to the Point of Curvature of a 350.00-foot radius curve, concave to the Southeast; thence along the arc of said curve, through a central angle of 35° 00' 00", a distance of 213.80 feet to the point of tangency; thence continue along said right-of-way line, S 13° 13' 10" W, a distance of 120.66 feet, thence departing said right-of-way line, N 41° 46' 50" W, a distance of 1,665.10 feet, thence S 89° 51' 32" E, a distance of 537.59 feet to a point on the Southwesterly right-of-way line of said U S. Highway 441/27, thence S 41° 46' 50" E, along said right-of-way line, a distance of 803.42 feet to the Point of Beginning.

Said lands being situated in Sumter County, Florida and containing 12.74 acres, more or less.

Section 2

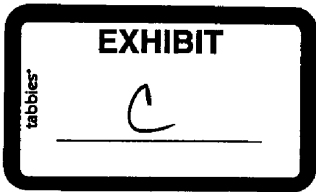
The Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 2; and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 2, and the East $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 2.

Effective Date: March 15, 2002

By: 

Tony Isaacs, Vice President
Customer Services

MARION COUNTY
LEGAL DESCRIPTION
WASTEWATER TERRITORY



MARION COUNTY

Description Of Territory Served

CITRUS PARK

Township 15 South, Range 22 East, Marion County, Florida.

Section 33

That part of the North 2/3 of said Section 33 lying North and East of the Seaboard
Coastline Railway.

Effective Date:

April 18, 1997

By:



Forrest L. Ludsen, Vice President
Finance and Administration

MARION COUNTY

Description Of Territory Served

MARION OAKS

Township 17 South, Range 19 East and 20 East, Marion County, Florida.

That part of Sections 13 and 24 in Township 17 South, Range 19 East, Marion County, Florida and Sections 3, 4, 5, 7, 8, 9, 16, 17, 18, 19, 20 and 30 in Township 17 South, Range 20 East, Marion County, Florida being one mile in width and being more particularly described as:

A tract of land lying northerly and easterly of the Withlacoochee River, lying southerly of the south quarter section line of Sections 3, 4, and 5 of Township 17 South, Range 20 East, Marion County, Florida, and lying continuous to, northerly of and measuring one mile perpendicular to the center of State Road 200.

And also,

Section 1

The South $\frac{1}{4}$ of said Section 1.

Section 2

The South $\frac{1}{4}$ of said Section 2.

Section 3

The South $\frac{1}{4}$ 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

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

Sections 10, 11, 12, 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 $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 16.

Section 17

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

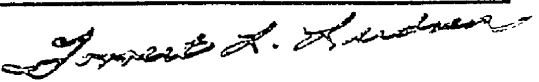
Section 19

That part of Section 19 lying East of the centerline of State Road 200.

Effective Date:

February 10, 2000

By:


Forrest L. Ludsen, Senior Vice President
Rates & Regulations

MARION COUNTY

Description Of Territory Served

MARION OAKS (Cont.)

Section 20

That part of Section 20 lying East of the centerline of State Road 200.

Sections 21, 22, 23, 24, 25, 26, 27, 28

All of said Sections.

Section 29

That part of Section 29 lying North and East of the Withlacoochee River.

Section 30

That part of Section 30 lying North and East of the Withlacoochee River and East of the centerline of State Road 200.

Section 32

That part of Section 32 lying North and East of the Withlacoochee River.

Section 33

That part of Section 33 lying North and East of the Withlacoochee River.

Sections 34, 35, 36

All of said Sections.

Township 17 South, Range 21 East, Marion County, Florida.

Section 1

The Southwest $\frac{1}{4}$ of said Section 1 lying West of the Westerly right-of-way of Interstate 75.

Section 2

The South $\frac{1}{4}$ of said Section 2 and the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 2 and the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 2 and the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 2 and the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 2.

Section 3

The South $\frac{1}{4}$ of said Section 3.

Section 4

The South $\frac{1}{4}$ of said Section 4.


Section 5

The South $\frac{1}{4}$ of said Section 5.

Effective Date:

February 10, 2000

By:


Forrest L. Ludsen, Senior Vice President
Rates & Regulations

MARION COUNTY

Description Of Territory Served

MARION OAKS (Cont.)

Section 6

The South $\frac{1}{4}$ of said Section 6.

Sections 7, 8, 9, 10, 11

All of said Sections.

Section 12

That part of Section 12 lying West of the Westerly right-of-way of Interstate 75.

Section 13

That Southwest $\frac{1}{4}$ less and except the North $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 13.

Sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23

All of said Sections.

Section 24

The West $\frac{1}{2}$ of said Section 24 and the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section 24 and the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 24.

Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35

All of said Sections.

Section 36

All of said Section 36 less and except the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 36.

Effective Date:

February 10, 2000

By:


Forrest L. Ludsen, Senior Vice President
Rates & Regulations

MARION COUNTY

Description Of Territory Served

SALT SPRINGS

Township 13 South, Range 26 East, Marion County, Florida.

That portion of the Joseph M. Hernandez Grant lying West of State Road 19, Southerly of State Road 316, and Easterly of the water's edge of Lake Warner (also known as Little Lake Kerr).

And

That portion of the Joseph M. Hernandez Grant lying East of State Road 19, extending for 1,000 feet into the U.S. Forestry Service land, that is also lying between Fort Gates Ferry Road to the North and the intersection of State Road 314 and State Road 19 to the South.

Effective Date:

April 18, 1997

By:



Forrest L. Ludsen, Vice President
Finance and Administration

MARION COUNTY

Description Of Territory Served

SOUTH FORTY

In a portion of the West half of the Southeast quarter of Section 14 of Township 15 South and Range 21 East and in a portion of the Southeast quarter of the Southwest quarter of Section 14 and in a portion of the North half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 23 of Township 15 South and Range 21 East all in Marion County, Florida.

Point of Commencement (POC) at the Southwest corner of the Southwest quarter of the Southwest quarter of Section 14 of Township 15 South and Range 21 East In Marion County, Florida.

<u>Call Number</u>	<u>Bearing or Central Angle</u>	<u>Distance or Arc Length</u>	<u>Radius</u>	<u>Annotation</u>
POC to POB	South 89°58'23" East	1,324.83 feet		East along the South line of the Southwest quarter of the Southwest quarter of Section 14, Township 15 South, Range 21 East in Marion County, Florida to the Southeast corner of the Southwest quarter of the Southwest quarter of Section 14 and the Southwest corner of the Southwest quarter of the Southeast quarter of the Southwest quarter of Section 14 and the Point of Beginning (POB);
1.	North 00°01'31" East	390.00 feet		North along the West line of the Southwest quarter of the Southeast quarter of the Southwest quarter of Section 14 to a point 60 feet North of the Northwest corner of the Southwest quarter of the Southwest quarter of the Southeast quarter of the Southwest quarter of Section 14 and the intersection with the Northern right-of-way line of Southwest Seventh Street;

Effective Date:

April 18, 1997

By:

Forrest L. Ludsen
 Forrest L. Ludsen, Vice President
 Finance and Administration

MARION COUNTY

Description Of Territory Served

SOUTH FORTY (Cont.)

<u>Call Number</u>	<u>Bearing or Central Angle</u>	<u>Distance or Arc Length</u>	<u>Radius</u>	<u>Annotation</u>
2.	South 89°58'23" East	328.21 feet		East along a line 60 feet North of the North line of the Southwest quarter of the Southwest quarter of the Southeast quarter of the Southwest quarter of Section 14 and the Northern right-of-way line of Southwest Seventh Street to a point 60 feet North of the Northeast corner of the Southwest quarter of the Southwest quarter of the Southeast quarter of the Southwest quarter of Section 14 and 60 feet North of the Southwest corner of the East three quarters of the North three quarters of the Southeast quarter of the Southwest quarter of Section 14;
3	North 00°07'45" East	876.00 feet		North along the West line of the East three quarters of the North three quarters of the Southeast quarter of the Southwest quarter of Section 14 to a point approximately 60 feet South of the Northwest corner of the East three quarters of the North three quarters of the Southeast quarter of the Southwest quarter of Section 14 and the point of intersection with the Northern right-of-way line of Southwest Thirty-Fifth Avenue;

Effective Date:

April 18, 1997

By: 
Forrest L. Ludsen, Vice President
Finance and Administration

MARION COUNTY

Description Of Territory Served

SOUTH FORTY (Cont.)

<u>Call Number</u>	<u>Bearing or Central Angle</u>	<u>Distance or Arc Length</u>	<u>Radius</u>	<u>Annotation</u>
4.	South 89°58'23" East	993.00 feet		East along a line approximately 60 feet South of the North line of the East three quarters of the North three quarters of the Southeast quarter of the Southwest quarter of Section 14 and the Northern right-of-way line of Southwest Thirty-Fifth Avenue to the Northeast corner of the East three quarters of the North three quarters of the Southeast quarter of the Southwest quarter of Section 14 and the point of intersection with the West line of the West half of the Southeast quarter of Section 14 and the center line of Southwest Thirty-Third Avenue;
5.	North 00°07'45" East	1,411.44 feet		North along the West line of the West half of the Southeast quarter of Section 14 and the center line of Southwest Thirty-Third Avenue to the Northwest corner of the West half of the Southeast quarter of Section 14 and a point approximately 57 feet North of the intersection with the Southern right-of-way line of State Road 40;
6.	North 89°48'33" East	732.11 feet		East along the North line of the West half of the Southeast quarter of Section 14 to a point approximately 732 feet East of the Northwest corner of the West half of the Southeast quarter of Section 14;
7.	South 00°09'07" West	1,090.00 feet		South along a line approximately 732 feet East of the West line of the West half of the Southeast quarter of Section 14 to a point 1,090 feet South of the North line of the West half of the Southeast quarter of Section 14;

Effective Date:

April 18, 1997

By: 
 Forrest L. Ludsen, Vice President
 Finance and Administration

MARION COUNTY

Description Of Territory Served

SOUTH FORTY (Cont.)

<u>Call Number</u>	<u>Bearing or Central Angle</u>	<u>Distance or Arc Length</u>	<u>Radius</u>	<u>Annotation</u>
8.	North 89°48'33" East	600.00 feet		East along a line 1,090 feet South of the North line of the West half of the Southeast quarter of Section 14 to a point on the East line of the West half of the Southeast quarter of Section 14 1,090 feet South of the Northeast corner of the West half of the Southeast quarter of Section 14;
9.	South 00°09'07" West	1,593.40 feet		South along the East line of the West half of the Southeast quarter of Section 14 to the Southeast corner of the West half of the Southeast quarter of Section 14;
10.	North 89°56'01" West	1,331.02 feet		West along the South line of the West half of the Southeast quarter of Section 14 to the Southwest corner of the West half of the Southeast quarter of Section 14 and the intersection with the center line of Southwest Thirty-Third Avenue;
11.	North 00°07'45" East	330.00 feet		North along the West line of the West half of the Southeast quarter of Section 14 and the centerline of Southwest Thirty-Third Avenue and the East line of the Southeast quarter of the Southwest quarter of Section 14 to the Southeast corner of the East three quarters of the North three quarters of the Southeast quarter of the Southwest quarter of Section 14 and the intersection with the extension of the Southern right-of-way line of Southwest Seventh Street;

Effective Date:

April 18, 1997

By: 
 Forrest L. Ludsen, Vice President
 Finance and Administration

MARION COUNTY

Description Of Territory Served

SOUTH FORTY (Cont.)

<u>Call Number</u>	<u>Bearing or Central Angle</u>	<u>Distance or Arc Length</u>	<u>Radius</u>	<u>Annotation</u>
12.	North 89°58'23" West	961.16 feet		West along the South line of the East three quarters of the North three quarters of the Southeast quarter of the Southwest quarter of Section 14 and the Southern right-of-way line of Southwest Seventh Street to a point approximately 30 feet East of the Southwest corner of the East three quarters of the North three quarters of the Southeast quarter of the Southwest quarter of Section 14 and a point approximately 360 feet East of the West line of the South half of the Southwest quarter of the Southeast quarter of the Southwest quarter of Section 14;
13.	South 00°01'31" West	581.00 feet		South along a line approximately 360 feet East of the West line of the South half of the Southwest quarter of the Southeast quarter of the Southwest quarter of Section 14 and approximately 360 feet East of the West line of the North half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 23 of Township 15 South and Range 21 East to a point 251 feet South of the North line of the North half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 23;

Effective Date:

April 18, 1997

By: Forrest L. Ludsen
 Forrest L. Ludsen, Vice President
 Finance and Administration

MARION COUNTY

Description Of Territory Served

SOUTH FORTY (Cont.)

<u>Call Number</u>	<u>Bearing or Central Angle</u>	<u>Distance or Arc Length</u>	<u>Radius</u>	<u>Annotation</u>
14.	North 89°58'23" West	361.57 feet		West along a line approximately 251 feet South of the North line of the North half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 23 to a point on the West line of the North half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 23 251 feet South of the Northwest corner of the North half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 23;
15.	North 00°02'07" West	251.00 feet		North along the West line of the North half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 23 to the Northwest corner of the North half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 23;
16.	South 89°58'40" East	1.84 feet		East along the North line of the North half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 23 and the South line of the Southwest quarter of Section 14 to the Southwest corner of the Southwest quarter of the Southeast quarter of the Southwest quarter of Section 14 and the Point of Beginning.

Effective Date:

April 18, 1997

By: *Forrest L. Ludsen*
 Forrest L. Ludsen, Vice President
 Finance and Administration

MARION COUNTY

Description Of Territory Served

STONECREST

Township 17 South, Range 23 East

Section 25

The South 1,650 feet of the West 660 feet.

Section 26

The South 1,683 feet of the East 412.5 feet.

Section 35

The East 1/2, less that portion lying South and West of U.S. Highway 27 and 441.

Section 36

All of Section 36, less the East 880 feet of the North 1,980 feet of the Northwest 1/4, and less the East 264 feet of the North 594 feet of the Southeast 1/4 of the Northeast 1/4, and less all of that portion lying South and West of U.S. Highway 27 and 441.

Township 17 South, Range 24 East

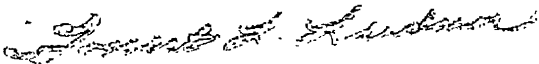
Section 31

The South 1/4 of the Southwest 1/4 and the West 1/4 of the Southwest 1/4 of the Southeast 1/4.

Effective Date:

MAY 27 2002

By:


Forrest L. Ludsen, Senior Vice President
Rates & Regulatory Affairs

MARION/SUMTER COUNTY

Description Of Territory Served

SPRUCE CREEK GOLF & COUNTRY CLUB

Township 16 South, Range 23 East, Marion County, Florida.

Section 33

The Northeast ¼ of the Southeast ¼ lying South of U.S. Highway No. 441, and all of the Southeast ¼ of the Southeast ¼ of Section 33.

Section 34

The West ¼ of the Southwest ¼ lying South of U.S. Highway No. 441 and that portion of the East ½ of the Southwest ¼ of the Southwest ¼, Section 34, described as follows.

Begin at the intersection of the southerly right-of-way line of Southeast County Highway C-25 (100 feet wide) with the east line of aforesaid East ½ of the Southwest ¼ of the Southwest ¼; thence N 70° 50' 18" W along said right-of-way line 351.39 feet; thence departing said right-of-way line S 00° 01' 36" W, 240.00 feet; thence N 89° 58' 24" W, 135.00 feet; thence N 00° 01' 36" E, 251.70 feet to the point of the curve concave to the southeast with a radius of 2500 feet and a central angle of 109° 08' 06" and a chord bearing and distance of N 54° 35' 39" E 40.74 feet; having the distance of the curve 47.62 feet, said point being on the aforesaid south right-of-way-line; thence along said right-of-way line run N 70° 50' 18" W, 240.87 feet to the west line of aforesaid East ½ of the Southwest ¼ of the Southwest ¼, thence along said west line run southerly to the Southwest corner of said East ½ of Southwest ¼ of Southwest ¼; thence easterly to the Southeast corner of said East ½ of the Southwest ¼ of Southwest ¼, thence along the east line thereof run northerly to the Point of Beginning.

Township 17 South, Range 23 East, Marion County, Florida.

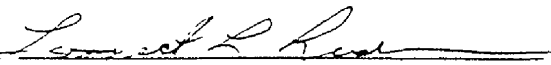
Section 3

The South ½ of the Northwest ¼ of Section 3; and the West ½ of the Southwest ¼ of the Northeast ¼ of Section 3, and the West ½ of the Southeast ¼ of the Northeast ¼ of Section 3, and the South ½ of Section 3, except the East 30 feet thereof; and the West ½ of Northeast ¼ of Northwest ¼ of Section 3; and the Northwest ¼ of the Northwest ¼ of Section 3

Section 9

The East ½ of Section 9; and the Southeast ¼ of the Northeast ¼ of the Southeast ¼ of Section 9; and that part of the South ½ of the Southeast ¼ of the Southwest ¼ of said Section 9 lying East of U.S. Highways 441 and 27 (200 feet wide).

Effective Date: March 15, 2002

By: 
Forrest L. Ludsen, Senior Vice President
Rates & Regulatory Affairs

MARION/SUMTER COUNTY

Description Of Territory Served

SPRUCE CREEK GOLF & COUNTRY CLUB (Cont.)

Section 10

The North ½ of said Section 10, except the East 315 feet thereof, and the North ½ of the South ½ of said Section 10, except the East 315 feet thereof; and the Southwest ¼ of the Southeast ¼ of said Section 10, except the South 40 feet thereof, and the North ½ of the South ½ of the Southwest ¼ of said Section 10; and the Southeast ¼ of the Southwest ¼ of the Southwest ¼ of said Section 10, and the East ½ of Southwest ¼ of Southwest ¼ of Southwest ¼ of said Section 10, together with the following property described as:

Commencing at the Southwest corner of the East ½ of Southwest ¼ of Southwest ¼ of the Southwest ¼ of said Section 10, thence West 198.79 feet, thence North 25 00 feet thence East 198.79 feet, thence South 25 00 feet to the Point of Beginning

And,

The Southeast ¼ of the Southeast ¼ of the Southwest ¼, except the North 329.43 feet thereof of said Section 10; and the North 65.88 feet of the South 199.57 feet of the North 463.07 feet of the Southeast ¼ of the Southeast ¼ of the Southwest ¼ of said Section 10, and the North 263.50 feet of the Southeast ¼ of the Southeast ¼ of the Southwest ¼ of said Section 10; and the East 20.00 feet of the Southeast ¼ of the Southeast ¼ of the Southwest ¼ of said Section 10, except the North 263.50 feet.

Section 16

That part of the North ½ of the North ½ of said Section 16 lying East of said Highways 441 and 27; and the South ½ of the Northeast ¼ of the Northwest ¼ of said Section 16, except those lands lying within the right-of-way of State Road 500 - U.S. 441 (200 feet wide).

SPRUCE CREEK PRESERVE

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

Section 9

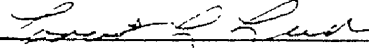
That portion of said Section 9 lying East of State Road No. 200, less and except the East 50.00 feet of the North 1,520.00 feet thereof

Section 16

The Northeast ¼ of the Northeast ¼ of Section 16; and the Northeast ¼ of the Northwest ¼ of said Section 16, less and except that portion conveyed in the right-of-way deeds recorded in Official Records Book 1,273 at Page 1,293 and Official Records Book 798 at Page 32 of the Public Records of Marion County, Florida.

Containing 416.01 acres, more or less

Effective Date: March 15, 2002

By: 
Forrest L. Ludsen, Senior Vice President
Rates & Regulatory Affairs

MARION/SUMTER COUNTY

Description Of Territory Served

SPRUCE CREEK SOUTH

Township 17 South, Range 23 East, Marion County, Florida.

Section 34

The South $\frac{1}{4}$ of the East $\frac{1}{2}$ of said Section 34; and the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 34; and the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 34

Section 35

That part of the East $\frac{1}{2}$ of said Section 35 lying Southwest of U.S. Highway 441/27; and the Southwest $\frac{1}{4}$ of said Section 35.

Section 36

That part of Section 36 lying Southwest of U.S Highway 441/27 (200 feet wide)

Township 18 South, Range 23 East, Sumter County, Florida

Section 1 (Oakland Hills Professional Center)

Commence at the Southwest corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 1; thence N 88° 27' 07" E, along the South line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 1, a distance of 175.33 feet to a point on the Southwesterly right-of-way line of U.S. Highway 441/27 (being a 200-foot right-of-way) and the Point of Beginning. Thence S 41° 46' 50" E, along said right-of-way line, a distance of 370.00 feet to a point on the Northerly right-of-way line of County Road 109; thence S 48° 13' 10" W, along said right-of-way line, a distance of 100.41 feet to the Point of Curvature of a 350.00-foot radius curve, concave to the Southeast; thence along the arc of said curve, through a central angle of 35° 00' 00", a distance of 213.80 feet to the point of tangency; thence continue along said right-of-way line, S 13° 13' 10" W, a distance of 120.66 feet; thence departing said right-of-way line, N 41° 46' 50" W, a distance of 1,665.10 feet; thence S 89° 51' 32" E, a distance of 537.59 feet to a point on the Southwesterly right-of-way line of said U.S. Highway 441/27; thence S 41° 46' 50" E, along said right-of-way line, a distance of 803.42 feet to the Point of Beginning.

Said lands being situated in Sumter County, Florida and containing 12.74 acres, more or less.

Section 2

The Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 2; and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 2; and the East $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 2.

Effective Date: March 15, 2002

By: _____

Tony Isaacs
Tony Isaacs, Vice President
Customer Services

APPLICATION FOR TRANSFER TO GOVERNMENTAL AUTHORITY

(Pursuant to Section 367.071(4)(a), Florida Statutes)

**TO: Director, Division of the Commission Clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850**

The undersigned hereby makes application for the approval of the transfer of all of the facilities operated under Water Certificate No. 373-W and Wastewater Certificate No. 322-S located in Marion and Sumter Counties, Florida, and submits the following:

PART I APPLICANT INFORMATION

A) The full name (as it appears on the certificate), address and telephone number of the seller (utility):

Florida Water Services Corporation

Name of Utility

(407) 598-4100

Phone No.

(407) 598-4241

Fax No.

1000 Color Place

Office Street Address

Apopka

City

Florida

State

32703

Zip Code

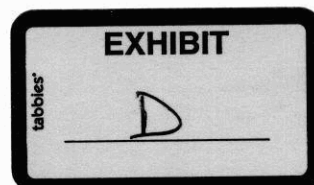
PO Box 609520, Orlando, Florida, 32860-9520

Mailing address if different from street address

www.florida-water.com

Internet address if applicable

PSC/ECR 012 (Rev. 2/91)



B) The name, address and telephone number of a representative of the utility to contact concerning this application:

Kenneth A. Hoffman, Esq. and/or J. Stephen Menton, Esq. (850) 681-6788
Name Phone No.

Rutledge, Ecenia, Purnell & Hoffman, P.A., PO Box 551
Mailing Address

Tallahassee Florida 32302-0551
City State Zip Code

C) The full name, address and telephone number of the governmental authority:

Marion County
Name of Utility

(352) 620-3330 (352) 620-3790
Phone No. Fax No.

601 S.E. 25th Avenue
Office street address

Ocala Florida 34471-9109
City State Zip Code

N/A
Mailing address if different from street address

www.marioncountyfl.org/
Internet address if applicable

D) The name, address and telephone number of a representative of the governmental authority to contact concerning this application:

Gordon Johnston (352) 620-3330
Name Phone No.

601 S.E. 25th Avenue
Street address

Ocala Florida 34471-9109
City State Zip Code

PART II FINANCIAL INFORMATION

- A) Exhibit N/A - A copy of the contract pursuant to Rules 25-30.037(4)(c) and (d), Florida Administrative Code.
- B) Exhibit A - A statement regarding the disposition of customer deposits and the accumulated interest thereon.
- C) Exhibit B - A statement regarding the disposition of any outstanding regulatory assessment fees, fines or refunds owed.
- D) Exhibit C - A statement that the buyer (governmental authority) obtained from the utility or the Commission the utility's most recent available income and expense statement, balance sheet and statement of rate base for regulatory purposes and contributions-in-aid-of-construction.
- E) Indicate the date on which the buyer proposes to take official action to acquire the utility:

Marion County took over operations on September 12, 2003.

If only a portion of the utility's facilities is being transferred, a revised territory description and map of the utility's remaining territory must be provided, as discussed in PART III, below.

IF THE UTILITY'S ENTIRE FACILITIES ARE BEING TRANSFERRED, PLEASE DISREGARD PART III OF THIS APPLICATION FORM.

PART III CERTIFICATION

A) TERRITORY DESCRIPTION

Exhibit N/A - An accurate description of the utility's revised territory. If the water and wastewater territory is different, provide separate descriptions.

Note: Use the Survey of Public Lands method (township, range, section, and quarter section), if possible, or a metes and bounds description. Give the subdivision or project name. The description should NOT refer to land grants or plat books, but may use geographic boundaries (i.e., road right-of-ways, railroads, rivers, creeks, etc). The object is to make the description as brief, but as accurate as possible.

B) **TERRITORY MAPS**

Exhibit N/A - One copy of an official county tax assessment map or other map showing township, range and section with a scale such as 1"=200' or 1"=400' on which the remaining territory is plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning. If the water and wastewater territory is different, provide separate maps.

C) **TARIFF SHEETS**

Exhibit N/A - The original and two copies of tariff sheet(s) revised to show correct service territory. Please refer to Rules 25-9.009 and 25-9.010, Florida Administrative Code, regarding page numbering of tariff sheets before preparing the tariff revisions. (Pages 11-12.) Sample tariff sheets are attached. (Pages 13-16.)

PART IV AFFIDAVIT

I, Tony Isaacs (applicant) do solemnly swear or affirm that the facts stated in the forgoing application and all exhibits attached thereto are true and correct and that said statements of fact thereto constitutes a complete statement of the matter to which it relates.

BY: Tony Isaacs
Applicant's Signature

Tony Isaacs
Applicant's Name (Typed)

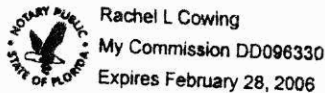
Vice President, Customer Services
Applicant's Title *

Subscribed and sworn to before me this 26th day of

September, 2003 by Tony Isaacs who

is personally known to me or produced identification _____
(Type of Identification Produced)

Rachel L Cowing
Notary Public's Signature



Print, Type or Stamp Commissioned Name of Notary Public

* If applicant is a corporation, the affidavit must be made by the president or other officer authorized by the by-laws of the corporation to act for it. If applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.

EXHIBIT A

The deposits of Florida Water's customers in Marion and Sumter Counties were transferred with the individual customer accounts, less any unpaid balances, upon commencement of operations by Marion County.

EXHIBIT B

All regulatory assessment fees for Florida Water have been paid in full. There are no fines or refunds owed.

EXHIBIT C

Marion County obtained the most recently available income and expense statement, balance sheet, statement of rate base for regulatory purposes, and contributions-in-aid-of-construction applicable to the land and facilities transferred by Florida Water to Marion County.

ORIGINAL

State of Florida Public Utilities Commission
2940 Shumard Oak Blvd.
Tallahassee, FL 32399

September 13, 2003

RECEIVED-PPSC
ORIGINAL
03 OCT 23 AM 10: 53

To whom it may concern,

COMMISSION
CLERK

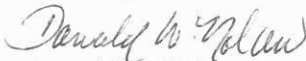
The people of our community, Spruce Creek South, have recently been informed that Florida Water Service, our water and sewer service company, is about to be sold to Marion County. We have been informed that for the first year of County ownership that our service fees will not be changed. But, then for the next four years they will be raised so that eventually they will be equal to what Marion County charges to rest of their customers.

Currently our fees were derived by review through the Public Utilities Commission from information presented by Florida Water Service. I have to assume that they are equitable to all concern. It appears that when Marion County takes over that things like investment costs, operational costs and fair return on investment mean nothing. Their current proposal for raising fees is not based on anything but to level all fees to customers to one schedule. Because our system is operated successfully at a lesser cost than the county's means we will be disproportionately paying excess profits to the county. I this fair? Based on the county's current fee schedule and on my past nine months consumption of water my average bill will raise forty eight percent. Should not a County owned Utility be held to the same requirements and standards as a Public Utility? After all they are a Utility selling services to the Public.

I don't object to the County buying what Florida Water Service desires to sell. What I object to is the County's method of arbitrarily raising fees by saying that in "X" number of years our fee schedule must equal the rest of the County's customers. I believe each newly aquired Utility should be individually analyzed and the fees for each be based on the criteria for the individual utility and not dumped into the mix of the total system.

I would appreciate it if you would take an intrest in this matter to assure all Utility users of the State of Florida that no matter who owns the Utility that their fees are fair and equitable for the services received.

Cordially



Donald W. Nolan
9564 SE. 174th Loop
Summerfield, FL 34491

cc: Marion County Board of Commissioners
601 SE. 25th Ave
Ocala, FL 34472

OCT 21 2003

Docket
0309166

- AUS _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- SEC _____
- OTH _____

FLORIDA PUBLIC SERVICE COMMISSION

Certificate Number

322 - S

Upon consideration of the record it is hereby ORDERED that authority be and is hereby granted to:

FLORIDA WATER SERVICES CORPORATION

Whose principal address is:

1000 Color Place
Apopka, FL 32703 (Marion and Sumter Counties)

to provide wastewater service in accordance with the provision of Chapter 367, Florida Statutes, the Rules, Regulations and Orders of this Commission in the territory described by the Orders of this Commission.

This Certificate shall remain in force and effect until suspended, cancelled or revoked by Orders of this Commission.

ORDER	16108	DOCKET	850976-WS
ORDER	25575	DOCKET	910662-WS
ORDER	PSC-93-1314-FOF-WS	DOCKET	930412-WS
ORDER	PSC-97-0186-FOF-SU	DOCKET	961183-SU
ORDER	PSC-97-0427-FOF-WS	DOCKET	970028-WS
ORDER	PSC-99-1915-FOF-WS	DOCKET	980467-WS
ORDER	PSC-99-2191-FOF-WS	DOCKET	980467-WS
ORDER	PSC-01-2311-PAA-WS	DOCKET	001122-WS
ORDER	PSC-02-0485-PAA-WS	DOCKET	010119-WS

BY ORDER OF THE
FLORIDA PUBLIC SERVICE COMMISSION

Blanca S. Lugo

Commission Clerk and Administrative Services Director

