



215 SOUTH MONROE STREET
SUITE 815
TALLAHASSEE, FLORIDA 32301

(850) 412-2000
FAX: (850) 412-1307
KATHRYN.COWDERY@RUDEN.COM

February 4, 2005

Blanca S. Bayo, Director
Division of Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Building, Room 110
Tallahassee, Florida 32399-0850

Via Hand Delivery

COMMISSION
CLERK

RECEIVED
FEB - 4 PM 2:25

Re: Docket No. 041418-WS
Application for Deletion and Amendment to Certificates of Authorization Nos.
223-S and 277-W of CWS Communities LP d/b/a Palm Valley Utilities in
Seminole County, Florida

Dear Ms. Bayo:

Enclosed for filing in this docket are this original and twelve copies of the utility's
response of CWS Communities LP d/b/a Palm Valley Utilities (the "Utility") to commission
Staff's January 20, 2005 letter addressing deficiencies and additional information.

Deficiencies

Please be aware that these items were not addressed in the application because the only
territory being "added" into the certificated territory are certain parcels which have been served
by the Utility, as stated in the application, for approximately 25 - 30 years. It was assumed that
since no new customers are being added, no plant expansion was occurring, and since the Utility
is part of a pending transfer docket wherein a complete Staff audit has been conducted and many
of these issues examined, that items 1 - 4 below were not needed. The responses to the
deficiencies are provided as follows:

1. Financial and Technical Ability. The Utility continues to have financial and technical ability
to provide service to its customers. See January 20, 2005 Staff Recommendation in Docket No.
030998-WS - Joint application for approval of transfer of majority organization a control of
Chateau Communities, Inc., grandparent of Del Tura Phase I, LLC d/b/a Del Tura Utilities,
holder of Certificate No. 298-S in Lee County; CWS Communities LP d/b/a Palm Valley
Utilities, holder of Certificate Nos. 277-W and 223-S in Seminole County; and CWS
Communities LP, holder of Certificate No. 518-W in Lake County, to Hometown America,

TAL:50687:1

RUDEN, McCLOSKEY, SMITH, SCHUSTER & RUSSELL, P.A.

RECEIVED & FILED

MM
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER - DATE

01303 FEB-4-05

FPSC-COMMISSION CLERK

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L.L.C. (hereinafter referred to as "Docket No. 030998-WS"). The Staff Recommendation states: "The utilities will continue to have the financial ability to provide service. According to the application, Hometown will provide funding to the utilities as needed. The 2003 annual report for Hometown indicates that the company's total assets exceed \$2.8 billion. In addition, Hometown provided a statement that it will fulfill all of the utilities' commitments, obligations, and representations with regard to utility matters." The Staff Recommendation also states: "The utilities will be retaining the local management teams that have operated the water and wastewater utilities for more than ten years, including the utility director. The utilities are staffed with licensed and trained personnel. Hometown is committed to providing safe and reliable water and wastewater service to its residents and customers." These statements remain accurate and are applicable to this application.

2. Local Comprehensive Plan. To the best of applicant's knowledge, the continued provision of service to the Utility's customers and deletion of certain undeveloped parcels will be consistent with the local comprehensive plan.

3. Land Ownership. The Utility continues to own the land upon which the utility facilities are located. The PSC Staff states in its January 20, 2005 Staff Recommendation in Docket No. 030998-WS that it verified that Palm Valley owns the land upon which the utility facilities are located. The relevant deeds are attached hereto as Attachment "A."

4. Fla. Admin Code Rule 25-30.036(3)(j)(k),(l),(m), and (n):

(3)(j): The Utility operates a 0.900 MGD maximum day water treatment facility and a 0.150 MGD permitted capacity extended aeration wastewater treatment facility. The public water supply wells are permitted for maximum annual ground water allocations by the St. John's River Water Management District. The water plant and distribution system and wastewater plant and collection system are permitted by the Florida Department of Environmental Protection ("FDEP"). The allocation rates and permitted capacities are based on the community development plan. The facilities are capable of providing water and wastewater service to the existing build-out capacity of Palm Valley mobile home community and the Fox Run Subdivision. There is no proposed extension and therefore no design capacity of same.

(3)(k): There are no proposed systems and therefore there are no numbers and dates of any permits issued for any proposed systems by the FDEP.

(3)(l): There is no proposed construction and therefore there is no proposed method of financing any construction and therefore, also, there is no projected impact on the utility's capital structure.

(3)(m): There is no extension being proposed and therefore no customers anticipated to be served by same which could be described.

(3)(n): Since there is no extension there is no projected impact on the utility's monthly rates and service availability charges.

TAL:50687:1

RUDEN, McCLOSKEY, SMITH, SCHUSTER & RUSSELL, P.A.

5. The Utility provided its certificates to commission Staff as part of Docket No. 040765-WS. See Attachment "B" hereto. The undersigned understands that Staff has been unable to locate these certificates so will be issuing new certificates in that docket.

Additional Information

1. As Staff is aware, the notice which was mailed to existing customers, to governmental entities and utilities, and which was published, was approved in advance of mailing and publishing by PSC legal Staff. The customer notice had not, however, been mailed to three owners of undeveloped real property located within the Utility's service territory which property is being requested in this application to be deleted from the Utility's certificated territory. Pursuant to discussions with Staff, the Utility prepared notices for each of these three people which were submitted to and approved by PSC legal Staff on February 3, 2005, and mailed to these property owners on February 3, 2005. See Attachment "C" hereto, affidavit of mailing.

2. The application fee was based upon the ERCs served for water and wastewater plants.

A calculation of the ERC's affected by the area to be added to the territory description and to be deleted from the territory description is as follows:

Area to be Deleted = 17.36 acres
Development Capacity = 4.8 units per acre
ERC Factor for Water and for Wastewater = 0.8 per unit (mobile homes)

Therefore: ERC's affected by Area to be Deleted:

ERC's for Water and for Wastewater = 17.36 acres x 4.8 units per acre x 0.8 ERC's per unit = 66.7 ERC's


Area to be Added: 103 mobile homes (actual) x 0.8 ERC's per unit = 82.4 ERCs

Total ERCs affected: 149.1 ERCs for water and 149.1 ERCs for wastewater

Finally, I have attached for your information certain reuse information which Mr. Rieger requested pursuant to his telephone conversation with Mr. Allen Turner. Attachment "D" hereto.

Please let me know if you have any questions. Please acknowledge receipt of the foregoing by stamping the enclosed extra copy of this letter and returning same to my attention.

Sincerely,



Kathryn G.W. Cowdery

Enclosures

TAL:50687:1

RUDEN, McCLOSKEY, SMITH, SCHUSTER & RUSSELL, P.A.

ATTACHMENT A

Book 1721 Page 1692

P. Langley

This Instrument Prepared By
and Requested By: *James C. Brindis*
Ronald L. Clark, Clerk & Campbell, P.A.
Post Office Box 4339, Lakeland, FL 33807-4339

Doc # 99046313
Book: 1721
Page: 1692 - 1692
Filed & Recorded
06/03/99 03:47:42 AM
JAMES C. BRINDIS
CLERK OF CIRCUIT COURT
LAKE COUNTY
RECORDING FEE \$ 29.00
TRUST FEE \$ 4.00
DEED REC STAMP \$ 24,578.16

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made the 30th day of March, 1999,
by Haselton Properties, Ltd., a Florida limited partnership, whose address is 5015 South Florida
Avenue, Suite 200, Lakeland, Florida 33813 and Century Realty Funds, Inc., a Florida
corporation, whose address is 5015 South Florida Avenue, Suite 200, Lakeland, Florida 33813
(the "Grantor"), to CWS COMMUNITIES LP, a Delaware limited partnership, whose address
is c/o CS Group, 7777 Market Center Avenue, El Paso, Texas 79912-8412 (the "Grantee");

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and
other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains,
sells, alien, releases, conveys and confirms unto the Grantee, all that certain land
situate in Lake County, Florida ("Property"), viz:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED
HEREIN BY REFERENCE.

This Conveyance is subject to the following:

1. Taxes and assessments for 1999 and subsequent years.
2. Tenants in possession under oral or written leases which do not include any right to purchase.
3. Easement to the Florida Power Corporation recorded at Official Records Book 117, Page 198, public records of Lake County, Florida.
4. Easement to the Florida Power Corporation recorded at Official Records Book 368, Page 726, public records of Lake County, Florida.
5. Distribution Easement to the Florida Power Corporation recorded at Official Records Book 750, Page 463, public records of Lake County, Florida; and Distribution Easement to Florida Power Corporation recorded at Official Records Book 762, Page 1431, public records of Lake County, Florida.
6. Distribution Easement to the Florida Power Corporation recorded at Official Records Book 867, Page 1086, public records of Lake County, Florida.

15
HASSELTON
VILLAGE

78083?

Description: Lake, FL Document-Book Page 1721.1692 Page: 1 of 7
Order: NTA Comment:

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7. Leases Recorded in the public records of Lake County, Florida, which do not contain a right to purchase.

8. Easement to Florida Power Corporation recorded at Official Records Book 896, Page 2196, public records, Lake County, Florida.

9. Subject to the Real Estate Mortgage and Security Agreement in favor of NCNB National Bank of Florida recorded at Official Records Book 1133, Page 2012, public records, Lake County, Florida; the Real Estate Modification Agreement at Official Records Book 1294, Page 2414, public records of Lake County, Florida; and the Mortgage Modification and Receipt of Future Advance Agreement recorded at Official Records Book 1589, Page 1553, public records of Lake County, Florida, all of which Grantee expressly assumes and agrees to pay.

10. Subject to the Assignment of Lessor's Interest in Leases, Rents and Profits, to NCNB National Bank of Florida dated October 11, 1991 and recorded November 1, 1991 at Official Records Book 1133, Page 2030, public records, Lake County, Florida which Grantee expressly assumes.

11. Subject to the Assignment of Rents, Leases, Income, Profits and Contracts to NationsBank of Florida, N.A., dated February, 27, 1998 and recorded March 6, 1998 at Official Records Book 1589, Page 2419, public records of Lake County, Florida which Grantee expressly assumes.

12. Subject to the Assignments of Rents, Leases, Income, Profits, Contracts to NationsBank, N.A., dated February 27, 1998, and recorded March 6, 1998 at Official Records Book 1589, Page 1559, public records of Lake County, Florida which Grantee expressly assumes.

13. Subject to the UCC Financing Statement in favor of NCNB National Bank of Florida recorded November 1, 1991 at Official Records Book 1133, Page 2035, public records of Lake County, Florida and continuation thereof recorded July 22, 1996 at Official Records Book 1452, Page 249, public records of Lake County Florida which Grantee expressly assumes.

The Grantor covenants that during Grantor's ownership of the Property, Grantor has not encumbered the Property or created any liens thereon, except as stated above and that lawful seisin of and good right to convey the Property are vested in the Grantor.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents this day and year first above written.

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Signed, sealed and delivered
in our presence:

Hazleton Properties, Ltd., a
Florida limited partnership
By its General Partner:
Century Realty Funds, Inc., a
Florida corporation

Robert L. Mason
Name Robert L. Mason

By: Lawrence T. Maxwell
Lawrence T. Maxwell, its President

Frank J. O'Connell
Name Frank J. O'Connell

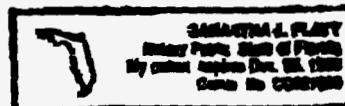
STATE OF FLORIDA
COUNTY OF POLK

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Lawrence T. Maxwell, President of Century Realty Funds, Inc., a Florida corporation, General Partner of Hazleton Properties, Ltd., a Florida limited partnership, to me personally known or known to me by evidence of identification of _____ to be the person(s) described in and who executed the foregoing instrument and who did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 30th day of March, 1999.

My Commission Expires:

Samantha J. Platt
Notary Public



Century Realty Funds, Inc., a
Florida corporation

Robert L. Mason
Name Robert L. Mason

By: Lawrence T. Maxwell
Lawrence T. Maxwell, its President

Frank J. O'Connell
Name Frank J. O'Connell

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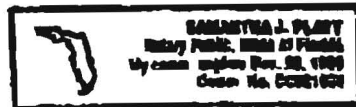
STATE OF FLORIDA
COUNTY OF POLK

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Lawrence T. Maxwell, President of Century Realty Funds, Inc., a Florida corporation, to me, personally known or known to me by evidence of identification of _____ to be the person(s) described in and who executed the foregoing instrument and who did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 30th day of March, 1999.


Samantha J. Platt
Notary Public

My Commission Expires:



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EXHIBIT "A"**LEGAL DESCRIPTION**

PARCEL A: Beginning at the East 1/4 corner of Section 34, Township 18 South, Range 26 East, Lake County, Florida, run thence South 01°48'30" West a distance of 600.06 feet, thence South 60°02'15" East a distance of 258.75 feet to the Westerly right of way of County Road No. 19A, thence South 27°20'27" West along said right of way, a distance of 529.11 feet to the beginning of a curve having a radius of 510.46 feet and being concave Easterly, thence along the arc of said curve and through a central angle of 23°49'40" an arc length of 212.28 feet, thence South 01°43'53" West along said Westerly right of way of County Road No. 19A, a distance of 369.71 feet to the Northerly right of way a distance of 806.22 feet, thence North 01°52'26" East, a distance of 514.53 feet, thence North 89°19'12" West a distance of 9.49 feet, thence North 01°50'47" East a distance of 39.32 feet, thence South 89°37'31" West a distance of 641.18 feet to the Southwest bank of a dug canal, thence North 25°58'09" West along said Southwest bank of a dug canal, a distance of 304.55 feet, thence North 01°51'37" East a distance of 641.18 feet to the Southwest bank of a dug canal, thence North 25°58'09" West along said Southwest bank of a dug canal, a distance of 304.55 feet, thence North 01°51'37" East a distance of 340.00 feet to the East-West Mid-Section line, thence South 88°35'32" East along said East-West Mid-Section line, a distance of 1315.80 feet to the Point of Beginning.

PARCEL B: That part of the Northeast 1/4 of Section 34, Township 18 South, Range 26 East, Lake County, Florida, described as follows: Begin at the Southeast corner of said Northeast 1/4 of Section 34, run thence North 01°54'49" East along the East line of said Northeast 1/4 a distance of 202.01 feet, thence North 42°18'58" West 524.11 feet, thence South 22°28'22" West 621.10 feet to a point on the South line of said Northeast 1/4 of Section 34, thence South 88°35'32" East along the said South line of the Northeast 1/4 of Section 34, a distance of 583.71 feet to the Point of Beginning and Point of Terminus.

The above described PARCELS A and B are the same as in Warranty Deed recorded in Official Records Book 998, page 1974 of the Public Records of Lake County, Florida. Based on a ALTA/ACSM Land Title Survey (Boundary Survey) performed by Harold L. Wize, Professional Surveyor and Mapper Certificate No. 3456 of the State of Florida, completed on February 10, 1999, said PARCELS A and B are more particularly described as follows:

A tract of land situated in Sections 34 and 35, Township 18 South, Range 26 East, Lake County, Florida, being the same as Parcels A and B as described in Warranty Deed recorded in Official Records Book 998, page 1974 of the Public Records of said County and being more particularly described as follows:

Commence at a 4" square concrete monument being the East 1/4 corner of the aforementioned Section 34, Township 18 South, Range 26 East for the POINT OF BEGINNING and thence run along the boundaries of the aforementioned Parcel A the following fourteen (14) courses: (1)

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thence run $S.01^{\circ}48'30"W.$, along the East line of said Section 34, a distance of 600.06 feet to a $\frac{1}{2}$ " steel rod and cap stamped GFY LB021 at the Southwest corner of Lot 7 of Caskey's Cove, a subdivision as per plat thereof recorded in Plat Book 16, page 21, of said Public records; (2) thence run $S.60^{\circ}04'59"E.$, along the Southerly line of a public roadway as per Dedication recorded in Official Records Book 340, page 151 of said Public Records, a distance of 258.64 feet (formerly a record distance of 258.75 feet) to a 3.5" round concrete monument and cap stamped LS1916 on the Westerly right of way line of County Road No. 19-A (66 feet wide right of way); (3) thence run $S.27^{\circ}18'47"E.$, along said Westerly right of way line, a distance of 511.70 feet (formerly a record distance of 529.11 feet) to a $\frac{1}{2}$ " steel rod and cap stamped GFY LB021 at the beginning of a curve concave Easterly and having a radius of 510.46 feet; (4) thence run Southerly, along said right of way line, with said curve, through a central angle of $25^{\circ}25'50"$, an arc distance of 226.57 feet (formerly a record distance of 212.28 feet), said arc being subtended by a chord having a bearing and distance of $S.14^{\circ}35'52"E.$, 224.71 feet respectively to a $\frac{1}{2}$ " steel rod and cap stamped GFY LB021 at the end of said curve; (5) thence run $S.01^{\circ}52'57"W.$, along said Westerly right of way line, a distance of 372.63 feet (formerly a record distance of 369.71 feet) to a 4" square concrete monument marked SRD R/W at the intersection of said Westerly right of way line with the North right of way line of County Road No. 452-A, now known as County Road 44 (100 feet wide right of way); (6) thence run $S.89^{\circ}58'10"W.$, along said North right of way line, a distance of 806.11 feet (formerly a record distance of 806.22 feet) to a 3.5" round concrete monument and cap stamped LS1916; (7) thence leaving said North right of way line, run $N.01^{\circ}51'45"E.$, along the West line of the East 190.00 feet of the N. W. 1/4 of the S. E. 1/4 of the S. E. 1/4 of said Section 34, a distance of 514.40 feet (formerly a record distance of 514.53 feet) to a 3.5" round concrete monument and cap stamped LS1571 on the South line of the N.E. 1/4 of the S. E. 1/4 of said Section 34; (8) thence run $N.89^{\circ}17'10"W.$, along said South line, a distance of 9.49 feet to a $\frac{1}{2}$ " steel rod and cap stamped GFY LB021; (9) thence run $N.01^{\circ}39'35"E.$, a distance of 39.55 feet (formerly a record distance of 39.62 feet) to a $\frac{1}{2}$ " steel rod and cap stamped HALL & FARN LB707; (10) thence run $S.89^{\circ}33'54"W.$, a distance of 339.50 feet (formerly a record distance of 339.62 feet) to a 3/5" round concrete monument and cap stamped LS1571; (11) thence run $N.01^{\circ}51'27"E.$ parallel with and 120.00 feet East of the West line of said N. E. 1/4 of the S. E. 1/4, a distance of 641.98 feet (formerly a record distance of 641.18 feet) to a 5/8" steel rod on the Southwesterly bank of a dug canal; (12) thence run $N.23^{\circ}55'37"W.$, along said Southwesterly bank of a dug canal, a distance of 275.93 feet (formerly a record distance of 304.55 feet) to a 5/8" steel rod on said West line of the N. E. 1/4 of the S. E. 1/4 of Section 34; (13) thence run $N.01^{\circ}47'59"E.$, along said West line, a distance of 360.90 feet (formerly a record distance of 340.00 feet) to a 4" octagonal concrete monument at the Northwest corner of said N. E. 1/4 of the S. E. 1/4 of Section 34; (14) thence run $S.88^{\circ}36'15"E.$, along the North line of said N. W. 1/4 of the S. E. 1/4 of Section 34 (East-West Mid-Section line), a distance of 751.10 feet to a $\frac{1}{2}$ " steel rod and cap stamped GFY LB021 at the Southwest corner of the aforementioned Parcel B, said corner is $N.88^{\circ}36'15"W.$, a distance of 583.71 feet from the aforementioned POINT OF BEGINNING; thence run along the boundaries of said Parcel B the following three (3) courses: (1) thence run $N.22^{\circ}20'47"E.$, a distance of 621.10 feet to a 3.5" round concrete monument and cap stamped LS1916; (2) thence run $S.42^{\circ}27'45"E.$, a distance of 524.05 feet (formerly a record distance of

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524.11 feet) to a 3.5" round concrete monument and cap stamped LS1916 on the East line of the N. E. 1/4 of said Section 34; (3) thence run $8.01^{\circ}45'45''$ W., along said East line, a distance of 202.18 feet (formerly a record distance of 202.01 feet) to a 4" square concrete monument at the Southeast corner of said N. E. 1/4 of Section 34 and to close on the POINT OF BEGINNING.

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Description: Lake, FL Document-Book Page 1721, 1692 Page: 7 of 7
Order: HTA Comment:

DEL
TURA

4
K.S.G

INSTR # 4898126
OR BK 03267 PG 3070
RECORDED BY/DATE BY/DATE
FILED BY/DATE CLERK OF COURT
LEE COUNTY
RECORDING FEE \$5.00
NOTARY SIGN & Certificate

This Instrument Prepared By and Return to:

DAVID S. BERNSTEIN, ESQ.
Rudon, McClusky, Smith,
Schuster & Russell, P.A.
Post Office Box 14034
St. Petersburg, FL 33733

Parcel No. 18-49-24-00-0001,0000

Space above this line for recorder's use only

WARRANTY DEED

THIS INSTRUMENT, made as of this 12th day of June, A.D., 2000, between SUN COAST INVESTMENT GROUP LIMITED, a Florida limited partnership, Grantor, and DEL TURA PHASE I, LLC, a Florida limited liability company, having an address at 8180 South Syracuse Way, Greenwood Village, Colorado, 80111, Grantee,

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, conveyed and sold to the said Grantee forever, the following described land, situate, lying and being in the Lee County, Florida, to-wit:

- SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.
- SUBJECT TO REAL ESTATE TAXES FOR THE YEAR 2000 AND SUBSEQUENT YEARS.
- SUBJECT TO THOSE CERTAIN PERMITTED TITLE EXCEPTIONS SET FORTH IN EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whatsoever.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be signed the day and year above written.

WITNESSES:

SUN COAST INVESTMENT GROUP LIMITED, a Florida limited partnership

By: CHATEAU COMMUNITIES, INC., a Maryland corporation authorized to transact business in the State of Florida, its sole general partner

[Signature]
Print Name: John Clayton O'Leary

By: Tamara D. Fischer
TAMARA D. FISCHER,
Executive Vice President
8180 South Syracuse Way
Greenwood Village, CO 80111

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Description: Lee, FL Document-Book Page 3267.3070 Page: 1 of 4
Order: hometown Comment:

OR DE 0007 PG 2071

Some copy file for reference's use only

DISTRICT OF COLUMBIA

The foregoing Warranty Deed was acknowledged before me this 16th day of June, 2000, by YAMARA D. ROCHER, as Executive Vice President of CHATEAU COMMUNITIES, INC., a Maryland corporation authorized to transact business in the State of Florida, in her capacity as sole General Partner of SUN COAST INVESTMENT GROUP LIMITED, a Florida limited partnership.

My Commission Expires:

Claudia B. Bixler
Notary Public
NOTARY PUBLIC

Claudia B. Bixler
Notary Public, District of Columbia
My Commission Expires March 31, 2003



177 20482

2

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Description: Lec, FL Document-Book Page 3267.3070 Page: 2 of 4
Order: homstown Comment:

P. 02/09

FAX NO. 11

AMERICA HOMETOWN

JAN-20-05 THU 11:53 AM

02 01 0307 PG 3078

**JOHNNY "A"
LEGAL DESCRIPTION**

PARCEL 1

A parcel of land in Section 18, Township 43 South, Range 24 East, Lee County, Florida, more particularly described as follows:

BEGIN at the Southwest corner of Section 18, Township 43 South, Range 24 East; thence North 09°35'55" East along the West line of the Southwest one-quarter of said Section 18 for 1888.24 feet; thence North 82°52'51" East for 4288.08 feet to an intersection with the Westerly right-of-way line of S.R. 48 (U.S. 41); thence along said Westerly right-of-way line for the following described two (2) courses: (1) South 28°07'10" East for 378.40 feet; (2) thence South 27°33'08" East for 400.13 feet; (3) thence South 28°58'55" East for 200.25 feet; (4) thence South 81°50'22" East for 261.99 feet; (5) thence South 38°59'23" East for 101.50 feet to an intersection with the Northerly line of that certain parcel of land described in O.R. Book 1899, Page 1878, of the public records of Lee County, Florida; thence South 83°52'50" West along said Northerly line for 478.42 feet; thence South 88°07'10" East along the Westerly line of said parcel for 300.08 feet; thence North 82°02'50" East along the Southerly line of said parcel for 681.30 feet to an intersection with the aforementioned Westerly right-of-way line of S.R. 48; thence South 28°07'10" East along said Westerly right-of-way line for 80.50 feet; thence South 83°52'50" West for 481.30 feet; thence South 28°07'10" East for 2288.85 feet to an intersection with the South line of the Southeast one-quarter of the aforementioned Section 18; thence North 88°22'52" West along said South line for 2123.22 feet to the Southeast corner of the Southwest one-quarter of said Section 18; thence South 88°08'40" West along the South line of said Southwest one-quarter for 3058.38 feet to the POINT OF BEGINNING.

PARCEL 2

TOGETHER WITH easements for drainage and access purposes, including, but not limited to the right to construct drainage ditches and access roadways along the easements, as set forth in Grants of Easement recorded in O.R. Book 1849, Page 2118, O.R. Book 1849, Page 2118, O.R. Book 1849, Page 2121 and O.R. Book 1880, Page 2885, public records of Lee County, Florida.

PARCEL 3

TOGETHER WITH easements for access road, ingress and egress, general roadway and sidewalk and for recreational facilities as set forth in Easement Agreement recorded in O.R. Book 1862, Page 588, public records of Lee County, Florida.

11/10/07

02/12/08 1:07 PM

Description: Lee, FL Document-Book, Page 3267, 3070 Page: 3 of 4
Order: hometown Comment:

**EXHIBIT "B"
PROPOSED EASEMENTS**

1. Rights of tenants in possession, as tenants only, under unrecorded written or oral leases, subject only to the statutory lease provided by §723.001, Florida Statutes.
2. Terms and conditions of easement for drainage purposes, including, but not limited to the right to construct drainage ditch and access roadway along the easement, as set forth in Grant of Easement by and between Juan Carlos Maza and Suncoast Investment Group, L.P., recorded October 7, 1991 in O.R. Book 1848, Page 2118, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. See to Parcels I and II.
3. Terms and conditions of easement for drainage purposes, including, but not limited to the right to construct drainage ditch and access roadway along the easement, as set forth in Grant of Easement by and between Joseph C. Tanka and Suncoast Investment Group, Ltd. recorded in O.R. Book 1848, Page 2118, Page 2118, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. See to Parcels I and II.
4. Terms and conditions of easement for drainage purposes, including, but not limited to the right to construct drainage ditch and access roadway along the easement, as set forth in Grant of Easement by and between Charles Tanka III and Eleanor Joan Tanka and Suncoast Investment Group, Ltd. recorded in O.R. Book 1848, Page 2121, Page 2118, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. See to Parcels I and II.
5. Right-of-Way Easement in favor of Lee County Board of County Commissioners, recorded January 19, 1992 in O.R. Book 1878, Page 239, Page 2118, Public Records of Lee County, Florida, and as noted on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. See to Parcel II.
6. Perpetual Utility Easement Grant and Indemnity Agreement in favor of Lee County Board of Commissioners, recorded April 13, 1994 in O.R. Book 1721, Page 2872, Page 2118, Public Records of Lee County, Florida, and as noted on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. See to Parcel II.
7. Terms and conditions of easement for drainage purposes, including, but not limited to the right to construct drainage ditch and access roadway along the easement, as set forth in Grant of Easement recorded in O.R. Book 1880, Page 3898, Page 2118, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. See to Parcels I and II.
8. Terms and conditions of easements for access road, ingress and egress, general roadway and sidewalk and for recreational facilities as set forth in Easement Agreement by and between Suncoast Investment Group Limited and Suncoast Investment Group, Ltd. recorded April 13, 1994 in O.R. Book 1882, Page 3888, Page 2118, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. See to Parcels I and II.
9. Easement Grant and Partial Release of Easement in favor of Lee County Electric Cooperative, Inc., recorded May 26, 1999 in O.R. Book 3072, Page 3642, Page 2118, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. See to Parcel II.

117.2061427

06/08/2000 10:58 AM

Description: Lee, FL Document-Book Page 3267, 3070 Page: 4 of 4
Order: hometown COMMENT:

This instrument Prepared By and Return to:

DAVID S. BUNNISTEN, ESC.
Rulon McClosky, Smith,
Attorney at Law, P.A.
Post Office Box 14634
St. Petersburg, FL 33733

Parcel No. 18-63-24-00-00001.007B

ORDER # 4886143
CR REC 03267 PG 3156
RECORDED 03/14/05 01:20 PM
COUNTY CLERK OF LEON
LEON COUNTY
REGISTERED FOR \$0.00
SERIAL 03267 1/03/05

Space above this line for recorder's use only

WARRANTY DEED

THIS INSTRUMENT, made as of this 12th day of June, A.D., 2005, between EUROAMERICAN INVESTMENT GROUP, LTD., a Florida limited partnership, Grantor, and DEL TUNA PHASE II, LLC, a Florida limited liability company, having an address at 8100 South Syracuse Way, Greenwood Village, Colorado, 80111, Grantee,

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, conveyed and sold to the said Grantee forever, the following described land, situate, lying and being in the Leon County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO REAL ESTATE TAXES FOR THE YEAR 2005 AND SUBSEQUENT YEARS.

SUBJECT TO THOSE CERTAIN PERMITTED TITLE EXCEPTIONS SET FORTH IN EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whatsoever.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be signed this day and year above written.

WITNESSES:

EUROAMERICAN INVESTMENT GROUP, LTD., a Florida limited partnership

By: CHATEAU COMMUNITIES, INC., a Maryland corporation authorized to transact business in the State of Florida, its sole general manager

[Signature]
Print Name: *[Name]*

By: *[Signature]*
TAMARA S. FISHER,
Executive Vice President
8100 South Syracuse Way
Greenwood Village, CO 80111

10/1/2005 10:10 AM

06/17/2005 10:10 AM

Description: Lee, FD Document-Book-Page 3267.3156 Page: 1 of 5
Order: hometown comment:

DE BE 00057 PM 3107

Space above this line for recorder's use only

DISTRICT OF COLUMBIA

The foregoing Warranty Deed was acknowledged before me this 12th day of June, 2000, by TAMARA B. FISCHER, as Executive Vice President of CHATEAU COMMUNITIES, INC., a Maryland corporation authorized to transact business in the State of Florida in its capacity as sole General Partner of EUNAMERICAN INVESTMENT GROUP, LTD., a Florida limited partnership.

My Commission Expires:

Claudia B. Bixler

Print Name:
NOTARY PUBLIC

Claudia B. Bixler
Notary Public, District of Columbia
My Commission Expires March 31, 2002



11/18/00

06/12/2000 5:10 PM

Description: Lee,FL Document-Book.Fage 3267.3156 Page: 2 of 5
Order: hometown Comment:

**EXHIBIT "A"
LEGAL DESCRIPTION**

PARCEL 1:

A parcel of land in Section 16, Township 43 South, Range 24 East, Lee County, Florida, more particularly described as follows:

Commencing at the Northwest corner of Section 16, Township 43 South, Range 24 East, thence South 00°24'20" East along the West line of the Northwest one-quarter of said Section 16 for 1583.88 feet to the POINT OF BEGINNING of the herein described parcel of land; thence curvilinear South 00°24'20" East along said West line for 1082.86 feet to the Southwest corner of the Northwest one-quarter of said Section 16; thence South 00°25'25" West along the west line of the Southwest one-quarter of said Section 16 for 822.48 feet; thence North 82°53'51" East for 4288.02 feet to an intersection with the Southeastern right-of-way line of S.R. 45 U.S. Highway 41, Tardif's Tract; thence North 28°07'10" West along said Southeastern right-of-way line for 1377.84 feet to an intersection with the Southern line of Fountain View, according to the plat thereof as recorded in Plat Book 24, Pages 168 through 172, inclusive, of the public records of Lee County, Florida; thence along said Southern line for the following three (3) courses: (1) South 82°52'20" West for 738.98; (2) thence South 78°41'50" West for 888.81 feet; (3) thence North 14°18'10" West for 180.88 feet to an intersection with the Southern line of Fountain View Unit 1-A, according to the plat thereof as recorded in Plat Book 38, Pages 50 and 51 of the aforementioned public records; thence along said Southern line for the following Southeast two (2) courses: (1) South 89°50'28" West for 301.37 feet; (2) thence South 78°41'50" West for 487.83 feet; thence South 14°18'10" East for 488.37 feet; thence South 78°41'50" West for 1028.11 feet to the POINT OF BEGINNING, LESS road rights-of-way. Being the same lands shown on the plat of DEL TURA UNIT II recorded in Plat Book 48, Pages 88 through 107, inclusive, public records of Lee County, Florida.

PARCEL 1(A):

TOGETHER WITH easements for drainage and access purposes, including, but not limited to the right to construct drainage ditches and access roadways along the easements, as set forth in Grant of Easement recorded in O.R. Book 1848, Page 2118, O.R. Book 1848, Page 2118, O.R. Book 1848, Page 2121 and O.R. Book 1880, Page 3881, public records of Lee County, Florida.

PARCEL 1(B):

TOGETHER WITH easements for access road, ingress and egress, general roadway and sidewalk and for recreational facilities as set forth in Easement Agreement recorded in O.R. Book 1882, Page 888, public records of Lee County, Florida.

PARCEL 2:

A parcel of land lying in the North 1/4 of Section 16, Township 43 South, Range 24 East, Lee County, Florida more particularly described as follows:

Commencing at the North 1/4 corner of Section 16, thence South 89°45'55" West (true or bearing being the Florida State Plane Coordinate System) along the North line of said Section 16, a distance of 2165.38 feet to the POINT OF BEGINNING; thence curvilinear South 89°45'55" West, a distance of 388.48 feet; thence South 89°24'12" West, a distance of 212.88 feet to the West line of said Section 16, being 100.00 feet South of the Northwest corner of said Section 16; thence South 02°22'25" East, a distance of 1483.88 feet along said West line; thence North 78°41'23" East, a distance of 1828.88 feet; thence North 14°18'37" West, a distance of 822.38 feet; thence North 17°11'08" West a distance of 882.88 feet to the POINT OF BEGINNING.

Description: Lee, FL Document-Book. Page 3267.3156 Page: 3 of 5
Order: hometown Comment:

EXHIBIT "B"
PERMITTED EASEMENTS

1. Rights of tenants in possession, as tenants only, under unrecorded written or oral leases, subject only to the statutory leases provided by §723.031, Florida Statutes.
2. Terms and conditions of easement for drainage purposes, including, but not limited to the right to construct drainage ditch and access roadway along the easement, as set forth in that certain Grant of Easement by and between Juan Carlos Mestre and Sunquest Investment Group, L.T.D. recorded October 7, 1981 in O.R. Book 1648, Page 2116, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300186. (see to Parcels 1, 1(A) and 2).
3. Terms and conditions of easement for drainage purposes, including, but not limited to the right to construct drainage ditch and access roadway along the easement, as set forth in Grant of Easement by and between Joseph C. Toole and Sunquest Investment Group, Ltd. recorded in O.R. Book 1648, Page 2116 Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300186. (see to Parcels 1, 1(A) and 2).
4. Terms and conditions of easement for drainage purposes, including, but not limited to the right to construct drainage ditch and access roadway along the easement, as set forth in Grant of Easement by and between Clayton Toole III and Eleanor Beth Toole and Sunquest Investment Group, Ltd. recorded in O.R. Book 1648, Page 2121 Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300186. (see to Parcels 1, 1(A) and 2).
5. Right-of-Way Easement in favor of Lee County Board of County Commissioners, recorded January 18, 1982 in O.R. Book 1678, Page 725 Public Records of Lee County, Florida, and as noted on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300186. (see to Parcels 1 and 2).
6. Perpetual Utility Easement Grant and Indemnity Agreement in favor of Lee County Board of Commissioners, recorded April 13, 1984 in O.R. Book 1721, Page 2572 Public Records of Lee County, Florida, and as noted on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300186. (see to Parcels 1 and 2).
7. Blanket telephone easement granted in that certain instrument entitled Easement in favor of United Telephone Company of Florida, recorded July 20, 1987 in O.R. Book 1830, Page 1877 Public Records of Lee County, Florida, and as noted on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300186. (see to Parcels 1 and 2).
8. Perpetual Utility Easement Grant and Indemnity Agreement in favor of Lee County Board of County Commissioners, recorded February 28, 1988 in O.R. Book 1872, Page 3132 Public Records of Lee County, Florida, and as noted on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300186. (see to Parcels 1 and 2).
9. Terms and conditions of easement for drainage purposes, including, but not limited to the right to construct drainage ditch and access roadway along the easement, as set forth in Grant of Easement recorded in O.R. Book 1880, Page 3886 Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300186. (see to Parcel 1).

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Description: Lee, FL Document-Book, Page 3267, 3156 Page: 4 of 5
Order: hometown Comment:

10. Terms and conditions of easements for access road, ingress and egress, general roadway and sidewalk and for recreational facilities as set forth in Easement Agreement by and between Suncoast Investment Group Limited and Suncoast Investment Group, Ltd. recorded April 12, 1988 in O.R. Book 1982, Page 558 Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. (see to Parcels 1 and 189).
11. 15' wide utility easement in that certain instrument entitled Right-of-Way Easement in favor of Lee County Electric Cooperative, Inc., recorded July 8, 1988 in O.R. Book 3001, Page 3816 Public Records of Lee County, Florida, and as noted on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. (see to Parcels 1 and 2).
12. Perpetual Utility Easement Grant and Indemnity Agreement in favor of Lee County Board of Commissioners recorded in O.R. Book 2027, Page 758 Public Records of Lee County, Florida, and as noted on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. (see to Parcels 1 and 2)
13. Easement Grant and Partial Release of Easement in favor of Lee County Electric Cooperative, Inc., recorded in O.R. Book 2072, Page 3823 Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. (see to Parcel 1)
14. Perpetual Utility Easement Grant and Indemnity Agreement in favor of Lee County Board of Commissioners, recorded in O.R. Book 2308, Page 3834 Public Records of Lee County, Florida, and as noted on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. (see to Parcel 2)
15. Utility and drainage easements and other matters set forth on plat recorded in Plat Book 48, Pages 88 through 107, inclusive, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300188. (see to Parcel 1)

CLERK OF CIRCUIT COURT

SEMINOLE COUNTY, FL
RECORDED & VERIFIED

428503

99 AUG 31 AM 9:27

60-53
12/15/99

Upon recording return to:
James A. Parker
Mayer, Brown & Platt
190 South LaSalle Street
Chicago, Illinois 60603
(312) 782-0600

OFFICIAL RECORDS
BOOK 3715 PAGE 0281
SEMINOLE CO. FL

PROPERTY TAX ID. NUMBER: 34-21-31-503-0000-008A

Documentary Tax Pd. \$ 126,567.00

GRANTEE'S FED. TAX ID. NUMBER: 74-2860067

Intangible Tax Pd. \$
Maryanne Morse, Mark Samuels

SPECIAL WARRANTY DEED
(Palm Valley, Florida)

County By: GH D/S

THIS SPECIAL WARRANTY DEED (this "Deed") is made, entered into and effective this 30 day of August, 1999 by (i) ALAFAYA PALM VALLEY ASSOCIATES, LTD., a California limited partnership, with an office and place of business located at c/o CWS Capital Partners LLC, 800 Newport Center Drive, Suite 400, Newport Beach, California 92660 (the "Grantor"), in favor of (ii) CWS COMMUNITIES LP, a Delaware limited partnership, having an office and place of business located at 7777 Market Center Avenue, El Paso, Texas 79912 (the "Grantee").

PALM VALLEY

WITNESSETH:

That for and in consideration of the sum of TEN and NO/100 DOLLARS (\$10.00), cash in hand paid by the Grantee to the Grantor, and for other good and valuable consideration, the receipt of which is hereby acknowledged by the Grantor, the Grantor has bargained and sold and does hereby grant and convey unto the Grantee and the Grantee's successors and assigns forever, in fee simple, the parcel of real property located in Seminole County, Florida, as more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Real Property").

1

TO HAVE AND TO HOLD the Real Property, together with all appurtenances and privileges thereunto belonging, unto the Grantee and the Grantee's successors and assigns forever, in fee simple.

The Grantor does hereby fully warrant the title to the Real Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor.

The Real Property is being conveyed hereby subject to (a) real estate taxes for 1999 and the permitted exceptions listed on Exhibit B attached hereto and incorporated herein by this reference.

972465 - REV 9/15/98 P.044 (2/24/97)

WITNESSETH:
TITEL INSURANCE COMPANY

8/19/99

OFFICIAL RECORDS
BOOK PAGE

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IN WITNESS WHEREOF, the undersigned has caused this Special Warranty Deed to be executed by its fully authorized agents on the day, month and year first above written.

ALAFAYA PALM VALLEY ASSOCIATES, LTD., a
California limited partnership

By: Clayton, Williams & Sherwood Financial Group II,
a California corporation, its general partner

By: [Signature]
Name: Steven J. Sherwood
Title: CEO / Secretary

Signed, sealed and
delivered in the
presence of:
Kimberly Buchanan
Print Name

[Signature]
Print Name

9326821 25099 24299 98112542

OFFICIAL RECORDS
BOOK PAGE

3715 0266

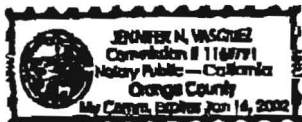
STATE OF CALIFORNIA

SEMINOLE CO. FL
SS.

COUNTY OF Orange

On August 30, 1999, before me, Jennifer N. Vasquez Notary Public,
personally appeared Steven S. Silverwood, and _____,
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person
whose name is subscribed to the within instrument and acknowledged to me that he/she executed
the same in his/her authorized capacity, and that by his/her signature on the instrument the
person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Jennifer N. Vasquez
Notary Public

931486, 1 800 95 1528 95 12642

Description: Seminole, FL Document-Book Page 3715.264 Page: 3 of 13

Order: HTA Comment:

OFFICIAL RECORDS
BOOK PAGE

3715 0267

EXHIBIT SEMINOLE CO. FL

Legal Description

SEM 04/20/07 11:50 AM

Description: Seminole, FL Document-Book. Page 3715.264 Page: 4 of 13
Order: HTA Comment:

OFFICIAL RECORDS
BOOK PAGE3715 0268
EXHIBIT A
SEMINOLE CO. FLPARCEL 1:

A parcel of land lying in Sections 34 and 35, Township 21 South, Range 31 East, Seminole County, Florida, being more particularly described as follows:

Commencing at the South 1/4 corner of said Section 34, said point also being a Southwestly corner of ORLANDO INDUSTRIAL PARK as recorded in Plat Book 10, page 188 of the Public Records of Seminole County, Florida; run North 00 00' 19" West a distance of 940.14 feet to the Southwest corner of Lot 25, of said ORLANDO INDUSTRIAL PARK, for a point of Beginning; thence continue North 00 00' 19" West along the Westerly line of said Lot 25 a distance of 301.27 feet to the Southeast CORNER of Lot 23 of said ORLANDO INDUSTRIAL PARK, said point also being the Northeast corner of the Southeast 1/4 of the Southwest 1/4 of said Section 34; thence North 89 24' 17" West along the Southerly line of Lots 23 and 22 of said ORLANDO INDUSTRIAL PARK a distance of 1275.48 feet to the Southwest corner of said Lot 22, said point also being on the Easterly right-of-way line of Alafaya Trail (State Road 434); thence North 00 05' 57" East along said Easterly right-of-way line and the Westerly line of Lot 22 a distance of 85.00 feet to a point; thence departing said right-of-way, run South 89 06' 21" East a distance of 1150.23 feet to a point on the Westerly line of the Easterly 125.00 feet of the aforementioned Lot 23; thence North 00 00' 19" West along said Westerly line a distance of 784.41 feet to the Southerly right-of-way line of Park Road; thence along said Southerly right-of-way line North 62 30' 57" East a distance of 1216.34 feet to the point of curvature of a non-tangent curve concave Southeastly having a radius of 2625.65 feet; thence from a chord bearing of North 77 15' 35" East run Northeastly along the arc of said curve through a central angle of 28 56' 05" a distance of 1234.31 feet to a point; thence South 89 13' 46" East a distance of 799.96 feet to the East line of the West 1/2 of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 35, Township 21 South, Range 31 East; thence departing said Southerly right-of-way line run North 00 14' 22" East along said East line a distance of 70.00 feet to the Northerly right-of-way line of Park Road; thence North 88 18' 46" West along said Northerly right-of-way line a distance of 799.11 feet to the point of curvature of a non-tangent curve having a radius of 2696.65 feet; thence from a chord bearing of South 87 10' 30" West run Westerly along the arc of said curve through a central angle of 07 06' 08" a distance of 334.12 feet to a point; thence departing said Northerly right-of-way line run North 00 13' 23" East a distance of 650.01 feet; thence North 88 39' 44" East a distance of 541.43 feet; thence North 00 14' 22" East a distance of 228.21 feet to the North line of Lot 5 of ORLANDO INDUSTRIAL PARK UNIT 2, as recorded in Plat Book 11, page 43 of the Public Records of Seminole County, Florida; thence South 89 09' 59" East along said North line a distance of 257.88 feet to the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 34; thence departing said North line run North 00 16' 50" East along the East line of the Northeast 1/4 of said Section 34 a distance of 1332.60 feet to the Northwest corner of Section 34; thence South 89 51' 02" East along the North line of the aforementioned Section 34 a distance of 322.85 feet to the East line of the West 1/4 of the Northwest 1/4 of the Northwest 1/4 of said Section 35; thence South 00 14' 22" West along said East line a distance of 1331.94 feet to the Northeast corner of the aforementioned Lot 5; thence South 00 14' 22" West along the Easterly line of said Lot 5 a distance of 879.48 feet to the North line of the South 453.34 feet of the East 1/2 of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 35; thence South 89 57' 57" East a distance of 314.44 feet to the East line of the East 1/2 of the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 35; thence South 00 11' 56" West a distance of 453.34

PALM VALLEY, FLORIDA

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Description: Seminole, FL Document-Book Page 3715, 264 Page: 5 of 13
Order: RTA Comment:

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SEMINOLE CO. FL

feet to the Northeast corner of the East 1/2 of the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of said Section 35; thence South 00 26' 25" East along the East line of the East 1/2 of the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of said Section 35 a distance of 1335.36 feet to the South line of the East 1/2 of the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of said Section 35; thence North 89 49' 27" West along said South line a distance of 333.26 feet to the West line of the East 1/2 of the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of said Section 35; thence North 00 30' 22" West along said West line a distance of 225.24 feet to the Southeast corner of Lot 3 of aforementioned ORLANDO INDUSTRIAL PARK UNIT 2; thence North 89 36' 34" West along the Southerly line of said Lot 3 and the Southerly line of Lot 8 of the aforementioned ORLANDO INDUSTRIAL PARK a distance of 1003.37 feet to a point 424.37 feet Easterly of the Southwest corner of said Lot 8; thence South 00 29' 25" East a distance of 210.33 feet; thence South 01 38' 41" East a distance of 482.28 feet; thence North 89 36' 50" West a distance of 129.30 feet to the East line of Lot 13 of said ORLANDO INDUSTRIAL PARK; thence South 74 26' 00" West along the Southerly line of said Lot 13 a distance of 364.01 feet; thence North 89 36' 50" West a distance of 760.00 feet to the Southwest corner of said Lot 13; thence North 00 01' 18" West along the West line of said Lot 13 a distance of 387.76 feet; thence South 89 37' 58" East a distance of 225.00 feet; thence North 00 01' 18" West a distance of 18.88 feet; thence South 89 37' 58" East a distance of 208.00 feet; thence North 01 25' 54" West a distance of 208.00 feet; thence North 89 37' 58" West a distance of 508.00 feet to the aforementioned Westerly line of lot 13; thence North 00 01' 18" West along said Westerly line a distance of 185.23 feet to the Northwest corner of said Lot 13; thence North 89 37' 58" West a distance of 78.00 feet to the Easterly line of Lot 25 of said ORLANDO INDUSTRIAL PARK; thence South 00 01' 18" East along said Easterly line a distance of 599.68 feet to the Southerly line of said Lot 25; thence North 89 36' 39" West along said Southerly line a distance of 670.02 feet to the Point of Beginning. Less rights-of-way of record.

LESS AND EXCEPT:

Commence at the Northwest corner of the right-of-way of Park Road as described on the plat of ORLANDO INDUSTRIAL PARK UNIT 11, Plat Book 11, page 43 of the Public Records of Seminole County, Florida; thence North 89 13' 46" West along the Northerly right-of-way of Park Road a distance of 604.5 feet to a Point of Beginning; thence North 01 52' 48" West a distance of 367.82 feet; thence North 89 36' 08" West a distance of 354.74 feet; thence South 01 36' 27" East a distance of 375.82 feet to a point on the Northerly right-of-way of Park Road; thence proceed along said right-of-way on a curve to the right having a chord bearing of North 89 21' 21" East, a radius of 2695.63 feet, a delta of 03 25' 49", and an arc length of 161.39 feet a distance of 161.39 feet; thence South 89 13' 46" East a distance of 191.81 feet to the Point of Beginning.

The above described parcel being and lying in Section 35, Township 21 South, Range 31 East, Seminole County, Florida.

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PALM VALLEY, FLORIDA

OFFICIAL: DE JUDGE
BOOK PAGE

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EXHIBIT A SEMINOLE CO. FL

PARCEL 2:

Non-Exclusive Easement dated June 26, 1985, recorded June 27, 1986 in O.R. Book 1746, page 1363, for landscaping, drainage, utilities, maintenance and signage located on that certain parcel of property described as follows:

Commencing at the Southwest corner of Lot 22 of ORLANDO INDUSTRIAL PARK according to the Plat Book 10, page 100 of the Public Records of Seminole County, Florida, said point also lying on the Easterly right-of-way line of Alafaya Trail; run thence North 00 05' 57" East along the Westerly line of said Lot 22 and said right-of-way line a distance of 95.00 feet to a Point of Beginning; thence continue North 00 05' 57" East a distance of 17.00 feet to a point; thence South 89 06' 21" East a distance of 1150.26 feet to a point on the Westerly line of the Easterly 125.00 feet of Lot 29 of said ORLANDO INDUSTRIAL PARK; thence South 00 00' 19" East along said Westerly line a distance of 17.00 feet to a point; thence North 89 06' 21" West a distance of 1150.29 feet to the Point of Beginning.

PARCEL 3:

The South 1/2 of the East 3/4 of the Southwest 1/4 of the Northwest 1/4, Less the South 453.34 feet of the East 1/2 of the West 1/2 of the said Southwest 1/4 of the Northwest 1/4, all in Section 35, Township 21 South, Range 31 East, Seminole County, Florida.

TOGETHER WITH a non-exclusive perpetual easement in favor of Anale V. Edwards and her successors, granted and assigns over the North 70 feet of the South 453.34 feet of the East 1/2 of the West 1/2 of the SW 1/4 of the NW 1/4 of said Section 35-21-31, Seminole County, Florida, as described in deed recorded in O.R. Book 1349, Page 1662, Public Records of Seminole County, Florida.

PARCEL 4:

Commence at the Northwest corner of the right-of-way of Park Road as described on the Plat of ORLANDO INDUSTRIAL PARK UNIT II, Plat Book 11, page 45 of the Public Records of Seminole County, Florida; thence North 89 13' 46" West along the westerly right-of-way of Park Road a distance of 604.5 feet to a Point of Beginning; thence North 91 32' 49" West a distance of 367.02 feet; thence North 88 36' 08" West a distance of 354.74 feet; thence South 81 36' 27" East a distance of 375.52 feet to a point on the Northerly right-of-way of Park Road; thence proceed along said right-of-way on a curve to the right having a chord bearing of North 89 06' 21" East, a radius of 2693.65 feet, a delta of 03 25' 49", and an arc length of 161.39 feet a distance of 161.39 feet; thence South 89 13' 46" East a distance of 194.71 feet to the Point of Beginning.

The above described parcel being and lying in Section 35, Township 21 South, Range 31 East, Seminole County, Florida.

PARCEL 5:

Legal description for the vacation of a portion of Park Road right-of-way.

All those rights-of-way of Park Road as shown on the Plats of Orlando Industrial Park as evidenced in Plat Book 10, page 100, of the Public Records of Seminole County, Florida, and Orlando Industrial Park, Unit 2, as recorded in Plat Book 11, page 43, of the Public Records of Seminole County, Florida, lying Easterly of the following described line.

Legibility Unsatisfactory
For Microfilming

PALM VALLEY, FLORIDA

1

OFFICIAL RECORDS
BOOK PAGE

3715 0272

EXHIBIT B SEMINOLE CO. FL

Permitted Exceptions

026448 1 03000 19307 003 17442

Description: Seminole, FL Document-Book-Page 3715.264 Page: 3 of 13
Order: REA Comment:

OFFICIAL RECORDS
BOOK PAGE3715 0271
EXHIBIT A

SEMINOLE CO. FL

Commencing at the Southeast corner of Lot 5, Orlando Industrial Park, Unit 2, as recorded in Plat Book 11, page 43, of the Public Records of Seminole County, Florida; thence run North 89° 13' 46" West, along the Northerly right-of-way line of Park Road as recorded in the Plat of Orlando Industrial Park, Unit 2, as recorded in Plat Book 11, page 43, of the Public Records of Seminole County, Florida a distance of 789.31 feet, to the point of curvature of a curve concave Southerly having a radius of 2895.65 feet; thence run Westerly along the arc of said curve, through a central angle of 07° 06' 06" a distance of 334.12 feet, to the Point of Beginning, of the line being described herein, said point also being the most Southwesterly corner of a parcel of land as described in Official Records Book 1763, page 1208, of the Public Records of Seminole County, Florida; thence, departing said Northerly right-of-way line run South 06° 38' 52" East, along a line being radial to the said Northerly right-of-way line of Park Road, a distance of 78.08 feet, to a point of intersection of the Southerly right-of-way line of said Park Road, also being the Point of Termination of said line.

TOGETHER WITH:

The remaining Northerly portion of Parcel 4 as described in O.R. Book 902, page 529 of the Public Records of Seminole County, Florida, as modified by Amended Resolution per O.R. Book 1769, page 239, of the Public Records of Seminole County, Florida.

PAEM VALLEY, FLORIDA

OFFICIAL RECORDS
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3715 0273

AS TO PARCELS 1, 2 AND 4:

1. a. Terms, conditions, provisions set forth in Grant ~~SEMINOLE CO.~~ STANLEY FRADKIN and ROBERT FRADKIN, and LAMPLIGHTER ASSOCIATES, LTD., a California limited partnership, filed June 27, 1986 in Official Records Book 1746, page 1363, Public Records of Seminole County, Florida.
- b. Seminole County Development Order filed February 21, 1995 in Official Records Book 2884, page 602, (as to drainage, utilities, maintenance and signage easement), Public Records of Seminole County, Florida.
2. Access and Utility Easement reserved by ANNIE V. EDWARDS also known as ANNIE VIVIAN EDWARDS, to JOHN T. O'SHEA, Texas, in that certain Warranty Deed filed July 31, 1981 in Official Records Book 1349, page 1082, Public Records of Seminole County, Florida. (As to Tract 1, Parcel A).
3. Utility Distribution Easement granted by PALM VENTURES, INC., a Florida corporation, to FLORIDA POWER CORPORATION, a Florida corporation, filed in Official Records Book 1261, page 1996, Public Records of Seminole County, Florida, as modified by that certain Agreement by and between PALM VENTURES, INC., a Florida corporation, and FLORIDA POWER CORPORATION, a Florida corporation, filed June 27, 1986 in Official Records Book 1746, page 1314, Public Records of Seminole County, Florida.
4. Unrecorded Easement-Type Easement granted to FLORIDA POWER CORPORATION, dated May 1972 as modified by that certain Agreement by and between PALM VENTURES, INC., a Florida corporation, and FLORIDA POWER CORPORATION, a Florida corporation, filed June 27, 1986 in Official Records Book 1746, page 1314, Public Records of Seminole County, Florida.
5. Right-of-Way Easement from FUQUA COMMUNITIES, INC. and ADVERTISING COMPANY OF AMERICA a joint venture d/b/a PALM VALLEY, in favor of SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, filed in Official Records Book 951, page 1489, as modified by that certain Agreement by and between PALM VENTURES, INC., a Maryland corporation, and SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, filed June 27, 1986 in Official Records Book 1746, page 1329, Public Records of Seminole County, Florida.
6. Utility Distribution Easement from PALM VENTURES, INC., in favor of FLORIDA POWER CORPORATION, a Florida corporation, filed in Official Records Book 1491, page 627, as modified by that certain Agreement by and between PALM VENTURES, INC., a Florida corporation, and FLORIDA POWER CORPORATION, a Florida corporation, filed June 27, 1986 in Official Records Book 1746, page 1314, Public Records of Seminole County, Florida.
7. Utility Distribution Easement from PALM VENTURES, INC., in favor of FLORIDA POWER CORPORATION, a Florida corporation, filed in Official Records Book 1620, page 1070, as modified by that certain Agreement by and between PALM VENTURES, INC., a Florida corporation, and FLORIDA POWER CORPORATION, a Florida corporation, filed June 27, 1986 in Official Records Book 1746, page 1314, Public Records of Seminole County, Florida.
8. Grant of Easement from PALM VENTURES, INC., a Florida corporation, to RICHARD L. BRUNET and JANE M. BRUNET, his wife, filed in Official Records Book 1506, page 1414, Public Records of Seminole County, Florida.
9. Exclusive Access Easement between PALM VENTURES, INC., a Florida corporation, to COUNTY OF SEMINOLE, filed in Official Records Book 1606, page 190, and re-recorded in Official Records Book 1767, page 1937, Public Records of Seminole County, Florida.

Description: Seminole, FL Document-Book Page 3715.264 Page: 10 of 13
Order: HTA Comment: 1

OFFICIAL RECORDS
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3715 0271

10. Matters shown on plat of ORLANDO INDUSTRIAL PARK, Plat Book 10, page 100, and ORLANDO INDUSTRIAL PARK UNIT 2, Plat Book 11, page 43, Public Records of Seminole County, Florida.
11. Easement reserved by STANLEY FRADKIN and ROBERT FRADKIN, as Tenants in Common, to LAMPLIGHTER ASSOCIATES, LTD., a California limited partnership, in that certain Warranty Deed filed in Official Records Book 1746, page 1331, Public Records of Seminole County, Florida.
12. Drainage Water and Conservation Easement in favor of SEMINOLE COUNTY, filed July 24, 1987 in Official Records Book 1871, page 1110, Public Records of Seminole County, Florida.
13. Drainage Water and Conservation Easement in favor of SEMINOLE COUNTY, filed April 17, 1989 in Official Records Book 2060, page 297, Public Records of Seminole County, Florida.
14. Rights of all owners of land adjacent to the Land and adjacent to unnamed ponds lying partially on the land and adjoining lands to concurrent use of the waters of said ponds.
15. Distribution Easement in favor of FLORIDA POWER CORPORATION, a Florida corporation, filed April 16, 1980 in Official Records Book 2171, page 1448, Public Records of Seminole County, Florida.
16. Easement Agreement by and between LAMPLIGHTER ASSOCIATES, LTD., a Florida limited partnership, and JANE W. ADRIATICO, TRUSTEE, filed September 3, 1991 in Official Records Book 2333, page 1194, Public Records of Seminole County, Florida.

AS TO PARCEL 2:

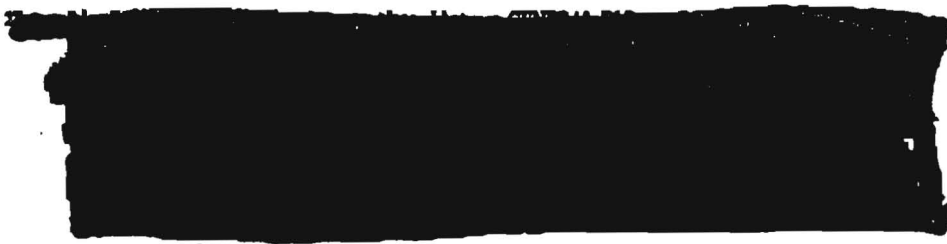
17. A 30 foot perpetual easement in favor of PAUL L. VINES, JR., as granted by Personal Representative's Deed filed in Official Records Book 1343, page 882, Public Records of Seminole County, Florida.
18. Extension of 70 foot non-exclusive perpetual easement retained by ANDERSON G. EDWARDS and ANNIE VIVIAN EDWARDS, his wife, in Warranty Deed filed in Official Records Book 1799, page 1420, Public Records of Seminole County, Florida.
19. Extension of 70 foot non-exclusive perpetual easement retained by the grantor, their heirs, successors, personal representative, grantees, agents, visitors, tenants and assigns of that certain Warranty Deed filed in Official Records Book 1349, page 1062, Public Records of Seminole County, Florida, for the purpose of access to and utilities for the grantee's land, neither the grantor nor her successors described above shall have any obligation to maintain, repair, or improve any roadway or other improvement over the said easement and they shall have no obligations or responsibilities to the grantee, his grantees, heirs, successors, and assigns for the grantor's use of such easement.

AS TO ENTIRE LAND:

20. Taxes and assessments for the year 1999 and subsequent years, which are not yet due and payable.
21. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises, subsequent to January 17, 1998.
22. The land described in this commitment shall not be deemed to include any house, trailer or mobile home located on the premises, whether or not permanently affixed. Any chattel liens created upon such house, trailer or mobile home before affiliation are specifically excluded from the coverage of this policy.
23. The policy does not insure the nature or extent of riparian or littoral rights.

OFFICIAL RECORDS
 300K PAGE
 3715 0275

- 24. Seminole County Development Order filed in Official Records Book 3319, Page 830, Public Records of Seminole County, Florida.
- 25. Agreement for Development of Palm Valley Drive Property by and among HUNTER, FRANK, LAMPLIGHTER ASSOCIATES, LTD., a California limited partnership, and PALM VALLEY HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation. (filed in Official Records Book 3376, Page 1028, Public Records of Seminole County, Florida.
- 26. Mortgage, Financing Statement, Security Agreement and Fixture Filing (With Assignment of Rents and Lease) from LAMPLIGHTER ASSOCIATES, LTD., a California Limited Partnership, to COAST FED MORTGAGE CORPORATION, a California corporation, dated June 24, 1988, recorded June 27, 1988, in Official Records Book 1746, Page 1370; Assignment of Lessor's Interest in Lease to COAST FED MORTGAGE CORPORATION recorded in Official Records Book 1746, Page 1412; Assignment of Mortgage and Assignment of Lessor's Interest in Lease to COAST SAVINGS AND LOAN ASSOCIATION, a California corporation, recorded in Official Records Book 1746, Page 1432; Assignment of Mortgage and Assignment of Lessor's Interest in Lease to GENERAL ELECTRIC CAPITAL CORPORATION recorded in Official Records Book 2367, Page 529; Consolidated, Amended and Restated First Mortgage and Security Agreement by ALAFAYA PALM VALLEY ASSOCIATES, LTD., a California limited partnership, formerly known as Lamplighter Associates, Ltd., to GENERAL ELECTRIC CAPITAL CORPORATION, a New York corporation, filed December 11, 1991 in Official Records Book 2367, page 540; First Modification of Consolidated, Amended and Restated First Mortgage and Security Agreement recorded in Official Records Book 2990, Page 1018; assigned to MATTERHORN USA, INC. by Assignment of Mortgage and Mortgage Documents recorded in Official Records Book 3022, Page 1366, and further assigned to Lefallo National Bank, as Trustee, by Assignment of Mortgage and Mortgage Documents recorded in Official Records Book 3022, Page 1364, and assumed by Assumption Agreement executed by CWS COMMUNITIES, LP, a Delaware limited partnership, recorded _____ in Official Records Book _____ Page _____ all of the Public Records of Seminole County, Florida.



- 28. Mortgage executed by ALAFAYA PALM VALLEY ASSOCIATES, LTD., a California limited partnership, to GENERAL ELECTRIC CAPITAL CORPORATION, a New York corporation, dated November 27, 1991. Filed December 11, 1991, in Official Records Book 2367, Page 533, and assumed by Assumption Agreement executed by CWS COMMUNITIES, LP, a Delaware limited partnership, recorded _____ in Official Records Book _____ Page _____ all of the Public Records of Seminole County, Florida.
- 29. Financing Statement from LAMPLIGHTER ASSOCIATES, LTD., a California Limited Partnership, debtor, to COAST FED MORTGAGE CORPORATION, secured party, filed June 27, 1988, in Official Records Book 1746, Page 1425; Continuation recorded April 10, 1991, in Official Records Book 2262, Page 1422, assigned to General Electric Capital Corporation by Statement of Change recorded in Official Records Book 2367, Page 532, and assumed by Assumption Agreement executed by CWS COMMUNITIES, LP, a Delaware limited partnership, recorded _____ in Official Records Book _____ Page _____ all of the Public Records of Seminole County, Florida.

Legibility Unsatisfactory
 For Microfilming

OFFICIAL RECORDS
BOOK PAGE

30. Assessed and Recanted Assignment of Rents and Lease, by ALAFAYA PALM VALLEY ASSOCIATES, LTD., a California limited partnership, formerly known as Lakeside Associates, Inc. to GENERAL ELECTRIC CAPITAL CORPORATION, a New York corporation. Filed December 11, 1991 in Official Records Book 2367, page 999; assigned to MATTERHORN USA, INC. by Assignment of Mortgage and Mortgage Documents recorded in Official Records Book 3122, Page 1356, and further assigned to LASALLE NATIONAL BANK, AS TRUSTEE, by Assignment of Mortgage and Mortgage Documents recorded in Official Records Book 3022, Page 1364, and assumed by Assumption Agreement executed by CWS COMMUNITIES, LP, a Delaware limited partnership, recorded _____ in Official Records Book _____, Page _____, all of the Public Records of Seminole County, Florida.
31. Financing Statement from ALAFAYA PALM VALLEY ASSOCIATES, LTD., a California limited partnership, debtor, to GENERAL ELECTRIC CAPITAL CORPORATION, a New York corporation, secured party, filed in Official Records Book 2367, Page 994; Assignment recorded in Official Records Book 2993, Page 060, and Assignment to LASALLE NATIONAL BANK, AS TRUSTEE, recorded in Official Records Book 3024, Page 1659, and assumed by Assumption Agreement executed by CWS COMMUNITIES, LP, a Delaware limited partnership, recorded _____ in Official Records Book _____, Page _____, all of the Public Records of Seminole County, Florida.

Legibility Unsatisfactory
For Microfilming

MARYANNE MORSE
CLERK OF CIRCUIT COURT

SEMINOLE COUNTY, FL
RECORDED & VERIFIED

428504

99 AUG 31 AM 9:27

34-
Upon recording return to:
James A. Parker
Mayer, Brown & Platt
190 South LaSalle Street
Chicago, Illinois 60603
(312) 782-0600

OFFICIAL RECORDS
BOOK 3715 PAGE 0277
SEMINOLE CO. FL

PROPERTY TAX LD. NUMBER: 34-21-31-503-0000-008A

Documentary Tax P&S 706

GRANTEE'S FED. TAX ID. NUMBER: 74-2860067

Intangible Tax P&S
Maryanne Morse, Clerk Semkole

SPECIAL WARRANTY DEED
(Palm Valley, Florida)

County of GH FL

THIS SPECIAL WARRANTY DEED (this "Deed") is made, entered into and effective this 30 day of August, 1999 by (i) ALAFAYA PALM VALLEY ASSOCIATES, LTD., a California limited partnership, with an office and place of business located at c/o CWS Capital Partners LLC, 800 Newport Center Drive, Suite 400, Newport Beach, California 92660 (the "Grantor"), in favor of (ii) CWS COMMUNITIES LP, a Delaware limited partnership, having an office and place of business located at 7777 Market Center Avenue, El Paso, Texas 79912 (the "Grantee").

WITNESSETH:

34
That for and in consideration of the sum of TEN and NO/100 DOLLARS (\$10.00), cash in hand paid by the Grantee to the Grantor, and for other good and valuable consideration, the receipt of which is hereby acknowledged by the Grantor, the Grantor has bargained and sold and does hereby grant and convey unto the Grantee and the Grantee's successors and assigns forever, in fee simple, the parcel of real property located in Seminole County, Florida, as more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Real Property").

TO HAVE AND TO HOLD the Real Property, together with all appurtenances and privileges thereto belonging, unto the Grantee and the Grantee's successors and assigns forever, in fee simple.

The Grantor does hereby fully warrant the title to the Real Property and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor.

The Real Property is being conveyed hereby subject to (a) real estate taxes for 1999 and the permitted exceptions listed on Exhibit B attached hereto and incorporated herein by this reference.

DOC STAMPS WERE PAID IN THE AMOUNT OF \$126,567.00
ON WARRANTY DEED RECORDED IN
OFFICIAL RECORDS BOOK 3715 PAGE 0264 ON AUGUST 31, 1999.

Return to:
FARMERS TITLE INSURANCE COMPANY
59747105W

OFFICIAL RECORDS
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3715 0278

IN WITNESS WHEREOF, the Grantor has caused this ~~Copy of~~ Warranty Deed to be executed by its fully authorized agents on the day, month and year first above written.

ALAFAYA PALM VALLEY ASSOCIATES, LTD., a
California limited partnership

By: Clayton, Williams & Sherwood Financial Group B1,
a California corporation, its general partner

Signed, sealed and
delivered in the
presence of
Richard B. [unclear]
Print Name

By: [Signature]
Name: Steven J. Sherwood
Title: CEO / Secretary

MARGUERITE BARLOW
Print Name

02789 | 02009 | 14071 0013420

1

OFFICIAL RECORDS
BOOK PAGE
3715 0280
SEMINOLE CO. FL

EXHIBIT A
Legal Description

421272 | 12000 | 10/10/05 | 12000

Description: Seminole, FL Document-Book. Page 3715.277 Page: 4 of 7
Order: HTA Comment:

OFFICIAL RECORDS
BOOK PAGE

3715 0281

EXHIBIT B

SEMINOLE CO. FL

Permitted Exceptions

12/21/04 10:01:02 AM

Description: Seminole, FL Document-Book. Page 3715, 277 Page: 5 of 7
Order: HTA Comment:

OFFICIAL RECORDS
BOOK PAGE

3715 0282

SEMINOLE CO. FL

PARCEL 6:

A portion of Lots 5 and 6 of ORLANDO INDUSTRIAL PARK UNIT 2, according to the plat thereof as recorded in Plat Book 11, page 43 of the Public Records of Seminole County, Florida, part of said Lot 6 having been vacated by Resolutions filed in Official Records Book 1171, Page 1762, and filed in Official Records Book 3061, Page 163, Public Records of Seminole County, Florida, and being more particularly described as follows:

Commence at Northeast corner of the Southeast 1/4 of the Northeast 1/4 of Section 34, Township 21 South, Range 31 East, run N 89° 09' 50" W along the North line of Lot 5, ORLANDO INDUSTRIAL PARK UNIT 2, according to the plat thereof as recorded in Plat Book 11, page 43 of the Public Records of Seminole County, Florida, 237.88 feet to the Point of Beginning; thence continue N 89° 09' 59" W along the North line of said Lot 5 and the North line of Lot 6 of said ORLANDO INDUSTRIAL PARK UNIT 2, 541.33 feet; thence leaving said North line run S 00° 13' 23" W, 248.73 feet; thence run N 88° 39' 44" E, 541.43 feet; thence run N 00° 14' 22" E, 228.21 feet to the Point of Beginning.

Legibility Unsatisfactory

For Microfilming

OFFICIAL RECORDS PAGE

3715 0283

SEMINOLE CO. FL

- A. Taxes and assessments for the year 1999 and subsequent years, which are not yet due and payable.
- B. Encroachments, surveys, boundary line disputes, or other matters which would affect the title to the land surveyed and location of the proceeds, subsequent to January 17, 1991.
- C. The land described in this declaration shall not be deemed to include any liens, matter or claims existing on the premises, whether or not previously official. Any liens or claims created upon such land, matter or claims hereinafter shall not be specifically excluded from the coverage of this policy.
- D. This policy does not insure the return or extent of riparian or littoral rights.
- E. Seminole County Development Order filed in Official Records Book 2218, Page 137. Public Records of Seminole County, Florida.
- F. Agreement for Development of Palm Valley Urban Property by and among STANLEY TRADES, LAMPFLOWER ASSOCIATES, LTD., a California limited partnership, and PALM VALLEY HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, filed in Official Records Book 1276, Page 1881. Public Records of Seminole County, Florida.
- G. Mortgage, Financing Statement, Security Agreement and Federal Filing (With Assignment of Note and Loan) from LAMPFLOWER ASSOCIATES, LTD., a California limited partnership, to COAST FID MORTGAGE CORPORATION, a California corporation, dated June 24, 1986, recorded June 27, 1986, in Official Records Book 1746, Page 1776. Assignment of Lender's Interest in Loan to COAST FID MORTGAGE CORPORATION recorded in Official Records Book 1746, Page 1776. Assignment of Mortgage and Assignment of Lender's Interest in Loan to CRYST SAVINGS AND LOAN ASSOCIATION, a California corporation, recorded in Official Records Book 1348, Page 1415. Assignment of Mortgage and Assignment of Lender's Interest in Loan to GENERAL ELECTRIC CAPITAL CORPORATION recorded in Official Records Book 2007, Page 2007. Conditional, Annotated and Retailed First Mortgage and Security Agreement by ALAFAYA PALM VALLEY ASSOCIATES, LTD., a California limited partnership, Security Terms as Lender's Assistant, Ltd., to GENERAL ELECTRIC CAPITAL CORPORATION, a New York corporation, filed December 11, 1991 in Official Records Book 2367, page 2467. First Modification of Conditional, Annotated and Retailed First Mortgage and Security Agreement recorded in Official Records Book 2889, Page 1849 assigned to MATTHEWSON USA, INC. by Assignment of Mortgage and Mortgage Documents recorded in Official Records Book 2002, Page 1824, and further assigned to LASALLE NATIONAL BANK, as Trustee, by Assignment of Mortgage and Mortgage Documents recorded in Official Records Book 2002, Page 1824, and assigned by Assumption Agreement entered by CWS COMMUNITIES, LP, a Delaware limited partnership, recorded in Official Records Book _____ Page _____ All of the Public Records of Seminole County, Florida.
- H. Mortgage created by ALAFAYA PALM VALLEY ASSOCIATES, LTD., a California limited partnership, to GENERAL ELECTRIC CAPITAL CORPORATION, a New York corporation, dated November 27, 1991, filed December 11, 1991, in Official Records Book 2367, Page 2467, and assigned by Assumption Agreement entered by CWS COMMUNITIES, LP, a Delaware limited partnership, recorded in Official Records Book _____ Page _____ all of the Public Records of Seminole County, Florida.
- I. Financing Statement from LAMPFLOWER ASSOCIATES, LTD., a California limited partnership, to COAST FID MORTGAGE CORPORATION, insured party, filed June 27, 1986, in Official Records Book 1746, Page 1776. Continuation recorded April 18, 1991, in Official Records Book 1276, Page 1881. Assigned to Coast FID MORTGAGE CORPORATION by Statement of Change recorded in Official Records Book 2287, Page 1822, and assigned by Assumption Agreement entered by CWS COMMUNITIES, LP, a Delaware limited partnership, recorded in Official Records Book _____ Page _____ all of the Public Records of Seminole County, Florida.
- J. Annotated and Retailed Assignment of Note and Loan by ALAFAYA PALM VALLEY ASSOCIATES, LTD., a California limited partnership, Security Terms as Lender's Assistant, Ltd., to GENERAL ELECTRIC CAPITAL CORPORATION, a New York corporation, filed December 11, 1991 in Official Records Book 2367, page 2467 assigned to MATTHEWSON USA, INC. by Assignment of Mortgage and Mortgage Documents recorded in Official Records Book 2002, Page 1824, and further assigned to LASALLE NATIONAL BANK, AS TRUSTEE, by Assignment of Mortgage and Mortgage Documents recorded in Official Records Book 2002, Page 1824, and assigned by Assumption Agreement entered by CWS COMMUNITIES, LP, a Delaware limited partnership, recorded in Official Records Book _____ Page _____ all of the Public Records of Seminole County, Florida.
- K. Financing Statement from ALAFAYA PALM VALLEY ASSOCIATES, LTD., a California limited partnership, to GENERAL ELECTRIC CAPITAL CORPORATION, a New York corporation, recorded July, filed in Official Records Book 1282, Page 1824. Assignment recorded in Official Records Book 1981, Page 1824, and Assignment to LASALLE NATIONAL BANK, AS TRUSTEE, recorded in Official Records Book 1981, Page 1824, and assigned by Assumption Agreement entered by CWS COMMUNITIES, LP, a Delaware limited partnership, recorded in Official Records Book _____ Page _____ all of the Public Records of Seminole County, Florida.

Legibility Unsatisfactory For Microfilming

ATTACHMENT B

FLORIDA PUBLIC SERVICE COMMISSION

Certificate Number

277 - W

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

CWS Communities LP d/b/a
Palm Valley

Whose principal address is:

3700 Palm Valley Circle
Oviedo, FL 32765-4904 (Seminole County)

to provide water 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.

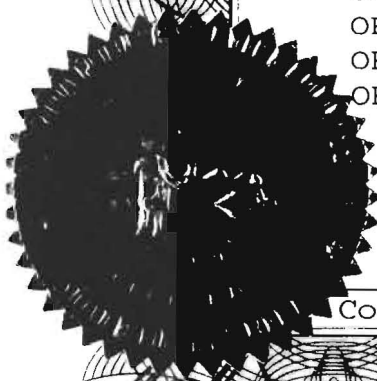
This Certificate shall remain in force and effect until suspended, cancelled or revoked by Orders of this Commission.

ORDER	7518	DOCKET	750660-WS
ORDER	9626	DOCKET	790519-WS
ORDER	12714	DOCKET	830530-WS
ORDER	14480	DOCKET	850040-WS
ORDER	16360	DOCKET	860583-WS
ORDER	19149	DOCKET	880230-WS
ORDER	19149-A	DOCKET	880230-WS
ORDER	23094	DOCKET	900166-WS
ORDER	PSC-00-1675-PAA-WS	DOCKET	991984-WS
ORDER	PSC-00-2243-PAA-WS	DOCKET	001138-WS
ORDER	PSC-02-1029-FOF-WS	DOCKET	020122-WS
ORDER		DOCKET	

BY ORDER OF THE
FLORIDA PUBLIC SERVICE COMMISSION

Blanca S. Davis

Commission Clerk and Administrative Services Director



FLORIDA PUBLIC SERVICE COMMISSION

Certificate Number

223 - S

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

CWS Communities LP d/b/a
Palm Valley

Whose principal address is:

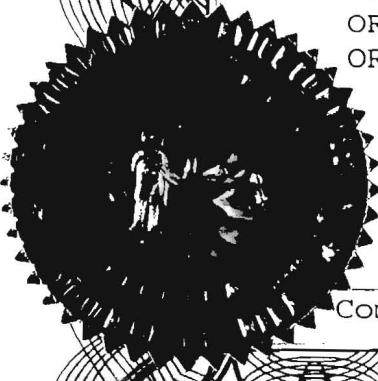
3700 Palm Valley Circle
Oviedo, FL 32765-4904 (Seminole County)

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	7518	DOCKET	750660-WS
ORDER	9626	DOCKET	790519-WS
ORDER	12714	DOCKET	830530-WS
ORDER	14480	DOCKET	850040-WS
ORDER	16360	DOCKET	860583-WS
ORDER	19149	DOCKET	880230-WS
ORDER	19149-A	DOCKET	880230-WS
ORDER	23094	DOCKET	900166-WS
ORDER	PSC-00-1675-PAA-WS	DOCKET	991984-WS
ORDER	PSC-00-2243-PAA-WS	DOCKET	001138-WS
ORDER	PSC-02-1029-FOF-WS	DOCKET	020122-WS

BY ORDER OF THE
FLORIDA PUBLIC SERVICE COMMISSION



Blanca S. Lugo

Commission Clerk and Administrative Services Director

ATTACHMENT C

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Deletion and)
Amendment of Certificates of Authorization))
Nos. 223-S and 277-W of CWS)
Communities LP d/b/a Palm Valley Utilities))
in Seminole County, Florida)

Docket No. 041418-WS

A F F I D A V I T

STATE OF: FLORIDA
COUNTY OF: LEON

BEFORE ME personally appeared Maggie B. Freedman, who being duly sworn,
deposes and says:

1. On February 3, 2005, under my direction, supervision and control, a Staff
Approved notice of application was sent by U.S. Mail to Fradkin Brothers Realty Co.
LLC, Eric S. Worner, Trustee, and Royal Orlando LP, owners of undeveloped real
property located within the service area of Palm Valley Utilities.

2. A copy of the Notice is appended hereto as Attachment 1.

FURTHER AFFLIANT SAYS NOT.

Maggie B. Freedman
Maggie B. Freedman
Legal Assistant

Sworn to and subscribed before me this 4 day of February 2005.

Personally known:

Produced identification: _____

Type of identification produced: _____

Judy Sadler
Notary Public
My Commission Expires: 1-26-06



Judy Sadler
MY COMMISSION # DD127124 EXPIRES
January 26, 2006
BONDED THRU TROY FAIN INSURANCE, INC.

NOTICE
TO PROPERTY OWNERS OF TERRITORY REQUESTED FOR DELETION OF
APPLICATION OF CWS COMMUNITIES LP D/B/A PALM VALLEY UTILITIES
FOR DELETION AND AMENDMENT OF SERVICE AREA
IN SEMINOLE COUNTY, FLORIDA

DATE: February 3, 2005

TO: Royal Orlando LP
605 S. State St., Ste 112
Champaign, IL 61820

You are receiving this Notice of Application by CWS Communities LP d/b/a Palm Valley Utilities ("Utility") for Deletion and Amendment of Service Area in Seminole County because the Utility is applying to the Florida Public Service Commission to delete a portion of a parcel of property you own from the water and wastewater utility service territory of the Utility. The reason for this request is that it has come to the Utility's attention that this parcel of property was at some point in time inadvertently included in the Utility's certificated territory. The Utility lacks water and wastewater plant capacity to provide service to this parcel and would be unable to provide utility service if requested. In order for this parcel of property to receive water and wastewater utility service from Seminole County, the County would first require that this parcel of property be deleted from the Utility's certificated territory.

Enclosed is a survey map indicating the portion of your property which the Utility is applying to delete from its certificated territory.

Attached hereto and incorporated by reference herein is the Notice of Application by CWS Communities LP d/b/a Palm Valley Utilities for Deletion and Amendment of Service Area in Seminole County which gives the service territory legal description which is being requested by the Utility.

Any objections to the said application must be made in writing and filed with the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, no later than thirty (30) days after the date of this letter. At the same time, a copy of said objection should be mailed to Kathryn G.W. Cowdery, Ruden, McClosky, 215 South Monroe Street, Suite 815, Tallahassee, Florida 32301, (850) 412-2000, Attorneys for CWS Communities LP d/b/a Palm Valley Utilities. The objection must state the grounds for the objection with particularity.

EXCEL ENGINEERING
CONSULTANTS, INC.
ENVIRONMENTAL AND CIVIL ENGINEERS
CLASSIFICATION
FLORIDA
TELEPHONE: 407.280.2282
FACSIMILE: 407.280.1188

PALM VALLEY
MOBILE HOME PARK

SITE
PLAN

PROJECT:
CWS01021

SCALE: 1"=800'

DRAWN BY: HT

CHECKED BY: JRC

DATE: 1/31/05

SHEET 1 OF 1



DELETED UTILITY SERVICE AREA

FRADKIN BROTHERS
REALTY CO LLC
(13.77 ACRES)

AS SHOWN ON
PAGE 10



ERIC S WORNER
TRUSTEE
(1.26 ACRES)

ERIC S WORNER
TRUSTEE
(0.47 ACRES)

ROYAL ORLANDO LP
(1.86 ACRES)

**NOTICE OF APPLICATION
BY CWS COMMUNITIES LP D/B/A PALM VALLEY UTILITIES
FOR DELETION AND AMENDMENT OF SERVICE AREA IN SEMINOLE COUNTY**

Notice is hereby given on February 3, 2005 pursuant to Section 367.045, Florida Statutes, by CWS Communities LP d/b/a Palm Valley Utilities, 3700 Palm Valley Circle, Oviedo, FL 32765, of its application to the Florida Public Service Commission for deletion and amendment of the service area of its wastewater certificate No. 223-S and water certificate 277-W, which will result in the service territory being described as follows:

COMMENCE AT THE SOUTH 1/4 CORNER OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA; THENCE RUN N.00°02'08"E. A DISTANCE OF 40 FEET TO THE SOUTHWEST CORNER OF LOT 26, ORLANDO INDUSTRIAL PARK, AS RECORDED IN PLAT BOOK 10, PAGE 100, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE CONTINUE N.00°02'08"E. ALONG THE WEST LINE OF SAID LOT 26 A DISTANCE OF 900 FEET TO THE SOUTHWEST CORNER OF LOT 25, SAID ORLANDO INDUSTRIAL PARK FOR A POINT OF BEGINNING (POINT OF BEGINNING 1); THENCE N.00°02'08"E. ALONG THE WEST LINE OF SAID LOT 25 A DISTANCE OF 381.29 FEET TO THE SOUTHEAST CORNER OF LOT 23 OF SAID ORLANDO INDUSTRIAL PARK; THENCE RUN N.89°24'17"W. A DISTANCE OF 1275.42 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF ALAFAYA TRAIL, (S.R. 434); THENCE RUN N.00°05'57"E. ALONG THE EAST LINE OF SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 95.00 FEET; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE RUN S.89°06'21"E. A DISTANCE OF 1150.29 FEET TO A POINT ON THE WESTERLY LINE OF THE EASTERLY 125.00 FEET OF LOT 23 OF SAID ORLANDO INDUSTRIAL PARK; THENCE N.00°03'18"W. ALONG SAID WESTERLY LINE A DISTANCE OF 783.87 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF PARK ROAD, THENCE RUN N.63°50'57"E. ALONG SAID RIGHT-OF-WAY LINE OF PARK ROAD A DISTANCE OF 1217.12 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 2639.40 FEET, AND A CENTRAL ANGLE OF 19°43'47", THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 908.88 FEET, THENCE DEPARTING SAID RIGHT-OF-WAY RUN N.06°22'24"W. A DISTANCE OF 70.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 6, AFORESAID ORLANDO INDUSTRIAL PARK, THENCE N.00°02'08"E. ALONG SAID EAST LINE OF THE WEST 260.33 FEET OF SAID LOT 6, A DISTANCE OF 899 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 6, THENCE RUN S.89°13'35"E. ALONG THE NORTH LINE OF SAID LOT 6 AND LOT 5 A DISTANCE OF 802 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 31 EAST; THENCE N.00°14'21"W. ALONG THE EAST LINE OF SAID SECTION 34 ALSO BEING THE WEST LINE OF SECTION 35, TOWNSHIP 21 SOUTH, RANGE 31 EAST, A DISTANCE OF 1311.10 FEET TO THE NORTHWEST CORNER OF SAID SECTION 35; THENCE RUN EAST ALONG THE NORTH LINE OF SAID SECTION 35 A DISTANCE OF 1325 FEET TO THE NORTHEAST CORNER OF THE EAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, THENCE RUN SOUTH A DISTANCE OF 1320 FEET

TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF BRIGHTON PARK AT CARILLON, AS RECORDED IN PLAT BOOK 42, PAGES 86-89, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, THENCE RUN N.89°42'41"E. ALONG SAID NORTH LINE A DISTANCE OF 285 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF A CREEK, THENCE RUN S.09°24'12"E. 273.21 FEET AND S.06°51'54"W. 398.91 FEET ALONG SAID CENTERLINE TO A POINT OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF AFORESAID SECTION 35; THENCE S.89°41'09"W. ALONG SAID NORTH LINE A DISTANCE OF 279.00 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, THENCE RUN S. 00°53'56"E. ALONG THE EAST LINE OF THE SOUTH 1/2 OF THE EAST 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35 A DISTANCE OF 665.72 FEET TO A POINT ON THE NORTH LINE OF TRACT 107 AT CARILLON, AS RECORDED IN PLAT BOOK 47, PAGE 97 IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, THENCE RUN S.89°39'39"W. A DISTANCE OF 677.06 FEET TO THE NORTHEAST CORNER OF THE EAST 1/2, OF THE WEST 1/2, OF THE NORTHWEST 1/4, OF THE SOUTHWEST 1/4, OF SAID SECTION 35, THENCE RUN S.00°49'19"E. ALONG THE WEST LINE OF AFORESAID TRACT 107 AT CARILLON A DISTANCE OF 1304.76 FEET, THENCE RUN N.89°49'27"W. A DISTANCE OF 334.74 FEET TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, THENCE RUN N.00°30'22"W. ALONG SAID WEST LINE A DISTANCE OF 224.56 FEET TO THE SOUTHEAST CORNER OF LOT 3 ORLANDO INDUSTRIAL PARK UNIT 2, AS RECORDED IN PLAT BOOK 11, PAGE 43 IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN N. 89°37"W. ALONG SOUTH LINE OF SAID LOT 3 AND LOT 8, ORLANDO INDUSTRIAL PARK, AS RECORDED IN PLAT BOOK 10, PAGE 100, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA A DISTANCE OF 1003.37 FEET, THENCE RUN S. 00°29'25" E. A DISTANCE OF 218.30 FEET, THENCE S.01°39'41"E. A DISTANCE OF 482.32 FEET, THENCE RUN N.89°36'50"W. A DISTANCE OF 129.69 FEET TO THE NORTHEAST CORNER OF LOT 11 OF AFORESAID ORLANDO INDUSTRIAL PARK, THENCE RUN S.74°26'W. ALONG THE NORTH LINE OF SAID LOT 11 A DISTANCE OF 364.01 FEET TO THE NORTHEAST CORNER OF LOT 12 OF SAID ORLANDO INDUSTRIAL PARK, THENCE RUN N. 89°37'W. 760 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SEMINOLE AVENUE; THENCE N.00°02'08"E. ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 387.76 FEET; THENCE S.89°37'00"E. 225.00 FEET; THENCE N.00°02'08"E. A DISTANCE OF 18.88 FEET; THENCE S.89°37'00"E. 283.00 FEET; THENCE N.00°02'08"E. 208.00 FEET; THENCE N.89°37'00"W. 508.00 FEET TO AFORESAID EAST RIGHT OF WAY LINE OF SEMINOLE AVENUE; THENCE N.00°02'08"E. A DISTANCE OF 185.36 FEET; THENCE N.89°39'29"W. A DISTANCE OF 70.00 FEET; TO THE WEST RIGHT OF WAY LINE OF SAID SEMINOLE AVENUE; THENCE S.00°02'08"W. ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 599.68 FEET TO THE SOUTHEAST CORNER OF LOT 25, AFORESAID ORLANDO INDUSTRIAL PARK; THENCE N.89°37'W. ALONG THE SOUTH LINE OF LOT 25 A DISTANCE OF 670 FEET TO THE POINT OF BEGINNING.

ALSO;

COMMENCE AT THE SOUTH 1/4 CORNER OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA; THENCE RUN N.00°02'08"E. A DISTANCE OF 40 FEET TO THE SOUTHWEST CORNER OF LOT 26, ORLANDO INDUSTRIAL PARK, AS RECORDED IN PLAT BOOK 10, PAGE 100, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE CONTINUE N.00°02'08"E. A DISTANCE OF 2295.65 FEET TO THE SOUTHWEST CORNER OF LOT 1, FOX RUN AS RECORDED IN PLAT BOOK 18, PAGE 60 IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, FOR A POINT OF BEGINNING (POINT OF BEGINNING 2); THENCE RUN N.00°02'08"E. ALONG THE WEST LINE OF SAID FOX RUN A DISTANCE OF 945.21 FEET TO THE NORTHWEST CORNER OF SAID FOX RUN; THENCE N.63°49'53"E. ALONG THE NORTH LINE OF FOX RUN A DISTANCE OF 935.90 FEET TO THE NORTHEAST CORNER OF SAID FOX RUN; THENCE S.00°02'08"W. ALONG THE EAST LINE OF FOX RUN A DISTANCE OF 945.61 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF PARK ROAD; THENCE S.63°50'57"W. ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 935.83 FEET TO THE POINT OF BEGINNING.

The territory being deleted is currently undeveloped and is not receiving water or wastewater service. The amendments to the territory description are for the purpose of correcting the legal description so as to include areas already being served by the utility. For a complete description of the areas being deleted and added to the service territory description, please contact the utility.

Any objections to the said application must be made in writing and filed with the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, no later than thirty (30) days after the last date that the notice was mailed or published, whichever is later. At the same time, a copy of said objection should be mailed to Kathryn G.W. Cowdery, Ruden, McClosky, 215 South Monroe Street, Suite 815, Tallahassee, Florida 32301, (850) 412-2000, Attorneys for CWS Communities LP d/b/a Palm Valley Utilities. The objection must state the grounds for the objection with particularity.

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TO PROPERTY OWNERS OF TERRITORY REQUESTED FOR DELETION OF
APPLICATION OF CWS COMMUNITIES LP D/B/A PALM VALLEY UTILITIES
FOR DELETION AND AMENDMENT OF SERVICE AREA
IN SEMINOLE COUNTY, FLORIDA**

DATE: February 3, 2005

TO: Fradkin Brothers Realty Co. LLC
c/o Mark Fradkin
9199 Reisterstown Rd.
Owings Mills, MD 21117

You are receiving this Notice of Application by CWS Communities LP d/b/a Palm Valley Utilities ("Utility") for Deletion and Amendment of Service Area in Seminole County because the Utility is applying to the Florida Public Service Commission to delete a certain property you own from the water and wastewater utility service territory of the Utility. The reason for this request is that in response to your request for service from the Utility you have been advised that the Utility lacks water and wastewater plant capacity to provide service to this parcel. In order for this parcel of property to receive water and wastewater utility service from Seminole County, the County is requiring that this property be deleted from the Utility's certificated territory.

Enclosed is a survey map indicating the portion of your property which the Utility is applying to delete from its certificated territory.

Attached hereto and incorporated by reference herein is the Notice of Application by CWS Communities LP d/b/a Palm Valley Utilities for Deletion and Amendment of Service Area in Seminole County which gives the service territory legal description which is being requested by the Utility.

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EXCEL ENGINEERING
 CONSULTANTS, INC.
 ENGINEERS AND CIVIL ENGINEERS
 CLASS LICENSE
 FLORIDA
 TELEPHONE: 407.260.2288
 FACSIMILE: 407.260.1188

PALM VALLEY
 MOBILE HOME PARK

SITE
 PLAN

PROJECT:
 CWS01021

SCALE: 1"=800'

DRAWN BY: HT

CHECKED BY: JRC

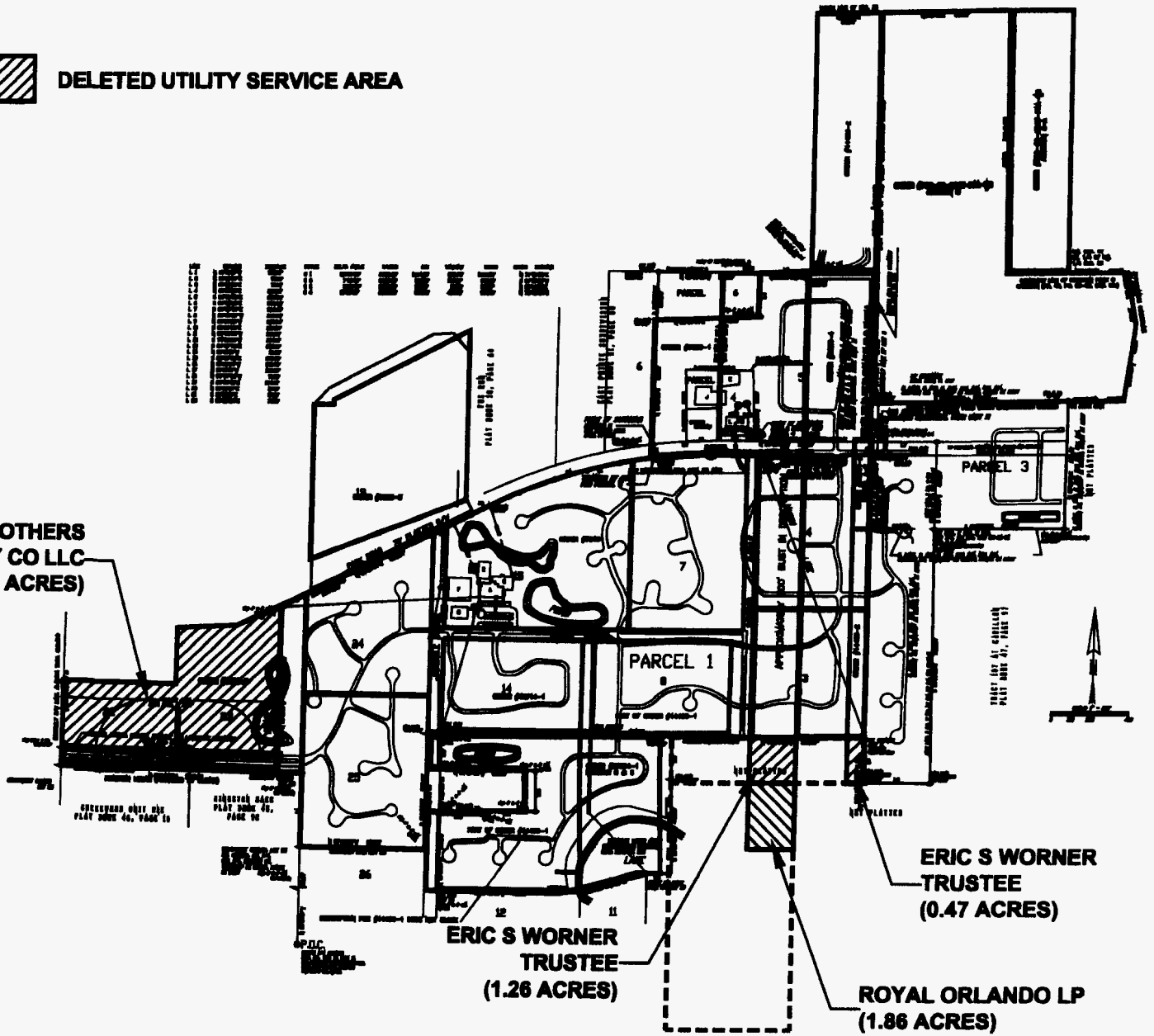
DATE: 1/31/05

SHEET 1 OF 1

 DELETED UTILITY SERVICE AREA

FRADKIN BROTHERS
 REALTY CO LLC
 (13.77 ACRES)

AS SHOWN ON
 PLAT 2006 46, PAGE 15



ERIC S WORNER
 TRUSTEE
 (1.26 ACRES)

ERIC S WORNER
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ROYAL ORLANDO LP
 (1.86 ACRES)

**NOTICE OF APPLICATION
BY CWS COMMUNITIES LP D/B/A PALM VALLEY UTILITIES
FOR DELETION AND AMENDMENT OF SERVICE AREA IN SEMINOLE COUNTY**

Notice is hereby given on February 3, 2005 pursuant to Section 367.045, Florida Statutes, by CWS Communities LP d/b/a Palm Valley Utilities, 3700 Palm Valley Circle, Oviedo, FL 32765, of its application to the Florida Public Service Commission for deletion and amendment of the service area of its wastewater certificate No. 223-S and water certificate 277-W, which will result in the service territory being described as follows:

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FOR DELETION AND AMENDMENT OF SERVICE AREA
IN SEMINOLE COUNTY, FLORIDA**

DATE: February 3, 2005

**TO: Eric S. Worner, Trustee
4015 Riverknoll Dr.
Champaign, IL 61822**

You are receiving this Notice of Application by CWS Communities LP d/b/a Palm Valley Utilities (“Utility”) for Deletion and Amendment of Service Area in Seminole County because the Utility is applying to the Florida Public Service Commission to delete a portion of two parcels of property you own or for which you are designated Trustee from the water and wastewater utility service territory of the Utility. The reason for this request is that it has come to the Utility’s attention that this parcel of property was at some point in time inadvertently included in the Utility’s certificated territory. The Utility lacks water and wastewater plant capacity to provide service to this parcel and would be unable to provide utility service if requested. In order for this parcel of property to receive water and wastewater utility service from Seminole County, the County would first require that this parcel of property be deleted from the Utility’s certificated territory.

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Any objections to the said application must be made in writing and filed with the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, no later than thirty (30) days after the date of this letter. At the same time, a copy of said objection should be mailed to Kathryn G.W. Cowdery, Ruden, McClosky, 215 South Monroe Street, Suite 815, Tallahassee, Florida 32301, (850) 412-2000, Attorneys for CWS Communities LP d/b/a Palm Valley Utilities. The objection must state the grounds for the objection with particularity.

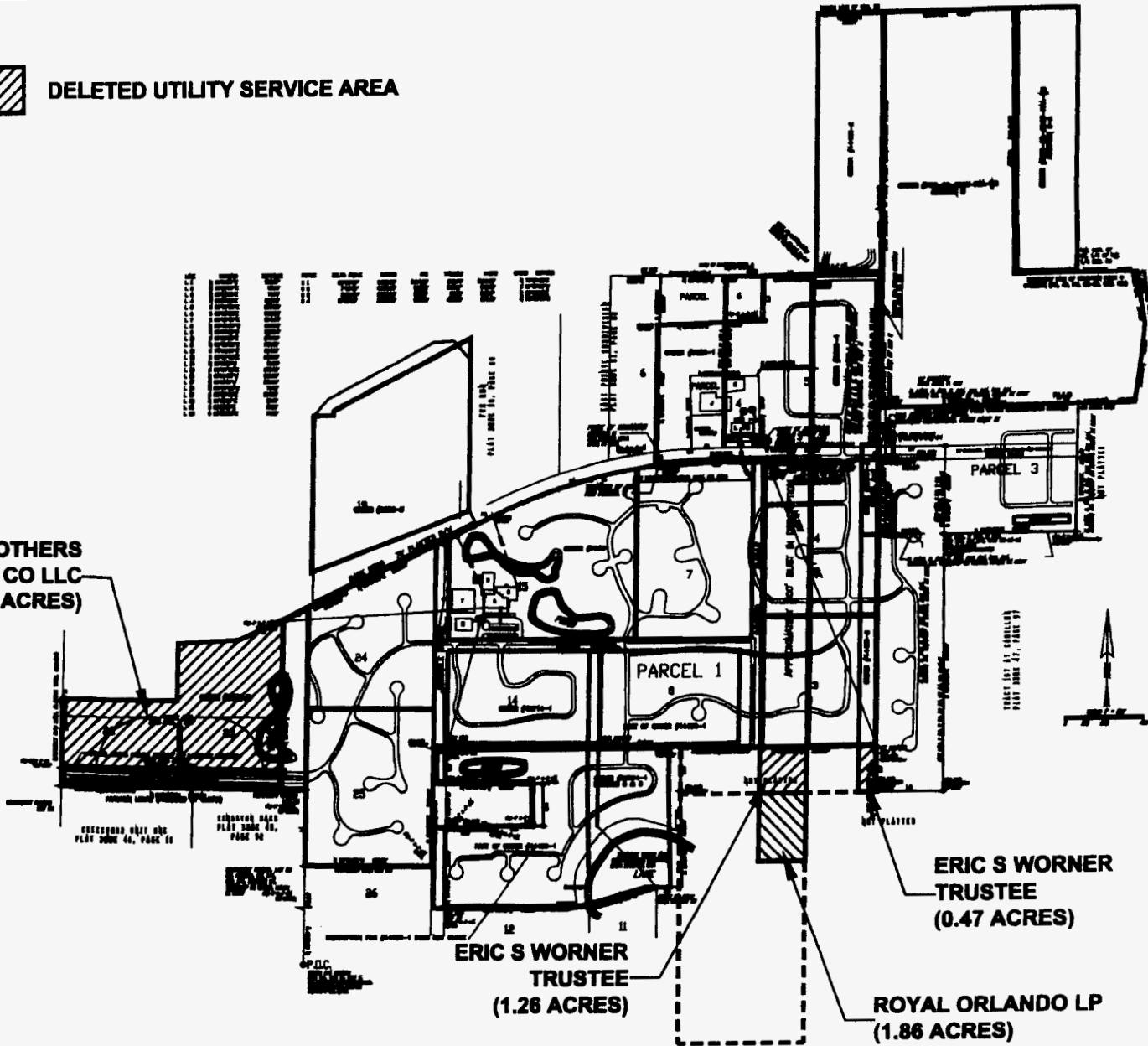
EXCEL ENGINEERING
 CONSULTANTS, INC.
 ENGINEERING AND CIVIL DESIGNERS
 CLASS LICENSE
 FLORIDA
 TELEPHONE: 407.280.2288
 FACSIMILE: 407.280.1185

PALM VALLEY
 MOBILE HOME PARK

SITE
 PLAN

FRADKIN BROTHERS
 REALTY CO LLC
 (13.77 ACRES)

 DELETED UTILITY SERVICE AREA



PROJECT:
 CWS01021

SCALE: 1"=800'

DRAWN BY: HT

CHECKED BY: JRC

DATE: 1/31/05

SHEET 1 OF 1

**NOTICE OF APPLICATION
BY CWS COMMUNITIES LP D/B/A PALM VALLEY UTILITIES
FOR DELETION AND AMENDMENT OF SERVICE AREA IN SEMINOLE COUNTY**

Notice is hereby given on February 3, 2005 pursuant to Section 367.045, Florida Statutes, by CWS Communities LP d/b/a Palm Valley Utilities, 3700 Palm Valley Circle, Oviedo, FL 32765, of its application to the Florida Public Service Commission for deletion and amendment of the service area of its wastewater certificate No. 223-S and water certificate 277-W, which will result in the service territory being described as follows:

COMMENCE AT THE SOUTH 1/4 CORNER OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA; THENCE RUN N.00°02'08"E. A DISTANCE OF 40 FEET TO THE SOUTHWEST CORNER OF LOT 26, ORLANDO INDUSTRIAL PARK, AS RECORDED IN PLAT BOOK 10, PAGE 100, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE CONTINUE N.00°02'08"E. ALONG THE WEST LINE OF SAID LOT 26 A DISTANCE OF 900 FEET TO THE SOUTHWEST CORNER OF LOT 25, SAID ORLANDO INDUSTRIAL PARK FOR A POINT OF BEGINNING (POINT OF BEGINNING 1); THENCE N.00°02'08"E. ALONG THE WEST LINE OF SAID LOT 25 A DISTANCE OF 381.29 FEET TO THE SOUTHEAST CORNER OF LOT 23 OF SAID ORLANDO INDUSTRIAL PARK; THENCE RUN N.89°24'17"W. A DISTANCE OF 1275.42 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF ALAFAYA TRAIL, (S.R. 434); THENCE RUN N.00°05'57"E. ALONG THE EAST LINE OF SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 95.00 FEET; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE RUN S.89°06'21"E. A DISTANCE OF 1150.29 FEET TO A POINT ON THE WESTERLY LINE OF THE EASTERLY 125.00 FEET OF LOT 23 OF SAID ORLANDO INDUSTRIAL PARK; THENCE N.00°03'18"W. ALONG SAID WESTERLY LINE A DISTANCE OF 783.87 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF PARK ROAD, THENCE RUN N.63°50'57"E. ALONG SAID RIGHT-OF-WAY LINE OF PARK ROAD A DISTANCE OF 1217.12 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 2639.40 FEET, AND A CENTRAL ANGLE OF 19°43'47", THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 908.88 FEET, THENCE DEPARTING SAID RIGHT-OF-WAY RUN N.06°22'24"W. A DISTANCE OF 70.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 6, AFORESAID ORLANDO INDUSTRIAL PARK, THENCE N.00°02'08"E. ALONG SAID EAST LINE OF THE WEST 260.33 FEET OF SAID LOT 6, A DISTANCE OF 899 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 6, THENCE RUN S.89°13'35"E. ALONG THE NORTH LINE OF SAID LOT 6 AND LOT 5 A DISTANCE OF 802 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 31 EAST; THENCE N.00°14'21"W. ALONG THE EAST LINE OF SAID SECTION 34 ALSO BEING THE WEST LINE OF SECTION 35, TOWNSHIP 21 SOUTH, RANGE 31 EAST, A DISTANCE OF 1311.10 FEET TO THE NORTHWEST CORNER OF SAID SECTION 35; THENCE RUN EAST ALONG THE NORTH LINE OF SAID SECTION 35 A DISTANCE OF 1325 FEET TO THE NORTHEAST CORNER OF THE EAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, THENCE RUN SOUTH A DISTANCE OF 1320 FEET

TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF BRIGHTON PARK AT CARILLON, AS RECORDED IN PLAT BOOK 42, PAGES 86-89, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, THENCE RUN N.89°42'41"E. ALONG SAID NORTH LINE A DISTANCE OF 285 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF A CREEK, THENCE RUN S.09°24'12"E. 273.21 FEET AND S.06°51'54"W. 398.91 FEET ALONG SAID CENTERLINE TO A POINT OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF AFORESAID SECTION 35; THENCE S.89°41'09"W. ALONG SAID NORTH LINE A DISTANCE OF 279.00 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, THENCE RUN S. 00°53'56"E. ALONG THE EAST LINE OF THE SOUTH 1/2 OF THE EAST 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35 A DISTANCE OF 665.72 FEET TO A POINT ON THE NORTH LINE OF TRACT 107 AT CARILLON, AS RECORDED IN PLAT BOOK 47, PAGE 97 IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, THENCE RUN S.89°39'39"W. A DISTANCE OF 677.06 FEET TO THE NORTHEAST CORNER OF THE EAST 1/2, OF THE WEST 1/2, OF THE NORTHWEST 1/4, OF THE SOUTHWEST 1/4, OF SAID SECTION 35, THENCE RUN S.00°49'19"E. ALONG THE WEST LINE OF AFORESAID TRACT 107 AT CARILLON A DISTANCE OF 1304.76 FEET, THENCE RUN N.89°49'27"W. A DISTANCE OF 334.74 FEET TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, THENCE RUN N.00°30'22"W. ALONG SAID WEST LINE A DISTANCE OF 224.56 FEET TO THE SOUTHEAST CORNER OF LOT 3 ORLANDO INDUSTRIAL PARK UNIT 2, AS RECORDED IN PLAT BOOK 11, PAGE 43 IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN N. 89°37"W. ALONG SOUTH LINE OF SAID LOT 3 AND LOT 8, ORLANDO INDUSTRIAL PARK, AS RECORDED IN PLAT BOOK 10, PAGE 100, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA A DISTANCE OF 1003.37 FEET, THENCE RUN S. 00°29'25" E. A DISTANCE OF 218.30 FEET, THENCE S.01°39'41"E. A DISTANCE OF 482.32 FEET, THENCE RUN N.89°36'50"W. A DISTANCE OF 129.69 FEET TO THE NORTHEAST CORNER OF LOT 11 OF AFORESAID ORLANDO INDUSTRIAL PARK, THENCE RUN S.74°26"W. ALONG THE NORTH LINE OF SAID LOT 11 A DISTANCE OF 364.01 FEET TO THE NORTHEAST CORNER OF LOT 12 OF SAID ORLANDO INDUSTRIAL PARK, THENCE RUN N. 89°37"W. 760 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SEMINOLE AVENUE; THENCE N.00°02'08"E. ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 387.76 FEET; THENCE S.89°37'00"E. 225.00 FEET; THENCE N.00°02'08"E. A DISTANCE OF 18.88 FEET; THENCE S.89°37'00"E. 283.00 FEET; THENCE N.00°02'08"E. 208.00 FEET; THENCE N.89°37'00"W. 508.00 FEET TO AFORESAID EAST RIGHT OF WAY LINE OF SEMINOLE AVENUE; THENCE N.00°02'08"E. A DISTANCE OF 185.36 FEET; THENCE N.89°39'29"W. A DISTANCE OF 70.00 FEET; TO THE WEST RIGHT OF WAY LINE OF SAID SEMINOLE AVENUE; THENCE S.00°02'08"W. ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 599.68 FEET TO THE SOUTHEAST CORNER OF LOT 25, AFORESAID ORLANDO INDUSTRIAL PARK; THENCE N.89°37"W. ALONG THE SOUTH LINE OF LOT 25 A DISTANCE OF 670 FEET TO THE POINT OF BEGINNING.

ALSO;

COMMENCE AT THE SOUTH 1/4 CORNER OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA; THENCE RUN N.00°02'08"E. A DISTANCE OF 40 FEET TO THE SOUTHWEST CORNER OF LOT 26, ORLANDO INDUSTRIAL PARK, AS RECORDED IN PLAT BOOK 10, PAGE 100, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE CONTINUE N.00°02'08"E. A DISTANCE OF 2295.65 FEET TO THE SOUTHWEST CORNER OF LOT 1, FOX RUN AS RECORDED IN PLAT BOOK 18, PAGE 60 IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, FOR A POINT OF BEGINNING (POINT OF BEGINNING 2); THENCE RUN N.00°02'08"E. ALONG THE WEST LINE OF SAID FOX RUN A DISTANCE OF 945.21 FEET TO THE NORTHWEST CORNER OF SAID FOX RUN; THENCE N.63°49'53"E. ALONG THE NORTH LINE OF FOX RUN A DISTANCE OF 935.90 FEET TO THE NORTHEAST CORNER OF SAID FOX RUN; THENCE S.00°02'08"W. ALONG THE EAST LINE OF FOX RUN A DISTANCE OF 945.61 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF PARK ROAD; THENCE S.63°50'57"W. ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 935.83 FEET TO THE POINT OF BEGINNING.

The territory being deleted is currently undeveloped and is not receiving water or wastewater service. The amendments to the territory description are for the purpose of correcting the legal description so as to include areas already being served by the utility. For a complete description of the areas being deleted and added to the service territory description, please contact the utility.

Any objections to the said application must be made in writing and filed with the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, no later than thirty (30) days after the last date that the notice was mailed or published, whichever is later. At the same time, a copy of said objection should be mailed to Kathryn G.W. Cowdery, Ruden, McClosky, 215 South Monroe Street, Suite 815, Tallahassee, Florida 32301, (850) 412-2000, Attorneys for CWS Communities LP d/b/a Palm Valley Utilities. The objection must state the grounds for the objection with particularity.

ATTACHMENT D

Palm Valley Mobile Home Community W.W.T.F.

Monthly Reuse Flows to Disposal Sites

DATE	Total 30 Day ADF(mgd)	Clubhouse 30 Day ADF(mgd)	Dripper A-1 30 Day ADF(mgd)	Dripper A-2 30 Day ADF(mgd)	Dripper B 30 Day ADF(mgd)	Public Irrig. 30 Day ADF(mgd)	Exf. Trench 30 Day ADF(mgd)	Perc. Pond 30 Day ADF(mgd)
Oct-03	0.102	0.0227	0.0028	0.0019	0.0071	0.0346	0.0105	0.0224
Nov-03	0.082	0.0391	0.0000	0.0000	0.0000	0.0219	0.0000	0.0210
Dec-03	0.077	0.0365	0.0003	0.0007	0.0012	0.0222	0.0041	0.0120
Jan-04	0.082	0.0000	0.0096	0.0057	0.0085	0.0316	0.0265	0.0000
Feb-04	0.091	0.0000	0.0111	0.0091	0.0155	0.0308	0.0136	0.0109
Mar-04	0.080	0.0000	0.0109	0.0082	0.0155	0.0296	0.0000	0.0159
Apr-04	0.076	0.0080	0.0046	0.0031	0.0036	0.0310	0.0130	0.0127
May-04	0.080	0.0141	0.0000	0.0000	0.0000	0.0365	0.0000	0.0290
Jun-04	0.089	0.0305	0.0007	0.0002	0.0004	0.0280	0.0000	0.0292
Jul-04	0.089	0.0292	0.0000	0.0000	0.0000	0.0440	0.0000	0.0158
Aug-04	0.127	0.0100	0.0170	0.0080	0.0360	0.0240	0.0000	0.0320
Sep-04	0.151	0.0000	0.0330	0.0110	0.0780	0.0140	0.0000	0.0150
Averages	0.094	0.0158	0.0075	0.0040	0.0138	0.0290	0.0056	0.0180