ORIGINAL

LAW OFFICES

# ROSE, SUNDSTROM & BENTLEY, LLP

2548 BLAIRSTONE PINES DRIVE TALLAHASSEE, FLORIDA 32301

FREDERICK L. ASCHAUER, JR. CHRIS H. BENTLEY, P.A. ROBERT C. BRANNAN DAVID F. CHESTER F. MARSHALL DETERDING JOHN R. JENKINS, P.A. STEVEN T. MINDLIN, P.A. CHASITY H. O'STEEN DAREN L. SHIPPY WILLIAM E. SUNDSTROM, P.A. DIANE D. TREMOR, P.A. JOHN L. WHARTON

WAYNE L. SCHIEFELBEIN, OF COUNSEL ROBERT M. C. ROSE (1924-2006)

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

REPLY TO CENTRAL FLORIDA OFFICE

Sanlando Center 2180 W State BOAD 434, SUITE 2118 LONGWOOD, PLONING (407) 830-6331 FAX (407) 830-8522

MARTIN S. FRIEDMAN, P.A. VALERIE L. LORD BRIAN J. STREET

November 13, 2006

# HAND DELIVERY

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

RE:

Docket No.: October 14-US; Application of Timucuan Utilities, LLC, for Original Water and

Wastewater Certificates in Duval County

Our File No.: 40089.01

Dear Ms. Bayo:

Enclosed for filing is an original and twelve (12) copies of Timucuan Utilities, LLC's Application for Original Water and Wastewater Certificates in Duval County, Florida, and Motion for Temporary Rule Waiver. Also enclosed is this firm's check in the amount of \$4,500.00, which I believe to be the appropriate filing fee.

Should you have any questions regarding the enclosed, please do not hesitate to give me a call.

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward deposit information to Records.

Initia/s/of person who forwarded check:

Very truly yours.

MARTIN S. FRIEDMAN

For the Firm

MSF/mp **Enclosures** 

M:\1 ALTAMONTE\TIMUCUAN UTILITIES LLC (40089)\PSC Clerk 01.ltr.wpd

NUMBER-DATEDOCUMEN

10383 NOV 138 10382 NOV 138

FPSC-COMMISSION CLERKEPSC-COMMISSION CLERK

# ORIGINAL

### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Application of TIMUCUAN	)	11 6
UTILITIES, LLC for original water	)	DOCKET NO.: <u>060741 - W</u> S
and wastewater Certificates in	)	
Duval County, Florida	)	
	)	

# TIMUCUAN UTILITIES, LLC's APPLICATION FOR WATER AND WASTEWATER CERTIFICATES

Timucuan Utilities, LLC ("Applicant"), by and through its undersigned attorneys and pursuant to Sections 367.031 and 367.045, Florida Statutes, and Rule 25-30.033, Florida Administrative Code, hereby applies for original certificates to operate a water and wastewater utility in Duval County, Florida, and submits the following information:

# INTRODUCTION:

Although the Applicant is not expected to begin service to customers until 2008, Section 367.031, Florida Statutes, requires that a utility have a certificate from the Commission before the Department of Environmental Protection and Water Management District may issue construction and operating permits.

# REQUEST TO BIFURCATE ESTABLISHMENT OF INITIAL RATES AND CHARGES:

Since Applicant will not begin to serve customers for approximately two years, it requests that the certification and rate setting processes be bifurcated so that the Certificates can be issued within 90 days as required by Section 367.031, Florida Statutes, and the Applicant may proceed with permitting for its Water Use Permit, and wastewater treatment plant construction permit. Applicant is simultaneously filing a Motion for Temporary Rule Waiver to implement this request for bifurcation. This bifurcation procedure was approved

DOCUMENT NUMBER-CATE

10382 NOV 13 g

by the Commission in a similar situation in <u>In re: Application for Original Certificate to Operate Water and Wastewater Utility in Putnam County by Mariposa Utility Company, L.L.C.</u>, Order No. PSC-06-0835-PAA-WS (October 9, 2006), and <u>In re: Application for Certificates to provide Water and Wastewater Service in Sumter County by Central Sumter Utility Company, L.L.C., Order No. PSC-05-0844-PAA-WS (August 18, 2005).</u>

Applicant will file Tariffs and the financial schedules to establish initial rates, charges and return on equity sufficiently in advance of when Applicant becomes operational for the Commissioners' timely review.

# PART I: APPLICANT INFORMATION

A. The full name, address and telephone number of the Applicant:

Timucuan Utilities, LLC 13400 Sutton Park Drive, Suite 1402 Jacksonville, FL 32224 (904) 821-7171

B. The name, address and phone number of the person to contact concerning this Application:

Martin S. Friedman, Esquire Valerie L. Lord, Esquire Rose, Sundstrom & Bentley, LLP 2180 West State Road 434 Suite 2118 Longwood, FL 32779 PHONE: (407) 830-6331 FAX: (407) 830-8522

- C. The Applicant is a Florida limited liability corporation created on October 3,2006.
  - D. The names and addresses of the managing members and their membership

# interests are as follows:

Timucuan-MLC, Inc. 13400 Sutton Park Drive, Ste. 1402 Jacksonville, FL 32224	1/3
CH-Services, LLC	1/3
600 Corporate Drive, Ste. 102	
Ft. Lauderdale, FL 33334	
Baron Land Investments, LLC	1/3
6101 Gazebo Park Drive, South	•
Suite 105	
Jacksonville, FL 32257	
	100.00%

# PART II: NEED FOR SERVICE

- A. The territory proposed to be served by Applicant consisting of 6,070 acres is owned or controlled by related parties which intend to develop the property as a Development of Regional Impact called The Preserve at Thomas Creek. JEA is the only other water and wastewater utility near the proposed service territory, however, JEA cannot provide service in an economically feasible manner.
- B. To the best of Applicant's knowledge, the provision of service is consistent with the water and wastewater sections of local comprehensive plan, as approved by the Department of Community Affairs.

# PART III: SYSTEM INFORMATION

### A. WATER AND WASTEWATER

- (1) The Applicant proposes to provide potable water and wastewater service within the entire service area, and treated effluent will be used for irrigation which sufficient quantity is available.
  - (2) There are projected to be 6,987 residential ERCs utilizing 5/8" x 3/4"

water meters. The commercial development consisting of approximately 1,000,000 square feet is proposed to require 112 ERCs. The following is a description of the type of customer to be served:

### Residential Customers

Residential customers will consist of conventionally built single-family detached, and multi-family residences.

### Commercial Customers

The primary types of commercial customers anticipated to be served include offices, retail stores, and restaurants. Additional supporting uses include a hotel, schools and fire station.

(3) The following is a description of the capacities of Applicant's lines and treatment facilities:

### Water

The proposed capacity of the water treatment plant and associated distribution system will be designed and constructed to supply the maximum daily demand plus peak hourly flows.

### Wastewater

The proposed capacity of the wastewater treatment plant and associated collection system will be designed and constructed to accept the maximum month average daily demand.

- (4) A description of the water and wastewater treatment facilities will be provided after they have been designed, as Late Filed Exhibit "A".
- (5) When the location of the plant sites has been determined, Applicant will provide a copy of a Warranty Deed by which the Applicant will acquire the real estate upon which the water and wastewater plants are to be located, as Late Filed Exhibit "B".

# PART IV: FINANCIAL AND TECHNICAL INFORMATION

- A. (1) Financial Ability. The Applicant is an affiliated party of the developers of the service area and, as such, will provide necessary start up funding as well as funds sufficient to cover operation shortfalls during its initial years of inception.
  - (2) Technical Ability. The Applicant will retain qualified professionals with regard to the construction, operation and regulation of its water and wastewater systems.
- B. A Special Report to be prepared by Cronin, Jackson, Nixon & Wilson setting forth the required financial information will be filed in the rate setting phase of this Docket.

# PART V: RATES AND TARIFFS

A. The original and two copies of water and wastewater tariffs containing all rates, classifications, charges, rules and regulations will be filed in the rate setting phase of this Docket.

# PART VI: TERRITORY DESCRIPTION AND MAPS

# A. TERRITORY DESCRIPTION

An accurate description, using township, range and section references as specified in Rule 25-30.030(2), Florida Administrative Code, of the territory the utility is currently serving is attached hereto as Exhibit "C".

# B. TERRITORY MAPS

One copy of a map showing township, range and section on which the proposed territory is plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning is attached hereto as Exhibit "D".

# C. SYSTEM MAPS

One copy of detailed map(s) showing proposed lines, facilities and the territory being served will be filed in the rate setting phase of this docket.

## PART VII: NOTICE OF ACTUAL APPLICATION

- A. Attached as Exhibit "E" is an affidavit that the notice of actual application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail to the following:
  - 1. the governing body of the municipality, county or counties in which the system or territory proposed to be served is located;
  - 2. the privately owned water utility that holds a certificate granted by the Public Service Commission and that is located within the county in which the utility or the territory proposed to be served is located;
  - 3. if any portion of the proposed territory is within one mile of a county boundary, the utility shall notice the privately owned utilities located in the bordering counties and holding a certificate granted by the Commission;
  - 4. the regional planning council;
  - 5. the Office of Public Counsel;
  - 6. the Public Service Commission's Director of Records and Reporting;
  - 7. the appropriate regional office of the Department of Environmental Protection; and
  - 8. the appropriate water management district;
- B. Attached hereto as Exhibit "F" is an Affidavit (including a copy of the Notice), that notice of actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery to each property owner within the proposed anticipated territory.
- C. Immediately upon completion of publication, Applicant will file an affidavit that the notice of actual application was published once a week in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication shall accompany the affidavit and will be filed as Late Filed Exhibit "G".

# PART VII: FILING FEE

Indicate the filing fee enclosed with the application:

\$2,250.00 for water and \$2,250.00 for wastewater. Total \$4,500.00.

Respectfully submitted on this \_\_\_\_ day of November, 2006, by:

ROSE, SUNDSTROM & BENTLEY, LLP 2180 W. State Road 434 Suite 2118 Longwood, FL 32779 PHONE: (407) 830-6331

FAX: (407) 830-8522 mfriedman@rsbattornevs.com

mfriedman@rsbattorneys.com vlord@rsbattorneys.com

> MARTIN S. FRIEDMAN VALERIE L. LORD

M:\1 ALTAMONTE\TIMUCUAN UTILITIES LLC (40089)\Application for Original Certificate.wpd

# **AFFIDAVIT**

S	TATE	OF	FLOR	DA

COUNTY OF DUVAL

I, Mitchell Montgomery, do solemnly swear or affirm that the facts stated in the foregoing application and all exhibits attached thereto are true and correct and that said statements of fact thereto constitute a complete statement of the matter to which it relates.

FURTHER AFFIANT SAYETH NAUGHT.

	MITCHELL MONTGOMERY
Sworn to and subscribed before Montgomery, who is personally known identification.	me this day of November, 2006, by Mitchell to me or who provided as
	NOTARY PUBLIC - STATE OF FLORIDA Printed Name: My Commission Expires:

# EXHIBIT "A"

(To be Late Filed)

Description of the Water and Wastewater Treatment Facilities

# EXHIBIT "B"

(To be Late Filed)

Deed

# EXHIBIT "C"

Legal Description

# PARCEL "A"

A PORTION OF SECTIONS 39, CHARLES SETON GRANT; SECTION 40, CHARLES SETON/WILLIAM GIBSON GRANT; AND SECTION 41, WILLIAM GIBSON GRANT; TOWNSHIP 1 NORTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID SECTION 41, ALSO BEING THE SOUTHWESTERLY CORNER OF SAID SECTION 40. AND NORTHEASTERLY CORNER OF SAID SECTION 8; THENCE SOUTH 76°59'35" WEST, ALONG THE NORTHERLY LINE OF SAID SECTION 8, 615.14 FEET; THENCE NORTH 14°46'25" WEST, 646.29 FEET; THENCE NORTH 76°41'50" EAST, 668.52 FEET; THENCE NORTH 12°52'50" WEST, 1777.87 FEET; THENCE NORTH 80°24'57" EAST, 3693.37 FEET; THENCE SOUTH 11°23'19" EAST, 637.34 FEET: THENCE SOUTH 89°26'32" EAST, 2504.29 FEET; THENCE SOUTH 00°53'06" WEST, 3493.17 FEET; THENCE NORTH 88°00'13" WEST, 5725.00 FEET TO THE EASTERLY LINE OF AFORSAID SECTION 8, ALSO BEING THE WESTERLY LINE OF AFORSAID SECTION 39; THENCE NORTH 00°48'47" EAST, ALONG LAST SAID LINE, 954.23 FEET TO THE POINT OF BEGINNING.

## PARCEL "B"

A PORTION OF SECTION 39, CHARLES SETON GRANT, TOWNSHIP 1 NORTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 40, TOWNSHIP 1 NORTH, RANGE 26 EAST OF SAID COUNTY; THENCE NORTH 11°23'19" WEST, ALONG THE EASTERLY LINE OF SAID SECTION 40, A DISTANCE OF 1570.32 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°26'32" EAST, 2504.29 FEET; THENCE SOUTH 00°53'06" WEST, 3493.17 FEET; THENCE SOUTH 88°00'13" EAST, 2600 FEET, MORE OR LESS, TO THE WATERS OF HOUSTON CREEK; THENCE NORTHEASTERLY ALONG THE MEANDERINGS OF SAID CREEK, 6740 FEET, MORE OR LESS, TO A POINT; THENCE SOUTH 85°10'58" EAST, 848.46 FEET TO A POINT OF CURVATURE OF A CURVE LEADING SOUTHEASTERLY; THENCE ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1450.00 FEET, AN ARC DISTANCE OF 870.17 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 67°59'27" EAST, 857.17 FEET TO REVERSE CURVATURE OF Α CURVE POINT OF SOUTHEASTERLY; THENCE ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1600.00 FEET, AN ARC DISTANCE OF 861.73 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 66°13'40" EAST, 851.35 FEET; THENCE NORTH 08°20'35" EAST, 150.00 FEET TO THE BEGINNING OF A CURVE LEADING NORTHWESTERLY; THENCE ALONG AND AROUND THE

ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1450.00 FEET, AN ARC DISTANCE OF 780.94 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 66°13'40" WEST, 771.54 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE LEADING NORTHWESTERLY; THENCE ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1600.00 FEET, AN ARC DISTANCE OF 960.18 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 67°59'27" WEST, 945.84 FEET; THENCE NORTH 85°10'58" WEST, 803.48 FEET TO THE WATERS OF SAID HOUSTON CREEK; THENCE NORTHEASTERLY, ALONG THE MEANDERINGS OF SAID CREEK, 1390 FEET, MORE OR LESS, TO A POINT; THENCE NORTH 31°48'13" WEST, 2300 FEET, MORE OR LESS; THENCE NORTH 88°09'13" WEST, 7938.10 FEET; THENCE SOUTH 11°23'19" EAST, 3900.41 FEET; TO THE POINT OF BEGINNING.

## PARCEL "C"

A PORTION OF SECTION 39, CHARLES SETON GRANT, TOWNSHIP 1 NORTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 39: THENCE SOUTH 06°08'32" WEST, ALONG THE WESTERLY MOST EASTERLY LINE OF SAID SECTION, ALSO BEING THE WESTERLY LINE OF SECTION 42, CHARLES SETON GRANT, AND ITS SOUTHERLY PROLONGATION, 7204.95 FEET; THENCE NORTH 81°39'25" WEST, 160.24 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 81°39'25" WEST, 511.91 FEET; THENCE SOUTH 08°20'35" WEST, 84.00 FEET TO A POINT ON A CURVE LEADING NORTHWESTERLY; THENCE ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1600.00 FEET, AN ARC DISTANCE OF 861.73 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 66°13'40" WEST, 851.35 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE LEADING WESTERLY; THENCE ALONG AND AROUND THE ARC OF SAID CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1450.00 FEET, AN ARC DISTANCE OF 351.92 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 57°45'06" WEST, 351.06 FEET; THENCE SOUTH 25°17'43" WEST, 35.50 FEET; THENCE SOUTH 64°26'13" WEST, 681.94 FEET; THENCE SOUTH 52°19'18" WEST, 60.72 FEET; THENCE SOUTH 56°43'58" EAST, 63.47 FEET; THENCE SOUTH 66°42'12" EAST, 500.00 FEET; SOUTH 65°24'39" WEST, 749.06 FEET; THENCE SOUTH 00°09'13" EAST, 1990.64 FEET, THENCE NORTH 88°53'04" EAST, 2204.56 FEET; THENCE NORTH 30°15'02" EAST, 498.25 FEET; THENCE NORTH 14°03'02" EAST, 680.02 FEET; THENCE NORTH 08°23'58" WEST, 1257.17 FEET TO THE POINT OF BEGINNING.

# PARCEL "D"

A PORTION SECTION 39, E. WATERMAN GRANT AND SECTION 42, CHARLES SETON GRANT, TOWNSHIP 1 NORTH, RANGE 26 EAST, AND A PORTION OF SECTION 37, CHARLES SETON GRANT; SECTION 38, CHARLES SETON GRANT AND SECTION 42, ISAAC CARTER GRANT, TOWNSHIP 2 NORTH, RANGE 26 EAST, SAID DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEASTERLY CORNER OF SECTION 42, TOWNSHIP 2 NORTH, RANGE 26 EAST, OF SAID COUNTY; THENCE NORTH 22°35'43" EAST, ALONG THE SOUTHEASTERLY LINE OF SAID SECTION 42, A DISTANCE OF 48.00 FEET; THENCE SOUTH 89°21'19" EAST, 85.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°21'19" EAST, 200 FEET, MORE OR LESS TO THE MARSH LINE OF BEAR BRANCH; THENCE NORTHWESTERLY, NORTHEASTERLY AND SOUTHEASTERLY, ALONG THE MARSH LINE OF BEAR BRANCH AND ALONG THE MARSH LINE OF THE MARSHES OF THOMAS CREEK, 12500 FEET, MORE OR LESS TO A POINT; THENCE SOUTH 51°55'06" WEST, 510 FEET, MORE OR LESS; THENCE SOUTH 08°07'00" WEST, 1413.50 FEET; THENCE SOUTH 05°41'30" WEST, 3007.57 FEET; THENCE NORTH 83°56'00" WEST, 1455.06 FEET; THENCE NORTH 88°40'00" WEST, 3637.11 FEET; THENCE NORTH 08°59'28" EAST, 480.36 FEET; THENCE NORTH 12°08'30" WEST, 181.77 FEET; THENCE NORTH 01°13'04" EAST, 302.76 FEET; THENCE NORTH 02°43'46" EAST, 262.93 FEET; THENCE NORTH 15°28'26" WEST, 230.93 FEET; THENCE NORTH 11°19'08" WEST, 532.34 FEET; THENCE NORTH 14°13'32" EAST, 366.22 FEET; THENCE NORTH 03°59'44" EAST, 49.21 FEET; THENCE NORTH 06°14'04" WEST, 225.37 FEET; THENCE NORTH 15°08'07" WEST, 107.50 FEET; THENCE NORTH 24°00'34" WEST, 56.15 FEET; THENCE SOUTH 89°26'26" WEST, 750.64 FEET; THENCE NORTH 00°00'00" EAST, 66.00 FEET; THENCE NORTH 89°26'26" EAST, 750.00 FEET; THENCE NORTH 00°33'34" WEST, 400.00 FEET; THENCE NORTH 32°30'47" WEST, 176.79 FEET; THENCE SOUTH 89°26'26" WEST, 880 FEET, MORE OR LESS TO THE EASTERLY BANK OF SAID BEAR BRANCH; THENCE NORTHEASTERLY AND NORTHWESTERLY, ALONG SAID EASTERLY BANK OF BEAR BRANCH, 2200 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

# PARCEL "E"

A PORTION OF SECTIONS 39 AND 42, CHARLES SETON GRANT, TOWNSHIP 1 NORTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA, AND A PORTION OF SECTION 37, CHARLES SETON GRANT, TOWNSHIP 2 NORTH, RANGE 26 EAST, SAID DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWESTERLY CORNER OF SECTION 42, CHARLES SETON GRANT, TOWNSHIP 1 NORTH, RANGE 26 EAST, OF SAID COUNTY;

THENCE SOUTH 83°51'28" EAST, ALONG THE SOUTHERLY LINE OF SAID SECTION 42, A DISTANCE OF 1417.18 FEET TO THE POINT OF BEGINNING: THENCE SOUTH 03°20'41" WEST, 1508.17 FEET: THENCE SOUTH 81°39'25" EAST, 1235.60 FEET; THENCE NORTH 00°54'52" EAST, 3122.18 FEET; THENCE NORTH 75°50'18" EAST, 1234.21 FEET; THENCE SOUTH 07°43'35" EAST, 1140.14 FEET; THENCE SOUTH 85°30'50" EAST, 836.79 FEET; THENCE NORTH 00°25'41" WEST, 1916.89 FEET; THENCE NORTH 01°02'11" WEST, 2690 FEET, MORE OR LESS TO THE WATERS OF HOUSTON CREEK; THENCE NORTHEASTERLY, SOUTHEASTERLY, AND NORTHWESTERLY ALONG SAID WATERS OF HOUSTON CREEK 2345 FEET, MORE OR LESS TO THE MARSHES OF THOMAS CREEK: THENCE NORTHWESTERLY, NORTHEASTERLY SOUTHWESTERLY, ALONG SAID MARSHES OF THOMAS CREEK, 5110 FEET, MORE OR LESS; THENCE SOUTH 51°55'06" WEST, 510 FEET, MORE OR LESS; THENCE SOUTH 08°07'00" WEST, 1413.50 FEET: THENCE SOUTH 05°41'30" WEST, 3300.00 FEET; THENCE SOUTH 09°27'00" WEST, 1430.00 FEET; THENCE SOUTH 05°46'00" WEST, 2821.59 FEET; THENCE SOUTH 03°20'41" WEST, 98.27 FEET TO THE POINT OF BEGINNING.

# PARCEL "F"

A PORTION OF SECTION 42, CHARLES SETON GRANT AND A PORTION OF SECTION 50 (LOCALLY RECOGNIZED AND ACCEPTED AS SECTION 48 (AREA NOT ON TOWNSHIP PLAT), TOWNSHIP 1 NORTH, RANGE 26 EAST, AND A PORTION OF SECTION 37, CHARLES SETON GRANT, AND SECTION 50, TOWNSHIP 2 NORTH, RANGE 26 EAST, SAID DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 45, TOWNSHIP 1 NORTH, RANGE 27 EAST: THENCE NORTH 05°26'24" EAST, ALONG THE WESTERLY LINE OF SAID SECTION 45, A DISTANCE OF 596.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 05°26'24" EAST, ALONG SAID WESTERLY LINE, AND A PART OF THE WESTERLY LINE OF SECTION 49, TOWNSHIP 1 NORTH, RANGE 27 EAST, SAID DUVAL COUNTY, 3525 FEET, MORE OR LESS, TO THE WATERS OF BOAT SWAMP CREEK; THENCE SOUTHERLY, **ALONG** NORTHWESTERLY, AND CENTERLINE OF BOAT SWAMP CREEK, SEATON CREEK, AND HOUSTON CREEK, 15500 FEET, MORE OR LESS; THENCE SOUTH 01°02'11" EAST, 2690 FEET, MORE OR LESS; THENCE SOUTH 00°25'41" EAST, 1916.89 FEET; THENCE SOUTH 00°43'39" WEST, 70 FEET, MORE OR LESS, TO THE MEANDERINGS OF WILLIAMSON BRANCH; **THENCE** CENTERLINE ALONG THE CENTERLINE AND EASTERLY, NORTHEASTERLY MEANDERINGS OF SAID WILLIAMSON BRANCH, 2230 FEET, MORE OR LESS; THENCE NORTH 01°47'20" EAST, 770 FEET, MORE OR LESS; THENCE NORTH 04°29'37" EAST, 451.25 FEET; THENCE NORTH 65°43'36" EAST, 601.09 FEET; THENCE NORTH 72°45'19" EAST, 188.44 FEET; THENCE NORTH 82°35'45" EAST, 332.18 FEET; THENCE SOUTH 89°07'16" EAST, 464.53 FEET; THENCE NORTH 83°31'41" EAST, 226.83 FEET; THENCE NORTH 46°43'59" EAST, 77.47 FEET; THENCE SOUTH 89°16'25" EAST, 195.53 FEET; THENCE SOUTH 05°20'56" WEST, 552.36 FEET; THENCE SOUTH 84°37'10" EAST, 527.55 FEET TO THE POINT OF BEGINNING.

# PARCEL "G"

DESCRIPTION OF LANDS LOCATED IN FRACTIONAL SECTION 7, FRACTIONAL SECTION 8, FRACTIONAL SECTION 17, SECTIONS 18 AND 19, TOWNSHIP 1 NORTH, RANGE 26 EAST DUVAL COUNTY, FLORIDA

BEING ALL OF FRACTIONAL SECTION 7, FRACTIONAL SECTION 8, A PORTION OF FRACTIONAL SECTION 17, A PORTION OF SECTIONS 18 AND 19, ALL IN TOWNSHIP 1 NORTH, RANGE 26 EAST, DUVAL COUNTY, STATE OF FLORIDA AND BEING MORE FULLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF FRACTIONAL SECTION 8, SAID POINT BEING THE SOUTHEAST CORNER OF SECTION 41, ALSO KNOWN AS THE WILLIAM GIBSON AND OTHERS GRANT, SAID POINT BEING THE SOUTHWEST CORNER OF SECTION 40, ALSO BEING A PART OF THE WILLIAM GIBSON AND OTHERS GRANT, SAID POINT BEING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED LANDS AND THE TRUE POINT OF BEGINNING;

THENCE WITH THE EAST LINE OF FRACTIONAL SECTION 8 AND A WESTERLY LINE OF SECTION 39, ALSO KNOWN AS THE CHARLES SETON GRANT, SOUTH 01° 20' 51" WEST, A DISTANCE OF 1537.27 FEET TO THE SOUTHEAST CORNER OF FRACTIONAL SECTION 8, SAID CORNER BEING THE NORTHEAST CORNER OF FRACTIONAL SECTION 17;

THENCE WITH THE EAST LINE OF FRACTIONAL SECTION 17 AND THE WEST LINE OF SECTION 39, ALSO KNOWN AS THE CHARLES SETON GRANT, SOUTH 00° 14' 21" WEST, A DISTANCE OF 2778.43 FEET TO A CORNER, SAID CORNER BEING A WESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10333, PAGE 486 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH THE NORTHERLY AND WESTERLY LINES OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10333, PAGE 486 ON THE FOLLOWING FOUR (4) COURSES,

- 1) NORTH 89° 31' 54" WEST, A DISTANCE OF 1209.25 FEET TO A CORNER;
- THENCE SOUTH 57° 37' 38" EAST, A DISTANCE OF 37.68 FEET TO A CORNER:

- 3) THENCE SOUTH 89° 10' 31" WEST, A DISTANCE OF 517.26 FEET TO A CORNER:
- 4) THENCE SOUTH 00° 51' 20" EAST, A DISTANCE OF 1248.21 FEET TO A CORNER, SAID CORNER LYING IN THE NORTHERLY RIGHT OF WAY LINE OF EAGERTON ROAD NORTH, A 60-FOOT RIGHT OF WAY AS CURRENTLY ESTABLISHED;

THENCE WITH THE NORTHERLY RIGHT OF WAY OF EAGERTON ROAD NORTH, SOUTH 89° 05' 57" WEST, A DISTANCE OF 185.81 FEET TO A CORNER, SAID CORNER BEING THE NORTHWESTERLY TERMINATION OF SAID EAGERTON ROAD NORTH RIGHT OF WAY:

THENCE WITH THE WESTERLY RIGHT OF WAY AND TERMINATION OF EAGERTON ROAD NORTH, SOUTH 00° 54' 03" EAST, A DISTANCE OF 60.00 FEET TO A CORNER, SAID CORNER BEING THE SOUTHWESTERLY TERMINATION OF SAID EAGERTON ROAD NORTH RIGHT OF WAY;

THENCE WITH THE SOUTHERLY RIGHT OF WAY OF EAGERTON ROAD NORTH, NORTH 89° 05' 57" EAST, A DISTANCE OF 1789.55 FEET TO A CORNER, SAID CORNER BEING THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF EAGERTON ROAD NORTH AND THE WESTERLY RIGHT OF WAY OF EAGERTON ROAD, A 60 FOOT RIGHT OF WAY AS CURRENTLY ESTABLISHED;

THENCE WITH THE WESTERLY RIGHT OF WAY LINE OF EAGERTON ROAD, SOUTH 00° 48' 30" EAST, A DISTANCE OF 652.34 FEET TO A CORNER;

THENCE SOUTH 89° 03' 49" WEST, A DISTANCE OF 1798.22 FEET TO A CORNER;

THENCE SOUTH 00° 44' 30" EAST, A DISTANCE OF 657.37 FEET TO A CORNER, SAID CORNER LYING IN THE SOUTH LINE OF FRACTIONAL SECTION 17 AND THE NORTH LINE OF SECTION 20;

THENCE WITH THE SOUTH LINE OF FRACTIONAL SECTION 17 AND THE NORTH LINE OF SECTION 20, SOUTH 88° 55' 41" WEST, A DISTANCE OF 180.83 FEET TO A CORNER, SAID CORNER BEING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 13200, PAGE 2044 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH THE EASTERLY LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20 AND THE WESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 13200, PAGE 2044, SOUTH 00° 28' 36" EAST, A DISTANCE OF 1273.65 FEET TO A CORNER, SAID CORNER

BEING THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20;

THENCE WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20, SOUTH 87° 32' 22" WEST, A DISTANCE OF 1315.36 FEET TO A CORNER, SAID CORNER LYING IN THE WEST LINE OF SECTION 20 AND THE EAST LINE OF SECTION 19, SAID CORNER ALSO BEING A WESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3861, PAGE 640 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH THE WEST LINE OF SECTION 20 AND THE EAST LINE OF SECTION 19 AND THE WESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3861, PAGE 640, SOUTH 00° 07' 08" EAST, A DISTANCE OF 1731.68 FEET TO A CORNER, SAID CORNER LYING IN THE NORTHEASTERLY RIGHT OF WAY LINE OF LEM TURNER ROAD, ALSO KNOWN AS STATE ROAD NUMBER 115, A 66-FOOT RIGHT OF WAY AS CURRENTLY ESTABLISHED;

THENCE WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF LEM TURNER ROAD ON THE FOLLOWING THREE COURSES.

- 1) NORTH 74° 27' 47" WEST, A DISTANCE OF 15.61 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST;
- 2) THENCE WITH SAID CURVE HAVING A DELTA ANGLE OF 31° 43' 00", A RADIUS OF 1876.86 FEET, AN ARC DISTANCE OF 1038.96 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 58° 36' 17" WEST, 1025.74 FEET TO THE POINT OF TANGENCY;
- THENCE NORTH 42° 44' 47" WEST, A DISTANCE OF 4275.49 FEET TO A CORNER, SAID CORNER LYING IN THE EASTERLY LINE OF LOT NUMBERED 5 OF THE SUBDIVISION OF PART OF THE WILLIAM A. OGILVIE ESTATE AS RECORDED IN PLAT BOOK 9, PAGE 10 OF THE PLAT RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH THE EASTERLY LINE OF SAID LOT NUMBERED 5 OF THE WILLIAM A. OGILVIE ESTATE, NORTH 00° 47' 44" EAST, A DISTANCE OF 4759.04 FEET TO A CORNER, SAID CORNER LYING IN THE SOUTHEASTERLY LINE OF SECTION 41, ALSO KNOWN AS THE WILLIAM GIBSON AND OTHERS GRANT, SAID CORNER BEING THE NORTHWEST CORNER OF SECTION 18, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF SAID LOT NUMBERED 5 OF THE WILLIAM A. OGILVIE ESTATE;

THENCE WITH THE SOUTHEASTERLY LINE OF SECTION 41, ALSO KNOWN AS THE WILLIAM GIBSON AND OTHERS GRANT, THE NORTHWESTERLY LINE OF SECTION 18, THE NORTHWESTERLY LINE OF FRACTIONAL SECTION 7 AND THE NORTHWESTERLY LINE OF FRACTIONAL SECTION 8,

NORTH 77° 25' 41" EAST, A DISTANCE OF 7272.15 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 1083.323 ACRES, MORE OR LESS.

BEARING BASIS IS ASSUMED AND ESTABLISHED AS NORTH 77° 25' 41" EAST ALONG THE SOUTHEASTERLY LINE OF SECTION 41, TOWNSHIP 1 NORTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA. THIS DESCRIPTION PREPARED FROM RECORD DOCUMENTS AND SURVEYS.

# PARCEL "H"

DESCRIPTION OF LANDS LOCATED IN SECTION 19, TOWNSHIP 1 NORTH, RANGE 26 EAST DUVAL COUNTY, FLORIDA

BEING A PORTION OF SECTION 19, TOWNSHIP 1 NORTH, RANGE 26 EAST, DUVAL COUNTY, STATE OF FLORIDA LYING SOUTHWEST OF LEM TURNER ROAD, ALSO KNOWN AS SATE ROAD NUMBER 115 AND SOUTHEAST OF BRADDOCK ROAD AND BEING MORE FULLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 19, SAID CORNER BEING THE SOUTHWEST CORNER OF SECTION 20, SAID CORNER BEING THE NORTHEAST CORNER OF SECTION 30, SAID CORNER BEING THE NORTHWEST CORNER OF SECTION 29, SAID CORNER BEING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED LANDS AND THE TRUE POINT OF BEGINNING;

THENCE WITH THE SOUTH LINE OF SECTION 19 AND THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 12191, PAGE 309 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA, SOUTH 89° 19' 38" WEST, A DISTANCE OF 4595.69 FEET TO THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED LANDS, SAID CORNER LYING IN THE SOUTHEASTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD, A 60 FOOT RIGHT OF WAY AS CURRENTLY ESTABLISHED, SAID CORNER ALSO BEING THE NORTHWESTERLY CORNER OF SAID LANDS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 12191, PAGE 309;

THENCE WITH THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID BRADDOCK ROAD, NORTH 25° 25' 33" EAST, A DISTANCE OF 1971.70 FEET TO A CORNER, SAID CORNER BEING A WESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5502, PAGE 1151 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH THE SOUTHWESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5502, PAGE 1151 AND THE SOUTHWESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6833, PAGE 1713 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA, SOUTH 64° 34'

35" EAST, A DISTANCE OF 615.16 FEET TO A CORNER, SAID CORNER LYING IN THE NORTHWESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9652, PAGE 404 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH A NORTHWESTERLY, SOUTHWESTERLY AND SOUTHEASTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9652, PAGE 404 ON THE FOLLOWING THREE (3) COURSES,

- 1) SOUTH 25° 19' 21" WEST, A DISTANCE OF 124.97 FEET TO A CORNER;
- 2) THENCE SOUTH 64° 36' 49" EAST, A DISTANCE OF 193.92 FEET TO A CORNER;
- 3) THENCE NORTH 25° 23' 28" EAST, A DISTANCE OF 168.48 FEET TO A CORNER, SAID CORNER BEING THE SOUTHWESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9162, PAGE 471 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH A SOUTHERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9162, PAGE 471, SOUTH 74° 41' 40" EAST, A DISTANCE OF 380.11 FEET TO A CORNER;

THENCE WITH A SOUTHEASTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9162, PAGE 471 AND THE SOUTHEASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9068, PAGE 1533, NORTH 25° 24' 58" EAST, A DISTANCE OF 525.00 FEET TO A CORNER, SAID CORNER BEING THE WESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9739, PAGE 1206 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH A SOUTHWESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9739, PAGE 1206, SOUTH 57° 03' 34" EAST, A DISTANCE OF 377.35 FEET TO A CORNER;

THENCE WITH A SOUTHEASTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9739, PAGE 1206 AND THE SOUTHEASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9566, PAGE 259, NORTH 25° 25' 10" EAST, A DISTANCE OF 524.99 FEET TO A CORNER, SAID CORNER BEING THE EASTERLY CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9566, PAGE 259;

THENCE WITH A NORTHEASTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9566, PAGE 259 AND THE NORTHEASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5680, PAGE 1245, NORTH 57° 07' 00" WEST, A DISTANCE OF 751.97 FEET TO A CORNER, SAID CORNER BEING THE NORTHERLY CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5680, PAGE 1245, SAID CORNER LYING IN THE

SOUTHEASTERLY LINE OF A NON-EXCLUSIVE INGRESS/EGRESS EASEMENT:

THENCE WITH THE SOUTHEASTERLY LINE OF SAID NON-EXCLUSIVE INGRESS/EGRESS EASEMENT, NORTH 25° 15' 04" EAST, A DISTANCE OF 29.75 FEET TO A CORNER;

THENCE SOUTH 57° 10' 04" EAST, A DISTANCE OF 503.12 FEET TO A CORNER, SAID CORNER BEING THE SOUTHERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8922, PAGE 171 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH A SOUTHEASTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8922, PAGE 171 AND THE SOUTHEASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9981, PAGE 1897, NORTH 46° 11' 16" EAST, A DISTANCE OF 386.45 FEET TO A CORNER, SAID CORNER BEING THE EASTERLY CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9981, PAGE 1897;

THENCE WITH A NORTHEASTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9981, PAGE 1897, NORTH 56° 56' 52" WEST, A DISTANCE OF 266.11 FEET TO A CORNER, SAID CORNER BEING THE SOUTHEASTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6565, PAGE 1029 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH A SOUTHEASTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6565, PAGE 1029, NORTH 25° 31' 36" EAST, A DISTANCE OF 175.05 FEET TO A CORNER, SAID CORNER LYING IN THE SOUTHWESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9283, PAGE 1606 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA:

THENCE WITH A SOUTHWESTERLY, SOUTHEASTERLY, NORTHEASTERLY AND NORTHWESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9283, PAGE 1606 ON THE FOLLOWING FOUR (4) COURSES,

- 1) SOUTH 57° 00' 01" EAST, A DISTANCE OF 66.65 FEET TO A CORNER;
- 2) THENCE NORTH 25° 23' 26" EAST, A DISTANCE OF 232.88 FEET TO A CORNER;
- 3) THENCE NORTH 48° 07' 14" WEST, A DISTANCE OF 351.00 FEET TO A CORNER;
- 4) THENCE SOUTH 55° 03' 50" WEST, A DISTANCE OF 270.69 FEET TO A CORNER, SAID CORNER BEING THE NORTHWESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9823, PAGE 1606;

THENCE WITH A NORTHWESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 9823, PAGE 1606 AND THE NORTHWESTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6565, PAGE 1029, SOUTH 25° 15' 50" WEST, A DISTANCE OF 234.23 FEET TO A CORNER, SAID CORNER BEING THE EASTERLY CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6565, PAGE 1031 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH A NORTHEASTERLY AND NORTHWESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6565, PAGE 1031 ON THE FOLLOWING TWO (2) COURSES,

- 1) NORTH 58° 38' 16" WEST, A DISTANCE OF 406.60 FEET TO A CORNER;
- THENCE SOUTH 25° 08' 52" WEST, A DISTANCE OF 195.49 FEET TO A CORNER, SAID CORNER LYING IN THE NORTHEASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5535, PAGE 2307 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH A NORTHEASTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5535, PAGE 2307, NORTH 64° 44' 20" WEST, A DISTANCE OF 376.77 FEET TO A CORNER, SAID CORNER LYING IN THE SOUTHEASTERLY RIGHT OF WAY LINE OF BRADDOCK ROAD, A 60 FOOT RIGHT OF WAY AS CURRENTLY ESTABLISHED, SAID CORNER ALSO BEING THE NORTHERLY CORNER OF SAID LANDS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 5535, PAGE 2307;

THENCE WITH THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID BRADDOCK ROAD ON THE FOLLOWING THREE (3) COURSES,

- 1) NORTH 25° 25' 33" EAST, A DISTANCE OF 734.81 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST;
- THENCE WITH SAID CURVE HAVING A DELTA ANGLE OF 20° 52' 41", A RADIUS OF 1399.40 FEET, AN ARC DISTANCE OF 509.93 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 35° 51' 53" EAST, 507.11 FEET TO THE POINT OF TANGENCY;
- THENCE NORTH 46° 18' 13" EAST, A DISTANCE OF 154.40 FEET TO A CORNER, SAID CORNER BEING THE INTERSECTION OF SAID SOUTHEASTERLY RIGHT OF WAY OF BRADDOCK AND THE SOUTHWESTERLY RIGHT OF WAY LEM TURNER ROAD, ALSO KNOWN AS STATE ROAD NUMBER 115, A 66-FOOT RIGHT OF WAY AS CURRENTLY ESTABLISHED;

THENCE WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF LEM TURNER ROAD ON THE FOLLOWING THREE COURSES,

1) SOUTH 42° 44' 47" EAST, A DISTANCE OF 2152.10 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST;

- 2) THENCE WITH SAID CURVE HAVING A DELTA ANGLE OF 31° 43' 00", A RADIUS OF 1942.86 FEET, AN ARC DISTANCE OF 1075.49 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 58° 36' 17" EAST, 1061.81 FEET TO THE POINT OF TANGENCY:
- THENCE SOUTH 74° 27' 47" EAST, A DISTANCE OF 34.10 FEET TO A CORNER, SAID CORNER LYING IN THE EAST LINE OF SECTION 19 AND THE WEST LINE OF SECTION 20, SAID CORNER ALSO BEING THE NORTHWESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3723, PAGE 933 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH THE EAST LINE OF SECTION 19 AND THE WEST LINE OF SECTION 20, SOUTH 00° 07' 08" EAST, A DISTANCE OF 2070.29 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 226.206 ACRES, MORE OR LESS.

BEARING BASIS IS ASSUMED AND ESTABLISHED AS SOUTH 89° 19' 38" WEST ALONG THE SOUTH LINE OF SECTION 19, TOWNSHIP 1 NORTH, RANGE 26 EAST, DUVAL COUNTY, FLORIDA. THIS DESCRIPTION PREPARED FROM RECORD DOCUMENTS AND SURVEYS.

### PARCEL "I"

DESCRIPTION OF LANDS LOCATED IN SECTIONS 18, 19 AND 30, TOWNSHIP 1 NORTH, RANGE 26 EAST SECTIONS 24 AND 25, TOWNSHIP 1 NORTH, RANGE 25 EAST DUVAL COUNTY, FLORIDA

BEING ALL SECTION 24, A PORTION OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 25 EAST, A PORTION OF SECTION 18, A PORTION OF SECTION 19 AND A PORTION OF SECTION 30, TOWNSHIP 1 NORTH, RANGE 26 EAST, DUVAL COUNTY, STATE OF FLORIDA AND BEING MORE FULLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 24, SAID POINT BEING THE SOUTHEAST CORNER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 25 EAST, SAID POINT BEING THE SOUTHWEST CORNER OF SECTION 18, SAID POINT BEING THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 1 NORTH, RANGE 26 EAST, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT NUMBERED 4 AND LOT NUMBERED 5 OF THE SUBDIVISION OF PART OF THE WILLIAM A. OGILVIE ESTATE, AS RECORDED IN PLAT BOOK 9, PAGE 10 OF THE PLAT RECORDS OF DUVAL COUNTY, FLORIDA, SAID POINT BEING A NORTHERLY CORNER OF THE HEREIN DESCRIBED LANDS AND THE TRUE POINT OF BEGINNING;

THENCE WITH THE SOUTH LINE OF SECTION 18 AND THE SOUTH LINE OF SAID LOT NUMBERED 5 OF THE WILLIAM A. OGILVIE ESTATE, SOUTH 89° 37' 05" EAST, A DISTANCE OF 1320.68 FEET TO THE SOUTHEAST CORNER OF

SAID LOT NUMBERED 5, SAID CORNER BEING THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 11489, PAGE 608 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH THE EASTERLY LINE OF SAID LOT NUMBERED 5 OF THE WILLIAM A. OGILVIE ESTATE, NORTH 01° 17' 55" EAST, A DISTANCE OF 436.61 FEET TO A CORNER, SAID CORNER LYING IN THE SOUTHWESTERLY RIGHT OF WAY LINE OF LEM TURNER ROAD, ALSO KNOWN AS STATE ROAD NUMBER 115, A 66-FOOT RIGHT OF WAY AS CURRENTLY ESTABLISHED;

THENCE WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF LEM TURNER ROAD, SOUTH 42° 44' 47" EAST, A DISTANCE OF 1982.42 FEET TO A CORNER, SAID CORNER BEING THE INTERSECTION OF SAID NORTHWESTERLY RIGHT OF WAY OF BRADDOCK, A 60 FOOT RIGHT OF WAY AS CURRENTLY ESTABLISHED AND THE SOUTHWESTERLY RIGHT OF WAY LEM TURNER ROAD;

THENCE WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID BRADDOCK ROAD ON THE FOLLOWING THREE (3) COURSES,

- 1) SOUTH 46° 18' 13" WEST, A DISTANCE OF 155.79 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST;
- THENCE WITH SAID CURVE HAVING A DELTA ANGLE OF 20° 52' 41", A RADIUS OF 1465.40 FEET, AN ARC DISTANCE OF 533.97 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 35° 51' 53" WEST, 531.02 FEET TO THE POINT OF TANGENCY;
- THENCE SOUTH 25° 25' 33" WEST, A DISTANCE OF 1024.64 FEET TO A CORNER, SAID CORNER BEING THE NORTHEASTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 12465, PAGE 2158 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH THE NORTHERLY, NORTHWESTERLY AND SOUTHWESTERLY LINES OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 12465, PAGE 2158 ON THE FOLLOWING THREE (3) COURSES,

- 1) SOUTH 89° 53' 53" WEST, A DISTANCE OF 370.74 FEET TO A CORNER;
- 2) THENCE SOUTH 25° 25' 33" WEST, A DISTANCE OF 115.36 FEET TO A CORNER;
- 3) THENCE SOUTH 64° 34' 54" EAST, A DISTANCE OF 334.48 FEET TO A CORNER, SAID CORNER LYING IN THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID BRADDOCK ROAD NORTH;

THENCE WITH THE NORTHWESTERLY AND NORTHERLY RIGHT OF WAY LINE OF SAID BRADDOCK ROAD ON THE FOLLOWING TWO (2) COURSES,

- 1) SOUTH 25° 25' 33" WEST, A DISTANCE OF 3573.28 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST:
- THENCE WITH SAID CURVE HAVING A DELTA ANGLE OF 62° 24' 39", A RADIUS OF 919.24 FEET, AN ARC DISTANCE OF 1001.31 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 56° 27' 18" WEST, 952.53 FEET TO THE POINT OF TANGENCY;

THENCE WITH THE NORTHERLY RIGHT OF WAY LINE OF SAID BRADDOCK ROAD, SOUTH 87° 36' 21" WEST, A DISTANCE OF 1124.46 FEET TO A CORNER, SAID CORNER LYING IN THE SOUTH LINE OF THE NORTH HALF OF GOVERNMENT LOT NUMBERED 2;

THENCE WITH THE SOUTH LINE OF THE NORTH HALF OF GOVERNMENT LOT NUMBERED 2, SOUTH 89° 17' 07" WEST, A DISTANCE OF 1013.00 FEET TO A CORNER, SAID CORNER BEING THE SOUTHWEST CORNER OF THE NORTH HALF OF GOVERNMENT LOT NUMBERED 2, SAID CORNER LYING IN THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 25;

THENCE WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 25 AND THE WEST LINE OF THE NORTH HALF OF GOVERNMENT LOT NUMBERED 2, NORTH 00° 16' 17" EAST, A DISTANCE OF 665.00 FEET TO A CORNER, SAID CORNER BEING THE SOUTHEAST CORNER OF THE NORTH ONE QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10808, PAGE 1155 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH THE SOUTH LINE OF THE NORTH ONE QUARTER OF THE NORTHWEST QUARTER OF SECTION 25 AND THE NORTHERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 10808, PAGE 1155, SOUTH 88° 35' 23" WEST, A DISTANCE OF 2709.56 FEET TO A CORNER, SAID CORNER BEING THE SOUTHWEST CORNER OF THE NORTH ONE QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, SAID CORNER LYING IN THE EAST LINE OF SECTION 26;

THENCE WITH THE WEST LINE OF THE NORTH ONE QUARTER OF THE NORTHWEST QUARTER OF SECTION 25 AND THE EAST LINE OF SECTION 26, NORTH 00° 01' 57" EAST, A DISTANCE OF 697.02 FEET TO A CORNER, SAID CORNER BEING THE NORTHWEST CORNER OF THE NORTH ONE QUARTER OF THE NORTHWEST QUARTER OF SECTION 25, SAID CORNER BEING THE SOUTHWEST CORNER OF SECTION 24, SAID CORNER BEING THE NORTHEAST CORNER OF SECTION 26, SAID CORNER BEING THE SOUTHEAST CORNER OF SECTION 23, SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6221, PAGE 380 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA;

THENCE WITH THE WEST LINE OF SECTION 24, THE EAST LINE OF SECTION 23 AND THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6221, PAGE 380, NORTH 05° 48' 58" WEST, A DISTANCE OF 2661.43 FEET TO A CORNER, SAID CORNER BEING THE WEST QUARTER CORNER OF SECTION 24 AND THE EAST QUARTER CORNER OF SECTION23;

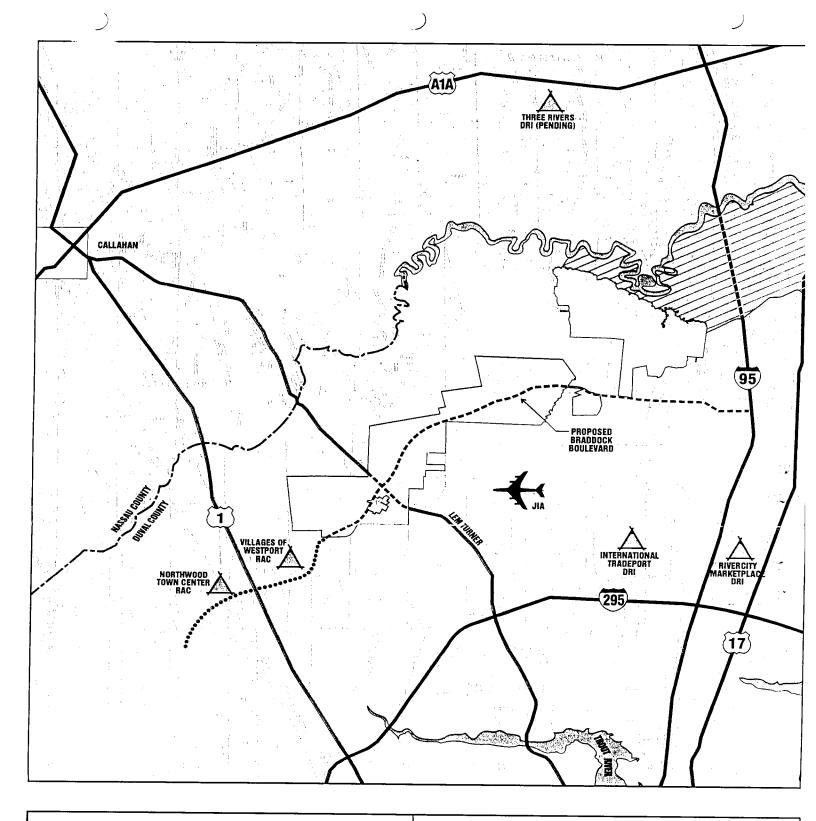
THENCE CONTINUING WITH THE WEST LINE OF SECTION 24, THE EAST LINE OF SECTION 23 AND THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 6221, PAGE 380, NORTH 02° 13' 02" WEST, A DISTANCE OF 2682.54 FEET TO A CORNER, SAID CORNER BEING THE NORTHWEST CORNER OF SECTION 24, SAID CORNER BEING THE SOUTHWEST CORNER OF SECTION 13, SAID CORNER BEING THE NORTHEAST CORNER OF SECTION 23, SAID CORNER BEING THE SOUTHEAST CORNER OF SECTION 14, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5944, PAGE 1855 OF THE OFFICIAL RECORDS OF DUVAL COUNTY, FLORIDA, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT NUMBERED 1 OF THE SUBDIVISION OF PART OF THE WILLIAM A. OGILVIE ESTATE AS RECORDED IN PLAT BOOK 9, PAGE 10 OF THE PLAT RECORDS OF DUVAL COUNTY, FLORIDA;

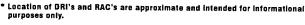
THENCE WITH THE NORTH LINE OF SECTION 24, THE SOUTH LINE OF SECTION 13 AND THE SOUTH LINE OF SAID LOTS NUMBERED 1 THROUGH 4 OF THE WILLIAM A. OGILVIE ESTATE, NORTH 89° 06' 36" EAST, A DISTANCE OF 5926.79 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 1040.127 ACRES, MORE OR LESS.

BEARING BASIS IS ASSUMED AND ESTABLISHED AS NORTH 89° 06' 36" EAST ALONG THE NORTH LINE OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 25 EAST, DUVAL COUNTY, FLORIDA. THIS DESCRIPTION PREPARED FROM RECORD DOCUMENTS AND SURVEYS.

# EXHIBIT "D"

Maps





# **APPLICATION FOR DEVELOPMENT APPROVAL**

The Preserve \$3, at Thomas Creek

DEVELOPER: Thomas Creek Preserve, LLC PROJECT TEAM: ARCADIS G&M, Inc. ESI, Inc. King Engineering Associates, Inc. Rogers Towers, P.A.

# **MAP A-2**

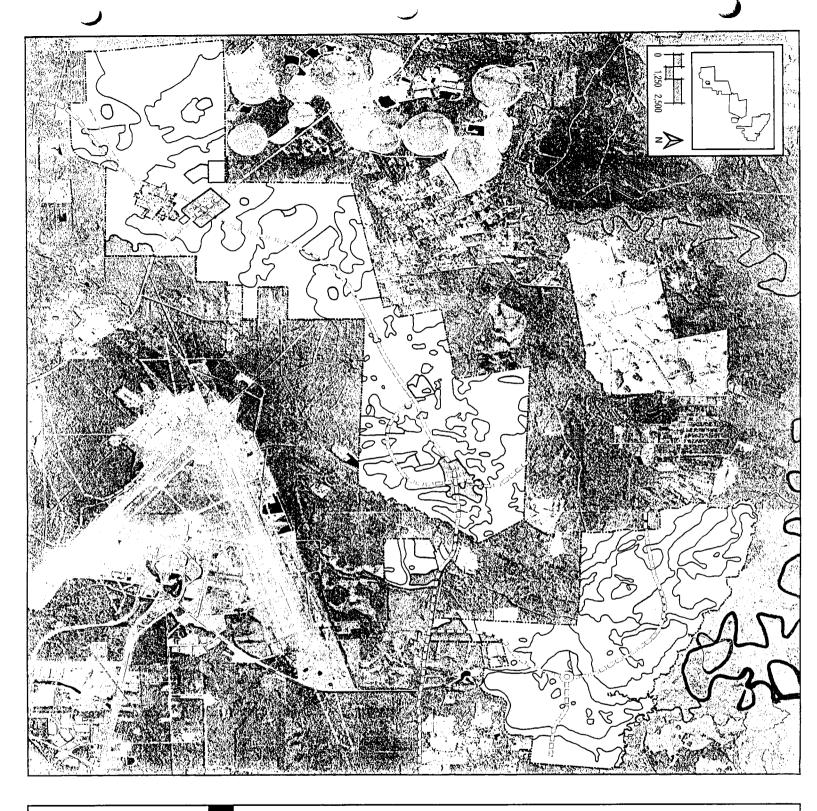
VICINITY MAP

THE PRESERVE AT THOMAS CREEK WMD PRESERVE

TIMUCUAN PRESERVE

REGIONAL ACTIVITY
CENTER OR DRI
URBAN SERVICE
BOUNDARY

SUBURBAN SERVICE
BOUNDARY



# **EXHIBIT 31-**

MASTER
DEVELOPMENT
WITH EXISTING
NOISE CONTOURS

NEIGHBORHOOD PARKS
CIVIC

RESIDENTIAL
MIXED USE
65 LDN CONTOUR

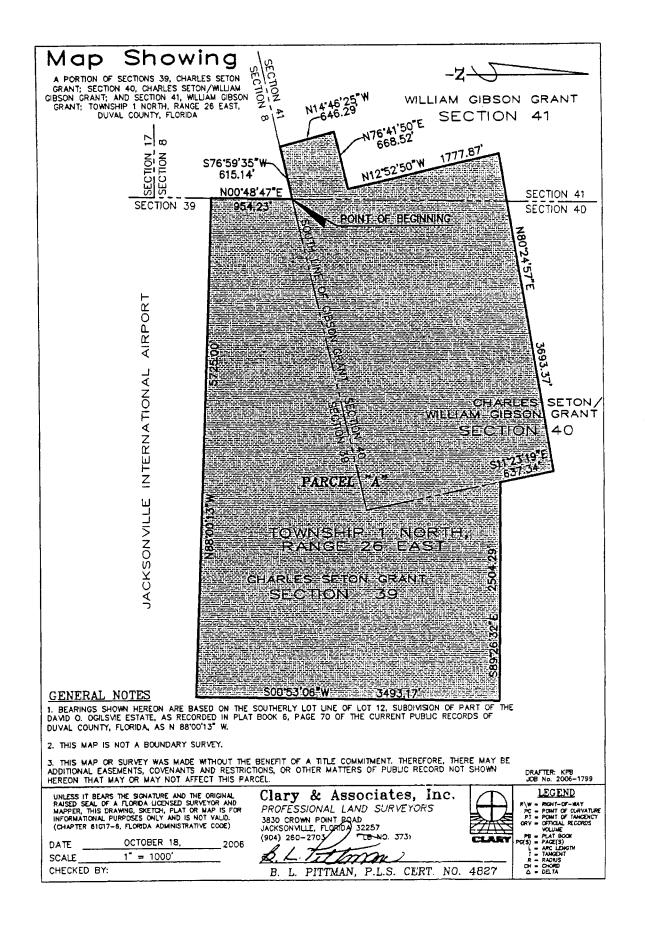
75 LDN CONTOUR

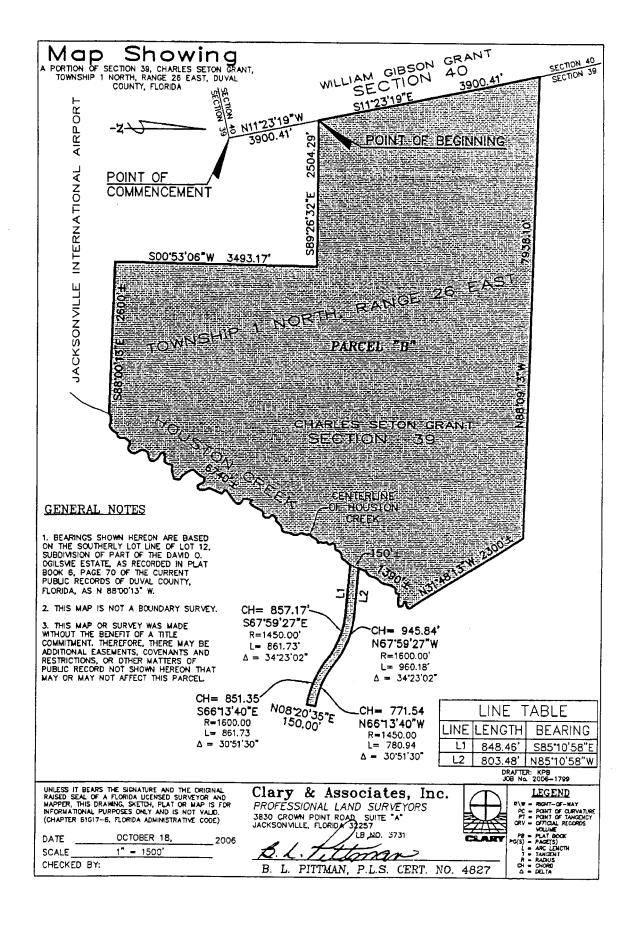
Disclaimer: All areas shown are approximate. Subject to change during design and permitting without triggering a substantial deviation or notice of proposed change.

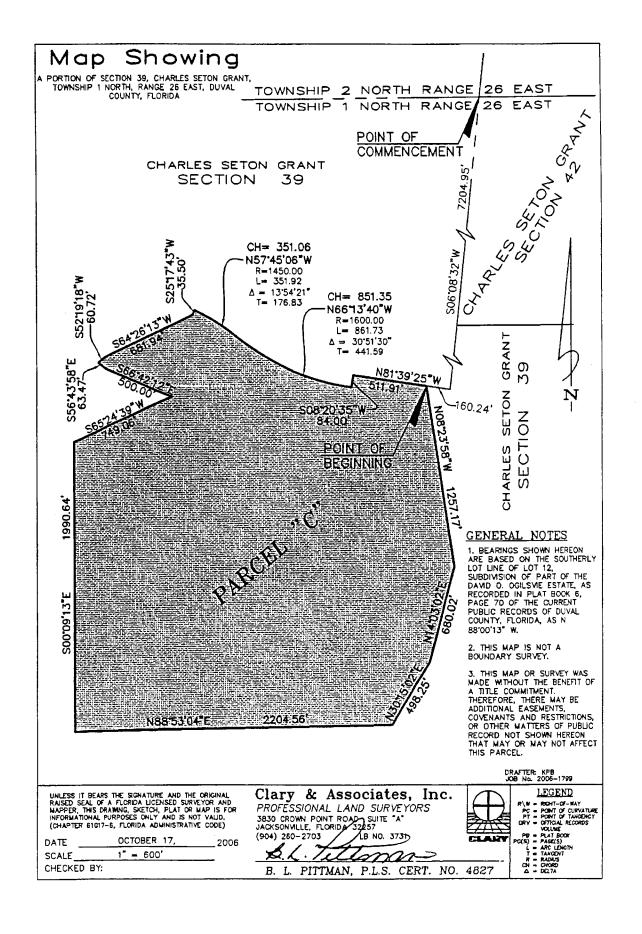
# PLICATION FOR DEVELOPMENT APPF

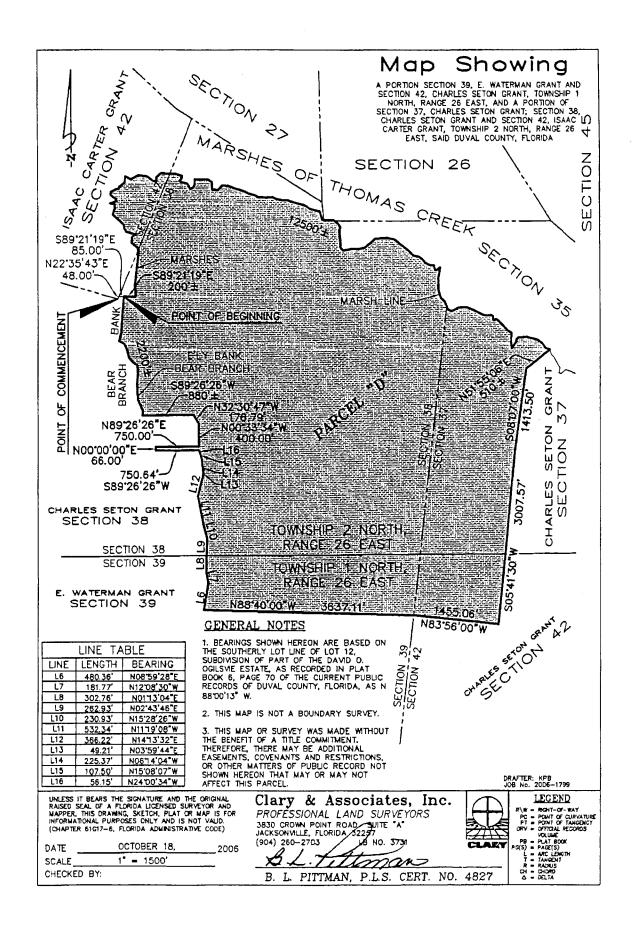
The Preserve : At Thomas Creek

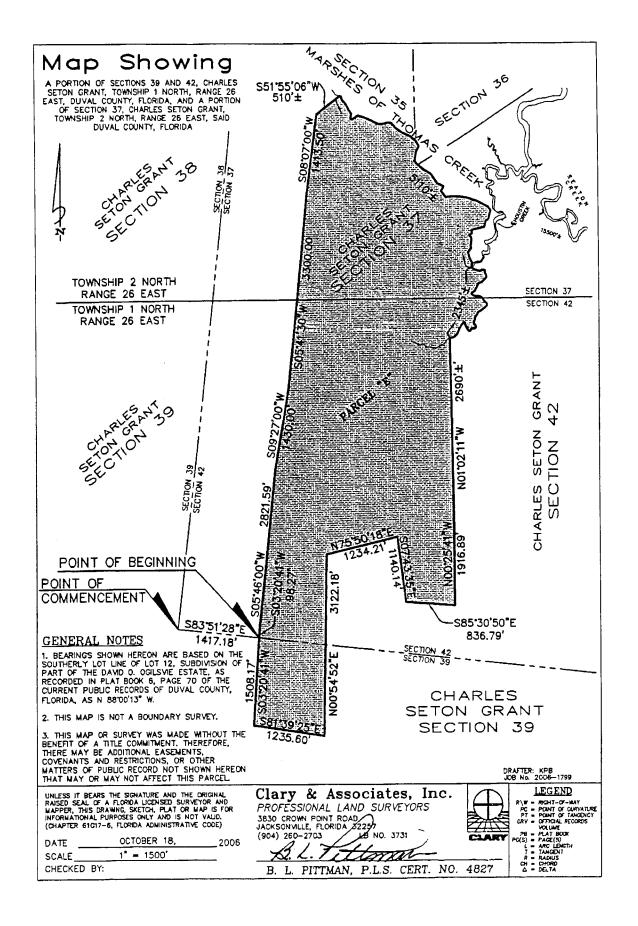
E.1.3 E.3 Thomas Creek Preserve, LLC
3.1.5.1.1 ARCADIS & M, Inc.
ESI, Inc.
King Engineering Associates, Inc.
Rogers Towers, P.A.

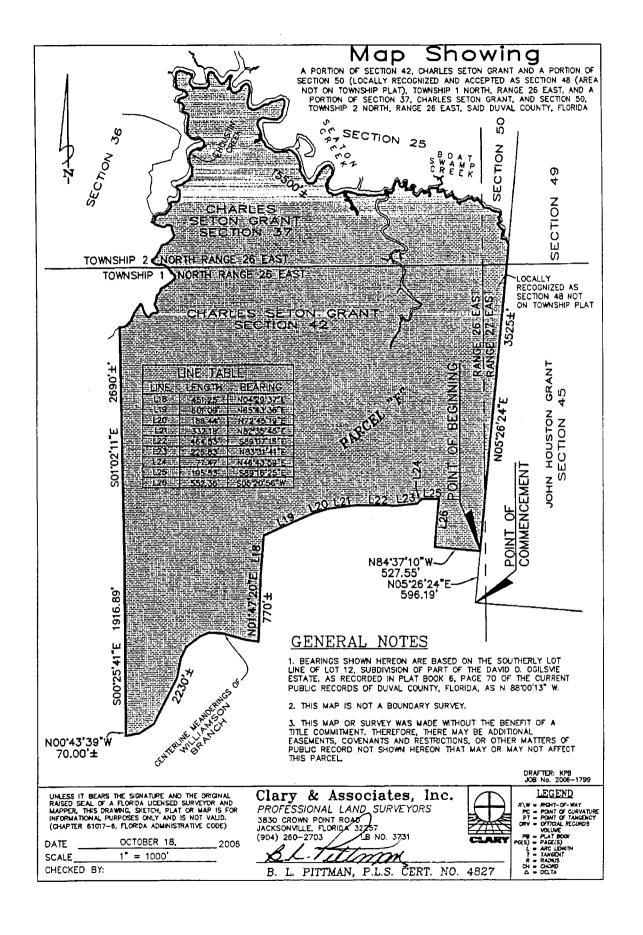












# EXHIBIT "E"

(To be Late Filed)

Affidavit of Notice to Entities

# **AFFIDAVIT OF MAILING**

# STATE OF FLORIDA COUNTY OF SEMINOLE

BEFORE ME, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared MICHELE PARKS, who, after being duly sworn on oath, did depose on oath and say that she is the Legal Assistant to Martin S. Friedman, attorney for Timucuan Utilities, LLC, and that on the \_\_\_\_ day of November, 2006, she did send by U.S. Mail a copy of the notice attached hereto to each of the utilities, governmental bodies, agencies, or municipalities, in accordance with the list provided by the Florida Public Service Commission, which is also attached hereto.

FURTHER AFFIANT SAYETH NAUGHT.

	MICHELE DADIE
	MICHELE PARKS
Sworn to and subscribed before me this Parks, who is personally known to me.	day of November, 2006, by Michele
	NOTARY PUBLIC - STATE OF FLORIDA Printed Name: My Commission Expires:

LATE FILED EXHIBIT "E"

# EXHIBIT "F"

(To be Late Filed)

Affidavit of Notice to Property Owners

# AFFIDAVIT OF MAILING

# STATE OF FLORIDA COUNTY OF SEMINOLE

BEFORE ME, the undersigned authority, authorized to administer oaths and ta	ιkε
acknowledgments, personally appeared Michele Parks, who, after being duly sworn on oa	th.
did depose and say that she is the Legal Assistant to Martin S. Friedman, attorney	for
Timucuan Utilities, LLC, and that on the day of November, 2006, she did send by U	.S.
Mail a copy of the notice attached hereto to the property owners in the proposed territo	ry.
FURTHER AFFIANT SAYETH NAUGHT.	
MICHELE PARKS	
Sworn to and subscribed before me this day of November, 2006, by Miche Parks, who is personally known to me or who provided as identification	
NOTARY PUBLIC - STATE OF FLORIDA Printed Name: My Commission Expires:	<del></del>

LATE FILED EXHIBIT "F"

# EXHIBIT "G"

(To Be Late Filed)

Affidavit of Publication