

COMMISSIONERS:
LISA POLAK EDGAR, CHAIRMAN
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

STATE OF FLORIDA



ORIGINAL

TIMOTHY DEVLIN, DIRECTOR
DIVISION OF ECONOMIC REGULATION
(850) 413-6900

05 DEC - 1 AM 10:39

COMMISSION
CLERK

Public Service Commission

December 1, 2006

Martin S. Friedman, Esquire
Rose, Sundstrom & Bentley, LLP
2180 W. State Road 434, Suite 2118
Longwood, FL 32779

Re: Docket No. 060726-WS – Application to provide water and wastewater service in Glades County and water service in Highlands County by Silver Lake Utilities, Inc.

Dear Mr. Friedman:

Staff has preliminarily reviewed the application in the above-referenced docket and has determined that the following omission, deficiencies, and addition questions exist. If the utility is requesting a waiver of any portion of the rules referenced below, please submit a rule waiver request pursuant to section 120.542, Florida Statutes, and Rule 28-104.002, Florida Administrative Code. Staff will also contact the utility in the near future with regard to any additional questions it may have or any clarifications it may need to fully evaluate the information provided on rates, charges, and tariffs.

OMMISSION

1. **Noticing.** DeSoto County was inadvertently left off the list of utilities and governments previously provided by staff for noticing. Attached is a current listing for DeSoto County. Please provide notice to the list and an affidavit of the noticing.

CMP _____

COM _____ DEFICIENCIES

CTR _____

2. **Territory Description.** Rule 25-30.033(1)(l), Florida Administrative Code, requires that the application contain a description of the territory to be served as specified in subsection 25-30.030(2), Florida Administrative Code, which requires a complete and accurate description of the territory served or proposed to be served using either township, range, and land section references or metes and bounds. The description must include all bearings and distances necessary to provide a continuous description. In addition, while the rule allows reference to interstates, state roads and major bodies of water, it may not rely on references to government lots, local streets, recorded plats or lots, tracts, or other recorded instruments.

ECR _____

GCL _____

OPC _____

RCA _____

SCR _____

SGA _____

SEC _____

OTH _____

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-0850

An Affirmative Action / Equal Opportunity Employer

PSC Website: <http://www.floridapsc.com>

Internet E-mail: contact@psc.state.fl.us

DOCUMENT NUMBER-DATE

11043 DEC-1 90

FPSC-COMMISSION CLERK

Attached is a copy of the utility's proposed service area as provided in Sections 1-4 and 7-4 of Exhibit B to the application. Staff has annotated the copy with the corrections that need to be made in order for staff to verify the legal description. Once the corrections have been made and refiled, a determination will be made by staff whether the legal description needs to be renoticed.

3. **Territory Map.** Rule 25-30.033(1)(n), Florida Administrative Code, requires that the application contain one copy of the official county tax assessment map or other map showing township, range and section, with a scale such as 1"=200' or 1"=400 feet, with the proposed territory plotted thereon by use of metes and bounds or quarter sections, and with a defined reference point of beginning. Although a territory map was provided with the application, the utility's proposed territory was not plotted on the map. Please resubmit the territory map showing all angles and distances plotted.

4. **System Map.** Rule 25-30.033(1)(m), Florida Administrative Code, requires that the application contain one copy of a detailed system map showing the lines, treatment facilities and the territory to be served. The map must be of sufficient scale and detail to enable correlation with the description of the proposed territory to be served. No system map was submitted with the application. Please submit a detailed map as required by this rule.

5. **Public Interest.** Rule 25-30.033(1)(e), Florida Administrative Code, requires that the application contain a statement showing the financial and technical ability of the applicant to provide service, and the need for service in the proposed area.

Financial Ability. The application indicates that the utility is relying on the funding and financial support of its owner, Lykes Bros. Inc., which will provide such financial information as may be requested by staff. For an initial determination of Lykes Bros. Inc.'s financial ability, please provide a detailed financial statement (balance sheet and income statement), certified if available, for the calendar year ending December 31, 2006. Please ensure that the financial statement includes the cost of maintaining the existing water systems.

Technical Ability. The application indicates that the utility will employ the related party landowner's existing personnel or hire additional qualified persons as needed. Please indicate whether the existing personnel includes water and wastewater operators licensed by the Florida Department of Environmental Protection (DEP) or whether the utility intends to hire such personnel.

Environmental Compliance. Since the utility will be receiving existing water facilities from its parent, please provide the numbers and dates of any permits issued for the systems by the DEP and the Water Management District(s) (WMDs), as well as the date the utility facilities were established, as required by Rule 25-30.034(1)(k) and (l), Florida Administrative Code. Also, please provide a statement of the extent to which the existing systems are in compliance with all applicable standards set by the DEP and WMDs, as required by Rule 25-30.037(2)(p), Florida Administrative Code.

Need for Service. The application indicates that there has been a request for the provision of potable water and wastewater service to the proposed Muse Village development and the West Glades School campus. If the request for service was written, please provide a copy of the request.

6. **Effluent Disposal.** Rule 25-30.033(1)(p) and (q), Florida Administrative Code, requires a written description of the method of effluent disposal or a statement that describes with particularity the reasons for not using reuse. Please provide a detailed written description of the utility's intent with regard to effluent disposal.


ADDITIONAL INFORMATION

1. **Noticing.** The newspaper notice was given in the Okeechobee News, but the system is in Highlands and Glades Counties. Why was notice not given in newspapers in Highlands and Glades Counties?

2. **Allowance for Funds Used During Construction (AFUDC).** Rule 25-30.033(4), Florida Administrative Code, authorizes the utility to accrue AFUDC for projects found eligible pursuant to subsection 25-30.116(1), Florida Administrative Code. Please indicate whether the utility is requesting authorization to accrue AFUDC.

Please provide a response to the items listed above by January 6, 2006. If there are any questions with regard to the technical information requested, please feel free to call either myself or members of my staff, Ms. Patricia Brady at (850) 413-6686, pbrady@psc.state.fl.us or Mr. Richard Redemann at (850) 413-6999 rredeman@psc.state.fl.us. Any questions with regard to legal requirements should be directed to Ms. Rosanne Gervasi at (850) 413-6224 rgervasi@psc.state.fl.us.

Sincerely,



Patti Daniel
Public Utilities Supervisor

Attachments

cc: Division of Economic Regulation (Brady, Redemann, Kaproth)
Office of the General Counsel (Gervasi)

~~Division of the Commission on Ethics and Administrative Services~~

FLORIDA PUBLIC SERVICE COMMISSION

INSTRUCTIONS FOR PREPARATION OF TERRITORY DESCRIPTION AND MAP

NOT
using
CITED WHAT
NEEDEN
is
RULE.
That.

An accurate description of the territory served or proposed to be served is essential. The noticing requirement in Rule 25-30, Florida Administrative Code, and the territory description requirement for each of the certification applications require the territory to be described using township, range and land sections. Failure to use the required format will cause your application to be delayed and may resulting in your having to renotice. The following information is provided to assist you in preparing a correct legal description and plotting that territory on the service territory map.

TERRITORY DESCRIPTION

The territory description must contain the following:

- 1) A reference to a township(s), range(s), land section(s) and county.
- 2) A complete and accurate description of the territory served or proposed to be served. There are two acceptable formats which may be used.
 - a) Sections - If the territory includes complete sections, the description may only include the township, range, and section reference. If the territory includes partial sections, the description shall either identify the subsections included or excluded.
 - b) Metes and Bounds - A point of beginning which is referenced from either a section corner or a subsection corner, such as a quarter corner. The perimeter shall be described by traversing the proposed territory and closing at the point of beginning. Also, the description shall include all bearings and distances necessary to provide a continuous description.
- 3) References to interstates, state roads, and major bodies of water are acceptable.
- 4) References to government lots, local streets, recorded plats or lots, tracts, or other recorded instruments are not acceptable.

Acceptable territory description formats are shown in the attached Examples 1 and 2.

Territory maps are required in the Florida Administrative Code rules related to applications for original certificates, amendments, grandfather certificates, and in transfers to a governmental agency where only a portion of the territory is transferred. The map is

used by staff to verify the location of the existing or proposed territory. The territory maps should not be confused with the system depiction map which is used to locate existing or proposed service lines and facilities.

TERRITORY MAP

The territory map shall contain the following:

- 1) Territory shall be plotted on a Department of Transportation Map, County tax assessor map or any other map with a scale of 1"= 200 ft. or 1" = 400 ft.
- 2) Township, range, section, and county.
- 3) An accurate depiction of the existing or proposed territory. The map should clearly distinguish the existing versus the proposed territory.

An example of a acceptable territory map is attached as Example 3.

FORMAT TO BE FOLLOWED IN PREPARING TERRITORY DESCRIPTIONS

NOTE: EXAMPLE 1 IS PREFERRED OVER METES AND BOUNDS IN EXAMPLE 2.

EXAMPLE 1

Township 26 South, Range 29 East, Osceola County, Florida

Section 18

The South 1/2 of the Southeast 1/4 and the South 1/2 of the North 1/2 of the Southeast 1/4 of said Section 18

also

The East 1/2 of the Southeast 1/4 of the South West 1/4 and the Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 18

Section 19

The North 1/2 of the Northeast 1/4 and the North 1/2 of the South 1/2 of the Northeast 1/4 of said Section 19

also

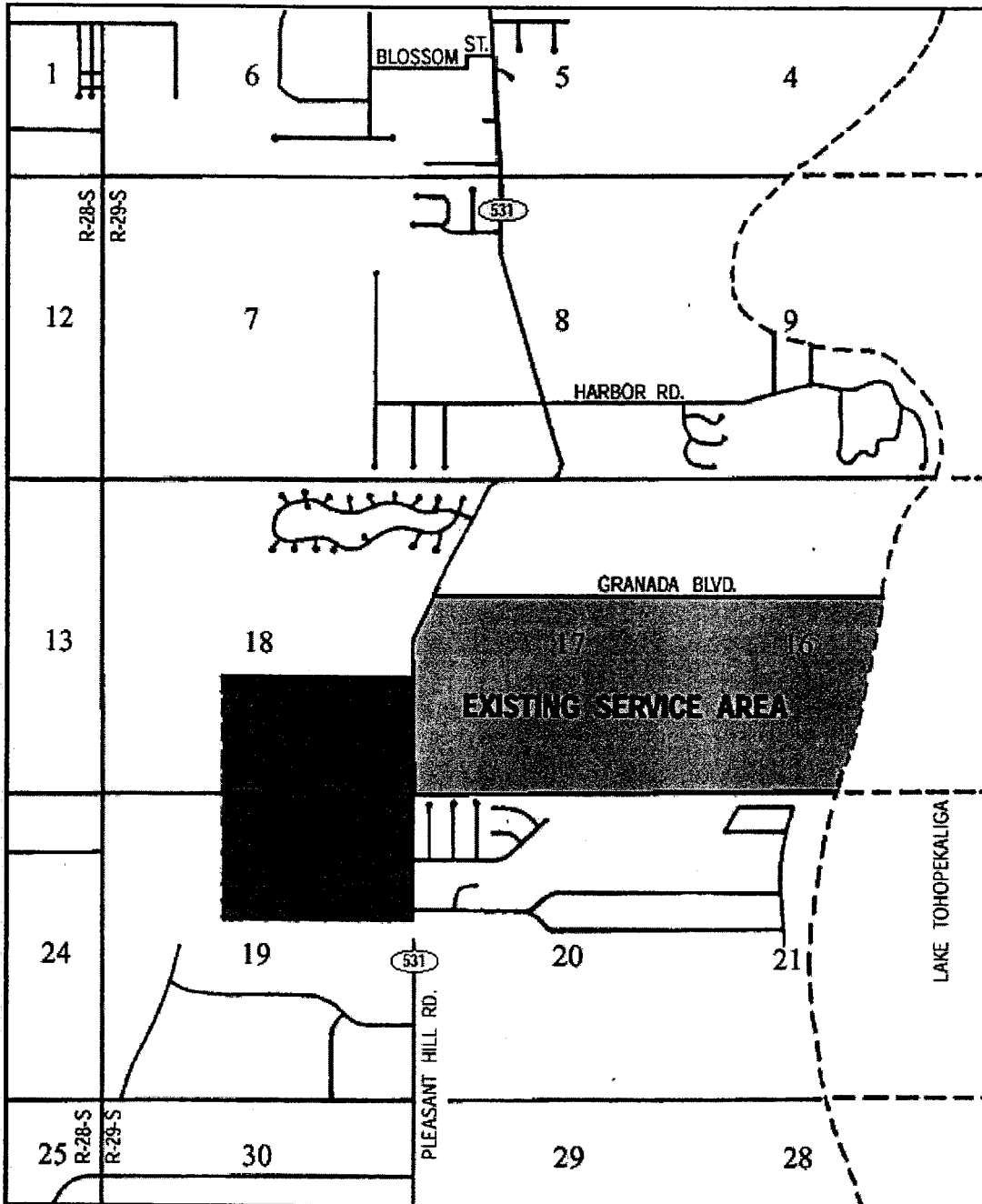
The East 1/2 of the Northeast 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of said Section 19

EXAMPLE 2

A portion of Section 18 and 19, Township 26 South, Range 29 East, Osceola County Florida; being more particularly described as follows: Commencing at the SE corner of Section 18, this point also being the Point of Beginning; thence run due south along the east line of Section 19 a distance of 1980 feet to a point; thence run due west a distance of 2706 feet to a point; thence run due north a distance of 3960 feet to a point; thence run due east a distance of 2706 feet to a point of east line of Section 18; thence run due south along the east line of Section 18 a distance of 1980 feet to the Point of Beginning.

EXAMPLE 3

TOWNSHIP 26 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA



EXISTING SERVICE AREA



PROPOSED SERVICE AREA

1-4 Proposed Service Area

The proposed service area consists of approximately 342,647 acres, as shown on Figure 1-3. The area encompasses large portions of the Lykes Bros. Ranch property and is described as follows:

In Highlands County, Florida

Township 35 South, Range 31 East

Section 34; All lying south of the center line of Istokpoga Canal

Section 35; All

Section 36; All lying south and east of the center line of Istokpoga Canal

Township 35 South, Range 32 East

Sections 29, 30, 31; All lying south and east of the center line of Istokpoga Canal

Section 32; All

Section 33; All lying west of Kissimmee River

Section 34, 35; All lying south and west of Kissimmee River

Township 36 South, Range 31 East

Section 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, 34, 36; All

Section 33; The NW ¼ of the NW ¼ and the N ½ of the SW ¼ of the NW ¼

And all of the Unsurveyed part of Township 36 South, Range 31 East lying east of the waters of Lake Istokpoga

Township 36 South, Range 32 East

Section 1, 2; All lying south and west of Kissimmee River

Section 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35; All

Township 36 South, Range 33 East

Section 6; All of the West ¼ lying south and west of Canal C-38

Section 7; The SW ¼ and the West ½ of the NW ¼

Section 17; The SW ¼ lying south and west of the CSX R.R. ROW

Section 18; The West ½ and the SE ¼ lying south and west of the CSX R.R. ROW

Section 19, 30; All

Section 20; The West ½ of the West ½ lying south and west of the CSX R.R. ROW and the West ½ of the East ½ of the West ½ lying south and west of the CSX R.R. ROW and the South ½ of the South ½ of the SE ¼ lying south of the Kissimmee River

Section 29; All lying south of the Kissimmee River

cannot locate on the DOT Map - ✓

Township 37 South, Range 31 East

Section 5; The South 1/2

Section 8; All

Section 25; The East 1/2

Section 36; The East 1/2

Township 37 South, Range 32 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 37 South, Range 33 East

Section 19; All

Section 30; The North 1/4

*Do you mean
C-41 canal*

Township 38 South, Range 31 East

Section 25, 26; All lying south and west of the C-40 Canal ROW, less and except the West 138' thereof.

All of the above described lands lying in Highlands County, Florida less and except those lands described in those certain deeds recorded at Highlands County OR Book 1991, Page 1242 and OR Book 1991, Page 1264 and OR Book 1191, Page 1456 wherein Lykes Bros. Inc. was the Grantor and the South Florida Water Management District was the Grantee.

In Glades County, Florida

Township 38 South, Range 32 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 39 South, Range 31 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 39 South, Range 32 East

Section 4, 5, 6, 7, 8, 9, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33; All

Township 40 South, Range 28 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 40 South, Range 29 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36; All

Section 29; All less and except the North $\frac{3}{4}$ of the West $\frac{1}{4}$

Section 30; All less and except the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$

Township 40 South, Range 30 East

Section 1, 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Section 4; The East $\frac{1}{2}$ of the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the South $\frac{1}{2}$ less and except the North $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$

Section 5; The South $\frac{3}{4}$ lying east of US Hwy. 27 less and except the East $\frac{3}{4}$ of the North $\frac{1}{2}$ of the South $\frac{1}{2}$ of the NE $\frac{1}{4}$

Township 40 South, Range 31 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 40 South, Range 32 East

Section 5, 6, 7, 8, 17, 18, 19; All

Section 16; The South $\frac{1}{2}$ and the South 189.42' of the North $\frac{1}{2}$

Section 20; All less and except the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and less the South $\frac{3}{4}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$

Section 21; The North $\frac{3}{4}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the North $\frac{1}{2}$ less and except the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and less the South $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying SE'ly of the east ROW line of the Red Barn Rd.

Section 29; Begin at the NW corner of said Section and run thence N 89° 32' 28" E 810.47', thence run S 02° 34' 55" W 2119.61', thence run N 78° 29' 58" W 750' MOL to the West line of said Section, thence run N'ly along said West line to the point of Beginning.

Section 30; All lying north of the south line of the L-50 Tie Back Levee

Township 41 South, Range 28 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 41 South, Range 29 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 41 South, Range 30 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; All

Township 41 South, Range 31 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 28, 29, 30, 31, 32, 33; All

Section 25, 26; All lying north of the north line of the SCFE R.R. ROW

Section 27; All less and except the South $\frac{1}{4}$ lying east of the west ROW line of US Hwy. 27

Township 41 South, Range 32 East

Section 4, 9, 16, 21, 28; All lying West of the 1918 Merriam Meander Line of Lake Okeechobee

Section 5, 6, 7, 8, 17, 18, 19, 20, 29; All

Section 30, 31, 32, 33; All lying north of the north line of the SCFE R.R. ROW

Township 42 South, Range 29 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 29, 30; All

Section 23; All less the East 292' of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$

Section 24; The S $\frac{1}{4}$ of the West $\frac{1}{2}$ of the West $\frac{1}{2}$

Section 26; The North $\frac{1}{2}$ less and except the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$

Section 27; All less and except the South $\frac{1}{2}$ of the SW $\frac{1}{4}$ and less the South $\frac{1}{2}$ of the SE $\frac{1}{4}$

Section 28; All less and except the South $\frac{1}{2}$ of the SE $\frac{1}{4}$

Township 42 South, Range 30 East

Section 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 17, 18; All

Section 13; All lying north of the SR 78 ROW less and except the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$

Section 14; The North $\frac{1}{2}$

Section 15; All lying north of the SR 78 ROW less and except the East $\frac{1}{2}$ of the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and less the West 170' of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$

Section 16; The West $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the North $\frac{3}{4}$ less and except the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and less the East $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$

Township 42 South, Range 31 East

Section 4; The North ½

Section 5; The North ½ and the North ¾ of the West ½ of the NE ¼ of the SW ¼ and the North ¾ of the NW ¼ of the SW ¼ and the South ½ of the SW ¼ of the NW ¼ of the SW ¼ and the NW ¼ of the SW ¼ of the SW ¼

Section 6; All

Section 7; The North ½ of the NW ¼

Township 42 South, Range 32 East

Section 4; All lying north of the north line of the SCFE R.R. ROW

All of the above described lands lying in Glades County, Florida less and except those lands described in those certain deeds recorded at Glades County OR Book 200, Page 0001 and OR Book 200, Page 0083 wherein Lykes Bros. Inc. was the Grantor and the Board of Trustees of The Internal Improvement Trust Fund of The State of Florida was the Grantee.



7-4 Proposed Service Area

The proposed service area consists of approximately 2,011 acres, as shown on Figure 7-3. The area encompasses 2,011 acres in southern Glades County west of State Road 29 and is described as follows:

In Glades County, Florida

Township 42 South, Range 29 East

PARCEL # 1:

A parcel of land lying within Section 20 and 21, Township 42 South, Range 29 East, Glades County, Florida, being more particularly described as follows: Commence at the South one-quarter corner of said Section 20 and run N89°59'17"E, along the South line of the Southeast one-quarter of said Section 20, a distance of 50.00 feet to the East right-of-way line of State Road 720; Thence N00°11'19"E, along said right-of-way line, a distance of 1010.44 feet to a point on the North line of the South three-eighths (3/8) of the Southeast one-quarter of said Section 20 and the Point of Beginning of the parcel of land herein described; Thence continue N00°11'19"E, along said right-of-way line, a distance of 1653.69 feet to the Southerly right-of-way line for Pollywog Crossover SW; Thence continue N00°11'19"E, along the East right-of-way line of State Road 720, a distance of 30.95 feet; Thence N00°09'44"E, along the East right-of-way line of State Road 720, a distance of 32.20 feet to a point on the Northerly right-of-way line for Pollywog Crossover SW (also being the Southwest corner of a certain parcel of land described in Official Records Book 216, Page 879, Public Records of Glades County, Florida); Thence along said Northerly right-of-way line for Pollywog Crossover SW and the Southerly line of said Official Records Book 216, Page 879, the following courses, S88°17'12"E a distance of 89.92 feet, S88°59'41"E a distance of 2316.32 feet and S35°02'55"E a distance of 30.10 feet to a point on the South line of the Northeast one-quarter of said Section 20; Thence S89°10'04"E a distance of 185.91 feet to the Southeast corner of the Northeast one-quarter of said Section 20; Thence S89°20'09"E, along the South line of the Northwest one-quarter of Section 21 (also being the South line of said Official Records Book 216, Page 879), a distance of 665.93 feet to the Southeast corner of said Official Records Book 216, Page 879; Thence S00°08'18"W, along the West line of a certain parcel of land described in Official Records Book 112, Page 845, Public Records of Glades County, Florida, a distance of 449.44 feet to the Northerly right-of-way line of Pollywog Crossover SW (also being the Southwest corner of said Official Records Book 112, Page 845); Thence S00°08'18"W a distance of 66.48 feet to the Southerly right-of-way line of Pollywog Crossover SW; Thence S00°08'18"W, along the West line of a certain parcel of land described in Official Records Book 119, Page 806, Public Records of Glades County, Florida, a distance of 814.51 feet to the Southwest corner of said Official Records Book 119, Page 806; Thence S89°07'43"E a distance of 665.78 feet to the Southeast corner of said Official Records Book 119, Page 806 (also being the Southwest corner of a certain parcel of land described in Official Records Book 116, Page 467, Public Records of Glades County, Florida); Thence S89°07'43"E a distance of 665.78 feet to the Southeast corner of said Official Records Book 116, Page 467; Thence N00°09'14"E a distance of 1061.14 feet to the Southerly right-of-way line of Pollywog Crossover SW (also being the Northeast corner of said Official Records Book 116, Page 467); Thence N00°09'14"E a distance of 53.91 feet to the Northerly right-of-way line of Pollywog Crossover SW (also being the Southwest corner of a certain parcel of land described in Official Records Book 154, Page 799, Public Records of Glades County, Florida); Thence along said Northerly right-of-way line of Pollywog Crossover SW (also being the Southerly line of said Official Records Book 154, Page 799), and the Southerly line of a certain parcel of land described in Official Records Book 151, Page 421, Public Records of Glades County, Florida) the following courses, N82°22'23"E a distance of 84.31 feet, N88°14'28"E a distance of 116.49 feet and

S86°26'58"E a distance of 394.22 feet to the beginning of a curve to the right; Thence along the arc of the curved right-of-way line (also being the Southerly line of said Official Records Book 151, Page 421), (said curve being curved concave to the Southwest, having a central angle of 86°36'33" and a radius of 130.00 feet, and having a chord length of 178.33 feet and a chord bearing of S43°08'41"E), a distance of 196.51 feet to the end of the curve; Thence S00°09'35"W, along the Easterly right-of-way line of Pollywog Crossover SW, a distance of 58.17 feet to a point on the Southerly line of said Official Records Book 151, Page 421; Thence S89°50'06"E a distance of 205.03 feet to the Southeast corner of said Official Records Book 151, Page 421 (also being a point on the West line of a certain parcel of land described in Official Records Book 128, Page 200, Public Records of Glades County, Florida); Thence S00°09'54"W, along the West line of said Official Records Book 128, Page 200, a distance of 226.23 feet; Thence S37°58'27"W, along a line that is parallel with (and 1320.00 feet Northwest of, as measured perpendicular to) the Northwesterly right-of-way line of State Road 29, a distance of 1301.66 feet to a point on the North line of the South three-eighths (3/8) of the Southwest one-quarter of said Section 21; Thence N89°04'36"W, along the North line of the South three-eighths (3/8) of the Southwest one-quarter of said Section 21, a distance of 2119.83 feet to a point on the West line of the Southwest one-quarter of said Section 21; Thence N89°41'44"W, along the North line of the South three-eighths (3/8) of the Southeast one-quarter of said Section 20, a distance of 2610.91 feet to the Point of Beginning.

Containing 157.61 acres.

Subject to the County Maintained Right-of-Way for Pollywog Crossover SW, according to the SPECIFIC PURPOSE SURVEY prepared by Johnson Engineering, Inc., dated April 15, 2002.

Subject to easements, restrictions, reservations and rights-of-way of record.

PARCEL # 2:

A parcel of land lying within Sections 15, 16, 17, 21 and 22, Township 42 South, Range 29 East, Glades County, Florida, being more particularly described as follows: Commence at the North one-quarter corner of Section 20, Township 42 South, Range 29 East, and run S89°16'30"E, along the North line of the Northeast one-quarter of said Section 20, a distance of 50.00 feet to a point on the East right-of-way line of State Road 720 and the Point of Beginning of the parcel of land herein described; Thence N00°23'09"E, along said right-of-way line, a distance of 2237.05 feet; Thence S89°24'27"E, along the South line of the North 435.00 feet of the Southeast one-quarter of said Section 17, a distance of 795.01 feet; Thence N00°23'09"E, along the East line of the West 845.00 feet of the Southeast one-quarter of said Section 17, a distance of 435.00 feet to a point on the North line of the Southeast one-quarter of said Section 17; Thence S89°24'27"E a distance of 1818.61 feet to the Northeast corner of the Southeast one-quarter of said Section 17 (also being the Northwest corner of the Southwest one-quarter of said Section 16); Thence S89°36'11"E a distance of 2657.76 feet to the center of said Section 16; Thence S89°28'28"E a distance of 2661.85 feet to the Northeast corner of the Southeast one-quarter of said Section 16 (also being the Northwest corner of the Southwest one-quarter of said Section 15); Thence S87°03'37"E a distance of 2647.46 feet to the center of said Section 15; Thence S87°03'37"E, along the North line of the Southeast one-quarter of said Section 15, a distance of 1100.14 feet to a point on the Northwesterly right-of-way line of State Road 29; Thence S37°58'27"W, along said Northwesterly right-of-way line, a distance of 1669.60 feet to a point that is 1280.00 feet North of (as measured perpendicular to) the South line of said Section 15; Thence N87°13'21"W, along a line that is 1280.00 feet North of (as measured perpendicular to) the South line of said Section 15, a distance of 14.49 feet; Thence N87°11'20"W, along a line that is 1280.00 feet North of (as measured perpendicular to) the South line of said Section 15, a distance of 59.81 feet to a point on the East line of the Southwest one-quarter of said Section 15; Thence N87°11'20"W, along a line that is 1280.00 feet North of (as measured perpendicular to) the South line of said Section 15, a distance of 1540.35 feet to a point that is 1320.00 feet Northwest of (as measured

distance of 645.38 feet to the East line of the West one-half of the Southeast one-quarter of said Section 29; Thence S00°29'46"W, along said East line of the West one-half of the Southeast one-quarter of said Section 29, a distance of 2598.21 feet to the North Right-Of-Way line of State Road No. S-731; Thence N89°40'36"W, along said North Right-Of-Way line of State Road No. S-731, a distance of 1243.85 feet to the said East Right-of-Way line of State Road 720; Thence N00°06'28"E, along said East Right-Of-Way line of State Road 720, a distance of 100.00 feet; Thence S89°40'36"E a distance of 224.69 feet to the Southeast corner of a parcel of land described in Official Records Book 48, Page 506, Public Records Glades County, Florida; Thence N00°29'11"E, along East line of said Official Records Book 48, Page 506 a distance of 311.50 feet to the Northeast corner of said Official Records Book 48, Page 506; Thence N89°40'36"W a distance of 226.75 feet to the said East Right-Of-Way line of State Road 720; Thence N00°06'28"E, along said East Right-Of-Way line of State Road 720, a distance of 3513.22 feet to the Southwest corner of a parcel of land described in Official Records Book 107, Page 926 Glades County, Florida; Thence S89°56'03"E, along the South line of said Official Records Book 107, Page 926, a distance of 1271.21 feet to the Southeast corner of said Official Records Book 107, Page 926; Thence N00°31'38"E, along East line of said Official Records Book 107, Page 926 a distance of 333.06 feet to the Northeast corner of said Official Records Book 107, Page 926 and the Southeast corner of a parcel of land described in Official Records Book 76, Page 547 Glades County, Florida; Thence continue N00°31'38"E, along the East line of said Official Records Book 76, Page 547, a distance of 666.11 feet to the Northeast corner of said Official Records Book 76, Page 547 and the Southeast corner of a parcel of land described in Official Records Book 199, Page 368 Glades County, Florida; Thence continue N00°31'38"E, along East line of said Official Records Book 199, Page 368, a distance of 333.05 feet to the Northeast corner of said Official Records Book 199, Page 368; Thence S89°59'17"W, along North line of said Official Records Book 199, Page 368, a distance of 1280.97 feet to the Northwest corner of said Official Records Book 199 page 368 and the Point-Of-Beginning.

Containing 313.69 acres more or less.

Subject to easements, restrictions, reservations and rights-of-way of record.

West Glades Elementary School

The Northeast-Quarter of Section 20, and the West-Quarter of the Northwest-Quarter of Section 21, Township 42 South, Range 29 East, Glades County, Florida.

LESS the Right-of-Way of County Road No. 731, and also LESS the maintenance Right-of-Way of that County maintained road known as Pollywog Crossover Road.

This Parcel being more particularly described as follows: Commencing at the north quarter of said Section 20, said quarter corner being an 80 penny spike located near the center line of the existing 19 foot wide pavement of County Road No. 731; thence S. 89° 15' 49" E. along the north line of said Section 20, a distance of 50.00 feet to an intersection with the easterly Right-of-Way line of said County Road No. 731 and the Point of Beginning of this description; thence continuing S. 89° 15' 49" E along said north line of Section 20, a distance of 2607.22 feet to a lightwood post marking the northeast corner of said Section 20; thence S. 89° 45' 20" E. along the northerly line of said Section 21, a distance of 666.34 feet to the quarter-quarter-quarter corner; thence S. 0° 06' 27" W. along the quarter-quarter-quarter line, a distance of 2660.52 feet to an intersection with the east-west quarter Section line; thence N. 89° 19' 15" W. along said quarter line, a distance of 665.97 feet to a lightwood post marking the quarter corner; thence N. 89° 08' 51" W. along the east-west quarter line of said Section 20, a distance of 185.25 feet to an intersection with the northerly Right-of-Way line of said Pollywog Crossover Road as shown on Survey prepared by Johnson Engineering of Fort Myers, Florida entitled: "SPECIFIC PURPOSE SURVEY for Glades County Board of County Commissioners, POLLYWOG

perpendicular to) the Northwesternly right-of-way line of State Road 29; Thence S37°58'27"W, along a line that is parallel with (and 1320.00 feet Northwest of, as measured perpendicular to) the Northwesternly right-of-way line of State Road 29, a distance of 1565.72 feet to a point on the South line of the Southwest one-quarter of said Section 15; Thence continue S37°58'27"W a distance of 249.39 feet to a point on the East line of the Northeast one-quarter of said Section 21; Thence continue S37°58'27"W a distance of 2288.71 feet to a point on the North line of a certain parcel of land described in Official Records Book 87, Page 1150, Public Records of Glades County, Florida; Thence N89°27'08"W, along the North line of said Official Records Book 87, Page 1150, and the North line of a certain parcel of land described in Official Records Book 128, Page 200, Public Records of Glades County, Florida, a distance of 1162.10 feet to the Northwest corner of said Official Records Book 128, Page 200; Thence S00°09'27"W, along the West line of said Official Records Book 128, Page 200, a distance of 334.56 feet to the Northeast corner of a certain parcel of land described in Official Records Book 151, Page 421, Public Records of Glades County, Florida; Thence N89°23'56"W, along the North line of said Official Records Book 151, Page 421, a distance of 99.41 feet to a point on the East line of the Northwest one-quarter of said Section 21; Thence N89°23'29"W, along the North line of parcels described in Official Records Book 151, Page 421, Official Records Book 154, Page 799, Official Records Book 141, Page 885 and Official Records Book 189, Page 904, all being in the Public Records of Glades County, Florida, a distance of 1997.94 feet to a point on the East line of the West one-quarter of the Northwest one-quarter of said Section 21 (also being the East line of a certain parcel of land described in Official Records Book 216, Page 879, Public Records of Glades County, Florida; Thence N00°07'39"E, along the East line of the West one-quarter of the Northwest one-quarter of said Section 21 (also being the East line of said Official Records Book 216, Page 879; a distance of 2327.66 feet to the Northeast corner of the West one-quarter of the Northwest one-quarter of said Section 21 and the Northeast corner of said Official Records Book 216, Page 879; Thence N89°46'54"W, along the North line of said Official Records Book 216, Page 879, a distance of 666.32 feet to the Northeast corner of Section 20, Township 42 South, Range 29 East; Thence N89°16'30"W, along the South line of the Southeast one-quarter of said Section 17 and the North line of said Official Records Book 216, Page 879, a distance of 2607.31 feet to the Point of Beginning.

LESS Lot 24, Block 81, Booker City Park, as per plat thereof recorded in Plat Book 2, Pages 29 and 76, Glades County, Florida.

Containing 801.00 acres.

Subject to easements, restrictions, reservations and rights-of-way of record.

PARCEL #3:

A parcel of land lying in Sections 20, 21, 28 and 29, Township 42 South, Range 29 East, Glades County, Florida, being more particularly described as follows:

Commence at the North one-quarter corner of said Section 29 and run N89°59'17"E, along the North line of said Section 29, a distance of 50.00 feet to the East Right-Of-Way line of State Road No. 720 and the Point-Of-Beginning of the parcel of land herein described; Thence N00°11'19"E, along said East Right-Of-Way line of State Road No. 720, a distance of 1010.58 feet to a point on the North line of the South three-eighths (3/8) of the Southeast one-quarter of said Section 20; Thence S89°41'44"E, along said North line of the South three-eighths (3/8) of the Southeast one-quarter of Section 20, a distance of 2610.91 feet to the East line of said Section 20; Thence S89°04'36"E, along North line of the South three-eighths (3/8) of the Southwest one-quarter of said Section 21, a distance of 2119.83 feet to a point that is 1320.00 feet, measured at perpendicular angles, from the Northwesternly Right-of-Way of State Road No. 29; Thence S37°58'27"W, parallel with and 1320.00 feet from said Northwesternly Right-of-Way line of State Road 29, a distance of 4602.48 feet to the South line of the Northeast quarter of said Section 29; Thence N89°51'24"W, along said South line of the Northeast quarter of said Section 29, a

CROSSOVER ROAD S.W. consisting of 32 sheets, dated April 15, 2002; thence N. 35° 02' 55" W. along said northerly Right-of-Way line, a distance of 31.18 feet; thence N. 88° 59' 41" W. continuing along said Right-of-Way line, a distance of 2316.32 feet; thence N. 88° 17' 12" W. a distance of 89.92 feet to an intersection with the said easterly Right-of-Way line of County Road No. 731; thence N. 0° 10' 39" E. along said Right-of-Way line, a distance of 2617.40 feet to the said Point of Beginning of this description. ✓

Containing 197.91 acres, more or less.

Reserving unto Lykes Bros. Inc. a 60 foot wide non-exclusive perpetual easement lying 30 feet (as measured at right angles to the sidelines thereof) on both sides of the following described center line:

Commencing at the west one-quarter corner of Section 21, Township 42 South, Range 29 East; thence S. 89° 19' 15" E. along the east-west one-quarter Section line of said Section 21, a distance of 30.00 feet to the Point of Beginning of the center line of said 60 foot easement; thence N. 0° 07' 57" E. parallel to, and 30 feet east of, the west line of said Section 21, a distance of 87.42 feet to the beginning of a curve to the right; thence along an arc of said curve, having a radius of 200.00 feet, a central angle of 56° 01' 32" and whose chord bears N. 28° 08' 43" E. for a distance of 187.87 feet, arc distance being 195.57 feet; thence N. 56° 09' 29" E. along a tangent line, a distance of 660.57 feet to an intersection with the east line of the west one-quarter of the northwest quarter of said Section 21, and the Point-of-Terminus of this description. Said Point-of-Terminus bearing N. 0° 08' 27" E. a distance of 628.45 feet from the southeast corner of the said West-Quarter of the Northwest-Quarter of Section 21. Sidelines to be shortened or extended so as to form a continuous strip that begins on the east-west quarter line of said Section 21, and terminates on the said east line of the West-Quarter of the Northwest-Quarter of Section 21.

And the following:

Section 15; The south half lying westerly of SR 29 ROW

Section 16; The south half

Section 21; All lying westerly of SR 29 less the east half of the NW ¼ of SW ¼ and less SE ¼ of SW ¼ of NE ¼ and less the east half of the NW ¼ of SE ¼ and less the east ¾ of the east half of SW ¼ of SE ¼ and less the south half of SE ¼ of SW ¼ of NW ¼ and less the south half of SW ¼ of SE ¼ of NW ¼ and less the west half of NE ¼ of SW ¼ and less SR 29 ROW of 9.7 acres except Pollywog Road ROW and except OR 128- 200 and except OR 151-421 and except OR 154-799 and except the west 1/4 of NW ¼ to school and except OR BK 245 PG 862 38.52 acres M/L and except BK 234 PG 628 203.11 AC M/L and except BK 234 PG 628 55.61 AC M/L ✓

Section 22; all lying westerly of SR 29 ROW

Section 28; The north half lying westerly of SR 29 ROW