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June 6, 2007

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COMMISSION CLERK  
R. DAVID PRESCOTT  
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GOVERNMENTAL CONSULTANTS  
JONATHAN M. COSTELLO  
MARGARET A. MENDUNI

**HAND DELIVERY**

Ms. Ann Cole, Director  
Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center  
Room 110  
Tallahassee, FL 32399-0850

070362-WU

Re: Application for Amendment of Water Certificate in Lake County - East Lake Harris

Dear Ms. Cole:

Enclosed for filing in the above-referenced matter are the original and fifteen copies of the Application for Amendment of Water Certificate in Lake County - East Lake Harris. Also enclosed is a check in the amount of \$200.00 as the filing fee.

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

Thank you for your assistance with this filing.

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

Initials of person who forwarded check:

KAH/rl  
Enclosure

cc: Kathy L. Pape, Esq.  
Mr. Carl Smith

FAUSERS\ROXANNE\aquatilities\Cole, June 05 07.wpd

Original MAPS Exh D + E forwarded to ECF.

Sincerely,

Kenneth A. Hoffman

DOCUMENT NUMBER-DATE  
04556 JUN-6 5  
FPSC-COMMISSION CLERK

ORIGINAL

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application by Aqua Utilities )  
Florida, Inc for Amendment of Water )  
Certificate in Lake County, Florida )  
\_\_\_\_\_ )

Docket No. 070362-WU  
Filed: June 6, 2007

**APPLICATION FOR AMENDMENT OF  
WATER CERTIFICATE IN LAKE COUNTY**

Aqua Utilities Florida, Inc. ("AUF"), by and through its undersigned counsel, and pursuant to Section 367.045(2), Florida Statutes, and Rules 25-30.036 and 25-30.550, Florida Administrative Code, hereby files this Application for Amendment to Certificate No. 106-W to extend its water service to include certain territory in Lake County, Florida adjacent to its East Lake Harris – Friendly Center ("East Lake Harris") water system as described herein, and for approval of the Special Developer's Agreement addressing the terms and conditions of AUF's provision of water service to the new territory. In support of this Application, AUF states as follows:

**I. APPLICANT INFORMATION**

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

Aqua Utilities Florida, Inc.  
6960 Professional Parkway East  
Sarasota, Florida 34240  
(941) 907-7400 (Telephone)  
(941) 907-7401 (Facsimile)

2. The names and address of the utility's authorized representatives are:

Kenneth A. Hoffman, Esquire  
Marsha E. Rule, Esquire  
Rutledge, Ecenia, Purnell & Hoffman, P.A.  
P.O. Box 551  
Tallahassee, Florida 32303  
(850) 681-6788 (telephone)  
(850) 681-6515 (telecopier)

DOCUMENT NUMBER-DATE

04556 JUN-6 6

FPSC-COMMISSION CLERK

-and-

Kathy L. Pape, Esquire  
Rate Counsel  
Aqua America, Inc.  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010  
(610) 645-1142 (Telephone)  
(610) 519-0989 (Facsimile)

## **II. NEED FOR SERVICE**

3. J&D Real Estate Holdings, Inc. ("J&D" or "Developer") has requested AUF to provide potable water service and fire protection service to Hartman's planned development known as "Harbor Isle" located in Lake County. The planned development will span a five year build-out period and will be located adjacent to AUF's East Lake Harris system. The Developer anticipates that there will be a need for service by late 2007. Attached hereto as **Exhibit "A"** is a letter from J&D to Carl Smith of AUF requesting water service for the planned development. Accordingly, through this Application, AUF is seeking to amend its certificated water service territory to include the anticipated J&D development.

4. To the best of AUF's knowledge, the provision of the anticipated service will be consistent with the water section of the comprehensive plan of Lake County at the time this Application is filed, as approved by the Florida Department of Community Affairs.

## **III. SYSTEM INFORMATION**

5. AUF proposes to provide potable water service and fire protection service to the proposed amended territory. AUF intends to provide service to the proposed amended territory by utilizing AUF's current plant. The capacity of the existing lines is .09 million gallons per day ("MGD"). The capacity of the existing treatment facilities is .216 MGD, and the design capacity of the proposed extension is .55 MGD.

6. The type of customers anticipated to be served by the extension of water service will be single-family homes.

7. Attached hereto as **Exhibit "B"** is a copy of the executed and recorded special warranty deed as evidence that AUF owns the land where the water facilities that will serve the proposed territory are located.

#### **IV. FINANCIAL AND TECHNICAL INFORMATION**

8. AUF has the technical and financial ability to render reasonably sufficient, adequate and efficient service to the proposed amended territory. AUF is a wholly owned subsidiary of Aqua America, Inc., which is the largest publicly traded water and wastewater utility in the United States providing service to more than 800,000 customers in thirteen states. Given its size, access to capital and its recognized strength in system planning, capital budgeting and construction management, Aqua America and its subsidiary AUF are uniquely well-positioned to provide high quality water and wastewater service to its customers.

9. Funding for the distribution system and main extensions necessary to serve the proposed amended territory will be provided by the Developer and will not impact Aqua Utilities' capital structure. Further, the proposed extension will not impact AUF's monthly rates and service availability charges.

10. The rates for AUF's East Lake Harris system were established by the Commission pursuant to Order No. PSC-05-1242-PAA-WS, issued December 20, 2005, in Docket No. 040951-WS, wherein the Commission approved the transfer of the East Lake Harris water system to AUF from Florida Water Service Corporation ("FWSC") and also authorized FWSC's existing water and wastewater rates and service availability charges for AUF until authorized to change by the Commission in a subsequent proceeding. The rates have not been changed since

the issuance of Order PSC-05-1242-PAA-WS. The inclusion of the proposed amended territory to AUF's Lake County service area will not have an impact on AUF's current rates or service availability charges.

**PART V. TERRITORY DESCRIPTION AND MAPS**

11. Attached hereto as **Exhibit "C"** is an accurate legal description of the water territory proposed to be added using township, range and section references as specified by Rule 25-30.030(2), Florida Administrative Code.

12. Attached hereto as **Exhibit "D"** is an official county tax assessment map showing township, range and section of the proposed amended territory.

13. Attached hereto as **Exhibit "E"** are maps showing the proposed lines and facilities and the proposed amended territory.

**PART VI. NOTICE OF ACTUAL APPLICATION**

14. In accordance with Rule 25-30.030(2), Florida Administrative Code, AUF has obtained from the Commission a list of the names and addresses of the municipalities, the counties, the regional planning counsel, the Office of Public Counsel, the Commission's Director of Commission Clerk and Administrative Services, the appropriate regional office of the Department of Environmental Protection, the appropriate water management districts, and privately-owned water and wastewater utilities that hold a certificate granted by the Commission, and that are located within the county in which the territory proposed to be served is located.

15. In accordance with Rule 25-30.030(5), Florida Administrative Code, AUF will provide notice of this Application containing the information required under Rule 25-30.030(4), Florida Administrative Code, by regular mail to the governing body of each county and municipality contained in the list obtained from the Commission as referenced above, as well as

the other entities contained in the list obtained from the Commission, within 7 days of filing this Application.

16. In accordance with Rule 25-30.030(8), Florida Administrative Code, within 15 days of filing this Application, AUF will submit **Late-filed Exhibit "F"** to the Application, which will include an affidavit confirming that the Notice of Application was provided as described in Paragraph 15, along with a copy of the Notice and a copy of the list of entities obtained from the Commission.

17. In accordance with Rule 25-30.030(6), Florida Administrative Code, AUF will provide a copy of the Notice, by regular mail, to each property owner in the proposed amended territory. Within 15 days of filing this Application, AUF will submit **Late-filed Exhibit "G"** to the Application, which will include an affidavit reflecting that the Notice was mailed to each property owner in the proposed amended territory.

18. In accordance with Rule 25-30.030(7), Florida Administrative Code, AUF will publish the Notice once in a newspaper of general circulation in the territory proposed to be served within 7 days of filing this Application. Within 15 days of filing this Application, AUF will submit **Late-filed Exhibit "H"** to the Application, which will include an affidavit reflecting that the Notice has been published once in a newspaper of general circulation in the territory proposed to be served, along with proof of the publication.

#### **PART VII. FILING FEE**

19. The area to be extended has the proposed capacity to serve 110 water ERCs. Pursuant to Rule 25-30.020, Florida Administrative Code, the appropriate filing fee of \$200 has been submitted along with this Application.

## **PART VIII. TARIFF AND ANNUAL REPORTS**

20. Attached hereto as **Exhibit “I”** is an affidavit of John M. Lihvarcik, the President and Chief Operating Officer of Aqua Utilities affirming that AUF has tariffs and an annual report on file with the Commission.

21. AUF will submit an original and two copies of the proposed revisions to AUF’s tariffs to incorporate the proposed change to the certificated territory as **Late-Filed Exhibit “J.”**

22. Attached hereto as **Exhibit “K”** is a copy of Order No. PSC-06-0973-FOF-WS issued November 22, 2006 in Docket No. 060643-WS, Order Acknowledging Corporate Reorganization and Approving Name Change. This Order serves as AUF’s Amended Certificates for AUF’s water and wastewater systems that are subject to the Commission’s jurisdiction, including AUF’s Water Certificate No. 106-W in Lake County.

## **PART IX. AFFIDAVIT**

23. Attached hereto as **Exhibit “L”** is an affidavit of John M. Lihvarcik, the President and Chief Operating Officer of AUF affirming that the facts stated herein and in the attached exhibits are true and correct.

## **PART X. SPECIAL DEVELOPER’S AGREEMENT**

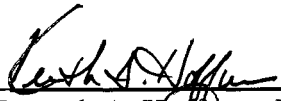
24. Under Rule 25-30.550(2), Florida Administrative Code, AUF is required to secure Commission approval of the Special Developer’s Agreement attached hereto as **Exhibit “M”**. The Commission should approve the Agreement. As an incentive to the Developer to enter into service arrangements with AUF, the Developer sought and AUF agreed to provide a rebate to the Developer in the amount of \$900.00 per equivalent residential connection for a period of up to ten years, to offset the Developer’s costs for the engineering, construction and permitting of the required on-site water distribution lines within the development. The additional customers that

will be added to the AUF system and receive service from the existing water supply and treatment facilities will provide economies of scale, additional revenue and, therefore, a dampening or mitigating effect on rates. The use of the refund provisions as an incentive to bring this Developer into AUF's central water system avoids further proliferation of small, isolated water systems in the State of Florida which tend to evolve into troubled or distressed systems that ultimately are abandoned or require rescue and acquisition by large, experienced utilities. Such small systems tend to lack the operating and managerial capability to maintain compliance with DEP requirements, provide quality service, and maximize the efficient use of potable water resources.

WHEREFORE, Aqua Utilities respectfully requests that the Commission:

- A. Grant Aqua Utilities' Application for Amendment to Certificate No. 106-W to extend its water service to include the territory located in Lake County as described herein;
- B. Issue an Amended Certificate of Authorization for the water systems reflecting the amended water service territory;
- C. Approve the Developer's Agreement attached hereto as **Exhibit "M"**.
- D. Grant such other relief as appropriate.

Respectfully submitted this 6th day of June, 2007.

  
\_\_\_\_\_  
Kenneth A. Hoffman, Esquire  
Marsha E. Rule, Esquire  
Rutledge, Ecenia, Purnell & Hoffman, P.A.  
P.O. Box 551  
Tallahassee, Florida 32302  
(850) 681-6788 (telephone)  
(850) 681-6515 (telecopier)



Harbor Isle, Inc.  
P.O Box 940929  
Maitland, FL 32794  
407-363-2868  
407-363-7151 Fax

September 26, 2006

Mr. Carl Smith  
Director of Corporate Development  
1100 Thomas Ave.  
Leesburg, FL 34748

Re: Harbor Isle Development in Lake County, FL

Mr. Smith:

I am requesting water service for my development located adjacent to your East Lake Harris water system. This development will consist of 110 residential units.

Attached are the following:

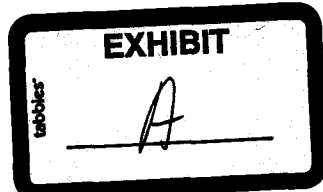
- Legal description of the property
- Drawing of the property showing boundaries
- Present zoning classification
- Plat map
- Three sets of a site and utility plan

This will be a manufactured home development. I plan to start building within 1 - 1 1/2 years.

Please respond as soon as possible.

Sincerely,  


James Hartman  
Developer  
P.O. Box 940929  
Maitland, FL 32794



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CFN 2004092149  
 Blk 02611 Pgs 1289 - 1307; (19pgs)  
 DATE: 07/09/2004 02:40:27 PM  
 JAMES C. WATKINS, CLERK OF COURT  
 LAKE COUNTY  
 RECORDING FEES 163.00  
 DEED DOC 24,131.18

This Instrument Prepared by  
 and Return to:  
 Barry J. Sobczak, Esq.  
 Attorney For Grantor  
 SOBCZAK, WHITE & LUCZAK, P.A.  
 554 West New England Avenue, Suite 240  
 Winter Park, FL 32789 407/647-9500

**SPECIAL WARRANTY DEED**  
 (Lake County)

**THIS SPECIAL WARRANTY DEED** is made, executed and delivered as of the 30th day of June, 2004, by (1) **FLORIDA WATER SERVICES CORPORATION**, a Florida corporation, whose post office address is 1000 Color Place, Apopka, Florida 32703, hereinafter called the "Grantor", to (2) **AQUA UTILITIES FLORIDA, INC.**, a Florida corporation whose post office address is 762 West Lancaster Avenue, Bryn Mawr, PA 19010, hereinafter called the "Grantee":

*[Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.]*

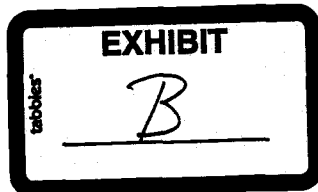
**WITNESSETH**, That the Grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, and conveys unto the Grantee, the following described property situate in Lake County, Florida (the "Property"):

See Exhibit "A" attached hereto and incorporated herein.

**TOGETHER** with all of the tenements, hereditaments and appurtenances thereto of Grantor, if any, belonging or in anywise appertaining to the Property, subject to (1) real estate taxes and assessments for the year 2004 and subsequent years, (2) zoning and other governmental laws, codes, rules, regulations and restrictions, (3) all valid covenants, conditions, restrictions, easements and limitations of record, if any, and the matters set forth on Exhibit B attached hereto and made a part hereof, the reference to shall not operate to reimpose the same.

**AND**, Grantor does hereby specially warrant the title to said Property only against the lawful claims of persons claiming by, through, or under Grantor, but against no others and subject to the exceptions set forth herein.

**TO HAVE AND TO HOLD** the Property described in Exhibit A attached hereto in fee simple, subject to the exceptions contained herein.



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IN WITNESS WHEREOF, the Grantor has caused this Special Warranty Deed in favor of Grantee to be signed in its name, and its corporate seal to be affixed, by its proper officers duly authorized the day, month and year first above written.

Signed, sealed and delivered in the presence of:

FLORIDA WATER SERVICES CORPORATION, a Florida corporation

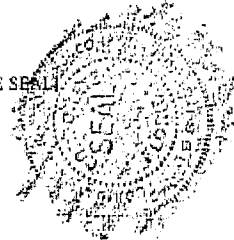
Melissa Maurer  
Name: Melissa Maurer

By: Judith J. Kimball  
Name: Judith J. Kimball  
Title: Vice President

(the "Grantor")

Nancy O. Honsa  
Name: NANCY O. HONSA

(CORPORATE SEAL)



STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 29th day of June, 2004, by Judith J. Kimball, Vice President of Florida Water Services Corporation, on behalf of the corporation. She is  personally known to me or  she has produced \_\_\_\_\_ as identification.

NOTARY PUBLIC:

By: Nancy O. Honsa  
Print \_\_\_\_\_  
State of Florida at Large (Seal)  
My Commission Expires: \_\_\_\_\_



Nancy O. Honsa  
MY COMMISSION # 00115481 EXPIRES  
July 22, 2005  
SIGNED THELTON FARM SIGLE WPK LLC

EXHIBITS TO SPECIAL WARRANTY DEED  
Exhibit A - Legal Description of Property  
Exhibit B - Permitted Encumbrances

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Exhibit "A", Florida Water Services  
 Remaining Systems - Net  
 Revised 03/25/04

Exhibit "A"  
 Legal Description  
 LAKE COUNTY

Parcel 1: - Silver Lake Estates

From West 1/4 corner of Section 14, Township 19 South, Range 25 East, Lake County, Florida, run thence South  $89^{\circ}29'53''$  East, 250.00 feet along an East-West mid-section line whose direction is indicated by an iron axle at the East 1/4 corner of said Section 14; thence North  $00^{\circ}26'00''$  East, 34.65 feet to a point on the Easterly right of way of Overton Drive, as shown by the Plat of Country Club View Subdivision, First Addition, according to the plat thereof as recorded in Plat Book 14, Page 37, Public Records of Lake County, Florida, said point being 66.00 feet Northerly of, by perpendicular measurement, the South right of way line of Morningside Drive, as shown on the Plat of Country Club View Subdivision, Fourth Addition, as recorded in Plat Book 25, Pages 67 and 68, Public Records of Lake County, Florida, said point being the point of beginning of this description; thence South  $89^{\circ}52'34''$  East, 1037.54 feet along a line that is parallel to and 66.00 feet northerly of, by perpendicular measurement, the Southerly right of way of Morningside Drive, as shown on Plat of Said Country Club View Subdivision, Fourth Addition, to a point that is 40.00 feet Westerly of the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 14; thence North  $00^{\circ}25'59''$  East, 903.77 feet along a line that is parallel to and 40.00 feet Westerly of the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 14; thence North  $89^{\circ}30'33''$  west, 400.00 feet for a Point of Beginning; thence South  $00^{\circ}25'58''$  West, 158.33 feet; thence North  $89^{\circ}52'34''$  West, 237.73 feet to the point of curvature of a curve to the Northeast, said curve having a radius of 25.00 feet; thence Northeasterly along the arc of said curve thru a central angle of  $93^{\circ}27'15''$  a distance of 40.78 feet to the point of tangency; thence North  $03^{\circ}34'41''$  East, 132.82 feet to the point of curvature of a curve concave to the Southeast, said curve having a radius of 33.00 feet; thence Northeasterly along the arc of said curve thru a central angle of  $37^{\circ}07'03''$  a distance of 21.38 feet to the point of tangency thereof; thence North  $40^{\circ}41'44''$  East, 60.00 feet; thence South  $72^{\circ}22'17''$  East, 218.77 feet to the Point of Beginning and point of terminus.

Parcel 2:

Commence at the S.W. corner of Lot 1, MORNINGVIEW SUBDIVISION, according to the plat thereof as recorded in Plat Book 20, Page 20 of the Public Records of Lake County, Florida, run thence North along the West line of said MORNINGVIEW SUBDIVISION 94.35 to the Point of Beginning, from said P.O.B. continue North along said West line of MORNINGVIEW SUBDIVISION 483.99 feet., thence West 100.00 feet, thence South parallel to said West line of MORNINGVIEW SUBDIVISION 483.99 feet, thence East 100.00 feet to the P.O.B. Containing 1.11 acres. Along with a 20 foot wide easement for ingress and egress running North from the existing County Road (Dis. 2-3411) to the aforementioned property and being adjacent to and parallel with the West line of said MORNINGVIEW SUBDIVISION.

Exhibit "A" - Page 1 of 7

Book2611/Page1291 CFN#2004092149

Page 3 of 19

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Exhibit "A", Florida Water Services  
Remaining Systems - Net  
Revised 03/25/04

**Parcel 3:**

A parcel of land being a portion of Lot 32, according to the Plat of Manhattan, Section 1, filed on the 15 day of Nov., 1911, and recorded in Plat Book 2, Page 13, in the Public Records of Lake County, Florida. North of Highway #40 as now established being more fully described as follows: commencing at the intersection of North R/W of Highway #40 and the East line of said Lot 32, thence run N 00°00'56" W along the East line of said Lot 32, a distance of 916.00 feet to a point to be known hereafter as the Point of Beginning; Thence continue N 00°00'56" W, along the East line of Lot 32 a distance of 355.10 feet, thence run S 89°58'07" W, a distance of 120.00 feet; thence run S 00°00'56" E, a distance of 354.93 feet, thence run S 89°57'03" E, a distance of 120.00 feet to the Point of Beginning, Lying in Lake County, Florida.

**Parcel 4:**

The North 380 feet of the South 580 feet, LESS the West 240 feet of the North 130 feet of the North 380 feet of the South 580 feet of Lot 11, Section 10 MANHATTAN, according to the plat thereof as recorded in Plat Book 2, Page 2, Public Records of Lake County, Florida.

**Parcel 5:**

Lot 41 of Western Shores Subdivision, First Addition, a Subdivision in Section 7, Township 19 South, range 26 East, Lake County, Florida and recorded at Plat Book 18, page 12, Public Records of Lake County, Florida, LESS that part of Lot 41 described as follows: Begin at the most Southeasterly corner of Lot 41, run thence North 14°35' West along the Easterly line of Lot 41 a distance of 48.45 feet; thence South 86°22'20" West 80.96 feet to the Westerly line of Lot 41; run thence South 0°45'00" West along said Westerly line of Lot 41 a distance of 47.60 feet to the most Southwesterly corner of Lot 41; run thence Easterly along the South line of said Lot 41 a distance of 102.60 feet to the point of beginning.

**Parcel 6:**

That certain tract of land shown and designated as "reserved for utilities", lying Northerly of and adjacent to Lot 1, all being a part of Valencia Terrace, as recorded in Plat Book 20, page 11, Public Records of Lake County, Florida.

AND ALSO:

That certain tract of land shown and designated as "reserved for utilities", lying West of and adjacent to Lot 24, all being a part of Valencia Terrace, as recorded in Plat Book 20, page 11, Public Records of Lake County, Florida.

AND ALSO:

Exhibit "A" - Page 2 of 7

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Exhibit "A", Florida Water Services  
 Remaining Systems - Net  
 Revised 03/25/04

A portion of Lot 24 of Valencia Terrace, a subdivision according to the Record Plat thereof as recorded in Plat Book 20, Pages 11 and 12 in the Public Records of Lake County, Florida bounded and described as follows: Begin at the Southwest corner of said Lot 24 and run  $N00^{\circ}01'20''W$ , along the West line of said Lot 24 a distance of 88.92 feet to the northwest corner of said lot 24; thence  $S09^{\circ}35'50''E$ , 90.18 feet to a point on the South line of said lot 24; thence  $S89^{\circ}58'40''W$  along the South line of said Lot 24 a distance of 15.00 feet to the Point of Beginning.

Parcel 7:

From the NW corner of Block 11, CARLTON VILLAGE UNIT A, as recorded in Plat Book 12, Page 109, of the Public Records of Lake County, Florida, run East, along the North line of said Block 11, a distance of 133.18 feet for a point of beginning; run thence East 194.24 feet to a point 132.27 feet West of the NE corner of said Block 11, thence South  $10^{\circ}38'$  East 247.94 feet, thence South  $77^{\circ}27'10''$  West 181.32 feet, thence North  $12^{\circ}32'50''$  West 290.00 feet to the Point of Beginning.

Parcel 8:

A portion of Lot 44, of Block 27, Carlton Village, a subdivision in Sections 11 and 14, Township 18 South, Range 24 East, according to the plat thereof as recorded in Plat Book 12, Page 56, and pages 109 through 112, more particularly described as follows:

Commence at the Easterly corner of Lot 44, Block 27, Carlton Village, Unit-D, as recorded in Plat Book 12, Page 111, Public Records of Lake County, Florida, said point being on the Westerly right of way of Orange Circle (being 50.00 feet wide); thence proceed  $N53^{\circ}34'11''W$ , along the Northeasterly line of said Lot 44 a distance of 176.55 feet to the point of beginning of the following: From the Point of Beginning thus described continue  $N53^{\circ}34'11''W$ , along the Northeasterly line of said Lot 44 a distance of 17.97 feet; thence departing from said line proceed  $S24^{\circ}29'48''W$ , a distance of 20.59 feet; thence  $S64^{\circ}59'37''E$ , a distance of 17.37 feet; thence  $N25^{\circ}12'30''E$ , a distance of 17.03 feet to the point of beginning.

Together with an Easement for ingress and egress as set forth in Official Records Book 1200, Page 2398, Public Records of Lake County, Florida.

Parcel 9:

Parcel One

Part of the Northwest 1/4 of the Southwest 1/4 of Section 11, Township 20 South, Range 26 East, in Lake County, Florida, described as follows:

*Venetian Village*

Exhibit "A" - Page 3 of 7

Book2611/Page1293 CFN#2004092149

Page 5 of 19

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**Exhibit "A", Florida Water Services  
Remaining Systems - Net  
Revised 03/25/04**

Commencing at the Southwest corner of said 1/4-1/4 Section; thence East along the South line of said 1/4-1/4 Section a distance of 273.20 feet; thence North 40 degrees, 32 minutes, 20 seconds East a distance of 172.99 feet; thence North 16 degrees, 10 minutes, 00 seconds East a distance of 226.80 feet; thence North 45 degrees, 12 minutes, 00 seconds East a distance of 232.58 feet to the Point of Beginning; thence North 48 degrees, 46 minutes, 33 seconds East a distance of 662.70 feet to the Westerly right of way line of Tammi Drive as shown on the Plat of Venetian Village, Fourth Addition according to the Plat thereof recorded in Plat Book 18, Page 21, of the Public Records of Lake County, Florida; thence South 05 degrees, 17 minutes, 40 seconds West a distance of 205.82 feet to the beginning of a curve concave Northeasterly and having a radius of 133.00 feet; thence Southeasterly along said curve through a central angle of 82 degrees, 09 minutes, 34 seconds a distance of 190.72 feet; thence South 76 degrees, 51 minutes, 54 seconds East along the Southerly right of way line of Tammi Drive a distance of 356.04 feet to the beginning of a curve concave Southerly having a radius of 117.00 feet; thence Southeasterly along said curve through a central angle of 22 degrees, 34 minutes, 14 seconds, a distance of 46.09 feet; thence North 89 degrees, 22 minutes, 00 seconds West a distance of 970.64 feet to the Point of Beginning.

**Parcel 10:**

Part of the Southwest 1/4 of Section 11, Township 20 South, Range 26 East, in Lake County, Florida, described as follows:

Beginning at the Northwesterly most corner of Lot 32 in Venetian Village, Third Addition, the Plat of which is recorded in Plat Book 18, as Page 56, of the Public Records of Lake County, Florida; thence North 66 degrees, 01 minutes, 15 seconds East on and along the Northerly line of said Lot 32 a distance of 71.0 feet to the Westerly right of way line of Tammi Drive being also the Northeasterly most corner of Lot 32; thence North 44 degrees, 43 minutes, 45 seconds West along said right of way line of Tammi Drive a distance of 60.0 feet; thence North 12 degrees, 43 minutes, 45 seconds West along the Westerly right of way line of Tammi Drive a distance of 281.0 feet; thence North 21 degrees, 08 minutes, 45 seconds West along said Westerly right of way line of Tammi Drive a distance of 126.0 feet to a point which is North 10 degrees, 22 minutes, 04 seconds West of the Point of Beginning; thence South 10 degrees, 22 minutes, 04 seconds East a distance of 470.78 feet to the Point of Beginning.

**Parcel 11: intentionally omitted**

**Parcel 12:**

Parts of Lots 8 and 9, Block B, Picciola Island, Subdivision, according to the plat thereof as recorded in Plat Book 14, Pages 19-A and 19-B, of the Public Records of Lake County, Florida, more particularly described as follows: Begin at the NW corner of said Lot 8, and run N89°27'40"E, along the North line thereof 80.0 feet; thence S0°32'20"E,

Exhibit "A" - Page 4 of 7



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Exhibit "A", Florida Water Services  
 Remaining Systems - Net  
 Revised 03/25/04

143.34 feet; thence S89°27'40"W, 80.0 feet; thence N0°32'20"W, 143.34 feet to the P.O.B.

**Parcel 13:**

Beginning at the S.W. corner of Lot 24 of Stone Mountain Estates, as recorded in Plat Book 16, page 54 of the Public Records of Lake County, Florida, run thence S0°34'40"E, 125.00 feet; thence N89°45'20"E, 65.00 feet; thence N0°34'40"W, 125.00 feet to the South line of said Lot 24; thence S89°45'20"W, along said South line of Lot 24, a distance of 65.00 feet to the P.O.B. All being in Section 18, Township 20 South, Range 25 East, Lake County, Florida.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS: Beginning at the N.W. corner of Tract "B", Stone Mountain Estates as recorded in Plat Book 16, Page 54, Public Records of Lake County, Florida, run S89°45'20"W, 15.00 feet; thence S0°34'40"E, 217.00 feet; thence N89°45'20"E, 15.00 feet; thence N0°34'40"W, 20.00 feet to the S.W. corner of Lot 24 of said Stone Mountain Estates; thence continue N0°34'40"W along the West line of said Lot 24 and Tract "B" a distance of 197.00 feet to the P.O.B. All being in and a point of the NE 1/4 of the NE 1/4 of Section 18, Township 20 South, Range 25 East, Lake County, Florida.

**Parcel 14:**

The North 35 feet of the East 70 feet of Lot 110, in Second Addition to East Lake Harris Estates, a subdivision in Lake County, Florida, according to the plat thereof recorded in Plat Book 16, Page 61, Public Records of Lake County, Florida.

**Parcel 15:** intentionally omitted

**Parcel 16:**

That part of the Northeast 1/4 of the Northwest 1/4 of Section 25, Township 18 South, range 25 East, Lake County, Florida, described as follows:

From the Southwest corner of aforesaid Northeast 1/4 of Northwest 1/4, run thence North 89 degrees 53'17" East along the South line thereof 238.00 feet; thence parallel with the West line of said Northeast 1/4 of Northwest 1/4 run North 00 degrees 11'56" West 298.49 feet to the Point of Beginning; from said Point of Beginning continue North 00 degrees 11'56" West 298.64 feet; thence North 89 degrees 48'04" East 125.77 feet; thence South 00 degrees 07'24" East 298.95 feet; thence South 89 degrees 56'34" West 125.38 feet to the Point of Beginning.

**Parcel 17:**

*Limpinal terrace*

Exhibit "A" - Page 5 of 7



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Exhibit "A", Florida Water Services  
 Remaining Systems - Net  
 Revised 03/25/04

That part of Lot 15 in Block B in Imperial Mobile Terrace, a subdivision in Lake County, Florida, according to the plat thereof as recorded in Plat Book 17, Page 16, Public Records of Lake County, Florida, bounded and described as follows: From a point on the South line of Lot 14 in said Block B that is 2 feet West of the Southeast corner of said Lot 14, run Northerly along a straight line to a point on the North line of said Lot 14 that is 10 feet West of the Northeast corner of said Lot 14; continue Northerly along an extension of the last described course a distance of 15 feet to the point of beginning of this description. From said point of beginning run thence North 89°59'00" East and parallel with the South line of Lots 13 and 14 in said Block B to the West line of Lot 12 in said Block B, thence Northerly along said West line of Lot 12 to the Northeast corner of said Lot 15, thence Westerly along the North line of Lot 15, 129.71 feet, thence South 0°06'03" West 65.07 feet to a point that is South 89°59'00" West of the point of beginning, thence North 89°59'00" East 84 feet to the point of beginning.

**Parcel 18:**

The North 33 feet of the East 125 feet of Lot 42, HOBBY HILL SUBDIVISION, recorded in Plat Book 14, Page 52, of the Public Records of Lake County, Florida, located in Section 28, Township 18 South, Range 24 East, Lake County, Florida. (LESS the East 8 feet for road right of way)

**Parcel 19:** intentionally omitted

**Parcel 20:**

Lot 40 and the West 50 feet of Lot 41, in Friendly Center Subdivision in the City of Astatula, Florida, according to the plat thereof recorded in Plat Book 16, Page 11, Public Records of Lake County, Florida. ALSO that part of the East 1/2 of the alley, now vacated, as shown upon said plat lying West of said Lots 40 and 41.

**Parcel 21:**

Lot 35 in Fern Park, a subdivision in Lake County, Florida, according to the plat thereof recorded in Plat Book 15, Page 20, Public Records of Lake County, Florida; ALSO: An easement over and across the East 10 feet of Lots 34 and 36 in Fern Park, a subdivision in Lake County, Florida, according to the plat thereof recorded in Plat Book 15, Page 20, Public Records of Lake County, Florida.

**Parcel 22:**

Begin at the Northwest corner of Lot 32, of SPRING LAKE MANOR, according to the Plat thereof recorded in Plat Book 15, Page 49, of the Public Records of Lake County, Florida, and run thence South 0°13'00" East along the West line thereof 35.33 feet; thence North 89°47'00" East 36.00 feet; thence North 0°13'00" West 40.0 feet to the

Exhibit "A" - Page 6 of 7

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Exhibit "A", Florida Water Services  
 Remaining Systems - Net  
 Revised 03/25/04

North line of said Lot; thence South 82°19'40" West along said North line 36.31 feet to the Point of Beginning.

**Parcel 23:**

The "Well Site" in Grand Terrace, a subdivision in Lake County, Florida, according to the plat thereof as recorded in Plat Book 29, Page 35, Public Records of Lake County, Florida.

**Parcel 24:**

Begin at the Northeasterly corner of Lot 82, PINEY WOODS SUBDIVISION, as per plat recorded in Plat Book 17, Page 11, Public Records of Lake County, Florida, run S 51 degrees 15'20" W, 225.77 feet; S 78°degrees 26'20" W, 26.82 feet to the West boundary line of Sec. 33, T 18 S, R 24 E; thence N 0 degrees 13'00" W, along said boundary line 261.07 feet; thence N 62 degrees 48'30" E, 91.61 feet; to the NW corner of Lot 85 of said Piney Woods Subdivision; thence along the arc of a curve to the left in a Southeasterly direction with a radius of 530.72 feet a distance of 199.33 feet to the P.O.B.

**LESS AND EXCEPT:**

That part of the Northwest 1/4 of the Southwest 1/4 of Section 33, Township 18 South, Range 24 East, in Lake County, Florida, bounded and described as follows: From the most Westerly corner of Lot 85 in Piney Woods Subdivision, recorded in Plat Book 17, Page 11, Public Records of Lake County, Florida, run South 64°44' West along a Westerly extension of the Northerly line of the said Lot 85 a distance of 88.75 feet to the West line of the Southwest 1/4 of the said Section 33; thence run South 00°13' East along the West line of the said Southwest 1/4 a distance of 66.23 feet; thence run North 89°47' East 151 feet to the most Southerly corner of the said Lot 85; thence run Northerly along the Westerly line of the said Lot 85 a distance of 129.04 feet to the Point of Beginning.

**Parcel 25:**

Lots 12, and 13, in Skycrest, a subdivision in Lake County, Florida, according to the plat thereof as recorded in Plat Book 12, Page 72, Public Records of Lake County, Florida.

**Parcel 26:**

South 1/2 of Lot A, The Palms Mobile Home Estates, as recorded in Plat Book 16, Page 25, of the Public Records of Lake County, Florida.

End of Exhibit "A"  
 Legal Description

Exhibit "A" - Page 7 of 7

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Exhibit "B" To Deed  
Revised 06/14/04

Exhibit "B"  
To Special Warranty Deed  
LAKE COUNTY

Parcel 1:

1. Intentionally Omitted..
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.
6. Restriction as set forth in Warranty Deed recorded in Official Records Book 956, Page 2485, Public Records of Lake County, Florida.

Parcel 2:

1. Intentionally Omitted..
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.

Parcel 3:

1. Intentionally Omitted..
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.

Exhibit "B" - Page 1 of 10

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Exhibit "B" To Deed  
Revised 06/14/04

5. Intentionally Omitted.

Parcel 4:

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.

Parcel 5:

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.
6. Right of way Easement recorded in Official Records Book 373, Page 35, Public Records of Lake County, Florida.
7. Right of way Easement recorded in Official Records Book 373, Page 41, Public Records of Lake County, Florida.
8. Easement recorded in Official Records Book 374, Page 284, Public Records of Lake County, Florida.

Parcel 6:

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.

Exhibit "B" - Page 2 of 10

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Exhibit "B" To Deed  
Revised 06/14/04

3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.
6. Easement in favor of Florida Power Corporation recorded in Deed Book 164, Page 93, Public Records of Lake County, Florida.
7. Covenants, conditions, easements restrictions and assessments incorporated in that certain instrument recorded in Official Records Book 516, page 804 and Official Records Book 1168, page 1632, Public Records of Lake County, Florida.
8. Terms and conditions of that certain Agreement recorded in Official Records Book 691, page 2444, Public Records of Lake County, Florida.
9. Terms, conditions and provisions of that certain Water and Waste Water Utility Service Easement recorded in Official Records Book 1254, Page 434, Public Records of Lake County, Florida.

Parcel 7:

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.
6. Restrictions contained in Deed Book 358, Page 41, Public Records of Lake County, Florida.
7. Right of way easement recorded in Official Records Book 283, Page 713, Public Records of Lake County, Florida.

Parcel 8:

1. Intentionally Omitted.

Exhibit "B" - Page 3 of 10

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Exhibit "B" To Deed  
Revised 06/14/04

2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.
6. Restrictions recorded in Deed Book 358, Page 41, Public Records of Lake County, Florida.
7. Right of Way Easement to Sumter Electric recorded in Official Records Book 283, Page 713, Public Records of Lake County, Florida.
8. Riparian and littoral rights, if any, and the title to any portion of land lying below the natural ordinary high water line of Clearview Lake are not insured.
9. Easement for ingress and egress recorded in Official Records Book 1200, page 2398, Public Records of Lake County, Florida.

**Parcel 9:**

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.

**Parcel 10:**

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.

Exhibit "B" - Page 4 of 10

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Exhibit "B" To Deed  
Revised 06/14/04

4. Rights in connection with existing underground well on Lake 10 located near the existing hydropneumatic tank, and accompanying underground water service lines running from such well to 28310 Tammi Drive, specifically including rights of Gary Schultz at 28310 Tammi Drive.
5. Intentionally Omitted.
6. Right of way easement to Sumter Electric Cooperative, Inc. recorded in Official Records Book 433, Page 340, Public Records of Lake County, Florida.

**Parcel 11:** Intentionally omitted

**Parcel 12:**

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.

**Parcel 13:**

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.
6. Deed of Easement to Florida Power Corporation recorded in Official Records Book 661, Page 2473, Public Records of Lake County, Florida.
7. Easement to Florida Power Corporation recorded in Deed Book 235, page 134, Public Records of Lake County, Florida.

Exhibit "B" - Page 5 of 10



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Exhibit "B" To Deed  
Revised 06/14/04

**Parcel 14:**

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.
6. Right of way Easement to Sumter Electric Cooperative recorded in Official Records Book 255, page 553, Public Records of Lake County, Florida.

**Parcel 15: Intentionally omitted**

**Parcel 16:**

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.
6. Agreement for Restrictive Covenants recorded in Official Records Book 966, page 696, Public Records of Lake County, Florida.

**Parcel 17:**

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.

Exhibit "B" - Page 6 of 10



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Exhibit "B" To Deed  
Revised 06/14/04

4. Possible encroachment of, and rights in connection with, (1) sheds from adjacent Lots 13 & 14 to the south of Lake 17 which have parts or all of the sheds encroaching on Lake 17, and (2) an electric service meter located on Lake 17 providing power to dock area for homeowner's association.
5. Intentionally Omitted.
6. Declaration of Restrictions recorded in Official Records Book 1011, page 66, Amendment recorded in Official Records Book 1507, Page 1720, Public Records of Lake County, Florida.
7. Declaration of Restriction recorded in Official Records Book 255, Page 811, Service and Easement Agreement recorded in Official Records Book 635, Page 1580, Amend in Official Records Book 778, Page 1003, Assignment recorded in Official Records Book 1010, page 1799, Public Records of Lake County, Florida.

Parcel 18:

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.
6. Water Service Agreement recorded in Official Records Book 1022, page 2302, Public Records of Lake County, Florida.

Parcel 19: Intentionally omitted

Parcel 20:

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.

Exhibit "B" - Page 7 of 10

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Exhibit "B" To Deed  
Revised 06/14/04

5. Intentionally Omitted.

**Parcel 21:**

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.

**Parcel 22:**

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Possible encroachment of, and rights in connection with, (1) concrete driveway which serves adjacent residence, and (2) fence on border of subject property.
5. Intentionally Omitted.
6. Deed of Trust recorded in Official Records Book 162, page 354, Public Records of Lake County, Florida.
7. That certain Encroachment Easement Agreement between Florida Water Services Corporation, f/k/a Florida Water Resources Corporation f/k/a Southern States Utilities, Inc., a Florida corporation, and (2) Vincent F. Savino and Barbara Savino, husband and wife, to be recorded in the official records of Lake County, Florida.

**Parcel 23:**

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.

Exhibit "B" - Page 8 of 10

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Exhibit "B" To Deed  
Revised 06/14/04

3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Possible encroachment of, and rights in connection with, concrete driveway which serves adjacent Lot 41 (Terra Court).
5. Intentionally Omitted.
6. Matters as shown and noted on the plat of Grand Terrace, according to the plat thereof as recorded in Plat Book 29, Page 35, Public Records of Lake County, Florida.

Parcel 24:

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.

Parcel 25:

1. Intentionally Omitted.
2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.

Parcel 26:

1. Intentionally Omitted.

Exhibit "B" - Page 9 of 10

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Exhibit "B" To Deed  
Revised 06/14/04

2. Taxes and assessments for the year 2004 and subsequent years.
3. Easements or claims of easements not shown by the Public Records, boundary line disputes, overlaps, encroachments, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
4. Intentionally Omitted.
5. Intentionally Omitted.
6. Palms Mobile Home Estates Declaration of Restrictions recorded in Official Records Book 968, Page 1066, Public Records of Lake County, Florida.
7. Right of way easement in favor of Sumter Electric Corporation recorded in Official Records Book 171, page 451, Public Records of Lake County, Florida.

**End of Exhibit "B"**

Exhibit "B" - Page 10 of 10

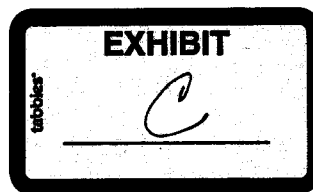
METES AND BOUNDS DESCRIPTION FOR ASTATULA PARCEL

DESCRIPTION:

A PORTION OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 29, TOWNSHIP 20 SOUTH, RANGE 26 EAST; THENCE RUN N 88°57'27"W, ALONG THE NORTH LINE OF SAID SECTION 29 FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF MONROE STREET; THENCE RUN S 00°46'56"W A DISTANCE OF 314.17 FEET FOR A POINT OF BEGINING; THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY LINE, S 00°46'56"W A DISTANCE OF 958.56 FEET; THENCE N 88°56'15"W A DISTANCE OF 1917.50 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF ADAMS STREET; THENCE N00°50'39"E. ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 610.80 FEET; THENCE S 88°58'18"E A DISTANCE OF 583.71 FEET; THENCE S 00°50'39"W A DISTANCE OF 33.00 FEET; THENCE S 88°58'18"E A DISTANCE OF 751.29 FEET; THENCE N 00°48'05"E A DISTANCE OF 379.37 FEET; THENCE S 88°59'45"E A DISTANCE OF 581.74 FEET TO THE POINT OF BEGINNING.

CONTAINING 30.97 ACRES, MORE OR LESS.



**EXHIBIT F  
TO BE PROVIDED**

**EXHIBIT G  
TO BE PROVIDED**

**EXHIBIT H  
TO BE PROVIDED**



**BEFORE THE PUBLIC SERVICE COMMISSION**

In re: Application by Aqua Utilities )  
Florida, Inc for Amendment of Water )  
Certificate in Lake County, Florida )  
\_\_\_\_\_ )

Docket No. \_\_\_\_\_  
Filed: \_\_\_\_\_

**AFFIDAVIT**

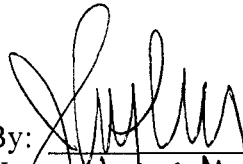
STATE OF FLORIDA:  
COUNTY OF LAKE:

BEFORE ME, the undersigned authority, personally appeared John M. Lihvarcik, who after being duly sworn, deposes and says:

1. That I, John M. Lihvarcik, am the President and Chief Operating Officer of Aqua Utilities Florida, Inc.

2. That in accordance with Rule 25-30.036(3)(r), Florida Administrative Code, I hereby affirm that Aqua Utilities Florida, Inc. has tariffs and current annual reports on file with the Florida Public Service Commission.

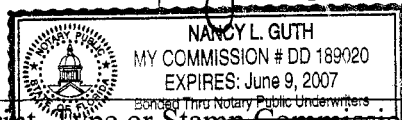
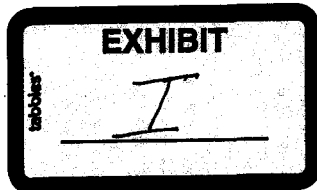
3. Further, Affiant sayeth not.

By:   
Name: JOHN M. LIHVARCİK  
Title: PRESIDENT

STATE OF FLORIDA:  
COUNTY OF LAKE:

Subscribed and sworn to before me this 4<sup>th</sup> day of May, 2007, by John M. Lihvarcik, who is personally known to me.

  
\_\_\_\_\_  
Notary Public's Signature



~~Print Type or Stamp Commissioned~~  
Name of Notary Public

**LAKE COUNTY**

**Communities Served**

<u>Community Name Description</u>	<u>System Name</u>	<u>Territory</u>
Carlton Village	Carlton Village	Sheet No. 42.0
East Lake Harris Estates	East Lake Harris Estates	Sheet No. 43.0
East Lake Harris Estates	Harbor Isle	Sheet No. 43.1
Fern Park	Fern Terrace	Sheet No. 44.0
Fern Terrace	Fern Terrace	Sheet No. 44.0
Forty-Eight Estates	Forty-Eight Estates	Sheet No. 45.0
Friendly Center	Friendly Center	Sheet No. 50.0
Grand Terrace	Grand Terrace	Sheet No. 51.0
Haines Creek	Haines Creek	Sheet No. 52.0
Hobby Hills	Hobby Hills	Sheet No. 53.0
Holiday Haven	Holiday Haven	Sheet No. 54.0
Imperial Mobile Terrace	Imperial Mobile Terrace	Sheet No. 55.0
King's Cove	King's Cove	Sheet No. 60.0
King's Cove – First Addition	King's Cove	Sheet No. 60.1
King's Cove – Second Addition	King's Cove	Sheet No. 60.2
King's Cove – Third Addition	King's Cove	Sheet No. 60.3
King's Cove – Fourth Addition	King's Cove	Sheet No. 60.4
King's Cove – Fifth Addition	King's Cove	Sheet No. 60.5
King's Cove – Sixth Addition	King's Cove	Sheet No. 60.7
King's Cove – Seventh Addition	King's Cove	Sheet No. 60.8
Morningview	Morningview	Sheet No. 65.0
Palms Mobile Home Park	Palms Mobile Home Park	Sheet No. 66.0
Picciola Island	Picciola Island	Sheet No. 67.0
Piney Woods	Piney Woods	Sheet No. 68.0

*(Continued to Section II Sheet 41.1)*



**Kathy L. Pape  
Vice President and Treasurer**

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LAKE COUNTY

Communities Served

*(Continued from Section II Sheet 41.0)*

<u>Community Name</u> <u>Description</u>	<u>System Name</u>	<u>Territory</u>
Quail Ridge	Quail Ridge	Sheet No. 69.0
Ravenswood	Ravenswood	Sheet No. 70.0
Silver Lake Crest	Silver Lake Estate/Western Shores	Sheet No. 71.0
Silver Lake Estate	Silver Lake Estate/Western Shores	Sheet No. 71.1
Silver Lake Estate	Via Tuscany	Sheet No. 76.2
Skycrest	Skycrest	Sheet No. 72.0
Spring Lake Manor	Piney Woods	Sheet No. 68.0
Stone Mountain	Stone Mountain	Sheet No. 73.0
Summit Chase	Summit Chase	Sheet No. 74.0
Valencia Terrace	Valencia Terrace	Sheet No. 75.0
Venetian Village	Venetian Village	Sheet No. 76.0
Western Shores	Silver Lake Estate/Western Shores	Sheet No. 71.3

**LAKE COUNTY**

**Territory Served**

<u>System Name</u>	<u>Cert.</u>	<u>Order Number</u>	<u>Date</u>	<u>Docket No.</u>	<u>Filing Type</u>
Carlton Village	106-W	PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer
Carlton Village	106-W	PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
Carlton Village	106-W	8075	12/02/77	770578-W(TC)	Transfer
East Lake Harris Estates					Additional Territory
East Lake Harris Estates	106-W	PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer
East Lake Harris Estates	106-W	PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
East Lake Harris Estates	106-W	8144	01/25/78	770579-W(TC)	Transfer
East Lake Harris Estates Certificate	158-W	5939	11/20/73	C-73457-W	Grandfather
Fern Terrace	106-W	PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer
Fern Terrace	106-W	PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
Fern Terrace	106-W	PSC-93-1150-FOF-WS	08/09/93	930129-WU	Additional Territory
Fern Terrace	106-W	5595	12/07/72	C-72505-W	Original Certificate
Forty-Eight Estates	106-W	PSC-06-0973-FOF-WS	11/22/06	060643-WS	Name Change
Forty-Eight Estates	441-W	PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
Forty-Eight Estates	441-W	PSC-03-0627-FOF-WU	05/23/03	021142-WU	Additional Territory
Forty-Eight Estates	441-W	PSC-99-2115-PAA-WS	10/25/99	981779-WS	Transfer
Forty-Eight Estates	441-W	PSC-96-0432-FOF-WU	03/28/96	950880-WU	Transfer
Forty-Eight Estates	498-W	PSC-94-1356-FOF-WU	11/07/94	940855-WU	Abandon/Receiver
Forty-Eight Estates	498-W	18839	02/10/88	870074-WU	Original Certificate
Friendly Center	106-W	PSC-05-1242-PAA-WS	12/20/05	040951-WS	Additional Territory
Grand Terrace	106-W	PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer
Grand Terrace	106-W	PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
Grand Terrace	106-W	24230	03/12/91	900702-WU	Additional Territory
Grand Terrace	106-W	23656	10/23/90	891320-WU	Additional Territory
Haines Creek	106-W	PSC-06-0973-FOF-WS	11/22/06	060643-WS	Name Change
Haines Creek	123-W	PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
Haines Creek	123-W	PSC-99-0483-FOF-WS	03/08/99	981508-WS	Majority Control
Haines Creek	123-W	PSC-97-0375-FOF-WU	04/07/97	960793-WU	Transfer
Haines Creek	130-W	22165	11/08/89	891106-WU	Additional Territory
Haines Creek	130-W	5698	04/05/73	C-73145-W	Original Certificate
Hobby Hills	106-W	PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer
Hobby Hills	106-W	PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
Hobby Hills	106-W	PSC-93-1150-FOF-WU	08/09/93	930129-WU	Additional Territory
Hobby Hills	106-W	8076	12/02/77	770577-W(TC)	Transfer
Hobby Hills	183-W	7470	10/12/76	760055-W	Corp. Reorg/Name
Hobby Hills	183-W	6233	08/19/74	73492-W	Original Certificate

*(Continued to Section II Sheet 40.1)*

**LAKE COUNTY**

**Territory Served**

*(Continued from Section II Sheet 40.1)*

<u>System Name</u>	<u>Cert.</u>	<u>Order Number</u>	<u>Date</u>	<u>Docket No.</u>	<u>Filing Type</u>
Quail Ridge	106-W	PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer
Quail Ridge	106-W	PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
Quail Ridge	106-W	23852	12/10/90	900556-WU	Affirms 23505
Quail Ridge	106-W	23505	09/18/90	900556-WU	Additional Territory
Ravenswood	106-W	PSC-06-0973-FOF-WS	11/22/06	060643-WS	Name Change
Ravenswood	123-W	PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
Ravenswood	123-W	PSC-99-0483-FOF-WS	03/08/99	981508-WS	Majority Control
Ravenswood	123-W	PSC-96-1409-FOF-WU	11/20/96	960716-WU	Transfer
Ravenswood	123-W	5666	03/06/73	C-72651-W	Original Certificate
Silver Lake Est/Western Shores					Additional Territory
Silver Lake Est/Western Shores	106-W	PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer
Silver Lake Est/Western Shores	106-W	PSC-03-1235-FOF-WU	11/03/03	021137-WU	Additional Territory
Silver Lake Est/Western Shores	106-W	PSC-02-1427-FOF-WU	10/18/02	990054-WU	Add, Delete Terr.
Silver Lake Est/Western Shores	106-W	PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
Silver Lake Est/Western Shores	106-W	PSC-93-0754A-FOF-WU	06/07/93	921044-WU	Correction
Silver Lake Est/Western Shores	106-W	PSC-93-0754-FOF-WU	05/18/93	921044-WU	Additional Territory
Silver Lake Est/Western Shores	106-W	23459	09/11/90	900227-WU	Additional Territory
Silver Lake Est/Western Shores	106-W	20647	01/24/89	881011-WU	Transfer
Silver Lake Est/Western Shores	106-W	9688	12/10/80	791043-W(TC)	Supplement Order
Silver Lake Est/Western Shores	106-W	9483	08/05/80	791043-W	Transfer
Silver Lake Est/Western Shores	230-W	6928	09/30/75	750367-W	Original Certificate
Silver Lake Est/Western Shores	225-W	6801	07/25/75	750327-W(AP)	Original Certificate
Skycrest	106-W	PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer
Skycrest	106-W	PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
Skycrest	106-W	PSC-93-1150-FOF-WU	08/09/93	930129-WU	Additional Territory
Skycrest	106-W	5595	12/07/72	C-72505-W	Original Certificate
Stone Mountain	106-W	PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer
Stone Mountain	106-W	PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
Stone Mountain	106-W	15295	10/25/85	850695-WU	Additional Territory
Summit Chase	106-W	PSC-06-0973-FOF-WS	11/22/06	060643-WS	Name Change
Summit Chase	441-W	PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
Summit Chase	441-W	PSC-99-2115-PAA-WS	10/25/99	981779-WS	Transfer
Summit Chase	441-W	19575	06/27/88	870633-WS	Transfer
Summit Chase	441-W	14115	02/21/85	840304-WS	Original Certificate

*(Continued to Section II Sheet 40.3)*

**LAKE COUNTY**

**Description Of Territory Served**

**EAST LAKE HARRIS ESTATES**

Metes and Bounds Description for Astatula Parcel

Description:

A portion of Section 29, Township 20 South, Range 26 East, Lake County, Florida being more particularly described as follows:

Commence at the North ¼ corner of said Section 29, Township 20 South, Range 26 East; thence run N 88° 57'27"W, along the North line of said Section 29 for a distance of 50.00 feet to a point on the West right-of-way line of Monroe Street; thence run S 00° 46' 56"W a distance of 314.17 feet for a point of beginning; thence continue along said West right-of-way line, S 00° 46'56"W a distance of 958.56 feet; thence N 88° 56'15"W a distance of 1917.50 feet to a point on the East right-of-way line of Adams Street; thence N00° 50'39"E along said right-of-way line a distance of 610.80 feet; thence S 88° 58'18"E a distance of 583.71 feet; thence S00° 50'39"W a distance of 33.00 feet; thence S 88° 58'18"E a distance of 751.29 feet; thence N 00° 48'05"E a distance of 379.37 feet; thence S 88° 59'45"E a distance of 581.71 feet to the point of beginning.

Containing 30.97 acres, more or less.

BEFORE THE PUBLIC SERVICE COMMISSION

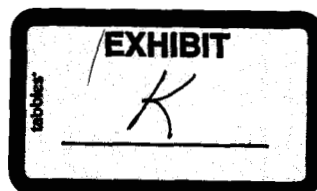
In re: Joint application for acknowledgment of corporate reorganization and request for approval of name change on Certificate 268-S in Lee County from AquaSource Utility, Inc. d/b/a Aqua Utilities Florida, Inc.; Certificates 479-S and 549-W in Alachua County from Arredondo Utility Company, Inc. d/b/a Aqua Utilities Florida, Inc.; Certificates 053-W, 441-S, and 507-W in Palm Beach and Sumter Counties from Crystal River Utilities, Inc. d/b/a Aqua Utilities Florida, Inc.; and Certificate 346-W in Marion County from Ocala Oaks Utilities, Inc. d/b/a Aqua Utilities Florida, Inc. to Aqua Utilities Florida, Inc.; for cancellation of Certificates 424-W, 371-S, 441-W, 503-S, and 585-W in Highlands, Lake, and Polk Counties held by AquaSource Utility, Inc. d/b/a Aqua Utilities Florida, Inc.; Certificates 123-W, 510-S, and 594-W in Lake and Polk Counties held by Crystal River Utilities, Inc. d/b/a Aqua Utilities Florida, Inc.; and Certificates 083-S and 110-W in Pasco County held by Jasmine Lakes Utilities Corporation d/b/a Aqua Utilities Florida, Inc.; and for amendment of Certificates 422-W, 120-S, 106-W, 154-S, 209-W, 506-S, and 587-W in Highlands, Lake, Pasco, and Polk Counties held by Aqua Utilities Florida, Inc.

DOCKET NO. 060643-WS  
ORDER NO. PSC-06-0973-FOF-WS  
ISSUED: November 22, 2006

ORDER ACKNOWLEDGING CORPORATE REORGANIZATION  
AND APPROVING NAME CHANGE

BY THE COMMISSION:

On September 25, 2006, AquaSource Utility, Inc. (AquaSource), Arredondo Utility Company, Inc. (Arredondo), Crystal River Utilities, Inc. (Crystal River), Jasmine Lakes Utilities Corporation (Jasmine Lakes), Ocala Oaks Utilities, Inc. (Ocala Oaks), and Aqua Utilities Florida, Inc. (Aqua Utilities FL) filed a joint application for acknowledgement of corporate reorganization and approval of name change. AquaSource, Arredondo, Crystal River, Jasmine Lakes, and Ocala Oaks currently operate under the Commission-approved d/b/a of Aqua Utilities Florida, Inc. The mailing address for the applicants was given as 6960 Professional Parkway



DOCUMENT NUMBER - DATE

10747 NOV 22 06

FPSC - COMMISSION CLERK

East, Sarasota, FL 34240. Prior to the reorganization and name change, the applicants' full name, business entity, certificate number(s), and county(ies) of operation were as follows:

Company Name	Business Entity	Certificate No.	County
AquaSource Utility, Inc. d/b/a Aqua Utilities Florida, Inc.	Texas Corporation	424-W	Highlands
		371-S, 441-W	Lake
		268-S	Lee
		503-S, 585-W	Polk
Arredondo Utility Company, Inc. d/b/a/ Aqua Utilities Florida, Inc.	Florida Corporation	479-S, 549-W	Alachua
Crystal River Utilities, Inc. d/b/a Aqua Utilities Florida, Inc.	Florida Corporation	123-W	Lake
		053-W	Palm Beach
		510-S, 594-W	Polk
		441-S, 507-W	Sumter
Jasmine Lakes Utilities Corporation d/b/a Aqua Utilities Florida, Inc.	Florida Corporation	083-S, 110-W	Pasco
Ocala Oaks Utilities, Inc. d/b/a Aqua Utilities Florida, Inc.	Florida Corporation	346-W	Marion
Aqua Utilities Florida, Inc.	Florida Corporation	2-W	Brevard
		359-S, 422-W	Highlands
		120-S, 106-W	Lake
		84-W	Orange
		154-S, 209-W	Pasco
		506-S, 587-W	Polk
		284-S, 76-W	Putnam
		226-S, 279-W	Seminole
		182-S, 238-W	Volusia
435-S, 501-W	Washington		

After the reorganization and name change, all of the applicants will be owned and operated under the name of Aqua Utilities Florida, Inc., the existing Florida corporation herein identified as Aqua Utilities FL. As a result, the certificated names for Arredondo, AquaSource, Ocala Oaks, and Crystal River (479-S, 549-W, 268-S, 346-W, 53-W, 441-S and 507-W) in Alachua, Lee, Marion, Palm Beach, and Sumter Counties should be changed to Aqua Utilities Florida, Inc., as follows:

Current Name	Certificate No. and County	Name Change
Arredondo	479-S in Alachua	Aqua Utilities Florida, Inc.
Arredondo	549-W in Alachua	Aqua Utilities Florida, Inc.
AquaSource	268-S in Lee	Aqua Utilities Florida, Inc.



Ocala Oaks	346-W in Marion	Aqua Utilities Florida, Inc.
Crystal River	53-W in Palm Beach	Aqua Utilities Florida, Inc.
Crystal River	441-S in Sumter	Aqua Utilities Florida, Inc.
Crystal River	507-W in Sumter	Aqua Utilities Florida, Inc.

In addition, consistent with Commission practice, the certificates for AquaSource, Crystal River, and Jasmine Lakes (424-W, 371-S, 441-W, 123-W, 83-S, 110-W, 503-S, 510-S, 585-W, and 594-W) in Highlands, Lake, Pasco, and Polk Counties should be cancelled and the certificates for Aqua Utilities Florida, Inc. (422-W, 120-S, 106-W, 154-S, 209-W, 506-S, 587-W) in those counties should be amended to include the territories of the cancelled certificates as follows:

Current Name	Certificate No. and County	Action
AquaSource	424-W in Highlands	Cancelled
Aqua Utilities Florida, Inc.	422-W in Highlands	Amended
AquaSource	371-S in Lake	Cancelled
Aqua Utilities Florida, Inc.	120-S in Lake	Amended
AquaSource	441-W in Lake	Cancelled
Crystal River	123-W in Lake	Cancelled
Aqua Utilities Florida, Inc.	106-W in Lake	Amended
Jasmine Lakes	83-S in Pasco	Cancelled
Aqua Utilities Florida, Inc.	154-S in Pasco	Amended
Jasmine Lakes	110-W in Pasco	Cancelled
Aqua Utilities Florida, Inc.	209-W in Pasco	Amended
AquaSource	503-S in Polk	Cancelled
Crystal River	510-S in Polk	Cancelled
Aqua Utilities Florida, Inc.	506-S in Polk	Amended
AquaSource	585-W in Polk	Cancelled
Crystal River	594-W in Polk	Cancelled
Aqua Utilities Florida, Inc.	587-W in Polk	Amended

Finally, for informational purposes, the certificates currently held by Aqua Utilities Florida, Inc. which are not affected by the corporate reorganization and name change are as follows:

Current Name	Certificate No. and County	Action
Aqua Utilities Florida, Inc.	2-W in Brevard	Unchanged
Aqua Utilities Florida, Inc.	359-S in Highlands	Unchanged
Aqua Utilities Florida, Inc.	84-W in Orange	Unchanged
Aqua Utilities Florida, Inc.	284-S in Putnam	Unchanged
Aqua Utilities Florida, Inc.	76-W in Putnam	Unchanged
Aqua Utilities Florida, Inc.	226-S in Seminole	Unchanged
Aqua Utilities Florida, Inc.	279-W in Seminole	Unchanged

Aqua Utilities Florida, Inc.	182-S in Volusia	Unchanged
Aqua Utilities Florida, Inc.	238-W in Volusia	Unchanged
Aqua Utilities Florida, Inc.	435-S in Washington	Unchanged
Aqua Utilities Florida, Inc.	501-W in Washington	Unchanged

Attachment A shows the applicants' organizational structure before the reorganization, and Attachment B shows the applicants' organizational structure after the reorganization. Aqua America, Inc. (Aqua America) is a Pennsylvania corporation and the parent company of Aqua Utilities FL and AquaSource. Aqua Utilities FL is the entity that purchased the remaining assets of Florida Water Services Corporation on June 30, 2004. That transfer was approved by the Commission in Order No. PSC-05-1242-PAA-WS, issued December 20, 2005, in Docket Nos. 040951-WS and 040952-WS, In re: Joint application for approval of sale of Florida Water Services Corporation's land, facilities, and certificates in Brevard, Highlands, Lake, Orange, Pasco, Polk, Putnam, a portion of Seminole, Volusia, and Washington counties to Aqua Utilities Florida, Inc.

Prior to the reorganization, in addition to directly owning Commission-regulated assets in Highland, Lake, Lee, and Polk Counties, AquaSource also owned the Commission-regulated subsidiaries of Arredondo, Jasmine Lakes, Ocala Oaks, and Crystal River (in Lake, Palm Beach, Polk and Sumter Counties) as well as the non-Commission-regulated subsidiaries of Crystal River in Citrus County, Dolomite Utilities Corporation (Dolomite) in Sarasota County and Lake Suzy Utilities, Inc. (Lake Suzy) in DeSoto County. The purpose of the reorganization was to consolidate and segregate all of Aqua America's Commission-regulated water and wastewater assets in Florida under the ownership and name of its Florida corporation, Aqua Utilities FL. Aqua America's non-Commission regulated Florida assets of Crystal River (Citrus), Dolomite, and Lake Suzy<sup>1</sup> are to remain under Aqua America's Texas corporation, AquaSource, which name has been changed to Aqua Utilities, Inc.

We note that AquaSource's name change to Aqua Utilities, Inc. was recognized by the State of Florida, Division of Corporations, effective March 2, 2006. Section 367.1214, Florida Statutes, requires that a utility notify the Commission and its customers before changing its name. However, as previously noted, AquaSource had been authorized to do business in Florida under the fictitious name of Aqua Utilities Florida, Inc.,<sup>2</sup> which d/b/a is still actively recorded.

<sup>1</sup> Pursuant to Order No. PSC-05-0313-FOF-WS, issued March 21, 2005, in Docket No. 041294-WS, In Re: Transfer of water and wastewater service areas from Lake Suzy Utilities, Inc. d/b/a Aqua Utilities Florida, Inc. to DeSoto County, and cancellation of Certificate Nos. 599-W and 514-S in Charlotte and DeSoto Counties, Lake Suzy will cease to be regulated by the Commission upon confirmation of the transfer to DeSoto and, thus, was not included in the reorganization.

<sup>2</sup> Order No. PSC-04-0715-FOF-WS, issued July 21, 2004, in Docket No. 040359-WS, In Re: Application for authority to operate under fictitious name, Aqua Utilities Florida, Inc., by AquaSource Utility, Inc., holder of Certificates 268-S, 503-S, 585-W, 371-S, 441-W, and 424-W; Arredondo Utility Company, Inc., holder of Certificate Nos. 549-W and 479-S; Crystal River Utilities, Inc., holder of Certificate Nos. 441-S, 507-W, 510-S, 594-W, 396-W, 123-W, and 053-W; Jasmine Lakes Utilities Corporation, holder of Certificate Nos. 110-W and 083-S; Lake Suzy Utilities, Inc., holder of Certificate Nos. 514-S and 599-W; and Ocala Oaks Utilities, Inc., holder of Certificate No. 346-W.

Therefore, at no time was AquaSource operating in Florida under a name different than that by which it was known with respect to the State of Florida, the Commission, and its customers. As such, the utility did not violate the intent or purpose of Section 367.1214, Florida Statutes. However, the utility is reminded that it must notify the Commission of any future changes to its name, whether corporate or fictitious.

Through Articles of Merger filed with the Florida Department of State, Division of Corporations, on September 29, 2006 and October 16, 2006, Arredondo, Jasmine Lakes, and Ocala Oaks were merged into Aqua Utilities FL which, as the surviving corporation, succeeded all rights, title, and interests of Arredondo, Jasmine Lakes, and Ocala Oaks, which then ceased to exist. Because Crystal River and Aqua Utilities, Inc. (f/n/a AquaSource) owned systems in Florida counties not regulated by the Commission, those corporations were not merged with Aqua Utilities FL. Instead, their Commission-regulated assets were transferred to Aqua Utilities FL. These transfers were accomplished by means of a Bill of Sale and Assignment and Assumption Agreement executed separately between each entity and Aqua Utilities FL, along with Quitclaim Deeds conveying the associated real property effective October 1, 2006. Since these transfers were the result of a reorganization between subsidiaries of Aqua America, overall ownership and control of the assets remained unchanged.

Through these mergers and transfers, all Commission-regulated water and wastewater assets in Florida owned by Aqua America have now been consolidated and segregated under its Florida subsidiary corporation, Aqua Utilities FL, as was the intent of the reorganization. The application contained documents showing recognition of the applicants' Articles of Merger by the Florida Department of State, Division of Corporations. The application also contained affidavits by an officer of the applicants' corporations attesting that ownership and control of the applicants' corporations will not change as a result of the restructuring and requested name change. The application further indicates that management operations, customer service, mailing addresses, and telephone numbers for each of the systems will remain the same after the reorganization.

Finally, the application contained a proposed customer notice and revised tariffs reflecting the name change and also returned the applicants' certificates. The applicants' proposed notice shall be given to all existing customers in the first billing cycle after the name change is approved by the Commission, herein. The revised tariffs shall be effective for services rendered or connections made on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475, Florida Administrative Code. Attachment C contains the certificates affected by the reorganization and name change. The resultant order shall serve as Aqua Utilities FL's amended certificates and, as such, the order shall be retained by the utility.

The application provides sufficient documentation that neither ownership or control or transfer of assets is involved. Therefore, the applicants' corporate reorganization is hereby acknowledged and request for name change is approved effective the date of this order. The applicants' approved notice of name change shall be sent to all existing customers with the next regular billing after the order is issued. The revised tariffs shall be effective for services rendered or connections made on or after the stamped approval date on the tariff sheets pursuant

to Rule 25-30.475, Florida Administrative Code. The resultant order shall serve as Aqua Utilities Florida, Inc.'s amended certificates and, as such, it shall be retained by the utility.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the corporate reorganization is hereby acknowledged and request for name change is approved for Aqua Utilities Florida, Inc., effective the date of this order. It is further

ORDERED that the approved notice of name change shall be sent to all existing customers with the next regular billing after the order is issued. It is further

ORDERED that Aqua Utilities Florida, Inc., shall be on notice that it shall notify the Commission of any future name changes, whether corporate or fictitious. It is further

ORDERED that the revised tariffs shall be effective for services rendered or connections made on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475, Florida Administrative Code. It is further

ORDERED that the resultant order shall serve as Aqua Utilities Florida, Inc.'s amended certificates and, as such, it shall be retained by the utility. It is further

ORDRED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 22nd day of November, 2006.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

JSB

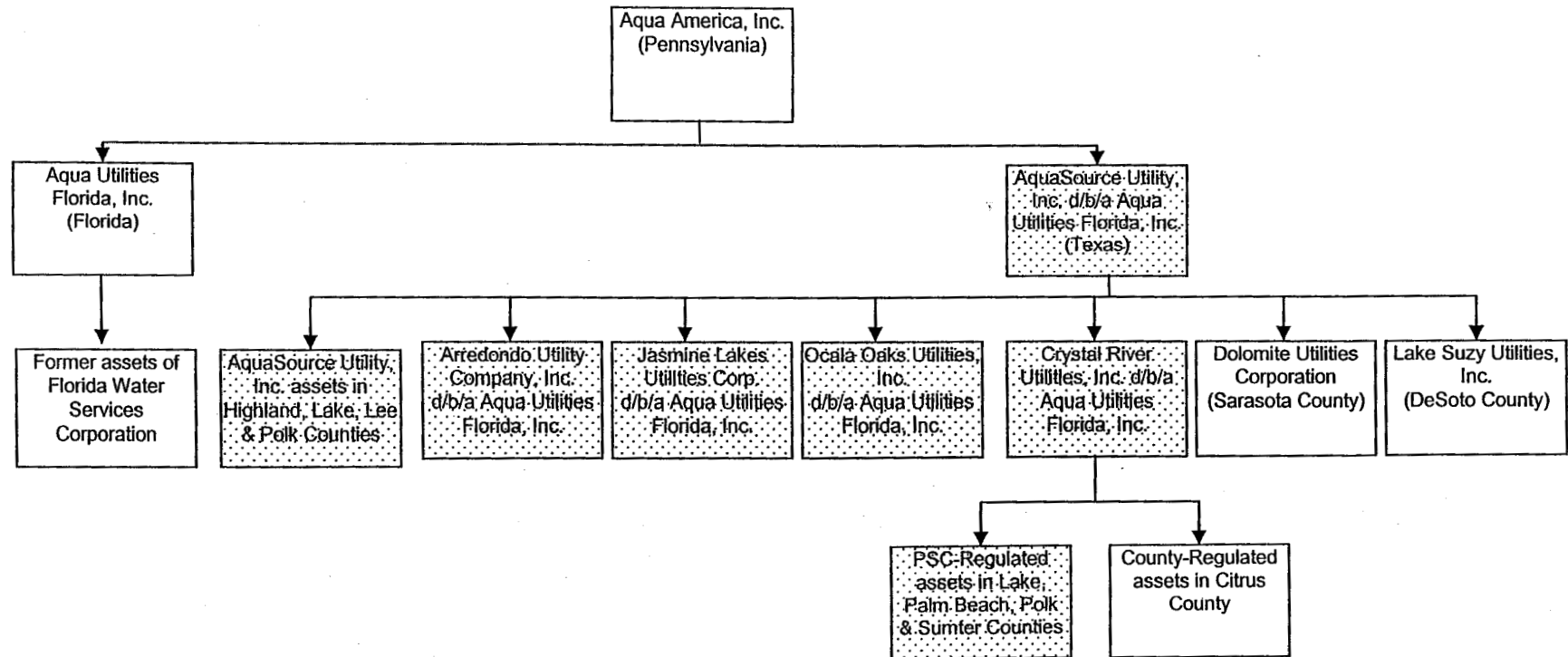
NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request:

- 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or
- 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

**FLORIDA CONSOLIDATION LEGAL ENTITIES – “BEFORE”**

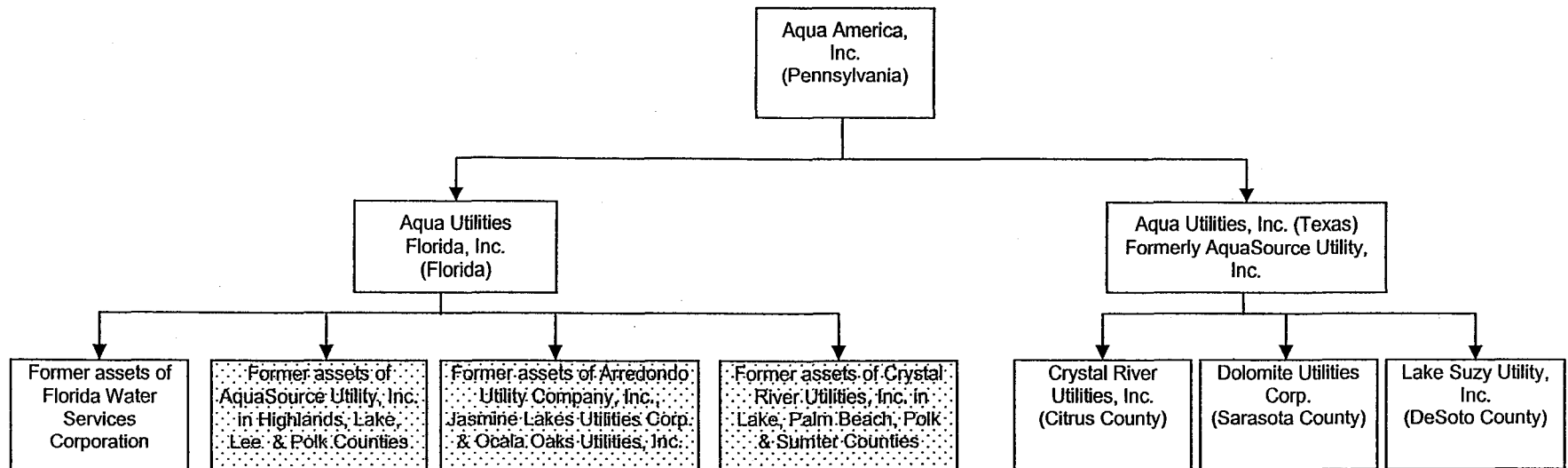




Entities/assets impacted by current reorganization



Entities/assets not impacted by current reorganization

### FLORIDA CONSOLIDATION LEGAL ENTITIES – “AFTER”



-  Entities/assets impacted by current reorganization
-  Entities/assets not impacted by current reorganization

**REVISED CERTIFICATES**

for

**AQUA UTILITIES FLORIDA, INC**

479-S	Alachua County	Name Change
549-W	Alachua County	Name Change
422-W	Highlands County	Amendment
120-S	Lake County	Amendment
106-W	Lake County	Amendment
268-S	Lee County	Name Change
346-W	Marion County	Name Change
53-W	Palm Beach County	Name Change
154-S	Pasco County	Amendment
209-W	Pasco County	Amendment
506-S	Polk County	Amendment
587-W	Polk County	Amendment
441-S	Sumter County	Name Change
507-W	Sumter County	Name Change



**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**

pursuant to

**Certificate Number 479-S**

to provide wastewater service in Alachua County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
PSC-92-1454-FOF-WS	12/15/92	920973-WS	Original Certificate
PSC-99-0481-FOF-WS	03/08/99	981509-WS	Transfer of Majority Control
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 549-W**

to provide water service in Alachua County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
PSC-92-1454-FOF-WS	12/15/92	920973-WS	Original Certificate
PSC-99-0481-FOF-WS	03/08/99	981509-WS	Transfer of Majority Control
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 422-W**

to provide water service in Highlands County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
12879	01/13/84	830336-WS (AP)	Original Certificate
12989	02/13/84	830083-W (AP)	Original Certificate
22916	05/09/90	891250-WS	Transfer of Certificate
PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
PSC-00-1389-PAA-WU	07/31/00	991001-WU	Transfer/Amendment
PSC-01-0631-FOF-WU	03/14/01	001585-WU	Amendment
PSC-02-0651-PAA-WU	05/13/02	011401-WU	Transfer/Amendment
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer of Certificate
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 120-S**

to provide wastewater service in Lake County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
6142	05/14/74	73521-WS	Original Certificate
8299	05/05/78	780057-WS (TC)	Transfer of Certificate
9635	11/14/80	800192-WS (AP)	Original Certificate
10109	06/29/81	800636-WS (TC)	Transfer/Amendment
10109-A	07/31/81	800636-WS (MC)	Amendatory
14115	02/21/85	840304-WS	Original Certificate
19575	06/27/88	870633-WS	Transfer of Certificate
20869	03/09/89	880605-WS	Transfer/Amendment
23378	08/21/90	900106-WS	Transfer/Amendment
PSC-95-0268-FOF-WS	02/28/95	940091-WS	Transfer/Amendment
PSC-96-0131-FOF-WS	01/29/96	950231-WS	Amendment
PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
PSC-99-2115-PAA-WS	10/25/99	981779-WS	Transfer of Certificate
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer of Certificate
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 106-W**

to provide water service in Lake County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
5573	11/03/72	C-72497-W	Original Certificate
5595	12/07/72	C-72505-W	Original Certificate
5666	03/06/73	C-72651-W	Original Certificate
6801	07/25/75	750327-W (AP)	Original Certificate
6928	09/30/75	750367-W	Original Certificate
8075	12/02/77	770578-W (TC)	Transfer/Amendment
8076	12/02/77	770577-W (TC)	Transfer/Amendment
8144	01/25/78	770579-W (TC)	Transfer/Amendment
8299	05/05/78	780057-WS (TC)	Transfer/Amendment
9483	08/05/80	791043-W	Transfer/Amendment
9635	11/14/80	800192-WS (AP)	Original Certificate
9688	12/10/80	791043-W (TC)	Amendatory
9988	05/05/81	780278-WS (TC)	Transfer/Amendment
10109	06/29/81	800636-WS (TC)	Transfer/Amendment
10109-A	07/31/81	800636-WS (MC)	Amendatory
14115	02/21/85	840304-WS	Original Certificate
15295	10/25/85	850695-WU	Amendment
19575	06/27/88	870633-WS	Transfer of Certificate
20647	01/24/89	881011-WU	Transfer/Amendment
20869	03/09/89	880605-WS	Transfer/Amendment
21636	07/31/89	890348-WU	Transfer/Amendment
23378	08/21/90	900106-WS	Transfer/Amendment
23459	09/11/90	900227-WU	Amendment
23505	09/18/90	900556-WU	Amendment
23656	10/23/90	891320-WU	Amendment
23852	12/10/90	900556-WU	Affirmation of Amendment
24230	03/12/91	900702-WU	Amendment

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 106-W**  
**(Page 2)**

to provide water service in Lake County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
PSC-93-0754-FOF-WU	05/18/93	921044-WU	Amendment
PSC-93-0754-A-FOF-WU	06/07/93	921044-WU	Amendatory
PSC-93-1150-FOF-WU	08/09/93	930129-WU	Amendment
PSC-93-1306-FOF-WU	09/08/93	930129-WU	Amendment
PSC-95-0268-FOF-WS	02/28/95	940091-WS	Transfer/Amendment
PSC-96-0131-FOF-WS	01/29/96	950231-WS	Amendment
PSC-96-0432-FOF-WU	03/28/96	950880-WU	Transfer/Amendment
PSC-96-1409-FOF-WU	11/20/96	960716-WU	Transfer of Certificate
PSC-97-0375-FOF-WU	04/07/97	960793-WU	Transfer/Amendment
PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
PSC-99-0483-FOF-WS	03/08/99	981508-WS	Transfer of Majority Control
PSC-99-2115-PAA-WS	10/25/99	981779-WS	Transfer of Certificate
PSC-02-1427-FOF-WU	10/18/02	990054-WU	Amendment/Deletion
PSC-03-0627-FOF-WU	05/23/03	021142-WU	Amendment
PSC-03-1235-FOF-WU	11/03/03	021137-WU	Amendment
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer of Certificate
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**

pursuant to

**Certificate Number 268-S**

to provide wastewater service in Lee County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
8851	04/27/79	780586-S (AP)	Original Certificate
8851-A	05/09/79	780586-S (AP)	Amendatory
25242	10/22/91	910858-SU	Amendment
PSC-93-1487-FOF-SU	10/12/93	930673-SU	Amendment
PSC-99-1910-PAA-SU	09/27/99	982017-SU	Transfer of Certificate
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 346-W**

to provide water service in Marion County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
10471	12/23/81	810470-W (AP)	Original Certificate
12455	09/07/83	830283-W (EX)	Amendment
14000	01/14/85	840107-WU	Amendment
14178	03/14/85	850047-WU	Amendment
14474	06/17/85	850119-WU	Amendment
15294	10/24/85	850449-WU	Amendment
16487	08/19/86	860923-WU	Amendment
22978	05/24/90	900074-WU	Amendment
PSC-93-0343-FOF-WU	03/08/93	921071-WU	Amendment
PSC-94-0988-FOF-WU	08/15/94	930950-WU	Transfer/Amendment
PSC-99-1925-PAA-WU	09/28/99	981030-WU	Transfer/Amendment
PSC-99-2499-FOF-WU	12/21/99	981907-WU	Transfer of Majority Control
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change



**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 53-W**

to provide water service in Palm Beach County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
5298	01/12/72	C-71484-W	Original Certificate
5434	05/30/72	72301-W	Transfer of Certificate
5538	10/03/72	T-72495-W	Transfer of Certificate
PSC-97-1149-FOF-WU	09/30/97	961535-WU	Transfer of Certificate
PSC-99-0483-FOF-WS	03/08/99	981508-WS	Transfer of Majority Control
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 154-S**

to provide wastewater service in Pasco County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
5605	12/27/72	C-72657-S	Original Certificate
6506	02/11/75	74091-S	Original Certificate
6506-A	06/29/84	74091-S	Amendatory
18243	10/05/87	870572-WS	Transfer of Certificate
20140	10/10/88	880472-WS	Transfer of Certificate
21146	04/28/89	890202-WS	Amendment
23728	11/07/90	900291-WS	Transfer of Certificate
PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
PSC-99-0482-FOF-WS	03/08/99	981780-WS	Transfer of Majority Control
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer of Certificate
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 209-W**

to provide water service in Pasco County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
5605	12/27/72	C-72656-W	Original Certificate
6506	02/11/75	74090-W	Original Certificate
6506-A	06/29/84	74090-W	Amendatory
18243	10/05/87	870572-WS	Transfer of Certificate
20140	10/10/88	880472-WS	Transfer of Certificate
21146	04/28/89	890202-WS	Amendment
23728	11/07/90	900291-WS	Transfer of Certificate
PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
PSC-99-0482-FOF-WS	03/08/99	981780-WS	Transfer of Majority Control
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer of Certificate
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 506-S**

to provide wastewater service in Polk County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
PSC-96-1568-FOF-WS	12/23/96	960989-WS	Grandfather Certificate
PSC-96-1568-A-FOF-WS	12/24/96	960989-WS	Amendatory
PSC-97-0376-FOF-WS	04/07/97	960909-WS	Grandfather Certificate
PSC-97-0427-FOF-WS	04/16/97	970028-WS	Name Change
PSC-98-0371-FOF-WS	03/06/98	961014-WS	Grandfather Certificate
PSC-99-0483-FOF-WS	03/08/99	981508-WS	Transfer of Majority Control
PSC-99-1882-PAA-WS	09/21/99	981697-WS	Transfer of Certificate
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer of Certificate
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 587-W**

to provide water service in Polk County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
PSC-96-1568-FOF-WS	12/23/96	960989-WS	Grandfather Certificate
PSC-96-1568-A-FOF-WS	12/24/96	960989-WS	Amendatory
PSC-97-0376-FOF-WS	04/07/97	960909-WS	Grandfather Certificate
PSC-97-0427-FOF-WS	04/16/96	970028-WS	Name Change
PSC-98-0371-FOF-WS	03/06/98	961014-WS	Grandfather Certificate
PSC-99-0483-FOF-WS	03/08/99	981508-WS	Transfer of Majority Control
PSC-99-1882-PAA-WS	09/21/99	981697-WS	Transfer of Certificate
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-04-0859-FOF-WU	09/02/04	040484-WU	Amendment
PSC-05-1242-PAA-WS	12/20/05	040951-WS	Transfer of Certificate
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**  
pursuant to  
**Certificate Number 441-S**

to provide wastewater service in Sumter County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
19848	08/22/88	880013-WS	Grandfather Certificate
20518	12/23/88	880485-SU	Transfer of Certificate
PSC-92-1113-FOF-WS	10/05/92	920176-WS	Transfer of Certificate
PSC-93-1418-FOF-WS	09/29/93	930614-WS	Name Change
PSC-96-0666-FOF-WS	05/14/96	951330-WS	Transfer of Majority Control
PSC-97-0312-FOF-WS	03/24/97	960643-WS	Transfer of Certificate
PSC-99-0483-FOF-WS	03/08/99	981508-WS	Transfer of Majority Control
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change

**FLORIDA PUBLIC SERVICE COMMISSION**

authorizes

**Aqua Utilities Florida, Inc.**

pursuant to

**Certificate Number 507-W**

to provide water service in Sumter County in accordance with the provisions of Chapter 367, Florida Statutes, and the Rules, Regulations, and Orders of this Commission in the territory described by the Orders of this Commission. This authorization shall remain in force and effect until superseded, suspended, cancelled or revoked by Order of this Commission.

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
19848	08/22/88	880013-WS	Grandfather Certificate
25012	09/04/91	910586-WU	Amendment
PSC-92-1113-FOF-WS	10/05/92	920176-WS	Transfer of Certificate
PSC-93-1418-FOF-WS	09/29/93	930614-WS	Name Change
PSC-96-0666-FOF-WS	05/14/96	951330-WS	Transfer of Majority Control
PSC-97-0312-FOF-WS	03/24/97	960643-WS	Transfer of Certificate
PSC-99-0483-FOF-WS	03/08/99	981508-WS	Transfer of Majority Control
PSC-04-0715-FOF-WS	07/21/04	040359-WS	Name Change
PSC-06-0973-FOF-WS	11/22/06	060643-WS	Reorganization/Name Change

CARL  
Silver Lake Estates  
ASTATULA

**BEFORE THE PUBLIC SERVICE COMMISSION**

In re: Application by Aqua Utilities )  
Florida, Inc for Amendment of Water )  
Certificate in Lake County, Florida )  
\_\_\_\_\_ )

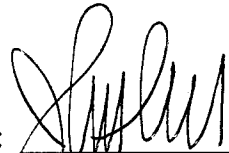
Docket No. \_\_\_\_\_  
Filed: \_\_\_\_\_

**AFFIDAVIT**

STATE OF FLORIDA:  
COUNTY OF LAKE:

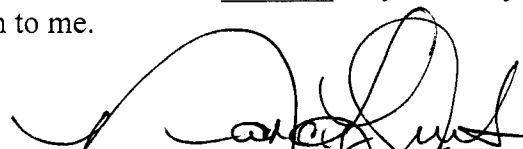
BEFORE ME, the undersigned authority, personally appeared John M. Lihvarcik, who after being duly sworn, deposes and says:

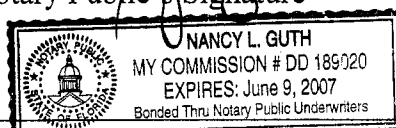
1. That I, John M. Lihvarcik, am the President and Chief Operating Officer of Aqua Utilities Florida, Inc.
2. That I hereby affirm that the facts stated in Aqua Utilities Florida, Inc.'s Application for Amendment of Water Certificate in Lake County, Florida, and the attached exhibits thereto are true and correct.
3. Further Affiant sayeth not.

By:   
Name: JOHN M. LIHVARCİK  
Title: PRESIDENT

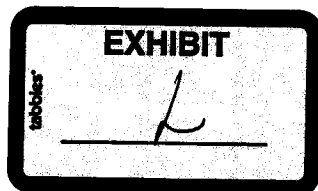
STATE OF FLORIDA:  
COUNTY OF LAKE:

Subscribed and sworn to before me this 4<sup>th</sup> day of May, 2007, by John M. Lihvarcik, who is personally known to me.

  
\_\_\_\_\_  
Notary Public's Signature



Print, Type or Stamp Commissioned Name of Notary Public





**AGREEMENT**

by and among

**J&D REAL ESTATE HOLDINGS, INC.**

and

**AQUA UTILITIES FLORIDA, INC.**

for

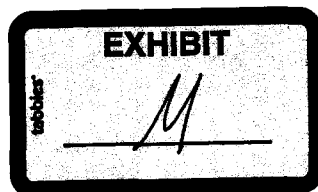
**The Construction and Acquisition of a  
Community Water System in the Development known as**

**“Harbor Isle”**

Situated in

**City of Astatula, Lake County, Florida**

Dated as of 8-10, 2006



## AGREEMENT

THIS AGREEMENT is made as of this 10<sup>th</sup> day of August, 2006 (the "Effective Date"), by and between **J&D Real Estate Holdings, Inc.**, a Florida corporation, and having an address of \_\_\_\_\_, \_\_\_\_\_, Florida \_\_\_\_\_ (hereinafter referred to as "Seller"), and **Aqua Utilities Florida, Inc.**, a Florida corporation with an office and mailing address located at 1100 Thomas Ave. Leesburg, FL 34748 (hereinafter referred to as "Aqua"). This agreement will stay in effect for one year from the date of signing.

**WHEREAS**, Seller is the equitable owner and developer of a planned residential community known as "Harbor Isle" (hereinafter referred to as "Development"), which is situated in city of Astatula, Lake County, Florida; and

**WHEREAS**, the Development is proposed to be constructed in four(4) phase(s) to include a total of 110 residential dwelling units ("Dwelling Units"); and

**WHEREAS**, the Development shall have a community water system that shall consist of the following primary components:

1. a **Water Distribution System** (includes mains, and related appurtenances, and service lines from mains to the curb line, along with each curb stop and box on each service line) to be funded, designed, and constructed by Seller (hereinafter called the "**Water Distribution System**").

**WHEREAS**, Seller agrees that said **Water Distribution** shall be designed and installed in accordance with the comments, plans, specifications and guidelines referred to herein or attached to this Agreement and will be conveyed to AQUA subject to the terms and conditions of this Agreement; and

**WHEREAS**, a copy of Seller's preliminary "Overall Site Plan" of the Development is incorporated into this Agreement by reference (the "Plan") as **Attachment 1** hereto.

**WHEREAS**, prior to the execution of this Agreement, Seller has provided to AQUA copies of the Seller's title report(s), environmental assessment report(s), and other reports relating to the Development and the **Water Distribution System**.

**NOW, THEREFORE**, subject to the terms and conditions of this Agreement, for good and valuable consideration, and intending to be legally bound, the parties hereto agree, subject to the terms and conditions stated herein, as follows:

### 1. Consideration

Seller agrees to convey to AQUA the Water System, as described in **Attachment 2** attached hereto and made part hereof.

In exchange for the commitment of Seller to fund, design, and construct the Water System, and

convey those assets to **AQUA**, **AQUA** agrees to make the following monetary payments to **Seller**:

- (i) At the Initial Closing, a payment from **AQUA** of Ten Dollar(s) (\$10.00).
- (ii) After Initial Closing, a Contingent Payment for Qualifying Connections, defined and limited as follows:

For a Ten (10) year period commencing on the Initial Closing Date, **AQUA** will pay **Seller** the amount of **Nine Hundred Dollars (\$900.00)** for each new Dwelling Unit in the **Development** that connects to the existing or future phases of the **Water Distribution System** and becomes a billable customer of **AQUA** (a “qualifying connection” as used in this paragraph). After the Ten (10) year period expires, **AQUA** will not be obligated to pay **Seller** any additional amounts for any additional qualifying connections. As clarification to the definition of a qualifying connection, such connection must be funded and installed by **Seller** and connected to a water main within the **Development**. Subject to the terms stated above, the payment for a qualifying connection shall be paid within three (3) months following the end of the year during which the connection is made and becomes a billable customer of **AQUA**.

## 2. **FPUC Franchise Area**

**AQUA** shall, promptly after the full execution of this Agreement, at its sole expense, take all reasonable and necessary measures in order to obtain a Certificate of Public Convenience from the Florida Public Utility Commission (“**FPUC**”) for the furnishing of water service to the **Development** and/or Dwelling Units within the **Development**. The proposed base rates for all customers (including fire hydrants, if applicable) within the **Development** shall be the same as the base rates then applicable in **AQUA**’s East Lake Harris Estates System, subject to the approval of the **FPUC**. All Dwelling Units and other buildings proposed and/or to be located within the **Development** shall be connected to the Water System and shall obtain water service exclusively from **AQUA**. **Seller** has represented that the Water System shall not include fire hydrants to be utilized by the local fire company to supplement their fire fighting capabilities within the **Development**, nor will any other form of fire protection system or systems be connected to the Water System. **Seller** and **AQUA** agree that the provision of water service throughout the **Development** will be achieved pursuant to **AQUA**’s Rules and Regulations as they may exist now and in the future.

## 3. **Contribution in Aid To Construction (CIAC) and Allowance for Funds Prudently Invested (AFPI) Fees**

**Seller** will be responsible for payment of **CIAC** and **AFPI** fees as outlined in accordance with the **CIAC** and **AFPI** Fees attached hereto, made a part hereof and marked as **Attachment 5** as set forth by the **FPSC** Rules and **AQUA**’s East Lake Harris Estates tariff. Rates are subject to change based on any revision and approval by the **FPSC** to **AQUA**’s tariff.

#### 4. Construction of the Water Distribution System

Prior to construction of the **Water Distribution System**, plans and specifications for the **Water Distribution System** shall be prepared by Seller's Engineer or other professional(s), and submitted to AQUA for approval, which approval shall not be unreasonably denied or delayed, and which plans and specifications shall include such reasonable standards for water flow and pressure as are appropriate for provision of ordinary domestic potable water service within the **Development**. Seller shall be responsible for construction, at Seller's expense, of the **Water Distribution System** in a workmanlike manner and in accordance with **Attachment 2** and all applicable permits and approvals, and in accordance with the Comments and Construction Guidelines attached hereto, made a part hereof and marked as **Attachment 3**, and the plans and specifications as approved by AQUA pursuant to this Section 4 ("**Water Distribution System Plans**"). Seller will obtain, at their expense, all permits and approvals needed to construct the **Water Distribution System** and any other components of the Water System within the **Development**. AQUA may, at its expense, observe the construction of the **Water Distribution System** for consistency with the approved **Water Distribution System Plans**, and Seller, at its expense, shall make adjustments necessary for the work to be consistent with the **Water Distribution System Plans**. In the event that AQUA requests any modifications to the **Water Distribution System** after its approval of the **Water Distribution System Plans**, AQUA shall be responsible for the cost of such modifications, to the extent those modifications, in their net effect, create extra costs. Seller shall also provide AQUA with an itemization of the cost of the **Water Distribution System** at the Initial Closing.

#### 5. Closings and Conveyance

The Initial Closing shall be conducted in accordance with the following requirements:

- a. Initial Closing: Seller shall deliver to AQUA, all in a form reasonably satisfactory to AQUA and its counsel, the **Water Distribution System**, including, without limitation, the following:
  - (i) instruments and documents of conveyance and transfer, all in form reasonably satisfactory to AQUA and its counsel, as shall be necessary to effectuate transfer and assignment to, and vest in, AQUA good and marketable title to the **Water Distribution System** and all rights to operate the **Water Distribution System**, including Grant and Assignment of Easements, and Bill of Sale and Assignment;
  - (ii) signed applications for the transfer of permits, as prepared on standard forms used by applicable regulatory agencies and the transfer of warranties for equipment and components installed;
  - (iii) a Bring-down certificate signed by Seller that represents and warrants the following:
    1. Seller is the owner of the **Water Distribution System** and is in good standing under the laws of the State of Florida.

2. **Seller** has full power and authority to sell, convey, assign, transfer and deliver the **Water Distribution System** to **AQUA** and such transfer does not violate, conflict with or result in the breach of any term, condition or provision of any instrument, contract, lease, agreement, permit, certificate or other document to which **Seller** is a party or is otherwise bound or affected, or by which any of the **Water Distribution System** may be bound or affected. **Seller** has good and marketable title to the **Water Distribution System**, free and clear of all liens and encumbrances.
  3. All tangible property included in the **Water Distribution System** is or will be in good operating condition at the time of conveyance.
  4. There are no violations or noncompliance with the laws and regulations applicable to the **Water Distribution System**, nor of any environmental problems or concerns relating to the **Water Distribution System**.
- (iv) a warranty from **Seller** for the quality of the construction and all repairs for the **Water Distribution System**, each for a period of two (2) years following the date of conveyance of each respective phase to **AQUA**. Following said warranty period, **AQUA** shall be solely responsible, at its sole cost and expense, for the maintenance, repair and replacement of all of the components of the **Water Distribution System**.
  - (v) a release of any mechanics liens from **Seller** and a release of any interest in the **Water Distribution System**.
  - (vi) a complete and accurate list of the names and addresses of all property owners and/or prospective property owners in the **Development**, and an agreement to coordinate information regarding residential dwelling unit closings so that **AQUA** may coordinate the process of setting meters and issuing bills;
  - (vii) all plans, engineering records, information, files, records, data, plans, system maps, contracts and recorded knowledge, including customer records and supplier lists and property records, related to the foregoing; and simultaneously with such delivery, all such steps shall be taken as may be required to put **AQUA** in actual possession and operating control of the **Water Distribution System**.
- b. Prior to the commencement of service to each subsequent phase, title to that installed phase of the **Water Distribution System** shall be conveyed to **AQUA**, in accordance with the following requirements:

Subsequent Closings: **Seller** shall deliver to **AQUA**, all in a form reasonably satisfactory to **AQUA** and its counsel, each subsequent phase of the **Water Distribution System**, including, without limitation, those items enumerated in “(a)” of this section that **AQUA** deems appropriate.

- c. All Closings shall take place at the offices of **AQUA**, 1100 Thomas Ave., Leesburg, FL or via other arrangements and on a date and at a time mutually agreed to by the parties to this Agreement.

## 6. Conditions Precedent to Aqua's Obligations

All obligations of **AQUA** under this Agreement are subject to the fulfillment or satisfaction of each of the following conditions precedent. **AQUA** may waive any or all of these conditions, provided, however, that no such waiver of a condition shall constitute a waiver by **AQUA** of any of its other rights or remedies hereunder.

- a. **AQUA** shall be satisfied with the condition of the Water System to be acquired and the quality of construction thereof.
- b. **AQUA** shall be satisfied that **Seller** has not granted any easements or otherwise encumbered title to the Parcel during the term of this Agreement.
- c. **Seller** shall have received (i) final, unappealable approval from Lake County for subdivision of the Parcel into single-family residential lots, and (ii) all required authorizations or approvals relating to the Water System (except those to be obtained by **AQUA** pursuant to Section 6(c) hereof) from any governmental authority with jurisdiction over the Water System, if any.
- d. **Seller** shall have performed and complied in all material respects with all agreements and conditions required by this Agreement to be performed or complied with by **Seller** prior to or at a Closing.
- e. All representations and warranties shall be true and correct as of the Closings, as evidenced by the Bring-down Certificate(s).
- f. **AQUA** shall have received all governmental authorizations needed for the acquisition including, but not limited to, an Order and Certificate of Public Convenience from the FPUC, authorizing: (1) the transfer of assets as contemplated by this Agreement; (2) **AQUA** to provide water service to the customers in the **Development**; and (3) the adoption of initial rates as requested by **AQUA** consistent with the terms of this Agreement. Such governmental authorizations, orders and approvals, including those of the FPUC, and other appropriate agencies, if so needed, shall be final and unappealable, and in a form and substance reasonably satisfactory to **AQUA**.
- g. At each Closing the Water System shall not be materially adversely affected by fire, explosion, earthquake, disaster, accident, cessation or interruption of utility or other services, flood, drought, lack of water supply, contamination of water supply, embargo, riot, civil disturbance, uprising, activity of armed forces or act of God or public enemy, or any other event or occurrence.

- h. At each Closing no proceeding shall be pending or threatened before any court or governmental agency in which it is sought to restrain or prohibit or to obtain damages or other relief in connection with this Agreement or in the consummation of the transactions contemplated hereby, and no investigation that might eventuate in any such suit, action or proceeding shall be pending or threatened.

## **7. Condition Precedent to Seller's Obligations**

All obligations of **Seller** under this Agreement are subject to the fulfillment or satisfaction of the following condition precedent. **Seller** may waive this condition, provided, however, that no such waiver shall constitute a waiver by **Seller** of any of their other rights or remedies hereunder.

- a. **AQUA** shall have received all final and unappealable governmental authorizations, orders and approvals needed for the acquisition, including, but not limited to, an Order and a Certificate of Public Convenience from the FPUC, authorizing: (1) the transfer of assets as contemplated by this Agreement; (2) **AQUA** to provide water service to the customers in the proposed service area; and (3) the adoption of initial rates as requested by **AQUA** consistent with the terms of this Agreement.

The authorizations, orders and approvals required pursuant to this Section 7 are referred to collectively herein as the "**Approvals**". In the event that **AQUA** is unable to obtain any of the required Approvals, **AQUA** shall notify the **Seller** in writing and **Seller**, at their option, shall have the right to (i) terminate this Agreement by delivery of written notice thereof to **AQUA** ("**Termination Notice**"); or (ii) re-negotiate the terms of this Agreement with **AQUA**. In the event that **Seller** terminates this Agreement pursuant to this Section 6, such termination shall be effective upon receipt of the Termination Notice by **AQUA**. In the event of termination, **Seller** shall return to **AQUA** any funds that were paid or incurred by **AQUA** as of the date of **Seller's** Termination Notice to **AQUA**.

## **8. System Operation Following Initial Closing**

**AQUA** shall be responsible for the provision of water service to the customers within the **Development** from and after the Initial Closing and each subsequent Closing Date. Except as otherwise provided herein, any liabilities or obligations relating to the Water System prior to each Closing Date shall be the responsibility of **Seller**, and any liabilities or obligations relating to the Water System occurring after each Closing Date for each respective subsequent phase, shall be the responsibility of **AQUA**. **AQUA** shall issue bills for service and service shall be provided in accordance with **AQUA's** tariff.

## **9. Indemnification**

**AQUA** shall indemnify and hold **Seller** harmless (which indemnity shall survive the termination of this Agreement and Closing) for any and all claims, damages, loss or liability arising out of or related to the breach of this Agreement by **AQUA** or any failure by **AQUA** to perform any obligation or comply with any agreement required to be performed or complied with by **AQUA** hereunder.

## **10. Miscellaneous**

- a. Contents of Agreement. This Agreement sets forth the entire understanding of the parties hereto with respect to the transactions contemplated hereby, and shall not be amended or modified except by written instrument duly executed by each of the parties hereto. Any and all previous agreements and understandings between or among the parties hereto regarding the subject matter hereof, whether written or oral, are superseded by this Agreement.
- b. Binding Effect. The terms of this Agreement shall be binding on **Seller** and its successors and assigns and on **AQUA** and its successors and assigns.
- c. Notices. Any notice, request, demand, waiver, consent, approval or other communication which is required or permitted hereunder shall be in writing and shall be deemed given if delivered personally or sent by registered or certified mail, postage prepaid, return receipt requested, or by any national overnight delivery service, as follows:

If to **AQUA**:  
John M. Lihvarcik  
President and COO  
**AQUA Utilities Florida, Inc.**  
1100 Thomas Ave  
Leesburg, FL 34748

If to **Seller**:  
James A. Hartman  
**J&D Real Estate Holdings, Inc**

or to such other address or addresses as the addressee may have specified in a written notice duly given to the sender as provided herein. Such notice, request, demand, waiver, consent, approval or other communication will be deemed to have been given as of the date so delivered or mailed.

- d. Florida Law to Govern. This Agreement shall be governed by and interpreted and enforced in accordance with the laws of the State of Florida, without giving effect to any conflict of law provisions.
- e. Further Assurances. **Seller** will execute, acknowledge and deliver to **AQUA** from time to time such other instruments of sale, conveyance, assignment and transfer, and **Seller** will take such other actions and execute and deliver such other documents, certifications and further assurances, as **AQUA** may reasonably require to vest in **AQUA** all of **Seller's** right, title and interest in and to the **Water Distribution System**.
- f. Counterparts. This Agreement may be executed in any number of counterparts and any signatory hereto may execute any such counterpart, each of which when executed and





**Attachment 1**

**Overall Site Plan**

**Attachment 2**

**Written description of  
Water Distribution System and Real Estate**

**WATER DISTRIBUTION SYSTEM – All Phases:**

1. All water mains, and related appurtenances, and service lines from mains to the curb line, along with each curb stop and box on each service, to be installed within each phase of the **Development** as identified on the Water Distribution Plans.
2. See also Water Distribution Plans (attached hereto as **Attachment 4**) prepared by \_\_\_\_\_, and dated \_\_\_\_\_.

**REAL ESTATE:**

1. Easements for any and all Water System components that are located outside of any roads that would be dedicated to any municipal entity.

**MISCELLANEOUS:**

1. Any and all warranties for the Water System components;
2. Any and all permits associated with the Water System; and
3. \_\_\_\_\_

**Attachment 3**

**Aqua's Comments on Plans and Construction Guidelines**

[TBA]

**Attachment 4**

**Water Distribution System Plans**

**[TBA]**

**Attachment 5**

**CIAC and AFPI Fees**

CIAC and AFPI Fees listed are based on a per Equivalent Residential Connection (ERCs) as outlined in the FPSC Rules section 25-30.055 and AQUA's tariff as filed with the FPSC for East Lake Harris Estates. This Agreement and the associated fees below are based on 110 ERCs:

**Water CIAC and AFPI Fees:**

CIAC Fees (Listed on a Per ERC Basis):

Meter Fee:	\$ 90.00
Capacity Fee:	\$ 700.00
Tap-In Fee:	\$ 143.00
Line Extension Fee:	\$ 446.00

**Total Per ERC: \$1,379.00**

AFPI Fees: (Listed on a Per ERC Basis):

Treatment Facility Fee:	N/A
Transmission Fee:	\$ 700.00 (first 62 connections only)

**Total Per ERC: \$ 700.00 (first 62 connections only)**