

080272-WS

**NOTICE OF APPLICATION FOR ORIGINAL CERTIFICATES  
FOR AN EXISTING UTILITY**

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Notice is hereby given on May 12, 2008, pursuant to Section 367.045, Florida Statutes, of the application of Sun River Utilities, Inc. seeking original Water and Wastewater Certificates for an existing utility to serve territories in Charlotte County, Florida and DeSoto County, Florida as described more specifically as follows:

The following described lands located in Charlotte County, Florida:

The NE 1/4 of the NW 1/4 of the SW 1/4 of the SW 1/4, of Section 12, Township 40 South, Range 23 East.

The SE 1/4 of the NW 1/4 of the SW 1/4 of the SW 1/4, of Section 12, Township 40 South, Range 23 East.

The NW 1/4 of the SW 1/4 of Section 12, Township 40 South, Range 23 East.

The SW 1/4 of the NW 1/4 of Section 12, Township 40 South, Range 23 East, lying South of Lee Branch Creek

Less and except

The East 1/2 of the NE 1/4 of the SW 1/4 of the NW 1/4 of Section 12, Township 40 South, Range 23 East, Charlotte County, Florida.

The Westerly 30 feet of the SW 1/4 of the SW 1/4 of Section 12, Township 40 South, Range 23 East.

All of Section 11, Township 40 South, Range 23 East, Charlotte County, Florida, lying East of Hunter's Creek and lying South of Lee Branch Creek.

The NE 1/4 of the SE 1/4 of Section 11, Township 40 South, Range 23 East, lying East of Hunter's Creek.

Together with

The North 1/4 of Section 12, Township 40 South, Range 23 East, Charlotte County, Florida, lying East of the Seaboard Coastline Railroad and North of the Southern Right-of-Way of Turbak Road, said Southern Right-of-Way being more fully described as follows:

Commence at the SE corner of the NE 1/4 of the NE 1/4 of said Section 12; thence N 0°19'45"E, along the East line of Section 12, for a distance of 150 feet; thence S 88°55'19" W a distance of 50 feet for a Point of Beginning; thence N 88°55'19" W a

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distance of 2317.67 feet; thence S 47°46'59" W, a distance of 153 feet more or less to the SW corner of the NE ¼ of said Section 12.

A portion of Section 12, Township 40 South, Range 23 East, Charlotte County, Florida, being more specifically described as follows:

Beginning at the Southeast corner of said Section 12, thence West along the South line of said Section 12, a distance of 2577.55 feet, thence North, a distance of 385.34 feet; thence West, a distance of 531.75 feet, thence North, a distance of 897.20 feet thence West, a distance of 511.21 feet, thence North, a distance of 438.40 feet, thence East a distance of 511.21 feet, thence North, a distance of 178.65 feet; thence East, a distance of 606.14 feet, thence South a distance of 600 feet more or less, thence east, a distance of 2860 feet more or less to the East line of said Section 12, thence South along the East line of said Section 12 to the point of beginning.

The South 1/4 of Section 1, Township 40 South, Range 23 East, Charlotte County, Florida, lying East of Seaboard Coastline Railroad.

The North 1/4 of Section 14, Township 40 South, Range 23 East, Charlotte County, Florida, lying East of Hunters Creek.

Together with

The South 1/2 of the Southeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 12, Township 40 South, Range 23 East, Charlotte County, Florida.

The South 1/2 of the Northeast 1/4 of the Southwest 1/4 of the Southwest 1/4 and the North 1/2 of the Southeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 12, Township 40 South, Range 23 East, Charlotte County, Florida.

The Northeast 1/4, of the Northeast 1/4, of the Northeast 1/4, of the Northeast 1/4, of Section 13, Township 40 South, Range 23 East, Charlotte County, Florida. Less and except the Right-of-Way for a public highway along the East side of said land, and Less and except the Right-of-Way for a public road along the North line of said land, and Less and except the following: Commence at the Northeast corner of said Section 13; thence along the North boundary of said Section 13, North 88°26'45" West, 45.15 feet, to the Westerly maintained Right-of-Way line of State Road 35 (US 17) for a point of beginning; thence along said Westerly maintained Right-of-Way line, South 00°23'35" West, 330.28 feet; thence North 88°24'16" West, 8.00 Feet; thence North 00°23'35" East, 330.28 feet, to said North boundary of Section 13; thence along said North boundary, South 88°26'45" East, 8.00 feet, to the point of beginning.

Together with

A portion of Section 13, Township 40 South, Range 23 East, Charlotte County, Florida, being more specifically described as follows:

Commence at the Southeast corner of said Section 13; thence South 87 degrees 21'06" West along the South line of said Section 13, a distance of 91.87 feet to the West right-of-way of State Road #35 (U.S. Highway #17) and the Point of Beginning; thence continue South 87 degrees 21'06" West a distance of 646.51 feet; thence North 01 degrees 58'09" West a distance of 2383.80 feet; thence North 88 degrees 27'53" East a distance of 337.71 feet; thence North 01 degrees 32'01" West a distance of 277.75 feet; thence North 30 degrees 58'39" West a distance of 125.00 feet; thence 69 degrees 19'18" West a distance of 312.50 feet; thence North 01 degree 32'07" West a distance of 80.00 feet; thence South 88 degrees 27'53" West a distance of 22.82 feet; thence North 01 degree 32'07" West a distance of 330.00 feet; thence North 02 degrees 46'04" West a distance of 1,700.17 feet; thence North 88 degrees 23'07" East a distance of 329.07 feet; thence North 02 degrees 47'31" West a distance of 635.34 feet to the South right-of-way of Palm Shores Boulevard; thence North 88 degrees 20'46" East a distance of 275.52 feet to the West right-of-way of State Road #35 (U.S. Highway #17); thence South 02 degrees 47'57" East along said right-of-way a distance of 2,006.62 feet; thence South 88 degrees 18'40" West along said right-of-way a distance of 5.28 feet to the point of curvature of a curve to the left having as elements a radius of 11,333.16 feet and a central angle of 03 degrees 02'06.1"; thence along arc of said curve a distance of 600.33 feet to the point of compound curvature of a curve to the left having as elements a radius of 11,585.16 feet and a central angle of 04 degrees 34'53.3"; thence along arc of said curve a distance of 926.37 feet; thence South 02 degrees 38'54" East along said right-of-way a distance of 23.40 feet; thence North 87 degrees 21'06" East along said right-of-way a distance of 36.00 feet; thence South 02 degrees 38'54" East along said right-of-way a distance of 300.00 feet; thence North 87 degrees 21'06" East along said right-of-way a distance of 10.00 feet; thence South 02 degrees 38'54" East along said right-of-way a distance of 1,439.06 feet to the Point of Beginning.

And

Parcel 1

Section 4, Township 40 South, Range 24 East, Charlotte County, Florida.

Together with

Parcel 2

All of Section 5, Township 40 South, Range 24 East, Charlotte County, Florida, less and except a strip 100 ft wide running Northerly from the S line of the N  $\frac{1}{2}$  to the N line of the N  $\frac{1}{2}$  in the W  $\frac{1}{2}$  of the W  $\frac{1}{2}$ .

Together with

Parcel 3

The Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 6, Township 40 South, Range 24 East, Charlotte County, Florida.

Together with

Parcel 4

The Northeast  $\frac{1}{4}$  of Section 9, Township 40 South, Range 24 East, Charlotte County, Florida, less the South 815.85 feet.

Together with

Parcel 5

The South  $\frac{1}{2}$  and the Northeast  $\frac{1}{4}$  of Section 8, Township 40 South, Range 24 East, Charlotte County, Florida, which parcel includes all of said Section 8, less and except a strip 100 ft wide running northerly from the S line of the S  $\frac{1}{2}$  to the N line of the S  $\frac{1}{2}$  in the E  $\frac{1}{2}$  of the W  $\frac{1}{2}$ .

Together with

Parcel 6

All of Section 9, Township 40 South, Range 24 East, Charlotte County, Florida, less and except the Northeast  $\frac{1}{4}$  of said Section 9.

Plus

The South 815.85 feet of the NE  $\frac{1}{4}$  of Section 9, Township 40 South, Range 24 East, Charlotte County, Florida.

Together with

Parcel 7

The West  $\frac{1}{2}$  of Section 10, Township 40 South, Range 24 East, Charlotte County, Florida.

Together with

Parcel 8

The Southerly 150 feet of Sections 7 and 8, Township 40 South, Range 24 East, Charlotte County, Florida.

And

A parcel of land lying in Sections 5, 6, 7, and 8, Township 40 South, Range 24 East, Charlotte County, Florida, described as follows:

Begin at the NW corner of said Section 6, thence S 89°43'07" E, along N line of said Section 6, 1,786.20 feet to Point of Beginning; thence S 01°06'38" W along easterly line of Ann H. Ryals property as described in O.R. Book 1435, Pages 1513 and 1514, of the Public Records of Charlotte County, Florida, 1287.30 feet; thence S 73°2'33" E along said easterly line, 919.56 feet; thence S 00°41'16" E along said easterly line, 1,116.55 feet to SE corner of said Ryals property; thence N 89°41'03" W along S line of said Ryals property, 2,475.81 feet to the E right-of-way line of State Road 35 (U.S. Highway 17) as monumented; thence S 00°26'53" W along said E right-of-way line, 1,844.49 feet to N line of William E. Roe property as described in O.R. Book 855, Page 1941, Public Records of Charlotte County, Florida; thence S 89°45'11" E along said N line, 1,883.20 feet to NE corner of said Roe property; thence S 00°31'12" W along E line of said Roe property, 118.50 feet to SE corner of said Roe property; thence N 89°45'11" W along S line of said Roe property, 1,585.05 feet to E right-of-way of State Road 35 (U.S. Highway 17) as monumented; thence S 00°20'17" W along said E right-of-way line, 670.37 feet to a point on the S line of said Section 6; thence N 89°49'39" W along said S line and on said right-of-way line of State Road 35 (U.S. Highway 17), 298.00 feet; thence S 00°20'17" W along said E right-of-way line, 677.88 feet; thence S 00°24'44" W along said E right-of-way line, 652.61 feet to N line of Raymond Smith property as described in O.R. Book 963, Pages 2090 and 2091, Public Records of Charlotte County, Florida; thence S 89°32'33" E along N line of said Smith property as monumented by ABS & Associated, Inc., Registered Land Surveyors, 1,138.93 feet to an iron rod set by said registered surveyors for the NE corner of Lot 11 of FLORADONIA SUBDIVISION, as recorded in Plat Book 1, Page 44, Public Records of Charlotte County, Florida; thence S 00°27'48" W along E line of said Smith property and also E line of said Lot 11, 1,326.85 ft. to an iron rod set by said registered surveyors for the SE corner of said Lot 11 in centerline of Catalpa Avenue; thence S 89°08'19" E along said centerline of Catalpa Avenue and along S line of the N ½ of Section 7, 4,675.89 feet to the E ¼ corner of said Section 7; thence S 88°40'35" E, along said centerline and along S line of N ½ of Section 8, 3,406.06 feet; thence N 5,380.44 feet to a point on the N line of the S ½ of Section 5; thence N 89°00'36" W along said N line, 2,545.405 feet; thence N 07°47'49" W along said W line, 988.17 feet; thence N 39°33'51" W, 1,397.205 feet.; thence N 46°23'45" W, 875.12 feet to N line of said Section 6; thence N 89°43'07" W along said N line, 3372.19 feet to Point of Beginning. LESS and except a 100 foot wide strip running northerly from the S line of N ½ of Section 8 to the N line of the S ½ of Section 5.

And

The South ½ of Section 7, Township 40 South, Range 24 East, Charlotte County, Florida Less right-of-way to State Road No. 35 (U.S. Highway No. 17) along West side and less the South 150.00 feet and also less the South 1/8 of Northwest ¼ of Southwest ¼.

Also that part of the Southwest  $\frac{1}{4}$  of Section 8, Township 40 South, Range 24 East, Charlotte County, Florida less the South 150.00 feet.

And

A part of Section 6, Township 40 South, Range 24 East described as follows:

Begin at the NW corner of Section 6, Township 40 South, Range 24 East, thence S  $89^{\circ}38'49''$  E along North line of said Section 6, 50 feet to East right of way of U.S. Highway 17; thence S  $0^{\circ}30'10''$  W along said East right of way, 50 feet to Point of Beginning; thence S  $89^{\circ}38'33''$  E, 1735.61 feet; thence S  $1^{\circ}10'26''$  W, 1237.08 feet; thence S  $73^{\circ}23'45''$  E, 919.56 feet; thence S  $0^{\circ}37'28''$  E, 1116.55 feet; thence N  $89^{\circ}37'15''$  W, 2626.59 feet to East right of way of U.S. Highway 17; thence N  $0^{\circ}30'10''$  E along said East right of way, 2,609.46 feet to Point of Beginning, all lying and being in Township 40 South, Range 24 East, Charlotte County, Florida.

LESS AND EXCEPT PARCEL 105

That portion of the Northwest quarter and the Southwest quarter of Section 6, Township 40 South, Range 24 East, Charlotte County, Florida, being described as follows:

Commence at the Northwest Corner of Section 6, Township 40 South, Range 24 East; thence along the north line of said Section 6, S  $89^{\circ}43'07''$  E, 0.39 feet to the survey base line of State Road 35 (U.S. Highway No. 17); thence along said survey base line S  $00^{\circ}29'34''$  W, 50.00 feet; thence S  $89^{\circ}42'41''$  E, 49.85 feet for a Point of Beginning, said point lying on the easterly existing right of way line of State Road 35 (U.S. Highway 17) (per deed exception, Official Records Book 836, Page 595); thence continue S  $89^{\circ}42'41''$  E, 152.35 feet; thence S  $00^{\circ}29'34''$  W, 1,533.83 feet; thence S  $00^{\circ}26'93''$  W, 1,075.70 feet; thence N  $59^{\circ}41'03''$  W, 150.74 feet to said easterly existing right of way line; thence along said existing right of way line, N  $00^{\circ}21'54''$  E, 13.93 feet to the south line of the Northwest quarter of said Section 6; thence continue along said easterly existing right of way line, N  $00^{\circ}36'22''$  E, 2,595.52 feet to the Point of Beginning.

Together with

A portion of Sections 17 & 18, Township 40 South, Range 24 East, Charlotte County, Florida, being more particularly described as follows:

Beginning at the northwest corner of said Section 17, Township 40 South, Range 24 East, thence South  $89^{\circ}12'01''$  East, a distance of 3670.96 feet along the North line of Section 17; thence South  $00^{\circ}34'08''$  West, a distance of 1319.39 feet; thence North  $89^{\circ}10'55''$  West, a distance of 400.63 feet; thence South  $00^{\circ}35'02''$  West a distance of 2562.50 feet; thence North  $88^{\circ}36'17''$  West, a distance of 961.33 feet; thence North  $01^{\circ}38'32''$  East, a distance of 10.23 feet; thence North  $88^{\circ}37'57''$  West, a distance of 700.15 feet; thence South  $01^{\circ}26'04''$  West, a distance of 10.00 feet; thence North  $88^{\circ}31'23''$  West, a distance

of 47.79 feet; thence North 89°00'58" West, a distance of 1345.95 feet; thence North 00°20'43" West, a distance of 269.02 feet; thence North 89°09'14" West, a distance of 159.92 feet; thence North 00°14'38" West, a distance of 964.18 feet; thence North 88°49'13" West, a distance of 654.72 feet; thence South 00°09'14" East, a distance of 620.47 feet; thence South 88°53'32" East, a distance of 1425.59 feet; thence South 00°44'50" West, a distance of 628.61 feet; thence North 89°05'26" West, a distance of 53.45 feet; thence North 01°06'14" East, a distance of 9.92 feet; thence North 89°10'01" West, a distance of 308.04 feet; thence North 89°10'07" West a distance of 357.08 feet; thence North 00°34'59" East, a distance of 622.09 feet; thence North 88°53'32" West, a distance of 476.00 feet; thence North 00°06'42" West, a distance of 3268.77 feet to the North line of Section 18, Township 40 South, Range 24 East; South 88°29'58" East, along the North line of Section 18, a distance of 3271.22 feet to the Point of Beginning.

Less and Except the following described abandoned railroad right-of-way:

A 100 foot wide strip of land lying with Section 17, Township 40 South, Range 24 East, Charlotte County Florida, said strip of land lying 50 feet each side of the following described Centerline:

Beginning at the Northwest corner of said Section 17, Township 40 South, Range 24 East, South 89°12'01" East, a distance of 1568.05 feet, to the Centerline; thence South 00°12'53" West, a distance of 3855.30 feet along said Centerline to a point on the Northerly right-of-way line of State Road 764, also known as Washington Loop Road.

Together with

All of Section 3, Township 40 South, Range 24 East, Charlotte County, Florida.

Together with portions of Sections 10, 11 & 2, Township 40 South, Range 24 East, Charlotte County, Florida, being more particularly described as follows:

Commencing at the Southeast corner of said Section 10, thence N 88°35'55" W, along the South line of said Section 10, a distance of 2711.65 feet to the South ¼ corner of said Section 10; thence N 01°16'01" E, leaving said South line of Section 10, a distance of 2868.63 feet to a Point of Beginning; thence N 55°38'29" E, a distance of 813.61 feet; thence N 32°31'48" E, a distance of 1070.25 feet; thence S 72°17'21" E, a distance of 2065.42 feet; thence N 21°02'51" E, a distance of 405.77 feet; thence N 08°23'14" E, a distance of 26.47 feet; thence N 40°01'38" E, a distance of 1212.23 feet; thence N 90°00'00" E, a distance of 165.03 feet; thence N 37°31'10" E, a distance of 179.97 feet; thence N 44°14'18" E, a distance of 153.32 feet; thence N 06°13'24" E, crossing the South line of said Section 2, a distance of 474.86 feet; thence N 26°19'16" W, a distance of 1554.13 feet; thence N 78°25'26" E, a distance of 1535.88 feet; thence N 31°07'54" E, a distance of 682.02 feet; thence S 82°30'42" E, a distance of 339.94 feet; thence N 19°50'47" E, a distance of 822.67 feet; thence N 23°37'01" E, a distance of 69.24 feet; thence N 29°18'40" E, a distance of 929.37 feet; thence N 02°52'17" W, a distance of 34.64 feet; thence N 24°11'12" W, a distance of 242.50 feet; thence N 13°29'12"E, a

distance of 1111.94 feet to a point on the North line of said Section 2; thence N 89°36'54" W, along said North line of Section 2, a distance of 4291.62 to the Northwest corner of said Section 2; thence S 00°09'15" W, along the West line of said Section 2, a distance of 5289.16 feet to the Southwest corner of said Section 2; thence N 88°35'55" W along the North line of said Section 10, a distance of 2711.65 feet to the North ¼ corner of said Section 10; thence S 01°16'01" W, a distance of 2554.67 feet to the Point of Beginning.

The following described lands located in DeSoto County, Florida:

All of Section 31, Township 39 South, Range 24 East, DeSoto County, Florida.

Along with:

The South ½ of the South ½ of Section 30, Township 39 South, Range 24 East, DeSoto County, Florida.

Less and Except:

A portion of Section 30 & 31, Township 39 South, Range 24 East, DeSoto County, Florida, being more specifically described as follows:

Commence at the Southwest corner of said Section 31, thence South 89° 41' 45" East along the South line of said Section 31, a distance of 50.39 feet to the East of right-of-way line of U.S. Highway #17 (100 feet wide); thence North 0° 24' 39" East along said East right-of-way line, a distance of 3,728.32 feet to the intersection of the East right-of-way of U.S. Highway #17 and the North right-of-way of Enterprise Blvd., said point being the Point of Beginning; thence South 89° 34' 59" East along the North right-of-way of said Enterprise Blvd., a distance of 2138.80 feet; thence North 0° 11' 34" East along said right-of-way, a distance of 55.00 feet; thence South 89° 34' 59" East along said right-of-way, a distance of 441.24; thence North 00° 11' 14" East, a distance of 1524.75 feet to the North line of Section 31; thence North 00° 34' 13" East, a distance of 1333.50 feet to the North line of the South ½ of the South ½ of said Section 30; thence North 89° 30' 57" West along the North line of the South ½ of the South ½ of said Section 30, a distance of 2563.24 feet to the East right-of-way of U.S. Highway #17; thence South 00° 52' 15" West along said right-of-way, a distance of 1793.74 feet; thence South 00° 25' 15" West, along said right-of-way, a distance of 586.65 feet; thence South 00° 23' 47" West along said right-of-way, a distance of 535.91 feet to the Point of Beginning.

Less and Except: (Tower Site)

A portion of Section 31, Township 39 South, Range 24 East, DeSoto County, Florida, being more specifically described as follows:

Commence at the Southwest corner of said Section 31; thence South 89° 41' 45" East along the South line of said Section 31, a distance of 50.39 feet to a point on the East right-of-way of U.S. Highway #17; thence North 0° 24' 39" East along said right-of-way,



a distance of 126.12 feet; thence South 89° 41' 45" East, a distance of 197.83 feet to the Point of Beginning; thence continue South 89° 41' 45" East, a distance of 270.00 feet; thence North 0° 18' 15" East, a distance of 396.55 feet; thence North 89° 41' 45" West, a distance of 270.00 feet; thence South 0° 18' 15" West, a distance of 396.55 feet to the Point of Beginning.

Any objection to the said application must be made in writing and filed with the Director of the Commission Clerk & Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to: Martin S. Friedman, Esq., Rose, Sundstrom & Bentley, LLP, 2180 W. State Rd. 434, Suite 2118, Longwood, FL 32779. The objection must state the grounds for the objection with particularity.