

Shawna Senko

DOCKET NO. 140059-EM

From: Murphy, Katharine <kmurphy@ngn-tally.com>
Sent: Monday, March 24, 2014 2:38 PM
To: Filings@psc.state.fl.us
Cc: Curt Kiser; Adam Teitzman; Mary Anne Helton
Subject: Notice of New Municipal Electric Service Provider and Petition for Rule Waiver
Attachments: Notice of New Municipal Electric Service Provider and Petition for Waiver of Rule 25-9.044(2), F.A.C..pdf

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Docket number and title if filed in an existing docket:

N/A

Name of the Party on whose behalf this document is filed:

Babcock Ranch Community Independent Special District

Total number of pages in this document:

47

Brief, but complete, description of the attached document:

Attached for filing is a Babcock Ranch Community Independent Special District's Notice of New Municipal Electric Service Provider and Petition for Rule Waiver of Rule 25-9.044(2), Florida Administrative Code

Katie Murphy
Legal Assistant

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March 24, 2014

By Electronic Mail

Ms. Ann Cole
Commission Clerk
Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oaks Blvd
Tallahassee, FL 32399-0850

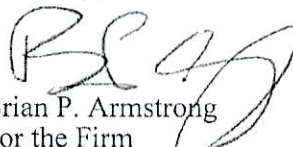
Re: Babcock Ranch Community Independent Special District;
Notice of New Municipal Electric Service Provider and Petition for Waiver of Rule 25-9.044(2), Florida Administrative Code

Dear Ms. Cole:

Enclosed please find for filing the Babcock Ranch Community Independent Special District's Notice of New Municipal Electric Service Provider and Petition for Waiver Of Rule 25-9.044(2), Florida Administrative Code. A courtesy copy of this notice has been sent to Florida Power & Light and the Lee County Electric Cooperative.

Thank you for your assistance with this filing. Should you have any questions, please do not hesitate to contact me.

Sincerely,


Brian P. Armstrong
For the Firm

Enclosure

**BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION**

In re: Notice Pursuant to Rule 25-9.044, Florida
Administrative Code of New Electric Service
Provider, Babcock Ranch Community
Independent Special District, and Request for
Partial Waiver

Docket No. _____

Filed: March 24, 2014

**BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT'S
NOTICE OF NEW MUNICIPAL ELECTRIC SERVICE PROVIDER
AND PETITION FOR WAIVER OF RULE 25-9.044(2), FLORIDA ADMINISTRATIVE
CODE**

BEFORE THIS COMMISSION, the Babcock Ranch Community Independent Special District (the “Babcock Ranch District” or the “District”) submits this notice pursuant to Rule 25-9.044, Florida Administrative Code (the “Notification Rule”), identifying the Babcock Ranch District as a new municipal electric service provider to operate within District boundaries in Charlotte County, Florida, and in support hereof the District states as follows:

The Babcock Ranch Community Independent Special District

1. The Babcock Ranch Community Independent Special District is a local unit of special-purpose government located entirely in Charlotte County, Florida.

2. The Babcock Ranch District was created by the Florida Legislature pursuant to special law, Chapter 2007-306, Laws of Florida (the “Babcock Ranch Law”). The Babcock Ranch Law grants the Babcock Ranch District the power “[t]o provide electricity and related infrastructure and to enter into public-private partnerships and agreements as may be necessary to accomplish the foregoing.” Babcock Ranch Law at § 6(7)(u).

3. In addition to electric service, the Legislature empowered the District to own and provide many other municipal services including water, sewer, communications, garbage, police and other security apparatus, and fire protection services, as well as schools, town center and meeting facilities, sidewalks, affordable housing projects, and generally "to provide for any facilities or improvements that may otherwise be provided for by any county or municipality including, but not limited to, libraries, annexes, substations, and other buildings to house public officials, staff and employees." Ch. 2007-306, § 6(7)(r), Laws of Fla.

4. A legal description of the District's boundary is provided in Appendix A to this Notice.

5. A map of the District's boundary is provided in Appendix B to this Notice.

6. Attached as Appendix C is the legal description of the electric service territory of the Babcock Ranch District, together with a sketch, which encompasses the entirety of the District created by the Florida Legislature, less the very limited areas within the District in which Lee County Electric Cooperative ("LCEC") currently provides service, as will be discussed subsequently in this Notice. The sketch and legal descriptions provided in Appendix C represent the territory which the Babcock Ranch District intends to serve with electricity pursuant to the legislative authorization provided in the Babcock Ranch Law.

7. As a new municipal electric utility, the District hereby acknowledges and submits to Commission regulation as provided in Section 366.04, Florida Statutes, and other Florida laws as may apply to municipal electric utility providers.

Existing Service Territory Agreement Between Florida Power & Light and Lee County Electric Cooperative

8. The Commission previously approved a territory agreement between Florida Power & Light (“FPL”) and LCEC (the “FPL/LCEC Territory Agreement”), certain areas of which overlap with the boundaries of the Babcock Ranch District. The FPL/LCEC Territory Agreement was first approved by the Commission in 1965 by Order 3799 (Docket No. 7424), and has subsequently been amended by Order 20817 issued February 28, 1989 and Order No. 93-0705 issued May 10, 1993.

9. FPL provides no service and owns no assets currently providing service in the District.

10. Since entering the FPL/LCEC Territory Agreement in 1965, LCEC owns minimal assets in the District and its operations within District boundaries are de minimis. Photographs of the five structures currently served by LCEC within District boundaries, a building for office and storage of mining-related assets, a fire station, a melon barn, a sod maintenance barn, and a pump house are attached in Appendix D.

11. By this Notice, the District proposes that such LCEC assets and the five locations currently served by LCEC be carved out of the District's electric service area. A sketch and description of those five sites is provided in Appendix E. Therefore, no current LCEC customers would exist in the District's electric service area.

12. LCEC does not own or operate any generating facilities. FPL provides 100% of LCEC's electric supply needs.

13. The Legislature's enactment of the Babcock Ranch Law constitutes a significant change in circumstances from those under which the Commission approved the FPL/LCEC Territory Agreement five decades ago.

14. Upon receipt of the Commission's acknowledgement of the District's electric service territory as presented in Appendix C, and pursuant to the District's legislative authorization "to enter public-private partnerships and agreements," the District may seek interest from LCEC or FPL in a partnership or agreement.

Appearance of a New Municipal Electric Service Provider is Rare/Commission Notification Rule

15. The creation of new electric service providers is a rare occurrence. This notice is intended to accomplish the same purpose achieved in 1987 when the Commission was notified pursuant to the Commission's Notification Rule that the Reedy Creek Improvement District had assumed the responsibility to provide electric service in the area previously served by Reedy Creek Utilities Company, Inc.

16. The Legislature granted the power to provide electric service to the Reedy Creek Improvement District (the "Reedy Creek District") in 1967 by special law, Chapter 67-764, Laws of Florida (the Reedy Creek District initially having been created by judicial decree in 1966). However, it wasn't until 1987, or twenty (20) years after the creation of the Reedy Creek District and the Legislature's authorization of that district to provide electric service, that the Reedy Creek District actually entered the electric business.

17. The Commission was notified pursuant to the Notification Rule of the Reedy Creek District's entry into the electric utility industry by the filing of a "Notice By Reedy Creek Utilities Company, Inc. of Intention to Transfer Utility Service to Reedy Creek Improvement

District" in Docket No. 870962. By Order No. 18224, issued September 30, 1987, the Commission acknowledged the transfer of the electric utility assets and operations of Reedy Creek Utilities Company, Inc. to the Reedy Creek District.

18. The Notification Rule requires the new utility provider to adopt the rates and regulations of the prior provider, as contained in the prior provider's tariff, as part of the transfer process. As indicated later in this Notice, the District requests that the Commission authorize the District to defer submission of a tariff until closer to the time electric service to District customers will be initiated and cost of service is better known.

Primacy of Babcock Ranch District's Right to Provide Electric Service within District Boundaries

19. The entirety of the Babcock Ranch District is within the Babcock Ranch Community, a proposed planned development of regional impact including up to 17,870 single family and multi-family residential units, six million square feet of commercial space, civic and educational facilities, golf courses and a variety of recreational amenities which remain undeveloped. All of the land comprising the District currently is owned by the developer, Babcock Property Holdings, LLC ("BPH"). No new customers will be present to demand electric service within the District until the Babcock Ranch Community is developed. As a result, the timing and amount of any new demand for electric service within the District is entirely within the control of BPH and the District. The disposition of this Notice by the Commission acknowledging the District's right as a new municipal electric utility to provide service within the District's boundaries is one of the last remaining steps prior to initiation of development activities.¹ The

¹ The District has been issued the Babcock Ranch Community Master Development of Regional Impact Development Order, adopted by the Charlotte County Board of County Commissioners as Resolution 2007-196 on December 13, 2007, as subsequently amended by Resolutions 2008-063, 2009-283, 2011-485, 2012-024, and 2014-047. Charlotte County has adopted overlay amendments to its Comprehensive Plan and Land Development Code

prompt issuance by the Commission of the acknowledgment requested in this Notice will facilitate District efforts to secure financing of electric system assets should the District decide to provide electric service directly rather than by contracted agreement or public-private partnership arrangements.

20. There is no doubt as to the primacy of the District's right to provide service within District boundaries over the rights of FPL and LCEC under their FPL/LCEC Territory Agreement. Had the Legislature intended the District's power to provide electric service to be prohibited or curtailed in those areas identified in a pre-existing territory agreement between two other utilities, the Legislature would have so stated in the Babcock Ranch Law. It did not. Since the FPL/LCEC Territory Agreement encompasses all of the land within the District, the legislative grant of authority to the District to provide electric service within the District would be a nullity if the FPL/LCEC Territory Agreement was given precedence over the Babcock Ranch Law. It is well settled that courts will not interpret laws in such manner as to render them a nullity.² As demonstrated later in this Notice, confirmation by the Commission of the District's right to provide electric service within District boundaries is entirely consistent with the goals established by the Legislature when it created the District.

which allow development of District lands, including (1) adoption of a Large Scale Plan Amendment to the Future Land Use Element of the comprehensive plan, (2) establishing new policies for the Babcock Ranch Mixed Use Overlay District, (3) amending the Future Land Use Maps Series to incorporate a new map designation, (4) modifying comprehensive plan elements to accommodate development of the District, and (5) creating a new Special Urban Service Boundary to include the boundaries of the Babcock Ranch District.

² The Legislature is presumed to know the meanings of the words and terms it uses to convey its intent. Snow v. Ruden, McClosky, Smith, Schuster & Russell, P.A., 896 So. 2d 787 (Fla. 2nd DCA 2005). From this presumption arises a rule of statutory interpretation that the Legislature does not intend to enact laws that have no purpose, and does not intend to enact useless provisions within a law. United Specialties of America v. Department of Revenue, 786 So. 2d 1210 (Fla. 5th DCA 2001); Borden v. East-European Ins. Co., 921 So. 2d 587 (Fla. 2006); Smith v. Florida Dept. of Corrections, 920 So. 2d 638 (Fla. 1st DCA 2005), review denied, 923 So. 2d 1162 (Fla. 2006); Greenberg v. Cardiology Surgical Ass'n, 855 So. 2d 234 (Fla. 1st DCA 2003); Professional Consulting Services, Inc. v. Hartford Life and Accident Ins. Co., 849 So. 2d 446 (Fla. 2nd DCA 2003). Thus, the courts do not ignore words used by the Legislature absent a finding that the words at issue are so meaningless or clearly inconsistent with the legislative intent that they should be ignored as mere surplusage. P.D. v. Department of Children and Families, 866 So. 2d 100 (Fla. 1st DCA 2004).

21. Section 366.04(2), Florida Statutes, demonstrates that where the Legislature intended existing territorial agreements to supersede the power of other utilities to provide electric service, the Legislature expressly stated such intent.

22. Section 366.04(2)(d) authorizes the Commission to approve territorial agreements between utilities, but provides a significant limitation, "however, nothing in this chapter shall be construed to alter existing territorial agreements." Section 366.04(2)(f) generally recognizes a municipality's power to provide electric service within its corporate limits but provides a significant limitation, "however existing territorial agreements shall not be altered or abridged hereby." No such limitation was provided by the Legislature in the Babcock Ranch Law.

The Legislature Made the Babcock Ranch District Responsible for Electric Service Within District Boundaries To Assist in Ensuring the Cost-Effective, Environmentally Friendly Development of District Lands.

23. Section 2(e) of the Babcock Ranch Law explains in summary fashion the Legislature's intent behind the creation of the Babcock Ranch District:

There is a particular need to implement a specialized and limited single-purpose independent special district unit of local government in connection with the development of the Babcock Ranch Community, in order to prevent urban sprawl by providing sustaining and freestanding infrastructure and to prevent the needless duplication, fragmentation, and proliferation of local government services.

24. The Babcock Ranch Law defines the "general powers" granted to the District as those organizational and administrative powers "as provided in its charter in order to carry out its single special purpose as a local government public corporate body politic." The District's special powers, such as the power to provide electric service, are those powers necessary "to implement its specialized systems, facilities, services, projects, improvements, and infrastructure and related functions in order to carry out its single specialized purpose." (Section 2(c)(1)(2)).

25. A review of the numerous sections of the Babcock Ranch Law set forth in Appendix F hereto confirms that the Legislature had three principal goals when deciding which powers should be granted to the District, which goals are: (1) to ensure cost-effective development and administration of the District; (2) to ensure development of District lands in an environmentally friendly manner; and (3) to avoid urban sprawl.

26. The Legislature's rare decision to confer upon the District the power to provide electric service, and to enter public-private partnerships or other agreements therefor, is entirely consistent with the achievement of these three legislative goals, as set forth below:

(a) Electric service, when added to the power to provide the many other municipal services granted to the District, enables development of the District as a self-sufficient urban area, thus avoiding the urban sprawl which could have occurred if such services, including electric service, were provided by multiple entities from outside the District. Indeed, the Charlotte County Board of County Commissioners has recognized the District's intended unique urban qualities when it created a new "Special Urban Service Boundary" in its comprehensive plan to include areas within the District.

(b) By granting the District the power to provide electric service, or arrange for such service through public-private partnerships or other agreements, the Legislature bestowed upon the District the means to avoid needless "duplication" or "fragmentation" of electric service to be provided within the District. Avoiding such duplication and fragmentation obviously will assist the District in achieving the Legislature's goal of cost-effective services. Absent the District's power to provide electric service, electric service within the District would be fragmented between FPL and LCEC service areas

and wasteful, inefficient duplication of electric assets would result. Plainly stated, if both FPL and LCEC were permitted to serve the vast portions of their respective service areas within the District that are not currently developed, the District would be required to make capital contributions to both entities relating to assets which would not be required if there were only one service provider, i.e., substations, transmission and distribution lines, etc.

(c) The Legislature found that management of the District's economic challenges "transcends the boundaries and responsibilities of both private land owners and individual units of government," Ch. 2007-306, § 2(1)(g), Laws of Fla.; and found further that development under the District's auspices "will result in better intergovernmental coordination and lower administrative costs for Charlotte County and the district, including its landowners and residents." Ch. 2007-306, § 2(1)(g), Laws of Fla. The Legislature clearly intended that as lands within the District are developed, considerations of cost-effectiveness be held paramount to parochial interests of not only affected government entities but private entities as well.

27. It would be contrary to the Legislature's intent were these considerations to be trumped by purely economic self-interest of either an investor owned utility or a rural electric cooperative with designs on providing electric service within the District, particularly where so little investment has been made by either LCEC or FPL over the past five decades in assets necessary to provide electric service within the District.

28. From the foregoing analysis of the scope of the Babcock Ranch Law, and recognizing the three principal goals of the Legislature when creating the District, it is clear that

there is a great public interest in the economical and environmentally sound development of land within the District. The Legislature has expressed its intent that the District possess authority to either provide electric service directly or to enter a public-private partnership or other contractual agreement therefor as a necessary step toward such development. By giving the District this authority, the Legislature intended to insure that the District and its inhabitants would be able to secure electric services in the most cost-effective and environmentally responsible manner possible. The Legislature's repeated emphasis in the Babcock Ranch Law upon the unique and innovative nature of the District is consistent with the Legislature's rare bestowal upon the District of the power to provide electric service.

Tariff Filing Waiver Request

29. Rule 25-9.044(1), F.A.C., requires that within ten (10) days of the filing of this Notice, the District file a notice adopting an existing tariff or proposing a new tariff. As the District does not propose to serve the five locations currently served by LCEC within the District's boundaries, the District does not propose to adopt LCEC's tariff. Pursuant to Rule 25-9.044(2), F.A.C., if a new tariff is proposed by the District, as a new utility, an application seeking Commission approval of the new tariff must be filed within thirty (30) days after adoption of the pre-existing tariff. For the reasons below, the District requests a waiver of this thirty (30) day requirement.

30. As indicated previously in this Notice, the entry of a new electric service provider is a rare occurrence. There is no Commission rule directly addressing such an occurrence. The Legislature has given the Babcock Ranch District the power to provide electric service within District boundaries and, specifically, within areas the vast majority of which remain undeveloped

and unserved to this day. The Legislature also has provided the District with the power to contract with a third party to provide electric service within District boundaries.

31. At this time, and while waiting for the Commission's acknowledgment of the District's service territory in Appendix C, the District has not made a decision as to whether to provide electric service directly or to contract with a third party to provide such service. For this reason, the District cannot determine the cost of service, rates or the myriad other pertinent facts, policies and procedures which would be addressed in a tariff.

32. If a waiver or variance is not granted to the District deferring the tariff filing requirement, the District will be required to expend resources well in advance of the time service can be demanded or provided, and in advance of the District's final decision regarding the most efficient, cost-effective, and environmentally friendly means of delivering service within the District. Such a tariff would be largely meaningless.

33. The District hereby commits to filing an application with the Commission for the approval of the required tariff at the earliest possible time after such decision has been reached and in no event less than thirty (30) days before service is to be initiated within the District.

Babcock Ranch District Requests

34. Based on the foregoing, and pursuant to the Notification Rule, Rule 25-9.044, Florida Administrative Code, the District requests that:

- a) Consistent with Commission precedent, the Commission acknowledge the District as a new municipal electric service provider with the authority to provide electric service within that portion of the District's boundaries identified in

Appendix C, directly or by means of agreements or the use of public-private partnerships; and

b) The Commission bifurcate this proceeding by temporarily waiving the requirement of Rule 25-9.044(2), Florida Administrative Code, which otherwise would require the District to expeditiously seek Commission approval of a tariff, and defer any such requirement until the District reasonably anticipates there will be new demand for electric utility services within the District. The purposes of Rule 25-9.044(2) will be met if a Rule waiver or variance is granted because the District will comply with the Rule by filing the required application for tariff approval at least thirty (30) days prior to delivery of service within the District.

Respectfully submitted this 24th day of March, 2014.

s/ Brian P. Armstrong
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Fla. Bar No. 888575
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Independent Special District*

APPENDIX A
LEGAL DESCRIPTION
OF THE
BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT

CHARLOTTE COUNTY PARCEL:

A parcel of land lying within Sections 29, 31 through 33, Township 41 South, Range 26 East, AND, Sections 4 through 10, Sections 15 through 17 and Sections 19 through 36, Township 42 South, Range 26 East, Charlotte County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Section 31, Township 42 South, Range 26 East and run S89°41'45"E, along the South line of said Section 31, a distance of 50.00 feet to a point on the East right-of-way line of State Road No. 31, said point also being the Point of Beginning of the parcel of land herein described; Thence continue S89°41'45"E a distance of 5,189.75 feet to the Northeast corner of Section 6, Township 43 South, Range 26 East; Thence S89°41'45"E a distance of 5,306.08 feet to the Northeast corner of Section 5, Township 43 South, Range 26 East; Thence S89°37'16"E a distance of 5,289.11 feet to the Northeast corner of Section 4, Township 43 South, Range 26 East; Thence S89°35'44"E a distance of 5,294.60 feet to the Northeast corner of Section 3, Township 43 South, Range 26 East; Thence S89°35'44"E a distance of 5,294.60 feet to the Northeast corner of Section 2, Township 43 South, Range 26 East; Thence S89°35'44"E, along the North line of Section 1, Township 43 South, Range 26 East, a distance of 3,430.66 feet; Thence N00°00'40"W a distance of 10,185.53 feet; Thence N05°46'23"E a distance of 1,058.56 feet; Thence N66°40'38"W a distance of 200.62 feet; Thence S83°12'47"W a distance of 1,373.33 feet; Thence N30°17'33"W a distance of 1,686.63 feet; Thence N70°02'41"W a distance of 1,332.41 feet; Thence S72°42'44"W a distance of 1,430.81 feet; Thence N49°18'31"W a distance of 2,362.25 feet; Thence S69°00'57"W a distance of 1,518.19 feet; Thence S21°08'17"W a distance of 865.44 feet; Thence S20°29'11"E a distance of 1,376.91 feet; Thence N74°38'25"E a distance of 1,635.69 feet; Thence S00°18'50"E a distance of 1,309.92 feet; Thence S89°45'02"W a distance of 4,154.48 feet; Thence N51°39'36"W a distance of 782.53 feet; Thence N04°14'12"E a distance of 1,329.59 feet; Thence N39°20'59"W a distance of 1,779.16 feet; Thence N42°01'35"W a distance of 1,162.94 feet; Thence S52°01'16"W a distance of 818.34 feet; Thence S62°56'46"W a distance of 516.42 feet; Thence S89°59'33"W a distance of 307.20 feet; Thence N80°06'18"W a distance of 334.84 feet; Thence N20°54'51"W a distance of 336.86 feet; Thence N05°03'05"E a distance of 533.35 feet; Thence

N22°47'49"E a distance of 5,490.82 feet; Thence
N55°42'26"E a distance of 195.73 feet; Thence
N21°59'06"W a distance of 1,739.17 feet; Thence
N52°37'55"E a distance of 867.75 feet; Thence
N13°36'57"W a distance of 2,507.33 feet; Thence
S78°50'16"W a distance of 687.95 feet; Thence
N19°48'25"W a distance of 366.25 feet; Thence
N08°01'21"W a distance of 493.32 feet; Thence
N03°43'40"E a distance of 687.22 feet; Thence
N00°28'20"E a distance of 674.51 feet; Thence
N25°12'33"W a distance of 261.13 feet; Thence
N42°54'55"W a distance of 643.19 feet; Thence
N07°19'37"W a distance of 171.40 feet; Thence
N13°05'30"E a distance of 201.96 feet; Thence
N32°40'01"W a distance of 186.12 feet; Thence
N05°04'15"W a distance of 1,832.77 feet; Thence
N19°47'08"W a distance of 527.20 feet; Thence
N26°13'22"W a distance of 802.13 feet; Thence
S79°06'55"W a distance of 475.20 feet; Thence
N74°19'19"W a distance of 1,689.05 feet; Thence
N01°26'06"W a distance of 897.42 feet; Thence
N89°51'42"W a distance of 67.91 feet; Thence
N00°00'03"W a distance of 1,218.37 feet; Thence
N39°50'11"W a distance of 190.86 feet; Thence
N00°00'29"W a distance of 324.62 feet; Thence
N89°59'52"W a distance of 688.20 feet; Thence
N00°00'00"E a distance of 1,967.22 feet; Thence
N41°13'25"W a distance of 2,825.17 feet; Thence
S89°59'57"W a distance of 3,566.80 feet; Thence
S00°00'03"E a distance of 2,799.34 feet; Thence
S89°11'17"W a distance of 5,960.98 feet to a point
lying 50.00 feet East of the East right-of-way line
for State Road No. 31; Thence along a line 50.00 feet
East of, and parallel with, the East right-of-way line
for State Road No. 31, the following courses and
distances: S00°48'43"E a distance of 2,976.13 feet and
S00°34'01"W a distance of 786.25 feet; Thence
S89°25'59"E a distance of 4,104.32 feet; Thence
S00°01'22"E a distance of 2,084.04 feet; Thence
S16°46'15"E a distance of 1,740.24 feet; Thence
S09°11'59"W a distance of 1,325.85 feet; Thence
S73°15'18"E a distance of 661.15 feet; Thence
N59°20'29"E a distance of 577.75 feet; Thence
S38°10'48"E a distance of 551.46 feet; Thence
S86°25'58"E a distance of 385.80 feet; Thence
S24°01'11"E a distance of 975.12 feet; Thence
S57°46'34"E a distance of 530.20 feet; Thence
S70°04'12"E a distance of 1,843.47 feet; Thence
N63°01'21"E a distance of 1,214.99 feet; Thence
S50°03'22"E a distance of 2,565.56 feet; Thence
S13°56'09"W a distance of 1,953.90 feet; Thence
S12°51'59"E a distance of 1,862.33 feet; Thence

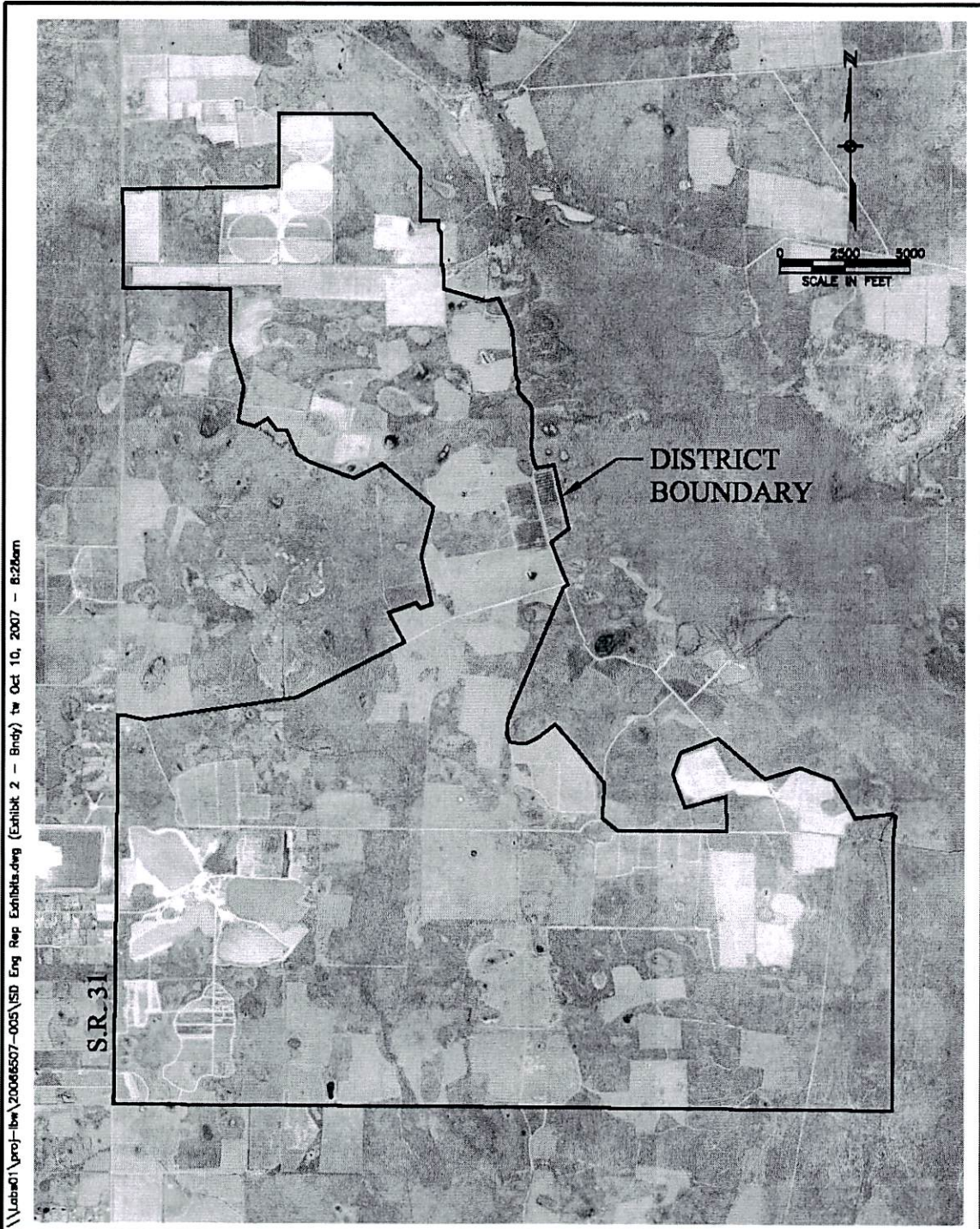
S71°59'01"W a distance of 448.53 feet; Thence
N45°00'57"W a distance of 266.60 feet; Thence
S69°50'23"W a distance of 1,104.27 feet; Thence
S28°10'55"E a distance of 1,272.60 feet; Thence
S62°45'03"W a distance of 4,638.30 feet; Thence
S82°12'01"W a distance of 711.48 feet; Thence
S81°38'00"W a distance of 5,167.82 feet; Thence
N77°54'41"W a distance of 707.32 feet; Thence
N89°28'15"W a distance of 299.98 feet to a point lying
50.00 feet East of the East right-of-way line for
State Road No. 31; Thence along a line 50.00 feet East
of, and parallel with, the East right-of-way line for
State Road No. 31, the following courses and
distances: S00°31'45"W a distance of 4,197.71 feet,
S00°26'10"W a distance of 5,282.33 feet and
S00°36'46"W a distance of 5,337.00 feet to the Point
of Beginning.

Containing 13,630.64 acres, more or less.

Bearings hereinabove mentioned are based on the North
line of Section 6, Township 43 South, Range 26 East to
bear S89°41'45"E.

APPENDIX B

**BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT
BOUNDARY MAP**



\\Lab01\proj-lbw\20068507-005\SD Eng Rep Exhibits.dwg (Exhibit 2 - Bndy) 1w Oct 10, 2007 - 8:28am

JOHNSON
ENGINEERING

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LABELLE, FLORIDA 33935
PHONE (863) 612-0594
FAX (863) 612-0341
E.B. #642 & L.B. #642

Babcock Ranch Community Independent Special District
District Boundary

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
09/11/07	20068507-005	00-00-00	As Shown	Exhibit 2

APPENDIX C

**BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT
PROPOSED ELECTRIC SERVICE TERRITORY**

CHARLOTTE COUNTY PARCEL:

A parcel of land lying within Sections 29, 31 through 33, Township 41 South, Range 26 East, AND, Sections 4 through 10, Sections 15 through 17 and Sections 19 through 36, Township 42 South, Range 26 East, Charlotte County, Florida, being more particularly described as follows:

Commence at the Southwest corner of Section 31, Township 42 South, Range 26 East and run S89°41'45"E, along the South line of said Section 31, a distance of 50.00 feet to a point on the East right-of-way line of State Road No. 31, said point also being the Point of Beginning of the parcel of land herein described; Thence continue S89°41'45"E a distance of 5,189.75 feet to the Northeast corner of Section 6, Township 43 South, Range 26 East; Thence S89°41'45"E a distance of 5,306.08 feet to the Northeast corner of Section 5, Township 43 South, Range 26 East; Thence S89°37'16"E a distance of 5,289.11 feet to the Northeast corner of Section 4, Township 43 South, Range 26 East; Thence S89°35'44"E a distance of 5,294.60 feet to the Northeast corner of Section 3, Township 43 South, Range 26 East; Thence S89°35'44"E a distance of 5,294.60 feet to the Northeast corner of Section 2, Township 43 South, Range 26 East; Thence S89°35'44"E, along the North line of Section 1, Township 43 South, Range 26 East, a distance of 3,430.66 feet; Thence N00°00'40"W a distance of 10,185.53 feet; Thence N05°46'23"E a distance of 1,058.56 feet; Thence N66°40'38"W a distance of 200.62 feet; Thence S83°12'47"W a distance of 1,373.33 feet; Thence N30°17'33"W a distance of 1,686.63 feet; Thence N70°02'41"W a distance of 1,332.41 feet; Thence S72°42'44"W a distance of 1,430.81 feet; Thence N49°18'31"W a distance of 2,362.25 feet; Thence S69°00'57"W a distance of 1,518.19 feet; Thence S21°08'17"W a distance of 865.44 feet; Thence S20°29'11"E a distance of 1,376.91 feet; Thence N74°38'25"E a distance of 1,635.69 feet; Thence S00°18'50"E a distance of 1,309.92 feet; Thence S89°45'02"W a distance of 4,154.48 feet; Thence N51°39'36"W a distance of 782.53 feet; Thence N04°14'12"E a distance of 1,329.59 feet; Thence N39°20'59"W a distance of 1,779.16 feet; Thence N42°01'35"W a distance of 1,162.94 feet; Thence S52°01'16"W a distance of 818.34 feet; Thence S62°56'46"W a distance of 516.42 feet; Thence S89°59'33"W a distance of 307.20 feet; Thence N80°06'18"W a distance of 334.84 feet; Thence N20°54'51"W a distance of 336.86 feet; Thence N05°03'05"E a distance of 533.35 feet; Thence

N22°47'49"E a distance of 5,490.82 feet; Thence
N55°42'26"E a distance of 195.73 feet; Thence
N21°59'06"W a distance of 1,739.17 feet; Thence
N52°37'55"E a distance of 867.75 feet; Thence
N13°36'57"W a distance of 2,507.33 feet; Thence
S78°50'16"W a distance of 687.95 feet; Thence
N19°48'25"W a distance of 366.25 feet; Thence
N08°01'21"W a distance of 493.32 feet; Thence
N03°43'40"E a distance of 687.22 feet; Thence
N00°28'20"E a distance of 674.51 feet; Thence
N25°12'33"W a distance of 261.13 feet; Thence
N42°54'55"W a distance of 643.19 feet; Thence
N07°19'37"W a distance of 171.40 feet; Thence
N13°05'30"E a distance of 201.96 feet; Thence
N32°40'01"W a distance of 186.12 feet; Thence
N05°04'15"W a distance of 1,832.77 feet; Thence
N19°47'08"W a distance of 527.20 feet; Thence
N26°13'22"W a distance of 802.13 feet; Thence
S79°06'55"W a distance of 475.20 feet; Thence
N74°19'19"W a distance of 1,689.05 feet; Thence
N01°26'06"W a distance of 897.42 feet; Thence
N89°51'42"W a distance of 67.91 feet; Thence
N00°00'03"W a distance of 1,218.37 feet; Thence
N39°50'11"W a distance of 190.86 feet; Thence
N00°00'29"W a distance of 324.62 feet; Thence
N89°59'52"W a distance of 688.20 feet; Thence
N00°00'00"E a distance of 1,967.22 feet; Thence
N41°13'25"W a distance of 2,825.17 feet; Thence
S89°59'57"W a distance of 3,566.80 feet; Thence
S00°00'03"E a distance of 2,799.34 feet; Thence
S89°11'17"W a distance of 5,960.98 feet to a point
lying 50.00 feet East of the East right-of-way line
for State Road No. 31; Thence along a line 50.00 feet
East of, and parallel with, the East right-of-way line
for State Road No. 31, the following courses and
distances: S00°48'43"E a distance of 2,976.13 feet and
S00°34'01"W a distance of 786.25 feet; Thence
S89°25'59"E a distance of 4,104.32 feet; Thence
S00°01'22"E a distance of 2,084.04 feet; Thence
S16°46'15"E a distance of 1,740.24 feet; Thence
S09°11'59"W a distance of 1,325.85 feet; Thence
S73°15'18"E a distance of 661.15 feet; Thence
N59°20'29"E a distance of 577.75 feet; Thence
S38°10'48"E a distance of 551.46 feet; Thence
S86°25'58"E a distance of 385.80 feet; Thence
S24°01'11"E a distance of 975.12 feet; Thence
S57°46'34"E a distance of 530.20 feet; Thence
S70°04'12"E a distance of 1,843.47 feet; Thence
N63°01'21"E a distance of 1,214.99 feet; Thence
S50°03'22"E a distance of 2,565.56 feet; Thence
S13°56'09"W a distance of 1,953.90 feet; Thence
S12°51'59"E a distance of 1,862.33 feet; Thence

S71°59'01"W a distance of 448.53 feet; Thence
N45°00'57"W a distance of 266.60 feet; Thence
S69°50'23"W a distance of 1,104.27 feet; Thence
S28°10'55"E a distance of 1,272.60 feet; Thence
S62°45'03"W a distance of 4,638.30 feet; Thence
S82°12'01"W a distance of 711.48 feet; Thence
S81°38'00"W a distance of 5,167.82 feet; Thence
N77°54'41"W a distance of 707.32 feet; Thence
N89°28'15"W a distance of 299.98 feet to a point lying
50.00 feet East of the East right-of-way line for
State Road No. 31; Thence along a line 50.00 feet East
of, and parallel with, the East right-of-way line for
State Road No. 31, the following courses and
distances: S00°31'45"W a distance of 4,197.71 feet,
S00°26'10"W a distance of 5,282.33 feet and
S00°36'46"W a distance of 5,337.00 feet to the Point
of Beginning.

Containing 13,630.64 acres, more or less.

Bearings hereinabove mentioned are based on the North
line of Section 6, Township 43 South, Range 26 East to
bear S89°41'45"E.

LESS AND EXCEPT "PUMP HOUSE" SITE 1:

A PARCEL OF LAND LYING IN SECTION 33 TOWNSHIP 41 SOUTH, RANGE 26 EAST
AND SECTION 4 TOWNSHIP 42 SOUTH, RANGE 26 EAST CHARLOTTE COUNTY,
FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 41 SOUTH,
RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 00°48'43" WEST,
ON THE WEST LINE OF SAID SECTION 31, A DISTANCE OF 84.12 FEET; THENCE
SOUTH 89°43'51" EAST, A DISTANCE OF 50.01 FEET TO A POINT ON THE
CENTERLINE OF TUCKER'S GRADE (100 FOOT WIDE INGRESS-EGRESS EASEMENT
PER OFFICIAL RECORDS BOOK 3011, PAGE 2046, PUBLIC RECORDS OF CHARLOTTE
COUNTY, FLORIDA); THENCE ON THE CENTERLINE OF SAID TUCKER'S GRADE FOR
THE FOLLOWING FOUR (4) CALLS: SOUTH 89°43'51" EAST, A DISTANCE OF
1657.51 FEET, SOUTH 89°35'41" EAST, A DISTANCE OF 3391.73 FEET, SOUTH
89°51'41" EAST, A DISTANCE OF 3420.63 FEET, AND SOUTH 89°51'31" EAST,
A DISTANCE OF 2722.69 FEET; THENCE LEAVING SAID CENTERLINE, SOUTH
00°08'29" WEST, A DISTANCE OF 38.60 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 87°57'55" EAST, A DISTANCE OF 10.90 FEET; THENCE SOUTH
06°15'54" EAST, A DISTANCE OF 3.42 FEET; THENCE SOUTH 80°21'07" EAST,
A DISTANCE OF 120.04 FEET; THENCE SOUTH 69°47'07" EAST, A DISTANCE OF
62.04 FEET; THENCE SOUTH 20°12'53" WEST, A DISTANCE OF 10.00 FEET;
THENCE NORTH 69°47'07" WEST, A DISTANCE OF 61.12 FEET; THENCE NORTH
80°21'07" WEST, A DISTANCE OF 116.26 FEET; THENCE SOUTH 06°15'54"
EAST, A DISTANCE OF 3.57 FEET; THENCE SOUTH 84°59'48" WEST, A DISTANCE
OF 11.48 FEET; THENCE NORTH 04°19'37" WEST, A DISTANCE OF 17.94 FEET
TO THE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 1,995 SQUARE FEET, 0.046 ACRES, MORE OR LESS .

BEARINGS HEREINABOVE ARE BASED ON THE WEST LINE OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING NORTH 00°48'43" WEST PER STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD83 (2011 ADJUSTMENT).

AND LESS AND EXCEPT "SOD MAINTENANCE BARN" SITE 2:

A PARCEL OF LAND LYING IN SECTION 32 TOWNSHIP 41 SOUTH, RANGE 26 EAST AND SECTION 5 TOWNSHIP 42 SOUTH, RANGE 26 EAST CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 31 TOWNSHIP 41 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 00°48'43" WEST, ON THE WEST LINE OF SAID SECTION 31, A DISTANCE OF 84.12 FEET; THENCE SOUTH 89°43'51" EAST, A DISTANCE OF 50.01 FEET TO A POINT ON THE CENTERLINE OF TUCKER'S GRADE (100 FOOT WIDE INGRESS-EGRESS EASEMENT PER OFFICIAL RECORDS BOOK 3011, PAGE 2046, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA); THENCE ON THE CENTERLINE OF SAID TUCKER'S GRADE FOR THE FOLLOWING THREE (3) CALLS: SOUTH 89°43'51" EAST, A DISTANCE OF 1657.51 FEET, SOUTH 89°35'41" EAST, A DISTANCE OF 3391.73 FEET, AND SOUTH 89°51'41" EAST, A DISTANCE OF 825.20 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°29'51" EAST, A DISTANCE OF 137.79 FEET; THENCE NORTH 88°55'47" WEST, A DISTANCE OF 86.02 FEET; THENCE SOUTH 01°39'34" WEST, A DISTANCE OF 24.79 FEET; THENCE NORTH 88°25'08" WEST, A DISTANCE OF 51.57 FEET; THENCE NORTH 01°08'02" EAST, A DISTANCE OF 137.59 FEET; THENCE SOUTH 89°08'10" EAST, A DISTANCE OF 37.50 FEET; THENCE SOUTH 01°20'21" WEST, A DISTANCE OF 103.39 FEET; THENCE SOUTH 88°55'47" EAST, A DISTANCE OF 110.58 FEET; THENCE SOUTH 00°29'51" WEST, A DISTANCE OF 227.23 FEET; THENCE NORTH 89°30'09" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 00°29'51" EAST, A DISTANCE OF 79.54 FEET TO THE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 8,775 SQUARE FEET, OR 0.201 ACRES, MORE OR LESS

BEARINGS HEREINABOVE ARE BASED ON THE WEST LINE OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING NORTH 00°48'43" WEST PER STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD83 (2011 ADJUSTMENT).

AND LESS AND EXCEPT "MELON BARN" SITE 3:

A PARCEL OF LAND LYING IN SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE SOUTH 00°31'45" WEST, ON THE WEST LINE OF SAID SECTION 19, A DISTANCE OF 1440.68 FEET; THENCE SOUTH 89°28'15" EAST, A DISTANCE OF 64.62 TO THE POINT OF

BEGINNING; THENCE NORTH 87°12'02" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 02°47'58" EAST, A DISTANCE OF 82.51 FEET; THENCE SOUTH 59°54'35" EAST, A DISTANCE OF 378.98 FEET; THENCE NORTH 02°17'11" EAST, A DISTANCE OF 52.14 FEET; THENCE NORTH 87°33'22" WEST, A DISTANCE OF 24.29 FEET; THENCE NORTH 02°08'17" EAST, A DISTANCE OF 74.13 FEET; THENCE SOUTH 87°17'09" EAST, A DISTANCE OF 57.16 FEET; THENCE NORTH 00°48'12" EAST, A DISTANCE OF 33.30 FEET; THENCE SOUTH 87°45'02" EAST, A DISTANCE OF 33.88 FEET; THENCE SOUTH 02°00'37" WEST, A DISTANCE OF 157.74 FEET; THENCE NORTH 75°59'59" EAST, A DISTANCE OF 24.72 FEET; THENCE SOUTH 14°00'01" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 75°59'59" WEST, A DISTANCE OF 45.70 FEET; THENCE NORTH 84°56'53" WEST, A DISTANCE OF 48.48 FEET; THENCE NORTH 59°54'35" WEST, A DISTANCE OF 390.48 FEET; THENCE NORTH 02°47'58" WEST, A DISTANCE OF 87.95 FEET TO THE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 17,043 SQUARE FEET, OR 0.391 ACRES, MORE OR LESS

BEARINGS HEREINABOVE ARE BASED ON THE WEST LINE OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING SOUTH 00°31'45" WEST PER STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD83 (2011 ADJUSTMENT).

AND LESS AND EXCEPT "EARTHSOURCE" MINE SITE 4:

A PARCEL OF LAND LYING IN SECTION 30 TOWNSHIP 42 SOUTH, RANGE 26 EAST CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 30 TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 00°26'10" WEST, ON THE WEST LINE OF SAID SECTION 30, A DISTANCE OF 1751.70 FEET; THENCE SOUTH 89°33'50" EAST, A DISTANCE OF 54.90 TO THE POINT OF BEGINNING; THENCE NORTH 03°12'29" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 86°47'30" EAST, A DISTANCE OF 978.75 FEET; THENCE NORTH 26°38'09" EAST, A DISTANCE OF 239.08 FEET; THENCE NORTH 77°29'10" EAST, A DISTANCE OF 557.43 FEET; THENCE NORTH 01°39'23" EAST, A DISTANCE OF 72.49 FEET; THENCE NORTH 59°31'01" EAST, A DISTANCE OF 795.83 FEET; THENCE NORTH 60°19'53" EAST, A DISTANCE OF 173.40 FEET; THENCE NORTH 58°38'59" EAST, A DISTANCE OF 141.51 FEET; THENCE NORTH 73°25'19" EAST, A DISTANCE OF 342.79 FEET; THENCE SOUTH 33°31'57" EAST, A DISTANCE OF 145.79 FEET; THENCE NORTH 83°23'02" EAST, A DISTANCE OF 48.90 FEET; THENCE NORTH 06°36'58" WEST, A DISTANCE OF 46.08 FEET; THENCE NORTH 83°19'56" EAST, A DISTANCE OF 76.03 FEET; THENCE SOUTH 06°36'28" EAST, A DISTANCE OF 106.11 FEET; THENCE SOUTH 83°23'04" WEST, A DISTANCE OF 76.02 FEET; THENCE NORTH 06°36'58" WEST, A DISTANCE OF 49.94 FEET; THENCE SOUTH 83°24'37" WEST, A DISTANCE OF 55.04 FEET; THENCE NORTH 33°31'57" WEST, A DISTANCE OF 144.52 FEET; THENCE SOUTH 73°25'19" WEST, A DISTANCE OF 334.09 FEET; THENCE SOUTH 58°38'59" WEST, A DISTANCE OF 140.36 FEET; THENCE SOUTH 60°19'53" WEST, A DISTANCE OF 173.48 FEET; THENCE SOUTH 59°31'01" WEST, A DISTANCE OF 790.23 FEET; THENCE SOUTH 01°39'23" WEST, A DISTANCE OF

74.75 FEET; THENCE SOUTH 77°29'10" WEST, A DISTANCE OF 560.46 FEET; THENCE SOUTH 26°38'09" WEST, A DISTANCE OF 240.89 FEET; THENCE NORTH 86°47'31" WEST, A DISTANCE OF 985.32 FEET TO THE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 43,040 SQUARE FEET, OR 0.988 ACRES, MORE OR LESS

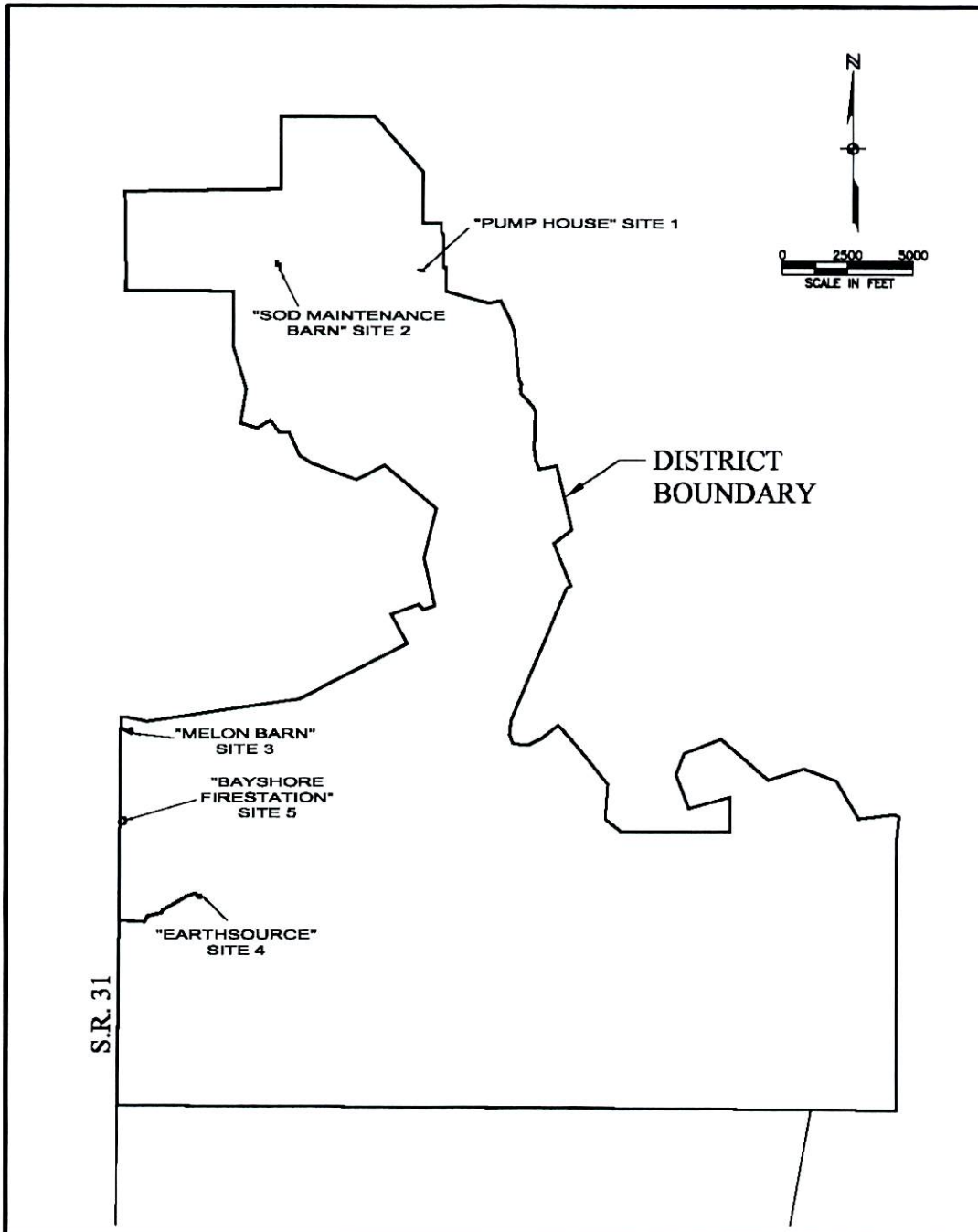
BEARINGS HEREINABOVE ARE BASED ON THE WEST LINE OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING NORTH 00°26'10" WEST PER STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD83 (2011 ADJUSTMENT).

AND LESS AND EXCEPT "BAYSHORE FIRESTATION" SITE 5:

A PARCEL OF LAND LYING IN SECTION 19, TOWNSHIP 42 SOUTH, RANGE 26 EAST, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

FROM A RAILROAD SPIKE IN THE CENTERLINE OF HIGHWAY 31 MARKING THE SOUTHWEST CORNER OF SECTION RUN NORTH ALONG THE CENTERLINE OF HIGHWAY 31 AND THE WEST LINE OF SECTION 19, A DISTANCE OF 149.46 FEET; THENCE EAST 50.00 FEET TO A CONCRETE MONUMENT MARKING THE EASTERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY 31 AND POINT OF BEGINNING; THENCE RUN NORTH ALONG SAID RIGHT-OF-WAY A DISTANCE OF 208.71 FEET TO A CONCRETE MONUMENT; THENCE EAST, A DISTANCE OF 208.71 FEET TO A CONCRETE MONUMENT; THENCE SOUTH, A DISTANCE OF 208.71 FEET TO A CONCRETE MONUMENT; THENCE WEST, A DISTANCE OF 208.71 FEET TO THE POINT OF BEGINNING. CONTAINING 1.00 ACRES MORE OR LESS.

**MAP OF PROPOSED SERVICE TERRITORY
BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT**



JOHNSON
ENGINEERING

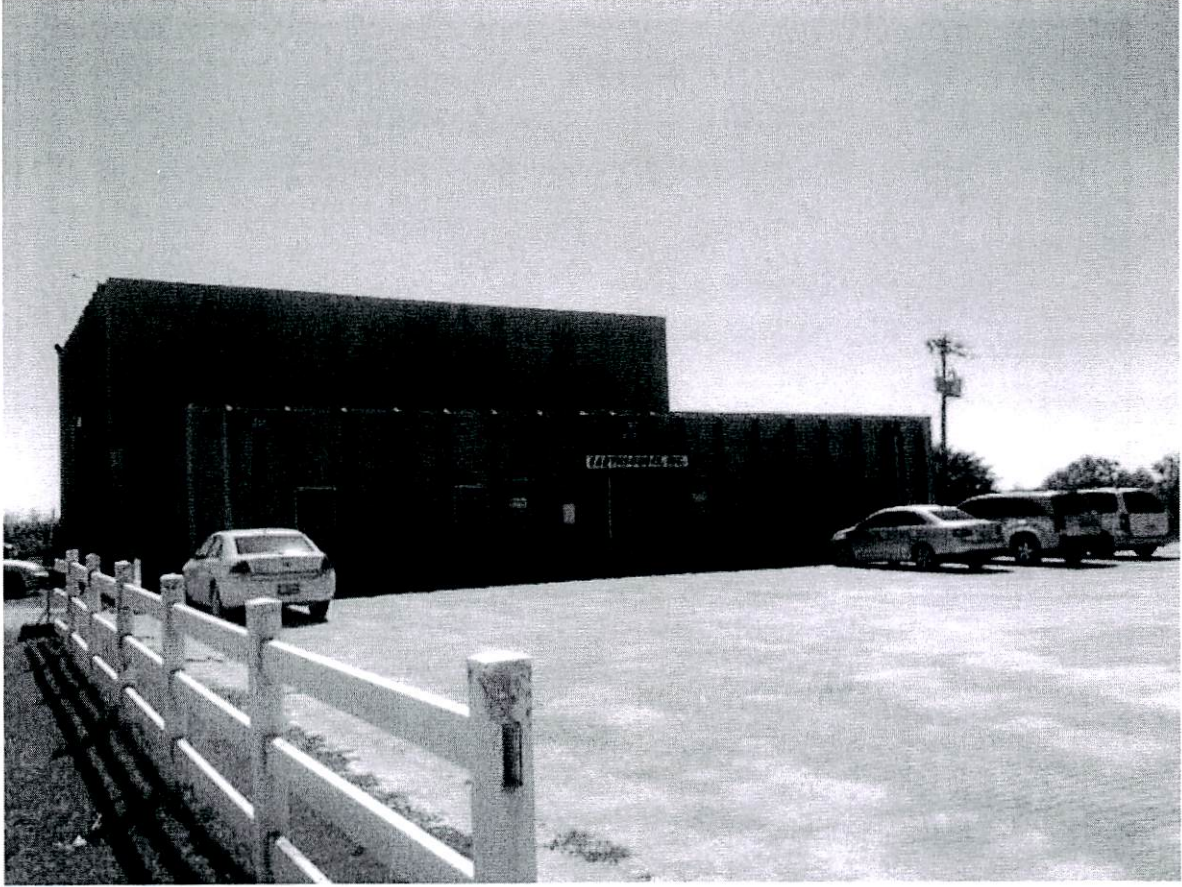
251 WEST HICKPOCHEE AVENUE
LABELLE, FLORIDA 33935
PHONE (883) 812-0584
FAX (883) 812-0341
E.B. #642 & L.B. #642

Babcock Ranch Community Independent Special District
Service Area Exhibit

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
03/10/14	R0149662-000	18-42-26	As Shown	1 of 1

APPENDIX D
PHOTOGRAPHS OF EXISTING LCEC SERVICE

Photograph 1 of 9 – EarthSource Mine Structure



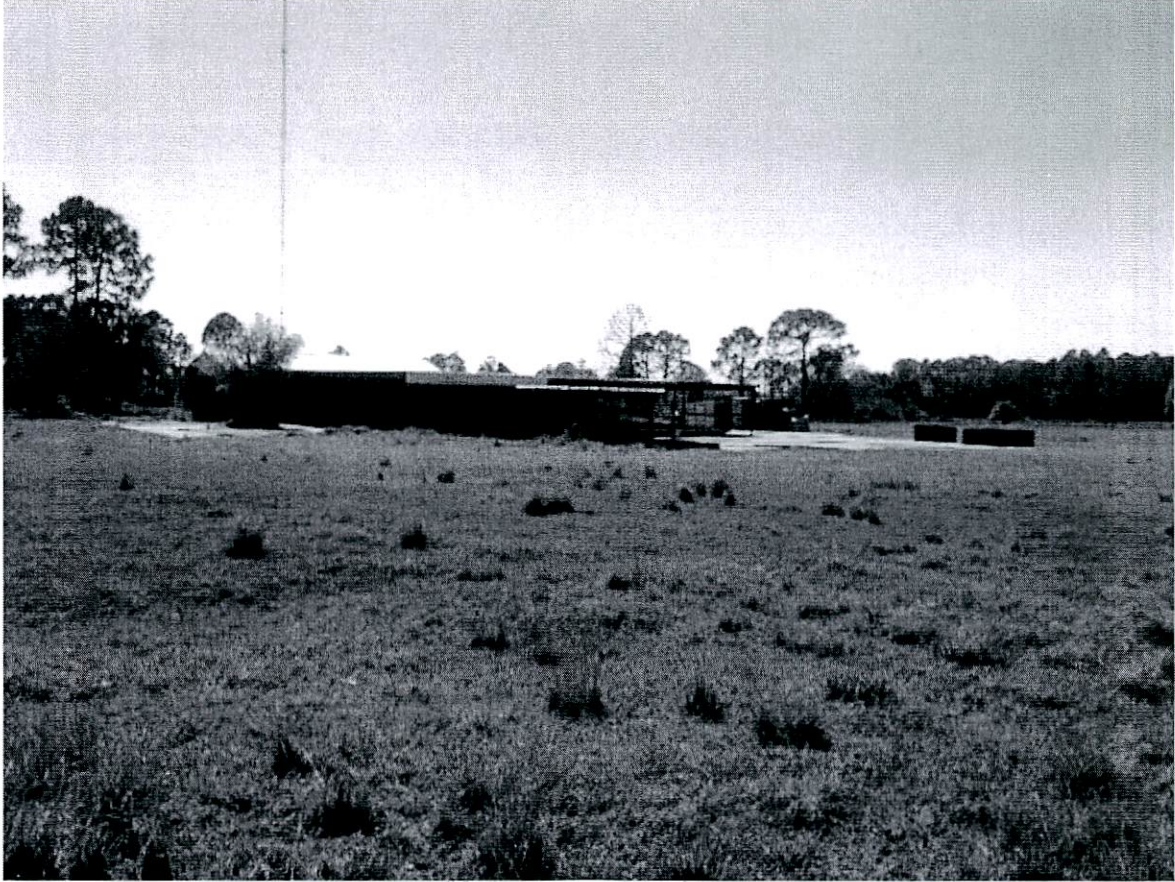
Photograph 2 of 9 – EarthSource Mine Service



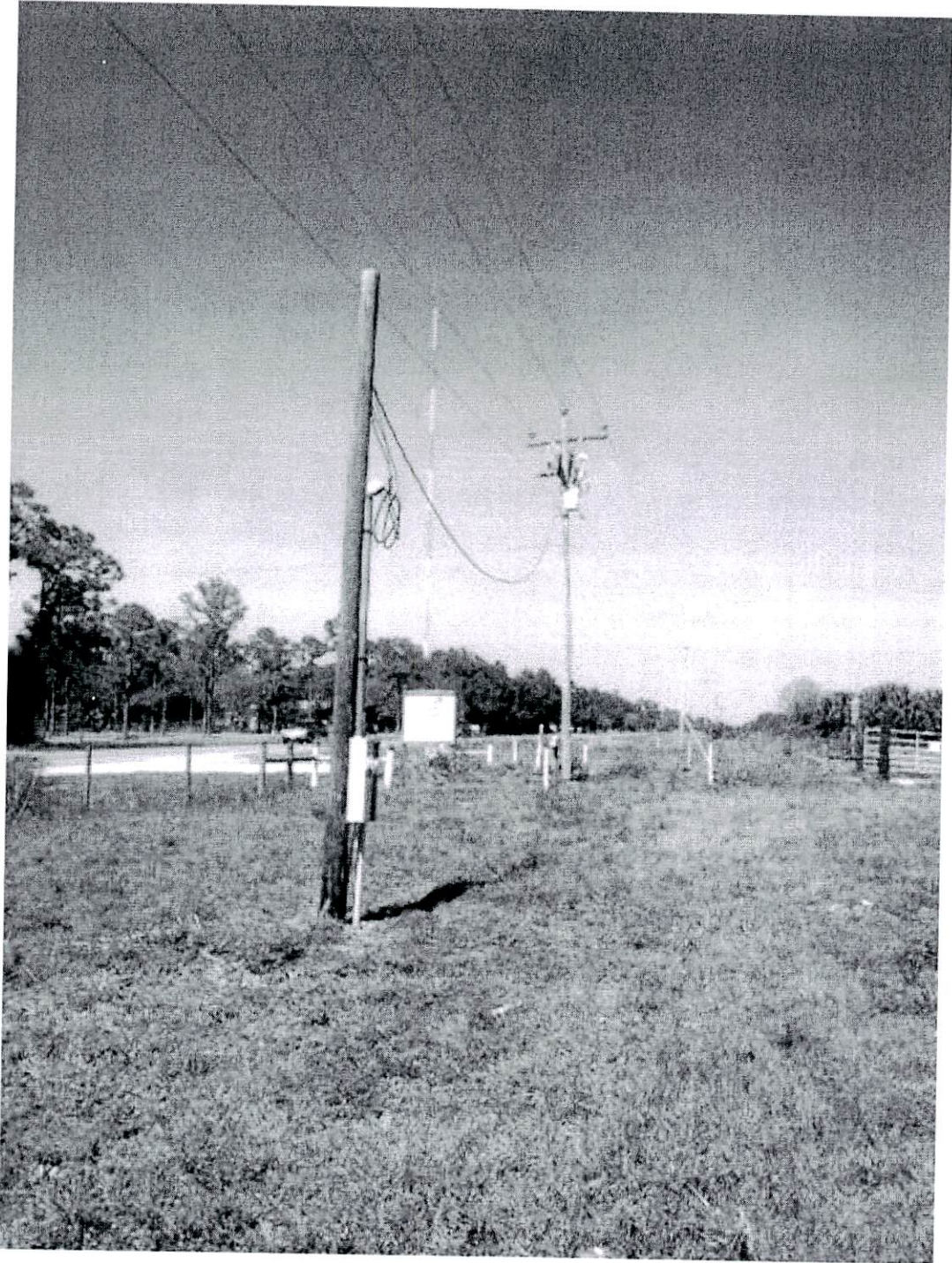
Photograph 3 of 9 – Fire Station Structure and Service



Photograph 4 of 9 – Melon Barn Structure



Photograph 5 of 9 – Melon Barn Service



Photograph 6 of 9 – Sod Maintenance Structure



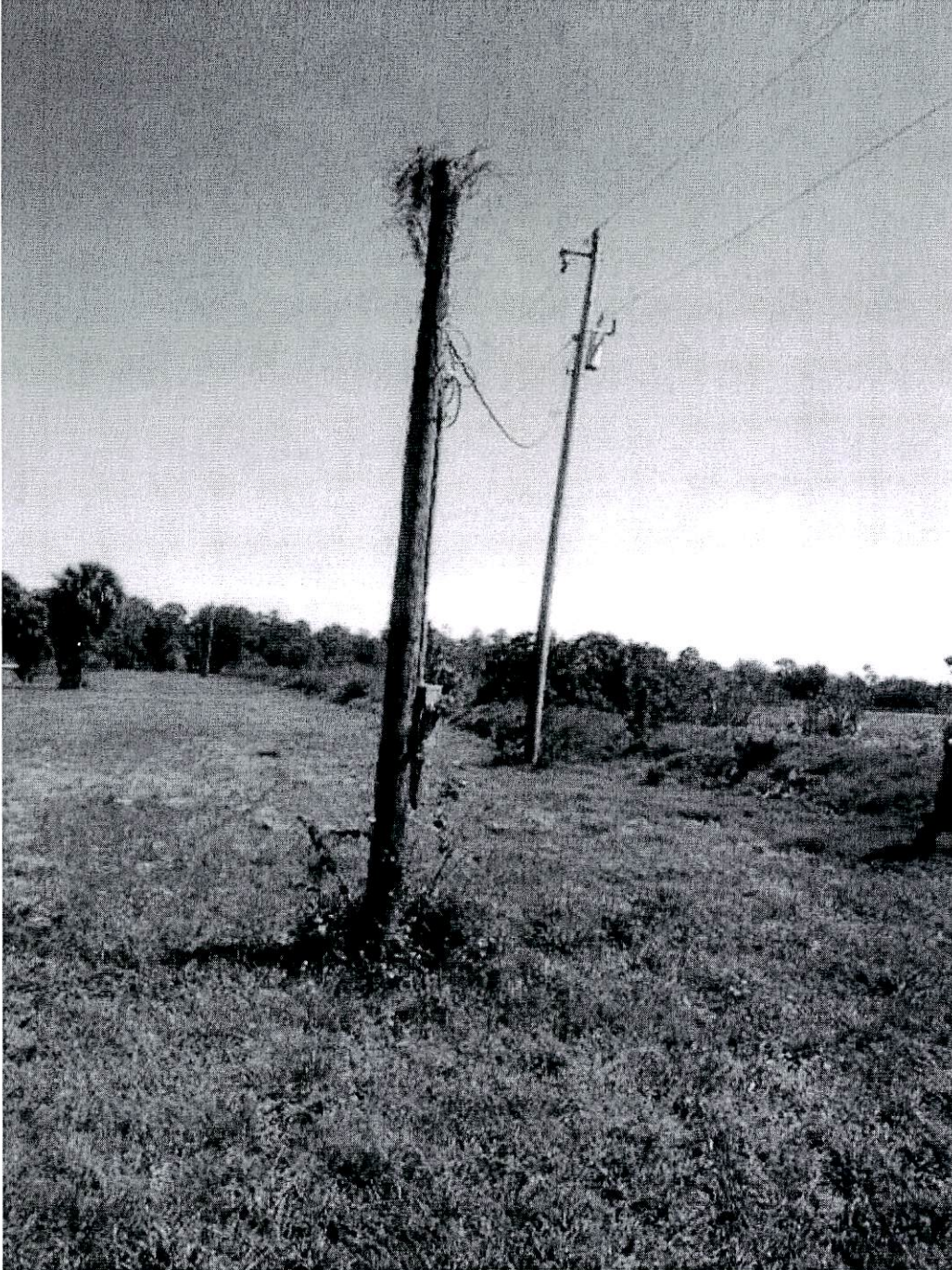
Photograph 7 of 9 – Sod Maintenance Service



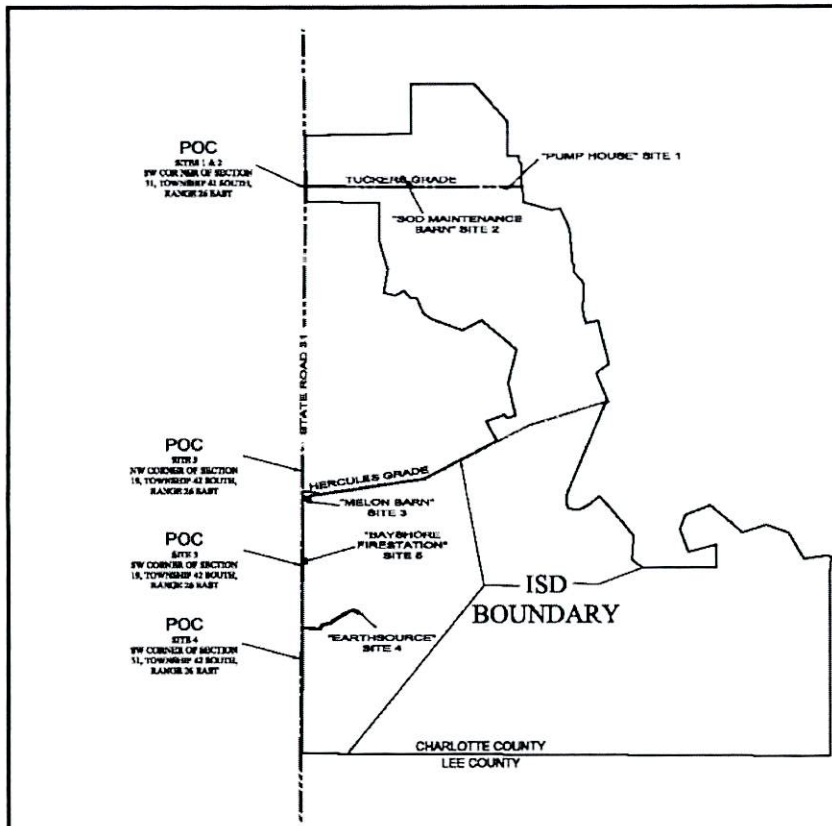
Photograph 8 of 9 – Pump House Structure



Photograph 9 of 9 – Pump House Service



APPENDIX E
SKETCH AND DESCRIPTION
OF THE FIVE (5) SITES CURRENTLY SERVED BY LCEC



NOTES:

1. BEARINGS FOR SITES 1 & 2 ARE BASED ON THE WEST LINE OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING NORTH 00°48'43" WEST PER STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD83 (2011 ADJUSTMENT). BEARINGS FOR SITES 3 & 5 ARE BASED ON THE WEST LINE OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING SOUTH 00°31'45" WEST PER STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD83 (2011 ADJUSTMENT). BEARINGS FOR SITE 4 ARE BASED ON THE WEST LINE OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING NORTH 00°26'10" WEST PER STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD83 (2011 ADJUSTMENT).
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
3. POC = POINT OF COMMENCEMENT
4. POB = POINT OF BEGINNING
5. ORB = OFFICIAL RECORDS BOOK, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA
6. ISD = BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT BOUNDARY
7. "PUMP HOUSE" SITE 1 CONTAINS 1,995 SQUARE FEET (0.046 ACRES) MORE OR LESS.
8. "SOD MAINTENANCE BARN" SITE 2 CONTAINS 8,775 SQUARE FEET (0.201 ACRES) MORE OR LESS
9. "MELON BARN" SITE 3 CONTAINS 17,043 SQUARE FEET (0.391 ACRES) MORE OR LESS
10. "EARTHSOURCE" SITE 4 CONTAINS 43,040 SQUARE FEET (0.988 ACRES) MORE OR LESS
11. "BAYSHORE FIRESTATION" SITE 5 CONTAINS 43,560 SQUARE FEET (1.000 ACRES) MORE OR LESS



0 1875 3750 7500
(INTENDED DISPLAY SCALE: 1"=7500')

THIS IS NOT A SURVEY

KEVIN M. RISSASSI (FOR THE FIRM LB-642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 6433

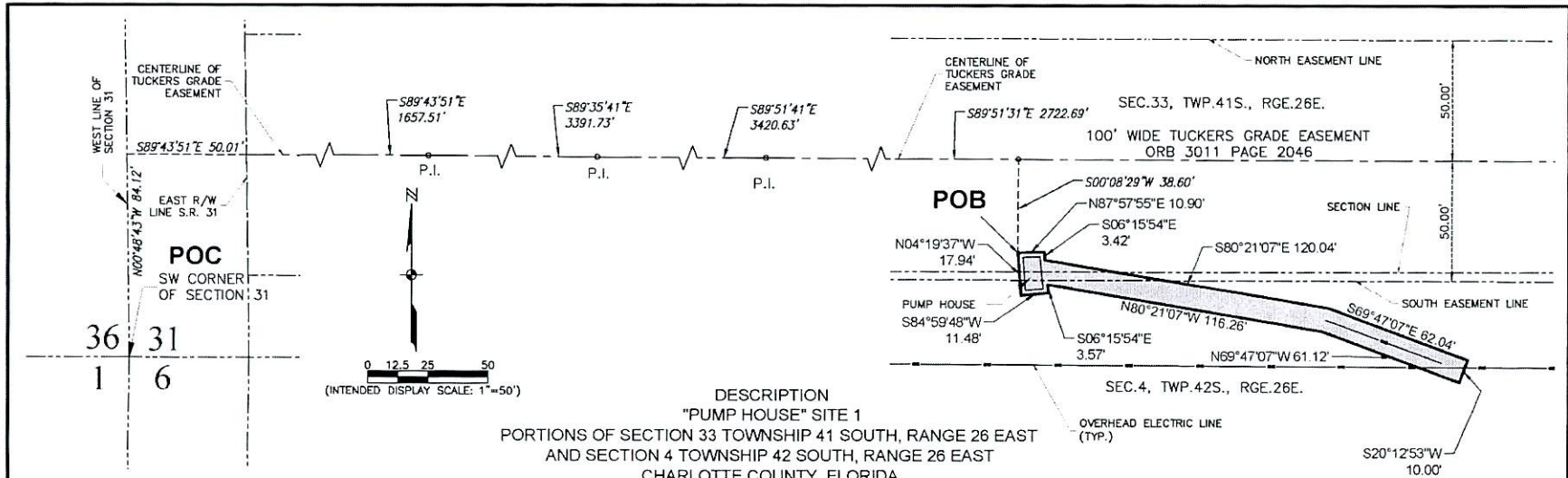
DATE SIGNED: _____
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PORTIONS OF SECTIONS 32 & 33 TOWNSHIP 41 SOUTH, RANGE 26 EAST AND SECTIONS 4,5,19, & 30 TOWNSHIP 42 SOUTH, RANGE 26 EAST CHARLOTTE COUNTY, FLORIDA



2122 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0048
FAX (239) 334-3681
E.B. #642 & L.B. #642

COVER SHEET				
BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT				
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
03/02/2014	20149862-000	04-42-25	1"=7500'	1 of 5



DESCRIPTION
 "PUMP HOUSE" SITE 1
 PORTIONS OF SECTION 33 TOWNSHIP 41 SOUTH, RANGE 26 EAST
 AND SECTION 4 TOWNSHIP 42 SOUTH, RANGE 26 EAST
 CHARLOTTE COUNTY, FLORIDA

A PARCEL OF LAND LYING IN SECTION 33 TOWNSHIP 41 SOUTH, RANGE 26 EAST AND SECTION 4 TOWNSHIP 42 SOUTH, RANGE 26 EAST CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 00°48'43" WEST, ON THE WEST LINE OF SAID SECTION 31, A DISTANCE OF 84.12 FEET; THENCE SOUTH 89°43'51" EAST, A DISTANCE OF 50.01 FEET TO A POINT ON THE CENTERLINE OF TUCKER'S GRADE (100 FOOT WIDE INGRESS-EGRESS EASEMENT PER OFFICIAL RECORDS BOOK 3011, PAGE 2046, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA); THENCE ON THE CENTERLINE OF SAID TUCKER'S GRADE FOR THE FOLLOWING FOUR (4) CALLS: SOUTH 89°43'51" EAST, A DISTANCE OF 1657.51 FEET, SOUTH 89°35'41" EAST, A DISTANCE OF 3391.73 FEET, SOUTH 89°51'41" EAST, A DISTANCE OF 3420.63 FEET, AND SOUTH 89°51'31" EAST, A DISTANCE OF 2722.69 FEET; THENCE LEAVING SAID CENTERLINE, SOUTH 00°08'29" WEST, A DISTANCE OF 38.60 FEET TO THE POINT OF BEGINNING, THENCE NORTH 87°57'55" EAST, A DISTANCE OF 10.90 FEET; THENCE SOUTH 06°15'54" EAST, A DISTANCE OF 3.42 FEET; THENCE SOUTH 80°21'07" EAST, A DISTANCE OF 120.04 FEET; THENCE SOUTH 69°47'07" EAST, A DISTANCE OF 62.04 FEET; THENCE SOUTH 20°12'53" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 69°47'07" WEST, A DISTANCE OF 61.12 FEET; THENCE NORTH 80°21'07" WEST, A DISTANCE OF 116.26 FEET; THENCE SOUTH 06°15'54" EAST, A DISTANCE OF 3.57 FEET; THENCE SOUTH 84°59'48" WEST, A DISTANCE OF 11.48 FEET; THENCE NORTH 04°19'37" WEST, A DISTANCE OF 17.94 FEET TO THE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 1,995 SQUARE FEET, 0.046 ACRES, MORE OR LESS.

BEARINGS HEREINABOVE ARE BASED ON THE WEST LINE OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING NORTH 00°48'43" WEST PER STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD83 (2011 ADJUSTMENT).

PORTIONS OF SECTIONS 32 & 33 TOWNSHIP 41
 SOUTH, RANGE 26 EAST AND SECTIONS 4, 5, 19, & 30
 TOWNSHIP 42 SOUTH, RANGE 26 EAST
 CHARLOTTE COUNTY, FLORIDA



2122 JOHNSON STREET
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PUMP HOUSE
 SITE 1

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
03/02/2014	20149662-000	33-41-26	1"=50'	2 of 6

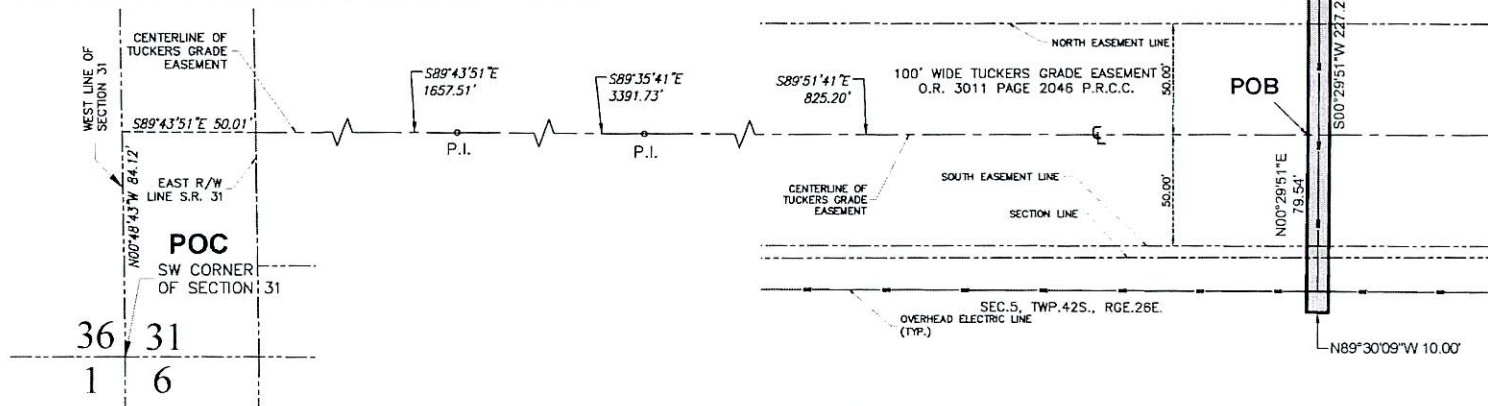
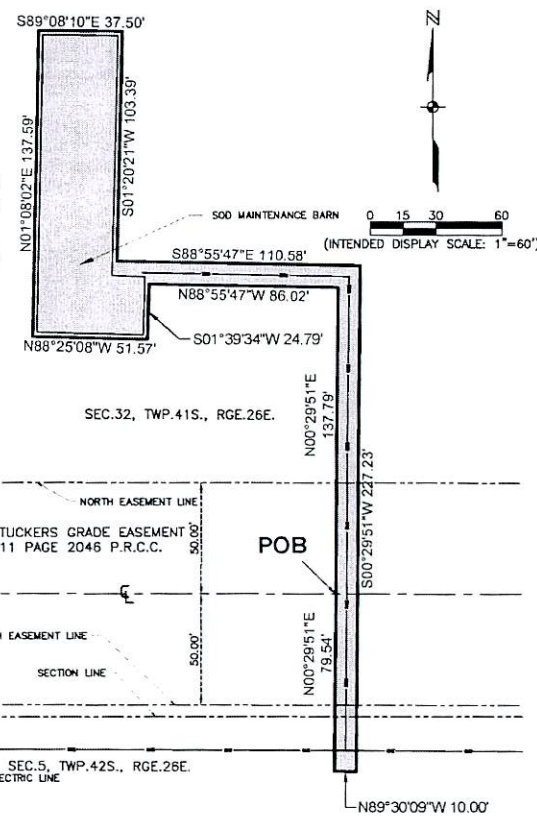
DESCRIPTION
"SOD MAINTENANCE BARN" SITE 2
PORTIONS OF SECTION 32 TOWNSHIP 41 SOUTH, RANGE 26 EAST
AND SECTION 5 TOWNSHIP 42 SOUTH, RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA

A PARCEL OF LAND LYING IN SECTION 32 TOWNSHIP 41 SOUTH, RANGE 26 EAST AND SECTION 5 TOWNSHIP 42 SOUTH, RANGE 26 EAST CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 31 TOWNSHIP 41 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 00°48'43" WEST, ON THE WEST LINE OF SAID SECTION 31, A DISTANCE OF 84.12 FEET; THENCE SOUTH 89°43'51" EAST, A DISTANCE OF 50.01 FEET TO A POINT ON THE CENTERLINE OF TUCKER'S GRADE (100 FOOT WIDE INGRESS-EGRESS EASEMENT PER OFFICIAL RECORDS BOOK 3011, PAGE 2046, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA); THENCE ON THE CENTERLINE OF SAID TUCKER'S GRADE FOR THE FOLLOWING THREE (3) CALLS: SOUTH 89°43'51" EAST, A DISTANCE OF 1657.51 FEET, SOUTH 89°35'41" EAST, A DISTANCE OF 3391.73 FEET, AND SOUTH 89°51'41" EAST, A DISTANCE OF 825.20 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°29'51" EAST, A DISTANCE OF 137.79 FEET; THENCE NORTH 88°55'47" WEST, A DISTANCE OF 86.02 FEET; THENCE SOUTH 01°39'34" WEST, A DISTANCE OF 24.79 FEET; THENCE NORTH 88°25'08" WEST, A DISTANCE OF 51.57 FEET; THENCE NORTH 01°08'02" EAST, A DISTANCE OF 137.59 FEET; THENCE SOUTH 89°08'10" EAST, A DISTANCE OF 37.50 FEET; THENCE SOUTH 01°20'21" WEST, A DISTANCE OF 103.39 FEET; THENCE SOUTH 88°55'47" EAST, A DISTANCE OF 110.58 FEET; THENCE SOUTH 00°29'51" WEST, A DISTANCE OF 227.23 FEET; THENCE NORTH 89°30'09" WEST, A DISTANCE OF 10.00 FEET; THENCE NORTH 00°29'51" EAST, A DISTANCE OF 79.54 FEET TO THE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 8,775 SQUARE FEET, OR 0.201 ACRES, MORE OR LESS

BEARINGS HEREINABOVE ARE BASED ON THE WEST LINE OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING NORTH 00°48'43" WEST PER STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD83 (2011 ADJUSTMENT).



PORTIONS OF SECTIONS 32 & 33 TOWNSHIP 41
 SOUTH, RANGE 26 EAST AND SECTIONS 4,5,19, & 30
 TOWNSHIP 42 SOUTH, RANGE 26 EAST
 CHARLOTTE COUNTY, FLORIDA



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**SOD MAINTENANCE BARN
 SITE 2**

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
03/02/2014	20149662-000	32-41-26	1"=60'	3 of 6

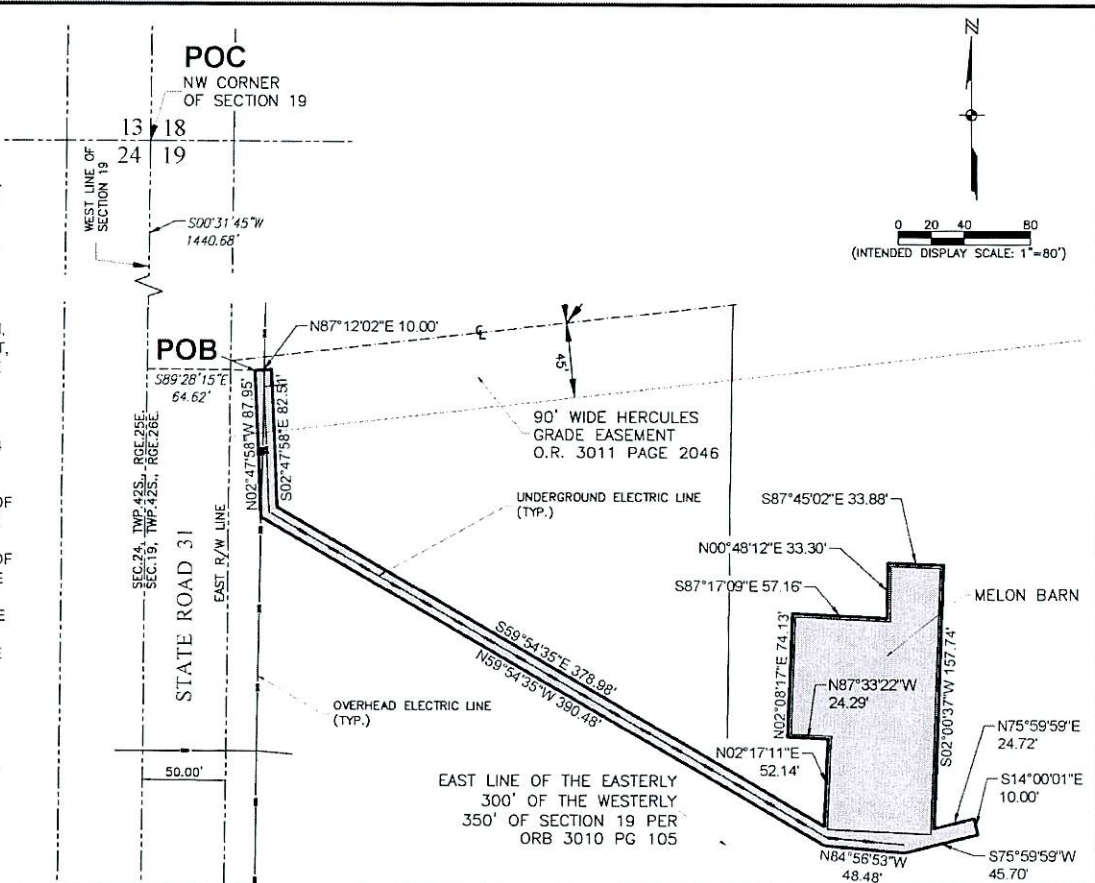
E-4

DESCRIPTION
 "MELON BARN" SITE 3
 PORTION OF SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST
 CHARLOTTE COUNTY, FLORIDA

A PARCEL OF LAND LYING IN SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE SOUTH 00°31'45" WEST, ON THE WEST LINE OF SAID SECTION 19, A DISTANCE OF 1440.68 FEET; THENCE SOUTH 89°28'15" EAST, A DISTANCE OF 64.62 TO THE POINT OF BEGINNING; THENCE NORTH 87°12'02" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 02°47'58" EAST, A DISTANCE OF 82.51 FEET; THENCE SOUTH 59°54'35" EAST, A DISTANCE OF 378.98 FEET; THENCE NORTH 02°17'11" EAST, A DISTANCE OF 52.14 FEET; THENCE NORTH 87°33'22" WEST, A DISTANCE OF 24.29 FEET; THENCE NORTH 02°08'17" EAST, A DISTANCE OF 74.13 FEET; THENCE SOUTH 87°17'09" EAST, A DISTANCE OF 57.16 FEET; THENCE NORTH 00°48'12" EAST, A DISTANCE OF 33.30 FEET; THENCE SOUTH 87°45'02" EAST, A DISTANCE OF 33.88 FEET; THENCE SOUTH 02°00'37" WEST, A DISTANCE OF 157.74 FEET; THENCE NORTH 75°59'59" EAST, A DISTANCE OF 24.72 FEET; THENCE SOUTH 14°00'01" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 75°59'59" WEST, A DISTANCE OF 45.70 FEET; THENCE NORTH 84°56'53" WEST, A DISTANCE OF 48.48 FEET; THENCE NORTH 59°54'35" WEST, A DISTANCE OF 390.48 FEET; THENCE NORTH 02°47'58" WEST, A DISTANCE OF 87.95 FEET TO THE POINT OF BEGINNING.
 SAID PARCEL HAVING AN AREA OF 17,043 SQUARE FEET, OR 0.391 ACRES, MORE OR LESS

BEARINGS HEREINABOVE ARE BASED ON THE WEST LINE OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING SOUTH 00°31'45" WEST PER STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD83 (2011 ADJUSTMENT).



PORTIONS OF SECTIONS 32 & 33 TOWNSHIP 41
 SOUTH, RANGE 26 EAST AND SECTIONS 4, 5, 19, & 30
 TOWNSHIP 42 SOUTH, RANGE 26 EAST
 CHARLOTTE COUNTY, FLORIDA

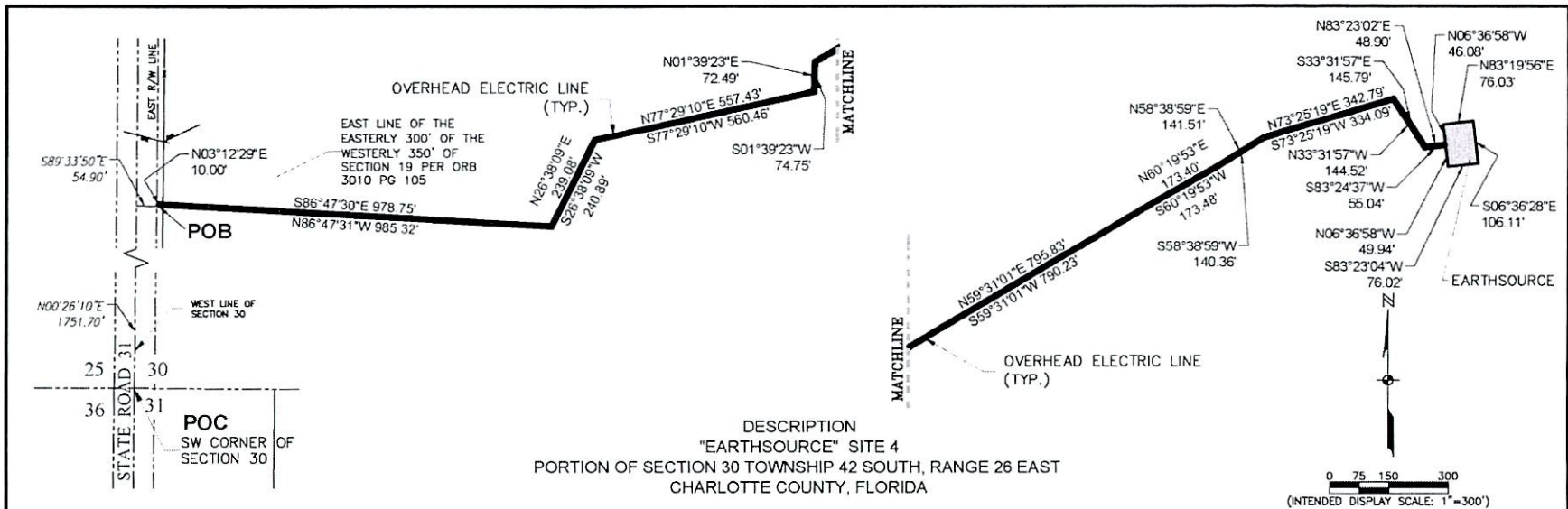
JOHNSON
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 FAX (239) 334-3661
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MELON BARN
 SITE 3

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
03/02/2014	20149662-000	19-42-26	1"=80'	4 of 6

E-5



DESCRIPTION
 "EARTHSOURCE" SITE 4
 PORTION OF SECTION 30 TOWNSHIP 42 SOUTH, RANGE 26 EAST
 CHARLOTTE COUNTY, FLORIDA

A PARCEL OF LAND LYING IN SECTION 30 TOWNSHIP 42 SOUTH, RANGE 26 EAST CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 30 TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA; THENCE NORTH 00°26'10" WEST, ON THE WEST LINE OF SAID SECTION 30, A DISTANCE OF 1751.70 FEET; THENCE SOUTH 89°33'50" EAST, A DISTANCE OF 54.90 TO THE POINT OF BEGINNING; THENCE NORTH 03°12'29" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 86°47'30" EAST, A DISTANCE OF 978.75 FEET; THENCE NORTH 26°38'09" EAST, A DISTANCE OF 239.08 FEET; THENCE NORTH 77°29'10" EAST, A DISTANCE OF 557.43 FEET; THENCE NORTH 01°39'23" EAST, A DISTANCE OF 72.49 FEET; THENCE NORTH 59°31'01" EAST, A DISTANCE OF 795.83 FEET; THENCE NORTH 60°19'53" EAST, A DISTANCE OF 173.40 FEET; THENCE NORTH 58°38'59" EAST, A DISTANCE OF 141.51 FEET; THENCE NORTH 73°25'19" EAST, A DISTANCE OF 342.79 FEET; THENCE SOUTH 33°31'57" EAST, A DISTANCE OF 145.79 FEET; THENCE NORTH 83°23'02" EAST, A DISTANCE OF 48.90 FEET; THENCE NORTH 06°36'58" WEST, A DISTANCE OF 46.08 FEET; THENCE NORTH 83°19'56" EAST, A DISTANCE OF 76.03 FEET; THENCE SOUTH 06°36'28" EAST, A DISTANCE OF 106.11 FEET; THENCE SOUTH 83°23'04" WEST, A DISTANCE OF 76.02 FEET; THENCE NORTH 06°36'58" WEST, A DISTANCE OF 49.94 FEET; THENCE SOUTH 83°24'37" WEST, A DISTANCE OF 55.04 FEET; THENCE NORTH 33°31'57" WEST, A DISTANCE OF 144.52 FEET; THENCE SOUTH 73°25'19" WEST, A DISTANCE OF 334.09 FEET; THENCE SOUTH 58°38'59" WEST, A DISTANCE OF 140.36 FEET; THENCE SOUTH 60°19'53" WEST, A DISTANCE OF 173.48 FEET; THENCE SOUTH 59°31'01" WEST, A DISTANCE OF 790.23 FEET; THENCE SOUTH 01°39'23" WEST, A DISTANCE OF 74.75 FEET; THENCE SOUTH 77°29'10" WEST, A DISTANCE OF 560.46 FEET; THENCE SOUTH 26°38'09" WEST, A DISTANCE OF 240.89 FEET; THENCE NORTH 86°47'31" WEST, A DISTANCE OF 985.32 FEET TO THE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 43,040 SQUARE FEET, OR 0.988 ACRES, MORE OR LESS

BEARINGS HEREINABOVE ARE BASED ON THE WEST LINE OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING NORTH 00°26'10" WEST PER STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD83 (2011 ADJUSTMENT).

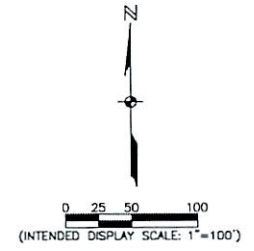
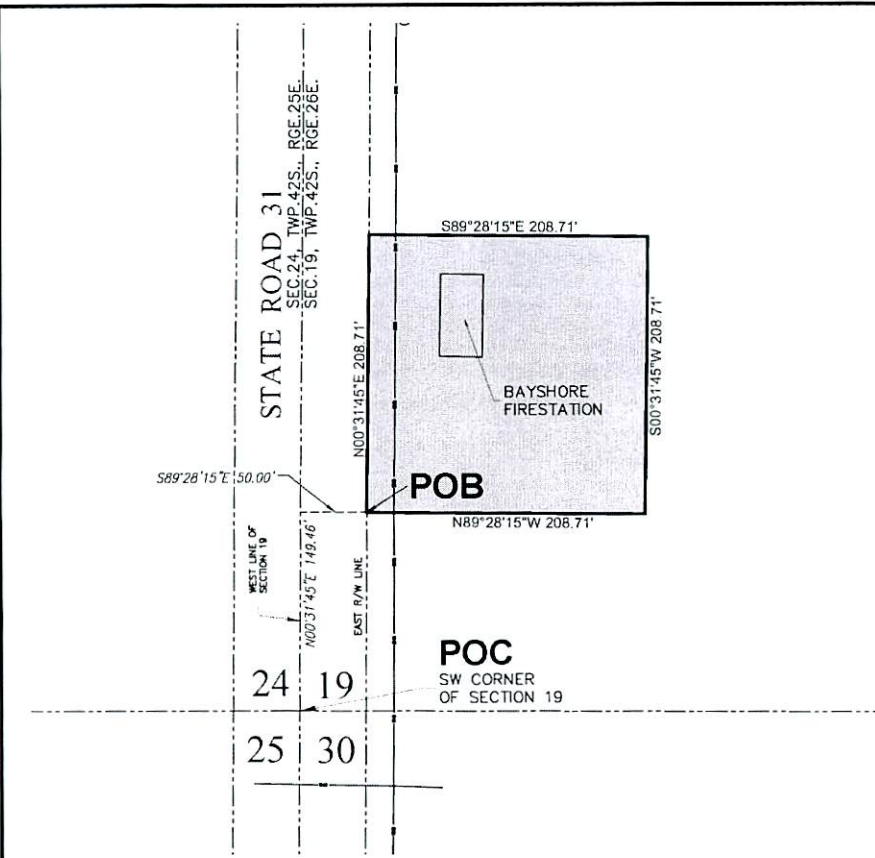
PORTIONS OF SECTIONS 32 & 33 TOWNSHIP 41
 SOUTH, RANGE 26 EAST AND SECTIONS 4, 5, 19, & 30
 TOWNSHIP 42 SOUTH, RANGE 26 EAST
 CHARLOTTE COUNTY, FLORIDA

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EARTHSOURCE
 SITE 4

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
03/02/2014	20149662-000	30-42-26	1"=300'	5 of 6



DESCRIPTION
"BAYSHORE FIRESTATION" SITE 5
PORTION OF SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST
CHARLOTTE COUNTY, FLORIDA

A PARCEL OF LAND LYING IN SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 19 TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, THENCE NORTH 00°31'45" EAST, ON THE WEST LINE OF SAID SECTION 19, A DISTANCE OF 149.46 FEET; THENCE SOUTH 89°28'15" EAST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°31'45" WEST, A DISTANCE OF 207.71 FEET; THENCE SOUTH 89°28'15" EAST, A DISTANCE OF 208.71 FEET; THENCE SOUTH 00°31'45" WEST, A DISTANCE OF 208.71 FEET; THENCE NORTH 89°28'15" WEST, A DISTANCE OF 208.71 FEET TO THE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 43,560 SQUARE FEET, OR 1.00 ACRE, MORE OR LESS.

BEARINGS HEREINABOVE ARE BASED ON THE WEST LINE OF SECTION 19, TOWNSHIP 42 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING NORTH 00°31'45" EAST PER STATE PLANE COORDINATES, FLORIDA WEST ZONE, NAD83 (2011 ADJUSTMENT).

PORTIONS OF SECTIONS 32 & 33 TOWNSHIP 41
 SOUTH, RANGE 26 EAST AND SECTIONS 4, 5, 19, & 30
 TOWNSHIP 42 SOUTH, RANGE 26 EAST
 CHARLOTTE COUNTY, FLORIDA



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BAYSHORE FIRESTATION
SITE 5

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
03/02/2014	20149662-000	19-42-26	1"=100'	6 of 6

APPENDIX F

GOALS OF THE FLORIDA LEGISLATURE AS INDICATED IN THE

BABCOCK RANCH LAW

These goals are clearly established in the following pertinent sections of the Babcock Ranch Law:

- Section 2(1)(d) of the Babcock Ranch Law states that the Legislature intended to provide the District with a broad range of general and special powers which are "essential and...the best alternative for planning, constructing, maintaining, operating, financing, and improving the provision of systems, facilities, and services necessary to meet the infrastructure needs of the [District]."
- Section 2(1)(e) recognizes the Legislature's desire to facilitate cost effective and environmentally conscious development of the District's lands, in part by preventing "the needless duplication, fragmentation, and proliferation of local government services."
- Section 2(1)(f) notes that the "management of conservation, environmental, agricultural, and economic challenges and opportunities in the Babcock Ranch area transcends the boundaries and responsibilities of both private land owners and individual units of government."
- Section 2(1)(g) identifies the District as the best alternative for the development of land within the District since it will provide for "longer involvement and responsibility on the part of the initial landowner, which will result in better intergovernmental coordination and lower administrative costs for Charlotte County and the district, including its landowners and residents."
- Section 2(1)(i) requires that "any public or private system to provide infrastructure improvements, systems, facilities, and services to the Babcock Ranch Community must be established through a highly specialized, innovative, responsive, and accountable

mechanism to provide the components of infrastructure at sustained levels of high quality over the long term."

- Section 2(1)(j) confirms the Legislature's intent that creation of the District "...will result in a higher propensity to provide for orderly development and prevent urban sprawl; protect and preserve environmental and conservation uses and assets; ... and results in the sharing of costs of providing certain systems, facilities, and services in an innovative, sequential, and flexible manner within the area to be serviced by the [District]."