PRW GROUP, LLC

PLANNING • DESIGN • LEACHATE MANAGEMENT • WATER • WASTEWATER • REUSE

February 16, 2018

Office of Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Re: Docket No. 20170249-WS - Application for Certificates to Provide Water and Wastewater Service in Orange County by RSPI MHC, LLC. Response to Deficiency Letter dated 12/20/17

Application Reviewer:

Florida Public Service Commission (Commission) staff provided review comments regarding the referenced application. Each review comment is addressed below and revised documents are attached.

 Notice of Application. Rule 25-30.034(1)(b), Florida Administrative Code (F.A.C.), requires that the applicant provide proof of noticing pursuant to Rule 25-30.030, F.A.C. (the notice rule). The notice rule requires that (1) the notice of application be provided to the Office of Commission Clerk for Commission staff approval prior to distribution; (2) that the notice contain certain specified information (paragraph 4 of the notice rule); (3) that the utility obtain a list of certain entities required to be noticed by the utility from Commission staff (paragraph 2 of the notice rule), and (4) that the utility provide affidavits of noticing as required by Sections 367.045(1)(c) and (2)(f), Florida Statutes (paragraph 6 of the notice rule). Please provide a copy of the notice(s) required for distribution in accordance with Rule 25-30.030(4), F.A.C., to the Office of Commission Clerk for Commission staff approval.

Once Commission staff approves the notice(s), please submit a request for the list of entities to receive notice from Commission staff in accordance with Rule 25-30.030(2), F.A.C. Finally, once notice has been issued in accordance with Rule 25-30.030(5),

Response

We acknowledge the comment and intend to meet the noticing requirements noted above once the application is complete.

2. Percent Ownership. Rule 25-30.034(1)(e), F.A.C., requires that the applicant provide the name, address, and percentage of ownership of each entity or person which owns or will own more than a 5 percent interest in the utility The application lists the RSPI MHC, LLC as the owner. Please provide the percent ownership. As the only owner listed, the ownership should range from 95 percent to 100 percent.

Response

RSPI MHC, LLC owns 100% interest in the property. Page 3 of the application has been revised accordingly and is provided as Attachment A.

3. Legal description, system map and territory map. Rule 25-30.034(1)(k)., F.A.C., requires a legal description of the proposed service territory, a system map, and an official county tax

assessment map or other map showing township, range, and section with a scale such as I'' = 200' or 1'' = 400', with the proposed territory plotted thereon, consistent with the legal description provided pursuant to Rule 25-30.034(1)(k)1. Staff is unable to effectively view the system and territory maps provided, and cannot verify either the maps or the territory description. Please provide territory and system maps in hard copy that meet the requirements of Rules 25-30.034(1)(k) 2 and 3., F.A.C.

Response

- <u>Legal Description and Territory Map</u> Based on discussions with staff (M. Watts), the revised territory description and map are provided in Attachment B (electronic filing), and a hard copy of the map will be transmitted with this letter.
- <u>Service Map</u> Based on discussions with staff (M. Watts), the revised service maps are provided in Attachment C (electronic filing only).
- 4. Financial ability. Rule 25-30.034(1) (i) l., F.A.C., requires the applicant to provide detailed financial statements including a balance sheet and an income statement. The Utility provided components of the required financial statements in the form of annual report schedules. Please provide a full income statement and balance sheet which shows all assets and liabilities.

Response

Based on discussions with staff (A. Norris), prior to the submittal and related to this deficiency letter, the annual report forms are acceptable, however, Form F-3 also needed to be submitted. Form F-3, as well as a summary of revenue and expenses is provided as Attachment D.

5. Evidence of land ownership. Rule 25-30.034(l)(m), F.A.C., requires documentation of the utility's right to access and continued term use of the land upon which the utility treatment facilities are located in the form of a recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded lease such as a 99-year lease, or recorded easement. Please provide the required documentation.

Response

The warranty deed is provided as Attachment E.

We appreciate your attention to this project. If you have any questions, please contact me a (407) 721-6954 or by email at <u>rwilson@wilscbs.com</u>.

Sincerely,

Richard D. Wilson, P.E. Project Manager

cc M. Berg, Lakeshore Management, Inc.

ATTACHMENT A

Application Page 3

If the utility is doing business under a fictitious name, provide documentation from the Florida Department of State, Division of Corporations showing the utility's fictitious name and registration number for the fictitious name.

Fictitious Name (d/b/a)

n/a Registration Number

D) The name(s), address(es), and percentage of ownership of each entity or person which owns or will own more than 5 percent interest in the utility (use an additional sheet if necessary).

RSPI MHC, LLC 8800 N. Bronx Avenue, 2nd Floor, Skokie, IL. 60077 (100% interest)

PART II ORIGINAL CERTIFICATE FOR EXISTING UTILITY

A) <u>DESCRIPTION OF SERVICE</u>

1) Exhibit <u>n/a</u> - Provide a statement indicating whether the application is for water, wastewater, or both. If the applicant is applying only for water or wastewater, the statement shall include how the other service is provided.

Application is for both water and wastewater.

2) Exhibit $\underline{n/a}$ - Provide a description of the types of customers served, i.e., single family homes, mobile homes, duplexes, golf course clubhouse, or commercial.

Mobile homes

3) Exhibit <u>2</u> - Provide a schedule showing the number of customers currently served, by class and meter size, as well as the number of customers projected to be served when the requested service territory is fully developed.

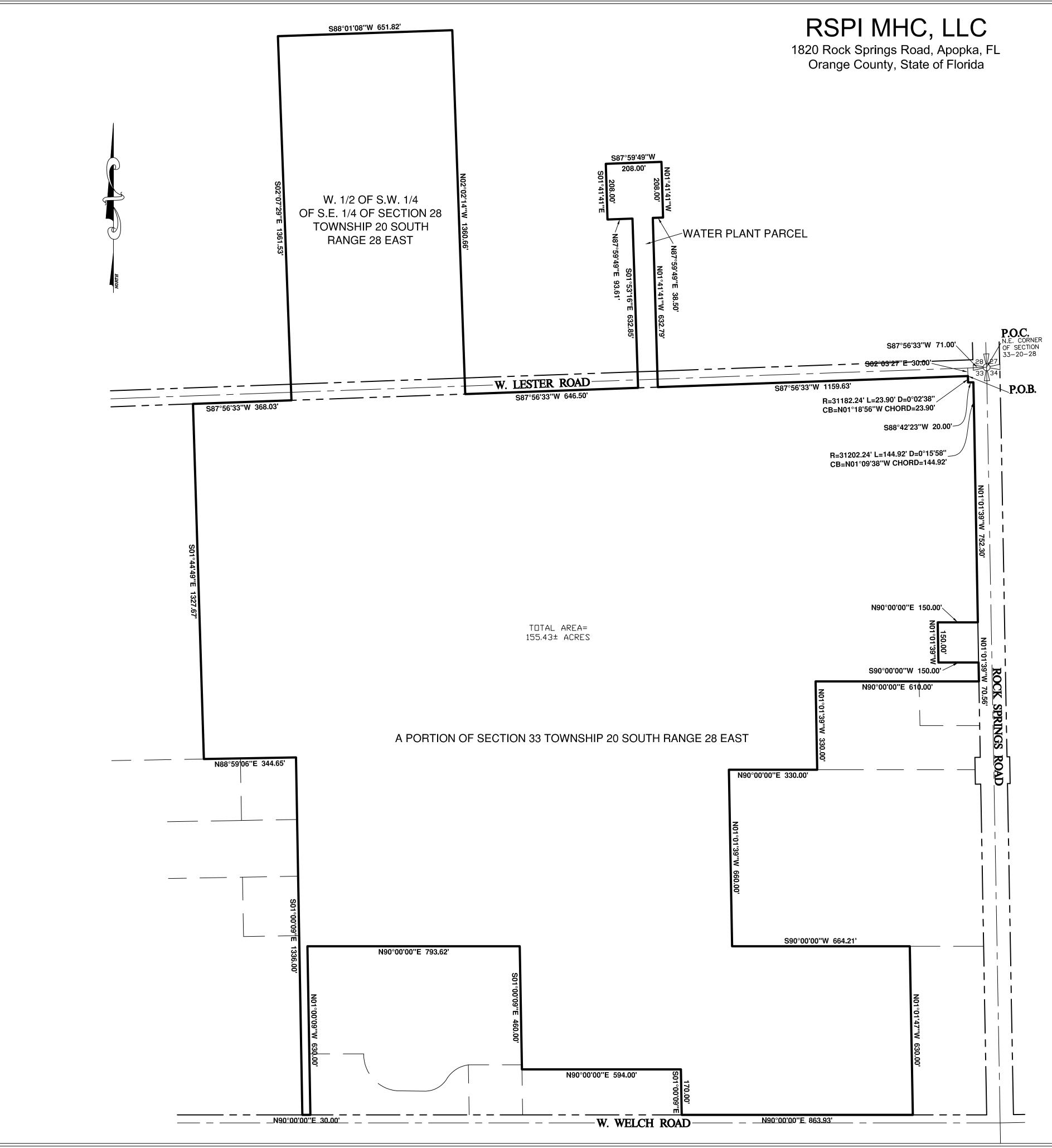
ATTACHMENT B

Legal Description and Territory Map

RSPI MHC, LLC- UTILITY

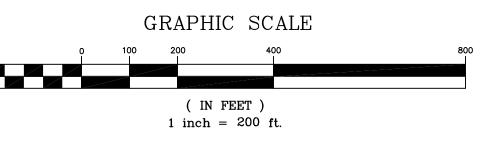
A PORTION OF W. LESTER ROAD A 60 FOOT PUBLIC RIGHT OF WAY AND A PORTION OF SECTION'S 28 & 33, ALL IN TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 33, TOWNSHIP 20 SOUTH, RANGE 28 EAST; ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 87°56'33" WEST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33, A DISTANCE OF 71.00 FEET; THENCE SOUTH 02°03'27" EAST A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF STATE ROAD 435 AND THE SOUTH RIGHT OF WAY LINE OF W. LESTER ROAD FOR A POINT OF BEGINNING; THENCE SOUTH 87°56'33" WEST, ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 1159.63; THENCE NORTH 01°41'41" WEST, A DISTANCE OF 632.79 FEET; THENCE NORTH 87°59'49" EAST, A DISTANCE OF 38.50 FEET; THENCE NORTH 01°41'41" WEST, A DISTANCE OF 208.00 FEET; THENCE SOUTH 87°59'49" WEST, A DISTANCE OF 208.00 FEET; THENCE SOUTH 01°41'41" EAST, DISTANCE OF 208.00 FEET; NORTH 87°59'49" EAST, A DISTANCE OF 93.61 FEET; THENCE SOUTH 01°53'16" EAST, A DISTANCE OF 632.85 FEET TO THE SOUTH RIGHT OF WAY LINE OF W. LESTER ROAD; THENCE SOUTH 87°56'33" WEST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 646.50 FEET; THENCE NORTH 02°02'14" WEST, A DISTANCE OF 1360.66 FEET; THENCE SOUTH 88°01'08" WEST, A DISTANCE OF 651.82 FEET; THENCE SOUTH 02°07'29" EAST, A DISTANCE OF 1361.53 FEET TO A POINT LYING ON THE SOUTH RIGHT OF WAY LINE OF W. LESTER ROAD; THENCE SOUTH 87°56'33" WEST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 368.03 FEET; THENCE SOUTH 01°44'49" EAST A DISTANCE OF 1,327.67 FEET; THENCE NORTH 88°59'06" EAST, A DISTANCE OF 344.65 FEET; THENCE SOUTH 01°00'09" EAST A DISTANCE AT 1,336.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF WELCH ROAD; THENCE NORTH 90°00'00" EAST, ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 30.00 FEET; THENCE NORTH 01°00'09" WEST A DISTANCE OF 630.00 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 793.62 FEET; THENCE SOUTH 01°00'09" EAST, A DISTANCE OF 460.00 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 594.00 FEET; THENCE SOUTH 01°00'09" EAST A DISTANCE OF 170.00 FEET TO SAID NORTH RIGHT OF WAY LINE OF WELCH ROAD; THENCE NORTH 90°00'00" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 863.93 FEET; THENCE NORTH 01°01'47" WEST A DISTANCE OF 630.00 FEET; THENCE SOUTH 90°00'00" WEST A DISTANCE AT 664.21 FEET; THENCE NORTH 01°01'39" WEST A DISTANCE OF 660.00 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 330.00 FEET; THENCE NORTH 01°01'39" WEST A DISTANCE OF 330.00 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 610.00 FEET TO SAID WEST RIGHT OF WAY LINE OF STATE ROAD 435; THENCE NORTH 01°01'39" WEST, ALONG SAID WEST RIGHT OF LINE, A DISTANCE OF 70.56 FEET; T HENCE SOUTH 90°00'00" WEST A DISTANCE OF 150.00 FEET; THENCE NORTH 01°01'39" WEST A DISTANCE OF 150.00 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 150.00 FEET TO SAID WEST RIGHT OF WAY LINE OF STATE ROAD 435; THENCE NORTH 01°01'39" WEST, ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 752.30 FEET TO A POINT OF CURVATURE ON A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 31,202.24 FEET, A CHORD BEARING AT NORTH 01°09'38" WEST, A CHORD DISTANCE OF 144.92 FEET. RUN THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°15'58", A DISTANCE OF 144.92 FEET; THENCE SOUTH 88°42'23" WEST A DISTANCE OF 20.00 FEET TO A NON-TANGENT POINT ON A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 31,182.24 FEET, A CHORD BEARING OF NORTH 01°18'56" WEST, A CHORD DISTANCE OF 23.90 FEET, RUN THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°02'38", A DISTANCE OF 23.90 FEET TO THE POINT OF BEGINNING.



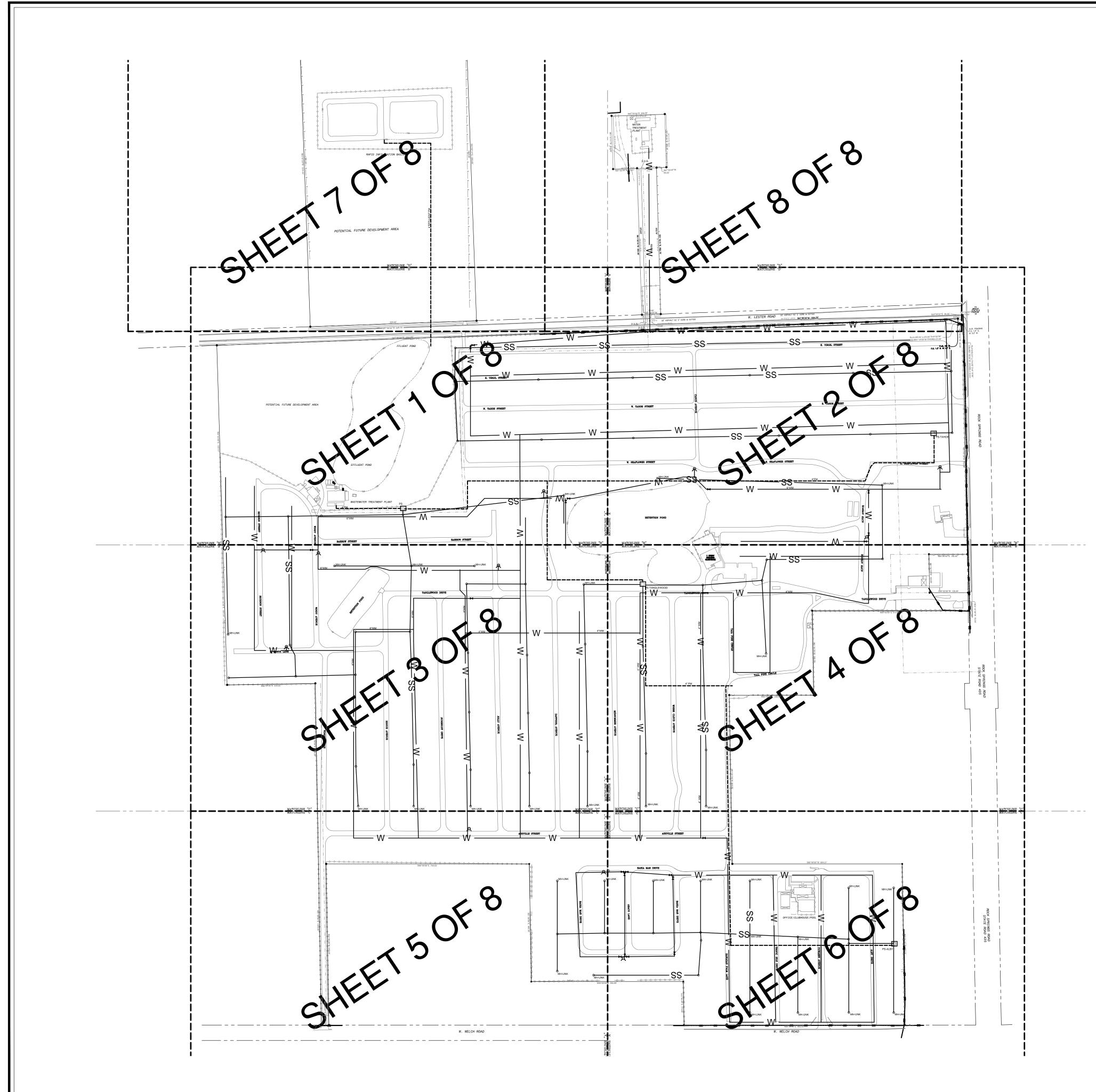
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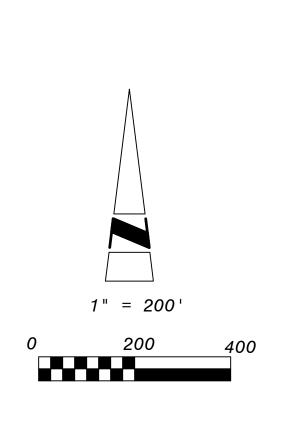
ATTACHMENT C

Service Map (Electronic Filing Only)



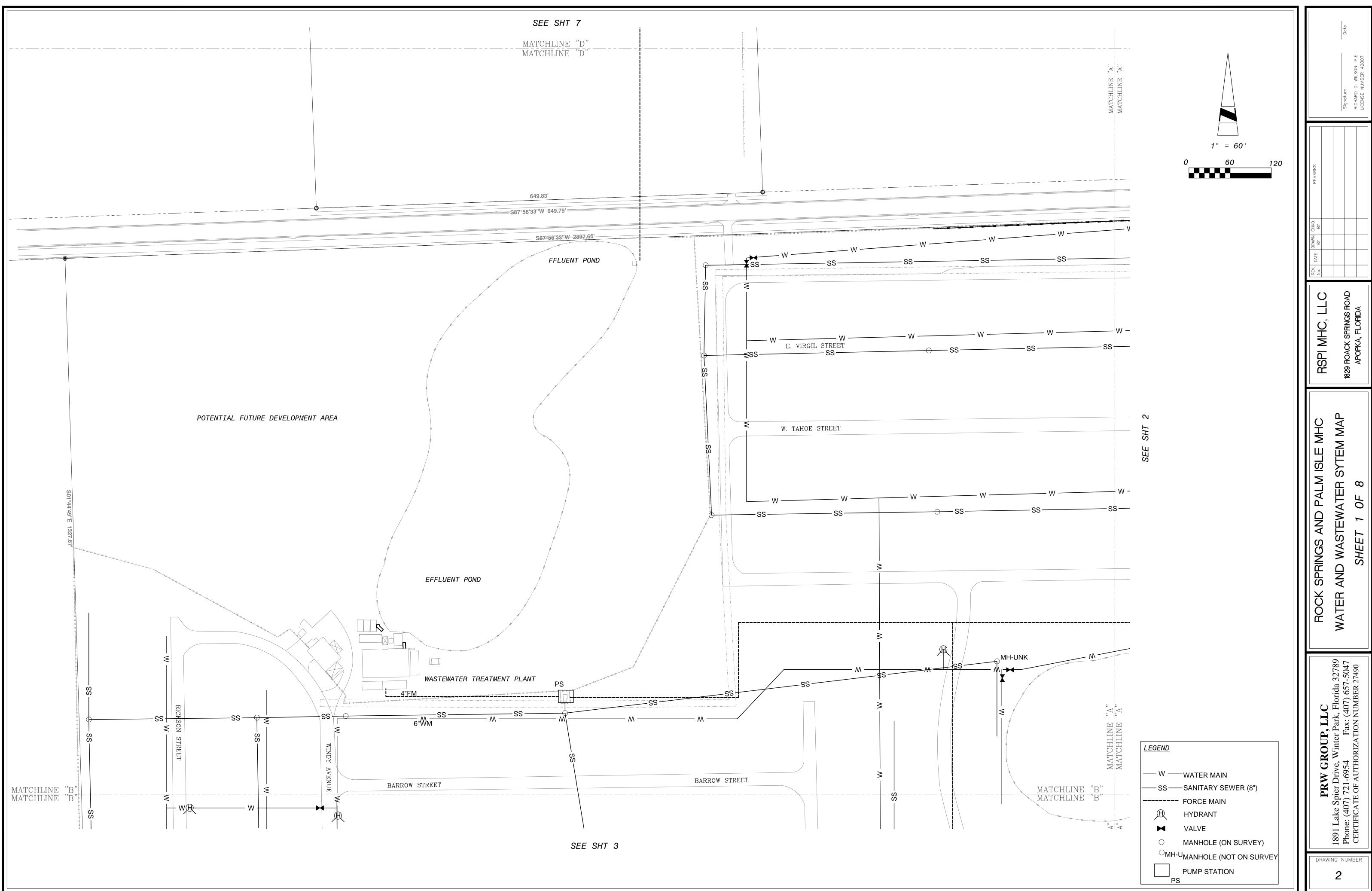
NOTES:

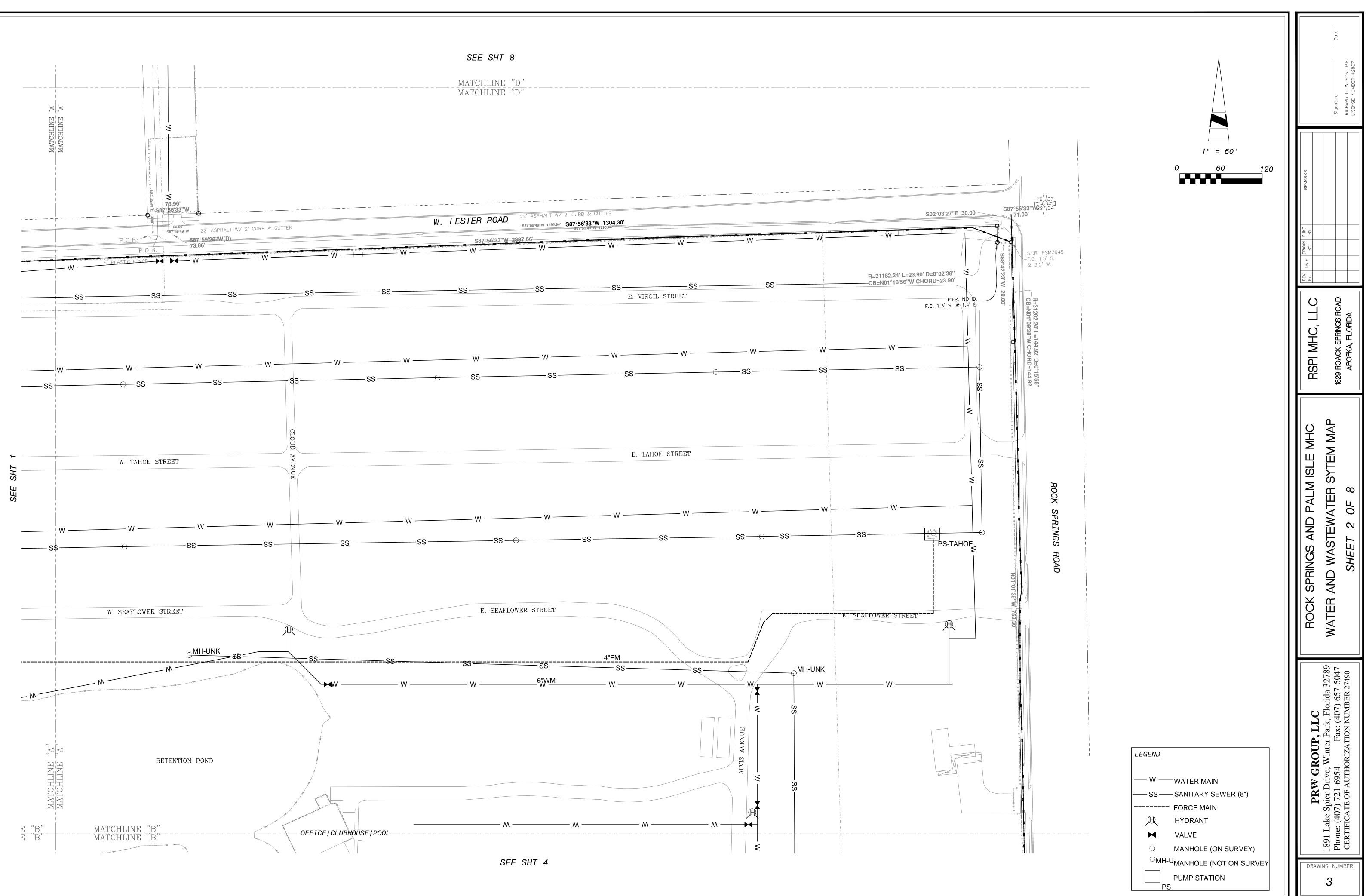
- 1. SURVEY BY GERMAINE SURVEYING, INC. SEBRING, FLORIDA.
- 2. INFORMATION COMPILED FROM VARIOUS SOURCES, INCLUDING SURVEY DATA, DESIGN DRAWINGS, TYPICAL SERVICE REQUIREMENTS AND STANDARD DESIGN CONCEPTS. THE INFORMATION DEPICTS GENERAL AND EXPECTED LOCATIONS OF WATER AND WASTEWATER UTILITIES. THE UTILITIES HAVE NOT BEEN FIELD VERIFIED.
- 3. MANHOLE LOCATIONS SHOWN THAT WERE NOT IDENTIFIED IN THE SURVEY BUT WERE EITHER SHOWN ON DESIGN DRAWINGS OR BELIEVED TO BE PRESENT (BASED ON STANDARD DESIGN CONCEPTS) AND ARE NOTED AS "MH-UNK".
- 4. SIZE INFORMATION IS BASED ON DESIGN DRAWING INFORMATION.

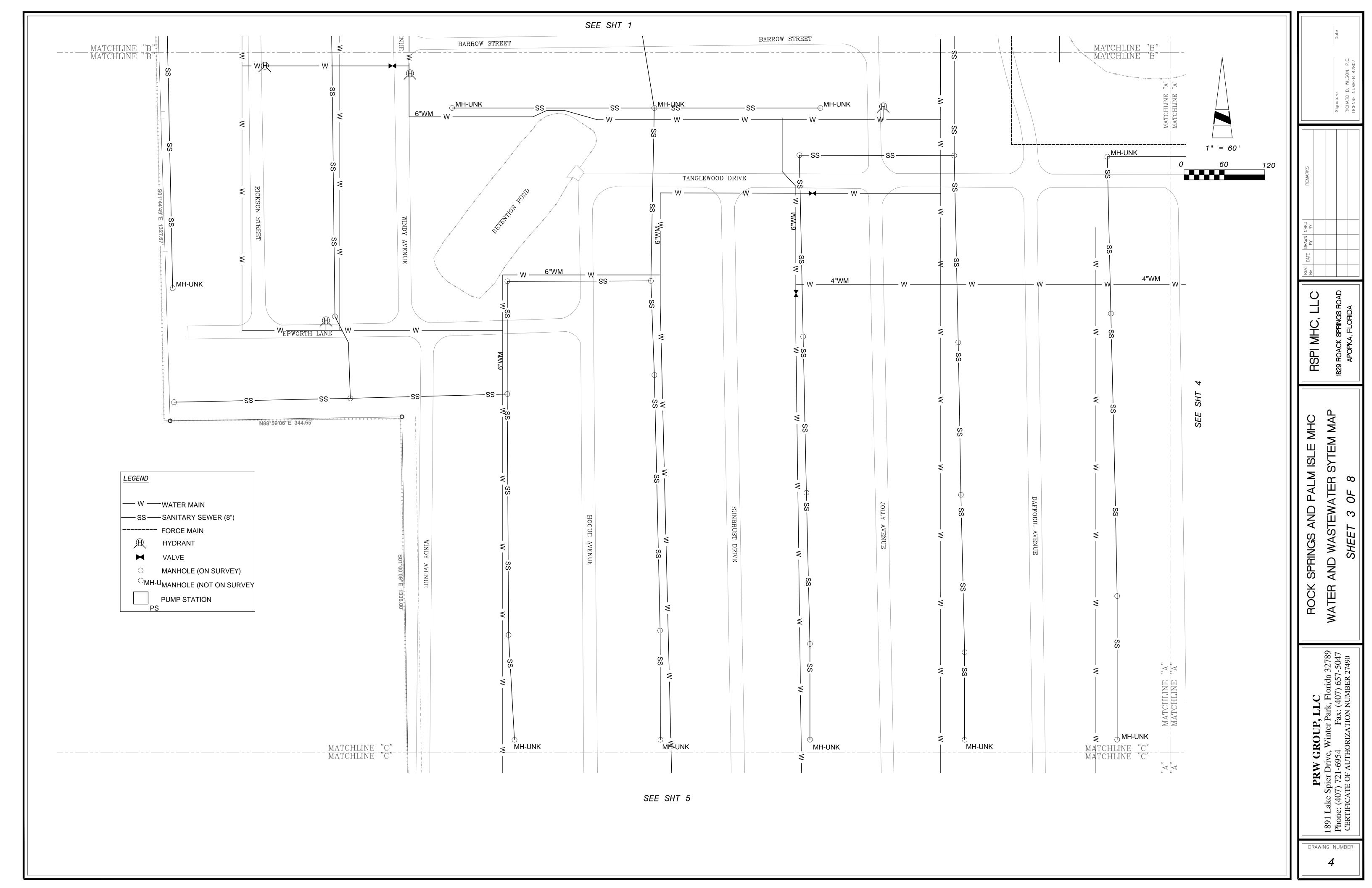


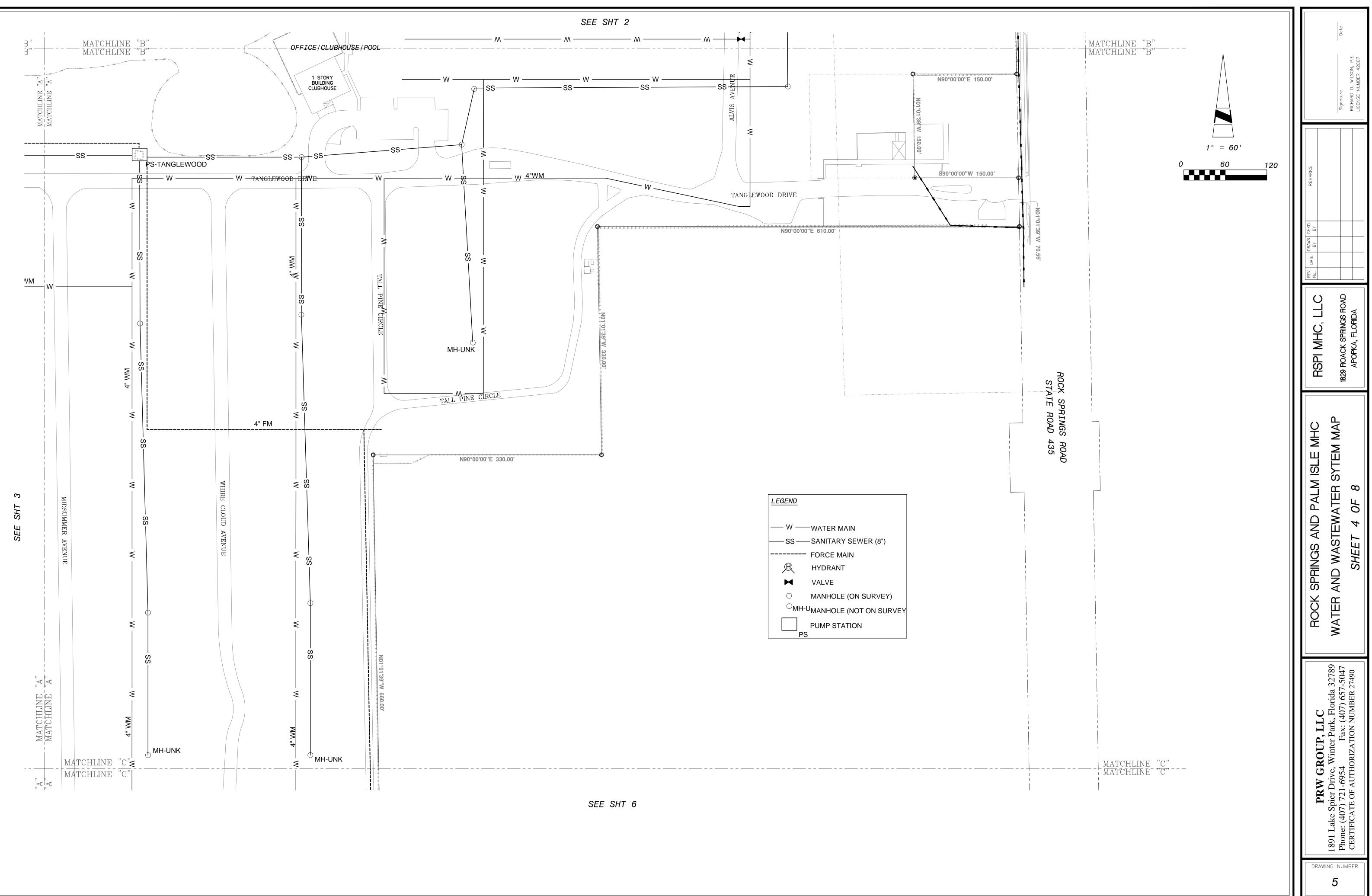
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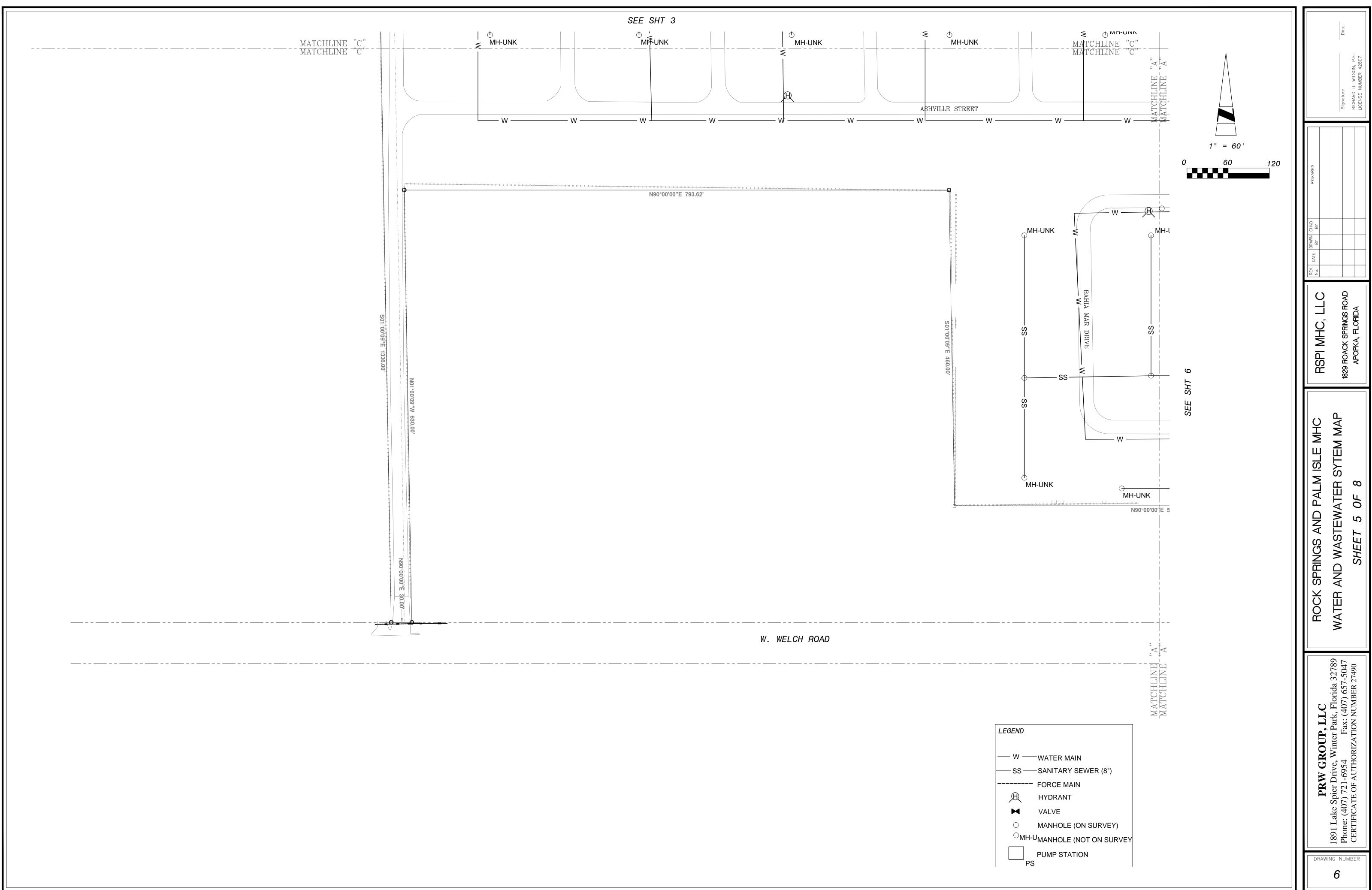
				LICENSE NUMBER 42807
REV. DATE DRAWN CHKD REMARKS No. BY BY				
			1829 ROACK SPRINGS ROAD	APOPKA, FLOHIDA
ROCK SPRINGS AND PALM ISLE MHC		WATER AND WASTEWATER SYTEM MAP		KEY SHEET
		1891 Lake Spier Drive, Winte	Phone: (40/) /21-6954 Fax: (40/) 65/-504/	CENTIFICATE
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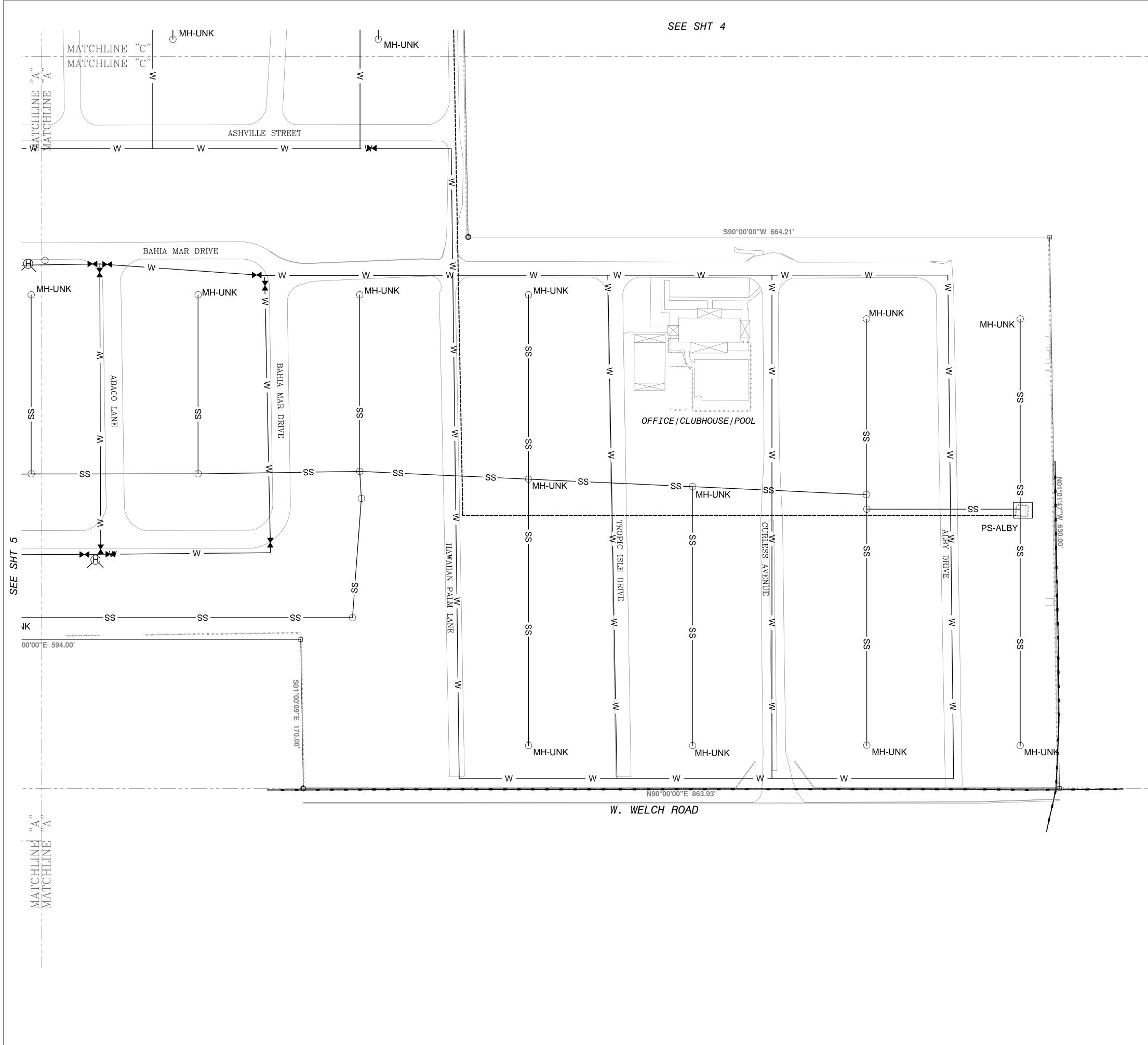


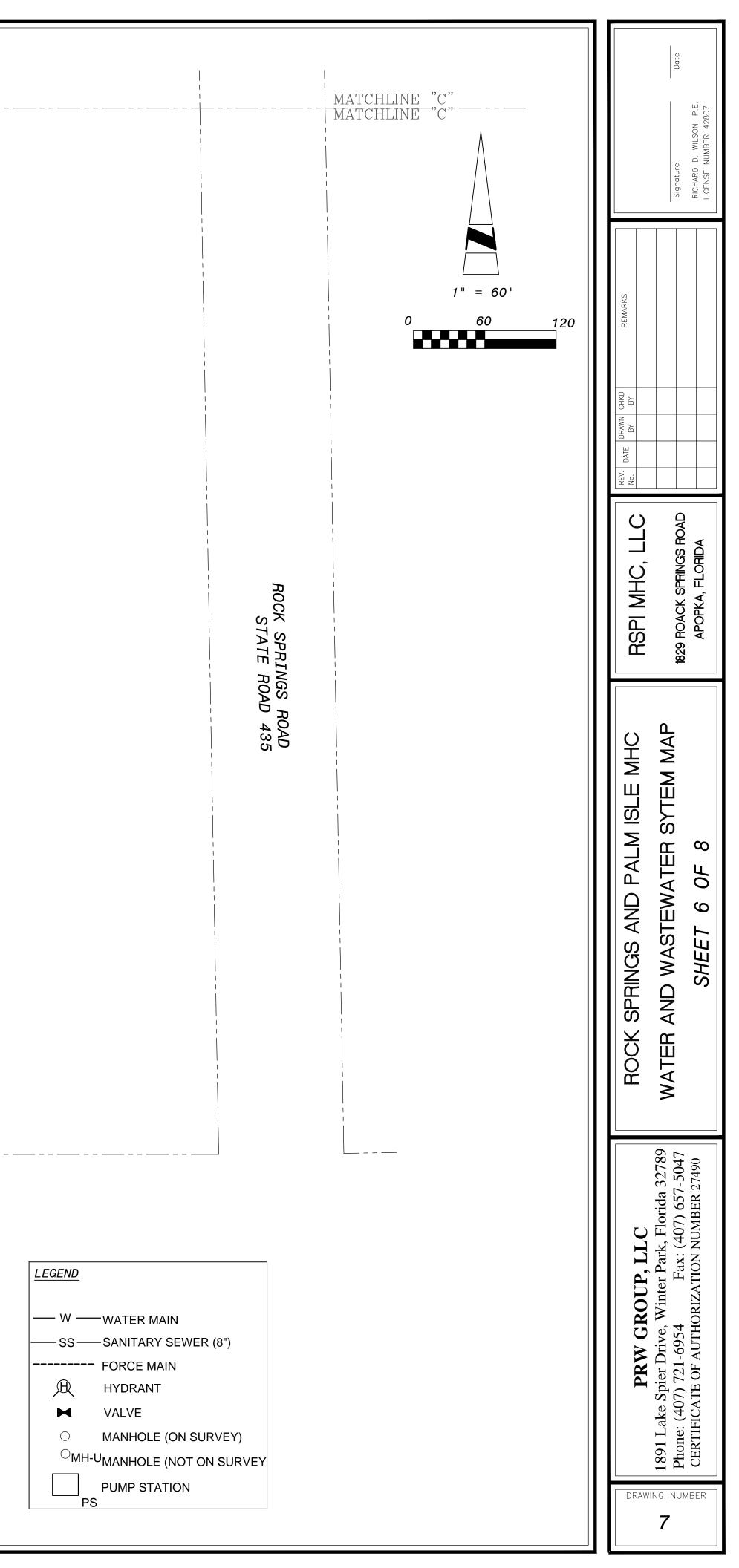


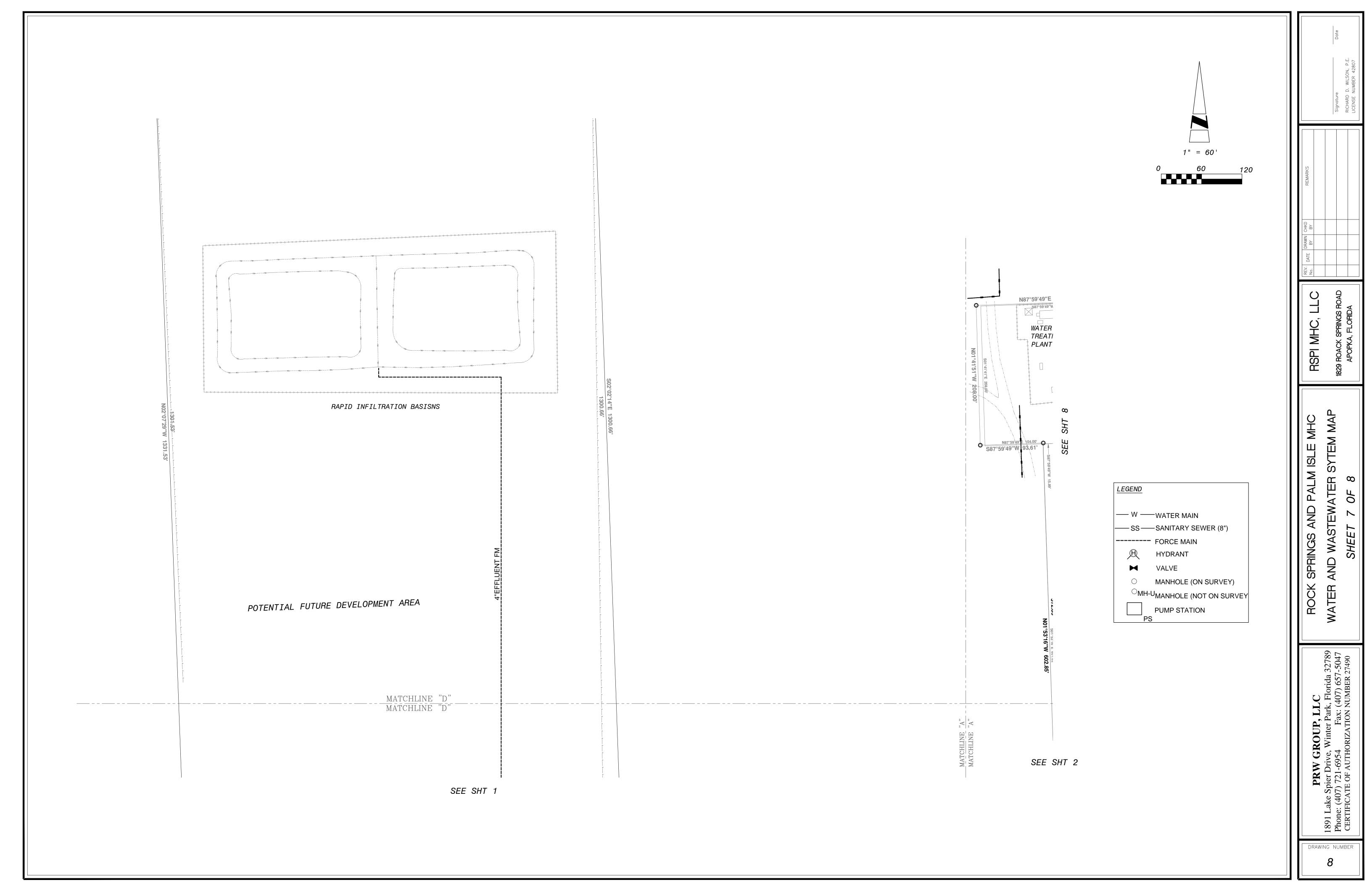


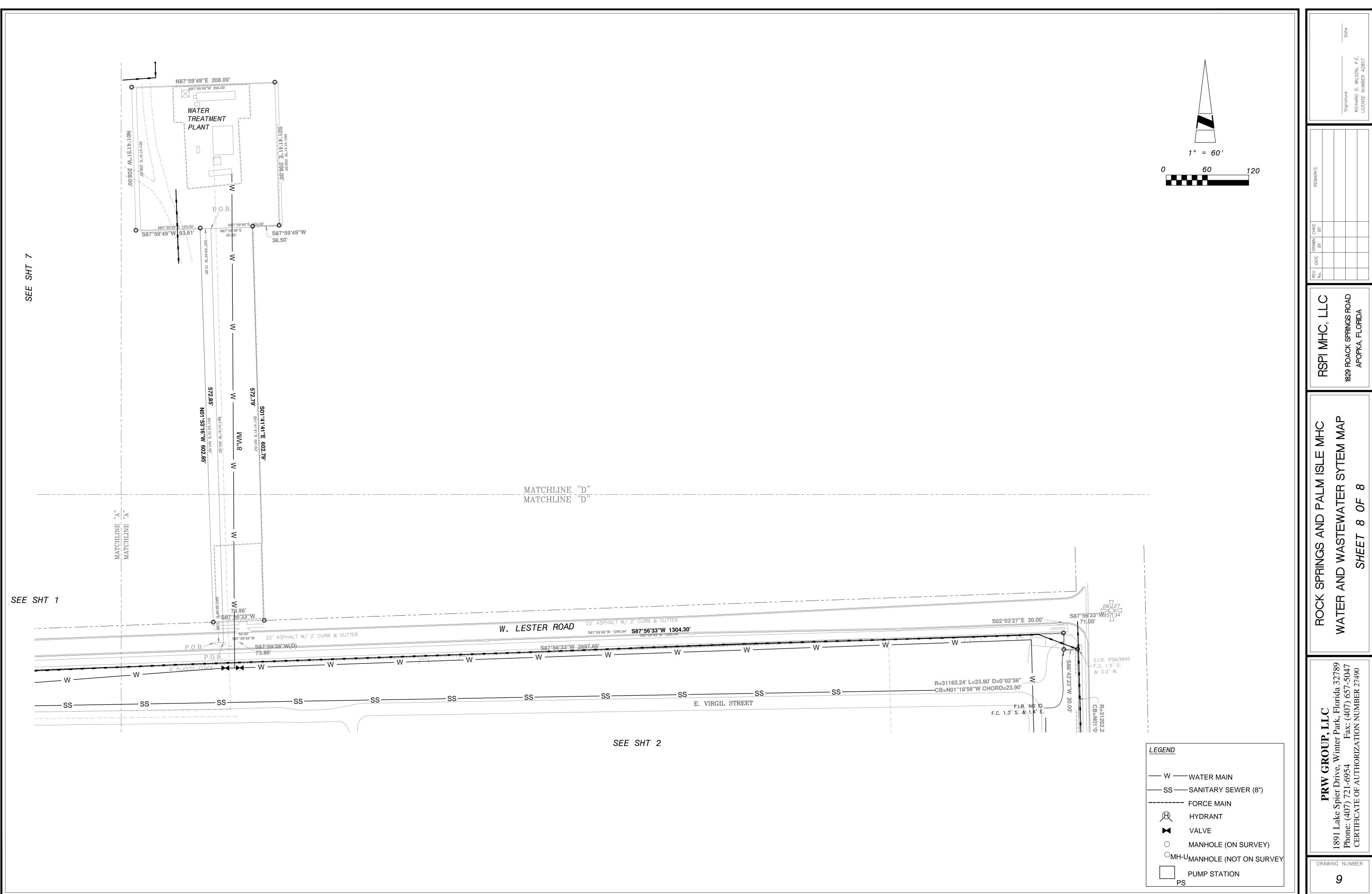












ATTACHMENT D

Form F-3

UTILITY NAME: RSPI MHC, LLC

YEAR OF REPORT DECEMBER 31, 2016

COMPARATIVE BALANCE SHEET

ACCOUNT NAME Assets: Utility Plant in Service (101-105) Accumulated Depreciation and Amortization (108) Net Utility Plant Cash Customer Accounts Receivable (141)	Reference Page F-5,W-1,S-1 F-5,W-2,S-2	Current Year \$ 2,472,892 2,048,992 \$ 423,900	Previous Year \$ 2,472,892 1,980,560 \$ 492,332
Assets: Utility Plant in Service (101-105) Accumulated Depreciation and Amortization (108) Net Utility Plant Cash Customer Accounts Receivable (141)	F-5,W-1,S-1	\$ <u>2,472,892</u> 2,048,992	\$ <u>2,472,892</u> <u>1,980,560</u>
Utility Plant in Service (101-105) Accumulated Depreciation and Amortization (108) Net Utility Plant Cash Customer Accounts Receivable (141)		2,048,992	1,980,560
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Amortization (108) Net Utility Plant Cash Customer Accounts Receivable (141)	F-5,W-2,S-2		
Cash Customer Accounts Receivable (141)		\$ 423,900	\$ 492,332
Customer Accounts Receivable (141)			
Other Assets (Specify):			
Total Assets		\$ 423,900	\$ _ 492,332
Liabilities and Capital:			
Common Stock Issued (201) Preferred Stock Issued (204)	F-6 F-6		
Other Paid in Capital (211)	F-6	(101,761)	not availbale
Retained Earnings (215)	F-0	525,661	not availbale
partnership only) (218)	F-6	020,001	
Total Capital		\$ 423,900	\$ 492,332
Long Term Debt (224)	F-6	\$	\$
Accounts Payable (231)	1.0	Ψ	Ψ
Notes Payable (232)			
Customer Deposits (235)			
Accrued Taxes (236)			
Other Liabilities (Specify)			
Advances for Construction			
Contributions in Aid of			
Construction - Net (271-272)	F-8		
Total Liabilities and Capital		\$ 423,900	\$ 492,332

RSPI MHC, LLC Revenue and Espense Summary (FY2016)

Account		Debit		Credit		Revenue	
Water	\$	-	\$	38,155	\$	38,155	
Sewer	\$	-	\$	76,903	\$	76,903	
Other	\$	1,260	\$	3,578	\$	2,318	
				Total	\$	117,375.5	

RSPI MHC, LLC Revenue (FY2016)

RSPI MHC, LLC Expenses (FY2016)

Account	Water		Sewer	
71500001 Operating Contract	\$	-	\$	-
71500002 Sewage Removal			\$	22,066
71500003 Plant Chemicals	\$	6,313	\$	5,435
71500004 Plant Repairs and Maintenance	\$	950	\$	677
71500006 Lift Station			\$	1,386
71500009 Plant - Electricity	\$	13,398	\$	21,256
	\$	20,661	\$	50,820

ATTACHMENT E

Warranty Deed



INSTR 20050095254 OR BK 07818 PG 0357 PGS=7 MARTHA O. HAYNIE, COMPTROLLER ORANGE COUNTY, FL 02/07/2005 10:36:20 AM DEED DOC TAX 98,672.00 REC FEE 61.00

[°]Prepared by and Return to: JOHN KINGMAN KEATING, ESQUIRE KEATING & SCHLITT, P.A. TELEPHONE: 407.425.2907 ♦ FACSIMILE: 407.843.8964 749 NORTH GARLAND AVENUE, SUITE 101 ORLANDO, FLORIDA 32801 E MAIL: <u>ikk@keatlaw.com</u>



PARCEL IDENTIFICATION NUMBER(S): 28-20-28-0000-00074 and 33-20-28-0000-00027

RECORDING INFORMATION ABOVE THIS LINE

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made and executed this day of February, 2005 by **J. Fenimore Cooper, Jr., a married person** (the "Grantor") with a mailing address of Post Office Box 609089, Orlando, Florida 32860, to **RSPI MHC, LLC, a Florida limited liability company** (the "Grantee") with a mailing address of Post Office Box 4918, Skokie, Illinois 60076-4918.

WITNESSETH: That the Grantor for and in consideration of the sum of \$10.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain property situate in Orange County, Florida, viz:

See attached Exhibit "A"

THE GRANTOR WARRANTS THAT THE ABOVE-DESCRIBED PROPERTY CONVEYED HEREBY IS NOT (AND HAS NEVER BEEN DURING THE TIME OF GRANTOR'S OWNERSHIP) HOMESTEAD PROPERTY AS DEFINED BY THE CONSTITUTION AND LAWS OF THE STATE OF FLORIDA.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

FURTHER, the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said real property in fee simple; that the Grantor has good right and lawful authority to sell and convey said real property; that the Grantor hereby warrants the title to said real property for any acts of Grantor and will defend the same against the lawful claims of all persons claiming by, through or under Grantor; and that said real property is free from all encumbrances; except, taxes and assessments accruing subsequent to December 31, 2004 and all subsequent years, and all those matters set forth on the attached Exhibit "B", provided, however, this reference shall not serve to reimpose same.

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK -SIGNATURE AND NOTARY CERTIFICATION ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the said Grantor has executed this Special Warranty Deed on the day and year first above written.

WITNESSES ESS SIGN DIANE Y. LARE NAME PRINTED WITNES NATURE ES JENNIFER NOI.

GRANTOR J. FENIMORE COORER, JR. J. Feninore Cooper, Jr.

STATE OF FLORIDA COUNTY OF ORANGE

WITNESS NAME PRINTED

I HEREBY CERTIFY, as an officer duly authorized to take acknowledgments and oaths in the State and County aforesaid, that at the execution of this instrument on the date set forth below, J. Fenimore Cooper, Jr. personally appeared before me, and executed or acknowledged his/her/their previous execution of this instrument. I HEREBY FURTHER CERTIFY, that J. Fenimore Cooper, Jr., is/are the same person(s) either executing or acknowledging execution of the foregoing instrument because: If personally know him/her/them OR 🗆 I have satisfactory evidence of same based upon a 🗆 Florida driver's license or
Other identification: . WITNESS my hand and official seal in the State

and County aforesaid this 2 nd day of February, 2005.

Notaty Public Signature Acce notary name & Eal immediately below)

Y LARE 55 187653 MY COwest EXPIRES. 1993 1, 2007 FL Noting 1 - 6 VIRATOR



EXHIBIT "A" -

PARCEL 1

WATER PLANT

From the Southeast corner of Section 78. Towaship 20 South, Range 38 East, Orange Corney, Florida, run South 27 degrees 59 minutes 49 seconds West 1200, 44 fras doug the South finst of soid Section 28 for a POINT OF BEGINNING: thence North 11 degrees 43 societies 41 societies 40 societies 26 for a POINT OF minutes 49 socieded East, 60 feet: thence South 0 degrees 41 societies 41 societies 43 socied East, 60 feet: thence South 0 degrees 41 societies 41 societies 43 societies 40 societies 40 societies 40 societies 60 to the to the POINT OF BEGINNING. LESS the South 30 feet: thereof for rand.

AND

From the Southeast context of Section 28. Township 20 South, Range 28 Sant, Oanige County, Florida, run South 87 degrees 39 minutes 49 seconds west, 1295.³⁴ Ret there North 61 degrees 41 minutes 41 seconds West, 601,62 feet for a POINT OF BEGINNING; thence North 57 degrees 59 minutes 49 seconds East, 104 feet, thence North 61 degrees 41 minutes 41 seconds West 208 feet tenue South 87 degrees 59 minutes 49 seconds West 208 feet, thesce South 61 degrees 41 minutes 41 seconds East, 38 feet, thence North 87 degrees 59 minutes 49 seconds East, 104 feet to the POINT OF BEGINNING;

AND

From the Southeast corner of Section 25, Township 20 South Range 28 East, Orange County, Florida, run South 97 degrees 59 talmates 49 seconds West along the South line of said Section 28, a distance of 1292,44 feet, for the POINT OF BEGINNING of this description.

Run thance North 01 degrees 41 minutes 41 seconds West a distance of 601.62 feet, thence and South 87 degrees 59 minutes 49 seconds. West a distance of 13.89 feet to the West line of the Southeast Quarter of the Southeast Quarter of the aforesaid Second 28, no thence South 01 degrees 53 minutes to second East along the West line of the said Southeast Quarter of the Southeast Quarter of the southeast Quarter to the Southeast Quarter to the southeast Quarter of the Aforesaid Southeast Quarter to the Southeast Quarter thence to the Southeast Quarter to the Southeast Quarter thence to the Southeast Quarter of Southeast Quarter thence to the Southeast 9 seconds East a distance of 13.86 feet to the POIN TOF BELONUNG. LESS the Southeast 30 feet for mad.

ALSO KNOWN AS

82

From the Southerst center of Section 28, Townstop 20 South, Range 28 East, Orange County, Fiorida, nun South 87, degrees 36 minutes 33 seconds West along the South fine of solt Section 78, a distance of 1304.10 Ref to the POINT OF BEGINNING: thence North 01 degrees 33 adhetes 16 seconds West a distance of 602.85 freet, thence South 87 degrees 39 minutes 49 seconds West a distance of 91.61 fort, thence North 01 degrees 41 minutes 34 seconds West o distance of 208,00 fort, thence North 87 degrees 59 minutes 49 seconds East a distance of 208,00 fort; thence South 01 degrees 41 minutes 41 seconds East a distance of 208,00 fort; thence South 71 degrees 59 minute 49 seconds West a distance of 38.50 fort; thence South 87 degrees 59 minutes 41 seconds East a distance of 602.79 feet to the said Section flag; thence South 87 degrees 59 minutes 34 seconds East a distance of 602.79 feet to the said Section flag; thence South 87 degrees 59 minutes 35 seconds West a distance of 73.86 feet to the POINT OF BEGINNING. LESS the Souther's 0 for thence for real.

From the Northeast conner of Section 3.3, Toombo 20 South, Range 28 East, Campo County, Florida, run Scuth 64 degrees 60 minutes East, 1109.20 feet for the POINT OF BEOINNING of this description: run thence North 83 degrees 50 minutes this seconds West 125.51 feet; thence South 85 degrees 27 minutes 50 spoods West 77.18 feet thence South 87 degrees 55 minutes 51 seconds West 135.65 feet; thence South 85 degrees 24 minutes 51 seconds West 125.10 Fort; thence North 85 degrees 55 minutes 00 seconds West 85.40 ison; thence North 77 degrees 55 minutes 09 seconds West 268.55 fiber; thence South 71 degrees 44 minutes 51 seconds West 126.15 feet; therce North 87 degrees 53 minutes 09 seconds West 953.85 feet; thence north 01 degrees 60 minutes 69 seconds West 335

AN O

Beg, net the Nottherat conner of Section 33 Township 20 Somal, Parge 28 East, Orage County, Florida; Bua South 91 degrees 10° East 1109, 80 her, themce North X1 degrees 50° 10° West 123.51 her, thema South 85 degrees 27° 92° West 77, 18 feet, themce South 87 degrees 55° 51° West 136.08 few, theme South 85 degrees 24° 51° West 123.16 feet, theme North 85 degrees 55° 00° West 83.40 feet, theme North 17 degrees 13° 00° West 240.55 feet, theme South 77 degrees 41° 51° West 124.15 feet, theme? North 17 degrees 35° 00° West 530 feet, theme North 114 feet, theme North 85 degrees 55° 00° West 83.40 feet, theme? North 17 degrees 10° 00° West 500 feet, theme 114 degrees 10° West 315 feet, theme North 89 degrees 35° 00° West 330 feet, theme North 10 degrees 10° 10° West 315 feet, theme North 89 degrees 35° 00° West 330 feet, theme North 10° degrees 10° 00° West 30.58 feet, themes North 89 degrees 35° 50° West 330 feet, theme North 10° degrees 10° 00° West 30.58 feet, themes South 87 degrees 59° 54° West 495 feet, themes North 81 degrees 10° 00° West 660 feet, theme North 30 feet, themes 560 feet, the 10° feet to the Point of Beginning. LESS the East 30 feet and LESS the North 30 feet thereof for reads.

AND

The Wess #25 feet of the Southwess Quarter of size Portbears Quarter of Section 33, Too many 20 South Range 38 East Owarge Contay. Florida, LE55 the South table feet oneroof.

2NO

Tagater with the West 3tt feet of the Southwest %, of the Honizan % of Section 33, Transkip 20 South, Range 28 East, Genry: County, Florida. Less the South 35 feet.

AND

The North-LeSS the West 10 area interest Quarter of Section 33, Township 28 South Range 28 East Orange Courty. Florida: LESS the West 10 area increase and LESS the North 30 first for much right of way.

AND

Frain the Southeast corner of the Scrathwest Quarter of the Northeast Quarter of Section 33, Township 20 South Range 28 Bass, nun North Gob Kert to a POINT OF BEGINNUNC where West 54 Sectioner run North 165 Ker. thoree East 394 Rect. thence South 165 feet to POINT OF BEGURRING, Onlage Comp. Florida.

LESS and EXCEPT this part index for road right of way by the Find Judgment woords in Official Records Sock 3319, page 515, Public Records of Orcego County, Flankb,

TOGETHER WITH

The West 33 feet of the following described property: Begin 1103.2 feet South Bi deprest NJ minutes East and 50 feet. West of the Northeast scamer of Section 3.1. Township 20 South, Range 20 East, Oursy's County, Florida, which point is on the West right of wary time of Soute Road No. 435, theore nat West 120 Bent, theree run North 450,00 feet; theree run East 14.0 feet and thence run South 3.00 feet to the POINT OF BERINGING, Owning Country, North.

TOGETHER WITH

Contransee at the Southwest curves of the Narthenst One Quarter (14) of Socties 33. Teamship 20 Sauth, E.corgs 23 East, Orange County, Florida, run North 30 degrees 140 milanizes th seconds East, 1413.25 feet along the Sociah Ing af raid Kerleman Che Quarter (144) on the POINT OF BECINNING: thence ran North 07 degrees the miscates 69 seconds West. 200 44 Seat, thence run North 34 degrees 140 milanizes 161 seconds West, 204 95 feet; thence North 07 degrees 170 minutes 179 accords West, visite feet, thence run North 34 degrees 161 milantes 09 seconds East, 1457.63 Lest to a point 325 75 flat West of the Englisher of sold Northern One Quanter (14); there can South 01 depress 04 mondes 47 seconds East 600 kit fen parallel with the East line of sold Northern One Quanter (14); there can South 30 diagrees 06 minuter 00 seconds West 36334 feet along the South fast of sold Northern One Quarter (14) to the FORMY OF BECKNANG.

2.1111 (Dec.) (dec.)

LESS AND EXCEPT THEREFROM THE FOLLOWING.

- The Souds 10.00 hot of the Easterly 863.44 feet for right of ways and
- (b) The North 466 best of the East 641.15 feet of the West 1460.35 feet of the South One Quarter (1/4) of the Northeast One Quarter (1/4) of Section 33, Yownship 20 South, Range 28 East, Onange County, Florida.

TOGETHER WITH

The North 460 feet of the Best 641.35 (but of the West 1486-35 feet of the South One Querter (1/4) of Section 33, Township 20 South, Range 23 flast, Omings County, Florida.

LESS AND EXCEPT FROM THE ABOVE LEGAL DESCRIPTIONS THAT PART TAKEN FOR ROAD NORT OF WAY BY THE FINAL JUDGMENT RECORDED IN OFFICIAL RECORDS BOOK 2010, PAGE 335, PUBLIC BEODRDS DRANGE COUNTY, FLORIDA

ALSOKNOWN AS

Commence at the Northerst conter of Section 33, Township 20 South, Range 24 East, Orange County, Florida; tiones non South \$7 departs 36 minutes 39 seconds West, along the Nonth line of the Northand Generer of and Section 31, a divariant of 71,01 fort; thence South 02 degrees 01 minutes 17 proveds East, a distance of 10,00 feet to the intersection of the West right of way line of Stole Road 405 and the South right of any line of W. Letter Road for a POINT OF BEICHNING Beach South \$7 degrees 50 minutes 33 seconds West, sloop wid South right of very line a distance of 2 mm 16 lock theree South DI degrees 44 minutes 49 seconds East a distance of 1.327.67 feet: thener North 23 depres 34 meaner 116 seconds Bat, a distance of 314 5.5 fort (bence Scatt) 11 depres 00 trains es by scence East, a distance of 1,336,048 feet to a point on the North right of way line of Which Rand; thence North W degrees (Wathouse 2) accords East, along said Koth right of way line, a disance of 30.00 ker, thence North D1 degrees 60 minutes 09 accords Wess a distance of 630.00 feet, theree North 90 degrees 00 minutes 00 accords Ent, a distance of 793.62 flat, thener South 01 degrees 00 minutes 09 seconds Ent, a distance of 460.00 feet, theree a meane of system the many the constant of any a distance of \$94.00 fort, thene South it degrees to minutes to excent East, a distance of 170.00 feet to said Headb eight of say live of Welch Road; the degrees 00 meaning of minace its seconds first, slong said right of wely live, a distance of 60.10 live; should be degrees 01 minates 47 seconds West, a distance of 630.00 feet; thence South 90 degrees 00 minates 00 seconds West, a distance of 664.11 feet; thence North 01 degrees 01 minates 19 seconds West, a distance of 660.00 feet; thence North 90 degrees the minutes the sounds face, a damage of 130 du feet, there e north 01 degrees 01 minutes 19 seconds West, a dismose of 330.00 for; there Horth Wideynes Wi minutes thi seconds East, a distance of 610.00 feet to said West sight of way lines Saus Read 435, livence North OI degrees 01 minutes 39 mounds West, slone and West nghi of way line, a diamor of 70 36 fort; thence South Wi degrees (U minutes DO seconds West, a dismore of 150 ht form; thence north 01 degrees 01 submers by seconds West, a dismore of 150.00 feet; thence Korda 90 degrees OU minimes the second is East, a disance of 150 00 feet to said West right of any line of State Road 435; thence No sh pl degrees 01 minutes 19 seconds West, stong said West right of way line a distance of 752.30 fort to a point of curvance on a curve cancers Southwesterly, having a nuclius of 31,202.24 feet, a closed bending of North 91 degrees on actuates 38 accounts West, a chord distance of 144.92 feet, we thence Northersserly along the arc of and curve through a commi angle of 40 degrees 15 minutes 38 seconds, a distance of 14492 feat degrees South 85 degrees 42 Chrough a contrail degree to engress to minimum by accounts, a similation of 144.24 mini manufacture of 20 U/J fest to a non-singurit point on nonve concise Southwesterly, having a radius of 21,142.24 lett, a closed bacturg of North OJ degrees US saturates is account West, a closed bacturg of 23. W fest, num there Westward by story the out of said curve, through a contait angle of OJ degrees V2 minutes 24. seconds. a distance of 23 96 feet to the POINT OF BEGINNING.

EXHIBIT "B" - PERMITTED TITLE MATTERS

- 1. Taxes and assessments for the year 2005 and subsequent years.
- 2. Easement in favor of Florida Power Corporation, contained in instrument recorded June 29, 1966, in Official Records Book 1554, Page 686, Public Records of Orange County, Florida.
- 3. Easement in favor of Florida Power Corporation, contained in instrument recorded July 20, 1966 in Official Records Book 1560, Page 34, Public Records of Orange County, Florida.
- 4. Easement in favor of Florida Power Corporation, contained in instrument recorded July 20, 1966 in Official Records Book 1560, Page 37, Public Records of Orange County, Florida.
- 5. Restrictions, covenants and conditions contained in Deed recorded in Official Records Book 1594, Page 808, Public Records of Orange County, Florida.
- 6. Easement recorded in Official Records Book 1575, Page 649, and recorded in Official Records Book 1578, Page 28, Public Records of Orange County, Florida.
- 7. Easement in favor of Florida Power Corporation, contained in instrument recorded August 2, 1967, in Official Records Book 1654, Page 114, Public Records of Orange County, Florida.
- 8. Easement in favor of Florida Power Corporation, contained in instrument recorded February 20, 1968, in Official Records Book 1707, Page 967, Public Records of Orange County, Florida.
- 9. Easement in favor of Florida Power Corporation, contained in instrument recorded January 22, 1969, in Official Records Book 1798, Page 883, and Subordination of Encumbrance recorded in Official Records Book 2652, Page 1189, Public Records of Orange County, Florida.
- 10. Easement in favor or Florida Power Corporation, contained in instrument recorded March 7, 1968, in Official Records Book 1712, Page 322 and Subordination of Encumbrance recorded in Official Records Book 2652, Page 1187, Public Records of Orange County, Florida.
- 11. Easement in favor of Florida Power Corporation, contained in instrument recorded February 16, 1970, in Official Records Book 1917, Page 625, Public Records of Orange County, Florida.
- 12. Easement in favor of Florida Power Corporation, contained in instrument recorded May 4, 1970, in Official Records Book 1940, Page 885, Public Records of Orange County, Florida.
- 13. Easement in favor of Florida Power Corporation, contained in instrument recorded February 6, 1974, in Official Records Book 1498, Page 83, Public Records of Orange County, Florida.
- 14. Easements contained in Agreement recorded in Official Records Book 2596, Page 954, Public Records of Orange County, Florida.

(SEE ATTACHED CONTINUATION SHEET FOR ADDITIONAL TITLE MATTERS)

EXHIBIT "B" - PERMITTED TITLE MATTERS - (continued)

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- 15. Easement in favor of Florida Power Corporation, contained in instrument recorded March 15, 1976, in Official Records Book 2684, Page 1925, Public Records of Orange County, Florida.
- 16. Easement recorded in Official Records Book 2711, Page 1064, Public Records of Orange County, Florida.
- 17. Easement in favor of Florida Power Corporation, contained in instrument recorded July 22, 1976, in Official Records Book 2715, Page 427, and Partial Release of Easement recorded in Official Records Book 2874, Page 126, Public Records of Orange County, Florida.
- 18. Easement contained in Certificate recorded in Official Records Book 3255, page 521 and Quit Claim Deed recorded in Official Records Book 3340, Page 1978, Public Records of Orange County, Florida.
- 19. Easement in favor of Sprint/United Telephone-Florida, contained in instrument recorded February 21, 1995, in Official Records Book 4857, Page 2972, Public Records of Orange County, Florida.
- 20. Distribution Easement in favor of Florida Power Corporation, contained in instrument recorded January 20, 2000, in Official Records Book 5926, Page 2839, Public Record s of Orange County, Florida.
- 21. Notice of Easement recorded in Official Records Book 5988, Page 2309, Public Records of Orange County, Florida.
- 22. Notice of Easement recorded in Official Records Book 6007, Page 2066, Public Records of Orange County, Florida.
- 23. Notice of Easement recorded in Official Records Book 7100, Page 4298, Public Records of Orange County, Florida.
- 24. Notice of Easement recorded in Official Records Book 7421, Page 2728, Public Records of Orange County, Florida.
- 25. Easement recorded in Official Records Book 5724, Page 1494, Public Records of Orange County, Florida.
- 26. Easement recorded in Official Records Book 6489, Page 672, Public Records of Orange County, Florida.
- 27. Covenants, conditions and restrictions recorded in November 20, 2002, in Official Records Book 6675, Page 4766, Public Records of Orange County, Florida.
- 28. Easement in favor of Florida Power Corporation, contained in instrument recorded July 3, 1969, in Official Records Book 1857, Page 935, Public Records of Orange County, Florida.
- 29. Subject to rights of tenants under unrecorded leases, if any.