# RUTLEDGE, ECENIA, PURNELL & HOFFMAN

PROFESSIONAL ASSOCIATION ATTORNEYS AND COUNSELORS AT LAW

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January 9, 2008

R. DAVID PRESCOTT HAROLD F. X. PURNELL MARSHA E. RULE GARY R. RUTLEDGE MAGGIE M. SCHULTZ

GOVERNMENTAL CONSULTANTS JONATHAN M. COSTELLO MARGARET A. MENDUNI

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

> Re: Docket No. 070739-WS

Dear Ms. Cole:

Enclosed for filing on behalf of Aqua Utilities Florida, Inc. ("AUF") are the following documents:

- 1. Original and fifteen copies of the Notice of Filing Late Filed Exhibit "L" and Late Filed Exhibit "M";
- 2. Original and fifteen copies of the Notice of Filing Late Filed Exhibit "N."

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

COM

CTR

CR

SOL

OPC

Sincerely,

Thank you for your assistance with this filing.

enneth A. Hoffman

RCA \_\_\_\_KAH/rl

- SCR \_\_\_\_Enclosures Martin S. Friedman, Esq., with enclosures
- SEC \_\_\_\_\_
- OTH

DOCUMENT NUMBER-DATE 00250 JAN-98 FPSC-COMMISSION CLERK



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## **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Aqua Utilities Florida, Inc.'s Application for Approval of Transfer of Fairways/Mt. Plymouth, Ltd.'s Water and Wastewater Systems and Amendment of Certificates in Lake County, Florida.

Docket No.070739-WS

Filed: January 9, 2008

## NOTICE OF FILING LATE FILED EXHIBIT "L" AND LATE FILED EXHIBIT "M"

Applicant, Aqua Utilities Florida, Inc., by and through its undersigned counsel, hereby notices filing in the above-referenced docket Late Filed Exhibit "L" to its Application, which is the Affidavit of Mailing notice to each of the utilities, governmental bodies, agencies, and municipalities, and Late Filed Exhibit "M" to its Application, which is the Affidavit of Mailing notice to each customer of the system to be transferred.

Respectfully submitted this 9<sup>th</sup> day of January, 2008.

Kenneth A. Hoffman, Esquire Marsha E. Rule, Esquire Rutledge, Ecenia, Purnell & Hoffman, P.A. P.O. Box 551 Tallahassee, Florida 32302 -0551 (850) 681- 6788 (Telephone) (850) 681 - 6515 (Facsimile)

- - and - -

Kimberly A. Joyce, Esq. Aqua America, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 10910 (610) 645-1077 (Telephone) (610) 519-0989 (Facsimile)

Counsel for Aqua Utilities Florida, Inc.

DOCUMENT NUMBER-DATE

00250 JAN-98

FPSC-COMMISSION CLERK

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing Notice of Filing Late Filed Exhibit "L" and Late Filed Exhibit "M" was furnished by United States Mail to the following this 9<sup>th</sup> day of January, 2008:

Jean Hartman, Esq. Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Keith & Alf

Kenneth A . Hoffman, Esquire

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## **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Aqua Utilities Florida, Inc.'s Application for Approval of Transfer of Fairways/Mt. Plymouth, Ltd.'s Water and Wastewater Systems and Amendment of Certificates in Lake County, Florida.

Docket No. 070739-WS

Filed: January 9, 2008

## **AFFIDAVIT OF MAILING**

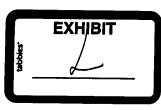
## STATE OF FLORIDA COUNTY OF LEON

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared D. ROXANNE LEVINGSTON, who, after being duly sworn on oath, did depose on oath and say that she is the secretary to Kenneth A. Hoffman, Esquire, attorney for Aqua Utilities Florida, Inc., and that on January 2, 2008, she did send by regular U. S. Mail, a copy of the notice attached hereto to each of the utilities, governmental bodies, agencies, and municipalities, in accordance with the list provided by the Florida Public Service Commission, which is attached hereto.

FURTHER AFFIANT SAYETH NOT.

Sworn to and subscribed before me this 9<sup>th</sup> day of January, 2008, by D. Roxanne Levingston, who is personally known to me.

Print Name NOTARY PUBLIC My Commission Expires:



Ruthie J. Dickson Commission # DD349601 Expires October 25, 2008 Bonded Tray Fain - Insurance, Inc. 800-388-7019

aquautilities/mtplymouth\affidavitofmailing DOCUMENT NUMBER - DATE 0 0 2 5 0 JAN -9 8

FPSC-COMMISSION CLERK

## NOTICE OF APPLICATION FOR TRANSFER OF WATER AND WASTEWATER SYSTEMS OF FAIRWAYS/MT. PLYMOUTH, LTD., A NON-JURISDICTIONAL UTILITY, TO AQUA UTILITIES FLORIDA, INC. AND FOR AMENDMENT OF AQUA UTILITIES FLORIDA, INC.'S <u>WATER AND WASTEWATER CERTIFICATES</u>

Notice is hereby given on the 2<sup>nd</sup> day of January, 2008, pursuant to Section 367.071, Florida Statutes, of the Application for Approval of Transfer of the Water and Wastewater Systems of Fairways/Mt. Plymouth, Ltd. in Lake County, Florida to Aqua Utilities Florida, Inc., ("AUF") and Amendment of AUF's Certificate Nos. 106-W and 120-S. AUF does not propose to change rates pursuant to this Application. The Fairways/Mt. Plymouth water and wastewater systems provide service to the following described territory in Lake County, Florida:

#### LEGAL DESCRIPTION:

FAIRWAYS AT MT. PLYMOUTH, PHASES 1, 2, 3 AND 4, DESCRIBED TOGETHER AS ONE PARCEL: THAT PART OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 28 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 28 EAST, RUN N.00°40'11"W. ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 332.39 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32; THENCE S.89°51'49"W. ALONG THE SOUTH LINE OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 25.00 FEET; THENCE N.21°20'54"W., 353.98 FEET TO A POINT ON THE WEST LINE OF THE EAST 150 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, SAID POINT ALSO BEING ON THE NORTH LINE OF THE SOUTH 330 FEET OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32; THENCE S.89°57'19"W. ALONG THE NORTH LINE OF THE SOUTH 330 FEET OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 740.97 FEET, TO A POINT ON THE EAST LINE OF THE WEST 438 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32; THENCE N.00°33'20"W. ALONG THE EAST LINE OF THE WEST 438 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 180.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 510 FEET OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32: THENCE S.89°57'19"W. ALONG THE NORTH LINE OF THE SOUTH 510 FEET OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4. A DISTANCE OF 413.02 FEET TO THE EAST LINE OF RAINEY ROAD; THENCE N.00°33'20"W. ALONG SAID EAST LINE OF RAINEY ROAD, 485.27 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32; THENCE N.89°51'44"E. ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1,011.26 FEET; THENCE N.00°34'43"W. ALONG THE SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF SEAFORTH DRIVE AND ALONG THE EAST RIGHT-OF-WAY LINE OF SEAFORTH DRIVE 823.30 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ADAIR AVENUE; THENCE N.85°38'22"E. ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF ADAIR AVENUE, A DISTANCE OF 290.68 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32; THENCE S.00°40'11"E. ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, A DISTANCE OF 15.29 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DUBSDREAD DRIVE; THENCE N.82°48'24"E. ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF DUBSDREAD DRIVE, 255.44 FEET TO THE

BEGINNING OF A CURVE CONCAVED NORTHWESTERLY AND HAVING A RADIUS OF 156.72 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE OF DUBSDREAD DRIVE THROUGH A CENTRAL ANGLE OF 65°00'50" AN ARC LENGTH OF 177.83 FEET TO THE END OF SAID CURVE; THENCE N.17°47'34"E. ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF DUBSDREAD DRIVE, 148.60 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF TROON AVENUE; THENCE N.73°55'32"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF TROON AVENUE, 501.38 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE RUN S.01°52'34"W., 129.61 FEET; THENCE S.16°14'30"W., 84.57 FEET; THENCE S.23°39'53"W., 232.34 FEET; THENCE S.03°10'14"W., 47.84 FEET; THENCE S.11°31'57"E., 360.00 FEET; THENCE S.14°18'04"E., 58.20 FEET; THENCE S.20°58'53"E., 55.62 FEET; THENCE S.30°00'18"E., 55.62 FEET; THENCE S.36°37'12"E., 57.22 FEET; THENCE S.39°25'00"E.,420.29 FEET; THENCE S.50°35'00"W., 120.39 FEET TO A POINT ON A CURVE CONCAVED SOUTHWESTERLY AND HAVING A RADIUS OF 375.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°42'19" AN ARC LENGTH OF 70.07 FEET, SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF S.31°26'46"E., 69.96 FEET: THENCE LEAVING SAID CURVE RUN N.59°24'28"E., 67.97 FEET TO THE BEGINNING OF A CURVE CONCAVED NORTHWESTERLY AND HAVING A RADIUS OF 375.00 FEET: THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 57°19'40" AN ARC LENGTH OF 375.21 FEET TO THE END OF SAID CURVE; THENCE N.02°04'48"E., 151.77 FEET TO THE BEGINNING OF A CURVE CONCAVED SOUTHEASTERLY AND HAVING A RADIUS OF 35.00 FEET; THENCE NORTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 74°44'33" AN ARC LENGTH OF 45.66 FEET TO THE END OF SAID CURVE AND THE BEGINNING OF A CURVE CONCAVED NORTHWESTERLY AND HAVING A RADIUS OF 60.00 FEET; THENCE EASTERLY, NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 99°50'58" AN ARC LENGTH OF 104.56 FEET; THENCE S.42°37'47"E., 20.30 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF MUSSELBURG PLACE; THENCE N.45°02'25"E. ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF MUSSELBURG PLACE. 25.02 FEET TO THE CENTERLINE OF GLENCO AVENUE (CLOSED); THENCE S.42°37'47"E. ALONG SAID CENTERLINE OF GLENCO AVENUE, 306.61 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD C-435, SAID POINT BEING ON A CURVE CONCAVED EASTERLY AND HAVING A RADIUS OF 329.36 FEET; THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD C-435 THROUGH A CENTRAL ANGLE OF 46°08'55" AN ARC LENGTH OF 265.28 FEET, SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF S.05°40'53"E., 258.17 FEET TO THE END OF SAID CURVE; THENCE S.28°45'20"E. ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD C-435, A DISTANCE OF 66.39 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 170 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32; THENCE S.89°51'49"W. ALONG THE SOUTH LINE OF THE NORTH 170 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 438.25 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32; THENCE S.00°50'18"E. ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1157.92 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32; THENCE S.89°47'30"W. ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1331.52 FEET TO THE POINT OF BEGINNING.

#### LESS THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 28 EAST, IN LAKE COUNTY, FLORIDA, RUN N.00°40'11"W. ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AND ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, A DISTANCE OF 1826.61 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DUBSDREAD DRIVE; THENCE N.82°48'24"E. ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF DUBSDREAD DRIVE, A DISTANCE OF 169.12 FEET; THENCE S.07°07'47"E., 183.50 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING RUN N.82°52'13"E., 25.79 FEET; THENCE S.11°31'57"E., 374.36 FEET; THENCE S.10°56'33"E., 63.11 FEET; THENCE S.13°20'23"E., 66.72 FEET; THENCE S.20°06'51"E., 66.89 FEET; THENCE S.24°10'24"E., 65.78 FEET; THENCE S.25°59'34"E., 57.95 FEET; THENCE S.21°25'16"E., 56.70 FEET; THENCE S.16°26'53"E., 56.70 FEET; THENCE S.11°28'31"E., 56.70 FEET; THENCE S.06°30'09"E., 56.70 FEET; THENCE S.0°23'56"E., 117.45 FEET; THENCE S.03°02'14"E., 66.53 FEET; THENCE S.07°02'25"E., 65.70 FEET; THENCE S.11°10'43"E., 71.00 FEET; THENCE S.12°55"51"E., 118.01 FEET; THENCE S.09°24'37"E., 116.32 FEET; THENCE S.07°32'32"E., 58.19 FEET; THENCE S.02°13'44"E., 33.00 FEET; THENCE N.52°40'02"W., 460.75 FEET; THENCE N.80°28'08"W., 33.31 FEET; THENCE N.02°24'20"W., 104.27 FEET; THENCE N.38°35'48"W., 151.33 FEET; THENCE N.0°40'11"W., 348.69 FEET; THENCE N.0°34"43"W. 430.18 FEET; THENCE N.22°25'36"W., 84.17 FEET; THENCE N.61°30'53"W., 47.65 FEET; THENCE N.07°09'41"W., 123.90 FEET; THENCE N.82°52"13"E., 107.52 FEET TO THE POINT OF BEGINNING.

Any objections to the Application must be made in writing <u>and filed</u> with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to Kenneth A. Hoffman, Esq., Rutledge, Ecenia, Purnell & Hoffman, P.A., P. O. Box 551, Tallahassee, Florida 32302 within 30 days from the date of this Notice. The objection must state the grounds for the objection with particularity.

Aqua Utilities Florida, Inc. 1100 Thomas Avenue Leesburg, Florida 34748

### UTILITY NAME

### LAKE COUNTY

<u>MANAGER</u>

AQUA UTILITIES FLORIDA, INC. (WS881) 762 WEST LANCASTER AVENUE BRYN MAWR, PA 19010-3402

BRENDENWOOD WATER SYSTEM, INC. (WU020) 3153 PENWA COURT LONGWOOD, FL 32779-3109

CENTURY ESTATES UTILITIES, INC. (WU725) P. O. BOX 1234 APOPKA, FL 32704-1234

COLINA BAY WATER COMPANY, LLC (WU900) 7512 DR. PHILLIPS BLVD., SUITE 50-513 ORLANDO, FL 32819-5131

CWS COMMUNITIES LP (WU839) 14 CORAL STREET EUSTIS, FL 32726-6710

HARBOR HILLS UTILITIES, L.P. (WU727) 6538 LAKE GRIFFIN ROAD LADY LAKE, FL 32159-2900

HIDDEN VALLEY SPE LLC D/B/A ORANGE LAKE (WS892) 15840 STATE ROAD 50, LOT 32 CLERMONT, FL 34711-8715

LAKE UTILITY SERVICES, INC. (WU553) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027

LAKE UTILITY SERVICES, INC. (WS641) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027

LAKE YALE TREATMENT ASSOCIATES, INC. (WS823) 38141 MAYWOOD BAY DRIVE LEESBURG, FL 34788-8134

OAK SPRINGS, LLC (WU875) 1886 CANOVA STREET S. PALM BAY, FL 32909-2931 KIMBERLY A. JOYCE (610) 645-1077

DEBORAH J. DAY (352) 383-7908

JOSEPH LINARTAS (352) 787-0732

EDWARD A. NEAL (407) 234-5476

HOLLY SIMPSON (352) 589-1190

M. HUEY (352) 753-7000

GARY MORSE (352) 382-3414

PATRICK C. FLYNN (407) 869-1919

PATRICK C. FLYNN (407) 869-1919

DANNY ELLIS (352) 589-9214

MICHAEL CAMPBELL (321) 837-0565

### UTILITY NAME

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### LAKE COUNTY

PINE HARBOUR WATER UTILITIES (WU635) P. O. BOX 447 FRUITLAND PARK, FL 34731-0477

RAINTREE UTILITIES, INC. (WU663) 2100 LAKE EUSTIS DRIVE TAVARES, FL 32778-2064

SHANGRI-LA BY THE LAKE UTILITIES, INC. (WS728) 1214 WEST IL ROUTE 72 LEAF RIVER, IL 61047-9614

SOUTHLAKE UTILITIES, INC. (WS638) 2215 RIVER BLVD. JACKSONVILLE, FL 32204-4647

SUN COMMUNITIES FINANCE, LLC D/B/A WATER OAK UTILITY (WS755) THE AMERICAN CENTER 27777 FRANKLIN ROAD, SUITE 200 SOUTHFIELD, MI 48034-8205

UTILITIES, INC. OF PENNBROOKE (WS861) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027

W.B.B. UTILITIES, INC. (WU639) 4223 BAIR AVENUE FRUITLAND PARK, FL 34731-5618 MANAGER

JIM C. BRANHAM (352) 787-2944

KEITH J. SHAMROCK (352) 343-6677

MERTIS L. WERNER (616) 887-8888

WILLIAM J. DEAS (904) 387-9292

JIM HOEKSTRA (248) 208-2554

PATRICK C. FLYNN (407) 869-1919

RICHARD E. BAIR (352) 787-4347

#### <u>UTILITY NAME</u>

<u>MANAGER</u>

## **GOVERNMENTAL AGENCIES**

ADMINISTRATOR, CITY OF UMATILLA P. O. BOX 2286 UMATILLA, FL 32784-2286

CLERK, BOARD OF COUNTY COMMISSIONERS, LAKE COUNTY P. O. BOX 7800 TAVARES, FL 32778-7800

DEP CENTRAL DISTRICT 3319 MAGUIRE BLVD., SUITE 232 ORLANDO, FL 32803-3767

DEP SOUTHWEST DISTRICT 3804 COCONUT PALM DRIVE TAMPA, FL 33618-8318

EAST CENTRAL FLORIDA PLANNING COUNCIL 631 NORTH WYMORE ROAD, SUITE 100 MAITLAND, FL 32751

MAYOR, CITY OF CLERMONT P. O. BOX 120219 CLERMONT, FL 32712-0219

MAYOR, CITY OF EUSTIS P. O. DRAWER 68 EUSTIS, FL 32727-0068

MAYOR, CITY OF FRUITLAND PARK 506 WEST BERCKMAN STREET FRUITLAND PARK, FL 34731-3200

MAYOR, CITY OF GROVELAND 156 SOUTH LAKE AVENUE GROVELAND, FL 34736-2597

MAYOR, CITY OF LEESBURG P. O. BOX 490630 LEESBURG, FL 32749-0630

MAYOR, CITY OF MASCOTTE P. O. BOX 56 MASCOTTE, FL 34753-0056

#### UTILITY NAME

<u>MANAGER</u>

### **GOVERNMENTAL AGENCIES**

MAYOR, CITY OF MINNEOLA P. O. BOX 678 MINNEOLA, FL 34755-0678

MAYOR, CITY OF MOUNT DORA P. O. BOX 176 MOUNT DORA, FL 32756-0176

MAYOR, CITY OF TAVARES P. O. BOX 1068 TAVARES, FL 32778-1068

MAYOR, TOWN OF ASTATULA P. O. BOX 609 ASTATULA, FL 34705-0609

MAYOR, TOWN OF HOWEY-IN-THE-HILLS P. O. BOX 128 HOWEY-IN-THE-HILLS, FL 34737-0128

MAYOR, TOWN OF LADY LAKE 409 FENNELL BLVD. LADY LAKE, FL 32159-3159

MAYOR, TOWN OF MONTVERDE P. O. BOX 560008 MONTVERDE, FL 34729-0008

ST.JOHNS RIVER WTR MANAGEMENT DISTRICT P.O. BOX 1429 PALATKA, FL 32178-1429

### UTILITY NAME

#### <u>MANAGER</u>

### STATE OFFICIALS

STATE OF FLORIDA PUBLIC COUNSEL C/O THE HOUSE OF REPRESENTATIVES THE CAPITOL TALLAHASSEE, FL 32399-1300

OFFICE OF COMMISSION CLERK FLORIDA PUBLIC SERVICE COMMISSION 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-0850

### UTILITY NAME

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### **ORANGE COUNTY**

AQUA UTILITIES FLORIDA, INC. (WU882) 762 WEST LANCASTER AVENUE BRYN MAWR, PA 19010-3402

EAST CENTRAL FLORIDA SERVICES, INC. (WU643) 4550 DEER PARK ROAD ST. CLOUD, FL 34773

OAK SPRINGS, LLC (WU875) 1886 CANOVA STREET S. PALM BAY, FL 32909-2931

UTILITIES, INC. OF FLORIDA (WU413) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027

WEDGEFIELD UTILITIES, INC. (WS759) 200 WEATHERSFIELD AVENUE ALTAMONTE SPRINGS, FL 32714-4027 <u>MANAGER</u>

KIMBERLY A. JOYCE (610) 645-1077

JAMES B. PAYNE (407) 957-6651

MICHAEL CAMPBELL (321) 837-0565

PATRICK C. FLYNN (407) 869-1919

PATRICK C. FLYNN (407) 869-1919

**GOVERNMENTAL AGENCIES** 

#### UTILITY NAME

#### <u>MANAGER</u>

CLERK, BOARD OF COUNTY COMMISSIONERS, ORANGE COUNTY P. O. BOX 38 ORLANDO, FL 32802-0038

DEP CENTRAL DISTRICT 3319 MAGUIRE BLVD., SUITE 232 ORLANDO, FL 32803-3767

EAST CENTRAL FLORIDA PLANNING COUNCIL 631 NORTH WYMORE ROAD, SUITE 100 MAITLAND, FL 32751

MAYOR, CITY OF APOPKA P. O. DRAWER 1229 APOPKA, FL 32704-1229

MAYOR, CITY OF BAY LAKE P. O. BOX 22066 BAY LAKE, FL 32830-2066

MAYOR, CITY OF BELLE ISLE 1600 NELA AVENUE BELLE ISLE, FL 32809-6199

MAYOR, CITY OF EDGEWOOD 405 LA RUE AVENUE EDGEWOOD, FL 32809-3406

MAYOR, CITY OF LAKE BUENA VISTA P. O. BOX 22035 LAKE BUENA VISTA, FL 32830-2035

MAYOR, CITY OF MAITLAND 1776 INDEPENDENCE LANE MAITLAND, FL 32751-5639

MAYOR, CITY OF OCOEE 150 NORTH LAKESHORE DRIVE OCOEE, FL 34761-2258

MAYOR, CITY OF ORLANDO 400 SOUTH ORANGE AVENUE ORLANDO, FL 32801-3302

**GOVERNMENTAL AGENCIES** 

### UTILITY NAME

### **MANAGER**

Y OF WINTER GARDEN

MAYOR, CITY OF WINTER GARDEN 251 WEST PLANT STREET WINTER GARDEN, FL 34787-3099

MAYOR, CITY OF WINTER PARK 401 SOUTH PARK AVENUE WINTER PARK, FL 32789-4319

MAYOR, TOWN OF EATONVILLE P. O. BOX 2163 EATONVILLE, FL 32751-1999

MAYOR, TOWN OF OAKLAND P. O. BOX 98 OAKLAND, FL 34760-0098

MAYOR, TOWN OF WINDERMERE P. O. DRAWER 669 WINDERMERE, FL 34786-0669

SO. FLORIDA WATER MANAGEMENT DISTRICT P.O. BOX 24680 WEST PALM BEACH, FL 33416-4680

ST.JOHNS RIVER WTR MANAGEMENT DISTRICT P.O. BOX 1429 PALATKA, FL 32178-1429

### UTILITY NAME

### MANAGER

## STATE OFFICIALS

STATE OF FLORIDA PUBLIC COUNSEL C/O THE HOUSE OF REPRESENTATIVES THE CAPITOL TALLAHASSEE, FL 32399-1300

OFFICE OF COMMISSION CLERK FLORIDA PUBLIC SERVICE COMMISSION 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-0850

## **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

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In re: Aqua Utilities Florida, Inc.'s Application for Approval of Transfer of Fairways/Mt. Plymouth, Ltd.'s Water and Wastewater Systems and Amendment of Certificates in Lake County, Florida.

Docket No. 070739-WS

Filed: January <u>8</u>, 2008

## AFFIDAVIT OF MAILING

## STATE OF FLORIDA COUNTY OF Sarasota

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared <u>CARL D. Smith</u>, who, after being he/she is the duly oath, did depose oath and say that sworn on on for Aqua Utilities Florida, Inc., and that on January 2, 2008, he/she did send by regular U. S. Mail, a copy of the notice attached hereto to each customer of the Fairways/Mt. Plymouth water and wastewater systems.

FURTHER AFFIANT SAYETH NOT.

Sworn to and subscribed before me this  $\underline{\mathcal{B}}^{\underline{m}}$  day of January, 2008, by, who is personally known to me.

Nancy L. Guth Print Name NOTARYPUBL My Commission Expires NANCY L. GUTH Comm# DD0683316 Expires 6/9/2011 EXHIBIT Florida Notary Assn., Inc 

aquautilities/mtplymouth\affidavitofmailing2

DOCUMENT NUMBER - DATE 00250 JAN - 9 8 FPSC-COMMISSION OF FRE

### NOTICE OF APPLICATION FOR TRANSFER OF WATER AND WASTEWATER SYSTEMS OF FAIRWAYS/MT. PLYMOUTH, LTD., A NON-JURISDICTIONAL UTILITY, TO AQUA UTILITIES FLORIDA, INC. AND FOR AMENDMENT OF AQUA UTILITIES FLORIDA, INC.'S WATER AND WASTEWATER CERTIFICATES

Notice is hereby given on the 2nd day of January, 2008, pursuant to Section 367.071, Florida Statutes, of the Application for Approval of Transfer of the Water and Wastewater Systems of Fairways/Mt. Plymouth, Ltd. in Lake County, Florida to Aqua Utilities Florida, Inc., ("AUF") and Amendment of AUF's Certificate Nos. 106-W and 120-S. AUF does not propose to change rates pursuant to this Application. The Fairways/Mt. Plymouth water and wastewater systems provide service to the following described territory in Lake County, Florida:

#### LEGAL DESCRIPTION:

### FAIRWAYS AT MT. PLYMOUTH, PHASES 1, 2, 3 AND 4, DESCRIBED TOGETHER AS ONE PARCEL: THAT PART OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 28 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 19 SOUTH, RANGE 28 EAST, RUN N.00°40'11"W. ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4. A DISTANCE OF 332.39 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32; THENCE S.89°51'49"W. ALONG THE SOUTH LINE OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 25.00 FEET; THENCE N.21°20'54"W., 353.98 FEET TO A POINT ON THE WEST LINE OF THE EAST 150 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, SAID POINT ALSO BEING ON THE NORTH LINE OF THE SOUTH 330 FEET OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32; THENCE S.89°57'19"W. ALONG THE NORTH LINE OF THE SOUTH 330 FEET OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4. A DISTANCE OF 740.97 FEET, TO A POINT ON THE EAST LINE OF THE WEST 438 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32; THENCE N.00°33'20"W. ALONG THE EAST LINE OF THE WEST 438 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 180.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 510 FEET OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32: THENCE S.89°57'19"W. ALONG THE NORTH LINE OF THE SOUTH 510 FEET OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 413.02 FEET TO THE EAST LINE OF RAINEY ROAD: THENCE N.00°33'20"W. ALONG SAID EAST LINE OF RAINEY ROAD, 485.27 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32; THENCE N.89°51'44"E. ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1,011.26 FEET; THENCE N.00°34'43"W. ALONG THE SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF SEAFORTH DRIVE AND ALONG THE EAST RIGHT-OF-WAY LINE OF SEAFORTH DRIVE 823.30 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF ADAIR AVENUE: THENCE N.85°38'22"E. ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF ADAIR AVENUE. A DISTANCE OF 290.68 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32; THENCE S.00°40'11"E. ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, A DISTANCE OF 15.29 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DUBSDREAD DRIVE; THENCE N.82°48'24"E. ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF DUBSDREAD DRIVE, 255.44 FEET TO THE BEGINNING OF A CURVE CONCAVED NORTHWESTERLY AND HAVING A RADIUS OF 156.72 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY AND SOUTHEASTERLY RIGHT-OF-WAY LINE OF DUBSDREAD DRIVE THROUGH A CENTRAL ANGLE OF 65°00'50" AN ARC LENGTH OF 177.83 FEET TO THE END OF SAID CURVE; THENCE N.17°47'34"E. ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF DUBSDREAD DRIVE, 148.60 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF TROON AVENUE: THENCE N.73°55'32"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF TROON AVENUE, 501.38 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE RUN S.01°52'34"W., 129.61 FEET; THENCE S.16°14'30"W., 84.57 FEET: THENCE S.23°39'53"W., 232.34 FEET; THENCE S.03°10'14"W., 47.84 FEET; THENCE S.11°31'57"E., 360.00 FEET; THENCE S.14°18'04"E., 58.20 FEET; THENCE S.20°58'53"E., 55.62 FEET; THENCE S.30°00'18"E., 55.62 FEET; THENCE S.36°37'12"E., 57.22 FEET; THENCE S.39°25'00"E.,420.29 FEET; THENCE S.50°35'00"W., 120.39 FEET TO A POINT ON

A CURVE CONCAVED SOUTHWESTERLY AND HAVING A RADIUS OF 375.00 FEET: THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°42'19" AN ARC LENGTH OF 70.07 FEET. SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF S.31°26'46"E., 69.96 FEET; THENCE LEAVING SAID CURVE RUN N.59°24'28"E., 67.97 FEET TO THE BEGINNING OF A CURVE CONCAVED NORTHWESTERLY AND HAVING A RADIUS OF 375.00 FEET; THENCE NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 57°19'40" AN ARC LENGTH OF 375.21 FEET TO THE END OF SAID CURVE: THENCE N.02°04'48"E., 151.77 FEET TO THE BEGINNING OF A CURVE CONCAVED SOUTHEASTERLY AND HAVING A RADIUS OF 35.00 FEET; THENCE NORTHEASTERLY AND EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 74°44'33" AN ARC LENGTH OF 45.66 FEET TO THE END OF SAID CURVE AND THE BEGINNING OF A CURVE CONCAVED NORTHWESTERLY AND HAVING A RADIUS OF 60.00 FEET; THENCE EASTERLY, NORTHEASTERLY AND NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 99°50'58" AN ARC LENGTH OF 104.56 FEET; THENCE S.42°37'47"E., 20.30 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF MUSSELBURG PLACE; THENCE N.45°02'25"E. ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF MUSSELBURG PLACE, 25.02 FEET TO THE CENTERLINE OF GLENCO AVENUE (CLOSED); THENCE S.42°37'47"E. ALONG SAID CENTERLINE OF GLENCO AVENUE, 306.61 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD C-435, SAID POINT BEING ON A CURVE CONCAVED EASTERLY AND HAVING A RADIUS OF 329.36 FEET; THENCE SOUTHWESTERLY, SOUTHERLY AND SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD C-435 THROUGH A CENTRAL ANGLE OF 46°08'55" AN ARC LENGTH OF 265.28 FEET, SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF S.05°40'53"E., 258.17 FEET TO THE END OF SAID CURVE; THENCE S.28°45'20"E, ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD C-435, A DISTANCE OF 66.39 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 170 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 32; THENCE S.89°51'49"W. ALONG THE SOUTH LINE OF THE NORTH 170 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 438.25 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32: THENCE S.00°50'18"E. ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1157.92 FEET TO THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32; THENCE S.89°47'30"W. ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4. A DISTANCE OF 1331.52 FEET TO THE POINT OF BEGINNING.

#### LESS THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32. TOWNSHIP 19 SOUTH, RANGE 28 EAST, IN LAKE COUNTY, FLORIDA, RUN N.00°40'11"W. ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AND ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, A DISTANCE OF 1826.61 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DUBSDREAD DRIVE; THENCE N.82°48'24"E. ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF DUBSDREAD DRIVE, A DISTANCE OF 169.12 FEET; THENCE S.07°07'47"E., 183.50 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING RUN N.82°52'13"E., 25.79 FEET; THENCE S.11°31'57"E., 374.36 FEET; THENCE S.10°56'33"E., 63.11 FEET; THENCE S.13°20'23"E., 66.72 FEET; THENCE S.20°06'51"E., 66.89 FEET; THENCE S.24°10'24"E., 65.78 FEET; THENCE S.25°59'34"E., 57.95 FEET; THENCE S.21°25'16"E., 56.70 FEET; THENCE S.16°26'53"E., 56.70 FEET; THENCE S.11°28'31"E., 56.70 FEET; THENCE S.06°30'09"E., 56.70 FEET; THENCE S.0°23'56"E., 117.45 FEET; THENCE S.03°02'14"E., 66.53 FEET; THENCE S.07°02'25"E., 65.70 FEET; THENCE S.11°10'43"E., 71.00 FEET; THENCE S.12°55"51"E., 118.01 FEET; THENCE S.09°24'37"E., 116.32 FEET; THENCE S.07°32'32"E., 58.19 FEET; THENCE S.02°13'44"E., 33.00 FEET; THENCE N.52°40'02"W., 460.75 FEET; THENCE N.80°28'08"W., 33.31 FEET; THENCE N.02°24'20"W., 104.27 FEET; THENCE N.38°35'48"W., 151.33 FEET; THENCE N.0°40'11"W., 348.69 FEET; THENCE N.0°34"43"W. 430.18 FEET; THENCE N.22°25'36"W., 84.17 FEET; THENCE N.61°30'53"W., 47.65 FEET; THENCE N.07°09'41"W., 123.90 FEET; THENCE N.82°52"13"E., 107.52 FEET TO THE POINT OF BEGINNING.

Any objections to the Application must be made in writing <u>and filed</u> with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to Kenneth A. Hoffman, Esq., Rutledge, Ecenia, Purnell & Hoffman, P.A., P. O. Box 551, Tallahassee, Florida 32302 within 30 days from the date of this Notice. The objection must state the grounds for the objection with particularity.

Aqua Utilities Florida, Inc. 1100 Thomas Ave., Leesburg, FL 34748