

LEGAL NOTICE

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NOTICE OF JOINT APPLICATION OF FLORIDA WATER SERVICES CORPORATION AND SPRUCE CREEK SOUTH UTILITIES, INC. FOR TRANSFER OF WATER AND WASTEWATER FACILITIES AND JOINT PETITION FOR APPROVAL OF ANCILLARY AGREEMENTS

In Re: Joint Application of Florida Water Services Corporation and Spruce Creek South Utilities, Inc. for transfer of all water and wastewater facilities of Spruce Creek South Utilities, Inc. in Marion County to Florida Water Services Corporation, cancellation of Certificate Nos. 511-W and 467-S and Amendment of Certificates Nos. 373-W and 322-S.

--AND--

Joint Petition for Approval of Special Irrigation Water Agreements between Florida Water Services Corporation and Spruce Creek Preserve Homeowners' Association, Inc., and Spruce Creek Golf and Country Club Homeowners' Association, Inc.; for approval of Reclaimed Water Agreement between Florida Water Services Corporation and Del Webb's Spruce Creek Communities, Inc.; for approval of Futures Agreement between Florida Water Services Corporation and Del Webb Spruce Creek Communities, Inc.; and for approval of Developer's Agreement between Florida Water Services Corporation and Del Webb's Spruce Creek Communities, Inc.

Notice is hereby given August 17, 2000, pursuant to Section 367.071, Florida Statutes, of the Joint Application of Florida Water Services Corporation ("Florida Water") and Spruce Creek South Utilities, Inc. ("Spruce Creek") for approval of the transfer of Spruce Creek's water and wastewater facilities to Florida Water; cancellation of Spruce Creek's Water Certificate No. 511-W and Wastewater Certificate No. 467-S; Amendment of Florida Water's Marion County Water Certificate No. 373-W and Marion County Wastewater Certificate No. 322-S; and Joint Petition for Approval of Ancillary Agreements.

The address of Florida Water is P.O. Box 609520, Orlando, Florida 32860-9520. The address of Spruce Creek is 8501 S.E. 140th Lane Road, Summerfield, Florida 34491.

The water and wastewater facilities to be transferred provide service to the territory described in "Attachment A" to this notice. In the transfer application, Florida Water proposes to make **no changes** to the rates and charges which Spruce Creek was authorized to assess.

- AFP _____
- CAF _____
- CMP _____
- COM _____
- CTR _____
- ECR _____
- LEG _____
- OPC _____
- PAI _____
- RGO _____
- SEC _____
- SER _____
- OTH _____

Any objection to the application must be made in writing and filed within thirty (30) days from the date of this notice to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, and a copy of the objection must be sent to Kenneth A. Hoffman and J. Stephen Menton, 215 S. Monroe Street, Suite 420, Tallahassee, FL 32301, attorneys for Florida Water, and D. Bruce May, P.O. Drawer 810, Tallahassee, FL 32302, attorney for Spruce Creek. The objection must state the grounds for the objection with particularity.

DOCUMENT NUMBER-DATE

10267 AUG 21 00

FPSC-RECORDS/REPORTING

MARION/SUMTER COUNTY

Description Of Territory Served

SPRUCE CREEK GOLF & COUNTRY CLUB

Township 16 South, Range 23 East, Marion County, Florida

Section 33

The Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying South of U.S. Highway No. 441; and all of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 33.

Section 34

The West $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ lying South of U.S. Highway No. 441 and That portion of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, Section 34, described as follows:

Begin at the intersection of the southerly right-of-way line of Southeast County Highway C-25 (100 feet wide) with the East line of aforesaid East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence N $70^{\circ} 50' 18''$ W along said right-of-way line 351.39 feet; thence departing said right-of-way line S $00^{\circ} 01' 36''$ W, 240.00 feet; thence N $89^{\circ} 58' 24''$ W, 135.00 feet; thence N $00^{\circ} 01' 36''$ E, 251.70 feet to the point of curvature of a curve concave southeasterly, having a radius of 25.00 feet, a central angle of $109^{\circ} 08' 06''$ and a chord bearing and distance of N $54^{\circ} 35' 39''$ E, 40.74 feet; thence northeasterly along said curve an arc distance of 47.62 feet to the point of tangency, said point being on the aforesaid south right-of-way-line; thence along said right-of-way line run N $70^{\circ} 50' 18''$ W, 240.87 feet to the west line of aforesaid East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence along said west line run southerly to the Southwest corner of said East $\frac{1}{2}$ of Southwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$; thence easterly to the Southeast corner of said East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$; thence along the east line thereof run northerly to the Point of Beginning.

Township 17 South, Range 23 East, Marion County, Florida.

Section 3

The South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of Section 3 and the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3 and the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 3 and the South $\frac{1}{2}$ of Section 3, except the East 30 feet thereof, and the West $\frac{1}{2}$ of Northeast $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of Section 3 and the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 3.

Section 9

The East $\frac{1}{2}$ Section 9 and the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 9, and that part of the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 9 lying East of U.S. Highways 441 and 27 (200 feet wide).

Section 10

The North $\frac{1}{2}$ of said Section 10, except the East 315 feet thereof; and the North $\frac{1}{2}$ of the South $\frac{1}{2}$ of said Section 10, except the East 315 feet thereof; and the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 10, except the South 40 feet thereof; and the North $\frac{1}{2}$ of the South $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 10 and the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section and the East $\frac{1}{2}$ of Southwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Section 10, together with the following property described as:

Commencing at the Southwest corner of the East $\frac{1}{2}$ of Southwest $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 10, thence West 198.79 feet, thence North 25 feet, thence East 198.79 feet, thence South 25 feet to the Point of Beginning

And,

The Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, except the North 329.43 feet thereof of Section 10 and the North 65.88 feet of the South 199.57 feet of the North 463.07 feet of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 10 and the North 263.50 feet of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 10 and the East 20 feet of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 10, except the North 263.50 feet

Section 16

That part of the North $\frac{1}{2}$ of the North $\frac{1}{2}$ of said Section 16 lying East of said Highways 441 and 27; and the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 16, except those lands lying within the right-of-way of State Road 500 - U.S. 441 (200 feet wide).

SPRUCE CREEK PRESERVE

Township 17 South, Range 20 East, Marion County, Florida.

Section 9

That portion of said Section 9 lying East of State Road No. 200, less and except the East 50 feet of the North 1,520 feet thereof.

Section 16

The Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 16 and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 16, less and except that portion conveyed in the right-of-way deeds recorded in Official Records Book 1,273 at Page 1,293 and Official Records Book 798 at Page 32 of the Public Records of Marion County, Florida.

Containing 416.01 acres, more or less.

SPRUCE CREEK SOUTH

Township 17 South, Range 23 East, Marion County, Florida.

Section 34

The South $\frac{3}{4}$ of the East $\frac{1}{2}$ of said Section 34; and the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 34; and the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 34.

Section 35

That part of the East $\frac{1}{2}$ of said Section 35 lying Southwest of U.S. Highway 441/27; and the Southwest $\frac{1}{4}$ of said Section 35.

Section 36

That part of Section 36 lying Southwest of U.S. Highway 441/27 (200 feet wide).

Township 18 South, Range 23 East, Sumter County, Florida

Section 1 (Oakland Hills Professional Center)

Commence at the Southwest corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 1; thence N 88°27'07" E, along the South line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 1, a distance of 175.33 feet to a point on the Southwesterly right-of-way line of U.S. Highway 27-441 (being a 200 foot right-of-way) and the Point of Beginning. Thence S 41°46'50" E, along said right of way line, a distance of 370.00 feet to a point on the Northerly right-of-way line of County Road 109; thence S 48°13'10" W, along said right-of-way line, a distance of 100.41 feet to the Point of Curvature of a 350.00 foot radius curve, concave to the Southeast; thence along

the arc of said curve, through a central angle of $35^{\circ}00'00''$, a distance of 213.80 feet to the point of tangency; thence continue along said right-of-way line, $S 13^{\circ}13'10'' W$, a distance of 120.66 feet; thence departing said right-of-way line, $N 41^{\circ}46'50'' W$ a distance of 1,665.10 feet; thence $S 89^{\circ}51'32'' E$ a distance of 537.59 feet to a point on the Southwesterly right-of-way line of said U.S. Highway 27-441; thence $S 41^{\circ}46'50'' E$, along said right-of-way line, a distance of 803.42 feet to the Point of Beginning.

Said lands being situated in Sumter County, Florida and containing 12.74 acres, more or less.

Section 2

The Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 2; and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 2; and the East $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 2.