

M E M O R A N D U MApril ¹³~~12~~, 2001

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (CROSBY)

RE: DOCKET NO. 990256-WU - APPLICATION FOR TRANSFER OF FACILITIES OF GEM ESTATES UTILITIES, INC. IN PASCO COUNTY TO GEM ESTATES MOBILE HOME VILLAGE ASSOCIATION, INC. AND CANCELLATION OF CERTIFICATE NO. 563-W

Attached is a copy of a warranty deed reflecting that the utility owns the land upon which its facilities are located, pursuant to Rule 25-30.037(2)(q), Florida Administrative Code. **PLEASE PLACE THE DEED IN THE ABOVE-REFERENCED DOCKET FILE.** Thanks.

alc

Attachment

cc: Division of Regulatory Oversight (Brady)

DOCUMENT NUMBER-DATE

04569 APR 13 2001

FPSC-RECORDS/REPORTING



Rcpt: 483860 Rec: 10 50
DS: 0.70 IT: 0.00
03/22/01 *[Signature]* ADpty Clerk

This instrument prepared by
and should be returned to:
Larry S. Hersch, Esquire
Post Office Box 1046
Dade City, Florida 33526

JED PITTMAN, PASCO COUNTY CLERK
03/22/01 04:46pm 1 of 2
OR BK **4564** PG **1715**

Parcel Identification Number 12-26-21-0270-00B00-0010

WARRANTY DEED

THIS INDENTURE, made this 23rd day of JANUARY, 2001, between **GEM ESTATES UTILITIES, INC., a Florida Corporation**, whose post office address is Post Office Box 2016, Zephyrhills, Florida 33539, in the County of Pasco, State of Florida, party of the first part, and **GEM ESTATES MOBILE HOME VILLAGE ASSOCIATION, INC., a Florida Corporation**, whose post office address is 39412 Elgin Drive, Zephyrhills, Florida 33540, in the County of Pasco, State of Florida, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00), in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part, its heirs and assigns forever, the following described land, situate and being in the County of Pasco, State of Florida, to-wit:

That portion of the North ½ of Section 12, Township 26 South, Range 21 East, Pasco County, Florida, described as follows:

Commence at the Northwest corner of the East ½ of the Northeast ¼ of the Northwest ¼ of said Section 12, Township 26 South, Range 21 East, Pasco County, Florida, thence East 125.00 feet along the North line of the East ½ of the Northeast ¼ of the Northwest ¼ of said Section 12; thence S.00°09'30"E., 155.00 feet for a POINT OF BEGINNING; thence continue S 00°09'30"E., 25.00 feet; thence East 13.00 feet; thence S.00°09'30"E., 86.00 feet; thence West 84.00 feet; thence N.00°09'30"W., 111.00 feet; thence East 71.00 feet to the POINT OF BEGINNING.

Said parcel being a portion of the unrecorded plat of GEM ESTATES.

To include an assignment of the right to use any and all easements and rights-of-way for the maintenance of the utility lines in Gem Estates.

AND said party of the first part does hereby fully warrant the title to said land,
and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said first party has hereunto set his hand and
seal the day and year first above written.

GEM ESTATES UTILITIES, INC., a
Florida Corporation

By: *Hollis Malberg, President*
HOLLIS MALBERG, President

Signed, sealed and delivered
in the presence of:

[Signature]
Larry S. Hersch

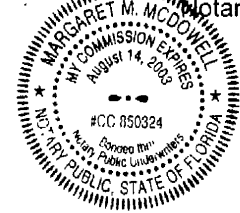
Margaret M. McDowell
Margaret M. McDowell

STATE OF FLORIDA
COUNTY OF PASCO

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to
administer oaths and take acknowledgments, personally appeared **HOLLIS
MALBERG**, known to me to be the persons described in and who executed the
foregoing instrument as President of GEM ESTATES UTILITIES, INC., a Florida
Corporation, who acknowledged before me that she executed the same, and that an
oath was not taken.

WITNESS my hand and official seal in the County and State last aforesaid this
23rd day of JANUARY, 2001.

Margaret M. McDowell
Margaret M. McDowell,
Notary Public



1/3
287,000



2001011343
Rcpt: 470520 Rec: 15.00
DS: 2009.00 IT: 0.00
01/29/01 *[Signature]* Dpty Clerk

JED PITTMAN, PASCO COUNTY CLERK
01/29/01 11:04am 1 of 3
OR BK 4526 PG 270

R

This instrument prepared by
and should be returned to:
Larry S. Hersch, Esquire
Post Office Box 1046
Dade City, Florida 33526

Parcel Identification Numbers 12-26-21-0270-00B00-0000
12-26-21-002C-00300-0030
12-26-21-0270-00B00-0010
12-26-21-0270-00A00-0000
12-26-21-0270-00D00-0000

WARRANTY DEED

THIS INDENTURE, made this 23rd day of JANUARY, 2001, between **HOLLIS MALBERG, as Trustee of the Marjorie Ruth Cahill Trust**, whose post office address is Post Office Box 2016, Zephyrhills, Florida 33539-2016, in the County of Pasco, State of Florida, party of the first part, and **GEM ESTATES MOBILE HOME VILLAGE ASSOCIATION, INC., a Florida Corporation**, whose post office address is 39412 Elgin Drive, Zephyrhills, Florida 33540, in the County of Pasco, State of Florida, party of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00), in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part, its heirs and assigns forever, the following described land, situate and being in the County of Pasco, State of Florida, to-wit:

That portion of the North 1/2 of Section 12, Township 26 South, Range 21 East, Pasco County, Florida, being further described as follows:

Commencing at the Northwest corner of the East 1/2 of the Northeast 1/4 of the Northwest 1/4 of said Section 12; thence S.00°09'30"E., a distance of 25.00 feet to the South right of way line of North Ave; thence East a distance of 125.00 feet; thence S.00°09'30"E., a distance of 155.00 feet to the South line of Elgin Dr.; thence East along said South line a distance of 430.00 feet to the centerline of Wheaton Ave.; thence S.00°09'30"E., a distance of 1015.00 feet along said centerline of an intersection with the centerline of Sycamore Lane; thence East along said centerline a distance of 565.00 feet to the POINT OF BEGINNING; thence continue East along said centerline 85.00 feet, said point being the center of a 45.00 foot radius; thence N.86°35'07"E., a distance of 45.00 feet to the Westerly right of way line of Seaboard

Coastline Railroad; thence S.28°13'40"W. along said Westerly right of way line a distance of 147.59 feet to the South line of Gem Estates (unrecorded); thence S.89°59'15"W. along said South line a distance of 59.86 feet; thence N.00°09'30"W., a distance of 127.20 feet to the POINT OF BEGINNING.

RESERVING an easement for ingress and egress over and across the following described parcel: Commencing at the above described point of beginning; thence East along the centerline of Sycamore Lane, a distance of 85.00 feet; thence N.86°35'07"E., a distance of 45.00 feet to the Westerly right of way line of Seaboard Coastline Railroad; thence S.28°13'40"W. along said Westerly right of way line a distance of 47.16 feet to an intersection with a curve concave to the North, having a radius of 45.00 feet, chord bearing, N.76°58'59"W, 61.65 feet; thence along said curve a distance of 67.91 feet; thence West a distance of 47.52 feet; thence N.00°09'30"W., a distance of 25.00 feet to the POINT OF BEGINNING.

ALSO RESERVING an easement for utilities over and across the Easterly 10.00 feet thereof and the South 10.00 thereof.

AND

That portion of Tract 3 of ZEPHYRHILLS COLONY COMPANY LANDS (commonly called Yinglings Addition to Zephyrhills), as recorded in Plat Book 2, Page 16, Public Records of Pasco County, Florida, lying West of the Seaboard Coastline Railroad right-of-way, all being in Section 12, Township 26 South, Range 21 East.

AND

That portion of the Northeast ¼ of the Northwest ¼ of Section 12, Township 26 South, Range 21 East, Pasco County, Florida, described as follows:

Commencing at the Northwest corner of the East ½ of the Northeast ¼ of the Northwest ¼ of said Section 12; thence S.00°09'30"E., a distance of 25.00 feet to the South right of way line of North Ave for a POINT OF BEGINNING; thence East along said South right of way line a distance of 400.00 feet; thence S.00°09'30"E., a distance of 130.00 feet to the centerline of Elgin Drive (a 50.00 foot easement); thence West along said centerline, a distance of 226.65 feet; thence S.00°12'03"E., a distance of 151.19 feet; thence West a distance of 78.62 feet; thence S.29°30'00"E., a distance of 73.55 feet; thence S.01°36'12"E., a distance of 45.00 feet to the centerline of Rockford Ave; thence departing said centerline, N.45°24'38"W., a distance of 45.00 feet; thence N.58°30'00"W., a distance of 117.55 feet to the West line of Gem Estates (unrecorded) thence N.00°09'30"W. along said West line a distance of 297.18 feet to the POINT OF BEGINNING. Reserving easements A & B for ingress and egress being described as follows:

Easement "A"

Commence at the above described Northwest corner of the East ½ of the Northeast ¼ of the Northwest ¼ of Section 12; thence S.00°09'30"E., a distance of 25.00 feet to the South right of way line of North Ave; thence East along said South right of way line a distance of 125.00 feet to the POINT OF BEGINNING; thence continue East along said South right of way line a distance of 50.00 feet; thence S.00°09'30"E., a distance of 105.00 feet; thence East, a distance of 225.00 feet; thence S.00°09'30"E., a distance of 25.00 feet to the centerline of Elgin Drive (a 50.00 foot easement); thence West along said centerline a distance of 226.56 feet; thence departing said centerline S.00°12'30"E., a distance of 25.00 feet; thence West a distance of 48.37 feet; thence N.00°09'30"W., a distance of 155.00 feet to the POINT OF BEGINNING.

Easement "B"

Commence at the above described Northwest corner of the East ½ of the Northeast ¼ of the Northwest ¼ of Section 12; thence S.00°09'30"E., a distance of 25.00 feet to the South right of way line of North Ave; thence continue S.00°09'30"E., a distance of 297.18 feet; thence S.58°30'00"E., a distance of 117.55 feet to the POINT OF

BEGINNING; thence along a curve concave to the Southeast having a radius of 45.00 feet; chord bearing N.66°29'35"E., 33.57 feet; thence along said curve a distance of 34.40 feet; thence S.01°36'12"E., a distance of 45.00 feet to the centerline of Rockford Ave; thence departing said centerline N.45°24'38"W., a distance of 45.00 feet to the POINT OF BEGINNING.

AND said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said first party has hereunto set his hand and seal the day and year first above written.

Hollis Malberg, Trustee
HOLLIS MALBERG, as Trustee of the
Marjorie Ruth Cahill Trust

Signed, sealed and delivered
in the presence of:

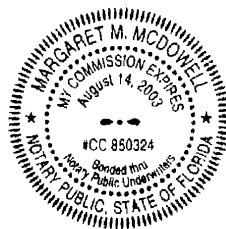
[Signature]
Larry S. Hersch

Margaret M. McDowell
Margaret M. McDowell


STATE OF FLORIDA
COUNTY OF PASCO

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **HOLLIS MALBERG**, known to me to be the persons described in and who executed the foregoing instrument as Trustee of the Marjorie Ruth Cahill Trust, who acknowledged before me that she executed the same, and that an oath was not taken.

WITNESS my hand and official seal in the County and State last aforesaid this 23rd day of JANUARY, 2001.

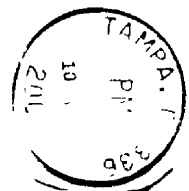


Margaret M. McDowell
Margaret M. McDowell,
Notary Public


Mr. Lester A. Ott
39514 Sycamore Ln.
Zephyrhills, FL 33540

ATTN: Alice Cosby

Public Service Comm.
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850



32399-0850 01

