# PALM COAST UTILITY CORPORATION 

DOCKET NO. 951056-WS

TESTIMONY OF ROBERT F. DODRILL

ON BEHALF OF THE STAFF OF THE FLORIDA PUBLIC SERVICE COMMISSION

DIVISION OF AUDITING AND FINANCIAL ANALYSIS

FILED: MAY 31, 1996

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DIRECT TESTIMONY OF ROBERT F. DODRILL
Q. Please state your name and business address.
A. My name is Robert F. Dodrill and my business address is Hurston North Tower, Suite N512, 400 W. Robinson Street. Orlando, Florida.
Q. By whom are you presently employed and in what capacity?
A. I am employed by the Florida Public Service Commission as a Regulatory Analyst III in the Division of Auditing and Financial Analysis.
Q. How long have you been employed by the Commission?
A. I have been employed by the Florida Public Service Commission since September, 1979. Briefly, from mid-1993 until the end of 1994 I left the Commission and I assisted in operating a family business.
Q. Briefly review your educational and professional background.
A. I graduated from the University of Florida in 1971, with a major in Business Operations Research. I am also a Certified Public Accountant licensed in the State of Florida.
Q. Please describe your current responsibilities.
A. Currently, I am a Regulatory Analyst III with the responsibilities of planning and directing audits of regulated companies. and assisting in audits of affiliated transactions. I also am responsible for creating audit work programs to meet a specific audit purpose and I have specific authority to direct and control assigned staff work as well as participate as a staff auditor and audit manager.
Q. Have you presented expert testimony before this Commission or any other regulatory agency?
A. Yes. I testified in the following: Gainesville Gas Company Rate Case,

Docket No. 870688-GU; United Telephone Rate Case, Docket No. 910980-TC: Marco Island Utilities Rate Case. Docket No. 920655-WS, and Southern States Utilities, Inc. Rate Case, Docket No. 950495-WS.
Q. What is the purpose of your testimony today?
A. The purpose of my testimony is to sponsor the staff audit report of Pa 1m Coast Utility Corporation, Docket No. 951056-WS. The audit report is filed with my testimony and is identified as RFD-1.
Q. Was this audit report prepared by you?
A. Yes. I was the audit manager in charge of this audit.
Q. Please review the audit exceptions you are sponsoring.
A. Audit Exceptions disclose substantial non-compliance with the Uniform System of Accounts, a Commission rule or order. Staff Advisory Bulletins, and formal company policy. Audit Exceptions also disclose company exhibits that do not represent company books and records and company failure to provide underlying records or documentation to support the general ledger or exhibits.

Audit Exception No. 1 discusses my opinion that the utility is in violation of the NARUC requirement that utility assets shall be recorded at the original cost to the person first devoting it to public service. This exception also recommends a reduction of \(\$ 385,490\) to the Rapid Infiltration Basin (RIB) Land Site and \(\$ 19,280\) to the 1995 buffer strip, for a total reduction in the Land account of \(\$ 404,770\). The staff audit workpapers relating to Land are attached to my testimony and are identified as RFD-2.

Audit Exception No. 2 discusses the reclassification \(\$ 1,410,299.32\) of consulting fees, materials, engineering, and AFUDC charged to plant subaccount \#380 (Treatment and Disposal Equipment) which I believe should be charged to

Structures and Improvements. The staff audit workpapers relating to Utility Plant in Service are attached to my testimony and are identified as RFD-3.

Audit Exception No. 3 recommends that \(\$ 548,416\) in water and \(\$ 504.537\) in wastewater should be eliminated from the Palm Coast Utility Plant in Service accounts. These amounts were capitalized, but my audit indicates that these are recurring periodic expenses.

Audit Exception No. 4 discusses various adjustments to the historical test year Operation and Maintenance expenses. These adjustments reflect undocumented expenses, the lobbying portion of Florida Waterworks Association Dues, travel expenses for an employee to speak at a conference at Marco Island, installation of Christmas lights on one of the elevated water tanks. an adjustment to reflect the actual amount for audit fees, and legal fees pertaining to the sale of the utility.

Audit Exception No. 5 discusses the utility's sale of water to the Dunes Community Development District (DCDD). The utility records this sale and other General Service sales in Metered revenues (commercial). I recommend that the utility record this sale in the Sales for Resale account, pursuant to the NARUC Uniform System of Accounts.
Q. Please review the audit disclosures you are sponsoring.
A. Audit Disclosures disclose material facts that are outside the definition of an Audit Exception.

Audit Disclosure No. 1 discusses my recommendation that the Commission should consider reducing the 1985 Sprayfield cost. Based on the facts and conclusions developed in Audit Exception No. 1. it appears that the Sprayfield has the same Original Cost per acre to the ITT group as the RIB Site land.

Therefore, I recommend that this site be reduced by \(\$ 268,509\).
Audit Disclosure No. 2 discloses for information purposes certain facts related to the Dunes Community Development District (DCDD) agreement with Palm Coast Utility Corporation (PCUC) to accept 600,000 gallons per day of treated wastewater effluent and to provide wet weather storage for up to \(1.000,000\) gallons per day for seven days.

Audit Disclosure No. 3 discusses the level of test year revenues. I recommend that operating revenue be increased by \(\$ 39,005\) for water and by \(\$ 56.190\) for wastewater to fully reflect the impact of a price index increase during the test year.

Audit Disclosure No. 4 discloses information related to the recovery of rate case expense allowed in the last rate case. Section 367.0816. F.S., states that
".... At the conclusion of the recovery period, the rate of the public utility shall be reduced immediately by the amount of rate
case expense previously included in rates."
Palm Coast Utility Corporation did not reduce its rates at the end of the amortization period, which ended on or about April, 1993.

Audit Disclosure No. 5 discusses "Table C" of the Utility's Effluent Rate Study. This study was included with the MFRs for this rate case. In this study, the utility states that in support of an effluent reuse rate, it will dedicate \(\$ 2.935 .977\) of Sewer Utility Plant in Service to reuse.

Audit Disclosure No. 6 discusses the outstanding debt of Palm Coast Utilities Company. Inc. The utility's parent, ITT Corporation, issued a letter of guarantee to South Trust Bank of Alabama, N.A., the lender, for all
of the above mentioned debt that includes the following statement:
"In order to induce you to enter into the Credit Agreement. ITT Corporation, a Delaware Corporation ("ITT"), hereby irrevocably and unconditionally guarantees to you payment when due, whether by acceleration or otherwise, of the full amount of any and all liabilities of the Company to you under the Credit Agreement." I believe that the outstanding debt and the cost to service such debt does not represent a true "arms length transaction" for "related parties" as defined in FAS 57, Par. 3 and App. B paragraph 24(f) respectively, issued March 1982 by the Financial Accounting Standards Board. The interest rates associated with this outstanding debt may be impaired because of the parent's unconditional guarantees as referenced above. If this debt is in essence the outstanding debt of the parent. ITT Corporation, the Commission should use the parent's capital structure to calculate a true market based Cost of Capital for this rate case proceeding.

Audit Disclosure No. 7 discusses the capital structure of the utility's parent company. On November 30, 1995 the utility's parent. ITT Corporation. was reorganized into three separate companies: ITT, ITT Hartford, and ITT Industries. The reorganization was executed as a tax free stock for stock transaction. Palm Coast is now a wholly owned subsidiary of ITT Industries. The audit revealed that the parent company capital structure, as presented in the MFRs is not comparable to the utility's as it is a simple average and not a 13-month average. In addition, the parent's capital structure information. as filed, is obsolete because of ITT Corporation's reorganization executed on November 30. 1995.

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In Re: Application for rate ) DOCKET NO. 951056-WS
increase in Flagler County by )
Palm Coast Utility Corporation. ) FILED: MAY 31, 1996

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\section*{CERTIFICATE OF SERVICE}

I HEREBY CERTIFY that a true and correct copy of DIRECT TESTIMONIES OF RAREN AMAYA, GUY W. SAPP, HAROLD A. WILRENING, III, BLANCA R. RODRIGUEZ, JEFF MARTIN, AND ROBERT F. DODRILL has been furnished by U.S. Mail, this 31st day of May, 1996, to the following:

Wayne Schiefelbein, Esquire Gatlin, Woods \& Carlson 1709-D Mahan Drive Tallahassee, Florida 32308

Steve Reilly, Esquire Office of Public Counsel c/o The Florida Legislature 111 W. Madison St., Room 812 Tallahassee, FL 32399-1400

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Florida Public service Commission
Audit Report
Test Year End
December 31, 1995
Field Work Completed
April 23, 1996

Palm Coast Utility Corporation

Palm Coast, Florida
Flagler County

Rate Case
Docket Number 951056-wS
Audit Control Number 96-037-3-1


Audit staff
Orrett L. Douse Jeffery A. Small


Minority Opinion


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\section*{I. Executive Summary}

AUDIT PURPOSE: We have applied the procedures described in Section II of this report to the appended exhibits as filed by Palm Coast Utility Corporation to support the Rate Case Docket Number 951056 -Ws for the actual six-month and projected six-month period ending December 31, 1995. Also, the Company's books and records were examined to determine compliance with Commission directives and to disclose any transactions or events that may influence Commission decision.

SCOPE LIMITATION: There were no scope limitations in the field work of this audit.

There are no confidential work papers associated with this report.

The last day of field work was April 23, 1996.

DISCLAIM PUBLIC USE: This is an internal accounting report prepared after performing a limited scope audit; accordingly, this document must not be relied upon for any purpose except to assist the Commission staff in the performance of their duties. Substantial additional work would have to be performed to satisfy generally accepted auditing standards and produce audited financial statements for public use.

OPINION: Subject to the procedures described in Section II, the Company books and records for the actual and projected test year ending December 31, 1995, are maintained in substantial compliance with Commission directives.
SUMMARY FINDINGS:
Exceptions:
1. RIB Land Cost Valuation
2. Misclassified Improvement Costs
3. Capitalized Rehabilitation Projects
4. Operation and Maintenance Expenses
5. Water Sold for Resale
Disclosures:
1. Sprayfield Land Cost Reconsideration
2. Effluent to Dunes Development District
3. Operating Revenues
4. Rate Case Expense Over-Recovery
5. Reuse Plant

\section*{II. Audit scope}

The opinions contained in this report are based on the audit work described below. When used in this report, Compiled means that audit work includes:

COMPILED - means that the audit staff reconciled exhibit amounts with the general ledger; visually scanned accounts for error or inconsistency; disclosed any unresolved error, irregularity, or inconsistency; and except as otherwise noted, performed no other audit work.

EXAMINED - means that the audit staff reconciled exhibit amounts to the general ledger; traced general ledger account balances to subsidiary ledgers; applied selective analytical review procedures; tested account balances to the extent further described; and disclosed any error, irregularity, or inconsistency observed.

\section*{RATE BASE}

PLANNING: Calculated Palm Coast Rate Base and NOI Materiality levels. Completed Audit Risk Profile. Read previous audit workpapers and the resulting FPSC orders. Read previous FPSC orders and noted issues impacting the current docket. Read General Ledger Account descriptions.

UTILITY PLANT IN GERVICE: Scheduled both water and sewer year-end plant balances from the annual reports from 1989 through 1994.

LAND ADDITION: Compiled land additions from FPSC Annual Reports and traced to utility schedule of land additions since last Rate Case. Read vouchers for land purchases. Requested appraisals used for land valuation. Visited Flagler County Courthouse to verify land ownership and to obtain original cost documents.

Examined land valuation documents and recalculated original cost to utility group of corporations.

CONSTRUCTION WORR IN PROGRESS: Scheduled Material project balances from inception to closing to plant.

AFUDC: Judgementally sampled two closed out CWIP projects where the Company recorded AFUDC. Recalculated AFUDC per Commission guidelines using the company's last approved AFUDC rate.

ACCUMULATED DEPRECIATION AND DEPRECIATION EXPENSE: Requested that Company provide Accumulated Depreciation Build-Up schedules for Water and Sewer.

CIAC (CONTRIBUTIONS-IN-AID-OF-CONSTRUCTION) AND AMORTIZATION: Requested that Utility provide a mapping of General Ledger CIAC accounts to the MFRs. Faxed PCUC - Hammock Dunes Tax Escrow Agreement to FPSC Tax Section for its review.

\section*{net operating income}

REVENOES: Requested monthly revenue schedule by revenue subaccount. Recomputed the revenues for the year ended December 31, 1995. Recomputed a sample of customer bills per the Utility's authorized tariffs.

OPERATIONS AND MAINTENANCE EXPENSES: Scheduled yearly expense balances from annual reports from 1989 onward for analytical review purposes. Compiled operations and maintenance accounts and determined that the accounts are accumulated and classified in accordance with commission Rules and the Uniform System of Accounts.

Sampled operation and maintenance expenses for timeliness, accuracy, correct classification, documentation and utility relatedness. Documented actual rate case expense incurred as of the end of field work.

TAXES OTHER THAN INCOME: Compiled the Taxes Other Than Income for 1995. Examined all items in the account for the proper amount, period and classification.

COST OF CAPITAL: Compiled and scheduled the capital structure components presented using both the company's and the parent's balances for comparison purposes. Traced the Company's debt components to the related debt instruments and determined the correct rates. Obtained a company representation concerning customer deposits.

REOSE 8CHEDULES: Scanned Reuse Plant in Service - Table C in the filed Palm Coast Effluent Reuse Rate Analysis. Traced Sewer rate base balances to the MFRs.

\section*{OTHER}

OUTSIDE AUDITORS' REPORT: Read copies of Arthur Anderson's 1995 Audit Workpapers noting issues for current and future FPSC Audits.

BOARD OF DIRECTORS' MINUTES: Read 1990 to 1994 BOD Consent Documents provided by PCUC.

\section*{sUBJECT: Noncompliance with NARUC Accounting Instruction \#18. Utility Plant - To be Recorded at cost}

\section*{FACTS:}
1. Rule 25-30.115 F.A.C., requires water and sewer utilities to maintain their books and records in conformity with the 1984 NARUC Uniform System of Accounts (US of A) adopted by the National Association of Regulatory Utility Commissioners.
2. Palm Coast Utility Corporation, Inc. is a Class A Utility according to the NARUC definition found in Accounting Instruction 1.
3. The 1984 NARUC Class A Sewer Description of Account Number 101 Utility Plant in Service Paragraph B states, "This account shall include the original cost of utility plant, included in the plant accounts prescribed herein...." with "original cost" being defined at definition number 20 on page 9 as: . . . the cost of such property to the person first devoting it to public service.
4. Furthermore, Definition Number 21 defines "Person" as:
- . . an individual, a corporation, a partnership an association, a joint stock company, a business trust or any organized group of persons whether incorporated or not, or any receiver or trustee.
5. Palm Coast Utility Corporation is and has been affiliated with ITT Incorporated as is ITT Community Development Corporation. This ITT family of corporations including ITT Land Development and others have been buying and developing land in Flagler County since the 1960s.

Audit Exception No. One (cont'd.)
6. Palm Coast Utility Corporation made two purchases of land from ITT Community Development Corporation near its existing effluent spray field - one purchase on July 12, 1991 of 81.576 acres of RIB Site Land for \(\$ 530,000\) and a smaller on purchase on January 24, 1995 of 4.601 acres of buffer for \(\$ 30,136.95\).
7. The Rapid Infiltration Basin (RIB) Land Site purchases are related party transactions per FASB No. 57 definition and as such, deserve additional scrutiny.

\section*{OPINION:}

The ITT Group of Corporations is the "Person" who first devoted the land to Utility Service. This ITT Group of Corporations develops communities and sells land to individuals and corporations and is required by law to provide water and wastewater service. The fact that ITT set up ITT Land Development, ITT Community Development Corporation, ITT Community Construction Company and Palm Coast Utility Corporation is no reason why the Utility customer should end up paying a return on remote undeveloped land valued in excess of \(\$ 6,000\) per acre.

Within this exception, the auditor plans to accomplish the following objectives.

To: Review the facts within the appraisal of the RIB Site Land.

Determine an Original Cost of the RIB Site land to the ITT Group of Corporations.

Disclose a current ITT sale at a negotiated price to a third party for land within the RIB Site neighborhood.

Establish an index which trends the original cost to the above recent sale price per acre.

And finally, revalue the RIB Site land at a trended original cost.

Audit Exception No. One (cont'd.)

\section*{HISTORY}

Palm Coast Utility Corporation has been using appraisals to value its land acquisitions from ITT Corporations since its first appraisal dated May 1, 1981. In the absence of other information, the appraisals have been accepted as reasonable. Palm Coast Order No. 22843 stated that, "A review of the prior orders indicates a preference to use independent appraisals when those reports provide reasonable land values."

\section*{THE APPRAISAL}

Currently, Palm Coast (the Utility) is using an appraisal to place a \(\$ 530,000\) value on land that it is using as an effluent holding site. This RIB Site is located just south of and adjacent to the Utility effluent spray field. The site is also located adjacent to the Department of Environmental Protection designated wetlands of the Graham Swamp. \(\$ 530,000\) for 81.576 acres equates to \(\$ 6,497\) per acre.

Under the NEIGHBORHOOD DATA DISCUSSION: the appraisal states: :

The subject neighborhood is located in the east-central portion of Flagler County. The neighborhood boundaries can be described as being the Palm Coast Parkway East on the North, SR-100 on the south, I-95 on the West and the Intercostal Waterway on the East.

The neighborhood is largely undeveloped, with few roadways traversing the area . . . . The neighborhood is predominantly rural in nature, with a large portion devoted to silviculture (tree farming) uses or swampland.

Under LAND VALUE DISCUSSION: section, the appraisal states:

\begin{abstract}
The subject parcel is unique in that one corporation owns the majority of the land within the immediate area. This landowner (ITT or its subsidiary) typically has not sold their holdings (except intercorporate transactions) during the time period associated with this appraisal assignment. For this reason, sales of similar properties in the immediate area are very limited. We therefore expanded our sales search to include areas outside the immediate neighborhood. The following sales were found and, though they differ from the subject as to various characteristics, they are considered the most comparable and indicative of value for the subject parcel.
\end{abstract}
Audit Exception No. One (cont'd.)
The appraisal used four transactions as comparables and the four
are listed below with the highest and best use listed for each.
PARCEL
HIGHEST AND BEST USE
Karbowski Property
McCormick Property
Flagler County Property
School Board Property
Commercial and Residential Development
ITT Subject Property

A comparison of parcel locations follows.

PARCEL
\begin{tabular}{ll} 
Karbowski Property & \begin{tabular}{l}
542 feet of Frontage on SR 100 \\
between Bunnell and the Flagler \\
County Airport
\end{tabular}
\end{tabular}

McCormick Property 750 feet of Frontage on SR 100 across from Flagler County Airport

Flagler County Property Southeast corner of SR-11 and Old Haw Creek Road, Bunnell, FL

School Board Property Old Kings Road Frontage just south of SR-100 intersection

ITT subject Property Approximately 600 feet (on a 100 foot access easement) east of Old Kings Road, approximately two miles south of Palm Coast Parkway along Old Kings Road.

Audit Exception No. One (cont'd.)

Lastly, A comparison of proximity to utilities was made.

\section*{PARCEL}
\begin{tabular}{ll} 
Karbowski Property & \begin{tabular}{l} 
Electricity and Telephone Available \\
Water and Sewer mains along SR-100
\end{tabular} \\
McCormick Property & \begin{tabular}{l} 
Electricity and Telephone Nearby \\
Water and Sewer mains along SR-100
\end{tabular} \\
Flagler County Property & \begin{tabular}{l} 
Municipal Service Available to site \\
Extension and lift Station may be \\
required.
\end{tabular} \\
School Board Property & \begin{tabular}{l} 
Utilities were extended from SR-100 South \\
to the property.
\end{tabular} \\
& \begin{tabular}{l} 
Water and Sewer service are not presently \\
extended to the subject parcel but are
\end{tabular} \\
available approximately 1.5 miles north.
\end{tabular}

Under UTILITIES DISCUSSION, the appraisal states:
According to Robert Kelly, Palm Coast Utility Corporation, the cost of expanding water service to the subject is approximately \(\$ 223,000\) plus the necessary tax gross-up of \(\$ 105,000\) for a total of \(\$ 328,000\). The cost of installing a sewer lift station would be approximately \(\$ 72,000\) plus tax gross-up of \(\$ 34,000\) for a total of \(\$ 106,000\).

The appraisal did not mention the fact that the subject parcel was just south of and contiguous with land already designated as and operating as a Palm Coast Sewer effluent spray field.

Audit Exception No. One (cont'd.)

ORIGINAL COST OF LAND TO ITT GROUP
A preliminary visit to the Flagler County Courthouse was made, and it was determined that the original cost to the ITT Group would be fairly easy to obtain. It was determined from the Utility that the RIB Site 2 was located in parts of Sections 20,29 and 52 of Township 11 South and Range 31 East.

A review of the County Tax Roll books from 1965 through 1969 indicated that all the land in these sections east of Old Kings Road was owned by Lehigh Portland Concrete Company. Beginning in 1969 an ITT Corporation "Ray-Florida Company" was the owner of record. The General Index to Official Records of Flagler County for 1968 indicated that Lehigh Portland transferred the land to Ray-Florida by way of a Warranty Deed filed December 23, 1968.

The Lehigh Portland - Ray Florida Warranty Deed was obtained, and the acreage and the sales price were extracted from the parcel descriptions and the document stamps, respectively. The per acre purchase price of \(\$ 340.76\) or \(\$ 341\) was calculated.

FLAGLER COUNTY APPRAISER
While one audit staff member was in the Flagler County Courthouse verifying the comparables in the RIB site appraisal, he met the Flagler County Appraiser, Mr. Guy W. Sapp. After explaining the purpose of the audit and showing Mr. Sapp the Appraisal, Mr. Sapp had the following statement.

> Those parcels listed in the appraisal are not comparable to the sprayfield site. (RIB Site) In fact, two of them are "DQ" which means Disqualifications as comparables for appraisal purposes because they are SALES TO GOVERNMENTAL AUTHORITIES. They are not true arm's-length sales and are never considered by county appraisers.

When a member of the audit staff mentioned that he was not an appraiser but was just reviewing the facts, Mr. Sapp said that, "You don't have to be an appraiser to see that these are not comparable pieces of property." Mr Sapp went on to say:

\section*{Audit Exception No One (cont'd.)}

\begin{abstract}
If you want to see a real comparable piece of property, ITT just sold some property less than a mile down the road from the Sprayfield (RIB Site) to a Michigan Corporation. This site is larger than the (RIB Site) but it has frontage on both SR100 and on both sides of Old Kings Road which should make it more valuable on the whole. This was a true third-party sale with a negotiated price. We (the appraiser's office) have just been working up the descriptions for the books.
\end{abstract}

Mr. Sapp then asked a representative in his office to make a copy of the paperwork for me and to calculate the cost per acre. This March 7th 1996 Sale of Property in the RIB Site Neighborhood sold for \(\$ 2,390\) per acre.

This ITT Sale to a Michigan Corporation (Con-Cor) was within the neighborhood boundaries described by the RIB Site Appraisal. It also is included within the land that the ITT Group purchased from Lehigh Portland Concrete, that is, the \(\$ 341\) per acre land described on the previous page.

\section*{INDEXING THE ORIGINAL COST}

At this point, the original \(\$ 341\) an acre for the RIB Site Land was indexed up to a more current and reasonable cost per acre. Initially, to get a base line indicator, The Wall Street Journal Consumer price Index was applied to the original cost. This Consumer Price Index yielded a per acre price less than the current ITT sale and twice that CPI index produced a price much too high per acre. (See Schedule attached.)

Staff varied the index rate applied to the original \$341 per acre until an annual compounding rate of \(7.43 \%\) yielded almost exactly the \(\$ 2,390\) per acre sale price of the March 1996, ITT to Con-Cor land sale. (See Schedule attached.)

Audit Exception No. One (cont'd.)

\section*{REVALUATION OF THE RIB 8ITE LAND PURCHASES}

Staff recommends that the \(\$ 6,497\) per AC price paid for the RIB Site should be revalued to reflect a trended original cost per acre of \(\$ 1,771.48\). The original trended cost for the whole 81.576 acres equals \$144,510.

The additional 4.6013 acres which was purchased to provide a wetlands buffer was purchased in 1995 for \(\$ 30.136 .95\) or \(\$ 6,551\) per acre which should also be revalued. The trended original cost per acre in 1995 (see Schedule page 16) of \(\$ 2,359\) for the 4.6013 acres of buffer strip totals \(\$ 10,857\).

The following is a summary of various trend rates from 1968 to 1995:

Rate \%

Consumer Price Index average . 05622

RIB Site Land to Con-Cor \(\$ 2,390 / A C\)
.0743

Twice CPI average . 11244
RIB Site Land to Appraised \$6,497/AC .13675

\section*{Audit Exception No. One (cont'd.)}

\section*{RECOMMENDATION:}

Based on the related party transactions described above and the determination of a trended original cost for the land in the RIB Site neighborhood, also described above, the audit staff recommends reducing the purchase price of the 1991 RIB Site land and the 1995 buffer strip by \(\$ 385,490\) and \(\$ 19,280\) respectively for a total reduction in the land account of \(\$ 404,770\).
\begin{tabular}{lrr} 
& RIB SITE & BUFFER \\
Palm Coast Purchase Price & \(\$ 530,000\) & \(\$ 30,137\) \\
Indexed Original Cost & \(\underline{144,510}\) & 10,857 \\
Proposed Reduction in cost & \(\$ 385,490\) & \(\$ 19,280\)
\end{tabular}

\section*{PALM COAST UTILITY CORPORATION}

INDEXING LAND COST PER ACRE PURCHASED 1968
\begin{tabular}{|c|c|c|c|c|c|}
\hline & CPI & @CPI & @ \(2 \times\) CPI & \multicolumn{2}{|l|}{\begin{tabular}{l}
INDEX \\
0.0743 7.43\% Compounded
\end{tabular}} \\
\hline Y/E 1968 Orig Cost= & INDEX & \$341 & \$341 & \$341 & \\
\hline 1969 & 0.054 & 359.16 & 377.56 & 366.08 & \\
\hline 1970 & 0.057 & 379.63 & 420.60 & 393.28 & \\
\hline 1971 & 0.044 & 396.34 & 457.62 & \(422.50{ }^{\circ}\) & \\
\hline 1972 & 0.034 & 409.81 & 488.74 & 453.89 & - \\
\hline 1973 & 0.062 & 435.22 & 549.34 & 487.61 & \\
\hline 1974 & 0.11 & 483.10 & 670.19 & 523.84 & \\
\hline 1975 & 0.091 & 527.06 & 792.17 & 562.77 & \\
\hline 1976 & 0.057 & 557.10 & 882.48 & 604.58 & \\
\hline 1977 & 0.065 & 593.31 & 997.20 & 649.50 & \\
\hline 1978 & 0.077 & 639.00 & 1,150.77 & 697.76 & \\
\hline 1979 & 0.114 & 711.84 & 1,413.14 & 749.60 & \\
\hline 1980 & 0.134 & 807.23 & 1,791.86 & 805.30 & \\
\hline 1981 & 0.103 & 890.37 & 2,160.98 & 865.13 & \\
\hline 1982 & 0.06 & 943.79 & 2,420.30 & 929.41 & \\
\hline 1983 & 0.03 & 972.11 & 2,565.52 & 998.46 & \\
\hline 1984 & 0.035 & 1,006.13 & 2,745.11 & 1,072.65 & \\
\hline 1985 & 0.035 & 1,041.35 & 2,937.27 & 1,152.35 & \\
\hline 1986 & 0.016 & 1,058.01 & 3,031.26 & 1,237.97 & \\
\hline 1987 & 0.036 & 1,096.10 & 3,249.51 & 1,329.95 & \\
\hline 1988 & 0.04 & 1,139.94 & 3,509.47 & 1,428.76 & RIB Site \\
\hline 1989 & 0.048 & 1,194.66 & 3,846.38 & 1,534.92 & Indexed \\
\hline 1990 & 0.052 & 1,256.78 & 4,246.40 & 1,648.96 & Orig Cost \\
\hline 1991 & 0.041 & 1,308.31 & 4,594.61 & 1,771.48 & \(\times 81.576\) AC \$144,510 \\
\hline 1992 & 0.029 & 1,346.25 & 4,861.09 & 1,903.10 & \\
\hline 1993 & 0.028 & 1,383.94 & 5,133.31 & 2,044.50 & Buffer Indexed \\
\hline 1994 & 0.025 & 1,418.54 & 5,389.98 & 2,196.41 & Orig Cost \\
\hline 1995 & 0.041 & 1,476.70 & 5,831.96 & 2,359.60 & X4.601 AC: \$10,857 \\
\hline 1996 (9/52 weeks & 0.041 & 1,487.18 & 5,914.73 & 2,389.95 & \\
\hline & & & 6310.18 & 2,390.00 & At Current land cost / Al \\
\hline Average CP & 0.0562 & & & & ITT-Con-Cor transaction \\
\hline Curr. Index & 0.0743 & & & & \\
\hline
\end{tabular}

Varied index untill 1996 price per acre equaled CON-COR Michigan Contract price per acre. Used land value for each year to recalculate original cost for purchased property in NEIGHBORHOOD.
sUBJECT: Misclassifications of RIB site Improvements

FACTS: Before this RIB Site land could be used for its intended purposes, the Utility paid ITT Community Construction Company for \(\$ 451,800\) worth of borrow material to raise its RIB cells above the natural grade and to build up the burms of those cells.

The borrow material was included in a contract for the Rapid Infiltration Basin construction in the amount of \(\$ 1,164,011\) which also included intercell piping, clearing, grubbing, sodding and landscaping of the site buffer.

In addition to the above construction contract, Palm Coast charged consulting fees, materials, engineering and AFUDC to equal the \(\$ 1,410,299.32\) charged to utility Plant in Service.

The Palm Coast Rapid Infiltration Basin (RIB) Site improvements above were charged to plant subaccount \#380 (Treatment and Disposal Equipment).

OPINION: The above soft capital costs of consulting fees, materials, engineering and AFUDC total \$246,287.83.

The above additions and improvements should be classified as structures and Improvements, and the utility charge to Equipment should be reversed.

The depreciation rates for these two accounts, Equipment and Structures are 5.56\% and 3.13\%, respectively. When these rates are applied to the misclassified balance of \$1,410,299, an annual depreciation expense difference of \(\$ 34,270\) is developed.

\section*{Audit Exception No. Two (cont'd.)}

> It should be noted that this RIB Site Improvement is eventually to be used as Effluent Reuse Plant. (See Disclosure No. 8.)

\section*{RECOMMENDATION:}

The Commission should reclassify the improvements in the amount of \(\$ 1,410,299\) described above which were charged to the Equipment account to the structures and Improvements account.

\section*{sUBJECT: Misclassification of Major Rehabilitations to UPIs}

FACTS: Palm Coast charged \(\$ 1,103,995\) in Water and Sewer plant rehabilitation projects to Construction work in Progress.

The \(\$ 599,457\) and \(\$ 504,537\) worth of respective Water and Sewer Plant Rehabilitation projects were transferred to the Utility Plant in Service subaccounts by General Journal Entries.

During the audit it was noted that the test year contains expenses for a Well Rehabilitation Program.

OPINION: The project names such as "Patricia Drive Sewer Rehabilitation", "Well Program" and "Interior Rehabilitation of . . . Elevated Tank" as well as the supporting documentation indicate that these are, with one noted exception, recurring periodic expenses which should never be charged to plant.

The Well Program contained charges for Stand By Diesel Generating Equipment in the amount of \(\$ 51,041\) which appear to be a proper addition to utility plant in Service.

The FPSC Division of Water and Wastewater Engineers should examine these projects and determine if any other capitalizations or any amortization into the test period expense is appropriate.

These projects may relate to plant that is not 100\% used and useful and any resulting test year expense may be overstated.

\section*{Audit Exception No. Three (cont'd.)}

\section*{RECOMMENDATION:}

The above Water and Sewer totals of \(\$ 548,416\) ( \(\$ 599,457\) minus \(\$ 51,041\) ) and \(\$ 504,537\), respectively, should be eliminated from the Palm Coast Utility Plant in Service accounts.

\section*{AUDIT EXCEPTION NO. 4}

8UBJECT: Operation and Maintenance Expenses

FACTS: For the historical year ended December 31, 1995, Palm Coast Utility corporation recorded an amount of \(\$ 1,193.83\) in Account 620 - Materials and Supplies (water). The Utility was unable to provide documentary support for this amount.

The Utility recorded an amount of \(\$ 10,000\) in Account 675 - Miscellaneous Expenses (water) for Florida Waterworks Association Dues. Under the Omnibus Budget Reconciliation Act of 1993, a portion ( \(32 \%\) ) of the dues paid is considered lobbying expenses.

An employee of the Utility was a speaker at a conference at Marco Island in September 1995. The Utility recorded an amount of \(\$ 705.87\) in Account 675 to cover the employee's expenses.

The Utility paid an amount of \(\$ 2,500\) to install Christmas lights on one of its elevated water tanks. This amount was recorded in Account 675.

The Utility accrued \(\$ 42,000\) for audit fees, the actual amount was \(\$ 46,000\). A final billing amount of \(\$ 4,000\) was not recorded by the Utility until February 1996 in Ȧccount 632 - Contractual Services -Accounting (water).
jegal fees in the amount of \(\$ 1,780\) pertaining to the sale of the Utility was recorded in Account 633 - Legal fees (water).

Audit Exception No. Four (cont'd.)

\section*{OPINION/RECOMMENDATION:}

Field audit staff recommends that Operation and Maintenance Expenses - Water be decreased by \(\$ 6,276\) and, Operation and Maintenance Expenses - Wastewater be increased by \$896. Based on the facts above, the following are the recommended adjustments to Operation and Maintenance Expenses:
1) Account 620 (water) decreased by \((\$ 1,194)\) due to lack of support for the recorded expenditure.
2) Account 675 (water) decreased by \((\$ 6,406)\) to account for \(\$ 3,200\) ( \(\$ 10,000 \times 32 \%\) ) in lobbying expenses and other non-utility amount of \(\$ 3,206\) (\$706 + 2,500).
3) Account 632 (water) \& 732 (w/water) increased by \$2,385 and \$1,615, respectively, to account for the increase in audit fees.
4) Account 633 (water) \& 731 (w/water) decreased by ( \(\$ 1,061\) ) and ( \(\$ 719\) ), respectively, to account for the \(\$ 1,780\) in non-utility legal fees.

AUDIT EXCEPTION NO. 5

\section*{subJect: Water sold For Resale}

FACTS: Palm Coast Utility Corporation sells water to the Dunes Community Development District (DCDD). This sale is authorized by the Utility's tariff. For the period January 1995 to November 1995, DCDD was charged a base facility charge of \(\$ 193.83\) for a six-inch meter and a usage charge of \(\$ 1.00\) per thousand gallons. As of December 1995 the indexed rates were applied resulting in a base facility charge of \(\$ 195.79\) and usage charge of \(\$ 1.01\) per thousand gallons.

For the year ended December 31,1995 , sales to DCDD amounted to \(\$ 64,785\). The Utility records this sale and other General Service sales in Account No. 461.2 Metered Revenues (Commercial).

The Uniform System of Accounts (USOA) for Class "A" water utilities requires sales for resale to be recorded in Account 466. The USOA (Acct. 466) states,
A. This account shall include the net billing for water supplied (including stand-by service) to other water utilities or to public authorities for resale purposes.
B. Records shall be maintained so that the quantity (estimated if not metered) of water sold and the amount of revenue under each rate schedule shall be readily available.

\section*{OPINION/RECOMMENDATION:}

Field audit staff recommends that the Commission orders the Utility to abide by the USOA and record sales to the Dunes Community Development District in Account No. 466 - Sales for Resale.

\section*{AUDIT DISCLOSURE NO. 1 -}

\section*{sobJECT: Sprayfield Land Cost}

FACTS: The 1984 NARUC Class A Sewer Description of Account Number 101 Utility Plant in Service Paragraph B states, "This account shall include the original cost of utility plant, included in the plant accounts prescribed herein . . . ." with "original cost" being defined at definition number 20 on page 9 as, . . . the cost of such property to the person first devoting it to public service.

By a previous order the Palm Coast sewer effluent sprayfield was valued at appraised cost.

Order No. 22843 of Docket No. 890277 dated April 23, 1990, on page 36 states, in part:

The rate base determinations in prior proceedings for PCUC have indicated portions of the recorded land values, and there is no new submission of new information in this docket to indicate that we should reconsider these prior orders. There is no direct testimony in the case to indicate that recorded land values are unreasonable. Further, the record does not reveal the original cost basis to ICDC for land, nor what improvements should be considered prior to dedication of land to utility service. Accordingly, we find that the record does not support OPC's proposal that we reduce the booked value of land to the original cost to ICDC, adjusted for inflation.

\section*{Audit Disclosure No. 1 (cont'd.)}

OPINION: Based on the facts and conclusions developed in Audit Exception No. 1, it appears that the Palm Coast Sprayfield has the same Original cost per acre to the ITT group as the RIB Site land. The sprayfield land is next to the RIB Site and is in the same neighborhood as the recent ITT Sale of land to the Michigan Corporation discussed in Exception No. 1.

Based on the same index developed in Exception No 1, the 83.3 acres of the Sprayfield has a 1985 trended original cost of \(\$ 1,152.35\) per acre for a total of \(\$ 95,991\). Palm Coast booked an appraised value of \(\$ 364,500\) for a bookcost difference of \(\$ 268,509\).

\section*{RECOMMENDATION:}

The Commission should consider reducing the 1985 Sprayfield cost by \(\$ 268,509\) to the trended original cost of \(\$ 95,991\).

AODIT DISCLOSURE NO. 2 -
sOBJECT: Effluent to Dunes Community Development District (DCDD)

FACTS: Dunes Community Development District (DCDD) has an agreement with Palm Coast Utility Corporation (PCUC) to accept 600,000 gallons per day of treated wastewater effluent and to provide wet weather storage for up to 1,000,000 gallons per day for seven days.

Palm Coast Utility Corporation paid DCDD \(\$ 558\) per month for the right to dispose of 600,000 gallons per day of effluent, and \(\$ 3,341\) per month for the lease of \(7,000,000\) gallons of wet weather storage. DCDD sells the reclaimed water to its customers for irrigation purposes.

The agreement expired March 31, 1995. The Utility has developed a 6,000,000 effluent storage tank and a Rapid Infiltration Basin (RIB) necessary to provide effluent reuse water for irrigation purposes.

DCDD installed, and maintains at its own expense, a pump station at the PCUC wastewater treatment plant along with the necessary effluent force main from the pump station to DCDD's wastewater treatment plant site.

\section*{OPINION/RECOMMENDATION:}

Field audit staff is of the opinion that Palm Coast Utility Corporation should be allowed to sell reclaimed water to its customers to recover some of the costs incurred in treating and disposing of wastewater effluent to meet Department of Environmental Protection regulations regarding the collection, treatment and disposal of wastewater.

This disclosure is for informational purposes only.

\section*{AUDIT DISCLOSURE NO. 3}

\section*{8OBJECT: Operating Revenues}

FACTE: Palm Coast Utility Corporation had a price index filing in 1995. New water and wastewater tariffs were approved effective October 24, 1995, per Florida Public Service Commission Authority No. ws-95-0189.

The Utility applied the new rates to its December 1995 billings.

The Utility's Minimum Filing Requirements (MFRs) included six months' actual data and six months of projections for Operating Revenues.

\section*{OPINION/RECOMMENDATION:}

The Utility did not apply the indexed rates per its tariff to November 1995 customer billings.

The Utility's failure to apply the new tariff in November 1995 resulted in an understatement of revenues for test year ended December 31, 1995, as follows:
\begin{tabular}{|c|c|c|c|}
\hline Water & \begin{tabular}{l}
Amount \\
Per Audit
\end{tabular} & \begin{tabular}{l}
Amount \\
Per G/L
\end{tabular} & Differ. \\
\hline Measured Revenues & \$5,024,225 & \$4,988,428 & \$35,797 \\
\hline Private Fire Protection & 138,032 & 134,824 & 3,208 \\
\hline \(\because\) Sub-Total & \$5,162,257 & \$5,123,252 & \$39,005 \\
\hline Wastewater & & & \\
\hline Measured Revenues & \$3,114,927 & \$3,097,742 & \$ 17.185 \\
\hline Total Revenues & \$8,277,184 & \$8,220,994 & \$56.190 \\
\hline
\end{tabular}

Field audit staff recommends that the Utility adjusts its operating revenue as shown above.

\section*{ADDIT DIBCLOSURE NO. 4}

\section*{80BJECT: Over-recovery of Rate Case Expense}

FACTS: Order No. 22843 issued April 23, 1990, granted Palm Coast Utility an increase in its rates. The order also allowed the Utility a period of three years, instead of the customary four years, to recover Rate Case Expense of \(\$ 286,102\) and prior unamortized Rate Case Expense of \$19,575.

Section 367.0816 , F.S., states that,
. . . At the conclusion of the recovery period, the rate of the public utility shall be reduced immediately by the amount of rate case expense previously included in rates.

Palm Coast Utility Corporation did not reduce its rates at the end of the amortization period, which ended on or about April 1993.

Rule 25-30.470, F.A.C., states the methodology for calculation of rate reduction after rate case expense is amortized as follows:
The annual amount of rate case
expense, which is equal to one-
fourth (in this case one-third) of
the total allowed rate case
expense, shall be divided by the
regulatory assessment fee gross up
factor. The resulting number shall
then be divided by the revenue
requirement to determine the
percentage of the rate reduction.
The percentage is then multiplied
against the new rates to determine
the amount of the

Audit Disclosure No. 4 (cont'd.)
future rate reduction. Revised tariff sheets implementing the reduction shall be filed no later than 1 month before the end of the fourth year (in this case, third year).

\section*{OPINION/RECOMMENDATION:}

Field audit staff recommends that the aforementioned facts be considered by the analyst assigned to this rate case in determining the final rates for Palm Coast Utility Corporation.

AUDIT DIBCLOSURE NO. 5 -
sUBJECT: Reuse plant

FACTS: Palm Coast is applying for an Effluent Reuse rate with this rate proceeding.

The Utility is proposing that \(\$ 2,935,977\) or \(7.47 \%\) of its Sewer Utility Plant in Service is going to be dedicated to Effluent Reuse.

OPINION: That \(\$ 2,935,977\) includes the entire cost of the RIB Site land added into the Sewer Plant Account \#353.4 in the amount of \(\$ 560,137\). (See Exception No. 1.)

Also included are the RIB site improvements which are the subject of the Equipment to structures Reclassification in Exception No. 3.

If Palm Coast believes that \(\$ 2,935,977\) of its Sewer Utility Plant in Service can be directly or partially dedicated to Effluent Reuse purposes, then such plant costs should not be imposed on the Sewer ratepayer.

\section*{RECOMMENDATION:}

Reduce the Sewer utility plant accounts by the \$2,935,977 listed in the Effluent Rate Study "Table C". This study was filed with the Palm Coast Docket \(\% 951056\) WS MFRs.

\section*{sUBJECT: Capital 8tructure Presentation (Company)}

FACTS: Palm Coast Utilities Company, Inc. filing indicates that its requested 13 -month average Capital Structure includes \(\$ 12,557,692\) and \(\$ 3,668,231\) of long-term debt and short-term debt, respectively.

The Company's filing additionally indicates 7.24\% and 7.73\% as the cost rates for long-term and short-term debt.

The Company's parent, ITT Corporation, issued a letter of guarantee to South Trust Bank of Alabama, N.A., the lender, for all of the above-mentioned debt that includes the following statement:

> In order to induce you to enter into the Credit Agreement, ITT Corporation, a Delaware Corporation ("ITT"), hereby irrevocably and unconditionally guarantees to you payment when due, whether by acceleration or otherwise, of the full amount of any and all liabilities of the company to you under the credit Agreement.

\section*{OPINION/RECOMMENDATION:}

Audit staff believes that Company's outstanding debt and the cost to service such debt does not represent a true "arm's-length transaction" for "related parties" as defined in FAS 57, Par. 3 and App. B paragraph 24(f), respectively, issued March 1982 by the Financial Accounting Standards Board. The interest rates associated with this outstanding debt may be impaired because of the parents unconditional guarantees as referenced above.

Furthermore, prevailing financial accounting literature agrees that there are three components used in determining the interest cost associated with a company's liabilities:
1) Pure rate of interest - the lenders required return if there were no possibilities of default and no expectation of inflation.
2) Credit risk of interest - the risk of non-payment by the borrower.
3) Inflationary risk - the expected risk associated with a loss of purchasing power of present day dollars.

The Company's cost rate for long-term and short-term debt does not include the component for "credit risk." There is no risk of non-payment to the lender because of the unconditional guarantee for repayment by the parent, ITT Corporation.

The Commission should determine whether Palm coast Utility's outstanding debt with South Trust Bank of Alabama, N.A. is in essence the outstanding debt of the parent, ITT Corporation. Upon such a determination the Commission should require that the company use the parent's capital structure to calculate a true marketbased Cost of Capital for this rate case proceeding.

AUDIT DIBCLOSURE NO. 7
sUBJECT: Capital structure Presentation (Parent)
FACTS: Per F.A.C. 25-30.433 (4), "The averaging method used by the Commission to calculate rate base and cost of capital shall be a l3-month average for class A utilities . . . ."

Palm Coast Utility Company, Inc. is a Class A utility.
The Company's filing included its parent's capital structure which was prepared using a simple beginning and ending average for the period ending 1994.

The Company's capital structure was prepared using a 13month average method which included six months of projected balances for the test year period ending December 1995.

On November 30, 1995, the Company's parent, ITT Corporation, was reorganized into three separate companies: ITT, ITT Hartford, and ITT Industries. The reorganization was executed as a tax-free stock for stock transaction. The company is now a wholly- owned subsidiary of ITT Industries.

OPINION/RECOMMENDATION:

\section*{This disclosure is to be considered only if Disclosure No. 6 of this report is acted upon by the commission.}

The parent's capital structure information, as filed, is not comparable to the company's filed information because of the difference in capital structure presentations as indicated above.

The parent's capital structure information, as filed, is obsolete because of ITT Corporation's reorganization executed on November 30, 1995.

Auditor presents the above information for informational purposes and defers any recommendations to the analyst in Tallahassee.

Schedule of Water Rate Base

Company: Palm Coast Utility Corporation Docket No: 951056-WS
Schedule Year Ended: 12/31/95
Historic [ X ] or Projected [X] [6 mos. actual; 6 mos. projected]

Florida Public Service Commission
Schedule: A-1
Page 1 of 1
Preparer: Seidman/PCUC

Explanation: Provide the calculation of average rate base for the test year showing all adjustments. All non-used and useful items should be reported as Plant Held for Future Use [Non-Used \& Useful Plant, line 3].
\begin{tabular}{|c|c|c|c|c|c|c|}
\hline \[
\begin{aligned}
& \text { Line } \\
& \text { No. }
\end{aligned}
\] & Description & \begin{tabular}{l}
(2) \\
13 Mo Avg \\
Balance per \\
12/31/95
\end{tabular} & \begin{tabular}{l}
(3) \\
Projected \\
Year End \\
12/31/95
\end{tabular} & \begin{tabular}{l}
(4) \\
Utility Adjustments
\end{tabular} & \begin{tabular}{l}
(5) \\
Adj. Utility Balance.
\end{tabular} & \begin{tabular}{l}
(6) \\
Supporting Schedule
\end{tabular} \\
\hline 1 & Plant in Service & 62,245,032 & 63,505,519 & \((2,128,199)\) & 61,377,320 & A-5 \\
\hline 2 & Land \& Land Rights & 504,632 & 504,632 & 0 & 504,632 & A-5 \\
\hline 3 & Less: Non-Used \& Uscful Plant & \((8,602,804)\) & \((8,602,553)\) & 0 & \((8,602,553)\) & A-7 \\
\hline 4 & CWIP & 2,641,126 * & 3,992,210 * & \((3,992,210)\) & 0 & A-18 \\
\hline 5 & Less: Accm. Depreciation & (19,972,299) & (20,996,438) & 1,074,065 & (19,922,373) & A-9 \\
\hline 6 & Less: CIAC & \((15,018,572)\) & \((16,390,083)\) & 0 & \((16,390,083)\) & A-12 \\
\hline 7 & Accm. Amort. CIAC & 2,989,160 & 3,241,580 & 0 & 3,241,580 & A-14 \\
\hline \multicolumn{7}{|c|}{8 Acquisition Adj.} \\
\hline \multicolumn{7}{|c|}{9 Accm. Amort. Acq. Adj.} \\
\hline 10 & Advances for Construction & \((2,384,793)\) & \((2,672,139)\) & 2,672,139 & 0 & A-16 \\
\hline 11 & Net Debit Deferred Taxes (Used) & 1,180,646 & 1,119,911 & 0 & 1,119,911 & A-3DTAX \\
\hline 12 & Working Capital & 0 & 0 & 0 & 0 & A-17 \\
\hline 13 & TOTAL RATE BASE & \[
\begin{aligned}
& \begin{array}{l}
23,582,128 \\
========= \\
\text { Includes both } W
\end{array}
\end{aligned}
\] & \begin{tabular}{l}
\[
23,702,638
\] \\
ter \& wastewate
\end{tabular} & \begin{tabular}{l}
\[
\begin{aligned}
& (2,374,205) \\
& ========
\end{aligned}
\] \\
CWIP
\end{tabular} & \[
\begin{array}{r}
21,328,433 \\
========
\end{array}
\] & \\
\hline
\end{tabular}

Schedule of Sewer Rate Base
- Company: Palm Coast Utility Corporation Docket Na: 951056-WS Schedule Year Ended: 12/31/95
Historic [ X ] or Projected [X] [6 mos. actual; 6 mos. projected]

Florida Public Service EXHIBIT II
Schedule: A-2
Page 1 of 1
Preparer: Seidman/PCUC

Explanation: Provide the calculation of average rate base for the test year showing all adjustments. All non-used and useful items should be reported as Plant Held for Future Use [Non-Used \& Useful Plant, ine 3].
\begin{tabular}{|c|c|c|c|c|c|c|}
\hline \begin{tabular}{l}
Line \\
No.
\end{tabular} & Description & (2)
13 Mo Avg
Balance per
\(12 / 31 / 95\) & \begin{tabular}{l}
(3) \\
Projected \\
Year End
\[
12 / 31 / 95
\]
\end{tabular} & \begin{tabular}{l}
(4) \\
Utility Adjustments
\end{tabular} & \begin{tabular}{l}
(5) \\
Adj. Utility Balance
\end{tabular} & \begin{tabular}{l}
(6) \\
Supportin. Schedule
\end{tabular} \\
\hline 1 & Plant in Service & 52,880,457 & 56,249,291 & 2,128,199 & 58,377,490 & A-6 \\
\hline 2 & Land \& Land Rights & 938,095 & 1,153,532 & 0 & 1,153,532 & A-6 \\
\hline 3 & Less: Non-Used \& Useful Plant & 19,153,039 & 18,345,687 & 426,872 & 18,772,560 & A-7 \\
\hline 4 & CWIP & 0 * & 0 * & 0 & 0 & A-18 \\
\hline 5 & Less: Accm. Depreciation & \((17,270,072)\) & \((18,107,234)\) & \((986,635)\) & \((19,093,869)\) & A-10 \\
\hline 6 & Less: CIAC & \((59,894,927)\) & (61,045,743) & 0 & (61,045,743) & A-12 \\
\hline 7 & Accm Amort. CIAC & 15,711,804 & 16,511,375 & 0 & 16,511,375 & A-14 \\
\hline 8 & Acquisition Adj. & & & & . & \\
\hline 9 & Accm. Amort. Acq, Adj. & & & & & \\
\hline 10 & Advances for Construction & \((660,342)\) & \((990,073)\) & 405,534 & (584,539) & A-16 \\
\hline 11 & Net Debit Deferted Taxes (Used) & 1,898,140 & 1,940,403 & 0 & 1,940,403 & A-3DTAX \\
\hline 12 & Working Capital & 0 & 0 & 0 & 0 & A-17 \\
\hline 13 & TOTAL RATE BASE & 12,756,194 & 14,057,238 & 1,973,971 & 16,031,209 & \\
\hline
\end{tabular}

Schedule of Water Net Operating Income
Company: Palan Coast Utility Corporation Schedule Year Eaded: 12/31/95
Interim [] Final [X]
Historic [X] or Projected [X][6mos. actual; 6 mos. projected]

Florida Public Service Commission
Schedale: B-1
Page_1 of 1.
Docket No.: \(951056-W S\)
Preparer: Seidman/PCUC

Explanation: Provide the caleqlation of net operating income for the test year. If amortization (Liae 4) is related to a ay amorat other than an aequisition adjustment, submit an additional schedule showing a description and ealculation of charge.
\begin{tabular}{|c|c|c|c|c|c|c|c|}
\hline \begin{tabular}{l}
Line \\
No.
\end{tabular} & (1)
Description & \begin{tabular}{l}
(2) \\
Uaadjusted 1995 \\
Test Year
\end{tabular} & \begin{tabular}{l}
(3) \\
Utility Test Year Adjustments
\end{tabular} & \begin{tabular}{l}
(4) \\
Utility Adjusted Test Year
\end{tabular} & \begin{tabular}{l}
(5) \\
Requested Revenue Adjustment
\end{tabular} & \begin{tabular}{l}
(6) \\
Requested Anaral Reveanes
\end{tabular} & \begin{tabular}{l}
(7) \\
Supporting \\
Schedule(s)
\end{tabular} \\
\hline 1 & OPERATING REVENUES & 5,384,699 & 107,322 & 5,492,021 & 1,479,626 & 6,971,647 & B-3, 4 \\
\hline 2 & Operation \& Maintenance & 3,026,338 & \((259,706)\) & 2,766,632 & 37,688 & 2,804,319 & B-3.5 \\
\hline 3 & Depreciation, net of ClAC Amort & 1,621,374 & \((437,104)\) & 1,184,270 & & 1,184,270 & B-13 \\
\hline 4 & Amortization, CIAC Tax Gross-up & (82,781) & \((5,469)\) & (88,250) & & \((88,250)\) & \\
\hline 5 & Taxes Other Than Income & 874,220 & \((247,482)\) & 626,738 & 66,583 & 693,322 : & 8-3, 15 \\
\hline 6 & Provision for lncome Taxes & \((289,553)\) & 729.112 & 439,558 & 52,071 & 491,629 & C-1.8-3 \\
\hline 7 & OPERATING EXPENSES & 5,149,597 & \((220,649)\) & 4,928,948 & 156,342 & 5,085,290 & \\
\hline 8 & NEI OPERATING INCOME & 235,102 & 327,971 & 563,072 & 1,323,285 & 1,886,357 & \\
\hline 2 & RATE BASE & 23,702,638 & & 21,328,433 & & 21,328,433 & \\
\hline 10 & RATE OF REIURN & 0.99\% & & 2.64\% & & 8.84\% & \\
\hline
\end{tabular}

Schedole of Sewer Net Operating Income
Company: Palm Coast Utility Corporation
Schedule Year Ended: 12/31/9S
Iaterim []Final[X]
Historic [X]or Projected [X][6 mos. actual; 6 mos. projected]

Explanation: Provide the calcolation of net operating income for the test year. If amortization (Line 4) is related to any amornt other than an acguisition adjostment, anbmit an additional schedule showing a description and ealculation of charge.
\begin{tabular}{|c|c|c|c|c|c|c|c|}
\hline Line No. & (1) \({ }_{\text {Description }}\) & \begin{tabular}{l}
(2) \\
Unadjusted 1995 Test Year
\end{tabular} & \begin{tabular}{l}
(3) \\
Utility Test Year Adjustments
\end{tabular} & \begin{tabular}{l}
(4) \\
Utility Adjusted Test Year
\end{tabular} & \begin{tabular}{l}
(5) \\
Requested Revende Adjustment
\end{tabular} & \begin{tabular}{l}
(6) \\
Requested Ananal Reveaues
\end{tabular} & \begin{tabular}{l}
(7) \\
Supporting Schedule(s)
\end{tabular} \\
\hline 1 & OPERATING REVENUES & 3,150,538 & 180,495 & 3,331,033 & 1,575,817 & 4,906,850 & B-3, 4 \\
\hline 2 & Operation \& Maintenance & 2,049,154 & \((118,191)\) & 1,930,963 & 37,688 & 1,968,651 & B-3, 6 \\
\hline 3 & Depreciation, net of CIAC Amort & 35,244 & 728,836 & 764,080 & & 764,080 & B-14 \\
\hline 4 & Amortization, CIAC Tax Gross - ap & \((57,525)\) & \((1,309)\) & \((58,834)\) & & \((58,834)\) & \\
\hline 5 & Taxes Other Than Income & 258,285 & 116,413 & 374,698 & 70,912 & 445,610 & B-3, 15 \\
\hline 6 & Provision for Income Taxes & 131,947 & \((379,033)\) & \((247,085)\) & 616,575 & 369,490 & C-1, B-3 \\
\hline 7 & OPERATING EXPENSES & 2,417,106 & 346,717 & 2,763,822 & 725,175 & 3,488,997 & \\
\hline 8 & NET OPERATING INCOME & 733,432 & \((166,222)\) & 567,210 & ,850,643 & 1,417,853 & \\
\hline 9 & RATE BASE & 14,057,238 & & 16,031,209 & & 16,031,209 & \\
\hline 10 & RATE OFRETURN & 5.22\% & & 3.54\% & & 8.84\% & \\
\hline
\end{tabular}

Schedule of Requested Cost of Capital
Cost on Year End Basis
Company: Palm Coast Utility Corporation
Docket No.: 951056-WS
Test Year Ended: 12/31/95
Schedule Year Ended:
Historic [X] or Projected [X] [6 mos. actual; 6 mos. projected]

Florida Public Service Commission
Schedule: D-1
Page 1 of 1
Preparer: Séidman/PCUC
Subsidiary [X ] or Consolidated []

Explanation: Provide a schedule which calculates the requested Cost of Capital on a 13 -month average basis. If a year - end basis is used submit an additional schedule reflecting year-end calculations.
\begin{tabular}{|c|c|c|c|c|c|}
\hline \[
\begin{aligned}
& \text { Line } \\
& \text { No. }
\end{aligned}
\] & Class of Capital & (1) Reconciled To Requested Rate Base & (2)
Ratio & \begin{tabular}{l}
(3) • \\
Cost \\
Rate
\end{tabular} & \begin{tabular}{l}
(4) \\
Weighted Cost
\end{tabular} \\
\hline 1 & Long-Term Debt & 11,481,418 & 30.73\% & 7.24\% & 2.23\% \\
\hline 2 & Short-Term Debt & 4,083,124 & 10.93\% & 7.73\% & 0.84\% \\
\hline 3 & Preferred Stock & & * & & \\
\hline 4 & Customer Deposits & 459,257 & 1.23\% & 6.00\% & 0.07\% \\
\hline 5 & Common Equity & 19,190,052 & 51.37\% & 11.10\% & 5.70\% \\
\hline 6 & Tax Credits - Zero Cost & 2,145,791 & 5.74\% & 0.00\% & 0.00\% \\
\hline 7 & Tax Credits - Wtd. Cost & & & & \\
\hline 8 & Accum. Deferred Income Taxes & & & & \\
\hline 9 & Other (Explain) & & & & \\
\hline 10 & Total & 37,359,641 & 100.00\% & & 8.84\% \\
\hline
\end{tabular}

NOTE: The cost rate for capital is considered the same, whether the rate base is viewed on a year end or 13 month average basis. This is because the cost rate is determined by dividing the annual interest expense by the average capital balance and applying it to either the average or year end amount.

Supporting Schedules: D-2
Recap Schedules: A-1,A-2



\section*{AUDIT EXCEPTION NO. 1}

SUBJECT: Noncompliance with MARUC Accounting Instruction *18. Utility Plant - To be Recorded at Cost

\section*{FACTS:}
1. Rule 25-30.115 F.A.C. requires water and sewer utilities to maintain their books and records in conformity with the 1984 NARUC Uniform System of accounts (US of A) adopted by the National Association of Regulatory Utility Commissioners.
2. Palm Coast Utility Corporation, Inc. is a Class A Utility according to the NARUC definition found in Accounting Instruction 1.
3. The 1984 NARUC Class A Sewer Description of Account Number 101 Utility Plant in Service Paragraph B states "This account shall include the original cost of utility plant, included in the plant accounts prescribed herein...." with "original cost" being defined at definition number 20 on page 9 as: ....the cost of such property to the person first devoting it to public service.
4. Furthermore, Definition Number 21 defines "Person" as:
".....an individual, a corporation, a partnership an association, a joint stock company, a business trust or any organized group of persons whether incorporated or not, or any receiver or trustee.
5. Palm Coast Utility Corporation is and has been affiliated with ITT Incorporated as is ITT Community Development Corporation. This ITT family of corporations including ITT Land Development and others have been buying and operating land in flagler County since the 1960's.
6. Palm Coast Utility Corporation made two purchases of land from ITT Community Development Corporation near their existing effluent spray field. One purchase of 81.576 goresof RIB Site Land for \(\$ 530,000\) and amaller purchase of 2 ass acres of buffer for \(\$ 30,136.95\). 4.601
7. The RIB Land Site purchases are related party transactions per FASB No. 57 definition and deserve additional scrotiny. \(\lambda\)
As Such



\section*{OPINION:}

The ITT Group of Corporations is the "Person" who first devoted the land to Utility Service. This ITT Group of Corporations develops communities and sells land to individuals and corporations and is required by law to provide water and wastewater service. The fact that ITT set up ITT Land Development, ITT Community Development Corporation, ITT Community Construction Company and Palm Coast Utility Corporation is no reason why the Utility customer should end up paying a return on remote undeveloped land valued in excess of \(\$ 6,000\) per acre.

Within this exception, the auditor plans to accomplish the following objectives.

To: Review the facts within the appraisal of the RIB Site Land.

Determine an Original Cost of the RIB Site land to the INT Group of Corporations.

Disclose a current ITT sale at a negotiated price to a third party for land within the RIB Site neighborhood

To establish an index which trends the original cost to the above recent sale price per acre.

And finally, to revalue the RIB Site land at a trended original cost.

\section*{HISTORY}

Palm Coast Utility Corporation has been using appraisals to value its land acquisitions from ITT Corporations since its first appraisal dated May 1, 1981. In the absence of other information, the appraisals have been accepted as reasonable. Palm Coast Order No. 22843 stated that "A review of the prior orders indicates a preference to use independent appraisals when those reports provide reasonable land values."


Currently, Palm Coast (The utility) is using an appraisal to place a \(\$ 530,000\) value on land that it is using as an effluent holding site. This RIB Site (Rapid Infiltration Basin Site) is located just south of and adjacent to the utility effluent spray field. The site is also located adjacent to the Department of Environmental Protection designated wetlands of the Graham Swamp. \(\$ 530,000\) for 81.576 Acres equates to \(\$ 6,497\) per acre.

Under the NEIGHBORHOOD DATA DISCUSSION: the appraisal states that:

The subject neighborhood is located in the east-central portion of flagler County. The neighborhood boundaries can be described as being the Palm Coast Parkway East on the North, SR-100 on the south, I-95 on the West and the Intercostal Waterway on the East.

The neighborhood is largely undeveloped, with few roadways traversing the area....The neighborhood is predominantly rural in nature, with a large portion devoted to silviculture (tree farming) uses or swampland.

Under LAND VALUE DISCUSSION: section, the appraisal states that:

The subject parcel is unique in that one corporation owns the majority of the land within the immediate area. This landowner (ITT or its subsidiary) typical has not sold their holdings (except intercorporate transactions) during the time period associated with this appraisal assignment. For this reason, sales of similar properties in the immediate area are very limited. We therefore expand our sales search to include areas outside the immediate neighborhood. The following sales were found and, though they differ from the subject as to various characteristics, they are considered the most comparable and indicative of value for the subject parcel.



The appraisal used four transactions as comparables and the four are listed below with the highest and best use listed for each.
\begin{tabular}{|c|c|}
\hline PARCEL & HIGHEST AND BEST USE \\
\hline Karbowski Property & Commercial Development \\
\hline McCormick Property & Commercial and Residential Development \\
\hline Flagler County Property & Residential Development \\
\hline School Board Property & Residential Development \\
\hline ITt Subject Property & Speculative-Investment for future potential residential development \\
\hline \multicolumn{2}{|l|}{A comparison of locations and proximity to utilities follows.} \\
\hline PARCEL & Property Location \\
\hline Karbowski Property & 542 feet of Frontage on SR 100 between Bunnell and the Flagler County Airport \\
\hline McCormick Property & 750 feet of Frontage on SR 100 across from Flagler County Airport \\
\hline Flagler County Property & Southeast corner of SR-11 and Old Haw Creek Road, Bunnell, FL \\
\hline School Board Property & Old Kings Road Frontage just South of SR-100 intersection \\
\hline ITT Subject Property & Approximately 600 feet (on a 100 foot access easement) East of Old Kings Road, approximately two miles South of Palm Coast Parkway along Old Kings Road. \\
\hline
\end{tabular}


\begin{tabular}{|c|c|}
\hline PARCEL & Utility Proximity \\
\hline Karbowski Property & Electricity and Telephone Available Water and Sewer mains along SR-100 \\
\hline McCormick Property & Electricity and Telephone Nearby Water and Sewer mains along SR-100 \\
\hline Flagler County Property & Municipal Service Available to Site Extension and lift Station may be required \\
\hline School Board Property & Utilities were extended from SR-100 South to the property \\
\hline ITT Subject Property & Water and Sewer service are not presentiy extended to the subject parcel but are available approximately 1.5 miles north. \\
\hline
\end{tabular}

Under UTILITIES DISCUSSION, the appraisal states that "According to Robert Kelly, Palm Coast Utility Corporation, the cost of expanding water service to the subject is approximately \(\$ 223,000\) plus the necessary tax gross-up of \(\$ 105,000\) for a total of \(\$ 328,000\). The cost of installing a sewer lift station would be approximately \(\$ 72,000\) plus tax gross-up of \(\$ 34,000\) for a total of \(\$ 106,000\).

It was noted that the appraisal did not mention the fact that the subject parcel was just South of and contiguous with land already designated as and operating as an effluent spray field.

ORIGINAL COST OF LAND TO ITT GROUP
A preliminary visit to the Flagler County Courthouse was made and it was determined that the original cost to the ITT Group would be fairly easy to obtain. It was determined from the Utility that the RIB Site 2 was located in parts of sections 20,29 and 52 of Township 11 South and Range 31 East.

A review of the County Tax Roll books from 1965 through 1969 indicated that all the land in these sections East of Old Kings Road was owned by Lehigh Portland Concrete Company. Beginning in 1969 an ITT Corporation "Ray-florida Company" was the owner of record. The General Index to Official Records of Flagler County for 1968 indicated that Lehigh Portland transferred the land to Ray-Florida by way of a Warranty Deed Filed December 23, 1968.

The Lehigh Portland - Ray Florida Warranty Deed was obtained and the acreage and the sales price was extracted from the parcel descriptions and the document stamps respectively. The per acre purchase price of \(\$ 340.76\) or \(\$ 341\) was calculated.



When I mentioned that I was not an appraiser but was just reviewing the facts, Mr. Sapp said that "You don't have to be an appraiser to see that these are not comparable pieces of property." Mr Sapp went on to say:

> If you want to see a real comparable piece of property, ITT just sold some property less than a mile down the road from the Sprayfield (RIB Site) to a Michigan Corporation. This site is larger than the (RIB Site) but it has frontage on both SR100 and on both sides of old Kings Road which should make it more valuable on the whole. This was a true third party sale with a negotiated price. We (the appraisers office) have just been working up the descriptions for the books.

Mr . Sapp then asked a representative in his office to make a copy of the paperwork for me and to calculate the cost per acre. This March 7th 1996 Sale of Property in the RIB Site Neighborhood sold for \(\mathbf{\$ 2 , 3 9 0}\) per acre.

This ITT Sale to a Michigan Corporation (Con-Cor) was within the neighborhood boundaries described by the RIB Site Appraisal. It also is included within the land that the ITT Group purchased from Lehigh Portland Concrete, that is, the \(\$ 341\) per acre land described on the previous page.



\section*{INDEXING THE ORIGINAL COST}

At this point, the original \(\$ 341\) an acre for the RIB Site Land needed to be indexed up to a more current and reasonable cost per acre. Initially, to get a base line indicator, the wall Street Journal Consumer Price Index was applied to the original cost. This Consumer Price Index yielded a per acre price less than the current ITT Sale and twice that CPI index produced a price much too


Using the Lotus What-If capability, I varied the index-rate applied to the original \(\$ 341\) per acre until an annual compounding rate of \(7.43 \%\) yielded almost exactly the \(\$ 2390\) per acre sale price

\[
7
\]

REVALUATION OF THE RIB SITE LAND PURCHASES
It is the opinion of the audit staff that based on the above information, the \(\$ 6,497\) per AC price paid for the RIB Site should be revalued to reflect a trended original cost per acre of \(\$ 1,771.48\). The original trended cost for the whole 81.576 acres equals \$144,510.

The additional 2.3587 acres which was purchased to provide a wet lands buffer was purchased in 1995 for \(\$ 30.136 .95\) or \(\$ 12,777\) per acre which should also be revalued. The trended original cost per acre of \(\$ 2,359.60\) for the 2.3587 acres of buffer strip totals \(\$ 5,566\).

The following is a Summary of various trend rates from 1968 to 1995
Compounded
Rate \%
.05622
.0743
.11244
.13675

Consumer Price Index average . 05622
RIB Site Land to Con-Cor \(\$ 2,390 / A C\). 0743
Twice CPI average . 11244
RIB Site Land to Appraised \$6,497/AC . 13675
2-258 AC Buffer_strip-9t \(472,777 / A C\)-4265



INDEXING THE ORIGINAL COST
At this point, the original \(\$ 341\) an acre for the RIB Site Land needed to be indexed up to a more current and reasonable cost per acre. Initially, to get a base line indicator, the Wall Street Journal Consumer Price Index was applied to the original cost. This Consumer Price Index yielded a per acre price less than the current ITT Sale and twice that CPI index produced a price much too high per acre. (See Schedule Attached)

Staff varied the index-rate applied to the original \(\$ 341\) per acre until an annual compounding rate of \(7.43 \%\) yielded almost exactly the \(\$ 2390\) per acre sale price of the March 1996, ITT to Con-Cor land sale. (See Schedule Attached)

\section*{REVALUATION OF THE RIB SITE LAND PURCHASES}

It is the opinion of the audit staff that based on the above information, the \(\$ 6,497\) per \(A C\) price paid for the RIB Site should be revalued to reflect a trended original cost per acre of \(\$ 1,771.48\). The original trended cost for the whole 81.576 acres equals \$144,510.

The additional 4.6013 acres which was purchased to provide a wetlands buffer was purchased in 1995 for \(\$ 30.136 .95\) or \(\$ 6.551\) per acre which should also be revalued. The trended original cost per acre of \(\$ 2,359.60\) for the 4.6013 acres of buffer strip totals \(\$ 10,857\).

The following is a Summary of various trend rates from 1968 to 1995



RECOMMENDATION: Based on the related party transactions described above and the determination of a trended original cost for the land in the RIB Site neighborhood, also described above, the audit staff recommends reducing the purchase price of the 1991 RIB Site land and the 1995 buffer strip by \(\$ 385,490\) and \(\$ 19,280\) respectively for a total reduction in the land account of \(\$ 404,770\).
\begin{tabular}{lrrr} 
& RIB SITE & BUFFER \\
Palm Coast Purchase Price & \(\$ 530,000\) & & \(\$ 30,137\) \\
Indexed Original Cost & \(\underline{144,510}\) & \(\underline{10,857}\) \\
Proposed Reduction in cost & \(\$ 385,490\) & \(\$ 19,280\)
\end{tabular}



\section*{PALM COAST UTILITY CORPORATION}

INDEXING LAND COST PER ACRE PURCHASED 1968


Varied index untill 1996 price per acre equaled CON-COR Michigan Contract price per acre. Used land value for each year to recalculate original cost for purchased property in NEIGHBORHOOD







\[
\begin{array}{lll}
3.81 \text { nche } & 9 / 15 / 81 & 158,78) \\
2.5115-15 & 1 / 15 / 84 & \$ 25,093
\end{array}
\]






\section*{PALM COAST UILITY CORP. PALM COAST-PLAGLER CO.} DOCET E951056-WS
WATE CASE TYE 2231-95

\section*{REF 0454 Page 0699}
LEGAL DESC.-CONIINUED - Prodosed 81.576-acre "R.I.B." Site 11/27/90
50.74 reet to point no. \(138:\) thence N8: \({ }^{\circ} 32\) ' 59 "W 33.37 rett 10 point no. 137: thence \(N 26^{\circ} 25^{\prime} 43^{\prime \prime}\) H 33.94 fet to point no. \(136^{\prime}\); thence Noint no. 60.34 feet 10 point no. 135: thence NOO
 49.04 reet to point no. 132 i thence N2S 20 no. 130 : thence NO3* \(29^{\prime} 05^{\prime \prime} \mathrm{W}\)



 35.99 feet to point no. 123; thence N/9.56' \(22^{\prime \prime} \mathrm{W} 105.17\) feet 10 point no. 122: thence \(N O 4 \cdot 40^{\prime} 30^{\prime \prime} E 75.69\) teet to point no. 121: inence N32.03'so

 19: thence N22.32 \({ }^{\prime \prime}\) 37.95 reet to poin: no.

 113; thence N2 Roint no. Ill: thence N \(29^{\circ} 28^{\prime} 16^{\prime \prime \prime} \mathrm{d} 78.90\) feet 10 point no. 38.72 feet to roint no. 11 thence 10 point no. 109 : thence NO8.06. 04 "

 NOT-03'16"W 100.87 reeti thence N23.56 28 E 18 ithe POINT OF BEGINNJNE. N731 reet thence NOO-34'43"W 173.25 feel to the POINT OF BEGINNNL. containing Bl. 576 acres, more or less.
Prepared by: H. J. Burroughs. P.E.. L.S. Tamoks Engineering Associbtes, Inc..
Daytona Beach, flor:ta.



PALM COAST UTIUTY CORP. PALM COAST-FLAGLER 0 . DOCMET 951056 .WS

EATE CASE TYE 1231-9


PALM COAST UTIITTY CORP.
PANM COASTELAGIER 0 .
DOCKET P551056-WS


DATB CASE TYB 12930

\section*{節E 0527 PaEs 1766}
seet, thence South \(00 \cdot: 7^{\prime 0} 0\) m Eact a distance of 73.43 feet, thence South 31"18'23" East a distance or 60.34 feet, thence South \(26^{\circ} 25^{\prime \prime} 43^{\prime \prime}\) East a distance of 33.94 feet, thence south 11032'59" East a diftance of 33.37 feet, thence South \(33^{\circ} 33^{\prime} 09^{\prime \prime}\) East a distance ot 50.74 feet, thence South 39.42.44" East distance of 126.30 feet, thence South j4is3.06" East a distance of 86.96 feet, thence South \(25^{\circ} 0^{\circ} 6^{\prime \prime} 8^{\prime \prime}\) East a distance of 96.85
 74'13'4s" Eust aletance of 47. 16 feet, thence south 70.05'32" East a distance of 35.38 feet, thence South 27'31'23" East a distance of 57.25 feet, thence South \(23^{\circ} 25^{\prime \prime} 01^{\prime \prime}\) East a distance of 36.35 feet, thence North 63032'21" West a distance of 24.22 feet, thance south \(57^{\circ} 5^{\prime \prime} 5^{\prime \prime} 0^{\prime \prime}\) west distance of 19.50 feet, thence south \(23^{\circ} 33^{\prime 2} 20^{\prime \prime}\) Weet distance of 23.32 Reet, thence South \(10.51^{\prime \prime} 52^{\prime \prime}\) East a distance of 46.75 feet, thence South
 distance of 37.12 feet, thence North \(01^{\circ} 36^{\prime \prime} 4^{\prime \prime}\) West a diatance \(0: 67.75\) Zeet, thence North \(10.51^{\prime} 52^{\prime \prime}\) West a distance of 54.76 feet, thence North 23035'20" East a distance of 44.98 fent, thence North 57055'00" East a distance of 14.69 feat, thence North 27'31'23" West a distance of 21.87 feet, thence North \(74^{\circ} 13^{\prime} 4^{\prime \prime}\) Nast a distance of 79.45 feet, thence Worth 42046127" West alatance of 57.20 feet, thance North 23006138 " West distance of 99.31 feet, thence North \(34^{\circ} 5 j^{\prime} 06^{\prime \prime}\) West a distance of 81.88 feet, thence North \(39.42^{\prime 4} 4{ }^{n}\) West a diatance of 226.72 feet, thence North 3j"33'09" West distance of 37.04 feet, thence North 1 1.32'59" \(^{\circ}\) West alstance of 36.05 feet, thance North \(266^{\circ} 25^{\prime \prime} 3^{\prime \prime}\) Wast a cistance of 50.72 feet, thance North \(32^{\circ} 28^{\prime} 23^{\prime \prime}\) West a distance of 68.36 feet, thence Morth 00.17.07" West distance of 71.43 feet, thence North 37.17104" Nest a distance of 28.44 feet, thence North \(07.44{ }^{\prime} 50^{\prime \prime}\) West a distance of 52.85 feet, thence North \(25^{\circ} 2^{\prime} 0^{\prime 2} 20^{\prime \prime}\) West alstance of 52.07 qeet, thence

 41.54 feet, thence North \(25^{\circ} 3 j^{\prime}\) 's0" West a distance of 44.52 feet, thence North \(000^{\prime \prime} 5^{\prime 24 \prime}\) East distance of 55.47 feet, thence North \(11^{\circ} 22^{\prime \prime} 26^{\prime \prime}\) West alstance of 28.72 feet, thence North \(43^{\circ} 26^{\prime \prime} 40^{\prime \prime}\) Weet a distance of 16.39 feet, thence North \(51^{\circ} 14^{\prime} 4^{\prime \prime}\) Nest a distance of 43.41 feet, thence North 19.56'22" Nest a distarce of 122.61 foet, thence North 04*40'30" Eset alstance of 71.70 feet, thence North \(22^{\circ} 5^{\prime \prime} 15^{\prime \prime}\) West a distance of
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 distance of 85.52 feet, thence North \(28^{\circ} 59^{\prime} 44^{\prime \prime}\) Mest a distance of 41.45 feet, thence North \(13^{\circ} 08^{\prime 3} 37^{\prime \prime}\) West a distance of 65.68 feet, thence North 2100'14" West a distance of 70.58 feet, thence North \(29^{\circ} 28^{\prime} 16^{\prime \prime}\) Nost a distance of \(78.99^{\prime}\) feet, thence North \(08^{\prime} 20^{\prime} 20^{\prime \prime}\) west a distance of 61.01 feet, thence North of \(066^{\prime 04}\) " West a diatance of 47.37 feet, thence North 38.42.08" West a distance of 30.02 tect to the point of begimming, Parcel containing 2.0377 acres of land more or lase.

The above description is accompanied by an attachod drawing titled "SKETCH OF LEGAL DESCRIPTION".

Parcela "A" and " B " contalining 2.3587 acres more or less.
Bearinga refer to the Transverse Mercator Grid system of the East zone of Plorida and localiy referanced to the North lina of the Northwest Quarter (1/4) of Government section 29, Township 11 8outh, Range 31 East, being North 88*57'37" East.


PALM COAST UTUTY CORP
ALM COAST-FLAGLER CD.
DOCXET \$951056-WS


PALM COAST UTLITY CORP. PALM COASTFLAGLER CO. DOCET \$851056-WS



EXHIBIT RFD - 2 (32 OF 116)

PALM COAST UTILITY CORP. PALM COAST-FLAGLER CO. DOCKET \$951056-WS

RATE CASE TYE 12-31-95

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\begin{aligned}
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& \text { P. } 02 \\
& \text { APR-1E-9ETHU 14:2GPALMCOAET } \\
& \text { P.e1 }
\end{aligned}
\]
\begin{tabular}{lll}
\hline
\end{tabular}

May S, 1994

Mr. Jeff Martin
Florida Department of Environmental Protection
Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7577

\section*{RE: Palm Coast Utility Corporation Rapid Infiltration Basin 013139/2.6}

Dear Mr. Martin:
Enclosed are three drawings of the proposed rapid infiltration basin. Sheet C-3, Site Plan, shows the proposed property line 35 feet east of the wetinds jurisdiction limit, which provides a 100 -fool setback from the proposed property line to the inside top edge of the RIB berm. Sections 1 and 3 on Sheet C-4 show the proposed cross-section of the RIB berm with the outer toe of slope located 3 feet from the wetlands jurisdiction line to provide room for the silt fence and a buffer for construction activities. Detail 1 on Sheet C-5 shows the overflow structure which is set at 2 fee: above the normal water level and one foot below the top of the outer berm of the RIB.

If you need additional information, please do not berlate to contact me.
Sincerely,
SVERDRUP CORPORATION
Trike Liam
Michael D. ClIburn, P.E.
Project Principal
MDC:dmf
Enclosure:
\(\infty\) © Yong Lee, PCU


PALM COAST UTIITY CORP.
PALM COAST-FLAGLER CO. DOCKET FS10S6-WS

INTEROFFICE MEMORANDUM
PALM COAST UTILITY CORPORATION

Distribution
Date: 04/21/94
Ming Chin Lee YcL

Subject:
Technical design review 1 MGD rapid infiltration basins

A technical design review meeting for the proposed 1 MGD rapid infiltration basins has been scheduled on April 27, 1994 at 10:00

AM at the Engineering Conference Room. Please review the attached plans and specifications and plan to attend this meeting.

Distribution: Richard Adams
Brian Bilinski
Steve Flanagan
George Jarosz
Kieth King
David Schlobohm
Tim Sheahan
Quyen Tram FOR FEN MEG DU SET-BACK.
A) NO A00m \(T 0\) construct



APPRAISAL REPORT
-
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533 N. Novo Rood, Sulte 214
Ormond Beach, Florida 32174
Phone (904)672-4533
FAX 1904 )672-9214
P.O. Box 3687

Ormond Beach, Florido 32175 P.O. Box 5297

Ormond Beach, Florida 32175

December 5, 1990

Mr. William T. Parks, III, Vice President
Real Estate Services
ITT Land Corporation
1 Corporate Drive
Palm Coast, FL 32151-0001
Mr. Bob Kelly
Vice President and Controller
Palm Coast Utility Corporation
2 Utility Drive
Palm Coast, FL 32137

Re: Appraisal of proposed 81.576 acre expansion to the existing spray
irrigation field located off Old Kings Road in Government Sec. 20, 29,
and 52, T11S, R31E, Flagler County, Florida.
Dear Messrs. Parks \& Kelly:
In accordance with the request of Mr. Parks, we have appraised the above referenced property for the purpose of estimating the market value of the fee simple interest. The function of the appraisal is to assist in internal decisions/accounting procedures regarding transfer of the property to Palm Coast Utility Corporation.

It is our opinion that the market value of the fee simple interest, subject to the existing Florida Power and Light Company easement, as of October 29, 1990, was:

FIVE HUNDRED THIRTY THOUSAND DOLLARS
( $\$ 530,000$ )
Légäal description, valuation discussion, definition of market value, and underlying assumptions and limiting conditions are included in the report, along with the qualifications of the appraisers.

This appraisal was joint effort between Peter A. Gagne, Licensed Real estate Broker, and Charles D. Spano, Jr., MAI, SRPA.

In addition to the underlying assumptions attached, this appraisal is made under the following special assumptions:

1. That the property is available for development to its highest and best use.

Messrs. Parks \& Kelly
Page 2
December 5, 1990
2. That the terms of the conveyance will not place any added restrictions on buyer's (Palm Coast Utility Corporation) use or buyer's sale of the property.
3. That seller (ITI Land Corporation and ITT-CDC) will provide buyer with necessary easements as shown on the enclosed site location plan to allow buyer access to the property upon demand.
4. That buyer will pay for all necessary documentary stamps.
5. That existing infrastructure such as utilizy services surrounding the subject (if any) currently has sufficient reserve capacity to absorb any new demands that the development of the subject would place upon said infrastructure. It is our understanding that the closest water line is approximately 1.5 miles north and that a lift station would be required to connect into the sewer force

- main.

6. That development of the subject vacant parcel would be in harmony with the requirements of the 1985 Growth Management Act and that there would be no impact by concurrency requirements.

We trust that this appraisal report is sufficient for your purposes. If we can furnish additional information, please contact us.


Licensed Real Estate Broker
CDS: PAG:cjs
Enclosures

## SUMMARY OF SALIENT FACTS AND IMPORTANT CONCLUSIONS

DATE OF VALUE: October 29, 1990
APPARENT OWNER:Address:
NAME OF PROPERTY:
LOCATION OF PROPERTY:
ZONING \& PERMITTED USES:
PRESENT USE:
highest and best use:
MAJOR IMPROVEMENTS:
INDICATED VALUE BY
COST APPROACH:N/A
INDICATED VALUE BYMARKET APPROACH:
INDICATED VALUE BY
INCOME APPROACH:NRAITT Land Corporation and ITT-CDC
ITI-CDC Executive Offices1 Corporate Drive
Palm Coast, Florida ..... 32151
Spray Field Site Proposed Expansion
Approximately 600 feet east of OldKings Road, between Palm Coast Parkwayand SR-100, Palm Coast, Florida
Split zoning including RC,Residential/Commercial on theeastern 300 feet, and AC, Agricul-rural District on the remainder; the$A C$ portion is designated lowdensity/rural estate - one unit peracre on the Flagler County FutureLand Use Map which is similar to theR-1, Rural Residential District,zoning classification
Vacant land
Speculative-Investment for futurepotential residential developmentNone,$\$ 530,000$

Spray Field Site Proposed Expansion
Palm Coast, Florida

## FINAL ESTIMATE OF DEFINED VALUE:

This certification cannot be separated from the attached appraisal report.
We hereby certify that in our opinion, the market value of the fee simple interest of the subject real estate, subject to the existing Florida Power and Light Company easement, on October 29, 1990, under the conditions and assumptions of this report, was:

FIVE HUNDRED THIRTY THOUSAND DOLLARS ( $\$ 530,000$ )

The estimate of value indicated above is premised on the following apedial assumptions:

1. That the property is available for development to its highest and best use.
2. That the terms of the conveyance will not place any added restrictions on buyer's (Palm Coast Utility Corporation) use or buyer's sale of the property.
3. "That seller (ITT Land Corporation and ITI-CDC) will provide buyer with necessary easements as shown on the enclosed site location plan to allow buyer access to the property upon demand.
4. That buyer will pay for all necessary documentary stamps.
5. That existing infrastructure such as utility services surrounding the subject (if any) currently has sufficient reserve capacity to absorb any new demands that the development of the subject would place upon said infrastructure. It is our understanding that the closest water line is approximately 1.5 miles north and that a lift station would be required to connect into the sewer force main.
6. That development of the subject vacant parcel would be in harmony with the requirements of the 1985 Growth Management Act and that there would be no impact by concurrency requirements.

$1|16| 41$
(Date Certificate Signed)


Licensed Real Estate Broker

## INTRODUCTION TO APPRAISAL

This introduction to the appraisal report will set forth the basic parameters of this assignment. It will also provide basic information relevant to the property being appraised.

## PURPOSE OF THE APPRAISAL

The objective of this appraisal is to estimate the market value of the fee simple interest of the subject land subject to the existing Florida Power and Light easement, as of October 29, 1990. The purpose of this report is to present the data and reasoning that have been used to reach the opinion of value.

## FUNCTION OF THE APPRAISAI

The function of this appraisal report is to be used in conjunction with internal decisions/accounting procedures.

## SCOPE OF THE APPRAISAL

The scope of this appraisal included a personal inspection of the subject and surrounding neighborhood coupled with a personal exterior inspection of all properties used in direct comparison. Research has included review of public records, data from various sales services, and contact with other appraisers, property owners, and others who have knowledge of the subject area.

## PROPERTY RIGHTS APPRAISED

The market value of the fee simple interest subject to the existing florida Power and Light Company easement.

## DEFINITION OF MARKET VAIUE

The definition of market value used in this report follows the introduction and is included herein by reference.

DATE OF VALUE ESTIMATE
October 29, 1990

## IDENIIFICATION OF THE PROPERTY

The subject is a vacant parcel containing approximately 81.576 acres lying approximately 600 feet east of Old Kings Road south of Palm Coast Parkway and north of SR-100 in Palm Coast, Florida. Under the assumptions of this report, the land is vacant and available for development to its highest and best use and no specific use assumptions have been made.

## TAX AND ASSESSMENT DATA

Assessed Value
$\frac{\text { For Year }}{1989}$ Assessed with other property

Improvements
Total
Vacant Assessed with other property

Tax Rate for 1989
50.1178 (millage rate)

## OWNERSHIP AND TITLE HISTORy:

Ownership and title information for the subject is based on review of tax roll data. Review of available data indicates no transfers over the past three years. This information has been considered reasonably correct for the pureposes of this report but is not guaranteed.

## SPECIAL ENCUMBRANCES-

Florida Power and Light Company has a 330 foot wide right-of-way easement over the southeasterly portion of the subject. This right-of-way easement recorded in Official Record Book 44, page 512-518, of the Public records of Volusia County, Florida, severely limits potential development within the easement which encompasses approximately 7.314 acres. A copy of this easement is in. cluded in the addendum of this report.

No other special encroachments, easements, or similar encumbrances other than normal utility and related easements were noted based on review of available data. This data is considered reasonably correct for the purposes of this report but cannot be guaranteed.

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## NEIGHBORHOOD DATA DISCUSSION:

The subject neighborhood is located in the east-central portion of Flagler County. The neighborhood boundaries can be described as being the Palm Coast Parkway East on the north, SR-100 on the south, I-95 on the west, and the Intracoastal waterway on the east. The subject is located in the west-central portion of the neighborhood, approximately 600 feet east of 0ld Kings Road.

The neighborhood is largely undeveloped, with few roadways traversing the area. SR-100 forms the southerly neignborhood boundary, and extends from SRAlA on the Atlantic Ocean westerly across the Intracoastal Waterway along the bottom of the subject neighborhood, through the City of Bunnell, and extends further westerly across the state through Putnam County. Palm Coast Parkway East forms the northerly neighborhood and extends from US-1 easterly across the top of the neighborhood boundary and terminating on SR-AlA east of the Intracoastal Waterway. Both SR-100 and Palm Coast Parkway have bridges spanning the Intracoastal; SR-100 has an older drawbridge, while Palm Coast Parkway has a newer high-rise span with a toll booth on the mainland side. There are interstate interchange locations at both Palm Coast Parkway (northwest corner of neighborhood) and SR-100 (southwest corner of neighborhood) providing access to I-95. I-95 which forms the westerly neighborhood boundary is a major limited access highway extending along the entire length of Florida near its eastern coast. Old Kings Road traverses the subject neighborhood on a north-south basis just east of I-95 from Palm Coast Parkway south to SR-100. The only other state maintained roadway in the subject neighborhood is SR-201 which runs north from SR-100 for a short distance along the Intracoastal Waterway.

The neighborhood is predominantly rural in nature, with a large portion devoted to silviculture uses or swampland. Typical land uses include primarily timber land, with some Iimited residential, comercial, and industrial: development. The Grand Haven section of Palm Coast is located at the southease quadrant of Palm Coast Parkway and Old Kings Road, along with the Palm Coast Welcome Center, a MacDonald's restaurant, 'Lil Champ Food Store, etc. Nosth of Palm Coast Parkway East is a variety of shopping, banking, restaurant, office, and residential development. Contractor's Village is located along Utility Drive to the north of the subject which extends from Old Kings Road easterly to the Palm Coast Utility Waste Water Treatment facility. There is some limited light industrial development along this roadway (Utility Drive).

Development along SR-100 includes the new Flagler Regional Plaza at the southwest corner of Old Kings Road and SR-100, just south of the subject neighborhood. There are also a few convenience store/gas stations located at this intersection. The Shoppes at Flagler Crossing Shopping Center is located along the south side of SR-100 further to the west, and the Intracoastal In-
dustrial Park at Palm Coast and the Wadsworth Park in Flagler County are located along the north side of SR-100 in the southeast quadrant of the subject neighborhood.

A majority of the central portion of the subject neighborhood is comprised of Graham Swamp which is not developable. This swamp more or less borders the subject parcel to the east. Water and sewer services are available to portions of the subject neighborhood including the northwest quadrant (Grand Haven and adjacent commercially developed areas) and the southeast quadrant at SR-100. A force sewer main runs along Old Kings Road leading to the waste water treatment facility located within the subject neighborhood. The area southeast of the subject neighborhood along SR-100 lies within the City of Flagler Beach with utilities provided by the City of Flagler Beach. Development within the subject neighborhood can be expected to remain relatively stable and increase slowly for the foreseeable future.

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## DESCRIPTION OF THE PROPERTY

## Site Data:

The legal description describes an irregular site containing approximately 81.576 acres. The subject is located approximately 600 feet east of Old Kings Road; however, there is no frontage on Old Kings Road. Access is provided by a 100 foot wide easement extending easterly from Old Kings Road to the northwest corner of the subject. The site is irregular with an average depth of approximately 1,350 feet and a width ranging from about 2,400 feet on the north to approximately 2,850 lineal feet on the south.

The topography of the property is typically rolling, rising slightly then decreasing in elevation from west to east. The subject is typically covered with sawpalmetto scrub underbrush, small pine trees, and other native vegetation indigenous to the area. It appears that the subject has been cleared of merchantable timber at some point. There are several dirt or sand jeep trails traversing the subject along the western boundary and central portion of the site, with additional east-west trails forming a rough grid. The northerly 100 feet of the subject will be located within a proposed drainage easement leading to a borrow pit located northwest. of the subject. According to the Flood Insurance Rate Map, Community Panel No. 1200850085 B, effective February 5, 1986, published by the Federal Emergency Management Agency, the subject parcel lies entirely within Flood Zone $C$, an area of minimal flooding. Graham Swamp is located easterly of thersubject and land in this area is primarily located within Flood Zone A, an area of loo-year flooding. The topography of the subject is typical of the area along Old Kings Road and the subject is similar to surrounding properties with respect to topography.

The subject is encumbered by a 330 foot wide right-of-way easement held by Florida Power and Light Company and recorded in Official Records Book 44, page 512-518, of the Public Records of Volusia County, Florida. A copy of this easement is included in the addendum of this report. This easement encompasses a portion of the southeast corner of the subject parent parcel and contains approximately 7.314 acres. The potential utilization of this portion of the subject site is severely restricted due to limitations imposed by Florida Power and Light Company. Although this easement is currently vacant, conversations with Florida Power and Light Company officials indicate that a single line is anticipated to be installed in this easement in the next 18 to 24 months.

The size, shape, and area of the subject land (including the location and size of any easements) was obtained from review of a boundary and topographic survey prepared by Tomoka Engineering Associates, Inc., Daytona Beach, Florida, dated December 18, 1990.

Reference is made to the preceding site plan for the orientation and dimensional characteristics of the subject. Dimensional and similar characteris. tics indicated on the plot plan are based on a review of information obtained from the above mentioned sources. This information is considered reasonably correct for the purposes of this report but cannot be guaranteed.

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## Access:

Access to the subject is by means of a 100 foot wide easement (containing approximately 1.409 acres) extending from Old Kings Road easterly approximately 600 feet to the subject. This easement roughly follows a dirt jeep trail extending from Old Kings Road to near the northwest corner of the subject.

Old Kings Road is a two-lane, asphalt paved roadway with a 66 foot right-ofway in the subject vicinity. There are no curbs or sidewalks within the impmediate vicinity of the subject.

## Utilities Available:

Water and sewer service are not presently extended to the subject parcel but are available in the general vicinity of the subject. According to Richard Adams, Palm Coast Utility Corporation, the closest water line to the subject is at Oak Trails Boulevard and Old Kings Road, approximately 1.5 miles north of the subject. Sanitary sewer service is available at this same location, and is also contained within a force main running along Old Kings Road in the vicinity of the subject. Utilization of this force main would require installation of a pump station. An estimated cost to extend these utilities (prepared by Palm Coast Utilities Corporation) is -included in the addendum of this report. Electricity is provided to the general area by Florida Power \& Light Company; telephone service is provided by Southern Bell. -

Description of Improvements:
The subject parcel is vacant.
this appraisal report was obtained from a, variety of sources including review of public records and property appraiser's files. Confirmation was obtained by personal contact with one of the parties involved in the transaction.

After accumulation of information, the data must be classified and analyzed. All factors affecting the subject and sales must be considered. Same of the factors to be considered are whether or not the sales are developed to their highest and best use; the effects of neighborhood influences; and consideration of the effects of time passage, size, topography, zoning, availability of public services, etc. Those features most important to a value for the subject property must be detemined and these prime value detemining factors must then be used in comparison with the sale properties. By combining an evaluation of the area and neighborhood influences with the primary factors affecting value for the subject, the appraiser can then analyze data for the comparable sales (and other comparable data including costs, rentals, etc.) to provide a basis for the application of the various approaches to value estimation.

The approaches typically considered in estimating value are the Direct Sales Comparison Approach, the Income Approach, and the Cost Approach. Normally, only the Direct Sales Comparison Approach is used in estimating the value of vacant land. A brief description of each approach follows in narrative form.

## The Direct Comparison Approach:

The Direct Sales Comparison Approach is often referred to as the Market Data Approach. Utilization of this approach requires comparisons between the comparable sales and the subject on an item by item basis. Factors to be considered include, but are not limited to, time, location, terms and conditions of sale, and various physical characteristics such as size, topography, and shape. Zoning and permitted uses, availability of utilities and other special amenities, location of improvements on the site, and other factors must be considered. The comparable sales are adjusted to the subject for the various pertinent characteristics affecting the value of the subject. The subject is Considered the "base" property and all sales data must be adjusted to this base. That is, the sales are adjusted to an estimated price at which the sale property would probably have sold if it possessed characteristics identical to the subject. After adjustments, the sales are correlated to an indication of market value for the subject via the Direct Sales Comparison Approach.

## The Income Approach:

A second method of valuation involves the Income Approach. This approach is typically applied to income producing properties. The Income Approach is based on the principle that value equals the present worth of future rights to incone. The first step in this approach is to estimate a potential gross income for the subject property. vacancy/collection losses, abstracted from market data, are then deducted from the total gross income to arrive at an estimate of effective gross income. Fran the effective gross income figure must be deducted appropriate amounts for various expense and/or reserve items. Expenses can include such categories as Fixed Expenses (i.e., taxes and insurance), Operating Expenses (maintenance, management, repair, etc.), and a Reserve for Replacement. Review of many operating statements indicates that a

## Permissible Use (Availability):

The subject presently contains split zoning including $R / C$, Residential/ Commercial Use District, on the westerly 300 feet, with the balance zoned $A C$, Agriculture District. Although the western 300 feet is zoned R/C which would permit limited commercial development as a special exception, the commercial development potential of this portion of the subject is limited by the lack of exposure to a major arterial roadway. Access is provided by a 100 foot wide access easement which would not carry a sufficient volume of traffic necessary to attract comercial development to this site. Multi-family residential development is also permitted as a special exception; however, demand for this type of development property is scarce as evidenced by the lack of competing multi-family development in the area. This portion zoned $R / C$ could be developed with residential subdivision improvements under the current $R / C$ zoning classification. The portion of the subject located within the $A C$ zoning classification is designated on the Flagler County Future Land Use Map as being low density/rural estate - one unit per acre, which is similar to the R-1, Rural Residential district. The subject site, if vacant, could be developed with a variety of single-family residential improvements, street and other residential subdivision improvements, etc.

The subject is encumbered by a 330 foot wide right-of-way easement held by Florida Power and Light Company as recorded in OR Book 44, pages 512 through 518, of the Public Records of Flagler County, Florida. A copy of this ease. ment is included in the addendum of this report. -This easement encumbers a portion of the southeast corner of the subject parent parcel and contains approximately 7.314 acres. Potential utilization of this portion of the subject site is severely restricted due to limitations imposed by Florida Power and Light Company. Conversations with Mr. Tom Roe, Florida Power and Light Company, indicate that no buildings or structures of any kind or the growing of trees is permitted within this easement area. In addition, the topography of this area cannot be altered, excavated, paved, irrigated, wells drilled, etc., without prior approval of Florida Power and Light Company. Florida Power and Light Company has to conform to national standards regarding uses located within its transmission line easements and requires fee owners to sign detailed consent agreements prior to utilization of this area. Florida Power and Light Company is especially concerned about liability within this easement area and seeks to avoid creating an attractive nuisance within such areas. Mr. Roe did indicate that potential uses most likely to be approved within this easement area would include roadways to access that portion of the subject site separate from the balance, open green areas, wetlands mitigation area, etc. However, any permitted uses would depend in part upon review of the entire development site plan, and thus specific permitted uses are not avallable within this easement area.

A small triangular shaped portion lying southeasterly of this Florida Power and Light Company easement is separated from the balance of the parent ownership exclusive of the easement. Potential utilization of this portion of the subject ownership is not believed affected by the location of the Florida Power and Light Company easement as access is not restricted across said easement.

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There was no indication that any other private restrictions or other considertions would adversely affect the subject.

## Feasible Use/Highest and Best Use (Economic Influences):

The subject neighborhood has experienced limited growth, and desirability is fair. The present demand for land similar to the subject is somewhat limited in the Palm Coast/Flagler County area. This is substantiated by several factors including the large supply of available finished lots, together with the somewhat limited demand for these lots. Because of these factors, demand will most probably continue to remain limited for the foreseeable future.

In estimating a highest and best use for the land as if vacant, existing and projected neighborhood trends must be considered. The immediate area of the subject remains undeveloped, with a few developments in the immediate neighborhood being industrial oriented (along Utility Drive to the north). There is residential/commercial development located further to the north closer to the more developed areas and also increasing residential and commercial development to the south along SR-100. However, there is a considerable amount of vacant land similar to the subject for additional development within the subject neighborhood. Additionally, ITT currently has plans to develop a portion of the west-central portion of the subject neighborhood with residentia Improvements and also extend a roadway from Palm Coast Parkway south to SR-100 to provide access to this development. The Flagler County Future Land Use Map for the immediate area of the subject calls for a combination of low density/rural estate development, with some residential/commercial uses along the major arterial roadways. It is expected that the area to the north will experience more development in the immediate near future because of its surerior location closer to the developing residential sections of Palm Coast. Additionally, the area along $S R-100$ to the south should see increasing residertial and commercial development due to the greater exposure afforded by SR100. For these reasons, demand for property in the immediate area of the subject is expected to remain somewhat limited for the immediate future.

Summary: :
In summary, it is our opinion that demand for property similar to the subject is presently limited. It is our opinion that the site's highest and best use is for continued silviculture use on an interim basis until such time as demand warrants more intensive development. Because of the oversupply of existing sites better suited for immediate development located closer to existing service centers, it is our opinion that the highest and best use is for speculative investment with continued silviculture uses prior to more intersive residential subdivision development at a later time when economic conditions warrant.

## LAND VALUE DISCUSSION

The value of the land was estimated by the Market Comparison Approach. This approach is often referred to as the Direct Comparison Approach because the comparison procedure is its basic technique.

The Market Approach requires careful selection of sale properties to insure that they are relatively similar to the subject. No two properties are exactly alike. Adjustments are made to the sale properties for the various differences between those properties and the subject. These adjustments are then applied to the sale properties to indicate a value for the subject.

The subject parcel is unique in that one corporation owns a majority of the land within the immediate area. This landowner (ITT or its subsidiary) typcally has not sold their holdings (except for intercorporate transactions) during the time period associated with this appraisal assignment. For this reason, sales of similar properties in the immediate area are very limited. We therefore expanded our sales search to include areas outside of the inmediate neighborhood. The following sales were found and, though they differ from the subject as to various characteristics, they are considered the most comparable and indicative of value for the subject parcel.

Although demand for vacant sites similar to the subject has been somewhat limited, it is our opinion that because of the constantly changing economic conditions, the most recent sales should be utilized when possible. The following chart contains the sales which are considered most comparable for cash equivalency, market conditions (time of sale), size, topography, location, and other similar characteristics. These similarities/dissimilarities will be dis. cussed later.

## Comparability Factors <br> "Sale is. . . . ."


*Abstracted size/value - Residential portion only
Some of the sales in the chart above are considered more useful for comparafive purposes than others. All of the sales are relatively recent and have varying degrees of comparability to the subject.

Sales analysis sheets have been prepared for each of the sales and follow. The information contained in these analysis sheets will not be repeated here except in generalities.

The sales occurred over the period from $8 / 88$ to $9 / 89$, and range in size from about 15.91 acres to about 82.95 acres. Sales 0359-0273 and 0372-0009 containe split zoning including C-2, General Commercial, along the SR-100
frontage and AC, Agriculture District, for interior portions. The residential portion of these two sales was abstracted from the overall sale price by first estimating the value of the commercial frontage. Adjusted values of smaller commercial sites in the vicinity of Sale 0359-0273 indicated a value for the 7.48 acres of commercial frontage of approximately $\$ 150,000$, leaving $\$ 138,400$ contributible to the residential portion (approximately nine acres) of the site or approximately $\$ 15,378$ par acre. Adjusted values of sales of commer. cial sites in the vicinity of Sale 0372-0009 indicated a value for the 10 acres of commercial frontage of approxinately $\$ 600,000$, leaving $\$ 300,000$ attributable to the residential portion (approximately 20 acres) of the site, or approximately $\$ 15,000$ per acre. These adjusted values have been utilized in estimating a value for the subject. The chart entries indicate adjusted prices ranging from about $\$ 7,562$ per acre to approximately $\$ 15,378$ per acre.

Some of the factors of similarity/dissimilarity will be discussed in the fol. lowing narrative.

CASH EOUIVALENCY DISCUSSION:
All of the sales are considered similar to the subject on an ovall basis for cash equivalency and no adjustments were considered warranted for cash equiv. alency considerations.

## MARKET CONDITIONS DISCUSSION:

There has been agradual increase in values from the date of the first sale in 8/88 to the later sales and the date of valuation, though the market has been soft over the past year or so. Market data available does not permit an exact mathematical calculation for the time differential. However, commercial land values along SR-100 and in the vicinity of the Palm Coast Parkway/Old Kings Road intersection have increased in recent years. This increase in commercial land values has been spurred on by recent development along SR-100, including the Shoppes at Flagler Crossing and the Flagler Regional plaza, and by additional fast food and retail development in Palm Coast ot the Palm Coast Parkway/Old Kings Road intersection. With this increase in local commercial activity and land values, it is logical to assume that demand (and therefore prices of vacant land with residential development potential would also increase omewhat. It is our opinion that the September, 1989, sale is similar to the subject from a time standpoint. The prior sales are considered slightly inferior and would warrant at least some upward adjustment. In considering these sales, the greatest weight would then be given to those sales occurring at the later dates.

SIZE DISCUSSION:
The sales used for comparison range from about nine acres (abstracted residential portion only) to approxinately 82.95 acres. The subject contains 81.576 acres more or less. It is axiomatic in the real estate business that small parcels typically sell for a greater unit price than a larger parcel, all other conditions being equal. That is, saaller parcels generally reflect a greater unit selling price. This is not necessarily true for certain types of comercial property and/or other high denand property such as oceanfront condominium sites. In areas of intense activity, there may be little adjustment for size characteristics. Review of information in the chart, as well as other sales throughout the area, indicates an erratic pattern with respect to

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the size differential. In some instances, investors may prefer a larger site for greater development flexibility. The subject contains 81.576 acres more or less. Sale $0391-0488$ contains 82.95 acres and is considered similar to the subject for size characteristics. The remaining three sales contain 9 to 20 acres each and are considered superior to the subject; therefore, a downward adjustment would be indicated for these two sales.

## LOCATION DISCUSSION:

The subject is located east of 0ld Kings Road, approximately two miles south of Palm Coast Parkway in Palm Coast, Florida. As a result of its location wrthin the Palm Coast development, sales within the immediate neighborhood were unavailable. Therefore, the search was expanded to include other developing areas in Flagler County in relative close proximity to the subject neighborhood. The sales analyzed were located along or in close proximity to SR-100/SR-11 to the south of the subject neighborhood. The SR-100 corridor extending from Bunnell westerly to SR-AlA is the major east-west roadway through the central and eastern Flagler County area; exposure for newer residential or commercial development alone this roadway is superior to that of the subject's location east of old Kings Road. Although Sale 0406-0071 did not contain direct frontage along SR-100, its location south of SR-100 is considered slightly inferior to the SR-100 frontage sales but superior to the subject due to the access/visibility afforded by its proximity to SR-100. Therefore, Sales 0359-0273, 0372-0009, and 0406-0071 are considered superior to the subject For overali locational characteristics and downward adjustments are indicated. Sale $0391-0488$ is located partially within the southwestern city limits of the City of Bunnell and has access afforded by limited exposure along SR-11. Although this area of Bunnell has not experienced the recent commercial or residential development such as that located easterly of Bunnell along SR-100 or in Palm Coast to the north, this sale is considered somewhat superior to the subject for overall locational characteristics and a downard adjustment is indicated.

## ZONING DISCUSSION:

According to Mr. Kenneth Koch, Planning and Zoning Administrator for Flagler County, the subject presently contains split zoning. The westerly 300 feet more or less is zoned R/C, Residential Comercial Use District, which permits single-family dwellings with a 9,000 square foot minimum lot size. Permitted special exceptions within the R/C District include cluster subdivisions, nursing homes, multi-family projects, neighborhood and tourist related commercial uses, etc. The balance of the site is currently zoned AC, Agriculture District, which permits single-family dwellings with a five acre minimum lot size, as well as all bona fide agricultural/forestry pursuits, etc. According to Mr. Koch, the Flagler County Future Land Use Map identifies that portion of the subject currently zoned $R / C$ as suitable for high intensity development which, according to Mr. Koch, is similar to the existing R/C zoning classification. However, there would not be any road frontage for this portion of the site along a major arterial road with access to the site limited to a proposed 50 foot roadway extending 600 feet westerly from the subject site to Old Kings Road. Commercial development generally requires exposure along a well traveled roadway such as the commercial development located along SR-100 to the south or Palm Coast Parkway to the north. Multi-family residential development is also a permitted special exception on this portion of the site; however, demand for this type development is limited in the subject area as

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evidenced by the lack of similar facilities in the general area of the subject. This portion of the site could be developed with single-family dwellings in accordance with the R/C zoning classification in conjunction with the balance of the subject site which is zoned AC, Agriculture. According to Mr . Koch, the portion zoned AC is designated low density/rural estate - one unit per acre, according to the Flagler County Future Land Use Map which is similar to the R-1 zoning classification. This classification permits single-family dwellings with a minimum lot size of one acre and limited personal agricultural uses. All of the comparable sales contain zoning similar to the subject, and future land use categories similar to this portion of the subject, and are therefore considered similar to the subject and no adjustments were indicated.

## TOPOGRAPHY DISCUSSION:

The topography of the subject is typically rolling, rising slightly and then decreasing in elevation from the west to east. The easterly boundary follows the wetlands jurisdictional line as flagged by Environmental Services, Inc., in May, 1990, so that the subject does not appear to contain any jurisdictional wetlands. The subject is basically a sand ridge and is typically covered with sawpalmetto scrub underbrush, small pine trees, and other native vegetation indigenous to the area. The subject has apparently been cleared of merchantable timber at some point, and there are several dirt or sand jeep trails traversing the subject. Although all of the sales have varying topographical characteristics, none of the sales were found to contain a substantial amount of jurisdictional wetlands; therefore, all of the sales are considered similar to the subject for overall topography characteristics, and no further adjustments were indicated.

UTILITIES DISCUSSION:
Water and sewer are not presently available directly to the subject property. According to Richara Adams, Palm Coast UEIIILy Corporation, the closest water line to the subject is located at Oak Trails Boulevard and Old Kings Road, approximately 1.5 miles north of the subject. Sanitary sewer service is available at the same location and is also contained within a force main running along old xings Road in the vicmicy of ehe oublect. Utilization of this force main would require installation of pump station and extension of utility lines from the subject 600 feet westerly to Old Kings Road. According to Robert Keily, Palm Coast Utility Corporation, the cost of expanding water service to the subject is approximately $\$ 223,000$ plus the necessary tax grossup of $\$ 105,000$ for a total of $\$ 328,000$. The cost of installing a sewer lift station would be approximately $\$ 72,000$ plus tax gross-up of $\$ 34,000$ for a total of $\$ 106,000$. Sale $0359-0273$ does not currently have municipal utilities available to it; however, these utilities would be available from the City of Bunnell upon annexation and extension of municipal lines along SR-100 westerly to the City of Bunnell. Sale 0372-0009 will have utilities available to it upon extension of Palm Coast lines westerly along SR-100 to the site. These two sales are considered similar to the subject for availability of utilities. Sale 0391 - 0488 has sanitary sewer and water service available from the City of Bunnell; however, a lift station and extension of lines would be required for this site also. Sale 0406-0071, located along the east side of Old Kings Road south of SR-100, had municipal water and sewer extended to the site southerly
from SR-100 subsequent to the sale. These two sales are therefore considered superior to the subject, and a downward adjustment is indicated.

## INGRESS/EGRESS EASEMENT:

The subject property is located approximately 600 feet easterly of 0ld Kings Road, and it is our understanding that a 100 foot wide easement will be provided to allow access to the subject property. Although this easement (containing approximately 1.409 acres) could be argued to contribute value to the subject property as a whole, the value of the subject without this easement would be substantially less than as is currently proposed. Development of the subject would also require paving and extension of utilities along this 600 foot roadway which is an additional development cost not necessarily incurred by competing properties. Also, without this easement, access to the property would be nonexistent which would adversely affect the value of the subject ownership. Therefore, the added development costs and the value of the easement to the subject as a whole would offset any contributory value of the easement to the subject parent site. It should be noted that the value of the subject would be considerably different without the advantage of this easement for access purposes and this report is specifically contingent upon said access being provided to Old Kings Road.

## FLORIDA POWER AND LIGHT COMPANY EASEMENT:

The preceding discussion concerned the valuation of the fee simple interest of the subject and assumed conventional utilization of the subject site was feasible. However, as previously discussed, the subject is encumbered by a 330 foot wide Florida Power and Light Company easement which severely restricts the potential utilization of approximately 7.314 acres of the subject property. Review of this right-of-way easement and conversations with Florida Power and Light Company officials indicate that development or other potential utilization of this portion of the subject ownership is severely limited. Therefore, it is necessary to estimate the percentage of the fee simple ownership that the owner retains, and conversely the percentage owned by Florida Power and Light Company, holder of the right-of-way easement.

As with any value conclusion, support through sales data is the preferred methodology. In the case of valuing the subject easement, very limited data was found from which to draw a supportable conclusion. However, our investigation did reveal the following information concerning easements:

The City of Port Orange has recently negotiated with a property owner to purchase an underground utility easement through his property. According to the fee owner, Mr. Doug Clark of MPC Builders, they traded the easement area for future impact fees in an amount equivalent to approximately 10 percent of the fee value of the property within the easement. Reportedly, this easement parallels the edge of the property and was within an area that was effectively undevelopable due to setback requirements and therefore considered less restrictive than the subject easement.

Spray Field Site Proposed Expansion Palm Coast, Florida

In conversations with individuals at the Florida Department of Transportation's Fifth District, it was learned that some of their perpetual ditch easements are negotiated at a rate of about 70 to 80 percent of the fee value depending on the use and location of the easement. They also stated that many of these easements preclude the fee owner from use of the property because they are developed with an open ditch. In conversations with Mr. Don Hunter of Florida Power and Light Company, it was disclosed that Florida Power and Light Company also has paid 80 to 90 percent of the fee value for easements developed with high tension overhead power lines.

Review of the right-of-way easement as recorded in Official Records Book 44 , pages 512-518, Public Records of Volusia County, Florida, and conversations with Mr. Tom Roe, Florida Power and Light Company indicate the the potential utilization of that portion of the subject encumbered by the right-of-way easement is severely limited. Florida Power and Light Company allows some utilization of this area based in large part upon the liability of Florida Power and Light Company relating to the specific use of this area. However, under no circumstances are permanent buildings, structures, trees, etc., permitted. Typical uses permitted (with detailed consent agreements limiting Florida Power and Light Company's liability) include roadways, some water retention areas, mitigation sites, etc. Therefore, the percentage of the total bundle of rights held by Florida Power and Light Company is considered substantial.

The above easement data illustrates the wide range and sale prices ranging from a low of 10 percent to as high as 90 percent-of the fee value. This wide range in sale prices is believed to be a result of the differences in the rights associated with the various easements purchased.

The purchase of the easement at the lower end of the range involved only a small portion of the total bundle of rights due to the type of easement (under-ground utility), its location (along the side of the property), and because the easement permitted the fee owner to develop the easement area with road improvements. Thus, essentially, only a very small percentage of the total bundle of rights are believed to have been purchased by this easement.

The upper end of the range is indicated by easements involving the purchase of a majority of the rights. These easements severely limit the use of the easement by the fee owner. In the case of the Department of Transportation, their easements afe typically drainage easements, many of which are purchased for construction of open drainage ditches. Obviously, the rights associated with this easement are substantial as they severely restrict the fee owner's use of the property within the easement area. A majority of Florida Power and Light Company's easements involved high tension overhead power lines which also severely restricted the owner's use of the property.

In our opinion, the rights included in the easement associated with this as signment is typical of easements acquired by a power company for overhead power lines or by the Department of Transportation for open ditch drainage easements. These rights are considered to be greater than those associated with an underground utility easement paralleling the side of a property as was the case with the City of Port Orange's acquisition.

Based upon the limited data available and considering the rights associated with that area encumbered by the right-of-way easement retained by the fee owner, it is our opinion that the value of the subject right-of-way easement is approximately 80 percent of the fee value. Therefore, the value of the remaining rights associated with this parcel (as retained by the fee owner) are estimated at approximately 20 percent of the fee value.

Reconciliation and Estimate of Value:
After consideration of the above analysis and the factors affecting the subject and sales, it is our opinion that a reasonable indication of value for the fee simple interest of the subject would be $\$ 7,000$ per acre. Some of the most useful information is furnished by Sale 0391-0488. (3) The value of the subJect ownership encumbered by the existing Florida Power and Light Company right-of-way easement (containing approximately 7.314 acres) is estimated to be 20 percent of the fee value or approximately $\$ 1,400$ per acre.

Applying the figure of $\$ 7,000$ per acre to the area of the subject unencumbered by the Florida Power and Light Company right-of-way easement ( 7.262 acres) indictates a value of $\$ 519,834$. Adding the value of the subject ownership encumbered by the existing Florida Power and Light Company right-of-way easement (approximately 7.314 acres at $\$ 1,400$ per acre equals $\$ 10,240$ ) indicates a tocal value of $\$ 530,074$, rounded to $\$ 530,000$.

Therefore, it is our opinion that the subject property had a market value for the fee simple interest of the land only, subject to the existing florida Power and Light Company easement, as of October 29, 1990, of:

FIVE HUNDRED THIRTY THOUSAND DOLLARS ( $\$ 530,000$ )

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BECAUSE 17 15 "SALE TO A GOUFRHMEWTAL
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APPRAISER GUY SAP





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RATE CASE TYE 12-31-95

## Wastewater Service

As to wastewater service, according to our staff engineer we would have to install a submersible pump station to connect into an existing force main that is in the right-of-ray of Old Kings Road. The estimated cost of this facility would be $\$ 72,000$, plus tax gross-up of $\$ 34,000$, for a total of $\$ 106,000$.

-     *         * 

Please let me know if I can elaborate on these estimates.

## Sincerely



Robert Kelly
cc: William T. Parks III










PAIM COAST UTILTY CORP.
PALM COASTFIAGLER CO.
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RATE CASE TYE 12.31-9S


FILE: NOTECHSE
FLAGLER COUNTY COURTHOUSE NOTES - DOCUMENTS / INTERVIEWS

Initially visited Flagler County Courthouse for two hours on February $218 t$ to obtain documentation of land ownership and recorded purchase prices. Obtained printouts of RIB Site and Sprayfield parcels. Looked up copies of the Warranty Deeds.

Second visit was the morning of February 26th when I obtained Copies of the Warranty Deeds reviewed previously and researched the 1965 through 1971 tax rolls looking for ITT Land purchase records. Obtained copies of deeds whereby the ITT Group purchased the Sprayfield and the RIB Site land from Lehigh Portland Cement.

The final visit was from Orlando on April 1,1996 when I Documented my tax roll research and had Flagler County Recording Department personnel verify my cost per acre computation of the ITT RIB Site purchase price. On this visit, I also verified the comparable land sales used for the Palm Coast Rib Site Land purchase. Mr Guy Sapp, the Flagler County Property Appraiser, aided me in locating the various comparables used for the appraisal.

Mr Sapp helped me verify that $I$ had the correct printouts on the parcels of land which were referenced in the Charles Spano appraisal of the RIB Site. Mr Sapp said that "These parcels listed in the appraisal are not comparable to the Sprayfield Site" Mr Sapp went on to say "wait a minute, sales to governmental entities are "DQ" which means disqualified_as they are Sales to governmental authorities and not true arms length sales. They are never considered by county appraisers.". He also said, "I am surprised that Chuck (Charles Spano) used these sales in the appraisal...I am sure he knows better than that".

Mr. Sapp went on to say that if you really want a comparable sale, we have just finished working up a parcel almost identical to the Palm Coast Utility sprayfield parcels. Mr Sapp provided me with documentation of a recent nearby land sale by ITT Land Development. Mr Sapp said this transaction was a true negotiated third party sale by ITT of land only two tenths of a mile down Old Kings Road from the RIB Site property. He said that the current sale was larger than the RIB Site and therefore of less value per acre than a smaller piece of property. But on the other hand, Mr. Sapp continued, the property had highway frontage on both sides of Old Kings Highway and the North Side of State Route 100 which made the property as a whole more valuable per acre than the RIB Site parcel. The RIB Site borders the wetlands and has no highway frontage.



Assessment Roll Preparation and Approval

December 31, 1976, need be gathered and posted.

1. Date of execution of instrument (month and year).
2. O. R. book and page number These shall be recorded as entries separate from the property description so that a computer sort on this information is poseible.
3. A transter code denoting certain characteristics of the transfer. A transier should be considered for discuallficetion if any of the following engly:

Corrective deed, qut ckaim deed, or tax deed; Deed bearing 30-cent Florida Documentary Stamp;

Deed bearing same family name as to Grantor and Grantee;

Deeds to or from banks, loan or mortgage companies;

Deeds conveying cemetery lots or parcels;

Deeds Inciuding unusual amounts of personal property;

Deeds containing a resenvation of occupancy for more than 90 days (life estate interest);

Deeds involving a trade or exchange of land;

Deeds where the consideration is indeterminable;

Dead conveying less than a hali Interest;

Deeds to or executed by any of the following:
a. Administrators
b. Benevolemt institutions
c. Churches
d. Clerk Commissioners
e. Clerk of Courts

1. Counties
g. Educational Institutions
h. Executors
2. Federal Agencles
j. Federal Govemment
K. Freternal Insitutuions
L. Guardians
m. Lodges
n. Mastars
(A) 0. Municipalites
p. Receivers
(A) 4 Shertits
r. State Board of Education
c. Trustees in Bankuptcy
t. Trustees of the Internal Improvement Trust Fund (or Board of Natural Resources)
u. Utility Companies. The property appraiser may continue to use any existing codes provided they are translated to the following when submitted to the Department:

00 . Sales which are quallified;

1. Sales which are disqualified as a
result of examination of the deed;
2. Deeds which include more than one parcel;
3. Other disqualified.
4. Sales prices as indicated by documentary stamps. If transfer Code 01 applies, sales price may be omitted.
5. Wherever possible, ane-digit code indicating whether the parcel was Improved (I) or vecant ( $V$ ) at the time of sale.
(n) Property description or map number. Map number is allowabie in lieu of property description if a map reference numbar and O. R. book and page number is printed on the roll for each parcel.
(0) A code or codes indicating each exemption granted to the parcel and the value(s) thereot.
The property appraiser may continue to use any existing codes provided they are translated to the following when submitted to the Department: Personal exemption codes shail be " 0 " Inclcating the exemption does not epply or ${ }^{-1 "}$ Indicating the exemption does apply. Six codes shall be shown for each parcel, in the following order.

Rev. 06-30-93
Rev. 06-30-93
$12 \mathrm{D}-8$

## $\square 003$



Fev. 06-30-93
Assessment Fioll Preparation and Approval
8. Bratk-down of the number of Siding Up
combined units if aveitabla.
(g) Basic building information:

1. The yoar built or the effective year built of the main improvement. The appraiser shall consistentiy maintain one or the other (or both) years for every improved percel in the county,
2. The total Iving area or the total edjusted area of the main improvement on improved residential property, or the total usable area for non-residential improved property.

The appraiser shall consistently maintain total IVing area or total adjusted area (or both) for every improved residential parcel in the county.
3. A code indicating the principal type of constuction of the exterior walls of the main improvement on each improved parcel. The property appraiser may continue to use any existing codes provided they are translated to the following when submitted to the Department:

01 - Wall Board
02-8-Inch Brick
03 - Metal
04 - Asbestos Shingles on Frame
05 - Surceo on Frame
06 - Slding - No Sheathing
07 - Concrete Block
08 - Cor. Asbestos
09-Stucco on Concrete Block (C. B.
S.)

10-Stueco on Tile
11 - Sighting - with Sheathing
12 - Briok Veneer on Frame
13 - Brick Vonear on Mesonry
14 - Auminum Siding
15-12-Inch Brick
16-Rilnforced Concrets
17 - Matal on Steel
18 - Wood Shingles
18 - Jumbo Brick
20 - 714 -up Concrete Slabs
51 - Brick on Masonry Down-Wood

52 - Brick on Masonry DownAsbertos Shingles Up

53 - Wood Siding Down-Asbestos Shingles Up

54-Stone on Masonry Down-Wood Eiding Up

55 - Concrete Block Plain DownAebestos Shingles Up

55 - Concrete Block Plain DownWood Siding Up

67 - Brick on Frame Down-Wood Eiding Up NOTE: If the property appraiser malntains a master appraisal system, at the time of adoption of these Rules and Regulations, which system utlizes "Points", "Construction Units" or other numerical dosignation, in liou of a code, to indicate principal type of exterior wall construction. then such "Points", "Construction Units" or other numerical designation, may be submitted In Heu of the codes indicated hereinabove; provided, however, that a schedule showing the number of "Polnts", "Construction Units" or numbers used for each type of exterior wall construction is ceo submitted to the Department.
(h) Lank Value - Just Vatie (Section 193.019, F. 8.) or classified use value, if applicable.
(I) Total just value (land just value plus building value).
(j) Total essessed value (land clessifiod use value plus building value or total just value for non-classified use parcels).
(k) Taxable value for operating purposes.
(I) New construction value. This emount stall be included In the value shown for Items (i) through (I). Deletions shall be shown as a negative amount.
(m) The following information shall be gatthered and posted for the two most recent transfers of each parcel. Only information on transters occurring atter


FLAGLER COUNTY PROPERTY APPRAISER

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prom: Floricla PSC
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ORIGINAL COST OF LAND TO IT GROUP
$17-10$ be fit was determined that the original cost to the ITT Group would be fairly easy to obtain. It was determined from the Utility that the RIB Site 2 was located in parts of sections 20,29 and 52 of Township 11 South and Range 31 East.
$\qquad$
$=\frac{17.12}{70}$ indicated that all the land in these sections East of old kings Road was owned by Lehigh Portland Concrete Company. Beginning in 1969 an ITT Corporation "Ray-Florida Company", was the owner of record. The General Index to Official Records of Flagler County for 1968 indicated that Lehigh Portland transferred the land to Ray-Florida by way of a Warranty Deed Filed December 23, 1968.
$\qquad$
$\qquad$ 17.16 and The Lehigh Portland - Ray Florida Warranty Deed was obtained the acreage and the sales price was extracted from the parcel and the document stamps respectively. The per acre purchase price of $\$ 340.76$ or $\$ 341$ was calculated.


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#### Abstract




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SEC 32, BLOCK \% LOT !

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EXHIBIT RFD - 2 ( 81 OF 116)








26 General Index to OFFICIAL RECORDS-Flagler County, Fla.-INDIRECT




# OFFICIAC RECORDS 800K 26 s4 536 

SCHEDULE "A"

The following described parcels of land located in Townships 11 and 12 South, Ranges 30 and 31 East, Flagler County, Florida:

## PARCEL 1

Beginning at a point in the intersection of the middle of Florida State Highway Route No. 100 with the middle of Old Kings Road, said Old Kings Road as hereinafter referred to is as said road was located in 1953; thence in and along the middle of old Kings Road (1) N $38^{\circ} 1^{\prime} \mathbf{\prime}^{\prime \prime} 5^{\prime \prime} \mathrm{W}$ passing through a permanent reference monument (P.R.M.) in the Northerly right-of-way line of said Florida State Highway Route No. 100 a distance of 925.59 feet to a P.R.M., (2) N $36^{\circ} 29^{\prime \prime} 45^{\prime \prime} \mathrm{W} 923.99$ feet to a P.R.M. (3) N $15^{\circ} 44^{\prime} 4^{\prime \prime} W^{\prime \prime} 1980.01$ feet to a P.R.M. and (4) N $24^{\circ} 11^{\prime} 45^{\prime \prime} W 1544.74$ feet to a P.R.M. 1 located at the Northwest corner of Section $39, \mathrm{~T} .12 \mathrm{~S} ., \mathrm{R} .31 \mathrm{E}$. ; thence leaving said old Kings Road and along property of the Colored Cemetery Association (5) N $69^{\circ} 05^{\prime} 17^{\prime \prime} \mathrm{E} 339.15$ feet to a point, (6) $\mathrm{N} 24^{\circ} 01^{\prime} 28^{\prime \prime} \mathrm{W} 660.00$ feet to a point and (7) $569^{\circ} 05^{\circ} 17^{\prime \prime} \mathrm{W}$ 339.15 feet to a P.R.M. in the middle of Old Kings Road; thence in and along the midde of Old Kings Road $(8) \mathrm{N} 24^{\circ} 01^{\prime} 28^{\prime \prime} \mathrm{W}$ 766.77 feet to a P.R.M. (9) N $19^{\circ} 39^{\prime} 5^{\prime \prime} \mathrm{W} 1117.09$ feet to a P.R.M. , and (10) N $2^{\circ} 00^{\prime} 43^{\prime \prime} \mathrm{W} 491.48$ feet to a P.R.M., lying in the South right-of-way line of the railroad running from the main line of the Florida East Coast Rallway Company to the plant of the Lehigh Portland Cement Company; thence leaving Old Kings Road and along the South right-of-way line of said railroad and along other lands of the Lehigh Portland Cement Company (11) N $89^{\circ} 08^{\prime} 30^{\prime \prime}$ E 1661.37 feet to a point in the East line of Government Lot 1 , Section 4, T. 12 S., R. 31 E.; thence leaving the South right-of-way line of said railroad and along the East line of said Govermment Lot 1 (12) N $20^{\circ} 49^{\prime} 5^{\prime \prime}$ W 212.80 fect to a point lying in the North right-of-way line of the railroad running from the main line of the Florida East Coast Railway Company to the plant of the Lehigh Portland Cement Company; thence along the North right-of-way line of said railroad (13) S $89^{\circ} 08^{\prime} 30^{\prime \prime} \mathrm{W} 2004.92$ feet to a point in the West line of Section 4, T. $12 \mathrm{~S} . \mathrm{F}$. 31 E.; thence along the west line of said Section 4, T. $12 \mathrm{~S} . \mathrm{R}$. 31 E.; (14) N $2^{\circ} 27^{\prime} 10^{\prime \prime} \mathrm{W} 25.72$ feet to a P.R.M. at the Northwest corner of said Section $4, \mathrm{~T}, 12 \mathrm{~S} ., \mathrm{R} .31 \mathrm{E}$. ; thence along the West line of the Southwest quarter of Section 33, T. $11 \mathrm{~S} . \mathrm{R}$. 31 E., (15) N $0^{\circ} 56^{\prime} 22^{\prime \prime} \mathrm{W} 1124.26$ fect to a P.R.M. in the middle of old Kings Road, thence (16) continuing $\mathrm{N}^{\circ} 0^{\circ} 56^{\circ} 22^{\prime \prime} \mathrm{W}$ and along lands now or late of $W$. J. Tidwell Estate a distance of 1540.64 feet to a P.R.M. and (17) S 89 ${ }^{\circ} 23^{\prime} 32^{\prime \prime} \mathrm{W} 465.52$ feet to a P.R.M. in the middle of old Kings Road, thence in and along the middle of Old Kings Road (18) N $18^{\circ} 50^{\prime} 28^{\prime \prime} \mathrm{W} 3433.07$ feet to a P.R.M. (19) N $19^{\circ} 59^{\prime} 58^{\prime \prime} \mathrm{W} 784.72$ feet to a P.R.M., (20) N $14^{\circ} 06^{\prime} 28^{\prime \prime}$ W 682.29 feet to a P.R.M., (21) N $21^{\circ} 40^{\prime} 13^{\prime \prime}$ W 3608.98 feet to a P.R.M., (22) N $18^{\circ} 5^{\prime} 5^{\prime} 28^{\prime \prime}$ W 667.6B feet to a P.R.M., (23)
 1616.81 feet to a P.R.M. (25) N $55^{\circ} 41^{\prime \prime} 13^{\prime \prime}$ W 431.07 feet to a P.R.M., (26) N 27 ${ }^{\circ} 29^{\circ} 13^{\prime \prime}$ W 1719.45 feet to a P.R.H. and (27) N 51 ${ }^{\circ} 26^{\prime \prime 13^{\prime \prime}}$ W 86.55 feet to a P.R.M. in the West line of the Northwest quarter Section 20 , T. 11 S., R. 31 E.; thence leaving said old Kings Road and along the west line of the Northwest quarter Section 20 , T. $11 \mathrm{~S} ., \mathrm{R}$. 31 E . (28) $\mathrm{N} 0^{\circ}$ 58'32" W 137.53 feet to a P.R.M. at the Northwest corner of the Northwest quarter Section 20 , T. 11 S., R. 31 E.; thence along the North line of the Northeast quarter Section 19 , T, 11 S., R. 31 E., (29) S $89^{\circ} 04 \cdot 30^{\prime \prime} \mathrm{W}^{\prime} 166.77$ feet to a P.R.M. In the middle of Old Kings Road; thence in and along the middle of Old Kings Road (30) N 510 $26^{\prime}$ ' $13^{\prime \prime} \mathrm{W} 83.14$ feet to a P.R.M..

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(31) N $65^{\circ} 12^{\prime} 13^{\prime \prime}$ W 597.66 faet to a P.R.M., (32) N $36^{\circ} 40^{\prime} 13^{\prime \prime}$ W 1915.75 fest to a P.R.M. (33) N $17^{\circ} 28^{\prime} 13^{\prime \prime} \mathrm{N}^{\prime} 677.10$ feet to a P.R.M., (34) N $21^{\circ} 49^{\prime} 58^{\prime \prime} \mathrm{N} 1187.59$ fegt to a P.R.M. and (35) N 24007'13" W 957.91 faet to a point of intersection with the canteriine of the Flagler County Drainage Canal located in Section 18 , Township 11 South, Range 31 East, thence leaving the midale of Kings Road and along the centerline of the aid flagler County Drainage Canal (36) N $78^{\circ} 01^{\prime} 30^{\prime \prime}$ E 3260.42 feet to a point and (37) N 6346'22" E 7461.57 feet to a point of intersection with the Westerly right-of-way line of the Florida Intracoastal Caral, thence along the Westerly right-of-way line of the aid Florida Intracoastal Canal (38) S $20^{\circ} 35^{\prime} 23^{\prime \prime} \mathrm{E} 34.07$ feet to a point; (39) S $47^{\circ} 17^{\prime} 55^{\prime \prime} \mathrm{E} 1110.96$ feet to a point; (40) $\mathrm{S} 66^{\circ}$ 55'12" E 3564.76 feet to a point: (41) S 44051'23" E 807.92 feet to a P.R.M. (42) S $22^{\circ} 48^{\prime} 02^{\prime \prime} \mathrm{E} 8929.54$ fect to a point; (43) S $46^{\circ} 44^{\prime} 02^{\prime \prime} \mathrm{E} 2065.34$ fect to a P.R.N., (44) S 19 ${ }^{\circ} 19^{\prime \prime} 48^{\prime \prime}$ E 1109.02 fect to a P.R.Mr in the South iine of Section 23 , T. 11 S., R. 31 E., said P.R.M. being located 978.59 feet East of the Southwest corner of said Section 23, T. 11 S., R. 31 E.; thence continuing along the Westerly right-of-way line of the Florida Intracoastal Canal (45) S $17^{\circ} 16^{\prime \prime} 1^{\prime \prime} \mathrm{E} 1398.88$ feet to a P.R.M. in the North line of Government Lot 4, Section 26, $T$. 11 S., R. 31 E.; thence leaving the Westerly right-of-way line of the Florida Intracoastal Canal and along the Northerly line of said Government Lot 4 , Section $26, \mathrm{~T} .11 \mathrm{~S} ., \mathrm{R}, 31 \mathrm{E}$. and along lands now or late of E. G. Seibels Manager, Inc., (46) $S 8^{\circ} \mathbf{4 5}^{\prime} 30^{\prime \prime} \mathrm{W} 69.02$ feet to the Northwest corner of said Government Lot 4 ; thence along the West line of said Government Lot 4 (47) $50^{\circ} 40^{\prime} 04^{\prime \prime} \mathrm{E} 1345.15$ feet to the Southwest corner of said Government Lot 4 ; thence along the South line of said Government Lot $4,(48) \mathrm{N} 88^{\circ} 48^{\prime} 18^{\prime \prime} \mathrm{E} 469.03$ feet to a P.R.M. in the Westerly right of way line of the Florida Intracoastal Canal; thence leaving lands now or late of E. G. Seibels Manager, Inc., and along the Westerly right-of-way line of the flarida Intracoastal Canal (49) S $16^{\circ} 5^{\prime \prime} 15.9^{\prime \prime}$ E passing through a P.R.M., at 1604.47 feet, a total distance of 2760.42 feet to a P.R.M., (50) S $19^{\circ} 19^{\prime} 30^{\prime \prime} \mathrm{E}$, passing through P.R.M. ${ }^{\prime}$ s at 1410.04 feet, 2824.21 feet, 4255.15 feet and a P.R.M. being located in the Township line between Townships 11 and 12 South at 5679.91 feet, a total distance of 6424.90 feet to a P.R.M., (51) S $15^{\circ} 42^{\prime} 05^{\prime \prime} E 1654.09$ feet to a P.R.M. in the North line of the Northeast quarter of the Southeast quarter Section 2, T. $12 \mathrm{~S} ., \mathrm{R} .31 \mathrm{E} . ;$ thence along the North line of the Northeast quarter of the Southeast quarter of sald Section 2. (52) S $88^{\circ} 06^{\prime} 49^{\prime \prime} \mathrm{W} 1057.09$ fect to a P.R.M. at the Northwest corner of the Northeast quarter of the Southeast quarter of the said Section 2; thence along the West line of the East half of the Southeast quarter of the said Section 2 , (53) $51^{\circ} 07^{\prime} 02^{\prime \prime} \mathrm{E}$ 2662.52 feet to a P.R.M. at the Southwest corner of the East half of the Southeast quarter of the said Section 2; thence along the South line of the East half of the Southeast quarter (54) N 88019'52" E 984.12 feet to a P.R.M. at the Southwest corner of the East half of the Southeast quarter of the Southeast quarter of the Southeast quarter of the sald Section 2; thence along the West line of the East half of the Southeast quarter of the Southeast quarter of the Southeast quarter of the said Section 2, (55) N $1^{\circ} 06^{\prime} 05^{\prime \prime} \mathrm{W} 666.52$ feet to a point at the Northwest corner of the East half of the Southeast guarter of the Southeast quarter of the Southeast quarter of the sald Section 2 ; thence along the North line of the West half of the Southeast quarter of the Southeast quarter of the Southeast quarter of the said Section 2 , (56) S $88^{\circ} 13^{\prime} 20^{\prime \prime} \mathrm{W}$ 328.09 feet to a point at the Northwest corner of the Nest half of the Southeast quarter of the Southeast quarter of the Southeast quarter of the said Section 2; thence along the West line of the Northeast quarter of the Southeast quarter of the Southeast quarter of the said Section 2 , (57) N $1^{\circ}$



(6) W 672.61 feet to a point at the Northwest corner of the Northeast quarter of the Southeast quarter of the Southeast quarter of the said Section 2 ; thence along the North line of the Northeast quarter of the Southeast quarter of the Southeast guarter of the said Section 2, (58) N $88^{\circ} 47^{\prime} 33^{\prime \prime} \mathrm{E} 656.11$ feet to the Northeast corner of the Southeast quarter of the Southeast quarter of the said Section 2 ; thence along the North line of the Southwest quarter of the Southwest quarter of Section $1, T .12$ S., R. 31 E, ( 59 ) $\mathrm{N} 88^{\circ} \mathrm{A}^{\prime} 3^{\prime \prime} \mathrm{E} 90.75$ feet to a point in the Westerly right-of-way line of the Florida Intracoastal Canal thence along the westerly right-of-way line of said florida Intracoastal Canal (60) S $15^{\circ} 42^{\prime} 05^{\prime \prime}$ E passing through a P.R.M in the South line of Section 1, T. 12 S., R. 31 E. at 1376.44 feet, a total distance of 1901.81 feet to a point in the intersection of the North line of Cookman Street with the East line of Canal Avenue, thence along the North line of Cookman Street (61) S $74^{\circ} 17^{\prime} 5^{\prime \prime}$ W 265.17 feet to a point of intersection with the former West line of Lambert Avenue, said Lambert Avenue also being known as Roberts Road and florida State lijghway Route No, S-201; thence along the former West line of Lambert Avenue (62) S $15^{\circ} 42^{\prime} 05^{\prime \prime} \mathrm{E} 420.00$ feet to a point of intersection with the North line of Johnson Street, thence along the North line of Johnson Street (63) S 7417 ${ }^{\circ} 55^{\prime \prime} \mathrm{W} 140.00$ feet to a point of intersection with the West line of Magnolia Avenue, thence along the West line of Magnolia Avenue (64) S $15^{\circ} 42^{\prime} 05^{\prime \prime} \mathrm{E}$ 230.00 feet to a point at the Southeast corner of Lot 3, Block 7; thence crossing Magnolia Avenue and along the North line of Lot 4, Block 2 ( 65 ) N $74^{\circ} 17^{\prime} 55^{\prime \prime} \mathrm{E} 140$ feet to a point in the former West line of Lambert Avenue; thence along the former West line of Lambert Avenue (66) S $15^{\circ} 42^{\prime} 05^{\prime \prime} \mathrm{E} 610.00$ feet to a point of intersection with the North line of Moore Street; thence along the North line of Moore Street (67) S 74¹7'55" W 290.00 feet to the Southwest corner of Lot 6, Block 8; thence along the West line of Moore Street, the West line of Block 9 and the West line of Palm Street (68) S $15^{\circ} 42^{\prime \prime} 05^{\prime \prime} \mathrm{E} 460.00$ feet to a point in the South line of Palm Street; thence along the South line of Palm Street (69) N 74¹7'55" E 310.00 feet to a point of intersection with the centerline of Lambert Avenue; thence along the centerline of Lambert Avenue (70) $515^{\circ} 42^{\prime} 05^{\prime \prime}$ E 426,40 feet to a P.R.M. in the intersection with the centerline of Moody Boulevard; thence along the centerline of Moody Boulevard (71) S $88^{\circ} 24^{\prime} 56^{\prime \prime} \mathrm{W} 851.75$ fert to a P.R.M. in the West line of Section 12, T. 12 S., R. 31 E.; the preceding eleven courses all being located within the Ocean City Subdivision (Magnolia Gardens Re-Subdivision) of the Town of Flagler Beach, Flagler County, florida, according to a plat of said subdivision of record in Plat Book 3, Page 20, of the Public Records of Flagler County, Florida; thence along the East line of Tract 2, Block D., Section 11, T. $12 \mathrm{~S} . \mathrm{S}^{\prime} \mathrm{R}$. 31 E ., (72) S $1^{\circ} 37^{\prime} 05^{\prime \prime}$ E 659.15 feet to a P.R.M. at the Southeast corner of the said Tract 2; thence along the South line of Tract 2 and along the South line of tho North half of Tract 3, Block $D,(73) 588^{\circ}$ 26'55" W passing through a P.R.M. at tho Southwost cornor of said Tract 2 at 620.98 foot, a Cotal distanco of 1280.98 foot to a P.R.M. at tho Bouthwast cornor of tho North half of said Tract 3 , thence along the South linc of tho North half of Tract 4, Block D, Section $11, \mathrm{~T}, 12 \mathrm{~S} ., \mathrm{R} .31 \mathrm{E} .,(74) \mathrm{S} 88^{\circ}$ 18'25" W 659.40 feat to a P.R.M. at the Southwest corner of the North half of the saia Tract 4 , thence along tho East lino of Tract 6, Block D, Section 11, T. $12 \mathrm{~S} ., \mathrm{R} .31 \mathrm{E} .,(75) \mathrm{S} 2^{\circ} 25^{\prime}$ $05^{\prime \prime}$ E 659.48 feet to a P.R.M. located at the Southeast corner of said Tract 6, thence along the East line of the west half of the Southwest quarter of the Southeast quarter (76) S 1²9'41" E 645.66 fect to a $\mathrm{F} . \mathrm{R} . \mathrm{M} . \mathrm{at}$ a point of intersection with the North IIne of a 25 foot wide unnamed street, said 25 foot wide unnamed street lying within the Flagler Beach Acres, Unit 2 Subdivision


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 at the Southeast corner of the Southwest quarter of the Southwest quarter of said Section 12; thence along the South line of said Section 12 ( 96 ) N $88^{\circ} 48^{\prime} 10^{\prime \prime} \mathrm{E} 566,09$ feet to a P,R. 4 . in the Westerly right-of-way line of the Florida Intracoastal Canal, thence along the Westerly right-of-way of said Florida Intracoastal Canal (97) S $14^{\circ} 05^{\prime} 20^{\prime \prime} \mathrm{E}$, passing through a P.R.N. in the North line of Bulow Lot 1 , Section 38, T. $12 \mathrm{~S} ., \mathrm{R}$. 31 E . at 1837.04 feat, a total distance of 2749.05 feet to a P.R.M., (98) $\mathrm{S} 21^{\circ}$ $24^{\prime} 05^{\prime \prime} \mathrm{E}$, passing through a P,R.M, in the North line of Bulow Lot 2 of said Section 38 at 1295.97 feet, a total distance of 2768.01 feet to a point which is 700 fect North of the South line of Bulow Lot 2 of said Section 38 as measured along the Westerly right-of-way line of the Florida Intracoastal Canal; thence along a line 700 feet North of the South line of Bulow Lot 2 of said Section 38 as measured along the Westerly right-of-way of the Florida Intracoastal Canal (99) S $69^{\circ} 04^{\circ} 53^{\prime \prime} \mathrm{W}$ 2573.97 feet to a point in the centerline of the John Anderson Highway, Florida State Highway Route No. S-20l; thence South along the centerline of the said John Anderson Highway (100) $540^{\circ} 26^{\prime} 20^{\prime \prime} E 737,77$ feet to a P.R.M. in the South line of Bulow Lot 2 of said Section 38; thence leaving the John Anderson Highway and along the South Iine of Bulow Lot 2 of said Section 38 (101) S $69^{\circ} 11^{\prime} 40^{\prime \prime} \mathrm{W} 8811.19$ feat to a P.R.M. in the middle of Old Kings Road, Florida State Highway Route No. $S-5-\mathrm{A}_{\mathrm{j}}$ thence in and along the midde of 0ld Kings Road (102) N $26^{\circ} 35^{\prime} 05^{\prime \prime} \mathrm{W}$ 2024,96 feet to a P.R.M.; (103) N $26^{\circ} 21^{\prime} 05^{\prime \prime} \mathrm{W} 45.43$ feet to a P,R,M. ( 104 ) N $12^{\circ}$ 4 $^{\prime \prime} 1^{\prime \prime}$ W 1133,21 feet to a P.R.M.i (105) N $36^{\circ} 49^{\prime} 15^{\prime \prime} \mathrm{W} 575,50$ feet to a P.R.M.; (106) N $26^{\circ} 49^{\prime} 15^{\mathrm{n}} \mathrm{W}$ 587,40 feet to a P.R.M. at the Southwesterly corner of Section 39, T. $12 \mathrm{~S} ., \mathrm{R}$. $31 \mathrm{E} . \mathrm{P}^{(107)} \mathrm{N} 27^{\circ} 02^{\prime} 15^{\prime \prime} \mathrm{W} 2699.76$ fect to a P.R.M., and (108) N $22^{\circ} 02^{\prime} 45^{\prime \prime} \mathrm{W} 3207.22$ feet to a point in line of lands of the Hope Cemetery Association; thence leaving said Old Kings Road and along lands of the Hope Cemetery Association (109) N $69^{\circ} 37^{\prime} 15^{\prime \prime} \mathrm{E} 788.50$ feet to a point; (110) N 20.41'30" W 110.25 feet to a point; (111) N 6741'45" W 238.96 feet to an iron pipe in line of lands conveyed by the Lehigh portland Cement Company to Dale B. Brown, Jr., et. al. as Trustees for the Hope Cemetery Association by Deed dated November 8, 1965 said iron pipe also being in the Southwesterly right-of-way line of an old brick road; thence along line of lands conveyed to Dale B. Brown, Jr., et,al. and along the Southwesterly right-of-way line of said old brick road (112) N $61^{\circ} 12^{\prime} 45^{\prime \prime} \mathrm{W}$ passing through an iron pipe in the Easterly right-of-way line of Old Kings Road, Florida State Highway Route No, S-5-A, at 984.65 feet, a total distance of 1044.44 feet to a P.R.M. in the middle of said old Kings Road; thence along the middle of said Old Kings Road (113) N $30^{\circ} 05^{\prime} 45^{\prime \prime} \mathrm{W} 597.78$ feet to a P.R.M. (114) N 34 $25^{\circ} 45^{\circ} \mathrm{W}$ 689.37 feet to a P.R.M., and (115) N $38^{\circ} 15^{\circ} 45^{\prime \prime} \mathrm{W} 600.87$ feet to a point of intersection with the Southerly right-of-way line of Florida State lighway No. 100 ; thence leaving said old Kings Road and along the said Southerly right-of-way line (ll6) $\mathrm{N} 87^{\circ}$ 41'45" E 2162.57 feet to a point in line of lands conveyed by the Lehigh Portland Cement Company to Flagler County, Florida, by Deed dated June 20, 1967 ; thence leaving the said Southerly right-of-way line and along line of lands conveyed to said Flagler County, Florida, (117) S $2^{\circ} 18^{\prime 1} 15^{\prime \prime} \mathrm{E} 1200.00$ feet to a point; (118) N $87^{\circ} 41^{\prime} 45^{\prime \prime}$ E 850.00 feet to a point and; (119) N $2^{\circ} 18^{\prime} 15^{\prime \prime}$ W 1200,00 feet to a point in the Southerly right-ofway line of Florida State Highway Route No. 100 , thence along the said Southerly right-of-way line (l20) N $87^{\circ} 41^{\prime} 45^{\prime \prime} \mathrm{E} 2347.78$ feet to a point of curve of a $0^{\circ} 15^{\prime} 04^{\prime \prime}$ curve to the right, having a delta of $2^{\circ} 43^{\prime} 00^{\prime \prime}$, thence (121) along the said Southorly right-of-way line on a $0^{\circ} 1^{\prime \prime} 0^{\prime \prime}$ curve to the right, a distance of 550,16 feet to a P.R.M. in the Easterly line of Section $39, \mathrm{~T}, 12 \mathrm{~S}, \mathrm{R}, 31 \mathrm{E}$, , thence along the East line of said Sectinn $30 \quad 1{ }^{\circ} 2$ ) $\mathrm{N}^{\prime} 20^{\circ} 50^{\prime} 49^{\prime \prime} \mathrm{W} 105.90$ feet to a point in



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the middle of Florida State Highway Route No. 100 ; thence in and along the midile of said Floricia State lighway Route No. loo, (123) $587^{\circ} 41^{\prime} 45^{\prime \prime}$ W 5947.20 feet to the point or place of beginning.

EXCEPT, the following described tracts or parcels of land:
A $41 / 2$ acre tract of land owned now or late by F. C. Burnsed, the probable location of said $41 / 2$ acre tract of land being located in Lot 2, Section 52, T. 11 S., R. 31 E.;

All of Government Lot 3, Section 28, T. 11 S., R. 31 E.;
All of Tract B, Block $B$ and the East one-half of Tracts 5 and 6, Block C, Section 11, T. $12 \mathrm{~S} ., \mathrm{R} .31 \mathrm{E}$. according to plat of Bunnell Develorment Company recorded in Plat Book 1 , Page l, of the Public Records of Flagler County, Florida;

Cookman Strect, Johison Street, Orange Strect and Magnolia Avenue lying within the Ocean City Subdivision (Magnolia Gardens Re-Sułdivision) of the Town of Flagler Beach, Flagler County, florida, according to a plat of said subaivision of record in Plat Book 3, Page 20, of the Public Records of Flagler County, Florida;

The land descrived in the following conveyances from the Lehigh Portland Cement Company:
(a) to the Florida State Roads Department dated January 5 and 7, 1960 for the improvement of John Anderson Highway (Florida State lighway Route No. S-201);
(b) to the Florida State Roads Department dated November 11, 1963, for the improvement of Old Kings Road;
(c) to the Florida State Roads Department dated September 13, 1966 for the improvement of Roberts Road (Also known as Lambert Avenue and Florida State Highway Route No. S-201) ;
(d) to the Florida State Roads Department for the construction of U. S. Interstate Highway Route No. I-95 and;
(e) to the County of Flagler datcu March 5, 1962 for the improvement of Old Kings Highway:

Leaving a net area in Parcel One of $12,550.44$ acres.

## PARCEL 2

All that part of Sections 34,35 and 36 of T. 11 S., R. 30 E.; Section 31 ard the Southwest quarter of Section 32 of T. 11 S., R. 31 E.; Sections 1,2 and 3 of T. 12 S., R. 30 E . and Sections 4,5 and 6 of $T .12 \mathrm{~S} ., \mathrm{R}$. $31 \mathrm{~F} ., \mathrm{lying}$ and being within the boundaries of a 200 foot right-of-way measured at right angles to and 50 fect on the South side of and 150 feet on the North side of, the following described line: Beginning at the Northwesterly corner of Section 40 , $T$. 12 S. . R. 31 E. , as a point of reference and running thence $S 20^{\circ} 49^{\prime} 55^{\prime \prime} \mathrm{E}$, along the westerly boundary of the said Section 40 , a distance of 188.0 feet, to the point of beginning of the line to be described, and the mercator coordinates of said point of beginning being $Y-1,876,951.65$ and $X-441,270.87$; thence running S $89^{\circ} 15^{\prime} 51^{\prime \prime} \mathrm{W}$, a distance of $12,559.19$ feet, to a point which bears $S 0^{\circ} 44^{\prime} 09^{\prime \prime} E$, a distance of 84.45 feet from




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continuing S $89^{\circ} 15^{\prime} 51^{\prime \prime} W$, a distance of $14,725.59$ feet, to the point of curve of a $10^{\circ}$ curve to the right having a Delta of $75^{\circ} 50^{\prime} 24^{\prime \prime}$, and a length of 758.40 feet; thence Northwesterly along the said $10^{\circ}$ curve to the right, a distance of 607.37 feet, to an intersection with the Easterly Boundary of the 150 foot right-of-way of the Florida East Coast Railway and the mercator coordinates of said point being $Y-1,876,889.14$ and $\mathrm{X}-413,486.05$ and the said point of intersection being $\mathrm{N} 39^{\circ}$ 16'59" E, a distance of 319.01 feet, from the original Southwest corner of Section $34, \mathrm{~T} .11 \mathrm{~S} ., \mathrm{R} .30 \mathrm{E}$. Containing l28.0G feres. Bearings are referred to the Mercator East Grid Azimuth.

EXCEPT, that portion of the land described above within the right-of-way of U. S. Higliway No. 1 , as now occupied and maintained.

## PARCEL 3

All that part of Government Lot 6, Section 35, T. 11 S., R. 31 E., lying East of the Easterly right-of-way line of the florida Intrucoastal Canal being more particularly described as follows, to wit:

Beginning at a P.R.M. located on the Westerly right-of-way line of the florida Intracoastal Canal, said P.R.M. being located at the end of course No. (49) of Parcel No. 1 , thence along the Westerly right-of-way line of said Florida Intracoastal Canal S $19^{\circ} 19^{\circ} 30^{\prime \prime} \mathrm{E} 1410.04$ feet to a P.R.M. located in the North line of Government Lot 6, Section 35 , T. $11 \mathrm{~S} ., \mathrm{R}$. 31 E. : thence crossing said Florida Intracoastal Canal and along the North line of said Government Lot $6 \mathrm{~N} 89^{\circ} 11^{\prime \prime} 47.8^{\prime \prime} \mathrm{E} 527.20$ feet to the true point or place of beginning of this description; thence along lands now of late of Mary Belle Varn and continuing along the North line of said Government Lot 6 (1) N $89^{\circ} 11^{\prime} 47.8^{\prime \prime} \mathrm{E}$ 406.24 feet to a point in the Northeast corner of said Government Lot 6 and in line of lands now or late of George Bruner; thence along the East line of saic Government Lot 6 and along lands now or late of George Bruner and J. S. Moore (2) S $1^{\circ} 00^{\prime \prime 11 " E}$ 1225.36 feet to a point in the casterly right-of way line of said Florida Intracoastal Canal; thence along the Easterly right-of-way line (3) N $19^{\circ} 19^{\prime} 30^{\prime \prime} \mathrm{W} 1292.29$ Feet to the true point or place of beginning. Containing 5.7l Acres.

PARCEL 4
All that part of Bulow Lot 1 , Section $38, ~ T .12 \mathrm{~S} ., \mathrm{R} .31 \mathrm{E} .$, lying East of the Easterly right-of-way line of the florida Intracoastal Canal being more paticulirly deseribed as follows. to wit:

Beginnirg at a P.R.M. located on the Nesterly right-of-way line of the Florida Intracoastal Canal, said P. R.M. being located at the end of course No. (96) of Parcel No. l; thence along the Westerly riglit-of-way line of the Florida Intracoastal Canal $514^{\circ} 05^{\prime} 20^{\prime \prime} \mathrm{E} 1 \mathrm{~B} 37.04$ feet to a P.R.M. in the North line of Bulow Lot 1 , Section $38, \mathrm{~T}, 12 \mathrm{~S} . \mathrm{R}$. 31 E .; thence along the North line of saic nulow Lot 1 , and crossing said florida Intracoastal Canal N 68056.55" E 503.72 feet to the true point or place of beginning of this descriftion; thence continuing along the zorth line of saici Bulow Lot lif (1) N $66^{\circ} 56^{\circ} 55^{\prime \prime} \mathrm{E}$ 299.83 fect to the Northeast corner of saiu iulow Lot 1 ;

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above described land is situated in Section $11, \mathrm{~T}, 12 \mathrm{~S}$. R. 31 E., in the Bunnell Development Company's Allotment as County, Florida.

EXCEPT that portion conveyed by Lehigh Portland Cement Company to the Florida State Road Department by deed dated January 7 , 1960, for the improvement of John Anderson Highway (florida State Highway Route No. S-201).

## PARCEL 7

All of Parcel 3 of the premises conveyed to the Lehigh Portland Cement Company by John $W$. Dawley, et. ux, by Warranty Deed dated February 26,1954 and recorded in and among the public Records of Flagler County, florida, in Decd Rook 44, page 182,
which parcel is described as follows:

Beginning at a point on the John Anderson Highway as it was located in February of 1954,214 feet South of the North line of the $S 1 / 2$ of Tract 4 , running west 107 feet, thence running South llf feet, thence East to the West line of the John Anderson Kighway as it was located in February of 1954 , thence Anderson Highway as it was located in West line of the John Anderson Highway as it was located in February of 1954 to
the point of beginning.

EXCEPT that portion conveyed to the Florida State Road Department by deed dated January 7, 1960, for the improvement of John Anderson Highway (florida State Highway Route No.
S-201).

## PARCEL 8

A portion of Section 9, Township 12 South, Range 31 East, being more particularly described as follows: Commence at permanent reference monument located at the point of intersection of the Easterly limited access right of way line of Interstate formerly State Road $\# 11$ as of way line of state Road $\$ 100$, formerly State Road \#ll, as a point of reference; thence North 87 degrees 45 minutes 57 seconds East along Northerly right of way line of said State Road $\$ 100$ a distance of 400 feet to the place of beginning, said point being the Southeast corner of lands sold to the Standard Oil Company; thence South 2 degrees 14 minutes 03 seconds East a distance of 100 feet to a point in the center line of said State Road $\$ 100$; thence North 87 degrees 45 minutes 57 seconds East along the center line of Said State Road $\# 100$ a distance of 622.48 fect to a railroad spike in the center line of Old Kings Road; thence North 38 degrees 10 minutes 33 seconds West along the center line of said Old Kings Road a distance of 925.59 fect; thence North 36 degrees 26 minutes 03 scconds West along said center line of Old Kings Road a distance of 923.99 feet; thence North 15 degrees 41 minutes 03 seconds west along said center ine of Old Klngs Road a distance of 506.90 feot, more or less, to a point; thence South 29 degrecs 18 minutes 27 seconas West a distance of 84B.39 feet, more or less, to a point in the Easterly right-of-way line of Interstate $\# 95$; thence Southerly along the Easterly right-of-way of said Interst \#95 a distance of about 742.45 feet to the Northwest corner of land sold to the Standard Oil Company; thence North 87 degrees 45 minutes 57 seconds East along the Northerly line of said Standard 011 Company property a distance of 709.63 feet to the Northeast corner of said Standard oil Company


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a distance of 500 fect to the place of beginning, excepting therefrom the Old Kings Road right-of-way as now laid out and used, and excepting that portion within the right-of-way of State Road \#100 (a 200 foot right-of-way).

## PARCEL 9

A portion of Section 9, Township 12 South, Range 31 East, being more particularly described as follows: Commencing as a point of reference at an intersection of the center ilne of I-95 with the center line of State Road \#100, (formerly State Road *ll) thence North 87 degrees 45 minutes 57 seconas East along the center line of State Road $\$ 100$, a distance of about 359.19 foet to a point which 18 the northerly axtension of the Eastorly line of baid $1-95$ and the place of beginning of the following described parcel: Thence North 87 degrees 45 minutes 57 seconds East along the center line of said State Road \$100, a distance of about 1077.73 feet to an intersection with the center line of 0ld Kings Road, (also known as $\mathrm{S}-5 \mathrm{~A}$ ); thence South 38 degrees 10 minutes 33 seconds East along the center line of said Old kings Road, a distance of 724.97 fect; thence South 34 degrees 22 minutes 30 seconds East along the center line of said old Kings Road, a distance of 688.62 feet; thence South 30 degrees 02 minutes 28 seconds East along the center line of said 01d Kings Road, a distance of 504.79 feet to the intersection of the center line of Old Brick Road; thence North 54 degrees 15 minutes 43 seconds West along the center 1 ine of said Old Brick Road, a distance of 1164.40 feet to a concrete monument; thence South 87 degrees 45 minutes 57 seconds Nest, a distance of 1057.78 feet to a point in the Easterly right-ofway line of said $1-95$; thence North 10 degrees 23 minutes 39 seconds West along the Easterly right-of-way line of said 1-95, a distance of about 908.28 feet to the place of beginning, excepting therefrom the right-of-way of the old Kings Road, (a 100 foot right-of-way as now laid out and used), and excepting therefrom that portion thereof that lies within the right-of-way of State Road $\# 100$, (a 200 foot right-of-way).

## PARCEL 10

A parcel of land in Section 9, Township 12 South, Range 31 East, Flagler County, Florida, described as follows: For a point of reference start at the intersection of the centerlines of State Road 100 and Interstate Route 95, thence run S 87 degrees 46 minutes 57 scconds $W$ along the centerline of State Road 100, a distance of 359.85 fect to a point; thence run $N$ 2 degrees 13 minutes 03 seconds $W$ perpendicular to the centerline, a distance of 100.00 feet to a monument marking the intersection of the westerly right of way line of Interstate Route 95 with northerly right of way line of State Road 100, which is the point of beginning; thence run 587 degrees 46 minutes 57 seconds $W$, along the northerly right of way line of State Road 100 , a distance of 140.25 feet to a concrete monument, thence continue on the same bearing, a distance of 46.34 feet to a concrete monument; thence run westerly along the right of way line which is a curve concave to the north, having a radius of $42,871.85$ feet, a distance of 753.66 feet to a concrete monument; thence run $N 0$ degrees 52 minutes 33 seconds $W$, a distance of 800.00 feet to a monument; thence run N 89 degrees 07 minutes 27 seconds $E$, a distance of 805.70 feet to a concrete monument in the westerly limited access right of way line of Interstate Route 95; thence run 510 degrees 34 minutes 49 seconds $E$ along the limited access right of way line, a distance of 795.95 feet to the point of beginning, containing 15.910 acres, more or less.

## PARCEL 11

All that part of fractional Section 4 lying east of the right
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## OFFICIAL RECORDS 800\% 26 vati 565

of way of Interstate Highway I-95 and west of the 0ld Kings Road; all that part of section 5 lying east of the right of way of Interstate Highway I-95; and all that part of fractional Section 9 lying east of the right of way of Interstate Highway I-95 and north of State Road 11 ; all in Township 12 South, Range 31 East, containing 76.21 acres, more or less.

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And the grantor does hereby fully warrant titic to sald land, and will defend the same againat the lauful clains of all persons whorsoever, except:
(a) Taxes levicu or assessed after December 31, 1968; and
(b) The Timber Decd of even date herewith, from Lehigh

Portland Cement Company to Irr Rayonier Incorporated, a corporation.

##  <br> the grantor h.s executed this derel in its corporate name and


Signed, sealed and delisumed



B3


STATE OF PENNSYLVANIA
COUNTY OF L,EHIGH)
Before me, a person authorized to take acknowledyrnatits. persomally rpparred
William J. Young
the - President of Ichigh Portland Cement Comojny
a corporation, and Fidwird W, IIyland
the --------
Secretary of that corporation, who are known to me to th the jersoms who extcutcil this derd by authority and on hehalf of that corporition and that this deed is the free act and dered of theit sorporition.

## 

I have heremmen uet my hand and affixed my official seal this
20it day of Dircember 19 G8 in the Stute and County alor'said.

flagler countr, florida No. 6297


## Preved veri'ied GE ORGE M MOODY.



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JACKSCNVILLE, FIORIDA 32202

## OFFICIAL RECORDS

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## QUIT CLAIM DEED

QUIT CLAIM DEED made December $\qquad$ - 1968, between

LEHIGH POKTLiND CKMENI COAPANY, a Pennsylvania corporation, herein called the "Grantor", and RAY-FLORIDA CO., a Delaware corporation qualified to do business in Florida, whose post office addacss is c/o I'I' Ruyonicr Incorporated, Fernandina Beaci, FIoricia, hercin culled tie "Grantee".

W1TNESSETH THAT:

In consiuleration of $\$ 10.00$ and other valuable
considerations, the receipt ard sufficicncy of which is ackioowleagec by the Grantor, the Grantor hereby conveys and Guit claims to the Grantee the real property in Flagler
 County, Florida, described as follows:

That part of Townships 11 and 12 South, Range 31 East, in Flagler County, Florida, lying within the 500 foot right-of-way of the Florida Intracoastal Canal, which lies between the centerline of the Flagler County Drainage Canal as extended eastwardly from its point of interscction with the westerly right-of-way line of the Florida Intracoastal Canal (the Flaglex County Drainage Canal being located in Section 38, Township 11 South, Range 31 East),
stati of fiorida and a line as extended eastwardly from a point in the westerly right-of-way line of the Florida Intracoastal Canal, that point being a distance of 700 feet North of the South line of Bulow Lot 2, Section 38, Township 12 South, Range 31 East.

I: Wly?isis wilikLof, the Grantor has caused this decd to be executed in its corporate nane this 20 th day of December, 1968 .


LEHIGH YYRTLANL CEMENT COMPANY


## OFFICIAL RECORDS

## 800: 26 cars 572

STATE OF PENANSYLVANIA
COUNTY OF LEHIGH
Before me, the undersigned person authorized to take acknowledgments in the state and county aforesaid, personally appeared $\qquad$
$\qquad$ and $\frac{\text { Edward W. Hyland }}{\text { known by me to be the }}$ , well known to me and ....-- Secretary of Lehigh Portiand Cement Company a corporation, who, being by me first duly sworn, severally acknowledged to me that they exccuted the foregoing instrument as such corporate officers, by authority and on behalf of that corporation, freely and voluntarily and for the uses and purposes set forth therein, and that it is the free act and deed of that corporation.

IN WITAESS WHEREOF, I have hereunto set my hand and affixed my official seal, in the state and county aforesaid, this _20th day of Derember_1968.


August 22, 1970

Approved as in
form by 156


FLAGLER COUNTY, FLORIDA NO 6248
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JACKSCVVIHE, FIORIDA 32202




This Dowtment Prepared by
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EXHIBIT RFD

## SPECIAL WARRANTY DEED

 day of March，1996，between ITT COMMUNITY DEVELOPMENT CORPORATION，a Delaware Corporation，ITT LAND CORPORATION， 2 CORPOR corporation，and WADSWORTH LAND Grantors，and，Florida Corporation，collectively Michigan corporation－COR MICHIGAN INC，a Court，Palm Coast，Florida 22137 ， 21 Salisbury

Recurved for Recording Information
WITNESSETH:

THAT Granters，for and in consideration of the sum of TEN（\＄10．00）DOLLARS，and other good and valuable consideration，receipt of which is acknowledged，do hereby grant and specifically described as follows：${ }^{\prime \prime}$ condition all that land in Flagler County，Florida，

See Exhibit A attached hereto and made a part hereof
TO HAVE AND TO HOLD THE SAME in fee simple，subject to the following covenants，
（a）All laws，ordinances，zoning restrictions，prohibitions and regulations of
governmental authorities．
（b）Covenants，declarations，easements，restrictions，liens and assessments of record．
（c）Facts which would be disclosed by a survey or personal inspection of the land．
（d）Taxes for the year 1995，and thereafter．
AND GRANTORS do hereby warrant the title to said lands，and will defend the same against all persons claiming by，through or under Grantor，but against none other．

IN WITNESS WHEREOF，the Grantors have executed this deed in their corporate names and their corporate seals have been affixed on the date set forth above．




The foregoing instrument was acknowledged before me this $7^{\text {th }}$ day of March, 1996 by James E. Gardner and Robert G. Cuff, the President and Secretary, respectively, of ITT Community Development Corporation, a Delaware corporation, on behalf of the corporation. They are personally known to me and did not take an oath.

My Commission Expires:
My Commission No. is:


Motary temas. sille ul frotice DEEHAK, MLUSILR
My Comm. Exy Jat 14, 1997 Comm. No Cu 233385

## STATE OF FLORIDA

 COUNTY OF FLAGLERThe foregoing instrument was acknowledged before me this $\eta^{\text {th }}$ day of March, 1996 by James E. Gardner and Robert G. Cuff, the Vice President and Secretary, respectively, of ITT Land Corporation, a Delaware corporation, on behalf of the corporation. They are personally known to me and did not take an oath.


Notary Public - Stule of Florida


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Parcel 1, Amphithater site, Oid Kings Road
LEGAL DESCRIPTION:
A parcel of land lying leate of Interstate-95 in Government Section 4, 5, and 9, Townhip 12 South, Range 31 East, Flagler County, Florida being more particularly described as follows:

A POINT OF REPERENCE being the intereection of the Easterly rightof way line of old Kings Road ( $100^{\prime \prime} R / W$ ) with the Northerly right-of-way line of State Road $100\left(200^{\prime} \mathrm{R} / \mathrm{N}\right)$; thence North $38^{\circ} 07^{\prime \prime} 3^{\prime \prime}$ West along the Easterly right-of-way line of old Kings Road a distance of 690.15 feet; thence South $51^{\prime \prime} 52^{\prime} 2^{\prime \prime}$ West a distance of 100.00 feet to a point on the West right-of-way line of old Kings Road said point being the POINT OF BEGINNING of this description: thence departing old Xings Road South $87^{\circ} 48^{\prime} 4^{\prime \prime}$ West along the Northerly line of lands recorded in Official Records Book 15 , Page 444 and Book 417, Pages 733 through 735 a distance of 4 feet to a point on the East right-of-way line of Interstate-95; thence Northerly along the zasteriy right-of-way line of Interstate-95 the following courses: North $25^{\circ} 4^{\prime} 03^{\prime \prime}$ West a distance of feet; thence North $22^{\circ} 05^{\prime} 00^{\prime \prime}$ west a distance of ${ }^{\circ}$ Eeet; thence North $18^{\circ} 20^{\prime} 5^{\prime \prime \prime}$ West distance of $\quad{ }^{\prime}$ feet; thence North $21^{\circ} 05^{\prime} 50^{\prime \prime}$ West a distance of feet; thence North $18^{\circ} 20^{\prime} 58^{\prime \prime}$ West a distance of feet to a point intersecting the Easterly right-of-way line of Interstate-95 with the North line of Government section 9 hereinafter referred to as point "A"; thence continue North $18^{\circ} 20^{\prime} 58^{\prime \prime}$ West a distance of 2988.44 feet; thence departing said Easterly right-of-way line of Interstate-95 North $06^{\prime \prime} 49^{\prime} 4^{\prime \prime}$ West distance of $380.53^{\prime \prime}$ feet; thence North $18^{\circ} 20^{\prime} 58^{\prime \prime}$ West a distance of 60.00 feet; thence North $32^{\circ} 40^{\prime \prime} 35^{\prime \prime}$ West a distance of 307.13 feet to the Easterly right-of-way line of Interstate-95; thence North $18^{\circ} 20^{\prime} 58^{\prime \prime}$ West a distance of 1463.81 feet to a point on the Southerly line of Lehigh Railroad Spur; thence departing Easterly right-of-way line of Interstate-95 North 89 $9^{\circ} 15^{\prime 4} 9^{\prime \prime}$ East along said Spur a distance of 454.18 feet; thence departing said Railroad Spur Southerly along the Westerly right-ofway line of old Kings Road the following courses: South $21^{\prime \prime}$ 4' $^{\prime \prime} 8^{\prime \prime}$ East a distance of 398.91 feet to a point of curvature; thence 404.40 feet along the arc of a curve to the left (Concave Easterly) having a central angle of $05^{\prime} 22^{\prime} 26^{\prime \prime}$, a radius of 4311.55 feet, a chord bearing of South $14^{\circ} 27^{\prime} 11^{\prime \prime}$ East and a chord distance of 404.25 feet to a point of tangency; thence South $17^{\circ} 08^{\prime \prime} 24^{\prime \prime}$ East a distance of 1423.34 feet to a point of curvature; thence 405.96 feet along the arc of a curve to the left (Concave Easterly) having a central angle of $07^{\prime \prime} 29^{\prime} 13^{\prime \prime}$, a radius of 3106.66 feet, a chord bearing of South $20^{\circ} 53^{\prime} 01^{\prime \prime}$ East and a chord distance of 405.67 feet to a point of tangency; thence South $24^{\circ} 37^{\prime} 38^{\prime \prime}$ East a distance of 303.85 feet to point of curvature; thence 303.49 feet along the arc of a curve to the left (Concave Easterly) having a central angle of $04^{\circ} 08^{\prime \prime} 3^{\prime \prime}$, a radius of 4198.31 feet, a chord bearing of South $26^{\circ} 41^{\prime \prime} 5^{\prime \prime}$ zast and chord distance of 303.22 feet to a point of tangency; thence South $28^{\circ} 46^{\prime} 08^{n}$ East a distance of 610.03 feet to point of curvature; thence 297.83 feet along the arc of a curve to the right (Concave Westerly) having a central angle of $02^{\prime 2} 26^{\prime 0} 02^{\prime \prime}$, radius of 7012.40 leet, a chord bearing of South 27.33'07" East and a chord distance of 297.81 feet to a point of tangency; thence South $26^{\circ} 20^{\circ} 06^{\prime \prime}$ East a distance of $307.90^{\circ}$ feet to a point of curvature; thence 390.47 feet along the arc of a curve to the right (Concave westerly) having a central angle of $09^{\circ} 48^{\prime} 14^{\prime \prime}$, a redius of 2281.97 feet, a chord bearing of South $21^{\circ} 25^{\prime} 59^{\prime \prime}$ sast and chord distance of 389.99 feet to point of tangency; thence South $16^{\circ} 31^{\prime} 52^{\prime \prime}$ East a distance of $520.73^{\text {fet to }}$ a point of curvature; thence 398.46 feet along the arc of curve to the right (Concave Nesterly) having a central angle of $010^{\circ} 43^{\prime} 44^{\prime \prime}$, radius of 13204.36 feet, a chord bearing of south $15^{\circ} 40^{\prime} 00^{\prime \prime}$ East and chord distance of 398.44 feet; to point of tangency; thence South $14^{\circ} 48^{\prime} 08^{\prime \prime}$ East a distance of 510.59 feet to a point of curvature: thence 797.95 feet along the arc of a curve to the left (Concave Easterly) having a central angle of $23^{\circ} 19^{\prime} 3^{\prime \prime}$, a radius of 1960.11 feet, ehord bearing of South $26^{\circ} 2^{\prime \prime} 7^{\prime \prime} 3^{\prime \prime}$ Eas't and a chord distance of 792.45 feet to a point of tangency; thence South $38^{\circ} 07^{\prime 3} 38^{\prime \prime}$ East a distance of 633.79 qeet to the POINT OF BEGINNING.

Parcal rantoin:-n

Parcel 2, Amphitheater site, old Kings Road
LEGAL DESCRIPTION:
A parcel of land lying East of "Old Kings Road in Government Sections 4, 39, and 40, Township 12 South, Range 31 East, Flagler County, Florida, being more particularly described as follows:

A POINT OF BEGINNING being the intersection of the easterly right-of-way line of Old Kings Road (100'R/w) with the northerly rightof -way line of State Road 100 ( $200^{\prime} \mathrm{R} / \mathrm{W}$ ) ; thence northerly along the easterly right-of-way line of old Kings Road the following courses North $38^{\prime} 07^{\prime} 38^{\prime \prime}$ West a distance of 1323.81 feet to a point of curvature thence 757.24 feet along the arc of a curve to the right (Concave Northeasterly), having central angle of $23^{\circ} 19^{\prime} 3^{\prime \prime}$, a radius of 1860.11 feet, a chord bearing of North $26^{\circ} 27^{\prime \prime} 53^{\prime \prime}$ West and a chord distance of 752.03 feet to a point of tangency; thence North $14^{\circ} 48^{\prime 0} 08^{n}$ West a distance of 510.59 feet to a point of curvature; thence 401.48 feet along the arc of a curve to the left (Concave Westerly), having a central angle of $01^{\prime \prime} 4^{\prime \prime} 4^{\prime \prime}$, a radius of 13304.36 feet, a chord bearing of North $15^{\circ} 40^{\prime} 00^{\prime \prime}$ West and a chord distance of 401.46 feet to a point of tangency; thence North $16^{\circ} 31^{\prime} 52^{\prime \prime}$ West a distance of $520.73^{\text {feet to a point of curvature; }}$ thence 407.58 feet along the arc of a curve to the left (Concave Westerly), having a central angle of $09^{\circ} 48^{\prime} 14^{\prime \prime}$, a radius of 2381.97 feet, a chord bearing of North $21^{\circ} 25^{\prime \prime} 59^{\prime \prime}$ West and a chord distance of 407.08 feet to a point of tangency; thence North $26^{\circ} 20^{\prime} 06^{\prime \prime}$ West a distance of 307.90 feet to a point of curvature; thence 302.08 feet along the arc of a curve to the left (Concave Southwesterly); having a central angle of $02^{\prime} 26^{\prime} 02^{\prime \prime}$, a radius of 7111.40 feet, a chord bearing of North $27^{\circ} 33^{\prime 0} 07^{\prime \prime}$ West and a chord distance of 302.06 feet to a point of tangency; thence North $28^{\circ} 46^{\prime} 08^{\prime \prime}$ West a distance of 610.03 feet to a point of curvature; thence 296.26 feet along the arc of a curve to the right (Concave Northeasterly), having a central angle of $04^{\circ} 08^{\prime \prime} 31^{\prime \prime}$, a radius of 4098.31 feet, ab chord bearing of North $26^{\circ} 41^{\prime} 53^{\prime \prime}$ West and a chord distance of 296.20 feet to a point of tangency; thence North $24^{\circ} 37^{\prime} 38^{\prime \prime}$ West a distance of 303.85 feet to point of curvature; thence 392.89 feet along the arc of curve to the right (Concave Easterly), having a central angle of $07^{\circ} 29^{\prime} 1^{\prime \prime}$, a radius of 3006.66 feet, a chord bearing of North $20^{\circ} 53^{\prime} 01^{\prime \prime}$ West and a chord distance of 392.61 feet to a point of tangency; thence North $17^{\circ} 08^{\prime} 24^{\prime \prime}$ West a distance of 1423.34 feet to a point of curvature; thence 395.02 feet along the arc of a curve to the right (Concave Easterly), having a central angle of $05^{\circ} 22^{\prime} 26^{\prime \prime}$, a radius of 4211.55 feet, a chord bearing of North $14^{\circ} 2^{\prime} 7^{\prime \prime \prime \prime}$ West and a chord distance of 394.87 feet to a point of tangency; thence North $11^{\circ} 45^{\prime \prime}$ Ss" $^{\prime \prime}$ West a distance of 379.42 feet to a point on the southerly right-of-way line of the Lehigh Railroad Spur according to Deed Book 37, Pages 334-347; thence departing Old Kings Road North $89^{\circ} 15^{\prime \prime} 9^{\prime \prime}$ East along said southerly right-of-way in ne of the Lehigh Railroad Spur a distance of 2153.64 feet to point of curvature; thence 678.10 feet along the arc of a curve to the right (Concave Southwesterly), having a central angle of $86^{\circ} 20^{\prime} 18^{\prime \prime}$, radius of 450.00 feet, a chord bearing of South $47^{\circ} 34^{\prime} 02^{\prime \prime}$ East and a chord distance of 615.74 feet to a point of tangency; thence South $04^{\circ} 23^{\prime} 52^{\prime \prime}$ East a distance of 221.47 feet; thence North $85^{\circ} 36^{\prime} 12^{\prime \prime}$ East a distance of 60.00 feet; thence North $04^{\circ} 23^{\prime} 52^{\prime \prime}$ Hest E distance of 160.04 feet to a point of curvature; thence 735.61 feet long the arc of a curve to the right (Concave Southeasterly), having central angle of $93^{\circ} 39^{\prime \prime}$ 1'" $^{\prime \prime}$, a radius of 450.00 feet, chord bearing of North $42^{\circ} 25^{\prime} 59^{\prime \prime}$ East and a chord distance of 656.40 feet to a point of tangency; thence North $89^{\circ} 15^{\prime \prime} 49^{\prime \prime}$ East distance of 457.56 feet: thence South $20^{\circ} 54^{\prime \prime} 58^{\prime \prime}$ East a distance of 2024.75 feet; thence South $18^{\circ} 25^{\prime} 23^{\prime \prime}$ East a distance of 5894.71 feet to point on the northerly line of a 24 foot wide strip of land owned by Flagler county and recorded in Official Records Book 251. Pages 547-548; thence South $87^{\circ} 48^{\prime} 4^{\prime \prime}$ West along said strip of land a distance of 2828.86 feet; thence South $02^{\circ} 11^{\prime} 15^{\prime \prime}$ East a distance of 24.00 feet to point on the northerly right-of-way line of state Road 100; thence South $87^{\circ} 48^{\prime 4} 45^{\prime \prime}$ West along said right-of-way line a distance of 79.60 feet to the POINT OF BEGINNING.

Parcel containing 611.9064 acres of land more or less, "includes cemetery lands".

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My Commission Expires:
My Commission No. is:

## STATE OF FLORIDA <br> COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me this Th day of March, 1996 by James E. Gardner and Robert G. Cuff, the President and Secretary, respectively, of Wadsworth Land Corporation, Florida corporation, on behalf of the corporation.
They are personally known to me and did not take an oath.


My Commission Expires: My Commission No. is:

Address for all signatories:
Memory Public. State of florida DEBRA K. REGISTER ty Curio. Exp. ia. 14, 1997 Comm. No. CC 253385 ITT Community Development Corporation 1 Corporate Drive Palm Coast, FL 32151



## PALM COAST UTILTTY CORPORATION

INDEXING LAND COST PER ACRE PURCHASED 1968


Varied index untill 1996 price per acre equaled CON-COR Michigan Contract price per acre. Used land value for each year to recalculate original cost for purchased property in NEIGHBORHOOD.



FILE: CPINDEX5

INDEXING LAND PURCHASED 1968


Note: The above index was Varied until the 1991 price pan acre matched the price plus PAID ITT COMmunity Deurcopmert FOR THE Rib Site canto





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RATE CANE TYE 12-31-95


## WATER UTILITY PLANT ACCOUNTS



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## -Class a Anoual Report




Palm Coest Utility Corporation general journal voucher



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Palm Coast Utility Corporation


GENERAL JOURNAL VOUCHER




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PALM COAST UTIITY CORP. PAIM COAST-FLAGLER $\infty$. DOCIET WSICSG-WS

RATE CASE TYE 12.31 .8


## AUDIT EXCEPTION NO. 2

SUBJECT: Misclassifications of RIB Site Improvements

FACTS: BEFORE this RIB Site land could be used for its intended purposes, the utility paid ITT Community Construction eompany for $\$ 451,800$ worth of borrow material to raise its RIB cells above the natural grade and to build up the burms of those Cells

The borrow material was included in a contract for the Rapid Infiltration Basin construction in the amount of $\$ 1,164,011$ which also included intercell piping, clearing, grubbing, sodding and landscaping of the site Buffer.

In addition to the above construction contract, Paim Coast charged consulting fees, materials, engineering and AFUDC to equal the $\$ 1,410,299.32$ charged to Utility Plant in Service.

The Palm Coast Rapid Infiltration Basin (RIB) Site improvements above were charged to plant subaccount $\# 380$ (Treatment and Disposal Equipment)

OPINION: The above soft capital costs of consulting fees, $\} 16-6$ materials, engineering and AFUDC total $\$ 246,287.83$.

The above additions and improvements should be classified as Structures and Improvements and the utility charge to Equipment should be reversed.

The depreciation rates for these two accounts, Equipment and Structures are 5.56\% and 3.13\% respectively. When these rates are applied to the misclassified balance of \$1,410,299 an annual depreciation expense difference of $\$ 34,270$ is developed.

It should be noted that this RIB Site Improvement is eventually to be used as Effluent Reuse Plant. (See Disclosure No. B)

RECOMMENDATION: The Commission should reclassify the improvements in the amount of $\$ 1,410,299$ described above which were charged to the Equipment account to the Structures and Improvements account.




application no. ez DATE FFOM 1 vRave TO IRRIME














The Contractor la hereby directed to furaleb all labor, ciaterials and qualafied auperviaion aceessary to dillagently perform and complete the conatruction of the Rapid lafiltration Beala looated al Pala Coast. Florida, in cocordanoe Eith the follouing dincuaentes:

which are incorporated herein and eade apart harcof.
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