

**Ruth Nettles**

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**From:** Trina Collins [TCollins@RSBattorneys.com]  
**Sent:** Monday, August 03, 2009 2:40 PM  
**To:** Filings@psc.state.fl.us  
**Cc:** Martin Friedman; Christian W. Marcelli; Trina Collins  
**Subject:** Filing in Docket No. 090385-WU; Application for Authority to Transfer the Assets of Colina Bay Water Company, LLC and Certificate 632-W to Colina Recovery, Inc. in Lake County, Florida  
**Importance:** High  
**Attachments:** PSC Clerk 03 (filing Late Filed Ex D).ltr.08-03-2009(3).pdf

- a. Martin S. Friedman, Esq.  
Rose, Sundstrom & Bentley, LLP  
Sanlando Center  
2180 W. State Road 434, Suite 2118  
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Phone: (407) 830-6331  
Fax: (407) 830-8522  
Email: [mfriedman@rsbattorneys.com](mailto:mfriedman@rsbattorneys.com)
- b. Docket No.: 090385-WU; Application for Authority to Transfer the Assets of Colina Bay Water Company, LLC and Certificate 632-W to Colina Recovery, Inc. in Lake County, Florida – Filing Notice of Filing Late Filed Exhibit “D” and Affidavit of Publication, which evidences the Notice of Application was published in accordance with Rule 25-30.030, Florida Administrative Code.
- c. Colina Recovery, Inc.
- d. 3 Pages.
- e. Letter to Commission Clerk - 1 page; Notice of Filing - 1 page; Affidavit of Publication - 1 page.

DOCUMENT NUMBER-DATE

07918 AUG-3 8

FPSC-COMMISSION CLERK

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MARTIN S. FRIEDMAN, P.A.  
BRIDGET M. GRIMSLEY  
CHRISTIAN W. MARCELLI  
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August 3, 2009

E-FILING

Ann Cole, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

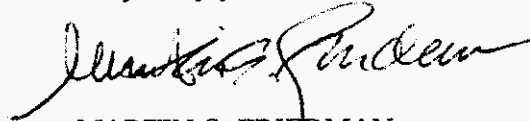
RE: Docket No. 090385-WU; Application for Authority to Transfer the Assets of Colina Bay Water Company, LLC and Certificate 632-W to Colina Recovery, Inc. in Lake County, Florida  
Our File No.: 44014.01

Dear Ms. Cole:

Enclosed for filing in the above-referenced docket is a Notice of Filing Late Filed Exhibit "D" and Affidavit of Publication, which evidences the Notice of Application was published once in a newspaper of general circulation in the territory in accordance with Section 367.071, Florida Statutes, and Rule 25-30.030, Florida Administrative Code.

Should you have any questions regarding this filing, please do not hesitate to give me a call.

Very truly yours,



MARTIN S. FRIEDMAN  
For the Firm

MSF/tlc  
Enclosures

cc: Mr. Rusty Mouton (w/enclosures) (via e-mail)  
Ms. Sarah Whitaker (w/enclosures) (via e-mail)

DOCUMENT NUMBER - DATE  
07918 AUG -3 09  
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Authority )  
to Transfer the Assets of COLINA BAY )  
WATER COMPANY, LLC and Certificate. )  
No. 632-W in Lake County, Florida to )  
COLINA RECOVERY, INC. )  
\_\_\_\_\_ )

Docket No. 090385-WU

NOTICE OF FILING

Applicant, COLINA RECOVERY, INC., by and through its undersigned attorneys, hereby gives notice of filing in the above-referenced docket Late filed Exhibit "D" to its Application, which is the Affidavit that the Notice of the Application was published once in a newspaper of general circulation in the applicable territories in accordance with Rule 25-30.030, Florida Administrative Code.

Respectfully submitted this 3<sup>rd</sup> day of  
August, 2009, by:

ROSE, SUNDSTROM & BENTLEY, LLP  
Sanlando Center  
2180 W. State Road 434  
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By   
\_\_\_\_\_  
MARTIN S. FRIEDMAN

DOCUMENT NUMBER-DATE

07918 AUG-3 8

FPSC-COMMISSION CLERK

# Affidavit of Publication Daily Commercial

Leesburg, Lake County, Florida

Case No. 090305-WU

STATE OF FLORIDA  
COUNTY OF LAKE

Before the undersigned authority personally appeared Ron Wallace who on oath says that he is the Publisher of the Daily Commercial, a daily newspaper published at Leesburg in Lake County, Florida, that the attached copy of advertisement, being

165711

in the matter of Notice of Application

in the \_\_\_\_\_ Court,

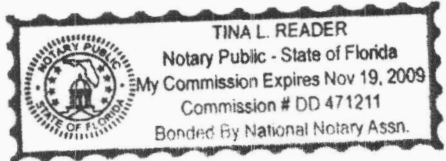
was inserted in said newspaper in the issues of July 29, 2009

Affiant further says that the said Daily Commercial is a newspaper published in said Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each day and has been entered as second class matter at the post office in Leesburg in said Lake County, Florida, for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Signed [Signature]  
Ron Wallace, Publisher

Sworn to and subscribed before me this 29 day of July, 2009, by Ron Wallace, Publisher, who is personally known to me.

(Seal) [Signature]  
Tina Reader, Notary Public



## Attach N

SAID POINT BEING AT THE SOUTHWEST CORNER OF TRACT "A", GOULD NECK SPRINGS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 34, PAGES 51 AND 52 BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WINTER ROAD; THENCE CONTINUE N00°36'58"E ALONG SAID LINE 1012.00 FEET WEST OF WHEN MEASURED PERPENDICULAR TO THE EAST LINE OF SAID SECTION 23, ALSO BEING THE WEST LINE OF AFORESAID GOULD NECK SPRINGS, 1853.23 FEET TO THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 23, EXTENDED INTO THE WATERS OF LAKE APOPKA; THENCE N89°33'10"W ALONG SAID NORTH LINE OF THE NORTHEAST 1/4, 1640.42 FEET TO THE NORTH 1/4 CORNER OF SAID SECTION 23, SAID NORTH 1/4 CORNER ALSO BEING THE SOUTH 1/4 CORNER OF SAID SECTION 14, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE RUN N00°31'20"E ALONG THE MID-SECTION LINE OF SAID SECTION 14, 33.72 FEET TO A POINT ON THE CENTERLINE OF THE ABANDONED SEABOARD AIR LINE RIGHT-OF-WAY; THENCE N75°58'03"W ALONG SAID RIGHT-OF-WAY CENTERLINE, 135.74 FEET; THENCE RUN N76°01'03"W ALONG SAID RIGHT-OF-WAY CENTERLINE, 1265.03 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 1160.92 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY CENTERLINE THROUGH A CENTRAL ANGLE 18°36'33", AN ARC DISTANCE OF 377.06 FEET, A CHORD BEARING OF N66°42'46"W AND A CHORD DISTANCE OF 375.40 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD 455 PER SUNSHINE STATE PARKWAY RIGHT-OF-WAY MAP AND A POINT ON A NON-TANGENT CURVE, SAID CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1095.92 FEET, THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 15°20'50", AN ARC DISTANCE OF 293.55 FEET, A CHORD BEARING OF S38°56'07"E AND A CHORD DISTANCE OF 292.68 FEET TO A POINT OF TANGENCY; THENCE RUN S48°36'32"E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 1438.33 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1095.92 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 19°57'28" AN ARC DISTANCE OF 381.74 FEET, A CHORD BEARING OF S56°35'16"E AND A CHORD DISTANCE OF 379.81 FEET TO A POINT ON A NON-TANGENT LINE; THENCE RUN S23°26'00"W, 25.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD OLD HIGHWAY 50 PER COUNTY ROAD OLD 50 RIGHT-OF-WAY SURVEY AND MAINTENANCE MAP DATED JANUARY 26, 2001, LAKE COUNTY PUBLIC WORKS; THENCE RUN S66°14'54"E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 165.22 FEET; THENCE RUN S66°39'32"E ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 1103.97 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 979.93 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 25°42'25", AN ARC DISTANCE OF 439.67 FEET, A CHORD BEARING OF S53°48'19"E AND A CHORD DISTANCE OF 435.99 FEET TO A POINT ON A NON-TANGENT LINE; THENCE RUN N49°26'40"E, 64.68 FEET; THENCE RUN N70°16'50"E, 50.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WINTER ROAD PER FLORIDA TURNPIKE RIGHT-OF-WAY MAP SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 910.50 FEET; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 12°57'24", A CHORD BEARING OF S26°09'54"E AND A CHORD DISTANCE OF 205.46 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 117.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 49°51'49", AN ARC DISTANCE OF 101.82 FEET, A CHORD BEARING OF S57°34'35"E AND A CHORD DISTANCE OF 98.64 FEET TO THE POINT OF BEGINNING.

Any objections to the Application must be made in writing and filed with the Commission Clerk, Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than 30 days from the date of this Notice, with a copy to Martin S. Friedman, Esquire, Rose, Sundstrom & Bentley, LLP, 2180 W. State Road 434, Suite 2118, Longwood, Florida 32779. The objection must state the grounds for the objection with particularity.

Ad No.: 165711  
July 29, 2009

### NOTICE OF APPLICATION FOR TRANSFER UTILITY ASSETS AND WATER CERTIFICATE

NOTICE IS HEREBY given on the 29th day of July, 2009, pursuant to Section 367.071, Florida Statutes, of the Application for Transfer of the Assets of Colina Bay Water Company, LLC, and Certificate No. 632-W to Colina Recovery, Inc., 104 S. Main Street, Greenville, SC 29601, providing water service to the following described territory in Lake County, Florida:

THAT PART OF SECTIONS 14 AND 23, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING NORTH OF COUNTY ROAD NO. 455 AND SOUTH OF THE CENTERLINE OF THE ABANDONED SEABOARD AIR LINE RAILROAD RIGHT-OF-WAY BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SECTION 23, TOWNSHIP 22 SOUTH, RANGE 26 EAST; THENCE RUN N00°36'58"E, ALONG THE EAST BOUNDARY OF SAID SECTION 23, 793.00 FEET; THENCE RUN N89°23'02"W, 1012.00 FEET TO A LINE 1012.00 FEET WEST OF WHEN MEASURED PERPENDICULAR TO THE EAST LINE OF SAID SECTION 23; THENCE RUN N00°36'58"E ALONG SAID LINE, 41.36 FEET TO THE POINT OF BEGINNING;