



ORIGINAL

215 SOUTH MONROE STREET
SUITE 815
TALLAHASSEE, FLORIDA 32301

(850) 412-2000
FAX: (850) 412-1307
KATHRYN.COWDERY@RUDEN.COM

February 2, 2005

Blanca S. Bayo, Director
Division of Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Building, Room 110
Tallahassee, Florida 32399-0850

Via Hand Delivery

RECEIVED FPSC
05 FEB -2 PM 2:43
COMMISSION
CLERK

Re: Docket No. 041418-WS
Application for Deletion and Amendment to Certificates of Authorization Nos.
223-S and 277-W of CWS Communities LP d/b/a Palm Valley Utilities in
Seminole County, Florida

Dear Ms. Bayo:

Enclosed for Staff approval pursuant to my discussions with Mr. Stan Rieger are an original and seven copies of the proposed notices to the three customers who own property which the Utility is requesting to be deleted from its territory. Please contact this office if there are any questions.

Please acknowledge receipt of the foregoing by stamping the enclosed extra copy of this letter and returning same to my attention.

CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
RCA _____
SCR _____
SEC _____
OTH _____

Enclosures

Cc (w/enc.): Stan Reiger, (via hand delivery)
Mary Anne Helton (hand delivery)

Sincerely,

Kathryn G.W. Cowdery

RECEIVED & FILED

FPSC BUREAU OF RECORDS

RUDEN, MCCLOSKEY, SMITH, SCHUSTER & RUSSELL, P.A.

DOCUMENT NUMBER-DATE

01230 FEB-2 05

NOTICE
TO PROPERTY OWNERS OF TERRITORY REQUESTED FOR DELETION OF
APPLICATION OF CWS COMMUNITIES LP D/B/A PALM VALLEY UTILITIES
FOR DELETION AND AMENDMENT OF SERVICE AREA
IN SEMINOLE COUNTY, FLORIDA

DATE: February __, 2005 ..

TO: Fradkin Brothers Realty Co. LLC
c/o Mark Fradkin
9199 Reisterstown Rd.
Owings Mills, MD 21117

You are receiving this Notice of Application by CWS Communities LP d/b/a Palm Valley Utilities ("Utility") for Deletion and Amendment of Service Area in Seminole County because the Utility is applying to the Florida Public Service Commission to delete a certain property you own from the water and wastewater utility service territory of the Utility. The reason for this request is that in response to your request for service from the Utility you have been advised that the Utility lacks water and wastewater plant capacity to provide service to this parcel. In order for this parcel of property to receive water and wastewater utility service from Seminole County, the County is requiring that this property be deleted from the Utility's certificated territory.

Enclosed is a survey map indicating the portion of your property which the Utility is applying to delete from its certificated territory.

Attached hereto and incorporated by reference herein is the Notice of Application by CWS Communities LP d/b/a Palm Valley Utilities for Deletion and Amendment of Service Area in Seminole County which gives the service territory legal description which is being requested by the Utility.

Any objections to the said application must be made in writing and filed with the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, no later than thirty (30) days after the date of this letter. At the same time, a copy of said objection should be mailed to Kathryn G.W. Cowdery, Ruden, McClosky, 215 South Monroe Street, Suite 815, Tallahassee, Florida 32301, (850) 412-2000, Attorneys for CWS Communities LP d/b/a Palm Valley Utilities. The objection must state the grounds for the objection with particularity.

EXCEL ENGINEERING
CONSULTANTS, INC.
ENGINEERING AND CIVIL ENGINEERS
CORPORATE
FLORIDA
TELEPHONE: 407.290.2392
FACSIMILE: 407.290.1183

PALM VALLEY
MOBILE HOME PARK

SITE
PLAN

PROJECT:
CWS01021

SCALE: 1"=800'

DRAWN BY: HT

CHECKED BY: JRC

DATE: 1/31/05

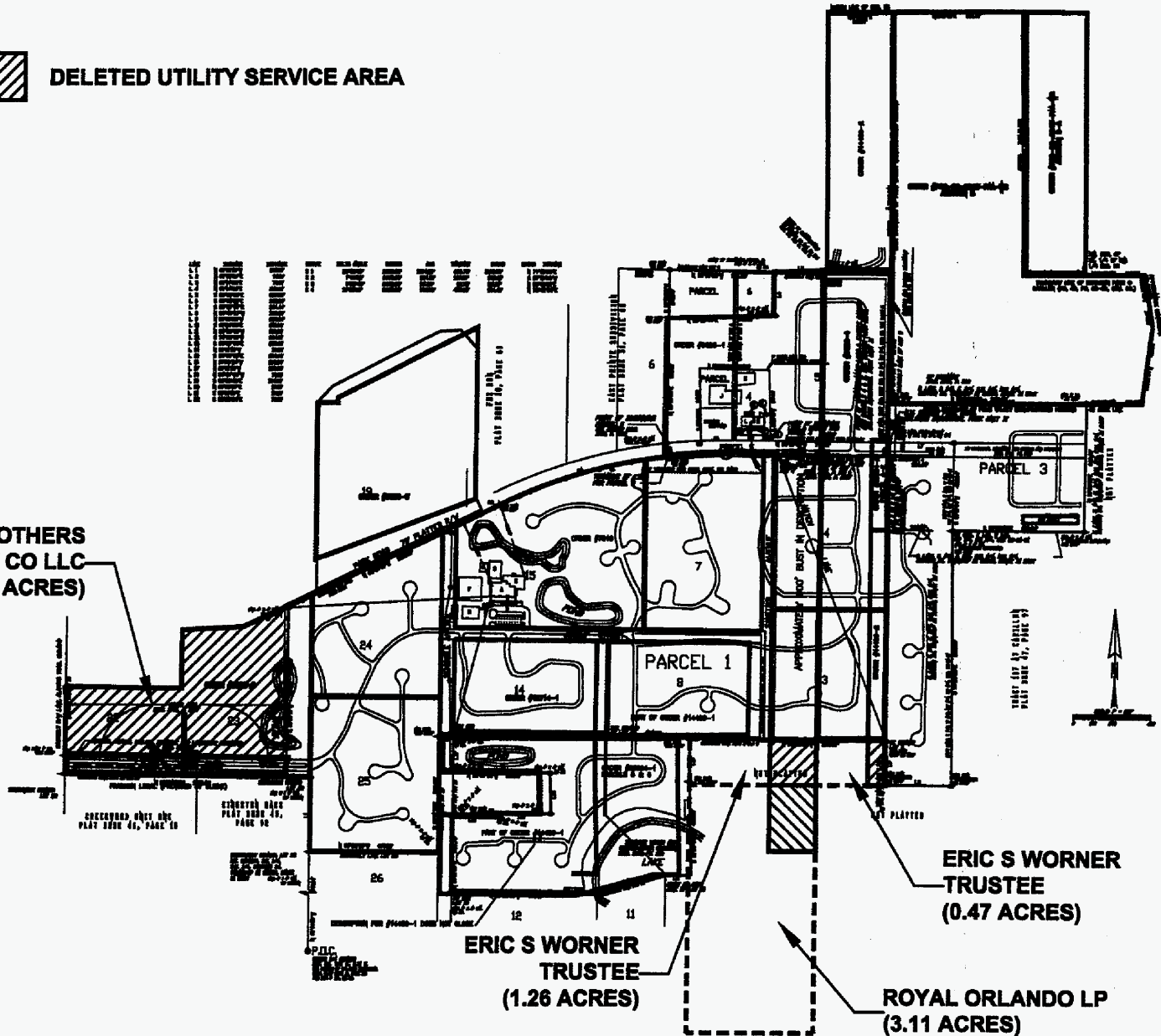
SHEET 1 OF 1



DELETED UTILITY SERVICE AREA

FRADKIN BROTHERS
REALTY CO LLC
(13.77 ACRES)

AS SHOWN ON
PAGE 10



**NOTICE OF APPLICATION
BY CWS COMMUNITIES LP D/B/A PALM VALLEY UTILITIES
FOR DELETION AND AMENDMENT OF SERVICE AREA IN SEMINOLE COUNTY**

Notice is hereby given on February____, 2005 pursuant to Section 367.045, Florida Statutes, by CWS Communities LP d/b/a Palm Valley Utilities, 3700 Palm Valley Circle, Oviedo, FL 32765, of its application to the Florida Public Service Commission for deletion and amendment of the service area of its wastewater certificate No. 223-S and water certificate 277-W, which will result in the service territory being described as follows:

COMMENCE AT THE SOUTH 1/4 CORNER OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA; THENCE RUN N.00°02'08"E. A DISTANCE OF 40 FEET TO THE SOUTHWEST CORNER OF LOT 26, ORLANDO INDUSTRIAL PARK, AS RECORDED IN PLAT BOOK 10, PAGE 100, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE CONTINUE N.00°02'08"E. ALONG THE WEST LINE OF SAID LOT 26 A DISTANCE OF 900 FEET TO THE SOUTHWEST CORNER OF LOT 25, SAID ORLANDO INDUSTRIAL PARK FOR A POINT OF BEGINNING (POINT OF BEGINNING 1); THENCE N.00°02'08"E. ALONG THE WEST LINE OF SAID LOT 25 A DISTANCE OF 381.29 FEET TO THE SOUTHEAST CORNER OF LOT 23 OF SAID ORLANDO INDUSTRIAL PARK; THENCE RUN N.89°24'17"W. A DISTANCE OF 1275.42 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF ALAFAYA TRAIL, (S.R. 434); THENCE RUN N.00°05'57"E. ALONG THE EAST LINE OF SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 95.00 FEET; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE RUN S.89°06'21"E. A DISTANCE OF 1150.29 FEET TO A POINT ON THE WESTERLY LINE OF THE EASTERLY 125.00 FEET OF LOT 23 OF SAID ORLANDO INDUSTRIAL PARK; THENCE N.00°03'18"W. ALONG SAID WESTERLY LINE A DISTANCE OF 783.87 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF PARK ROAD, THENCE RUN N.63°50'57"E. ALONG SAID RIGHT-OF-WAY LINE OF PARK ROAD A DISTANCE OF 1217.12 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 2639.40 FEET, AND A CENTRAL ANGLE OF 19°43'47", THENCE RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 908.88 FEET, THENCE DEPARTING SAID RIGHT-OF-WAY RUN N.06°22'24"W. A DISTANCE OF 70.00 FEET TO A POINT ON THE SOUTH LINE OF LOT 6, AFORESAID ORLANDO INDUSTRIAL PARK, THENCE N.00°02'08"E. ALONG SAID EAST LINE OF THE WEST 260.33 FEET OF SAID LOT 6, A DISTANCE OF 899 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 6, THENCE RUN S.89°13'35"E. ALONG THE NORTH LINE OF SAID LOT 6 AND LOT 5 A DISTANCE OF 802 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 31 EAST; THENCE N.00°14'21"W. ALONG THE EAST LINE OF SAID SECTION 34 ALSO BEING THE WEST LINE OF SECTION 35, TOWNSHIP 21 SOUTH, RANGE 31 EAST, A DISTANCE OF 1311.10 FEET TO THE NORTHWEST CORNER OF SAID SECTION 35; THENCE RUN EAST ALONG THE NORTH LINE OF SAID SECTION 35 A DISTANCE OF 1325 FEET TO THE NORTHEAST CORNER OF THE EAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, THENCE RUN SOUTH A DISTANCE OF 1320 FEET

TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF BRIGHTON PARK AT CARILLON, AS RECORDED IN PLAT BOOK 42, PAGES 86-89, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, THENCE RUN N.89°42'41"E. ALONG SAID NORTH LINE A DISTANCE OF 285 FEET TO A POINT ON THE APPROXIMATE CENTERLINE OF A CREEK, THENCE RUN S.09°24'12"E. 273.21 FEET AND S.06°51'54"W. 398.91 FEET ALONG SAID CENTERLINE TO A POINT OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF AFORESAID SECTION 35; THENCE S.89°41'09"W. ALONG SAID NORTH LINE A DISTANCE OF 279.00 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, THENCE RUN S. 00°53'56"E. ALONG THE EAST LINE OF THE SOUTH 1/2 OF THE EAST 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35 A DISTANCE OF 665.72 FEET TO A POINT ON THE NORTH LINE OF TRACT 107 AT CARILLON, AS RECORDED IN PLAT BOOK 47, PAGE 97 IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, THENCE RUN S.89°39'39"W. A DISTANCE OF 677.06 FEET TO THE NORTHEAST CORNER OF THE EAST 1/2, OF THE WEST 1/2, OF THE NORTHWEST 1/4, OF THE SOUTHWEST 1/4, OF SAID SECTION 35, THENCE RUN S.00°49'19"E. ALONG THE WEST LINE OF AFORESAID TRACT 107 AT CARILLON A DISTANCE OF 1304.76 FEET, THENCE RUN N.89°49'27"W. A DISTANCE OF 334.74 FEET TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 35, THENCE RUN N.00°30'22"W. ALONG SAID WEST LINE A DISTANCE OF 224.56 FEET TO THE SOUTHEAST CORNER OF LOT 3 ORLANDO INDUSTRIAL PARK UNIT 2, AS RECORDED IN PLAT BOOK 11, PAGE 43 IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN N. 89°37"W. ALONG SOUTH LINE OF SAID LOT 3 AND LOT 8, ORLANDO INDUSTRIAL PARK, AS RECORDED IN PLAT BOOK 10, PAGE 100, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA A DISTANCE OF 1003.37 FEET, THENCE RUN S. 00°29'25" E. A DISTANCE OF 218.30 FEET, THENCE S.01°39'41"E. A DISTANCE OF 482.32 FEET, THENCE RUN N.89°36'50"W. A DISTANCE OF 129.69 FEET TO THE NORTHEAST CORNER OF LOT 11 OF AFORESAID ORLANDO INDUSTRIAL PARK, THENCE RUN S.74°26"W. ALONG THE NORTH LINE OF SAID LOT 11 A DISTANCE OF 364.01 FEET TO THE NORTHEAST CORNER OF LOT 12 OF SAID ORLANDO INDUSTRIAL PARK, THENCE RUN N. 89°37"W. 760 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SEMINOLE AVENUE; THENCE N.00°02'08"E. ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 387.76 FEET; THENCE S.89°37'00"E. 225.00 FEET; THENCE N.00°02'08"E. A DISTANCE OF 18.88 FEET; THENCE S.89°37'00"E. 283.00 FEET; THENCE N.00°02'08"E. 208.00 FEET; THENCE N.89°37'00"W. 508.00 FEET TO AFORESAID EAST RIGHT OF WAY LINE OF SEMINOLE AVENUE; THENCE N.00°02'08"E. A DISTANCE OF 185.36 FEET; THENCE N.89°39'29"W. A DISTANCE OF 70.00 FEET; TO THE WEST RIGHT OF WAY LINE OF SAID SEMINOLE AVENUE; THENCE S.00°02'08"W. ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 599.68 FEET TO THE SOUTHEAST CORNER OF LOT 25, AFORESAID ORLANDO INDUSTRIAL PARK; THENCE N.89°37"W. ALONG THE SOUTH LINE OF LOT 25 A DISTANCE OF 670 FEET TO THE POINT OF BEGINNING.

ALSO;

COMMENCE AT THE SOUTH 1/4 CORNER OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA; THENCE RUN N.00°02'08"E. A DISTANCE OF 40 FEET TO THE SOUTHWEST CORNER OF LOT 26, ORLANDO INDUSTRIAL PARK, AS RECORDED IN PLAT BOOK 10, PAGE 100, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE CONTINUE N.00°02'08"E. A DISTANCE OF 2295.65 FEET TO THE SOUTHWEST CORNER OF LOT 1, FOX RUN AS RECORDED IN PLAT BOOK 18, PAGE 60 IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, FOR A POINT OF BEGINNING (POINT OF BEGINNING 2); THENCE RUN N.00°02'08"E. ALONG THE WEST LINE OF SAID FOX RUN A DISTANCE OF 945.21 FEET TO THE NORTHWEST CORNER OF SAID FOX RUN; THENCE N.63°49'53"E. ALONG THE NORTH LINE OF FOX RUN A DISTANCE OF 935.90 FEET TO THE NORTHEAST CORNER OF SAID FOX RUN; THENCE S.00°02'08"W. ALONG THE EAST LINE OF FOX RUN A DISTANCE OF 945.61 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF PARK ROAD; THENCE S.63°50'57"W. ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 935.83 FEET TO THE POINT OF BEGINNING.

The territory being deleted is currently undeveloped and is not receiving water or wastewater service. The amendments to the territory description are for the purpose of correcting the legal description so as to include areas already being served by the utility. For a complete description of the areas being deleted and added to the service territory description, please contact the utility.

Any objections to the said application must be made in writing and filed with the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, no later than thirty (30) days after the last date that the notice was mailed or published, whichever is later. At the same time, a copy of said objection should be mailed to Kathryn G.W. Cowdery, Ruden, McClosky, 215 South Monroe Street, Suite 815, Tallahassee, Florida 32301, (850) 412-2000, Attorneys for CWS Communities LP d/b/a Palm Valley Utilities. The objection must state the grounds for the objection with particularity.