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October 18, 2023

Adam Teitzman, Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket No. 20230114-WS; Applegate

Dear Mr. Teitzman,

In accordance with staff's recommendations, enclosed please find the following amended legal description to the Exhibits referenced below to the above referenced application of Applegate Utility, LLC:

Exhibit F	Legal Description
Exhibit G	99 Year Lease (only the legal description has been amended which is Exhibit A to the Lease)
Exhibit I	Sketch of Service Area
Exhibit K	Notice

I have also enclosed tariff sheets 3.1 water and 3.1 wastewater (legal description) to correct the legal description thereon.

Now that the Notice in Exhibit K has been approved by staff, please have them send the required notice list to me in accordance with Commission rule.

If you need anything further or have any questions in this regard, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Marshall Deterding".

F. Marshall Deterding
Of Counsel

FMD/brf

Enclosures

EXHIBIT F
Legal Description

LEGAL DESCRIPTION:

ALL OF LOTS A AND B, AND THE NORTH 1/2 OF LOT C, NORTHWOOD SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 6, PAGE 156, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA LOCATED IN SECTION 28, TOWNSHIP 16 SOUTH RANGE 30 EAST, AND THAT PART OF GOVERNMENT LOT 4, SECTION 29, TOWNSHIP 16 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA, ALL BEING DESCRIBED AS FOLLOWS:

BEGIN AT A POINT ON THE SOUTHEASTERLY LINE OF THE DOMINGO REYES GRANT, SECTION 38, TOWNSHIP 16 SOUTH, RANGE 30 EAST, BEING THE NORTHWEST CORNER OF SECTION 28, TOWNSHIP 16 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA; THENCE N49°10'51"E ALONG THE NORTHWESTERLY LINE OF SAID SECTION 28 AND THE SOUTHWESTERLY LINE OF SAID DOMINGO REYES GRANT, A DISTANCE OF 1543.69 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 11, HAVING A 200.00 FOOT RIGHT-OF-WAY; THENCE S00°43'19"E ALONG THE WEST RIGHT-OF-WAY OF SAID STATE ROAD NO. 11, A DISTANCE OF 1312.31 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF LOT C, NORTHWOOD SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN MAP BOOK 6, PAGE 156, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE S89°35'41"W ALONG THE SOUTH LINE OF THE NORTH 1/2 OF SAID LOT C, A DISTANCE OF 1180.87 FEET TO A POINT ON THE EAST LINE OF GOVERNMENT LOT 4, SECTION 29, TOWNSHIP 16 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA; THENCE S00°43'19"E ALONG THE EAST LINE OF SAID GOVERNMENT LOT 4, A DISTANCE OF 244.42 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF PARCEL 3, AS DESCRIBED IN OFFICIAL RECORDS BOOK 8125, PAGE 4012, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE DEPARTING SAID EAST LINE, RUN S50°22'13"W ALONG SAID SOUTHERLY BOUNDARY LINE, A DISTANCE OF 412.73 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 3; THENCE N41°38'55"W ALONG THE WESTERLY BOUNDARY LINE OF SAID LANDS, A DISTANCE OF 416.74 FEET TO A POINT ON AFORESAID SOUTHEASTERLY LINE OF THE DOMINGO REYES GRANT AND THE NORTHWESTERLY LINE OF AFORESAID SECTION 29, TOWNSHIP 16 SOUTH, RANGE 30 EAST; THENCE N49°10'51"E, ALONG SAID NORTHWESTERLY LINE OF SECTION 29 AND THE SOUTHEASTERLY LINE OF THE DOMINGO REYES GRANT, A DISTANCE OF 776.75 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 27.77 ACRES, MORE OR LESS.

EXHIBIT G

99-Year Lease

Exhibit A

APPLEGATE UTILITY, LLC

Water and Wastewater Service Area

ALL OF LOTS A AND B, AND THE NORTH 1/2 OF LOT C, NORTHWOOD SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 6, PAGE 156, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA LOCATED IN SECTION 28, TOWNSHIP 16 SOUTH RANGE 30 EAST, AND THAT PART OF GOVERNMENT LOT 4, SECTION 29, TOWNSHIP 16 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA, ALL BEING DESCRIBED AS FOLLOWS:

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SAID LANDS CONTAINING 27.77 ACRES, MORE OR LESS.

EXHIBIT I

Sketch of Service Area

NOTICE OF APPLICATION FOR ORIGINAL CERTIFICATE OF AUTHORIZATION FOR EXISTING UTILITY CURRENTLY CHARGING FOR WATER AND WASTEWATER SERVICE

NOTICE IS HEREBY given on the ___th day of October, 2023, pursuant to Section 367.031, Florida Statutes, of the Application for Original Certificate of Authorization for Existing Utility Currently Charging for Service of Applegate Utility, LLC providing water and wastewater service to the following described territory in Volusia County, Florida:

ALL OF LOTS A AND B, AND THE NORTH 1/2 OF LOT C, NORTHWOOD SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 6, PAGE 156, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA LOCATED IN SECTION 28, TOWNSHIP 16 SOUTH RANGE 30 EAST, AND THAT PART OF GOVERNMENT LOT 4, SECTION 29, TOWNSHIP 16 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA, ALL BEING DESCRIBED AS FOLLOWS:

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The development served is Applegate Mobile Home Community. The Applicant is Applegate Utility, LLC, 10221 River Road, #59831, Potomac, MD 20859; phone number: 202-838-6471; email: homeoffice@parakeetcommunities.com. The utility is not requesting any change to its rates, classifications, charges, rules and regulations in the application. The docket title is: Application for certificates to provide water and wastewater service in Volusia County, by Applegate Utility, LLC and the Docket No. is 20230114-WS.

Any objections to the Application must be made in writing and filed with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399- 0850, no later than 30 days from the last date this Notice was mailed or published, with a copy to F. Marshall Deterding, Esquire, Sundstrom & Mindlin, LLP, 2548 Blairstone Pines Drive, Tallahassee, Florida 32301. The objection must state the grounds for the objection with particularity.

DESCRIPTION OF TERRITORY SERVED

VOLUSIA COUNTY

WATER SERVICE AREA

ALL OF LOTS A AND B, AND THE NORTH 1/2 OF LOT C, NORTHWOOD SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN MAP BOOK 6, PAGE 156, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA LOCATED IN SECTION 28, TOWNSHIP 16 SOUTH RANGE 30 EAST, AND THAT PART OF GOVERNMENT LOT 4, SECTION 29, TOWNSHIP 16 SOUTH, RANGE 30 EAST, VOLUSIA COUNTY, FLORIDA, ALL BEING DESCRIBED AS FOLLOWS:

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AUSTIN BERK
ISSUING OFFICER

CEO
TITLE

DESCRIPTION OF TERRITORY SERVED

VOLUSIA COUNTY

WASTEWATER SERVICE AREA

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