

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Marion Utilities,) DOCKET NO. 910770-WU
Inc. for amendment of Certificate No.) ORDER NO. 25565
347-S in Marion County, Florida.) ISSUED: 1/3/92
_____)

ORDER AMENDING CERTIFICATE TO INCLUDE
ADDITIONAL TERRITORY AND CLOSING DOCKET

BY THE COMMISSION:

On July 23, 1991, Marion Utilities, Inc. (Marion or Utility) filed an application with this Commission to amend Certificate No. 347-W to include additional territory in Marion County, Florida. The application is in compliance with Section 367.045, Florida Statutes, and other pertinent statutes and administrative rules. In particular, the notarized application contains:

1. A filing fee in the amount of \$150.00, as prescribed by Rule 25-30.020, Florida Administrative Code.
2. Adequate service territory and system maps and a territory description, as prescribed by Rule 25-30.036, Florida Administrative Code. The additional territory in Marion County is described in Attachment A of this Order.
3. Proof of notice to interested governmental and regulatory agencies and utilities within a four-mile radius of the territory, and proof of advertisement in a newspaper of general circulation in Marion County, as prescribed by Rule 25-30.030, Florida Administrative Code.
4. Evidence that the Utility owns the land upon which its facilities are located, as required by Rule 25-30.036, Florida Administrative Code.

No objections to the notice of application have been received and the time for filing such has expired.

Since Marion has been in operation under our jurisdiction since 1980, and has been providing satisfactory service to its customers, we believe that the Utility has demonstrated its ability to provide service to the additional territory. In addition, from the information filed with the application, it appears that Marion has the financial ability to serve the territory. Therefore, we find that it is in the public interest to amend Certificate No. 347-W to include the territory described in Attachment A of this Order, which by reference is incorporated herein. Marion has

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returned Certificate No. 347-W to the Commission for entry reflecting the additional territory.

It is, therefore,

ORDERED by the Florida Public Service Commission that Certificate No. 347-W, held by Marion Utilities, Inc., 710 NE 30th Avenue, Ocala, Florida 32670, is hereby amended to include the territory described in Attachment A of this Order, which by reference is incorporated herein. It is further

ORDERED that the customers in the territory added herein shall be charged the rates and charges approved in the Utility's tariff. It is further

ORDERED that Marion Utilities, Inc. shall file revised tariff sheets reflecting the additional territory within 30 days of the date of this Order. It is further

ORDERED that Docket No. 910770-WU is hereby closed.

By ORDER of the Florida Public Service Commission, this 3rd
day of JANUARY, 1992.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

ALC

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

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Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.

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ATTACHMENT A

PARCEL A

BEGIN AT THE EAST 1/4 CORNER OF SECTION 25, TOWNSHIP 16 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA; THENCE NORTH ALONG THE EAST BOUNDARY OF SAID SECTION 25 A DISTANCE OF 9.80 FEET TO THE SOUTHERLY RIGHT OF WAY OF S.W. 103rd STREET ROAD (HIALEAH BOULEVARD, 100' WIDE); SAID POINT BEING ON A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1550.00 FEET AND A CENTRAL ANGLE OF 7 DEGREES 00'41"; THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY CURVE A CHORD BEARING AND DISTANCE OF N.76 20'18"W. 189.56 FEET TO THE POINT OF TANGENCY OF SAID RIGHT OF WAY CURVE; THENCE N.72 49'57"W. ALONG SAID SOUTHERLY RIGHT OF WAY LINE 1475.00 FEET; THENCE S.17 10'03"W. 200.00 FEET; THENCE S.72 49'57"E. 900.00 FEET; THENCE S.00 47'44"E. 44.20 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE NORTH 1/2 OF AFORESAID SECTION 25; THENCE S.89 12'16"W. ALONG SAID SOUTH BOUNDARY OF NORTH 1/2 A DISTANCE OF 792.08 FEET TO THE POINT OF BEGINNING.

CONTAINING 6.29 ACRES, MORE OR LESS.

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PARCEL B

COMMENCE AT THE EAST 1/4 CORNER OF SECTION 25, TOWNSHIP 16 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA; THENCE NORTH ALONG THE EAST BOUNDARY OF SAID SECTION 25 A DISTANCE OF 9.80 FEET TO THE SOUTHERLY RIGHT OF WAY OF S.W. 103rd STREET ROAD (HIALEAH BOULEVARD, 100' WIDE); SAID POINT BEING ON A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1550.00 FEET AND A CENTRAL ANGLE OF 7 DEGREES 00'41"; THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY CURVE A CHORD BEARING AND DISTANCE OF N.76 20'18"W. 189.56 FEET TO THE POINT OF TANGENCY OF SAID RIGHT OF WAY CURVE; THENCE N.72 49'57"W. ALONG SAID SOUTHERLY RIGHT OF WAY LINE 1475.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 1450.00 FEET AND A CENTRAL ANGLE OF 17 DEGREES 18'38"; THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY CURVE THROUGH A CENTRAL ANGLE OF 17 DEGREES 15'42" A CHORD BEARING AND DISTANCE OF N.81 27'48"W. 435.19 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID RIGHT OF WAY CURVE HAVING A RADIUS OF 1450.00 FEET THROUGH A CENTRAL ANGLE OF 00 DEGREES 02'56", WITH A CHORD BEARING AND DISTANCE OF S.89 52'54"W. 1.24 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.89 51'25"W. ALONG SAID SOUTHERLY RIGHT OF WAY LINE 798.76 FEET; THENCE S.00 08'35"E. 200.00 FEET; THENCE N.89 51'25"E. 800.00 FEET; THENCE N.00 08'35"W. 199.97 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.67 ACRES, MORE OR LESS.

FARCEL C

COMMENCE AT THE EAST 1/4 CORNER OF SECTION 25, TOWNSHIP 16 SOUTH, RANGE 20 EAST, MARION COUNTY, FLORIDA; THENCE NORTH ALONG THE EAST BOUNDARY OF SAID SECTION 25 A DISTANCE OF 9.80 FEET TO THE SOUTHERLY RIGHT OF WAY OF S.W. 103rd STREET ROAD (HIALEAH BOULEVARD, 100' WIDE); SAID POINT BEING ON A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1550.00 FEET AND A CENTRAL ANGLE OF 7 DEGREES 00'41"; THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY CURVE A CHORD BEARING AND DISTANCE OF N.76 20'18"W. 189.56 FEET TO THE POINT OF TANGENCY OF SAID RIGHT OF WAY CURVE; THENCE N.72 49'57"W. ALONG SAID SOUTHERLY RIGHT OF WAY LINE 1475.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 1450.00 FEET AND A CENTRAL ANGLE OF 17 DEGREES 18'38"; THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY CURVE A CHORD BEARING AND DISTANCE OF N.81 29'16"W. 436.42 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE S.89 51'25"W. ALONG SAID SOUTHERLY RIGHT OF WAY LINE 798.76 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 800.00 FEET AND A CENTRAL ANGLE OF 41 DEGREES 42'47"; THENCE NORTHWESTERLY ALONG SAID RIGHT OF WAY CURVE THROUGH A CENTRAL ANGLE OF 23 DEGREES 37'32" A CHORD BEARING AND DISTANCE OF N.78 19'49"W. 327.54 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID RIGHT OF WAY CURVE THROUGH A CENTRAL ANGLE OF 18 DEGREES 05'15" A CHORD BEARING AND DISTANCE OF N.57 28'26"W. 251.50 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N.48 25'48"W. ALONG SAID SOUTHERLY RIGHT OF WAY LINE 267.69 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD 200 (100' WIDE); THENCE S.41 34'12"W. ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE OF STATE ROAD 200 A DISTANCE OF 1327.64 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE NORTH 1/2 OF SAID SECTION 25; THENCE S.89 12'16"W. ALONG SAID SOUTH BOUNDARY OF THE NORTH 1/2 OF AFORESAID SECTION 25 A DISTANCE OF 844.29 FEET; THENCE N.00 47'44"W. 318.41 FEET; THENCE N.35 27'53"E. 275.00 FEET; THENCE S.71 18'49"E. 220.00 FEET; THENCE N.23 28'58"E. 214.59 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.50 ACRES, MORE OR LESS.

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PARCEL D

BEGIN AT THE WEST 1/4 CORNER OF SECTION 30, TOWNSHIP 16 SOUTH, RANGE 21 EAST, MARION COUNTY, FLORIDA; THENCE N.00 41'46"E. ALONG THE WEST BOUNDARY OF THE N.W.1/4 OF SAID SECTION 30 A DISTANCE OF 11.01 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF HIALEAH BOULEVARD (S.W. 103rd STREET ROAD, 100' WIDE) AS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 977, PAGES 446 THROUGH 453, PUBLIC RECORDS OF MARION COUNTY, FLORIDA, SAID POINT BEING ON A CURVE, CONCAVED NORTHEASTERLY, HAVING A CENTRAL ANGLE OF 8 DEGREES 26'25" AND A RADIUS OF 1007.77 FEET, SAID POINT ALSO BEING 50 FEET FROM, MEASURED RADially TO, THE CENTERLINE OF SAID HIALEAH BOULEVARD; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 148.46 FEET TO THE POINT OF TANGENCY OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING S.85 25'59"E. 148.32 FEET); THENCE CONTINUE ALONG SAID SOUTH RIGHT OF WAY LINE S.89 39'11"E. 247.57 FEET; THENCE S.00 37'23"E. ALONG THE EAST BOUNDARY OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1296, PAGE 656, PUBLIC RECORDS OF MARION COUNTY, FLORIDA, A DISTANCE OF 476.55; THENCE N.89 39'11"W. ALONG THE SOUTH BOUNDARY OF SAID PARCEL 183.00 FEET; THENCE S.00 39'58"W. 1.85 FEET; THENCE S.89 53'31"W. ALONG THE NORTH BOUNDARY OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1296, PAGE 658, PUBLIC RECORDS OF MARION COUNTY, FLORIDA, A DISTANCE OF 615.06 FEET; THENCE N.00 40'51"E., PARALLEL TO THE WEST LINE OF SAID SECTION 30, A DISTANCE OF 480.00 FEET TO A POINT ON THE NORTH BOUNDARY OF THE SOUTH 1/2 OF SECTION 25, TOWNSHIP 16 SOUTH, RANGE 20 EAST; THENCE N.89 53'31"E. ALONG SAID NORTH BOUNDARY A DISTANCE OF 402.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 8.78 ACRES, MORE OR LESS.