

State of Florida

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DIVISION OF WATER &
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Public Service Commission

January 4, 1996

Ms. Betty L. Whitcomb
Manager
Terra Siesta Co-op, Inc.
3502 Patricia Place
Ellenton, Florida 34222-4515

RE: Docket No. 951235-WS; Resolution of the Board of County Commissioners of Manatee County Declaring Manatee County Subject to the provision of Chapter 367, Florida Statutes - Request for exemption for provision of water and wastewater service by Terra Siesta Co-op, Inc.

Dear Ms. Whitcomb:

The purpose of this letter is to inform you of the deficiencies in the above-referenced application, Docket No. 951235-WS. It is imperative that the following deficiencies be corrected as soon as possible in order to avoid any further delay in the processing of your application.

1. Control of Corporation - Pursuant to Rule 25-30.060(g), Florida Administrative Code (F.A.C.), the Articles and By-Laws "...must clearly show ... how control of the corporation passes to the non-developer members. Control of the corporation must pass: i) at 51 percent ownership by the non-developer members or ii) at some greater percentage limited by a time period not to exceed 5 years from the date of incorporation." In order to comply with this Rule, if the Association is currently controlled by the developer and not by the non-developer members, the Articles and By-Laws need to specify under what circumstances the transfer of control is to happen and must be limited by a time period not to exceed 5 years. If control has already passed to the non-developer members, please indicate the date that turnover occurred.

If you have any questions regarding this matter, please contact Charlene Pellegrini of our Legal Division at (904) 413-6232.

DOCUMENT NUMBER-DATE

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