### State of Florida



## Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE:	March 15, 1996
TO:	Division of Records and Reporting
FROM:	Division of Water and Wastewater (Tomlinson)
RE:	Docket No. 960063-SU; Application for transfer of Certificates Nos. 454-W and 388-S in Lake County from Water Oak Utilities Co., Inc. to Sun Communities Finance Limited Partnership.

Gerald T. Buhr, P.A. Please place the correspondence in the above docket file. If you have any questions, please feel free to contact me.

cc: Division of Legal Service (Agarwal) w/ Attachments

AFA	
APP	
CAF	
CMU	
CTR .	
EAG .	
LEG .	
LIN .	
RCH .	
SEC .	1
ATR	

DOCUMENT NUMBER-DATE

#### GERALD T. BUHR, P.A.

ATTORNEY AT LAW (813) 949-3681 (813) 949-3196 Fax/Data

Northfork Professional Center 1519 Dale Mabry Highway, Suite 100 Post Office Box 1647 Lutz, FL 33549-1647

March 7, 1996

Utilities Environment Land Use

A-6 1 1

Christine C. Tomlinson Regulatory Analyst Florida Public Service Commission Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0862

Dear Ms. Tomlinson:

After review and discussion concerning your deficiencies letter dated February 8, 1996, Sand Dollar Properties, Inc., has researched its documents, and has the following responses:

- Harry Cutcher previously managed the utility for a number of years prior to transfer to Capital Sunbelt, and, therefore, is capable to operate the system once more. Sand Dollar has the financial ability to maintain the utility as evidenced by the financial statement attached as Exhibit "A".
- 2. Enclosed as Exhibit "B" you will find the Quit-Claim Deed for the property transferred. You should note, however, that the treatment plant has been abandoned the utility is obtaining bulk service from Lee County. Title insurance was obtained, however, Sand Dollar has not been able to locate the documentation. Nonetheless, because there is no risk that the necessary utility facilities would be affected if title were lost, this issue should be moot.
- The \$2,097,292.19 figure is the correct one as of the date provided. It is now closer to \$1,940,000.
- We have modified tariff sheets 13.0, 21 and 22 as you instructed in your letter and in our phone conference.

If you have any questions or comments concerning this information, please do not hesitate to call me.

Sincerely.

GERALD T. BUHR, P.A.

Bv:

Gerald T. Buhr

## SAND DOLLAR PROPERTIES, INC. d/b/a

# FORT MYERS BEACH RV RESORT STATEMENT OF ASSETS, LIABILITIES AND EQUITY MODIFIED CASH BASIS AS OF DECEMBER 31, 1995

ASSETS

COIGCETT HOUSE		
PETTY CASH	\$ 500.00	
FIRST UNION	35,396.32	
FIRST UNION BROKERAGE ACCOUNT	57.15	
NOTE RECEIVABLE-TUCKER	2,702.80	
TOTAL CURRENT ASSETS		\$ 38,656.27
BUILDING, IMPROVEMENTS AND EQUI	PMENT	
FURNITURE AND FIXTURES	\$ 3,246.58	
SIGNS	2,489.22	
EQUIPMENT AND MACHINERY	28,005.49	
MANAGER'S APARTMENT	3,411.24	
TRAILERS	12,199.28	
BUILDING AND IMPROVEMENTS	843,492.29	
ELECTRICAL IMPROVEMENTS	124,949.02	
OUTDOOR EQUIPMENT/FACILITIES	15,565.84	

TOTAL BUILDING, IMPROVEMENTS AND EQUIPMENT

ACCUMULATED DEPRICIATION

911,894.68

OTHER ASSETS LAND DEPOSITS

CURRENT ASSETS

\$ 960,347.60 1,354.00

(121,464.28)

TOTAL OTHER ASSETS

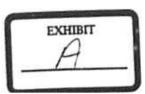
961,701.60

TOTAL ASSETS

\$ 1,912,252.55

UNAUDITED

BEE ACCOUNTANTS, COMPILATION REPORT



#### DAND DULLAR PROPERTIES, INC.

d/b/a

# FORT MYERS BEACH RV RESORT STATEMENT OF ASSETS, LIABILITIES AND EQUITY MODIFIED CASH BASIS AS OF DECEMBER 31, 1995

## LIABILITIES AND STOCKHOLDER'S EQUITY

CURRENT LIABILITIES ACCOUNTS PAYABLE FICA WITHHELD FEDERAL WITHHOLDING FEDERAL UNEMPLOYMENT PAYABLE STATE UNEMPLOYMENT PAYABLE SALES TAX PAYABLE PREPAID DEPOSITS PREPAID RENTS CURRENT PORTION OF DEBT TOTAL CURRENT LIABILITIES	\$ 10,623.13 2,014.55 693.90 88.53 ./2.13 3,076.72 1,840.00 24,057.37 76,379.76 \$ 118,796.09	
LONG-TERM LIABILITIES SHAREHOLDER LOAN NOTE PAYABLE - CANON COPIER NOTE PAYABLE - B J ROBERTS MORTGAGE PAYABLE-FIRST UNION LESS CURRENT PORTION OF DEBT	(341,814.70) 1,543.81 10,000.00 1,940,586.10 (76,379.76)	
TOTAL LIABILITIES & DEBT	\$ 1,533,935.45	\$ 1,652,731.54
STOCKHOLDER'S EQUITY ACCUMULATED ADJUSTMENTS DISTRIBUTIONS EXCESS REVENUES (EXPENSES) TOTAL STOCKHOLDER'S EQUITY	\$ 80,709.90 (28,910.32) 207,721.43	259,521.01

TOTAL LIABILITIES AND STOCKHOLDER'S EQUITY

\$ 1,912,252,55

#### SAND DOLLAR PROPERTIES, INC.

#### d/b/a

## FORT MYERS BEACH RV RESORT COMPARATIVE STATEMENT OF REVENUES & EXPENSES MODIFIED CASH BASIS

		DEC. 31, 1995		MONTH ENDED DEC. 31, 1994		HONTHLY		YEAR TO DATE		TEAR TO DATE	TEAR TO DATE	
REVENUES			_		-		_		-	201 31, 1774	-	ANTIANCE
RENTAL INCOME - TAXABLE	\$	29,927.87	\$	28,999.45	1	928.42	s	259,213.89	5	198,650.26	1	60,563.63
RENTAL INCOME - NON-TAXABLE		38,652.82		35,679.87	50	2,972.95		429,896.58	- 5	403,421.62		26,474.96
CABLEVISION INCOME		0.00		1,628.28		(1,628.28)	)	5,916.92		12,703.55		(4,756.63
STORE SALES		645.30		754.59		(109.29)	į.	6,574.35		4,737.44		1,836.51
LP GAS SALES		3,430.00		2,746.75		633.25		24,370.51		24,566.50		(196.29
REPAIRS - NON-TAXABLE		100.00		0.00		100.00		636.20		0.00		636.20
VENDING MACHINE INCOME		356.64		301.92		54.77		1,979.33		1,698.67		280.46
LAURDRY INCOME		2,137.74		2,200.50		(62.10)		16,766.52		16,869.72		(163.70
GOLF CART COMMISSION		50.00		300.00		(250.00)		650.50		(129.50)		779.50
REPAIRS - TAXABLE		1,093.65		0.00		1,093.65		2,509.33		0.00		2,507.33
R.V. TALES		0.00		1,438.00		(1,439.00)		3,611,50		1,433.50		
TRAILER CALES		1,000.00		0.00		1,000.00		5,200.00		Property Comparison		2,175.50
OTHER INCOME		6,682.72		762.27		5,920.45		13,171,49		2,546.52		3,250.48
ACTIVITY INCOME		3,857.50		3,912.70		(55.20)		24,4-1.6-		7,945.94		2,225.55
REFUNDS		(745.00)		(195.00)		(556.03)		77		5,428.90		17,612.74
DISCOUNTS		(455.79)		(1,047.80)				(2,164.58)		(459.00)		(1,705.68
TOTAL REVENUES	5	86,733.45	-	77,481.03	_	592.01	_	(6,406,02)	-	(1,646,02)	_	(4,760,00
		,,,,,,,,	•	11,-91.03		9,252.42	2	763,967.16	5	677,767.10	\$	106,200.06
COST OF GOODS SOLD												
STORE AND VENDING PURCHASES		1,306.31	5	974.94		*** **						
LP GAS PURCHASES/RESALE		914.71	•	710.44	•	331.27	,	11,817.22	\$	7,394.15	5	4,423.07
TRAILER PARTS		688.68		0.00		204.27		9,262.93		9,807.38		(544.45)
TRAILER PURCHASES/RESALE		0.00		2042		688.68		1,459.68		0.00		1,459.58
TOTAL COST OF GOODS SOLD	_	2,909.70	_	0.00	-	0.00	-	0.00	-	2,450,00	_	(2,450.00)
		2,707.70		1,685.38		1,224.32		22,539.83		19,651,53		2,888.30
GROSS PROFIT	\$	83,823.75	s	75,795.55	s	8,025.10	s	761,427.33	,	658,115.57	s	103,311.76
OPERATING EXPENSES												
ACCOUNTING AND LEGAL	s	750.00	s	2 2/2								
ACTIVITY SUILDING MAINTENANCE		129.06	•	2,262.88	5	(1,512.88)	S	11,843.77	2	10,878.06	\$	965.71
ACTIVITY EXPENSES		2,006.13		274.17		(145.11)		495.09		986.67		(491.58)
AUTO AND TRUCK EXPENSE		124.30		2,507.44		(501.31)		11,375.35		5,445.28		5,930.07
ADVERTISING		588.16		103.08		21.22		1,044.41		1,774.39		(729.98)
BAD DEBT EXPENSE		(202.00)		2,528.71		(1,940.55)		4,406,80		10,758.75		(6,351.95)
BANK CHARGES		96.09		0.00		(202.30)		230.16		0.00		230.16
SINGO EXPENSES		0.00		48.04		48.05		470.91		263.55		207.36
BUILDING MAINTENANCE				124.05		(124.05)		991.52		285.91		705.01
CASH OVER/SHORT		0.00		87.73		(87.73)		1,682.44		2,285.94		(603.50)
CABLEVISION EXPENSE		107.84		95.29		12.55		266.70		(32.24)		298.74
CONTRACT LABOR		1,605.58		1,043.83		(43.25)		19,699.46		18,139.13		1,560.33
CREDIT CARD FEES		0.00		0.00		0.00		50.00		0.00		50.00
DEPRECIATION		264.53		159.58		104.85		4.279.88		3,026.56		1,253.32
DONATIONS		4,614.02		8,992.48		(4,378.46)		-3,636.01		49,399.50		(5,763.79)
DUES AND SUBSCRIPTIONS		184.00		50.00		134.00		631.99		366.00		215.29
ENTERTA, WHENT		0.00		76.30		(76.30)		2,306.67		405.34		1,201,53
ELECTRIC		1,067.00		158.35		903.15		-,200.29		1,393,54		2,306.7
EQUIPMENT MAINTENANCE		2,502.11		1,791.37		710.74		12,748.51		27,223.34		1,725.27
TANTE TI MAINTENANCE		146.04		0.00		140.04		1,900.18		1,025.38		27 46

UNAUDITED

SEE ACCOUNTABLE COMPILATION REPORT

#### SAND DOLLAR PROPERTIES, INC.

#### d/b/a

#### FORT MYERS BEACH RY RESORT

## COMPARATIVE STATEMENT OF REVENUES & EXPENSES MODIFIED CASH BASIS

14	MONTH ENDED DEC. 31, 1995	MONTH ENDED DEC. 31, 1994	MONTHLY VARIANCE	YEAR 10 DATE DEC. 31, 1995	YEAR TO DATE DEC. 31, 1994	YEAR TO DATE	
OPERATING EXPENSES (CONTINUED	)						
EMPLOYEE WELFARE	\$ 118.74	\$ 0.00	\$ 118.74	\$ 339.35	\$ 402.81	\$ (63.46)	
FEDERAL PATROLL TAXES	1,007.08	834.17	172.91	8,044.94	8,213.84	(145,90)	
GARBAGE EXPENSE	1,566.78	1,056.94	609.84	10,305.79	11,632.73	(1,326.94)	
GAS - LAUNDRY	208.88	151.01	57.87	1,968.58	1,906.26	62.32	
GAS - POOL	690.00	466.23	223.77	4,933,96	3,670.10	1,263.86	
GROUNDS MAINTENANCE	4,120.57	1,270.62	2,849.95	20,077.27	15,363.18	4,714.09	
HOUSEKIEPING	1,273.24	424.82	1,4482	6,417.14	4,015.59	2,401.55	
INTEREST	13,844.42	14,258.51	(414.09)		173,991,94	(4,516.23)	
INSURANCE	1,224.16	1,637.68	(413.52)		16,627,72	3,732.63	
LAUNDS . EXPENSE	542.25	1,068.45	(526.25)		6,904,44	(724,64)	
LEASES EQUIPMENT	561.32	573.05	(11,72)		7,492,46	(389,35)	
LICENSES AND TAKES	207.39	49,990.03	149,782,541		51,957.66	(49,324,52)	
MANAGER APARTHENT EXPENSES	0.00	41.71	(41.71)		157.37	(157,37)	
HISCELLANEOUS EXPENSE	0.00	0.60	0.00	113.55	0.00	113.85	
OFFICE EXPENSE	178.24	1.69	175.55	2,761.15	1,437.96	1,323.19	
OFFICER SALARIES	2,169.20	.0.00	2,169.20	22,559.74	22,320.00	239.74	
PERMITS AND INSPECTIONS	0.00	0.00	0.00	67.52	838.53	(771.01)	
PLUMBING REPAIRS	42.84	63.67	(20.83)	1,500.91	1,441.03	59.88	
POOL MAINTENANCE	205.00	318.24	(113.24)	4,148.34	3,251.54	896.80	
POSTACE	344.72	167.24	177.48	2,545.81	2,097.99	447.82	
PROFESSIONAL FEES	0.00	0.00	0.00	0.00	500.00	(500.00)	
PROMOTION	0.00	0.00	0.00	200.00	0.00		
PROFESSIONAL FEES	0.00	0.00	0.00	250.00	0.50	200.00	
RENTAL EXPENSE	384.00	70.10	313.98	2,999.40	1,247.30	250.00	
REPAIRS	0.00	0.00	0.00	179.44	194.08	1,752.10	
SALARIES AND WAGES	10,999.48	10,896.48	103.00	82,608.78	84,819.22	(14.64)	
SECURITY	0.00	0.00	0.00	5.87	.55	(2,210.44)	
SEVER	861.34	1,005.66	(144.32)	15,429.36	0.00	5.87	
SUPPLIES	150.70	0.00	150.70	661.21	10,304.93	5, 124, 43	
TELEPHONE	497.72	542.76	(45.04)		619.44	41.77	
TRAVEL	0.00	0.00	0.00	4,712.33	4,987.59	(75.26)	
UNEMPLOTMENT TAXES	48.88	37.20	11.68	2.00 779.11	0.00	2.00	
WATER	715.07	344.22	(129.15)		760.69	18.42	
TOTAL OPERATING EXPENSES	56,644.96	106,629.08	(49,984.12)	13,833,22	13,784.62 585,166.14	(29,799.40)	
REVENUES FROM OPERATIONS	\$ 27,178.79	s (30,833.43) s	58,012.22	206,060.59	\$ 72,949.43		

#### SAND DOLLAR PROPERTIES, INC.

#### d/b/a

## FORT MYERS BEACH RY RESORT COMPARATIVE STATEMENT OF REVENUES & EXPENSES MODIFIED CASH BASIS

		HONTH ENDED EC. 31, 1995	٥	MONTH ENDED DEC. 31, 1994	_	HONTHLY VARIANCE		EAR TO DATE EC. 31, 1995		AR TO DATE		YEAR TO DATE
OTHER REVENUES  SALES TAX CONHISSIONS INTEREST INCOME DIVIDEND INCOME TOTAL OTHER REVENUES	5	52.10 23.16 15.12 90.38	•	50.96 30.85 0.00 81.81	s _	1.14 (7.69) 15.12 8.57		325,08 249,18 1,712,75 2,267,01	•	352.35 573.62 0.00 925.97	:	(27.27) (324.44) 1,712.75
OTHER EXPENSES LOSS ON DISPOSAL OF ASSETS TOTAL OTHER EXPENSES	<u>s</u> s	276,50 276,50	<u>s</u>	0,70	<u>s</u>	276.50 276.50	<u>s</u>	626.17	<u>s</u>	0.00	<u>s</u>	626,17
REVENUES OVER EXPENSES	5	26,992,67	\$	(30,751.62)	S Ditto	57,744.29	S.	107,721.43	\$	73,875.40	1	133,646.03

CIER . CHER. ILVER, 0 MEN'110 ŝ

This Instrument Prepared By: Philip L. Burnett, P.A. P.O. Box 2258 Ft. Myers, FL 33902

Property Appraisers Parcel # 06-46-24-01-00002.0000 06-46-24-01-00009.002A

Grantee's Employer I.D. # 59-1736539

3398467

#### QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED, executed this , 1593, by CAPITAL SUNBELT/FUND 84, LTD., a Florida Limited Partnership, whose address is Post Office Box 86, Lakeland, Plorida 33802, first party, to SAND DOLLAR PROPERTIES VINC., a Florida corporation, whose address is 16299 San Carlos Boulevard, Fort Myers Beach, Florida 33908, second party:

WITNESSETH, that the said first party, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Lee, State of Florida, to-wit: any as country

PARCEL I:

Lot 5 and the North 1/2 of Lot 6, Block 1, E. P. BATES PINE RIDGE TRUCK FARMS according to the plat thereof recorded in Plat Book 3, Page 68, Public Records of Lee County, Florida, being part of Section 6, Township 26 South, Range 24 East, Lee County, Florida.

#### PARCEL II:

A tract of land lying in the NE 1/4 of Section 6, Township :6 South, Range 24 East, Lee County, Florida, being part of Lot 5, Block 2 of E. P. BATES PINE RIDGE TRUCK FARMS, as recorded in Plat Book 3, Page 68, of the Public Records of Lee County, Florida. Said tract being more particularly described as follows:

Commencing at the SE corner of Coastal Estates, a Mobile Home Subdivision, as shown on the plat recorded in Plat Book 29, Pages 78 and 79, of the Public Records of Lee County, Florida. Said point being on the West right-of-way line of Pine Ridge Road; thence run S. 89\*58:19-Wa along the South line of said Coastal Estates for 992.00 feet to the point of beginning; thence run S.0°03'04"E for 292.55 feet; thence run S.82°17'46"W for 26.67 feet; thence run S.89°56'56"W for 239.94 feet, thence run N.0°37'03"W for 100.30 feet; thence run N.89°56'56"E for 74.77 feet; thence run N.0\*37'03"W for 66,00 feet; thence run N.89\*22'57"E for 12.00 feet; thence run N.0\*37'03"W for 46.00 feet; thence run 5.89\*22'57 w for 12.00 feet; thence run M.0\*37'03"W for 83.89 feet to a point on the South line of said Coastal Estates, being also the North line of said Lot 5, Block 2 of E. P. BATES PINE RIDGE TRUCK FARMS; thence run N.89\*58'19"E along said line for 194.53 feet to the point of beginning; containing 1.471

Together with easements previously owned by F.M.B.C. UTILITIES, INC. as set forth in Instrument dated February 28, 1983, and recorded in Official Records Book 1661, Page 2731, Public Records of Lee County, Florida.

Lot 1, Block S, Fort Myers Beach Kampground Subdivision, Unit 1, recorded in Plat Book 35 at Page 47, and across Sunburst Lane and the E 286.61' of Stardust Drive. The easement described is for the purpose of maintenance of the berm located within the utility property described in PARCEL II above and for no other purpose.

SUBJECT TO easements, restrictions and reservations of record.

To have and to hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

CAPITAL SUNBELT/FUND 84, LTD. A Plorida Limited Partnership

print Coyce E. Evans

print Nancy Strucks

STATE OF FLORIDA COUNTY OF NEW POLK

The foregoing instrument was acknowledged before me this 5th day of May , 1993, by Lawrence w. Maxwell , as President of CAPITAL SUNBELT/FUND 84, LTD., a Florida Limited Partnership, on behalf of the Partnership. HeXENE is personally known to me or has produced as identification and did take an oath.

NOTARY PUBLIC

print Joyce E. Evans
Commission No. AA727298

My Commission Expires:

December 28, 1993

93 JUN -3 PHI2: 17

OR 2393 PG0295

- 21.0 <u>UNAUTHORIZED CONNECTIONS SEWER</u> Connections to the company's sewer system for any purpose whatsoever are to be made only by employees of the company. Unauthorized connections render the service subject to immediate discontinuance without notice and sewer service will not be restored until such unauthorized connections have been removed and unless settlement is made in full and for sewer service estimated by the company to have been used by reason of such unauthorized connection.
- 22.0 ADJUSTMENT OF BILLS When a customer has been overcharged or undercharged as a result of incorrect application of the rate schedule, or, if sewer service is measured by water consumption, a meter error is determined, the amount may be credited or billed to the customer, as the case may be.
- 23.0 <u>CUSTOMER DEPOSIT ESTABLISHMENT OF CREDIT</u> Before rendering service, the company may require an applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the customer from complying with the utilities rules for prompt payment. Credit will be deemed so established if:
  (A) the applicant for service furnishes a satisfactory guarantor to secure payment of bills for the service rendered; (B) the applicant pays a cash deposit; (C) the applicant for service furnishes an irrevocable letter of credit from bank or a surety bond. The amount of initial deposit shall be the following according to meter site:

	Residential	General Service
5/8" x 3/4"	N/A	N/A
1"	N/A	N/A
1-1/2"	N/A	N/A
2"	N/A	N/A

The company may require, upon reasonable written notice of not less than 30 days, such request or notice being separate and apart from any bill for service, a new deposit, where previously waived or returned, or an additional deposit, in order to secure payment of current bills; provided, however, that the total amount of the required deposit shall not exceed an amount equal to the average actual charge for water and/or sewer service for two monthly billing periods for the 12 month period immediately prior to the date of notice. In the event the customer has had service less than 12 months, then the utility shall base its new or additional deposit upon the average actual monthly billing available.

Harry Cutcher Issuing Officer

> President Title

#### NAME OF COMPANY Sand Dollar Properties, Inc.

#### APPLICATION FOR SEWER SERVICE

Currently, Lee County is serving all customers directly.

Harry Cutcher Issuing Officer

> President Title

## NAME OF COMPANY Sand Dollar Properties, Inc.

## COPY OF CUSTOMER'S BILL

Currently, Lee County is serving all customers directly.

Harry Cutcher Issuing Officer

> President Title