

BEN E. GIRTMAN  
Attorney at Law

1020 East Lafayette Street  
Suite 207  
Tallahassee, Florida 32301-4552

Telephone: (904) 656-3232  
(904) 656-3233  
Facsimile: (904) 656-3233

March 17, 1997

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

HAND DELIVERY

970076-WS

Re: Joint Application for Transfer of Sailfish Point Utility Corporation, the Utility Assets and Certificates 394-W and 335-S from Sailfish Point, Inc. to Sailfish Point Service Corporation, in Martin County.

Dear Ms. Bayo:

Enclosed for filing on behalf of the transferor are the original and fifteen copies of the response to the deficiency letter issued in the above referenced case.

Also filed separately are the original Exhibit "P" (water and sewer certificates) and Composite Exhibit "K", "L" and "M" (affidavit, notice, green return receipt cards, and proof of publication of the notice of application for transfer). Please keep these originals in the Clerk's Office until requested by Commission Staff.

*Handwritten:* Certificate to NOWALKERS 12/21/97

Simultaneously herewith, the transferee is filing a response to various paragraphs of the deficiency letter.

- LOK \_\_\_\_\_
- \_\_\_
- AI \_\_\_\_\_
- CAF \_\_\_\_\_
- CMH \_\_\_\_\_
- CTR \_\_\_\_\_
- EAC \_\_\_\_\_
- LEI \_\_\_\_\_
- LIN \_\_\_\_\_
- OPR \_\_\_\_\_
- ROH \_\_\_\_\_
- SE \_\_\_\_\_
- WAS \_\_\_\_\_
- \_\_\_

Thank you for your assistance. If there are any questions please let me know.

Sincerely yours,

*Handwritten Signature:* Ben E. Girtman  
Ben E. Girtman

Encls.  
cc w/encls  
Hal Bradford, Fsq.  
B. Kenneth Gatlin, Esq.  
James Krivok, Esq.

02763-97 3/17/97  
DOCUMENT NUMBER-DATE

*Handwritten:* Orig Maps & Survey 02763 MAR 17 1997

BEN E. GIRTMAN

*Attorney at Law*

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1020 East Lafayette Street  
Suite 207  
Tallahassee, Florida 32301-4552

Telephone: (904) 656-3232  
(904) 656-3233  
Facsimile: (904) 656-3233

March 17, 1997

Mr. N.D. Walker  
Division of Water and Wastewater  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

Re: Docket No. 970076-WS: Joint Application for Transfer of Sailfish Point Utility Corporation, the Utility Assets and Certificates 394-W and 335-S from Sailfish Point, Inc. to Sailfish Point Service Corporation, in Martin County.

Dear Mr. Walker:

The following information is provided in response to your deficiency letter dated January 30, 1990.

1. Your first inquiry relating to the incorporation of Sailfish Point Service Corporation (SPSC) and its members will be responded to by Mr. Gatlin, attorney for the transferee.
2. Mr. Gatlin also will respond to your second inquiry relating to the financial ability of the transferee and the cost of service.
3. The third inquiry relates to several matters:
  - a. The original water and sewer certificates (Exhibit "P", pages 89-90) are enclosed;
  - b. The signed affirmation that the system complies with the Department of Environmental Protection (DEP) (Exhibit "J", page 84) will be provided by Mr. Gatlin;
  - c. Exhibit "S" (page 134) will be evidence that the utility owns the land where the treatment facilities are located. As explained in Exhibit "Q", the utility assets (including the land) temporarily have been transferred to Westbrook pending approval of the Public Service Commission of the transfer of the stock, assets and operating authority of the utility to the Sailfish Point Service Corporation. Attached hereto is a copy of the special warranty deed whereby that land was temporarily transferred to Westbrook. However, we request that the actual execution of the deed to Sailfish Point Service Corporation be executed, recorded and filed in the Public Records of Martin County and a recorded copy filed with the Public Service Commission only after Commission approval

of the transfer. The property is the same two parcels listed on page 63 of the Exhibits. Also attached is a draft copy of the special warranty deed whereby Westerra will transfer the land to the POA's Sailfish Point Service Corporation immediately upon approval of the transfer by the PSC.

4. Your fourth inquiry also relates to several matters:

a. If the settlement agreement between the developer (Sailfish Point, Inc.) and the POA had been reached prior to the closing date for the transfer of the assets at 17 developments throughout the United States from Mobil Land and its subsidiaries to Westbrook, then this application would have been merely a request for transfer of majority operational control of Sailfish Point Utility Corporation to the POA. However, as explained in Exhibit "Q", the timing of the closing on the overall asset transfer to Westbrook required that the Utility assets also be transferred to Westbrook, at least temporarily, pending the outcome of the settlement discussions with the POA. Because the utility assets had to be transferred out of Sailfish Point Utility Corporation, we thought it would be better to specifically request that the Commission approve not only the transfer of the common stock of the utility (i.e., transfer of majority operational control), but also that the Commission approve the transfer of the utility assets and its operating authority. The joint applicants have no objection if the Commission wants to consider this merely a transfer of majority operational control, but we thought it would be better to emphasize the fact that the utility assets would have to be transferred from Westbrook to the POA at no cost to the POA.

b. The actual dollar value of the anticipated hook-up fees to be conveyed to Sailfish Point, Inc. will be determined in accordance with the Stock Purchase Agreement. (See paragraphs 1.1(g), 1.1(i), 2.3, 2.4 and 2.5 on Exhibit pages 3 and 5 attached to the Application for Transfer.)

Paragraph 2.3 (on Exhibit page 4) provides that the hook-up fee component of the purchase price is that amount of money which is equal to 58 percent of all hook-up fees potentially to be received by the utility from the Effective Date until all lots and units at Sailfish Point have been connected. The effective date is defined in paragraph 1.1(i) as the date on which the Stock Purchase Agreement was executed by the last of the parties to execute it. Therefore, the signature page indicates that the Effective Date was July 30, 1996.

Paragraphs 2.3, 2.4 and 2.5 provide various terms and conditions for computing the hook-up fee component of the purchase price. The actual amount is 58 percent of the

applicable hook-up fees for all hook-ups potentially occurring on or after July 30, 1996. That amount will not be known until after closing, and depends on the date when the hook-up fees are increased. It will be less than the maximum possible amount, and will be computed after closing using the method set forth in the Stock Purchase Agreement. See also, Exhibit "A" to this letter.

The current hook-up fees of \$2,500 for water and \$1,500 for sewer will be increased to \$3,000 for water and \$3,000 for sewer. Therefore, total hook-up fees per lot will be increased from \$4,000 to \$6,000. Therefore, the maximum potential amount can be computed by taking the number of lots remaining to be hooked up to water or sewer service (on July 30, 1996) and multiplying that number by \$6,000. The result is then multiplied by 58 percent to arrive at the maximum possible hook-up fee component.

The total number of planned residential hook-ups at Sailfish Point is 530. As of July 30, 1996, the number of hook-ups remaining to be made was 84. Therefore, the maximum possible hook-up fee component can be computed as follows:

Planned residential hook-ups (lots, condos)	530	
Condo hook-ups made:		
Condo I	64	
Condo II	86	
Condo III	32	
Condo IV	<u>16</u>	
Less: Total Condo hook-ups made	198	
Residential lots		332
Less: Existing connections to lots		<u>217</u>
Potential future residential lot connections		91

If the 58 percent factor were applied to all 91 lots at the new connection rate of \$6,000 per lot (\$3,000 for water and \$3,000 for wastewater), that works out to \$316,680 as the maximum potential hook-up fee component of the purchase price. (Also, please note that in addition to the 91 hook-ups remaining on July 30, 1996, one water hook-up was made to an artificial stream after July 30, 1996.) As previously explained, the actual amount will be less than \$316,680, because the increase in the combined hook-up fees from \$4,000 to \$6,000 per lot will not occur until after the Commission approves the transfer.

It also should be noted that, if the Sailfish Point realty office is eventually converted to a single family residence, that will make 531 residential lots. However, CIAC already has been paid for that property, so conversion to a single family residence will not result in additional CIAC payments.

5. Your fifth inquiry relates to the following matters:

a. Regarding the profit and loss statement attached as Exhibit 3.5 of the Stock Purchase Agreement (Exhibit pages 54-55), the \$2,915,361.00 charge to Depreciation Expense was recorded on the shareholder Books of Account of Sailfish Point Utility Corporation (SPUC) in December, 1994, in anticipation of an imminent settlement and transfer of utility assets to the Sailfish Point Property Owners and County Club Association, Inc. (The settlement did not actually occur until 1996, and is currently on appeal by a group of dissident residents.) SPUC's parent company chose to "write down" the value of the assets at that time to reflect the conservative value of the assets to the company and its parent considering the expected conveyance and the expected revenue (\$1.00). It should be noted that the additional depreciation expense (write down of assets) was not included in either the 1994 Consolidated Federal Income Tax Return or the 1994 or subsequent Annual Reports filed with the Florida Public Service Commission. The Journal Entry for the write down was prepared at Corporate headquarters and is not readily available. If you still need a copy, please let us know and we will request that a search of corporate records at the headquarters office be made.

b. There are no workpapers that illustrate an accounting for the relative consideration and investment levels of the acquiring and selling companies (see Exhibit "D", page 75).

c. Mr. Gatlin will provide the response relating to workpapers for the transferee.

Finally, enclosed herewith as Composite Exhibit "K", "L" and "M" is the affidavit regarding service of the notice of application and the proof of publication of the notice.

If I can be of any further assistance, please let me know.

Sincerely yours,



Ben E. Girtman

Encls: cc w/encls

Hal R. Bradford, Esq.  
B. Kenneth Gatlin, Esq.  
James Krivok, Esq.  
Mr. Frank Seidman



METHOD OF COMPUTATION  
OF THE ACTUAL HOOK-UP FEE COMPONENT  
OF THE PURCHASE PRICE

[Please see section 4.b. of the attached letter.]

The actual dollar value of the anticipated hook-up fees to be conveyed to Sailfish Point, Inc. will be determined in accordance with the Stock Purchase Agreement. (See paragraphs 1.1(g), 1.1(i), 2.3, 2.4 and 2.5 on Exhibit pages 3 and 5 attached to the Application for Transfer.)

Paragraph 2.3 (on page 4 of the Exhibits) provides that the hook-up fee component of the purchase price is that amount of money which is equal to 58 percent of all hook-up fees potentially to be received by the utility from the Effective Date until all lots and units at Sailfish Point have been connected. The effective date is defined in paragraph 1.1(i) as the date on which the Stock Purchase Agreement was executed by the last of the parties to execute it. Therefore, the signature page indicates that the Effective Date was July 30, 1996.

Paragraphs 2.3, 2.4 and 2.5 provide various terms and conditions for computing the hook-up fee component of the purchase price. The maximum amount is 58 percent of the applicable hook-up fees for all possible hook-ups occurring on or after July 30, 1996. The timing and amount of the actual payments is computed as follows.

Paragraph 2.4 (on page 4 of the Exhibits) provides that, prior to closing, Seller will continue to receive the hook-up fees.

Paragraph 1.1(g) provides that the Closing Date shall be not more than ten days after the last of the following actions occurs: (i) written order of the PSC approving the transfer has become final and not subject to appeal; (ii) Court approval of the Settlement Agreement; or (iii) expiration of the inspection period provided in Paragraph 10.1; or, (iv) deficiencies identified have been waived or cured.

After closing, and until the hook-up fees have been increased as provided in paragraph 2.5, payments to Seller shall be made in the amount of \$3,600 for each lot for which hook-up fees have been received. (See para. 2.4.)

Paragraph 2.5 provides that, after the transfer is complete and the utility becomes exempt, the utility will increase the hook-

Mr. N.D. Walker  
March 17, 1997  
Page 6

up fees to \$3,000 for water and \$3,000 for wastewater, per lot. After the hook-up fees have been increased, payments to the Seller shall be in the amount of \$4,500 for each lot. Payments of the hook-up fee component of the purchase price shall terminate whenever the cumulative hook-up fee component payments made to Seller equal 58 percent of the potential hook-up fees. (See para. 2.4.)

Paragraph 2.4 also provides a schedule for payments if the full hook-up fee component is not completed within four years after the Effective Date, limited to 58 percent of the potential hook-ups as of July 30, 1996.

Therefore, the hook-up fee component of the purchase price cannot exceed 58 percent of the remaining hook-ups made or which could be made on or after July 30, 1996, computed at \$6,000 per lot. In fact, the amount will be less than that because the fee for each hook-up will not be increased until after the transfer is approved. Even though the payment schedule per hook-up eventually rises to \$4,500 (exceeding 58 percent for the hook-up), the transferee's obligation to make payments terminates when payments have been made equalling 58 percent of the lots available for hook-up on or after July 30, 1996.

We won't know how much the actual hook-up fee component will be until each of the events has occurred, primarily the date upon which the closing occurs and the date when the hook-up fees are increased.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 970076-WS  
Application for Transfer of  
Sailfish Point Utility Corporation,  
Its Assets and Its Operating Authority  
to the  
Sailfish Point Property Owners  
and Country Club Association, Inc.

LIST OF ATTACHMENTS

- Composite Exhibit K, L, and M  
Affidavit, Notice, and Proof of Publication of Notice.
- Exhibit P  
Original Water and Sewer Certificates
- Exhibit S  
Evidence that the Utility Owns the Land Where the Treatment  
Facilities are Located



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 970076-WS  
Application for Transfer of  
Sailfish Point Utility Corporation,  
Its Assets and Its Operating Authority  
to the  
Sailfish Point Property Owners  
and Country Club Association, Inc.

COMPOSITE EXHIBIT K, L, M

AFFIDAVIT, NOTICE, AND PROOF OF PUBLICATION OF NOTICE

The original, green return receipt cards have been filed with the Clerk of the Florida Public Service Commission.

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Application for Transfer  
of Sailfish Point Utility Corporation,  
the Utility Assets and  
Certificates 394-W and 335-S  
from Sailfish Point, Inc. to  
Sailfish Point Service Corporation,  
in Martin County. \_\_\_\_\_/

DOCKET NO. 970076-WS

AFFIDAVIT

State of Florida  
County of Martin

COMES NOW Affiant, Norman D. Peel, who, by me being first duly sworn, deposes and says:


1. This affidavit is given pursuant to Part III, paragraphs A), B) and C) of the application for transfer of Sailfish Point Utility Corporation, its assets and its certificate numbers 394-W and 335-S to the Sailfish Point Service Corporation, and is to certify that on January 22, 1997, the following actions were taken in regard to the notice.

2. As required by Part III, paragraph A), Notice of the application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by mail to the following: 1) the governing body of the municipality, county, or counties in which the system or the territory proposed to be served is located; 2) the privately owned water and wastewater utilities that hold a certificate granted by the Florida Public Service Commission and that are located within the county in which the utility or the territory proposed to be served is located; 3) if any portion of the proposed territory is within one mile of a county boundary, the utility provided notice to the privately owned utilities located in the bordering counties and holding a certificate granted by the Commission; 4) the regional planning council; 5) the Office of Public Counsel; 6) the Commission's Director of Records and Reporting; 7) the appropriate regional office of the Department of Environmental Protection; and 8) the appropriate water management district. A copy of the Notice is included herewith as Attachment "A". A list of the entities noticed is included as Attachment "B"1, and the original, green return receipt cards showing receipt of the notice by the entities listed in Attachment "B"1 is included as Attachment "B"2.

3. As required by Part III, paragraph B), and pursuant to Rule 25-30.030, Florida Administrative Code, a copy of the Notice of application included herewith as Attachment "A" was sent by regular mail to each customer of the system being transferred.

4. As required by Part III, paragraph C), and pursuant to Rule 25-30.030, Florida Administrative Code, the attached Notice of application was published in *The Stuart News* and *The Port St. Lucie News* (an edition of *The Stuart News*), a newspaper of general circulation in the territory being served. Its original proof of publication is included herewith as Attachment "C".

FURTHER AFFIANT SAYETH NOT.



(Title) Vice President, Sailfish Point, Inc.

SWORN TO AND SUBSCRIBED before me this 12 day of March, 1997.



Notary Public  
Commonwealth of Virginia  
State of ~~Florida~~ Virginia

Seal:

My Commission Expires: 10/31/97

NOTICE OF JOINT APPLICATION FOR TRANSFER OF  
MAJORITY ORGANIZATIONAL CONTROL AND TRANSFER OF  
WATER AND WASTEWATER CERTIFICATES AND FACILITIES  
PURSUANT TO SECTION 367.071, FLORIDA STATUTES

LEGAL NOTICE

Notice is hereby given on January 22, 1997, pursuant to Section 367.071, Florida Statutes, of the joint application for transfer of Sailfish Point Utility Corporation, its assets and its Water Certificate No. 394-W and Wastewater Certificate No. 335-S to the Sailfish Point Service Corporation, to provide water and wastewater services to the following described territory in Martin County, Florida, in the following portions of fractional Sections 8, 9, 16 and 17, Township 38 South, Range 42 East:

Sections 8 and 9

The south 3,000 feet of Section 8 lying on Hutchinson Island between the Indian River on the west and the Atlantic Ocean on the east, and that portion of Section 9 lying on Hutchinson Island, west of the Atlantic Ocean.

Sections 16 and 17

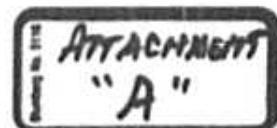
All of Sections 16 and 17 lying on Hutchinson Island between the Indian River on the west, the Atlantic Ocean on the east and the St. Lucie Inlet on the south.

The transferor is Sailfish Point, Inc., c/o Sailfish Point Utility Corporation, 6929 S.E. South Marina Way, Stuart, Florida 34996. The transferee is Sailfish Point Service Corporation, a not-for-profit wholly owned subsidiary of the Sailfish Point Property Owners' and Country Club Association, Inc., 2201 S.E. Sailfish Point Blvd., Stuart, Florida 34996.

Any objection to the Application must be made in writing and filed with the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399, within thirty (30) days from the date hereof. A copy of said objection should be mailed to the attorneys for both applicants at:

Ben E. Girtman, Esq.  
1020 East Lafayette Street  
Suite 207  
Tallahassee, Florida 32301  
Attorney for Transferor

B. Kenneth Gatlin, Esq.  
Gatlin, Schiefelbein & Cowdery, P.A.  
1709-D Mahan Drive  
Tallahassee, Florida 32308  
Attorney for Transferee



LIST OF WATER AND WASTEWATER UTILITIES IN MARTIN COUNTY

(VALID FOR 60 DAYS)  
01/16/1997-03/16/1997

UTILITY NAME

MANAGER

MARTIN COUNTY

FISHERMAN'S COVE STUART, INC. (WS073)  
P. O. BOX 1830  
STUART, FL 34995-1830

ARTHUR G. QUINN, JR.  
(407) 287-5406

HOBE SOUND WATER COMPANY (WU108)  
P. O. BOX 68  
HOBE SOUND, FL 33475-0068

MICHAEL A. CARFONE  
(407) 545-2511

HYDRATECH UTILITIES, INC. (WS115)  
6570 SOUTHEAST FEDERAL HIGHWAY  
STUART, FL 34997-8383

GERALD BOBO  
(407) 286-3300

INSCO, INC. (WS116)  
P. O. BOX 365  
JENSEN BEACH, FL 34958-0365

ROBERT COY  
(407) 334-6166

INDIANTOWN COMPANY, INC. (WS120)  
P. O. BOX 397  
INDIANTOWN, FL 34956-0397

ROBERT M. POST, JR.  
(407) 597-3113

LANIGER ENTERPRISES OF AMERICA, INC. (WS617)  
1662 N.E. DIXIE HIGHWAY  
JENSEN BEACH, FL 34957-6350

REGINALD J. BURGE  
(407) 334-3433

MILES GRANT WATER & SEWER CO. (UTILITIES INC. OF FLORIDA) (WS433)  
200 WEATHERSFIELD AVENUE  
ALAMONTI SPRINGS, FL 32714-4099

DON RASMUSSEN  
(407) 869-1919

PLANTATION UTILITIES (RADNOR/PLANTATION CORPORATION D/B/A) (WS436)  
1 IRP REALTY  
555 N.E. OCEAN BLVD.  
STUART, FL 34996 1692

STEPHEN H. OSBURN  
(407) 334-5778

SAILFISH POINT UTILITY CORPORATION (WS708)  
GARDENS PLAZA  
3300 P.G.A. BLVD., SUITE 900  
PALM BEACH GARDENS, FL 33410-2811

STEVE SHORE  
(407) 622-7550

SOUTHERN STATES UTILITIES, INC. (WS231)  
1000 COLOR PLACE  
APUPKA, FL 32703-7753

BRIAN P. ARMSTRONG  
(407) 880-0058



LIST OF WATER AND WASTEWATER UTILITIES IN MARTIN COUNTY

(VALID FOR 60 DAYS)  
01/16/1997-03/16/1997

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CITY OF STUART  
121 S.W. FLAGLER AVE.  
STUART, FL 34994-2139

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS, MARTIN COUNTY  
2401 S.E. MUNIEREY ROAD  
STUART, FL 34996-3397

DEP SOUTHEAST DISTRICT  
400 NORTH CONGRESS AVENUE  
WEST PALM BEACH, FL 33401

MAYOR, TOWN OF JUPITER ISLAND  
P. O. BOX 7  
FORE SOUND, FL 33475-0007

MAYOR, TOWN OF OCEAN BREEZE PARK  
P. O. BOX 846  
JENSEN BEACH, FL 34958-0846

MAYOR, TOWN OF SEWALL'S POINT  
1 SOUTH SEWALL'S POINT ROAD  
STUART, FL 34996-6730

SO. FLORIDA WATER MANAGEMENT DISTRICT  
P.O. BOX 24683  
WEST PALM BEACH, FL 33416-4680

TREASURE COAST REGIONAL PLAN. COUNCIL  
P.O. BOX 1529  
PALM CITY, FL 33491

LIST OF WATER AND WASTEWATER UTILITIES IN MARTIN COUNTY

(VALID FOR 60 DAYS)  
01/16/1997-03/16/1997

UTILITY NAME

MANAGER

STATE OFFICIALS

STAFF OF FLORIDA PUBLIC COUNSEL  
C/O THE HOUSE OF REPRESENTATIVES  
THE CAPITOL  
TALLAHASSEE, FL 32399-1300

DIVISION OF RECORDS AND REPORTING  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 SHIRAZ OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850





# The Stuart News and The Port St. Lucie News

(an edition of The Stuart News)

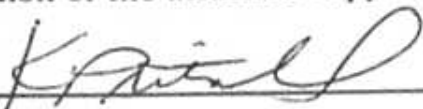
STATE OF FLORIDA  
COUNTY OF MARTIN; COUNTY OF ST. LUCIE:

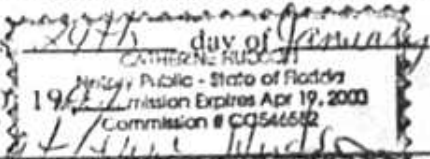
Before the undersigned authority appeared KATHLEEN N. PRITCHARD who on oath says that he/she ACCOUNTS RECEIVABLE MANAGER of The Stuart News, and The Port St. Lucie News, a daily newspaper Published at Stuart in Martin County, Florida, that the attached copy of advertisement, being a \_\_\_\_\_

LEGAL NOTICE  
in the matter of \_\_\_\_\_  
SAILFISH POINT UTILITY CORPORATION

in the \_\_\_\_\_ Court, was Published in The Stuart News and The Port St. Lucie News in the issues of \_\_\_\_\_  
JAN. 22, 1997

Affiant further says that the said The Stuart News and The Port St. Lucie News is a newspaper published at Stuart, in said Martin County, Florida with offices and paid circulation in Martin County, Florida, and St. Lucie County, Florida and that the said newspapers have heretofore been continuously published in said Martin County, Florida and distributed in Martin County, Florida and St. Lucie County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The Stuart News has been entered as second class matter at the post office in Stuart, Martin County, Florida, and Ft. Pierce, St. Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.



Sworn to and subscribed before me  
this 20th day of January  
A.D. 1997  
  
(Seal) \_\_\_\_\_ Notary Public

NOTICE OF JOINT APPLICATION FOR TRANSFER OF MAJORITY ORGANIZATIONAL CONTROL AND TRANSFER OF WATER AND WASTEWATER CERTIFICATES AND FACILITIES PURSUANT TO SECTION 367.071, FLORIDA STATUTES

LEGAL NOTICE

Notice is hereby given on January 22, 1997, pursuant to Section 367.071, Florida Statutes, of the joint application for transfer of Sailfish Point Utility Corporation, its assets and its Water Certificate No. 294.W and Wastewater Certificate No. 335.S to the Sailfish Point Service Corporation, to provide water and wastewater services to the following described territory in Martin County, Florida, in the following portions of fractional Sections 8, 9, 16 and 17, Township 38 South Range 42 East:

Sections 8 and 9  
The south 2,000 feet of Section 8 lying on Hutchinson Island between the Indian River on the west and the Atlantic Ocean on the east, and that portion of Section 9 lying on Hutchinson Island, west of the Atlantic Ocean

Sections 16 and 17  
All of Sections 16 and 17 lying on Hutchinson Island between the Indian River on the west, the Atlantic Ocean on the east and the St. Lucie Inlet on the south.

The transferor is Sailfish Point, Inc., c/o Sailfish Point Utility Corporation, 6929 SE South Marina Way, Stuart, Florida 34996. The transferee is Sailfish Point Service Corporation, a not-for-profit wholly owned subsidiary of the Sailfish Point Property Owners' and Country Club Association, Inc., 201 SE Sailfish Point Blvd., Stuart, Florida 34996.

Any objection to the Application must be made in writing and filed with the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399, within thirty (30) days from the date hereon. A copy of said objection should be mailed to the attorneys for both applicants at:

Ben E. Gorman, Esq.  
1020 East Lafayette Street  
Suite 207  
Tallahassee, Florida 32301  
Attorney for Transferor

B. Kenneth Gattin, Esq.  
Gattin, Schaeferlein  
& Cowdry, P.A.  
1709 D Mahan Drive  
Tallahassee, Florida 32308  
Attorney for Transferee

Pub. Jan. 22, 1997



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 970076-WS  
Application for Transfer of  
Sailfish Point Utility Corporation,  
Its Assets and Its Operating Authority  
to the  
Sailfish Point Property Owners  
and Country Club Association, Inc.

EXHIBIT P

ORIGINAL WATER AND SEWER CERTIFICATES

The original water and sewer certificates have been filed with the Clerk of the Florida Public Service Commission.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 970076-WS  
Application for Transfer of  
Sailfish Point Utility Corporation,  
Its Assets and Its Operating Authority  
to the  
Sailfish Point Property Owners  
and Country Club Association, Inc.

EXHIBIT S

EVIDENCE THAT THE UTILITY OWNS THE LAND  
WHERE THE TREATMENT FACILITIES ARE LOCATED

1. Attached is a copy of the recorded special warranty deed whereby the two parcels of utility land were temporarily transferred to Westerra Sailfish Point, L.P.

Also attached is a copy of the recorded quit-claim deed whereby all real property of the utility in Martin County was transferred to Westerra Sailfish Point, L.P. The quit-claim deed was merely a closing formality with Westerra, because Sailfish Point Utility Corporation did not, and does not, own any other real property in Martin County. The only two parcels are shown by Exhibit A to the warranty deed referenced above.

2. Attached is a draft copy of the special warranty deed whereby Westerra Sailfish Point, L.P. will transfer the land to the POA's service corporation.



**EXHIBIT "A"****PARCEL #1:**

Parcel C-1, PLAT NO. 1A, SAILFISH POINT P.U.D., according to the plat thereof, recorded in Plat Book 8, page 47, less and except that portion replatted as Plat No. 1D - Sailfish Point P.U.D., per plat recorded in Plat Book 13, page 20.

**PARCEL #2: (Effluent Tank)**

A parcel of land lying in fractional Section 8, Township 38 South, Range 42 East, also lying within Golf Course Parcel Number "I" as shown on PLAT NO. 6 SAILFISH POINT P.U.D., recorded in Plat Book 8, page 90, of the Public Records of Martin County, Florida; being more particularly described as follows:

From the Southeast corner of said fractional Section 8, bear N 88°57'00" W, along the South line of said fractional Section 8, a distance of 1463.29 feet; thence N 1°03'00" E, a distance of 1610.88 feet to the Point of Beginning of the herein described parcel of land; thence N 23°45'36" W, a distance of 217.00 feet; thence N 66°14'24" E, a distance of 197.26 feet; thence S 23°45'36" E, a distance of 217.00 feet; thence S 66°14'24" W, a distance of 197.26 feet to the Point of Beginning of the herein described parcel of land, Together with a perpetual easement for access over the other Golf Course Parcels.

Prepared by: David L. London Esq.  
Latham & Watkins  
1001 Pennsylvania Ave NW  
Washington, D.C. 20004

Folio No. \_\_\_\_\_  
Grantee(s) Tax Identification No.:  
BACKUP DEED

**QUIT-CLAIM DEED**

**THIS INDENTURE**, made this 26<sup>th</sup> day of November, 1996, between SAILFISH POINT UTILITY CORPORATION, a Delaware corporation, qualified to do business in the State of Florida, party of the first party, whose address is 3300 P.G.A. Boulevard, Suite 900, Palm Beach Gardens, Florida 33410, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, receipt whereof is hereby acknowledged, do hereby remise, release and quit-claim unto WESTERRA SAILFISH POINT, L.P., a Delaware limited partnership, party of the second part, whose address is c/o Westbrook Real Estate Partners, L.L.C., 13155 Noel Road, LB 54, Suite 2300, Dallas, Texas 75240, its successors and assigns forever, all of the right, title and interest of party of the first part in and to all property situated in Martin County, Florida.

**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**, party of the first part have hereunto set their hands and seals this 26<sup>th</sup> day of November, 1996.

Signed, sealed and delivered in the presence of:

SAILFISH POINT UTILITY CORPORATION

[Signature]  
Printed Name of Witness:

By: William D. Deihl  
William D. Deihl, Chairman

[Signature]  
Printed Name of Witness:

Attest: [Signature]  
Norman D. Peel  
Assistant Secretary

STATE OF NEW YORK )  
                                  )  
COUNTY OF New York ) ss:

**I HEREBY CERTIFY**, that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared William D. Deihl and Norman D. Peel, respectively, Chairman and Assistant Secretary of the SAILFISH POINT UTILITY CORPORATION, a Delaware corporation, qualified to do business in the State of Florida, and they acknowledged before me that they executed the foregoing instrument in the name of an don behalf of said corporation, affixing the corporate seal of said corporation thereto; that, as such corporate officer, they are duly authorized by said corporation to do so; and that the foregoing instrument is the act and deed of said corporation.

WITNESS my hand and official seal in the County and State aforesaid, this 26<sup>th</sup> day of November, 1996.

Mimi C. Mairs  
NOTARY PUBLIC, State of New York, at Large

My Commission Expires: 5/30/97

MIMI C. MAIRS  
Notary Public, State of New York  
Qualified in Albany County  
No. 01MAS044801  
Commission Expires 5/30/97



**DRAFT**

**SPECIAL WARRANTY DEED**

**THIS INDENTURE**, made this \_\_\_\_\_ day of \_\_\_\_\_, 1997, between WESTERRA SAILFISH POINT, L.P., a Delaware limited partnership, qualified to do business in the State of Florida, whose post office address is 3300 P.G.A. Boulevard, Suite 900, Palm Beach Gardens, Florida 33410, "Grantor," and SAILFISH POINT SERVICE CORPORATION, a \_\_\_\_\_ corporation, whose post office address is c/o Sailfish Point Property Owners' and Country Club Association, Inc., 2201 S.E. Sailfish Point Blvd., Stuart, Florida 34996, "Grantee."

**WITNESSETH** that said Grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's successors and assigns forever, the following described land, situate, lying and being in Martin County, Florida, to wit:

**See Exhibit "A" attached hereto for the Legal Description.**

Subject to all matters of record, as of the date hereof.

To have and to hold the same in fee simple forever. And said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever, claiming by, through or under the Grantor.

**IN WITNESS WHEREOF**, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Witnesses:

WESTERRA SAILFISH POINT, L.P.  
By: Westerra Management, L.L.C.  
Authorized Representative

\_\_\_\_\_  
Printed Name of Witness:

By: \_\_\_\_\_  
Dowdell Brown, Vice President

\_\_\_\_\_  
Printed Name of Witness:

Attest: \_\_\_\_\_  
Ruth G. Domb  
Assistant Secretary

STATE OF FLORIDA            )  
  ) ss:  
COUNTY OF PALM BEACH    )

**I HEREBY CERTIFY**, that on this day, before me, an officer duly authorized to take acknowledgments, personally appeared Dowdell Brown and Ruth G. Domb, who are personally known to me and did not take an oath.

**WITNESS** my hand and official seal in the County and State aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
NOTARY PUBLIC

**DRAFT**

**EXHIBIT "A"****PARCEL #1:**

Parcel C-1, PLAT NO. 1A, SAILFISH POINT P.U.D., according to the plat thereof, recorded in Plat Book 8, page 47, less and except that portion replatted as Plat No. 1D - Sailfish Point P.U.D., per plat recorded in Plat Book 13, page 20.

**PARCEL #2: (Effluent Tank)**

A parcel of land lying in fractional Section 8, Township 38 South, Range 42 East, also lying within Golf Course Parcel Number "I" as shown on PLAT NO. 6 SAILFISH POINT P.U.D., recorded in Plat Book 8, page 90, of the Public Records of Martin County, Florida; being more particularly described as follows:

From the Southeast corner of said fractional Section 8, bear N 88°57'00" W, along the South line of said fractional Section 8, a distance of 1463.29 feet; thence N 1°03'00" E, a distance of 1610.88 feet to the Point of Beginning of the herein described parcel of land; thence N 23°45'36" W, a distance of 217.00 feet; thence N 66°14'24" E, a distance of 197.26 feet; thence S 23°45'36" E, a distance of 217.00 feet; thence S 66°14'24" W, a distance of 197.26 feet to the Point of Beginning of the herein described parcel of land, Together with a perpetual easement for access over the other Golf Course Parcels.

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 970076-WS  
Application for Transfer of  
Sailfish Point Utility Corporation,  
Its Assets and Its Operating Authority  
to the  
Sailfish Point Property Owners  
and Country Club Association, Inc.

COMPOSITE EXHIBIT K, L, M

AFFIDAVIT, NOTICE, AND PROOF OF PUBLICATION OF NOTICE

The original, green return receipt cards have been filed with the Clerk of the Florida Public Service Commission.

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Application for Transfer  
of Sailfish Point Utility Corporation,  
the Utility Assets and  
Certificates 394-W and 335-S  
from Sailfish Point, Inc. to  
Sailfish Point Service Corporation,  
in Martin County.

DOCKET NO. 970076-WS

AFFIDAVIT

State of Florida  
County of Martin

COMES NOW Affiant, Norman D. Peel, who, by me being first duly sworn, deposes and says:

1. This affidavit is given pursuant to Part III, paragraphs A), B) and C) of the application for transfer of Sailfish Point Utility Corporation, its assets and its certificate numbers 394-W and 335-S to the Sailfish Point Service Corporation, and is to certify that on January 22, 1997, the following actions were taken in regard to the notice.

2. As required by Part III, paragraph A), Notice of the application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by mail to the following: 1) the governing body of the municipality, county, or counties in which the system or the territory proposed to be served is located; 2) the privately owned water and wastewater utilities that hold a certificate granted by the Florida Public Service Commission and that are located within the county in which the utility or the territory proposed to be served is located; 3) if any portion of the proposed territory is within one mile of a county boundary, the utility provided notice to the privately owned utilities located in the bordering counties and holding a certificate granted by the Commission; 4) the regional planning council; 5) the Office of Public Counsel; 6) the Commission's Director of Records and Reporting; 7) the appropriate regional office of the Department of Environmental Protection; and 8) the appropriate water management district. A copy of the Notice is included herewith as Attachment "A". A list of the entities noticed is included as Attachment "B1", and the original, green return receipt cards showing receipt of the notice by the entities listed in Attachment "B1" is included as Attachment "B2".

3. As required by Part III, paragraph B), and pursuant to Rule 25-30.030, Florida Administrative Code, a copy of the Notice of application included herewith as Attachment "A" was sent by regular mail to each customer of the system being transferred.


4. As required by Part III, paragraph C), and pursuant to Rule 25-30.030, Florida Administrative Code, the attached Notice of application was published in *The Stuart News* and *The Port St. Lucie News* (an edition of *The Stuart News*), a newspaper of general circulation in the territory being served. Its original proof of publication is included herewith as Attachment "C".

FURTHER AFFIANT SAYETH NOT.



(Title) Vice President, Sailfish Point, Inc.

SWORN TO AND SUBSCRIBED before me this 12 day of March, 1997.



Notary Public  
State of ~~Florida~~ Virginia

Seal:

My Commission Expires: 10/31/97

NOTICE OF JOINT APPLICATION FOR TRANSFER OF  
MAJORITY ORGANIZATIONAL CONTROL AND TRANSFER OF  
WATER AND WASTEWATER CERTIFICATES AND FACILITIES  
PURSUANT TO SECTION 367.071, FLORIDA STATUTES

LEGAL NOTICE

Notice is hereby given on January 22, 1997, pursuant to Section 367.071, Florida Statutes, of the joint application for transfer of Sailfish Point Utility Corporation, its assets and its Water Certificate No. 394-W and Wastewater Certificate No. 335-S to the Sailfish Point Service Corporation, to provide water and wastewater services to the following described territory in Martin County, Florida, in the following portions of fractional Sections 8, 9, 16 and 17, Township 38 South, Range 42 East:

Sections 8 and 9

The south 3,000 feet of Section 8 lying on Hutchinson Island between the Indian River on the west and the Atlantic Ocean on the east, and that portion of Section 9 lying on Hutchinson Island, west of the Atlantic Ocean.

Sections 16 and 17

All of Sections 16 and 17 lying on Hutchinson Island between the Indian River on the west, the Atlantic Ocean on the east and the St. Lucie Inlet on the south.

The transferor is Sailfish Point, Inc., c/o Sailfish Point Utility Corporation, 6929 S.E. South Marina Way, Stuart, Florida 34996. The transferee is Sailfish Point Service Corporation, a not-for-profit wholly owned subsidiary of the Sailfish Point Property Owners' and Country Club Association, Inc., 2201 S.E. Sailfish Point Blvd., Stuart, Florida 34996.

Any objection to the Application must be made in writing and filed with the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399, within thirty (30) days from the date hereof. A copy of said objection should be mailed to the attorneys for both applicants at:

Ben E. Girtman, Esq.  
1020 East Lafayette Street  
Suite 207  
Tallahassee, Florida 32301  
Attorney for Transferor

B. Kenneth Gatlin, Esq.  
Gatlin, Schiefelbein & Cowdery, P.A.  
1709-D Mahan Drive  
Tallahassee, Florida 32308  
Attorney for Transferee



LIST OF WATER AND WASTEWATER UTILITIES IN MARTIN COUNTY

(VALID FOR 60 DAYS)  
01/16/1997-03/16/1997

UTILITY NAME

MANAGER

MARTIN COUNTY

FISHERMAN'S COVE OF STUART, INC. (WS073)  
P.O. BOX 1830  
STUART, FL 34955-1830

ARTHUR G. QUINN, JR.  
(407) 287-5405

HOGUE SOUND WATER COMPANY (WU108)  
P. O. BOX 68  
HOGUE SOUND, FL 33475-0068

MICHAEL A. CARFINE  
(407) 546-2511

HYDRATECH UTILITIES, INC. (WS115)  
6570 SOUTHEAST FEDERAL HIGHWAY  
STUART, FL 34997-8383

GERALD BOBO  
(407) 286-3300

IBSCO, INC. (WS116)  
P. O. BOX 365  
JENSEN BEACH, FL 34958-0365

ROBERT COY  
(407) 334-6166

INDIANTOWN COMPANY, INC. (WS120)  
P. O. BOX 397  
INDIANTOWN, FL 34956-0397

ROBERT M. POST, JR.  
(407) 597-3113

LANIGER ENTERPRISES OF AMERICA, INC. (WS617)  
1662 N.E. DIXIE HIGHWAY  
JENSEN BEACH, FL 34957-6350

REGINALD J. BURGE  
(407) 334-3433

MILES GRANT WATER & SEWER CO. (UTILITIES INC. OF FLORIDA) (WS133)  
200 WEATHERSFIELD AVENUE  
ALTA MONTI SPRINGS, FL 32714-4099

DON RASMUSSEN  
(407) 069-1919

PLANTATION UTILITIES (RADNOR/PLANTATION CORPORATION D/B/A) (WS136)  
1 IRP REALTY  
555 N.E. OCEAN BLVD.  
STUART, FL 34996 1692

STEPHEN H. OSBURN  
(407) 334-5778

SAILFISH POINT UTILITY CORPORATION (WS208)  
GARDENS PLAZA  
3300 P.G.A. BLVD., SUITE 900  
PALM BEACH GARDENS, FL 33410-2811

STEVE SHORE  
(407) 622-7550

SOUTHERN STATES UTILITIES, INC. (WS231)  
1000 COLOR PLACE  
APOPKA, FL 32703-7753

BRIAN P. ARMSTRONG  
(407) 880-0058





LIST OF WATER AND WASTEWATER UTILITIES IN MARTIN COUNTY

(VALID FOR 60 DAYS)  
01/16/1997-03/16/1997

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

CITY OF STUART  
121 S.W. FLAGLER AVE.  
STUART, FL 34994-2139

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS, MARTIN COUNTY  
2401 S.E. MUNIEREY ROAD  
STUART, FL 34996-3397

DEP SOUTHEAST DISTRICT  
400 NORTH CONGRESS AVENUE  
WEST PALM BEACH, FL 33401

MAYOR, TOWN OF JUPITER ISLAND  
P. O. BOX 7  
HOBE SOUND, FL 33475-0007

MAYOR, TOWN OF OCEAN BREEZE PARK  
P. O. BOX 846  
JENSEN BEACH, FL 34958-0846

MAYOR, TOWN OF SEWALL'S POINT  
1 SOUTH SEWALL'S POINT ROAD  
STUART, FL 34996-6730

SO. FLORIDA WATER MANAGEMENT DISTRICT  
P.O. BOX 24680  
WEST PALM BEACH, FL 33416-4680

TREASURE COAST REGIONAL PLAN. COUNCIL  
P.O. BOX 1529  
PALM CITY, FL 33491

LIST OF WATER AND WASTEWATER UTILITIES IN MARTIN COUNTY

(VALID FOR 60 DAYS)  
01/16/1997-03/16/1997

UTILITY NAME

MANAGER

STATE OFFICIALS

STATE OF FLORIDA PUBLIC COUNSEL  
C/O THE HOUSE OF REPRESENTATIVES  
THE CAPITOL  
TALLAHASSEE, FL 32399-1300

DIVISION OF RECORDS AND REPORTING  
FLORIDA PUBLIC SERVICE COMMISSION  
2540 SHIRAZ OAK BOULEVARD  
TALLAHASSEE, FL 32399-0850

Is your RETURN ADDRESS completed on the reverse side? **1**

**SENDER:**  
 • Complete items 1 and/or 2 for additional services.  
 • Complete items 3, 4a, and 4b.  
 • Print your name and address on the reverse of this form so that we can return this card to you.  
 • Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 • Write "Return Receipt Requested" on the mailpiece below the article number.  
 • The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 Arthur G. Quinn, Jr.  
 Fisherman's Cove of Stuart, Inc.  
 P.O. Box 1830 (WS073)  
 Stuart, FL 34995-1830

4a. Article Number  
 P 146 947 983

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
 1-27-97

5. Received By: (Print Name)  
 Arthur G. Quinn, Jr.

6. Signature: (Addressee or Agent)  
 X *[Signature]*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side? **2**

**SENDER:**  
 • Complete items 1 and/or 2 for additional services.  
 • Complete items 3, 4a, and 4b.  
 • Print your name and address on the reverse of this form so that we can return this card to you.  
 • Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 • Write "Return Receipt Requested" on the mailpiece below the article number.  
 • The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 Michael A. Carfine  
 Hobe Sound Water Co. (WU108)  
 P.O. Box 68  
 Hobe Sound, FL 33475-0068

4a. Article Number  
 P 146 947 984

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
 1-24-97

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)  
 X *[Signature]*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side? **3**

**SENDER:**  
 • Complete items 1 and/or 2 for additional services.  
 • Complete items 3, 4a, and 4b.  
 • Print your name and address on the reverse of this form so that we can return this card to you.  
 • Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 • Write "Return Receipt Requested" on the mailpiece below the article number.  
 • The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 Gerald Bobo  
 Hydratech Utilities, Inc. (WS115)  
 6570 S.E. Federal Hwy.  
 Stuart, FL 34997-8383

4a. Article Number  
 P 146 947 985

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
 1/27

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)  
 X *[Signature]*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side? **4**

**SENDER:**  
 • Complete items 1 and/or 2 for additional services.  
 • Complete items 3, 4a, and 4b.  
 • Print your name and address on the reverse of this form so that we can return this card to you.  
 • Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 • Write "Return Receipt Requested" on the mailpiece below the article number.  
 • The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 Robert Coy  
 IBSCO, Inc. (WS116)  
 P.O. Box 365  
 Jensen Beach, FL 34968-0365

4a. Article Number  
 P 146 947 986

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)  
 X *[Signature]*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 Domestic Return Receipt

Thank you for using Return Receipt Service.

ATTACHMENT  
 "B2"

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
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- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Robert M. Post, Jr.  
Indiantown Company, Inc. (WS120)  
P.O. Box 397  
Indiantown, FL 34956-0397

4a. Article Number

P 146 947 987

4b. Service Type

- Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery

1-24-97

5. Received By: (Print Name)

*Marta*

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

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- Complete items 3, 4a, and 4b.
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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Regionald J. Berge  
Laniger Enterprises of America,  
Inc. (WS617)  
1662 N.E. Dixie Hwy.  
Jensen Beach, FL 34967-6350

4a. Article Number

P 146 947 988

4b. Service Type

- Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery

5. Received By: (Print Name)

*[Signature]*

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
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- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Don Rasmussen  
Miles Grant Water & Sewer C  
(Utilities Inc. of FL) (WS433)  
200 Weathersfield Ave.  
Altamonte Springs, FL 32714-4099

4a. Article Number

P 146 947 989

4b. Service Type

- Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery

1-27-97

5. Received By: (Print Name)

*[Signature]*

6. Signature: (Addressee or Agent)

X *Caray Jackson*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1.  Addressee's Address  
2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Stephen H. Osburn  
Plantation Utilities  
(Radnor/Plantation Corp.)  
D/B/A) (WS436)  
c/o IRP Realty  
655 N.E. Ocean Blvd.  
Stuart, FL 34996-1692

4a. Article Number

P 146 947 990

4b. Service Type

- Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery

1-27-97

5. Received By: (Print Name)

*A. Pelous*

6. Signature: (Addressee or Agent)

X *A. Pelous*

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**  
 • Complete items 1 and/or 2 for additional services.  
 • Complete items 3, 4a, and 4b.  
 • Print your name and address on the reverse of this form so that we can return this card to you.  
 • Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 • Write "Return Receipt Requested" on the mailpiece below the article number.  
 • The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 Brian P. Armstrong  
 Southern States Utilities, Inc.  
 1000 Color Place  
 Apopka, FL 32703-7753

4a. Article Number  
 P 146 947 991  
 4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD  
 7. Date of Delivery  
 1-24-97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)  
 X *Jose*

PS Form 3811, December 1994

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I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 City of Stuart  
 121 S.W. Flagler Ave.  
 Stuart, FL 34994-2139

4a. Article Number  
 P 146 947 992  
 4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD  
 7. Date of Delivery  
 1-27-97

5. Received By: (Print Name)  
*Shirley S Rhodes*

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)  
 X

PS Form 3811, December 1994

Domestic Return Receipt

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 • The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 Chairman  
 Board of County Commissioners,  
 Martin County  
 2401 S.E. Monterey Road  
 Stuart, FL 34996-3397

4a. Article Number  
 P 146 947 993  
 4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD  
 7. Date of Delivery  
 1-23-97

5. Received By: (Print Name)  
*SHIRLEY THORNER*

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)  
 X

PS Form 3811, December 1994

Domestic Return Receipt

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I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 DEP Southeast District  
 400 North Congress Avenue  
 West Palm Beach, FL 33401

4a. Article Number  
 P 146 947 994  
 4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD  
 7. Date of Delivery  
 1/28/97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)  
 X *Shirley*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

is your RETURN ADDRESS completed on the reverse side?

PS Form 3811



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• Attach this form to the front of the mailpiece, or on the back if space does not permit.  
• Write "Return Receipt Requested" on the mailpiece below the article number.  
• The Return Receipt will show to whom the article was delivered and the date delivered.

1.  Addressee's Address  
2.  Restricted Delivery  
Consult postmaster for fee.

3. Article Addressed to:  
Mayor, Town of Jupiter Island  
P.O. Box 7  
Hobe Sound, FL 33475-0007

4a. Article Number  
P 146 947 995

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
1-23-97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)  
X *[Signature]*

PS Form 3811, December 1994

Domestic Return Receipt

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• The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
1.  Addressee's Address  
2.  Restricted Delivery  
Consult postmaster for fee.

3. Article Addressed to:  
Mayor, Town of Ocean Breeze Park  
P.O. Box 846  
Jensen Beach, FL 34958-0846

4a. Article Number  
P 146 947 996

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)  
X *[Signature]*

PS Form 3811, December 1994

Domestic Return Receipt



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• The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
1.  Addressee's Address  
2.  Restricted Delivery  
Consult postmaster for fee.

3. Article Addressed to:  
Mayor, Town of Sewall's Point  
1 South Sewall's Point Road  
Stuart, FL 34996-6730

4a. Article Number  
P 146 947 997

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)  
X *[Signature]*

PS Form 3811, December 1994

Domestic Return Receipt

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I also wish to receive the following services (for an extra fee):  
1.  Addressee's Address  
2.  Restricted Delivery  
Consult postmaster for fee.

3. Article Addressed to:  
So. Florida Water Management  
District  
P.O. Box 24680  
West Palm Beach, FL 33416-4680

4a. Article Number  
P 146 947 998

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
JAN 24 1997

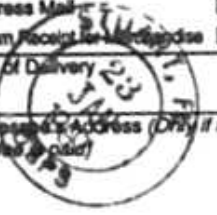
5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)  
X *[Signature]*

PS Form 3811, December 1994

Domestic Return Receipt





**SENDER:**  
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 \*Complete items 3, 4a, and 4b.  
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 \*Write "Return Receipt Requested" on the mailpiece below the article number.  
 \*The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

1. Article Addressed to:  
 Treasure Coast Regional Planning Council  
 P.O. Box 1529  
 Palm City, FL 33491

4a. Article Number  
 P 146 947 999

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
 2/4/97

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)  
 X *[Signature]*

PS Form 3811, December 1994 Domestic Return Receipt 17

Thank you for using Return Receipt Service. Is your RETURN ADDRESS completed on the reverse side?

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 \*The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 Division of Records and Reporting  
 Florida Public Service Comm.  
 2540 Shumard Oak Blvd.  
 Tallahassee, FL 32399-0850

4a. Article Number  
 P 146 947 877

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
 JAN 27 1997

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)  
 X *[Signature]*

PS Form 3811, December 1994 Domestic Return Receipt 18

Thank you for using Return Receipt Service.

**SENDER:**  
 \*Complete items 1 and/or 2 for additional services.  
 \*Complete items 3, 4a, and 4b.  
 \*Print your name and address on the reverse of this form so that we can return this card to you.  
 \*Attach this form to the front of the mailpiece, or on the back if space does not permit.  
 \*Write "Return Receipt Requested" on the mailpiece below the article number.  
 \*The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):  
 1.  Addressee's Address  
 2.  Restricted Delivery  
 Consult postmaster for fee.

3. Article Addressed to:  
 State of Florida Public Counsel  
 c/o The House of Representatives  
 The Capitol  
 Tallahassee, FL 32399-1300

4a. Article Number  
 P 146 947 876

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
 JAN 24 1997

5. Received By: (Print Name)  
 Fann

6. Signature: (Addressee or Agent)  
 X *[Signature]*

PS Form 3811, December 1994 Domestic Return Receipt 19

Thank you for using Return Receipt Service.

Page 5 of 5.



# The Stuart News and The Port St. Lucie News

(an edition of The Stuart News)

STATE OF FLORIDA  
COUNTY OF MARTIN; COUNTY OF ST. LUCIE:

Before the undersigned authority appeared KATHLEEN N. PRITCHARD who on oath says that he/she ACCOUNTS RECEIVABLE MANAGER of The Stuart News, and The Port St. Lucie News, a daily newspaper Published at Stuart in Martin County, Florida, that the attached copy of advertisement, being a \_\_\_\_\_

LEGAL NOTICE

in the matter of \_\_\_\_\_  
SAILFISH POINT UTILITY CORPORATION

in the \_\_\_\_\_ Court, was Published in The Stuart News and The Port St. Lucie News in the issues of \_\_\_\_\_  
JAN. 22, 1997

Affiant further says that the said The Stuart News and The Port St. Lucie News is a newspaper published at Stuart, in said Martin County, Florida with offices and paid circulation in Martin County, Florida, and St. Lucie County, Florida and that the said newspapers have heretofore been continuously published in said Martin County, Florida and distributed in Martin County, Florida and St. Lucie County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper. The Stuart News has been entered as second class matter at the post office in Stuart, Martin County, Florida, and Ft. Pierce, St. Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.



Sworn to and subscribed before me

this 20th day of January  
A.D. 1997  
Catherine Rudecki  
(Seal) Notary Public  
Notary Public - State of Florida  
Commission Expires Apr 19, 2000  
Commission # CC546682



NOTICE OF JOINT APPLICATION FOR TRANSFER OF MAJORITY ORGANIZATIONAL CONTROL AND TRANSFER OF WATER AND WASTEWATER CERTIFICATES AND FACILITIES PURSUANT TO SECTION 367.071, FLORIDA STATUTES

LEGAL NOTICE

Notice is hereby given on January 22, 1997, pursuant to Section 367.071, Florida Statutes, of the joint application for transfer of Saffish Point Utility Corporation, its assets and its Water Certificate No. 394-W and Wastewater Certificate No. 335-S to the Saffish Point Service Corporation, to provide water and wastewater services to the following described territory in Martin County, Florida, in the following portions of Section 8, 9, 16 and 17, Township 38 South, Range 42 East:

Sections 8 and 9  
The south 3,000 feet of Section 8 lying on Hutchinson Island between the Indian River on the west and the Atlantic Ocean on the east, and that portion of Section 9 lying on Hutchinson Island, west of the Atlantic Ocean.

Sections 16 and 17  
All of Sections 16 and 17 lying on Hutchinson Island between the Indian River on the west, the Atlantic Ocean on the east and the St. Lucie Inlet on the south.

The transferor is Saffish Point, Inc., c/o Saffish Point Utility Corporation, 4929 SE South Marine Way, Stuart, Florida 34996. The transferee is Saffish Point Service Corporation, a not-for-profit wholly owned subsidiary of the Saffish Point Property Owners' and Country Club Association, Inc., 201 SE Saffish Point Blvd., Stuart, Florida 34996.

Any objection to the Application must be made in writing and filed with the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399, within thirty (30) days from the date hereon. A copy of said objection should be mailed to the attorneys for both applicants on:

Ben E. Graham, Esq.  
1020 East Lafayette Street  
Suite 307  
Tallahassee, Florida 32301  
Attorney for Transferor

B. Kenneth Gartin, Esq.  
Gartin, Schaeffer  
& Cooney, P.A.  
1709-Q Althaus Drive  
Tallahassee, Florida 32308  
Attorney for Transferee

Pub: Jan. 22, 1997