

# ORIGINAL

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(LICENSED IN TEXAS ONLY)

May 22, 2003

VIA HAND DELIVERY

Ms. Pat Brady  
Division of Regulatory Oversight  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RECEIVED-PPSC  
MAY 22 PM 4:13  
COMMISSION  
CLERK

Re: Service Management Systems, Inc.; PSC Docket No. 020091-WS  
Application for TMOC  
Our File No. 36082.01

Dear Pat:

Attached is a copy of the title insurance policy issued to Service Management Systems, Inc. on the utility owned plant sites serving the territory of Service Management Systems, Inc. This policy is for an amount equal to the book value of those lands.

I trust this provides you with the information you needed. Should you have any questions, please do not hesitate to contact me.

Sincerely,

ROSE, SUNDSTROM & BENTLEY, LLP



F. Marshall Deterding  
For The Firm

FMD\tms  
cc: Adrienne Vining, Esq.  
Blanca Bayo  
Robert Frazier, Jr., Esq.  
Marty Sadkin  
James Bates

indian\brady.ltr

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04628 MAY 22 8

PPSC-COMMISSION CLERK

100306374

**A.L.T.A. COMMITMENT  
CHICAGO TITLE INSURANCE COMPANY  
SCHEDULE A**

Office File Number

Effective Date

Commitment Number

May 16, 2003  
at 5:00 PM

1. Policy or Policies to be issued:

LOAN POLICY (10-17-92)  
with Florida Modifications  
Proposed Insured:  
TO BE AGREED UPON

\$95,760.00

2. The estate or interest in the land described or referred to in this Commitment and covered herein is fee simple, and title thereto is at the effective date hereof vested in:

SERVICE MANAGEMENT SYSTEMS, INC., a Florida corporation

3. The Land is described as follows:

Stage 1, Tract D, AQUARINA P.U.D. STAGE 1, TRACTS C&D, STAGE 2, TRACTS B, D, & H, STAGE 3, STAGE 4, TRACTS B, I, & X, STAGE 5, according to the plat thereof, as recorded in Plat Book 41, pages 88 through 92, Public Records of Brevard County Florida, together with the Sewer System, Water System and Reuse Irrigation System, as the same are defined in the Declaration of Covenants, Conditions and Restrictions for AQUARINA, as recorded in Official Records Book 2434, page 1145, Public Records of Brevard County, Florida, as amended, together with the easements and rights granted in Paragraph 7.7 and Section 8 of the Declaration.

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**A.L.T.A. COMMITMENT  
CHICAGO TITLE INSURANCE COMPANY  
SCHEDULE B - Section 1**

**Commitment Number**

I. The following are requirements to be complied with:

1. Instrument(s) necessary to create the estate or interest to be insured must be properly executed, delivered and duly filed for record.
  - a. Mortgage from SERVICE MANAGEMENT SYSTEMS, INC., a Florida corporation to Proposed Insured Owner, encumbering the land described in Schedule A. (NOTE: If the proposed mortgage is to be executed by an Officer other than a Chief Executive Officer, President or Vice President, a certified Resolution authorizing said Officer to sign on behalf of the corporation must be recorded).
  - b. Satisfactory evidence must be furnished showing that SERVICE MANAGEMENT SYSTEMS, INC. a corporation organized under the laws of Florida, is currently in good standing in that state.
2. Payment of the full consideration to, or for the account of, the grantors or mortgagors.
3. Payment of all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
4. Satisfactory evidence must be furnished from the Secretary or other Officer of the Association that all assessments against the land described in Schedule A (including, but not limited to, special assessments or payments due to others such as master associations), are paid in full to date.
5. Payment of real estate taxes and assessments for the year 2002.

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**A.L.T.A. COMMITMENT  
CHICAGO TITLE INSURANCE COMPANY  
SCHEDULE B - Section 2**

**Commitment Number**

- II. Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.
1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
  2. Standard Exceptions:
    - a. Rights or claims of parties in possession not shown by the Public Records.
    - b. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey and inspection of the premises.
    - c. Easements, or claims of easements, not shown by the Public Records.
    - d. Any lien, or right to a lien, for service, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
    - e. Taxes or special assessments which are not shown as existing liens by the Public Records.
    - f. Any claim that any portion of said lands are sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands and lands accreted to such lands.
    - g. Taxes and assessments for the year 2003 and subsequent years.
  3. Standard exceptions (b) and (c) may be removed from the policy when a satisfactory survey and surveyor's report and inspection of the premises is made.
  4. Standard exceptions (a) and (d) may be removed upon receipt of a satisfactory affidavit-indemnity from the party shown in title and in possession stating who is in possession of the lands and whether there are improvements being made at date of commitment or contemplated to commence prior to the date of closing which will not have been paid for in full prior to the closing.
  5. Terms, covenants, conditions, restrictions, easements, assessments and possible liens created by and set forth in the Declaration recorded in Official Records Book 2434, page 1145, together with Amendments filed in Official Records Book 2538, page 1313, Official Records Book 2538, page 1316, Official Records Book 2704, page 1553, Official Records Book 3160, page 1509, Official Records Book 3298, page 2217, Official Records Book 3449, page 264, Official Records Book 4276, page 458, and Proposed Seventh Amendment and Supplement to be recorded in the Public Records of Brevard County, Florida, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant(s): (a) is exempt under Chapter 42, Section 3607 of the United States Code; or (b) relates to handicap, but does not discriminate against handicapped persons.
  6. Articles of Incorporation of Aquarina Community Services Associated, Inc., filed in Official Records Book 2434, page 1190, Public Records of Brevard County, Florida.
  7. By-Laws of Aquarina Community Services Association, Inc., filed in Official Records Book 2434, page 1198, Public Records of Brevard County, Florida.
  8. Articles of Incorporation filed in Official Records Book 2434, page 1190, Official Records Book 4149, page 2245, and filed in Official Records Book 4149, page 2254, Public Records of Brevard County, Florida.

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CHICAGO TITLE INSURANCE COMPANY  
SCHEDULE B - Section 2

Commitment Number

9. Easement granted to American T.V. and Communications filed in Official Records Book 2472, page 234, Public Records of Brevard County, Florida.
10. Any lien arising under Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water system, sewer system, or gas system servicing the lands described herein.
11. Matters as set forth on the plat of AQUARINA P.U.D. STAGE 1, TRACTS C&D, STAGE 2, TRACTS B, D, & H, STAGE 3, STAGE 4, TRACTS B, I, & X, STAGE 5, as recorded in Plat Book 41, pages 88 through 92, Public Records of Brevard County Florida.
12. Water and Sewer Easement Agreement by and between JAMES C. MAYOZA, and SERVICE MANAGEMENT SYSTEMS, INC., d/b/a AQUARINA UTILITIES, filed in Official Records Book 4842, page 2639, Public Records of Brevard County, Florida.

2002 TAX INFORMATION:

Tax Parcel No. 29-38-36-Q0-1D are due.

05/20/03 ==== P R O P E R T Y I N Q U I R Y S C R E E N ==== PMI16SM1  
 PARCEL: 29 3836Q0 ID ACCT NO: 2959961 MILL CODE: 3400 10,05.16  
 SITE 0 0 MELBOURNE BCH, FL 32951 USE: 9170  
 OWNER'S NAME: WATER & SEWER SERVICE  
 SERVICE MANAGEMENT SYSTEMS INC  
 235 HAMMOCK SHORE DRIVE  
 MELBOURNE BCH FL 32951

PLAT BOOK PAGE: 41 - 0088  
 AQUARINA P.U.D. STAGE 1, TRACTS C  
 & D, STAGE 2, TRACTS B, D & H,  
 STAGE 3, STAGE 4, TRACTS B, I, &  
 2003 LOT 10

	2001	2002
LAND:	23700	23700
BLDG:	621000	1113750
SITE:		
COST:	644700	1137450
INCOME:		
MARKET:		
AGR-ASSM:		
ASSESSED:		1137450
HOMESTD:		
OTHER EX:		
ENRGY EX:		
TAXABLE :	644700	1137450

EXEM: MTG: H INV: -  
 ETAL: MAIL:  
 DISAB: CONDO:  
 TAZ: 557 SENIORS:

NEW TAXABLE:  
 NEIGHBORHOOD: 0661.02  
 SITE CODE:

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2959961          2002 TAX INFORMATION      05/20/03      10:05:27
B=BILL /-RETN   X=2001  R=RESTART  A=INST  P=PARC  S=SUM  N=NOTES  PMT001BR
=====
SERVICE MANAGEMENT SYSTEMS INC  PAID
TWG RG SC SD BLCK  LOT  BCH/DTE
29 383600          10  VAL NO
TAXABLE ITEM          TAX BILLED          TAX CREDIT  BAL DUE      22540.41
COUNTY                6230.60
SCHOOL                 9787.75
CITY/MSTU              4516.24
WA MANAGEMNT           525.50
SP DISTRICT            199.62
DEBT PAYMENT           1094.00
**TOTAL ADVOR.**      22353.71          DISC:
  T748
SW DISPOSAL            161.62
RECY/RES COLLECTION   15.45
EMS-AMBULANCE-
STORM WATER            9.63
HPK/BFOOT
WTR CONTROL
**TOTAL SVCS.**       186.70
** TOTAL **          22540.41
=====VALUES=====
MILCDE      3400
BOY LAND    23700
BOY BLDG    113750
ASSESSED    1137450
EXEMPT
TAXBL       1137450
=====E&I DATA=====
ADV.AMT
SVC AMT

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**Building Area Information**

PDC #	Base Area	Garage Area	Open Porches	Car Port	Screened Porches	Utility Rooms	Enclosed Porch	Basements	Attics	Total Base Area
1	0	0	0	0	0	0	0	0	0	0

**Extra Feature Information**

Pool	Fireplace	Fence	Driveway	Lawn Irrigation	Shed	Dock	Seawall
No	No	No	No	No	No	No	No

**Tax Levied by Taxing Authorities for 2002**

Taxing Authorities	Taxes Billed
<b>Ad Valorem</b>	
County	\$6,230.60
School	\$9,787.75
City/MSTU	\$4,516.24
Water Management	\$525.50
SP District	\$199.62
Debt Payment	\$1,094.00
<b>Total Ad Valorem</b>	<b>\$22,353.71</b>

Fee Agencies	Fees Billed
<b>Non Ad Valorem</b>	
SW Disposal	\$161.62
SW Collection	\$0.00
Recycling	\$15.45
EMS-Ambulance	\$0.00
Storm Water	\$9.63
HPK/BFOOT	\$0.00
WTR/Baytree/Viera Special Dist.	\$0.00
<b>Total Non Ad Valorem</b>	<b>\$186.70</b>
<b>Total</b>	<b>\$22,540.41</b>

Data Last Updated: Tuesday, May 06, 2003- Printed On: Tuesday, May 20, 2003.

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