

State of Florida



Public Service Commission

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

DATE: May 1, 2003
TO: Division of the Commission Clerk and Administrative Services
FROM: Office of the General Counsel (Gervasi) *PS*
RE: Docket No. 020640-SU - Application for certificate to provide wastewater service in Lee County by Gistro, Inc.

Please file the attached letter from Mr. J. Fritz Holzberg, with attachment, dated June 16, 2003, in the docket file for the above-referenced docket.

RG/dm

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

G I S T R O I N C.
A FLORIDA CORPORATION

POBOX 110 131
NAPLES FLORIDA
34108
(239) 495 8089 VOICE
(239) 495 8089 FAX
E MAIL HLZBRG@CS.COM

June 16, 2003

Ms. Rosanne Gervasi

Public Service Commission
25440 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No, 020640-SU.

Dear Ms. Gervasi

Thank you for mailing me a copy of your papers from February 6, 2003. I am totally dependent on the completion of this documents on my engineer. In spite of my constant pressuring to complete this documents, I still did not have any success. He left now for a 2 week vacation, but promised me under oath the first thing after his return the papers will be done.

I am adding an Attorney's Title Affidavit which finally will provide you with the proof of ownership of the sewer system. This document has generally been accepted even in Court.. I hope it will also satisfy you.

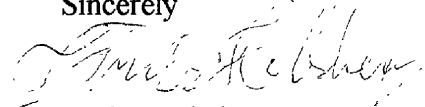
The other main point is the proof of financing the maintaining of the system when we will get the certificate. For the past ,since I have built the system in 1984 and paid for it in full I keep paying untill today for the maintenance. Since 1991 BSU is collecting the total amount of the monthly maintenance, an average of about \$ 28.00, pro home and I pay for running the system.

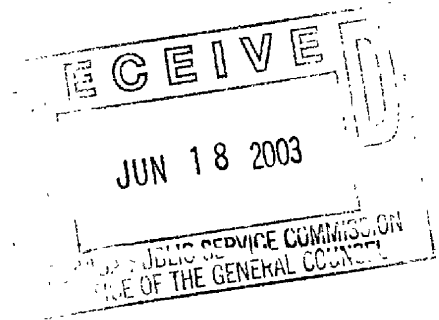
How come this crocket company is so well protected, it is not the public which is protected. How come it is so difficult for me to get protection.

Last October F.P.L created an accident near the lift station . It did cost me almost \$ 20.000. I still have not received a dime, even here I need an Attorney.

I really hope this think will soon be over and I will have peace

Sincerely


J.Fritz Hokzberg



ATTORNEY'S TITLE AFFIDAVIT

STATE OF FLORIDA
COUNTY OF COLLIER

ON THIS 17 day of January, 2003, before me personally appeared **STANLEY J. LIEBERFARB**, a licensed attorney authorized to practice in the State of Florida, to me personally known, whose current business address and telephone number is Stanley Lieberfarb PA, 1100 Fifth Avenue South, Naples, Florida 34102, (239) 403-0611 (hereinafter "Affiant"), who, being duly sworn on his oath, does say:

1. This Affidavit is given in confirmation of certain actions taken by J. Fritz Holzberg, acting as President of Gulf Construction Inc. a Florida Corporation, first acting as general partner of Gulf Construction Partnership, the original Declarant of Spring Lakes, Phase One subdivision and then as President of Gulf Construction Inc. a Florida Corporation, acting as the General Partner of Gulf Construction Partnership, the General Partner of Forest Mere Joint Venture the successor developer and Declarant of Spring Lakes, Phase Two subdivision and Spring Lakes, Phase Three subdivision, according to the plats thereof, as recorded in Plat Book 37, at pages 94 et seq. Plat Book 48, at pages 74 et seq., and Plat Book 50, at pages 36 et seq. respectively, all of the Public Records of Lee County, Florida.

2. The Affiant has examined record title information to both the real and personal property referenced in this affidavit, including but not limited to, information requested from the Florida Secretary of State relative to any Uniform Commercial Code financing statements.

3. In a transaction dated April 28, 1988 and by deed of even date therewith, prepared by affiant, as attorney for Gulf Construction Partnership, the partnership conveyed all of the lands subsequently dedicated by Forest Mere Joint Venture as successor developer and Declarant of Spring Lakes, Phases Two and Three to said Joint Venture.

4. It being the intent of all parties to said transaction that at the time of said conveyance Forest Mere Joint Venture would serve as successor developer for the springs lake subdivision and accordingly, was assigned all of the development rights of Gulf Construction Partnership, the original Declarant of Spring Lakes, Phase One to said Grantee, who hereby succeeded to all of the rights and privileges as Successor Developer / Declarant under the Original Declaration of Covenants and Restrictions for the Spring Lakes subdivision.

5. The record owner of the roadways and sewer facilities described on said plats, subject to the therein described dedications, is Forest Mere Joint Venture, (hereinafter "Joint Venture"). The Joint Venture having acquired its record interest by Warranty Deed dated April 28, 1988, and recorded May 13, 1988 in Official Records Book 1989, at Page 1842, of the Public Records of Lee County, Florida (copy attached).

6. The interest of the Joint Venture in the subject roads, utility facilities, and appurtenant utility easement interests has never been transferred nor assigned, and currently is not encumbered of record. nor is it subject to any financing statements filed in the Public Records of Lee County, Florida or in the Office of the Secretary of State.

7. Affiant further states that the information contained in this Affidavit is true, correct and current as of the date of the recordation of the recorded documents referenced herein which conveyed or granted the subject utility facilities and easement interests to the County.

Stanley Lieberfarb

STANLEY J. LIEBERFARB

STATE OF FLORIDA
COUNTY OF COLLIER

Sworn to and subscribed before me this 17th day of January, 2003, by **STANLEY J. LIEBERFARB**, who is personally known to me and he did take an oath.



Ann Marie Rozsas
Commission # DD 042339
Expires Aug. 28, 2005
Bonded Thru
Atlantic Bonding Co., Inc.

Ann Marie Rozsas

Notary Public
Ann Marie Rozsas

Typed, Printed or Stamped Name

My Commission Expires:
My Commission Number is: _____