

**RUDEN  
McCLOSKEY  
SMITH  
SCHUSTER &  
RUSSELL, P.A.  
ATTORNEYS AT-LAW**

**ORIGINAL**

215 SOUTH MONROE STREET  
SUITE 815  
TALLAHASSEE, FLORIDA 32301

(850) 412-2000  
FAX: (850) 224-2032  
KATHRYN.COWDERY@RUDEN.COM

August 1, 2003

**Via Hand Delivery**

COMMISSION  
CLERK

03 AUG - 1 PM 4:23

RECEIVED - FPSC

Blanca S. Bayo, Director  
Division of Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Building, Room 116  
Tallahassee, Florida 32399-0850

Re: Docket No. 030749-SU  
Application for Name Change from Chateau Communities, Inc., to Del Tura  
Phase I, L.L.C., in Lee County.

Dear Ms. Bayo:


Enclosed for filing on behalf of Chateau Communities, Inc., holder of wastewater  
Certificate No. 298-S, are the original and twelve copies of the Application for Name Change  
from Chateau Communities, Inc., to Del Tura Phase I, L.L.C., in Lee County. Please note that  
we are furnishing an original and two (2) copies of the wastewater tariff sheets (Attachment "F").

Please open a docket to consider this matter.

Please contact me if you have any questions.

Sincerely,

RUDEN, McCLOSKEY, SMITH,  
SCHUSTER & RUSSELL, P.A.

  
Kathryn G.W. Cowdery  
Attorney

KGC  
Enclosures

RECEIVED & FILED

  
FPSC-BUREAU OF RECORDS

TAL:44098:1

CARACAS ■ FT. LAUDERDALE ■ MIAMI ■ NAPLES ■ PORT ST. LUCIE ■ SARASOTA ■ ST. PETERSBURG ■ TALLAHASSEE ■ TAMPA ■ WEST PALM BEACH

DOCUMENT NUMBER DATE

07027 AUG-18

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Name Change )  
from Chateau Communities, Inc. to )  
Del Tura Phase I, L.L.C., in Lee County )

Docket No. 030749-SU

APPLICATION FOR NAME CHANGE FROM CHATEAU  
COMMUNITIES, INC. TO DEL TURA PHASE I, L.L.C.

Chateau Communities, Inc. (the "Utility" or "Chateau"), holder of Certificate No. 298-S in Lee County, pursuant to Fla. Admin. Code R. 25-30.039, by and through its undersigned attorney, hereby files this Application for Name Change from Chateau Communities, Inc. to Del Tura Phase I, L.L.C. ("Del Tura"), and as grounds states:

1. The complete name, address and type of business entity of the certificated Utility are:

Chateau Communities, Inc.,  
a Maryland corporation authorized to do business in Florida  
6160 South Syracuse Way  
Greenwood Village, Colorado 80111

2. The proposed change in name, address, and type of business entity under the new name are:

Del Tura Phase I, L.L.C.  
a Florida limited liability company  
6160 South Syracuse Way  
Greenwood Village, Colorado 80111

With physical Utility location at:  
18621 North Tamiami Trail  
North Ft. Myers, Florida 32903

3. Del Tura is owned and controlled by Chateau, through Chateau's ownership of ROC Communities, Inc., CP Limited Partnership (known in Florida as Chateau Communities

LP), Fairways, and Sun Coast Investment Group, Limited (“Sun Coast”), as shown in the organizational chart attached hereto as Attachment “A.”

4. Pursuant to Florida Public Service Commission (“PSC”) Order No. PSC-96-0770-FOF-SU, issued June 17, 1996, the PSC approved transfer of majority organizational control of this Utility from Sun Coast to Chateau. As part of that docket, the name of the Utility was changed from North Trail Utilities to Chateau Communities, Inc. The Order recognized that the Utility was owned by Chateau’s affiliate, Sun Coast.

5. As part of a Chateau refinancing, Sun Coast transferred to Del Tura by June 12, 2000 warranty deed, among other things, the assets of the wastewater utility plant and the land upon which it is located. Sun Coast become the 100% owner and managing member of Del Tura. Chateau retained majority organizational control of the Utility. See Attachment “B” attached hereto and incorporated by reference herein. Del Tura was registered with the Florida Secretary of State on June 5, 2000. See Attachment “C” attached hereto and incorporated by reference herein.

6. The proposed name change from Chateau Communities, Inc., to Del Tura Phase I, L.L.C. is for the purpose of making the name of the Utility and certificate holder consistent with the name of the entity that owns the Utility assets.

7. Attached hereto as Attachment “D” is a statement signed by an officer of Chateau that the ownership and control of the Utility and its assets will not change under the proposed name.

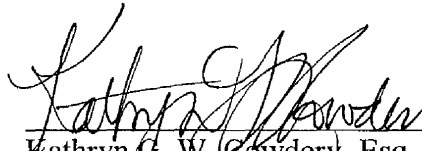
8. A proposed notice to be sent to the customers of the Utility informing them of the change in Utility name is attached hereto as Attachment “E.”

9. An original and two copies of a proposed tariff reflecting the name change are attached hereto as Attachment “F.”

10. The current, original Certificate No. 298-S is attached hereto as Attachment "G."

WHEREFORE, the Utility respectfully requests that the PSC approve this Application for Name Change from Chateau Communities, Inc., to Del Tura Phase I, L.L.C., and such other relief as the PSC may deem appropriate.

DATED this 1st day of August 2003.



Kathryn G. W. Cowdery, Esq.

Fla. Bar No.: 0363995

Ruden, McClosky, Smith, Schuster  
& Russell, P.A.

215 South Monroe Street, Suite 815

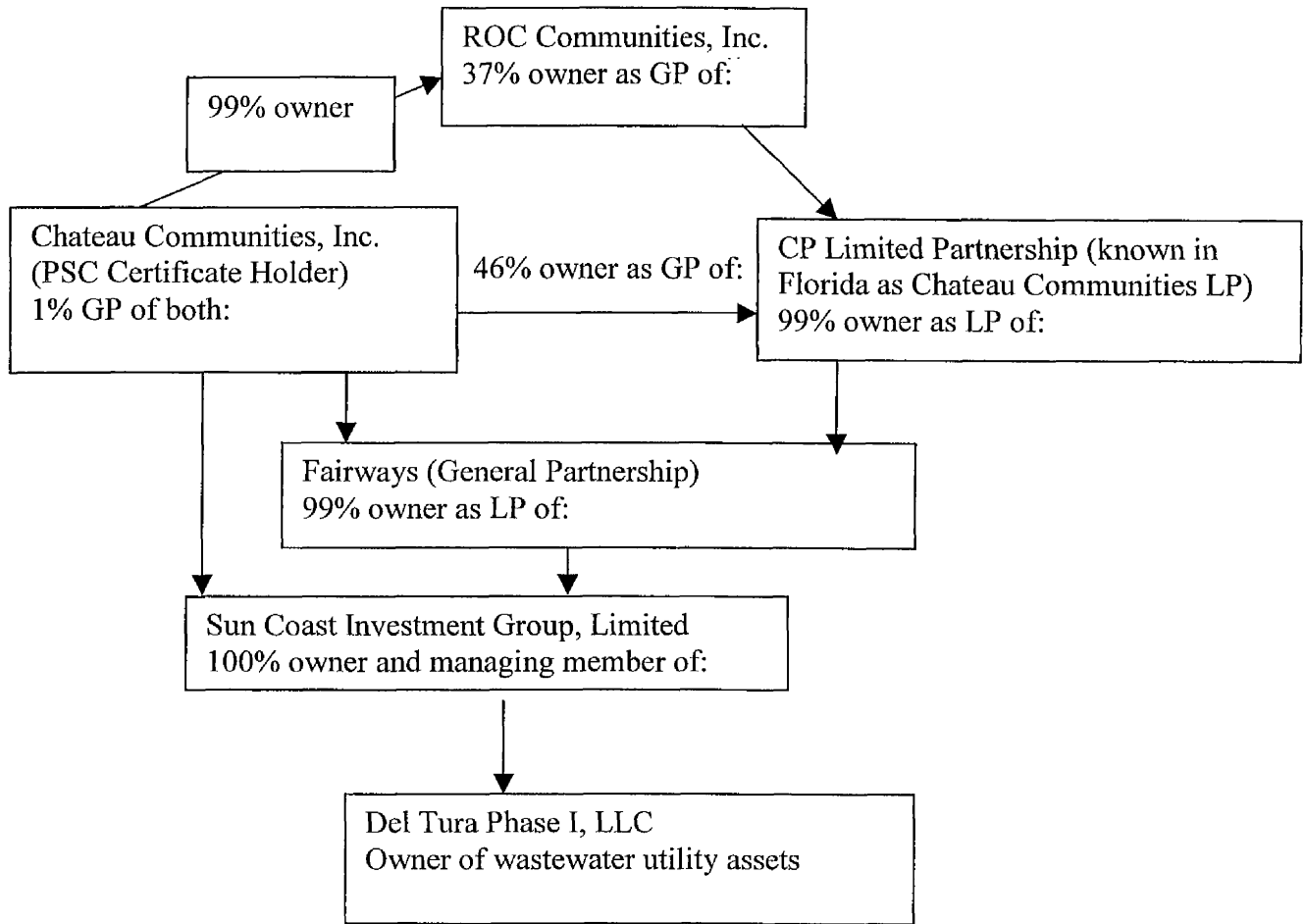
Tallahassee, Florida 32301

(850) 412-2000

Attorneys for Chateau Communities, Inc.

# Attachment A

**Attachment "A"**



# Attachment B

Zoom In	Zoom Out	Best Fit	Fit To Width	Fit To Height	Rotate
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4  
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FORM 1000 (REV. 10-1-99) IS FOR THE USE OF THE PUBLIC

**INSTR # 4898126**  
**OR BK 03267 PG 3070**  
 RECEIVED 06/14/00 01:08 PM  
 CHARLIE GREEN CLERK OF COURT  
 LEE COUNTY  
 RECORDING FEE 19.50  
 DEPUTY CLERK R. Cartwright

This Instrument Prepared By and Return to:

DAVID S. BERNSTEIN, ESQ.  
 Ruden, McClosky, Smith,  
 Schuster & Russell, P.A.  
 Post Office Box 14034  
 St. Petersburg, FL 33733

Parcel No. 18 43 74 00-00001,0060

Space above this line for recorder's use only

**WARRANTY DEED**

THIS INDENTURE, made as of this 12<sup>th</sup> day of June, A.D., 2000, between SUN COAST INVESTMENT GROUP LIMITED, a Florida limited partnership, Grantor, and DEL TORO PHASE I, LLC, a Florida limited liability company, having an address at 6100 South Syracuse Way, Greenwood Village, Colorado, 80111, Grantee,

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, conveyed and sold to the said Grantee forever, the following described land, situate, lying and being in the Lee County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

SUBJECT TO REAL ESTATE TAXES FOR THE YEAR 2000 AND SUBSEQUENT YEARS.

SUBJECT TO THOSE CERTAIN PERMITTED TITLE EXCEPTIONS SET FORTH IN EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whatsoever.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be signed the day and year above written.

WITNESSES:

SUN COAST INVESTMENT GROUP LIMITED, a  
 Florida limited partnership

By: CHATEAU COMMUNITIES, INC., a Maryland  
 corporation authorized to transact  
 business in the State of Florida, its sole  
 general partner

*Sonia Clayton-Olson*  
 Print Name: Sonia Clayton-Olson

*T. Robert...*  
 Print Name: T. Robert...

By: *Tamara D. Fischer*  
 TAMARA D. FISCHER,  
 Executive Vice President  
 6160 South Syracuse Way  
 Greenwood Village, CO 80111

5/19/00:382.1

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DR BK 00267 PG 3071

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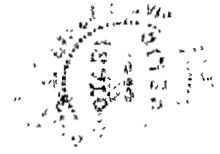
DISTRICT OF COLUMBIA

The foregoing Warranty Deed was acknowledged before me this 1st day of June, 2000, by TAMARA D. FISCHER, as Executive Vice President of CHATEAU COMMUNITIES, INC., a Maryland corporation authorized to transact business in the State of Florida, in its capacity as sole General Partner of SUN COAST INVESTMENT GROUP LIMITED, a Florida limited partnership

My Commission Expires:

Claudia B. Bixler  
 Print Name \_\_\_\_\_  
 NOTARY PUBLIC

**Claudia B. Bixler**  
 Notary Public, District of Columbia  
 My Commission Expires March 31, 2003



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Rotate

OR BK 00267 PG 3072

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**PARCEL I:**

A parcel of land in Section 16, Township 49 South, Range 24 East, Lee County, Florida, more particularly described as follows:

BEGIN at the Southwest corner of Section 16, Township 49 South, Range 24 East; thence North  $00^{\circ}35'36''$  East along the West line of the Southwest one-quarter of said Section 16 for 7855.34 feet; thence North  $63^{\circ}53'51''$  East for 4285.08 feet to an intersection with the Westerly right-of-way line of S.R. 45 (U.S. 41); thence along said Westerly right-of-way line for the following described five (5) courses: (1) South  $26^{\circ}07'10''$  East for 378.49 feet; (2) thence South  $27^{\circ}33'06''$  East for 400.13 feet; (3) thence South  $28^{\circ}56'56''$  East for 200.25 feet; (4) thence South  $31^{\circ}50'22''$  East for 201.00 feet; (5) thence South  $26^{\circ}59'23''$  East for 101.60 feet to an intersection with the Northerly line of that certain parcel of land described in D.R. Book 1608, Page 1879, of the public records of Lee County, Florida; thence South  $63^{\circ}52'50''$  West along said Northerly line for 478.42 feet; thence South  $26^{\circ}07'10''$  East along the Westerly line of said parcel for 300.05 feet; thence North  $63^{\circ}52'50''$  East along the Southerly line of said parcel for 491.30 feet to an intersection with the aforementioned Westerly right of way line of S.R. 45; thence South  $26^{\circ}07'10''$  East along said Westerly right-of-way line for 88.00 feet; thence South  $63^{\circ}52'50''$  West for 491.30 feet; thence South  $26^{\circ}07'10''$  East for 2258.88 feet to an intersection with the South line of the Southeast one-quarter of the aforementioned Section 16; thence North  $89^{\circ}55'59''$  West along said South line for 2123.22 feet to the Southeast corner of the Southwest one-quarter of said Section 16; thence South  $69^{\circ}05'40''$  West along the South line of said Southwest one-quarter for 3058.36 feet to the POINT OF BEGINNING.

**PARCEL II:**

TOGETHER WITH easements for drainage and access purposes, including, but not limited to the right to construct drainage ditches and access roadways along the easements, as set forth in Grants of Easement recorded in U.R. Book 1549, Page 2116, O.R. Book 1549, Page 2118, O.R. Book 1549, Page 2121 and D.R. Book 1980, Page 3855, public records of Lee County, Florida.

**PARCEL III:**

TOGETHER WITH easements for access road, ingress and egress, general roadway and sidewalk and for recreational facilities as set forth in Easement Agreement recorded in U.R. Book 1282, Page 558, public records of Lee County, Florida.

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OR BK 00267 PG 3073

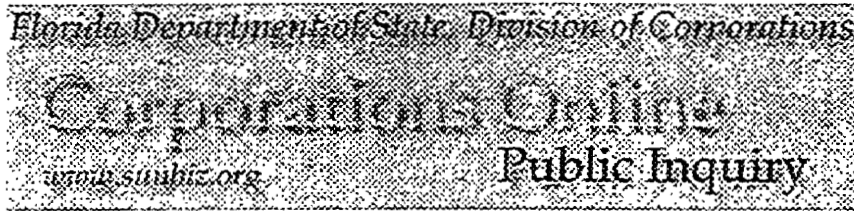
**EXHIBIT "B"**  
**PERMITTED EXCEPTIONS**

1. Rights of tenants in possession, as tenants only, under unrecorded written or oral leases, subject only to the statutory leases provided by §723.031, Florida Statutes
2. Terms and conditions of easement for drainage purposes, including, but not limited to the right to construct drainage ditch and access roadway along the easement, as set forth in that certain Grant of Easement by and between Juan Carlos Mestre and Suncoast Investment Group, L.T.D. recorded October 7, 1981 in O.R. Book 1549, Page 2115, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300195. (as to Parcels I and II).
3. Terms and conditions of easement for drainage purposes, including, but not limited to the right to construct drainage ditch and access roadway along the easement, as set forth in Grant of Easement by and between Joseph C. Tooke and Suncoast Investment Group, Ltd. recorded in O.R. Book 1549, Page 2116, Page 2115, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300195. (as to Parcels I and II).
4. Terms and conditions of easement for drainage purposes, including, but not limited to the right to construct drainage ditch and access roadway along the easement, as set forth in Grant of Easement by and between Chariton Tooke III and Eleanor Sann Tooke and Suncoast Investment Group, Ltd. recorded in O.R. Book 1549, Page 2121, Page 2116, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300195. (as to Parcels I and II).
5. Right-of-Way Easement in favor of Lee County Board of County Commissioners, recorded January 19, 1982 in O.R. Book 1579, Page 225, Page 2115, Public Records of Lee County, Florida, and as noted on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300195. (as to Parcel I).
6. Perpetual Utility Easement Grant and Indemnity Agreement in favor of Lee County Board of Commissioners, recorded April 13, 1984 in O.R. Book 1721, Page 2572, Page 2115, Public Records of Lee County, Florida, and as noted on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300195. (as to Parcel I).
7. Terms and conditions of easement for drainage purposes, including, but not limited to the right to construct drainage ditch and access roadway along the easement, as set forth in Grant of Easement recorded in O.R. Book 1330, Page 3895, Page 2115, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300195. (as to Parcels I and II).
8. Terms and conditions of easements for access road, ingress and egress, general roadway and sidewalk and for recreational facilities as set forth in Easement Agreement by and between Suncoast Investment Group Limited and Euroamerican Investment Group, Ltd. recorded April 12, 1989 in O.R. Book 1982, Page 556, Page 2115, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300195. (as to Parcels I and III).
9. Easement Grant and Partial Release of Easement in favor of Lee County Electric Cooperative, Inc., recorded May 26, 1989 in O.R. Book 2072, Page 3542, Page 2115, Public Records of Lee County, Florida, and as shown on a survey prepared by James R. Coleman dated June 8, 2000, Project Number 300195. (as to Parcel I).

51F296A2A

06/12/2000 1:09 PM

# Attachment C



## Florida Limited Liability

### DEL TURA PHASE I, LLC

**PRINCIPAL ADDRESS**  
6160 SYRACUSE WAY  
GREENWOOD VILLAGE CO 80111

**MAILING ADDRESS**  
6160 SYRACUSE WAY  
GREENWOOD VILLAGE CO 80111

**Document Number**  
L00000006469

**FEI Number**  
582549882

**Date Filed**  
06/05/2000

**State**  
FL

**Status**  
ACTIVE

**Effective Date**  
NONE

**Total Contribution**  
0.00

## Registered Agent

Name & Address
CORPORATION SERVICE COMPANY 1201 HAYS STREET TALLAHASSEE FL 32301

## Manager/Member Detail

Name & Address	Title
SUNCOAST INV GROUP, LIMITED 6160 S SYRACUSE WAY GREENWOOD VILLAGE CO 80111	MGRM
CHATEAU COMMUNITIES, INC 6160 S SYRACUSE WAY GREENWOOD VILLAGE CO 80111	MGRM

## Annual Reports

Report Year	Filed Date
2001	04/20/2001
2002	06/05/2002
2003	04/30/2003

Previous Filing

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No Events  
No Name History Information

## Document Images

Listed below are the images available for this filing.

<p>04/30/2003 -- <a href="#">ANN REP/UNIFORM BUS REP</a></p> <p>06/05/2002 -- <a href="#">COR - ANN REP/UNIFORM BUS REP</a></p> <p>04/20/2001 -- <a href="#">ANN REP/UNIFORM BUS REP</a></p> <p>06/05/2000 -- <a href="#">Florida Limited Liabilites</a></p>
--

**THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT**

Corporations Inquiry

Corporations Help

Division of Corporations

Page 1 of 2

**L00000006469**

Florida Department of State  
Division of Corporations  
Public Access System  
Katherine Harris, Secretary of State

**Electronic Filing Cover Sheet**

**Note: Please print this page and use it as a cover sheet. Type the fax audit number (shown below) on the top and bottom of all pages of the document.**

**((H00000030239 8))**

**Note: DO NOT hit the REFRESH/RELOAD button on your browser from this page. Doing so will generate another cover sheet.**

To: Division of Corporations  
Fax Number : (850)922-4003

From: Account Name : RUDEN, McCLOSKY, SMITH, SCHUSTER & RUSSELL  
Account Number : 076077000921  
Phone : (954)761-2910  
Fax Number : (954)764-4996

FILED  
00 JUN -5 AM 9:17  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

**LIMITED LIABILITY COMPANY**

**Del Tura Phase I, LLC**

Certificate of Status	1
Certified Copy	1
Page Count	02
Estimated Charge	\$160.00

SL  
Rec'd.  
6/5/00

# Attachment D



STATEMENT OF OFFICER

I, Tamara D. Fischer, hereby state that the ownership and control of the assets of the Florida Public Service Commission certificated utility, Chateau Communities, Inc., holder of wastewater certificate number 298-S, will not change under the proposed name, Del Tura Phase I, L.L.C.

Tamara D. Fischer  
Name:  
Title:  
Chateau Communities, Inc., General  
Partner of Sun Coast Investment,  
Limited, Managing Member of Del  
Tura Phase I, L.L.C.

STATE OF  
COUNTY OF

Sworn to and subscribed before me this 31 day of July 2003,  
by \_\_\_\_\_.

Personally known to me   
Identification produced \_\_\_\_\_ Type of identification produced \_\_\_\_\_

[Signature]  
Notary Signature

Rita Rossi  
Print, Type, or Stamp Commissioned  
Name of Notary Public

**My Commission Expires**  
**07/08/2007**

# Attachment E

## **Attachment "E"**

### **NOTICE OF UTILITY NAME CHANGE FROM CHATEAU COMMUNITIES, INC., TO DEL TURA PHASE I, L.L.C.**

Notice is hereby given that on \_\_\_\_\_, 2003, the Florida Public Service Commission approved the name change of Chateau Communities, Inc., to Del Tura Phase I, L.L.C. The name change occurred so that the name and certificate holder of the utility would be consistent with the name of the entity that owned the assets of the utility, and will have no effect on the rates, management or utility service provided.

If you have any questions, please direct them to Robert Munro, Utilities Director, Del Tura Phase I, L.L.C., 18621 North Tamiami Trail, Ft. Myers, Florida 32903, or at (407)275-8009.

# Attachment F

WASTEWATER TARIFF

Del Tura Phase I, L.L.C.  
NAME OF COMPANY

FILED WITH  
FLORIDA PUBLIC SERVICE COMMISSION

WASTEWATER TARIFF

Del Tura Phase I, L.L.C.  
NAME OF COMPANY

18621 North Tamiami Trail

Ft. Myers, Florida 32903  
(ADDRESS OF COMPANY)

Business Number (407) 275-8009  
Emergency Number (800) 250-7532

FILED WITH  
FLORIDA PUBLIC SERVICE COMMISSION

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.

WASTEWATER TARIFF

	Table of Contents	Sheet Number
Index of		
Rates and Charges Schedules		11.0
Rules and Regulations		6.0
Standard Forms		15.0
Technical Terms and Abbreviations		5.0
Territory Served		3.0

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.

WASTEWATER TARIFF

TERRITORY SERVED

CERTIFICATE NUMBER - 298-S

COUNTY - LEE

COMMISSION ORDER(S) APPROVING TERRITORY SERVED

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
10310	September 28, 1981	810322-SU	Original
19115	April 6, 1988	880017-SU	Amendment
20513	December 23, 1988	881338-SU	Amendment
PSC-96-0770-FOF-SU	June 17, 1996	950781-SU	Name Change

(Continued on Sheet No. 3.1)

Robert Munro  
Title: Utilities Director



Del Tura Phase I, L.L.C.

## WASTEWATER TARIFF

(Continued from Sheet No. 3.0)

DESCRIPTION OF TERRITORY SERVED

A parcel of land in Section 16, Township 43 South, Range 24 East, Lee County, Florida, more particularly described as follows:

Commence at the Northwest corner of Section 16, Township 43 South, Range 24 East, thence South 0°26'20" East along the West line of the Northwest one Quarter of said Section 16 for 68 feet to the point of beginning of the herein described parcel of land, thence continue South 0°26'20" East along said west line for 1,082.66 feet to the Southwest corner of the Northwest one Quarter of said Section 16; thence South 0°35'25" West along the West line of the Southwest One Quarter of said Section 16 for 822.49 feet; thence North 63°53'51" East for 4,265.08 feet to an intersection with the Southwesterly right of way line of SR. 45 (US 41 Tamiami Trail); thence North 26°07'10" West for 1,331.11 feet along said intersection with the Southerly line of Fountain View according to the plat thereof as recorded in Plat Book 34, Pages 165 through 172 of the Public Records of Lee County, Florida; thence along said Southerly line for the following described three (3) courses:

(1) South 63°52'50" West for 739.60 feet; (2) thence South 75°41'50" West for 889.91 feet; (3) thence North 14°18'10" West for 190.56 feet to an intersection with the Southerly line of Fountain View Unit 1-A according to the plat thereof as recorded in Plat Book 36 at Pages 50 through 51 of the aforementioned public records; thence along said Southerly line for the following described two (2) courses: (1) South 89°58'28" West for 301.37 feet; (2) thence South 75°41'50" West for 487.93 feet; thence South 14°18'16" East for 488.37 feet; thence South 75°41'50" West for 1,028.11 feet to the Point of Beginning. Being the same lands shown on the sketch of the Plat of Del Tura, Unit II, filed in Plat Book 45, Pages 59-107.

Also

A parcel of land lying in the North half of Section 16, Township 43 South, Range 24 East, Lee County, Florida more particularly described as follows:

Commencing at the North Quarter Corner of Section 16, thence South 89°49'58" West (basis of bearings being the Florida State Plane Coordinate system) along the north line of said Section 16, a distance of 2,155.39 feet to the Point of Beginning; thence continuing South 89°49'58" West, a distance of 338.42 feet; thence South 65°24'12" West, a distance of 312.69 feet to the West line of said Section 16, being 130.00 feet South of the Northwest corner of said Section 16; thence South 0°25'35" East a distance of 1,453.89 feet along said West line; thence North 75°41'23" East, a distance of 1,028.03 feet; thence North 14°18'37" West, a distance of 523.36 feet; thence North 17°11'09" West, a distance of 862.86 feet to the Point of Beginning.

(continued on Sheet No. 3.2)

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.

WASTEWATER TARIFF

(Continued from Sheet No. 3.1)

Also

A parcel of land in Section 16, Township 43 South, Range 24 East, Lee County, Florida, more particularly described as follows:

Begin at the Southwest corner of Section 16, Township 43 South, Range 24 East; thence North  $0^{\circ}35'35''$  East along the West line of the Southwest One Quarter of said Section 16 for 1865.34 feet; thence North  $63^{\circ}53'51''$  East for 4,265.34 feet to an intersection with westerly right of way line of SR. 45 (US 41); thence along said Westerly right of way line for the following described five (5) courses: (1) South  $26^{\circ}07'10''$  east for 378.49 feet; (2) thence South  $27^{\circ}33'06''$  East for 400.13 feet; (3) thence South  $28^{\circ}58'55''$  East for 200.25; (4) thence South  $31^{\circ}50'22''$  East for 201.00 feet; (5) thence South  $28^{\circ}59'23''$  East for 101.51 feet to an intersection with the Northerly line of that certain parcel of land described in OR Book 1609, Page 1879 of the Public Records of Lee County, Florida; thence South  $63^{\circ}52'50''$  West along said Northerly line for 476.42 feet; thence South  $26^{\circ}07'10''$  East along the Westerly line of said parcel for 300.05 feet; thence North  $63^{\circ}52'50''$  East along the Southerly line of said parcel for 491.30 feet to an intersection with the aforementioned Westerly right of way line of SR 45; thence South  $26^{\circ}07'10''$  East along said Westerly right of way line for 66.00 feet; thence South  $63^{\circ}52'50''$  West for 491.30 feet; thence South  $26^{\circ}07'10''$  East for 2,258.88 feet to an intersection with the South line of the Southeast One Quarter of the aforementioned Section 16; thence North  $89^{\circ}55'59''$  West along said South line for 2,123.22 feet to the Southeast corner of the Southwest One Quarter of said Section 16, thence South  $89^{\circ}05'40''$  West along the South line of said Southwest One Quarter for 3,058.36 feet to the Point of Beginning, said parcel of land situate, lying and being in Lee County, Florida.

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.  
WASTEWATER TARIFF

FOR FUTURE USE

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.

WASTEWATER TARIFF

TECHNICAL TERMS AND ABBREVIATIONS

- 1.0 "BFC" - "BFC" is the abbreviation for "Base Facility Charge" which is the minimum amount the utility may charge to the Company's customers and is separate from the amount billed for wastewater consumption on the utility's bills to its customers.
- 2.0 "CERTIFICATE" - A document issued by the Commission authorizing the Company to provide wastewater service in a specific territory.
- 3.0 "COMMISSION" - "Commission" refers to the Florida Public Service Commission.
- 4.0 "COMMUNITIES SERVED" - The group of customers who receive wastewater service from the Company and who's service location is within a specific area or locality that is uniquely separate from another.
- 5.0 "COMPANY" - Chateau Communities, Inc.
- 6.0 "CUSTOMER" - Any person, firm or corporation who has entered into an agreement to receive wastewater service from the Company and who is liable for the payment of that wastewater service.
- 7.0 "CUSTOMER'S INSTALLATION" - All pipes, shut-offs, valves, fixtures and appliances or apparatus of every kind and nature which are located on the customer's side of the "Point of Collection" and used in connection with or forming a part of the installation necessary for disposing of sewage collected from the customer's premises regardless of whether such installation is owned by the customer or used by the customer under lease or other agreement.
- 8.0 "MAIN" - A pipe, conduit, or facility used for conveying wastewater service through individual services or through other mains.
- 9.0 "POINT OF COLLECTION" - For wastewater systems, "point of collection" shall mean point at which the Company's piping, fittings, and valves connection with the customer's piping, fittings and valves.
- 10.0 "RATE" - Amount which the utility may charge for wastewater service which is applied to the customer's water consumption.
- 11.0 "RATE SCHEDULE" - The rate(s) or charge(s) for a particular classification of service plus the several provisions necessary for billing, including all special terms and conditions under which service shall be furnished at such rate or charge.

(Continued on Sheet No. 5.1)

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.

WASTEWATER TARIFF

(Continued from Sheet No. 5.0)

- 12.0 "SERVICE" - Service, as mentioned in this tariff and in agreement with customers, shall be construed to include, in addition to all wastewater service required by the customer the readiness and ability on the part of the Company to furnish wastewater service to the customer. Service shall conform to the standards set forth in Section 367.111 of the Florida Statutes.
- 13.0 "SERVICE LINES" - The pipe between the Company's mains and the point of delivery and shall include all of the pipe, fittings and valves necessary to make the connection to the customer's premises excluding the meter.
- 14.0 "TERRITORY" - The geographical area described by metes and bounds with township, range and section in a certificate, which may be within or without the boundaries of an incorporated municipality and, may include areas in more than one county.

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.

## WASTEWATER TARIFF

INDEX OF RULES AND REGULATIONS

	<u>Sheet Number:</u>	<u>Rule Number:</u>
Access to Premises	9.0	13.0
Adjustment of Bills	10.0	19.0
Application	7.0	3.0
Applications by Agents	7.0	4.0
Change of Customer's Installation	8.0	10.0
Continuity of Service	8.0	8.0
Customer Billing	9.0	15.0
Delinquent Bills	9.0	16.0
Evidence of Consumption	10.0	21.0
Extensions	7.0	6.0
Filing of Contracts	10.0	20.0
General Information	7.0	1.0
Inspection of Customer's Installation	8.0	11.0
Limitation of Use	7.0	7.0
Policy Dispute	7.0	2.0
Protection of Company's Property	9.0	12.0
Refusal or Discontinuance of Service	7.0	5.0

(Continued to Sheet No. 6.1)

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.

WASTEWATER TARIFF

(Continued from Sheet No. 6.0)

	<u>Sheet Number:</u>	<u>Rule Number:</u>
Right of Way or Easements	9.0	14.0
Termination of Service	9.0	17.0
Type and Maintenance	8.0	9.0
Unauthorized Connections - Wastewater	10.0	18.0

Robert Munro  
Title: Utilities Director

GENERAL SERVICEDel Tura Phase I, L.L.C.

## WASTEWATER TARIFF

RULES AND REGULATIONS

- 1.0 GENERAL INFORMATION - These Rules and Regulations are a part of the rate schedules and applications and contracts of the Company and, in the absence of specific written agreement to the contrary, apply without modifications or change to each and every customer to whom the Company renders wastewater service.

The Company shall provide wastewater service to all customers requiring such service within its certificated territory pursuant to Chapter 25-30, Florida Administrative Code and Chapter 367, Florida Statutes.

- 2.0 POLICY DISPUTE - Any dispute between the Company and the customer or prospective customer regarding the meaning or application of any provision of this tariff shall upon written request by either party be resolved by the Florida Public Service Commission.
- 3.0 APPLICATION - In accordance with Rule 25-30.310, Florida Administrative Code, a signed application is required prior to the initiation of service.
- 4.0 APPLICATIONS BY AGENTS - Applications for wastewater service requested by firms, partnerships, associations, corporations, and others shall be rendered only by duly authorized parties or agents.
- 5.0 REFUSAL OR DISCONTINUANCE OF SERVICE - The Company may refuse or discontinue wastewater service rendered under application made by any member or agent of a household, organization, or business in accordance with Rule 25-30.320, Florida Administrative Code.
- 6.0 EXTENSIONS - Extensions will be made to the Company's facilities in compliance with Commission Rules and Orders and the Company's tariff.
- 7.0 LIMITATION OF USE - Wastewater service purchased from the Company shall be used by the customer only for the purposes specified in the application for wastewater service. Wastewater service shall be rendered to the customer for the customer's own use and shall be collected directly into the Company's main wastewater lines.

In no case shall a customer, except with the written consent of the company, extend his lines across a street, alley, lane, court, property line, avenue, or other way in order to furnish wastewater service to the adjacent property even though such adjacent property may be owned by him. In case of such unauthorized extension, sale, or disposition of service, the customer's wastewater service will be subject to discontinuance until such unauthorized extension, remetering, sale or disposition of service is discontinued and full payment is made to the Company for water service rendered by the Company (calculated on proper classification and rate schedules) and until reimbursement in full is made in full to the Company for all extra expenses incurred for clerical

Robert Munro  
Title: Utilities Director



Del Tura Phase I, L.L.C.

WASTEWATER TARIFF

(Continued from Sheet No. 7.0)

work, testing, and inspections.

- 8.0 CONTINUITY OF SERVICE - In accordance with Rule 25-30.250, Florida Administrative Code, the company will at all times use reasonable diligence to provide continuous wastewater service and, having used reasonable diligence, shall not be liable to the customer for failure or interruption of continuous wastewater service.

If at any time the Company shall interrupt or discontinue its service, all customers affected by said interruption or discontinuance shall be given not less than 24 hours written notice.

- 9.0 TYPE AND MAINTENANCE - In accordance with Rule 25-30.545, Florida Administrative Code, the customer's pipes, apparatus and equipment shall be selected, installed, used and maintained in accordance with standard practice and shall conform with the Rules and Regulations of the Company and shall comply with all Laws and Governmental Regulations applicable to same. The Company shall not be responsible for the maintenance and operation of the customer's pipes and facilities. The customer expressly agrees not to utilize any appliance or device which is not properly constructed, controlled and protected or which may adversely affect the wastewater service; the Company reserves the right to discontinue or withhold wastewater service to such apparatus or device.

- 10.0 CHANGE OF CUSTOMER'S INSTALLATION - No changes or increases in the customer's installation, which will materially affect the proper operation of the pipes, mains, or stations of the Company, shall be made without written consent of the Company. The customer shall be liable for any change resulting from a violation of this Rule.

- 11.0 INSPECTION OF CUSTOMER'S INSTALLATION - All customer's wastewater service installations or changes shall be inspected upon completion by a competent authority to ensure that the customer's piping, equipment, and devices have been installed in accordance with accepted standard practice and local Laws and Governmental Regulations. Where Municipal or other Governmental inspection is required by local Rules and Ordinances, the Company cannot render wastewater service until such inspection has been made and a formal notice of approval from the inspecting authority has been received by the Company.

Notwithstanding the above, the Company reserves the right to inspect the customer's installation prior to rendering wastewater service, and from time to time thereafter, but assumes no responsibility whatsoever for any portion thereof.

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.

## WASTEWATER TARIFF

(Continued from Sheet No. 8.0)

- 12.0 PROTECTION OF COMPANY'S PROPERTY - The customer shall exercise reasonable diligence to protect the Company's property. If the customer is found to have tampered with any utility property or refuses to correct any problems reported by the utility, service may be discontinued in accordance with Rule 25-30.320, Florida Administrative Code. In the event of any loss or damage to property of the Company caused by or arising out of carelessness, neglect, or misuse by the customer, the cost of making good such loss or repairing such damage shall be paid by the customer.
- 13.0 ACCESS TO PREMISES - In accordance with Rule 25-30.320(2)(f), Florida Administrative Code, the company shall provide the duly authorized agents of the Company access at all reasonable hours to its property. If reasonable access is not provided, service may be discontinued pursuant to the above rule.
- 14.0 RIGHT OF WAY OR EASEMENTS - The customer shall grant or cause to be granted to the Company, and without cost to the Company, all rights, easements, permits, and privileges which are necessary for the rendering of wastewater service.
- 15.0 CUSTOMER BILLING - Bills for wastewater service will be rendered quarterly as stated in the rate schedule.
- In accordance with Rule 25-30.335, Florida Administrative Code, the utility may not consider a customer delinquent in paying his or her bill until the twenty-first day after the utility has mailed or presented the bill for payment.
- A municipal or county franchise tax levied upon a water or wastewater public utility shall not be incorporated into the rate for water or wastewater service but shall be shown as a separate item on the utility's bills to its customers in such Municipality or County.
- If a utility utilizes the base facility and usage charge rate structure and does not have a Commission authorized vacation rate, the utility shall bill the customer the base facility charge regardless of whether there is any usage.
- 16.0 DELINQUENT BILLS - When it has been determined that a customer is delinquent in paying any bill, wastewater service may be discontinued after the Company has mailed or presented a written notice to the customer in accordance with Rule 25-30.320, Florida Administrative Code.
- 17.0 TERMINATION OF SERVICE - When a customer wishes to terminate service on any premises where wastewater service is supplied by the Company with wastewater service, the Company may require reasonable notice to the Company in accordance with Rule 25-30.325, Florida Administrative Code.

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.

WASTEWATER TARIFF

(Continued from Sheet No. 9.0)

- 18.0 UNAUTHORIZED CONNECTIONS - WASTEWATER - Any unauthorized connections to the customer's wastewater service shall be subject to immediate discontinuance without notice, in accordance with Rule 25-30.320, Florida Administrative Code.
- 19.0 ADJUSTMENT OF BILLS - When a customer has been undercharged as a result of incorrect application of the rate schedule, incorrect reading of the meter, incorrect connection of the meter, or other similar reasons, the amount may be billed to the customer as the case may be pursuant to Rules 25-30.340 and 25-30.350, Florida Administrative Code.
- 20.0 FILING OF CONTRACTS - Whenever a Developer Agreement or Contract, Guaranteed Revenue Contract, or Special Contract or Agreement is entered into by the Company for the sale of its product or services in a manner not specifically covered by its Rules and Regulations or approved Rate Schedules, a copy of such contracts or agreements shall be filed with the Commission prior to its execution in accordance with Rule 25-9.034 and Rule 25-30.550, Florida Administrative Code. If such contracts or agreements are approved by the Commission, a conformed copy shall be placed on file with the Commission within 30 days of execution.
- 21.0 EVIDENCE OF CONSUMPTION - The initiation or continuation or resumption of water service to the customer's premises shall constitute the initiation or continuation or resumption of wastewater service to the customer's premises regardless of occupancy.

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.

WASTEWATER TARIFF

INDEX OF RATES AND CHARGES SCHEDULES

	<u>Sheet Number</u>
General Service, GS	12.0
Miscellaneous Service Charges	14.0
Residential Service, RS	13.0

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.

WASTEWATER TARIFF

GENERAL SERVICE

RATE SCHEDULE GS

- AVAILABILITY - Available throughout the area served by the Company.
- APPLICABILITY - For wastewater service to all customers for which no other schedule applies.
- LIMITATIONS - Subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD - Quarterly.
- RATE - Quarterly Flat Rate Billing – Billed in Arrears.

Clubhouse	\$652.87
Satellite Recreational Area 1	65.29
Satellite Recreational Area 2	65.29
Satellite Recreational Area 3	65.29
Sales/Administrative Offices	261.13
Construction Office	130.58

- TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a customer is delinquent in paying the bill for wastewater service, service may then be discontinued.
- EFFECTIVE DATE - For services rendered on or after August 17, 1996.
- TYPE OF FILING - Application of 1996 price index.

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.  
WASTEWATER TARIFF

RESIDENTIAL SERVICE

RATE SCHEDULE RS

- AVAILABILITY - Available throughout the area served by the Company.
- APPLICABILITY - For wastewater service for all purposes in private residences and individually metered apartment units.
- LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD - Quarterly.
- RATE - Quarterly Flat Rate Billing - Billed in Arrears.  
\$65.29
- TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a customer is delinquent in paying the bill for wastewater service, service may then be discontinued.
- EFFECTIVE DATE - For services rendered on or after August 17, 1996.
- TYPE OF FILING - Application of 1996 price index.

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.

WASTEWATER TARIFF

MISCELLANEOUS SERVICE CHARGES

The Company may charge the following miscellaneous service charges in accordance with the terms state herein. If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Company requires multiple actions.

INITIAL CONNECTION - This charge would be levied for service initiation at a location where service did not exist previously.

NORMAL RECONNECTION - This charge would be levied for transfer of service to a new customer account at a previously served location or reconnection of service subsequent to a customer requested disconnection.

VIOLATION RECONNECTION - This charge would be levied prior to reconnection of an existing customer after disconnection of service for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment

PREMISES VISIT CHARGE (IN LIEU OF DISCONNECTION) - This charge would be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

Schedule of Miscellaneous Service Charges

	<u>Normal Hours</u>	<u>After Hours</u>
Initial Connection Fee	\$ <u>10.00</u>	\$ <u>15.00</u>
Normal Reconnection Fee	\$ <u>10.00</u>	<u>15.00</u>
Violation Reconnection Fee	<u>Actual Cost (1)</u>	<u>Actual Cost (1)</u>
Premises Visit Fee (in lieu of disconnection)	\$ <u>5.00</u>	<u>n/a</u>

(1) Actual Cost is equal to the total cost incurred for services.

Robert Munro  
Title: Utilities Director

Del Tura Phase I, L.L.C.  
WASTEWATER TARIFF

INDEX OF STANDARD FORMS

	<u>Sheet No.</u>
COPY OF CUSTOMER'S BILL	16.0

Robert Munro  
Title: Utilities Director



Del Tura Phase I, L.L.C.

WASTEWATER TARIFF

COPY OF CUSTOMER'S BILL

**Chateau Communities**

**Del Tura**  
 18621 N. Tamiami Trail  
 N. Ft. Myers, FL 33903  
 Phone # 941-731-3330  
 Fax # 941-731-1331  
 DelTura@Chateaucomm.com

**Account #**

**Invoice Date**

**Due Date**

For change of address and other inquiries please forward to location above.

**INVOICE**

Description	Begin	End	Use	Rate	Amount
Previous Balance Due					
Payment Received					
<b>Total Prior Balance</b>					
<b>Sewer</b>	.00	.00	.00		
Sewer Flat Fee			.00	.00	\$65.29
<b>Total Sewer</b>					<b>\$65.29</b>

**Current Charges:**

Total Utilities	\$65.29
Space Rent	
Total Space Charge	

**Total Amount Due as of**

All other payments received or charges incurred after this date will be reflected on next month's invoice.  
 Please return the bottom portion with your payment in the enclosed envelope. Please be sure to allow time for payments to arrive by mail by the first of the month.

Detach here and include with payment to ensure proper credit

**Chateau Communities**  
 P.O. Box 79057  
 Phoenix, AZ 85062-9057

Please remit all payments to the address below and include your account # on the enclosed payment.

Chateau Communities  
 P.O. Box 79057  
 Phoenix, AZ 85062-9057

**Due Date**

**Acct #**

**Invoice Amt**

**Amt Remitted** \_\_\_\_\_

Robert Munro  
 Title: Utilities Director

# Attachment G

**FLORIDA PUBLIC SERVICE COMMISSION**

**Certificate Number  
298-S**

**Upon consideration of the record it is hereby ORDERED  
that authority be and is hereby granted to:**

**CHATEAU COMMUNITIES, INC.**

**Whose principal address is:**

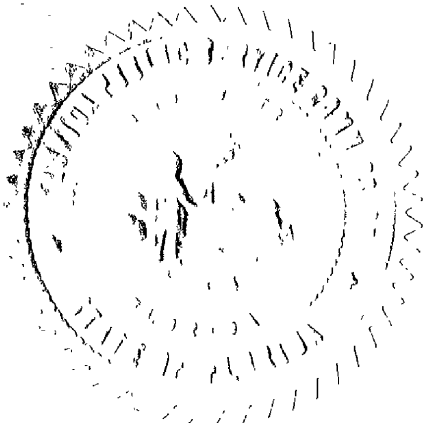
**14205 East Colonial Drive  
Orlando, Florida 32826 (Lee County)**

**to provide wastewater service in accordance with the provision of Chapter 367,  
Florida Statutes, the Rules, Regulations and Orders of this Commission in the  
territory described by the Orders of this Commission.**

**This Certificate shall remain in force and effect until suspended, cancelled or  
revoked by Orders of this Commission.**

<b>ORDER</b>	<b>PSC-96-0770-FOF-SU</b>	<b>DOCKET</b>	<b>950781-SU</b>
<b>ORDER</b>		<b>DOCKET</b>	
<b>ORDER</b>		<b>DOCKET</b>	
<b>ORDER</b>		<b>DOCKET</b>	
<b>ORDER</b>		<b>DOCKET</b>	

**BY ORDER OF THE  
FLORIDA PUBLIC SERVICE COMMISSION**



*Blanca S. Bayo*  
\_\_\_\_\_  
Director  
Division of Records and Reporting