

ORIGINAL



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TALLAHASSEE, FLORIDA 32301

(850) 412-2000  
FAX: (877) 604-5230  
KATHRYN.COWDERY@RUDE.N.COM

December 16, 2003

Blanca S. Bayo, Director  
Division of Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Building, Room 110  
Tallahassee, Florida 32399-0850

Via Hand Delivery

COMMISSION  
CLERK

DEC 16 PM 2:50

RECEIVED-PPSC

Re: Docket No. 980876-WS  
Application for Certificate to Operate a Water and Wastewater Utility in Marion  
County by Ocala Springs Utilities Inc.

Dear Ms. Bayo:

Enclosed for filing at Staff's request are an original and fifteen copies of documents  
relating to the Florida Forever Program negotiations between Ocala Springs Utilities Inc. and the  
State of Florida.

Please acknowledge receipt of the foregoing by stamping the enclosed extra copy of this  
letter and returning same to my attention.

Sincerely,

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

Kathryn G.W. Cowdery  
Attorney

RECEIVED & FILED

PPSC-BUREAU OF RECORDS

- AUS \_\_\_\_\_
- CAF \_\_\_\_\_
- CMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_ KGC
- ECR \_\_\_\_\_ Enclosures
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_ Cc: Pat Brady (w/enc.)
- MMS \_\_\_\_\_
- SEC \_\_\_\_\_
- OTH \_\_\_\_\_

TAL:46116:1

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

DOCUMENT NUMBER - DATE

13079 DEC 16 03

PPSC-COMMISSION CLERK



RECEIVED  
DEC 15 2003

Office of  
KATHRYN G.W. COWDERY

Dec 11, 2003

Ms Katherine Cowdery  
Ruden and Mc Closky  
215 S Monroe St  
Tallahassee, FL 32301

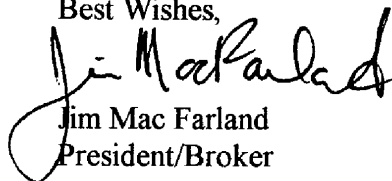
Dear Ms Cowdery:

Conservation Properties is representing Avatar Holdings, Inc in the potential sale of the Ocala Springs property to the State of Florida. The property is on the State of Florida's Forever Florida list that has been approved by the Governor and Cabinet.

The State has hired independent appraisers to value the property, and their work is almost done. The attached e-mails and correspondence is between DEP employees, Shipley Keys, and Beck regarding the appraisal process with the independent appraisers. It is anticipated that DEP will make an offer to Avatar in January 2004.

Let me know if you need additional information, or feel free call DEP.

Best Wishes,



Jim Mac Farland  
President/Broker

CC Dennis Getman, Esq., Avatar Holdings

**Jim MacFarland**

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**From:** "Shiple, Ryck" <Ryck.Shipley@dep.state.fl.us>  
**To:** "Jim MacFarland" <jim@conservationrealestate.net>  
**Sent:** Tuesday, December 02, 2003 11:24 AM  
**Subject:** RE: avatar

We had to give her an extension because one of the appraisers wasn't able to get the additional information she wanted because of the holiday. She asked for a week to ten days. I gave her two weeks in the hopes that there won't be any more delays.

*Ryck*

-----Original Message-----

**From:** Jim MacFarland [mailto:jim@conservationrealestate.net]  
**Sent:** Tuesday, December 02, 2003 11:20 AM  
**To:** Shiple, Ryck  
**Subject:** avatar

the review on Avatar was due on Dec 1. did it come in?? thanks jim

12/11/2003

**Jim MacFarland**

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**From:** "Shiple, Ryck" <Ryck.Shipley@dep.state.fl.us>  
**To:** " Jim MacFarland" <jim@conservationrealestate.net>  
**Cc:** "Susan Waller" <waller333@msn.com>; "Porter, Thomas" <Thomas.Porter@dep.state.fl.us>;  
"Keys, Kathy" <Kathy.Keys@dep.state.fl.us>  
**Sent:** Friday, December 05, 2003 1:40 PM  
**Subject:** 1st Magnitude Springs - Avatar

Jim, this is to confirm your phone message of this morning in which you told me it's your belief that the Avatar owners would be willing to permit an extension for the reviewer on this project to allow sufficient time to insure the appraisals are accurate and well supported. I sincerely appreciate both your and their patience in this matter. This is a very complex assignment and I'm sure the additional time will be gratefully received.

*Ryck*

12/11/2003

## Jim MacFarland

---

**From:** "Shiple, Ryck" <Ryck.Shipley@dep.state.fl.us>  
**To:** "Jim MacFarland" <jim@conservationrealestate.net>  
**Cc:** "Frank Catlett" <fcattlett@tampabay.rr.com>; "George Goodman" <ggtop@solivita.net>; "Susan Waller" <waller333@msn.com>  
**Sent:** Thursday, October 02, 2003 1:48 PM  
**Subject:** FL 1st Magnitude Springs - Avatar

The current due date is 10/08 – that's next Wednesday. However, unless I'm mistaken, the revised boundary map to include the area east of the railroad and north of County Road 326 isn't due until the end of October. Of course the appraisers can work with the increase in acreage but they'll be hard pressed to finalize anything without the revised legal.

*Ryck*

-----Original Message-----

**From:** Jim MacFarland [mailto:jim@conservationrealestate.net]  
**Sent:** Thursday, October 02, 2003 11:17 AM  
**To:** Shiple, Ryck  
**Subject:** avata/rMarion County

Ryck- When are the appraisasals due to be completed? Jim

## Jim MacFarland

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**From:** "Shipley, Ryck" <Ryck.Shipley@dep.state.fl.us>  
**To:** "Ellen Cunningham" <ellen@conservationrealestate.net>; "Jim MacFarland" <jim@conservationrealestate.net>  
**Cc:** "Rhonda Carroll" <rhonda@carrollappraisal.com>; "Susan Waller" <waller333@msn.com>; "George Goodman" <ggtop@solivita.net>; "Michael Candler" <candlerappraisal@bellsouth.net>; "Frank Catlett" <fcattlett@tampabay.rr.com>  
**Sent:** Wednesday, September 03, 2003 9:34 AM  
**Subject:** FL 1st Magnitude Springs - Ocala Springs Avatar & Morrison Springs

Please let me know if you intend to set up the site inspection for these projects. The clock is ticking and, while the appraisers can do some preliminary work, the serious work can't begin until they inspect the site and interview the owner/owner's rep. It will take some time to coordinate all the players.

*Ryck Shipley*  
Senior Appraiser  
St. Cert. Gen. R.E.A. No. RZ 76  
FL DEP, Bureau of Appraisal  
3900 Commonwealth Blvd, MS 110  
Tallahassee, FL 32399-3000  
Ph. 850-245-2658  
Fax 850-245-2668  
e-mail ryck.shipley@dep.state.fl.us

**Jim MacFarland**

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**From:** "Keys, Kathy" <Kathy.Keys@dep.state.fl.us>  
**To:** "Beck, Bob" <Bob.Beck@dep.state.fl.us>  
**Cc:** "Shiple, Ryck" <Ryck.Shipley@dep.state.fl.us>; "Ellen Cunningham (E-mail)" <ellen@conservationrealestate.net>; "Jim McFarland (E-mail)" <jim@conservationrealestate.net>  
**Sent:** Thursday, September 25, 2003 8:47 AM  
**Subject:** Fla First Mag Springs - Avatar and Morrison Springs

Bob,

Can you give us a status/ETA for the following:

Avatar - revised acreage for the property by the RR track that we asked you to add on 9/16.

Morrison Springs - you were waiting to get upland and wetland acreage (and total).

Thanks!

Kathy Keys

Sr. Acquisition Review Agent

Bureau of Land Acquisition

DEP - Division of State Lands

(850) 245-2669

Fax (850) 245-2718

**Jim MacFarland**

---

**From:** "Keys, Kathy" <Kathy.Keys@dep.state.fl.us>  
**To:** "Jim MacFarland" <jim@conservationrealestate.net>  
**Sent:** Thursday, September 25, 2003 12:09 PM  
**Subject:** RE: Fla First Mag Springs - Avatar and Morrison Springs

Jim, I spoke to Ryck and he asked if you would please sent to the appraisers.

Will someone be at your office until 5 pm today so I can bring you a copy of the maps and acreage of this site without our latest addition??

Kathy

-----Original Message-----

**From:** Jim MacFarland [mailto:jim@conservationrealestate.net]  
**Sent:** Thursday, September 25, 2003 12:12 PM  
**To:** Keys, Kathy  
**Subject:** Re: Fla First Mag Springs - Avatar and Morrison Springs

I have 5 pkgs of info re Avatars Poinciana and Solivita developments that the contract appraisers asked for. Do you want me to bring them to you for distribution, or would you like me to mail them to the appraisers?? Jim

----- Original Message -----

**From:** "Keys, Kathy" <Kathy.Keys@dep.state.fl.us>  
**To:** "Jim MacFarland" <jim@conservationrealestate.net>; "Beck, Bob" <Bob.Beck@dep.state.fl.us>  
**Cc:** "Shiple, Ryck" <Ryck.Shiple@dep.state.fl.us>; "Ellen Cunningham (E-mail)" <ellen@conservationrealestate.net>  
**Sent:** Thursday, September 25, 2003 9:57 AM  
**Subject:** RE: Fla First Mag Springs - Avatar and Morrison Springs

Bob, the appraisals are due to the review appraiser on Oct. 6th. We would like to prevent any delays with the appraisers if at all possible. thanks,  
KK



-----Original Message-----

From: Jim MacFarland [mailto:jim@conservationrealestate.net]  
Sent: Thursday, September 25, 2003 9:55 AM  
To: Keys, Kathy; Beck, Bob  
Cc: Shipley, Ryck; Ellen Cunningham (E-mail)  
Subject: Re: Fla First Mag Springs - Avatar and Morrison Springs

Is Bob also having the Avatar acreage only calculated in the Silver Shores Subdivision- less roads and other owners??? Jim

----- Original Message -----

From: "Keys, Kathy" <Kathy.Keys@dep.state.fl.us>  
To: "Beck, Bob" <Bob.Beck@dep.state.fl.us>  
Cc: "Shipley, Ryck" <Ryck.Shipley@dep.state.fl.us>; "Ellen Cunningham (E-mail)" <ellen@conservationrealestate.net>; "Jim McFarland (E-mail)" <jim@conservationrealestate.net>  
Sent: Thursday, September 25, 2003 9:47 AM  
Subject: Fla First Mag Springs - Avatar and Morrison Springs

Bob,

Can you give us a status/ETA for the following:

Avatar - revised acreage for the property by the RR track that we asked you to add on 9/16.

Morrison Springs - you were waiting to get upland and wetland acreage (and total).

Thanks!

Kathy Keys  
Sr. Acquisition Review Agent  
Bureau of Land Acquisition  
DEP - Division of State Lands  
(850) 245-2669  
Fax (850) 245-2718

12/11/2003

**Jim MacFarland**

---

**From:** "Keys, Kathy" <Kathy.Keys@dep.state.fl.us>  
**To:** "Shiple, Ryck" <Ryck.Shipley@dep.state.fl.us>  
**Cc:** "Beck, Bob" <Bob.Beck@dep.state.fl.us>; "Jim McFarland (E-mail)" <jim@conservationrealestate.net>; "Ellen Cunningham (E-mail)" <ellen@conservationrealestate.net>  
**Sent:** Tuesday, September 16, 2003 9:02 AM  
**Subject:** Fla Fist Mag Springs, Avatar ownership

Ryck, you have a copy of the Avatar map with the portion of the property that is to be removed from the appraisal map. Can you get that to Bob Beck?

We will need to get revised acres to the appraisers very soon.

Thanks,  
Kathy

**Jim MacFarland**

---

**From:** "Shiple, Ryck" <Ryck.Shipley@dep.state.fl.us>  
**To:** "Maxwell, Frances" <Frances.Maxwell@dep.state.fl.us>  
**Cc:** "Porter, Thomas" <Thomas.Porter@dep.state.fl.us>; "Susan Waller" <waller333@msn.com>; "Jim MacFarland" <jim@conservationrealestate.net>  
**Sent:** Thursday, November 06, 2003 1:43 PM  
**Subject:** Florida 1st Magnitude Springs - Avatar

Fran, please issue a notice to proceed to Susan Waller as review appraiser on this project. Her start date is November 7, 2003 and her due date (21 days) is December 1, 2003.

thanx

*Ryck Shipley*

Senior Appraiser

State Cert. Gen. Appraiser No. RZ 76

FL DEP, Bureau of Appraisal

3900 Commonwealth Blvd, MS 110

Tallahassee, FL 32399-3000

Ph. 850-245-2658

Fax 850-245-2668

e-mail [ryck.shipley@dep.state.fl.us](mailto:ryck.shipley@dep.state.fl.us)

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12/11/2003