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REPLY TO CENTRAL FLORIDA OFFICE

March 31, 2006

VIA HAND DELIVERY

ORIGINAL

<u>Central Florida Office</u> Sanlando Center 2180 W. State Road 434, Suite 2118 Longwood, Florida 32779 (407) 830-6331 Fax (407) 830-8522

MARTIN S. FRIEDMAN, P.A. VALERIE L. LORD BRIAN J. STREET MAR 31 PM 2: 34 CLERK

Ms. Blanca Bayo Commission Clerk and Administrative Services Director Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399

Re: Docket No. 060139-WU; Application of Colina Bay Water Company, LLC, for original Water Certificate in Lake County, Florida <u>Our File No.: 40059.01</u>

Dear Ms. Bayo:

This correspondence is in response to the Staff's March 1, 2006 correspondence requesting additional information in connection with the above-referenced Application.

Deficiencies:

		-			
CMP	And and the second s	1.	The Utility anticipates again serving customers in the fourth quarter of 2006.		
СОМ		2.	Attached is a copy of the Warranty Deed which will convey the water plant		
CTR			site to Colina Bay Water Company, LLC.		
ECR	TARIFF SHE	с _{3.}	Enclosed is a copy of a Survey from Bishman Surveying which allows the Staff		
GCL	to plot the service territory by metes and bounds. MAP -		to plot the service territory by metes and bounds. MAP - for worder to ECR		
OPC .	and the particular states and a	4.	Mercantile Bank is providing the funds to a related party for developing the		
RCA .	CA		property, and that related party will be utilizing a portion of those funds for		
SCR _			the construction of the utility facilities.		
SGA _		<u>Additi</u>	onal Information:		
SEC _		1.	Enclosed is an updated plat showing the 73 lots in additionation updated plat showing the 73 lots in additionation and the second statements of th		
OTH		1.	Enclosed is an updated plat showing the 75 lots in addition of upotin "CAR		
	1.0 1	\mathcal{C}	02898 MAR 31 8		

MAP Not SCANNED

FPSC-COMMISSION CLERK

Ms. Blanca Bayo Commission Clerk and Administrative Services Director Florida Public Service Commission March 31, 2006 Page 2

> which the water plant will be located. All customers will be single family detached homes.

- 2. The meter size set forth in the Application was a typographical error, and the meter size included in the financial schedules is the correct one.
- 3. Wastewater Service is being provided by individual septic tanks.
- Enclosed is the analysis of the value of the Utility parcel. 4.
- 5. Enclosed is a computer disc with the calculations of O & M expenses, and rates and rate base.

ORIGINAL FORWARDEDG. TO TARIFF

The Service Availability Policy was inaccurate, and I have enclosed a new Tariff Sheet Number 24.0 with the corrected Service Availability Policy.

The estimated daily demand is based upon indoor water use, and irrigation demands based upon the large size of landscaped lots.

Should the Staff have any additional information, please do not hesitate to have them contact me.

Very truly yours

Un an Ende

MARTIN S. FRIEDMAN For the Firm

MSF/tlc Enclosures

cc: Mr. Edward A. Neal (w/o enclosures) (via U.S. Mail) Mr. Robert C. Nixon, CPA (w/o enclosures) (via U.S. Mail) Mr. Richard Redemann, P.E., (w/o enclosures) (via U.S. Mail)

M:\1 ALTAMONTE\COLINA BAY WATER COMPANY, LLC\PSC Clerk (Bayo) 05.ltr.wpd

THIS DOCUMENT PREPARED BY: Martin S. Friedman, Esquire ROSE, SUNDSTROM & BENTLEY, LLP Sanlando Center 2180 W. State Road 434, Suite 2118 Longwood, FL 32779

Parcel ID Number

General Warranty Deed

MADE this ______ day of ______, 2006 A.D., by COLINA BAY, LLC, a Florida limited liability company, whose address is 7512 Dr. Phillips Boulevard, Suite 50-513, Orlando, FL 32819 ("Grantor"), to COLINA BAY WATER COMPANY, LLC, a Florida limited liability company, whose post office address is 7512 Dr. Phillips Boulevard, Suite 50-513, Orlando, FL 32819 ("Grantee"):

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Lake County, Florida, viz:

Tract G of COLINA BAY, a subdivision as per map or plat thereof recorded in Plat Book _____, Page _____ of the Public Records of Lake County, Florida.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2005.

This is not the homestead property of said Grantor.

In Witness Whereof, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

COLINA BAY, LLC

Witness Printed Name	BY:	
	Its:	
Witness Printed Name		

State of Florida County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2006, by ______ as _____ of COLINA BAY, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or who has produced ______ as identification.

Notary Public - State of Florida Printed Name: ______ My Commission Expires: ______

M:\1 ALTAMONTE\COLINA BAY WATER COMPANY, LLC\Warranty Deed (General).wpd

COLINA BAY WATER COMPANY, LLC WATER TARIFF

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•

SERVICE AVAILABILITY POLICY

Service Company shall construct all on-site water distribution systems required to serve the Developer's property.

ED NEAL ISSUING OFFICER

MANAGER_____ TITLE

Colina Bay Water Company, LLC Analysis of Cost of Land

+

4

Total Acquisition & Development Costs excluding Utility System Costs Less: Deferred Payment Gates/ Dock/ Park amenities Landscape/ Signage/Fountains	\$ 18,024,759 (3,300,000) (350,000) (150,000)
Total Costs allocable with Utility Plant Site	<u>\$ 14,224,759</u>
Total acres of land developed	51.83
Total Cost per acre No. of acres at Utility Plant site	\$ 274,450 2.56
Total cost of Utility Plant site	<u>\$ 702,593</u>

SHEET 1 OF 4 PLAT BOOK

LEGEND CENTRAL ANGLE

RADIUS LENGTH ARC LENGTH TANGENT LENGTH

CHORD BEARING

POINT OF CURVATURE

POINT OF TANGENCY POINT OF REVERSE CURVE POINT OF COMPOUND CURVE RADIUS POINT

POINT OF BEGINNING POINT OF COMMENCEMENT

NOT RADIAL OFFICIAL RECORDS BOOK

PLAT BOOK

L.B. LICENSED BUSINESS

68 CH

PC PRC PCC PCC POB POB N.R. G.R.

PG. P.B. E PAGE

SHEET INDEX

SHEET 3

SHEET 4

CERTIFICATE OF COUNTY COMPTROLLER

I HEREBY CERTIFY, That I have examined the foregoing

File No

D.C.

plat and find that it complies in form with all the requirements of Chapter 177, Florido Statutes, and was

filed for record on _

County Comptroller in and for Lake County, Florida

ot ___

8v

SHEET 2

COLINA BAY

DEDICATION

NOW ALL HEN OF TRESS PRESENTS. THAT THE COMPORATION HAWED BELOW. BOWN THE COMPORT IN THE COMPORATION HAWED BELOW. BOWN THE COMPORT IN THE SAMPL OF THE CAMED AN INFE TREESON AND PRIMOSE STATUS THAT THE COMPORATION THAT THAT THAT AND PRIMOSE ONES THAT THAT THAT THAT THAT THAT EASENTS SHOWN HEREON TO THE PERFETURA USE OF THE PARLIE, UNLESS DREMINES MORTH.

ACCESS EASEMENT OVER TRACT H IS HEREBY RESERVED TO ALL OWNERS OF ANY PORTION OF THE PROPERTY, THEM RESPECTIVE SUCCESSORS, ASSORD, AGENTS AND INVITES, UNITED STATES MAR CARRERS, AND TO LAKE COUNTY, LICHORA, ITS DAPLOYEES AND AGENTS, FOR THE PERFORMANCE OF MANOPAL FLORIDA, ITS DAPLOTES AND ARENTS FOR THE PUTYONIAMER OF MANAGAAL AND GOVERNMENTAL FUNCTIONS REASONABLY RECESSARY TO PROVDE FOR AND PROTECT THE HEALTH, SAFETY NO MELTARE OF THE PROFERITY AND OWNERS THEREOF FOR RESOLUTIS THEREON, AS NELL AS THERE ARENTS AND HVITES, INCLUDING, BUT NOT LIMITED TO, POLICE, FRE AND EMERGENEY MERCAL SERVICES.

IN WITNESS WHEREOF, HAS CAUSED THESE PRESENTS TO BE SIGNED AND ATTESTED TO BY THE OFFICER NAMED BELOW AND ITS CORPORATE SEAL TO BE AFFIRED AREFTO ON CTURA BAY U.C.

ar

EDWARD A. NEAL, MANAGING MEMBER SIGNED AND SEALED IN THE PRESENCE OF

> PRINT NAME PRINT NAME

STATE OF FLORIDA COUNTY OF GRANGE

NET ON COMPACT IN AT CALL AND CONTRACT ON THE CALL AND CONTRACT OF CALL AND CONTRACT OF CALL AND CONTRACT OF CALL AND CALL AND CONTRACT OF CALL AND CALL AN

NOTARY PUBLIC

MY COMMISSION EXPIRES

CERTIFICATE OF SURVEYOR AND MAPPER

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being a professional surveyor and mapper certifies that I have prepared the foregoing plat and it was made under my direction and supervision and that the plot complies with all of the survey requirements of Chapter 177, Florido Stotues; and that said land is located in. Lake County, Florida.

Signed ____ __ Doted: __ BISHMAN SURVEYING AND MAPPING Aron D. Bishman, PSM 232 S. Dilard St., 1201 Florida Registration No. 5668 Winter Garden, FL 34787 Certificate of Authorization No. 7274

CERTIFICATE OF REVIEW BY COUNTY SURVEYOR

This plot has been reviewed for conformity with Chapter 177, Florida Statutes.

	County Surveyor	Date
CERTIFICAT	E OF APPROVAL BY	ZONING DIRECTOR
Examined		
and		
Approved		
	Zoning Director	Date
	Lonning Director	
CERTIFICAT Examined and Approved	TE OF APPROVAL BY	COUNTY ENGINEER
-	County Engineer	Date
CER	TIFICATE OF APPROVA OF COUNTY COMMIS	

THIS IS TO CERTIFY, that on_ foregoing plat was approved by the Board of County Commissioners of Lake County, Florida.

County Chairmon

Attest:

Clerk of the Boord.

By_____ D.C.

COLINA BAY PORTION OF SECTIONS 14 & 23 TOWNSHIP 22 SOUTH, RANGE 26 EAST LAKE COUNTY, FLORIDA

DESCRIPTION:

THAT PART OF SECTIONS 14 AND 23, TOWNSHIP 22 SOUTH, RANGE 28 EAST, LAKE COUNTY, FLORIDA, LYNG MORTH OF COUNTY ROAD NO. 453 AND SOUTH OF THE CENTERLINE OF THE ABANDONED SEABOARD AR LINE RAILROAD MIGHT-OF-WAY BEING DESCRIBED AS FOLLOWS:

CONTAINS 73,633 ACRES WORE OR LESS.

DENOTES SET PERMANENT REFERENCE MONUMENT, A 4***** CONCRETE MONUMENT "PRM 18 7274", UNLESS NOTED OTHERMSE.

DENOTES SET PERMANENT CONTROL POINT, A NAIL AND DISC "POP LB 7274", UNLESS MOTED OTHERMISE.

NOTCE: THIS FLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF The Suboverd Lancs described nerve and mill in no organistances be superants in Authorny of any other diangene or diasta. To that of the fast, there has be additional restrictions that are not recorded on this flat that that be fold in the Paul Records of this county.

CASMOT HOTE, ALL PLATED CASENOTS, DOLUSING OF PRIVATE CASMOTTS GRAVED TO ON ORTHAND BY A MURICULAR DECEMBERT ELEMANDE, GAS, ON OTHER PLANE, UTILITY DEMANDO BY CARE ELEMANDS AND DECEMBERT AND A GAS AND AND AND DEMANDO BY CARE ELEMANDS AND DEVESTION OF ADDINATION ANTIMATER BY MARTINANES, AND OPERATION OF CARE TELEVISION SERVICES SHALL INTERTORE BIT ME RACUTES AND SERVICES OF AN ELEMANS, GAS AND OTHER PLANE, DEVE

NOTES

- BEAMMOS SHOWN HEREON ARE BASED ON THE FOLLOWING: THE WEST LINE OF GOURD NECK NECK SPRINGS, P.B. 34 PG, 51-52, BEING NOOTDE'38'E (PER PLAT).
- 2. ALL LOT LINES ARE RADIAL UNLESS NOTED (N.R.) NOT RADIAL
- 3 DEFINE IS A 10.00' MOR UTILITY FASTMENT AREA ADMICENT TO ALL RIGHTS OF WAY
- A THERE IS A S ON' MOR EASEMENT AREA ALONG ALL SHOP AND REAR LOTS.

TRACTS A & & - (RETENTION POINDS) ARE OTHER AND MAINTAINED BY THE CLIMA BAY HOMEOHNER'S ASSOCIATION TRACT C - (OPEN AREA) IS CHINED AND MAINTAINED BY ST. JOHN'S RIVER WATER WANAGEMENT DISTRICT TRACTS D & E - (PARKS) ARE OWNED AND MAINTAINED BY THE COLINA BAY HOMEOWNERS ASSOCIATION TRACT F - (25' RIGHT-OF-WAY DEDICATION) IS OWNED AND MAINTAINED BY LAKE COUNTY TRACT & - (WATER PLANT SITE) IS OWNED AND MAINTAINED BY COLINA BAY WATER COMPANY, LLC. TRACT H - PRIVATE ROADWAY/DRAMAGE EASEMENT

THE WELL PROTECTION EASEMENT SHOWN ON LOT 31 HEREON, IS HEREDY DEDICATED TO COLINA BAY WATER COMPANY, LLC. NO SEPTIC TANK OR DRAWNFIELD IS ALLOWED WITHIN THIS EASEMENT.



