

M E M O R A N D U M

October 17, 1995

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (CROSBY) *AS*

RE: DOCKET NO. 941044-WS - RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY DECLARING CHARLOTTE COUNTY SUBJECT TO THE PROVISIONS OF CHAPTER 367, FLORIDA STATUTES - REQUEST FOR EXEMPTION FOR PROVISION OF WASTEWATER SERVICE BY MARY LU HOMEOWNERS ASSOCIATION, INC.

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Attached is a letter dated August 18, 1995, from Mr. Jesse W. Hill, President of Mary Lu Homeowners Association, Inc., transmitting a copy of the deed showing ownership of the land upon which its facilities are located and a copy of the Park Rules and Regulations. The letter also responds to certain questions asked by staff. PLEASE PLACE THE LETTER AND ATTACHMENTS IN THE ABOVE-REFERENCED DOCKET FILE. Thanks.

alc

Attachments

cc: Division of Water and Wastewater  
(Tomlinson)



**MARY LU HOMEOWNERS  
ASSOCIATION, INC.**

24437 Harborview Road, Box 222  
Charlotte Harbor, Florida 33980

AUGUST 18, 1995

ALICE CROSBY,  
PUBLIC SERVICES DIVISION,  
2540 SHUMARD OAK BLVD.,  
TALLAHASSEE, FL., 32399-0850



DEAR ALICE,

ENCLOSED YOU WILL FIND A COPY OF THE DEED FOR "MARY LU MOBILE HOME PARK", WHICH IS OWNED BY MARY LU HOMEOWNERS ASS'N., INC., PLUS THE DESCRIPTION OF IT.

THE PURCHASE OF MARY LU PARK TOOK PLACE JULY 29, 1988, WHEN MARY LU HOMEOWNERS ASSOCIATION, INC. PURCHASED THE PARK FROM JAMES MORRISON OF BRADENTON, FL. THERE ARE 103 LOTS IN THE PARK AND WHEN SOMEONE BUYS A MOBILE HOME, THEY ALSO BUY A "SHARE" IN THE PARK, IN THE AMOUNT OF \$16,500.00, THUS ALLOWING THEM TO LIVE HERE FOR \$75.00 PER MONTH FOR MAINTENANCE.

I HAVE ENCLOSED A COPY OF OUR SHARE, SO THAT YOU WILL KNOW WHAT IT LOOKS LIKE.

WE ARE GOVERNED BY STATE APPROVED "BY LAWS" AND "RULES AND REGULATIONS". NO LOTS IN OUR PARK ARE LEASED.

THERE IS A SEVEN MEMBER BOARD OF DIRECTORS, WHO ARE ELECTED, AND THEY APPOINT THE OFFICERS.

WE HOPE THIS INFORMATION AND THE ENCLOSURES ARE WHAT YOU ARE LOOKING FOR.

SINCERE BEST WISHES,

  
JESSE W. HILL, PRESIDENT

MARY LU HOMEOWNERS ASSOCIATION INC.  
24437 HARBORVIEW ROAD BOX 222  
CHARLOTTE HARBOR, FL. 33980

AREA CODE 941

TELEPHONE 625 2395

## PARK RULES AND REGULATIONS

1. Park business hours are from 9:00 AM to 5:00 PM Monday thru Friday, and Saturdays by appointment.

In EMERGENCIES CALL 625-2395.

All other requests complaints or problems should be submitted to the office in writing with your lot and phone number with signature and placed in LETTER BOX at LOT 96.

2. All Mobile Homes in Mary Lu Mobile Home Park must be owned by current members in good standing of Mary Lu Homeowners Ass'n Inc. This rule shall apply prospectively from the date of enactment, Nov. 16, 1988, and shall not apply to current Mobile Home Owners who are not members of Mary Lu Homeowners Ass'n Inc., but it shall apply to any subsequent Purchaser, Assignee, Heir, Devisee, or Transferee of such Mobile Homes.

3. No person may regularly occupy or reside in a Mobile Home unless one person is at least 55 years of age and that person will regularly reside in and occupy the Mobile Home. All other persons who will regularly reside in and occupy the Mobile Home, must be at least 18 years of age or older. The preceding age requirements apply to all of the spaces in the Mobile Home Park. Existing residents of the Park as of June 26, 1989, are deemed to be Grand-fathered in and may therefor continue residing in the Park, but only if they and all other members of their household meet the Park's former age requirements, which are that residents be over 18 years of age. When, however, an existing resident transfers ownership or possession of the Mobile Home or Mobile Home Lot, by Sale, Gift, Inheritance or otherwise, the new residents and all persons who regularly reside with them, must comply with the preceding age restrictions.

4. No children under eighteen (18) years of age shall be permitted to reside in the Park on a permanent basis. In the event that the tenant does not have children upon entrance into the Park and subsequently does have children, then that Tenant agrees that within sixty (60) days Thereafter, such tenant shall remove himself from the Park voluntarily or be subject to eviction.

5. A purchaser of a Tenant's Mobile Home must qualify with the requirements for entry into the Park and must be approved in writing by the Association, but such approval shall not be unreasonably withheld.

6. It is the intent that the owner of each unit of Mary Lu Mobile Home Park shall occupy and use such unit as a private dwelling and for no other purpose, including business purposes. Therefore, the leasing of Mobile Homes to others as a regular practice for business, speculative investment, or other similar purposes is not permitted. However, to meet special situations and to avoid undue hardship or practical difficulties, the Board of Directors may grant permission to an owner to lease his unit to a specified lessee for a period of not less than ONE month nor more than SIX consecutive months.

19. All garbage cans and recycle bins are to be kept enclosed in that area designated by the Association, except for curb pick-up on designated days during pick-up hours. Tenants are required to place cans at such designated place for collection and return to the storage area after collection. Garbage containers should be placed on the inside of the park street for the first pick-up of the week and on the outside for the second pick-up. DO NOT PUT CANS OR BAGS ON THE LAWN: KEEP THEM ON THE EDGE OF THE STREET. DUMPSTERS near garage are for YARD WASTE ONLY.

20. There shall be no tampering with utility connections. In the event of trouble, the tenant agrees to notify the office immediately. The tenant shall not throw "kleenex" tissue, paper towels, or sanitary napkins in toilet bowls. Coin operated laundry facilities are provided; clothes are to be washed and dried in this area only, except as follows: laundry equipment may be installed in Mobile Homes, provided written approval is obtained from the Association. However, under no circumstances, will washing and drying of laundry be permitted outside of Mobile Homes.

21. The use of the Recreation Building is restricted to members' activities only. Leasing or renting the facilities is prohibited. Minors using recreation facilities must be accompanied by a member.

22. One "FOR SALE" sign on or in the Mobile Home is permitted, providing such sign is no larger than 10" x 14".

23. Any additions to or modification of the outside structure within the park must have the approval of the Board of Directors. All applications for such approval must include:

1. A detailed plan, including a drawing of the proposal.
2. Any identification of trees, lawn areas or services which may be affected by the proposal.

For the purpose of the rule, STRUCTURE means building, shed, carport, driveway, and patio. Modifications do not include normal maintenance, such as roof-overs or siding. No contracts for modifications to structures in Mary Lu Park under this provision, are valid unless the project has the approval of the Association's Board of Directors.

24. RENT and MAINTENANCE FEES are DUE on or before the TENTH of the Month. A \$5.00 LATE FEE WILL BE CHARGED ON RENTS AND MAINTENANCE CHECKS NOT RECEIVED WITHIN FIVE DAYS AFTER THE DUE DATE. Past due rents and maintenance not paid by months end will be charged an EXTRA 10% on the past due amount.

25. The Board of Directors may from time to time, amend the Park Rules and Regulations by modifying or changing any existing rule or regulation, or by adopting any rule or regulation; provided, however, that the Board of Directors shall give at least 90 days PRIOR WRITTEN NOTICE to each owner of a Mobile Home in the Park, of such amendment, and provided further, that no new rule or regulation, except rules adopted as a result of restrictions imposed by governmental entities and required to protect the public health, safety and welfare, shall be enforced by the Board of Directors prior to the expiration of such 90 day period.

Prior to approval by the Board of Directors for leasing of Mobile Homes, an executed copy of the lease Agreement must be furnished to the Board of Directors.

7. All overnight guests are required to register upon arrival. No charges will be made for overnight guests for any thirty day period in each calendar year. In the event that the GUEST stays beyond the thirty (30) day period, then a charge of \$1.00 per day, per guest will be made.

8. Mary Lu Homeowners Ass'n Inc. will not be responsible for any damage or bodily injury sustained in recreational areas, those areas designated as Laundry or Drying, fire or theft of cars, Mobile Home, or property damages to the tenants, loss of stolen articles or injury to tenants caused by fellow tenants, or their vehicles. This includes all other areas in Mary Lu Mobile Home Park.

9. Excessive noise will not be permitted. Radios and TV's shall be kept at a minimum volume to prevent disturbing other tenants.

10. Improper or offensive conduct of tenants will not be tolerated. No type of business whatsoever may be conducted in the Mobile Home Park, and soliciting in any form is likewise prohibited.

11. Tenants Vehicles shall be parked in the carport. No parking will be permitted on lawns, streets, or on vacant lots. ALL VEHICLES USING THE PARK MUST OBSERVE POSTED SPEED LIMITS and traffic regulations at all times. No repairing or overhauling of vehicles or other equipment will be permitted on tenants lots.

12. Storage will be permitted outside of Mobile Homes only in approved utility rooms.

13. No travel trailers, motor homes or campers are to be used as living quarters, nor are they to be stored in the Park.

14. No pets of any kind will be permitted in the Mobile Home or in and around the Park Grounds.

15. Mowing of lawns is the responsibility of the Park but each Tenant is required to regularly trim his plantings and keep them free from harmful insects. Upon failure of the tenant to do this after reasonable notice, the Board of Directors reserves the right to have it done and bill the tenant for reasonable cost, not to exceed \$100.00

16. WATERING OF LAWNS WILL ONLY BE PERMITTED BY THE USE OF A HAND HELD SPRAY NOZZLE. NO MULTI-HEAD (INCLUDING SOAKER HOSES), OR SINGLE HEAD APPARATUS WILL BE PERMITTED FOR WATERING OF LAWNS. WATERING RULES WILL BE STRICTLY ENFORCED.

17. THE USE OF WATER TO WASH DOWN DRIVEWAYS IS NOT PERMITTED.

18. Due to underground utilities, all plans for the planting of trees and shrubs must first be submitted to the Trees and Landscaping Committee for APPROVAL.

15.00  
8/19/00

**WARRANTY DEED**  
(Statutory Form - Section 689.02 F.S.)

THIS INDENTURE, made this 27<sup>th</sup> day of July, 1988, between MARY LU MOBILE HOME PARK, LTD., a Florida Limited Partnership, of the County of Charlotte, State of Florida, Grantor, and MARY LU HOME OWNERS ASSOCIATION, INC., whose post office address is 24437 Marlborough Rd. Box 222 of the County of Charlotte, State of Florida, Grantee, Charlotte Harbor 33980

WITNESSETH, that said Grantor, for and in consideration of the sum of TEN and 00/100 (\$10.00) DOLLARS, and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Charlotte County, Florida, to wit:

See attached legal description (Exhibit "A")

This conveyance is made subject to easements, restrictions and reservations of record and taxes for the year 1988 and subsequent years, including but not limited to those matters set forth in Exhibit "B" attached hereto and by reference made a part hereof, and Grantee assumes and agrees to pay the mortgages alluded to therein according to the tenor and terms thereof.

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

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Documentary Tax Pd. 2,910.<sup>00</sup>  
Intentional Tax Pd. \_\_\_\_\_  
Barbara J. Scott, Clerk, Charlotte County, Fla.  
By: \_\_\_\_\_ D.C.

MARY LU MOBILE HOME PARK, LTD.,  
a Florida Limited Partnership

By: [Signature]  
James F. Morrison, as  
General Partner

[Signature]  
Witness

RECORD VERIFIED [Signature] Barbara J. Scott, Clerk  
By [Signature] Lisa Pruck D.C.

[Signature]  
Witness

STATE OF GEORGIA  
COUNTY OF Clayton

I hereby certify that on this day before me, an officer duly qualified to take acknowledgments, personally appeared JAMES F. MORRISON, as General Partner of MARY LU MOBILE HOME PARK, LTD., to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State of Georgia aforesaid this 27 day of July, A.D., 1988.

[Signature]  
Notary Public

My Commission Expires: Notary Public, Clayton County, Georgia  
My Commission Expires Nov 4, 1991

This Instrument prepared by: DALE L. PRICE  
PRICE & PRICE, CHARTERED  
P.O. Box 1519  
Bradenton, Florida 34206

06 JUL 29 PM 2:38  
RECORDED  
097937  
CHARLOTTE COUNTY

PAGE 1



LEGAL DESCRIPTION

Lots 9, 10, 11, 12, 13, 14, 15, 16, 29, 30, 31, and 32 and Blocks 39, 40 and 45 of DeCOSTER'S ADDITION TO CHARLOTTE HARBOR, according to the Plat thereof as recorded in Plat Book 1, Page 24 of the Public Records of Charlotte County, Florida, being in Section 30, Township 40 South, Range 23 East, Charlotte County, Florida, and

All that portion of Citron Street between Lots 13, 14, 15 and 16, and Lots 29 and 30, and that portion of Mangoe Street lying between Lots 31 and 32 and Block 39 and also that portion of Banana Street lying between Blocks 40 and 45 of DeCOSTER'S ADDITION TO CHARLOTTE HARBOR as per plat thereof recorded in the Public Records of Charlotte County, Florida, and

A parcel of land in the Northeast quarter of fractional Section 30, Township 40 South, Range 23 East, Charlotte County, Florida, said parcel of land being more specifically described as follows: Begin at the intersection of the West line of the East half of the Northeast quarter of said Section 30, with the centerline of State Road 776, Section 01560-2601, as shown on Department of Transportation Right-of-Way Maps; thence South  $01^{\circ} 37' 26''$  West, along the said West line, a distance of 460 feet more or less, to the intersection thereof with the centerline of a Tidal Creek as it now exists; thence Northerly and Northwesterly along the centerline of said Tidal Creek, a distance of 390 feet more or less to the intersection therewith with the centerline of said State Road 776; thence Northeasterly along the centerline of said State Road 776, a distance of 185 feet, more or less to the Point of Beginning. Less and except the Department of Transportation Right-of-Way for State Road 776.

Less and Except the following:

A parcel of land in the Northeast quarter of fractional Section 30, Township 40 South, Range 23 East, Charlotte County, Florida; said parcel of land being more particularly described as follows:

From the intersection of the West line of the East half of the Northeast quarter of Section 30, with the centerline of State Road 776, Section 01560-2601, as shown on Department of Transportation Right-of-Way Maps, bear South  $01^{\circ} 37' 26''$  West along said line a distance of 460 feet, more or less, to the intersection thereof with the centerline of a Tidal Creek as it presently exists and the Point of Beginning; thence Southerly following the meanders of said Tidal Creek, a distance of 1,280 feet, more or less, to and into the waters of the Peace River; thence Westerly, meandering the waters of said Peace River, a distance of 100 feet more or less, to the intersection thereof with the Southerly extension of the aforesaid West line; thence North  $01^{\circ} 37' 26''$  East along the said West line a distance of 1,270 feet more or less to the Point of Beginning.

OR BOOK

PAGE



Christopher Jayso  
4508 Central Avenue  
St. Petersburg FL

EXHIBIT "A"

33711

COPY

18

INCORPORATED UNDER THE LAWS OF THE STATE OF FLORIDA

1

# MARY LU HOMEOWNERS ASSOCIATION, INC.

SEE REVERSE FOR CERTAIN DEFINITIONS

### TOTAL AUTHORIZED ISSUE

104 SHARES PAR VALUE \$10.00 EACH

This stock certificate entitles the owner to the exclusive right of occupancy of Lot No. 96 in Mary Lu Mobile Home Park owned by Mary Lu Homeowners Association, Inc., a Florida corporation with all of the rights, privileges, and obligations appertaining thereto under the Articles of Incorporation, By-Laws, and Rules and Regulations of Mary Lu Homeowners Association, Inc., including any amendments thereto.

*This is to Certify that* JESSE W. HILL and J. CECILY HILL, WITH RIGHT OF SURVIVORSHIP in the owner of

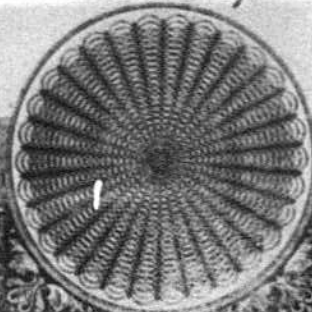
ONE

*fully paid and non-assessable shares of the above Corporation transferable only on the books of the Corporation by the holder hereof in person or by duly authorized Attorney upon surrender of this Certificate properly endorsed.*

*Witness, the seal of the Corporation and the signatures of its duly authorized officers.*

*Dated April 11, 1989*

*Murray G. Young*  
SECRETARY



*Jesse W. Hill*  
PRESIDENT



LEGAL DESCRIPTION

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OR BOOK

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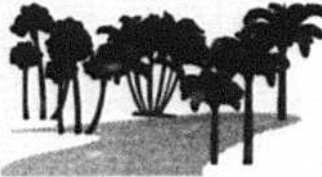


Christopher Jayso  
4508 Central Avenue  
St. Petersburg FL

EXHIBIT "A"

33711

# RIVERWOOD



Community Development District

October 18, 1995

ORIGINAL  
FILE COPY

Director, Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850


941044-WS  
~~947044-WS~~

Gentlemen:

Enclosed please find one original and four copies of the Application for Government Authority Exemption for the Riverwood Water and Sewer System.

After your review of this application, if you have any questions or comments, please contact me.

Sincerely,

  
Gary L. Moyer  
Manager

GLM/dh

enc.

ACKcc: Steve Clayton

- AFA \_\_\_\_\_
- ADP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG 1 \_\_\_\_\_
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCR \_\_\_\_\_
- SEC 1 \_\_\_\_\_
- WAS 1 \_\_\_\_\_
- OTH \_\_\_\_\_

MAIL ROOM

1995 OCT 23 AM 8 57

RECEIVED  
FLORIDA PUBLIC  
SERVICE COMMISSION

DOCUMENT NUMBER-DATE

10418 OCT 23 95

10300 N.W. 11th. Manor Coral Springs, Florida 33071 Tel. (305) 753-0380 Fax. (305) 755-6701

FPSC-RECORDS/REPORTING