

GERALD T. BUHR, P.A.

ATTORNEY AT LAW

(813) 949-3681

(813) 949-3196 Fax/Data

12⁰⁰/₁₁

Northfork Professional Center
1519 Dale Mabry Highway, Suite 100
Post Office Box 1647
Lutz, FL 33549-1647

Utilities
Environment
Land Use

ORIGINAL
FILE COPY

January 29, 1996

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

960063-50

Re: Capital Sunbelt/Fund 84 Ltd.

Dear Sir/Madam:

Enclosed for filing please find the original and five (5) copies of Exhibits I, J, and K to the above-referenced Application for Sale, Assignment or Transfer of Certificate or Facilities.

Should you have any questions or need anything further from us, please do not hesitate to call our office.

Sincerely,

GERALD T. BUHR, P.A.

By: *Nanette J. Slusher*
Nanette J. Slusher
Secretary to Gerald T. Buhr

- ACK _____
- AFA _____
- APP _____ NJS/bms
- CAF _____ Enclosures
- CMU _____
- CTR _____
- EAG _____
- LEG 1 _____
- LIN 5 _____
- OPC _____
- RCH _____
- SEC 1 _____
- WAS *Walt* _____
- OTH _____

RECEIVED

LI 8 W 29 N 96

DOCUMENT NUMBER - DATE
01160 JAN 31 1996
FPSC-RECORDS/REPORTING

Exhibit K

I, Harry Cutcher, do solemnly swear that notice of actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A true and correct copy of the proof of publication is attached to this affidavit.

BY: *Harry Cutcher*
Applicant's Signature

HARRY CUTCHER
Applicant's Name (Typed)

PRESIDENT
Applicant's Title

Subscribed and sworn to before me this *23rd* of *January* *1998*

Hazel A. Wilson
Notary Public
HAZEL A. WILSON

OFFICIAL NOTARY SEAL
HAZEL A. WILSON
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC403707
MY COMMISSION EXP. AUG. 28, 1998

NEWS-PRESS
Published every morning — Daily and Sunday
Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared _____

Brenda Leighton

who on oath says that he/she is the _____

Legal Coordinator of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County, Florida; that the

attached copy of advertisement, being a _____

legal notice

in the matter of Application of Transfer of

Wastewater Certificate 271-S

in the _____ Court

was published in said newspaper in the issues of _____

January 13, 1996

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Brenda Leighton

Sworn to and subscribed before me this _____

15th day of _____

January, 19 96 by _____

Brenda Leighton

who is personally known to me or who has produced _____

as identification, and who did not take an oath.

Notary Public: _____

Print Name _____

My Commission Expires: _____

CLASS-16



LEGAL NOTICE
Notice is hereby given on Saturday, January 13, 1996, pursuant to Section 367.045, Florida Statutes, of the application for transfer of Wastewater Certificate No. 271-S from Capital Sunbelt/Fund '84, Ltd. to Sand Dollar Properties, Inc., providing service to the following described territory in Lee County, Florida, Township 44 South - Range 24 East - Section 6
Starting at an iron pin in the center of Pine Ridge Road making the southeast corner of the northeast 1/4 of said section; Thence North 00 degrees, 30 minutes, 50 seconds East a distance of 810.42 feet along the center line of Pine Ridge Road said center line being the east boundary line of said section 6; Thence North 89 degrees, 30 minutes, 19 seconds West a distance of 33 feet to a point on the westerly right of way line of Pine Ridge Road to a POINT OF BEGINNING; Thence continue North 89 degrees, 30 minutes, 19 seconds West a distance of 2513.52 feet; Thence North 00 degrees, 30 minutes, 02 seconds West a distance of 492.98 feet; Thence North 89 degrees, 31 minutes, 42 seconds East a distance of 2518.16 feet; Thence South 00 degrees, 33 minutes, 50 seconds East a distance of 482.22 feet to the POINT OF BEGINNING.
Any objection to the said application must be made in writing within thirty (30) days from this date to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. A copy of said objection should be mailed to the applicant whose address is: Sand Dollar Properties, Inc., c/o Gerald T. Bulir, P.A., P.O. Box 1447, Lutz, Florida 33549-1447
Jan 13 1996

Exhibit J

I, Harry Cutcher, do solemnly swear that notice of the actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery to each customer of the system being transferred. A true and correct copy of the Notice is attached to this affidavit.

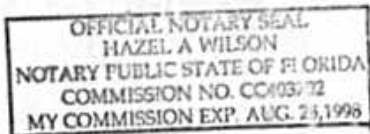
BY: *Harry Cutcher*
Applicant's Signature

HARRY CUTCHER
Applicant's Name (Typed)

PRESIDENT
Applicant's Title

Subscribed and sworn to before me this 23rd of January 1995.

Hazel A. Wilson
Notary Public
HAZEL A. WILSON



LEGAL NOTICE

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Township 46 South - Range 24 East

Section 6

Starting at an iron pin in the center of Pine Ridge Road marking the southeast corner of the northeast 1/4 of said section; Thence North 00 degrees, 38 minutes 50 seconds East a distance of 810.42 feet along the center line of Pine Ridge Road said center line being the east boundary line of said Section 6; Thence North 89 degrees, 50 minutes, 19 seconds West a distance of 33 feet to a point on the westerly right of way line of Pine Ridge Road to a POINT OF BEGINNING; Thence continue North 89 degrees, 50 minutes, 19 seconds West a distance of 2513.52 feet; Thence North 00 degrees, 36 minutes, 02 seconds West a distance of 492.98 feet; Thence North 89 degrees, 51 minutes, 42 seconds East a distance of 2518.16 feet; Thence South 00 degrees 55 minutes, 50 seconds East a distance of 493.22 feet to the POINT OF BEGINNING.

Any objection to the said application must be made in writing within thirty (30) days from this date to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. A copy of said objection should be mailed to the applicant whose address is:

Sand Dollar Properties, Inc.
C/O Gerald T. Buhr, P.A.
P.O. Box 1647
Lutz, Florida 33549-1647

Exhibit I

I, Harry Cutcher, do solemnly swear that notice of the actual application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail to the following:

- (1) the governing body of the municipality, county, or counties in which the system or the territory proposed to be served is located.
- (2) the privately owned water and wastewater utilities that hold a certificate granted by the Public Service Commission and that are located within the county in which the utility or the territory proposed to be served is located;
- (3) the regional planning council;
- (4) the Office of Public Counsel;
- (5) the Public Service Commission's Director of Records and Reporting;
- (6) the appropriate regional office of the Department of Environmental Protection; and
- (7) the appropriate water management district.

True and correct copies of the Notice and a list of entities noticed is attached to this affidavit.

Further affiant sayeth not.

BY:

Harry Cutcher
Applicant's Signature

HARRY CUTCHER

Applicant's Name (Typed)

PRESIDENT

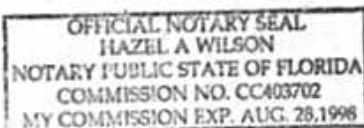
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January 1996

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Notary Public

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Any objection to the said application must be made in writing within thirty (30) days from this date to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. A copy of said objection should be mailed to the applicant whose address is:

Sand Dollar Properties, Inc.
C/O Gerald T. Buhr, P.A.
P.O. Box 1647
Lutz, Florida 33549-1647

State of Florida

Commissioners:

SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA



DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 413-6900

Public Service Commission

January 4, 1996

Ms. Cheryl Lister
1519 Dale Maybry Highway, Ste. 100
Lutz, Florida 33549

RE: Application for Transfer of Wastewater Certificate No. 271-S from Capital Sunbelt Fund '84 LTD to FMBC Utilities, Inc. in Lee County.

Dear Ms. Lister:

Per our conversation, I have enclosed a copy of the list of utilities and governmental/regulatory agencies that must be notified in accordance with Commission Rule 25-30.030, Florida Administrative Code. Again, please note the expiration date on the list. If you have any other questions, please feel free to contact me at (904) 413-6994.

Sincerely,

A handwritten signature in cursive script that reads "Christine C. Tomlinson".

Christine C. Tomlinson
Regulatory Analyst

ct\wp\capital.ltr

LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY

(VALID FOR 60 DAYS)
01/04/96-03/03/96

UTILITY NAME

MANAGER

LEE COUNTY

✓ Bayshore Utilities, Inc. (WU013) 2259 Clulhouse Road North Ft. Myers, FL 33917-2523	Wayne Carson Wampler (813) 482-4024
✓ Bonita 75 Corporation (SU683) 28090 Quail's Nest Lane Bonita Springs, FL 33923-6999	Plant (813) 947-3366
✓ Bonita Center Treatment Plant, Inc. (SU609) 10323 Southern Blvd. Royal Palm Beach, FL 33411-4338	Bruce Kravitz (407) 790-1414
✓ Bonita Country Club Utilities, Inc. (SU285) 10200 Maddox Lane Bonita Springs, FL 33923-7639	Michael J. Miceli (813) 992-2800
✓ Buccaneer Water Service (MHC-DeAnza Financing Limited Part (WU730) 2 North Riverside Plaza, Suite 1515 Chicago, IL 60606	Darrell Custer (813) 995-3337
✓ Capital Sunbelt/Fund '84 Ltd. (SU424) P. O. Box 5318 Lakeland, FL 33807-5318	Rymond Moats (813) 647-1581
✓ Del Vera Limited Partnership (SU612) 2250 Avenida Del Vera North Ft. Myers, FL 33917-6700	Robert G. Peters (813) 543-6200 ext 528
✓ Eagle Ridge Utilities, Inc (SU398) 14589 Eagle Ridge Dr., S.E. Ft. Myers, FL 33912-1804	Frederick Quinn (813) 489-0998
✓ Environmental Protection Systems of Pine Island, Inc. (SU287) 3039 York Road St. James City, FL 33956-2303	Kevin J. Cherry (813) 283-1144
✓ Florida Citrus Water Company - Lee County Division (WS076) P. O. Box 21119 Sarasota, FL 34276-4119	Larry E. Griggs (813) 936-0247
✓ Forest Park Property Owner's Association (SU645) 5200 Forest Park Drive North Ft. Myers, FL 33917-5404	Joseph M. Symons

LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY

(VALID FOR 60 DAYS)
01/04/96-03/03/96

UTILITY NAME

MANAGER

LEE COUNTY (continued)

✓	Forest Utilities, Inc. (SU293) 6385 Presidential Court, Suite 104 Ft. Myers, FL 33919-3576	David Swor (813) 481-0111
✓	Fountain Lakes Sewer Corporation (SU572) 253 South Eighth Street Minneapolis, MN 55404-1078	Tore Wistrom (612) 305-2927
✓	Gulf Utility Company (WS096) P. O. Box 350 Estero, FL 33928-0350	Carolyn B. Andrews (813) 267-1000
✓	Gumbo Limbo Enterprises (SU297) 5752 12th Avenue N.W. Naples, FL 33999-1318	John H. Newberry (813) 597-4537
✓	Hacienda Treatment Plant, Inc. (SU431) X Bonita Springs Utilities, Inc. P. O. Box 2368 Bonita Springs, FL 33959-2368	Fred Partin (941) 992-0711
✓	Harbor Utilities Company, Inc. (WS101) P. O. Box 2368 Bonita Springs, FL 33959-2368	Fred Partin (813) 992-0711
✓	Hunter's Ridge Utility Co. of Lee County (SU674) 12500 Hunters Ridge Drive Bonita Springs, FL 33923-3401	Don Huprich (813) 992-4900
✓	Imperial Bonita Estates (Imperial Bonita Associates d/b/a) (SU665) 3801 Bee Ridge Road, Suite 12 Sarasota, FL 34233-1104	Martin Newby (813) 923-1456
✓	MHC Systems, Inc. (WS743) 2 North Riverside Plaza Chicago, IL 60606	Utility (813) 474-1122
✓	Mobile Manor, Inc. (WU167) 150 Lantern Lane North Fort Myers, FL 33917-6515	Carol Julius (813) 543-1414

LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY

(VALID FOR 60 DAYS)

01/04/96-03/03/96

GOVERNMENTAL AGENCIES

- ✓ CITY OF CAPE CORAL
P.O. BOX 150027
CAPE CORAL, FL 33915-0027
- ✓ CITY OF FORT MYERS
2200 SECOND STREET
FORT MYERS, FL 33902
- ✓ CITY OF SANIBEL
800 DUNLOP ROAD
SANIBEL, FL 33957-0750
- ✓ DEP SOUTH DISTRICT
2295 VICTORIA AVE., SUITE 364
FORT MYERS, FL 33901
- ✓ LEE COUNTY BOARD OF COMMISSIONERS
P.O. BOX 398
FT MYERS, FL 33902
- ✓ S.W. FLORIDA REGIONAL PLANNING COUNCIL
P.O. BOX 3455
NORTH FT. MYERS, FL 33918-3455
- ✓ SO. FLORIDA WATER MANAGEMENT DISTRICT
P.O. BOX 24680
WEST PALM BEACH, FL 33416-4680

LIST OF WATER AND WASTEWATER UTILITIES IN LEE COUNTY

(VALID FOR 60 DAYS)

01/04/96-03/03/96

STATE OFFICIALS

✓ State Of Florida Public Counsel
C/O The House Of Representatives
The Capitol
Tallahassee, FL 32399-1300

✓ Division Of Records And Reporting
Florida Public Service Commission
101 E. Gaines Street
Tallahassee, FL 32399-0870

Local Newspaper

H. Myers News Press
2442 Dr. MLK, Jr. Blvd.
H Myers FL 33901

Adv. (941) 335-0335

Change by
column inch
#1424 ↑

Fax: 941-337-1335

Attn: local
Adv.

will be