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

Public Service Commission

February 18, 1997

Mr. Harry D. Cutcher, President
Fort Myers Beach RV Resort
16299 San Carlos Boulevard
Fort Myers, Florida 32908

Re: Docket No. 960063-SU; Application for Transfer of Certificate No. 271-S in Lee County from Capital Sunbelt/Fund '84 Ltd. to Sand Dollar Properties, Inc.

Dear Mr. Cutcher:

The description of the territory at issue is still not in compliance with Rule 25-30.030(2), Florida Administrative Code (F.A.C.), which requires a description of the territory proposed to be served, using township, range and section references. More specifically, the following items must be corrected:

1. The point of beginning must reference a known point such as either a section corner like the Northeast Corner or a subsection corner such as a quarter corner. Therefore, please provide a better point of beginning.

2. The description includes unnecessary information. Information not included on the Lee County, Florida Department of Transportation Map has been crossed out - see Attachment A for details. Please revise the description to remove this information.

3. The map does not identify the angles, distances, or point of beginning. Please draw the updated territory description on the map labeling all angles and distances and resubmit.

We have included a copy of "Instructions for Preparation of Territory Description and Map" for your convenience (see Attachment B).

Please file one copy of the map and an original and five copies of the updated territory description as soon as possible, but no later than March 19, 1997 with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850.

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CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BLVD • TALLAHASSEE, FL 32399-0850

Letter to Mr. Cutcher
February 18, 1997

If you have any questions please call.

Sincerely,

A handwritten signature in cursive script that reads "Richard Redemann".

Richard Redemann, P.E.

C:\WP\960063A.RPR

cc: Lee County (Owen)
Division of Water and Wastewater (Hill)
Division of Legal Services (Johnson)
Division of Records and Reporting (Bayo, Security File)

**FORT MYERS BEACH RV RESORT**

16299 San Carlos Boulevard
Fort Myers, Florida 33908
Tele: (813) 466-7171
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FAX: (813) 466-8027

*A better point of beginning
is required*

DESCRIPTION

A TRACT OF LAND LYING IN THE NORTHEAST QUARTER (N.E. 1/4) OF SECTION 6, TOWNSHIP 46 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA. ~~BEING PART OF LOT 5, BLOCK 2 AND PART OF THE NORTH HALF (N1/2) OF LOT 6, BLOCK 2 OF B.P. BATES PINE RIDGE TRUCK FARMS, AS RECORDED IN PLAT BOOK 3, PAGE 68 OF THE PUBLIC RECORDS OF LEE COUNTY, FLA. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:~~

~~BEGINNING AT THE SOUTHEAST CORNER OF COASTAL ESTATES, A MOBILE HOME SUBDIVISION, AS SHOWN ON THE PLAT RECORDED IN PLAT BOOK 29 ON PAGES 78 AND 79 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF PINE RIDGE RD.; THENCE RUN S 0°47'29"E ALONG SAID WEST LINE FOR 492.84 FEET TO THE NORTHEAST CORNER OF THUNDERBIRD MOBILE HOME SUBDIVISION AS SHOWN ON PLAT RECORDED IN O.R. BOOK 495 ON PAGE 431 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S 89°56'58"W ALONG THE NORTH LINE OF SAID THUNDERBIRD SUBDIVISION FOR 1282.79 FEET TO THE SOUTHWEST CORNER OF THE NORTH HALF (N 1/2) OF LOT 6, BLOCK 2 IN SAID B.P. BATES PINE RIDGE TRUCK FARMS; THENCE RUN N 0°37'03"W ALONG THE WEST LINE OF SAID LOT 6 AND LOT 5 FOR 493.35 FEET TO THE SOUTHWEST CORNER OF SAID COASTAL ESTATES, ALSO BEING THE NORTHWEST CORNER OF LOT 5, BLOCK 2 IN SAID B.P. BATES PINE RIDGE TRUCK FARMS; THENCE RUN N 89°58'19"E ALONG THE SOUTH LINE OF SAID COASTAL ESTATES FOR 94.77 FEET; THENCE RUN S 0°37'03"E FOR 83.89 FEET; THENCE RUN N 89°22'57"E FOR 12 FEET; THENCE RUN S 0°37'03"E FOR 46.00 FEET; THENCE RUN S 89°22'57"W FOR 12.00 FEET; THENCE RUN S 0°37'03"E FOR 66.00 FEET; THENCE RUN S 89°56'56"W FOR 74.77 FEET; THENCE RUN S 0°37'03"E FOR 100.30 FEET; THENCE RUN N 89°56'56"E FOR 239.94 FEET; THENCE RUN N 82°17'46"E FOR 26.67 FEET; THENCE RUN N 0°03'04"W FOR 292.55 FEET TO THE SOUTH LINE OF SAID COASTAL ESTATES; THENCE RUN N 89°58'19"E ALONG THE SOUTH LINE OF SAID COASTAL ESTATES FOR 992.00 FEET TO THE POINT OF BEGINNING.~~

TRACT HEREIN DESCRIBED CONTAINS 13.041 ACRES.

FLORIDA PUBLIC SERVICE COMMISSION

INSTRUCTIONS FOR PREPARATION OF TERRITORY DESCRIPTION AND MAP

An accurate description of the territory served or proposed to be served is essential. The noticing requirement in Rule 25-30, Florida Administrative Code, and the territory description requirement for each of the certification applications require the territory to be described using township, range and land sections. Failure to use the required format will cause your application to be delayed and may result in your having to renotice. The following information is provided to assist you in preparing a correct legal description and plotting that territory on the service territory map.

TERRITORY DESCRIPTION

The territory description must contain the following:

- 1) A reference to a township(s), range(s), land section(s) and county.
- 2) A complete and accurate description of the territory served or proposed to be served. There are two acceptable formats which may be used.
 - a) Sections - If the territory includes complete sections, the description may only include the township, range, and section reference. If the territory includes partial sections, the description shall either identify the subsections included or excluded.
 - b) Metes and Bounds - A point of beginning which is referenced from either a section corner or a subsection corner, such as a quarter corner. The perimeter shall be described by traversing the proposed territory and closing at the point of beginning. Also, the description shall include all bearings and distances necessary to provide a continuous description.
- 3) References to interstates, state roads, and major bodies of water are acceptable.
- 4) References to government lots, local streets, recorded plats or lots, tracts, or other recorded instruments are not acceptable.

Acceptable territory description formats are shown in the attached Examples 1 and 2.

Territory maps are required in the Florida Administrative Code rules related to applications for original certificates, amendments, grandfather certificates, and in transfers to a governmental agency where only a portion of the territory is transferred. The map is used by staff to verify the location of the existing or proposed territory. The territory maps should not be confused with the system depiction map which is used to locate existing or proposed service lines and facilities.

TERRITORY MAP

The territory map shall contain the following:

- 1) Territory shall be plotted on a Department of Transportation Map, County tax assessor map or any other map with a scale of 1" = 200 ft. or 1" = 400 ft.
- 2) Township, range, section, and county.
- 3) An accurate depiction of the existing or proposed territory. The map should clearly distinguish the existing versus the proposed territory.

An example of a acceptable territory map is attached as Example 3.

FORMAT TO BE FOLLOWED IN PREPARING TERRITORY DESCRIPTIONS. EXAMPLE 1 IS PREFERRED OVER METES AND BOUNDS IN EXAMPLE 2.

EXAMPLE 1

Township 26 South, Range 29 East, Osceola County, Florida

Section 18

The South 1/2 of the Southeast 1/4 and the South 1/2 of the North 1/2 of the Southeast 1/4 of said Section 18

also

The East 1/2 of the Southeast 1/4 of the South West 1/4 and the Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of said Section 18

Section 19

The North 1/2 of the Northeast 1/4 and the North 1/2 of the South 1/2 of the Northeast 1/4 of said Section 19

also

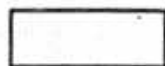
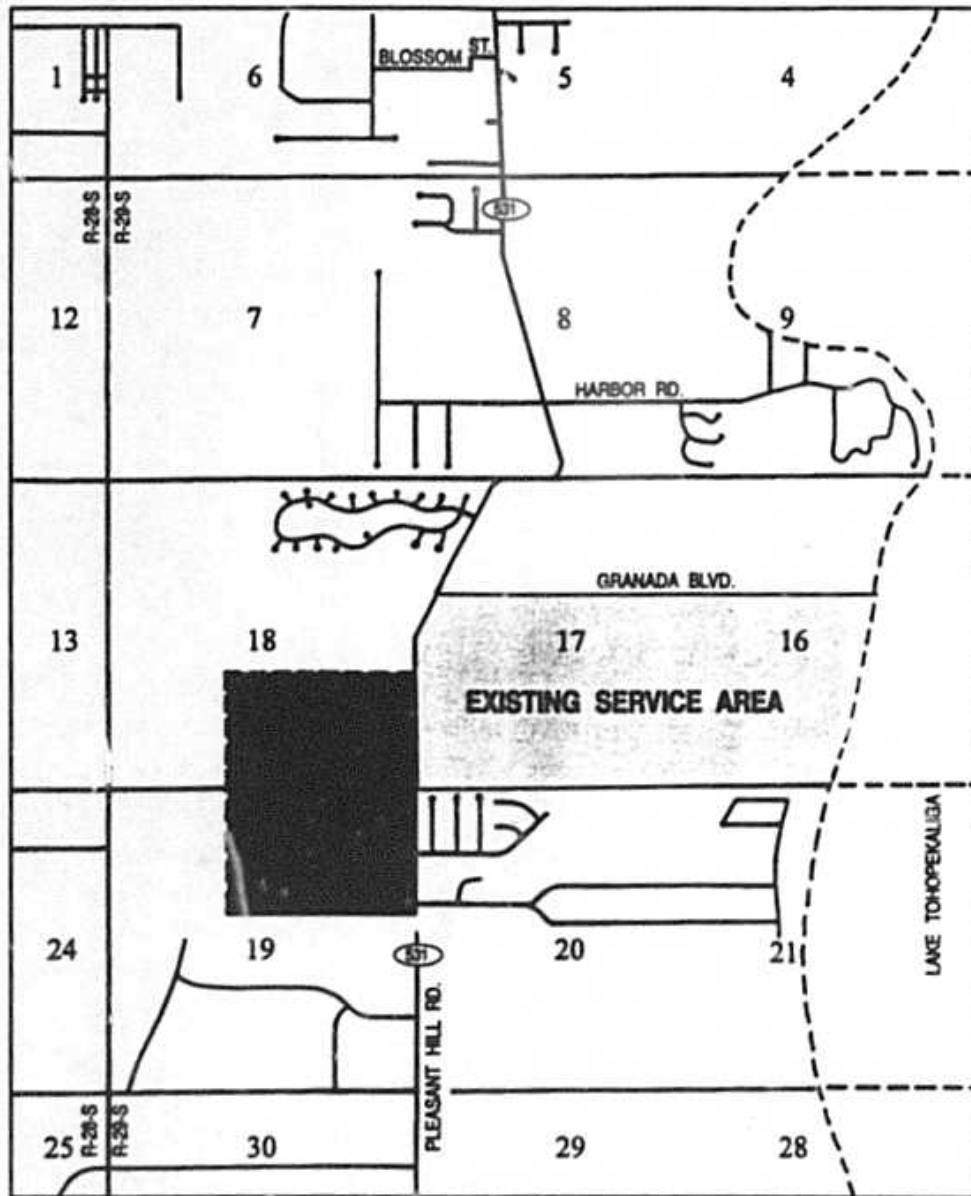
The East 1/2 of the Northeast 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of said Section 19

EXAMPLE 2

A portion of Section 18 and 19, Township 26 South, Range 29 East, Osceola County Florida; being more particularly described as follows: Commencing at the SE corner of Section 18, this point also being the Point of Beginning; thence run due south along the east line of Section 19 a distance of 1980 feet to a point; thence run due west a distance of 2706 feet to a point; thence run due north a distance of 3960 feet to a point; thence run due east a distance of 2706 feet to a point of east line of Section 18; thence run due south along the east line of Section 18 a distance of 1980 feet to the Point of Beginning.

EXAMPLE 3

TOWNSHIP 26 SOUTH, RANGE 29 EAST, OSCEOLA COUNTY, FLORIDA



EXISTING SERVICE AREA



PROPOSED SERVICE AREA