

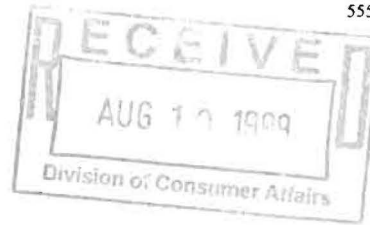
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August 5, 1999

*via fax (850) 413-6803*

Director, Division of Consumer of Affairs  
Florida Public Service Commission  
2450 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

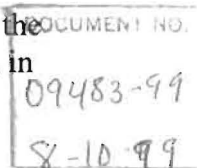
**Re: Bonita Country Club Utilities, Inc.  
Application for authority to transfer certificate  
Docket No. 990975-SU**

Dear Director:

This law firm represents Realnor Hallendale, Inc. Realnor Hallendale obtained ownership of the wastewater treatment system, and all assets connected with that system, including revenue from the system, that formerly was owned by Bonita Country Club Utilities, Inc. ("BCCU"). Realnor Hallendale obtained ownership on July 15, 1999, pursuant to a Certificate Of Title issued by the Clerk of the Court for Lee County, Florida. Attached is a copy of the Certificate Of Title.

Since July 15, 1999, Realnor Hallendale has been in control of the wastewater treatment system; has been maintaining the system and providing wastewater treatment service. Notwithstanding Realnor Hallendale's ownership and control, BCCU employees have informed their former customers that wastewater treatment service payments should still be made to BCCU. One customer also advised us that the Public Service Commission informed her that wastewater treatment service payments should still be made to BCCU. Without the revenue from the wastewater treatment service customers, there will be no future means of maintaining the wastewater treatment system because BCCU is no longer taking responsibility for maintenance or operation of the system.

Realnor Hallendale is in the process of making application for the transfer of the Certificate of Authorization. Frank Seidman, of Management & Regulatory Consultants, Inc., in



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Tallahassee, is assisting in this endeavor. In the meantime, we shall appreciate it if the Public Service Commission will refrain from informing wastewater treatment customers that payment should still be made to BCCU. Please call me at the number above if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. Keith W.", written in a cursive style.

D. Keith Wickenden

DKW/drh  
Enclosure

cc: Ms. Dolores R. Gamble  
Jeffrey D. Fridkin, Esq.  
Mr. Dan Hoppe (*via facsimile*)  
Director, Divisions of Records and Reporting (*via facsimile*)  
Mr. Frank Seidman (*via facsimile*)

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
IN AND FOR LEE COUNTY, FLORIDA  
CIVIL ACTION

PLEASE RETURN  
(Date Stamped File Copy)

NORTHERN TRUST BANK OF FLORIDA, N.A.  
a National Banking Association


Plaintiff,

v.

CASE NO.98-6169-CA-WCM

BONITA COUNTRY CLUB UTILITIES, INC.  
a Florida Corporation, THOMAS HEIDKAMP,  
CHAPTER 7, TRUSTEE, and all persons having  
or claiming by, through, under, or against any of  
the above parties and all parties having any right,  
title or interest in the subject property.

Defendants.

FILED IN THE CIRCUIT COURT OF  
CLERK OF COURTS  
09 JUL - 8 PM 2:05  
BY  D.C.

**CERTIFICATE OF TITLE**

The undersigned, CHARLIE GREEN, Clerk of the Circuit Court, certified that he executed and filed a Certificate of Sale in this action on \_\_\_\_\_, 1999, for the property described herein, and that no objections to the sale have been filed within the time allowed for filing objections. The following property in Lee County, Florida:

TRACT "A"  
(Fee Simple Title)  
(PART OF BONITA SPRINGS COUNTRY CLUB UNIT 2, LOT 1)

A PARCEL OF LAND, BEING PART OF LOT 1 OF BONITA SPRINGS COUNTRY CLUB UNIT 2, ACCORDING TO PLAT BOOK 30, PAGE 132 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 47S, RANGE 25E AND LOT 1, PER THE RECORDED PLAT OF BONITA SPRINGS COUNTRY CLUB UNIT 2;  
THENCE NORTHERLY ALONG THE WEST PROPERTY LINE OF SAID LOT 1, N 00°46'57" E A DISTANCE OF 502.35 FEET TO THE POINT OF BEGINNING;  
THENCE CONTINUE ALONG THE WEST SIDE OF LOT 1 N 00°46'57" E A DISTANCE OF 164.19 FEET;  
THENCE N 88°03'31" E A DISTANCE OF 674.93 FEET;  
THENCE S 00°44'16" W A DISTANCE OF 164.18 FEET;

THENCE S 88°03'31" W A DISTANCE OF 675.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.541 ACRES OF LAND MORE OR LESS.

SUBJECT TO THE EASEMENTS AND RESTRICTIONS OF RECORD.

TRACT "B"

(Leasehold Estate)

(PART OF BONITA SPRINGS COUNTRY CLUB UNIT 2, LOT 1)

A PARCEL OF LAND, BEING PART OF LOT 1 OF BONITA SPRINGS COUNTRY CLUB UNIT 2,

ACCORDING TO PLAT BOOK 30, PAGE 132 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 47S, RANGE 25 E AND LOT 1, PER THE RECORDED PLAT OF BONITA SPRINGS COUNTRY CLUB UNIT 2; THENCE EASTERLY ALONG THE SOUTH PROPERTY LINE OF SAID LOT 1 N 87°29'57" E A DISTANCE OF 440.42 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG THE SOUTH LINE OF LOT 1 N 87°29'57" E A DISTANCE OF 235.38 FEET;

THENCE N 00°44'16" E A DISTANCE OF 495.73 FEET;

THENCE S 88°03'31" W A DISTANCE OF 235.26 FEET;

THENCE S 00°44'16" W A DISTANCE OF 498.03 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.681 ACRES OF LAND MORE OR LESS.

SUBJECT TO THE EASEMENTS AND RESTRICTIONS OF RECORD.

TOGETHER WITH ALL OF THE LEASEHOLD INTEREST IN AND TO THAT CERTAIN LEASE, DATED NOVEMBER 9, 1995, OF THE REAL PROPERTY DESCRIBED ABOVE AS TRACT B, WHICH LEASE HAS BEEN EXECUTED BY BONITA COUNTRY CLUB UTILITIES AS THE LESSEE AND BY PLATNIUM COAST FINANCIAL CORP., A FLORIDA CORPORATION AS LESSOR;

TRACT "A" AND TRACT "B" WILL BE HERENAFTER REFERRED TO AS THE "PREMISES" OR "PROPERTY".

TOGETHER WITH ANY AND ALL BUILDINGS AND OTHER IMPROVEMENTS, AND ALL FIXTURES IN OR ON SUCH BUILDINGS AND OTHER IMPROVEMENTS, NOW OR HEREAFTER SITUATED ON THE PROPERTY AND ALL ADDITIONS THERETO AND ALL RENEWALS, REPLACEMENTS AND REPLENISHMENTS THEREOF, INCLUDING ALL PERSONAL PROPERTY, THE HEATING AND AIR CONDITIONING UNITS, EQUIPMENT, MACHINERY, DUCTS AND CONDUITS, WHETHER DETACHABLE OR NOT, NOW OR HEREAFTER LOCATED IN AND ABOUT THE PROPERTY AND ALL ADDITIONS THERETO AND ALL RENEWALS, REPLACEMENTS AND REPLENISHMENTS THEREOF, AND PERSONAL PROPERTY NOW OR HEREAFTER LOCATED THEREON; AND

TOGETHER WITH ALL AND SINGULAR THE TENEMENTS, HEREDITAMENTS AND APPURTENANCES THERETO BELONGING OR IN ANYWISE THEREUNTO

APPERTAINING, INCLUDING RIPARIAN AND/OR LITTORAL RIGHTS, ALL PERMITS AND LICENSES FOR MAINTAINING AND USING THE PREMISES, ANY EASEMENTS BENEFITING OR SERVING THE PROPERTY, ANY REVERSIONARY INTEREST IN ANY ROADS OR STREETS, AND ANY RIGHTS IN ANY EASEMENTS BENEFITING AND SERVING THE PROPERTY OR ANY PORTIONS THEREOF, AND THE RENTS, ISSUES AND PROFITS THEREOF, AND ALSO ALL THE ESTATE, RIGHT, TITLE, INTEREST AND ALL CLAIM AND DEMAND WHATSOEVER, AS WELL IN LAW AS IN EQUITY. OF BONITA COUNTRY CLUB UTILITIES, INC. IN AND TO THE SAME, INCLUDING, BUT NOT LIMITED TO. ALL RENTS, ISSUES, PROFITS, REVENUES. ROYALTIES, RIGHTS AND BENEFITS DERIVED FROM THE PREMISES FROM TIME TO TIME ACCRUING, WHETHER NOW EXISTING OR HEREAFTER CREATED, RESERVING TO BONITA COUNTRY CLUB UTILITIES, INC.

TOGETHER WITH ANY AND ALL IMPROVEMENTS (COLLECTIVELY THE "IMPROVEMENTS") NOW OR HEREAFTER ATTACHED TO OR PLACED, ERECTED, CONSTRUCTED OR DEVELOPED ON THE REAL PROPERTY ("PROPERTY"); (B) ALL FIXTURES, FURNISHINGS, EQUIPMENT. INVENTORY, AND OTHER ARTICLES OF PERSONAL PROPERTY (COLLECTIVELY THE "PERSONAL PROPERTY") THAT ARE NOW OR HEREAFTER ATTACHED TO OR USED IN OR ABOUT THE IMPROVEMENTS OR THAT ARE NECESSARY OR USEFUL FOR THE COMPLETE AND COMFORTABLE USE AND OCCUPANCY OF THE IMPROVEMENTS FOR THE PURPOSES FOR WHICH THEY WERE OR ARE TO BE ATTACHED. PLACED, ERECTED, CONSTRUCTED OR DEVELOPED, OR THAT ARE OR MAY BE USED IN OR RELATED TO THE PLANNING, DEVELOPMENT, FINANCING OR OPERATION OF THE IMPROVEMENTS, AND ALL RENEWALS OF OR REPLACEMENTS OR SUBSTITUTIONS FOR ANY OF THE FOREGOING. WHETHER OR NOT THE SAME ARE OR SHALL BE ATTACHED TO THE IMPROVEMENTS OR THE PROPERTY; (C) ALL WATER AND WATER RIGHTS, TIMBER, CROPS, AND MINERAL INTERESTS PERTAINING TO THE PROPERTY; (D) ALL BUILDING MATERIALS AND EQUIPMENT NOW OR HEREAFTER DELIVERED TO AND INTENDED TO BE INSTALLED IN OR ON THE IMPROVEMENTS OR THE PROPERTY; (E) ALL PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS; (F) ALL CONTRACTS RELATING TO THE PROPERTY, THE IMPROVEMENTS OR THE PERSONAL PROPERTY; (G) ALL DEPOSITS (INCLUDING, WITHOUT LIMITATION, TENANTS' AND PURCHASERS' SECURITY DEPOSITS), BANK ACCOUNTS, FUNDS, DOCUMENTS, CONTRACT RIGHTS, ACCOUNTS. ACCOUNTS RECEIVABLE, COMMITMENTS, CONSTRUCTION AGREEMENTS, ARCHITECTURAL AGREEMENTS, GENERAL INTANGIBLES (INCLUDING, WITHOUT LIMITATION, TRADEMARKS, TRADE NAMES AND SYMBOLS), INSTRUMENTS, NOTES AND CHATTEL PAPER ARISING FROM OR BY VIRTUE OF ANY TRANSACTIONS RELATED TO THE PROPERTY, THE IMPROVEMENTS OR THE PERSONAL PROPERTY; (H) ALL PERMITS, LICENSES. FRANCHISES, CERTIFICATES, AND OTHER RIGHTS AND PRIVILEGES OBTAINED IN CONNECTION WITH THE PROPERTY, THE IMPROVEMENTS OR THE PERSONAL PROPERTY; (I) ALL PROCEEDS ARISING FROM OR BY VIRTUE OF THE SALE, LEASE OR OTHER DISPOSITION OF THE PROPERTY, THE IMPROVEMENTS. THE PERSONAL PROPERTY OR ANY PORTION THEREOF OR

INTEREST THEREIN; (J) ALL PROCEEDS, IF ANY, (INCLUDING, WITHOUT LIMITATION, PREMIUM REFUNDS) OF EACH POLICY OF INSURANCE RELATING TO THE PROPERTY, THE IMPROVEMENTS OR THE PERSONAL PROPERTY; (K) ALL PROCEEDS, IF ANY, FROM THE TAKING OF ANY OF THE PROPERTY, THE IMPROVEMENTS, THE PERSONAL PROPERTY OR ANY RIGHTS APPURTENANT THERETO BY RIGHT OF EMINENT DOMAIN OR BY PRIVATE OR OTHER PURCHASE IN LIEU THEREOF (INCLUDING, WITHOUT LIMITATION, CHANGE OF GRADE OF STREETS, CURB CUTS OR OTHER RIGHTS OF ACCESS), FOR ANY PUBLIC OR QUASI PUBLIC USE UNDER ANY LAW; (L) ALL RIGHT, TITLE AND INTEREST OF BONITA COUNTRY CLUB UTILITIES, INC. IN AND TO ALL STREETS, ROADS, PUBLIC PLACES, EASEMENTS AND RIGHTS-OF-WAY, EXISTING OR PROPOSED, PUBLIC OR PRIVATE, ADJACENT TO OR USED IN CONNECTION WITH, BELONGING OR PERTAINING TO THE PROPERTY; (M) ALL OF THE LEASES, LICENSES, OCCUPANCY AGREEMENTS, RENTS (INCLUDING WITHOUT LIMITATION, ROOM RENTS), ROYALTIES, BONUSES, ISSUES, PROFITS, REVENUES OR OTHER BENEFITS OF THE PROPERTY, THE IMPROVEMENTS OR THE PERSONAL PROPERTY, INCLUDING, WITHOUT LIMITATION, CASH OR SECURITIES DEPOSITED PURSUANT TO LEASES TO SECURE PERFORMANCE BY THE LESSEES OF THEIR OBLIGATIONS THEREUNDER; (N) ALL CONSUMER GOODS LOCATED IN, ON OR ABOUT THE PROPERTY OR THE IMPROVEMENTS OR USED IN CONNECTION WITH THE USE OR OPERATION THEREOF; (O) ALL RIGHTS, HEREDITAMENTS AND APPURTENANCES PERTAINING TO THE FOREGOING; AND (P) OTHER INTERESTS OF EVERY KIND AND CHARACTER THAT BONITA COUNTRY CLUB UTILITIES, INC. NOW HAS OR AT ANY TIME HEREAFTER ACQUIRES IN AND TO THE PROPERTY, IMPROVEMENTS, AND PERSONAL PROPERTY DESCRIBED HEREIN AND ALL PROPERTY THAT IS USED OR USEFUL IN CONNECTION THEREWITH, INCLUDING RIGHTS OF INGRESS AND EGRESS AND ALL REVERSIONARY RIGHTS OR INTERESTS OF BONITA COUNTRY CLUB UTILITIES, INC. WITH RESPECT THERETO.

was sold to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WITNESS my hand and the seal of this Court on \_\_\_\_\_ day of \_\_\_\_\_, 1999.

CHARLIE GREEN  
Clerk of the Circuit Court

By: \_\_\_\_\_  
Deputy Clerk