

State of Florida



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: July 2, 2002
TO: Division of the Commission Clerk and Administrative Services
FROM: Office of the General Counsel (Harris) *J.H.H.*
RE: Docket No. 011379-SU- Application for transfer of Certificate No. 422-S in Gulf County
from Gulf Aire Properties d/b/a Gulf Aire Wastewater Treatment Plant to ESAD
Enterprises, Inc.

Please file the attached documents in the above referenced docket file:

Letter from Frank Seiffert to Larry Harris;
Affidavit of mailing notice with legal notice and list of persons/entities;
Quitclaim Deed;
Quitclaim Deed (legal size paper)
Legal Notice

cc: Division of Economic Regulation (Clapp, Reiger, E. Bass)

DOCUMENT NUMBER-DATE

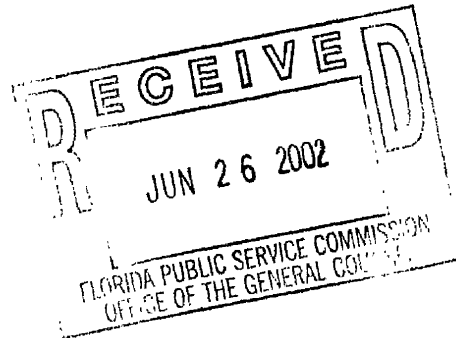
06848 JUL-28

FPSC-COMMISSION CLERK

ESAD ENTERPRISES, INC.
DBA GULFAIRE WASTE WATER TREATMENT PLANT
P O BOX 503
PORT ST JOE, FL 32457
(850) 227-9875

June 25, 2002

Larry D. Harris
Senior Attorney
State of Florida
Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Boulevard
Tallahassee, Fl 32399-0850



Re: Docket No. 011379-SU

Dear Mr. Harris:

This is to answer your letter dated May 10, 2002. Sorry for the delay but have been trying to get all the information to properly answer your letter.

1. Rule 25-30.37(2)(q), F. A. C. Enclosed you will copy of two quick claim deeds. One deed is for the property of the plant itself, The other is the deed of the property that the lift station that was in dispute is on. We now owe the property and can assure that the lift station will be maintained at all times.
2. Rule 25-30.030, F. A. C. - Enclosed are the affidavits that the notices were mailed out.
3. Rule 25-30.037(2)(i) and (k), F. A. C. - The stockholders of ESAD, Enterprises, Inc. borrowed \$ 350,000.00 from Apalachicola State Bank personally, using assets in the name of the stockholders as collateral. The loan requires that over the first two years the balance will be reduced by \$ 20,000.00 and that interest will be paid quarterly. The interest rate is Prime rate plus 2.
4. Rule 25-30.037(2)(1) - We purchased the utility for a price of \$ 320,000.00. The price breakdown was as follows:

Land	\$ 80,000.00
Collection lines	126,575.00
Receiving Wells	20,000.00
Treatment and Disposal Equipment	80,925.00
Accounts Receivable	<u>12,500.00</u>

We ask that our book value be as the price that we paid for the utility. I believe that this calls for an acquisition adjustment.

Sincerely,

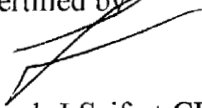


Frank J Seifert CFO

ESAD ENTERPRISES, INC.
DBA GULF AIRE WASTE WATER TREATMENT PLANT
P O BOX 503
PORT ST JOE, FL 32457
(850) 227-9875

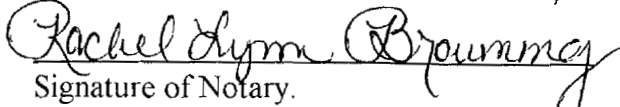
I hereby certified that the legal notice for application for transfer of certificate of the Gulf Aire Wastewater Treatment Plant holding Certificate No. 422-S were mailed on March 1, 2002 to all the customers of the utility, and were mailed to the local utilities as shown on Exhibit 2, mailed to the Governmental Agencies as shown of Exhibit 1, and mailed to the State Officials as shown on Exhibit 3.

Certified by


Frank J Seifert CFO

State of Florida
County of Gulf

The foregoing instrument was acknowledged before me this 25th Day of June, 2002, by Frank J Seifert as CFO of ESAD Enterprises, Inc., a Florida corporation .


Signature of Notary.



**LEGAL NOTICE FOR
APPLICATION FOR TRANSFER OF CERTIFICATE**

LEGAL NOTICE

Notice is hereby given on March 1, 2002, pursuant to Section 367.071, Florida Statutes, of the application for a transfer of Wastewater Certificate No. 422-S held by Gulf Aire Properties d/b/a Gulf Aire Wastewater Treatment Plant to ESAD Enterprises, Inc. d/b/a Beaches Sewer System providing service to the following described territory in Gulf County, Florida.

A portion of SE 1/4 of Section 31 of Township 6 South, Range 11 West and a portion of the SW 1/4 of Section 32 of Township 6 South, Range 11 West; a portion of NW 1/4 of Section 5 of Township 7 South, Range 11 West and a portion of the NE 1/4 of Section 6 of Township 7 South, Range 11 West, Gulf County, Florida, also described as an area South from Beacon Hill Park, East of Highway 98, thru the entire Gulf Aire subdivision and Pelican Walk subdivision, then South to Court Street both sides of Highway 98, then South to Desota Street and East of Highway 98 to George Street. This includes SeaShores subdivision.

For a detailed territory description, contact the utility at the address below.

Any objection to the said application must be made in writing and filed with the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-850, within thirty (30) days from the date of this notice. At the same time, a copy of said objection should be mailed to the applicant whose address is set forth below. The objection must state the grounds for the objection with particularity.

ESAD Enterprises, Inc.
d/b/a Beaches Sewer System
P O Box 503
Port St Joe, Fl 32457

LIST OF WATER AND WASTEWATER UTILITIES IN GULF COUNTY

(VALID FOR 60 DAYS)
02/25/2002-04/25/2002

UTILITY NAME

MANAGER

GOVERNMENTAL AGENCIES

APALACHEE REGIONAL PLANNING COUNCIL ✓
314 E. CENTRAL AVE., ROOM 119
BLOUNTSTOWN, FL 32424

CHATHMAN, BOARD OF COUNTY COMMISSIONERS GULF COUNTY ✓
1000 FIFTH STREET
PORT ST JOE, FL 32456-1648

DEP NORTHWEST DISTRICT ✓
160 GOVERNMENT CENTER
PENSACOLA, FL 32501-6794

MAYOR, CITY OF FORT ST JOE ✓
P. O. DRAWER A
PORT ST. JOE, FL 32456

MAYOR, CITY OF WEWAHITCHKA ✓
P. O. BOX 966
WEWAHITCHKA, FL 32466-0966

N.W. FLORIDA WATER MANAGEMENT DISTRICT ✓
RT. 1 BOX 3100
HAVANA, FL 32333

Exhibit 1

LIST OF WATER AND WASTEWATER UTILITIES IN GULF COUNTY

(VALID FOR 60 DAYS)
02/25/2002-04/25/2002

UTILITY NAME

MANAGER

GULF COUNTY

GULF AIRE PROPERTIES D/B/A GULF AIRE WASTEWATER TREATMENT (SU517)
P. O. BOX 503
PORT ST. JOE, FL 32457-0503

IKE DUREN
(850) 227-5876

LIGHTHOUSE UTILITIES COMPANY, INC. (WL533)
P. O. BOX 428
PORT ST. JOE, FL 32457-0428

WILLIAM J RISH, JR ✓
(850) 227-7427

Exhibit 2

LIST OF WATER AND WASTEWATER UTILITIES IN GULF COUNTY

(VALID FOR 60 DAYS)
02/25/2002-04/25/2002

UTILITY NAME

MANAGER

STATE OFFICIALS

STATE OF FLORIDA PUBLIC COUNSEL
C/O THE HOUSE OF REPRESENTATIVES ✓
THE CAPITOL
TALLAHASSEE, FL 32399-1330

DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES ✓
FLORIDA PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850

Σ h. b. T 3

Prepared by and Return to:
William S. Howell, Jr.
Barth, Collins & Truett
30 South Shore Drive
Destin, FL 32550
Parcel Identification No. 20004756B249P913

QUITCLAIM DEED

THIS QUITCLAIM DEED, made on the 1st day of December, 2000, between Gulf Air Properties, Inc., a Florida corporation d/b/a Gulf Aire Waste Water Treatment Plant ("Grantor") and ESAD Enterprises, Inc., a Florida corporation ("Grantee"), whose post office address is P.O. Box 503, Port St. Joe, FL 32456, and whose federal tax i.d. number is 59-3611250,

WITNESSETH. that Grantor, for and in consideration of the sum of \$10.00, and other good and valuable consideration in hand paid by Grantee, the receipt of which is acknowledged, does hereby acknowledge, does hereby remise, release and quit-claim unto Grantee, all right, title interest, claim and demand which the said Grantor has in and to the following described property in Gulf County, Florida:

Commence at a concrete monument marking the northernmost corner of Lot #1. Block 39. of Port St. Joe Beach Unit 2. a subdivision as per map or plat thereof as recorded in the official records of Gulf County, Florida. From said POINT OF COMMENCEMENT, run south 53 degrees 04'28" west along the northerly right-of-way of Sea Street, 154.17 feet to a concrete monument; THENCE leaving said northerly right-of-way run north 36 degrees 55'32" west 92.76 feet to a concrete monument said monument also being the easterly most corner of Lot 2, Block E of St. Joe Beach Unit No. 3; THENCE leaving said easterly most corner run south 50 degrees 08'28" west along the easterly most property line of Lot 2, Block E of St. Joe Beach Unit No. 3, 153.87 feet to a concrete monument said monument also being the southerly most property corner of Lot 2, Block E of St. Joe Beach Unit No. 3; THENCE leaving said property line and property corner run north 39 degrees 51'32" west along the common property line of Lot 2, Block E of St. Joe Beach Unit No. 3 and the northerly most right-of-way boundary line of Americas Street 151.55 feet to a concrete monument; THENCE leaving said common property line run south 89 degrees 53'28" west 130.07 feet crossing said right-of-way of Americas Street to a point for corner; THENCE run north 39 degrees 51'32" west along the proposed southerly right-of-way of Americas Street, 820.07 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING continue north 39 degrees 51'32" west 15.00 feet to a concrete monument; THENCE leaving said proposed right-of-way boundary run south 50 degrees 10'21" west 15.00 feet to a point for corner; THENCE south 39 degrees 51'32" east 15.00 feet to a point for corner; THENCE north 50 degrees 10'21" east 15.00 feet to the POINT OF BEGINNING.

THIS IS NOT THE HOMESTEAD OF THE GRANTOR.

TO HAVE AND TO HOLD, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit and behoof of the said Grantee forever.

IN WITNESS WHEREOF, the said grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

Witnesses:

Gulf Air Properties, Inc. d/b/a
Gulf Aire Waste Water Treatment Plant

By: Isaac K. Duren
Isaac K. Duren, President

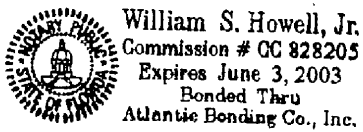
David B. Erwin
Printed Name: DAVID B. ERWIN

W. S. Howell, Jr.
Printed Name: _____

STATE OF FLORIDA
COUNTY OF BAY

The foregoing instrument was acknowledged before me this _____ day of December, 2000, by Isaac K. Duren as President of Gulf Air Properties, Inc., a Florida corporation d/b/a Gulf Aire Waste Water Treatment Plant.

W. S. Howell, Jr.
Signature of Notary



Name of Notary (Typed, Printed or Stamped)
Commission Number (if not legible on seal):
My Commission Expires (if not legible on seal):

Personally Known _____ or Produced Identification X
Type of Identification Produced FLA D.L.

THIS INSTRUMENT PREPARED BY:
CHARLES A. COSTIN, Esquire
413 Williams Avenue
Port St. Joe, Florida 32456

WITHOUT BENEFIT OF TITLE SEARCH
AND BASED SOLELY UPON INFORMATION
PROVIDED BY THE PARTIES

Inst:0020022728 Date:06/03/2002 Time:13:54:37
Doc Stamp-Need : 56.00
B. Daniels Doc # Birmingham, GULF County B:281 P:943

Parcel ID# _____

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED executed this 21st day of May, 2002, by
JAMES PRESTON HAMBRICK, whose address is P.O. Box 678, Port St.
Joe, Florida 32457, hereinafter called the Grantor,

to ESAD ENTERPRISES, INC., a Florida corporation,
SSN: 59-3417270, whose address is P.O. Box 503, Port St. Joe,
Florida 32457, hereinafter called the Grantee.

(Wherever used herein the terms "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 \$10.00 and other valuable considerations, receipt whereof is
hereby acknowledged, does hereby remise, release and quit-claim
unto the Grantee, all the right, title interest, claim and demand
which the said Grantor has in and to the following described
property in Gulf County, Florida, to-wit:

A portion of Lot 11, Summer Place, according
to the plat thereof, recorded in Plat Book 3,
Page 51 of the public records of Gulf County,
Florida, being more particularly described as
follows:

Begin at the northeasterly corner of said Lot
11; thence along the easterly line of said Lot
11; south 39°51'52" east, 20.03 feet; thence
leaving said line, south 50°10'43" west, 13.97
feet; thence north 39°51'52" west, 20.03 feet
to a point on the northwesterly line of Lot
11; thence along said northerly line north
50°10'43" west, 13.97 feet to the Point of
Beginning. Said lands lying in Section 32,
Township 6 South, Range 11 West, Gulf County,
Florida and containing 280 square feet (0.006
acres) more or less.

GRANTEES, THEIR SUCCESSORS AND ASSIGNS
COVENANT TO MAINTAIN SAID PROPERTY IN A
REASONABLE CONDITION CONSISTENT WITH THE
SURROUNDING DEVELOPMENT.

THIS IS NOT THE HOMESTEAD OF THE GRANTOR.

TO HAVE AND TO HOLD, the same together with all and singular
the appurtenances thereunto belonging or in anywise appertaining,
and all the estate, right, title, interest, lien, equity and claim
whatsoever of the said Grantor, either in law or equity, to the
only proper use, benefit and behoof of the said Grantee forever.

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:

Denise Strickland

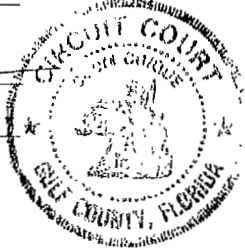
Witness
Print Name: Denise Strickland

James Preston Hambrick

JAMES PRESTON HAMBRICK

Charles Costin

Witness
Print Name: Charles Costin



STATE OF FLORIDA
COUNTY OF GULF

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared JAMES PRESTON HAMBRICK, who is personally known to me or who produced personally known as identification, known to me to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 21st day of May, 2002.

Inst:0020022728 Date:06/03/2002 Time:13:54:37
Doc Stamp/Due: 56.00
Denise Strickland, Doug C Birmingham, GULF County B:281 P:944

Denise Bond Strickland

Notary Public
Commission No.
Expiration Date

Denise Bond Strickland
MY COMMISSION # CC889619 EXPIRES
January 9, 2004
JOINED THROUGH FAIR INSURANCE

ORIGINAL

011379-SU

**LEGAL NOTICE FOR
APPLICATION FOR TRANSFER OF CERTIFICATE**

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AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
GCL _____
GPC _____
MMS _____
SEC _____
OTH _____

ESAD Enterprises, Inc.
d/b/a Beaches Sewer System
P O Box 503
Port St Joe, Fl 32457

DOCUMENT NUMBER-DATE

02531 MAR-5 02

FPSC-COMMISSION CLERK