



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: November 20, 2002
TO: Division of the Commission Clerk and Administrative Services
FROM: Office of the General Counsel (Gervasi) *GS*
RE: Docket No. 020640-SU - Application for certificate to provide wastewater service in Lee County by Gistro, Inc.

Please file the attached letter, with attachments, dated November 15, 2002, in the docket file for the above-referenced docket.

RG/dm

cc: Division of Economic Regulation (Brady, Redemann)

1\020640fm.rg

AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC I
OTH _____

DOCUMENT NUMBER DATE

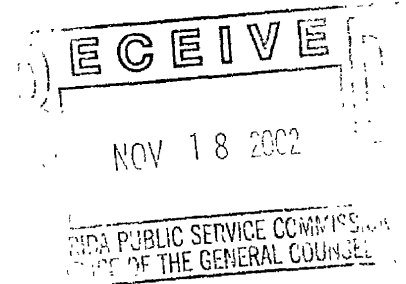
12701 NOV 20 02

GISTRO INC.
A FLORIDA CORPORATION

P.o.box 110 131
APLES FLORIDA
34108
(239) 495 8089 voice
(239) 495 8089 fax
E mail hlzbrg@cs.com

November 15, 2002

Rosanne Gervasi
Senior Attorney
Public Service Commission
2540 Shumard Boulevard
Tallahassee, FL.32399-0850



Re: Your letter November 1, 2002 to Mr. Robert Burandt. Attorney.
Your request for additional proof of ownership of the land the lift station is located, and access to all collection lines and equipment.

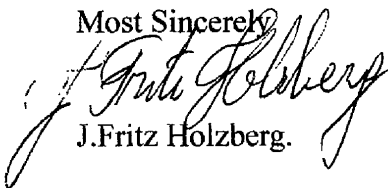
Dear Ms. Gervasi:

I have been urged by Mr. Burandt, our Attorney to provide you with the necessary documents you have requested. I hope the included papers are sufficient to prove our right ownership, to 100 % of the sewer installation in the Forest Mere development in Bonita Springs FL.

Regarding Mr Burandts request to Mr Sundstrom, BSU. should hand over the money they have collected in the last 11 years. It is your opinion that Mr Burandt should not have requested the reimbursement. BSU. has collected from the Homeowners in the Forest Mere subdivision during this time, about \$ 300.000. Which law is granting BSU . this right. Is this the Justice of Florida , we the investors, who were forced to build a sewer system and spend millions to accommodate the Public are not even entitled to receive the cost of maintaining the system, not talking of profit.

Ms. Gervasi, by international Law, this is not Justice and should undergo some rethinking by the right people who are in charge of this kind of problem, or even created it. I do not want to give you my opinion of this law. I would still appreciate it, to see a copy of this law. BSU. still does not have a fully executed contract with Gistro Inc for the treatment of the delivered sewage from Forest Mere as Mr Sundstrom was claiming recently.

Most Sincerely


J.Fritz Holzberg.

14, 15, 84,

Good SET

DECLARATION OF COVENANTS, RESTRICTIONS
EASEMENTS, CHARGES AND LIENS
FOR FOREST MERE TOWNHOUSE COMMUNITY

1779055

Declaration made as of this 19th day of MARCH, 1984, by GULF CONSTRUCTION PARTNERSHIP, a Florida General Partnership, hereinafter referred to as DECLARANT.

OFF REC 1716 PC3274

WITNESSETH:

WHEREAS, Declarant is the owner of a parcel of property as described in Exhibit "A" to this Declaration; and

WHEREAS said property will be the site of townhouse units; and

WHEREAS, the Declarant desires to provide for the preservation of the values and amenities in the community and to this end the Declarant desires to subject the real property described in Exhibit A, together with such additions as may be made to such real property in accordance with the provisions herein, to the covenants, restrictions, easements, charges and liens hereinafter set forth, each or all of which is and are for the benefit of said property and each owner of townhouse units located on said property who are members of the Association.

WHEREAS, Declarant has incorporated under the laws of the State of Florida as a corporation not-for-profit, FOREST MERE TOWNHOUSE COMMUNITY ASSOCIATION, INC., for the purpose of exercising the powers stated above and within this Declaration, which Association is not intended to be a "Condominium Association" as such term is defined and described in the Florida Condominium Act (Chapter 718 of the Florida Statutes); and

NOW THEREFORE, Declarant, for itself, its successors and assigns, declares that the real property described in Article II of this Declaration, is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges and liens (sometimes referred to as "covenants and restrictions") hereinafter set forth.

ARTICLE I
DEFINITIONS

(a) Association shall mean and refer to FOREST MERE TOWNHOUSE COMMUNITY ASSOCIATION, INC., a Florida corporation, not-for-profit.

(b) The Properties shall mean and refer to all such existing properties as are subject to this Declaration as described in Schedule A to this Declaration.

(c) Commons Area shall mean and refer to the land described in Schedule "A" less all of the land described in Schedule B, such common property shall consist of the driveways, parking areas and all unimproved areas.

(d) Townhouse Unit shall mean and refer to all residential zero lot line townhouse units situated on The Properties.

(e) Owner shall mean and refer to the record owner, whether one or more persons or parties, of the fee simple title to any zero lot line townhouse unit located on The Properties. Every townhouse unit owner shall be treated for all purposes as a single owner for each townhouse unit, or lot held irrespective of whether such ownership is joint, in common, or tenancy by the entirety.

(f) Member shall mean and refer to each holder of a membership interest in the Association, as such interest is set forth in Article III.

RECORD VERIFIED - SAL CURACI CLERK
BY H. EERNSTROM D.C.

drainage, cable television, fuel oil and other utilities, and the right of the Declarant or its successors in interest to grant and reserve easements and rights-of-way, in, through, under, over, upon and across the Commons Area for the completion of the townhouse units to be constructed on The Properties.

SECTION 4.

Notwithstanding the restrictions on members easement of enjoyment set forth in Section 3, each townhouse unit owner shall have perpetually the full, free right of ingress and egress over all of the common property. This right of ingress and egress throughout the common property shall also extend to all invitees and guests of the townhouse unit owner. This use is, however, subject to the right of the individual townhouse unit owners to the exclusive use of the parking spaces as assigned by the Association.

All mortgagees of townhouse unit owners shall specifically have a complete right of access to all of the common property for the purpose of ingress and egress to any and all townhouses upon which they have a mortgage loan.

ARTICLE V EASEMENTS OVER THE PROPERTIES

SECTION 1. Easements.

The Declarant or its successors in interest do hereby establish and create for the benefit of the Association and for all owners from time to time of townhouse units on The Properties, and do hereby give, grant and convey to each of the aforementioned, the following easements, licenses, rights and privileges:

(i) Right of Way for Ingress and Egress by vehicles or on foot, in, through, over, under and across the streets, roads, and walks (as they may be built or located in the future) for all purposes and (if the owners of a section of a street, road or walkway fail to maintain the throughway) the right to maintain and repair the same;

(ii) Rights to connect and make use of utility lines, wires, pipes, conduits, cable television lines, sewers and drainage lines which may from time to time be in or along the streets and roads or other areas of The Properties and (if the owners of the land upon which sections of lines, wires, pipes, conduits, cable television lines, sewers or drainage lines are located neglect to keep them adequately maintained) the rights to maintain and repair the same.

SECTION 2 - Reservation of Easements.

The Declarant or its successors in interest reserve the easements, licenses, rights and privileges of a right-of-way in, through, over, under and across The Properties, for the purpose of constructing multi-family buildings on The Properties and, towards this end, reserves the right to grant and reserve easements and rights-of-way in, through, under, over and across The Properties, for the installation, maintenance, and inspection of lines and appurtenances for public or private water, sewer, drainage, cable television, fuel oil and other utilities and for any other materials or services necessary for the completion of the work. The Declarant or its successors in interest also reserve the right to connect with and make use of the utility lines, wires, pipes, conduits, cable television, sewers and drainage lines which may from time to time be in or along the streets and roads or other areas of The Properties.

ARTICLE VI COVENANT FOR MAINTENANCE ASSESSMENTS

SECTION 1. Creation of the Lien and Personal Obligations.

10.50
3.50

INSTR # 5398369
OR BK 03609 PG 3251
RECORDED 03/27/2002 04:09:50 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DEED DOC 3.50
DEPUTY CLERK J Miller

QUIT CLAIM DEED

THIS INDENTURE, made this 27 day of MARCH, 2002 by and between FOREST MERE J.V.

whose post office address is: P.O. BOX 366 762 BOMITA SPRINGS FLA 34136
of the County of Lee, State of Florida, party of the first part, and GISTRO INC,
whose post office address is: P.O. BOX 11081, NAPLES, FL, 34108
of the County of Lee, State of Florida, party of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the sum of TEN DOLLARS AND NO/100 (10.00), and other good and valuable considerations, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, release and quit claim unto the said party of the second part, all right, title, interest, claim and demand which the party of the first part has in and to the following described property, situate, lying and being in the County of Lee County, State of Florida, to-wit:

Property tax identification number: 254125110000A0010

TO HAVE AND TO HOLD, the same with all and singular the appurtenances thereunto belonging or in anywise appertaining and all the estates, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to only proper use.

* Singular and plural and gender are interchangeable as context requires.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year below written.

Signed, sealed and delivered in the presence of:

[Signature] Witness
Printed Name: Christine M Weaver
[Signature] Witness
Printed Name: Cindy Nelson
[Signature] J. Fritz Holzberg Pres
J. FRITZ HOLZBERG

STATE OF FLORIDA
COUNTY OF LEE

I HEREBY CERTIFY that on this date, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared J Fritz Holzberg, who are personally known to me or has produced _____ as identification and who did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this day of 27, MARCH 2002.

[Signature]
Notary Public
Printed Name:

My Commission expires: 2/13/06



This instrument prepared by:
[Signature]
prepared By: ✓
26510 G. Pine Dr.
Bonita Springs 34135

WILLIAM MCALEAR

REGISTERED LAND SURVEYOR

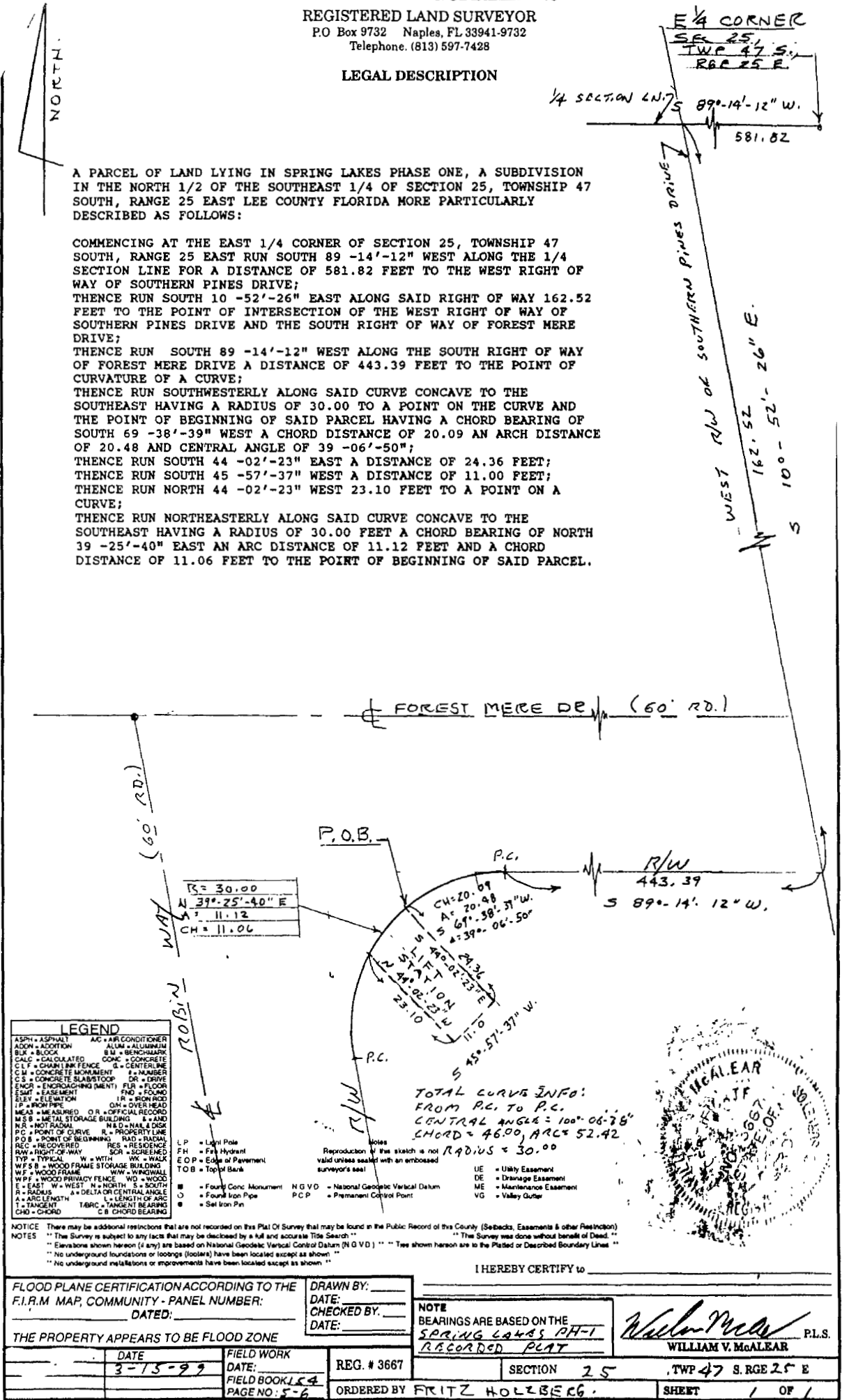
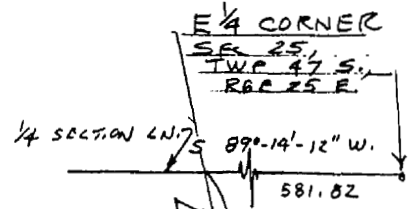
P.O. Box 9732 Naples, FL 33941-9732

Telephone: (813) 597-7428

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SPRING LAKES PHASE ONE, A SUBDIVISION IN THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 47 SOUTH, RANGE 25 EAST LEE COUNTY FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 25, TOWNSHIP 47 SOUTH, RANGE 25 EAST RUN SOUTH 89°-14'-12" WEST ALONG THE 1/4 SECTION LINE FOR A DISTANCE OF 581.82 FEET TO THE WEST RIGHT OF WAY OF SOUTHERN PINES DRIVE;
 THENCE RUN SOUTH 10°-52'-26" EAST ALONG SAID RIGHT OF WAY 162.52 FEET TO THE POINT OF INTERSECTION OF THE WEST RIGHT OF WAY OF SOUTHERN PINES DRIVE AND THE SOUTH RIGHT OF WAY OF FOREST MERE DRIVE;
 THENCE RUN SOUTH 89°-14'-12" WEST ALONG THE SOUTH RIGHT OF WAY OF FOREST MERE DRIVE A DISTANCE OF 443.39 FEET TO THE POINT OF CURVATURE OF A CURVE;
 THENCE RUN SOUTHWESTERLY ALONG SAID CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 30.00 TO A POINT ON THE CURVE AND THE POINT OF BEGINNING OF SAID PARCEL HAVING A CHORD BEARING OF SOUTH 69°-38'-39" WEST A CHORD DISTANCE OF 20.09 AN ARCH DISTANCE OF 20.48 AND CENTRAL ANGLE OF 39°-06'-50";
 THENCE RUN SOUTH 44°-02'-23" EAST A DISTANCE OF 24.36 FEET;
 THENCE RUN SOUTH 45°-57'-37" WEST A DISTANCE OF 11.00 FEET;
 THENCE RUN NORTH 44°-02'-23" WEST 23.10 FEET TO A POINT ON A CURVE;
 THENCE RUN NORTHEASTERLY ALONG SAID CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 30.00 FEET A CHORD BEARING OF NORTH 39°-25'-40" EAST AN ARC DISTANCE OF 11.12 FEET AND A CHORD DISTANCE OF 11.06 FEET TO THE POINT OF BEGINNING OF SAID PARCEL.



LEGEND	
ASPH = ASPHALT	AC = AIR CONDITIONER
ADDN = ADDITION	ALUM = ALUMINUM
BLK = BLOCK	BM = BENCHMARK
CALC = CALCULATED	CONC = CONCRETE
C.F. = CHAIN FENCE	CL = CENTERLINE
C.M. = CONCRETE MONUMENT	# = NUMBER
C.S. = CONCRETE SLAB/STOOP	DR = DRIVE
ENCR = ENCROACHING MENT	FLR = FLOOR
ESMT = EASEMENT	FND = FOUND
ELEV = ELEVATION	FR = IRON ROD
IP = IRON PIPE	OH = OVER HEAD
MEAS = MEASURED	OR = OFFICIAL RECORD
MSB = METAL STORAGE BUILDING	# AND # = AND
N.R. = NOT RADIAL	N&D = N&D DISG
P.C. = POINT OF CURVE	R = PROPERTY LINE
P.O.B. = POINT OF BEGINNING	RAD = RADIAL
REC = RECOVERED	RES = RESIDENCE
RAW = RIGHT-OF-WAY	SCR = SCREENED
TYP = TYPICAL	W = WITH
W.F. = WOOD FRAME	WX = WALK
W.F.F. = WOOD FRAME FENCE	WD = WOOD
W.F. = WOOD FRAME	WW = WINGWALL
E = EAST	W = WEST
N = NORTH	S = SOUTH
R = RADIUS	Δ = DELTA OR CENTRAL ANGLE
A = ARC LENGTH	L = LENGTH OF ARC
T = TANGENT	T&BC = TANGENT BEARING
CHD = CHORD	C.B. = CHORD BEARING

R = 30.00
A = 39°-25'-40" E
L = 11.12
CH = 11.06

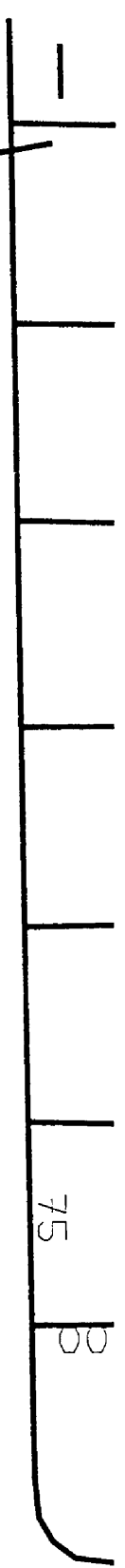
TOTAL CURVE INFO:
 FROM P.C. TO P.C.
 CENTRAL ANGLE = 100°-06'-38"
 CHORD = 46.00, ARC = 52.42
 RADIUS = 30.00



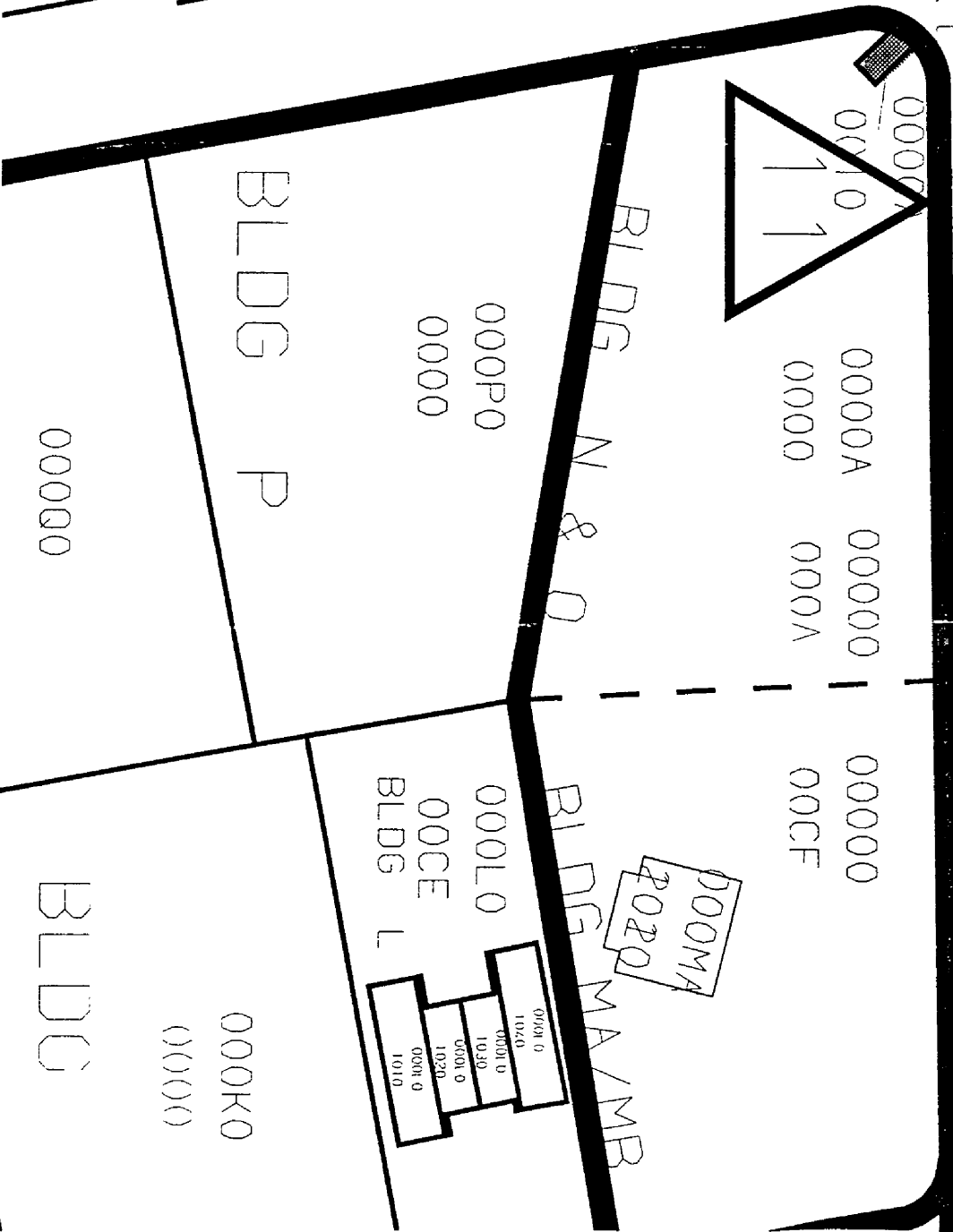
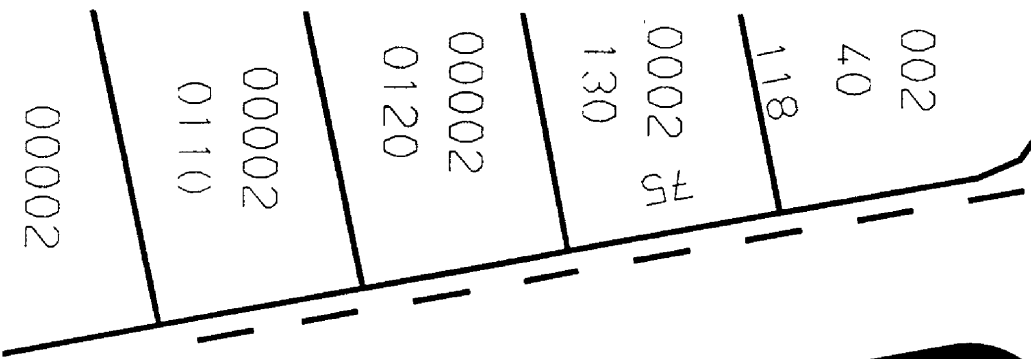
NOTICE: There may be additional restrictions that are not recorded on this Plat Of Survey that may be found in the Public Record of this County (Sebacks, Easements & other Restriction).
 NOTES: ** This Survey is subject to any facts that may be disclosed by a full and accurate Title Search. ** The Survey was done without benefit of Dead. **
 ** Easements shown hereon (if any) are based on National Geodetic Vertical Control Datum (N.G.V.D.) ** ** Tree shown hereon are to the Platred or Described Boundary Lines. **
 ** No underground foundations or footings (isolars) have been located except as shown. **
 ** No underground metalations or improvements have been located except as shown. **

I HEREBY CERTIFY to _____

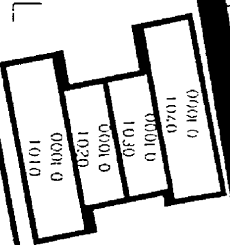
FLOOD PLANE CERTIFICATION ACCORDING TO THE F.I.R.M. MAP, COMMUNITY - PANEL NUMBER: _____		DRAWN BY: _____	
DATED: _____		DATE: _____	
THE PROPERTY APPEARS TO BE FLOOD ZONE _____		CHECKED BY: _____	
DATE: 3-15-99		DATE: _____	
FIELD WORK DATE: _____		REG. # 3667	
FIELD BOOK/CD PAGE NO: 5-6		SECTION 25	
ORDERED BY FRITZ HOLZBERG		TWP 47 S. RGE 25 E	
SHEET 1 OF 1		WILLIAM V. MCALEAR P.L.S.	



MEHR DR



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BLDG P

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Lee County Taxing Authorities
P.O. Box 1270
Fort Myers, Florida 33902-1270

Parcel ID: 25-47-25-B3-0110A.0010
FOREST MERE COURT CONDO
PARCEL LOCATED IN RESERVE AREA
LIFT STATION OR3091/2085

• FOR PERMANENT CHANGE OF ADDRESS •
Detach and show your new address below
Mail to: P.O. Box 1546 Ft Myers, Florida 33902-1546
OR change your address on-line at www.leepa.org

220848 *****AUTO**3-DIGIT 339
FOREST MERE JOINT VENTURE
PO BOX 366762
BONITA SPRINGS, FL 34136-6762



NOTICE OF PROPOSED PROPERTY TAXES - DO NOT PAY - THIS IS NOT A BILL

The taxing authorities which levy property taxes against your property will soon hold PUBLIC HEARINGS to adopt budgets and tax rates for the next year. The purpose of these PUBLIC HEARINGS is to receive opinions from the general public and to answer questions on the proposed tax changes and budget PRIOR TO TAKING FINAL ACTION. Each taxing authority may AMEND OR ALTER its proposals at the hearing.

Parcel ID: 25-47-25-B3-0110A.0010 CITY OF BONITA SPRINGS - 018

TAXING AUTHORITY 018	COLUMN 1 YOUR PROPERTY TAXES LAST YEAR	COLUMN 2 YOUR TAXES THIS YEAR IF PROPOSED BUDGET CHANGE IS MADE	A PUBLIC HEARING ON THE PROPOSED TAXES AND BUDGET WILL BE HELD	COLUMN 3 YOUR TAXES THIS YEAR IF NO BUDGET CHANGE IS MADE
LEE COUNTY CAPITAL IMP	0.51	0.51	09/05/01 5 05PM LEE CO COMMISSION CHAMBERS 2120 MAIN ST MAIL P O BOX 398 FT MYERS FL 33902 TEL 941 335 2221	0.47
LEE COUNTY GENERAL REVENUE	2.16	2.16	09/05/01 5 05PM LEE CO COMMISSION CHAMBERS 2120 MAIN ST MAIL P O BOX 398 FT MYERS FL 33902 TEL 941 335 2221	1.99
BONITA SPRINGS LIGHT - MSTU	0.03	0.03	09/05/01 5 05PM LEE CO COMMISSION CHAMBERS 2120 MAIN ST MAIL P O BOX 398 FT MYERS FL 33902 TEL 941 335 2221	0.02
LEE COUNTY LIBRARY FUND	0.48	0.48	09/05/01 5 05PM LEE CO COMMISSION CHAMBERS 2120 MAIN ST MAIL P O BOX 398 FT MYERS FL 33902 TEL 941 335 2221	0.44
PUBLIC SCHOOL - BY LOCAL BOARD	1.31	1.30	09/11/01 5 05PM DR JAMES ADAMS PUBLIC ED CNTR 2055 CENTRAL AVENUE FT MYERS FL 33901 TEL 941 337 8215	1.20
PUBLIC SCHOOL - BY STATE LAW	3.09	2.94	09/11/01 5 05PM DR JAMES ADAMS PUBLIC ED CNTR 2055 CENTRAL AVENUE FT MYERS FL 33901 TEL 941 337 8215	2.84
CITY OF BONITA SPRINGS	0.61	0.61	09/08/01 9 00AM BONITA UTILITIES BOARD ROOM 11860 EAST TERRY ST BONITA SPRINGS FL 34133 TEL 941-390-1000	0.58
SFL WATER MGMT-DISTRICT LEVY	0.30	0.30	09/11/01 5 15PM SFWM DIST AUDITORIUM BLDG B-1 3301 GUN CLUB ROAD W PALM BEACH FL 33406 TEL 561 686 8800	0.28
SFL WATER MGMT-EVERGLADE	0.05	0.05	09/11/01 5 15PM SFWM DIST AUDITORIUM BLDG B-1 3301 GUN CLUB ROAD W PALM BEACH FL 33406 TEL 561 686 8800	0.05
WEST COAST INLAND WATERWAY	0.02	0.02	09/07/01 5 01PM SARASOTA CO RBT ANDER ADMN CTR 4000 S TAMiami TRAIL MAIL P O BOX 1845 VENICE FL 34297 TEL 941 485 9402	0.02
BONITA SPRINGS FIRE DISTRICT	0.84	0.99	09/10/01 7 00PM BONITA SPRING FIRE STA 1 27490 OLD 41 RD BONITA SPRINGS FL 34135 TEL 941 892 3320	0.78
LEE COUNTY HYACINTH CONTROL	0.02	0.02	09/04/01 5 01PM DISTRICT OFFICES 15191 HOMESTEAD RD LEHIGH ACRES FL 33971 TEL 941 694 2174	0.02
LEE COUNTY MOSQUITO CONTROL	0.18	0.18	09/04/01 5 01PM DISTRICT OFFICES 15191 HOMESTEAD RD LEHIGH ACRES FL 33971 TEL 941 694 2174	0.17
Total Property Taxes	9.60	9.59		8.84

	MARKET VALUE	ASSESSED VALUE	EXEMPTIONS	TAXABLE VALUE
YOUR PROPERTY VALUE THIS YEAR 2001	500	500	0	500
YOUR PROPERTY VALUE LAST YEAR 2000	500	500	0	500

IF YOU FEEL THE MARKET VALUE OF YOUR PROPERTY IS INACCURATE OR DOES NOT REFLECT FAIR MARKET VALUE CONTACT YOUR COUNTY PROPERTY APPRAISER AT (941) 339-6169 2480 Thompson Street 4th Floor (at the corner of Fowler & Martin Luther King Jr Blvd) or P.O. Box 1546 Ft Myers, FL 33902. If the Property Appraiser's Office is unable to resolve the matter as to market value, you may file a petition for adjustment with the Value Adjustment Board. Petition forms are available from the County Property Appraiser and must be filed ON OR BEFORE Sept. 11, 2001. **Your final tax bill may contain non ad valorem assessments which may not be reflected on this notice such as assessments for roads, fire, garbage, lighting, drainage, water, sewer, or other governmental services and facilities which may be levied by your county, city, or any special district.**

EXPLANATION	COLUMN 1 "YOUR PROPERTY TAXES LAST YEAR"	COLUMN 2 "YOUR TAXES IF NO BUDGET CHANGE IS MADE"	COLUMN 3 "YOUR TAXES IF PROPOSED BUDGET CHANGE IS MADE"	NOTE
COLUMN 1 "YOUR PROPERTY TAXES LAST YEAR" This column shows the taxes that applied last year to your property. These amounts were based on budgets adopted last year and your previous taxable value.		This column shows what your taxes will be this year IF EACH TAXING AUTHORITY DOES NOT INCREASE ITS PROPERTY TAX LEVY. These amounts are based on last year's budgets and your current assessment. The difference between columns 2 and 3 is the tax change proposed by each local taxing authority and is NOT the result of higher assessments.	This column shows what your taxes will be this year under the BUDGET ACTUALLY PROPOSED by each local taxing authority. The proposal is NOT final and may be amended at the public hearing shown above.	NOTE: Amounts shown on this form do NOT reflect early payment discounts you may have received or may be eligible to receive. (Discounts are a maximum of 4 percent of the amounts shown on this form.) * NON-HOMESTEAD EXEMPT MILLIAGES - The homestead exemption does not apply to the mosquito control, hyacinth control, fire, and street lighting authority. Taxes for these authorities are calculated based upon assessed, not taxable value. ** SENIOR EXEMPTION - This property has received a Senior Exemption. Please see the reverse side of this notice for a complete explanation of this exemption.
ASSESSED VALUE MEANS: For homestead property - value is limited by State Constitution. For agricultural and similarly assessed property - classified use value. For all other property - market value.				