

State of Florida



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

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**DATE:** January 17, 2003  
**TO:** Division of the Commission Clerk and Administrative Services  
**FROM:** Office of the General Counsel (Gervasi) *PS*  
**RE:** Docket No. 020640-SU - Application for certificate to provide wastewater service in Lee County by Gistro, Inc.

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Please file the attached letter from Mr. J. Fritz Holzberg, dated January 15, 2003, in the docket file for the above-referenced docket.

RG/dm

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DOCUMENT NUMBER-DATE

00582 JAN 21 03

FPSC-COMMISSION CLERK

**GISTRO INC.**  
A FLORIDA CORPORATION

P.O.BOX 110 131  
NAPLES FLORIDA  
34108  
(239) 495 8089 VOICE  
(239) 495 8089 FAX  
Email Hlzbrg@cs.com

January 15, 2003

Ms.  
Rosanne Gervasi  
Senior Attorney

Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee FL.32399-0850



Dear Ms. Gervasi:

It is more than 2 Month that I have mailed you the proof of ownership of the land where the lift station is located. You have requested this item in a letter to Mr. Burandt on November 1, 2002. You also requested proof of access to all utility lines. this item I include in form of a page of our Association Documents. I also remember that this letter was addressed to Ms. Patti Daniel. By the way, we still own lots and homes in Forest Mere

Regarding your comment in a letter addressed also to Mr Burandt , on September24,2002 you are also mentioning my right to disconnect customers from Gistro property , this comes from the natural feeling and right to defend its own property against people who dont know the difference between theirs and ours, and dont care much about the law

Please also do not forget that the Florida State Law also is recognizing the sewer connection without the consent of the owner of the system, as a misdcmcanor, which probably derives from the basic of the FIFTH. Should you have a better idea how to protect a property , I would be very thankful. This way of property protection belongs in the middle ages. the home owner and his family are suffering and the fraudulent builder is smiling and the County Government is even helping him. It is not after my taste anyway

It is good to be in touch with you again.

Sincerely

A handwritten signature in cursive script that reads "J. Fritz Holzberg". Below the signature, the name "J.Fritz Holzberg" is printed in a standard font.

J.Fritz Holzberg

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 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 section 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.

X  
FRITZ

ARTICLE VI  
COVENANT FOR MAINTENANCE ASSESSMENTS

SECTION 1. Creation of the Lien and Personal Obligations.

The Declarant, for each single family lot, townhouse unit or Condominium Unit owned by it within The Properties hereby covenants, and each Owner of any Condominium Unit, Townhouse Unit or Single Family Lot (by acceptance of a deed therefore, whether or not it shall be so expressed in any such deed or other conveyance) including any purchaser at a judicial sale, shall hereafter be deemed to covenant and agree to pay to the Association any and all annual assessments or charges and any special assessments for capital improvements or major repair; such assessments to be fixed, established and collected from time to time by the Association. All sums assessed by the Association, but unpaid, together with such interest thereon as is hereinafter provided, shall be a charge on the land and shall be a continuing lien upon The Properties against which each such assessment is made. Each such assessment, together with interest thereon and cost of collection thereof, as hereinafter provided, shall be a personal obligation of the person who was the owner of such property at the time when the assessment fell due.

MERRILL

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4592072

Documentary Tax Pd. \$ 70  
\$ \_\_\_\_\_ Intangible Tax Pd.  
CHARLIE GREEN, CLERK, LEE COUNTY  
By Trent Voges Deputy Clerk

QUIT CLAIM DEED

THIS INDENTURE, made this 18 day of MARCH 1999, by and between FOREST MEREJ,  
whose post office address is: P.O. BOX 366162 BONITA SPRINGS 34136  
of the County of Lee, State of Florida, party of the first part, and FOREST MEREJ II  
whose post office address is: 26510/3 SOUTHERN PINE DR. AND J. FRITZ HOLZBERG  
BONITA SPRINGS 34135 AND ELFY HOLZBERG  
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: 254125110000A0000

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:

RECORDED BY  
TRENT VOGES, D.C.

Kristine J. Edwards  
Witness  
Printed Name: Kristine J Edwards  
Jacqueline Montana  
Witness  
Printed Name: JACQUELINE MONTANA

J. Fritz Holzberg  
J. FRITZ HOLZBERG

STATE OF FLORIDA  
COUNTY OF LEE

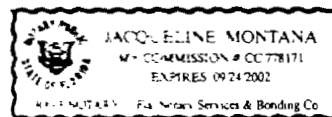
I HEREBY CERTIFY that on this date, before me, an officer duly authorized in  
the State and County aforesaid to take acknowledgments, personally appeared  
J. Fritz Holzberg, who are personally known to me or has  
produced \_\_\_\_\_ as identification and who did not take an oath

WITNESS my hand and official seal in the County and State last aforesaid this  
18 day of March, 1999.

Jacqueline Montana  
Notary Public  
Printed Name:

My Commission expires:

This instrument prepared by:



DR3091 PG2085

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:

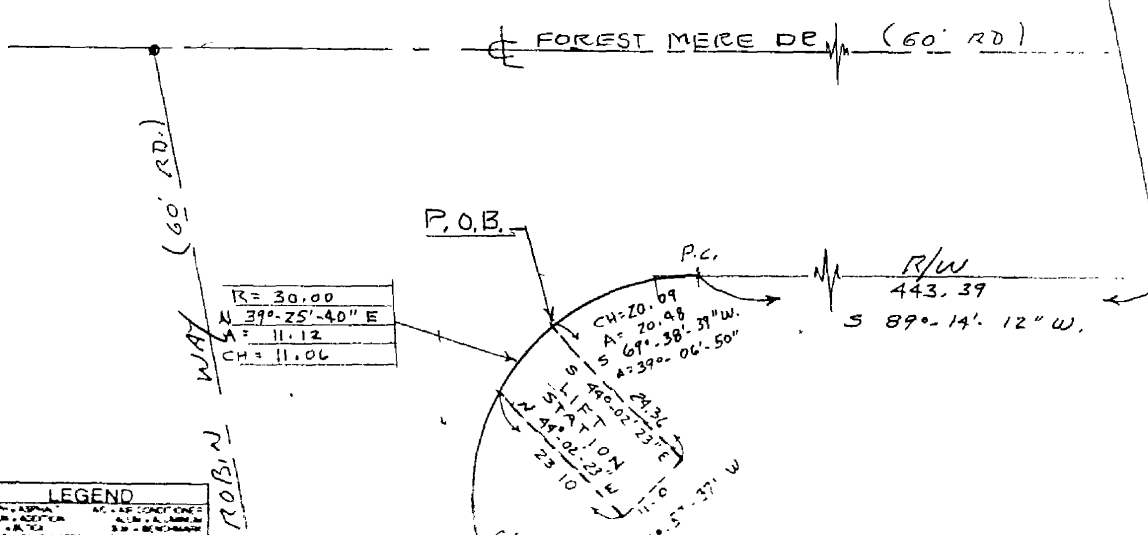
COMMENCING AT THE EAST 1/4 CORNER OF SECTION 25, TOWNSHIP 47 SOUTH, RANGE 25 EAST RUN SOUTH 89 -14'-12" WEST ALONG THE 1/4 SECTION LINE FOR A DISTANCE OF 581.82 FEET TO THE WEST RIGHT OF WAY OF SOUTHERN PINES DRIVE; THENCE RUN SOUTH 10 -52'-26" EAST ALONG SAID RIGHT OF WAY 162.52 FEET TO THE POINT OF 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.

E 1/4 CORNER
SEC. 25
TWP. 47 S.
RGE. 25 E.

1/4 SECTION LN. 89°-14'-12" W.
581.82

WEST R/W of SOUTHERN PINES DRIVE

DR3091 P62086
S 89°-14'-12" W. 581.82



LEGEND table with columns for symbols and descriptions. Includes symbols for bearings, distances, curves, and other survey features.

NOTICE: These may be additional restrictions that are not recorded on this Plat of Survey...
DRAWN BY:
DATE:
CHECKED BY:
DATE:
NOTE: BEARINGS ARE BASED ON THE SPRING LAKES PH-1 RECORDED PLAT

CHARLIE GREEN, CLERK
LEE COUNTY, FL
99 MAR 18 PM 5:01

Survey form with sections for 'FLOOD PLANE CERTIFICATION', 'DRAWN BY', 'CHECKED BY', 'THE PROPERTY APPEARS TO BE FLOOD ZONE', 'REG. # 3667', 'SECTION 25', 'TWP 47 S RGE 25 E', and 'SHEET 1 OF 1'.