



March 1, 2022

**VIA FEDEX**

Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
Attn: Kerri Maloy

RECEIVED-FPSC  
2022 MAR -2 AM 10:15  
COMMISSION  
CLERK

**Re: Docket No. 20210189-WU – Application for Transfer of water facilities of Camachee Island Company Inc. d/b/a Camachee Cove Yacht Harbor Utility and Certificate No. 647-W to Windward Camachee Marina Owner LLC (“Applicant”) in St. Johns County, Florida**

Dear Ms. Maloy:

This correspondence is sent in response to your notices of deficiencies sent on February 11, 2022 and February 18, 2022 (collectively, the “Notices”). In response to the Notices, please note the following:

- With respect to the Notice of Application, pursuant to your February 18, 2022 letter, revised notices were sent and published. Attached as Exhibit A please revised affidavits of noticing.
- Attached as Exhibit B is amendment to the purchase and sale agreement providing that the transfer of the water facilities shall be subject to the prior approval of the Commission. Upon review by the Commission and confirmation that the same is acceptable, the applicant will cause the same to be fully executed and a copy delivered to the Commission.
- Below please find a list of the names, addresses and percentage of ownership of each entity or person who will own more than five percent (5%) of the utility.  
RF Camachee, LLC  
2999 NE 191<sup>st</sup> Street, Suite 800  
Aventura, FL 33180  
Percentage Ownership: 12%

March 1, 2022

Page 2 of 2

WT St. Augustine Marina Group LLC  
c/o Paul A. Shelowitz, Esq.  
Stroock & Stroock & Lavan LLP  
200 South Biscayne Blvd 31<sup>st</sup> Floor  
Miami, FL 33131  
Percentage Ownership: 7%

Nalpak Marina IV Camachee, LLC  
1430 Techny Rd  
Northbrook, Illinois 60062  
Percentage Ownership: 44%

AMBAR V Holdings LLC  
17501 Biscayne Boulevard, Suite 410  
Aventura, Florida 33160  
Percentage Ownership: 7%

Should you have any questions regarding the items contained in this letter, please contact the undersigned by phone at (786) 210-6713. Thank you.

Sincerely,

*/s Victor A. Recondo*

Victor A. Recondo, Esq.  
General Counsel

**AFFIDAVIT**

BEFORE ME, the undersigned authority, personally appeared **TRAVIS STAATS** (“**Affiant**”), who, being by me first duly sworn, under oath, does hereby swear and affirm upon direct, personal knowledge that the following information is true and correct:

1. That Affiant is employed by Windward Camachee Marina Owner, LLC, a Delaware limited liability company (“**Windward**”).
2. That attached as Exhibit A is a true and correct copy of the Notice of Application for Authority to Transfer Water Certificate of Authorization to Another Regulated Utility that was approved by the Florida Public Service Commission in Docket No. 20210189-WU (the “**Notice**”).
3. That Windward delivered the Notice by regular mail to the governmental entities and utilities identified on the list described Exhibit B.
4. That Affiant further states that Affiant is familiar with the nature of an oath and with the penalties as provided by the laws of the State of Florida for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that Affiant has read the full facts of this Affidavit and understand its contents.

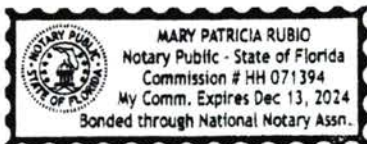
Dated this 28<sup>th</sup> day of February, 2022.

By:   
TRAVIS STAATS

State of Florida  
County of St. Johns

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this 28<sup>th</sup> day of February, 2022 by TRAVIS STAATS, who [] is personally known to me or [] has produced a \_\_\_\_\_ as identification.

[Notary Seal]



  
Notary Public

Printed Name: Mary Patricia Rubio

My Commission Expires: 12/13/24

Ex. A

**NOTICE OF APPLICATION FOR AUTHORITY TO TRANSFER WATER CERTIFICATE OF  
AUTHORIZATION TO ANOTHER REGULATED UTILITY**

**DOCKET NO. 20210189-WU \_\_\_\_\_**

**Application for transfer of water facilities of Camachee Island Company, Inc. d/b/a Camachee Cove Yacht Harbor Utility and Certificate No. 647-W to Windward Camachee Marina Owner LLC, in St. Johns County.**

**DATE OF CUSTOMER NOTICE — 2 / 22 / 2022**

Notice is hereby given that Windward Camachee Marina Owner LLC (“Windward Camachee”), has filed an Application for Approval of Transfer of the Water System of Camachee Island Company, in St. Johns County, Florida, pursuant to Section 367.071, Florida Statutes, and Rule 25-30.037, Florida Administrative Code.

Windward Camachee is not requesting a change to rates, classifications, charges, or rules and regulations; therefore, your current rates will not be affected by this transfer. The Camachee Island Company water system provides service to Camachee Island I Condominium, Harbor Pointe at Camachee Island Condominium, and the surrounding community in the following described service territory in St. Johns County, Florida:

The following are simplified legal descriptions of the Utility’s service territory. For the full legal descriptions, please contact Windward Camachee at the contact information below.

**WATER LEGAL DESCRIPTION**

Territory description of portions of Sections 5 and 8, Township 7 South, Range 30 East, St. Johns County, Florida.

Common Street Names Affected by Transfer: Harbor Drive, Waterway Court, Yacht Club Drive and Lands End Drive.

For more information concerning this notice, please contact the Utility at the address below:

Windward Camachee Marina Owner LLC  
3070 Harbor Drive  
St. Augustine, Florida 32084  
Office: (904) 829-5676  
Fax: (904) 829-0396  
Email: info@camacheeisland.com

Any objection to the application must be made in writing and filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than thirty (30) days after the last date that the notice was mailed or published, whichever is later.



Ex. B

Utilities

Camachee Cove Yacht Harbor Utility (WU927)  
3070 Harbor Drive St. Augustine, FL  
32084-2123 USA Contact: Bookkeeper  
Linda Keener  
Email:  
[Linda.Camachee@Comcast.net](mailto:Linda.Camachee@Comcast.net)  
Telephone: (904) 810-5856

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Website: <http://camacheeisland.com>

North Beach Utilities, Inc. (WS926)  
4125 Coastal Highway St. Augustine, FL 32084-1418 USA Contact: President Frank D. Usina,  
Director Robert "Max" Usina Email:  
[Nbutilities@BeIsouth.Net](mailto:Nbutilities@BeIsouth.Net)  
Telephone: (904) 824-1806

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Wildwood Water Company (WU937)  
P. O. Box 3767 St. Augustine, FL  
32085-3767 USA Contact: President  
Diane Mills  
Email:  
[Wildwood@Abs.Us.Com](mailto:Wildwood@Abs.Us.Com)  
Telephone: (904) 829-3400

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Windward Camachee Marina Owner  
LLC (WU992) 3070 Harbor Drive St.  
Augustine, FL 32084 USA Contact:  
Manager Robert Finvarb  
Email:  
[Ali@Finvarb.Com](mailto:Ali@Finvarb.Com)  
Telephone: (904) 829-5676

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Governmental  
Agencies

Clerk Of Court, St.  
Johns County 4010  
Lewis Speedway  
St. Augustine FL  
32084-8637 Email:  
[Lsmith@Sjccoc.Us](mailto:Lsmith@Sjccoc.Us)  
Telephone: (904) 819-3600

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Website: <http://www.clk.co.st-johns.fl.us>

Fdep Northeast District  
8800 BAYMEADOWS WAY WEST, SUITE 100  
Jacksonville FL 32256

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Mayor, City Of St. Augustine  
P. O. Box 210  
St. Augustine FL  
32085-0210 Email:  
[Cosa@Citystaug.Co](mailto:Cosa@Citystaug.Co)  
Telephone: (904)  
825-1006

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Mayor, Town Of Hastings  
6195 South Main  
Street, Suite A  
Hastings FL 32145-  
3939

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Email:  
[Tohclerk@Windsteam.Net](mailto:Tohclerk@Windsteam.Net)  
Telephone: (904) 692-  
1420 Website:  
[http://www.hastings-  
fl.com](http://www.hastings-fl.com)

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Mayor, Town Of  
Marineland 9507  
Ocean Shore Blvd.  
Marineland FL 32080-8610  
Email:  
[Mayor.Marineland@Gmail.C  
om](mailto:Mayor.Marineland@Gmail.Com) Telephone: (904) 461-  
4005

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Mayor, Town Of St.  
Augustine Beach 2200  
A1A South  
St. Augustine FL 32080-7958

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Email: [Sabadmin@BeIsouth.Net](mailto:Sabadmin@BeIsouth.Net)  
Telephone:  
(904) 471-2122  
Website:  
<http://www.staugbch.com>

N.E. Florida Regional  
Planning Council 9143  
PHILLIPS HWY, SUITE  
350 Jacksonville Fl 32256

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St.Johns River Wtr Management District

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P.O. BOX  
1429 Palatka Fl  
32178-1429

State Officials

Telephone: 1-800-342-  
0222 Website:  
<http://www.floridaopc.gov/>  
Office of Public  
Counsel  
111 West Madison  
Street Room 812  
Tallahassee FL 32399-1400

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Email:  
[contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)  
Telephone: 1-800-342-  
3552 Website:  
<http://www.floridapsc.com>  
Office of Commission  
Clerk  
Florida Public Service  
Commission 2540  
Shumard Oak Boulevard

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Tallahassee FL 32399-0850

**AFFIDAVIT**

BEFORE ME, the undersigned authority, personally appeared **TRAVIS STAATS** ("**Affiant**"), who, being by me first duly sworn, under oath, does hereby swear and affirm upon direct, personal knowledge that the following information is true and correct:

1. That Affiant is employed by Windward Camachee Marina Owner, LLC, a Delaware limited liability company ("**Windward**").

2. That attached as Exhibit A is a true and correct copy of the Notice of Application for Authority to Transfer Water Certificate of Authorization to Another Regulated Utility that was approved by the Florida Public Service Commission in Docket No. 20210189-WU (the "**Notice**").

3. That Windward delivered the Notice by regular mail or personal service to each customer and owner of property located within the existing service area and the service area to be served, extended, deleted or transferred.

4. That Affiant further states that Affiant is familiar with the nature of an oath and with the penalties as provided by the laws of the State of Florida for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that Affiant has read the full facts of this Affidavit and understand its contents.

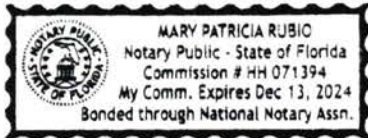
Dated this 28<sup>th</sup> day of February, 2022.

By:   
TRAVIS STAATS

State of Florida  
County of St. Johns

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 28<sup>th</sup> day of February, 2022 by TRAVIS STAATS, who  is personally known to me or  has produced a \_\_\_\_\_ as identification.

[Notary Seal]



  
Notary Public

Printed Name: Mary Patricia Rubio

My Commission Expires: 12/13/24



Ex. A

**NOTICE OF APPLICATION FOR AUTHORITY TO TRANSFER WATER CERTIFICATE OF  
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**DOCKET NO. 20210189-WU \_\_\_\_\_**

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**DATE OF CUSTOMER NOTICE — 2 / 22 / 2022**

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Windward Camachee is not requesting a change to rates, classifications, charges, or rules and regulations; therefore, your current rates will not be affected by this transfer. The Camachee Island Company water system provides service to Camachee Island 1 Condominium, Harbor Pointe at Camachee Island Condominium, and the surrounding community in the following described service territory in St. Johns County, Florida:

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For more information concerning this notice, please contact the Utility at the address below:

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3070 Harbor Drive  
St. Augustine, Florida 32084  
Office: (904) 829-5676  
Fax: (904) 829-0396  
Email: info@camacheeisland.com

Any objection to the application must be made in writing and filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than thirty (30) days after the last date that the notice was mailed or published, whichever is later.

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2. That attached as Exhibit A is a true and correct copy of the Notice of Application for Authority to Transfer Water Certificate of Authorization to Another Regulated Utility that was approved by the Florida Public Service Commission in Docket No. 20210189-WU (the "**Notice**").

3. That Windward caused the Notice to be published in a newspaper of general circulation in the proposed service area.

4. That Affiant further states that Affiant is familiar with the nature of an oath and with the penalties as provided by the laws of the State of Florida for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that Affiant has read the full facts of this Affidavit and understand its contents.

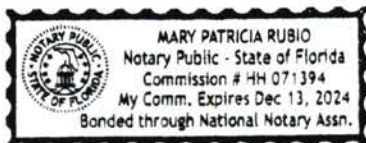
Dated this 28<sup>th</sup> day of February, 2022.

By:   
TRAVIS STAATS

State of Florida  
County of St. Johns

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[Notary Seal]



  
Notary Public

Printed Name: Mary Patricia Rubio

My Commission Expires: 12/13/24

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## THIRD AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS THIRD AMENDMENT TO PURCHASE AND SALE AGREEMENT (this “Third Amendment”), is entered into as of the 1st day of March, 2022 (the “Third Amendment Effective Date”) by and between **CAMACHEE ISLAND COMPANY, INC.**, a Florida corporation (“Camachee Island”), **CAMACHEE COVE YACHT HARBOR, INC.**, a Florida corporation (“Camachee Cove” and collectively with Camachee Island, “Seller”) and **WINDWARD CAMACHEE MARINA OWNER LLC**, a Delaware limited liability company, and/or assigns (“Purchaser”). Purchaser and Seller shall hereafter collectively be referred to as the “Parties”.

### R E C I T A L S :

A. Seller and Windward Marina Group, LLC (“Windward”) entered into that certain Purchase and Sale Agreement dated as of March 29, 2021 (the “Original Contract”) relating to that certain real estate located at St. Johns County, Florida as more particularly described therein, which Original Contract was amended by that certain First Amendment to Purchase and Sale Agreement dated June 30, 2021 (the “First Amendment”) and that certain Second Amendment to Purchase and Sale Agreement dated August 30, 2021 (the “Second Amendment” and collectively with the Original Contract and the First Amendment, the “Contract”).

B. The Parties desire to amend the Contract as set forth in this Third Amendment.

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth herein, the Parties hereby agree as follows:

1. Recitals. The foregoing Recitals are true and correct and are incorporated into this Third Amendment by this reference.

2. Defined Terms. All initially capitalized terms used in this Third Amendment and not otherwise defined herein shall have the meanings ascribed to such terms in the Contract.

3. Water Utility. The Parties acknowledge and agree that the transfer of the Camachee Cove Yacht Harbor Water Utility and Certificate No. 647-W to Purchaser shall be subject to the prior approval of the State of Florida Public Service Commission.

4. Survival. The terms and conditions of this Third Amendment shall survive the Closing.

5. Conflicts. The Parties agree that this Third Amendment and the Contract shall be construed as a single document. In the event of a conflict between this Third Amendment and the Contract, this Third Amendment shall control. In all other cases the Contract shall remain in full force and effect.

6. Counterparts. The Parties agree that this Third Amendment may be executed by facsimile and that the same shall constitute an original. The Parties further agree that this Third Amendment may be executed in counterparts, each of which shall be deemed an original.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]



*[Signature Page to Third Amendment to Purchase and Sale Agreement]*

THE PARTIES have duly executed this Third Amendment as of the date first written above.

**SELLER:**

**CAMACHEE ISLAND COMPANY, INC.,** a  
Florida corporation

By: \_\_\_\_\_  
Name: Peter Sabo  
Title: President

**CAMACHEE COVE YACHT HARBOR, INC.,**  
a Florida corporation

By: \_\_\_\_\_  
Name: Peter Sabo  
Title: President

**PURCHASER:**

**WINDWARD CAMACHEE MARINA  
OWNER, LLC,** a Delaware limited liability  
company

By: **WINDWARD CAMACHEE MANAGER  
LLC,** a Delaware limited liability company,  
its Manager

By: \_\_\_\_\_  
Name: Robert Finvarb  
Title: Manager