P. O. Box 13424 MEXICO BEACH, FLORIDA 32410 ORIGINAL FILE COPY

July 9, 1991

910660-54

Mr. Steve Trible, Div. of Water & Sewer Florida Public Service Commission Fletcher Building 101 East Gaines Street Tallahassee, Fla. 32399-0850

Dear Mr. Tribble:

Enclosed please find the remainder of the filing on the Gulf Aire Waste Water Treatment Plant extension and deletions. Please make sure to get all the copies to Patti Daniel.

Very truly yours,

Dose Duran

Ike Duren, President

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DOCUMENT NUMBER-DATE

06991 JUL 11 1991

FPSC-RECORDS/REPORTING

P. O. Box 13424 MEXICO BEACH, FLORIDA 32410

Attention: Charles Hill Public Service Commission Division of Water & Sewer Fletcher Building 101 East Gaines Street Tallahassee, Fla. 32399-0850

Dear Mr. Hill:

Enclosed are the things you required. One thing I was worried about was they wanted an affidavit saying we're in compliance with the comprehensive plan. We are in compliance. I have explained more in detail in the letter—we were grandfathered in. We do not want to confuse the issue any more but we are in compliance with the comprehensive plan.

Very truly yours,

Ike Duren, President

Enc.

PROOF OF PUBLICATION

THE STAR

Published Weekly at Port St. Joe, Gulf County, Florida

STATE OF FLORIDA, COUNTY OF GULF

ss.

Before the undersigned authority personally appeared Wesley R. Ramsey, who deposes and says that he is editor of The Star, a weekly newspaper printed in the English language and of general circulation published in the City of Port St. Joe, in said county and state, and that the attached notice of Algal Notice

		aid newspaper		
thre	weeks cor	nsecutively, be	ginning Ma	4 30
19_9/	, and endi	ing June	13	5/30/9/:
6/6/	91; 6/	ng on the follo	owing dates:_	VI(1.)

Deponent further says that The Star has been continuously published as a weekly newspaper issued each Thursday and has been entered as second class mail matter at the postoffice in Port St. Joe, Gulf County, Florida, for a period of more than one year next preceeding the first publication of the attached copy of advertisement; and deponent further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Milley Mhamey

worn to and subscribed before

this /322 day of

(SEAL)

A. D., 19 9

Carol R. Herton

NOTARY PUBLIC. STATE OF FLORIDA.
MY COMMISSION EXPIRES: AUG. 2J. 1994.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

GULF AIRE PROPERTIES, INC. d/b/a/ GULF AIRE WASTE WATER TREATMENT PLANT SEWER TARIFF FIRST REVISED SHEET NO. 3.1 CANCELS ORIGINAL SHEET NO. 3.1

Territory Description Gulf Aire Waste Water Treatment Plant Grandfather Application

Parcel No. 1:

Commence at the point of intersection of the Northeastern right of way line of U.S. Highway 98 - State Road 30 and the South boundary line of Section 32, Township 6 South, Range 11 West, as same is shown on the official plat of Port St. Joe Beach, Unit Two as recorded in Plat Book 2, Page 6, in the Public Records of Gulf County, Florida, and extend a line South 89º 52'49" West along said South boundary line of Section 32 for 22.105 feet; thence North 39° 51'00" West along said Northeastern right of way line for 521.37 feet to the point of beginning. Thence North 50° 09'00" East for 1,447.838 feet; thence South 89° 33'45.5" West for 817.824 feet to a St. Joe Paper Co. concrete monument; thence North 020 42'30" East for 1,325.895 feet to a St. Joe Paper Co. concrete monument: thence South 89° 53'47" West for 1,062.211 feet to a point on the Northeastern right of way line of said State Road 30 - U.S. 98; thence South 40° 52'32.5" East along said right of way line for 468.621 feet to a point of curve; thence along the arc of a curve to the right which has a radius of 39,646.755 feet and a central angle of 00° 59'30" for 686.20 feet to a point of tangent; thence South 39° 53'02.5" East for 330.017 feet; thence South 39° 51'00" East along said right of way line for 545.682 feet to the point of beginning, said lands being in Sections 31 and 32, Township 6 South, Range 11 West, Gulf County, Florida, (having an area of 59.315 acres, more or less) less and except the following:

Commence at the point of intersection of the Northeastern right of way line of State Road 30 - U.S. Highway 98 and the South boundary line of Section 32, Township 6 South, Range 11 West, as same is shown on the official plat of Port St. Joe Beach, Unit Two, as recorded in Plat Book 2, Page 6, in the Public Records of Gulf County, Florida, thence South 89° 52'49" West along the South boundary line of said Section 32 for 22.105 feet; thence North 39° 51'00" West along the Northeastern right of way line of said State Road 30 - U.S. Highway 98, said right of way being 66.00 feet wide, for 1067.052 feet; thence North 396 53'03" West along said right of way for 129.96 feet; thence South 49° 07'27.5" West for 66.01 feet to a point on the Southwestern right of way line of said State Road 30 - U.S. Highway 98 for the Point of Beginning. Thence North 390 53'03" West along said right of way line for 201.20 feet to a Point of Curve; thence along the arc of a curve to the left which has a radius of 39,580.755 feet and a central angle of 00° 59'30" for 685.06 feet to a Point of Tangent; thence North 40° 52'32.5" West along said right of way line for 468.62 feet; thence South 49° 07'27.5" West for 217 feet, more or less, to a point on the mean high waterline of the Gulf of Mexico; thence meander said mean high waterline in a Southeasterly direction for 1,355 feet, more or less, to a point that is South 49° 07'27.5" West of the Point of Beginning; thence North 49° 07'27.5" East for 225 feet, more or less, to the Point of Beginning.

Said parcel of land being in Fractional Section 31, Township 6 South, Range 11 West, Gulf County, Florida, and having an area of 6.96 acres, more or less. This parcel of land is shown as Tract A on the official plat of Gulf Aire, as recorded in Plat Book 3, Page 13, in the Public Records of Gulf County, Florida.

Ike Duren President GULF AIRE PROPERTIES, INC. d/b/a
GULF AIRE WASTE WATER TREATMENT PLANT
SEWER TARIFF

thence S. 0° 21'51" W. 192 feet; thence N. 89° 38'09" W. 230.55 feet; thence N. 67° 43'35" W. (radially) 185.19 feet to a point on a curve to the left (Northeasterly); thence along said curve having a delta of 11° 17'22", radius of 305 feet and an arc distance of 60.10 feet to the POINT OF BEGINNING, having a chord bearing of N. 29° 20'50" E. This described legal is for common ingress and egress to surrounding properties.

Commence at the NE corner of Original Government Lot 7, Fractional Section 31, Township 6 South, Range 11 West, Gulf County, Florida, and run thence S. 89° 53'47" W. for 865.72 feet to the Point of Beginning; thence S. 49° 07'27.5" W. for 794.98 feet; thence N. 40° 56'23" W. for 686.19 feet; thence N. 89° 53'47" E. for 1050.75 feet to the Point of Beginning. Said parcel of land lying and being in Original Government Lot 7, Fractional Section 31, Township 6 South, Range 11 West, Gulf County, Florida, and having an area of 6.26 acres more or less.

Ike Duren President THENCE North 36 degrees 55 minutes 32 seconds West a distance of 150.00 feet to a concrete monument

THENCE North 53 degrees 04 minutes 28 seconds East a distance of 19.06 feet to a concrete monument

THENCE North 89 degrees 56 minutes 27 seconds West a distance of 116.68 to the POINT OF BEGINNING and containing 1,979,802 square feet or 45.45 acres of land, more or less.

Township 6 South, Range 11 West and Township 7 South, Range 11 West, Gulf County, Florida. A portion of SE 1 of Fractional Section 31, Township 6 South, Range 11 West; a portion of NW 1 of NW 1 of Section 5. Township 7 South, Range 11 West and a portion of NE t of NE t: Fractional Section 6, Township 7 South, Range 11 West, being more particularly described as follows: Beginning at a point on the southwesterly right-of-way line of U.S. Highway No. 98 (State Road No. 30), said point being 33.00 feet from and at right angle to the center line of said U.S. Highway No. 98, said point also being N. 39° 51'00" W. 431.52 feet from the point of intersection of said right-of-way line with the south line of Fractional Section 31, Township 6 South, Range 11 West; thence along said right-of-way line as follows: S. 39° 51'00" E. 431.52 feet to a point on the line between Fractional Section 31, Township 6 South, Range 11 West and Fractional Section 6, Township 7 South, Range 11 West, said point being S. 89° 52'49" W. 98.01 feet from the section corner; thence S. 89° 52'49" W. along said Section line for 22.105 feet to a point that is 50.00 feet from and at right angle to the center-line of said U.S. Highway No. 98; thence S. 39° 51'00" E. 359.90 feet; thence, leaving said right-of-way line S.50° 09'00" W. 222 feet, more or less, to a point on the mean high water line of the Gulf of Mexico; thence meandering Northwesterly along and with said mean high water line to a point that bears S. 50° 09'00" W. from the Point of Beginning; thence N. 50° 09'00" E. 263 feet, more or less, to the Point of Beginning.

Commencing at the Southwest corner of Section 32, Township 6 South, Range 11 West, Gulf County, Florida; thence N. 89° 52'49" E. along the South line of said Section 32, according to the record plat of Port St. Joe Beach, Unit 2, as recorded in Plat Book 2, page 6, Public Records of Gulf County, Florida; for a distance of 10.035 feet to a point on the Northeasterly right-of-way line of U.S. Highway No. 98 (State Road No. 30) said point being 33.00 feet from and at right angle to the centerline of said U.S. Highway 98; thence along said Northeasterly right-of-way line as follows: N. 39° 51'00" W. 1067.05 feet; thence N. 39° 53'03" W. 69.08 feet; thence leaving said Northeasterly right-of-way line, N. 490 07'27.5" E. 384.67 feet; thence N. 49° 07'28" E. 331.33 feet to the point of curvature of a curve to the left, said curve having a radius of 305.00 feet; thence Northeasterly along the arc of said curve through a central angle of 25° 25'19" for 135.33 feet to the Southwest corner of Lot 39, Block "C", Gulf Aire Phase II as recorded in Plat Book 3, pages 30 and 31, in the Public Records of Gulf County, Florida for the POINT OF BEGINNING: thence S. 66° 17'51" E. along the South line of said Lot 39 for 155.46 feet to the Southeast corner of said Lot 39; thence N. 20 42'30" E. along the East line of Block "C" 128.82 feet; thence N. 89° 31'41" E. 225.31 feet;

> Ike Duren President

Attention: Charles Hill Public Service Commission Division of Water and Sewer Fletcher Building 101 East Gaines Street Tallahassee, FL 32399-0850

Dear Mr. Hill:

I am in receipt of your letter of June 13, 1991 which states that there are many defficiencies in my application for amendment to Certification No. 422-S in Gulf County. After reading your letter I am a little confused as to the answers but with the help of your assistants on June 26, 1991 feel the following answers will surfice.

- No copies of Notice sent to deleted area because there are no customers in that area. I sent copies to current customers we are serving in the added areas.
- 2) The system is basically in place. The lines to much of the property is in place. There should be little or no money need from the utility for this expansion as what lines are not already in place should be taken care of by the tap fees or the individual developer.
- 3) Some of the parcels are consistant with the Gulf County Comprehensive plan and some are not. The ones that are not consistant have stamped their plans at the Gulf County Courthouse to allow these property owners the right to develope their property outside the regular boundries of the Gulf County Compreshensive Plan and still be legal.
- 4) See Attached "A"
- 5) The map I sent you is all I have. Parker and Costin, the original developers of part of this property have never given me the plans for the 7 Sea Shore Townhouses. They simply connected illigally up to the other man and later poured concrete over the pipes and now it is impossible to tell exactly where the pipes are unless you bust the concrete up. the other pipes to the other 9 units on the water have yet to be run. This would be a cost to the utility and should be less than \$5,000.00. The acreage will be planned and piped by the developer and donated to the utility at a later date.

- 6) We use the extended air method of effluent disposal to process the raw sewage. We do not use spray irrigation. We use perculation ponds.
- 7) The treatment plant is permitted for 70,000 gallons per day with the ability to size upwards to 160,000 per day (See Attached "B"). The lines going to the lift station are 4" and will have a total of 31 townhouses, 4 apartments, and 1 commercial customers on this line to the lift station at build out. Current flows at the treatment plant are normally 15,000 gallons per day the majority of the year.
- 8) See Attached "C"
- 9) Since there will not be any major capital expenditure with the exception of just a couple to three hundred feet of pipe to be layed, there should be very minimal impact to the utility. This money for this pipe should come from tap fees or from the developer.
- Combination, commercial, commercial tourist, resident single family houses, and townhouses;
- 11) Little or no impact as this proposal is a very small part of the total revenues or the total system;
- 12) See Attached "D"
- 13) See Attached "E"
- 14) There are no active connections within the territory to be deleted.
- 15) The reason for the proposed deletion of territory is because it was requested by the owner of the beach property, Gulf Aire Homeowners' Association.
- 16) I really don't think it matters in this case since this area will never be developed.
- 17) There are no customers or potential customers here except the Gulf Aire Homeowners Association and they are the ones requesting for the area to be deleted.

I hope this answers all your questions sufficiently. If there is a problem please let me know by telephone and I will correct as soon as possible.

Very truly yours,

Ike Duren, President

APPLICATION FOR AMENDMENT OF CERTIFICATE PURSUANT TO SECTION 367.045, FLORIDA STATUTES (EXTENSION OR DELETION)

To: Division of Records and Reporting Florida Public Service Commission 101 East Gaines Street Tallahassee, Florida 32399-0850

The undersigned hereby makes application for amendment of water Certificate No. N/A and/or Sewer Certificate No. 422-S to (add) or (delete) territory located in Gulf County, Florida, and submits the following information:

PART I APPLICANT INFORMATION

A) The full name (as it appears on the certificate), address and telephone number of the applicant:

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Gulf Aire Waste Water Treatment Plant (904) 648-5716-

820 Highway 98. P. O. Box 13332 Office street address

Mexico Beach, Florida 32410 32410 City State Zip Code 32410

P. O. Box 13332
Mailing address if different from street address

B) The name, address and telephone number of the person to contact concerning this application:

Ike Duren, Pres. Gulf Aire Properties, Inc. 904-648-5716

820 Highway 98

Street address

Mexico Beach, Florida 32410
City State Zip Code

PSC/WAS 8 (Rev. 2/91)

PART II NEED FOR SERVICE

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- A) Exhibit AA If the applicant is requesting an extension of territory, a statement regarding the need for service in the proposed territory, such as anticipated development in the proposed service area, and identifying any other utilities within a 4-mile radius which could potentially provide such service in the area.
- B) Exhibit AA If the applicant is requesting a deletion of territory, a statement specifying the reasons for the proposed deletion, demonstrating that it is in the public interest and explaining the effect of the proposed deletion on the ability of any customer, or potential customer, to receive water and/or wastewater service, including alternative source(s) of service.
- C) Exhibit CC A statement that the provision of service will be consistent with the water and wastewater sections of the local comprehensive plan, as approved by the Department of Community Affairs, or, if not, a statement demonstrating why granting the amendment would be in the public interest.

PART III SYSTEM INFORMATION

A) WATER

- (1) Exhibit _____ A statement describing the capacity of the existing lines, the capacity of the existing treatment facilities, and the design capacity of the proposed extension.
- (2) Exhibit _____ The numbers and dates of any construction or operating permits issued by the Department of Environmental Regulation for the system proposed to be expanded.
- (3) Exhibit _____ A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc.
- (4) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted.

(5) Exhibit _____ - Evidence that the utility owns the land where the utility treatment facilities that will serve the proposed territory are, or will be located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long term continuous use of the land.

B) WASTEWATER

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- (1) Exhibit _____ A statement describing the capacity of the existing lines; the capacity of the existing treatment and disposal facilities, and the design capacity of the proposed extension.
- (2) Exhibit _____ The numbers and dates of any construction or operating permits issued by the Department of Environmental Regulation for the system proposed to be expanded.
- (3) Exhibit _____ If the utility is planning to build a new wastewater treatment plant, or upgrade an existing plant to serve the proposed territory, provide a written description of the proposed method(s) of effluent disposal.
- (4) If (3) above does not include effluent disposal by means of spray irrigation, provide as part of that exhibit, a statement that describes with particularity the reasons for not using spray irrigation.
- (5) Exhibit _____ A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc.
- (6) If the utility is requesting a deletion of territory, provide the number of current active connections within the territory to be deleted.
- (7) Exhibit _____ Evidence that the utility owns the land where the utility treatment facilities that will serve the proposed territory are, or will be located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long term continuous use of the land.

PART IV PINANCIAL AND TECHNICAL INFORMATION

- A) Exhibit ____ A statement as to the applicant's technical and financial ability to render reasonably sufficient, adequate and efficient service.
- B) Exhibit ____ A detailed statement regarding the proposed method of financing the construction, and the projected impact on the utility's capital structure.
- Project will be funded from service fees--little impact order of the most recent commission order establishing or amending the applicant's rates and charges.
 - D) Exhibit _____ A statement regarding the projected impact of the extension on the utility's monthly rates and service availability charges.

Little impact expected

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PART Y TERRITORY DESCRIPTION AND MAPS

A) TERRITORY DESCRIPTION

Exhibit <u>BB</u> - An accurate description of the territory proposed to be added or deleted. If the water and wastewater territory is different, provide separate descriptions.

Note: Use the Survey of Public Lands method (Cownship, range, section, and quarter section) if possible, or a metes and bounds description, and also the subdivision or project name. The description should NOT refer to land grants or plat books, but may use geographic boundaries (i.e., road right-of-ways, railroads, rivers, creeks, etc.). The object is to make the description as brief, but as accurate as possible.

B) TERRITORY MAPS

assessment map or other map showing township, range and section with a scale such as 1"=200' or 1"=100', along with the proposed territory to be added or deleted plotted thereon by use of metes and bounds or quarter sections, and with a defined reference point of beginning. If the water and wastewater territory is different, provide separate maps.

of sufficient scale and detail to enable correlation with a description of the territory proposed to be served. Provide separate maps for the water and wastewater systems.

(11)

PART VI NOTICE OF ACTUAL APPLICATION

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- Exhibit __ C _ An affidavit that the notice of (分为(A) actual application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule ration of 25-30.030, Florida Administrative Code, by certified mail or personal delivery to the governing body of the county in which the system is located, the governing body of any municipality within a four (4) mile radius of the territory to be added or deleted, any water or wastewater utility within a four (4) mile radius of the territory to be added or deleted, regional planning agency, the Public Counsel and the Public Service Commission. A Copy of the Notice and a list of the entities noticed shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.
 - B) - An affidavit that the notice of actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery to each customer of the and a system to be added or deleted. A copy of the notice shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.
- (C) Exhibit - Immediately upon completion of publication, an affidavit that the Notice of 0318 Application was published once each week for three (3) s the consecutive weeks in a newspaper of general 100 DA circulation in the territory proposed to be added or , 414 deleted in accordance with Rule 25-30.030, Florida 03 K Administrative Code. A copy of the proof of publication shall accompany the affidavit. THIS WILL BE A LATE-FILED EXHIBIT.

FILING PER

Indicate the filing fee enclosed with the application: \$150.00 _ (one fee for water and one for wastewater)

Note: Pursuant to Rule 25-30.020, Florida Administrative Code, the amount of the filing fee is determined by the capacity of the system to be added/deleted. To determine the fee, equate the

Note: Pursuant to Rule 25-30.020, Florida Administrative Code, the amount of the filing fee is determined by the capacity of the system to be added/deleted. To determine the fee, equate the design capacity of the system and/or plant to be added/deleted to persons. One equivalent residential connection equates to 3.5 persons. One hundred gallons per day, per person (100 gpd/p) is accepted design criteria in representing water consumed per day per person and/or representing wastewater flow per day per person. If the design capacity of the system or plant to be added/deleted is known in gallons then divide this figure by 100 to find the number of persons that can be served.

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1)	1 to 999 persons	\$	150.00
2)	1,000 to 4,999 persons	\$	900.00
	5,000 to 9,999 persons	\$:	1,500.00
41	10 000 or more persons	6 .	250.00

PART VIII TARIFF AND ANNUAL REPORTS

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- A) Exhibit DD An affidavit that the utility has tariffs and annual reports on file with the Commission.
- B) Exhibit ____ The original and two copies of sample revisions to the utility's 'tariff(s) to incorporate the proposed change to the certificated territory.

APPIDAVIT

No. of L

(applicant) do Gulf Aire Properties. Inc. solemnly swear or affirm that the facts stated in the foregoing application and all exhibits attached thereto are true and correct and that said statements of fact constitute a complete statement of the matter to which it relates. OF HIST

(Applicant)

BY:

Ike Duren. President

Name and Title*

Subscribed and eworn to before me this

Notary Public

*If the applicant is a corporation, the affidavit must be made by the president or other officer authorized by the by-laws of the corporation to act for it. If the applicant is a partnership or association, a member of the organization authorized to make such affidavit shall execute same.

P. O. Box 13424 **MEXICO BEACH, FLORIDA 32410**

EXIBIT "CC"

This is to serve as an affidavit that the company, Gulf Aire Properties, Inc., doing business as Gulf Aire Waste Treatment Plant, has an expantion plan which is consistent with the water and wastewater sections of the local comprehensive plan, as approved by the Department of Community Affairs, o

Ike Duren, President

Subscribed and sworn to me this 3rd Day of May, 1991.

Benerly Matincheck Notary Public Proprio 7/6/95

P. O. Box 13424 **MEXICO BEACH, FLORIDA 32410**

EXIBIT "DD"

This is to serve as an affidavit that the company, Gulf Aire Properties, Inc. Doing Business as Gulf Aire Waste Water Treatment Plant, has tariffs and annual reports on file with the Public Service Commission, located at 101 East Gaines Street, Tallahassee, FL 32399-0850.

Ike Duren, President

Subscribed and sworn to before me this 3rd Day of May, 1991.

Berus J. Materileck Notary Public Commission Expus

7/6/95.