

State of Florida

10:00

Commissioners:
SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA



DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 488-8482

Public Service Commission

February 13, 1995

Mr. Paul L. Brayton
2515 Highland Rd.
Harbor Heights, FL 33983

Please return the originals
Paul L. Brayton
Set 'd
2/21/95
20

RE: Docket No. 941044-WS: Resolution of Board of Commissioners of Charlotte County declaring Charlotte County subject to provisions of Chapter 367, F.S. - Request for exemption for provision of water services by Charlotte Harbor Water Association.

Dear Mr. Brayton:

We have reviewed your application for a non-profit exemption and determined that in order to grant Charlotte Harbor Water Association an exemption pursuant to Section 367.022(7), Florida Statutes, as a non-profit organization, the following deficiencies must be corrected:

- ACK _____
- AFA 1
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG 1
- LIN _____
- OPC 2
- RCH _____
- SEC 1
- WAS Xander
- OTH _____

The application did not contain proof of ownership of the utility facilities and the land upon which the facilities will be located or other proof of its right to continued use of the land, as required by Rule 25-30.060(3)(g), Florida Administrative Code. We request that you file proof of ownership pursuant to the above rule. Sufficient proof of ownership is in the form of a warranty deed, or a long term lease, showing the right to continued use of the land. If you are unable to locate a deed, we will accept a deed from an individual unit showing that the unit owner owns a percentage of share of the common elements.

We request that you submit a copy of Articles of Incorporation as filed with the Secretary of State pursuant to Rule 25-30.060(3)(g), Florida Administrative Code.

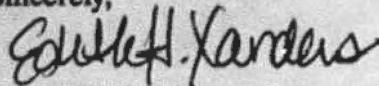
It is the intention of the Florida Public Service Commission to expedite requests for exemptions. The above deficiencies must be corrected in order for us to complete the non-profit exemption pursuant to Section 367.022(7), Florida Statutes. Therefore, please submit

DOCUMENT NUMBER - DATE

01972 FEB 20 1995

the original and two copies of the above requested information by March 8, 1995, to Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida, 32399-0850. Please refer to Docket No. 941044-WS on your response. If you have any additional questions, please do not hesitate to contact Clay Zhang at (904)488-8482.

Sincerely,



Edith H. Xanders
Regulatory Analyst

cc: Charles H. Hill, Director, Division of Water and Wastewater
Division of Legal Services (Evonne Sager)
Division of Records and Reporting

ARTICLES OF INCORPORATION
OF
CHARLOTTE HARBOR WATER ASSOCIATION, INC.

ARTICLE I

The name of this corporation shall be CHARLOTTE HARBOR WATER ASSOCIATION, INC., and shall be a non-profit corporation organized under Chapter 617, Florida Statutes, and shall have all powers given to a non-profit corporation by the provisions of said Chapter 617, Florida Statutes.

ARTICLE II

The nature of the business of the corporation and the objects and purposes for which it is organized are:

A. To construct, maintain, and operate a water system for the supplying of water for domestic, commercial, agricultural, industrial, and other purposes to its members and for the sale of any surplus water remaining after the needs of its members have been satisfied and to engage in any activity related thereto, including but not limited to the acquisition of water by appropriation, drilling, pumping, and/or purchase, and the purchase, laying, institution, operation, maintenance, and repair of wells, pumping equipment, water mains, pipelines, valves, meters, and other equipment necessary to the construction, maintenance and operation of a water system, and

B. To construct, maintain, and operate a sewage disposal system for the use and benefit of its members.

ARTICLE III

The members of the corporation shall be the subscribers hereto and all other persons, partnerships, corporations, or other legal entities having a reasonable accessibility to the sources of and who desire to have water and other services supplied for domestic, commercial, agricultural, industrial, or other uses from the systems constructed, maintained, and operated by the corporation. The corporation shall not be required to admit additional members if the capacity of its water system is exhausted by the

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SECRETARY OF STATE
TALLAHASSEE, FLORIDA

needs of its existing members and such other persons to whom it has been supplying water.

ARTICLE IV

This corporation shall have perpetual existence.

ARTICLE V

The names and residences of the subscribers to these Articles of Incorporation are as follows:

Frank Wotitzky	North Shore Drive, Charlotte Harbor, Punta Gorda, Fla
H. L. Willis	108 SE Seneca Ave., Charlotte Harbor, Punta Gorda, Florida
E. L. Messenger	130 Seneca Avenue, Charlotte Harbor, Punta Gorda, Florida

ARTICLE VI

The affairs of the corporation are to be managed by a board of directors of not less than three nor more than five members. The number of directors shall be determined by the by-laws. They shall be elected at the annual meeting of the members and shall hold office for one year or until their successors are elected.

ARTICLE VII

The officers who shall serve until the first election or until their successors are elected shall be as follows:

Frank Wotitzky	President
Phil Sherry	Vice President
E. L. Messenger	Secretary-Treasurer

The term of office of the foregoing officers shall be for a period of one year or until their successors are elected. The officers shall be elected by the board of directors.

ARTICLE VIII

The first board of directors shall consist of three members who shall serve until the first election or until their successors are elected.

The names and addresses of the members of the first board of directors

STATE OF FLORIDA

COUNTY OF CHARLOTTE

Be it remembered, that on this 16th day of November, 1964,
personally appeared before me, a notary public in and for the State of
Florida, FRANK WOTITZKY, H. L. WILLIS and E. L. MESSENGER
known to me personally to be the individuals who executed the foregoing
Articles of Incorporation and acknowledged that they executed said Articles
of Incorporation as the act and deed of the signers, respectively, and the facts
therein stated are truly set forth.

Given under my hand and seal the day and year aforesaid.


Notary Public
My Commission expires: _____

Notary Public, State of Florida at Large
My Commission Expires May 14, 1967
Bonded by American Surety Co. of N. Y.

State of Florida



Office of Secretary of State

*I, Tom Adams, Secretary of State of the State of Florida,
do hereby certify that the above and foregoing is a true and correct copy of*

CERTIFICATE OF INCORPORATION

OF

CHARLOTTE HARBOR WATER ASSOCIATION, INC.,

a corporation not for profit organized and existing under
the Laws of the State of Florida, filed on the 19th day
of November, A. D., 1964 as shown by the records of
this office.

*Given under my hand and the Great Seal of
the State of Florida at Tallahassee, the Capital,
this the 20th day of November,
A. D. 1964.*



[Signature]
Secretary of State

This Warranty Deed Made and executed the 16 day of July A. D. 1977 by
ORIOLE HOMES CORP.

a corporation existing under the laws of Florida and having its principal place of
business at 450 N.W. 65th Terrace, Margate, Florida 33063
hereinafter called the grantor, to CHARLOTTE HARBOR WATER ASSOCIATION, INC.

whose postoffice address is 555 Main Street, S.E., Charlotte Harbor, Florida 33950

hereinafter called the grantees:

(Whoever 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, by these presents does grant, bargain, sell,
alien, remise, release, convey and confirm unto the grantees, all that certain land situate in Charlotte
County, Florida, viz:

Lots 11, 12, 13, 22, 23, Block 260, HARBOUR HEIGHTS,
Section 10, Part 1, according to the Plat thereof,
recorded in Plat Book 4 at Pages 42A through 42D of
the Public Records of Charlotte County, Florida.

Subject to restrictions, reservations and easements
of record and taxes for the year 1977.



Together with all the tenements, hereditaments and appurtenances thereto belonging or in any
wise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantees that it is lawfully seized of said land in fee
simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully war-
rants the title to said land and will defend the same against the lawful claims of all persons whomsoever;
and that said land is free of all encumbrances



(CORPORATE SEAL)

IN WITNESS WHEREOF the 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

ATTEST:

ORIOLE HOMES CORP.

Signed, sealed and delivered in the presence of:

E. J. [Signature]

By *Richard D. Levy*
Richard D. Levy, Chairman,
Board of Directors and Chief
Executive Officer

STATE OF FLORIDA
COUNTY OF DADE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments,
personally appeared Richard D. Levy

Chairman, Board of Directors and Chief Executive Officer

well known to me to be the / [Signature] respectively of the corporation named in these
presents and that they mutually acknowledged, bearing the same in the presence of two subscribing witnesses lawfully and voluntarily
under authority duly vested in them by said corporation, and that the [Signature] affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State first aforesaid this 16 day of July A. D. 1977.

Notary Public - Betty K. [Signature]

Notary Public

390229

This instrument was prepared by
BILL TAYLOR
CHARLOTTE COUNTY ABSTRACT & TITLE CO.
223 Taylor St.
Punta Gorda, Fla. 33950

77 JUL 11 11 2 30

OFFICE OF COUNTY CLERK
CHARLOTTE COUNTY, FLORIDA

THIS INSTRUMENT PREPARED BY
BRUCE D. GOORLAND
RUDEN, BARNETT, McCLOSKEY, SCHUSTER & SCHMEIER
P.O. BOX 7776
FORT LAUDERDALE, FLA. 33701

WARRANTY DEED

390231

THIS INDENTURE made this 6th day of July, 1977,
between HARBOUR HEIGHTS, INC., a dissolved Florida corporation,
whose principal place of business is 450 Northwest 65th Terrace,
Margate, of the County of Broward, State of Florida, Grantor,
and CHARLOTTE HARBOR WATER ASSOCIATION, INC., a Florida
corporation not-for-profit, whose post office address is
555 Main Street, S.E., Charlotte Harbor, Florida 33950
of the County of Charlotte, State of Florida, Grantee,

WITNESSETH, that said Grantor, for and in consideration of
the sum of Ten (\$10.00) Dollars, and other good and valuable
considerations to said Grantor in hand paid by said Grantee,
the receipt whereof is hereby acknowledged, has granted,
bargained and sold to the said Grantee, and Grantee's successors
and assigns forever, the following described land, situate,
lying and being in Charlotte County, Florida, to-wit:

5.00 acre
17.00 acre
6.00 acre

Lots 1 and 2, Block 117, HARBOUR HEIGHTS
SUBDIVISION, Section 5, according to plat
recorded in Plat Book 3, at Pages 81A and 81B
of the Public Records of Charlotte County,
Florida.

SUBJECT to covenants, easements and restrictions
of record, or common to the subdivision; real
property taxes for the year 1977 and subsequent
years; and all applicable zoning ordinances.

and said Grantor does hereby fully warrant the title to said
land, and will defend the same against the lawful claims of
all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's har
and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

HARBOUR HEIGHTS, INC., a
dissolved Florida corporation

Karol E. Elson
Nancy L. Bayne

By E. E. HUBSHMAN (SEAL)
E. E. HUBSHMAN, and

Karol E. Elson
Nancy L. Bayne

By Richard D. Levy (SEAL)
RICHARD D. LEVY, and

William J. Gitter
Karol E. Elson

By Jacob L. Friedman (SEAL)
JACOB L. FRIEDMAN,

as a majority of the Surviving
Directors, as Trustees, of
HARBOUR HEIGHTS, INC., a dissolved
Florida corporation

STATE OF FLORIDA)
) ss.
COUNTY OF BROWARD)

I HEREBY CERTIFY that on this day before me, an officer
duly qualified to take acknowledgments, personally appeared
E. E. HUBSHMAN and RICHARD D. LEVY, Surviving Directors, as

Notary Public for the State of Florida
William J. Gitter

STATE OF FLORIDA
DOCUMENTARY STAMP TAX
DEPT. OF REVENUE
1977

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RECORDED
JUL 11 1977
3980



CHARLOTTE COUNTY BOARD OF COUNTY COMMISSIONERS

CERTIFICATE NUMBER

86-001

Upon consideration of the record, it is hereby ORDERED that authority be and is hereby granted to

CHARLOTTE HARBOR WATER ASSOCIATION, INC.

Whose principal address is

27147 Del Prado Parkway, Harbour Heights, Florida 33950

to provide WATER service in accordance with CHARLOTTE COUNTY ORDINANCE ~~86-10~~ 86-25.

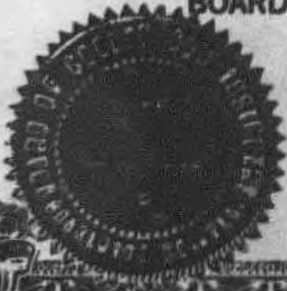
ORDER DATED November 19, 1986 DOCKET 86-195-W

ORDER DATED _____ DOCKET _____

ORDER DATED _____ DOCKET _____

ORDER DATED _____ DOCKET _____

BY ORDER OF THE
BOARD OF COUNTY COMMISSIONERS



ATTEST: [Signature] Chairman
Clerk of the Circuit Court

DATE: _____