

RECEIVED-FPSC

13 DEC -2 AM 9: 58

COMMISSION  
CLERK

November 28th, 2013  
Commission Clerk  
Office of Commission Clerk  
Florida Public Service commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

RE: Objection to application with Particularity  
Application for transfer of Utility

FROM: Venture Associates Utilities Corporation, VAU, current company  
TO: Ocala Palms Utilities, LLC, OPU, new company

Having received notice for transfer of utility assets and water certificate of my water and sewage provider, it seems that I have the right to object.

My first question is: Who owns Ocala Palms Utilities?

This is very difficult to determine, but I did come up with the name Zacco. In doing an online internet search of the name Zacco, I find an article published 1/30/2011. The title of the article is "Developer or Extortionist?" I have provided a copy of the article as Attachment A. It's not known if the facts presented in the article are true, but they do raise questions of propriety.

My second question is: Why does this utility still exist?

According to Fl. Statute 367.071 "the sale must be in the public interest". The public inside Ocala Palms pay exorbitant rates for water and sewage compared to the City of Ocala. I have been a resident here for 48 months, in which time I have paid \$6,824 for water and sewage. I contacted Jeff Halcomb, Director of Water & Sewage for the City of Ocala, to find out what a single family dwelling in Ocala pays for water and sewage. He informed me that the average is \$54 per month. That would have been \$2592 for the same 48 months, considerable less than I am paying!

According to Statute 367.081, rates must be just, reasonable, compensatory and not unfairly discriminatory.

Just – it is morally right or fair for the Developer to reap profits contrary to the public interest?

Reasonable – is it in accordance with reason for this to continue?

Compensatory – the Developer received reasonable compensation for his infrastructure investment in the first five years.

Unfairly discriminatory – the value of the water is intrinsic. The quality is assured by the City of Ocala water Authority, with nothing added by Venture Utilities. The cost of providing is limited to collecting and counting the profits, reporting same and paying the City for water used.

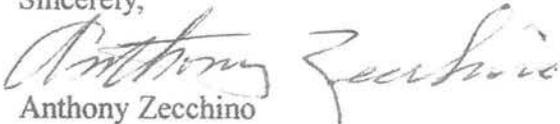
In my research I came across two newspaper articles about the question of annexation of Ocala Palms into the City of Ocala. The first written November 20, 2007, posed the question "will

Venture Associates increase other fees if it no longer receives utilities revenue?" This article is Attachment B

The second article , attachment C , published January 30, 2008 was about the referendum for annexation being defeated. Less than a week before the referendum, Venture distributed a letter confirming rumors that certain fee increases would result from annexation. Amenities fees, golf fees, and garbage collection fee increases were outlined in the statement.

In reality amenities fees increase is limited by the Covenants and Restrictions of the community. Even without annexation, the developer has increased the fee by the maximum allowed each year. The golf course is a public venue and fee increase only applies to those playing golf in Ocala Palms. Garbage collection would be provided by the City of Ocala if the community were to be annexed and the developer would have no part in deciding the fee. It is apparent to me that the annexation vote was heavily influenced by timely scare tactics perpetrated by the Developer/Venture Associates Utilities.

Sincerely,



Anthony Zecchino  
2152 NW 58 th Terrace  
Ocala, Fl. 34482  
352-671-6698  
TZBelleview@Frontier.com

ATTACHMENTS 3

Cc: F. Marshall Deterding, Esquire  
Sundstrom, Friedman & Fumero, LLP  
2548 Blairstone Pines Drive  
Tallahassee, FL 32301

## DEVELOPER OR EXTORTIONIST?

Article Courtesy of ALLVOICES WORLDNEWS

By Largeant

Published January 30, 2011

Ocala, FL -- As a good freelance contributor I'm always after a good true story. It was brought to my attention by a resident of Cherrywood Estates that they have been terrorized by a crook so called Developer Chris Zacco. Let me give you a small snap of the beginnings of Cherrywood Estates in Ocala, Fl.

During the 90's all the way to 2003 when the last house was build by then "developer" klan the Zaccos, it is fascinating and yet, very tragic. As the Zacco's family regular under-achievers were living day by day however, "somehow" they stroke a "loan" and started to build houses pre-paid by the the new owners now 731 houses then placing loans in Cherrywood Clubhouse got the cash to create another development and so on and so forth.

The tragic resides in the fact that the Zacco klan and one of the most ambitious, cruel and extortionist people represented most of the cases by Christopher Zacco, when after building the last dwelling in 2003 he proclaimed himself the Manager to the community creating another entity named "Cherrywood Property Management", LLC. only to show a legal status to charge to the residents outrageous fees to cover: Amenities/Recreation Fees and Common Area Maintenance collecting per month the modest amount of \$86,989. Then the other business license that he opened is: Cherrywood Developers, Inc. under which name the Zacco klan charges to the residents for services such as: Refuse and Cable Services and its respective Taxes collecting in this case per month the modest amount of \$ 51,111.52 making the grand total of \$ 138,100.52

The Extortion comes when one person forces another to pay money or any other deed, in this case Chris Zacco, was the "developer" he has no business in being the community manager, he just does not allow the residents to create and organize a normal Home Owners Association, as it should be in this cases.

2. Extortion again, he/the Zaccos increase fees without explanation or regard for the residents that in most cases live on fixed income such as their Social Security or any other pension checks. If any resident refuses to pay the fees increase, Chris Zacco place a lien on their house and threats people that "he could take their house away"

3. Long before 2003 thru today the residents had make many attempts to create their own HOA and take charge of their own community and recreation expenses, choices of utility companies and make the payments directly to them instead thru Chris Zacco including the taxes. Well, that haven't happened yet, you see, Chistopher Zacco and his big informative mouth, had said loud and clear that "he has lots of connections" something that unfortunately, the abused residents had confirmed. In order to comply and cover all the legal aspects of forming an HOA the residents had retained in several occasions the services of Attorneys at Law, only to be threat and or paid off by the Zaccos consequently, the Attorneys simply and kindly declined any intervention in the matter.

Its a fact that these residents of Cherrywood Estates can't find Legal and Honest representation to take over and make Christopher Zacco accountable for all that cash that he has been

collecting thru the years, dilapidated Clubhouse, old exercise equipment, broken tiles in and around the swimming pool, peeling off paint, 2 Clerks that answer the phone, but, have no answers only big nasty, rude and arrogant attitude, treating callers as if they were a nuisance and translating Christopher manuscript: "you have to pay that amount, its Chris' prerogative to increase prices" "Good bye"

So, it is obvious that, Christopher Zacco "know people in high places" however, it's not the way we conduct business in USA and last time I check, Ocala, Fl. still is part of America the Beautiful. I wonder if the Zacco klan disclosed all the income and pay their fair share of taxes to IRS just like the rest of us, or perhaps he also have friends there.

I will keep digging up more about the Zacco klan to keep you inform. Ocala, Fl. and Cherrywood Estates is a truly beautiful place to live and retire, surrounded by natural beauty, countless activities to live life, shopping malls, restaurants, hotels, hospitals equipped with the latest technology to keep the community in great healthy shape and attend any emergency and very friendly neighbors. They just need a HOA by the residents and for the residents of Cherrywood Estates, and Christopher Zacco out of the picture and hands off their wallets.

Yes, I said at the beginning that you could see Christopher's face. BELOW is the mug-shot from the Ocala Star Banner (local paper) showing his arrest record: Burglary and domestic violence. Oh! yeah, his girlfriend decided to withdrawal the charges after a "winter vacation" and a more than likely a good cash compensation and the proverbial "this won't happen again I promise."

This is a true story, lets help together these Cherrywood Residents. **PLEASE!** I truly wish you can see his face, first thing come to mind: Are you kidding me? Just as I did 1rst time I saw it!

Is there anybody out there who could provide some legal advise to these residents? Somebody that had not been touched by Christopher Zacco?

## CHRISTOPHER ZACCO

Booking Number: 1000013292

Booked on: 12/09/2010 at 02:01am DOB: 08/06/1960 Race: White Sex: Male Age: 49



### Charges:

Charge Number :1

Violation Description :BURGL-  
UNOCCUPIED STRUCTURE UNARMED

Violation  
Description2 :BURGLARY

Agency Case  
Number :N/A Violation  
Code :810.02-4A

Violation Level :F

Clear Type :N/A Court Case  
Number :N/A

Required Bond  
Type :SURETY

Bond Company  
Name :N/A Required Bond  
Amount: 5000

Required Cash Amount: 0

Charge Number :2

Violation Description :DAMAGE PROP-  
CRIM MISCH-200 DOLS OR LESS  
SUBSQ OFF

Violation  
Description2 :CRIMINAL  
MISCHIEF

Agency Case  
Number :N/A Violation  
Code :806.13-1B1

Violation Level :F

Clear Type :N/A	Court Case Number :N/A	Required Bond Type :SURETY
Bond Company Name :N/A	Required Bond Amount: 1000	Required Cash Amount: 0
Charge Number :3		
Violation Description :DAMAGE PROP-CRIM MISCH-200 DOLS AND UNDER		Violation Description2 :CRIMINAL MISCHIEF
Agency Case Number :N/A	Violation Code :806.13-1B1	Violation Level :M
Clear Type :N/A	Court Case Number :N/A	Required Bond Type :SURETY
Bond Company Name :N/A	Required Bond Amount: 250	Required Cash Amount: 0

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## Developer's fees crucial to residents' decision on Ocala Palms annexation

BY JESSICA GREENE

STAR-BANNER

Published: Tuesday, November 20, 2007 at 6:30 a.m.

OCALA - A developer's plan for dealing with profit loss because of the potential annexation of Ocala Palms could cost the city a tax base increase and keep water bills high for residents.

In January, residents of Ocala Palms will vote whether the community should be annexed into the city of Ocala.

The 55 and up community became eligible for annexation after Heath Preserve, a 414-unit development along Northwest 49th Street, became part of the city in 2006.

Annexation would subject Ocala Palms residents to city taxes, but they would no longer have to pay certain law enforcement, emergency service, water and waste taxes currently levied by the county. Incorporating the 1,062 parcels would provide the city with additional revenue through an increased tax base. Based on the 2007 tax roll, the county levied about \$2.5 million in taxes on the community.

Marion County Board of County Commissioner Charlie Stone and a team of Marion County department leaders held an informational meeting Monday at the community's clubhouse. The goal was to address resident questions and "re-educate" attendees about county services, said Judge Cochran, public information officer for Marion County. City officials held similar forums in September.

But one question hasn't been answered for residents: Will Venture Associates Corp. - the community builder and water service provider - increase other fees if it no longer receives utilities revenue?

Venture Associate Utilities currently purchases water from the city and then sells it to Ocala Palms residents. If Ocala Palms is annexed, the city will take control of the community's water service.

Many residents believe that if Ocala Palms is annexed, Venture will make up profit losses by raising community amenities fees.

About three months ago, Ocala Palms residents were hit with a significant increase in their water rates. The increase occurred after the county imposed uniform, tiered consumption rates in unincorporated areas to encourage water conservation. To compensate, Venture Associate Utilities raised its base and usage rates.

"Our water rates have recently gone up over 72 percent," Ann Maccarrone told the Star-Banner during the city's September forum.

Knowing how the developer will react if annexation occurs is crucial to making the best decision and will greatly influence their vote, some residents said.

"Venture is the key piece to this," said Brooke Koons, who helped organize the county forum.

Arthur Tate, president of Venture Associates Corp., declined to say how the company would react to profit losses should the community decide to annex.

Although Tate would not say whether the company would host a public forum, he did say residents' questions would be addressed. Questions can be e-mailed to Eleen Spinosa, community relations representative for Venture Associates Corp., at [espinosa@ocalapalms.com](mailto:espinosa@ocalapalms.com).

*Jessica Greene may be reached at [jessica.greene@starbanner.com](mailto:jessica.greene@starbanner.com) or 732-7159.*

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## Ocala Palms residents reject annexation into city

**Citing higher costs, residents of U.S. 27 retirement community overwhelmingly vote against proposal**

BY JESSICA GREENE  
STAR-BANNER

Published: Wednesday, January 30, 2008 at 6:30 a.m.

OCALA -- Concerned over the possibility of increased taxes and amenity fees, Ocala Palms residents voted down a referendum Tuesday that would have made the community part of the city of Ocala.

"If it's not broke, don't fix it," said Bob Brouillard as he left the Ocala Palms clubhouse - the voting precinct for the community off U.S. 27, also known as Northwest Blitchton Road.

More than 1,300 of Ocala Palms' approximately 1,600 registered voters cast ballots on the annexation question. Of those, almost 78 percent voted against it.

John Roesler, who spearheaded an informational effort against annexation, was "very glad" to hear that the referendum did not pass, he said.

Roesler said he distributed the red flyer after realizing that many of his fellow residents weren't considering the effect annexation would have on homeowners' insurance, property taxes and amenities fees, he said.

"I just got very tired of hearing people talk only about the potential decrease in water rates," he said.

The move to incorporate Ocala Palms came to a head in April after residents experienced a drastic increase in their water bills. The spike came about after the city changed its rate structure to ensure conservation efforts and that residential customers were not subsidizing commercial customers, said Tye Chighizola, planning director for the city of Ocala.

Then in May, the city announced its goal to incorporate the retirement golf community as a way to expand its tax base and decrease residents' water bills.

Since the referendum did not pass, residents will continue to pay county taxes and will retain water service from Venture Associates Utilities.

Many residents had concerns early on that - because the developer owns the utility company that serves the community - Venture Associates Corporation would raise amenities fees.

The developer's lack of response to inquiries regarding potential fee increases brewed skepticism and concern among residents.

Then, less than a week before the referendum, Venture Associates Corporation distributed a letter confirming rumors that certain fee increases would result from annexation. Amenities fees, golf fees and garbage collection fee increases were outlined in the statement.

This information was the missing link that many residents needed to make up their mind. It certainly influenced Brouillard's decision, he said.

The letter also clarified in bold, capital letters that the company was not earning a profit from earlier water increases, only passing on fees escalated by the city. It went on to state the company would continue efforts to decrease residents' water bills as evidenced by a request for a rate readjustment it submitted to City Council members last Tuesday.

Bob Hartsock was in favor of annexation, but isn't too disappointed, he said.

The important thing is that residents move past any contention generated between the two camps over the past months and get back to "enjoying the good life at Ocala Palms," he said.

In 2006, Ocala Palms became contiguous to city property after a 414-unit development along Northwest 49th Street called Heath Preserve voluntarily annexed into Ocala.

City Council members will review the reclassification request made by Venture Associates Utilities Corporation again on February 5, at 4 p.m.

*Jessica Greene may be reached at 352-732-7159 or [jessica.greene@starbanner.com](mailto:jessica.greene@starbanner.com).*

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Sirs,

I am writing to inform you of my objection to the current Water and Sewer Services provided to myself and the Ocala Palms Community. The Development Agreement, between Venture Associates, by Arthur Jact and the City of Ocala, provides for the annexation of the Ocala Palms Community into The City of Ocala. drawn up in 1993. It was printed out to me in July of this year - that Mr. Jact, through Venture Associates has conveniently ignored this agreement. Costly to me!

Each month I pay a considerable amount higher than a City resident in the same size home.

I therefore urge you to allow Ocala Palms to become part of

the City of Ocala.

Please do not allow Mr. Jait  
to continue to pass along this  
Cash to Ocala Palms Utilities, LLC

Very Truly Yours -  
Susan Frenstuski  
Edward <sup>and</sup> M.

1974 NW 50<sup>th</sup> Circle  
Ocala, Florida

34482

COMMISSION  
CLERK

13 DEC - 2 AM 10:02

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JACKSONVILLE FL 32201

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13 DEC -2 AM 7:10



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2540 Shumard Oak Blvd.  
Tallahassee Florida  
32399-0850

Trentowski  
1924 NW 50<sup>th</sup> Circle  
Ocala, Florida  
34482

November 25, 2013

Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd  
Tallahassee, Florida 32399-0850

Re: Notice of Application for Transfer Utility Assets and Water Certificate Between Venture Associates  
Utilities Corporation and Ocala Palms Utilities, LLC

Sirs,

I cannot strongly enough put forth my objections to the continuation of the current Water and Sewer Services presently being provided to, and forced, without an alternative option, upon myself and the rest of the Ocala Palms Community.

The DEVELOPMENT AGREEMENT FOR WATER EXTENSION, made and entered on June 30, 1993 between Venture Associates, by Arthur F. Tait, and The City of Ocala, provides for the annexation of the Ocala Palms Community into The City of Ocala.

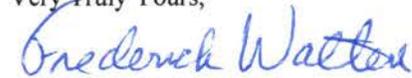
In July of this year it was pointed out to me by W. Darryl Muse (Manager, W&S Utility Services) and Jeff Holcumb (Director City of Ocala Sewer and Water) that Arthur F. Tait, through Venture Associates Utilities Corporation has conveniently ignored this agreement at considerable personal expense to me.

Every month I must pay approximately 250% more for Water and Sewer Service than a City Resident in a similar size home currently pays. This is a result of nothing more than a simple Re-Metering of City of Ocala Water by Arthur F. Tait, through the guise of Venture Associates Utilities Corporation.

I urge you to allow The Ocala Palms Community to become part of The City of Ocala.

Please do not allow the continuation of this "RIP-OFF" by allowing Arthur Tait to pass along this CASH-COW to Ocala Palms Utilities, LLC.

Very Truly Yours,

  
Frederick Walters

2333 NW 59 Terrace  
Ocala, FL 34482  
(352) 671 7966  
[Waltersfred2333@gmail.com](mailto:Waltersfred2333@gmail.com)

cc: F. Marshall Deterding, Esq  
Sundstrom, Friedman & Fumero, LLP

RECEIVED-PPSC  
13 NOV 27 PM 1:54  
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Alfonzo Correale  
2173 NW 51st Ter.  
Ocala, FL 34482

RECEIVED-FPSC

13 NOV 12 AM 9:53

NOVEMBER 8th 2013

COMMISSION  
CLERK

TO WHOM IT MAY CONCERN:

RECEIVED THIS NOTICE AND TO BE HONEST HAVE NO IDEA AS TO ACCEPT OR DENY. AS TOGETHER WITH OTHER HOMEOWNER HERE IN Ocala PALMS WITH AGES WITH MYSELF (83) AND OLDER... How IS THIS FULLY UNDERSTOOD?

THE DEVELOPER HAS ALREADY SOLD A PARCEL OF Ocala PALMS FOR \$12,000,000 DOLLARS NOT KNOWING THE NEW OWNER OR HIS OR HER INTENTIONS.

NOW ITS A TRANSFER OF UTILITY ASSETS AND WATER CERTIFICATE.

WOULD APPRECIATE A RESPONSE IN SIMPLE TERMS OF UNDERSTANDING!

Thank You -

AL CORREALE  
2173 NW 51ST TERRACE  
OCALA, FL. 34482

Al correale 11-8-2013

**NOTICE OF APPLICATION FOR TRANSFER UTILITY ASSETS  
AND WATER CERTIFICATE**

NOTICE IS HEREBY given on the 5<sup>th</sup> day of November, 2013, pursuant to Section 367.071, Florida Statutes, of the Application for Transfer of the Utility Assets of Venture Associates Utilities Corporation, and Certificate No. 488-W to Ocala Palms Utilities, LLC, providing water service to the following described territory in Marion County, Florida:

A parcel of land lying in Section 3, 4 and 9, Township 15 South, Range 21 East, Marion County, Florida, Tallahassee Meridian being more particularly described as follows:

Beginning at the Southeast corner of said Section 4, thence S 4°48'07" W, along the East boundary of the Northeast ¼ of said Section 9, 1322.45 feet to the Southeast corner of the N.E. ¼ of the N.E. ¼ of said Section 9: thence N 85°41'55" W, along the South boundary of the said N.E. ¼ of the N.E. ¼, 1297.34 feet to the S.W. corner of the N.E. ¼ of the N.E. ¼ of Section 9; then continue N 85°41'55" W, along the South boundary of the N.W. ¼ of the N.E. 1/4, 1297.33 feet to the S.W. corner of the said N.W. ¼ of the N.E. ¼ of said Section 9; then N 84°56'00" W, along the South boundary of the N.E. ¼ of the N.W. ¼ 1348.41 feet, to the Southwest corner of the said N.E. ¼ of the N.W. ¼ of said Section 9; thence continue N 84°56'00" W, along the South boundary of the East ½ of the N.W. ¼ of the N.W. ¼ of said Section 9, 674.20 feet to the Southwest corner of the said East ½ of the N.W. ¼ of the N.W. 1/4; thence N 5°01'04" E, along the west line of the said East ½ of the N.W. ¼ of the N.W. 1/4, 230.63 feet; thence N. 85°09'24" W, 649.90 feet to the east right of way line of N.W. 60<sup>th</sup> Avenue (50' right of way); thence N 4°50'36" E, along the said East right of way line, 264.00 feet; thence S 85°09'24" E, departing said East right of way line, 650.70 feet to the West line of the said East ½ of the N.W. ¼ of the N.W. 1/4; thence N 5°01'04" E, along said West line, 824.90 feet to the Northwest corner of the said East ½ of the N.W. ¼ of the N.W. ¼; thence N 84°30'04" W, along the South boundary of the S.W. ¼ of said Section 4, 648.13 feet to the East right of way line of said N.W. 60<sup>th</sup> Avenue; thence N 4°52'39" E, along said East right of way line, 2643.25 feet to the North boundary of the S.W. ¼ of said Section 4; thence S 85°17'29" E, along said North boundary, 2649.01 feet to the Northeast corner of the said S.W. 1/4; thence S 4°09'21" W, along the East boundary of the said S.W. 1/4, 315.00 feet (105 yards); thence S 85°17'29" E, parallel to the North boundary of the S.E. ¼ of said Section 4, along the South boundary of the North 105 yards, 882.23 feet; thence N 4°28'23" E, along the West boundary of the East 6.36 chains of the N.W. ¼ of the S.E. ¼ of said Section 4, 44.39 feet to the South line of the North 4.10 chains of the said N.W. ¼ of the S.E. 1/4; thence S 85°17'29" E, along the South boundary of the said North 4.10 chains, 352.15 feet; thence N 4°28'23" E, parallel to the East boundary of the N.W. ¼ of the S.E. 1/4, 270.60 feet to the North boundary of the S.E. ¼ of said Section 4; thence S 85°17'29" E, along the North boundary of the said S.E. ¼, 414.98 feet to the Southerly right of way line of U.S. Highway No. 27 (State Road 500); thence S 57°36'40" E, along said Southerly right of way line, 2827.20 feet to the South boundary of the N.E. ¼ of the S.W. ¼ of said Section 3; thence N 85°36'04" W, along the said South boundary, 224.48 feet to the Southwest corner of the said N.E. ¼ of the S.W. ¼; thence continue N 85°36'04" W, along the South boundary of the N.W. ¼ of the S.W. ¼ of said Section 3, 1324.81 feet to the Southwest corner of the said N.W. ¼ of the S.W. 1/4; thence S 4°47'44" W, along the East boundary of the S.E. ¼ of said Section 4, 1321.71 feet to the Point of Beginning.

Any objections to the Application must be made in writing and filed with the Commission Clerk, Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than 30 days from the date of this Notice, with a copy to F. Marshall Deterding, Esquire, Sundstrom, Friedman & Fumero, LLP, 2548 Blainstone Pines Drive, Tallahassee, Florida 32301. The objection must state the grounds for the objection with particularity.

VENTURE ASSOCIATES UTILITIES CORPORATION  
and OCALA PALMS UTILITIES, LLC

C

Alfonzo Correale  
2173 NW 51st Ter.  
Ocala, FL 34482

JACKSONVILLE FL 320

08 NOV 2013 PM 3 L



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13 NOV 12 AM 7:15

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TALLAHASSEE, FLORIDA 32399-0850

32399085099

