

Brandy Butler

From: Angie Calhoun
Sent: Monday, October 30, 2017 11:49 AM
To: Consumer Correspondence
Cc: Diane Hood
Subject: FW: To CLK Docket 20170151
Attachments: MCCCC-201441003286133-all.pdf

Customer correspondence for docket 20170151.

Angie Calhoun

From: Consumer Contact
Sent: Monday, October 30, 2017 11:44 AM
To: Angie Calhoun
Subject: To CLK Docket 20170151

Copy on file, see 1259833C. DHood

From: Jan Voorheis [<mailto:janvoorheis@gmail.com>]
Sent: Monday, October 30, 2017 8:29 AM
To: Consumer Contact
Subject: Transfer of Utilities in Heather Hills Estates

Date: October 27, 2017

To: Florida Public Service Commission

Re: Docket 20170151 Transfer of Water and Sewer

I do not believe I have been properly notified of the water and sewer transfer application from Heather Hills Estates Utilities LLC to the Heather Hills Utilities LLC.

In a Florida PSC October 24, 2017 Complaint, Kenna Gunn shared her concerns about the accuracy of the transfer. I concur with her concerns. Document Number 05705-2017 filed on 7/5/2017, Water and Sewer Transfer Plan, Pages 41-43 of the 107 pages, simply is not accurate. The State Court ruled that Exhibit 9 is Null and Void on my 2 lots, Manatee Circuit Court Case 2011CA01375. (attached) Exhibit A noted on pages 15-18 is not attached. The only Exhibit A I know of is attached to the Warranty Deed for the Recreation Area. Is HH Utilities LLC purchasing the Recreation Area? The Recreation Area, Exhibit A, is currently in Bankruptcy. (Case No. 8:16-bk-09521-CPM)

I am also concerned about the flooding of the 1967 sewer system. As I understand the sewer lids are not locked and every time the subdivision floods the lids pop and we have sewer back up. It is my understanding that the Federal Government and Manatee County after one of the September 2017 floods were advised of sewage water floating in the neighborhood. This subdivision floods often. This is a health hazard. I have been told the Feds spent 2 days this September cleaning the Heather Hills Estates sewers. A couple of years ago a neighbor that lives near the lift station had sewer water in her house.

The Heather Hills Estates Utilities policy on termination of service is not clear. When services are terminated does not that mean a customer no long needs to pay the utility until the services are again requested? This has not been the policy of the utility.

Since Heather Hills Utilities LLC will not have an office in the neighborhood please have them describe how customers will be kept informed. The current Utilities communications was lacking.

Your getting these areas corrected will be appreciated.

Janet Voorheis

203 and 109 49th Ave. Dr. West

Bradenton, Fl 34207

248-393-9805

janvoorheis@gmail.com

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR MANATEE COUNTY, FLORIDA

JANET VOORHEIS
PLAINTIFF,

CASE NO.: 2011CA01375

v.

RICK & CHRIS STEPHENS, LLC,
DEFENDANT,

FILED FOR RECORD
R.D. SHORE
2014 JUN 25 PM 3:31
CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

PARTIAL FINAL JUDGMENT

THIS CAUSE, having come before this Court on the Plaintiff's Motion for Partial Summary Judgment, and this Court having conducted a hearing on the motion on March 4, 2014, having heard argument of counsel and reviewed the matters filed in support and opposition of such motion, having rendered an Order Granting Partial Summary Judgment on March 25, 2014, and having rendered an Order Denying the Defendant's Verified Motion for Rehearing on April 23, 2014, it is hereby:

ORDERED, ADJUDGED and DECLARED that:

1. Judgment in favor of the Plaintiff, Janet Voorheis, as to Count I of the Amended Complaint is hereby entered against the Defendant, Rick and Chris Stephens, LLC.
2. Plaintiff's title to the parcel of real property located at 109 49th Avenue Dr. West¹, Bradenton, Florida, (hereafter "Lot 109) has been made Marketable on March 3, 2007 (i.e., thirty years after Plaintiff's root of title with regard to each

¹ The legal description is as follows:

Commence at SE corner of Block "I," Unit I, Heather Hills Estates, as recorded in Plat Book 15, Pages 30, 31 and 32 of Public Records of Manatee County, Florida; thence run, N-89°36'28"-W along the South line of said Block "I" a distance of 114.39 feet for Point of Beginning; thence run, N-89°36'28"-W a distance of 40 feet to the SE corner of Lot 17 of Block "I"; thence run, N-0°23'32"-E along East line of said Lot 17 a distance of 75 feet to the NE corner of said Lot 17, Block "I"; thence run S-89°36'28"-E a distance of 40 feet; thence run S-0°23'32"-W a distance of 75 feet to Point of Beginning.

(Parcel ID # 55348.00007)

such property) and free and clear of the Rules and Restrictions recorded in the Official Records of Manatee County at Book 314, Pages 613-615 ("the 1967 Restrictions") by operation of the Florida Marketable Record Title Act, § 712.02, et. seq., Florida Statutes.

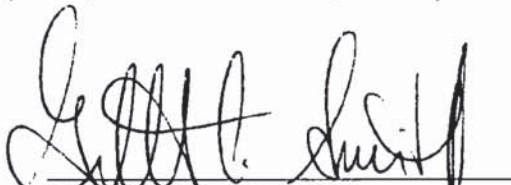
3. Plaintiff's title to the parcel of real property located at 203 49th Avenue Dr. West², Bradenton, Florida (hereafter Lot 203), has been made Marketable on October 15, 2001 (i.e., thirty years after Plaintiff's root of title with regard to each such property) and free and clear of the Rules and Restrictions recorded in the Official Records of Manatee County at Book 314, Pages 613-615 ("the 1967 Restrictions") by operation of the Florida Marketable Record Title Act, § 712.02, et. seq., Florida Statutes.
4. Accordingly, the 1967 Restrictions are null and void as to Plaintiff's Lots 109 and 203 and Defendant's claims of lien against such properties are unenforceable and without legal basis.
5. The Plaintiff is entitled to an award of reasonable attorneys fees and costs incurred in relation to the adjudication of Plaintiff's Count I of the Amended Complaint. This court reserves jurisdiction to determine the amount of reasonable attorneys fees and costs to be awarded to the Plaintiff and against the Defendant.
6. The Plaintiff's physical address is 3420 Wormer Drive, Waterford MI, 48329.

² The legal description is as follows:

Lot 14, Block I, of Heather Hills Estates Subdivision, Unit 1, as per Plat thereof recorded in Plat Book 15, Pages 30, 31, and 32 of the Public Records of Manatee County, Florida."

7. Jurisdiction is reserved to adjudicate the remaining counts in the Amended Complaint and Defendant's counter-claims and to enter any further relief that this Court determines to be appropriate and just.

DONE AND ORDERED in Manatee County, Florida, this 24 day of June, 2014.



Honorable Gilbert Smith, Jr.
Manatee County Circuit Court Judge

Copies to:

David J. Plante, Esquire
Mathew Taylor, Esquire

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