

Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: November 27, 1996

TO: Division of Records and Reporting

Division of Legal Services (Crosby)

FROM: Division of Water and Wastewater (Walker)

RE: Docket No. 960393-WU - Request for Exemption from Florida Public Service

Commission regulation for provision of water service in Lake County by Citrus Cove

Homeowners Association, Inc.

Please file the attached documents in Docket No. 960393-WU. This information was received from the applicant in response to staff's notification of deficiencies with respect to original application. This information appears to satisfy the minimum filing requirements for this proceeding. If correct, an order affirming that Citrus Cove Homeowners Association, Inc. is exempt from Commission jurisdiction will be issued.

Attachments

AFA -	
APP -	
CAF _	
CMU _	
CTR _	
EAG _	
LEG -	
LIN -	
OPC -	
RCH .	
SEC	1

ACK

12874 DEC-3%

FPSC-RECORDS/REPORTING

Citrus Cove Home Owners Association 17606 Mandarin Circle Winter Garden, Fl 34787

M. J Avila, President Telephone (407) 656-7545

October 12, 1996 (REVISED)

Norvell D. Walker
Public Utilities Analyst
State of Florida
Public Service Commission
Division of Water and Wastewater
Capital Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED

Florida Public Service Commission Division of Water and Wastewate

Re: Docket No. 960393-WU; Request for exemption from Florida Public Service Commission regulations for provisions of water service in Lake County Citrus Cove Home Owners Association, Inc.

Dear Mr. Walker:

See Revision Numvber (1) which includes the additional requested information

In response to the reference correspondence the following is offered:

I was recently elected President of CCHOA and regret to inform you that it will be impossible to obtain information to most of the requested items by October 15, 1997. The following is the response to each item with an estimated completion time pending that the information can be obtained from the referenced agency:

ITEM	DESCRIPTION	RESPONSE	RESPONSE DATE
1	INCORPORATION: Evidence the association's corporate registation has been reinstated.	Copy attached	This correspondence (Complete)
2	Articles of Incorporation A bylaws: Submit the association's articles of incorporation and bylaws——	The Department of Corporations will be contacted to obtain a reproduction of the official file copy.	ATTACHED
3	Voting Rights:	The association currently allows two votes per lot or homeowner. The association was reestablish to operate the water system since the developer walked away without leaving directions.	ONE VOTE PER LOT OWNER (1)

4	Control of Corporation	Unknown documentation.	SEE
			ATTACHED
			(a)

The system has been operated by the homeowners since 1986. A professional engineer, a resident of the community, has contributed much of his own time to ensure that the system is operated in compliance to the FDEP regulations since water system was approved to construct and operate as a community system. Local utilities both private and public has been contacted by the association to take over the operation of the utility to no avail. We can use any help and/or suggestion to resolve the exemption issue. All officers of the corporation manage the system with the consulting direction of the Engineer on their own time. The only person receiving pay for services is the licensed operator.

Sincerely, D.J. Bernelt For MJ. AVILA

M. J. Avila, President

CITRUS COVE HOME OWNERS ASSOCIATION

CC

O. F. Bennett PE

3:32 PM CORPORATE DETAIL RECORD SCREEN 10/29/96

FLD: 08/21/1981 NUM: 759737 ST:FL ACTIVE/FL NON-PROF FLD: 08/29/1996 LAST: REINSTATEMENT

FEI#: NOT APPLICABLE

: CITRUS COVE HOMEOWNERS ASSOCIATION, INC. NAME

CHANGED: 08/29/96 PRINCIPAL: 13432 SUBURBAN TERRACE

ADDRESS WINTER GARDEN, FL 34787 US

NAME CHG: 08/29/96 RA NAME : BENNETT, O.F. RA ADDR : 13432 SUBURBAN TERR. ADDR CHG: 04/19/93

WINTER GARDEN, FL 34787 US

: (1994) I 04/13/94 (1995) IN 08/29/96 (1996) IN 08/29/96 ANN REP

OFFICER/DIRECTOR DETAIL SCREEN 10/29/96 3:33 PM CORP NAME: CITRUS COVE HOMEOWNERS ASSOCIATION, INC. CORP NUMBER: 759737

NAME: BENNETT, O.F. TITLE: P

> 13432 SUBURBAN TERRACE WINTER GARDEN, FL 34787

TITLE: VP NAME: UNDERWOOD, HAROLD

17539 SATSUMA CIRCLE

WINTER GARDEN, FL 34787

TITLE: ST NAME: TOUCHTON, KATIE

17548 MANDARIN CIRCLE

WINTER GARDEN, FL 34787

NAME: ARMBRUSTER, SANDY TITLE: D

17605 SUNSET TERRACE

WINTER GARDEN, FL 34787

TITLE: D NAME: HOUSE, JOHN

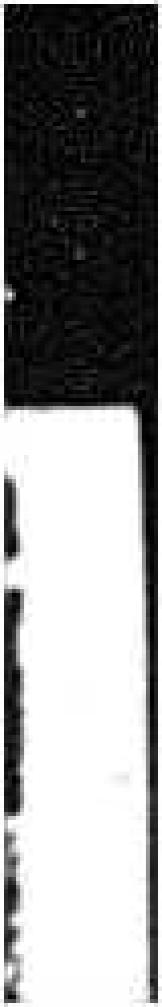
17505 SUNSET TEPRACE

WINTER GARDEN, L 34787

TITLE: D NAME: FOX, TIM

17516 MANDARIN JIRCLE

WINTER GARDEN, FL 34787



ROBERTS & LAWILED

MAIN AT CHERRY

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Scarctary of State
Deision of Corporations
The Capitol
allahabase, Florida 3230

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Step Step

Re:

Citrus Cove Homeowners Association, Inc. (A Florida Nonprofit Corporation)

Dear Sir:

Enclosed please find the original and one copy of proposed Articles of Incorporation for the subject nonprofit Corporation which I would appreciate your filing and returning the copy to me certified. Also enclosed is my trust account check in the amount of \$28,00, representing the \$30,00 filing fee, \$3,00 registered agent fee, and \$5,00 for the certified copy.

Thanking you for your attention to this request, I remain

Sincerely,

Julia Ridas

JULIA R. LAW

JRL/mr Enclosures NON-PROFIT COPP.

FILING ______530
C. COPY _____5
R. AGENT _____3
TOTAL ____\$38

PALANCE DUE S.

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FILED AUG 21 10 27 AM '81 SECRETARY OF STATE TALLAMASSEE, FLORIDA

ARTICLES OF -INCORPORATION

of

Share Off

759737

CITRUS COVE HOMEOWNERS ASSOCIATION, INC. (A Florida Nonprofit Corporation)

ARTICLE I

The name of the corporation is CITRUS COVE HOMEOWNERS ASSOCIATION, INC.

ARTICLE II

The term of existence of the corporation is perpetual.

ARTICLE III

This corporation does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the residence Lots and Common Area within that certain tract of property described

88:

Lots I through 90 inclusive, all in Citrus Cove subdivision, according to the public Records of Lake County, Florida.

and to promote the health, safety and welfare of the residents within the abovedescribed property and any additions thereto as may hereafter be brought within the jurisdiction of this corporation for this purpose to:

- (a) exercise all of the powers and privileges and to perform all of the duties and obligations of the corporation as set forth in that certain Declaration of Covenants, Conditions and Restrictions, hereinafter called the "Declaration", applicable to the property and recorded or to be recorded in the Office of the Clerk of the Circuit Court in and for Lake County, Florida, and as the same may be amended from time to time as therein provided, said declaration being incorporated he. Fin as set forth at length;
- (b) fix levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident

to the conduct of the business of the corporation, including all licenses, taxes or governmental charges levied or imposed against the property of the corporation;

- (c) acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the corporation;
- (d) borrow money, and with the assent of two-thirds (2/3) of each class of members mortgage, pledge, deed in trust, or hupothecate any or all of its real or personal property as security for money borrowed or debts incurred;
- (e) dedicate, sell or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of each class of members, agreeing to such dedication, sale or transfer;
- (f) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Area, provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3) of each class of members;
- (g) have and to exercise any and all powers, rights and privileges which a corporation may now or hereafter have or exercise under the laws of the State of Florida governing corporations not for profit,

ARTICLE IV

There shall be three (3) members of the initial Board of Directors of the corporation. The names and addresses of the persons who are to serve as directors until the first election thereof are as follows:

NAME

ADDRESS

A. RAZZAK TAI

4316 Tidewater Drive Criando, Florida 32806

FRANCES HEWITT

4855 S. Orange Avenue Orlando, Florida 32806



E. JOHN DeYOT

8973 Easterling Drive Orlando, Florida 32811

ARTICLE V

The affairs of the corporation are to be managed by a President, Vice-President, and Secretary-Treasurer. Such officers will be elected annually. The names of the persons who are to serve as officers until the first election of officers under these Articles of Incorporation are as follows:

President

A. RAZZAK TAI

Vice-President

IOHN C. DAVIS

Secretary-Treasurer

FRANCES HEWITT

ARTICLE VI

- (a) This corporation shall have no capital stock and shall be composed of members rather than stockholders. The membership of the corporation shall consist of owners of a fee interest in any lot included in Lots I through 90 inclusive, all in Citrus Cove Subdivision, Lake County, Florida. Each member shall be entitled to one vote for each lot owned.
- (b) Upon transfer of title to a member's interest in the aforedescribed property by death, sale, or otherwise, the transferor shall be terminated as a member and the transferee shall be eligible for membership pursuant to the foregoing provisions of this article.
- (c) There shall at ro time be more than one voting member for each lot included in Lots 1 through 90, inclusive, all in the Citrus Cove Subdivision, Lake County, Florida.
- (d) The recreational area of the above-described property will be used for recreational purposes only. Access thereto will be limited to members of the corporation and limited associate members.

ARTICLE VII

The By-Laws of the corporation are to be made, altered or rescinded by the voting members of the corporation.

ARTICLE VIII

these Articles of Incorporation may be amended by the act of the voting members of the corporation. Such amendments may be proposed and adopted in the manner provided in the By-Laws of the corporation.

ARTICLE IX

This corporation shall be dissolved and its affairs wound up by a twothirds (2/3) vote of the corporation's voting members or when the object for which the corporation is organized has been fully eccomplished.

In the event of dissolution, property of the corporation shall be distributed in equal shares to its voting members.

ARTICLE X

The address of this corporation's initial registered office in the State of Florida is 7040 Lake Ellenor Drive, Orlando, Florida 32809. The name of the initial registered agent at the above address is E. JOHN DeYOT.

ARTICLE XI

The names and residence addresses of the subscribers of these Articles of incorporation are:

<u>NAME</u>	<u>ADDRESS</u>
A. RAZZAK TAI	4316 Tidewater Drive Orlando, Florida 32806
FRANCES HEWITT	4853 S. Orange Avenue Orlando, Florida 32806
E. JOHN DeVOT	8973 Easterling Drive Orlando, Florida 32811

IN WITNESS WHEREO' we, the undersigned, being the incorporators of this corporation, for the pu. pose of forming this non-profit corporation under the laws of the State of Florida, have executed these Articles of incorporation on the <u>Mal</u> day of <u>lugust</u>, A. D. 1981,

THANKERSTEWITE SOLLETE

E. JOHN DEVOI





TATE OF FLORIDA

DEPARTMENT OF STATE

FILE Pice of Certificate Designating Place of Business of Domictle Bathe Served and Names and Addresses of the Officers and Agest

The following is au Florida Statutes:	ibmitted, in comp	pliance with Chapter 617, 023,
CITRUS CO	VE HOMEOWNE	RS ASSOCIATION, INC.
a corporation not for profi	it, organized (or	organizing) under the laws of the
State of Florida	, with its prin	ncipal office at
040 Lake Ellenor Drive	, in the city of	f Orlando
		Florida 32809
nas named E. JOHN De	уог .	located at
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		County of Orange
State of Florida, as its ag	ent to accept serv	vice of process within this state.
OFFICERS:		
Name	Title	Specific Address
		4316 Tidewater Drive Orlando, Florida 32506
. RAZZAK TAI		4853 S. Orange Avenue
FRANCES HEWITT	(<u>s)</u> (<u>t</u>)	Orlando, Florida 32806
	<u>(T)</u>	793 W. Highway 50
OHN C. DAVIS		Winter Carden, Florida 32787
DIRECTORS:		Specific Address
		4316 Tidewater Drive
A. RAZZAK TAI		Orlando, Florida 32806 4853 S. Orange Avenue
FRANCES HEWITT		Orlando, Florida 32806
		8973 Easterling Drive Orlando, Florida 32811
E. JOHN DEYOT		
	The all the second	Deneblei

ACCEPTANCE:

I agree as Registered Agent to accept Service of Process; to keep office open during prescribed hours; to post my came (and any other officers of said corporation authorized to accept service of process at the above Florida designated address) in some conspicuous place in office as required by law.

Comprate Officer)





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REINSTATEMENT

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06/09/99 00/10 003 FEINSTATEMENT 100.00 ANNUAL REPORT 245.00

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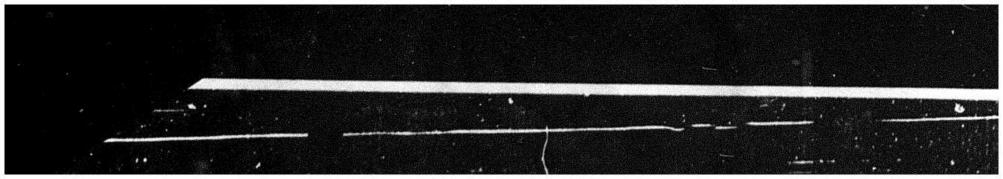
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CORPORATION

ANNUAL REPORT 1990



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WINTER GARDEN, FL 32787

08/21/1981

NOT APPLICABLE

BENNETT, FRANK PD

V/D

S/T/D

UNDERWOOD, HAROLD

ARMBRUSTER, SANDRA

17549 SATSLMA CIRCLE

17605 SUNSET TERRACE

13432 SUBURBAN TERRACE

WINTER GARDEN, FL

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REGISTERED AGENT INFORMATIO

ARMBRUSTER, SANDRA 17605 SUNSET TERRACE WINTER GARDEN, FL 32787

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08/21/1981

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13432 SUBURBAN TERRACE

UNDERWOOD, HAROLD V/D

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17549 SATSLMA CIRCLE

ARMBRUSTER, SANDRA S/T/D

17605 SUNSET TERRACE

WINTER GARDEN, FL

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REGISTERED AGENT INFORMATION

ARMBRUSTER, SANORA 17605 SUNSET TERRACE WINTER GARDEN, FL 32787

FL

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CITRUS COVE HOMEOWNERS ASSOCIATION, INC. 17805 SUNSET TERRACE WINTER GARDEN, FL 32787

10-11-91

08/21/1981

NOT APPLICABLE

P/D BENNETT, FRANK

13432 SUBURBAN TERRACE

WINTER GARDEN, FL

V/D _HOSRINOOD, HAROLD

17549 SATSUMA CIRCLE

WINTER GARDEN, FL

S/T/D ARMBRUSTER, SANDRA

17605 SUNSET TERRACE

WINTER GARDEN, FL

REINSTATEMENT 91-92-10

REGISTERED AGENTINFOR

MOLTA

ARMBRUSTER, SA: DRA 17605 SUNSET TEARACE WINTER GARDEN, FL 32787

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3/7/97

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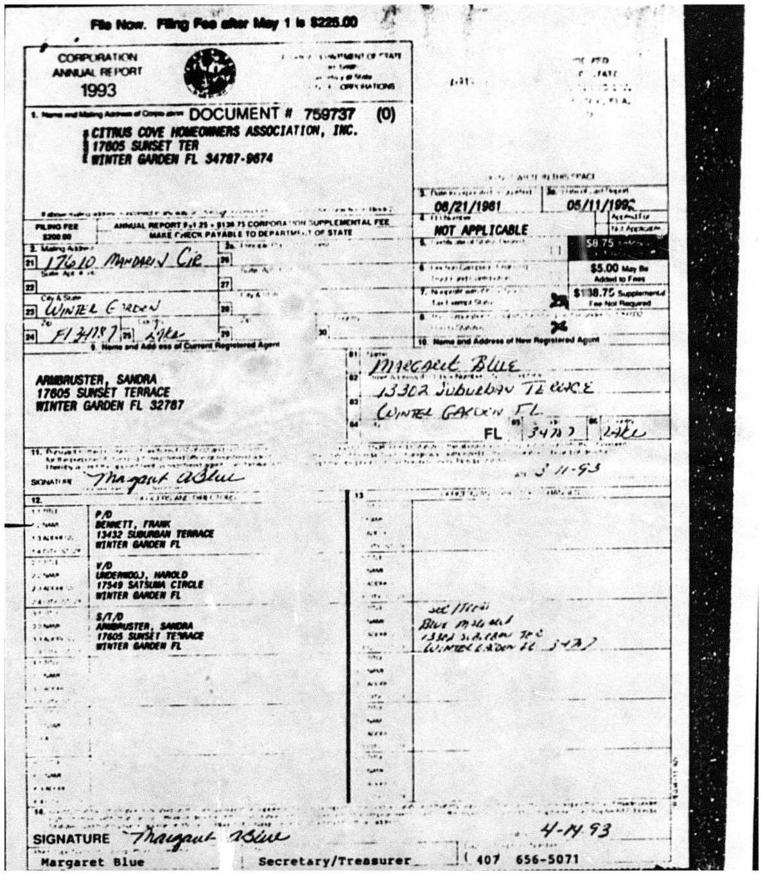
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File Now. Filing Fee after May 1 is \$225.00 CORPORATION -- / I WINDSHIT OF TANK me ma -ANNUAL REPORT 1141. 1 ----4.31. " . OFFINIONS 1993 " . . FI A. 1. Nove and Many Assessed Corps arm DOCUMENT # 759737 & CITRUS COVE HOMEOWNERS ASSOCIATION, INC. 17805 SUNSET TER EWINTER GARDEN FL 34787-9674 DATE AND STREET I from bei egan det . sentret | In itemit at begant 08/21/1981 05/11/1992 Memilia ANNUAL REPORT 9-1 25 - \$136.75 CORPORATION SUPPLEMENTAL PEE PL PIG FEE NOT APPLICABLE 14.5 ACCRUSE MAKE FRECK PAYABLE TO DEPARTMENT OF STATE \$200 DO \$8 75 20. 1 mag ... 20 d ter terifaction the fire \$5.00 May Be !-- .. put! Added to Fees 27 22 to egente um Cr \$138.75 Suppleme 1 44 6 4 4 Last same s Same WINTER GREEN I se Not Required 347.87 m 47ke Miecsel Blue ARMBRUSTER, SANDRA 17805 SUNSET TERRACE 13302 JUDUEDAN TE COKE WINTER GARDEN FL 32787 CUINTEL GAKKIN FL II. Appart on the Control of the Con The second of the Condense The service of the service of 11 5 11-93 The good ablue SKINATINE * . . . I'E, ME THE! I SE 12 t t milit P/D BENNETT, FRANK . *** 13432 SUBURBAN TERRACE WINTER GARDEN PL 4.5 · SATES * * Cate 5" ." 50101 V/D UNDERWOGJ, NAROLD 17549 SATSUMA CERCLE WINTER GARDEN FL -1. -.... JANES O 19. 14.00 15 15 set /Tirai +17.1 5/1/0 Blue may well AMBRUSTER, SANDRA 17605 SUNSET TEMPACE WINTER GARDEN FL 33 -1350 Sidican Tec WINECKADEN IC STA -1 1 1000 -... ... 200 117.5 ---Thaigant asin SIGNATURE 407 656-5071 Margaret Blue Secretary/Treasurer



FILE NOW: FILING FEE AFTER MAY 1 IS \$225.00 1994 DOCUMENT # CITRUS COVE HOMEOWNERS ASSOCIATION INC (0) 759737 11 11 11 17010 MANDAGO CIR 17010 MANDARIN CIR WHETER GARDEN FL 34767 WHITER GARDEN FL 34787 08/21/1981 NOT APPLICABLE \$8.75 Axxiv Com Hayer \$5.00 ne and Address of he w Hagestarent Agent 4 Name and Address of a prost ting stored Ages! MARGARET BLUE 13302 SUBURBAN TERR WINTER GAPOEN FL 34787 FL " Jen V HOUSE. PID BENNETT, FRANK 17505 SUNSET TEE 13432 SUBURBAN TERRACE WINTER GROWN FL 14757 WINTER GARDEN FL . D. VD 17605 SULMI TEL UNDERWOOD, HAROLD 17549 SATSUMA CIRCLE WINTLE GORDIN SE 34787 WINTER GARDEN FL DISAN AMER THE ST MARGARET RUE 13302 SUBUHBAN TERR 34787 WINZE GARDEN 12 WINTER GARDEN FL

MACGALL BLUE

Sec/Treasurer 3/2914

16.9500

PLEASE HEAL	ALL INSTRUCTIONS BEFORE C	OMPLETING THIS FORM.
FOR REINSTATEMENT	ORIDA DEPARTMENT OF STATE Sandra B. Mortham Secretary of State DIVISION OF CURPORATIONS	FILED
DOCUMENT # 759	737	
Corporation Name		96 AUG 29 PM 4: 06
WINTON GARD	HOUGE CONNER ASSOCIATE MY FLA 34781	SECRETARY OF STATE TALLAHASSEE, FLORIDA
Principal Place of Business 13432 SUBUR	Mailing Address	300001939423 -09/05/9601036011 ****297.50 *****297.50
If above addresses are incorrect in any way, line thro	nurs FLA 34787 Dugh incorrect information and enter correction below.	300001939423 -09/05/9601036012
New Principal Office Address, If Applicable	New Mailing Address, If Applicable	DO NOTWONE WOHLS TO ACE *** ** ** * 2. 75
Suite, Apt. #, etc.	Suite, Apt. W. etc.	To Do Business in Florida
City & State	70.000	. FEI Number Applied For
	WINTON GALDON FL	Not Applicable
Zip Country	34787 Country AKE	CERTIFICATE OF STATUS DESIRED \$8.75 Availional Fee required for a Certificate of Status
7. Names and Street Addresses of Each Officer and/o	or Director (Florida nonprofit corporations must list at least 3	directions)
Title(s) Name of Officers and/or Directors	Street Address of Each	diectors)
	Officer and/or Director 3 (Do NOT Use Post Office Box Numb	
PRG. O.F. BENN	ETT 13432 SUBURBA	WINTON GARDOUFL
UP HAROLD UNDER	WOOD 17539 SATSUMA (CIR WINNER GARDEN, 723478
THERE KATIE TOUCHTON	17548 MANDARINC,	
D SANDY ARMBIASTE	e 17605 Sunsel TE	TO SECURE EXCEPTIONS ASSESSED TO THE PROPERTY OF THE PROPERTY
D JOHN HOUSE	17505 Sunsel TE	2 WINSEL GARDEN 3/ 34787
O Tim Fox	17514 man 3	TATEMENT 95-610
8. Name and Address of Current Re-	gistered Agent 9. A	Name and Address of New Registered Agent
O.F. BENNETT PR	Name	BENNETT
CITIZUS COVE Home		OX Number is Not Acceptable) OB UK-BRU TOTAL ACC
13432 SUBURGAN 7	ON12 ACC Suite, Apt. #, Etc.	DOUCHAN PACICACE
WINTON GAMONIN, FL	A 34787 City City	State Zip Code
10. I, being appointed the registered agent of the above r	named corporation, am familiar with and accept the obligation	ns of Section 607 0505 F.S.
Signature of Registered Agent 0	Curety TERED AGENT MUST SIGN	_ Date 5/11/96 M
 Does this corporation pay any Dept. of Revenue under S. 19 	intangible tax to the 9.032, Florida Statutes. Yes	No See other side for information on intangible tax.)
this reinstatement application the reason for dissolution fees owed by the corporation have been paid. The in under oath. SIGNATURE:	r frustice empowered to execute this application as provide in has been eliminated, the corporate name satisfies the reformation indicated on this application is true and accurate the corporation in the satisfies the reformation indicated on this application is true and accurate the corporation in the satisfies the satisfies the corporation in the satisfies the corporation in the satisfies t	exemption stated in Section 119.07(3)(k), Florida Statutes, I rethe information supplied is deemed exempt from public access. I d for in chapter 607 or 617, F.S. I further certify that when filing equirements of section 607.0401 or 617.0401, F.S., and that all, and my signature shall have the same legal effect as if made
SIGNATURE AND TYPED OR PRINTED	NAME OF SIGNING OFFICER OR DIRECTOR	

