### **State of Florida**



# Hublic Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD TALLAHASSEE, FLORIDA 32399-0850

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

**DATE:** October 9, 2015

**TO:** Carlotta Stauffer, Commission Clerk, Office of Commission Clerk

FROM: John E. Villafrate, Senior Attorney, Office of the General Counsel

**RE:** Docket No. 140188-SU - Application for approval of transfer of Certificate No.

538-S from Zachary Taylor Camping & Lodge, Inc. to Taylor Arcade, Inc. d/b/a

Zachary Taylor RV Resort in Okeechobee County.

Please place the attached correspondence in the referenced docket file.

JEV/as Attachment From: Fred Dudley
To: John Villafrate

Cc: <u>Steven N. Tsangaris, Esq. (steve@tsangarislaw.com)</u>; <u>Ben Simmons</u>

Subject: Taylor Arcade

**Date:** Friday, October 09, 2015 11:20:31 AM

Attachments: CCE10092015 0001.pdf

As I indicated in my message to you yesterday, attached is our client's signed Affidavit with recorded deed and HUD-1 Closing State with Exhibit "A" listing the utility deposits at the time of sale and purchase on August 29, 2013.

We are still waiting for the requested financial statements, and, as you can see from the CPAs attached letter, will need an extension on the 2014 Annual Report, probably until the end of this calendar year.

Please review and advise, and if we need to discuss any of these matters personally, let me know a few dates/times that are good for you.

### AFFIDAVIT OF SALE

### STATE OF FLORIDA

### COUNTY OF PINELLAS

В	SEFORE ME, a notary public duly auth	orized to administe	er oaths and take
acknowle	edgements, this date personally appeared Dennis	Kappas, who is eith	er personally known
to me, o	r who produced the following form of identifie	cation:	(if not personally
known),	and who begin being first duly sworn by me, de	poses and says:	
1	. I am the president of Taylor Arcade, Inc., a	Florida corporation (	herein "TA").
2	. That on or about the 29th day of August 2013	, TA purchased the Z	Zachary Taylor RV
	Park in Okeechobee, Florida (the park"), acc	cording to a copy of	the recorded Special
	Warranty Deed attached.		
3	. A true and complete copy of the HUD 1 Closi	ng Statement, for the	purchase of the park
	is also attached, with a copy of Exhibit "A" re	eflecting the amount	of all utility deposits
	transfer with the sale by customer names.		
4	. There was no compensation paid or promised	to the seller for the p	ourchase of the park,
	other than that as shown on this attached Clos	sing Statement.	
5.	This affidavit is given to the Florida Public	Service Commission	("PSC") in support
	of TA's pending application for transfer of Ce	ertificate of Authoriza	ation 538-S, with the
	intent that the PSC commissioners and staff r	nembers rely on the i	information set forth
	herein in partial response to that certain de	ficiency letter dated	June 15, 2015 with
€1	regard to Docket No. 140188-SU.		
Data dalla	day of October 2015.	Dannin	Homer
Dated the	day of October 2015.	Dennis Kappas	payar
		• •	
Sworn to	and subscribed before me on the date stated ab	ove.	
		Barbara	G. Curcho
My Com	mission Expires:	Notary Public, St Print Name: Bo	ate of Florida

BARBARA A. CURTIS Notary Public - State of Florida My Comm. Expires Sep 14, 2018 Commission # FF 148260 After Recording Return To:

Cynthia Dugan Pasadena Title Company, LLC 1135 Pasadena Avenue South #107 St Petersburg, FL 33707

This Instrument Prepared by: Cynthia Dugan Pasadena Title Company, LLC 1135 Pasadena Avenue South #107 St Petersburg, FL 33707 as a necessary incident to the fulfillment of conditions contained in a title insurance commitment issued by it.

Property Appraisers Parcel I.D. (Folio) Number(s): 1-35-37-35-0A00-00001-0000

File No.: 201300749

FILE NUM 2013009123

OR BK 735 PG 1769

SHARON ROBERTSON, CLERK OF CIRCUIT COURT

OKEECHOBEE COUNTY, FLORIDA

RECORDED 09706/2013 01:22:12 PM ART \$2,050,000.00

RECORDING FEES \$18.50

DEED DOC \$14,350.00

RECORDED BY M Pinon

Pas 1769 - 1770; (2 pas)

### SPECIAL WARRANTY DEED

(Corporation)

This Special Warranty Deed, made the 29th day of August, 2013, by and between ZACHARY TAYLOR CAMPING & LODGE INC, a corporation existing under the laws of Florida, and having its place of business at 2995 US Hwy 441 SE, Okeechobee FL 34974, hereinafter after called the grantor, to TAYLOR ARCADE INC, a Florida Corporation, whose post office address is: 491 Riverside Dr. Tarpon Springs FL 34689, hereinafter called the grantee,

WITNESSETH: That said grantor, for and in consideration of the sum of \$2,050,000.00 Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Okeechobee County, Florida, to wit:

SEE EXHIBIT A ATTACHED HERETO

The property is not the homestead of the Grantor(s).

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise

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

GRANTOR'S WILL WARRANT and forever defend the right and title to the above-described real property unto the Grantees against the claims of all person, claiming by, through or under Grantor's, but not otherwise. (Wherever used herein the terms "grantor" and "grantee" included all the parties to this instrument, and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporation.)

IN WITNESS WHEREOF, 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.

SIGNED IN THE PRESENCE OF THE FOLLOWING WITNESSES TWO SEPARATE DISINTERESTED WITNESSES REQUIRED

Witness Signature: Kuyell St Karala Le ZACHARY TAYLOR CAMPING & LODGE INC

Printed Name: RAVCHA

Witness Signature: Printed Name: RoberT

Christopher R Freed

President

State of Florida County of Okeechobee

The foregoing instrument was acknowledged before me this 28 day of August, 2013 by Christopher R Freed President of Zachary Taylor Camping & Lodge, Inc who is/are personally known to me or has/have produced drivers license as identification.

My Commission Expires: JUNC 20, 2017

Doren a Megazin

Notary Public Signature DOREEN A. MEGAZZINI

Printed Name:

Serial Number FF 029643

DOREEN A. MEGAZZINI

## EXHIBIT "A" LEGAL DESCRIPTION

Real property situate and lying in Okeechobee County, Florida, described as follows:

#### PARCEL NO: 1

Beginning at the NW Corner of Government Lot 1 of Section 35, Township 37 South, Range 35 East, (said corner being the Hancock Meander Corner) and run thence South along Hancock Meander Line 17.00 chains, thence N 89 degrees 32' E 2.95 chains; thence North 17.00 chains to Section line, being the North boundary of said Section 35; thence S 89 degrees 32' W along Section line 2.95 chains to Hancock Meander Corner and point of beginning.

#### PARCEL NO: 2

From the NW Corner of Government Lot 1 in Section 35, Township 37 South, Range 35 East, said corner being Hancock Meander Corner on East side of Taylor Creek run South along Meander Line 17.00 chains for a point of beginning; thence N 89 degrees 32' E parallel to the North boundary line of Government Lot 1, a distance of 194.7 feet, thence S 8 degrees 07' E a distance of 383.1 feet to a point on the North right of way line of Old Conner's Highway (now abandoned); thence South 74 degrees 47' West along right of way of Conner's Highway a distance of 152.8 feet to intersection with Hancock Meander Line; thence N 38 degrees 04' W along Meander Line a distance of 163.5 feet to Meander Corner; thence North along said Meander Line a distance of 288.7 feet to the Point of Beginning.

Said land lying in and comprising a part of Government Lot 1 in Section 35, Township 37 South, Range 35 East.

ALSO: All right, title and interest of the Grantor in and to that part of Section 35, Township 37 South, Range 35 East, lying between the above parcels and Taylor Creek.

ALSO: All right, title and interest of the Grantor in and to that certain easement recorded in O.R. Book 2, Page 161 and 162, Public Records of Okeechobee County, Florida.

### PARCEL NO: 3

Lots 1 to 12 inclusive, MOUTH OF TAYLOR, according to the Plat thereof recorded in Plat Book 3, Page 17, Public Records of Okeechobee County, Florida.

ALSO: All right, title and interest of the Grantor in and to that part of Section 26, Township 37 South, Range 35 East, lying East of Taylor Creek, South of Mosquito Creek and West of East Waterway, less and except any portion described as "Common Park", all according to the plat of MOUTH OF TAYLOR, recorded in Plat Book 3, Page 17, Public Records of Okeechobee County, Florida.

OMB Approval No. 2502-0265

### A. Settlement Statement (HUD-1)

POAN D	EASIOS							
B. Type o	of Loan							
1.□ FHA		3. Conv. Unins.	6. File Num 201300749	ber:	7. L	oan Number:	Mortgage Insurance Cas	e Number:
4.□ VA	5. Conv. Ins.	Other	75.00.00					
C. Note:							I to and by the settlement age onal purposes and are not inc	TO SPECIAL CONTRACTOR OF THE PARTY OF THE PA
D. Name	& Address	OREXCO as Q.I. fo	TAYLOR A	RCADE INC				
of Bor	rower:		10.000					
	& Address	ZACHARY TAYLO	R CAMPING	& LODGE INC		×		
of Sell	ler: & Address	lefferson Bank of S	lorida 2711	Tampa Road, Oldsm	or El	34677		
of Len		Jenerson Bank or i	ridida, 37 i i	ranipa road, Oldan	161, 1 1	. 540.7		
	erty Location:	Property Address						
		PIN 1-35-37-35-0A00-0 1-35-37-35-0010-0 1-26-37-35-0A00-0	00001-0000 00000-0010 00004-C000	bbee, Florida 34974-6		outh #107, St Petersburg, Fi	22707 (727) 346,8857	
	ement Agent: of Settlement:			#107, St Petersburg.			2 33107, (121) 343-6561	
111111111111111111111111111111111111111	ment Date:	8/29/2013	STATE STATE	Proration Date:	8/29/		Disbursement Da	te: 8/29/2013
	C	watterla Transacti				K. Summary of Seller's	Transaction	
-		rower's Transacti	оп		400.	Gross Amount Due to Sell		
	ross Amount Due for ontract sales price	rom Borrower	-	\$2,050,000.00	-	Contract sales price	-	\$2,050,000.00
	ersonal property	HI-4-HILL		\$2,000,000.00	402.	Personal property		
-		borrower (line 1400)		\$22,989.50	-	T discount property		
104.	Discribit Granges to	delicated (me. 1100)		7	404.			
105.					405.			
Adjustm	ents for Items paid	by seller in advance	9		Adju	stments for items paid by se	eller in advance	
106. C	ity/town taxes				406.	City/town taxes		
107. C	ounty taxes				407.	County taxes		
-	ssessments	vu			408.	Assessments	Trailer Life & Mandalle	\$2,181.60
-	THE RESERVE OF THE PARTY OF THE	xd Sam, Trailer Life &		\$2,181.60 \$2,062.50	-	2014 Advertising (Good Sar Prepaid Pool Maintenance		\$2,062.50
	ccounts Receivable	ance (Sept 2013-Feb	2014)	\$2,002.30	411.	Accounts Receivable	Gept 2010-1 60 2014)	
112.	ccounts receivable				412.	71000110110011000		
-	ross Amount Due f	rom Borrower		\$2,077,233.60	420.	Gross Amount Due to Sell	ler	\$2,054,244.10
		in Behalf of Borrow	er	as east	500.	Reductions in Amount Du	e to Seller	
-	eposit or earnest mo			\$50,000.00	501.	Excess deposit (see instruc	tions)	
202. P	rincipal amount of ne	ew loan(s)	Legis -	\$1,450,000.00	502.	Settlement charges to selle	r (line 1400)	\$117,206.50
203. E	xisting loan(s) taken	subject to			503.	Existing loan(s) taken subje	The state of the s	2070 055 07
204.					504.	Payoff of first mortgage load	The state of the s	\$979,655.07
205.	031 proceeds from C	DEVCO		\$548,883.99	505.	Payoff of second mortgage	ioan	
206. 1	031 proceeds from C	DREAGO	-	\$340,003.50	507.			
-	wners Title Insurance	e Policy		\$7,700.00	-	Owners Title Insurance Pol	icy	\$7,700.00
209.		•	11-11-11-1		509.			
Adjustm	ents for items unp	aid by seller.			Adju	stments for items unpaid by	seller	
210. C	ity/town taxes				510.	City/town taxes		
211. C	ounty taxes 1/1/201:	3 to 8/29/2013		\$16,187.79	-		/29/2013	\$16,187.79
-	ssessments				512.	Assessments Transfer of Deposits/Prepai	de Cabibil A	\$39,011.26
213.					513.	Transfer of Transient Depor		\$8,010.40
214.			-		515.	Proration of Docks/Storage	A PROPERTY OF THE PARTY OF THE	\$1,043.51
215.					516.			7.12.20
217.					517.			
218.		Marie Salara Marie		Mark College College	518.			
219.					519.			
220. To	otal Paid by/for Bor	rower		\$2,072,771.78	1	Total Reduction Amount I	THE PARTY OF THE P	\$1,168,814.53
-	ash at Settlement f	the state of the same of the s			600.	Cash at Settlement to/from		**********
	and the second s	m borrower (fine 120)		\$2,077,233.60		Gross amount due to seller	the second secon	\$2,054,244.10
-		/for borrower (line 22	0)	(\$2,072,771.78	and annual term	Less reductions in amount		(\$1,168,814.53) \$885,429.57
303. C	ash ⊠From □To	Borrower		\$4,461.82	603.	Cash ⊠To ☐ From Selle		4000,440.07

Wilson, Jerry & Sharon	Wilson, Phyllis	Wheeler, Scott & Billie	Wantling/Huffman, Steve & Kim	Walker, Charles	Tapp, Robert & Virginia	Talley, Joe & Judy	Sloat, Lloyd & Suc	Skinner, Marge	Petrie, Dale	Milby, Douglas & Sandra	Migliorini, Ron & Marlene	Merrill, Ralph & Marlene	McCullough, Kerry & Sandra	Martin, Gene & Roberta	Marszalek Walter & Judy	Manoney, Janey Chambers, Larry	Lynes, Russell & Jennier	Liskey, Dave & Ada	Leptien, John & Joyce	LeHoux, Normand	Lass, Dick & Carol	Kochakian, Steve	Knight, Gail	Higgins, Allen	Heilner Ron & Annette	Halk, Norm & Sue	Crontors, David & Dialine	Gibson, Gary & Barbara	Gagnon, Robert	Freed, Christopher	Fleck, Ron & Toby	Erhardt Peter & Joe	Erdman Bick & Chery	Dinger, Beverly	Dieter, Allan & Deborah	Dewey, Ron & Rita	Datesman, Rimmon	Cucchi, Joe & Shirley	Coburn, Lou	Clifford Steve & Christine	Carlisle, Mary	Burmeister, Dale & Judith	Burmeister, Dale & Judith	Bryant, Barbara	Bilyeu, Ed & Sandy	Becker, Irwin & Roberta	Becker, Irwin & Roberta	Barvell, Harry & Marie	Barwell, Harry & Marie	Barkley Bernard/Milby's	Arnett Rita	beine Din	and (
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\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130,00	\$ 130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	\$130.00	1 00 00 13	SITE# Rate
																																																				Special control and annual	Last Mth Deposit
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\$080,00	9								\$700.00	\$420.00	\$735,00	\$100.00	\$193.20	,	\$1,043.50						\$685.00	\$526.61							\$50.00													0.7570	\$292.50	200						\$592.14			Panniki

\$(182013 \$(172014   518 \$(17500   54350	\$275.00 \$275.00	60	19	128 \$375.00 \$325.00	Thompson, William & Ann 96 \$290.00 \$290.00 \$100.00	\$290,00	\$275.00 \$200.00	149 \$275.00 \$210.00 \$100.00	\$375.00	\$290.00	\$275.00 \$225.00	\$340.00 \$280.00	176 \$340.00 \$290.00 \$100.00	\$390.00 \$390.00	\$275.00	\$340.00	\$340.00 \$340.00	\$275.00 \$0.00	\$340.00 \$340.00	\$440.00 \$307.00	\$323.00	\$340.00	\$440.00 \$440.00	\$340,00	32 \$390.00	\$340.00 \$308.00	\$340.00	205 \$340.00 \$265.00 \$0.00	\$290.00	\$275,00 \$240,00	\$440.00 \$440.00	154 \$275,00 \$240,00 \$100,00	\$275.00 \$100.00	\$207.00	243 \$290.00 \$290.00	\$275.00 \$240.00	102	\$375.00 \$315.00	\$290.00	116 \$440.00 \$440.00	Tetters, Dorothea & Donald 52 \$275,00 \$215,00 \$100,00	\$340.00 \$144.28	\$275.00 \$215.00	\$375.00 \$210.00	\$340,00	\$340.00	236 \$170.00 \$340.00	\$323.00 \$250.00	\$340.00 \$340.00	#1-1-1 #1-00.00
5B \$175.00 53A \$175.00 7A \$175.00 6B \$175.00 17B \$175.00 17B \$175.00 21B \$175.00 21B \$175.00	3	+	+	-			+	+	+	+	+	+	-	Н	+	+	+		-	-	+	1	+	+	-	$\vdash$	-	+	+	+	-	-	-	<b>'</b>  -	+	Н	_		$\dashv$	+	+	+	+	+	+	+	-	+	-	ŀ
	П	1	5/1/2014	3/31/2014	1/1/2014		1	+	4107/11/6	10/21/2013	11/30/2013	11/2/2013	9/30/2013	10/31/2013	4/30/2014	8/12/2014	6/30/2014	3/10/2014	11/9/2013	5/27/2014	10/7/2013	11/27/2013	5/24/2014	3/31/2014	T	3/2/2014	6/11/2014	5/8/2014	2/28/2014	1/11/2014	10/16/2013	T			10/8/2013			3/31/2014	8/31/2013	10/31/2014	8/4/2014	0/20/2014	2/4/2014	İ	t	6/30/2014	1/31/2014	10/25/2013	5/17/2014	£107/15/9
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							\$285.00	\$150.00				+	\$150.00																				\$100,00	415000										\$435.00						

Wright, Gerald & Barbara (Bobbi) 104 \$245.00 3/21/2013 3/20/2014 \$13,344.98



October 8, 2015

Mr. Fred R. Dudley, Partner Board Certified Construction Lawyer Dudley, Sellers & Healy, P.L. SunTrust Financial Center, Suite 301 3522 Thomasville Road Tallahassee, Florida 32308

Re: 2014 Annual Report
Additional extension request

Dear Mr. Dudley:

Your client has retained CJN&W CPAs to prepare the 2014 Annual Report for Taylor Arcade, Inc. d/b/a Zachary Taylor RV Resort. The Florida PSC has previously granted our client three extensions; the last extension ends October 15, 2015. It is our understanding that your firm has been retained to coordinate certificate transfer process for our mutual client. This transfer process has been an ongoing task since our services were retained. The outcome of the certificate transfer will affect the 2014 Annual Report and will most likely require revisions for the previously filed 2013 Annual Report.

From my understanding, another extension will need filed with the PSC to provide adequate time for the completion of the certificate transfer and provide my firm time to furnish accurate and complete information for the 2013 and 2014 Annual Reports. With your current work with the PSC on the certificate transfer, I think an extension coming from your firm on behalf of the client will be more meaningful.

Thank you for your consideration in this matter. Both Ben Simmons and I will both be happy to help as needed with requesting these extensions. Ben can be reached at 740-653-6900, <a href="mailto:bismmons@jonescoonline.com">bismmons@jonescoonline.com</a> and I can be reached at 727-791-4020 or by my e-mail address tdesantis@cjnw.net.

Very truly yours,

Anthony Q. De Santis

anthoug DESantis

CJN&W CPAs

cc: Theo Kappas, Zachary Taylor RV Resort