

LAW OFFICES

COX & REYNOLDS

A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS
SAVINGS OF AMERICA BUILDING, 10TH FLOOR
4875 NORTH FEDERAL HIGHWAY
FORT LAUDERDALE, FLORIDA 33308

TELEPHONE (954) 491-5220
TELECOPIER (954) 491-0702

January 28, 1997

FEDERAL EXPRESS

The Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RE: Docket No. 96-1321-WS - Application for Certificate to Provide Water and Wastewater Service in Clay County by Point Water & Sewer, Inc.

Dear Public Service Commission:

We are in receipt of Patricia Brady's letter dated December 5, 1996 and wish to respond to the enumerated paragraphs outlined in her letter as follows:

1. **Corporate Identity:** Please be advised that Point Water & Sewer, Inc. (hereinafter referred to as "PWS") was involuntary dissolved as a result of inadvertently not filing an annual report. However, subsequent thereto, on or about November 15, 1996, PWS filed an annual report and paid the annual fee and is now in good standing. A copy of a print-out provided by the Florida Department of State, Division of Corporations is attached hereto as Exhibit "1" and incorporated herein by reference.

ACK _____
AFA _____
APP _____

2. **Corporate Officers:** Please be advised that Mr. John Yonge is the only officer and director of PWS. Mr. Patrick Carr, has a stock ownership interest in PWS, but does not hold any position or title with the corporation other than stockholder. Mr. John Yonge and Mr. Patrick Carr each own 50% of the outstanding shares of PWS.

CAF _____
CMU _____
CTR _____
EAG _____

3. **Meter Size:** Please be advised that the Point Property Owners Association (hereinafter referred to as "PPOA") is master metered and the size of the meter is a 2" meter/2" line.

LEG 1 _____
LIN _____
OPC _____

4. **System Capacity:** Please find attached hereto as Exhibit "2" a copy of the Capacity Analysis Report and the Operation and Maintenance Performance Report prepared on January 20, 1997, as a confirmation of the maximum rate of capacity of the

RCH _____
SEC 1 _____
WAS 1 _____
OTH _____

DOCUMENT NUMBER-DATE
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5. **DEP Permits:** The facilities' permit number D010-221312 was "rescinded" by the PPOA without prior notice to PWS on or about March, 1996. On November 25, 1996, the PWS filed its application for a new permit. As of today, it has not received the final permit and the application is currently pending.

6. **Proof of Ownership:** You are correct that PWS does not have a warranty deed in its name granting it ownership of the subject real property. However, PWS is the assignee of the easement interest that runs with the land. A copy of the subject assignment is attached hereto as Exhibit "3" and incorporated herein by reference.

7. **Financial Ability:** Ms. Emma Pfister, PWS' accountant, is currently preparing the 1996 tax return which will include a balance sheet. It should be completed by February 15, 1997. In addition, PWS has received a letter of loan approval providing that in case it is necessary for it to secure emergency capital from lenders, that it would be entitled to borrow up to \$30,000.00 for emergency capital. A copy of the letter is attached hereto as Exhibit "4".

8. **Technical Ability:** Attached hereto as Exhibit "5" is a copy of Edward McCormick's DEP approved license to operate water and wastewater facilities.

9. **Ownership History:** On or about 1987, the PPOA took over the exclusive and sole operation of the facility. Since the PPOA was responsible for the cost of operation of the facility, as its primary user, its operation of the facility allowed it to control costs and utilize volunteer services. Although, the PPOA now claims that it was never the operator of the facility, its true role was revealed in the PPOA's President's letter to the DEP dated November 3, 1992, when she stated:

Pursuant to an agreement between the Point Property Owner's Association and Karen Yonge Carr, Jim Yonge and NOH, Inc., we are responsible for the operation of the above-mentioned wastewater treatment facility.

After the EPA sought to impose penalties for the improper operation of the facility by the PPOA, the PPOA decided to return the operation of the plant back to NOH, Inc. as set forth in Mr. Lindell's letter dated December 22, 1994. Copies of the November 3, 1992 and December 22, 1994 letters referenced above are attached hereto as Exhibit "6."

10. **Rates:** a) The original rates to be charged to the PPOA were based on a prior written contractual agreement, a copy of which was attached as an exhibit to the original PSC application for original certificate. PWS began charging it current rates on March 1, 1995. However, the PPOA refused to make any payments until such time as the PPOA sought injunctive relief from the Circuit Court of Clay County. At such time, the Court ordered that the PPOA would pay 83% of the operating and regulatory expenses incurred until such time as the

Director, Division of Records and Reporting

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PSC had determined exactly what amount the rates should be. The PPOA consented to an Agreed Order. A copy of the Agreed Order is attached hereto as Exhibit "7" and incorporated herein by reference. Since the entry of the Agreed Order, the PPOA has failed to make timely payments and was warned by the Court on January 24, 1997, that it would be held in contempt if such inexcusable behavior continued in the future.

b) **The rate the PPOA charged itself when it operated the utility:** The PPOA paid all expenses relating to the subject facility during the period of time of its operation and in addition charged Whitney's Marina for 17% of expenses incurred. The 17% calculation was based upon an understanding between the PPOA and Whitney's that the 17% represented Whitney's respective share of the overall use of the facility. Attached hereto as Exhibit "8" is correspondence from Whitney's Marina outlining this understanding, as well as the copies of the actual invoices that the PPOA submitted to Whitney's Marina which reflect the actual practice of the PPOA. At no time during the period of time the PPOA was operating the plant and charging Whitney's Marina for its services, did it apply for a certificate of authorization from the Public Service Commission.

c) **Details of any meetings or copies of any correspondence PWS may have had with its customers regarding the rates prior to implementation:** As referenced above, PWS charged the PPOA an amount it felt was consistent with the anticipated expenses as per the written agreement. Actual expenses have exceeded anticipated expenses.

11. **Notice Format and Territory Map:** Latitude 30°08'48" N; Longitude 81°42'00" N; Sections 43 and 44, N 1/2; Township 4S; Range 26E. Attached as Exhibit "9" is a certified copy of a map obtained from the Clay County Property Appraiser's Office.

12. **System Map:** Attached hereto as Exhibit "10" is a system map from the DEP's records.

13. **Government and Utility Entities Notice:** Attached hereto as Exhibit "11" is an Affidavit indicating the date that notice was given to local government utility entities.

Customer Notice: Attached hereto as Exhibit "12" is an Affidavit indicating the date that notice was given to customers of the utility.

Publication: Attached hereto as Exhibit "13" is an Affidavit attesting to publication from Clay Today, which published the subject notice.

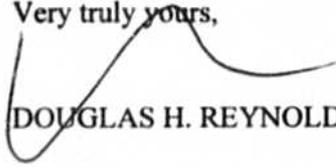
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January 28, 1997
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14. Water and Wastewater Tariffs

Application for Water and Wastewater Service: Please find enclosed as Exhibit "14" the consolidated sheets with the information shown on Water Tariff Sheets No. 20.0 and Wastewater Tariff Sheet No. 25.

Customer's Bill: A copy of a sample customer bill on Water Tariff Sheet No. 2 and Wastewater Tariff Sheet No. 27.0 is attached hereto as composite Exhibit "15" and incorporated herein by reference.

Very truly yours,



DOUGLAS H. REYNOLDS

DHR:pdl

Enclosures

cc: Point Water & Sewer
Richard Redemann, Div. of Water and Wastewater
Kathleen Johnson, Div. of Legal Services

ORIGINAL
FILE COPY

RE: Docket No. 96-1321-WS- Application for Certificate to Provide Water and Wastewater Service in Clay County by Point Water & Sewer, Inc.

INDEX OF EXHIBITS TO JANUARY 28, 1997 LETTER TO PSC

1. Division of Corporations print-out as to PWS.
2. Capacity Analysis Report and the Operation and Maintenance Performance Report prepared on January 20, 1997 by James M. Lucas, P.E.
3. Assignment to PWS of easement.
4. Letter of loan approval.
5. Edward McCormick's Class "C" operator's license.
6. Ownership history.
7. Agreed Order Nunc Pro Tunc November 8, 1996.
8. Whitney's correspondence.
9. Map from Clay County Property Appraiser's office.
10. System map from DEP's records.
11. Amended Affidavit as to notice to government and utility entities' notice.
12. Amended Affidavit as to customer notice.
13. Clay Today Affidavit.
14. Consolidated Water Tariff Sheets, Consolidated Wastewater Tariff Sheets No.25.
15. Sample customer bill.

DOCUMENT NUMBER-DATE

01171 JAN 30 5

FPSC-RECORDS/REPORTING

CAPACITY ANALYSIS REPORT

THE POINT TOWNHOMES HIGHWAY 17, FLEMING ISLAND

CLAY COUNTY

DER NO. 3110PO0304

PERMIT NO. DO10-221312

EXPIRES 6/30/96

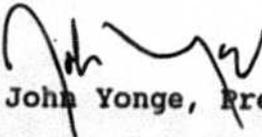
January 20, 1997

EXHIBIT

"2"

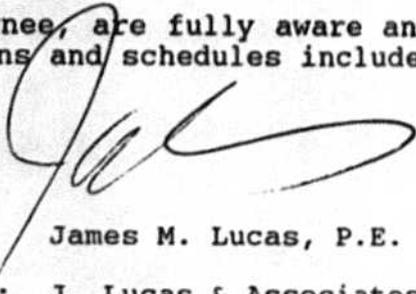
CERTIFICATIONS

Permittee:


Name: John Yonge, President
Company: Point Water and Sewer, Inc.
Address: 4753 Raggedy Point Road
City: Orange Park, Florida 32073
County: Clay
Phone No.: (904) 269-1825

We, the above signee, are fully aware and intends to comply with the recommendations and schedules included in the report.

Engineer:


Name: James M. Lucas, P.E.
Company: J. Lucas & Associates, Inc.
Address: 10475 Fortune Parkway, Suite 202
City: Jacksonville, Florida 32256
Phone: (904) 464-0090

This is to certify that the information contained in the report is true and correct to the best of our knowledge, the report was prepared in accordance with sound engineering principles, and that the recommendations and schedules were discussed with the permittee or their representative.

Chapter 1 - Introduction

The existing plant is a 0.015 mgd extended aeration steel package plant with dechlorination and discharge to the St. Johns River. The plant serves a 19 unit townhomes complex and the adjacent marina. Wastewater from the complex flows into a pumping station located adjacent to the plant before being lifted into the treatment unit's aeration tank. Flow from the aeration tank enters a clarifier where the solids are separated from the liquid. Effluent from the clarifier enters a 1460 gallon chlorine contact chamber for disinfection. The effluent leaves the plant by gravity where it flows through a dechlorination unit prior to discharge to the river for disposal.

Solids from the clarifier is returned to the treatment unit by the return sludge air lift. Excess sludge is stored in the digester or hauled off by independent contractor.

Effluent from the plant discharges via a 6-inch gravity line to the river after dechlorination.

Chapter 2 - Existing Conditions

Permitted Capacities:

The plant is presently permitted for 15,000 gallons per day. The discharge parameters are as follows:

flow:	0.015 gpd	Daily 5/wk
BOD:	20 ppm	Monthly Grab
SS:	20 ppm	Monthly Grab
pH:	6-8.5	Daily 5/wk
Chlorine Residual (contact tank)	0.5-1.0	Daily 5/wk
Residual (Outfall)	0.01	Daily 5/wk
Fecal	200/800	Monthly

Parameter	Annual	Monthly	Weekly	One time
B O D	20 ppm	30 ppm	45 ppm	60 ppm
S S	20 ppm	30 ppm	45 ppm	60 ppm

Monthly Average Daily Flows, Three-month Ave. Daily Flows, Annual Ave. Daily Flows:

The monthly operating reports were examined and the following tables were generated. The plant was constructed in the early 1980's with the construction of the townhomes. Flows have gradually increased over the years due to increases in the marina activities from an annual average of 8,000 to 10,000 gpd. Flows are reflective of the occupancy rate of the townhomes, the use of the Marina and any infiltration inflow entering the system. The past operator stated that the flows for the past few years have not changed appreciably. Table 1 shows the monthly, three month average and annual average flows for the facility for the data provided. Flows were measured by the elapsed timer on the influent pumps.

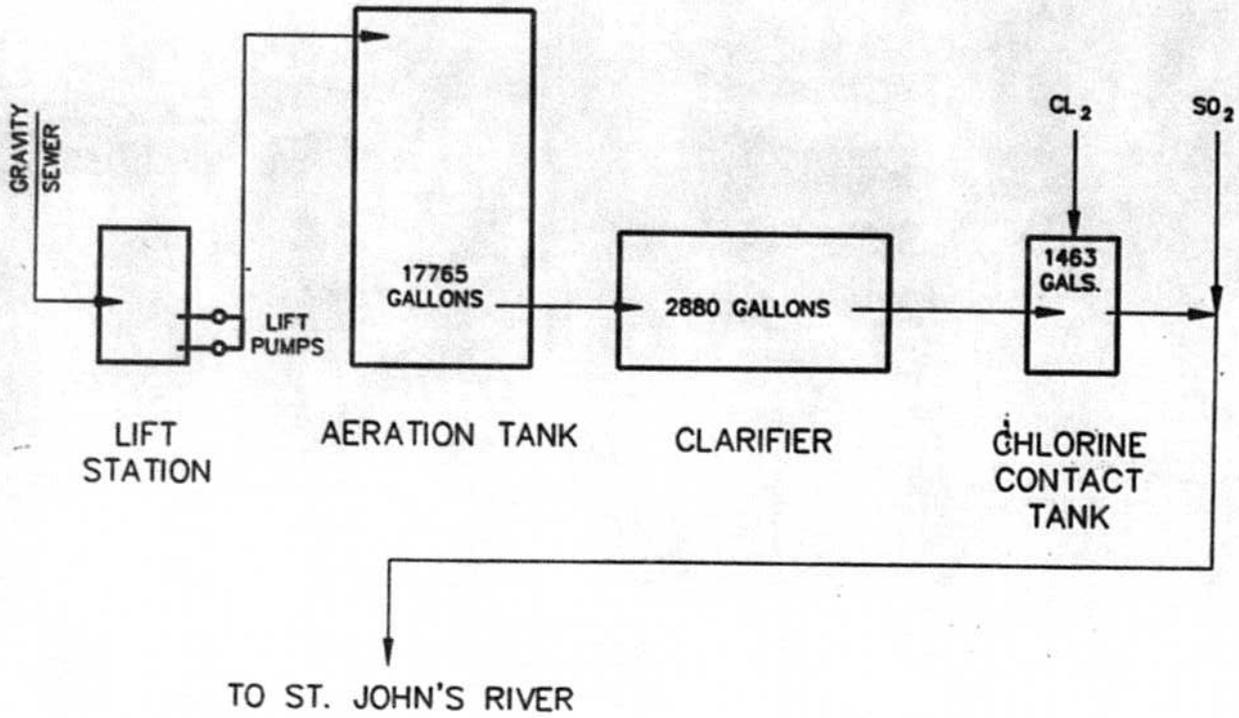
Chapter 3 - Future Conditions

The treatment plant for this facility was designed for only this facility. There are no plans to expand the facility or add additional connections to the wastewater treatment plant at this time. The plant was designed to handle 34 townhome units but as of this date, there are no plans to add the remaining units. The collection system only receives domestic waste. In fact there are plans for phaseout of this facility within the next few years depending on availability. At present, the County has no facilities to connect to economically.

Chapter 4 - Summary and Conclusions

The treatment plant is properly sized for the use intended and does not require enlarging or updating. The average flows are well within the capacity of the plant and require no expansion. There are no projections that will exceed the capacity of the existing plant within the next five years. When regional facilities are extended to this location, the plant will be eliminated.

FIGURE 1
PROCESS SCHEMATIC
POINTE TOWNHOMES WWF



J. LUCAS & ASSOCIATES, INC.
CONSULTING AND DESIGN ENGINEERS
10475 FORTUNE PARKWAY, SUITE 202
JACKSONVILLE, FLORIDA 32256
(904) 464-0090

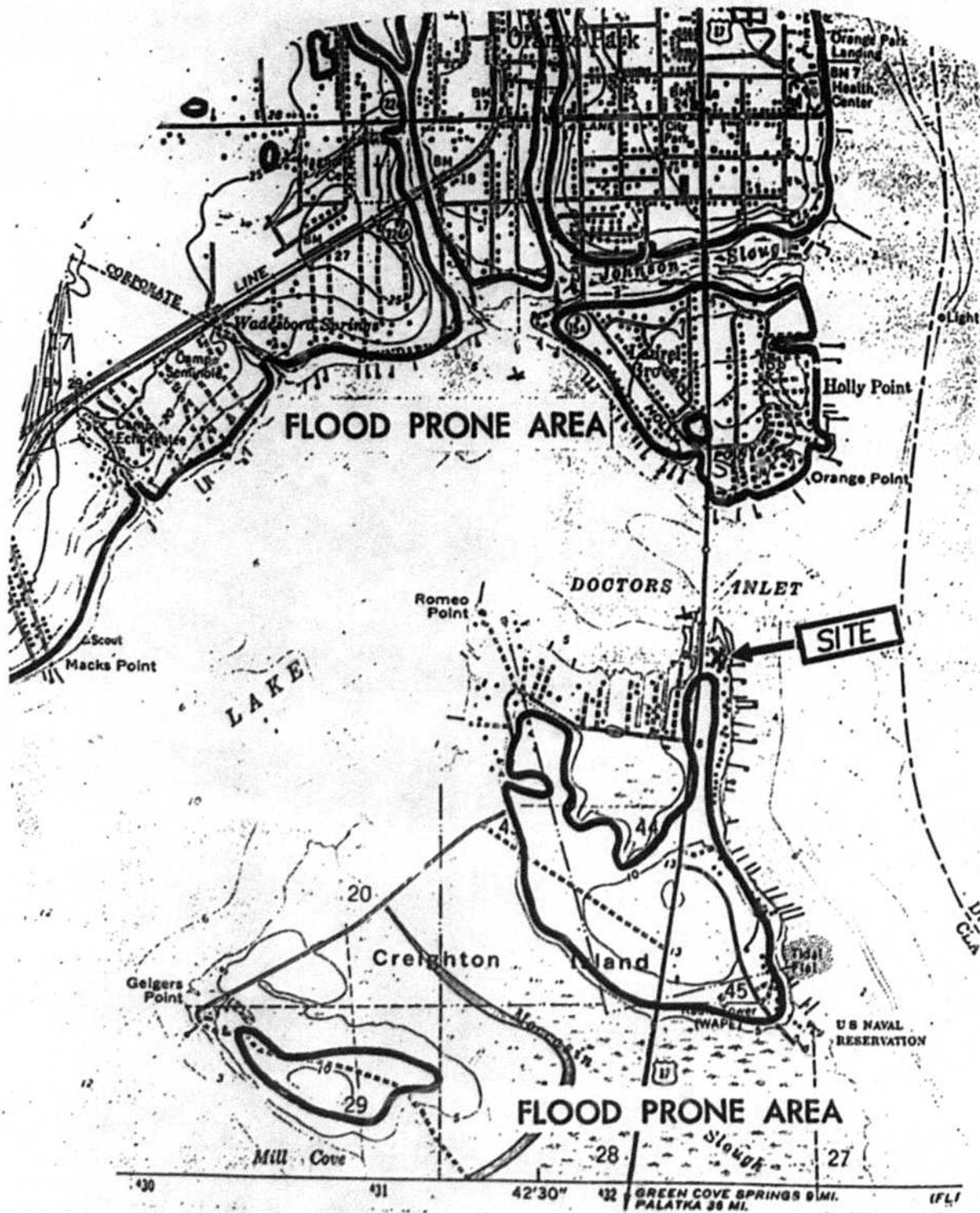


FIGURE 2
 SITE PLAN/LOCATION PLAN
 POINTE TOWNHOMES WWF

J. LUCAS & ASSOCIATES, INC.

CONSULTING AND DESIGN ENGINEERS

10475 FORTUNE PARKWAY, SUITE 202

JACKSONVILLE, FLORIDA 32256



THE POINT TOWNHOMES WASTEWATER TREATMENT FACILITY

FLOW ANALYSIS

	MONTH	MGD	3 MONTH AVERAGE	PERCENT OF CAP.	ANNUAL AVERAGE	PERCENT OF CAP.	RATIO 3 MO/AN. AVE.
1993	January	0.005					
	February	0.005					
	March	0.004	0.0047	31.11			
	April	0.005	0.0047	31.11			
	May	0.007	0.0053	35.56			
	June	0.009	0.0070	46.67			
	July	0.005	0.0070	46.67			
	August	0.006	0.0067	44.44			
	September	0.006	0.0057	37.78			
	October	0.005	0.0057	37.78			
	November	0.006	0.0057	37.78			
	December	0.006	0.0057	37.78	0.0058	38.33	0.9855
1994	January	0.006	0.0060	40.00	0.0058	38.89	1.0286
	February	0.006	0.0060	40.00	0.0059	39.44	1.0141
	March	0.006	0.0060	40.00	0.0061	40.56	0.9863
	April	0.006	0.0060	40.00	0.0062	41.11	0.9730
	May	0.006	0.0060	40.00	0.0061	40.56	0.9863
	June	0.005	0.0057	37.78	0.0058	38.33	0.9855
	July	0.006	0.0057	37.78	0.0058	38.89	0.9714
	August	0.006	0.0057	37.78	0.0058	38.89	0.9714
	September	0.009	0.0070	46.67	0.0061	40.56	1.1507
	October	0.006	0.0070	46.67	0.0062	41.11	1.1351
	November	0.005	0.0067	44.44	0.0061	40.56	1.0959
	December	0.006	0.0057	37.78	0.0061	40.56	0.9315
1995	January	0.008	0.0063	42.22	0.0063	41.67	1.0133
	February	0.007	0.0070	46.67	0.0063	42.22	1.1053
	March	0.007	0.0073	48.89	0.0064	42.78	1.1429
	April	0.008	0.0073	48.89	0.0066	43.89	1.1139
	May	0.008	0.0077	51.11	0.0068	45.00	1.1358
	June	0.007	0.0077	51.11	0.0069	46.11	1.1084
	July	0.008	0.0077	51.11	0.0071	47.22	1.0824
	August	0.01	0.0083	55.56	0.0074	49.44	1.1236
	September	0.01	0.0093	62.22	0.0075	50.00	1.2444
	October	0.01	0.0100	66.67	0.0078	52.22	1.2766
	November	0.011	0.0103	68.89	0.0083	55.56	1.2400
	December	0.009	0.0100	66.67	0.0086	57.22	1.1650
1996	January	0.008	0.0093	62.22	0.0086	57.22	1.0874
	February	0.009	0.0087	57.78	0.0088	58.33	0.9905
	March	0.011	0.0093	62.22	0.0091	60.56	1.0275
	April	0.014	0.0113	75.56	0.0096	63.89	1.1826
	May		0.0125	83.33	0.0097	64.85	1.2850
	June	0.007	0.0105	70.00	0.0097	64.85	1.0794
	July	0.015	0.0110	73.33	0.0104	69.09	1.0614
	August	0.009	0.0103	68.89	0.0103	68.48	1.0059
	September	0.007	0.0103	68.89	0.0100	66.67	1.0333
	October	0.011	0.0090	60.00	0.0101	67.27	0.8919

**OPERATION AND MAINTENANCE
PERFORMANCE REPORT**

**POINT TOWNHOMES
WASTEWATER TREATMENT
FACILITY**

CLAY COUNTY

DER NO. 3110PO0304

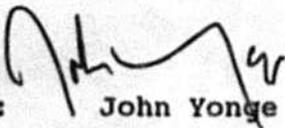
DEP PERMIT NO. DO10-221312

EXPIRES JUNE 30, 1996

January 20, 1997

CERTIFICATIONS

Permittee:


Name: John Yonge
Company: Point Water and Sewer, Inc.
Address: 4753 Raggedy Point Road
City: Orange Park, Florida 32073
County: Clay
Phone No.: (904) 269-1825

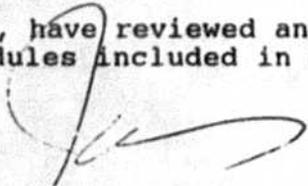
We, the above signee, have reviewed and is fully aware of the recommendations and schedules included in the report.

Operator:


Name: Mr. Ed McCormick
Company: Coastal Utility Services
Address: 9615 Shellie Road
City: Jacksonville, Florida 32257
Phone: (904) 262-4035
Certification No. C-0187

We, the above signee, have reviewed and is fully aware of the recommendations and schedules included in the report.

Engineer:


Name: James M. Lucas, P.E.
Company: J. Lucas & Associates, Inc.
Address: 10475 Fortune Parkway, Suite 202
City: Jacksonville, Florida 32256
Phone: (904) 464-0090

This is to certify that the information contained in the report is true and correct to the best of our knowledge, the report was prepared in accordance with sound engineering principles, and that the recommendations and schedules were discussed with the permittee or their representative and the lead operator and agrees that if the recommended schedules for corrective action are met, the facilities, when properly operated and maintained, will comply with all applicable statutes of the State of Florida and rules of the Department.

Chapter 1 - Introduction

The existing plant is a 0.015 mgd extended aeration steel package plant with discharge to the St. Johns River. The plant serves a 19 unit townhomes complex and the adjacent marina. Wastewater from the complex flows into the plant lift station where it is pumped to the aeration unit. Flow from the treatment unit enters a clarifier where the solids are separated from the liquid. Effluent from the clarifier enters a 1463 gallon chlorine contact chamber for disinfection. The effluent then flows through a dechlorine unit before discharging by gravity to the St. Johns River for disposal.

Solids from the clarifier is returned to the treatment unit by the return sludge air lift. Excess sludge is sent to the aerobic digester/sludge holding tank or hauled off by independent contractor. Effluent from the plant discharges via a 6-inch gravity outfall to the river.

The plant is presently permitted for 15,000 gallons per day. The discharge parameters are as follows:

flow:	0.015 gpd	Daily 5/wk
BOD:	20 ppm	Monthly Grab
SS:	20 ppm	Monthly Grab
pH:	6-8.5	Daily 5/wk
Chlorine Residual (contact tank)	0.5-1.0	Daily 5/wk
Residual (Outfall)	0.01	Daily 5/wk
Fecal	200/800	Monthly

Parameter	Annual	Monthly	Weekly	One time
B O D	20 ppm	30 ppm	45 ppm	60 ppm
S S	20 ppm	30 ppm	45 ppm	60 ppm

Monthly Average Daily Flows, Three-month Ave. Daily Flows, Annual Ave. Daily Flows are all shown in Table No. 1 and the Plant Performance Analysis is shown in Table No. 2

The monthly operating reports were examined and the following tables were generated. The plant was constructed in the early 1980's with the construction of the townhomes. Flows have fluctuated but not changed substantially since units have been occupied. Flows are reflective of the occupancy rate of the townhomes, the use of the Marina and the amount of infiltration inflow entering the system. The past operator stated that the flows for the past few years have not changed. Table 1 shows the monthly, three month average and annual average flows for the facility for the data provided. Flows were measured by the elapsed timer on the influent pumps.

Chapter 2 - Physical Conditions

At the Point Townhomes Wastewater Facility, there are numerous unit processes required for the treatment of wastewater. These components and processes used at the plant are as follows:

A. Pumping

Raw water pumping is conducted by the lift station located adjacent to the treatment plant. The plant receives flow from the station via a 4-inch force main.

B. Biological Treatment - Activated Sludge

There is one package extended aeration plant at this facility with sizes and flow ratings shown on the flow diagram.

C. Sedimentation - Final

There is a secondary clarifier.

D. Disinfection

Flow from the treatment unit is directed to the chlorination chamber. The chlorination system at present consists of solid tablet chlorine feed.

E. Dechlorination

Since this plant discharges to surface waters, there is dechlorination using a dechlorination chamber. The dechlorine solution is fed in solid form.

F. Residuals Treatment - Aerobic digestion

Treatment of residuals consists of aerobic digestion in the digester / sludge holding tank. Excess residuals are disposed of by independent

carrier to an approved disposal site.

G. Instrumentation

There is no instrumentation at this plant except for the elapsed time meters on the influent pumps.

H. Laboratory

There is no laboratory located at the plant. Operator uses portable lab equipment for in field testing and contracted laboratory for other testing.

I. Discharge

The plant discharges through a 6" outfall directly to the St. Johns River.

The field visit did not reveal evidence of hydraulic overload at this facility. The visit did reveal a plant in good condition. This observation was also made by DEP in their last visit to the plant on October 23rd. At that date, they suggested relocating the chlorine tablet basket away from the effluent discharge point to allow adequate disinfection prior to discharge. Our visit revealed that two chlorine baskets were put at the effluent launder of the clarifier prior to discharge to the chlorine contact tank. The existing tanks are in good condition due mainly to good maintenance. In general, the plant is operating well and efficiently.

The District noticed gas bubbles rising from the chlorine contact tank which would be an indication of sludge accumulation. Our visit indicated that this problem has been corrected. This in fact was caused by a leaky scum air lift located in the chlorine contact tank. The plant is equipped with a bottom air lift to remove solid material that may settle in this tank. The operator routinely checks for solids accumulation.

Chapter 3 - Treatment Efficiency

In table 2, a summary was made on the performance analysis of the plant for the last 46 month period from January 1993 thru October 1996. The discharge conditions are being met through the proper operation of this plant. The overall treatment efficiency of the plant appears adequate for discharge to the St. Johns River during this interim period until County service is available.

Examining the individual units, each unit is operating within the normal parameters for extended aeration. Under extended aeration, there must be a 15 to 24 hour detention time allowed. There is 28.4 hours detention time designed in the plant aeration zone. The clarifier was designed for a surface loading rate of 400 gallons per day per sq. ft. Based on the latest 3 month average

daily flow of .009 mgd, the aeration detention time is 47.4 hours. The surface loading rate for the clarifier based on the same three month average is 233 gallons per day per sf. Both these parameters are well within the limits of extended aeration.

The chlorine contact chamber does not show signs of short circuiting. With the chlorine being added to the effluent of the clarifier, the effluent has adequate time to mix and disinfect prior to discharge.

Chapter 4 - Performance Trends...

Reviewing the operating data in Table 2, we see no change in the characteristics of the wastewater entering the plant. We see no change in the makeup of the service area and do not anticipate any modifications in the type of waste from this area. The flow records do not indicate an excessive infiltration/ inflow problem. The loadings into the plant are within the capabilities of the unit processes within the plant. The treatment facility, with proper operation and maintenance, should be capable of producing an effluent within permit limits through the life of the operation permit or until County service is available. The plant is within their limits to date.

The plant operation data does not show that there is an I/I problem at this facility. Therefore, the current I/I is within the limits of the plants ability to meet the discharge limits.

There are no plans to expand the service area beyond the development property. Therefore, there are no plans to expand the plant. This plant will be phased out when regional systems are available. There have been no bypasses of untreated wastewater from this treatment plant.

Chapter 5 - Operation and Maintenance Program

There are no record drawings of the plant. There is a generic general operation and maintenance manual at the office of the operator to be used by the operators in reference to the operation of the facilities. There is no suitable place to store written material at the site. The operation and maintenance manual is continually updated as equipment and processes are phased out and new systems are added. However, there have not been any additional systems added to this facility since startup. All equipment are basic common equipment for facilities of this size and are readily available. The operator is very familiar with the equipment at the plant and keeps the equipment bulletins at his main office.

The operators keep records on operation and maintenance in a log kept on the property. This facility has been inspected by the Florida Department of Environmental Protection in the past. All records were in order at that time. The plant is adequately staffed. All testing done is acceptable as stated in their last

State inspection.

Chapter 6 - Collection System Evaluation

Based on the flow evaluation shown in the capacity analysis report, the system does not experience an overabundance of inflow during rain events.

There are 19 lots and a marina tied into the plant. Estimated flow per capita is unable to determine due to the nature of the marina.

Based on interviews with the operation personnel, there are no septic sewer problems within the collection system. There are no industrial waste contributors in this system. The plant is not affected by any toxic materials discharged into the system.

Chapter 7 - Problems, Deficiencies and Corrective Actions

The treatment plant is operating well and should operate successfully throughout the permit period without any modifications.

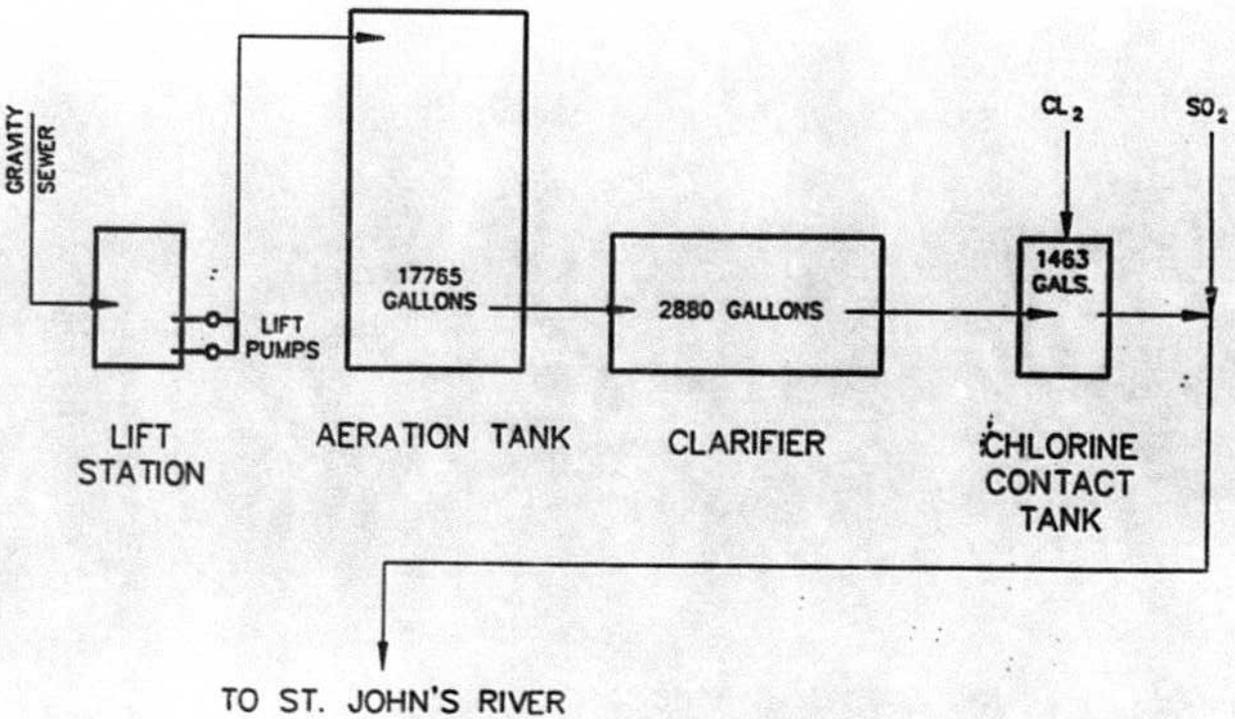
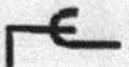


FIGURE 1
 PROCESS SCHEMATIC
 POINTE TOWNHOMES WWF



J. LUCAS & ASSOCIATES, INC.
 CONSULTING AND DESIGN ENGINEERS

10475 FORTUNE PARKWAY, SUITE 202
 JACKSONVILLE, FLORIDA 32256
 (904) 464-0090

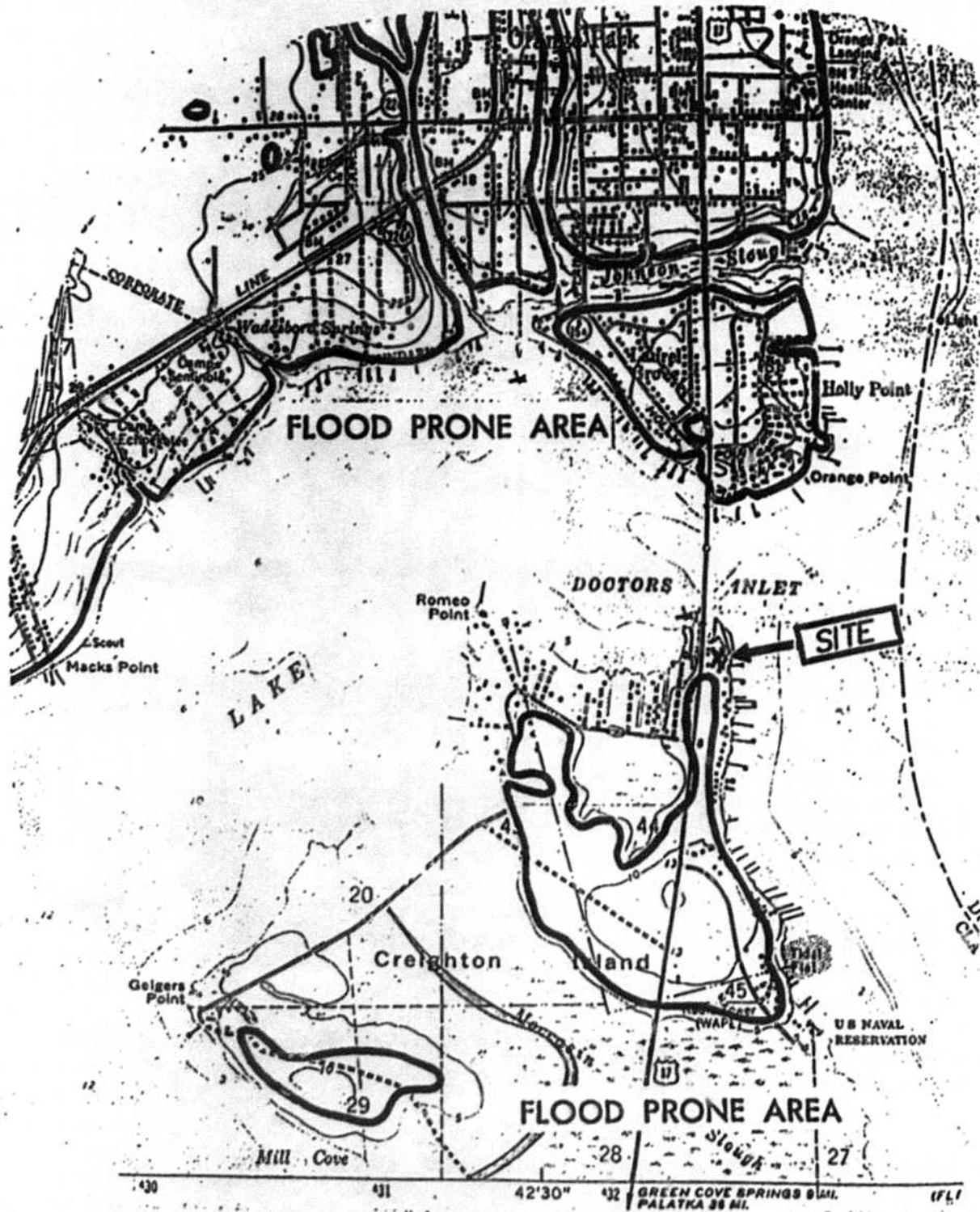


FIGURE 2
 SITE PLAN/LOCATION PLAN
 POINTE TOWNHOMES WWF

J. LUCAS & ASSOCIATES, INC.
 CONSULTING AND DESIGN ENGINEERS
 10475 FORTUNE PARKWAY, SUITE 202
 JACKSONVILLE, FLORIDA 32256
 (904) 464-0090



THE POINT TOWNHOMES WASTEWATER TREATMENT FACILITY

FLOW ANALYSIS

	MONTH	MGD	3 MONTH AVERAGE	PERCENT OF CAP.	ANNUAL AVERAGE	PERCENT OF CAP.	RATIO 3 MO/AN. AVE.
1993	January	0.005					
	February	0.005					
	March	0.004	0.0047	31.11			
	April	0.005	0.0047	31.11			
	May	0.007	0.0053	35.56			
	June	0.009	0.0070	46.67			
	July	0.005	0.0070	46.67			
	August	0.006	0.0067	44.44			
	September	0.006	0.0057	37.78			
	October	0.005	0.0057	37.78			
	November	0.006	0.0057	37.78			
	December	0.006	0.0057	37.78	0.0058	38.33	0.9855
1994	January	0.006	0.0060	40.00	0.0058	38.89	1.0286
	February	0.006	0.0060	40.00	0.0059	39.44	1.0141
	March	0.006	0.0060	40.00	0.0061	40.56	0.9863
	April	0.006	0.0060	40.00	0.0062	41.11	0.9730
	May	0.006	0.0060	40.00	0.0061	40.56	0.9863
	June	0.005	0.0057	37.78	0.0058	38.33	0.9855
	July	0.006	0.0057	37.78	0.0058	38.89	0.9714
	August	0.006	0.0057	37.78	0.0058	38.89	0.9714
	September	0.009	0.0070	46.67	0.0061	40.56	1.1507
	October	0.006	0.0070	46.67	0.0062	41.11	1.1351
	November	0.005	0.0067	44.44	0.0061	40.56	1.0959
	December	0.006	0.0057	37.78	0.0061	40.56	0.9315
1995	January	0.008	0.0063	42.22	0.0063	41.67	1.0133
	February	0.007	0.0070	46.67	0.0063	42.22	1.1053
	March	0.007	0.0073	48.89	0.0064	42.78	1.1429
	April	0.008	0.0073	48.89	0.0066	43.89	1.1139
	May	0.008	0.0077	51.11	0.0068	45.00	1.1358
	June	0.007	0.0077	51.11	0.0069	46.11	1.1084
	July	0.008	0.0077	51.11	0.0071	47.22	1.0824
	August	0.01	0.0083	55.56	0.0074	49.44	1.1236
	September	0.01	0.0093	62.22	0.0075	50.00	1.2444
	October	0.01	0.0100	66.67	0.0078	52.22	1.2766
	November	0.011	0.0103	68.89	0.0083	55.56	1.2400
	December	0.009	0.0100	66.67	0.0086	57.22	1.1650
1996	January	0.008	0.0093	62.22	0.0086	57.22	1.0874
	February	0.009	0.0087	57.78	0.0088	58.33	0.9905
	March	0.011	0.0093	62.22	0.0091	60.56	1.0275
	April	0.014	0.0113	75.56	0.0096	63.89	1.1826
	May		0.0125	83.33	0.0097	64.85	1.2850
	June	0.007	0.0105	70.00	0.0097	64.85	1.0794
	July	0.015	0.0110	73.33	0.0104	69.09	1.0614
	August	0.009	0.0103	68.89	0.0103	68.48	1.0059
	September	0.007	0.0103	68.89	0.0100	66.67	1.0333
	October	0.011	0.0090	60.00	0.0101	67.27	0.8919

THE POINT TOWNHOMES WASTEWATER TREATMENT FACILITY

PERFORMANCE ANALYSIS

	FLOW - MGD ADF	INFLUENT		EFFLUENT		pH	Chl Resid CCC	Chl Resid Out.	FECAL	
		BOD	TSS	BOD	TSS					
1993	January	0.005	405	359	6.4	15	7.4	0.5	0.01	100
	February	0.005			29.4	11	7.25	0.5	0.01	100
	March	0.004	232	60	18.5	1	7.2	0.5	0.01	10
	April	0.005	145	180	1	2	7.2	1	0.01	10
	May	0.007	630	207	11.3	6	6.9	0.5	0.01	
	June	0.009	300	77	3.2	2	7	0.5	0.01	10
	July	0.005	63	3	2	1	7.4	0.1	0.01	10
	August	0.006	120	47	4.5	7	7.45	0.1	0.01	10
	September	0.006	420	457	23.5	7	7.095	0.5		10
	October	0.005	60	5	16	4	7	0.2	0.01	10
	November	0.006	145	73	3.5	1	7.15	0.8	0.01	10
	December	0.006	233	290	5.9	4	7.2	0.6	0.01	10
	Average	0.006	319	325	6.2	9.5	7.3	0.55	0.01	55
1994	January	0.006	152	92	1	1	7.1	0.5	0.01	10
	February	0.006	141	100	9.7	5	7.1	0.5	0.01	10
	March	0.006	239	370	4.1	1	7.15	1	0.01	1
	April	0.006	158	70	1.7	1	7.2	0.8	0.01	10
	May	0.006	101	367	1.8	2	7.45	0.5	0.01	
	June	0.005	169	28	10.1	1	7.15	0.5	0.01	2
	July	0.006	103	44	10.4	1	7.15	0.5	0.01	88
	August	0.006	129	126	1.3	1	6.9	0.5	0.01	4
	September	0.009	101	98	5.6	8	6.95	0.5	0.01	2
	October	0.006	340	407	3.3	1	7.35	0.7	0.01	
	November	0.005	200	306	2.6	1	7.15	0.5	0.01	
	December	0.006	109	22	4	8	7.65	0.8	0.01	1552
	Average	0.006	162	169	4.6	2.6	7.19	0.61	0.01	187
1995	January	0.008	80	70	7.2	1	7.7	0.8		1
	February	0.007	135	76	4.4	2	7.75	0.8		2
	March	0.007	55	64	2	4	7.4	0	1.4	2
	April	0.008	206	216	5	3	7.25	0.5	1	2
	May	0.008	354	544	2	4	7.4	0.5	0.8	2
	June	0.007	232	342	2	4	7.35	0.5	0.8	2
	July	0.008	199	132	2	2	7.4	0.5	1	1600
	August	0.01	156	278	2	4	7.45	0.5	0.01	2
	September	0.01	262	360	2	10	7.45	0.5	0.8	2
	October	0.01	448	656	2	7	7.5	0.5	0.8	2
	November	0.011	261	750	2	17	7.45	0.6	0.01	2
	December	0.009	263	932	2	2	7.5	0.5	0.01	2
	Average	0.009	221	368	2.9	5	7.47	0.5	0.66	135
1996	January	0.008	110	71	2	6	7.45	0.5	0.01	6
	February	0.009	157	56	2	2	7.45	0		2
	March	0.011	318	120	2	1	7.45	0	0.01	2
	April	0.014	258	216	2	1	7.45	0	0.01	2
	May									
	June	0.007	177	92	2	1	7.45	0	0.01	2
	July	0.015	183	356	2	3	7.45	0	0.01	2
	August	0.009	218	16	2	1	7.45	1	0.01	2
	September	0.007	242	284	2	1	7.45	1	0.01	2
	October	0.011	166	220	5	1	7.45	1	0.01	2
	Average	0.010	203	159	2.3	1.9	7.45	0.4	0.01	2

ATTACHMENT 2

FIELD EVALUATION OF COMPONENT OPERATIONS

POINT TOWNHOMES WASTEWATER FACILITY

PHYSICAL CONDITION

Hydraulic and Organic Overloading

1. Is there evidence of past spills at the plant or through nearby (upstream) manholes? (Discoloration of the ground or a strong smell may indicate past spills at the plant.) yes no
2. Are raw sewage pumping stations, influent lines, overflow weirs, or other structures surcharged? yes no
3. Is there flow through bypass channels? yes no
4. Are there old high water lines or are the weirs on the clarifier flooded? yes no
5. Are there overflows at alternative discharge points, channels, or other areas? yes no
6. Are there any open-ended pipes that appear to originate in a process or storage area and periodically contain flows to the ground or to surface water? (Although these pipes have been disconnected from a closed system or otherwise removed from service, they can still be connected to a discharge source.) yes no
7. Is the facility receiving excessive septage dumping from septic tanks? yes no
8. Are checks for overflows performed routinely? yes no

General Condition

1. Is there evidence of corrosion problems at the treatment plant and in the collection system? yes no
2. Do any of the units or associated equipment show signs of excessive wear? yes no

Rule Requirements

1. Does each component, system, or process meet the applicable reliability standards required by Rule 17-600.400(1)(b), F.A.C.? yes no
2. Does the facility have adequate alarm systems for power or equipment failures as recommended by standard design references? yes no *High level alarm on L.S. only*
Are they working properly? yes no

4. Is there any unusual equipment intended to correct operational problems (e.g. special pumps, floating aerators in diffused air systems, chemical feeders, temporary construction or structures, or any improvised systems)? () yes (✓) no
5. Are all components, systems, and processes expected to continue to operate properly for the permit period? (✓) yes () no

If no, explain. _____

Safety Features

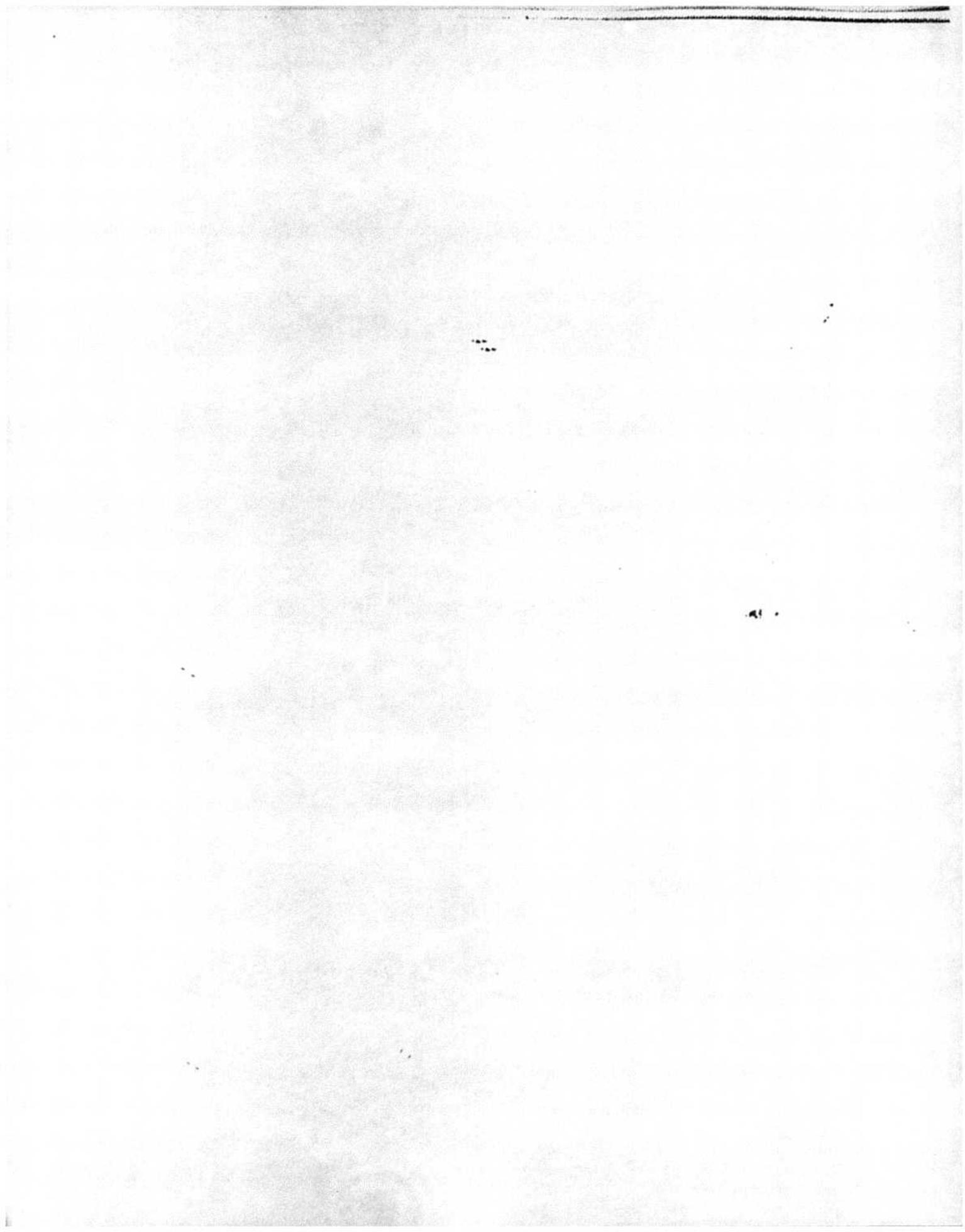
1. Are proper safety precautions used for each component, system, and process? (✓) yes () no

If no, explain. _____

2. Is a written set of safety rules available to all employees? () yes (✓) no
3. Is the plant generally clean and free from open trash areas? (✓) yes () no
4. Is the plant site enclosed with a fence or otherwise designed with appropriate features that discourage the entry of animals or unauthorized persons? (✓) yes () no
5. Are wastewater pipes clearly distinguished from product pipes? () yes (✓) no
6. Are there any cross connections between a potable water supply and non-potable source? () yes (✓) no *has adequate backflow preventer*
7. Does the plant have the following recommended safety equipment?
- a. Portable air blower (gas motor or electric motor operated) () yes (✓) no
 - b. Electric explosion-proof lantern () yes (✓) no
 - c. Safety harness () yes (✓) no

23. Are chemicals stored properly? (yes () no
24. Are undiked oil/chemical storage tanks used at the facility?
() yes () no (not applicable
25. Are chemical storage tanks designed to handle the particular chemical? () yes () no (not applicable
26. Are storage bins provided with dust collectors and vents?
() yes () no (not applicable
27. Are storage bins large enough to avoid continuous filling which requires the presence of an operator all the time?
() yes () no (not applicable
28. Are access points for sampling dry points which can be reached safely? (yes () no

3. Are analytical results consistent with the data reported in the following?
- Monthly operating report yes () no
 - Limited wet weather discharge report () yes no
 - Ground water monitoring report () yes no
 - Reclaimed water or effluent analysis report () yes no
4. Do sampling and analyses data include the following?
- Dates, times, and location of the sampling yes () no
 - The name of the individual performing the sampling yes () no
 - The analytical methods and techniques used yes () no
 - The results of the analyses and calibration yes () no
 - The dates of the analyses yes () no
 - The name of the person performing the analyses yes () no
 - The instantaneous flow at the grab sample station () yes no
5. Do monitoring records include records for all parameters that must be monitored in accordance with the permit? yes () no
6. Are flow meter calibration records available?
() yes () no *N/A ETM meters*
7. Are laboratory equipment calibration and maintenance records adequate?
 yes () no
8. Are plant records adequate and do they include the following?
- A copy of the Department permit yes () no
 - An up-to-date operation and maintenance manual yes () no
generic O&M manual
 - Record drawings () yes no
 - Schedules and dates of equipment maintenance repairs
 yes () no *in log book*
 - Equipment suppliers manual () yes no
 - Equipment data cards or equal () yes no



16. If the pump station is constant speed, do sudden surges affect the operation of the treatment facility when each pump is activated?
() yes () no () not applicable
17. What is the general condition of the raw wastewater pump station?
() good () fair () poor
18. What are the most common problems that the operator has had with the pump station? If there are problems with the screens, use the section on screens. An occasional clog which is easily removed from the above ground pumps.
none in last 18 mo.

FLOW MEASUREMENT

1. What type of flow meter is used? () propeller meter
 () magnetic meter () venturi tube () flow tube
 () positive displacement () diaphragm meter () weir
 () Parshall flume () rotameter (✓) other ETM on influent pumps
2. What is the design capacity of the flow measurement device?
 mgd
3. What is the present wastewater flow measured? mgd
4. Where is the flow meter located? on influent pumps
5. Are the flow measurement device and associated instruments (totalizers, recorders, etc.) properly installed? (✓) yes () no
6. Is there adequate straight length of pipe or channel before and after the flowmeter? () yes () no N/A
7. Is the flow entering the flume reasonably well-distributed across the channel and free of turbulence, boils, or other disturbances? () yes () no (✓) not applicable.
8. Is the flow measurement system capable of measuring the entire range of wastewater flow? (✓) yes () no
9. Are flow measurements being properly made by plant personnel? (✓) yes () no
10. Are flow records properly kept? (✓) yes () no
11. Are sharp drops or increases in flow records accounted for? () yes () no N/A
12. Does the flow chart exhibit uniform flow? () yes () no N/A
13. Do any plant return flows discharge upstream from the meter? () yes (✓) no
14. Are float and bubble wells clean and free of grease and debris? () yes () no (✓) not applicable
15. Are weirs free of debris? () yes () no (✓) not applicable
16. Are weirs or flumes broken or cracked? () yes () no (✓) not applicable
17. Are weir plates corroded or damaged, not sharp edged ($\leq 1/8"$), or not level? () yes () no (✓) not applicable
18. Are stilling wells clogged or broken? () yes () no (✓) not applicable

BIOLOGICAL TREATMENT

Activated Sludge

1. How many aeration basins are there? 1
2. What is the design capacity of each basin? 10,015 mgd
3. What is the actual flow to each basin? 0,010 mgd average
0,014 mgd peak
4. What is the flow regime? (conventional) (step aeration)
(complete mix) (pure oxygen) (other) _____
5. What type of aeration equipment is used?
(diffused air) (mechanical aerators) (other) _____
6. What are the dimensions of each aeration basin? 12' ϕ x 21' long.
7. What is the color of the activated sludge? (black) (dark brown)
(light brown) (other) medium brown
8. What is the odor of the activated sludge? (septic) (earthy)
(none) (other) _____
9. What characteristics most accurately describe the foam?
(light, crisp) (thick, dark) (heavy, white) (other) _____
10. Are the tank contents mixed thoroughly? (yes) (no)
11. Are there excessive air leaks in the compressed air piping?
(yes) (no) (not applicable)
12. Is the dissolved oxygen level in the aeration tank low (<1.0 mg/l)?
(yes) (no)
13. Does mixing appear excessive? (yes) (no)
14. Does air rise in clumps? (yes) (no)
15. Do there appear to be dead spots in the aeration basin?
(yes) (no)
If yes, at what location? _____
16. What is the depth of the sand and grit layer? \pm 1" feet
17. What is the active capacity of the aeration basin?
2,375 cubic feet
18. Is the process operating in its design mode? (yes) (no)
If no, explain. _____

19. Are the return activated sludge pumps operating? yes () no
If no, what is the reason? _____
20. Are there flow measurement devices for the return activated sludge and waste activated sludge systems? () yes no
21. Does the aeration basin have a foam control system? () yes no
22. If multiple basins are operating, is the flow distributed equally?
() yes () no not applicable
How is it distributed? _____
23. Are the characteristics of the basin contents different in the various units? () yes () no not applicable
24. How is the system operated? () manually () semi-automatically
 automatically () computer-controlled () other _____
25. What is the frequency of routine inspections for proper operation?
260 /day
26. What is the frequency of maintenance inspections by plant personnel?
260 /year
27. What is the general condition of the activated sludge facilities?
 good () fair () poor
28. What are the most common problems that the operator has had with the activated sludge system? none in last 18 mos.

SEDIMENTATION

Final

1. How many final sedimentation basins are there? 1
2. What is the design capacity of each basin? .015 mgd average
.030 mgd peak
3. What is the actual flow to each basin? .010 mgd average
.020 mgd peak
4. What are the dimensions of the basins? 7' ϕ x 12' Deep
5. Is chemical addition used to improve settling? () yes (X) no
If yes, what chemical(s) are added? _____
6. Is there an excessive accumulation of scum, grease foam, or floating residuals in the clarifier? () yes (X) no
7. Are there excessive gas bubbles on the surface of the clarifier?
() yes (X) no
8. Is there scum overflow, lack of adequate scum disposal, or is the scum pit full? () yes (X) no
9. Does the tank surface indicate improper residuals withdrawal (i.e., excessive floating solids, gas, etc.)? () yes (X) no
10. What volume of residuals is pumped? 15,000 gpd total
15,000 gpd RAS 150 gpd WAS
11. What is the solids concentration of the residuals? ± 1.5%
12. Are there settleable solids in the effluent? () yes (X) no
13. How are residuals pumped? () manually (X) automatically
14. How often do residuals pumps run? _____ number of times each day
How long do residuals pumps run? _____ number of minutes each time
15. Does the residuals collection system show any signs of mechanical failure? () yes (X) no
Air lift pump operator diverts RAS to waste.
16. Is there excessive residuals on the bottom of the basin (i.e., inadequate residuals removal)? () yes (X) no
17. Is there excessive solids build-up in the center well of the clarifier? () yes (X) no
18. What is the depth of the sand and grit layer? ± 1' feet

DISINFECTION

Chlorination

1. How many chlorine contact basins are there? 1
2. What is the design capacity of each basin? .015 mgd average
.030 mgd peak hourly flow
3. What is the actual flow to each basin? .010 mgd average
.020 mgd peak hourly flow
4. What are the dimensions of the basins? 195.5 CF
5. What is the detention time of each contact basin at peak-hourly flow?
56 minutes
6. What chlorine dosage is applied? 10 mg/l (solid tablets)
7. What is the normal level of chlorine residual in the basin effluent?
.5-1 mg/l
8. Are disinfection standards being met? () yes () no
9. What type of chlorination system is being used? () chlorine cylinders () on-site sodium hypochlorite generation () sodium hypochlorite solution () calcium hypochlorite solution
Solid Chlorine Tablets.
10. What is the design capacity of the chlorination system?
 lbs/day
What is the maximum capacity of the chlorination system?
 lbs/day
11. What is the configuration of the chlorine contact basin? () round
() rectangular () other
12. Is the contact basin adequately baffled to minimize short-circuiting?
() yes () no
13. How is chlorine introduced into the wastewater entering the contact basin? () perforated diffusers () injector with single entry point
() other Tablet basins at surface
14. Are mechanical mixing provisions incorporated in the chlorine contact basins design? () yes () no
15. Is there an adequate reserve supply of chlorine? () yes () no
How many days of supply is maintained? 30 + 15 days
16. Are there high temperatures in the chlorination rooms?
() yes () no

RESIDUALS TREATMENT

Aerobic Stabilization

1. How many aerobic digesters are there? 1
2. What is the design influent flow to each digester?
15 gallons/day average
3. What is the actual influent flow to each digester?
As needed gallons/day average
4. What are the dimensions of each unit? 1463 gal.
5. How many units are presently operating? 1
6. What type of residuals are treated in the aerobic digester?
() waste activated () primary () primary and waste activated
() other _____
7. How often are residuals applied to the digester? As needed/day
8. What is the total duration of influent pumping? .5 hours/day
9. How are influent residuals pumped? () manually () automatically
10. What is the solids concentration in the influent residuals? ±1.5 %
11. What is the solids concentration in the aerobic digesters? ±2 %
12. What type of aeration equipment is used? () diffused air
() mechanical mixers () combination () other _____
13. If diffused aeration is used, do air diffusers require frequent cleaning? () yes () no () not applicable
14. What type of aerobic digesters are used? () open () closed
15. What type of aeration is provided? () conventional () pure oxygen
16. What is the residuals retention time? ±45 days
17. What is the volatile suspended solids (VSS) loading?
_____ lb VSS/cu ft/day
18. What type of feed system is used? () continuous () batch
19. What is the solids concentration of the residuals following settling?
3 %
20. How much waste residuals are pumped? As needed gallons/day

42. Does the unit show signs of short circuiting and/or overloads?
 yes no
43. Does the method of stabilization comply with either the Process to Further Reduce Pathogens (PFRP) or the Process to Significantly Reduce Pathogens (PSRP) as described in Title 40 Code of Federal Regulation's Part 257? yes no

If yes, which one? PFRP PSRP

If no, explain. _____

44. What is the frequency of routine inspections for proper operation?
260 /day
45. What is the frequency of maintenance inspections by plant personnel?
260 /year
46. What is the general condition of the aerobic digesters?
 good fair poor
47. What are the most common problems that the operator has had with the aerobic digesters? _____

DISPOSAL SYSTEMS

Outfalls

1. How many outfalls are there? 1
2. What type of receiving waters does the outfall(s) discharge to?
() ocean () estuary () lake () river () other _____
3. What is the design capacity of each outfall?
.015 mgd average .030 mgd peak
4. What is the present discharge at each outfall?
.010 mgd average .020 mgd peak
5. What are the diameter and length of each outfall? 6" PVC, 800'
6. Are the outfall diffusers functioning properly?
() yes () no () not applicable
7. Is the outfall(s) operating so that the discharge limitations specified in the permit are consistently met? () yes () no
8. How does the effluent flow in the outfall? () gravity () pressure
If the flow is by gravity and if the outfall(s) extends into the receiving waters, is a manhole provided at the shore end of the outfall? () yes () no () not applicable
9. Is adequate corrosion control provided (i.e., pipe coatings, cathodic protection, etc.)? () yes () no
10. For outfalls subject to tidal or high water backup, are flap valves or automatically closing gates functioning properly?
() yes () no () not applicable
11. Does the outfall(s) exhibit signs of scour or undercutting?
() yes () no
12. Is the outfall(s) adequately protected from floodwaters, tides, and other hazards so as to reasonably ensure structural stability and prevent stoppage? () yes () no
13. Can effluent samples be obtained at a point after the final treatment process and before discharge to or mixing with the receiving waters?
() yes () no
14. Are outfall and diffuser pipes routinely inspected for breakage and corrosion? () yes () no
15. What is the frequency of maintenance inspections by plant personnel?
260 /year

16. What is the general condition of the outfall facilities?
() good () fair () poor

17. What are the most common problems that the operator has had with the
plant outfall(s)? None

ASSIGNMENT

Know all men by these present, that IGR, Inc., a corporation (IGR) (successor to NOH, Inc. by merger) does for good and valuable consideration the receipt and sufficiency of which is acknowledged assign set over and transfer to Point Water & Sewer, Inc., a corporation (PWS) all of the rights, powers, duties and responsibilities of IGR, Inc. as Successor Declarant as defined and set forth in the Amended and Restated Declarations of Covenants, Conditions, Restrictions and Provisions for Party Wall of the Point, dated May 19, 1981 and recorded in ORB 628, page 432 public records of Clay County, Florida and amended by Second Amendment to Amended and Restated Declaration of Covenants, Conditions, Restrictions and Provisions for Party Wall of the Point, dated February 27, 1988 and recorded in ORB 1172, page 750 public records of Clay County, Florida and from this day forward PWS by the delivery and acceptance of this assignment shall be the Declarant as described in the above documents with all of the powers, authority, duty and responsibility thereunto appertaining and forever releasing IGR therefrom.

12th In witness whereof this assignment has been executed this day of September, 1995 (effective date)

IGR, Inc.
BY: [Signature]
President

Acceptance

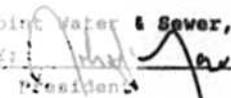
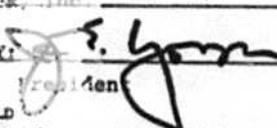
Point Water & Sewer, Inc., a corporation, hereby accepts this assignment and shall be the Successor Declarant.
Dated September 12, 1995 (effective date)

Point Water & Sewer, Inc.
BY: [Signature]
President

CBR
sent

EXHIBIT
"3"

The terms, warranties and agreements herein contained shall bind and inure to the benefit of the respective parties hereto and their respective legal representatives, successors and assigns.
 The gender and number used in this agreement are used as a reference only and shall apply with the same effect whether the parties are of the masculine or feminine gender, corporate or otherwise, and the singular shall likewise include the plural.
 This agreement may not be changed orally.
 In Witness Whereof, the Parties have respectively signed and affixed their seals and signatures on this _____ day of _____, 19____ presents the day and year first above written.


 Point Water & Sewer, Inc. .
 BY: 
 President
 ICB, Inc.
 BY: 
 President

SCHEDULE OF PROPERTY SOLD

Describe items of collateral and the address where each item will be located. If property is to be affixed to real estate describe the real estate and state the name and address of the owner of record (if any).

<u>Items</u>	<u>Location, etc.</u>
The water treatment plant and the sewer treatment plant and all easements, lines, pipes, equipment and machinery comprising and being a part of said plants located at the Point and serving the Point Townhouses as described in the Amended and Restated Declaration of Covenants recorded in ORB 628, page 432 public records of Clay County, Florida as amended by Second Amendment to Amended and Restated Declaration of Covenants recorded in ORB 1172, page 750 public records of Clay county, Florida as located at the Point Townhouses as shown on the attached survey.	The Point Townhouses Orange Park, Florida at the St. Johns River & U.S. Highway #17 (See attached map)

The chief place of business of the Debtor, if other than stated in this agreement, is:

BANKCO FORM 64
Security Agreement
 (CONDITIONAL SALES CONTRACT)

 TO

 DATED, _____



January 28, 1997

Public Service Commission
Tallahassee, Florida

Re: Point Water and Sewer, Inc.

Gentlemen:

I am writing to advise that Regent Bank has made available to Point Water and Sewer, Inc. a revolving line of credit in the amount of \$30,000.

If there are any questions or if any additional information is needed, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Spiro', written over a horizontal line.

Cyril S. Spiro
Chairman and President

EXHIBIT

" 4 "



January 28, 1997

Public Service Commission
Tallahassee, Florida

Re: Point Water and Sewer, Inc.

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Cyril S. Spiro
Chairman and President

EXHIBIT

" 4 "

AC# 4301590

STATE OF FLORIDA
Department of Business and Professional Regulation
WATER/WASTE WATER TREATMENT

DATE	BATCH NUMBER	LICENSE NBR
12/17/1996	96902781	WW -0000187

The CLASS C DOMESTIC WASTEWATER TREATMENT PLANT OPER.
Named below IS LICENSED
Under the provisions of Chapter 468 FS.
Expiration date: FEB 28, 1999

MCCORMACK, EDWARD J.
9603 SCHELLIE ROAD
JACKSONVILLE

FL 32257



LAWTON CHILES
GOVERNOR

DISPLAY AS REQUIRED BY LAW

RICHARD T. FARRELL
SECRETARY

EXHIBIT

15"

POINT PROPERTY OWNERS ASSOC.
LORIE A. EASTERLING, PRESIDENT
324 SCENIC POINT LANE
ORANGE PARK, FLORIDA 32073

NOVEMBER 3, 1992

MR. CHARLES G. HOURIET, P.E.
DOMESTIC WASTE SECTION
DEPARTMENT OF ENVIRONMENTAL REGULATION
NORTHEAST DISTRICT
7825 BAYMEADOWS WAY SUITE B 200
JACKSONVILLE, FLORIDA 32256-7577

RE: THE POINT TOWNHOMES
DER PERMIT NO. D010-139088
PERMIT RENEWAL

DEAR MR. HOURIET:

PURSUANT TO AN AGREEMENT BETWEEN THE POINT PROPERTY OWNERS ASSOCIATION AND KAREN YONGE CARR, JIM YONGE AND NOH INC. WE ARE RESPONSIBLE FOR THE OPERATION OF THE ABOVE MENTIONED WASTEWATER TREATMENT PLANT.

AFTER RECEIVING YOUR RENEWAL APPLICATION, THE YONGES SENT US A COPY OF THE PAPERWORK (AFTER A LENGTHY DELAY, IT WAS RECEIVED BY US AROUND OCTOBER 18, 1992). IN FULFILLING OUR RESPONSIBILITY OF OPERATING THE PLANT, WE CONTRACTED AN ENGINEER AND PROCEEDED TO HAVE THE APPLICATION PROCESS COMPLETED.

WHEN THE ENGINEER, WHO WAS ALREADY WORKING UNDER A TIME CONSTRAINT, COMPLETED THE APPLICATION, I CONTACTED MS. YONGE CARR AND TOLD HER WE NEEDED HER SIGNATURE AS OWNER OF THE PLANT. AFTER SEVERAL MESSAGES AND RETURN CALLS SHE ASKED ME TO CALL JIM YONGE AND TELL HIM WHAT THIS WAS ABOUT. I DID AS SHE REQUESTED AND HE SAID TO GIVE HER A COPY OF THE APPLICATION AND LET HER LOOK IT OVER. I CALLED HER AND SHE WAS UNCOOPERATIVE AS TO US GETTING TOGETHER TO LOOK THIS OVER. I TOLD HER WE WERE UNDER A NOVEMBER 5 DEADLINE. SHE SAID SHE WOULD CALL ME BACK. THIS WAS ON FRIDAY, OCTOBER 30. I CALLED HER AGAIN ON SATURDAY AND THERE WAS NO ANSWER. I FEEL THAT AT THIS TIME IT IS BEST TO JUST SEND YOU THE COMPLETED RENEWAL APPLICATION WITHOUT HER SIGNATURE AND LET YOU DEAL WITH THE YONGES.

EXHIBIT

"6"

IF YOU DO CONTACT THEM, YOU MIGHT BE TOLD THAT THEY DEEDED THE PLANT TO THE PROPERTY OWNERS ASSOCIATION A NUMBER OF YEARS AGO. THIS IS NOT TRUE. THEY TRIED AND THE PROPERTY OWNERS ASSOCIATION REFUSED THE DEED. IF THEY THINK ABOUT THIS, I AM SURE THEIR MEMORY WOULD BE REFRESHED BY THE FACT THAT JIM YONGE HAS IN THE PAST FEW YEARS TRIED TO SELL THE PLANT, IN FACT HE WAS IN SERIOUS NEGOTIATIONS WITH TOM RYAN, OUR PLANT OPERATOR, FOR QUITE A WHILE.

THANK YOU FOR YOUR HELP. IF THERE ARE ANY QUESTIONS FOR THE PROPERTY OWNERS ASSOCIATION FEEL FREE TO CALL ME AT 904 269 2154.

SINCERELY,

Lorie A. Easterling

LORIE A. EASTERLING
PRESIDENT
POINT PROPERTY OWNERS ASSOCIATION

PPOADER

Hayes & Lindell, P.A.

ATTORNEYS AND COUNSELORS AT LAW
SUITE 620, BLACKSTONE BUILDING
233 EAST BAY STREET
JACKSONVILLE, FLORIDA 32202

J. MICHAEL LINDELL
BOARD CERTIFIED
CIVIL TRIAL LAWYER

DENNIS E. HAYES
ADMITTED TO FLORIDA
AND GEORGIA BARS

December 22, 1994

TELEPHONE
(904) 353-8000
TELECOPIER
(904) 633-8861

Mr. James E. Yonge
1256 Seminole Drive
Ft. Lauderdale, Florida 33304

RE: The Point - Obligation of James E. Yonge
to Provide Water and Sewer Service

Dear Mr. Yonge:

As you well know, Article XIII of the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Provisions for Party Wall of The Point dated May 19, 1981 (the "Amended Restrictions") impose upon the Declarant, its successors and assigns, the "exclusive and perpetual responsibility and right to provide water and sewer service for all users within the Townhouses" at The Point. As reflected by your execution of the Second Amendment to Amended and Restated Declaration of Covenants, Conditions, Restrictions, and Provisions for Party Wall of The Point dated February 27, 1988 (the "Second Amended Restrictions"), you are the successor to the original Declarant for The Point.

The purpose of this letter is to notify you that effective January 1, 1995 all correspondence and bills pertaining to the providing of water and sewer service to residents of The Point shall be directed to you for handling and initial payment. Pursuant to Article XIII, Section 2, of the Second Amended Restrictions, The Point Property Owners Association ("PPOA") will reimburse you for all necessary and ordinary expenses incurred by you in the provision of water and sewer service to the residents. It is suggested that you submit itemized billing to PPOA on a monthly or quarterly basis for all sums reasonably paid by you in performing your responsibilities under the Amended Restrictions and Second Amended Restrictions.

By copy of this letter I am notifying the State and Federal agencies that have jurisdiction over the water and sewer plants in question and the independent operator of the plants of the need to direct all future correspondence and billing to your attention.

Mr. James Yonge
December 22, 1994
Page 2

Since you are the owner of the package plant in question and since you have the exclusive and perpetual responsibility to provide water and sewer service, the PPOA feels that it is only proper that you should have the responsibility for contracting with necessary independent operators and paying all necessary expenses in the initial instance subject to reimbursement by the Association.

If you have any questions, you or your counsel may feel free to call the undersigned.

Sincerely yours,


J. Michael Lindell

JML:dg

cc: Point Property Owners Association, Inc.
Douglas H. Reynolds, Esquire
Tom Ryan (via Certified Mail)

James H. Scarbrough, Director (via Certified Mail)
Water Management Divisions
United States Environmental Protection Agency
Region IV
345 Courtland Street, N.E.
Atlanta, GA 30365

Blanca R. Rodriguez (via Certified Mail)
Environmental Administrator
Potable Water Section
Florida Department of Environmental Protection
Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32258-7577

12-6-96

IN THE CIRCUIT COURT, FOURTH JUDICIAL
CIRCUIT, IN AND FOR CLAY COUNTY,
FLORIDA

CASE NO.: 96-1954-CA
DIVISION: B

POINT WATER AND SEWER, INC.,
a Florida corporation,

Plaintiff,

vs.

THE POINT PROPERTY OWNERS
ASSOCIATION, INC., a Florida
corporation,

Defendant.

**AGREED ORDER ON DEFENDANT'S
MOTION FOR CLARIFICATION OF, OR AMENDMENT
TO, TEMPORARY INJUNCTION**

THIS MATTER came to be heard on Defendant's Motion for Clarification of, or Amendment to, Temporary Injunction, and the parties having agreed to the entry of this Order, and the Court being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED as follows:

1. The Court's Temporary Injunction entered on November 8, 1996 shall be amended by this Order which shall be effective nunc pro tunc to November 8, 1996.
2. Plaintiff is directed to continue to provide to Defendant water and sewer service in accordance with the Amended and Restated Declaration of Covenants,

EXHIBIT

"7"

Conditions, Restrictions and Provisions for Party Wall of the Point until further order of Court.

3. In lieu of bond, Defendant shall pay for the service provided by Plaintiff by paying 83% of the actual cost to Plaintiff of (a) the service technician; (b) chemical tests and reasonable maintenance charges; (c) taxes and regulatory expenses; and (d) necessary insurance premiums until further Order of Court. For the period from March, 1995 through October, 1996, Defendant shall pay to Plaintiff c/o Plaintiff's counsel by no later than Friday, December 13, 1996, the amount of \$23,770.03.

4. In lieu of bond, for months beginning November, 1996 and thereafter, Defendant shall pay eighty-three percent (83%) of all expenses referenced in paragraph 3 above, within twenty (20) days of receipt of invoice for same. Payment shall be made payable to Plaintiff and mailed to: 4753 Raggedy Point Drive, Orange Park, Florida 32073.

5. Upon request, Plaintiff shall within twenty (20) days furnish Defendant with all back-up documentation, invoices and canceled checks supporting any of the charges invoiced to Defendant.

6. The terms of this Order are without prejudice to either party. Either party may seek an adjustment in the amounts paid or ordered herein at the conclusion of this action or after receipt of a ruling by the Public Service Commission as to any rates to be charged. Nothing herein shall be interpreted to infringe upon the jurisdiction of the Public Service Commission to set utility rates in this State. Furthermore, nothing herein shall be deemed an admission by either party as to: (a) the reasonableness of the charges, amounts or percentages set forth above; (b) what items should be considered reasonable business

expenses; or (c) the rates that should be imposed by the Public Service Commission.

SO ORDERED this ____ day of December, 1996, at Green Cove Springs, Clay County,
Florida.

ORDER ENTERED

DEC. 6 - 1996

/s/ ROBERT M. FOSTER

ROBERT M. FOSTER, Circuit Judge

Copies Furnished: ..

Douglas H. Reynolds, Esquire
Attorney for Plaintiff
4875 N. Federal Highway, Tenth Floor
Fort Lauderdale, FL 33308

J. Michael Lindell, Esquire
Hayes & Lindell, P.A.
Attorney for Defendant
620 Blackstone Building
233 East Bay Street
Jacksonville, FL 32202

11/22/96

Whitney's Marine Water and Sewer Use

The majority of our water use is for washing boats, and secondarily, filling boat water tanks. This water does not enter into the sewer system at all. As the sewer system is the major cost associated with the water/sewer bill, it was agreed several years ago that Whitney's should pay less of the total bill than the water intake as measured by the meter.

My contention at the time was that well over half of our water use was washdown water. The remainder of our water use goes into 4 toilets, one urinal, and two showers, as well as landscaping and general water use. (There are no bath tubs, washing machines, or dishwashers which are high sewer use.) Additionally, anyone familiar with our marina knows that the bathhouse facility is lightly used. Boat owners average 8 showers per day and the associated toilet use (slightly higher on weekends) in addition to the daily toilet use of 10 employees 5 days per week. Store customers account for some toilet use.

The board of the PPOA proposed that Whitney's would pay 70% of their percentage of the water use to compensate for the lack of sewer use. In the spirit of being a good neighbor, I compromised and agreed to the 70%. Our billings were received and paid accordingly.

At the time I considered installing a second pump on our well and supplying washdown water separately from the existing system. Or installing a sewage meter. These are still viable options.

In reviewing the attached billings for 26 months, please note that we were billed based on the total of the community electric bill, which included street lights, pool and rec room electric and the pool pump.

In summary, using the 70% allocation our usage is about 17% of the total. If we adjusted for the electric billing in some way, it is probably more like 15%.

C. Whitney

EXHIBIT

" 8 "

THE POINT PROPERTY OWNERS ASSOCIATION
301 SCENIC POINT LANE
ORANGE PARK, FL 32073

Whitney's Marine Center
3027 Highway 17
Orange Park, Fl 32073

November 4, 1992

RE: Water and Sewer Invoice
August 1 - September 30, 1992

DUE UPON RECEIPT

Whitney's Meter	Main Meter
9/30/92 - 3,093,400	9,456,700
7/1/92 - <u>2,793,900</u>	<u>8,093,400</u>
Total 299,500	1,363,300

Whitney's use - 22 %

Costs

Enviro-Systems (\$300/month)	\$ 900.00
Maintenance, Supplies & Testing	1,611.60
Electric	<u>1,153.77</u>
Total	\$ 3,665.37

22% of \$ 3,665.37 = \$ 806.38

70% of \$ 806.38 = \$ 564.47

AMOUNT DUE THIS INVOICE.....\$ 564.47

Thank You,

F. Kasper

Frank Kasper
Sec./Treas.
366-1789

pd
2/18/93
ck
24074

**THE POINT PROPERTY OWNERS ASSOCIATION
301 SCENIC POINT LANE
ORANGE PARK, FL 32073**

Whitney's Marine Center
3027 Highway 17
Orange Park, Fl 32073

January 18, 1993

**RE: Water and Sewer Invoice
October 1 - December 31, 1992
PLUS DELINQUENT BILL DATED 11/4/92**

DUE UPON RECEIPT

Whitney's Meter	Main Meter
1/1/93 - 3,204,500	1,382,320
9/30/92 - <u>3,023,400</u>	<u>241,570</u>
Total 111,100	540,650

Whitney's use - 20.88 ¢

Costs

Enviro-Systems (@300/month)	\$ 900.00
Maintenance, Supplies & Testing	3,288.93
Electric	1,102.88
Permit Engineering	1,200.00
DER Permit	<u>1,000.00</u>
Total	\$ 6,491.78

14 (1/2) for permits

22.55 ¢ of \$ 6,491.78 = \$ 1,463.90
70% of \$ 1,464.90 = \$ 1,024.73

PAST DUE FROM BILL DATED 11/4/92 \$ 564.47

AMOUNT DUE THIS INVOICE..... \$ 1,589.20

*pd 2/26/93
OK # 24174*

YOU ARE REQUIRED TO PAY ON RECEIPT. "THE POINT" MUST PAY ITS BILLS ON RECEIPT, NOT THREE OR MORE MONTHS IN ARREARS. OUR LIMITED BUDGET CANNOT ABSORB YOUR DELINQUENCY. PLEASE PAY THE TOTAL NOW AND ON RECEIPT IN THE FUTURE.

Thank You,

Frank Kasper
Sec./Treas.
264-1789

THE POINT PROPERTY OWNERS ASSOCIATION
301 SCENIC POINT LANE
ORANGE PARK, FL 32073

Whitney's Marine Center
3027 Highway 17
Orange Park, Fl 32073

April 9, 1993

RE: Water and Sewer Invoice
Jan. 1 - Mar. 31, 1993

DUE UPON RECEIPT

Whitney's Meter	Main Meter
3/31/93 - 3,366,600	1,897,030
1/1/93 - <u>3,204,600</u>	<u>1,182,220</u>
Total 162,100	514,810

Whitney's use - 31.49 %

Costs

Enviro-Systems (\$300/month)	\$ 900.00
Maintenance, Supplies & Testing	2,790.58
Electric	<u>985.20</u>
Total	\$ 4,675.78

31.49% of \$ 4,675.78 = \$ 1,472.40
70% of \$ 1,472.40 = \$ 1,030.68

AMOUNT DUE THIS INVOICE..... \$ 1,030.68

Thank You,

Frank Kasper
Sec./Tres.
264-1789

pd 5/4/93
OK
24655

THE POINT PROPERTY OWNERS ASSOCIATION
301 SCENIC POINT LANE
ORANGE PARK, FLORIDA 32073

Whitney's Marine Center
 3827 Highway 17
 Orange Park, Florida 32073

October 13, 1993

RE: Water and Sewer Invoice
April 1, 1993 - September 30, 1993

DUE UPON RECEIPT

Whitney's Meter		Main Meter
10/01/93	3,740.700	3,290,820
03/31/93	<u>3,365,600</u>	<u>1,827,830</u>
Total Used	374,100	1,393,790

Whitney's Use 26.84%

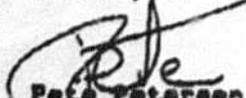
Costs.

Enviro-Systems (@300 per month)	0 1,800.00
Maintenance, supply & testing	1,979.09
Southeast Environmental Labs	300.00
Electric	<u>2,353.50</u>
TOTAL	0 6,432.59

26.84% OF 0 6,432.59 = 0 1,726.51
 70% OF 01,726.51 = 0 1,208.56

AMOUNT DUE THIS INVOICE..... 0 1,208.56

Thank you.


 Pete Petersen
 Sec/Treas.
 264-2011

Pd 10/27/93
 CCH 25572

POINT PROPERTY OWNERS ASSOCIATION, INC.

301 Scenic Point Lane
Orange Park, Florida 32073

February 4, 1994

Whitney's Marine Center
3027 Highway 17 South
Orange park, Florida 32073

RE: Water & Sewer Invoice
October 1, 1993 to
January 10, 1994

DUE UPON RECEIPT

WHITNEY'S METER		MAIN METER
01/10/94	3,945,000	4,391,200
10/01/93	3,740,700	3,290,820
TOTAL USED	204,300	1,100,380

Whitney's Use 18.56%

COSTS:

Enviro-Systems (\$300.00 per month)	900.00
Annual VDC Analysis	300.00
Annual Nitrate/Nitrite Analysis	157.50
Maintenance, supplies	636.50
Electric	<u>1,124.96</u>
	3,196.96

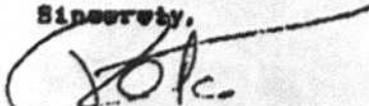
18.56% of \$3,196.96 = \$593.36

70% of \$593.36 = \$415.35

Amount due this invoice \$415.35

Thank you.

Sincerely,


Pete Petersen

POINT PROPERTY OWNERS ASSOCIATION, INC.

301 Scenic Point Lane
Orange Park, Florida 32073

October 10, 1994

Whitney's Marine Center
3027 Highway 17 South
Orange Park, Florida 32073

RE: Water & Sewer Invoice
January 10, 1994 to
October 10, 1994

DUE UPON RECEIPT

WHITNEY'S METER		MAIN METER
10/10/94	4,567,300	6,614,280
01/10/94	<u>3,945,000</u>	<u>4,391,200</u>
	622,300	2,223,080

WHITNEY'S USE 20%

COSTS:

ENVIRO SYSTEMS (@300.00/MONTH)	\$ 2,700.00
TESTING	1,835.00
SLUDGE REMOVAL 06/10/94	1,375.00
MAINTENANCE AND SUPPLIES	2,853.44
ELECTRIC	<u>3,456.78</u>
	\$12,220.22

20% OF \$12,220.22 = \$ 3,421.66

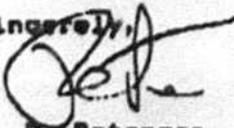
70% OF \$ 3,421.66 = \$ 2,395.16

AMOUNT DUE THIS INVOICE

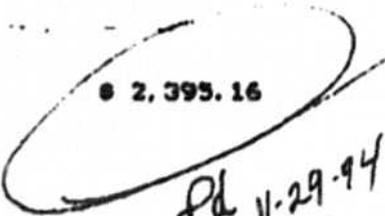
\$ 2,395.16

Thank you.

Sincerely,


C. D. Petersen
Treasurer

CDP/dmc


Pd 11-29-94
CKH
26985

DOCKET NO. 961321-WS

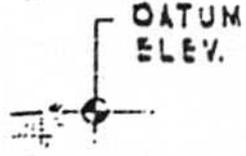
Exhibit # 9 to DN 01171-97

Map from Clay County Property Appraiser's office.

CAN BE LOCATED IN SRC MAPS' BOX
C00000031114.

WELL PUMP
 TURBINE TYPE 4-LO
 40 STAGE TURBINE
 2 G.P.M. @ 35' T.D.H.
 H.P. 230/3/60
 300 R.P.M.
 0 FT. SETTING

3" COLUMN
 4" CASING
 DATUM
 ELEV.

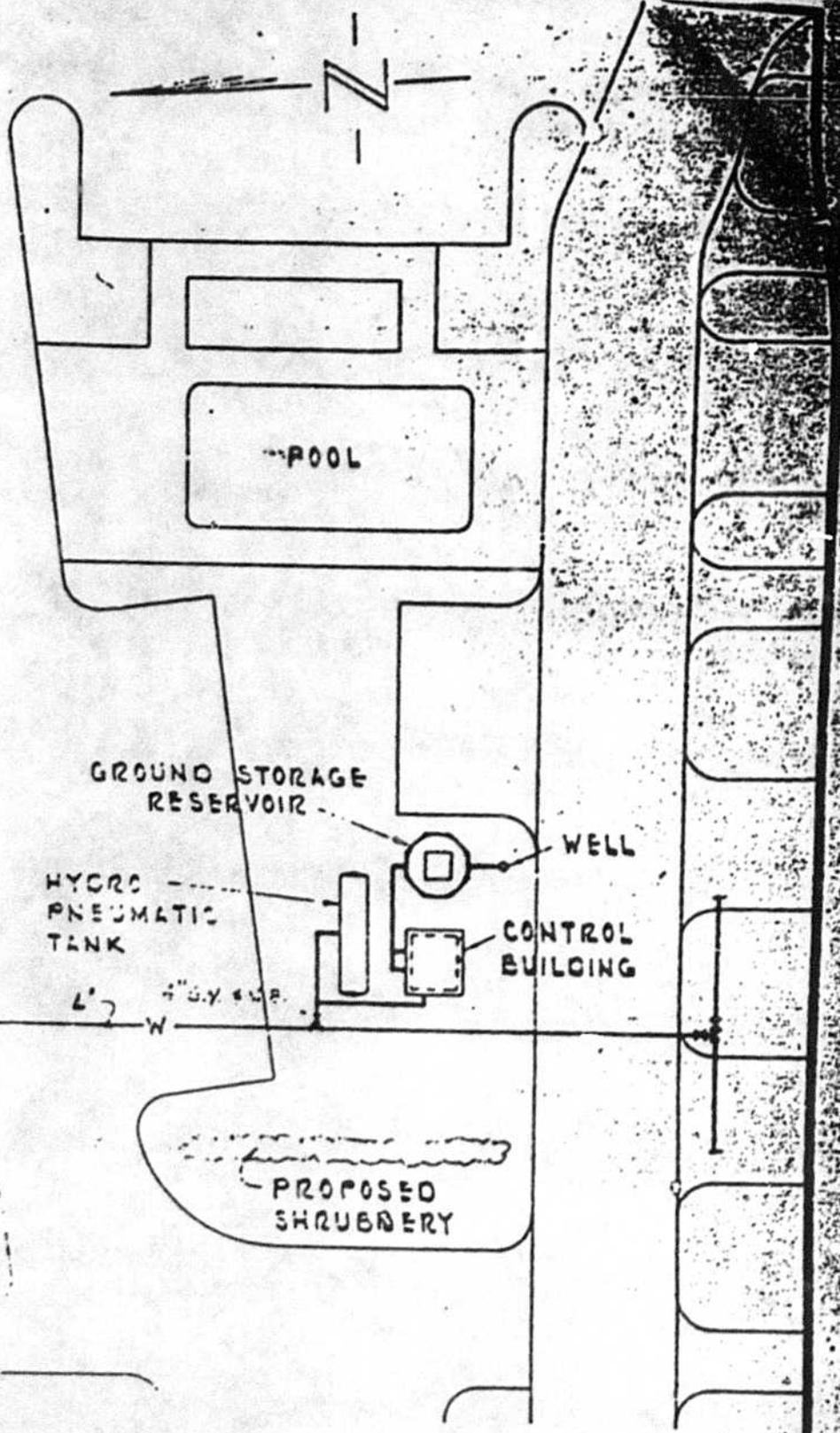


4" ARTESIAN WELL
 300 FT. DEPTH

TAIL

RIGHTS &
 2250 ACRES
 6 2
 COMPRESSOR
 4000 NO. 2
 4000 NO. 2
 4000 NO. 2
 4000 NO. 2

WELL PUMP



WATER PLANT SITE PLAN

SCALE: 1" = 20'

EXHIBIT

"10"

5

PROPOSED
250' LG. PIER

WASTEWATER PLANT SITE PLAN

SCALE: 1" = 40'

S.P.V.C.
EFFLUENT
MAIN

WASTEWATER
PLANT

LIFT
STATION

WATER AND WASTEWATER PLANTS

THE POINT

CLAY COUNTY

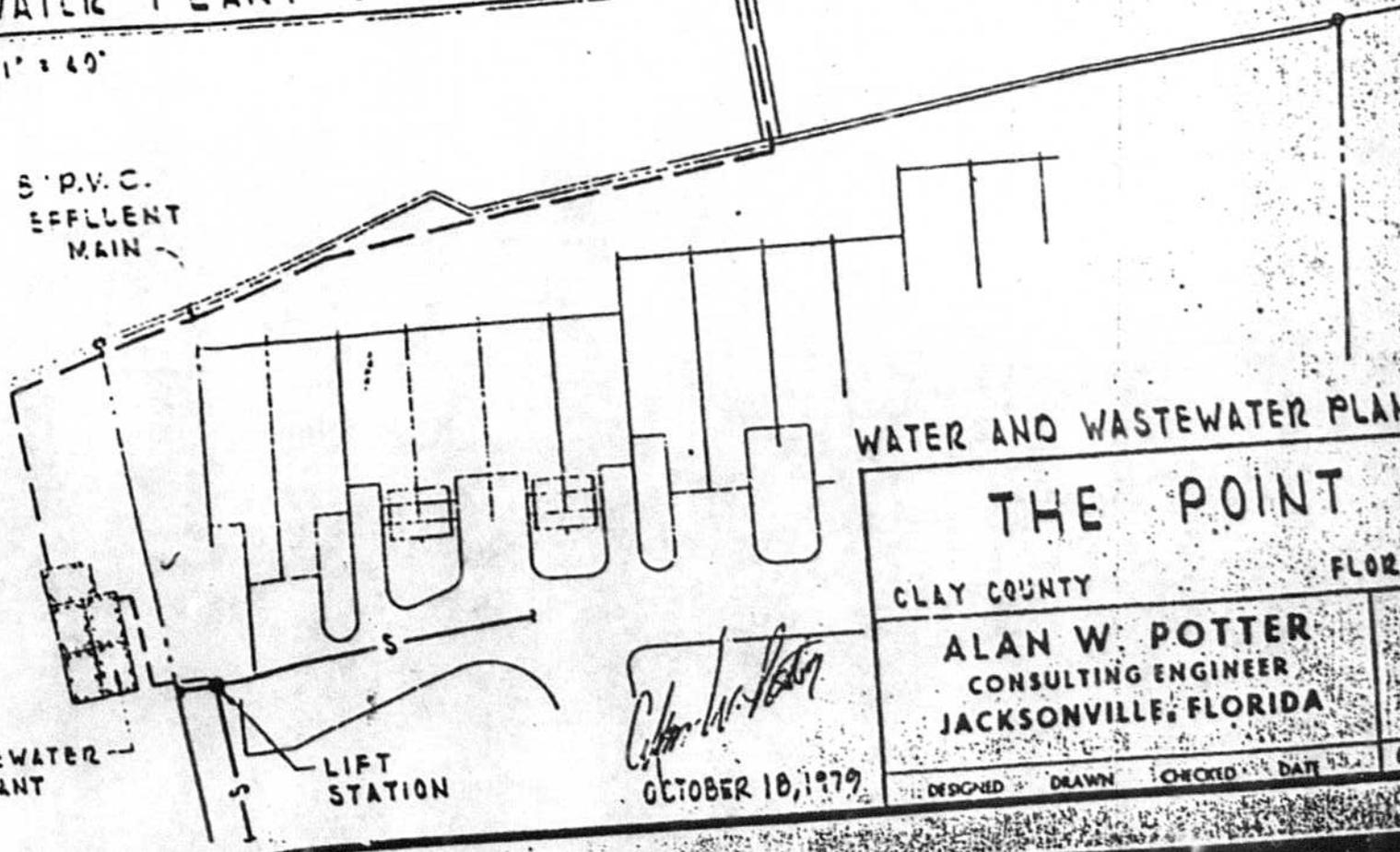
FLORIDA

ALAN W. POTTER
CONSULTING ENGINEER
JACKSONVILLE, FLORIDA

1
OF
ONE

Alan W. Potter
OCTOBER 10, 1979

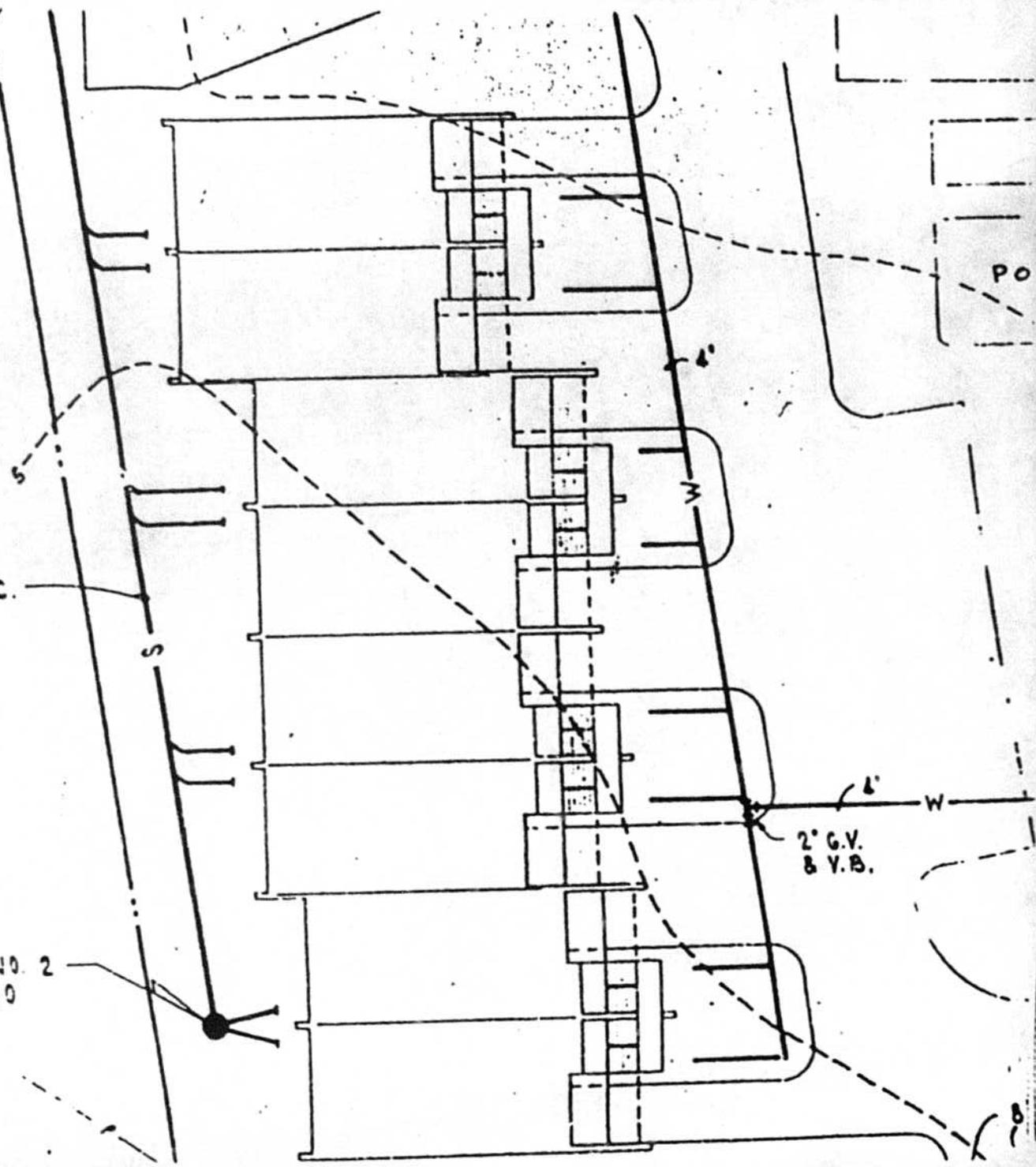
DESIGNED DRAWN CHECKED DATE



TEMP. LIFT STATION
MANHOLE NO. 1
TOP EL. 6.80
INV. EL. (-) 0.58 (SOUTH)
INV. EL. 1.15 (WEST)
BOTT. EL. (-) 5.58

170'-8" V.C.
@ 0.50%

MANHOLE NO. 2
TOP EL. 6.00
INV. 2.00



MANHOLE NO. 2
TOP EL. 6.00
INV. 2.00

B.V.B.

8" WATER
(FUTURE)

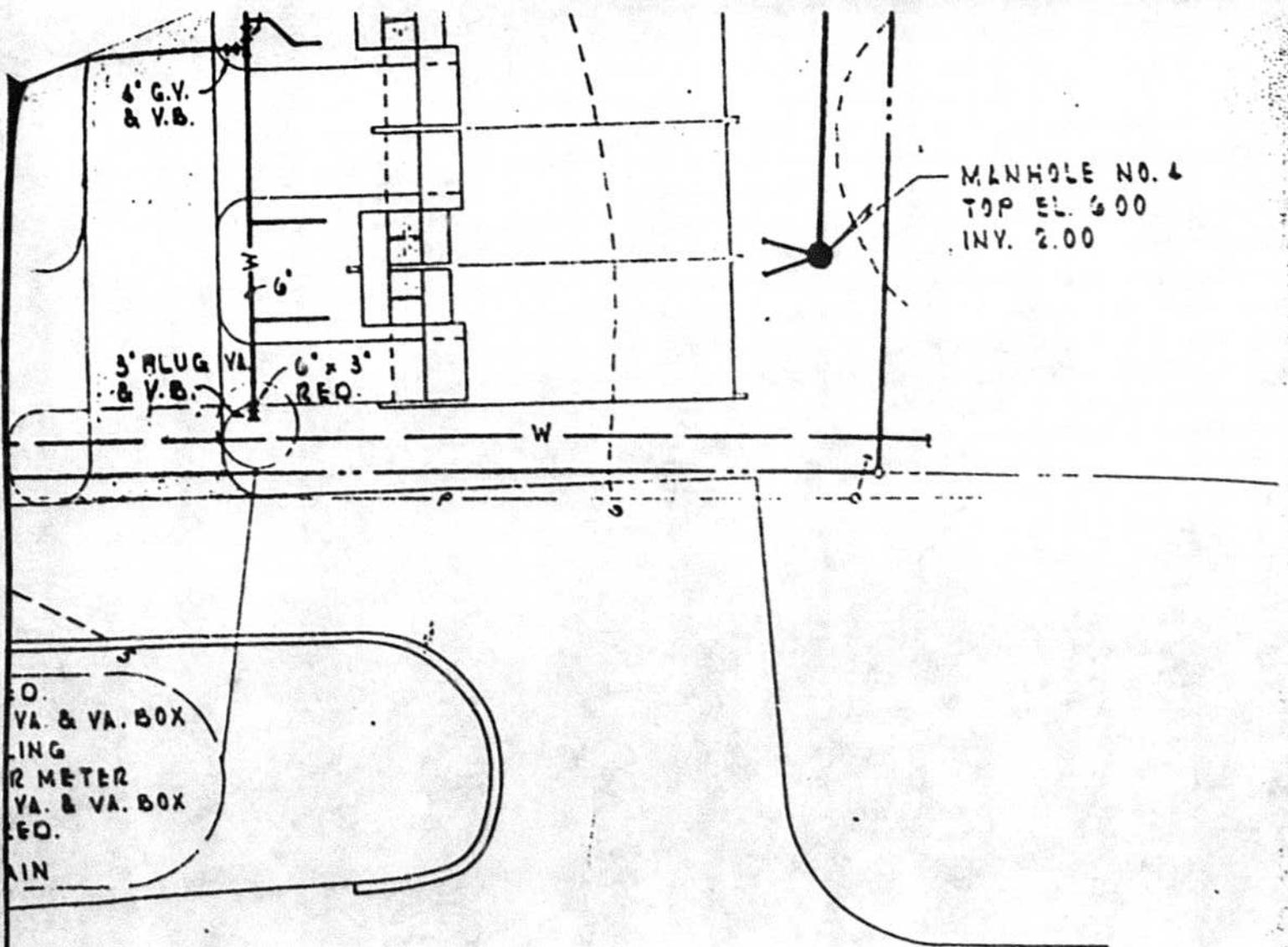
FUTURE
WATER

6" x 3" R.E.O.
3" PLUG V.A. &
3" COUPLING
3" WATER MET
3" PLUG V.A. &
6" x 3" R.E.O.

8" WATER MAIN

U.S. HIGHWAY NO. 17

STATE ROAD NO. 15



MANHOLE NO. 4
TOP EL. 600
IN. 2.00

DC

4' O.
VA. & VA. BOX
RING
METER
VA. & VA. BOX
REQ.
MAIN

P L A N

SCALE: 1" = 20'

315'-8" V.C.
@ 0.50%

2'-0" G.V. & V.B.

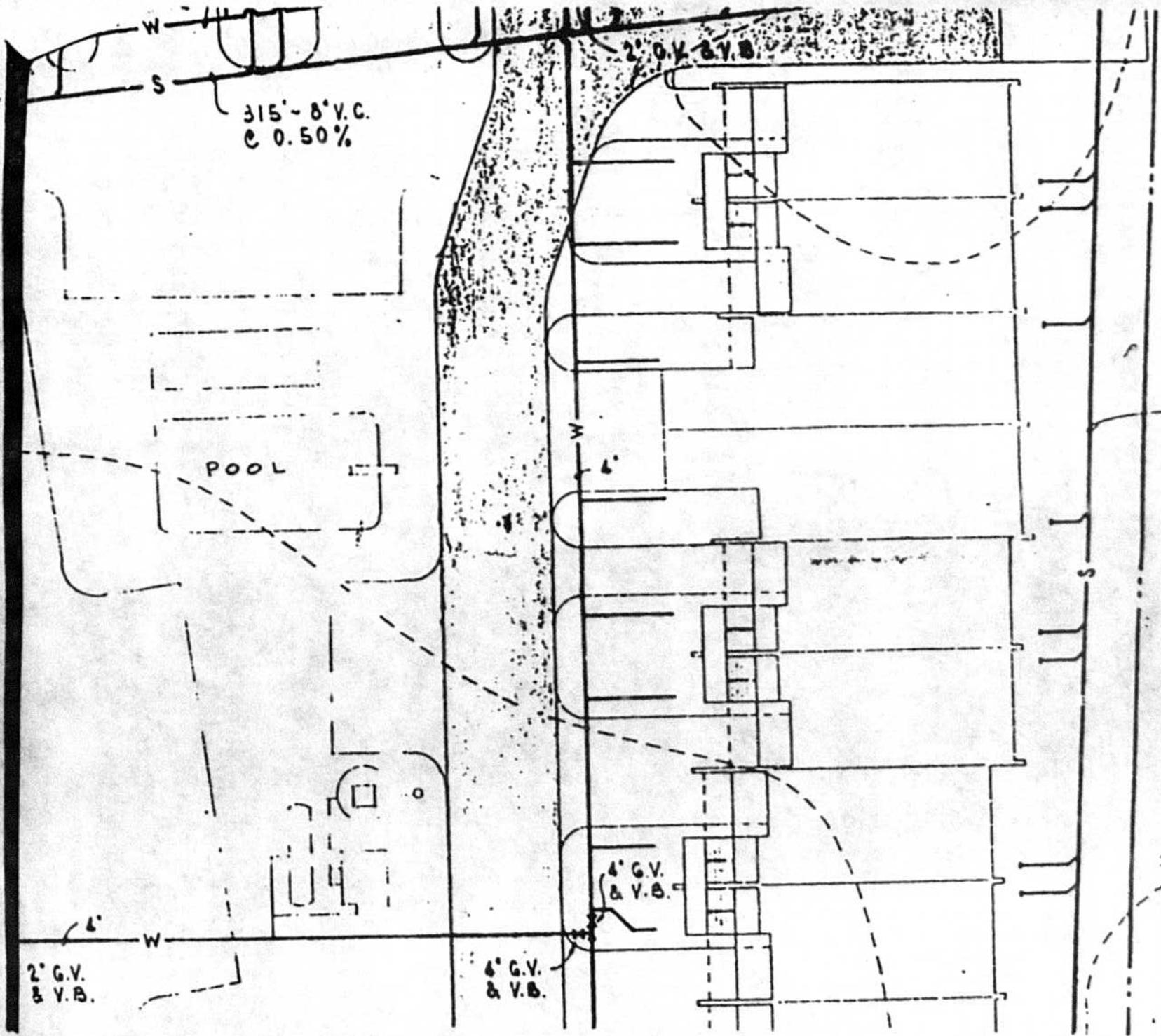
200'-3" V.C.
@ 0.50%

POOL

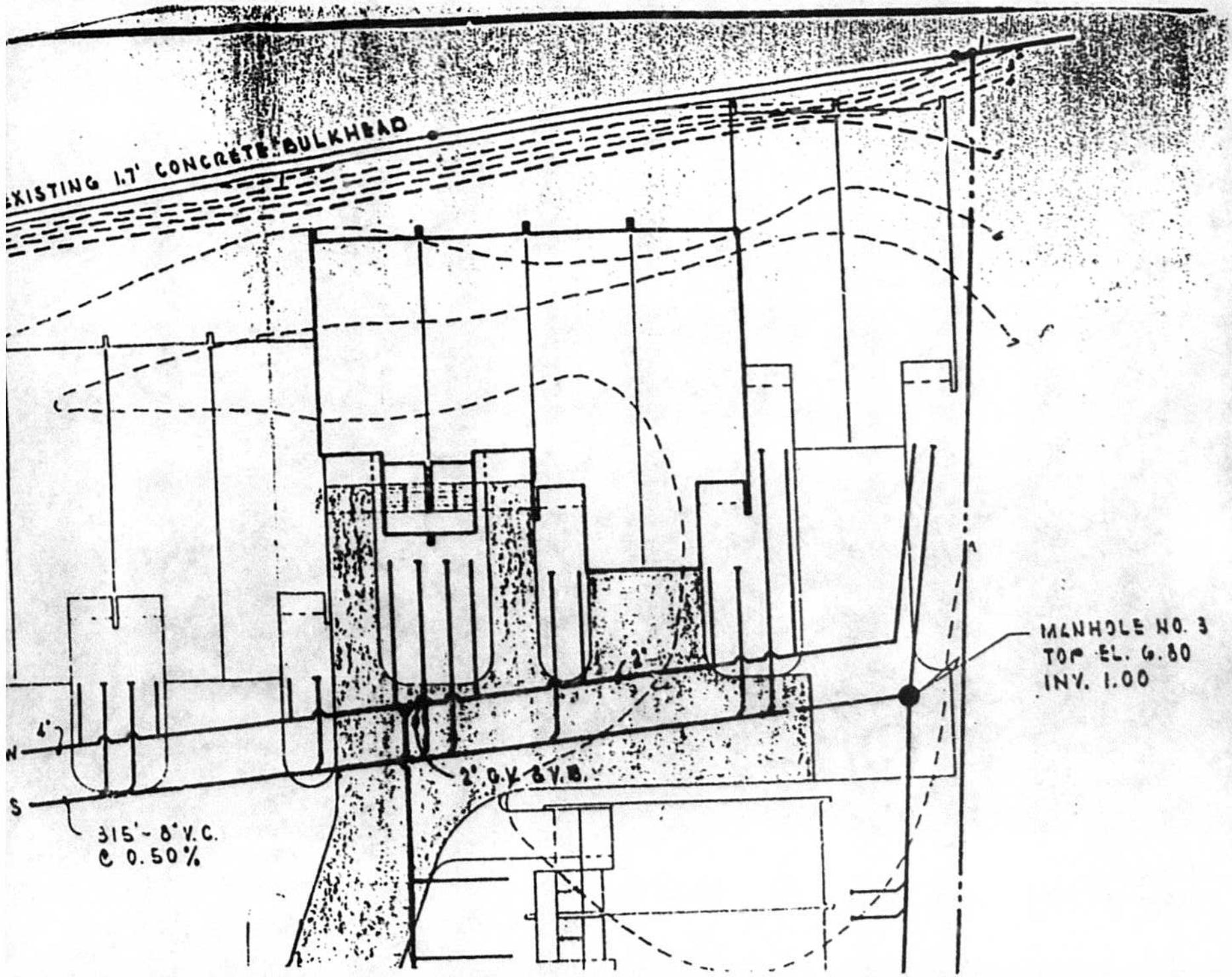
4' G.V.
& V.B.

2' G.V.
& V.B.

4' G.V.
& V.B.



EXISTING 1.7' CONCRETE BULKHEAD



MANHOLE NO. 3
TOP EL. 6.80
INV. 1.00

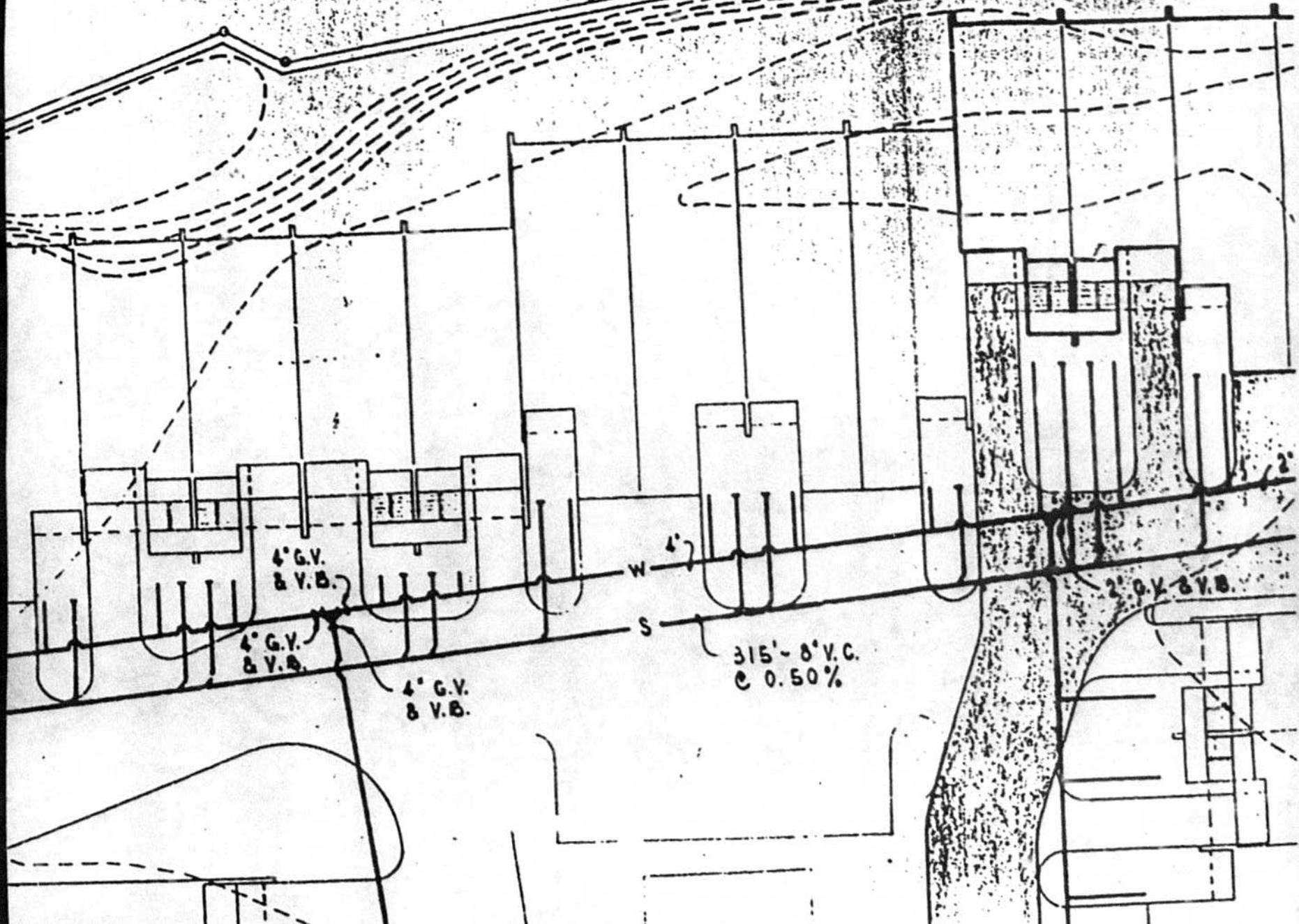
315'-8\"/>

2\"/>

N
S

JOHNS

EXISTING 1.7' CONCRETE BULKHEAD



4" G.V.
& V.B.

4" G.V.
& V.B.

4" G.V.
& V.B.

W 4"

S

315' - 8" V.C.
@ 0.50%

2" G.V. & V.B.

AMENDED EXHIBIT G
AMENDED AFFIDAVIT THAT THE NOTICE OF APPLICATION WAS GIVEN

AMENDED AFFIDAVIT OF JOHN YONGE

PERSONALLY APPEARED BEFORE ME the undersigned officer, duly authorized to administer oaths, JOHN YONGE, President of Point Water and Sewer, Inc., who gives this Affidavit based upon his own personal knowledge and in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, hereby states that a copy of this Application and Exhibits were sent by regular mail to the following:

(1) The governing body of the municipality, county, or counties in which the system for the territory proposed to be served is located. See Exhibit G-1, which is attached hereto;

(2) The privately owned water and wastewater utilities that hold certificate granted by the Public Service Commission that are located within the county in which the utility or the territory proposed to be served is located. See Exhibit G-1, which is attached hereto;

(3) If any portion of the proposed territory is within one mile of the county boundary, the utility shall notice the privately owned utilities located in bordering counties and holding a certificate granted by the Commission:

Not applicable.

(4) The regional planning council council. See Exhibit G-1, which is attached hereto;

(5) The Office of Public Counsel. See Exhibit G-1, which is attached hereto;

(6) The Public Service Commission's Director of Records and Reporting. See Exhibit G-1, which is attached hereto;

EXHIBIT

"11"

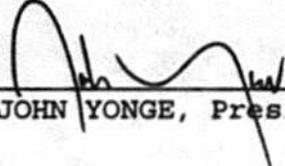
(7) The appropriate regional office of the Department of Environmental Protection. See Exhibit G-1, which is attached hereto;

(8) The appropriate water management districts. See Exhibit G-1, which is attached hereto.

Said above entities with the attached mailing list were sent copies of the Application on October 25, 1996.

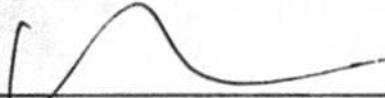
FURTHER AFFIANT SAYETH NOT.

POINT WATER AND SEWER, INC.



JOHN YONGE, President

29th The foregoing instrument was acknowledged before me this day of December, 1996, by JOHN YONGE, President of Point Water and Sewer, Inc., who is personally known to me and who did not take an oath.



Notary Public



DOUGLAS H REYNOLDS
My Commission CC421976
Expires Nov. 20, 1998
Bonded by HAI
800-422-1555

EXHIBIT G-1
All Local Government Officials

Clerk, Board of County Commissioners, Clay County
P.O. Box 698
Green Cove Springs, FL 32043-0698

Mayor, City of Green Cove Springs
229 Walnut Street
Green Cove Springs, FL 32043-3439 FAX: (904) 284-9105

Mayor, City of Keystone Heights
P.O. Box 420
Keystone Heights, FL 32656-0420 FAX: (904) 473-5101

Mayor, City of Orange Park
2042 Park Avenue
Orange Park, FL 32073-5522

Mayor, Town of Penney Farms
P.O. Box 607
Penney Farms, FL 32079-0607 Phone: (904) 529-9078

List of Water and Wastewater Utilities in Clay County

<u>Utility Name</u>	<u>Manager</u>
Duval Utility Company (WS0060) P.O. Box 23249 Jacksonville, FL 32241-3249	James E. McCormack (904) 260-7041
Southern States Utilities, Inc. (WU473) 1000 Color Place Apopka, FL 32703-7753	Brian P. Armstrong (407) 880-0058

Governmental Agencies

DEP Northeast District
7825 Baymeadows Way, Suite 200B
Jacksonville, FL 32256-7577

N.E. Florida Regional Planning Council
8649 Baypine Road, Suite 110
Jacksonville, FL 32216

St. Johns River Wtr. Management District
P.O. Box 1429
Palatka, FL 32178-1429

State Officials

State of Florida Public Counsel
c/o The House of Representatives
The Capitol
Tallahassee, FL 32399-1300

Division of Records and Reporting
Florida Public Service Commission
2540 Sumard Oak Boulevard
Tallahassee, FL 32399-0850

**AMENDED EXHIBIT H
AMENDED AFFIDAVIT THAT THE NOTICE OF ACTUAL APPLICATION
WAS GIVEN TO EACH CUSTOMER**

AMENDED AFFIDAVIT OF JOHN YONGE

PERSONALLY APPEARED BEFORE ME the undersigned officer, duly authorized to administer oaths, JOHN YONGE, President of Point Water and Sewer, Inc., who gives this Affidavit based upon his own personal knowledge and in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, indicating that I have given notice of this application by regular mail to each customer of the system. A list of the names of the customers and their addresses are set forth below:

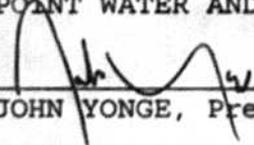
1. Whitney's Marina
3027 Highway 17
Orange Park, Florida 32073

2. Point Property Owner's Association
301 Scenic Point Lane
Orange Park, Florida 32073

Said Applications were mailed on October 25, 1996.

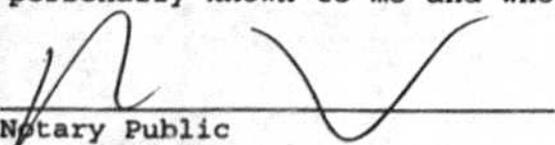
FURTHER AFFIANT SAYETH NOT.

POINT WATER AND SEWER, INC.



JOHN YONGE, President

29th The foregoing instrument was acknowledged before me this day of December, 1996, by JOHN YONGE, President of Point Water and Sewer, Inc., who is personally known to me and who did not take an oath.



Notary Public

EXHIBIT

"12"



DOUGLAS H REYNOLDS
My Commission CC421975
Expires Nov. 20, 1998
Bonded by HAI
800-422-1865

PUBLISHER AFFIDAVIT CLAY TODAY

Published 2 Days a Week
Orange Park, Florida

STATE OF FLORIDA
COUNTY OF CLAY:

Before the undersigned authority personally appeared Charlotte Linville, who on oath says that she is the controller of the "Clay Today" a newspaper published 2 days a week at Orange Park in Clay County, Florida; that the attached copy of advertisement being _____

a _____
in the matter of LEGAL NOTICE
POINT WATER AND SEWER, Inc.

LEGAL NO. 5306 CT

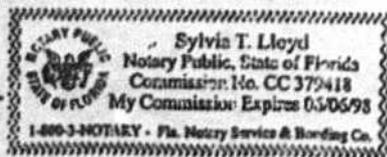
was published in said newspaper in the issues October 30, 1996

Affiant further says that said "Clay Today" is a newspaper published at Orange Park, in said Clay County, Florida, and that the said newspaper has heretofore been continuously published in said Clay County, Florida, 2 days a week, and has been entered as Periodical material matter at the post office in Orange Park, in said Clay County, Florida, for period of one year next proceeding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Charlotte Linville

Sworn to me and subscribed
before me this 30th day of October A.D. 1996

Sylvia T. Lloyd
NOTARY PUBLIC, STATE OF FLORIDA



1564 Kingsley Avenue • Orange Park, Florida 32073
Telephone (904) 264-3200 • FAX (904) 269-6958

LEGAL NOTICE

Notice is hereby given on October 25, 1996, pursuant to Section 367.045, Florida Statutes, of the application of Point Water and Sewer, Inc. to operate a water and wastewater utility to provide service to the following described territory in Clay County, Florida as follows:

The Point Property Owner's Assn. (including 19 developed townhomes) located on Scenic Point Drive in Clay County, Florida and the adjoining property located at 3027 Hy. 17, Orange Park, FL 32073 (Whitney's Marina). Both of these properties are located directly off of US 17 on the Southeast side of the Doctors Inlet Bridge with the St. Johns River on the western boundary.

Any objections to the said application must be made in writing within (30) days from this date to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Sumard Oak Boulevard, Tallahassee, Florida 32399-0850. A copy of said objection should be mailed to the applicant whose address is:

POINT WATER AND
SEWER, INC.
4753 RAGGEDY
POINT ROAD
ORANGE PARK,
FLORIDA 32073

POINT WATER AND
SEWER, INC.
by: JOHN YONGE,
PRESIDENT
LEGAL NO. 5306
Published October 30,
1996 in Clay County's
Clay Today newspaper.

EXHIBIT

"13"

NAME OF COMPANY POINT WATER AND SEWER, INC.

WATER TARIFF

APPLICATION FOR WATER SERVICE

See attached.

Please note that billing will be monthly and customer will have to provide thirty (30) days' written notice of termination.

Sample Application Form

Name _____ Telephone Number _____

Billing Address _____

City _____ State/Zip _____

Service Address _____

City _____ State/Zip _____

Date service should begin _____

Service requested: Water _____ Wastewater _____ Both _____

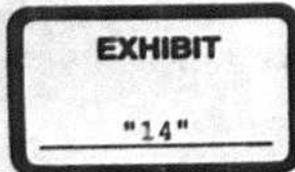
By signing this agreement, the customer agrees to the following:

1. The Company shall not be responsible for the maintenance and operation of the customer's pipes and facilities. The customer agrees not to utilize any appliance or device which is not properly constructed, controlled and protected or which may adversely affect the water service; the Company reserves the right to discontinue or withhold water service to such apparatus or device.
2. The Company may refuse or discontinue water service rendered under application made by any member or agent of a household, organization, or business for any of the reasons contained in Rule 25-30.320, Florida Administrative Code. Any unauthorized connections to the customer's water service shall be subject to immediate discontinuance without notice, in accordance with Rule 25-30.320, Florida Administrative Code.
3. The customer agrees to abide by all existing Company rules and regulations as contained in the tariff.
4. Bills for water service will be rendered - Monthly, Bimonthly, or Quarterly - as stated in the rate schedule. Bills must be paid within 20 days of mailing bills. If payment is not made after five working days written notice, service may be discontinued.
5. When a customer wishes to terminate service on any premises where water and/or wastewater service is supplied by the Company, the Company may require (oral, written) notice within ___ days prior to the date the customer desires to terminate service.

Signature

Date

John S. Yonge
ISSUING OFFICER
President
 TITLE



NAME OF COMPANY POINT WATER AND SEWER, INC.

WASTEWATER TARIFF

APPLICATION FOR WASTEWATER SERVICE

See attached.

Please note that billing will be monthly and customer will have to provide thirty (30) days' written notice of termination.

Sample Application Form

Name _____ Telephone Number _____

Billing Address _____

 City _____ State/Zip _____

Service Address _____

 City _____ State/Zip _____

Date service should begin _____

Service requested: Water _____ Wastewater _____ Both _____

By signing this agreement, the customer agrees to the following:

1. The Company shall not be responsible for the maintenance and operation of the customer's pipes and facilities. The customer agrees not to utilize any appliance or device which is not properly constructed, controlled and protected or which may adversely affect the water service; the Company reserves the right to discontinue or withhold water service to such apparatus or device.
2. The Company may refuse or discontinue water service rendered under application made by any member or agent of a household, organization, or business for any of the reasons contained in Rule 25-30.320, Florida Administrative Code. Any unauthorized connections to the customer's water service shall be subject to immediate discontinuance without notice, in accordance with Rule 25-30.320, Florida Administrative Code.
3. The customer agrees to abide by all existing Company rules and regulations as contained in the tariff.
4. Bills for water service will be rendered - Monthly, Bimonthly, or Quarterly - as stated in the rate schedule. Bills must be paid within 20 days of mailing bills. If payment is not made after five working days written notice, service may be discontinued.
5. When a customer wishes to terminate service on any premises where water and/or wastewater service is supplied by the Company, the Company may require (oral, written) notice within _____ days prior to the date the customer desires to terminate service.

Signature

Date

John S. Yonge
ISSUING OFFICER
President
 TITLE

NAME OF COMPANY POINT WATER AND SEWER, INC.

WATER TARIFF

COPY OF CUSTOMER'S BILL

POINT WATER & SEWER, INC.
4753 RAGGEDY PT. RD.
ORANGE PARK, FL 32073

INVOICE

Invoice #: A
Date: January 1, 1997
Customer ID: PPOA

Bill To:
PPOA
324 Scenic Pt. Lane
Orange Park, FL 32073

Bill To:
Same

QTY	ITEM	UNITS	DESCRIPTION	TOTAL
1			Monthly water service	\$1,500.00
			Monthly wastewater service	\$1,500.00
SUBTOTAL				\$3,000.00
BAL DUE				\$3,000.00

EXHIBIT
"15"

JOHN YONGE
ISSUING OFFICER
PRESIDENT
TITLE

NAME OF COMPANY POINT WATER & SEWER, INC.
 WASTEWATER TARIFF

COPY OF CUSTOMER'S BILL

POINT WATER & SEWER, INC.
 4753 RAGGEDY PT. RD.
 ORANGE PARK, FL. 32073

INVOICE

Invoice #: A
 Date: January 1, 1997
 Customer ID: PPOA

Bill To:
 PPOA
 324 Scenic Pt. Lane
 Orange Park, FL 32073

Bill To:
 Same

QTY	ITEM	UNITS	DESCRIPTION	TOTAL
1			Monthly water service	\$1,500.00
			Monthly wastewater service	\$1,500.00
SUBTOTAL				\$3,000.00
BALANCE				\$3,000.00

JOHN YONGE
 ISSUING OFFICER
PRESIDENT
 TITLE