

RESOLUTION NO. 2007- 371

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING TO CHAIRMAN OF THE BOARD TO EXECUTE AN "ORDER CLOSING DOCKET" RELATED TO INTERCOASTAL UTILITIES.

RECITALS

WHEREAS, In January 2003 the court ordered Intercoastal Utilities to grant a refund to utility customers within their service area. In April 2004, Intercoastal Utilities presented proof to the St. Johns County Water & Sewer Authority that they had complied with the Court Order and issued the appropriate refunds. This information was forwarded to the accounting firm representing St. Johns County to insure compliance had been met and an "Order Closing Docket" was to be recorded in the public records to satisfy the outstanding Court Order; and

WHEREAS, the accounting firm of Bill Schultz reviewed the submitted data and concluded that Intercoastal Utilities had met the requirement outlined in the Court Order however, failed to record the "Order Closing Docket", attached hereto as Exhibit "A", incorporated by reference and made a part hereof, in the public records of St. Johns County; and

WHEREAS, during research of Intercoastal Utilities it was brought to the County's attention that the outstanding Court Order was never executed and recorded in the public records.

WHEREAS, it is in the best interest of the County to execute the "Order Closing Docket" to prevent a cloud on the title of Intercoastal Utilities.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, as follows:

Section 1. The above recitals are incorporated by reference into the body of this Resolution and such recitals are adopted as findings of fact.

Section 2. The "Order Closing Docket" attached and incorporated hereto, is hereby accepted by the Board and the Chairman of the Board is hereby authorized to execute the Order.

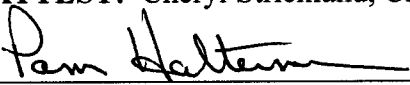
Section 3. The Clerk of the Circuit Court is instructed to record the original "Order Closing Docket" in the Public Records of St. Johns County, Florida.

PASSED AND ADOPTED this 27th day of November, 2007.

**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA**

By: 
Board Chair

ATTEST: Cheryl Strickland, Clerk


Deputy Clerk

RENDITION DATE 11/30/07

EXHIBIT "A" TO RESOLUTION

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY

DOCKET NO.: 2001-007-000023_____
Investigation of possible Overearnings
of Intercoastal Utilities, Inc.
Order No.:

IN THE MATTER OF:

INTERCOASTAL UTILITIES, INC.

ORDER CLOSING DOCKET

The above matter having come before this Board of County Commissioners of St. Johns County, Florida and the Board finding a) all refunds have been made to customers; b) all penalties have been made; and c) all rates have been reduced accordingly, upon consideration thereof;

IT IS UPON CONSIDERATION THEREOF, ORDERED:

1. That Docket 2001-007-000023 is hereby closed.

DATED this _____ day of _____, 2007.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Its: Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____
Deputy Clerk