

February 11, 2013

Sandra Gonzalez, Regulatory Specialist 1
Regulatory Support Bureau
West Palm Beach Office
South Florida Water Management District

Dear Ms Gonzalez,

This letter is in response to your letter of January 14, 2013 regarding the "Operating Entity" for the surface water draining system at the Alden Pines subdivision.

We must remind you that in a meeting with your division staff in Fort Myers on January 8th, 2010 the staff was advised that Alden Pines Home Owners Association (APHOA) does not meet the standards for a state certified homeowners association and that neither our Association nor our Board has any legal enforcement authority related to this subdivision or its appurtenances (including the drainage system).

APHOA functions wholly as a social organization who works to maintain conformance with our subdivision deed restrictions through education, cooperation and neighborhood influence. Membership in APHOA is totally voluntary and less than 40% of property owners at Alden Pines are members of our Association. APHOA was not formed until 1997, 17 years after the permit for the system was issued and approximately 15 years after the golf course opened for play. Our Articles of Incorporation do not address the maintenance of a drainage water system. Furthermore, we have no authority to impose assessments of any kind against property owners. **As a consequence APHOA cannot and will not accept the responsibility as the Operating Entity for this system permit.**

We suggest you contact the original developer of this subdivision, Alden Pines Incorporated, to research original intent in this matter. Tom Carpenter of Pine Island was actively involved in the early creation of the subdivision and the golf course. He may be able to explain the original intent of the 1980 permit as it relates to creation of an operating entity.

Sincerely,

Mitzi Sanders, Secretary
Alden Pines Homeowners Association