

STATE OF FLORIDA
ADMINISTRATION COMMISSION

FILED
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DIVISION OF
ADMINISTRATIVE
HEARINGS

DEPARTMENT OF COMMUNITY AFFAIRS,

Petitioner,

JOANNE E. KOWAL, C. TOMOKA BRADY,
PATRICK M. WRIGHT, and C. PERRY
BROWN,

Intervenors,

vs.

AC Case No. ACC-08-003
DOAH Case No. 07-3267GM

CITY OF TALLAHASSEE and LEON
COUNTY,

Respondents,

and

ARBOR PROPERTIES DEVELOPMENT,
INC.,

Intervenor.

_____ /

FINAL ORDER OF DISMISSAL WITH PREJUDICE

This cause came for consideration before the Secretary of the Administration Commission ("Commission") through the Stipulated Motion to Dismiss filed by Respondent, Leon County, on November 21, 2008. Leon County requests dismissal of the above referenced action due to the adoption of Ordinance 08-19 repealing and withdrawing Section 5 of Leon County Ordinance No. 07-13, thereby rendering further action in the subject proceeding moot. The Stipulated Motion to

Dismiss represents that Counsel for the Department of Community Affairs, Arbor Properties, Inc., and the City of Tallahassee all "concur with this request." Additionally, Leon County's Stipulated Motion to Dismiss represents that Counsel for Joanne E. Kowal, C. Tomoka Brady, Patrick M. Wright and C. Perry Brown "do not oppose this motion." A copy of Leon County's Stipulated Motion to Dismiss is attached and incorporated as Exhibit A.

The Secretary of the Commission agrees that the instant appeal was rendered MOOT by the adoption of Leon County Ordinance 08-19.

WHEREFORE, IT IS ORDERED that the instant cause is DISMISSED WITH PREJUDICE.

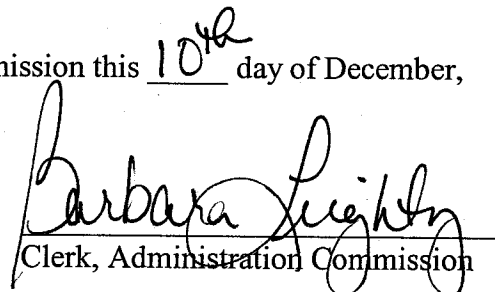
NOTICE OF RIGHTS

Any party to this Order has the right to seek Judicial review of the Final Order pursuant to section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001; and by filing a copy of the Notice of Appeal, accompanied by the applicable filing fees, with the appropriate District Court of Appeal. Notice of Appeal must be filed within 30 days of the day this Order is filed with the Clerk of the Commission.

DONE AND ORDERED this 10th day of December, 2008.


for JERRY L. MCDANIEL, Secretary
Administration Commission

FILED with the Clerk of the Administration Commission this 10th day of December, 2008.


Clerk, Administration Commission

I HEREBY CERTIFY that a true and correct copy of the foregoing was delivered to the following persons by United States Mail or hand delivery this 10th day of December, 2008.

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for JERRY L. MCDANIEL, Secretary
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