

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

DEPARTMENT OF COMMUNITY AFFAIRS,

Petitioner,

v.

DOAH Case No. 08-1611GM

CITY OF LAKE WALES,

Respondent,

and

HUNT BROS. GROVES, INC.,

Intervenor.

_____ /

FINAL ORDER

An Administrative Law Judge of the Division of Administrative Hearings has entered an Order Closing File in this proceeding. A copy of the Order is attached to this Final Order as Exhibit A.

BACKGROUND

This is a proceeding to determine whether the City of Lake Wales (City) Comprehensive Plan Amendment 08-1, adopted by Ordinance Nos. D2007-09 and D2008-11, on January 15, 2008, is "in compliance" with the Local Government Comprehensive Planning and Land Development Regulation Act, Ch. 163, Part II, Florida Statutes (the "Act").

The parties entered into a Stipulated Settlement Agreement which required the City to adopt certain remedial amendments. The City adopted the remedial amendments and the Department subsequently published its Cumulative Notice of Intent to find Plan Amendment 08-1 and the remedial amendment to be "in compliance" with the Act.

The Department subsequently filed a Motion to Relinquish Jurisdiction. The Administrative Law Judge issued his Order Closing File (copy attached hereto) and relinquished jurisdiction to the Department. No Exceptions to the Administrative Law Judge's Order were filed.

ORDER

WHEREFORE, it is ORDERED that the above-captioned proceeding is DISMISSED, and the Agency Clerk is directed to close the file.

DONE AND ORDERED in Tallahassee, Florida.



Shaw P. Stiller, General Counsel
DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF RIGHTS

EACH PARTY IS HEREBY ADVISED OF ITS RIGHT TO SEEK JUDICIAL REVIEW OF THIS FINAL ORDER PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND FLORIDA RULES OF APPELLATE PROCEDURE 9.030(b)(1)(C) AND 9.110.

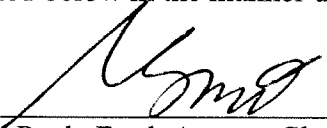
TO INITIATE AN APPEAL OF THIS ORDER, A NOTICE OF APPEAL MUST BE FILED WITH THE DEPARTMENT'S AGENCY CLERK, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100, WITHIN 30 DAYS OF THE DAY THIS ORDER IS FILED WITH THE AGENCY CLERK. THE NOTICE OF APPEAL MUST BE SUBSTANTIALLY IN THE FORM PRESCRIBED BY FLORIDA RULE OF APPELLATE PROCEDURE 9.900(a). A COPY OF THE NOTICE OF APPEAL MUST BE FILED WITH THE APPROPRIATE DISTRICT COURT OF APPEAL AND MUST BE ACCOMPANIED BY THE FILING FEE SPECIFIED IN SECTION 35.22(3), FLORIDA STATUTES.

YOU **WAIVE** YOUR RIGHT TO JUDICIAL REVIEW IF THE NOTICE OF APPEAL IS NOT TIMELY FILED WITH THE AGENCY CLERK AND THE APPROPRIATE DISTRICT COURT OF APPEAL.

MEDIATION UNDER SECTION 120.573, FLA. STAT., IS NOT AVAILABLE WITH RESPECT TO THE ISSUES RESOLVED BY THIS ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below in the manner described, on this 14th day of July 2010.



Paula Ford, Agency Clerk
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Tallahassee, Florida 32399-2100

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