

Final Order Number DCA09-GM-313

STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS

DEPARTMENT OF COMMUNITY AFFAIRS,

Petitioner,

v.

CITY OF WILDWOOD,

Case No. 08-0732GM  
07-1-NOI-6006- (A) (N)

Respondent,

and

301/446, LLC,

Intervenor.

---

**FINAL ORDER CLOSING FILE**

The parties to this proceeding filed a Stipulation of Mootness and Joint Motion to Relinquish Jurisdiction with the Division of Administrative Hearings on September 10, 2009. The parties stipulated that the plan amendment that is the subject of this case is subsumed within, and replaced by, City of Wildwood plan amendment 09-1; and that the plan amendment that is the subject of this case has been withdrawn by the City and replaced by plan amendment 09-1. Plan Amendment 09-1 is the subject of DOAH Case No. 09-3700GM.

The parties further stipulated that this proceeding is moot, and that a dispute of material fact no longer exists. The

Final Order Number DCA09-GM-313

parties jointly moved for an order relinquishing jurisdiction to the Department.

Also on September 10, 2009, the Administrative Law Judge issued an Order Closing File which granted the Joint Motion to Relinquish Jurisdiction.

WHEREFORE, it is hereby ordered that the Department's file in the above-captioned matter is hereby closed.

DONE AND ORDERED in Tallahassee, Florida.



Shaw 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.

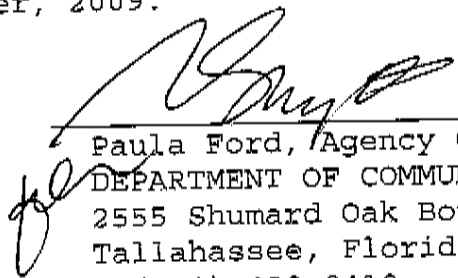
YOU WAIVE YOUR RIGHT TO JUDICIAL REVIEW IF THE NOTICE OF APPEAL IS NOT TIMELY FILED WITH THE AGENCY CLERK AND THE APPROPRIATE DISTRICT COURT OF APPEAL.

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

Final Order Number DCA09-GM-313

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 14 day of September, 2009.

  
\_\_\_\_\_  
Paula Ford, Agency Clerk  
DEPARTMENT OF COMMUNITY AFFAIRS  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100  
(850) 488-0410

By U.S. Mail and Electronic Mail:

Jerri A. Blair, Esq.  
City Attorney  
City of Wildwood  
Post Office Box 130  
Tavares, FL 32778-3809  
jblair710@aol.com

W. James Gooding, III, Esquire  
Gilligan, King, Gooding &  
Gifford, P.A.  
1531 Southeast 36th Avenue  
Ocala, Florida 34471  
gooding@ocalalaw.com

William Hyde, Esq.  
Gunster Yoakley & Stewart, PA  
215 S Monroe Street, Suite 618  
Tallahassee, Florida 32301-1804  
Fax: 850-576-0902  
hydwil@gunster.com

By Hand Delivery:

David L. Jordan, Esq.  
Assistant General Counsel  
DEPARTMENT OF COMMUNITY AFFAIRS  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399

By Interagency Mail:

The Honorable  
J. Lawrence Johnston  
Administrative Law Judge  
Div. of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060