

STATE OF FLORIDA
ADMINISTRATION COMMISSION

FILED
10 APR 14 PM 1:32
DIVISION OF
ADMINISTRATIVE
HEARINGS

BONNIE CONKLIN and WENDY
GOODSON,

Petitioners,

vs.

PUTNAM COUNTY, FLORIDA,

Respondent,

AC Case No.

ACC-10-001

DOAH Case No.

09-3597GM

and

STOKES LANDING ENTERPRISES,
LLC,

Intervenor.

_____ /

FINAL ORDER OF DISMISSAL

This cause came for consideration before the Secretary of the Administration Commission ("Commission") through the Notice of Repeal filed by Respondent, Putnam County, on February 24, 2010. Putnam County gives notice that Ordinance No. 2009-23, the subject of the instant proceeding, has been repealed through the adoption of Putnam County Ordinance No. 2010-03. A copy of Putnam County's Notice of Repeal is attached and incorporated as Exhibit A.

The subject proceeding has been rendered MOOT by the adoption of Putnam County Ordinance 2010-03.

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

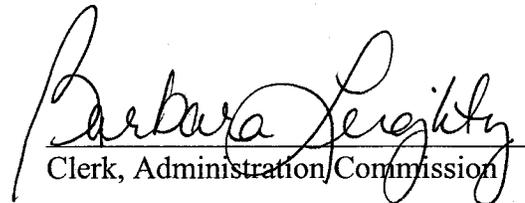
NOTICE OF RIGHTS

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 13th day of April, 2010.

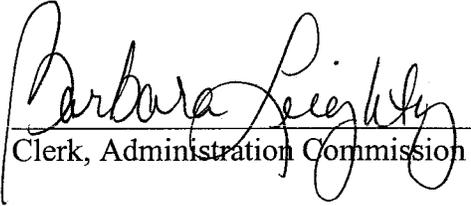

for JERRY L. MCDANIEL, Secretary
Administration Commission

FILED with the Clerk of the Administration Commission this 13th day of April, 2010.


Clerk, Administration Commission

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the forgoing was delivered to the following persons by United States Mail, facsimile, or hand delivery this 13th day of April, 2010.


Clerk, Administration Commission

Honorable Charlie Crist
Governor
The Capitol
Tallahassee, Florida 32399

Honorable Alex Sink
Chief Financial Officer
The Capitol
Tallahassee, Florida 32399

Honorable Bill McCollum
Attorney General
The Capitol
Tallahassee, Florida 32399

Honorable Charles H. Bronson
Commissioner of Agriculture
The Capitol
Tallahassee, Florida 32399

Michael J. Barry
Governor's Legal Office
Room 209, The Capitol
Tallahassee, Florida 32399-0001

Honorable Bram D. E. Canter
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

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Putnam County Attorney
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St. Augustine, Florida 32084

Florida Administrative Law Reports
Post Office Box 385
Gainesville, Florida 32602

STATE OF FLORIDA
ADMINISTRATION COMMISSION

BONNIE CONKLIN AND WENDY
GOODSON,

Petitioners,

vs.

CASE NO.: 09-3597GM

PUTNAM COUNTY, FLORIDA,

Respondent,

and

STOKES LANDING ENTERPRISES, LLC,

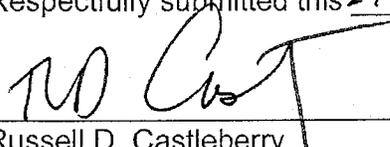
Intervenor.

NOTICE OF REPEAL

Putnam County hereby gives notice that Ordinance No. 2009-23, which the Recommended Order entered herein determined was not in compliance, has been repealed. A copy of the repealer Ordinance (No. 2010-03) is attached hereto.

Putnam County suggests that this case has therefore been rendered moot.

Respectfully submitted this 24th day of February, 2010,



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Palatka, FL 32178-0758
Phone: (386) 329-1903
Fax: (386) 326-2721
Attorney for Putnam County
Florida Bar No. 275859

CERTIFICATE OF SERVICE

I certify that a copy of the above has been served by U.S. Mail, postage prepaid, upon the individuals listed below this 24th day of February, 2010.

Michael W. Woodward, Esq.
Keyser & Woodward, P.A.
P.O. Box 92
Interlachen, FL 32148

Craig Z. Sherar, Esq.
2701 South Bayshore Drive, Suite 303
Miami, FL 33133

Ellen Avery-Smith, Esq.
Rogers Towers, P.A.
7 Waldo Street
St. Augustine, FL 32084



RUSSELL D. CASTLEBERRY

ORDINANCE NO. 2010-03

AN ORDINANCE REPEALING ORDINANCE NO. 2009-23 WHICH (A) AMENDED THE FUTURE LAND USE MAP OF THE PUTNAM COUNTY COMPREHENSIVE PLAN; AND (B) ADOPTED A DEVELOPMENT AGREEMENT WITH STOKES LANDING ENTERPRISES, LLC; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, on June 9, 2009, the Putnam County Board of County Commissioners adopted Ordinance No. 2009-23;

WHEREAS, Ordinance No. 2009-23 implemented a Future Land Use Map ("FLUM") amendment changing the classification of the property described on Appendix A hereto (the "Property") from Agriculture II to Industrial;

WHEREAS, the FLUM amendment was found by the Division of Administrative Hearings to be "not in compliance"; and

WHEREAS, the County wishes to change the FLUM classification of the Property from Industrial back to Agriculture II.

BE IT ENACTED BY PUTNAM COUNTY, FLORIDA, THAT:

SECTION ONE. The Future Land Use Map of the Putnam County, Florida, *Comprehensive Plan* is hereby amended as set forth in Appendix A attached hereto and incorporated herein by reference. Ordinance No. 2009-23 is hereby repealed in all respects.

SECTION TWO. The Development Agreement dated June 9, 2009, between Stokes Landing Enterprises, LLC and Putnam County (Exhibit C to Ordinance No. 2009-23) is hereby rendered void.

SECTION THREE. In order to make the Putnam County, Florida *Comprehensive Plan*, as hereby amended, available to the public, a certified copy of this enacting Ordinance, as well as certified copies of the Putnam County, Florida *Comprehensive Plan* and the amendments thereto, shall be located in the Planning & Development Services Department of Putnam County, Florida. The Planning & Development Services Director shall make copies available to the public for a reasonable reproduction charge.

SECTION FOUR. The Planning & Development Services Director is hereby authorized and directed to transmit this adopted *Comprehensive Plan* amendment to

the Florida Department of Community Affairs, Bureau of Local Planning, Plan Processing Team, as specified in the Department's procedural rules, within ten (10) working days of the adoption of this Ordinance, and shall also transmit copies to the Northeast Florida Regional Planning Council, to the St. Johns Water Management District, to the Department of Environmental Protection, to the Department of Transportation, and to any other unit of local government or governmental agency in the state that has filed a written request with the County Commission for a copy of *Comprehensive Plan* amendments.

SECTION FIVE. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

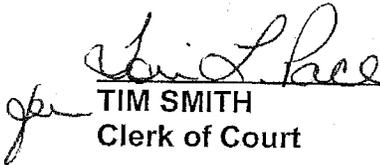
SECTION SIX. This Ordinance shall take effect immediately upon its adoption.

DONE, ORDERED AND ADOPTED at the first and only reading by the Putnam County Board of County Commissioners, this 23rd day of February, 2010.



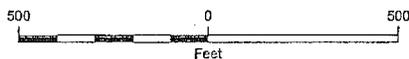
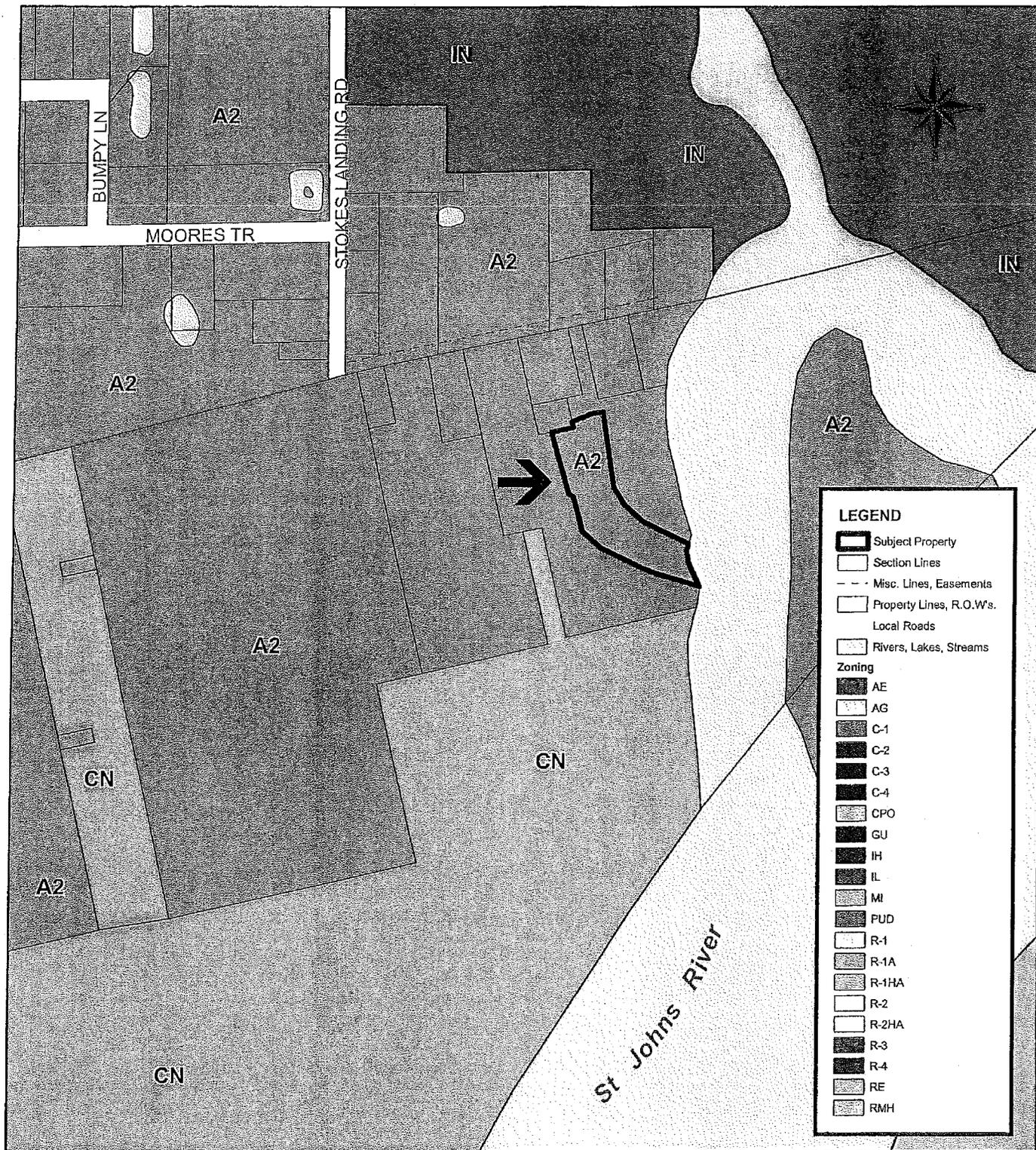
CHIP LAIBL
Chairman, Board of County Commissioners

ATTEST:


TIM SMITH
Clerk of Court



APPENDIX A FUTURE LAND USE MAP



Prepared by: CMR	Checked by: LDH	Approved by:
Date: 02/09/10	Date: 02/09/10	Date:
Source: PUTNAM CO. PROPERTY APPRAISER, PLANNING & DEVELOPMENT		
Revised:		
Revised:		
Revised:		

"This map was created using digital database information which was developed from one or more local government sources within Putnam County, FL, and may include additional information from other public and private sources which may be subject to license and/or copyright. All provided Geographic Information System data is to be considered a generalized spatial representation that is subject to revisions. Maps and associated information must be accepted and used by the recipient with the understanding that the primary information sources should be consulted for verification on the information contained on these maps. As such, no warranties, expressed or implied, are given concerning the accuracy, completeness, reliability or suitability of the data for any particular use. Furthermore, this information is provided as a visual representation only and is not intended to be used as a legal or official representation of legal boundaries."

The Putnam County Board of County Commissioners joined by the county departments, together with the constitutional offices of, Clerk or the Circuit Court; Property Appraiser, Sheriff; Supervisor or Elections; and Tax Collector; assumes no liability whatsoever associated with the use or misuse of this data.

PUTNAM COUNTY

Parcel(s): 37-11-26-0000-0020-0020

Prepared By:
PLANNING & DEVELOPMENT SERVICES
PUTNAM COUNTY, FLORIDA
2010