

email [debbie.mckee@atkinsglobal.com](mailto:debbie.mckee@atkinsglobal.com) or in writing 2639 North Monroe Street, Building C, Tallahassee, FL 32303. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT Project Manager, Brandon Bruner ([joseph.bruner@dot.state.fl.us](mailto:joseph.bruner@dot.state.fl.us)) or FDOT, District 3, Public Information Director, Tommie Speights ([tommie.speights@dot.state.fl.us](mailto:tommie.speights@dot.state.fl.us)). They can be reached Toll Free at 1(888)638-0250, ext. 625 and ext. 208, respectively. You may also visit the project website [www.westbayparkway.com](http://www.westbayparkway.com).

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### **BABCOCK RANCH INC.**

The **Babcock Ranch Inc.**, Board of Directors announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 18, 2011, 9:00 a.m.

PLACE: Teleconference Dial: (904)596-2362, Code: 63683903#

GENERAL SUBJECT MATTER TO BE CONSIDERED: will cover a varied range of topics regarding the management and operations of the Babcock Ranch and its associated agencies including but not limited to:

1. The status of the extension of the Management Agreement
2. Upcoming third party audit
3. Update from DEP state lands on the status of Board (re)appointments
4. Web page
5. Recreational Access

A copy of the agenda may be obtained by contacting: Debbie Upp at [execassistant@archbold-station.org](mailto:execassistant@archbold-station.org) or (863)465-2571, ext. 251.

For more information, you may contact: Debbie Upp at [execassistant@archbold-station.org](mailto:execassistant@archbold-station.org) or (863)465-2571, ext. 251.

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## Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, State of Florida has declined to rule on the petition for declaratory statement filed by Tipples Brews of Gainesville, Docket Number, DS 2011-014 on March 29, 2011. The following is a summary of the agency's declination of the petition:

The Division was advised by the Petitioner that he desired to withdraw the Petition for Declaratory Statement.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Michael Ross, Chief Attorney, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has declined to rule on the petition for declaratory statement filed by Wayne Wheatley, Unit Owner, In Re: Regency Towers Condominium Association, Inc., Docket No. 2011002478 on January 14, 2011. The following is a summary of the agency's declination of the petition:

The Division has declined to issue a declaratory statement because it cannot issue a declaratory statement concerning events that have already taken place; or where there is no citation to an applicable statute, rule or order of the Division; or where a court has jurisdiction over the issue.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Edward J. Campbell, Unit Owner/Petitioner, In Re: The Moorings Condominium Association, Inc., Docket No. 2011017958 on March 31, 2011. The petition seeks the agency's opinion as to the applicability of Section 718.303(3), Florida Statutes, as it applies to the petitioner.

Whether The Moorings Condominium Association, Inc. may reassign a common element boat slip from a delinquent owner whose use has been suspended under Section 718.303(3), Florida Statutes, to another owner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Telese B. McKay, Esq., for Tidy Island Condominium Association, Inc., Docket No. 2011005109 on February 1, 2011. The following is a summary of the agency's disposition of the petition:

The Division finds that Tidy Island may not use voting interests in unbuilt units owned by the association to either cast votes or create a quorum under Section 718.112(2)(b)2., Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN that the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has declined to rule on the petition for declaratory statement filed by West Flagler Associates, Ltd., as General Partner of Summer Jai Alai Partners, Petitioner, in DBPR Case No. 2010047493, Petition No. DS 2010-072, on September 10, 2010. The following is a summary of the agency's declination of the petition:

The Petition listed Chapter 550, and Sections 550.0745(2), 550.615(2) and 849.086, Florida Statutes, as the statutory provision(s) upon which a declaratory statement was being sought. The Petition requested the Division of Pari-Mutuel Wagering to state whether the Petitioner's plan to construct a pari-mutuel facility exclusively for cardroom operations and intertrack wagering while conducting the required live performances at another facility within 35 miles from the new facility complies with the Florida Statutes mentioned above as well as subsection 61D-11.007(4), Florida Administrative Code. Pursuant to Petitioner's Notice of Voluntary Withdrawal

of Petition for Declaratory Statement filed February 4, 2011, the Division has issued an Order on March 31, 2011, ruling the original Petition to be moot and therefore withdrawn without prejudice.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, phone: (850)921-0342.

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#### **DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that on March 31, 2011, the Board of Clinical Laboratory Personnel has received the petition for declaratory statement from KWB Pathology Associates. The petition seeks the agency's opinion as to the applicability of Rule 64B3-10.005, F.A.C. as it applies to the petitioner.

The petition seeks the Board's interpretation of Rule 64B3-10.005, F.A.C., in reference to the gross examination of specimens under histology or any of the other specialties.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

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#### **DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has declined to rule on the petition for declaratory statement filed by Marshal A. Seymour, Petitioner, Case #114886-11-FM on January 6, 2011. The following is a summary of the agency's declination of the petition:

The Department denied the petition because the purpose of a declaratory statement by an administrative agency is to allow a petitioner to select a proper course of action in advance of taking the action. In this case, the course of action is in the past, and the Department has commenced an administrative action against the Petitioner which is currently pending.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604, or (850)413-4238; Fax number (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises or by e-mailing your request to Lesley.Mendelson@myfloridacfo.com.

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