

Purchasing Department
 Walter Pownall Service Center
 11111 So. Belcher Road
 Largo, FL 33773
 (727)547-7230

The Owner reserves the right to reject all bids.

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

DR. CLAYTON WILCOX SUPERINTENDENT OF SCHOOLS AND EX-OFFICIO SECRETARY TO THE SCHOOL BOARD	NANCY N. BOSTOCK CHAIRMAN
	MARK C. LINDEMANN DIRECTOR, PURCHASING

Section XII Miscellaneous

DEPARTMENT OF TRANSPORTATION

Airport Site Approval Order

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Junior Achievement Helistop, a private airport, in Broward County, at Latitude 26° 14' 40.4" and Longitude 80° 10' 11.9", to be owned and operated by Ms. Melissa Aiello, 2335 E. Atlantic Blvd. Suite 200, Pompano Beach, FL 33062.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us. Website: <http://www.dot.state.fl.us/aviation>

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450.

Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

Airport Site Approval Order

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Kathrinstadt, a private airport, in St. Johns County, at Latitude 29° 38' 7" and Longitude 81° 27' 55", to be owned and operated by Mr. John Russell, 10460 Turpin Ave., Hastings, FL 32145.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us. Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

Airport Site Approval Order

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

South Lake Hospital Helipad, a private airport, in Lake County, at Latitude 28° 33' 18" and Longitude 81° 43' 24", to be owned and operated by Ms. B. Martel, 1099 Citrus Tower Blvd., Clermont, FL 34711.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of

Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us. Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Hyosung Motors America, Inc., intends to allow the establishment of All About Scooters, LLC, as a dealership for the sale of Hyosung motorcycles at 2312 Apalachee Parkway #10, Tallahassee (Leon County), Florida 32301, on or after March 6, 2007.

The name and address of the dealer operator(s) and principal investor(s) of All About Scooters, LLC are dealer operator(s): Leroy E. Smith, 756 Rhoden Cove Road, Tallahassee, Florida 32312, Susan D. Smith, 756 Rhoden Cove Road, Tallahassee, Florida 32312; principal investor(s): Leroy E. Smith, 756 Rhoden Cove Road, Tallahassee, Florida 32312, Susan D. Smith, 756 Rhoden Cove Road, Tallahassee, Florida 32312.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Edward Park, President, Hyosung Motors America, Inc., 5815 Brook Hollow Parkway, Suite B, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), JAG Power Sports d/b/a CPI-USA, intends to allow the establishment of Cahill's Motorsports, LLC, as a dealership for the sale of motorcycles manufactured by CPI Motor Co. (CPIU) at 8920 North Armenia Avenue, Tampa (Hillsborough County), Florida 33604, on or after March 5, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Cahill's Motorsports, LLC are dealer operator(s): Daniel Ridgeway, 8920 North Armenia Avenue, Tampa, Florida 33604; principal investor(s): Daniel Ridgeway, 8920 North Armenia Avenue, Tampa, Florida 33604.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Patricia Wei, JAG Power Sports d/b/a CPI-USA, 1875 Walnut Hill Lane, #120, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), JAG Power Sports d/b/a CPI-USA, intends to allow the establishment of Cahill's Motorsports, LLC, as a dealership for the sale of motorcycles manufactured by CPI Motor Co. (CPIU) at 8820 Gall Boulevard, Zephyrhills (Pasco County), Florida 33541, on or after March 5, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Cahill's Motorsports, LLC are dealer operator(s): Daniel Ridgeway, 8820 Gall Boulevard, Zephyrhills, Florida 33541; principal investor(s): Daniel Ridgeway, 8820 Gall Boulevard, Zephyrhills, Florida 33541.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Patricia Wei, JAG Power Sports d/b/a CPI-USA, 1875 Walnut Hill Lane, #120, Irving, Texas 75038.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Bajaj USA, LLC, intends to allow the establishment of Discount Scooters, Inc., as a dealership for the sale of Shanghai Meitian (MEIT) motorcycles and Bajaj (BAJA) motorcycles at 5908 North Armenia Avenue, Tampa (Hillsborough County), Florida 33603, on or after February 21, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Discount Scooters, Inc. are dealer operator(s): Brooke S. Gentile, 4714 South Trask Street, Apartment 34, Tampa, Florida 33611 and Tyde S. Gentile,

14515 Knoll Drive, Tampa, Florida 33624; principal investor(s): Brooke S. Gentile, 4714 South Trask Street, Apartment 34, Tampa, Florida 33611 and Tyde S. Gentile, 14515 Knoll Drive, Tampa, Florida 33624.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Florence Kolvites, Bajaj USA, LLC, 409 Littlefield Avenue, South San Francisco, California 94080-6106.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Hyosung Motors America, Inc., intends to allow the establishment of James Sursely d/b/a Action Orlando Motorsports, as a dealership for the sale of Hyosung motorcycles at 306 West Main Street, Apopka (Orange County), Florida 32712, on or after February 21, 2007.

The name and address of the dealer operator(s) and principal investor(s) of James Sursely d/b/a Action Orlando Motorsports are dealer operator(s): James Sursely, 1546 Ferendina Drive, Deltona, Florida 32725; principal investor(s): James Sursely, 1546 Ferendina Drive, Deltona, Florida 32725.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be

submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Edward Park, President, Hyosung Motors America, Inc., 5815 Brook Hollow Parkway, Suite B, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Coast 2 Coast Choppers, Inc., intends to allow the establishment of RP Custom, Inc., as a dealership for the sale of Coast 2 Coast Chopper motorcycles (CTCC) at 8143 Ulmerton Road, Largo (Pinellas County), Florida 33771, on or after February 23, 2007.

The name and address of the dealer operator(s) and principal investor(s) of RP Custom, Inc. are dealer operator(s): Roy Badie, 400 Harbor View Lane, Largo, Florida 33770; principal investor(s): Roy Badie, 400 Harbor View Lane, Largo, Florida 33770.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Bill F. Neely, President, Coast 2 Coast Choppers, Inc., 1476 North Goldenrod Road, Suite 310, Orlando, Florida 32807.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

LAND AND WATER ADJUDICATORY COMMISSION

AMENDED NOTICE OF RECEIPT OF PETITION
TUSCANY COMMUNITY DEVELOPMENT DISTRICT
(Amended as to Hearing Date)

On August 25, 2006, the Florida Land and Water Adjudicatory Commission (the "Commission") received a Petition to adopt an amendment to Chapter 42GG-1, F.A.C., to amend the boundary of the Tuscan Community Development District (the "District") pursuant to Chapter 190, F.S. The Petition was supplemented on December 1, 2006. Petitioner asserts a copy of the Petition was filed with Citrus County. The Commission will follow the requirements of Chapter 190, F.S., and Chapter 42-1, F.A.C., in ruling on this Petition.

SUMMARY OF CONTENTS OF PETITION: The Petition, as supplemented, was filed by the Tuscan Community Development District with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The Petition, as supplemented, proposes to modify the land area presently serviced by the District by amending its boundary to add 332.07 acres to the District located solely within Citrus County, Florida. The District currently covers approximately 1,378.86 acres of land and after amendment the District will encompass approximately 1710.93 acres. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property comprising the expansion parcel. Further, Petitioner indicates the landowners of all the property within the current boundaries of the District are the same landowners whose consent to the creation of the District was documented in the original Petition to establish the District. The consenting landowners within the current District boundaries are also the consenting landowners of all the property within the parcel proposed by the Petition to be added to the District. Each landowner consent documents ownership for all the lands owned, both within the parcel to be added to the District by the Petition and within the current external boundaries of the District. According to the Statement of Estimated Regulatory Costs, although the District's boundary will be expanded through the amendment process, the District's development plan will remain the same as when the District was established. The District will continue to support 4,138 single-family

residential units, 1,258 multi-family residential units, 400 life care center units, 400,000 square feet of business/commercial/office and 41,368 square feet of community/neighborhood services. The 322.07 acre expansion is planned for 842 single-family residential units, which are already included in the above totals. No additional residential or non-residential development is anticipated due to the expansion of the District's boundary. The District intends to finance road, water, wastewater, stormwater, entry monumentation, landscaping, irrigation and recreational facilities in the expansion area.

SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COSTS: In association with the Petition, as supplemented, the Petitioner has caused a Statement of Estimated Regulatory Costs ("SERC") to be prepared in compliance with Section 120.541, F.S. The complete text of the SERC is contained at Exhibit "10" to the Petition, as supplemented. By way of summary, the SERC estimates the principal individuals and entities likely to be required to comply with the amended rule are the households within the geographic area of the amendment. The SERC estimates that rule amendment implementation and enforcement costs to state government entities and Citrus County will be modest and/or are offset by the payment of requisite filing and annual fees; and, estimates there will be no negative impact on state and local revenues from the proposed amendment of the rule. With respect to an estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the rule, the SERC indicates that to fund the cost of maintaining infrastructure, assessments and fees will be imposed on the District property owners. Finally, the SERC concludes that the amendment of the District's boundary will have no impact on small businesses and should not have negative impact on small counties and cities as defined in Section 120.52, F.S. Citrus County is not a small county as defined by Section 120.52, F.S. The SERC analysis is based on a straightforward application of economic theory and input was received from the District's Engineer and other professionals associated with the District.

A LOCAL HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, March 22, 2007, 11:15 a.m. (EST)

PLACE: Citrus County Resource Center, Conference Room, 2804 West Marc Knighton Court, Lecanto, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Brian A. Crumbaker or Joseph A. Brown, telephone (850)222-7500, at least five (5) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

COPIES OF THE PETITION MAY BE OBTAINED BY CONTACTING: Brian A. Crumbaker or Joseph A. Brown, Hopping Green & Sams, 123 South Calhoun Street,

Tallahassee, Florida 32301; or Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Healthcare Administration has received an application for services exemption from Florida Hospital – Ormond Memorial in Ormond Beach pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The service category requested is Neurosurgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to: Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)487-2717 or by e-mail at youngj@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

The Department of Environmental Protection gives notice of its intent to issue a variance under Section 403.201 of the Florida Statutes (F.S.), from the provisions of paragraph 62-4.244(5)(c), F.A.C. to the U.S. Department of Navy, Naval Air Station, P. O. Box 9001, Key West, Florida 33040-90017601, File Number 0207625-008-EV to establish a temporary mixing zone for turbidity greater than 150 meters within an area of Class III Waters located in the Straits of Florida, where it passes through the Florida Keys National Marine Sanctuary, which is classified as an Outstanding Florida Waterbody.

The existing ambient water quality within the temporary mixing zone located in Outstanding Florida Waters shall not be lowered as a result of the dredging activities for a period greater than 30 days. The U.S. Department of the Navy shall abide by the conditions of Environmental Resource Permit 0207625-002-EM (as modified) as specified in the subject variance.

There is no practical means known for adequate control of elevated turbidity given the exceptional ecological nature of the receiving waters. Therefore, the Department intends to issue a variance, pursuant to Section 403.201(1)(a), F.S., for a temporary mixing zone for turbidity greater than 150 meters within an area of Class III Waters within an Outstanding Florida Waterbody for a period not to exceed thirty days.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the

Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, Florida, (850)413-7765.

Under this intent to issue, this variance is hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051 of the Florida Statutes. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57 of the Florida Statutes as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be issued as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered. Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention

will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the F.A.C.

In accordance with subsection 28-106.111(2) and sub-paragraph 62-110.106(3)(a)4., F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3) of the Florida Statutes, must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57 of the Florida Statutes.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301 of the

F.A.C. Under Sections 120.569(2)(c) and (d), of the Florida Statutes, a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue a variance constitutes an order of the Department. Subject to the provisions of paragraph 120.68(7)(a) of the Florida Statutes, which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68 of the Florida Statutes, by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

DEPARTMENT OF HEALTH

On March 6, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Adrienne Angeline Brissaud, R.N., license number RN 9177036. This Emergency Suspension Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN that the Office of Insurance Regulation, Financial Services Commission, received on February 21, 2007, a petition from First American Title Insurance Company for a rate deviation, under Section 627.783, Florida Statutes, from rates promulgated in Rules 69O-186.003 and 69O-186.005, F.A.C., for issuance of endorsements. The petition has been assigned OIR #89408-07. Copies may be received from, and written comments submitted

to: Jamie Metz Sweeney, Assistant General Counsel, Office of Insurance Regulation, Regulatory Section, Legal Services Office, 200 East Gaines Street, Tallahassee, FL 32399-4206, (850)413-4108, Fax (850)922-2543, or by E-mail to Jamie.metz@fldfs.com. Comments must be received no later than 14 days from the date of publication of this notice.

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institution, has received the following applications. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, F.A.C., any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida, 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., April 6, 2007):

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Commercial Bank of Florida (Commercial Bankshares, Inc.) Miami, Florida
 Proposed Purchaser: The Colonial BancGroup, Inc., Montgomery, Alabama
 Received: February 28, 2007

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: United Heritage Bank, Longwood, Florida
 Proposed Purchaser: Fidelity Southern Corporation, Atlanta, Georgia
 Received: March 1, 2007

APPLICATION TO MERGE

Constituent Institutions: Achieva Credit Union, Largo, Florida, and Dunedin Municipal Employees Federal Credit Union, Dunedin, Florida
 Resulting Institution: Achieva Credit Union
 Received: March 7, 2007