

November 22, 2022

Leah E. Ellington
Lobeck & Hanson, P.A.
2033 Main Street, Suite 403
Sarasota, Florida 34237-6063

**Re: Myakka Valley Ranches Improvement Association, Inc. – Unit III Denial;
Determination Number: 22223**

Dear Ms. Ellington:

The Department of Economic Opportunity (Department) has completed its review of the Proposed Revived Declaration (Declaration) and other governing documents for the Myakka Valley Ranches Improvement Association, Inc. – Unit III (Association), and has determined that the documents fail to comply with the requirements of Chapter 720, Part III, Florida Statutes. Therefore, the proposed revitalization of the Association's Declaration and other governing documents is denied.

The reasons for the denial are:

1. Section 720.405(1), Florida Statutes, requires the proposal to revive a declaration of covenants and an association for a community to be initiated by an organizing committee consisting of not less than three parcel owners located in the community that is proposed to be governed by the revived declaration. The name, address, and telephone number of each member of the organizing committee must be included in any notice or other document provided by the committee to parcel owners to be affected by the proposed revived declaration. The July 5, 2022 letter provided by the organizing committee to the affected parcel owners did not include the address and telephone number of each member of the organizing committee. The April 8, 2022 notice provided by the organizing committee to the affected parcel owners did not include the name, address, and telephone number of each member of the organizing committee.
2. Section 720.405(1), Florida Statutes, requires the proposal to revive a declaration of covenants and an association for a community to be initiated by an organizing committee consisting of not less than three parcel owners located in the community that is proposed to be governed by the revived declaration. The organizing committee consisted of only two members from the Unit III community.
3. Section 720.406(1), Florida Statutes, requires the Association to submit its proposed revived declaration and other governing documents to the Department no later than 60 days after

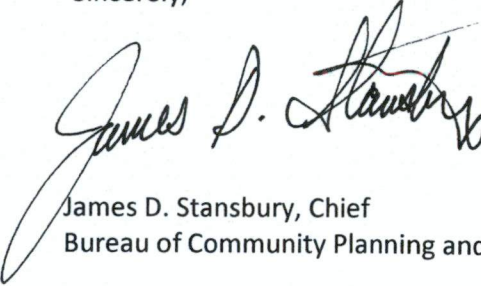
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the date the proposed revived declaration and other governing documents are approved by the affected parcel owners. The Association submitted its proposed revived declaration and other governing documents to the Department more than 60 days after it was approved by a majority of the affected parcel owners.

If you have any questions concerning this matter, please contact the Department of Economic Opportunity, Office of the General Counsel, at (850) 245-7150.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/bp/rm

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS DETERMINATION HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, BY FILING A PETITION.

A PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF RECEIPT OF THIS DETERMINATION. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX 850-921-3230
AGENCY.CLERK@DEO.MYFLORIDA.COM

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF RECEIPT OF THIS DETERMINATION.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES.

PURSUANT TO SECTION 120.573, FLORIDA STATUTES, AND CHAPTER 28, PART IV, FLORIDA ADMINISTRATIVE CODE, YOU ARE NOTIFIED THAT MEDIATION IS NOT AVAILABLE.