

IN THE FIFTH JUDICIAL CIRCUIT COURT  
IN AND FOR MARION COUNTY

**RAINBOW RIVER CONSERVATION, INC.,**

a Florida Corporation,  
and FREDERICK S. JOHNSTON,  
MICHAEL G. RAUSCH, MAX P LYNN,  
JOHN DENNIS, PATRICIA M ERMATINGER,  
JEAN TULLIS AND CHARLES TULLIS,  
THELMA B DICKINSON, MARGARET LONGHILL,  
NIKKI CONNORS, ROGER BARTH,  
EMMA JEAN PAINTER, LEONARD GANE,  
WALTER JOHNSON, SHIRLEY E. DOWLING,  
FRANKLIN W. ROTH, as individuals

Plaintiffs

v.

Case No. 10-1877 CAB

CITY OF DUNNELLON

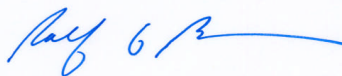
Defendant

\_\_\_\_\_ /

**VOLUNTARY DISMISSAL**

Whereas, Defendant asserts that the settlement agreement is not a “development order” as defined by §163.3164 *Florida Statutes*, that is subject to review for consistency with the Comprehensive Plan under §163.3215, *Florida Statutes*,

Plaintiffs agree to voluntarily dismiss the above styled §163.3215 *Florida Statutes* complaint without prejudice to seek judicial review of any future “development order” that is issued in the future on the subject parcel(s) pursuant to §163.3215 *Florida Statutes*.



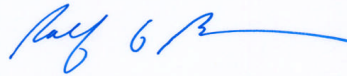
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by US mail on this **June 5, 2010** to the following:

**City Attorney, City of Dunnellon**  
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*As filed with the :  
5th Circuit Court  
110 NW 1<sup>st</sup> Ave,  
Ocala Fl 34475*