

IN THE CIRCUIT COURT IN AND FOR SANTA ROSA COUNTY, FLORIDA

LEONARD J. ACCARDO and
LYNN M. ACCARDO, et al.,

Plaintiffs

vs.

CASE NO:06001064CA

GREGORY S. BROWN, PROPERTY
APPRAISER FOR SANTA ROSA COUNTY,
FLORIDA, and ROBERT G. McCLURE, TAX
COLLECTOR FOR SANTA ROSA COUNTY,
FLORIDA,

Defendants.

_____ /

PLAINTIFFS' FIRST REQUEST FOR ADMISSIONS
TO DEFENDANT BROWN

Plaintiffs, pursuant to Fla.R.Civ.P. 1.370, request that Defendant, Gregory S. Brown, Property Appraiser for Santa Rosa County, admit the truth of the following statements within 30 days from the date hereof:

1. You contend that certain plaintiffs were required to pay 2006 real estate taxes on improvements, as a condition precedent to filing this action.

NOTE: The plaintiffs referred to in the foregoing admission shall hereafter be referred to as "plaintiffs with improvements," or "PWI".

2. You did not, prior to November 30, 2006, provide any PWI with a written document setting out the precise amount owed by such PWI for said 2006 taxes on improvements.

3. You did not, prior to November 30, 2006, provide any PWI with a written document setting out the 2006 assessment amount arrived at by your office for the improvements only.

4. You contend that the lessee of a condominium unit holds no leasehold interest in land.

5. A condominium parcel is defined in Fla. Stat. §718.103(12) as "a unit, together with the undivided share in the common elements appurtenant to the unit."

6. "Common elements, " as defined in Fla. Stat. §718.103(8) "means the portions of the condominium property not included in the units."

7. "Unit," as defined in Fla. Stat. §718.103(27) "means a part of the condominium property which is subject to exclusive ownership. A unit may be in improvements, land, or land and improvements together, as specified in the declaration."

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been furnished to Elliott Messer and Thomas M. Findley, of Messer, Caparello & Self, P.A., 2618 Centennial Place, Tallahassee, FL. 32308, and Roy Andrews, Esquire, Lindsay, Andrews & Leonard, P.A., 5218 Willing Street, Milton, FL. 32570, by U.S. Mail, this ___ day of January, 2007.

DANNY L. KEPNER
Bar No: 174278
Shell, Fleming, Davis & Menge, P.A.
226 South Palafox Street, 9th Floor
Pensacola, Florida 32502
Telephone 850-434-2411
Attorneys for Plaintiffs