

IN THE CIRCUIT COURT OF THE FIRST
JUDICIAL CIRCUIT IN AND FOR
SANTA ROSA COUNTY, FLORIDA

LEONARD J. ACCARDO and
LYNN M. ACCARDO,,

Plaintiffs,

vs.

CASE NO.: 06-1064-CA

GREGORY S. BROWN, Property Appraiser
of Santa Rosa County, Florida; and
ROBERT J. McCLURE, Tax Collector
for Santa Rosa County,

Defendants.

DEFENDANTS' REQUEST FOR ADMISSIONS
TO INDIVIDUAL PLAINTIFFS IDENTIFIED IN THE COMPLAINT

Pursuant to Rule 1.370, Florida Rules of Civil Procedure, Defendant, **GREGORY S. BROWN**, by and through his undersigned counsel, hereby propounds this Request for Admissions upon each Plaintiff identified in Schedule A of the Complaint and Amended Complaint, requesting that the Plaintiff admit the following. For purposes of this request, the "Subject Property" means the real property that has been assessed for ad valorem tax purposes by the Property Appraiser and which is the subject of the Plaintiff's Complaint (and any amendments thereto).

1. Admit that the Plaintiff, by the terms of the leases applicable to it, is obligated to pay existing and future taxes legally imposed upon the Subject Property.
2. Admit that the Plaintiff insures the Subject Property.
3. Admit that the Plaintiff is responsible for all maintenance and repair on the Subject Property.

4. Admit that the Plaintiff has the right to transfer or convey its interest in the Subject Property and realize the appreciation, if any, on such transfer or conveyance.

5. Admit that the Plaintiff has mortgaged or otherwise encumbered with debt the Subject Property.

6. Admit that the Subject Property is used or held by the Plaintiff for investment purposes or for the production of income.

7. Admit that the Plaintiff is a private person or entity.

8. Admit that the Plaintiff uses or holds the Subject Property for private purposes.

9. Admit that Santa Rosa County does not pay for any of the repair, maintenance, or insurance costs for the Subject Property.

10. Admit that the Subject Property receives the benefit of police protection from local government.

11. Admit that residents of Navarre Beach have the right to have their school age children attend public schools funded by Santa Rosa County.

12. Admit that the original term of the Plaintiff's leasehold interest on the Subject Property is in excess of 98 years.

13. Admit that the Plaintiff's lease on the Subject Property provides for an option to renew.

14. Admit that the Plaintiff deducts interest expense on debt on the Subject Property in calculating income for federal income tax purposes.

Respectfully submitted,



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Counsel for Property Appraiser

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to Danny L. Kepner, Esq. and Thomas J. Gilliam, Jr., Esq., Shell, Fleming, Davis & Menge, P.A., 226 South Palafox Street, 9th Floor, Pensacola, FL 32502 this 23 day of August, 2007.



THOMAS M. FINDLEY