

IN THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT
IN AND FOR MONROE COUNTY, FLORIDA

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION, on
behalf of the BOARD OF TRUSTEES OF
THE INTERNAL IMPROVEMENT FUND,

Plaintiff,

Case No: CAP95-165

vs.

EVERETT G. WEST, et .al.

Defendants.

_____ /

ORDER ON PLAINTIFF'S MOTION FOR CLARIFICATION

This Cause, having come before the Court for a hearing on the Petitioner's Motion for Clarification of this Court's April 9, 2007 Order Granting Defendant's Motion in Limine on the Issue of Condemnation Blight, and the Court having read the Motion and Response, heard argument of counsel on August 31, 2007, and being otherwise fully advised in the premises, it is therefore ORDERED:

1. Regarding the ruling in Paragraph 8 of the Order (page 23), the parties shall value the land(s) taken at their fair market value on the 2004 date of taking(s). The parties are further directed that the value shall be based upon the State, County and Federal legislative enactments and regulations in effect on February 8, 1982.
2. The parties may use comparable sales from areas of Monroe County which have been unaffected by the condemnation blight as defined in the April 9, 2007 Order.
3. The Petitioner shall have up to and including October 1, 2007 to complete and transmit its completed appraisals to the Defendants.

Done and Ordered in Chambers at Tavernier, Florida this ____ day of
_____2007.

Honorable LUIS M. GARCIA
Circuit Court Judge

Copies to:
Paul Lehrman
James Mattson
Andrew Tobin