

**DISTRICT COURT OF APPEAL, FIRST DISTRICT
2000 Drayton Drive
Tallahassee, Florida 32399-0950
Telephone No. (850) 488-6151**

October 14, 2011

**CASE NO.: 1D10-2050
L.T. No. : 2004-CA-2290**

1108 Ariola, L L C,
Et Al.

v. Chris Jones, Property
Appraiser, Etc., Et Al.

Appellant / Petitioner(s),

Appellee / Respondent(s).

BY ORDER OF THE COURT:

Appellants' motions for certification filed August 1, and August 2, 2011 are granted and, pursuant to Florida Rule of Appellate Procedure 9.030(a)(2)(A)(v), the court certifies the following question of great public importance:

**WHETHER THE APPELLANT-LEASEHOLDERS
ARE EQUITABLE OWNERS OF THE LEASEHOLD
IMPROVEMENTS ON THE SUBJECT REAL PROPERTY
WHEN THEY HAVE NEITHER A PERPETUAL LEASE OF
THE UNDERLYING REAL PROPERTY NOR AN OPTION
TO PURCHASE SUCH PROPERTY FOR NOMINAL VALUE.**

VAN NORTWICK and MARSTILLER, JJ., concur.
THOMAS, J., dissents without opinion.

I HEREBY CERTIFY that the foregoing is (a true copy of) the original court order.

Served:

Talbot D'Alemberte
Katie Lee Dearing
Elliott Messer
Hon. Ernie Lee Magaha, Clerk

Christian P. George
Danny L. Kepner
Robert J. Telfer, III

Patsy Palmer
Robert B. George
Thomas M. Findley
Hon. Thomas D. Hall

jm

Jon S. Wheeler

JON S. WHEELER, CLERK

