

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,
IN AND FOR LEON COUNTY, FLORIDA

LEON COUNTY, FLORIDA, a political
Subdivision of the State of Florida,

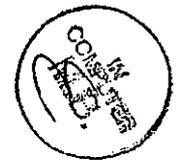
PLAINTIFF,

CASE NO. 03-CA-1518

J-II INVESTMENTS, INC., and
JOHNNY PETRANDIS, II,

DEFENDANTS.

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CIRCUIT CIVIL DIV.
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BOB INZER
CLERK CIRCUIT COURT
LEON COUNTY, FLORIDA



ORDER GRANTING SUMMARY JUDGMENT

This cause having come on to be heard by the Court on June 17, 2004, the Plaintiff, Leon County's Motion to Strike and Leon County's Motion for Summary Judgment; the Plaintiff and Defendants appearing by and through their attorneys of record; and the Court having examined the pleadings on file, read and considered the affidavits and summary judgment evidence; and heard the arguments of counsel and being fully advised in the premises, finds that no genuine issues of material fact exist in this action, and Plaintiff is entitled, as a matter of law, to summary judgment in its favor.

It is therefore ORDERED and ADJUDGED:

1. That Plaintiff, Leon County's Motion to Strike is DENIED.
2. Defendants' Request for "Injuctive" [sic] Relief and Defendants' Motion Against Entry of Summary Judgment and Request for "Dismissal" [sic], are both DENIED pursuant to Rules 1.080 (f), 1.140(b), and (h) (1) of the *Florida Rules of Civil Procedure*.

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BOB INZER, CLERK OF COURTS

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3. That Plaintiff, Leon County's Motion for Summary Judgment be and the same is hereby GRANTED. See Martin County v. Edenfield, 609 So.2d 27 (Fla. 1992); Ball v. Florida Podiatrist Trust, 620 So.2d 1018 (Fla. 1st DCA 1993); Pamperin v. Interlake Companies, Inc., 634 So.2d 1137 (Fla. 1st DCA 1994).

4. That, in accordance with the *Leon County Code of Laws*, the Defendants shall immediately implement a plan for the remediation and correction of the violations on the subject property, through permitting and correction of the violations no later than thirty (30) days from the date of this Order.

5. That a temporary injunction be entered ordering the Defendants to refrain from any further violation of local laws and permanent prohibitory injunction be entered enjoining the Defendants from any further violation of the law at the subject property.

6. That Defendants submit a complete application for a Standard Form Environmental Management Permit no later than sixty (60) days from the date of this Order.

7. That Defendants obtain an Environmental Management Permit upon Leon County's approval of the submitted permit application.

8. That Defendants implement and complete the requirements of the aforementioned Environmental Management Permit.

9. That Defendants call for and obtain Final Inspection approval.

10. That Defendants pay Attorneys fees and costs of this action and administrative enforcement costs, including the direct cost to the citizens of Leon County in its efforts to gain compliance with the County's laws.

DONE and ORDERED this 28th day of June, 2004.



L. RALPH SMITH, JR.
Circuit Judge

Copies provided to:

- Herbert W.A. Thiele, Esq.
- Cherry A. Shaw, Esq.
- Sean O'Connor, Esq.

Signed 6/28/04
Original to Clerk 6/28/04
Copies sent 6/28/04