

**IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT  
IN AND FOR ALACHUA COUNTY, FLORIDA  
CIVIL DIVISION**

**BUTLER DEVELOPMENT COMPANY,  
LLC, a Florida limited liability company,**

**Plaintiff,**

**Case No.:** 2020-CA-001915

**vs.**

**Division:** K

**ED CRAPO, as Property Appraiser;  
JOHN POWER, as Tax Collector and  
JIM ZINGALE as Executive Director of the  
Florida Department of Revenue,**

**Defendants.**

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**COMPLAINT**

**Plaintiff, BUTLER DEVELOPMENT COMPANY, LLC, a Florida limited liability company, sues Defendant, ED CRAPO as Property Appraiser (“Appraiser”), JOHN POWER as Tax Collector (“Collector”), and JIM ZINGALE (“Zingale”), as Executive Director of the Florida Department of Revenue, and alleges:**

- 1. This is an action to contest an ad valorem tax assessment for the tax year 2019 and this Court has jurisdiction pursuant to Chapter 194, Florida Statutes, and article V, sections 5 and 20 of the Florida Constitution.**
- 2. Plaintiff is a Florida limited liability company.**
- 3. Appraiser is sued herein in his official capacity and is a necessary party to the action pursuant to section 194.181(2), Florida Statutes.**

4. Collector is sued herein in his official capacity and is a necessary party to the action pursuant to section 194.181(3), Florida Statutes.

5. Defendant Zingale is sued in his official capacity as Executive Director of the Florida Department of Revenue and is a necessary party to this action pursuant to section 194.181(5), Florida Statutes.

6. Plaintiff is the owner of certain real property located in Alachua County, Florida, identified by Appraiser as Parcel Nos. 06810-002-004, 06810-002-005, 06810-002-006 and 06810-003-004 and, hereinafter referred to as the "Subject Property."

7. Appraiser estimated the just and assessed value of the Subject Property for ad valorem purposes as follows:

<u>Account No.</u>	<u>Just Value</u>	<u>Assessed Value</u>
06810-002-004	\$918,348	\$691,761
06810-002-005	\$770,386	\$493,174
06810-002-006	\$886,693	\$886,693
06810-003-004	\$1,854,248	\$1,594,901

hereinafter the ("assessments").

8. Plaintiff has paid the taxes which have been assessed in full, pursuant to section 194.171(3)(4), Florida Statutes. A copy of the receipts are attached hereto as Plaintiff's Composite Exhibit "A."

9. Plaintiff has performed all conditions precedent which is required to be performed by Plaintiff in establishing its right to bring this action. Specifically, this

action has been filed within the time period prescribed by section 194.171(2) Florida Statutes.

10. Appraiser failed to comply with section 193.011, Florida Statutes and professionally accepted appraisal practices in assessing the Subject Property.

11. The assessments do not represent the just value of the Subject Property as of the lien date because they exceed the market value and therefore violates article VII, section 4 of the Florida Constitution.

WHEREFORE, Plaintiff demands that this Court take jurisdiction over this cause and the parties hereto; enter an order setting aside the assessments on the Subject Property as excessive; establish the proper assessments of the Subject Property in accordance with the Constitution of the State of Florida and section 193.011, Florida Statutes; direct the Collector to cancel the original bills and issue new tax bills in said reassessed amounts; and finally, to award Plaintiff its costs incurred in bringing this action pursuant to section 194.192, Florida Statutes, and award such other general relief as may be just and equitable.

/s/ Robert E. V. Kelley, Jr.  
**Robert E. V. Kelley, Jr.**  
**Florida Bar No. 451230**  
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