



To: All Interested Media

From: Florida Coastal Property Rights

Date: Monday, February 18, 2019

Re: Walton County Customary Use Suit

Florida Coastal Property Rights (FlaCPR), a coalition created by and consisting of Walton County beachfront property owners, today released updated numbers on filed interventions in Walton County’s case to affirm the existence of recreational customary use on all private property. **The current total is now more than 350 total interventions from individuals, associations and condominiums.**

Regarding the number of interventions, FlaCPR President Tammy Alford stated the following: “It is not surprising to see hundreds of parcels, owned by thousands of owners, intervening to protect their property rights against Walton County’s action. Many owners only wish to preserve their property rights, which will be diminished should Walton County prevail in this lawsuit.”

A court hearing in the suit filed by Walton County requesting a declaration to affirm the existence of recreational customary use on all private property was held today at 9 a.m. CST. The primary item before the court was to hear motions allowing condominiums and homeowner associations to represent their owners. Prior to today’s hearing, Walton County had not stipulated that these entities could intervene on their community’s behalf. At today’s hearing, the county reversed position as to a multitude of associations and stipulated that they could represent their unit owners. In addition, the court granted the motions of all but a handful of landowners and community associations to intervene and no interventions were denied. Lastly, the court ruled that the county had 60 days from today for the county to serve notice on any property owners who have not yet received notice or have not intervened. Forty-five days from that time, the intervenors will have to file responsive pleadings.

Following today’s court hearing, Alford stated the following: “We are pleased that the vast number of intervenors have been accepted and associations and condominiums are now allowed to defend themselves on behalf of their owners. The court also decided to significantly extend the deadline to ensure all owners have been noticed, making sure all owners have the opportunity to decide what they need to do to protect their property rights.”

Walton County filed its case on December 11, 2018. On January 11, 2019, Walton County mailed registered notices, return receipt requested to owners of 1,194 beachfront parcels in Walton County. According to Walton County’s publicly available mailing list, the total letters mailed were expected to number more than 4,600. For example, the increase in letters sent compared to the number of parcels is because condominiums and associations may hold one parcel with multiple owners having an interest in that parcel. By Florida statute (§163.035), owners have 45 days from receipt of notice to intervene.

If Walton County is successful in affirming customary use on all private beachfront property in the county, the action will remove private property owners' legal rights to decide who can use their property and provides Walton County the right to decide who can use the dry sand portion of all privately owned beachfront property.

The court docket in the case, *Affirming Existence of Recreational Customary Use on 1,194 Private Properties Located in Walton County, Florida*, can be accessed at <https://www.civitekflorida.com/ocrs/county/66/disclaimer.xhtml>. (Year 2018, Court Type CA, Sequence# 547)

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FlaCPR is an independent, not-for-profit corporation, operated by a coalition of Walton County beachfront property owners, who are committed to preserving their property rights. FlaCPR is dedicated to providing beachfront property owners with accurate and timely information about actions impacting their property rights and the actions they can take to protect those rights. FlaCPR is neither affiliated with nor endorsed by any law firm. To learn more about FlaCPR, visit flacpr.com.