### IDJI 7.07 - Fair market value – factors to be considered

INSTRUCTION NO. \_\_\_

 In determining the fair market value of property, you may consider not only the opinions of the various witnesses who testified as to market value, but also all other evidence in the case which may aid in determining market value, such as location of the property, the surroundings and general environment, any peculiar suitability of the property for particular uses, and the reasonable probabilities as to future potential uses, if any, for which the property is or would be suitable or physically adaptable, all as shown by the evidence in the case to have existed on \_\_\_\_\_ [date]

Comment:

In a direct condemnation action, the date inserted in the instruction will be the date of issuance of the summons -- I.C. § 7-712; in an inverse condemnation case, the date will be the date of taking as determined by the court. *City of Caldwell v. Roark*, 92 Idaho 99 (1968), State v. City of Mt. Home*,* 94 Idaho 528 (1972) and Eagle Sewer Dist. v. Hormaechea, 109 Idaho 418 (App. 1985).