

**ERNIE LEE MAGAHA**  
CLERK OF THE CIRCUIT COURT



BRANCH OFFICES  
ARCHIVES AND RECORDS  
JUVENILE DIVISION

CENTURY

ARCHIVES AND RECORDS  
CHILD SUPPORT  
CIRCUIT CIVIL  
CIRCUIT CRIMINAL  
COUNTY CIVIL  
COUNTY CRIMINAL  
DOMESTIC RELATIONS  
FAMILY LAW  
JURY ASSEMBLY  
JUVENILE  
MENTAL HEALTH  
MIS  
OPERATIONAL SERVICES  
PROBATE  
TRAFFIC

**COUNTY OF ESCAMBIA**  
**OFFICE OF THE**  
**CLERK OF THE CIRCUIT COURT**

CLERK TO THE BOARD OF  
COUNTY COMMISSIONERS

OFFICIAL RECORDS  
COUNTY TREASURY  
AUDITOR

## IMAGING COVER PAGE

This cover page is not a part of the original documents but is necessary to avoid obscuring any information on the original documents

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Case: 2007 TD 005254



00042290979

Dkt: TD80 Pg#:

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24

**Original Documents Follow**

**ERNIE LEE MAGAHA**  
CLERK OF THE CIRCUIT COURT

ARCHIVES AND RECORDS  
CHILD SUPPORT  
CIRCUIT CIVIL  
CIRCUIT CRIMINAL  
COUNTY CIVIL  
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DOMESTIC RELATIONS  
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AUDITOR

5/20/2009

MR BUCK KESSLER  
54825 BABIN DR  
WHITE CASTLE LA 70788-2204

Dear Owner:

The records of this office show a refund due to you on the following Tax Deed Certificate. This amount represents an overpayment of interest/application fees. Our system automatically calculates interest through the sale date and you redeemed in the month prior on 5/18/2009 which generates a refund.

<u>Tax Cert. #</u>	<u>Account #</u>	<u>Sale</u>	<u>Refund</u>
05254/2007	10-4645-470	7/06/2009	712.63

Very truly yours,  
ERNIE LEE MAGAHA  
Clerk of the Circuit Court

By:   
Mylinda Johnson, Tax Deeds Division

Enclosure

**ERNIE LEE MAGAHA**  
CLERK OF THE CIRCUIT COURT

ARCHIVES AND RECORDS  
CHILD SUPPORT  
CIRCUIT CIVIL  
CIRCUIT CRIMINAL  
COUNTY CIVIL  
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CENTURY

CLERK TO THE BOARD OF  
COUNTY COMMISSIONERS

OFFICIAL RECORDS  
COUNTY TREASURY  
AUDITOR

5/20/2009

PPTS 252 LLC  
P O BOX 2288  
MORRISTOWN NJ 07962-2288

Dear Certificate Holder:

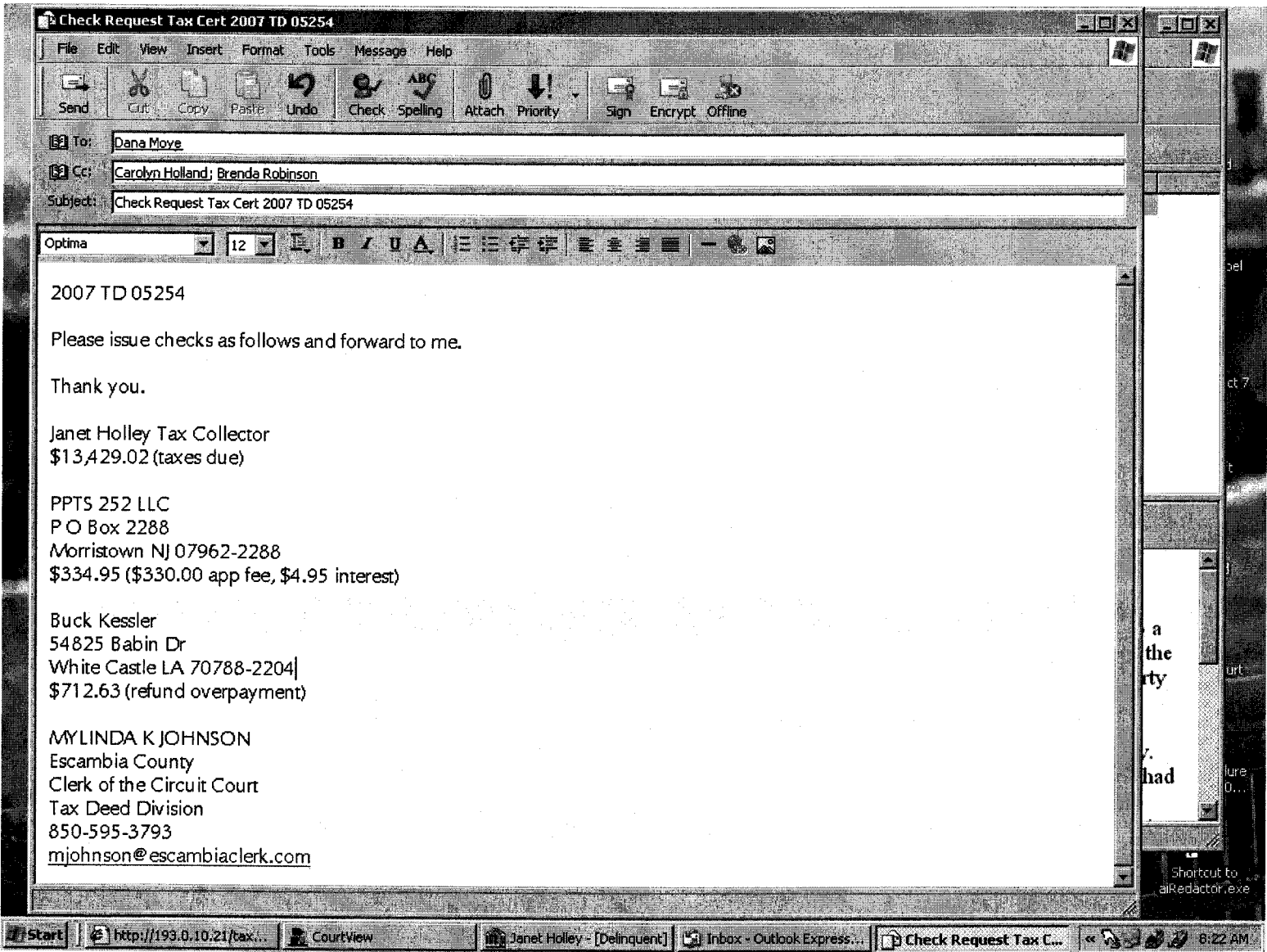
Our records indicate that you made application for a tax deed to be issued on the following property represented by the numbered certificate below. This property was redeemed prior to our scheduled sale date. Your application fees are now refundable in the amount shown below.

Tax Cert. #	Account #	Sale	Appl. Fees	Interest	Total
05254/2007	10-4645-470	7/06/2009	330.00	4.95	334.95

Very truly yours,  
ERNIE LEE MAGAHA  
Clerk of the Circuit Court

By:   
Mylinda Johnson, Tax Deeds Division

Enclosure



Check Request Tax Cert 2007 TD 05254

File Edit View Insert Format Tools Message Help



To: Dana Moya  
Cc: Carolyn Holland; Brenda Robinson  
Subject: Check Request Tax Cert 2007 TD 05254

Optima 12 B I U A

2007 TD 05254

Please issue checks as follows and forward to me.

Thank you.

Janet Holley Tax Collector  
\$13,429.02 (taxes due)

PPTS 252 LLC  
P O Box 2288  
Morristown NJ 07962-2288  
\$334.95 (\$330.00 app fee, \$4.95 interest)

Buck Kessler  
54825 Babin Dr  
White Castle LA 70788-2204  
\$712.63 (refund overpayment)

MYLINDA K JOHNSON  
Escambia County  
Clerk of the Circuit Court  
Tax Deed Division  
850-595-3793  
[mjohnson@escambiaclerk.com](mailto:mjohnson@escambiaclerk.com)

Start http://193.0.10.21/tax... CourtView Janet Holley - [Delinquent] Inbox - Outlook Express... Check Request Tax C... 8:22 AM



**ERNIE LEE MAGAHA**  
**CLERK OF THE CIRCUIT COURT**  
**ESCAMBIA COUNTY, FLORIDA**

**Tax Deed - Redemption Calculator**

**Account: 104645470 Certificate Number: 005254 of 2007**

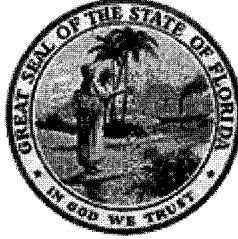
Redemption  No  Application Date  Interest Rate

	Final Redemption Payment ESTIMATED	Redemption Overpayment ACTUAL
	Auction Date <input type="text" value="07/06/2009"/>	Redemption Date <input type="text" value="05/18/2009"/>
Months	3	1
Tax Collector	<input type="text" value="\$13,224.40"/>	<input type="text" value="\$13,224.40"/>
Tax Collector Interest	\$595.10	\$198.37
Tax Collector Fee	<input type="text" value="\$6.25"/>	<input type="text" value="\$6.25"/>
Total Tax Collector	\$13,825.75	<input type="text" value="\$13,429.02"/> <b>TAX COLL</b>
Clerk Fee	<input type="text" value="\$60.00"/>	<input type="text" value="\$60.00"/>
Sheriff Fee	<input type="text" value="\$60.00"/>	<input type="text" value="\$60.00"/>
Legal Advertisement	<input type="text" value="\$210.00"/>	<input type="text" value="\$210.00"/>
App. Fee Interest	\$14.85	\$4.95
Total Clerk	\$344.85	<input type="text" value="\$334.95"/> <b>C. HOLDER</b>
Postage	<input type="text" value="\$36.00"/>	<input type="text" value="\$36.00"/>
Researcher Copies	<input type="text" value="\$7.00"/>	<input type="text" value="\$7.00"/>
Total Redemption Amount	\$14,213.60	\$13,806.97
	Repayment Overpayment Refund Amount	\$406.63 <b>+ 36.00 POST + 270.00 SM &amp; AD</b>

Notes: ACTUAL SHERIFF \$20.00/ COM \$19.50  
 5-12-2009 PAUL KESSLER CALLED FOR QUOTES. WILL BE MAILING  
 CASHIERS CHECK MKJ

**712.63**

**ERNIE LEE MAGAHA**  
 CLERK OF THE CIRCUIT COURT  
 ARCHIVES AND RECORDS  
 CHILDSUPPORT  
 CIRCUIT CIVIL  
 CIRCUIT CRIMINAL  
 COUNTY CIVIL  
 COUNTY CRIMINAL  
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**COUNTY OF ESCAMBIA  
 OFFICE OF THE  
 CLERK OF THE CIRCUIT COURT**

**BRANCH OFFICES  
 ARCHIVES AND RECORDS  
 JUVENILE DIVISION  
 CENTURY**

CLERK TO THE BOARD OF  
 COUNTY COMMISSIONERS  
 OFFICIAL RECORDS  
 COUNTY TREASURY  
 AUDITOR

**ERNIE LEE MAGAHA, CLERK OF THE CIRCUIT COURT  
 Tax Certificate Redeemed From Sale  
 Account: 104645470 Certificate Number: 005254 of 2007**

**Payor: MR BUCK KESSLER 54825 BABIN DR WHITE CASTLE LA 70788-2204    Date  
 05/18/2009**

Clerk's Check #	4212220787	Clerk's Total	\$344.85
Tax Collector Check #	1	Tax Collector's Total	\$13,825.75
		Postage	\$36.00
		Researcher Copies	\$7.00
		Total Received	\$14,213.60

**ERNIE LEE MAGAHA  
 Clerk of the Circuit Court**

Received By: \_\_\_\_\_  
 Deputy Clerk

**Escambia County Government Complex • 221 Palafox Place Ste 110 • PENSACOLA, FLORIDA 32502  
 (850) 595-3793 • FAX (850) 595-4827 • <http://www.clerk.co.escambia.fl.us>**

**Ernie Lee Magaha,  
Clerk of the Circuit Court of Escambia County Florida**

Receipt Type **Case** Outstanding Amount **0.00**  
Receipt Number **1016110** Receipt Date **05/18/2009**

Case Number **2007 TD 005254**  
Description **PPTS 252 LLC VS**

Action **TAX DEED REDEMPTION**

Judge

Received From **BUCK KESSLER**

On Behalf Of **PPTS 252 LLC**

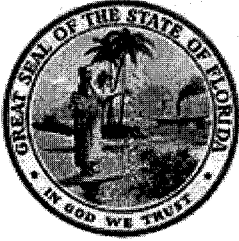
Total Received	<b>14,213.60</b>
Net Received	<b>14,213.60</b>
Change	<b>0.00</b>

Receipt Payments	Amount	Reference Description
Check	<b>14,213.60</b>	<b>4212220787</b>

Receipt Applications	Amount
Holding	<b>14,206.60</b>
Service Charge	<b>7.00</b>

Deputy Clerk: **mkj** Transaction Date **05/18/2009 08:13:23**

Comments



**ERNIE LEE MAGAHA**  
**CLERK OF THE CIRCUIT COURT**  
**ESCAMBIA COUNTY, FLORIDA**

**Tax Deed - Redemption Calculator**  
**Account: 104645470 Certificate Number: 005254 of 2007**

Redemption  No  Application Date  Interest Rate

	Final Redemption Payment ESTIMATED	Redemption Overpayment ACTUAL
	Auction Date <input type="text" value="07/06/2009"/>	Redemption Date <input type="text" value="05/12/2009"/>
Months	3	1
Tax Collector	<input type="text" value="\$13,224.40"/>	<input type="text" value="\$0.00"/>
Tax Collector Interest	\$595.10	\$0.00
Tax Collector Fee	<input type="text" value="\$6.25"/>	<input type="text" value="\$0.00"/>
Total Tax Collector	\$13,825.75	\$0.00
Clerk Fee	<input type="text" value="\$60.00"/>	<input type="text" value="\$0.00"/>
Sheriff Fee	<input type="text" value="\$60.00"/>	<input type="text" value="\$0.00"/>
Legal Advertisement	<input type="text" value="\$210.00"/>	<input type="text" value="\$0.00"/>
App. Fee Interest	\$14.85	\$0.00
Total Clerk	\$344.85	\$0.00
Postage	<input type="text" value="\$36.00"/>	<input type="text" value="\$0.00"/>
Researcher Copies	<input type="text" value="\$7.00"/>	<input type="text" value="\$0.00"/>
Total Redemption Amount	\$14,213.60	\$0.00
	Repayment Overpayment Refund Amount	\$14,213.60

Notes

*MR*  
*XLOVER*  
*225-933-1155*



**TAX COLLECTOR'S CERTIFICATION**

**Application  
Date / Number  
Apr 27, 2009 / 1184**

This is to certify that the holder listed below of Tax Sale Certificate Number **2007 / 5254** , issued the **1st** day of **June, 2007**, and which encumbers the following described property located in the County of Escambia, State of Florida to wit: **Parcel ID Number: 10-4645-470**

**Certificate Holder:**  
PPTS 252 LLC  
P.O. BOX 2288  
MORRISTOWN, NEW JERSEY 07962-2288

**Property Owner:**  
KESSLER PAUL B & KITTY L  
54825 BABIN DR  
WHITE CASTLE LA, LOUISIANA 70788

**Legal Description:** 01-4S3-310  
UNIT B-1201 BEACH & YACHT CLUB AT PERDIDO KEY CONDO PHASE 2 ALSO 1.01% INT IN COMMON ELEMENTS OR 5167 P 1138

has surrendered same in my office and made written application for tax deed in accordance with Florida Statutes. I certify that the following tax certificates, interest, ownership and encumbrance report fee, and Tax Collector's fees have been paid:

**CERTIFICATES OWNED BY APPLICANT AND FILED IN CONNECTION WITH THIS TAX DEED APPLICATION:**

Cert. Year	Certificate Number	Date of Sale	Face Amt	T/C Fee	Interest	Total
2007	5254	06/01/07	\$2,963.35	\$0.00	\$148.17	\$3,111.52

**CERTIFICATES REDEEMED BY APPLICANT OR INCLUDED (COUNTY) IN CONNECTION WITH THIS APPLICATION:**

Cert. Year	Certificate Number	Date of Sale	Face Amt	T/C Fee	Interest	Total
2008	6225	05/30/08	\$2,628.40	\$6.25	\$473.11	\$3,107.76

1. Total of all Certificates in Applicant's Possession and Cost of the Certificates Redeemed by Applicant or Included (County)
2. Total of Delinquent Taxes Paid by Tax Deed Application
3. Total of Current Taxes Paid by Tax Deed Applicant (2008)
4. Ownership and Encumbrance Report Fee
5. Tax Deed Application Fee
6. Total Certified by Tax Collector to Clerk of Court
7. Clerk of Court Statutory Fee
8. Clerk of Court Certified Mail Charge
9. Clerk of Court Advertising Charge
10. Sheriff's Fee
11. \_\_\_\_\_
12. Total of Lines 6 thru 11
13. Interest Computed by Clerk of Court Per Florida Statutes.....( %)
14. One-Half of the assessed value of homestead property. If applicable pursuant to section 197.502, F.S.
15. Statutory (Opening) Bid; Total of Lines 12 thru 14
16. Redemption Fee
17. Total Amount to Redeem

\$6,219.28
\$0.00
\$6,805.12
\$125.00
\$75.00
\$13,224.40
\$13,224.40
\$13,224.40
\$6.25
\$13,230.65

\*Done this 27th day of April, 2009

TAX COLLECTOR, ESCAMBIA COUNTY, FLORIDA

By Dorinda Mahuron

Date of Sale: July 6, 2009

\* This certification must be surrendered to the Clerk of the Circuit Court no later than ten days after this date.

### Notice to Tax Collector of Application for Tax Deed

**TO: Tax Collector of Escambia County**

In accordance with Florida Statutes, I,

**PPTS 252 LLC  
P.O. BOX 2288  
MORRISTOWN, New Jersey, 07962-2288**

holder of the following tax sale certificate hereby surrender same to the Tax Collector and make tax deed application thereon:

<b>Certificate No.</b>	<b>Parcel ID Number</b>	<b>Date</b>	<b>Legal Description</b>
5254	10-4645-470	06/01/2007	01-4S3-310 UNIT B-1201 BEACH & YACHT CLUB AT PERDIDO KEY CONDO PHASE 2 ALSO 1.01% INT IN COMMON ELEMENTS OR 5167 P 1138

**2008 TAX ROLL**

KESSLER PAUL B & KITTY L  
54825 BABIN DR  
WHITE CASTLE LA, Louisiana 70788

SUBJECT TO 2009 TAXES

Special Assessments appear on this property \_\_\_Yes \_\_\_No?

I agree to pay all delinquent taxes, redeem all outstanding certificates not in my possession, pay any omitted taxes, and pay current taxes, if due, covering the land, and pay any interest earned (a) on tax certificates not in my possession, (b) on omitted taxes or (c) on delinquent taxes. I also agree to pay all Tax Collector's fees, ownership and encumbrance reports costs, Clerk of the Court costs, charges and fees and Sheriff's costs, if applicable. Attached is the above-mentioned tax sale certificate on which this application is based and all other certificates of the same legal description which are in my possession.

ddewitt (Donna Ernwein)

Applicant's Signature

04/27/2009

Date

**Ernie Lee Magaha,  
Clerk of the Circuit Court of Escambia County Florida**

Receipt Type	<b>Case</b>	Outstanding Amount	<b>0.00</b>
Receipt Number	<b>1012515</b>	Receipt Date	<b>05/07/2009</b>

Case Number	<b>2007 TD 005254</b>
Description	<b>PPTS 252 LLC VS</b>

Action **TAX DEED APPLICATION**

Judge

Received From **PPTS 252 LLC**

On Behalf Of **PPTS 252 LLC**

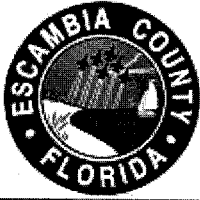
Total Received	<b>330.00</b>
Net Received	<b>330.00</b>
Change	<b>0.00</b>

Receipt Payments	Amount	Reference	Description
Cash	330.00	733663	

Receipt Applications	Amount
Holding	270.00
Service Charge	60.00

Deputy Clerk:           mkj                           Transaction Date   05/07/2009 11:41:20

Comments    ONCORE TRANS 733663



# Chris Jones

## Escambia County Property Appraiser

- Chris Jones, ECPA
- RECORD SEARCH
- MAPS
- GENERAL INFORMATION
- GOVERNMENT AGENCIES
- TANGIBLE PROPERTY
- CAREERS

[Reference](#)    
  [Account](#)

[Printer Friendly Version](#)

**General Information**

**Reference:** 014S331007121021  
**Account:** 104645470  
**Owners:** KESSLER PAUL B & KITTY L  
**Mail:** 54825 BABIN DR  
 WHITE CASTLE, LA 70788  
**Situs:** 16795 PERDIDO KEY DR B1201  
**Use Code:** CONDOMINIUM   
**Taxing Authority:** COUNTY MSTU  
**Tax Inquiry:** [Open Tax Inquiry Window](#)  
 Tax Inquiry link courtesy of Janet Holley,  
 Escambia County Tax Collector

**2008 Certified Roll Assessment**

<b>Improvements:</b>	\$423,439
<b>Land:</b>	\$10
<b>Total:</b>	\$423,449
<i>Save Our Homes:</i>	\$0

[Disclaimer](#)

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[Amendment 1 Calculations](#)

**Sales Data**

Sale Date	Book Page	Value	Type	Official Records (New Window)
06/2003	5167 1138	\$465,000	WD	<a href="#">View Instr</a>
09/1988	2608 0658	\$209,500	WD	<a href="#">View Instr</a>

Official Records Inquiry courtesy of Ernie Lee Magaha,  
Escambia County Clerk of the Court

**2008 Certified Roll Exemptions**

None

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**Legal Description**

UNIT B-1201 BEACH & YACHT CLUB AT PERDIDO KEY CONDO PHASE 2 ALSO 1.01% INT IN COMMON ELEMENTS...

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**Extra Features**

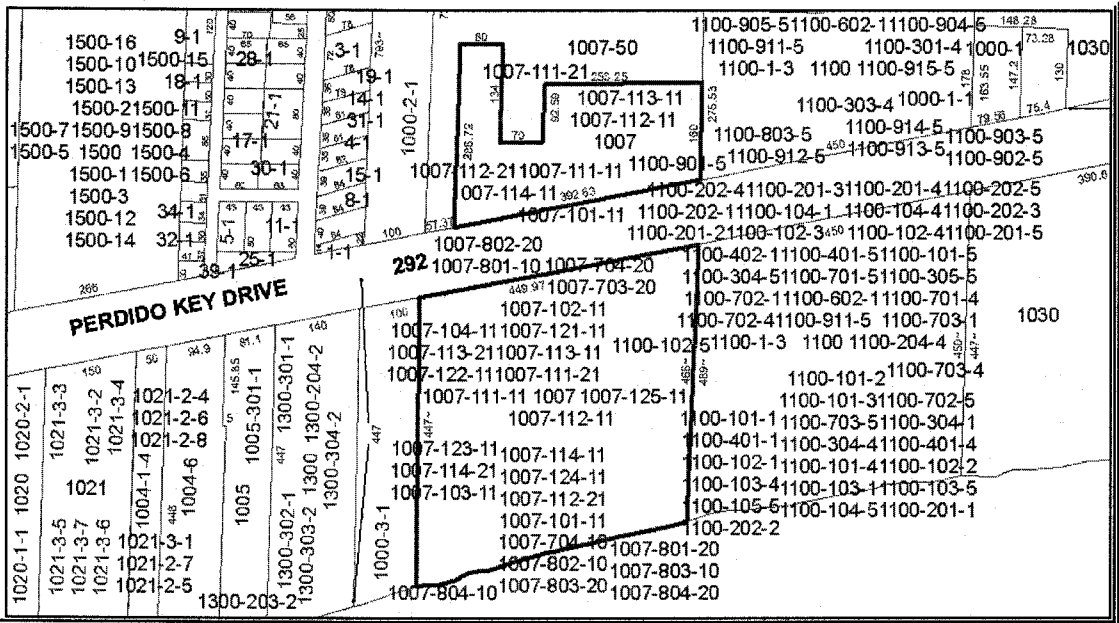
None

**Parcel Information** [View Online Map](#)

**Section Map Id:**  
 01-4S-33  
  
**Approx.**

**Acreage:**  
6.2600

**County**  
**Zoned:**  
R-3PK

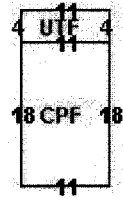


**Buildings**

**Building 1 - Address: 16795 PERDIDO KEY DR B1201, Year Built: 1987**

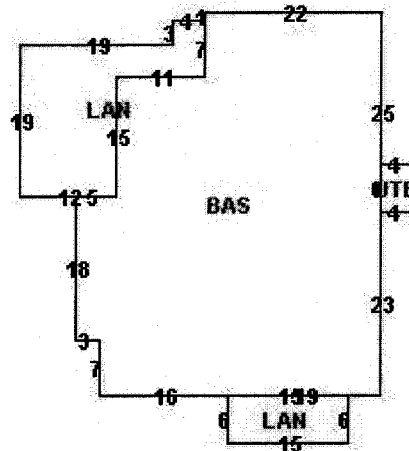
**Structural Elements**

- FOUNDATION-STRUCTURAL
- EXTERIOR WALL-PRECAST PAN/CON
- NO. PLUMBING FIXTURES (11)
- DWELLING UNITS (1)
- ROOF FRAMING-CONCRETE
- ROOF COVER-TILE/CLAY/CEMNT
- INTERIOR WALL-DRYWALL-PLASTER
- FLOOR COVER-CARPET
- NO. STORIES (1)
- DECOR/MILLWORK-ABOVE AVERAGE
- HEAT/AIR-CENTRAL H/AC
- STRUCTURAL FRAME-CONCRTE REINFRD



**Areas - 2240 Total SF**

- BASE AREA - 1600
- CARPORT FIN - 198
- LANAI - 374
- UTILITY FIN - 68



**Images**

# Southern Guaranty Title Company

4400 Bayou Blvd., Suite 13B

Pensacola, Florida 32503

Telephone: (850) 478-8121

Facsimile: (850) 476-1437

## OWNERSHIP AND ENCUMBERANCE REPORT

File No.: 7011

May 6, 2009

Escambia County Tax Collector  
P.O. Box 1312  
Pensacola, FL 32596  
ATTN: Glenda Mahuron

Pursuant to your request, the Company has caused a search to be made of the Public Records of Escambia County, Florida, solely as revealed by records maintained from 05-05-89, through 05-05-09, and said search reveals the following:

1. THE GRANTEE(S) OF THE LAST DEED(S) OF RECORD IS:

Paul B. Kessler and Kitty L. Kessler, husband and wife

2. The land covered by this Report is:

LEGAL DESCRIPTION IS ATTACHED HERETO AND MADE A PART HEREOF

3. The following unsatisfied mortgages, liens and judgments affecting the land covered by this Report appear of record:

SEE CONTINUATION PAGE ATTACHED HERETO AND MADE A PART HEREOF

4. Taxes:

SEE CONTINUATION PAGE ATTACHED HERETO AND MADE A PART HEREOF

The foregoing report is prepared and furnished for information only, is not intended to constitute or imply any opinion, warranty, guaranty, insurance, or similar assurance as to the status of title, and no determination has been made of the authenticity of any instrument described or referred to herein. The name search for the purposes of determining applicable judgments and liens is limited to the apparent record owner(s) shown herein. No attempt has been made to determine whether the land is subject to liens or assessments which are not shown as existing liens by the public records. The Company's liability hereunder shall not exceed the cost of this Report, or \$1,000.00 whichever is less.

THIS REPORT SHALL NOT BE USED FOR THE ISSUANCE OF TITLE INSURANCE.

Southern Guaranty Title Company

BY: 

Richard S. Combs

May 6, 2009

**OWNERSHIP AND ENCUMBERANCE REPORT  
LEGAL DESCRIPTION**

File No.: 7011

May 6, 2009

Unit No. B-1201 of The Beach and Yacht Club at Perdido Key, Phase II, a condominium, according to the Declaration of Condominium recorded in O.R. Book 2102, page 521, and amended in O.R. Book 2379, page 515, and all exhibits and amendments thereof, Public Records of Escambia County, Florida.

## OWNERSHIP AND ENCUMBERANCE REPORT

### CONTINUATION PAGE

File No.: 7011

May 6, 2009

UNSATISFIED MORTGAGES, LIENS AND JUDGMENTS AFFECTING THE LAND COVERED BY THIS REPORT THAT APPEAR OF RECORD:

1. That certain mortgage executed by Paul B. and Kitty L. Kessler in favor of Coldwell Banker Mortgage dated June 13, 2003 and recorded June 23, 2003 in Official Records Book 5167, page 1140 of the public records of Escambia County, Florida, in the original amount of \$322,700.00. Assigned to MERS, Inc. in O.R. Book 6338, page 1644.
2. 2007 certificate delinquent. The assessed value is \$423,449.00. Tax ID 10-4645-470.

PLEASE NOTE THE FOLLOWING:

- A. Taxes and Assessments due now or in subsequent years.
- B. Subject to Easements, Restrictions and Covenants of record.
- C. Oil, gas, mineral or any other subsurface rights of any kind or nature.
- D. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.



# SOUTHERN GUARANTY TITLE COMPANY

4400 BAYOU BLVD., SUITE 13-B, CORDOVA SQUARE

PENSACOLA, FLORIDA 32503

TEL. (850) 478-8121 FAX (850) 476-1437

Email: rcsgr@aol.com

Janet Holley  
Escambia County Tax Collector  
P.O. Box 1312  
Pensacola, FL 32596

## CERTIFICATION: TITLE SEARCH FOR TDA

TAX DEED SALE DATE: 07-06-09

TAX ACCOUNT NO.: 10-4645-470

CERTIFICATE NO.: 2007-5254

In compliance with Section 197.256, Florida Statutes, the following is a list of names and addresses of those persons, firms and/or agencies having legal interest in or claim against the above described property. The above referenced tax sale certificate is being submitted as proper notification of tax deed sale.

YES NO

      X   Notify City of Pensacola, P.O. Box 12910, 32596

      X   Notify Escambia County, 190 Governmental Center, 32501

      X   Homestead for        tax year.

Paul B. Kessler  
Kitty L. Kessler  
54825 Babin Dr.  
White Castle, LA 70788  
and  
16795 Perdido Key Dr. #B 1201 (property)  
Pensacola, FL 32507

Coldwell Banker Mortgage  
3000 Leadenhall Rd.  
Mount Laurel, NJ 08054

Mortgage Electronic Registration Systems, Inc.  
P.O. Box 2026  
Flint, MI 48501-2026

Certified and delivered to Escambia County Tax Collector,  
this 8th day of May, 2009.

SOUTHERN GUARANTY TITLE COMPANY

  
by: Richard S. Combs, President

NOTE: The above listed addresses are based upon current information available, but said addresses are not guaranteed to be true or correct.

1050  
3255.00  
3265.50

DEED DOC STAMPS PD @ ESC CO \$3255.00  
06/23/03 ERNIE LEE, MAGISTRATE CLERK  
By: H. Russell

Prepared by and return to:  
Deedra L. Lamy at  
Emerald Coast Title, Inc.  
811 N. Spring Street  
Pensacola, FL 32501  
850-434-3223  
File Number: 03-3381

[Space Above This Line For Recording Data]

## Warranty Deed

This Warranty Deed made this 13th day of June, 2003 between Edward R. Mills and Cynthia P. Mills, husband and wife whose post office address is 3150 Rushing Creek Road, Pensacola, FL 32526, grantor, and Paul B. Kessler and Kitty L. Kessler, husband and wife whose post office address is 54825 Babin Drive, White Castle, LA 70788, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Escambia County, Florida to-wit:

Unit No. B-1201 of The Beach and Yacht Club at Perdido Key Phase II, a Condominium, according to The Declaration of Condominium recorded in O.R. Book 2102, Page 521, amended in O.R. Book 2379, page 515, and all exhibits and amendments thereof, Public Records of Escambia County, Florida.

Parcel Identification Number: 014S331007121021

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2002.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Deedra L. Lamy  
Witness Name: Deedra L. Lamy

Edward R. Mills (Seal)  
Edward R. Mills

Michael D. Tidwell  
Witness Name: Michael D. Tidwell

Deedra L. Lamy  
Witness Name: Deedra L. Lamy

Cynthia P. Mills (Seal)  
Cynthia P. Mills

Michael D. Tidwell  
Witness Name: Michael D. Tidwell

State of Florida  
County of Escambia

The foregoing instrument was acknowledged before me this 13th day of June, 2003 by Edward R. Mills and Cynthia P. Mills, who  are personally known or  have produced a driver's license as identification.

[Notary Seal]

Deedra L. Lamy  
Notary Public

Printed Name: Deedra L. Lamy

My Commission Expires: April 2, 2004



# Abutting Roadway Maintenance

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

**ATTENTION:** Pursuant to Escambia County Ordinances Chapter 1-29.2, Article V, sellers of residential lots are required to disclose to Buyers whether abutting roadways will be maintained by Escambia County, and if not what person or entity will be responsible for maintenance. The disclosure must additionally provide that Escambia County does not accept roads for maintenance that have not been built or improved to meet county standards. Escambia County Code of Ordinances Chapter 1-29.2, Article V, requires this disclosure be attached along with other attachments to the deed or other method of conveyance required to be made part of the public records of Escambia County, Florida. Note: Acceptance for filing by County employees of this disclosure shall in no way be construed as an acknowledgement by the County of the veracity of any disclosure statement.

Name of Roadway: 16795 Perdido Key Drive, B1201, Pensacola, FL 32507

THE COUNTY (x) HAS ACCEPTED ( ) HAS NOT ACCEPTED THE ABUTTING ROADWAY FOR MAINTENANCE.

If not, it will be the responsibility of \_\_\_\_\_ to maintain, repair and improve the road.

This form completed by:

Michael D. Tidwell, Attorney  
811 North Spring Street  
Pensacola, Florida 32501

RCD Jun 23, 2003 11:12 am  
Escambia County, Florida

ERIE LEE MABANA  
Clerk of the Circuit Court  
INSTRUMENT 2003-111672

Edward R. Mills Date June 13, 2003  
Edward R. Mills

Cynthia P. Mills Date June 13, 2003  
Cynthia P. Mills

As To Sellers:

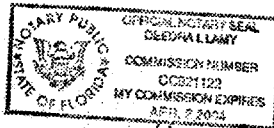
Deedra L. Lamy  
Deedra L. Lamy

Nancy Sharp  
Nancy Sharp

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 13th day of June, 2003 by Edward R. Mills and Cynthia P. Mills, husband and wife who are personally known to me of have produced a driver's license as identification.

Deedra L. Lamy  
Notary Public



Paul Buckley Kessler Date June 13, 2003

Kitty L. Kessler Date June 13, 2003  
Kitty L. Kessler

As to Buyers:

Deedra L. Lamy  
Deedra L. Lamy

Nancy Sharp  
Nancy Sharp

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 13th day of June, 2003 by Paul B. Kessler and Kitty L. Kessler, husband and wife who are personally known to me or has produced a driver's license as identification.

Deedra L. Lamy  
Notary Public



10050  
112945  
64540  

---

1875.35

OR BK 5167 PG1 140  
Escambia County, Florida  
INSTRUMENT 2003-111673

Return To:

Coldwell Banker Mortgage  
2001 Bishops Gate Blvd.  
Mount Laurel, NJ 08054

NTG DOC STAMPS PD @ ESC CO \$1129.45  
06/23/03 ERNIE LEE MONTANO, CLERK  
By: [Signature]

INTANGIBLE TRX PD @ ESC CO \$ 645.40  
06/23/03 ERNIE LEE MONTANO, CLERK  
By: [Signature]

This document was prepared by:  
Maria Montano, Coldwell  
Banker Mortgage  
3000 Leadenhall Road Mount  
Laurel, NJ 08054

03-3381

[Space Above This Line For Recording Data]

# MORTGAGE

Loan #: 0024585499

## DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

- (A) "Security Instrument" means this document, which is dated June 13th, 2003 together with all Riders to this document.
- (B) "Borrower" is Paul B. Kessler and Kitty L. Kessler, husband and wife.

Borrower is the mortgagor under this Security Instrument.  
(C) "Lender" is Coldwell Banker Mortgage

Lender is a Corporation  
organized and existing under the laws of New Jersey

FLORIDA-Single Family-Fannie Mae/Freddie Mac UNIFORM INSTRUMENT

Form 3010 1/01

VMP -6(FL) (0005)

Page 1 of 16

Initials

PKL PBLA

VMP MORTGAGE FORMS - (800)521-7281

Original

Lender's address is 3000 Leadenhall Road Mount Laurel, NJ 08054

Lender is the mortgagee under this Security Instrument.

(D) "Note" means the promissory note signed by Borrower and dated June 13th, 2003

The Note states that Borrower owes Lender Three Hundred Twenty-Two Thousand Seven Hundred Dollars and Zero Cents Dollars  
(U.S. \$322,700.00 ) plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than July 1st, 2018

(E) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

(F) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(G) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Adjustable Rate Rider | <input checked="" type="checkbox"/> Condominium Rider   | <input checked="" type="checkbox"/> Second Home Rider |
| <input type="checkbox"/> Balloon Rider         | <input type="checkbox"/> Planned Unit Development Rider | <input type="checkbox"/> 1-4 Family Rider             |
| <input type="checkbox"/> VA Rider              | <input type="checkbox"/> Biweekly Payment Rider         | <input type="checkbox"/> Other(s) [specify]           |

(H) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(I) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(J) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(K) "Escrow Items" means those items that are described in Section 3.

(L) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(M) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(N) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

(O) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. Section 2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(P) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

**TRANSFER OF RIGHTS IN THE PROPERTY**

This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower does hereby mortgage, grant and convey to Lender, the following described property located in the COUNTY [Type of Recording Jurisdiction] of ESCAMBIA [Name of Recording Jurisdiction]:

See Attached Exhibit "A"

Parcel ID Number: 014S331007121021  
16795 PERDIDO KEY DRIVE UNIT B1201  
PERDIDO KEY  
("Property Address"):

which currently has the address of  
[Street]  
[City], Florida 32507 [Zip Code]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

OR BK 5167 PG1 156  
Escambia County, Florida  
INSTRUMENT 2003-111673

## Exhibit A

Unit No. B-1201 of The Beach and Yacht Club at Perdido Key Phase II, a Condominium, according to The Declaration of Condominium recorded in O.R. Book 2102, Page 521, amended in O.R. Book 2379, page 515, and all exhibits and amendments thereof, Public Records of Escambia County, Florida.

Parcel Identification Number: 014S331007121021

Prepared by: Stewart Lender  
Services

Recording Requested By/After  
Recording Return To:

Maude LeBlanc

P O Box 36369

Houston, TX 77236-9903

Job Number: 2322008001

Pool:

Project:

Loan Number: 0024585499

Other Loan#: 1120104990

SLS#:

### ASSIGNMENT OF MORTGAGE

STATE OF Florida  
COUNTY OF Escambia

KNOW ALL MEN BY THESE PRESENTS:

That Coldwell Banker Mortgage (ASSIGNOR), acting herein by and through a duly authorized officer, the owner and holder of one certain promissory note executed by PAUL B KESSLER AND KITTY L KESSLER (Borrower(s)) secured by a MORTGAGE of even date therewith from Borrower(s) for the benefit of the holder of the said note, which was recorded on the lot(s), or parcel(s) of land described therein situated in the County of Escambia, State of Florida:

Recording Ref: Recorded on 08/23/2003, Instrument/Document No. 2003111673, Book 5167, Page No. 1140

For and in consideration of the sum of Ten and No/100 dollars (\$10.00), and other good valuable and sufficient consideration paid, the receipt of which is hereby acknowledged, does hereby transfer and assign, set over and deliver unto Mortgage Electronic Registration Systems, Inc ("MERS") (ASSIGNEE) all beneficial interest in and to title to said MORTGAGE, together with the note and all other liens against said property securing the payment thereof, and all title held by the undersigned in and to said land:

TO HAVE AND TO HOLD unto said (ASSIGNEE) said above described MORTGAGE and note, together with all and singular the liens, rights, equities, title and estate in said real estate therein described securing the payment thereof, or otherwise.

Executed this the 1st day of May, 2008.

Coldwell Banker Mortgage

By: *James Kucherka*  
James Kucherka  
Vice President

THE STATE OF Texas  
COUNTY OF Harris

On this the 1st day of May, 2008, before me, Gayle Craine, a Notary Public, appeared James Kucherka to me personally known, who being by me duly sworn, did say that (s)he is the Vice President of Coldwell Banker Mortgage, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors, and said James Kucherka acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



*Gayle Craine*  
Gayle Craine

Assignee's Address:  
P.O. Box 2026  
Flint, MI 48501-2026

Assignor's Address:  
3000 Leadenhall Road, Suite 300, Mail Stop LGL,  
Attention: General Counsel  
Mt. Laurel, NJ 08054

MIN Number: 100020000245854991  
MERS Telephone: 1-888-679-6377