## TO: Tax Collector of ESCAMBIA COUNTY: JANET HOLLEY

In accordance with the Florida Statutes, I,

CAPITAL ONE CLTRL ASSIGNEE OF PO BOX 54418 NEW ORLEANS, LA 70154

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

Certificate No.	Date	Legal Description
2014/ 8038		NW1/4 OF NW1/4 OR 5894 P 1172 LESS W 25 FT AND N 25 FT DB 126 P 353 WALNUT HILL FARMS

I agree to pay all delinquent taxes, redeem all outstanding tax 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 report 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.

Electronic signature on file

Applicant's Signature

04-25-2016

Date

4/27/2016

### **Tax Collector's Certification**

Tax Deed Application Number 1600265 Date of Tax Deed Application Apr 25, 2016

This is to certify that **CAPITAL ONE CLTRL ASSIGNEE OF**, holder of **Tax Sale Certificate Number 2014 / 8038**, Issued the 1st Day of June, 2014 and which encumbers the following described property in the county of Escambia, State of Florida, to wit: **12-2628-000** 

Cert Holder:	
CAPITAL ONE CLTRL	ASSIGNEE OF
PO BOX 54418	
NEW ORLEANS, LA	70154

Property Owner:
DILLER KELVIN E & CONSTANCE S
4870 HWY 97
WALNUT HILL, FL 32568
NW1/4 OF NW1/4 OR 5894 P 1172 LESS W 25 FT AND N 25 FT
DB 126 P 353 WALNUT HILL FARMS

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, or if the certificate is held by the County, all appropriate fees have been deposited.

Certificates owned by applicant and filed in connection with this application:

Certificate Year/Number	Account Number	Sale Date	Face Amount of Certificate	Interest	Total
2014/8038	12-2628-000	06-01-2014	113.13	12.47	125.60

Certificates redeemed by applicant or included (County) in connection with this tax deed application:

Certificate Year/Number	Account Number	Sale Date	Face Amount of Certificate	Tax Collector's Fee	Interest	Total
2015/8456	12-2628-000	06-01-2015	111.76	6.25	5.59	123.60

Amounts Certified by Tax Collector (Lines 1-7):

## Total Amount Paid

#### 249.20 1. Total of all Certificates in Applicant's Possession and Cost of the Certificates Redeemed by Applicant 0.00 2. Total of Delinquent Taxes Paid by Tax Deed Applicant 92.74 3. Total of Current Taxes Paid by Tax Deed Applicant 200.00 4. Ownership and Encumbrance Report Fee 175.00 5. Tax Deed Application Fee 6. Total Interest Accrued by Tax Collector Pursuant to Section 197.542, F.S. 716.94 7. Total (Lines 1 - 6) Total Amount Paid Amounts Certified by Clerk of Court (Lines 8-15): 8. Clerk of Court Statutory Fee for Processing Tax Deed 9. Clerk of Court Certified Mail Charge 10. Clerk of Court Advertising Charge 11. Clerk of Court Recording Fee for Certificate of Notice 12. Sheriff's Fee Interest Computed by Clerk of Court Pursuant to Section 197.542, F.S. 14. Total (Lines 8 - 13) 15. One-half Assessed Value of Homestead Property, if Applicable per F.S. 16. Other Outstanding Certificates and Delinquent Taxes Not Included in this Application, 17. Statutory (Opening) Bid; Total of Lines 7, 14, 15 (if applicable) and 16 (if 6.25 18. Redemption Fee 723.19 19. Total Amount to Redeem

Done this the 27th day of April, 2016 Janet Holley, Tax Collector of Escambia County

Date of Sale: ()(HOBER 3, 2014

By Jenna Hewart

\*This certification must be surrendered to the Clerk of the Circuit Court no later than ten (10) days after this date. 12-2628-000 2014

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PACHERING FORTSAG					
	CLERK OF THE CIRC ESCAMBIA COUNTY Tax Deed - Redemptic	UIT COURT 7, FLORIDA			
A SOD WE TRUT	Account: 122628000 Certificate N	umber: 008038 of 2014			
Redemption Yes V	Application Date 04/25/2016	Interest Rate 18%			
	Final Redemption Payment ESTIMATED	Redemption Overpayment ACTUAL			
	Auction Date 10/03/2016	Redemption Date 06/15/2016			
Months	6	2			
Tax Collector	\$716.94	\$716.94			
Tax Collector Interest	\$64.52	\$21.51			
Tax Collector Fee	\$6.25	\$6.25			
Total Tax Collector	\$787.71	\$744.70			
Clerk Fee	\$130.00	\$130.00			
Sheriff Fee	\$120.00	\$120.00			
Legal Advertisement	\$200.00	\$200.00			
App. Fee Interest	\$40.50	\$13.50			
Total Clerk	\$490.50	\$463.50 CH			
Postage	\$60.00	\$0.00			
Researcher Copies	\$40.00	\$0.00			
Total Redemption Amount	\$1,378.21	\$1,208.20			
	Repayment Overpayment Refund Amount	\$170.01			

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Acco	Tax Certificat	ERK OF THE CIRCUIT COURT te Redeemed From Sale ertificate Number: 008038 of	
		97 WALNUT HILL FL 32568	Date 06/15/2016
Clerk's Check #	516766	Clerk's Total	\$490.50
Tax Collector Check #	1	Tax Collector's Total	\$787.71
•		Postage	\$60,00
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		Researcher Copies Total Received	\$46.00 - <del>\$1,378.21</del> \$ 888
			<del>\$1,378.21</del> \$ 888



# **Pam Childers**

Clerk of the Circuit Court and Comptroller, Escambia County

Clerk of Courts • County Comptroller • Clerk of the Board of County Commissioners • Recorder •

June 24, 2016

CAPITAL ONE CLTRL ASSIGNEE OF PO BOX 54418 NEW ORLEANS LA 70154

Dear Certificate Holder:

The records of this office show that an application for a tax deed had been made on the property represented by the numbered certificate listed below. The property redeemed prior to sale; therefore your application fees are now refundable.

TAX CERT	APP FEES	INTEREST	TOTAL
2014 TD 007707	\$450.00	\$13.50	\$463.50
2014 TD 008038	\$450.00	\$13.50	\$463.50
2014 TD 000902	\$450.00	\$13.50	\$463.50
2014 TD 002592	\$450.00	\$13.50	\$463.50

TOTAL \$1,854.00

Very truly yours,

PAM CHILDERS Clerk of Circuit Court By: Emily Hogg Tax Deed Division

BK: 5894 PG: 1174 Last Page

without the Mortgagee's written consent, while this mortgage remains a lien thereon, at the option of Mortgagee, his successors, legal representatives, or assigns.

Executed at Escambia County Florida on the date written above.

Signed, sealed and delivered in the presence of:

w ANGI T. SAUGA itness Name: YT. SAUCA Witness Name: thin

(Seal) Kelvin E. Diller

<u> Viller (Seal)</u> stan Constance S. Diller

State of Florida County of Escambia

The foregoing instrument was acknowledged before me this 27th day of April, 2006 by Kelvin E. Diller and Constance S. Diller, who 🕅 are personally known or 📳 have produced a driver's license as identification.

[Notary Seal]



AVA JEFFREY T. SAUER MY COMMISSION # D0 462007 EXPIRES: August 14, 2009 Bonded Thru Budget Notary Services

Notary Public		
Printed Name:	Jeffrey T. Sauer	

My Commission Expires:

August 14, 2009

Recorded in Public Records 05/01/2006 at 11:46 AM OR Book 5894 Page 1173, Instrument #2006043180, Ernie Lee Magaha Clerk of the Circuit Court Escambia County, FL Recording \$18.50 MTG Stamps \$213.50 Int. Tax \$122.00

Prepared by and return to: Jeffrey T. Sauer, Attorney at Law Smith, Sauer & DeMaria P. O. Box 12446 Pensacola, FL 32591 850-434-2761 File Number: 2-964-007

[Space Above This Line For Recording Data]

## MORTGAGE

This Indenture, Made this April 27, 2006 by and between Kelvin E. Diller and Constance S. Diller, husband and wife whose address is 4870 Highway 97, Walnut Hill, Florida 32568, hereinafter called the Mortgagor, and Virgene S. Heckman as Successor Trustee(s) of the Second Restatement of Trust Agreement between Willard L. Heckman ("Grantor") and Willard L. Heckman, Trustee dated November 6, 2002 whose address is 6000 Riverside Dr., B152, Dublin, OH 43017, hereinafter called the Mortgagee:

The terms "Mortgagor" and "Mortgagee" shall include heirs, personal representatives, successors, legal representatives and assigns, and shall denote the singular and/or the plural, and the masculine and/or the feminine and natural and/or artificial persons, whenever and wherever the context so admits or requires.

Witnesseth, that the said Mortgagor, for and in consideration of the aggregate sum of Sixty-One Thousand and 00/100 Dollars (\$61,000.00) as evidenced by Mortgagor's promissory note dated the same date as this Security Instrument ("promissory note"), which provides for annual payments, with the full debt, if not paid earlier, due and payable on April 13, 2011, the receipt of which is hereby acknowledged, does grant, bargain and sell to the said Mortgagee, her successors and assigns, in fee simple, the following described land, situate, lying and being in Escambia County Florida, to-wit:

The Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Four (4) North, Range Thirty-two (32) West, Escambia County, Florida. Save and except a strip of land twenty-five feet wide off of the North and West sides for County Road purposes.

And the said Mortgagor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

Provided always, that if said Mortgagor, his successors or assigns, shall pay unto the said Mortgagee, her successors or assigns, that certain promissory note described above, and Mortgagor shall perform, comply with and abide by each and every stipulation, agreement, condition and covenant of said promissory note and of this mortgage, and shall duly pay all taxes, all insurance premiums reasonably required, all costs and expenses including reasonable attorneys fees that Mortgagee may incur in collecting money secured by this mortgage, and also in enforcing this mortgage by suit or otherwise, then this mortgage and the estate hereby created shall cease and be null and void.

Mortgagor hereby covenants and agrees:

- 1. To pay the principal and interest and other sums of money payable by virtue of said promissory note and this mortgage, or either, promptly on the days respectively the same severally come due.
- 2. To permit, commit or suffer no waste, impairment or deterioration of the property, or any part thereof.
- 3. To permit no other lien or mortgage to be placed ahead of this mortgage.
- 4. Mortgagor shall provide proof of payment of annual real estate taxes by March 15, for the preceding years taxes. In the event that Mortgagor does not pay the taxes by such date, the Mortgagee may pay the taxes and the full amount of such payment by Mortgagee shall be added to the principal balance owed on the mortgage, and shall accrue interest at the maximum rate allowed by law.
- 5. The Mortgagee may, at any time pending a suit upon this mortgage, apply to the court having jurisdiction thereof for the appointment of a receiver, and such court shall forthwith appoint a receiver, and such receiver shall have all the broad and effective functions and powers in anywise entrusted by a court to a receiver, and such appointment shall be made by such court as an admitted equity and a matter of absolute right to said Mortgagee. The rents, profits, income, issues, and revenues shall be applied by such receiver according to the lien of this mortgage.
- 6. If any of the sums of money due and owing to Mortgagee under the terms of the promissory note and this mortgage, including but not limited to any advance made by Mortgagee for the payment of taxes, are not paid within 15 days after the same become due and payable, or if each of the stipulations, agreements, conditions and covenants of the promissory note and this mortgage, or either, are not fully performed or complied with the aggregate sum owed on the promissory note shall become due and payable forthwith or thereafter at the option of Mortgagee, his successors, legal representatives, or assigns.

This mortgage and the note hereby secured shall be construed and enforced according to the laws of the State of Florida.

The principal sum secured hereby, along with any interest to be paid in accordance with the terms of the note secured hereby, shall immediately become due and payable without notice, if a transfer of title to the premises by sale or otherwise is made

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Recorded in Public Records 05/01/2006 at 11:46 AM OR Book 5894 Page 1172, Instrument #2006043179, Ernie Lee Magaha Clerk of the Circuit Court Escambia County, FL Recording \$10.00 Deed Stamps \$462.00

Prepared by and return to: Jeffrey T. Sauer Attorney at Law Smith, Sauer & DeMaria P. O. Box 12446 Pensacola, FL 32591 850-434-2761 File Number: 2-964-007

[Space Above This Line For Recording Data]\_\_\_\_

### **Trustee's Deed**

This Trustee's Deed made this 13th day of April, 2006 between Virgene S. Heckman as Successor Trustee(s) of the Second Restatement of Trust Agreement between Willard L. Heckman ("Grantor") and Willard L. Heckman, Trustee dated November 6, 2002 whose post office address is 6000 Riverside Dr., B152, Dublin, OH 43017, grantor, and Kelvin E. Diller and Constance S. Diller, husband and wife whose post office address is 4870 Hwy 97, Walnut Hill, FL 32568, 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 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 grantees heirs and assigns forever, the following described land, situate, lying and being in Escambla County, Florida, to-wit:

The Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section Nineteen (19), Township Four (4) North, Range Thirty-two (32) West, Escambia County, Florida. Save and except a strip of land twenty-five feet wide off of the North and West sides for County Road purposes.

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 claiming by, through or under grantors.

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:

Witness Name:

<u>gence S. Hechman</u> ITE S. Heckman, Successor Trustee as a foresaid

State of <u>DM70</u> County of <u>Frank</u> 1.h

The foregoing instrument was acknowledged before me this \_\_th day of April, 2006 by Virgene S. Heckman as Trustee(s) of the Second Restatement of Trust Agreement between Willard L. Heckman ("Grantor"), and Willard L. Heckman, Trustee dated November 6, 2002, who [] is personally known or [] has produced a \_\_\_\_\_\_ as identification.

01

[Notary Seal]

Notary Public Printed Name:

My Commission Expires:



ANDREW J. PIERCE Notary Public In and for the State of Ohio My Commission Expires June 14, 2009

DoubleTime

## SOUTHERN GUARANTY TITLE COMPANY

4400 BAYOU BLVD., SUITE 13-B, CORDOVA SQUARE PENSACOLA, FLORIDA 32503 TEL. (850) 478-8121 FAX (850) 476-1437 Email: rcsgt@aol.com

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

CERTIFICATION: TITLE SEARCH FOR TDA

 TAX DEED SALE DATE:
 10-3-2016

 TAX ACCOUNT NO.:
 12-2628-000

 CERTIFICATE NO.:
 2014-8038

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

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X Notify City of Pensacola, P.O. Box 12910, 32521

X Notify Escambia County, 190 Governmental Center, 32502

X Homestead for \_\_\_\_\_ tax year.

Kevin E. Diller Constance S. Diller 4870 Hwy. 97 Walnut Hill, FL 32568

Virgene S. Heckman, Trustee of the Willard L. Heckman Trust dated 11-6-2002

Certified and delivered to Escambia County Tax Collector, this 6th day of July , 2016.

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.

### OWNERSHIP AND ENCUMBRANCE REPORT CONTINUATION PAGE

File No.: 12848

July 5, 2016

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

1. That certain mortgage executed by Kelvin E. Diller and Constance S. Diller, husband and wife in favor of Virgene S. Heckman as Sucessor Trustee of the Second Restatement of Trust Agreement between Willard L. Heckman ("Grantor") and Willard L. Heckman, Trustee dated November 6, 2002 dated 04/27/2006 and recorded 05/01/2006 in Official Records Book 5894, page 1173 of the public records of Escambia County, Florida, in the original amount of \$61,000.00.

2. Taxes for the year 2013-2015 delinquent. The assessed value is \$5,187.00. Tax ID 12-2628-000.

#### PLEASE NOTE THE FOLLOWING:

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

### OWNERSHIP AND ENCUMBRANCE REPORT LEGAL DESCRIPTION

File No.: 12848

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July 5, 2016

The Northwest 1/4 of the Northwest 1/4 of Section 19, Township 4 North, Range 32 West, Escambia County, Florida. Save and except a strip of land 25 feet wide off of the North and West sides for County Road purposes.

Kedoemed

## **Southern Guaranty Title Company**

4400 Bayou Boulevard, Suite 13B Pensacola, Florida 32503 Telephone: 850-478-8121 Facsimile: 850-476-1437

#### **OWNERSHIP AND ENCUMBRANCE REPORT**

File No.: 12848

July 5, 2016

Escambia County Tax Collector P.O. Box 1312 Pensacola, Florida 32591

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 07-05-1996, through 07-05-2016, and said search reveals the following:

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

Kelvin E. Diller and Constance S. Diller, 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: The Am

July 5, 2016