

Prepared by J SCOTT LANFORD, Esq
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SPECIAL WARRANTY DEED AND MEMORANDUM OF TRUST

THIS SPECIAL WARRANTY DEED made this October 27, 2021, by JAMES R. GIBSON joined by his wife PAMELA K. TREADWELL, hereinafter called the Grantor, whose post office address is 1033 Palm Brook Drive, Melbourne, FL 32940, to JAMES R. GIBSON as Trustee of the JAMES R. GIBSON DECLARATION OF TRUST DTD October 27, 2021, whose post office address is 1033 Palm Brook Drive, Melbourne, FL 32940, with said Trustee hereinafter called the Grantee (The designation "Grantor" and "Grantee" as used herein shall include said parties, their heirs, successors and assigns and shall include singular, plural, masculine, feminine or neuter as required by context.):

WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable consideration, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situated in BREVARD County, Florida, to-wit:

Lot 22, Block 1, of SPANISH COVE SUNTREE PLANNED UNIT DEVELOPMENT STAGE 4, TRACT 34, a subdivision according to the plat thereof, as recorded in Plat Book 35, at Page 8 through 10, inclusive, Public Records of BREVARD County, Florida. TAX ID: 2604566

Trustees have all the powers enumerated in Chapter 736, Florida statutes, together with full power and authority to protect, conserve, sell, lease, encumber or otherwise to manage and dispose of the real property herein described or any part thereof as provided by Section 689.073, Florida Statutes

Any person dealing with the Trustee(s) with respect to the subject trust property shall not be obligated to inquire into the identification or status of any named or unnamed beneficiaries or their heirs or assigns to whom the Trustee(s) may be accountable. Further, any third party is not obligated to inquire into or ascertain the authority of the Trustee(s) to act within and exercise the powers granted under this instrument, nor to inquire into the adequacy or disposition of any consideration paid or delivered to the Trustee(s) in connection with any interest acquired from the Trustee(s), nor to inquire into any of the provisions of any unrecorded declarations or agreements.

As provided by Section 732.7025, Florida Statutes, by executing or joining this deed, I intend to waive homestead rights that would otherwise prevent my spouse from devising the homestead property described in this deed to someone other than me.

THIS DOCUMENT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND THEREFORE NO REPRESENTATIONS OR WARRANTIES ARE BEING EXPRESSED EITHER EXPRESSLY OR IMPLIED BY J SCOTT LANFORD, ESQ. -- PURSUANT TO CHAPTER 12B-4.014(2)(b), FLORIDA ADMINISTRATIVE CODE, THIS IS A CONVEYANCE TO A TRUSTEE WHICH IS NOT PURSUANT TO A SALE AND IN RESPECT TO WHICH NO STATE DOCUMENTARY STAMP TAX IS DUE.

SUBJECT TO THE FOLLOWING MATTERS: 1. Conditions, restrictions, limitations, easements, encumbrances, agreements, leases and liens of record including all applicable zoning ordinances and governmental regulations; 2. Taxes and assessments for the current year and all subsequent years; 3. All matters which an accurate survey of the subject property would disclose; and TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining. TO HAVE AND TO HOLD, the same in fee simple for the uses and purposes set forth herein and in the aforesaid Trust Agreement.

With this conveyance, the Grantor does hereby fully warrant the title to the said land, and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor. IN WITNESS WHEREOF, the Grantor(s) has/have hereunto set his/their hand(s) and seal(s) this October 27, 2021.

Signed, sealed and delivered in our presence:

sign name here: J. Scott Lanford
print name here: _____

Jane M. Lanford

sign name here: _____
print name here: Jane M. Lanford

James R. Gibson (SEAL)
JAMES R. GIBSON
Pamela K. Treadwell (SEAL)
PAMELA K. TREADWELL

MEMORANDUM OF TRUST

THIS **MEMORANDUM OF TRUST** made and entered into this October 27, 2021, by JAMES R. GIBSON as acting Trustee under the JAMES R. GIBSON DECLARATION OF TRUST DTD April 13, 2011 amended and restated October 27, 2021, and is being recorded to memorialize and place on the public record notice of the existence of said Declaration of Trust which among its assets includes real property which under the terms of the trust provided for the present possessory right of possession in **JAMES R. GIBSON** and **PAMELA K. TREADWELL** for Homestead Purposes in accordance with Department of Revenue Rule 12D-7.011 and is recorded in compliance with F.S. §196.031[1] as amended by §10, Chapter 93-132, Laws of Florida which may entitle the above described real property to Homestead Exemption status if all other requirements are met.

Grantor reserves the right to reside upon any property placed into this trust as Grantor's permanent residence during Grantor's life, it being the intent of this provision to preserve in Grantor the requisite beneficial interest and possessory right in and to such real property, to comply with §196.031 and §196.041 of the Florida Statutes, such that Grantor's possessory rights constitutes in all respects, "equitable title to real estate," as that term is used in §6, Article 7 of the Constitution of the State of Florida. Notwithstanding anything contained in the Declaration of Trust to the contrary, the interest of Grantor in any real property on which the Grantor resides pursuant to the provisions of the trust shall be deemed to be an interest of real property and not personalty.

James R. Gibson
JAMES R. GIBSON, Trustee

STATE OF FLORIDA - COUNTY OF BREVARD

The foregoing SPECIAL WARRANTY DEED AND MEMORANDUM OF TRUST was acknowledged before me this October 27, 2021, by **JAMES R. GIBSON** and **PAMELA K. TREADWELL**, who personally appeared and who is/are personally known to me/who has/have produced FL Driver License as identification and who did/did not take an oath.

Brenda S. Hughes
Notary Public



BRENDA S. HUGHES
Commission # GG 927750
Expires December 27, 2023
Bonded Thru Budget Notary Services