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This document Prepared By and  
After Recording Mail To:  
ServiceLink  
4000 Industrial Boulevard  
Aliquippa, Pennsylvania 15001  
Ron Hooker

Documentary Stamp Tax:

**DEED IN LIEU OF FORECLOSURE**  
TITLE OF DOCUMENT

KNOWN ALL MEN BY THESE PRESENTS, that Andre P. Beauzil and Marie J. Beauzil, husband and wife hereinafter called grantor, for \$1.00 and the consideration hereinafter stated, do/does hereby grant, bargain, sell and convey unto Kondaur Capital Corporation, hereinafter called grantee, and unto grantee's successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, situated in BREVARD County, FL, described as follows:

All that certain parcel of land situate in the County of Brevard, State of Florida, being known and designated as LotS 6 and 7, Block 1508, Port Malabar, Unit Thirty-one, according to the Plat thereof, as recorded in Plat Book 17 Pages 22-33, Public Records of Brevard County, Florida.

This being the identical property conveyed to the GRANTOR herein by Deed from Jean F Pompee, a single man and Ronald Morantus, a married man dated 10/29/04, recorded 12/17/04 and filed in Book 5398 Page 391.

COMMONLY known as: 548 GALLAGHER ST SW, PALM BAY, FL 32908-4752

Assessor's Parcel Number: 29-36-25-JP-01508.0-0007.00 (Lot 7)  
29-36-25-JP-01508.0-0006.00 (Lot 6)

To have and to hold the same unto the said grantee and grantee's successors and assigns forever.

This deed is absolute in effect and conveys fee simple title of the premises above described to the grantee and does not operate as a mortgage, deed of trust or security of any kind.

This deed does not effect a merger of the fee ownership and the lien of the mortgage described below. The fee and lien shall hereafter remain separate and distinct. By acceptance and recording of this deed, grantee covenants and agrees that it shall forever forbear taking any action whatsoever to collect against grantor on the obligations which are secured by the mortgage/deed of trust (referred to herein as "mortgage") described below, other than by foreclosure of that mortgage; and, that in any proceedings to foreclosure that mortgage, grantee shall not seek, obtain or permit a deficiency judgment against grantors, their heirs, successors or assigns, such right being hereby waived. This paragraph shall be inapplicable in the event that grantor attempts to have this deed set aside or this deed is determined to transfer less than fee simple title to grantee.

Grantor does hereby assign and transfer to grantee any equity of redemption and statutory rights of redemption concerning the real property and the mortgage described below.

Grantor is not acting under any misapprehension as to the legal effect of this deed, nor under duress, undue influence or misrepresentation of grantee, its agent, attorney or any other person. Grantor declares that this conveyance is freely and fairly made.

The true and actual consideration for this transfer consists of grantee's waiver of its right to bring an action against Grantor based on the promissory note secured by the mortgage hereinafter described and agreement not to name the grantor as a party to a foreclosure action stated above with respect to that certain mortgage signed on 11/21/05, by grantor in favor of Harbor Federal Savings Bank, and recorded at Book 5657 Page 1770, real property records of BREVARD County, FL on 06/08/06.

In construction this deed and where the context so requires, the singular included the plural and the plural includes the singular and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In witness whereof, the said Grantor has signed and sealed these presents the day and year first above written.

When the context requires, singular nouns and pronouns include the plural.

Andre P Beauzil  
Andre P Beauzil

Marie J Beauzil  
Marie J Beauzil

Signed, sealed and delivered in the presence of:

Witness Signatures:

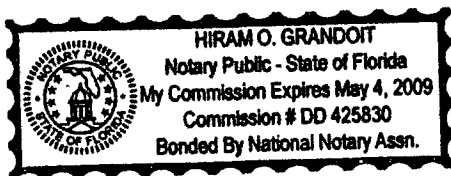
Noel Louis-Jacobs  
NOEL LOUIS-JACOBS  
Printed Name

Cyslaine Mondiere  
Cyslaine Mondiere  
Printed Name

STATE OF Florida  
COUNTY OF Brevard SS

The foregoing instrument was acknowledged before me this 20 day of February, 2009,  
by Andre Beauzil & Marie J Beauzil who is/are personally known to me  
or who has/have produced Florida licenses (type of identification) as identification.

NOTARY STAMP/SEAL



Hiram O Grandoit  
NOTARY PUBLIC  
HIRAM O GRANDOIT  
PRINTED NAME OF NOTARY PUBLIC  
My Commission Expires: May 04, 2009

**EXHIBIT "B"**

**ESTOPPEL AFFIDAVIT**

STATE OF Florida )  
COUNTY OF Brevard )

Andre P. Beauzil and Marie J. Beauzil, husband and wife, being first duly sworn, depose and say: "That they are the identical parties who made, executed, and delivered that certain Deed in Lieu of Foreclosure to Kondaur Capital Corporation, dated 2/20/09, conveying the following described property, to-wit:

All that certain parcel of land situate in the County of Brevard, State of Florida, being known and designated as LotS 6 and 7, Block 1508, Port Malabar, Unit Thirty-one, according to the Plat thereof, as recorded in Plat Book 17 Pages 22-33, Public Records of Brevard County, Florida.

Parcel ID # 29-36-25-JP-01508.0-0007.00 (Lot 7)  
29-36-25-JP-01508.0-0006.00 (Lot 6)

That the aforesaid deed was intended to be and was an absolute conveyance of the title to said premises to Kondaur Capital Corporation, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of affiants as grantors in said deed to convey, and by said deed these affiants did convey to Kondaur Capital Corporation, therein all their right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to Kondaur Capital Corporation;

That in the execution and delivery of said deed affiants were not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and were not acting under coercion or duress;

That aforesaid deed was not given as a preference against any other creditor or the deponents or either of them; that at the time it was given there was no other person or persons, firms or corporations, other than Kondaur Capital Corporation, who have interest, either directly or indirectly, in said premises; that these deponents are solvent and have no other creditors whose rights would be prejudiced by such conveyance, and that deponents are not obligated upon any bond or mortgage or other security whereby any lien has been created or exists against the premises described in said deed.

That the consideration for said deed was and is by Kondaur Capital Corporation in agreement to forebear taking any action against affiants to collect on the obligations secured by the mortgage described below, other than by foreclosure of that mortgage and to not seek, obtain or permit a deficiency judgment against affiants in such foreclosure action, in addition to other good and valuable consideration. The mortgage referred to herein was executed by the undersigned to Harbor Federal Savings Bank, on 11/21/05, and recorded at Book 5657 Page 1770, real property records of BREVARD County, FL. At the time of making said deed in lieu of foreclosure affiants believed and now believe that the aforesaid consideration therefore represents the fair value of the property so deeded, or more.

This affidavit is made for the protection and benefit of Kondaur Capital Corporation, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.

That affiants, and each of them will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

WE (THE BORROWERS) UNDERSTAND THAT WE HAD A RIGHT TO OBTAIN LEGAL ADVICE BEFORE SIGNING THE AFORESAID DEED. WE HAVE EITHER DONE SO OR HAVE ELECTED TO PROCEED WITHOUT LEGAL ADVICE.

Dated: 2/20/09

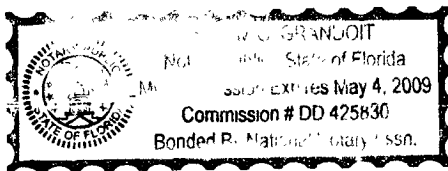
Andre P Beauzil  
Andre P Beauzil

Marie J Beauzil  
Marie J Beauzil

STATE OF Florida  
COUNTY OF Brevard

Subscribed and sworn to before me this 20 day of February, 2009 by  
Andre P Beauzil & Marie J Beauzil

NOTARY STAMP/SEAL



Hiram O Grandoit  
NOTARY PUBLIC  
HIRAM O GRANDOIT  
PRINTED NAME OF NOTARY PUBLIC  
My Commission Expires: May 04, 2009

Prepared By:  
ServiceLink  
4000 Industrial Boulevard  
Aliquippa, Pennsylvania 15001  
Ron Hooker



## **Exhibit "A"**

### **Legal Description**

All that certain parcel of land situate in the County of Brevard, State of Florida, being known and designated as LotS 6 and 7, Block 1508, Port Malabar, Unit Thirty-one, according to the Plat thereof, as recorded in Plat Book 17 Pages 22-33, Public Records of Brevard County, Florida.

Tax ID: 29-36-25-JP-01508.0-0007.00 (Lot 7)  
29-36-25-JP-01508.0-0006.00 (Lot 6)