



Prepared by and return to:
Kevin A. Kane, Esquire
IVAN, COLE & BONNETTE, P.A.
One Independent Dr., Suite 3131
Jacksonville, FL 32202

Parcel ID Number 29-12-32-4570-00000-0103

WARRANTY DEED

THIS WARRANTY DEED is made as of MAY 27th, 2008, between **JAY F. FURBAY**, a married man conveying nonhomestead property, herein the "Grantor," and **JAY F. FURBAY as Trustee of THE JAY F. FURBAY LIVING TRUST, DATED AUGUST 29, 2006**, as amended from time to time, herein the "Grantee," whose mailing address is 15 Avenue De La Mer 2601, Palm Coast, Florida 32137. (As used herein, the terms Grantor and Grantee shall include, where the context permits or requires, singular or plural, heirs, personal representatives, successors, or assigns.)

WITNESSETH, that the Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration paid by the Grantee, receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the Grantee forever all of Grantor's right, title and interest in and to that certain property situate, lying and being in the County of Flagler, State of Florida, more particularly described as follows:

Unit 103, THE NAUTILUS CONDOMINIUM, a Condominium, according to the Declaration of Condominium recorded in Official Records Book 186, Page 241, and all valid amendments thereto, of the Public Records of Flagler County, Florida; Together with an undivided interest in the common elements as set forth in the exhibits to the said Declaration of Condominium, as recorded, exemplified, referred to and set forth in said Declaration of Condominium and exhibits thereto.

This conveyance is subject to ad valorem taxes levied or which may become a lien subsequent to December 31 of the calendar year next preceding the date hereof, covenants, easements and restrictions of record; however, this reference shall not operate to reimpose same.

The Grantor hereby certifies that under the terms of **THE JAY F. FURBAY LIVING TRUST, dated August 29, 2006, JAY F. FURBAY, as the Trustee of THE JAY F. FURBAY LIVING TRUST, dated August 29, 2006**, has retained and is entitled to the beneficial use and possession of all property transferred to the Trust, including any homestead property as to which Grantor shall have the benefit of any and all exemptions permitted at law, such interest being

NOTE TO CLERK AND REVENUE DEPARTMENT: THIS CONVEYANCE IS A TRANSFER TO A TRUSTEE OF UNENCUMBERED REALTY FOR NO CONSIDERATION, REPRESENTING NO CHANGE IN BENEFICIAL OWNERSHIP; THEREFORE, MINIMUM DOCUMENTARY STAMP TAXES ARE BEING PAID HEREON PURSUANT TO SECTION 12B-4.013(29), FLORIDA ADMINISTRATIVE CODE.

hereby declared to be "equitable title to real estate" as that term is used in the Florida Statutes and the Florida State Constitution.

The foregoing legal description was provided to the preparer without the benefit of a survey or a title commitment and the preparer accepts no liability or responsibility whatsoever for any inaccuracies or improprieties contained therein or relating thereto.

TO HAVE AND TO HOLD the same, together with the hereditaments and appurtenances, unto the Grantee in fee simple. And the Grantor does hereby fully warrant the title to said property and will defend the same against the lawful claims of all persons whomsoever.

THIS WARRANTY DEED IS MADE PURSUANT TO FLORIDA STATUTES SECTION 689.071 AND GRANTS UNTO GRANTEE ALL OF THE POWERS SET FORTH THEREIN INCLUDING, BUT NOT LIMITED TO, THOSE POWERS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

IN WITNESS WHEREOF, this deed has been executed as of the date first above written.

Signed, sealed and delivered in the presence of:

Doris J. Christopher
Print Name: DORIS J. CHRISTOPHER

JAY F. FURBAY
Print Name: JAY F. FURBAY

E. T. Houston
Print Name: E. T. HOUSTON

STATE OF FLORIDA
COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me this 27th day of MAY, 2008, by **JAY F. FURBAY**, who is personally well known to me or who has produced FL. DRIVER'S LICENSE as identification.

Edward A. Houston
Notary Public, State of Florida
(Print or Stamp Name, Commission No. and Expiration below)

EDWARD A. HOUSTOUN
Notary Public, State of Florida
My Comm. Expires May 5, 2011
Comm. No. DD 654872

EXHIBIT A

Whenever used on this Exhibit A, the term "Trust" shall mean **THE JAY F. FURBAY LIVING TRUST, dated August 29, 2006**, as amended from time to time. Furthermore, whenever used on this Exhibit A, the terms "Grantee" and "Trustee" shall mean **JAY F. FURBAY as Trustee of THE JAY F. FURBAY LIVING TRUST, dated August 29, 2006**, whose address is 15 Avenue De La Mer 2601, Palm Coast, Florida 32137, or any successor trustee for the Trust at a later date.

Full power and authority is hereby granted to Grantee to deal in and with the property or any interests therein or any part thereof, to protect, conserve, and to sell, lease, encumber, or otherwise manage and dispose of the property, it being intended that the Grantee shall have full rights of ownership over the property in accordance with Florida Statute 689.071.

In no case shall any party dealing with the Grantee in relation to the property, or to whom the property or any part hereof shall be conveyed, contracted to be sold, leased or mortgaged by the Grantee, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on the property, or be obliged to inquire into the necessity or expediency of any act of the Grantee, or be obliged or privileged to inquire into any of the conditions or terms of the Trust. Every deed, trust deed, mortgage, lease or other instrument executed by the Grantee in relation to the property shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease or other instrument that:

- a. At the time of the delivery thereof the Trust was in full force and effect;
- b. Such conveyance or other instrument was executed in accordance with the Trust agreement, its conditions, terms and limitations contained therein, and any amendments thereof and such is binding upon all Trust beneficiaries;
- c. Grantee named herein as Trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument; and
- d. If a conveyance was made to a successor or successors in Trust, that such successor or successors in Trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

Notwithstanding anything herein or in any other instrument relating hereto to the contrary, Grantee named herein as a Trustee received this instrument in its capacity as Trustee only and it is agreed that no person will look to the Trustee individually or personally or to the Trustee's individual assets but only to the Trust of which it is Trustee and the assets of that trust for any liability under any such instrument.