

Without benefit of title examination  
this instrument prepared by:  
William V. Linne, Esquire  
127 Palafox Place  
P. O. Box 12347, Suite 100  
Pensacola, FL 32591-2347

STATE OF FLORIDA  
COUNTY OF SANTA ROSA

### WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that **ELLEN B. TATE**, also known as Ellen Marie Tate, whose address is 5896 Moors Oak Drive, Milton, Florida 32583, for and in consideration of Ten Dollars (\$10.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, have bargained, sold, conveyed and granted unto **PAULA MARIE ROGERS, as Trustee under the Phil Bea Brown Irrevocable Trust Agreement, dated the 17<sup>th</sup> day of December, 2008**, whose address is 5896 Moors Oak Drive, Milton, Florida 32583, her successors and assigns, forever, the real property located in Santa Rosa County, Florida, described as follows:

**(OR Book 2863, Page 932)**

Lot 42, Block B, Tidal Bay Subdivision, Phase 1, a subdivision lying in Sections 1, 12 and 13, Township 1 South, Range 28 West, as recorded in Plat Book D, Page 76, of the Public Records of Santa Rosa County, Florida.

**Property Appraiser's Parcel I.D. No.: 01-1S-28-5432-00B00-0420**

Subject to taxes for current year and to valid easements and restrictions of record affecting the above property, if any, which are not hereby reimposed. Subject also to liens, encumbrances, oil, gas and mineral reservations of record.

It should be noted that under the terms of the Phil Bea Brown Irrevocable Trust Agreement, Phil Bea Brown has the right to reside in the residence situated on the above described property during his lifetime. Phil Bea Brown's beneficial interest and possessory right in the above-described real property is held in a manner that will comply with Florida Statute Section 196.041 so that such beneficial interest and possessory right shall constitute in all respects "equitable title to the real estate" as that term is used in Section 6, Article VII, of the Constitution of the State of Florida.

In the event of the resignation, death or inability of Paula Marie Rogers to manage the affairs of the Trust (as determined by two qualified physicians), then **MERRILL LYNCH BANK & TRUST COMPANY, FSB** shall serve as successor Trustee.

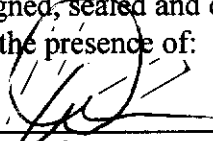
For so long as two or more trustees are serving as Trustees, each Trustee may delegate in writing authority to one of their number to act independently and to execute documents on behalf of all Trustees. If such written delegation of authority is given, any third party dealing with the Trustees shall be entitled to rely on the execution of any document or any action taken by the Trustee receiving such written delegation, as having been performed with full authority to bind all of the Trustees in all respects.

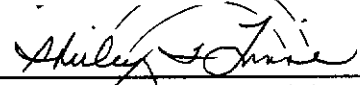
Said Trustee is vested with full rights of ownership over said real property, or the interest therein with full power and authority to deal in and with said real property, and the interest therein or any part thereof. Said Trustee is hereby conferred, pursuant to the requirements of Florida Statute Section 689.071, with the full power and authority to either protect, conserve, and to sell, or to lease, or to encumber, or otherwise manage and dispose of said real property, described above. Together with all and singular the tenements, hereditaments and appurtenances belonging or in anywise appertaining. To have and to hold the same unto the Grantee named, his successors and assigns forever.

Said Grantor does fully warrant the title to said property and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set her hands and seal on this 17<sup>th</sup> day of December, 2008

Signed, sealed and delivered  
in the presence of:

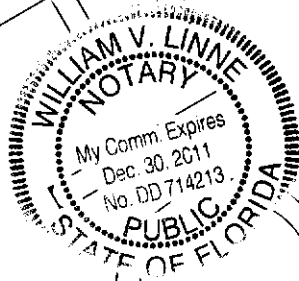
  
\_\_\_\_\_  
William V. Linne


  
\_\_\_\_\_  
Shirley R. Linne

  
\_\_\_\_\_  
ELLEN B. TATE

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of December, 2008, by ELLEN B. TATE, who is personally known to me.



  
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NOTARY PUBLIC  
Typed Name: William V. Linne  
Commission Expires: 12-30-11  
Commission No.: DD714213

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