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IN THE CIRCUIT COURT OF THE 19TH JUDICIAL CIRCUIT, IN AND FOR INDIAN RIVER COUNTY, FLORIDA

CIVIL DIVISION

CASE NO. 31-2011-CA-001128-XXXXXX

RBC BANK (USA), a North Carolina banking corporation, successor by merger to Indian River National Bank,

Plaintiff,

VS.

WESTFIELD OF VERO DEVELOPMENT COMPANY II, LLC, a Florida limited liability company, successor by conversion to Westfield of Vero Development Company, a Florida corporation; WESTFIELD OF VERO HOMEOWNERS ASSOCIATION, INC., a Florida non-profit corporation; and ROY J. PENCE,

Defendants.

CERTIFICATE OF TITLE

I, JEFFREY K. BARTON, Clerk of the above-entitled Court, do hereby certify that I executed and filed a Certificate of Sale in this action on July 20, 2011, for the Property described herein and that no objections to the sale have been filed within the time allowed for filing objections. The following property in Indian River County, Florida:

See Exhibit "1" attached hereto

together with all rights, easements, appurtenances, royalties, mineral rights, oil and gas rights, crops, timber, all diversion payments or third party payments made to crop producers, and all existing and future improvements, structures, fixtures, and replacements that may now, or at any time in the future, be part of the real estate described above, as well as any and all water wells, water, ditches, reservoirs, reservoir sites and dams located on the real estate and all reparian and water rights associates with the Property, however established (all referred to hereinafter as "Property") was sold to RBC BANK (USA), a North Carolina banking corporation, successor by

(WP769697:1)

BK: 2516 PG: 317

merger to Indian River National Bank, whose address is c/o Lawrence P. Rochefort, Esquire, Akerman Senterfitt, 222 Lakeview Avenue, Suite 400, West Palm Beach, Florida, 33401.

Witness my hand and seal of this Court on August

<u>5</u>, 2011.

JEFFREY K. BARTON Clerk of Circuit Court

(COURT SEAL)

By:

Deputy Clerk

Copies furnished to:

All parties listed on the attached Service List

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SERVICE LIST

Lawrence P. Rochefort, Esquire Kent B. Frazer, Esquire Akerman Senterfitt 222 Lakeview Avenue, Suite 400 Esperante Building, Fourth Floor West Palm Beach, FL 33401 Telephone: (561) 659-5990 Facsimile: (561) 659-6313 Attorneys for Plaintiff

Michael R. Riemenschneider, Esquire 1686 W. Hibiscus Boulevard Melbourne, FL 32091 Telephone: (321) 728-2800

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Attorney for Defendants, Westfield of Vero Development Company II, LLC,

Roy J. Pence and Westfield of Vero Homeowners Association, Inc.

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EXHIBIT "1"

The North 1/2 of Tract 13, Section 1, Township 33 South, Range 38 East, according to the last general plat of lands of the INDIAN RIVER FARMS COMPANY, as filed in Plat Book 2, Page 25, Public Records of St. Lucie County, Florida, said land now situate, lying and being in Indian River County, Florida.

LESS AND EXCEPT that part lying in State Road 609 (82nd Avenue), being in Indian River County.

AND

The South 1/2 of Tract 13, Section 1, Township 33 South, Range 38 East, according to the last general plat of lands of the INDIAN RIVER FARMS COMPANY, as filed in Plat Book 2, Page 25, Public Records of St. Lucie County, Florida, said land now situate, lying and being in Indian River County, Florida;

LESS AND EXCEPT that land conveyed to Indian River County by Warranty Deed recorded in Official Records Book 1324, Page 899.

NOW KNOWN AS:

All of WESTFIELD SUBDIVISION, according to the plat thereof, recorded in Plat Book 22, Page 40, of the Public Records of Indian River County, Florida.

LESS AND EXCEPT from all of the above, the following sold lots:

Lots 9, 10, 11, 12, 13, 15, 16, 77, 79, 81, 82, 83, 88, 89, 90, 91, 92, 93, 134, 135, 136, and Tract F.