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Receipt #: 000000523650-01
Doc Stamp-Deed : 0.78
Karen E. Rushing, Sarasota Co.
By: *[Signature]* D.C.

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THIS INSTRUMENT WAS PREPARED BY:
Dennis J. Tracy, Esquire
Dulmer & Tracy, Chartered
229 Pensacola Road
Venice, Florida 34285

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TRUST DEED

THIS INDENTURE, made this 20th day of August, 1997, by and between FRANK FIOLA and THERESA FIOLA, husband and wife, of the County of Sarasota, State of Florida hereinafter referred to as Grantor and FRANK FIOLA, as Trustee under Trust Agreement dated July 22, 1997, as to an undivided 1/2 interest, and THERESA F. FIOLA, as Trustee under Trust Agreement dated July 22, 1997, as to an undivided 1/2 interest, as tenants in common, of 1312 Guardian Drive, Venice, Florida 34292, hereinafter referred to as Trustee.

W I T N E S S E T H:

That said Grantor, for and in consideration of the sum of -----TEN (\$10.00) DOLLARS----- and other good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to Trustee, its successors and assigns, the following described property situate in Sarasota County, Florida, to wit:

Lot 24, Block 78, GULF VIEW SECTION OF VENICE, as per Plat thereof recorded in Plat Book 2, Pages 77 and 77A, of the Public Records of Sarasota County, Florida.

Tax I. D. Number 0408-06-0032.

TO HAVE AND TO HOLD said real estate with the following powers and for the following uses and purposes, to wit:

1. The Trustee is vested with full rights of ownership over the above described real estate and Trustee is specifically granted and given the power and authority to:

(a) protect and conserve said real estate and improvements located thereon and to pay the taxes assessed thereon;

(b) sell said real estate for cash or on credit at public or private sale; to exchange said real estate for other property; to grant options to sell said property, and to determine the price and terms of sales, exchanges and options;

(c) execute leases and subleases for terms as long as 200 years; to subdivide or improve said real estate and tear down or alter improvements; to grant easements; to give consent and make contracts relating to said real estate or its use; to release or dedicate any interest in said real estate;

(d) borrow money and mortgage, pledge or encumber any or all of the said real estate to secure payment thereof;

(e) manage, control and operate said real estate; to collect the rents, issues and profits; to pay all expenses thereby incurred; and in addition, to manage and operate any business that may now or hereafter be operated and maintained on said real estate; and in general, to exercise any powers authorized by the provisions of Chapter 737, Florida Statutes, 1977.

2. The Trustee shall hold said real estate and make distributions of said real estate or of the proceeds derived therefrom in accordance with the terms and conditions of that certain Trust Agreement collateral hereto, entered into by the Trustee and certain beneficiaries dated July 22, 1997.

3. No purchaser, grantee, mortgagee, lessee, assignee, or any other person dealing with the Trustee need see to the application of the proceeds. Receipt by the Trustee shall be a complete discharge and acquittance therefor. Any and all persons, including but not limited to grantees, mortgagees, lessees, transferees and assigns dealing with said Trustee need not inquire into the identification or status of any beneficiary under this deed or any collateral instrument nor inquire into or ascertain the authority of such Trustee to act in and exercise the powers granted by this deed or of adequacy or disposition of any consideration paid to Trustee nor inquire into the provisions of the said unrecorded Trust Agreement and any amendments thereto, collateral hereto.

4. The Grantor does hereby define and declare that the interests of any beneficiary hereunder or under the said Trust Agreement and any amendment thereto, collateral hereto, shall be personal property only.

5. The Grantor recites that this conveyance, the Trustee covenants and agrees to do and perform the duties, acts and requirements under the terms of the Trust.

6. By acceptance of this conveyance, the Trustee covenants and agrees to do and perform the duties, acts, and requirements under the terms of the Trust.

7. In the event of the resignation, death or inability of Frank Fiola, to serve as a Trustee of this trust, then Theresa F. Fiola and Catherine Fiola, shall serve as successor Co-Trustees. If either of them shall be unable or unwilling to act as a Co-Trustee hereunder, then the following named individuals, in the order given, shall act as a Co-Trustee hereunder:

- A. Thomas M. Fiola; or
- b. Joseph A. Fiola; or
- c. Frank A. Fiola, Jr.

In the event there is only one of the above named individuals remaining or available or willing to act as Trustee, then that individual shall act as the sole Trustee hereunder.

In the event of the resignation, death or inability of Theresa F. Fiola, to serve as a Trustee of this trust, then Frank Fiola, shall serve as successor Trustee. In the event of the resignation, death or inability of Frank Fiola, to serve as a Trustee of this trust, then Catherine Fiola and Thomas M. Fiola, shall act as successor Co-Trustees hereunder. In the event either of them are unable or unwilling to act as a successor Co-Trustee, then Frank A. Fiola, Jr. shall act as a successor Co-Trustee. In the event Frank A. Fiola, Jr. is unable to unwilling to act as a Trustee for any reason, then Joseph A. Fiola shall act as successor Co-Trustee. In the event there is only one of the above named individuals remaining or available or willing to act as Trustee, then that individual shall act as the sole Trustee hereunder.

TO HAVE AND TO HOLD THE SAME IN FEE SIMPLE FOREVER.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed the date above written.

WITNESSES:


Typed Name: Dennis J. Tracy


Typed Name: Karen M. O'Connell


FRANK FIOLA
1312 Guardian Drive
Venice, FL 34292

[Signature]
Typed Name: Debra J. Tracy

[Signature]
Typed Name: Frank M. David

[Signature]
THERESA F. FIOLA
1312 Guardian Drive
Venice, FL 34292

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 20th day of August, 1997, by FRANK FIOLA and THERESA F. FIOLA, husband and wife, who are personally known to me or who have produced Fl. Driver License as identification.

[Signature]
Notary Public
Typed Name: Phyllis A. Balzen
Commission Number: _____

OFFICIAL NOTARY SEAL
PHYLLIS A. BALZEN
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. 0041107
MY COMMISSION EXPIRES JAN. 5, 1999

SEP 17 11:03:33
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