

This instrument was prepared by  
or under the supervision of and  
AFTER RECORDING, RETURN TO:  
Gerald C. Thomas  
AUSLEY & McMULLEN  
Post Office Box 391  
Tallahassee, Florida 32302



**WARRANTY DEED IN LIEU OF FORECLOSURE**

THIS WARRANTY DEED IN LIEU OF FORECLOSURE (the "Deed"), made this 26<sup>th</sup> day of November, 2010, by and between **TIMOTHY LEE DAVIS** and **DAWN MARIE DAVIS**, husband and wife, whose mailing address is 7551 Northwest 46th Terrace, Chiefland, Florida 32626, (hereinafter referred to as the "Grantor"), and **CAPITAL CITY BANK**, a Florida banking corporation, whose mailing address is Post Office Box 900, Tallahassee, Florida 32302 (hereinafter referred to as the "Grantee");

(Wherever the context hereof so requires or admits, the terms "Grantor" and "Grantee" shall include singular and plural, and use of any gender shall be applicable to all genders, and this instrument shall be binding upon all parties hereto and their legal representatives, successors, and assigns.)

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other valuable considerations, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells, and conveys unto the Grantee, and the Grantee's successors and assigns forever, the following described property located in Levy County, Florida, to-wit:

Lots 16, 17 and 18, Block 5 of SUWANNEE RIVER HEIGHTS,  
according to the Plat thereof as recorded in Plat Book 2, Page(s) 2,  
of the Public Records of Levy County, Florida..

**Parcel Identification Nos. 07454-000-00 and 07458-000-00.**

TOGETHER WITH all tenements, hereditaments, and appurtenances and all right, title, interest, and estate, thereto belonging or in anywise appertaining.

SUBJECT TO covenants, conditions, restrictions and easements of record, ad valorem taxes for 2010, and subsequent years, not yet due and payable.

SUBJECT TO the lien of the following instruments (the "Mortgage Documents"):

(1) That certain mortgage from TIMOTHY L. DAVIS and DAWN M. DAVIS to Capital City Bank, recorded March 31, 2005, Official Records Book 937, Page 20 of the Public Records of Levy County, Florida.

the existence and priority of which liens the Grantee does hereby ratify, confirm and acknowledge.

THIS DEED IS AN ABSOLUTE CONVEYANCE OF TITLE TO THE PROPERTY IN EFFECT AS WELL AS IN FORM, AND IS NOT GIVEN OR INTENDED AS SECURITY OR ADDITIONAL SECURITY OR COLLATERAL OF ANY KIND WHATSOEVER. IT IS THE INTENT OF THE GRANTOR AND GRANTEE THAT THE CONVEYANCE OF THE ABOVE-DESCRIBED PROPERTY TO GRANTEE WILL NOT ACT IN ANY WAY AS A MERGER IN FACT, IN LAW OR IN EQUITY OF THE FEE INTEREST IN THE PROPERTY AND THE LIEN, CHARGE AND EFFECT OF THE MORTGAGE DOCUMENTS, BUT THAT THE MORTGAGE DOCUMENTS SHALL REMAIN A FIRST AND PRIOR LIEN ON THE PROPERTY, UNTIL DISCHARGED BY FORECLOSURE, RELEASE OR SATISFACTION THEREOF FILED IN THE PUBLIC RECORDS OF LEVY COUNTY, FLORIDA AND DELIVERED BY GRANTEE.

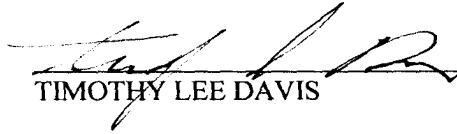
TO HAVE AND TO HOLD, the same in fee simple forever.

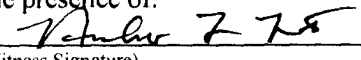
AND the Grantor covenants that the Grantor is lawfully seized of the premises and has the right to convey the premises to the Grantee; that the premises are free from any encumbrances, except as herein stated; and Grantor does hereby fully warrant the title to such property and will defend the same against the lawful claims of all persons whomsoever, subject to the foregoing exceptions.

THE GRANTOR hereby warrants and covenants that the above-described property does not constitute Grantor's homestead or any portion thereof under the laws of the State of Florida.

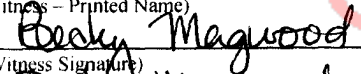
IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed, and delivered  
in the presence of:

  
TIMOTHY LEE DAVIS

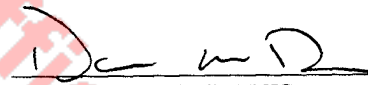
  
\_\_\_\_\_  
(1<sup>st</sup> Witness Signature)

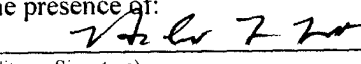
ANDREW L. LOTT  
\_\_\_\_\_  
(1<sup>st</sup> Witness - Printed Name)

  
\_\_\_\_\_  
(2<sup>nd</sup> Witness Signature)

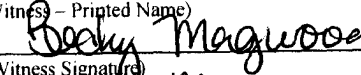
Becky Magwood  
\_\_\_\_\_  
(2<sup>nd</sup> Witness - Printed Name)

Signed, sealed, and delivered  
in the presence of:

  
DAWN MARIE DAVIS

  
\_\_\_\_\_  
(1<sup>st</sup> Witness Signature)

ANDREW L. LOTT  
\_\_\_\_\_  
(1<sup>st</sup> Witness - Printed Name)

  
\_\_\_\_\_  
(2<sup>nd</sup> Witness Signature)

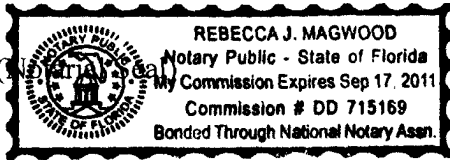
Becky Magwood  
\_\_\_\_\_  
(2<sup>nd</sup> Witness - Printed Name)

STATE OF FLORIDA  
COUNTY OF Levy

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of November, 2010, by TIMOTHY LEE DAVIS. Such person: ( ) is personally known to me; () produced a current driver's license as identification; or ( ) produced \_\_\_\_\_ as identification.

Rebecca J Magwood  
(Signature of Notary Public)

\_\_\_\_\_  
(Typed or Printed Name of Notary Public)



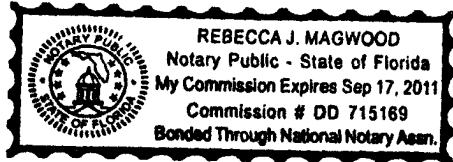
STATE OF FLORIDA  
COUNTY OF Levy

The foregoing instrument was acknowledged before me this 26<sup>th</sup> day of November, 2010, by DAWN MARIE DAVIS. Such person: ( ) is personally known to me; () produced a current driver's license as identification; or ( ) produced \_\_\_\_\_ as identification.

Rebecca J Magwood  
(Signature of Notary Public)

\_\_\_\_\_  
(Typed or Printed Name of Notary Public)

(Notarial Seal)



Official Copy