

# TITLE SEARCH PROPERTY INFORMATION REPORT

*Fund File Number 1638044*

Issuer: Attorneys' Title Fund Services, Inc.

Recipient: Oropeza Stones & Cardenas, PLLC

The information contained in this Title Search Property Information Report is being furnished by the Issuer at Recipient/Agent's request for review and examination by Recipient/Agent. If this report is to be used for evaluation and determination of insurability and for the purpose of preparing and issuing a title insurance commitment or policy, it shall be the responsibility of the Recipient/Agent to conduct such evaluation and determination. Only the results of a search of the record title are reflected herein.

*Agent's File Reference: TSR-25.20*

*After an examination and review of this search the Recipient/Agent must:*

- A. Request written authorization from Issuer to issue a commitment if the amount exceeds their agency/member limits or the transaction constitutes an extrahazardous risk.*
- B. Evaluate all instruments, plats, documents and notes contained in this report.*
- C. Include in any Commitment under Schedule B, any additional requirements and/or exceptions you find necessary from your analysis of the surveys, prior title evidence or other relevant information from the transaction.*
- D. Verify the status of corporations and limited partnerships and other business entities with the appropriate governmental agency or other authority.*
- E. Determine whether the property has legal access.*
- F. Determine if any unpaid municipal taxes or assessments exist, which are not recorded in the Official Records Books of the county.*
- G. Determine whether any portion of the property is submerged or artificially filled, if the property borders a body of water, and if riparian or littoral rights exist.*
- H. The information provided herein does not include a search of federal liens and judgment liens filed with the Florida Department of State.*
- I. Determine that the transaction to be closed is bona fide and arms-length and does not violate any lender instructions, underwriting guidelines or advice of Issuer.*

**This Title Search Property Information Report is prepared and furnished for information only. It is not an opinion of title.**

*This Title Search Property Information Report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the Issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report and is*

*Prepared Date: May 8, 2025*

*Prepared by: John Christensen, Senior Examiner*

*Email Address: JChristensen@TheFund.com*

*Attorneys' Title Fund Services, Inc.*

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*further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.*

**Effective Date of approved base title information:** February 1, 1829

**Effective Date of Search:** April 17, 2025 at 11:00 PM

**Apparent Title Vested in:**

Monroe County, Florida, a political subdivision of the State of Florida

**Description of real property situated in Monroe County, Florida.**

**See Exhibit A**

**Muniments of Title, including bankruptcy, foreclosure, quiet title, probate, guardianship and incompetency proceedings, if any, recorded in the Official Records Books of the county:**

1. Warranty Deed from Edwardo H. Gato and Mercedes H. Gato to the United States of America, recorded May 31, 1898 in Deed Book [RR, Page 342](#), Public Records of Monroe County, Florida.
2. Corrected Warranty Deed from Edwardo H. Gato, widow, to the United States of America, recorded October 26, 1907 in Deed Book [W, Page 458](#), Public Records of Monroe County, Florida.
3. Quit Claim Deed from The United States of America, acting by and through War Assets Administration to Monroe County, Florida, a political subdivision of the State of Florida, dated October 21, 1947 in Deed Book [G33, Page 276](#), Public Records of Monroe County, Florida.

**Mortgages, Assignments and Modifications:**

1. Leasehold Mortgage to TID Bank, mortgagee(s), recorded in O.R. Book [2397, Page 2430](#), Public Records of Monroe County, Florida.

**Other Property Liens:**

1. Taxes were exempt for tax year 2024. Account # 1059293.
2. Any lien or claim of lien for services, labor or materials which may take priority over the estate or interest insured by reason of that certain Notice of Commencement recorded October 7, 2024, under O.R. Book [3295, Page 1139](#), Public Records of Monroe County, Florida.

**Restrictions/Easements:**

1. Subject to the effect of the Municipal Zoning Ordinances, Historical Preservation Area restrictions, and results of the exercise of governmental police powers of the City of Key West, Florida.
2. Subject to Chapter 28-36 of the Florida Administrative Code (formerly Chapter 27F-15) for Land Planning for the City of Key West Area of Critical Concern, adopted by the

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Administrative Commission pursuant to Section 380.05, F.S., on February 7, 1984, effective February 28, 1984, recorded in O.R. Book [906, Pages 200-208](#) of the Public Records of Monroe County, Florida.

3. Subject to the City Ordinance No. 81-43, which provides for the collection of waste and assessment of charges thereof, in the City of Key West, Monroe County, Florida.
4. Notice of Limitation of Use/Site Dedication recorded in O.R. Book [1117, Page 2113](#), Public Records of Monroe County, Florida.
5. Grant of Easement recorded in O.R. Book [1655, Page 2219](#), Public Records of Monroe County, Florida.
6. Lease from Monroe County, Florida, a political subdivision of the State of Florida to Key West Hospitality LLC, as evidenced by document recorded January 28, 2009, under O.R. Book [2397, Page 2411](#), Public Records of Monroe County, Florida.
7. Development Agreement for Higgs Beach Park recorded in O.R. Book [2661, Page 908](#), Public Records of Monroe County, Florida.
8. All matters contained on the Plat of Higgs Beach Erosion Control Line, as recorded in Plat Book [7, Page 90](#), Public Records of Monroe County, Florida.
9. Unrecorded Lease from Monroe County, Florida, a political subdivision of the State of Florida to Key West Garden Club West Martello.
10. Coverage is excepted as to riparian and littoral rights; the possible right of the public to use beach area and/or waterways; and any Land insured herein that was formerly or is currently submerged, including any filled lands, artificially exposed lands, and lands accreted to such lands, for the rights of the United States Government and the State of Florida. If the Navigational Servitude Endorsement is attached to this policy and made a part hereof, the coverage afforded thereby shall not extend to any portion of the Land subject to a claim of ownership by the State of Florida by right of sovereignty. Commitment exception #3 is hereby deleted in its entirety.

### ***Other:***

1. Nothing Found

## REAL PROPERTY TAX INFORMATION ATTACHED

### ***Proposed Insured:***

***A 20-year name search was not performed on the proposed insured. The agent is responsible for obtaining a name search unless a loan policy for a 100% purchase money mortgage.***

## STANDARD EXCEPTIONS

***Unless satisfactory evidence is presented to the Agent eliminating the need for standard exceptions, the following should be made a part of any commitment or policy.***

1. ***General or special taxes and assessments required to be paid in the year 2025 and subsequent years.***
2. ***Rights or claims of parties in possession not shown by the public records.***

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3. *Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.*
4. *Easements or claims of easements not shown by the public records.*
5. *Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.*
6. *Any owner policy issued pursuant hereto will contain under Schedule B the following exception: Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the lands insured hereunder, including submerged, filled and artificially exposed lands, and lands accreted to such lands.*
7. *Federal liens and judgment liens, if any, filed with the Florida Department of State pursuant to Sec. 713.901, et seq., F.S., and Sec. 55.201, et seq., F.S., respectively, which designate the Florida Department of State as the place for filing federal liens and judgment liens against personal property. For insuring purposes:
  - (a) *Pursuant to Sec. 713.901, et seq., F.S., personal property includes, but is not limited to, mortgages, leaseholds, mortgages on leaseholds, interests in cooperative associations, vendees' interests, and options when those interests are held by a partnership, corporation, trust or decedent's estate; and*
  - (b) *Pursuant to Sec. 55.201, et seq., F.S., personal property includes, but is not limited to, leaseholds, interests in cooperative associations, vendees' interests, and options regardless of the type of entity holding such interests, including individuals. (Note: Mortgages have been specifically excluded from the personal property interests in which a judgment lien may be acquired under the provisions of Sec. 55.201, et seq., F.S.)**
8. *Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority, for unpaid service charges for services by any water systems, sewer systems or gas systems serving the land described herein; and any lien for waste fees in favor of any county or municipality.*

**NOTE:** *This report does not cover bankruptcies or other matters filed in the Federal District Courts of Florida.*

**NOTE:** *Consideration in foreclosure proceedings should be given to joining as defendants any persons in possession, other than the record owner, and any parties, other than those named herein, known to Agent, the plaintiff or the plaintiff's attorney and having or claiming an interest in the property.*

**NOTE:** *The Agent is responsible for obtaining underwriting approval on any commitment prepared from this product in the amount of \$1,000,000.00 or otherwise in excess of their agency/member limits.*

## Exhibit A

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Beginning at a point, marked by an iron bolt, in the southwest boundary line of White Street in the City of Key West, 50 feet from the boundary line between Tract No. 27 and Tract No. 23 in said City, said point also bearing S 37° 24' 49" E, and being distant 2,332.13 feet from a point in said city known as Maloney's corner, which is an iron bolt in the intersection of White and Davision Streets; thence S 52° 00' W, 1,180 feet, to an iron bolt in the southwestern boundary line of said Tract No. 27; thence S 38° 00' E, 230 feet, more or less, to the low water mark of the Gulf of Mexico; thence along said low water mark, to a point bearing S 38° 00' E, from the point of beginning; thence N 38° 00' W, 860 feet, more or less, to the point of beginning, containing 11.5 acres, more or less, exclusive of the following described area:

Beginning at a point in the Westerly line of White Street approximately 400 feet southerly from the south line of the county road (marked by a  $\frac{1}{2}$ " copper bolt set in the top of a concrete monument set at the northeast corner of the boundary fences); thence S 54° 23' E, 500 feet to a point in the west line of White Street; thence S 55° 30' W, 339.2 feet to a point; thence S 76° 30' W, 103.3 feet to a point; thence N 79° 30' W, 89.2 feet to a point; thence N 34° 30' W, 399.2 feet to a point in the south boundary of Casa Marine Court; thence N 55° 37' E, 500 feet to the point of beginning.