

This Instrument Prepared by & return to:

Name: W. Crit Smith, Esq.
Susan S. Thompson, Esq.
Frank S. Shaw, III, Esq.

Address: Fourth Floor, 3520 Thomasville Rd.
Tallahassee, FL 32309
20204630ANH

Parcel I.D. #: 04173-010-000, 04173-018-000, 04173-026-000

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS BANKRUPTCY TRUSTEE'S DEED made this 22nd day of December, A.D. 2020, by **MARY W. COLÓN, AS TRUSTEE UNDER BANKRUPTCY CASE RE: STEPHEN A. BRINKMEIER AND LILLIAN C. BRINKMEIER DEBTORS IN BANKRUPTCY UNDER CASE NUMBER 13-50128-KKS PENDING IN THE U.S. BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF FLORIDA** (court and division), hereinafter called the grantor, to **NISSIM AFUTA**, a married man, having its principal place of business at 22105 Marsh Rabbit Run, Panama City Beach, FL 32413, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument, singular and plural, and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

Witnesseth: That the grantor, having filed notice of intent to sell the Bankruptcy Trustee's interest in real property by Trustee's Report and Notice of Intention to Sell Property of the Estate, received no objections to the proposed sale within the allowed time period, and the Court entered an order approving sale (copy attached as Exhibit "B"). Therefore, for and in consideration of the sum of \$10.00, including any and all taxes, and other valuable consideration, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee all of the Estate's interest, if any, in all that certain land situate in Bay County, State of Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

Subject to taxes for subsequent years, restrictions, reservations, covenants and easements of record, if any.

Together with all the appurtenances, and the estate which **STEPHEN A. BRINKMEIER and LILLIAN C. BRINKMEIER** (debtors) had at the time of the filing of his/her bankruptcy petition under Title 11 of the United States Code in the Bankruptcy Court for the U.S. BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF FLORIDA (court and division), in the premises, and also the estate therein which the Grantor has power to convey or dispose of, as Trustee for **STEPHEN A. BRINKMEIER and LILLIAN C. BRINKMEIER** (debtors), case No. 13-50128-KKS.

To Have and to Hold the same in fee simple forever.

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:

Penelope Cantin
Witness Signature

Penelope Cantin
Printed Name

Janet Reeve
Witness Signature

Janet Reeve
Printed Name

State of Florida
County of Leon

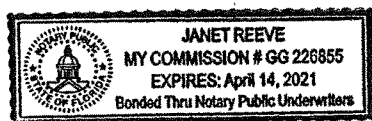
I hereby Certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgements, personally appeared **MARY W. COLÓN AS TRUSTEE UNDER BANKRUPTCY CASE RE: STEPHEN A. BRINKMEIER AND LILLIAN C. BRINKMEIER DEBTORS IN BANKRUPTCY UNDER CASE NUMBER 13-50128-KKS IN THE U.S. BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF FLORIDA**, known to me to be the person described in and who executed the foregoing instrument, who acknowledged before me that he/she executed the same, and that I relied upon the following form of identification of the above-named person:

personally known to me
and that an oath was not taken.

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization

Witness my hand and official seal in the County and State last aforesaid this 22nd day of December, A.D. 2020.

Notary Public Rubber Stamp Seal



Mary W. Colón
Chapter 7 Trustee
MARY W. COLÓN, AS AND ONLY AS, TRUSTEE
UNDER BANKRUPTCY CASE RE: STEPHEN A.
BRINKMEIER AND LILLIAN C. BRINKMEIER
DEBTORS IN BANKRUPTCY UNDER CASE NUMBER
13-50128-KKS IN THE U.S. BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
Address: PO Box 14596, Tallahassee, FL 32317

Notary Signature

Janet Reeve
Printed Notary Signature

EXHIBIT "A"

The land referred to herein below is situated in the County of Bay, State of Florida, and described as follows:

The "Fox" lot, described as:

Commencing at the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 24, Township 6 South, Range 12 West; thence North 1 degree 03 minutes West 374.21 feet for the Point of Beginning; thence South 89 degrees 26 minutes 05 seconds West 464.53 feet; thence North 1 degree 16 minutes 15 seconds West 12.50 feet; thence North 89 degrees 26 minutes 05 seconds East 220.43 feet; thence North 1 degree 03 minutes West 271.10 feet; thence North 69 degrees 46 minutes 45 seconds East 258.46 feet; thence South 1 degree 03 minutes East 370.54 feet to the Point of Beginning.

AND

"Rustic Sands Resort Campgrounds", described as:

Commencing at an iron pipe N.1°03' W. 180 feet from the SE corner of NW 1/4 of SE 1/4 of Section 24, T6S, R12W; thence continue N.1°03' W. 564.75 feet for the POB; thence S.69°46'45" W. 258.46 feet; thence S.1°03'00" E. 271.10 feet; thence S.89°26'05"W. 220.43 feet; thence S.1°16'15"E. 401.37 feet to the point of curvature of a curve concave Northeasterly having a central angle of 27°02'00" and a radius of 302.00 feet; thence Southeasterly along the arc of said curve 142.49 feet to the point of reverse curvature with a curve concave Westerly, having a central angle of 41°00'25" and a radius of 153.41 feet; thence Southerly along the arc of said curve 109.80 feet to the point of tangency of said curve; thence S.12°42'10"W. 27.21 feet to a point on the northerly right-of-way line curve of Bay County Road No. C-386 A; thence along said curve a chord bearing and distance of N.63°28'25"W. 333.85 feet to an iron pipe; thence N.1°01'26"W. 1446.41 feet to an iron pipe; thence N.88°57'E. along the 1/4 Section line 718.57 feet; thence S.1°03'E. 575.18 feet to the Point of Beginning.

AND

A portion of the Northwest Quarter of the Southeast Quarter of Section 24, Township 6 South, Range 12 West, Bay County, Florida, as follows: Commence at the Southeast Corner of the Northwest Quarter of the Southeast Quarter of Section 24, Township 6 South, Range 12 West, Bay County, Florida and thence run N01°03'00"W for 180.00 feet; thence S89°02'00"W for 231.00 feet; thence N30°05'18"E for 12.27 feet for the Point of Beginning; from said Point of Beginning run S89°38'49"W for 239.84 feet; thence N01°16'15"W for 181.82 feet; thence N89°26'05"E for 232.26 feet; thence N01°09'38"W for 13.27 feet; thence S89°52'31"E for 10.02 feet; thence S00°32'49"E for 195.84 feet to the Point of Beginning. Less that portion lying within the property described in Official Records Book 1964, Page 731, of the Public Records of Bay County, Florida.

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

IN RE:

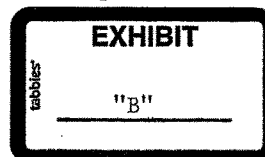
**CASE NO: 13-50128-KKS
CHAPTER 7**

**Stephen A Brinkmeier
Lillian C Brinkmeier,**

Debtor(s),

**ORDER GRANTING MOTION TO SELL
REAL PROPERTY FREE AND CLEAR OF LIENS,
ENCUMBRANCES AND INTERESTS (Doc. 293)**

This matter is before the Court on Trustee's Motion to Sell Real Property Free and Clear of Liens, Encumbrances and Interests (hereinafter "Motion")(Doc. 293), Trustee's Notice of Intent to Sell Property of the Estate (Doc. 292), Notice of Competing Bid (Doc. 298), Trustee's Amended Notice of Intention to Sell Property by Telephonic Auction (Doc. 301), and Trustee's Report of Auction (Doc. 302). The Notice of Intention to Sell Property of the Estate was served with a twenty-one day negative notice. No opposition or objection has been filed. Pursuant to Trustee's Report of Auction, Nissim Afuta is the high bidder in the amount of \$2,670,001.00. A hearing was held on December 17, 2020 and the Court having determined that the relief



sought in the Motion and discussed in open court should be granted.

It is hereby

ORDERED, as follows:

1. Nissim Afuta is the high bidder.
2. The Motion is **GRANTED**.
3. The Trustee is authorized to sell the Property, located at 800 15th Street, Mexico Beach, Florida 32456, identified as Bay County Parcel I.D. Nos. 04173-018-000, 04173-010-000, and 04173-026-000, described as:

The land referred to herein below is situated in the County of Bay, State of Florida, and described as follows:

The "Fox" lot, described as:
Commencing at the Southeast corner of the Northwest Quarter of the Southeast Quarter of Section 24, Township 6 South, Range 12 West; thence North 1 degree 03 minutes West 374.21 feet for the Point of Beginning; thence South 89 degrees 26 minutes 05 seconds West 464.53 feet; thence North 1 degree 16 minutes 15 seconds West 12.50 feet; thence North 89 degrees 26 minutes 05 seconds East 220.43 feet; thence North 1 degree 03 minutes West 271.10 feet; thence North 69 degrees 46 minutes 45 seconds East 258.46 feet; thence South 1 degree 03 minutes East 370.54 feet to the Point of Beginning.

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property described in Official Records Book 1964, Page 731, of the Public Records of Bay County, Florida

free and clear of all liens, encumbrances, or interests of any party, including that of Centennial Bank, Bayside Savings Bank, Internal Revenue Service, Bay County, pursuant to those terms identified in the Report of Auction, for the price of \$2,670,001.00 to the current purchaser Nissim Afuta.

4. Should Nissim Afuta fail to close within thirty (30) days of the date of this order, the trustee is authorized to sell the Property to 800 Mexico Beach, LLC under a back-up bid of \$2,200,000.00.

5. 800 Mexico Beach, LLC shall have fifteen (15) days from the date of notice by Trustee that Mr. Afuta did not close, to complete the purchase of the property at a price of \$2,200,000.00.

6. Trustee shall hold the non-refundable deposit of 800 Mexico Beach, LLC in trust until the sale to Nissim Afuta closes or the transaction of 800 Mexico Beach, LLC is completed. Should 800 Mexico Beach, LLC fail to close on the back-up bid, the non-refundable deposit of \$242,000.00 shall be paid to the estate.

7. The Trustee is authorized to take any and all actions and to execute any and all documents necessary and appropriate to

effectuate and consummate the terms of said sale of the Property free and clear of all liens, encumbrances, or interests, including without limitation, executing a deed conveying the interests of the Debtors, or any other party claiming an interest in the Property, to the current purchaser.

8. The Trustee is authorized to pay certain expenses from the proceeds of the sale pursuant to the Motion to Sell Real Property Free and Clear of Liens, Encumbrances, and Interests and as updated on the Closing Statement attached to the Report of Auction (Doc. 302). Trustee will obtain updated payoffs for all possible liens prior to closing.

9. Should the Trustee be unable to obtain a payoff, the lien shall transfer to the proceeds and be paid upon motion and order of this Court.

10. The Trustee upon execution and closing of the sale, shall deposit the net proceeds into the estate to be administered by the Trustee on behalf of the unsecured creditors in accordance with Bankruptcy procedure.

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11. The 14 day stay pursuant to Rule 6004(h) is waived.

DONE AND ORDERED on December 17, 2020

A handwritten signature in black ink, appearing to read 'Karen K. Specie', written over a horizontal line.

Karen K. Specie
Chief U.S. Bankruptcy Judge

Order Prepared by:
Mary W. Colón, Esq.

Trustee Mary Colón is directed to serve a copy of this order on interested parties and file a proof of service within three (3) days of entry of the order.