

Sea Club IV Owners Association, Inc.

3229 South Atlantic Avenue • Daytona Beach Shores, FL 32118 • 386.767.2700

DEED POLICY EFFECTIVE JANUARY 2020

Dear Sea Club IV Members,

On behalf of the Board, we wish you and your families a happy and healthy new year.

Recently, in connection with our efforts to preserve our timeshare plan, the Board has had the opportunity to review deeds to a number of unit weeks in an effort to determine ownership of such weeks. This examination has revealed that frequently, in an effort to conserve costs, owners will prepare their own deeds in an effort to convey their timeshare unit weeks to a new owner, or to otherwise add someone to the existing deed. Occasionally this is done correctly; however, for the most part, these deeds contain missing or inaccurate information. These deeds, in turn, may create title issues for future owners.

Accordingly, the Association has adopted a deed policy effective January 2020, and requests that all deeds relating to timeshare unit weeks adhere to the following:

1. Differentiate between a Warranty Deed and a Quit Claim Deed, and make sure to use the appropriate document for your circumstances.
2. With respect to the new deed, the name(s) of the grantor – the current owner(s) of record – should match the name(s) of the grantor on the existing deed. This should include a statement as to the marital status of the grantor, even if it was not included on the existing deed.

For example:	Current deed:	John W. Smith and Mary T. Smith
	New deed:	John W. Smith and Mary T. Smith, husband and wife

3. With respect to the new deed, the addresses of the parties should be included, even if this information was not included (or is incorrect) on the existing deed.

For example:	Current deed:	John W. Smith and Mary T. Smith, with an address of Post Office Box 1, Anytown, USA 12345
	New deed:	John W. Smith and Mary T. Smith, husband and wife, whose address is 123 Main Street, Anytown,

3. With respect to the new deed, the name(s) of the grantee – the new owner(s) of record – should include a statement as to the marital status of the grantee and his or her current address.
4. The correct legal description should be used. This is one of the biggest issues with deeds provided to the Association: incorrect legal descriptions! Without this information, it is difficult (and sometimes impossible) for the county recorder's office to determine where the deed should be indexed, or to which property it refers.

For reference purposes only, the Declaration of Condominium for SEA CLUB IV, a Condominium is recorded in Official Records Book 2215, Page 1773, et. seq., as amended. The parcel identification number, as assigned by the Volusia County Revenue Collector, is 533513000800.

5. Deeds must be signed in the presence of two (2) witnesses and a Notary Public. The witnesses cannot be the grantor or the grantee.
6. If all owners of record are deceased, anyone who is not an owner of a timeshare week – even if named a beneficiary pursuant to a Will – does not have the authority to sign a deed transferring a unit week. Because interests in a timeshare plan are considered “real property” under Florida law, Florida probate proceedings are required in order to transfer the unit week. This includes giving someone the authority to sign a deed to do so.
7. All deeds must be accompanied by a transfer fee of \$50.00 per unit week, made payable to Capital Vacations LLC. This covers the administrative costs associated with processing any transfer of ownership. Additionally, the new owner must complete the attached New Owner Information Form.
8. All deeds must be accompanied by a statement from an attorney or title examiner confirming that a title search has been performed, and that the grantor is the owner of record according to such title search. This is required, even if an owner wishes to perform his or her own deed.
9. A copy of the recorded deed, together with the transfer fee and completed New Owner Information Form, should be returned to:

Sea Club IV.
Attention: Hope Baker
3229 S. Atlantic Ave
Daytona Beach Shores, FL 32118

PLEASE NOTE that this deed policy is intended strictly and solely to ensure that transfers of ownership of timeshare weeks occurs properly, and to attempt to avoid future issues for you, the owners, as you convey ownership of your weeks in the future.

This policy is in no way intended to constitute legal advice, and the Board encourages anyone seeking to transfer ownership of a unit week, or to otherwise change the existing owners of record, to seek the advice of an attorney. This is especially important in order to understand how title should be taken, what to do after an owner of record passes away, or to determine what type of deed should be used.

If you have any questions concerning this policy, please contact Michael DiPaola MdiPaola@capitalvacations.com. In advance, we appreciate your cooperation with this policy, and look forward to many beautiful days at Sea Club IV!

The Board of Directors
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NEW OWNER INFORMATION FORM

UNIT WEEK: _____

UNIT NUMBER: _____

OWNER'S NAME(S): _____

ADDRESS: _____

HOME PHONE: _____

WORK PHONE: _____

CELL PHONE: _____

EMAIL ADDRESS: _____

EMERGENCY CONTACT: _____

EMERGENCY NUMBER: _____

RELATIONSHIP: _____

It's a beautiful day at Sea Club IV!