



DEPARTMENT OF INSPECTOR GENERAL  
OKALOOSA COUNTY, FLORIDA  
JD PEACOCK II, CLERK OF CIRCUIT COURT AND COMPTROLLER



To: John Hofstad, County Administrator  
Okaloosa County Board of County Commissioners

June 24, 2020

Re: Geographic Information System / Parcel Map

Dear Mr. Hofstad,

Our office conducted an administrative review of information provided by your office regarding the complaint that the "City of Destin's Norriego Point Gulf mean high water line and to Harbor mean high water line" was changed inappropriately. The information alleged that Okaloosa County Property Appraiser and/or Okaloosa Geographic Information Systems (GIS) had inappropriately changed parcel data at #1 Gulf Shore Drive in Destin (parcel id # 00-2S-24-0000-0034-0000). Florida Land Boundary Information System (LABINS) is maintained by the Florida Department of Environmental Protection (DEP), any question regarding the mean high water line should be referred to their office.

We obtained a copy of the deed associated with this property (**Exhibit A**). The deed, as filed with the Okaloosa County Clerk of Circuit Court and Comptroller, serves as the official record. Parcel information is input into the GIS through interpretation of the legal description on the deed and by nature is subject to human error. The complaint states that the "eastward boundary" property boundary is off by "33.2" feet. Boundary disputes and or variances in surveys is a matter to be handled in civil court. The assertion that the Okaloosa County Property Appraiser and/or County GIS department unlawfully changed parcel boundary maps is not within the purview of our office. We did note that Section 472 of the Florida Statutes regulates surveyors and mappers in the State of Florida and is not applicable to persons employed by county property appraisers or employees of any state, county, municipal or other governmental unit (see Sec. 472.003(4) and 472.003(5)(a) Florida Statutes).

If you have any additional questions or concerns, please do not hesitate our office.

Sincerely,

Brad Embry, Inspector General  
Okaloosa County Clerk of Circuit Court

FILE #3129306 RCD: 4/18/2017 8:23 AM, BK: 3295 PG: 3105, RECORDING: \$24.00 RECORDING ARTICLE V: \$20.00  
D Doc Stmp: \$708.50 DEPUTY CLERK CCLARK  
JD PEACOCK II CLERK OF COURTS, OKALOOSA COUNTY, FLORIDA

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STATE OF FLORIDA  
COUNTY OF OKALOOSA

**TRUSTEE'S DEED**

THIS INDENTURE, made on April 7, 2017 between **SHERRY F. CHANCELLOR**, as Trustee of the Bankruptcy Estate of **Pointe One, LLC, United States Bankruptcy Court, Northern District of Florida, Case Number 10-30741**, whose mailing address is 619 West Chase Street, Pensacola, Florida 32502, hereinafter called the Grantor, and **Pointe Mezzanine, LLC**, whose mailing address is: \_\_\_\_\_ hereinafter called the Grantee, witnesseth:

**WHEREAS** pursuant to the provisions of Section 363 of the Bankruptcy Code, **I, SHERRY F. CHANCELLOR**, in my capacity as Trustee of the estate of the Debtor, was duly authorized and empowered to sell the estate's interest in the real property hereinafter described, to **Pointe Mezzanine, LLC**.

**NOW THEREFORE**, know ye, that I, **SHERRY F. CHANCELLOR**, as Trustee, by virtue of the power and authority in me vested, as aforesaid, and in consideration of the sum of \$100,000.00 and No/100 Dollars (\$100,000.00 - \$85,000.00 Credit bid and \$15,000.00 cash), the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto the Grantee, its successors and assigns forever, all right, title and interest the estate has in and to all that certain land situated in Okaloosa County, Florida, to wit:

See Legal Description attached hereto as Exhibit "A," which is incorporated herein by reference, and hereinafter defined as the "Real Property".

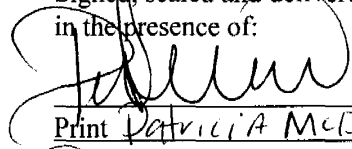
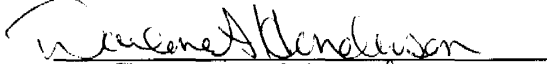
TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien,


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equity and claim whatsoever of the said Grantor, either in law or equity, to the only proper use, benefit and behoof of the said Grantee forever, and no merger of title shall be deemed to have been effected or created hereby. This conveyance of the Real Property shall not cause a merger of the lien of any mortgage or any other liens held by or in favor of Grantee ("Grantee's Liens") with the estate obtained hereby or any other interest of Grantee in and to the Real Property under any circumstances connected with this conveyance. Grantor and Grantee expressly provide that the interest of the Grantee in and to such Grantee's Liens and the title or other interest of the Grantee in and to the Real Property shall at all times remain separate and distinct. Any and all rights of Grantee to exercise its remedy of foreclosure of the lien of any Grantee's Liens, together with any other remedies available to Grantee, are expressly preserved hereby. The priority of any Grantee's Liens shall remain in full force and effect, and nothing herein or in any instruments executed in connection herewith shall be construed to subordinate the priority of any such Grantee's Liens to any other liens or encumbrances whatsoever.

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:

  
 Print Patricia McDonald  
  
 Print Darlene A Henderson


  
**SHERRY FOWLER CHANCELLOR**  
 As Trustee of the Bankruptcy Estate of  
 Pointe One, LLC  
 Case No. 10-30741KKS  
 Northern District of Florida  
 Pensacola Division

STATE OF FLORIDA  
 COUNTY OF ESCAMBIA

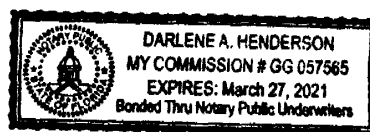
SWORN TO AND SUBSCRIBED before me on this the 7 day of  
April, 2017 by SHERRY F. CHANCELLOR, as Trustee of the Bankruptcy Estate of  
 Pointe One, LLC, Case No. 10-30741, who is personally known to me, who is the person

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described in and who executed the foregoing instrument and who, after being duly sworn, says that the execution hereof is her free act and deed for the uses and purposes herein mentioned.

  
NOTARY PUBLIC  
Print DARLENE A HENDERSON

Instrument prepared by:  
SHERRY FOWLER CHANCELLOR, ESQ.  
619 West Chase St.  
Pensacola, Florida 32502  
(850) 436-8445  
Fla. Bar No. 434574



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## Exhibit "A"

A PARCEL OF LAND IN UNSECTIONALIZED TOWNSHIP 2 SOUTH, RANGE 22 WEST, OKALOOSA COUNTY, FLORIDA, BEING MORE EXPLICITLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 124, BLOCK F, HOLIDAY ISLE, RESIDENTIAL SECTION NUMBER 5, AS RECORDED IN PLAT BOOK 4, PAGE 39 OF THE PUBLIC RECORDS OF OKALOOSA COUNTY, FLORIDA, THENCE ON THE EASTERLY RIGHT OF WAY LINE OF DURANGO ROAD (66 FOOT RIGHT OF WAY) SOUTH 31 DEGREES 33 MINUTES 00 SECONDS WEST, A DISTANCE OF 724.75 FEET, THENCE DEPARTING SAID EASTERLY RIGHT OF WAY NORTH 65 DEGREES 28 MINUTES 19 SECONDS WEST A DISTANCE OF 1877.26 FEET, THENCE NORTH 24 DEGREES 31 MINUTES 41 SECONDS EAST, A DISTANCE OF 16.04 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF GULF SHORE DRIVE, THENCE ON SAID SOUTHERLY RIGHT OF WAY THE FOLLOWING FOUR CALLS: THENCE (1) ON THE ARC OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 613.27 FEET THROUGH A CENTRAL ANGLE OF 48 DEGREES 59 MINUTES 18 SECONDS, AN ARC DISTANCE OF 524.35 FEET (CHORD BEARING = NORTH 60 DEGREES, 02 MINUTES, 13 SECONDS WEST, CHORD DISTANCE = 508.52 FEET) TO THE POINT OF TANGENCY, THENCE (2) NORTH 38 DEGREES, 35 MINUTES, 42 SECONDS WEST, A DISTANCE OF 368.78 FEET TO THE POINT OF CURVATURE WITH A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 2025.15 FEET, THENCE (3) THROUGH A CENTRAL ANGLE OF 11 DEGREES 00 MINUTES 05 SECONDS, AN ARC DISTANCE OF 388.85 FEET (CHORD BEARING = NORTH 33 DEGREES, 12 MINUTES 52 SECONDS WEST, CHORD DISTANCE = 388.25 FEET) TO A POINT OF COMPOUND CURVATURE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 503.88 FEET, THENCE (4) THROUGH A CENTRAL ANGLE OF 13 DEGREES 36 MINUTES 19 SECONDS AN ARC DISTANCE OF 119.65 FEET (CHORD BEARING = NORTH 20 DEGREES 24 MINUTES 51 SECONDS WEST, CHORD DISTANCE = 119.37 FEET) TO THE NORTHWEST CORNER OF EAST PASS TOWERS, PHASE I, A CONDOMINIUM, SAID POINT BEING THE POINT OF BEGINNING, THENCE ON THE WESTERN BOUNDARY OF SAID EAST PASS TOWERS, PHASE I, A CONDOMINIUM, SOUTH 68 DEGREES 06 MINUTES 39 SECONDS WEST, A DISTANCE OF 351.00 FEET TO A POINT ON THE SEAWARD VERTICAL FACE OF AN EXISTING SEAWALL AND MEAN HIGH WATER LINE OF THE GULF OF MEXICO, THENCE ON SAID VERTICAL FACE OF SAID EXISTING SEAWALL AND MEAN HIGH WATER LINE OF THE GULF OF MEXICO THE FOLLOWING TWO CALLS: (1) NORTH 38 DEGREES 01 MINUTES 05 SECONDS WEST, A DISTANCE OF 2.50 FEET, THENCE (2) NORTH 49 DEGREES 25 MINUTES 44 SECONDS WEST, A DISTANCE OF 385.65 FEET, THENCE DEPARTING SAID VERTICAL FACE OF SEAWALL AND MEAN HIGH

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WATER LINE OF THE GULF OF MEXICO, NORTH 45 DEGREES 13 MINUTES 52 SECONDS EAST, A DISTANCE OF 456.28 FEET TO A POINT ON THE MEAN HIGH WATER LINE AND 0.77 FOOT CONTOUR (NORTH AMERICAN VERTICAL DATUM OF 1988): OF OLD PASS LAGOON; THENCE ON SAID MEAN HIGH WATER LINE THE FOLLOWING APPROXIMATING TEN CALLS: THENCE (1) SOUTH 46 DEGREES 50 MINUTES 23 SECONDS EAST, A DISTANCE OF 141.88 FEET TO A POINT OF CURVATURE CONCAVE NORTHERLY HAVING A RADIUS OF 75.44 FEET; THENCE (2) ON THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 56 DEGREES 18 MINUTES 39 SECONDS, A DISTANCE OF 74.14 FEET (CHORD BEARING = SOUTH 81 DEGREES 15 MINUTES 01 SECONDS EAST, CHORD DISTANCE = 71.19 FEET ) TO A POINT OF REVERSE CURVATURE WITH A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 57.88 FEET, THENCE (2) ON THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 74 DEGREES 10 MINUTES 30 SECONDS, AN ARC DISTANCE OF 74.93 FEET (CHORD BEARING = SOUTH 78 DEGREES 42 MINUTES 32 SECONDS EAST, CHORD DISTANCE = 69.81 FEET), THENCE (3) SOUTH 38 DEGREES 32 MINUTES 59 SECONDS EAST, A DISTANCE OF 52.61 FEET, THENCE (4) SOUTH 33 DEGREES 51 MINUTES 06 SECONDS EAST, A DISTANCE OF 58.25 FEET, THENCE (5) SOUTH 37 DEGREES 02 MINUTES 14 SECONDS EAST, A DISTANCE OF 57.72 FEET, THENCE (6) SOUTH 28 DEGREES 36 MINUTES 06 SECONDS EAST, A DISTANCE OF 45.66 FEET, THENCE (7) SOUTH 43 DEGREES 05 MINUTES 21 SECONDS EAST, A DISTANCE OF 20.93 FEET; THENCE (8) SOUTH 18 DEGREES 51 MINUTES 44 SECONDS EAST, A DISTANCE OF 36.20 FEET, THENCE (10) SOUTH 25 DEGREES 51 MINUTES 45 SECONDS EAST, A DISTANCE OF 54.65 FEET TO A POINT OF INTERSECTION WITH THE NORTHERLY EXTENSION OF THE AFORESAID WESTERLY BOUNDARY LINE OF EAST PASS TOWERS, PHASE I, A CONDOMINIUM, THENCE DEPARTING SAID MEAN HIGH WATER LINE AND ON SAID NORTHERLY EXTENSION SOUTH 68 DEGREES 06 MINUTES 39 SECONDS WEST, A DISTANCE OF 126.92 FEET TO CLOSE ON THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 5.35 ACRES MORE OR LESS.