



OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 6/22/2022

Property Information	
Folio:	03-4108-007-0040
Property Address:	167 MADEIRA AVE Coral Gables, FL 33134-4519
Owner	JAY R SMITH
Mailing Address	PO BOX 330851 MIAMI, FL 33233-0851
PA Primary Zone	6400 COMMERCIAL - CENTRAL
Primary Land Use	1913 PROFESSIONAL SERVICE BLDG : OFFICE BUILDING
Beds / Baths / Half	0 / 0 / 0
Floors	2
Living Units	0
Actual Area	Sq.Ft
Living Area	Sq.Ft
Adjusted Area	2,876 Sq.Ft
Lot Size	2,359 Sq.Ft
Year Built	1962

Assessment Information			
Year	2021	2020	2019
Land Value	\$518,980	\$471,800	\$471,800
Building Value	\$287,600	\$287,600	\$287,600
XF Value	\$0	\$0	\$0
Market Value	\$806,580	\$759,400	\$759,400
Assessed Value	\$806,580	\$759,400	\$759,400

Benefits Information				
Benefit	Type	2021	2020	2019
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description
CORAL GABLES SEC L PB 8-85 LOT 8 LESS BEG AT NW COR GO SLY 95.1FT ELY, 34FT NLY TO POG BLK 3 LOT SIZE 24.830 X 95 OR 16933-1144 0995 1



Taxable Value Information			
	2021	2020	2019
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$806,580	\$759,400	\$759,400
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$806,580	\$759,400	\$759,400
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$806,580	\$759,400	\$759,400
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$806,580	\$759,400	\$759,400

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
09/01/1995	\$215,000	16933-1144	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:

CITY'S
EXHIBIT

1) 167 Madeira Ave

<u>Owner (property appraiser address)</u> Jay R. Smith P.O. Box 330851 MIAMI, FL 33233-0851	<u>Owner (deed address)</u> Jay R. Smith 100 SW 29 Rd Miami, FL 33129-2720
<u>Mortgagee (Sunbiz address)</u> Kyle Dyer Development Corp. c/o E.G. Kyle III Registered Agent 165 Madeira Ave Coral Gables, FL 33134-4519	

CITY'S

EXHIBIT

2


[Home](#) [Citizen Services](#) [Business Services](#) [Back to Coral Gables.com](#)
[Permits and Inspections: Search Results](#)
[Logon](#) [Help](#) [Contact](#)
[New Permit Search](#)

Permit Search Results

Permit#:	App. Date	Street Address	Type	Description	Status	Issue Date	Final Date	Fees Due
PU-14-12-4085	12/17/2014	165 MADEIRA AVE	PUBLIC RECORDS SEARCH	REQ COPY OF DRAWINGS	final	12/17/2014	12/17/2014	0.00
RC-12-12-1094	12/18/2012	165 MADEIRA AVE	BLDG RECERT / CRB	BUILDING RECERTIFICATION	final		12/18/2012	0.00
PW-12-05-9307	05/30/2012	165 MADEIRA AVE	UTILITIES (MIAMI DADE WATER & SEWER) PERMIT	REPAIR LEAK ON WATER RESTORATION AS PER CITYS SPECS EMERGENCY PERMIT	final	05/30/2012	10/16/2015	110.00

The City's online services are protected with an **SSL encryption certificate**. For technical assistance, please call 305-569-2448 (8am-5pm, M-F).

CITY'S

EXHIBIT 3

CORAL GABLES

THE CITY BEAUTIFUL

Public Information

Search Permit for 167 madeira Exact Phrase ☒ Q Search Advanced Reset

No results were found



The City of Coral Gables

Development Services Department
CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

1/3/2022

VIA CERTIFIED MAIL

7020 3160 0001 1022 0881

JAY R SMITH
PO BOX 330851
MIAMI, FL 33233-0851

RE: 167 MADEIRA AVE
FOLIO # 03-4108-007-0040

Notice of Required Inspection For Recertification of 40 Years or Older Building

Dear Property Owner:

Per the Miami-Dade County Property Appraiser's office the above referenced property address is forty (40) years old, or older, having been built in 1962. In accordance with the Miami-Dade County Code, Chapter 8, Section 8-11(f), a Florida Registered Architect or Professional Engineer must inspect said building and a **completed** Recertification Report ("Report") must be submitted by you to this Department within **ninety (90) calendar days** from the **date of this letter**. A completed Report includes 1) cover letter(s) stating the structure meets (or does not meet) the electrical and structural requirements for recertification, 2) Building Structural Report, 3) Building Electrical Report, 4) Parking Lot Illumination Standards Form and 5) Parking Lot Guardrails Requirements Form. Note all paperwork submitted must be the original signed and sealed documents (no copies). Submittal of the Report does not constitute recertification; it must be **approved** by this Department and the Letter of Recertification must be issued.

Once a completed Report is submitted to this Department and repairs or modifications are found to be necessary, the Building Official is able to grant an extension of one hundred fifty (150) calendar days from the date of this letter to obtain the necessary permits and perform the repairs. The structure will be recertified once a *revised* Report is submitted and approved, and all required permits are closed.

The Architect or Engineer may obtain the required Form, "*Minimum Inspection Procedural Guidelines for Building Recertification*," from the following link: http://www.miamidade.gov/pa/property_recertification.asp. **The Recertification Report fee of \$500.00 and additional document and filing fees shall be submitted to the Development Services Department, 405 Biltmore Way, 3rd Floor, Coral Gables, Florida, 33134. In order to avoid delays submit in person in order to calculate the fees accordingly.**

Failure to submit the required Report within the allowed time will result in **declaring the structure unsafe** and referring the matter to the City's Construction Regulation Board ("Board") without further notice; a \$600.00 administrative fee will be imposed at that time. The Board may impose additional fines of \$250.00 for each day the violation continues, may enter an order of demolition, and may assess all costs of the proceedings along with the cost of demolition and any other required action.

The completed Report may be submitted Monday through Friday, 7:30am to 3:20pm to this Department. Contact Virginia Goizueta at vgoizueta@coralgables.com if any questions regarding building recertification.

Thank you for your prompt attention to this matter.

Manuel Z. Lopez, P.E.
Building Official

CITY'S

EXHIBIT

5

Track Another Package +

Tracking Number: 70203160000110220881

Remove X

Your item was picked up at the post office at 2:41 pm on January 12, 2022 in MIAMI, FL 33133.

USPS Tracking Plus® Available ✓

✓ **Delivered, Individual Picked Up at Post Office**

January 12, 2022 at 2:41 pm
MIAMI, FL 33133

Feedback

Get Updates ✓

Text & Email Updates	✓
Tracking History	✓
USPS Tracking Plus®	✓
Product Information	✓

See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

Feedback



The City of Coral Gables

Development Services Department
CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

4/4/2022

JAY R SMITH
PO BOX 330851
MIAMI, FL. 33233-0851

7021 2720 0001 4958 9964

RE: 167 MADEIRA AVE
FOLIO # 03-4108-007-0040

Notice of Required Inspection For Recertification of 40 Years or Older Building – **SECOND NOTICE**

Dear Property Owner:

In a certified letter dated 1/3/2022, this Department notified you the property referenced above requires Building Recertification pursuant to Miami-Dade County Code, Chapter 8, Section 8-11(f). The letter informed you it was necessary to submit to this Department a completed Report prepared by a licensed architect or engineer within ninety (90) calendar days certifying the structure meets the requirements for recertification provided under the Minimum Inspection Procedural Guidelines for Building Recertification.

Please be advised the submittal of the Report is overdue and the **structure has been deemed unsafe** due to non-compliance. This may result in the revocation of the Certificate of Occupancy, as well as, being subject to other penalties as provided in the Code. A completed Report includes: 1) cover letter(s) stating the structure meets the electrical and structural requirements for recertification from a Florida Registered Architect or Professional Engineer that inspects said building, 2) Building Structural Report, 3) Building Electrical Report, 4) Parking Lot Illumination Standards Form and 5) Parking Lot Guardrails Requirements Form; no additional documents or photographs are necessary. Note all paperwork submitted must be the original signed and sealed documents (no copies). **Additionally you will need to register in the new permitting system to submit report, see the instructions attached.**

Failure to submit the completed Report within thirty (30) calendar days from the date of this letter will result in forwarding the matter to the City's Construction Regulation Board for further review and determination. The completed Report may be submitted Monday through Friday, 7:30am to 2:30pm to this Department. Contact Virginia Goizueta at vgoizueta@coralgables.com if any questions regarding building recertification.

Please govern yourself accordingly.

Sincerely,

A handwritten signature in black ink, appearing to read "Manuel Z. Lopez".

Manuel Z. Lopez, P.E.
Deputy Building Official

Track Another Package +

Tracking Number: 70212720000149589964

Remove X

Your item was picked up at the post office at 8:38 am on April 13, 2022 in MIAMI, FL 33133.

USPS Tracking Plus® Available ✓

✓ **Delivered, Individual Picked Up at Post Office**

April 13, 2022 at 8:38 am
MIAMI, FL 33133

Feedback

Get Updates ✓

Text & Email Updates	✓
Tracking History	✓
USPS Tracking Plus®	✓
Product Information	✓

See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

Feedback



The City of Coral Gables

Development Services Department
CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

6/9/2022

JAY R SMITH
PO BOX 330851
MIAMI, FL 33233-0851

7021 1970 0000 4016 1548

RE: 167 MADEIRA AVE
FOLIO # 03-4108-007-0040

Notice of Required Inspection For Recertification of 40 Years or Older Building – **FINAL NOTICE**

Dear Property Owner:

In a certified letter dated 1/3/2022, this Department notified you the property referenced above requires Building Recertification pursuant to Miami-Dade County Code, Chapter 8, Section 8-11(f). A Second Notice, dated 4/4/2022, informed you it was necessary to submit to this Department a completed Report prepared by a licensed architect or engineer within thirty (30) calendar days certifying the structure meets the requirements for recertification provided under the Minimum Inspection Procedural Guidelines for Building Recertification.

As of this date, the completed Report has not been submitted and the **structure remains unsafe** due to non-compliance. Please be advised the matter will be forwarded to the City's Construction Regulation Board ("Board"); a \$600.00 Administrative Fee will be imposed once the Case is scheduled. The Board may impose additional fines of \$250.00 for each day the violation continues, may also enter an order of revocation of the Certificate of Occupancy and/or demolition and assess all costs of the proceedings along with the cost of demolition and any other required action for which the City shall have a lien against the Property Owner and the Property. The completed Report may be submitted Monday through Friday, 7:30am to 2:30pm to this Department. Contact Virginia Goizueta at vgoizueta@coralgables.com if any questions regarding building recertification.

Please govern yourself accordingly.

Sincerely,

A handwritten signature in black ink, appearing to read "Manuel Z. Lopez".

Manuel Z. Lopez, P.E.
Building Official

Track Another Package +

Tracking Number: 70211970000040161548

Remove X

Your item was picked up at the post office at 8:35 am on June 18, 2022 in MIAMI, FL 33133.

USPS Tracking Plus® Available ▾

✓ **Delivered, Individual Picked Up at Post Office**

June 18, 2022 at 8:35 am
MIAMI, FL 33133

Feedback

Get Updates ▾

Text & Email Updates	▾
Tracking History	▾
USPS Tracking Plus®	▾
Product Information	▾

See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

Feedback

BEFORE THE CONSTRUCTION REGULATION BOARD
FOR THE CITY OF CORAL GABLES

CITY OF CORAL GABLES,
Petitioner,

Case No. 22-4342

vs.

Return receipt number:

JAY R. SMITH
P.O. BOX 330851
MIAMI, FL 33233-0851
Respondent.

7021 1970 0000 4016 2026

**NOTICE OF UNSAFE STRUCTURE VIOLATION FOR FAILURE TO RECERTIFY
AND NOTICE OF HEARING**

Date: JUNE 29, 2022

Re: 167 MADEIRA AVENUE, CORAL GABLES, FL. 33134-4519 LEGAL DESCRIPTION: CORAL GABLES SEC L PB 8-85, LOT 8 LESS BEG AT NW COR GO SLY 95.1FT ELY.34 FT NLY TO POG BLK 3 FOLIO NO.: 03-4108-007-0040 ("Property").

The City of Coral Gables ("City") Building Official has inspected the records relating to the Structure in accordance with Article III, Chapter 105 of the City Code, pertaining to unsafe structures, and Section 8-11 of the Miami-Dade County Code, as applicable in the City, pertaining to existing buildings. **The Structure is hereby declared unsafe** by the Building Official and is presumed unsafe pursuant to Section 105-186(j)(13) of the City Code for failure to timely comply with the maintenance and recertification requirements of the Florida Building Code or Section 8-11 of the Miami-Dade County Code.

Therefore, this matter is set for hearing before the City's Construction Regulation Board ("Board") in the Commission Chambers, City Hall, 405 Biltmore Way, 2nd Florida, Coral Gables, Florida 33134, on, July 11, 2022, at 2:00 p.m.

You may appeal the decision of the Building Official to the Board by appearing at the hearing. You have the right to be represented by an attorney and may present and question witnesses and evidence; however, formal rules of evidence shall not apply. Failure to appear at the hearing will result in the matter being heard in your absence. Please be advised that if someone other than an attorney will be attending the hearing on your behalf, he or she must provide a power of attorney from you at the time of the hearing. Requests for continuance must be made in writing to, Secretary to Virginia Goizueta the Board, at City of Coral Gables, Development Services Department, 405 Biltmore Way, 3rd Floor, Coral Gables, FL 33134, vgoizueta@coralgables.com, tel: (305) 460-5250. The Development Services Department's hours are Monday through Friday, 7:30 a.m. to 2:30 p.m.

If the Required Action is not completed before the above hearing date, the Building Official may order that the structure be vacated, boarded, secured, and posted (including but not limited to, requesting the electric utility to terminate service to the Structure) to prevent further occupancy until the Required Action is

CITY'S
EXHIBIT 6

completed. The Building Official may also order demolition of the Structure and the City may recover the costs incurred against the Property and the Owner of record.

If the Property owner or other interested party does not take all Required Action or prevail at the hearing, the Construction Regulation Board may impose fines not to exceed \$250 for each day the violation continues past the date set for compliance and may also enter an order of demolition and assess all costs of the proceedings, in an amount not less than \$600, and the costs of demolition and other required action, for which the City shall have a lien against the Property owner and the Property.

Please govern yourself accordingly.



Virginia Gotzqueta
Secretary to the Board

ADA NOTICES

Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, must register with the City Clerk, prior to engaging in lobbying activities before the city staff, boards, committees and/or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Board, with respect to any matter considered at such hearing or meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based. Although a court reporter usually attends the hearing at the City's cost, the City is not required to provide a transcript of the hearing, which the Respondent may request at the Respondent's cost.

Any person who needs assistance in another language in order to speak during the public hearing or public comment portion of the meeting should contact the City's ADA Coordinator, Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail: relejabarrieta@coralgables.com, Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

Any person with a disability requiring communication assistance (such as a sign language interpreter or other auxiliary aide or service) in order to attend or participate in the meeting should contact the City's ADA Coordinator, Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail: relejabarrieta@coralgables.com, Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

c: Jay R. Smith, P.O. Box 330851, MIAMI, FL 33233-0851; Jay R. Smith, 100 SW 29 Rd,
Miami, FL 33129-2720; Kyle Dyer Development Corp., c/o E.G. Kyle III, Registered Agent
165 Madeira Ave, Coral Gables, FL 33134-4519



CITY OF CORAL GABLES
DEVELOPMENT SERVICES DEPARTMENT
Affidavit of Posting

Case #: 22-4342

Title of Document Posted: Construction Regulation Board, Notice of Unsafe Structure Violation
For Failure To Recertify and Notice of Hearing

I, JOSE IGLESIAS, DO HEREBY SWEAR/AFFIRM THAT
THE AFOREMENTIONED NOTICE WAS PERSONALLY POSTED, BY ME, AT THE
ADDRESS OF 167 Madeira Ave. , ON June 29, 2022 AT 10:30 AM AND WAS
ALSO POSTED AT CITY HALL.

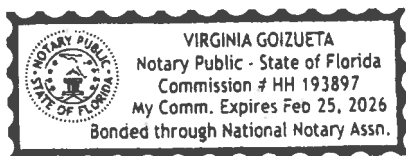
JOSE IGLESIAS
Employee's Printed Name

[Signature]
Employee's Signature

STATE OF FLORIDA)
ss.
COUNTY OF MIAMI-DADE)

Sworn to (or affirmed) and subscribed before me by means of X physical presence or ___ online
notarization, this 29 day of June, in the year 2022, by
Jose Iglesias who is personally known to me.

My Commission Expires:



[Signature]
Notary Public **CITY'S**

EXHIBIT 7

167 Madeira Ave



CITY'S

EXHIBIT 8



THIS DOCUMENT PREPARED BY:
RONALD H. KAUFFMAN
ATTORNEY AT LAW
100 S.E. SECOND STREET
SUITE 2350
MIAMI, FLORIDA 33131
(305) 358-4580

95R392501 1995 SEP 26 16:16

DOCSTPDEE 1,290.00 SURTX 967.50
HARVEY RUVIN, CLERK DADE COUNTY, FL

Folio No. 03-41 08-007-0040

WARRANTY DEED

THIS INDENTURE, made this 21st day of September, 1995, by KYLE-DYER DEVELOPMENT CORP., a Florida corporation, whose post office address is 165 Madeira Avenue Coral Gables, Florida, hereinafter called the Grantor, to JAY R. SMITH, whose post office address is 100 S.W. 29th Road Miami FL 33129, hereinafter called Grantee.*

WITNESSETH: That Grantor, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, to it in hand paid by the Grantee, the receipt of which is hereby acknowledged, has granted, bargained, and by these presents does hereby grant, bargain and sell to the said Grantee in fee simple forever, the following described land, situate, lying and being in Dade County, Florida, to wit:

Lots 8 of Block 3, REVISED PLAT OF CORAL GABLES SECTION "L", according to the plat thereof, as recorded in Plat Book 8, Page 85 of the Public Records of Dade County, Florida.

LESS THE FOLLOWING PORTION THEREOF:

Beginning at the Northwest corner of said Lot 8, thence go Southerly along the West line of said Lot 8, for a distance of 95.10 feet to the Southwest corner of said Lot 8; thence go Easterly along the South line of said Lot 8 for a distance of 0.34 feet to a point; thence go Northerly for a distance of 95.10 feet to the Point of Beginning.

SUBJECT TO:

1. Conditions, restrictions and limitations of record, except this shall not operate to reimpose same.
2. Taxes for the year 1995 and thereafter.

and said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

* The terms "Grantor" and "Grantee" are used for singular and plural as context requires and all references to Grantee shall include heirs, personal representatives, successors and assigns of the Grantee.

(Signatures begin on following page)

CITY'S
EXHIBIT

9

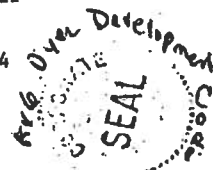
IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written:

[Signature]
(First Witness)
Print name David Zarac

[Signature]
(Second Witness)
Print name Ronald Kauffman

Kyle-Dyer
Development Corp.

[Signature]
Eugene Gordon Kyle III
President
10801 SW 109th Ct., D-414
Miami, Florida 33176



STATE OF FLORIDA)
) S.S.
COUNTY OF DADE)

The foregoing Warranty Deed was sworn to and subscribed before me this 13th day of September 1995 by Eugene Gordon Kyle III, President of Kyle-Dyre Development Corp. He personally appeared before me, and is personally known to me.

[Signature]
Notary Public

Commission expires:



RONALD KAUFFMAN
My Commission C0347201
Expires Feb. 09, 1998
Bonded by F-141
900-422-1555

RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA
SECOND VOLUME
HARVEY RUVIN
Clerk of Circuit & County
Courts

OFF: 16933-1146
REC: 16933-1146

Prepared by and return to:
Ronald H. Kauffman, Esq.
100 S.E. Second St. Suite 2350
Miami, Florida 33131
Folio No.

95R392502 1995 SEP 26 16:16

DOCSTMTG 332.50 INTNG 190.00
HARVEY RUVIN, CLERK DADE COUNTY, FL

MORTGAGE AND SECURITY AGREEMENT

Executed the 21st day of September 1995 by:

JAY R. SMITH, a single man whose post office address is 100 S.W. 29th Road Miami FL 33129, Florida hereinafter called the Mortgagor: to

KYLE-DYER DEVELOPMENT CORP., a Florida corporation, (Lender), which is organized and existing under the laws of Florida and whose address is: 10801 S.W. 109th Court, D-414, Miami, Florida 33176. Borrower owes Lender the principal sum of NINETY FIVE THOUSAND AND 00/100 Dollars (U.S. \$95,000.00) Mortgagee.

(Wherever used herein, the terms Mortgagor and Mortgagee include singular and plural, all the parties to this instrument and the heirs, legal representatives and assigns of individuals and the successors and assigns of corporations wherever the context so admits or requires; and the term "note" includes all the notes herein described if more than one,)

WITNESSETH, that for good and valuable considerations, and also in consideration of the aggregate sum named in the promissory note of even date herewith, hereinafter described, the mortgagor hereby grants, bargains, sells, aliens, remises, conveys and confirms unto the mortgagees all the certain land of which the Mortgagor is now seized and in possession situate in Dade County, State of Florida, viz:

Lots 8 of Block 3, REVISED PLAT OF CORAL GABLES SECTION "I", according to the plat thereof, as recorded in Plat Book 8, Page 85 of the Public Records of Dade County, Florida.

LESS THE FOLLOWING PORTION THEREOF:

Beginning at the Northwest corner of said Lot 8, thence go Southerly along the West line of said Lot 8, for a distance of 95.10 feet to the Southwest corner of said Lot 8; thence go Easterly along the South line of said Lot 8 for a distance of 0.34 feet to a point; thence go Northerly for a distance of 95.10 feet to the Point of Beginning.

THIS IS A BALLOON MORTGAGE AND THE FINAL PRINCIPAL PAYMENT OR THE BALANCE DUE UPON MATURITY IS \$81,195.66, TOGETHER WITH ACCRUED INTEREST, IF ANY, AND ALL ADVANCEMENTS MADE BY THE MORTGAGEE UNDER THE TERMS OF THIS MORTGAGE

TO HAVE AND TO HOLD THE SAME, together with the tenements, hereditaments and appurtenances thereto belonging, and the rents, issues and profits thereof, unto the mortgagee, in fee simple.

AND the mortgagor covenants with the mortgagees that the mortgagor is indefeasibly seized of said land in fee simple; that the mortgagor has good right and lawful authority to convey said land as aforesaid; that the mortgagor will make such further assurances to perfect the fee simple title to said land and will defend the same against the lawful claims of all persons whosoever; and that said land is free and clear of all encumbrances.

AND this mortgage is not assumable and must be paid off in full if the property is conveyed.

1500

PROVIDED ALWAYS that if said mortgagor shall pay unto said mortgagee the certain promissory note hereinafter substantially copies or identified, to-wit:

COPY OF THE INSTALLMENT NOTE

Date: September 21st, 1995 City: Miami State: Florida

PROPERTY ADDRESS: 165 Madeira Avenue,
Coral Gables, Florida 33134

FOR VALUE RECEIVED the undersigned authority, JAY R. SMITH, promises to pay to the order of KYLE-DYER DEVELOPMENT CORP., the principal sum of NINETY FIVE THOUSAND DOLLARS AND NO CENTS (\$95,000.00) together with interest thereon from date, at the rate of TEN PER CENT (10.0000%), per year from October 21, 1995 until maturity of both principal and interest being payable in lawful money of the United States or its equivalent, at 10801 S.W. 109th Court, D-414, Miami, FL 33176. Said unpaid principal sum to be payable on the dates and in the amounts specified below, to wit:

\$863.27 on the 21st day of October 1995 and a similar sum on the 21st day of subsequent 120 months. Payment shall be applied first against interest and the balance against principal.

Each maker and endorser severally waives demand, protest and notice of maturity, non-payment or protest and all requirements and to hold each of them liable as makers and endorsers.

Each maker and endorser further agrees, jointly and severally, to pay all costs of collection, including a reasonable attorney's fee in case the principal of this note or any payment on the principal or any interest thereon is not paid at the respective maturity thereof, or in case it becomes necessary to protect the security hereof, whether suit be brought or not.

This note and late interest payments shall bear interest at the rate of 12.00 per cent, per annum from maturity until paid. Borrower has the right to make payments of principal at any time before they are due, without charge, and said prepayment shall be applied to the unpaid principal balance.

This note is secured by a first mortgage of even date herewith and is to be construed and enforced according to the laws of the State of Florida upon default in the payment of principal and/or interest due on any note secured by said Mortgage, all notes so secured and remaining unpaid shall forthwith become due and payable notwithstanding their tenor.

Dated this 21st day of September 1995 at Miami, Florida.

/s/ JAY R. SMITH
JAY R. SMITH
BORROWER

and shall perform, comply with and abide by each and every the agreements, stipulations, conditions and covenants thereof, and of this mortgage, then this mortgage and the estate hereby created, shall cease, terminate and be null and void.

AND the mortgagor hereby further covenants and agrees to pay promptly when due the principal and interest and other sums of money provided for in said note and this mortgage, or either; to pay all and singular the taxes, assessments, levies, liabilities, obligations, and encumbrances of every nature on said property; to permit, commit or

suffer no waste; impairment or deterioration of said land or the improvements thereon at any time; to keep the buildings now or hereafter on said land fully insured in a sum a not less than highest insurable value in a company or companies acceptable to the mortgagee, the policy or policies to be held by, and payable to, said mortgagee, and in the event any sum of money becomes payable by virtue of such insurance the mortgagee shall have the right to receive and apply the same to the indebtedness hereby secured, accounting to the mortgagor for any surplus; to pay all costs, charges, and expenses, including lawyer's fees and title searches, reasonably incurred or paid by the mortgagee because of the failure of the mortgagor to promptly and fully comply with the agreements, stipulations, conditions and covenants of said note and this mortgage, or either; to perform, comply with and abide by each and every the agreements, stipulations, conditions and covenants set forth in said note and this mortgage or either. In the event the mortgagor fails to pay when due any tax, assessment, insurance premium or other sum of money payable by virtue of said note and this mortgage, or either, the mortgagee may pay the same, without waiving or affecting the option to foreclose or any other right hereunder, and all such payments shall bear interest from date thereof at the highest lawful rate then allowed by the laws of the State of Florida.

IF any sum of money herein referred to be not promptly paid within 30 days next after the same becomes due, or if each and every the agreements, stipulations, conditions and covenants of said note and this mortgage, or either, are not fully performed, complied with and abided by, then the entire sum mentioned in said note, and this mortgage, or the entire balance unpaid thereon, shall forthwith or thereafter, at the option of the mortgagee, become and be due and payable, anything in said note or herein to the contrary notwithstanding. Failure by the mortgagee to exercise any of the rights or options herein provided shall not constitute a waiver of any rights or options under said note or this mortgage accrued or thereafter accruing.

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

Signed sealed and delivered in the presence of:

Mercedes Padin
WITNESS
Mercedes Padin
PRINT NAME

Jay R Smith
JAY R. SMITH
100 S.W. 29th Road Miami FL 33129

Eugene Gordon Kyle III
WITNESS
EUGENE GORDON KYLE III
PRINT NAME

THIS IS A BALLOON MORTGAGE AND THE FINAL PRINCIPAL PAYMENT OR THE BALANCE DUE UPON MATURITY IS \$81,195.66. TOGETHER WITH ACCRUED INTEREST, IF ANY, AND ALL ADVANCEMENTS MADE BY THE MORTGAGEE UNDER THE TERMS OF THIS MORTGAGE

STATE OF FLORIDA)
) ss
COUNTY OF DADE)

Sworn to and subscribed to me this 21st day of September 19 95 by JAY R. SMITH, who are personally known to me or produced a Florida Drivers License as identification.



RONALD KAUFFMAN
My Commission CC347231
Expires Feb. 08, 1998
Bonded by HAI
800-622-1888

Ronald Kauffman
Notary Public

RECORDED BY OFFICIAL RECORDS DEPT.
OF DASH COMPANY, FORT LAUDERDALE
RECORD NUMBER
HARVEY BRUVIN,
Clerk of Circuit & County
Courts



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Profit Corporation

KYLE-DYER DEVELOPMENT CORP.

Filing Information

Document Number	221120
FEI/EIN Number	59-0863121
Date Filed	03/07/1959
State	FL
Status	INACTIVE
Last Event	ADMIN DISSOLUTION FOR ANNUAL REPORT
Event Date Filed	08/23/1996
Event Effective Date	NONE

Principal Address

165 MADEIRA AVE
CORAL GABLES, FL 33134

Mailing Address

165 MADEIRA AVE
CORAL GABLES, FL 33134

Registered Agent Name & Address

KYLE, E. G., III
165 MADEIRA AVE
CORAL GABLES, FL 33134

Name Changed: 07/30/1992

Officer/Director Detail

Name & Address

Title D

KYLE, EUGENE G. III
165 MADERIA AVE
CORAL GABLES, FL

Annual Reports

Report Year	Filed Date
1993	05/01/1993
1994	04/04/1994
1995	04/17/1995

Document Images

[04/17/1995 – ANNUAL REPORT](#)

[View image in PDF format](#)