

IN THE CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO:

SHIRLEY LOUISE SEARS,

Plaintiff,

v.

ALONA A. NAYLOR AND ALL OTHERS IN POSSESSION,

Defendants.

COMPLAINT

Plaintiff SHIRLEY LOUISE SEARS, through his undersigned counsel, sues Defendant ALONA A. NAYLOR (“Defendant” or “NAYLOR”), and states as follows:

1. This is an action to quiet title and void a deed to real property previously owned by WILLIE JEAN HEATH COLEMAN, who is now deceased, located at 3335 NW 13th Avenue, Miami, Florida 33142 (hereinafter referred to as “Subject Property”), legally described as follows:

Lot 18, Block 3, WESTEND PARK AMENDED PLAT, according to the Plat thereof, recorded in Plat Book 6, at Page 142, of the Public Records of Miami-Dade County, Florida.

2. Plaintiff SHIRLEY LOUISE SEARS is the personal representative of the Estate of Willie Jean Heath Coleman, and is a resident of Miami-Dade County, Florida.

3. Defendant ALONA A. NAYLOR, is sui juris and a resident of Miami-Dade County, Florida.

4. Venue is proper in Miami-Dade County, Florida because the real property at issue is located in Miami-Dade County, Florida and PALM TREE maintains its principal place of business in Miami-Dade County.

5. Willie Jean Heath Coleman died on May 17, 2020.

6. On June 2, 2020 almost a year after the Fraudulent Deed was purportedly signed, it was recorded against the Subject Property. The Fraudulent Deed was purportedly signed on July 17, 2019. A copy of the Fraudulent Deed is attached hereto as Exhibit “A”

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7. The Fraudulent deed was not signed on July 17, 2019 and was not signed by Will Jean Heath Coleman. Further the fraudulent deed was not witnessed on July 17, 2019. In fact the Fraudulent Deed was witnesses by Lenita Gibbs after Willie Jean Heath Coleman had passed away. A copy of an Affidavit of Lenita Gibbs attesting to same is attached hereto as Exhibit "B".

8. The fraudulent Deed was a total fabrication directed by the Defendant ALONA A. NAYLOR.

9. The Plaintiff has retained the undersigned law firm and agreed to pay them a reasonable fee for their services.

WHEREFORE, Plaintiff, SHIRLEY LOUISE SEARS respectfully requests:

- (a) that this Court take jurisdiction over the parties hereto and of the subject matter of this action;
- (b) that a judgment be rendered and entered against the Defendant, ALONA A. NAYLOR canceling or record the quit claim deed dated July 17, 2019 and recorded on June 2, 2020, in OR Book 31955, Page 636, of the Public Records of Miami-Dade County, Florida;
- © Granting exclusive possession of the Subject Property to Plaintiff;
- (d) Quieting title to the property in Plaintiff and against Defendant and all other persons claiming under the defendant;
- (e) Awarding costs and attorney's fees of this action; and
- (f) that the Court grant such other and further relief deemed just and proper under the circumstances.

Dated this 10th day of December, 2021

Respectfully submitted,

KEITH D. DIAMOND, P.A.

Attorneys for Plaintiff

3440 Hollywood Blvd, Suite 415

Hollywood, FL 33021

Telephone: (954) 618-1007

Telefax: (954) 306-0811

Primary email: keithdiamond2@aol.com

Secondary email: admin@keithdiamondlawl.com
[m
k.diamondpa@gmail.com](mailto:k.diamondpa@gmail.com)

By: /s/ Keith D. Diamond

Keith D. Diamond
Fla. Bar No. 708615

**This Instrument Prepared by:
Record and Return to:**

JAMES T GOOSBY II
A-1 RECORDS INC
16445 SW 89TH AVENUE
PALMETTO BAY, FL 33157
Telephone: (305) 763-9086
Matter # 122753

Property Identification No.: 01-3126-039-0620

QUITCLAIM DEED

THIS QUITCLAIM DEED, executed this 17th day of July 2019, between WILLIE JEAN HEATH COLEMAN NKA WILLIE JEAN HEATH WARREN, an ~~un~~married widow whose address is 3335 NW 13TH Avenue, Miami, Florida 33142, hereinafter the "GRANTOR," and ALONA A NAYLOR, a single woman, with an address of 20535 SW 122ND Avenue Apt 102, Miami, Florida 33177, hereinafter the "GRANTEE". (Whenever used herein the term "Grantor", "Grantee" and "party" include all the parties to this instrument, whether singular or plural.)

WITNESSETH that the said GRANTOR(S), for and in consideration of the sum of Ten and 00/100, (\$10.00) Dollars and other good and valuable consideration, in hand paid by the said GRANTEE(S), the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said GRANTEE(S) forever, all the right, title, interest, claim and demand which the said GRANTOR(S) have in onto GRANTEE(S), and to the following described lot, piece or parcel of land, situate, lying and being in the County of Miami, State of Florida, to-wit:

Lot 18, Block 3, WESTEND PARK AMENDED PLAT, according to the Plat thereof, recorded in Plat Book 6, at Page 142, of the Public Records of Miami-Dade County, Florida.

With a property address of 3335 NW 13TH Avenue, Miami, Florida 33142.

- This instrument is being prepared without benefit of title search examination, as requested by the Grantor.
- The legal description was provided by the parties or was obtained from documents available to the public through the county's internet portal, which does not constitute a title search or examination. The preparer of this instrument assumes no liability for the state of the title to this property or the accuracy of the legal description.
- This is an intra-family conveyance; and therefore minimum documentary stamps are required.
- Grantor, Willie Jean Heath Coleman NKA Willie Jean Heath Warren, warrant that at the time of this conveyance, the subject property is the Grantors' homestead within the meaning set forth in the constitution of the state of Florida. Grantors' residence and homestead address are listed above in the first paragraph after their names.

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 equity and claim whatsoever of the said GRANTOR, either in law or equity, to the only proper use, benefit and behalf of the said GRANTEE forever.

Exhibit 'A'

IN WITNESS WHEREOF, the GRANTOR have hereunto executed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness #1 Sign: James Goasby
Print Name: James Goasby

Willie Jean Heath Warren
WILLIE JEAN HEATH COLEMAN NKA
WILLIE JEAN HEATH WARREN

Witness #2 Sign: Lerita Gibbs
Print Name: Lerita Gibbs

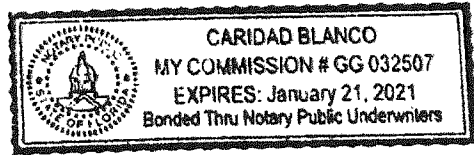
STATE OF FLORIDA)
COUNTY OF Miami Dade SS:

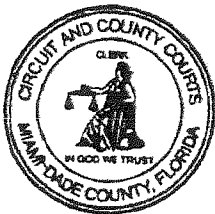
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to administer oaths and take acknowledgments, personally appeared **WILLIE JEAN HEATH COLEMAN NKA WILLIE JEAN HEATH WARREN** who produced FL DRIVER'S LICENSE as identification, and who executed the foregoing instrument and acknowledged before me that he/she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 17th day of July, 2019.

Notary Seal:⇒

Caridad Blanco
NOTARY PUBLIC, STATE OF FLORIDA
Print Name: Caridad Blanco
My Commission expires: 01-21-2021





HARVEY RUVIN
 CLERK OF THE CIRCUIT AND COUNTY COURTS
 Miami-Dade County

Office of County Recorder
 P.O. Box 011711
 Miami, Florida 33101

PROPERTY TRANSFER INFORMATION

Please note that all deeds are subject to audit by the Florida Department of Revenue.

Submitter Information (Please Print)	
Individual/Organization/Firm Name: ALONA A NAYLOR	
Submitter Address: 20535 SW 122ND AVENUE APT 102 MIAMI, FL 33177	
Phone: (786) 346-7357	Email: ALONA.NAYLOR@GMAIL.COM
Property Information (Please Print)	
Folio Number or Property Address or Legal Description:	
01-3126-039-0620	
Grantor/Seller Name(s): WILLIE JEAN HEATH COLEMAN N/K/A WILLIE JEAN HEATH WARREN	
Grantor/Seller Address: 3335 NW 13TH AVENUE MIAMI, FL 33142	
Grantee/Buyer Name(s): ALONA A NAYLOR	
Grantee/Buyer Address: 20535 SW 122ND AVENUE MIAMI, FL 33177	
Date of Sale/Transfer: 07/17/2019	<input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Commercial/Vacant
Sale/Transfer/Purchase Price/Consideration: \$ 10.00	
Is there an existing mortgage on the property? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If yes, what is the balance of the mortgage at the time of the transfer; \$ _____	
Is this "Marital home" transfer pursuant to a divorce decree (Rule 12B-4.013(27)), Fl. Adm. Code)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
Are you paying minimum documentary stamps (\$0.60)? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If yes, please explain? <u>I'm paying the documentary stamps, and the I'm providing a self addressed envelope to provide me with a certified copy of the recording.</u>	

WARNING!

PLEASE NOTE: PAYING DOC STAMPS IS NOT OPTIONAL. YOU ARE REQUIRED TO PAY DOC STAMP TAX UNLESS YOU HAVE A VALID EXEMPTION. THE DEPARTMENT OF REVENUE ROUTINELY REVIEWS AND AUDITS DOCUMENTS TO ENSURE THAT PROPER TAX IS PAID. FAILURE TO PAY THE REQUIRED TAX MAY RESULT IN PENALTIES AND INTEREST (SECTION 201.17(2), FLORIDA STATUTES.

Under penalty of perjury, I declare that I have read the foregoing form and that the facts stated in it are true. If prepared by someone other than the taxpayer, his/her declaration herein is based on all information of which he/she has any knowledge.



 Signature of Grantor or Grantee or Agent

ALONA A NAYLOR

 Grantor/Grantee or Agent (Print Name)


Clerk File(s) #(s): _____

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

BEFORE ME, the undersigned authority, personally appeared LENITA I. GIBBS,
who, upon oath, states as follows:

1. My name is Lenita I. Gibbs. I am over the age of 18 years and have personal knowledge of the facts set forth in this Affidavit.
2. I was asked by Alona Naylor to sign and witness a quit claim deed attached hereto as Exhibit "A".
3. The quit claim deed was already purportedly signed by everyone else.
4. At the time I was asked to sign and witness it Willie Jean Heath Coleman nka Willie Jean Heath Warren has already passed away.
5. I signed my name and printed my signature.
6. The only person in the room at the time was Alona Naylor, Alicia Spiller and myself.

FURTHER AFFIANT SAYETH NOT.


Lenita Gibbs

The foregoing instrument was sworn to and subscribed before me by means of physical presence or online notarization on this 15th day of November, 2021 by Lenita I. Gibbs, who is personally known to me or produced Florida Driver License as identification.

B652-529-43-913-0


Notary Public, State of Florida

My commission expires:



FRANKLIN THOMAS
Commission # GG 203642
Expires April 21, 2022
Expand Your Budget Notary Services

Exhibit 'B'

This Instrument Prepared by:
Record and Return to:

JAMES T GOOSBY II
A-1 RECORDS INC
16445 SW 89TH AVENUE
PALMETTO BAY, FL 33157
Telephone: (305) 763-9086
Matter # 122753

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WITNESSETH that the said GRANTOR(S), for and in consideration of the sum of Ten and 00/100, (\$10.00) Dollars and other good and valuable consideration, in hand paid by the said GRANTEE(S), the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said GRANTEE(S) forever, all the right, title, interest, claim and demand which the said GRANTOR(S) have in onto GRANTEE(S), and to the following described lot, piece or parcel of land, situate, lying and being in the County of Miami, State of Florida, to-wit:

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IN WITNESS WHEREOF, the GRANTOR have hereunto executed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

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WILLIE JEAN HEATH WARREN

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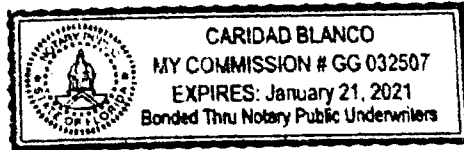
STATE OF FLORIDA)
COUNTY OF Miami Dade SS:

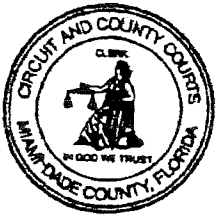
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to administer oaths and take acknowledgments, personally appeared **WILLIE JEAN HEATH COLEMAN NKA WILLIE JEAN HEATH WARREN** who produced FL Driver's License as identification, and who executed the foregoing instrument and acknowledged before me that he/she executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 17th day of July, 2019.

Notary
Seal:⇒

Caridad Blanco
NOTARY PUBLIC, STATE OF FLORIDA
Print Name: Caridad Blanco
My
Commission expires: 01-21-2021





HARVEY RUVIN
 CLERK OF THE CIRCUIT AND COUNTY COURTS
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Under penalty of perjury, I declare that I have read the foregoing form and that the facts stated in it are true. If prepared by someone other than the taxpayer, his/her declaration herein is based on all information of which he/she has any knowledge.

Alona Naylor
 Signature of Grantor or Grantee or Agent

ALONA A NAYLOR
 Grantor/Grantee or Agent (Print Name)

Clerk File(s) #(s): _____