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MAGAZINE

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You Have A Web Site, But Do You Have A Web Strategy?

Anyone who has spent time with me understands our dedication to the web. REAL's web site visitors and subscribers to our RSS feed are organically grown. We push our web entries to news aggregators, industry blogs and other sources. In fact over 100 products and services are in play behind the REAL web site to make this all happen. Ubiquitous is a term I use to illustrate how we want our content found on the web.

Our web site traffic indicates we are achieving our goal and enables us to now offer "Web Only" solutions for those wanting to take advantage of REAL's internet savvy.

Recently in gathering my thoughts for a presentation to a real estate office, I wanted to detail what is involved in a web strategy. The initial feedback was the brokerage's site is very robust and all of the agents had a page. I agree the web site in discussion is very robust and a significant effort was put forth in creating, positioning and continually maintaining the content.



However, as in all aspects of business, there are trade-offs. Recently we undertook a multi media campaign for three high end waterfront estates. In our initial meeting the comment that stayed with me was "You are one of a few showing me results." The initial property we are working with on the REAL web site makes page 1 of Google from a very generic search to a very specific search. Not one real estate brokerage shows up on page 1 of the generic search. On the balance of the more detailed searches only the listing brokerage shows up on page 1 of Google and is ranked below the REAL Magazine entry.

Why is this? The MLS system is a great tool for REALTORS® and consumers. However, there are limitations from a Search Engine Optimization standpoint in acquiring MLS data for display on a web page (I will acknowledge that some of the efforts to circumvent these limitations are quite clever). The data displayed on the REAL web site resides physically on the site and is search engine friendly.

Second, it's the difference between a Corvette and Ferrari. The new ZR1 Corvette can perform right along side of the Enzo-engineered Ferrari 599 GTB Fiorano, but it is the difference between assembly line and hand crafted that sets them apart (Note: I'm not down grading the Corvette, I happen to own one). Every item posted on the REAL web site is unique and has a custom indexing strategy designed specifically for it.

Our relationship with Google is such that in less than 10 minutes Google will index and place our posts. Google has indexed our content in as little as 3 minutes. Can we guarantee page 1 placement? Of course not. Can we put forth the best effort in setting a property, agent or business up for page 1 placement? Yes we can, and we do it consistently.

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July 2009

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Design Lines – Buying Art

By Pamela Hughes

Pamela Hughes, the founder and owner of Hughes Design Associates, is well known nationally and internationally. Hughes Design Associates is one of the premier interior design firms known throughout North America for specializing in prestigious custom interiors. In Sarasota, Pamela has completed many exceptional projects including The Ritz-Carlton, The Members' Beach Club, The Tower Residences, and Plaza at Five Points. Her portfolio also includes some of the most luxurious and distinctive residences in Sarasota. Pamela's work has been published in the best interior design magazines such as Architectural Digest and Veranda, as well as numerous other publications. Also, Home and Garden Television (HGTV) featured her in the program, "Public Places, Private Spaces", showcasing her work on the Four Seasons Hotel, Philadelphia, and a luxurious private home in Chicago. In addition to their work in Sarasota, Pamela and her firm design projects throughout the US, Canada, the Bahamas and the Caribbean.

In a column a few months ago, I wrote about the art of framing. Now, after spending a few weeks searching the art markets for clients, it seems appropriate to write about the selection and purchasing of art.

The phrase, "Beauty is in the eye of the beholder," is never as true as it is with art. Even educated and totally knowledgeable art critics can have different views on a particular piece of art.

Sometimes art is selected because the viewer sees it as pleasant, calming, beautiful, technically well-produced, shocking, avant-garde, valuable, or as a good investment for resale. All of this art can be "good", if it is simply selected due to personal preference or intent.

Generally, the person who is new to art will select a piece that is pleasant or beautiful. They may not know the techniques used or even care; they just like the art for its decorative value. This is wonderful – art should be a part of everyone's life whether one is an art expert or not.

Some collectors like avant-garde art which can often be outrageous, sometimes arousing, or simply something new. Some of this avant-garde art is not understood by either the novice or the professional. But

it is a new expression and often offers us a new way of looking at something mundane or "everyday". New expression is good. Often it leads to greater and more accomplished expression.

This point is easy to illustrate especially with the contemporary art of the sixties and seventies. Lots of canvases were painted, some just all white or of another color, and lots of stripes (The Washington Color School) or splatters of paint (a la Jackson Pollock and Clifford Still). It is easy to say, "I could have done that," and lots of us could have. But, the artists did it first, and by doing it first, got credit for starting the trend, helping us see things in a new way.

Then there is intellectual art, which can easily fall into the avant-garde category. Intellectual art is a thoughtful and deep manifestation by the artist which some people can comprehend and others cannot. Often, it is understood by studying or knowing the artist, so one can appreciate the elements of the art and what the artist is trying to convey.

In the upper echelons of art, technique becomes more important. Old Masters are celebrated because of breakthroughs in technique or style for their era. For instance, Vermeer used light in a new way,

Renoir was a leading painter in the development of the Impressionist style, and Picasso is known for his founding role in the Cubist movement.

There is endless advice on why and how to buy art. Some people believe that art gains value when it changes hands, so there is the investment angle. Others say to buy art that challenges you, buy what makes you feel good or buy from artists you admire or know.

My advice is: buy the best art you can afford for whatever your strategy or for whatever your reasoning happens to be.

Buying art, and having art, enhances your daily life, supports the community of artists and art dealers, and opens up your world. And artists are fun and interesting people!

The next time there is an art opening on Palm Avenue or Fifth Street, take advantage of this wonderful social, intellectual, and eye-opening experience. Go and enjoy!

Visit studios, open the lines of communication with artists and dealers, and get involved. It is great fun, stimulating and who knows! Maybe you'll come home with the next Picasso or Renoir!

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Finally Some Relief For Tenants On Their Foreclosed Rental Property

By Steven R. Greenberg

Steven R. Greenberg has practiced Real Estate law in Sarasota since 1986 and is a shareholder in the law firm of Icard, Merrill, Cullis, Timm, Fuen & Ginsburg, P.A. He is board certified by the Florida Bar in real property law and frequently lectures on matters involving real estate transactions. Steven may be reached at (941) 365-6216 or by calling Linda Witt, Director of Marketing, directly at (941) 586-4412 or by email at REinfo@icardmerrill.com.

On May 20, 2009, President Obama signed into law the "Helping Families Save Their Homes Act of 2009" (the "Act"), which includes the "Protecting Tenants at Foreclosure Act." The Act provides new protections for "bonafide" tenants of residential property being foreclosed by a lender holding a federally-related mortgage loan. The Act is intended to provide protection for tenants of properties of which a lender has foreclosed who find themselves evicted overnight from their homes at the completion of that foreclosure, often losing advanced rental payments and security deposits in the process.

Generally, the Act provides that tenants of residential property being foreclosed must be given a minimum of ninety days notice before they are required to vacate. The purchaser in foreclosure must provide any

bonafide tenant a written "Notice to Vacate" that cannot be for less than ninety days after the date the Notice to Vacate is provided to the tenant. If the "bonafide" lease exists prior to the foreclosure action, the tenant may continue to occupy the property until the lease is terminated, unless the new purchaser will occupy the property as a primary residence in which case the ninety day notice provision will apply. If the tenant is occupying the property either without a lease or under a lease that is terminable at will, the new purchaser must provide the ninety day notice described above. The exception to the above provisions is that, if the purchaser in foreclosure sells the leased property during the term of the lease he "inherited," he can terminate the lease and cause the tenant to vacate so long as the tenant is given a ninety day notice to vacate.

A bonafide lease or tenancy is one where:

1. The mortgagor or the child, spouse or parent of the mortgagor is not the tenant;
2. The lease or tenancy was the result of an arms-length transaction; and
3. The lease or tenancy requires the receipt of rent that is not substantially less than fair market rent for the property or the unit's rent is reduced or subsidized due to a federal, state or local subsidy.

It is imperative that REALTORS® notify the closing agent handling a closing on the first sale of a bank owned property that was acquired in a foreclosure action (an "REO") that there are tenants in the property so that the rights of the existing tenant can be addressed. REALTORS®
Continues to page 21

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Under Promise And Over Deliver

By C. J. Coury

C.J. Coury is a Senior Vice President with Bank of America and oversees their residential mortgage division serving Sarasota, Manatee and Charlotte Counties. Prior to joining Bank of America in 1995, C.J. was President of Mortgage Brokers of America in Birmingham, MI for 7 years. He has been an active mortgage finance professional since 1983. C.J. may be reached at 941-952-2888 or by email at charles.j.coury@bankofamerica.com.

I am sure that you have all heard the phrase "Under Promise and Over Deliver" and that you do your best to live by it. However, some times we don't recognize the opportunity to follow this sage advice when it presents itself. The current market is presenting us all with one of those opportunities right now. Setting Proper Expectations.

I recently received several requests from REAL Magazine contributors and readers to once again stress the importance of reducing preventable stressful situations by setting the right expectations at the beginning of a transaction. With the proliferation of fully documented loan underwriting we have all seen the process turn time grow rapidly. In today's market it is commonplace to experience close dates well in excess of what we were seeing just 6 months ago.

Based on my conversations with most of the major lenders in Southwest Florida the proper expectations for closings are as follows:

- Conventional Purchase Loans = 30 days
- Government Purchase Loans = 45 days
- Refinance Loans = 60 days

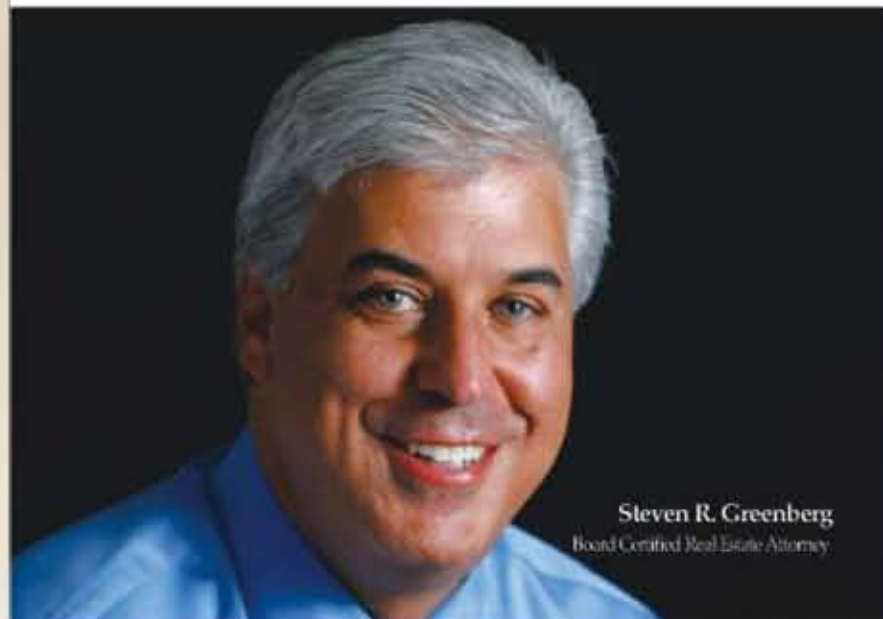
Attempting to short cut these average turn times will generally result in undue stress and a poor customer experience. I often liken it to trying to take cuts in the security line at the airport. Virtually everyone in line is in a hurry to get through to the gate and would not be agreeable to letting someone cut in ahead of them simply because they didn't plan well enough to arrive on time. Due to this phenomena the days of "rush" processing are simply gone for the foreseeable future as almost every file now falls into this category. The only way to speed an application up is to put it in front of other anxious and time constrained borrowers.

To avoid turning what should be an excitement filled process into a frustrating and stressful endeavor for your buyers, set the right expectations up front. Make certain that your offer to purchase allows for enough time to meet today's turn-times. Doing this will protect your buyers from the unpleasantness of contract

extensions, lost rate locks, lost moving company reservations, wasted days off, missed move out dates and a myriad of other issues. These relationship eroding eventualities can be avoided by simply

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By Lalaena Gonzalez-Figueroa

Photography by Chad Spencer



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Beyond Real Estate



A passion for real estate, a background in business marketing and accounting, and marked success in new home sales have proven the ideal foundation upon which Alan Atchley and his father, Jack Atchley, have built Atchley International Realty, a rising star among Sarasota's real estate firms. The boutique office packs a powerful punch, offering services designed to meet the needs of a diverse group of local, national and international clients. With an expansion plan firmly in place the company, led by Atchley, is poised to build its base of top-notch real estate professionals as well as continue to grow its clientele, all the while offering exceptional and attentive customer care.

Alan, who entered the field of real estate upon graduating from the University of Florida with a Bachelor of Science Degree in Business, built his knowledge of the industry from the ground-up. "My background in new home sales, coupled with my contractor's license, has given me the opportunity to understand real estate from a unique perspective," he notes. Well-versed in the steps necessary to maintain and rehabilitate homes, he has become involved with bank-owned properties throughout the region, developing partnerships with banks who appreciate his ability to effectively manage vacant houses. His professional experience also includes traditional purchases and sales, residential investment properties, commercial properties and vacant land.

Though he maintains an active clientele, Alan's current focus is on serving as a leader, mentor and resource for the agents at Atchley International Realty. Building the company has been a study in strategic planning, with a strong focus on acquiring top-notch agents and providing them with exceptional tools, support and resources. Alan's first step: to surround himself by like-minded professionals whose backgrounds and knowledge would enhance the services he offers his agents and their clients. "One of the first calls I made was to the person whom I consider to be the best marketing professional in the area," he states. "In building our brand, we wanted to make one thing clear: this agency is comprised of highly-qualified professionals who are capable of serving the needs of a range of customers, from first-time buyers to luxury home sellers, to the international market." With high-quality print and online advertising campaigns, the firm ensures that every property is marketed appropriately to its target audience, and that every customer receives attentive and professional representation.

While marketing and advertising are key elements of any agent's success, Atchley has taken measures to provide his real estate professionals with access to a wealth of individuals who, he says, "are among the best, most qualified people within their areas of expertise." Together they serve as the firm's Board of Advisors, a well-connected group of trade partners whose services are available throughout the real estate transaction, and beyond. From attor-

neys to web-site developers to financial advisors who understand the process of completing international transactions, the group enhances the level of service that Atchley International Realty's agents provide.

Meeting the changing needs of today's real estate professionals and their clients means following through on a commitment to education and training. In addition to numerous professional designations, Alan is a licensed contractor and is in the process of completing his MBA. He encourages his agents to pursue continuing education as well, noting that this is imperative in keeping up with the latest industry advances and developments.

Ultimately, notes Alan, the success of the firm is due in large part to a steadfast belief in "getting back to the basics." He explains, "Today, more than ever, it's about meeting the needs of clients as well as agents. We go beyond customer service, taking our commitment to both to a new level. It's personal service, with incredible support designed to facilitate smooth, stress-free transactions." The service doesn't stop at the closing table, though. Alan notes, "At Atchley International Realty, relationships extend well beyond the purchase or sale of a home. There's so much more to real estate than an exchange of property! We are about people, and we look forward to continuing to build our relationships with clients as well as agents."

Alan Atchley, Broker/Associate, GRI, TRC, CSP, e-Pro
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What To Expect From A Great Architect

By Clifford M. Scholz

As founder of CMSA, Cliff has over 35 years of experience in architecture and construction. His sense of design and clear-cut goals has created a reputation for quality and excellence for his firm. As lead architect, he is responsible for the design of projects consisting of custom residential developments, office structures, commercial renovations, golf clubs and high-rise condominium buildings. He takes a proactive role in every project as the client contact, and directs his team of highly skilled professionals to keep every endeavor in balance. Cliff received his Bachelor of Science in Architecture from Lawrence Institute of Technology in Southfield, Michigan, and a Bachelor of Architecture from the University of Miami in Coral Gables, Florida. Cliff is also a Licensed General Contractor in the State of Florida and certified as a LEED AP. Cliff may be reached at 941-923-2400 or via email at cscholz@cmsa1.com.

I feel that open and straight forward communication is the most important part of the total design process.

The "process", as we evolve through our work begins with the site itself. A good architect will strive to understand the site attributes and the site will be visually reviewed for the following considerations:

- Geography
- Topography
- Climate
- Sun Angles/Orientation
- Surrounding Properties
- Access Points
- Views/Wind Orientation
- Environmental Considerations
- New and/or Remodeling Potentials

The site is then reviewed for these additional zoning and building regulations:

- Existing and/or Proposed Zoning
- Lot Coverage Considerations
- Building Height Minimum and Maximum Heights
- 3 Dimensional Zoning
- Building Setbacks
- Environmental and/or State Permits

In conjunction with the above, and also of the utmost importance is to understand the client's desires, goals and dreams. Through meeting(s) with the Owner, an initial program is discussed which will enumerate the clients wishes

for the project. This will include size, function, style, components, budgets and time frame. This serves as the basis for the preliminary design.

The next step in the process is to provide a preliminary design which includes a proposed site plan, floor plan(s) and exterior renderings. This is the visual interpretation and solution to the client's goals, desires and dreams. With review and discussion, the preliminary design can be manipulated until all involved are comfortable with the design.

If a contractor has been selected, the design will be reviewed in order to provide the client with a preliminary cost estimate for construction. Interior designers and landscape architects should also become involved to gain their input. This preliminary process then continues with input from all parties until an accepted preliminary design is achieved.

At this time, with all approvals, we start the construction documents. The construction drawings are the drawings and specifications that the contractor will use to provide a final cost and to apply for and obtain a building permit. These drawings include architectural, structural, mechanical and electrical design drawings. If a state permit is required, we would submit for these permits and act as the Owner's agent with The

Florida Department of Environmental Protection (FDEP).

With a permit and a final cost available, we now assist in reviewing the bid and setting up a contract with the contractor. We always suggest that this contract be reviewed by your legal counsel. The contractor is now able to start construction, and during the construction phase, we continue to work with the Owner, interior designers, landscape architects and anyone else involved in order to coordinate the shop drawings and review the work in place to ensure it is installed per our design. This process continues until the project is complete and we generate our final punch list.

The time frame for this process is about 5-6 months for the preliminary design and construction documents. The construction phase is dependent on the size and complexity of the home/building. Each project will have its individual characteristics but the process itself remains consistent. There is a lot that goes into every project we accomplish and through experience and expertise we make the process fun and seamless. We pride ourselves on this and look forward to assisting our client's in achieving that end result, which will be a beautiful creation specifically suited to our client's needs and which will exceed their goals, desires, and dreams.

Continued from page 14

Foreclosed Rental Property Tenant Relief

By Steven R. Greenberg

should also advise their buyer of an REO property as to the notice requirements for terminating existing leases so the buyer will be aware that they may be purchasing a property subject to the rights of an existing tenant.

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CASA
FIORENZA
SIESTA KEY
FLORIDA

By Tracy Eisnaugle



Metropolitan Couture...Experience the sophisticated and exceptional design of this secluded Siesta Key residence. Taking three years from conception to completion this outstanding home showcases some of the industries finest materials, selections and innovations. A sultry mix of polished marble, granite, zebra wood and stainless steel results in a vision of pure art and design.

Standing without pretention, the modest Mediterranean façade of Casa Fiorenza is both classic and refined, ingeniously concealing the modern interior and the eleven car motor salon. Cascading coral cast stone stairs lead you to the alluring solid Honduras mahogany entry doors featuring custom pewter finished metal inlays. After entering the foyer you are overcome with inspiration and awe. Vast open spaces illuminated by towering windows and sliding glass doors are complimented by volume ceilings and the dramatic glass panel railings of the catwalk above, each area seamlessly flowing into one another showcasing lavish finishes and superior details.

Spacious suites with private balconies and baths offer multiple guest accommodations. Each bath exemplifies great design becoming a place of art, the use of unanticipated fixtures combined with elegant marbles creates unique and brilliant spaces. The master suite features large walk-in closets with custom shelving, sitting area, fireplace with marble surround and fully equipped morning bar.

The elegant master bath is appointed in imported limestone with a Roman walk-in shower and freestanding circular spa tub. The separate water closet room features the coveted Toto Neorest commode. Custom floating vanities with under cabinet lighting and magnificent Dorn Bracht fixtures complete the relaxing space.

Movie buffs or sport fans will enjoy the luxurious home theatre. The space comes fully equipped with surround sound wiring, speaker system and projection screen. Conveniently located on the main floor yet offering complete privacy with both wall and ceiling sound

insulation. Great for entertaining with tiered seating, full service wet bar and access to private front balcony.

An inspired chef's dream the Casa Fiorenza kitchen is as beautiful as it is functional, combining attentive utilization of space with exotic materials and professional appliances to create a visionary work space. Separate SubZero refrigerator and wine storage units are accompanied by a built-in coffee system and stainless steel pantry. Zebra wood custom cabinetry combined with frosted glass and stainless steel, exotic granite and Italian fixtures are just a few of the modish features.

Enclosed behind a beautifully landscaped privacy wall the outdoor living areas open to a canal with private dock and boating access to the IntraCoastal Waterway. Wrapping balconies with coral cast stone balustrades terrace from the main living floor to the ground level below. A stainless steel and granite outdoor kitchen area is just beyond the interior kitchen and dining space. The sound of flowing water from the fountain below draws you to the ground level entertaining pavilion. Shimmering glass mosaic tiles highlight the fountain and the stunning Infinity-Edge pool.

A skillfully designed home built with thoughtful and intentional design including; frosted glass closet doors, Toto Duel-Max flushing system commodes, three gas fireplaces, glass cylindrical elevator, wrapping porches, and an endless list of electronic and efficiency features.

Contact Joel Schemmel, Schemmel Property Group for a personal demonstration of all the amenities that Casa Fiorenza has to offer.

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Go Global – When Is A Dollar Not A Dollar?

By Patricia Tan

Patricia Tan was born in England and moved to Sarasota in 1997. Her career has afforded her the opportunity to live and work in many countries including: Australia, Hong Kong, Singapore, Malaysia, Indonesia, Germany, France, Belgium, Netherlands and the U.K. She spent five years as a Director of an American real estate franchise in England in the 1990s. Patricia has served as Chairperson of the Sarasota Association of REALTORS® International Council, and serves on the Florida Association of REALTORS® International Operations Committee. She currently works as the International Sales Director for Prudential Palms Realty. Patricia may be reached at 941-504-9232 or pat@patriciatan.com.

Currency Considerations When Buying And Selling International Real Estate.

The decision to buy or sell a piece of property in another country is not one to be taken lightly. There are many aspects of an international transaction that will differ significantly from country to country. Obviously, investors need to understand the local laws and business practices of the market in which they plan to be active, and to identify trusted partners in that country to assist them with the transaction. In addition, it is vitally important to consider the impact of foreign exchange rates on any international transaction. Many Americans who have invested in countries where real estate is priced in U.S. Dollars, such as Mexico, Costa Rica and Panama have not had to worry about

this aspect of their investment, but what happens when they look further afield?

Failure to pay attention to foreign exchange issues in a timely manner can have significant financial consequences. In today's volatile world economy, a significant swing in the value of a currency one way or another can make a huge difference in the viability or profitability of any real estate acquisition or disposal.

Consider the British investor who purchased property here when Sterling was trading at \$2.00 to the British Pound. That same investor now sells the property at \$1.60 to £1.00. Let's assume they purchased a property for \$400,000 at a cost in their home currency of £200,000

and they sell it later at the same price, realizing £250,000 from the sale. A "profit" of 25% on their original investment, even though property prices did not appreciate.

As a REALTOR® helping overseas buyers purchase property here, I often see the consequences when those buyers fail to plan for their currency needs. If that same British investor started shopping for real estate when his currency was trading at \$2.00 and was looking at \$400,000 properties but failed to buy a property at that time, and bought when the rate was \$1.60, his buying power would be only \$320,000 reduction of 20%.

So what can be done to mitigate this kind of situation? *Continues on page 27*

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Go Global – When Is A Dollar Not A Dollar?

By Patricia Tan

How can those wishing to make an international investment in real estate maximize their investment potential? Investors obviously need to understand and stay informed about the foreign exchange markets, but how easily can that be achieved?

Investors should look to establish a relationship with a specialist commercial foreign exchange provider. One who provides tailored services to individual as well as corporate customers. There are a growing number of such companies both here and overseas, and they are making significant inroads into the foreign exchange business that may otherwise have been conducted by a local bank. The investor should establish this relationship sooner rather than later. Currency exchange should be considered early and planned for well ahead of the actual need for the funds.

The biggest benefit of working with a commercial foreign exchange company is that they typically will give consumers much more favorable exchange rates than a bank. They are dealing in the currency markets in real time, better able to manage exposure and risk, and can operate on a much smaller spread (the difference between currency buy and sell rates) than traditional financial institutions.

But the better exchange rate is just the beginning. There are many other services and benefits that should be considered:

- Easy access to market experts who can advise on the future outlook for a particular currency and assist with timing a transaction and forward planning.
- The ability to fix an exchange rate today that will be valid in the future, protecting the investor from adverse currency movements, and locking them into favorable rates.
- Faster and reliable payment methods, ensuring that funds are transferred as quickly and securely as possible.
- Transferring funds to the destination country in their native currency may eliminate the need to pay commission or receiving bank charges.
- A facility to make regular payments, such as a monthly mortgage and to lock in the exchange rate for up to two years of payments, protecting the investor against adverse movements in the currency.
- Expert knowledge of the foreign exchange regulations of the sending or receiving countries daily or monthly limits on transfers for instance.

Timing the movement of funds between one country and another is obviously important as far as managing the exchange rate is concerned. There are other regulatory issues that may also influence timing, and have an impact in international real estate transactions.

Here in U.S.A. for instance, funds needed to complete a real estate purchase are subject to scrutiny under anti-money laundering laws and the Patriot Act. Foreign buyers may be asked to provide information on the source of funds, and to prove they have been in a U.S. bank account for a period of time before they can be used in a real estate closing.

For foreign sellers of U.S. real estate, Uncle Sam's Foreign Investment in Real Property Tax Act requires that 10% of the sale price of the property be withheld at closing, until the seller's tax affairs for that year have been settled. These funds may be tied up for some time, and preventing the seller from re-investing, or taking advantage of a favorable exchange rate if they are repatriating the proceeds of the sale.

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By Lalaena Gonzalez-Figueroa

Photography by Chad Spencer



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LEONARD "LEN" W. GARNER

Construction and Development

*I*n the world of construction and development, opinions are as varied as they are abundant. Regional trends tend to dominate the way business is handled, though there are always exceptions to the rule. Case in point: Len Garner, who incorporates a comprehensive approach to his projects, offering his clients a veritable "one-stop-shop" experience that's not commonly found within the Florida market.

Born and raised in the Northeast, Garner spent years in an environment where his construction and development activities went hand-in-hand. "In many states throughout the Northeast, major developers tend to have their own construction, planning and management divisions," he observes. "It's a really effective and efficient way of doing business, and clients appreciate the security in knowing that there is one individual or group who is familiar with all of the pieces and components going into a project." The support staff for my companies was over 30 professionals, including an in house architect and NJ State Licensed Planner."

Garner, a graduate of the University of Pennsylvania's prestigious Wharton School, also holds a Degree in Accounting from Rutgers University. A licensed contractor certified by the State of Florida, he considers construction to be his primary field. "I've built upwards of one thousand varied structures over the duration of my career," he notes. "There are buildings in New Jersey that are recognized to this day as 'Garner Buildings.' I'm proud of that; it's an honor to

contribute to society by building lasting structures that add value to the lives and businesses of others." Now, I want to utilize these years of experience to provide consulting services for new projects in Florida.

Adding value to business is exactly what Garner does; well before the construction phase, he typically serves as a development consultant for his clients, who turn to him for his well-rounded approach and extensive knowledge of the process of converting land into a successful enterprise. A thorough market analysis provides insight on the highest and best use for a holding of land, based upon the geography and fixed marketplace. Once a business concept has been established, Garner goes on to identify building specifics including size and number of units, in order to better estimate the return on investment. After preliminary drawings have been presented and the appropriate permits obtained, Garner moves to the next phase of construction and development, obtaining drawings from an architect and engineer. He's also available to handle construction, leasing and then property management once a business is launched.

The benefits to working with one individual throughout the construction and development phase, explains Garner, is that every step of the process is tailored in order to maximize efficiency and efficacy. "The steps involved in developing and building are often complicated and time consuming," he offers. "My experience affords me not only the knowledge of what must be done and how to accomplish the tasks at hand, but

I'm also able to partner the best professionals to each project." Years in the field have enabled Garner to build an impressive network of industry colleagues, whom he taps for projects based upon their unique abilities and strengths. "An architect who designs amazing commercial plazas may not be the best person to handle a hospital build," he explains. "I have had the opportunity to develop collegial relationships with many professionals, from construction companies to lawyers to architects and engineers, and I have successfully paired them with projects that were well suited to their specific styles."

In addition to years of field experience, Garner is also known for the patience and dedication he brings to every project he handles. Visiting sites daily, he maintains strong communication with clients and colleagues, always working to streamline processes and maximize results.

After years of advisory participation in local government, Garner has turned to volunteering for charitable organizations and is currently offering pro-bono consulting services to First Step, an addiction recovery program, as it navigates the process of constructing a new facility. Perhaps most notable about Garner's work is his genuine enthusiasm for the field, and for the results he achieves. "Buildings don't materialize out of thin air," he quips. "There is so much effort and energy involved in creating a structure or dwelling, but it's an exciting process. I enjoy having a part in that, and knowing that I'm making an impact on those around me."

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REAL Networking Event At The Royal Melbourne



Left to Right: Pamela Hughes and Ed Bertha

The Concession Golf Club & Residences graciously opened its gates to be the site of REAL Magazine's June 25th networking event, hosted by **Tierney Foster** of Tierney's Team - Keller Williams Lakewood Ranch Realty at the stunning John Cannon Homes Royal Melbourne model. **John Cannon** welcomed the group to the Royal Melbourne and thanked everyone for coming. **Ed Bertha**, publisher of REAL Magazine, provided the group

with the inaugural preview of REAL Video, a technological revolution in the promotion of multi-million dollar properties. The event sponsors were introduced and the program began with **Laurie Moore-Moore**, CLHMS Founder of The Institute for Luxury Home Marketing. Laurie gave a brief overview of the up and coming luxury home seminar. Followed by **Anne Weintraub**, Esquire who gave an informative presentation on "Tips on How to Handle Over the Top Clients." Ed provided some background on The Concession then introduced Guest Speaker **Pamela Hughes**, President of Hughes Design Associates, whose talent and expertise is leading the design of the spectacular Concession Clubhouse. Pamela gave a fantastic sneak preview presentation of the Clubhouse which is scheduled to open later this year. Throughout the event Dainty Delicacies by **Doug Hitchings** from "Fun with Food" provided an abundant supply of delicious treats. The June networking meeting was an experience to remember incorporating great design and continuing education.

Signature Sotheby's Announces Commercial Group



Left to Right: Kara Kokorelis, Mike Migone, Carol Dahlin, Richard Bradway, Judy Green, Clint Conway and Brian Snyder

Signature Sotheby's announced it has expanded its luxury real estate operation by opening a new commercial group including **Richard Bradway**, **Clint Conway**, **Carol Dahlin**, **Kara Kokorelis**, **Mike Migone**, and **Brian Snyder**. Migone's experience includes both commercial and residential sales focusing on waterfront properties, resort hotels, hotel purchasing and conversions, condominium conversions, land development, industrial sales and leasing, net lease investment properties and site selection for

national retailers. Conway's first commercial transaction was the second largest sale in a decade, selling the Sarasota Hyatt to the Blackstone Group for \$65M. Conway also brokered multiple sales for Walgreens NNN leased investments and Dollar General NN leased investments. Snyder brings extensive shopping center and retail experience in leasing, acquisition, and disposition. Additionally, Brian successfully finds and negotiates short sales and bank owned residential and commercial properties. "In servicing our target market, we need to be able to provide a portfolio of real estate services. We have found that the high-end consumer purchasing or selling a significant home may also have commercial property that they are interested in acquiring or selling. Today's savvy consumer expects to deal with a professional", says **Judy Green**. "With the addition of these talented individuals, we can strengthen our reach throughout Sarasota, Manatee and Charlotte Counties." The Signature Sotheby's International Realty commercial group can be reached at (941) 364-4000.

\$12,875,000 Bay Front Estate Debuts



The area's top real estate agents previewed Michael Saunders & Company's **Klaus Lang's** newest listing at 3315 Bay Shore Road, Sarasota, Florida. Hidden behind lush foliage on 2.5 acres the 12,000 square foot masterpiece has 240 feet of frontage on Sarasota Bay. Featuring 6 bedrooms, 7 full and 2 1/2 baths the estate home is flanked by an expansive pool, tennis courts, guest quarters and pool house. Built in 1987 as a palatial oriental palace, the home was completely redesigned by the present owners in 1993. Today the residence encompasses Moorish architecture style with contemporary elements. An exceptional property for an extraordinary buyer. Lang may be contacted at (941) 383-7591 or klauslang@michaelsaunders.com.

Michelle Crabtree Awarded Florida Honor Society



Michael Saunders & Company's **Michelle Crabtree** was presented with the Florida Association of REALTORS® (FAR) 2nd year Honor Society award. The presentation was held during the Sarasota Association of REALTORS® quarterly membership meeting. The FAR Honor Society was established twenty years ago to recognize members of local boards and associations who are active in the state association and for their participation at the local/national levels of the REALTOR® organization, activity in National Association of REALTORS® institutes, societies and councils, designations earned, political involvement and educational activities. A third generation Sarasotan Crabtree, licensed as a Florida Real Estate Broker since 1981, is a Director on the Sarasota Board of REALTORS® (SAR), received the SAR "Meritorious Service Award in 2007 and was also chapter president the Sarasota Chapter of Women's Council of REALTORS® the same year. Additionally, Crabtree is a "Five Star Real Estate Agent Best in Client Satisfaction for 2007 and 2008 and has earned the designations of GRI-Graduate Realtor, ABR-Accredited Buyer Representative; PMN-Performance Management Network and TRN-Transnational Referral Certification. To contact Crabtree call (941) 907-9595 or sales@crabtreehomes.com.

Roberta Tengerdy earns the CLHMS Designation



Roberta Tengerdy of Signature Sotheby's International Realty earned the Certified Luxury Home Marketing Specialist (CLHMS) designation and was awarded membership in the Million Dollar Guild as a specialist with proven success in the million dollar and above market. The CLHMS designation is recognized as the mark of accomplishment in luxury markets around the world and assures affluent buyers and sellers that the agents who have earned it have the knowledge, experience, competence, and confidence they require. Members of The Institute with the CLHMS designation have documented performance in the TOP 10% of their markets, and have successfully demonstrated their expertise in the luxury estate and home market. Tengerdy grew up in Wayzata, Minnesota, graduated from the University of Minnesota and has practiced real estate since 1995. To contact Tengerdy call (941) 308-6527 or roberta.tengerdy@sothebysrealty.com.



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Michael Saunders Awarded "Excellence In Customer Service"



Left to Right: Michael Saunders and Tom Martin

The Sarasota Chamber of Commerce awarded Michael Saunders & Company the Excellence in Customer Service award for June. Sponsored by The Bank of Commerce the award was bestowed at a chamber networking event held at Southpointe Land Rover. The Bank of Commerce's senior vice-president of lending **Tom Martin** introduced company founder and CEO **Michael Saunders** and made the presentation. In accepting the award on behalf of her 33-year-old company, Saunders was effusive in attributing the honor

to her agents and staff. "I wouldn't be here without the diligence and hard work of all my agents, who are on the frontlines every day making sure that each customer's experience is as memorable as it can be for all the right reasons," she said. "Coming as it does in the midst of such an unforgiving market, this award is all the more gratifying and I accept it on behalf of the entire company."

Casey Key's Villa di Fiori Reduced To \$3,495,000



Originally listed at \$4.895M the bucolic Tuscan villa named Villa di Fiori located at 2880 Casey Key Road sees new pricing at \$3.495M. Set in a lush tropical garden overlooking beautiful Sarasota Bay the 4 bedroom, 4 full bath, 1 half bath waterfront estate contains 4,150 square feet of living space. The home's private dock is equipped with a 13,000 pound lift for the boating aficionado. For the

automotive enthusiast the 3 bay garage holds 7 vehicles. Truly a one of a kind property for the discriminating buyer. For more information contact Michael Saunders & Company's **Deborah Beacham** at (941) 376-2688 or deborahbeacham@michaelsaunders.com.

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Entity Ownership Of Real Estate

By Jeff Riddell

Jefferson F. Riddell is a Florida Board Certified Real Estate attorney with thirty-five years of experience assisting people with a variety of residential and commercial real estate matters. U.S. 1031 Exchange Services, Inc is a 1031 exchange qualified intermediary (QI) and a member of the Federation of Exchange Accommodators (FEA). As President of U.S. 1031 Exchange services Jeff has been facilitating 1031 exchanges for more than twenty years. Jeff has been awarded the Certified Exchange Specialist (CES) certification. Jeff may be reached at 941-366-1300 or via email at jeff@us1031.com.

Last article we talked about how individuals can own real estate. Now let's turn our attention to ownership in an entity. Let's look at a few.

We'll start with corporations. You probably know that corporations – other than some federal corporations like banks – are formed under state law. Although corporations are great for businesses, corporate ownership of real estate is generally not favored regardless of whether the corporation has elected to be taxed as an "S Corporation" or a "C Corporation." Double taxation – both corporate and shareholder level – can be one problem (at least in a C Corporation), but worse yet, C Corporations do not enjoy preferential long term capital gains tax rates. To add insult to injury, when there are multiple shareholders in a real estate corporation, they cannot go their separate ways when the property is sold;

some cashing out and paying their capital gains tax while others complete 1031 exchanges. Nevertheless, corporations do create the liability shield that people want from entity ownership of real estate.

How about a partnership? There are general partnerships and limited partnerships. In general partnerships, usually everyone has equal status, power and liability. By contrast, in limited partnerships, there are one or more general partners and one or more limited partners; and the general partners and limited partners have different status, power and liability – the general partners run the show and the limited partners are along for the ride.

Whether the entity is a general partnership or limited partnership, partnership taxation principles apply. Both partnership and limited partnership

have often been the entities of choice for investment real estate owned by more than one person, but all partners in a general partnership – and general partners in a limited partnership – have unlimited personal liability, so exercise caution if you are considering participation in a real estate venture as a partner other than as a limited partner.

The better mousetrap came in the form of limited liability companies. Starting in the 1980s, states began passing legislation authorizing this new legal entity which is usually referred to as an LLC. Although the owners of corporations are referred to as shareholders and the owners of partnerships are referred to as partners (both limited and general partners in the case of limited partnerships), LLC owners are called members. The LLC concept was an offshoot of partnerships – but with

Continues on page 35



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Entity Ownership Of Real Estate

By Jeff Riddell

limited liability for the partners – so states initially required more than one member. As LLCs evolved, states changed their laws to allow single member LLCs and IRS decided to allow an LLC to elect how to be treated for tax purposes; the choice came in the form of the "check the box" regulations. Tax treatment of LLCs can run the gamut from disregarded entity (for single member LLCs), partnership status (for multiple member LLCs) and even corporate status (C Corp or S Corp). No matter what tax status an LLC chooses, the LLC provides the liability shield most investors want.

There are a few other entities such as Massachusetts business trust, Illinois land trust and Delaware statutory trust that are sometimes chosen to hold title to real estate. Although these bear the names of the states where the type of trust originated, most other states now allow them – or have similar versions of them. Where such trusts are used for real estate ownership, title is held by a trustee for the benefit of the trust's beneficiaries.

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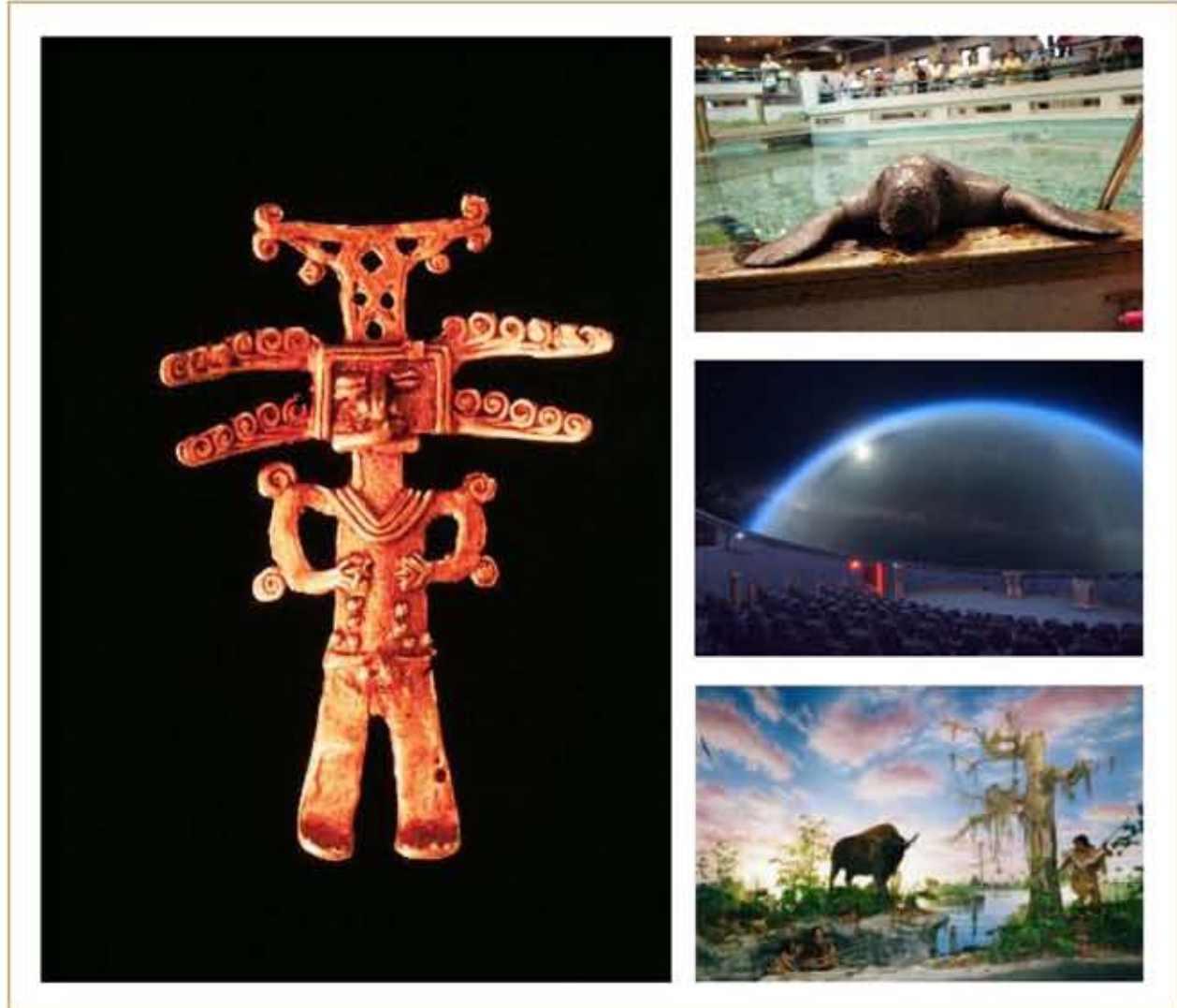


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Three of the Suncoast's most precious attractions are conveniently located under one roof, the celebrated South Florida Museum. The cherished home of the South Florida Museum, Bishop Planetarium, and Parker Manatee Aquarium. Located on Bradenton's Riverfront in the historic downtown area, this exploratory complex has entertained and educated both visitors and locals since 1947.

Community leaders came together in 1946 and founded the South Florida Museum, opening the facility to the public in 1947 showcasing the Montague Tallant Collection, a rare collection of artifacts from Florida's First Peoples. The initial exhibit encompassed the pre- and immediate post-contact archaeological material as well as donated collections relating to the cultural and scientific history of Manatee County and Southwest Florida.

The South Florida Museum is a treasure for our community, proudly the largest natural and cultural history museum on the Gulf Coast of Florida. The Museum tells the story of the region from the Pleistocene to the present through the use of true-scale dioramas and spectacular exhibits, surrounding visitors with impressive fossils from Florida's earliest mammals and marine species. Taking

guests on a remarkable tour through the areas diverse aquatic environments including the Pine Uplands, Riverine, estuarine and Gulf water habitats. The Museum showcases an eclectic collection of exhibits including local maritime traditions, Native American history, early 20th-century medical practices, and our local Spanish conquistador Hernando DeSoto.

Home of Snooty™ the world's most recognized manatee. In 1949, Baby Snoots, a West Indian manatee, arrived at the South Florida Museum. Snooty™ has been with the Museum through multiple renovations and even an electrical fire. To this day he still draws a crowd and is the oldest living manatee in captivity, providing significant scientific data and information for his endangered relatives. The Parker Manatee Aquarium is a 60,000 gallon fresh water habitat providing above and below water views of Snooty™ and his tank mates. Surrounding exhibits within the facility aid in the education of manatee anatomy, physiology and habitat. The Parker Manatee Aquarium is a second stage rehabilitation facility, providing a temporary home for manatees that will be released back into the wild after having received medical treatment. The Parker Manatee Aquarium works closely with Lowry Park Zoo's critical care hospital for manatees.

In 1966 the Museum added the Bishop Planetarium alluring visitors with the exploration of our stellar universe, a remarkable astronomy educational resource. The newly renovated state-of-the-science planetarium and theatre opened in June 2005, a multipurpose domed theatre showcasing one of the most advanced all-digital projection systems in the world. The Bishop Planetarium is capable of accommodating a wide-range of programs with an extensive schedule of events and presentations including astronomy presentations, sound and light shows and wide-screen large format programming.

This continually changing and evolving museum has emerged as a leading cultural organization in our community, providing educational programs and field trips to tens of thousands of students over the years. The South Florida Museum continues its founding legacy of excellence in education, care of collections, engaging exhibits and programming for visitors and students of all ages. Their outstanding facility offers a wide range of rental opportunities, school programs, and group tours.

To plan your next exploration, visit their website www.southfloridamuseum.org or discover the museum in person at 201 10th Street West, Bradenton, Florida.

Bishop Planetarium
Astronomy – Exploration – Discovery

South Florida Museum
History – Paleontology – Archaeology

Parker Manatee Aquarium
Research – Rescue – Rehabilitation



"Recessionista" In The Kitchen - Part II

By Tracy Eisnaugle

Tracy L. Eisnaugle has practiced interior design in Sarasota since 1997 and is currently self employed providing design consultation services in the area. She is a graduate from Florida State University with a Bachelor of Science in Interior Design and continues her education by attending annual conferences. Her past experience includes, Design Center Manager for Lee Wetherington Homes, high-end residential design and model merchandising. Tracy may be reached at 941-232-3358 or by e-mail at tleisnaugle@msn.com.

Last month's column was Part I of "Recessionista" In The Kitchen, we embraced our inner lunch lady and learned how to pinch a penny by multi-purposing our proteins. Being that I love to cook and enjoy the creative process almost as much as I enjoy eating and saving a buck, it was difficult to fit all of the kitchen related Recessionista tips into one column. So this month we finish off the kitchen with a few cooking, prepping, shopping, and dividing techniques.

Living in Florida is a wonderful experience, but our hot and humid climate along with our close living quarters creates some distinctive dilemmas. We don't have basements to store items or to support buying in bulk, then to make matters worse we have tiny garages that are too hot for deep freezers or at least efficient freezers. Our local markets don't have nor can they afford to have great deals and if you live in our area you already know that we are lucky to find one or two useable coupons a week. Therefore we have to think outside the box and work with what we can.

Being a Recessionista is not only about saving money, it is also about saving time, as we find ourselves working three times as hard for half the compensation saving a few hours and a couple dollars is priceless. Everyone who knows me knows that I love my crock-pot and it is the gift that I give to everyone who gets married, because I swear it saved my marriage during those sixty-hour work weeks. Using a crock-pot makes even the cheapest cuts of meat tender and tasty. Once you get used to using your crock-pot and figure out the liquid to solid ratio you would be amazed at what you can create. There are no limits, the best banana bread I have ever made was in my crock-pot, meatloaf never dries out, and chicken with rice has never been so nice.

Another technique for saving both time and money is pre-making your weeks breakfast or lunch items on your prep/shop day. Let's face it breakfast can be a pain, being half asleep and having to

figure out what you're hungry for, cooking it, then cleaning up the mess is not the best way to start off your day. So I create our entire week's worth of breakfasts on Sunday, which conveniently is also the perfect solution for cleaning out the refrigerator. All of the leftover vegetables, eggs, cheese and bread come together to become a tasty layered breakfast casserole that is cooked on Sunday and a simple daily reheat away for a thoughtless yet healthy morning. To break up the sack lunch sandwich and chips routine try making a refrigerator cleanout pasta salad to spice things up. Reducing your food waste and recycling what is in your refrigerator can create simple meal solutions that are always changing with nothing wasted and less time in the kitchen.

With more people packing their lunch, us included, it is easy to get tempted by those pre-packaged "convenient sized" items, or snack size chips, raisins etc., when you compare the cost to the quantity these are a super expensive. Purchase the large size and divide them up yourself, it only takes two minutes, but saves half the cost. You can purchase the large size plus a hundred baggies for less than the cost of the "convenient" packs, with the advantage of being able to control your portion size, which is not the same for a thirty-something man and a school aged child.

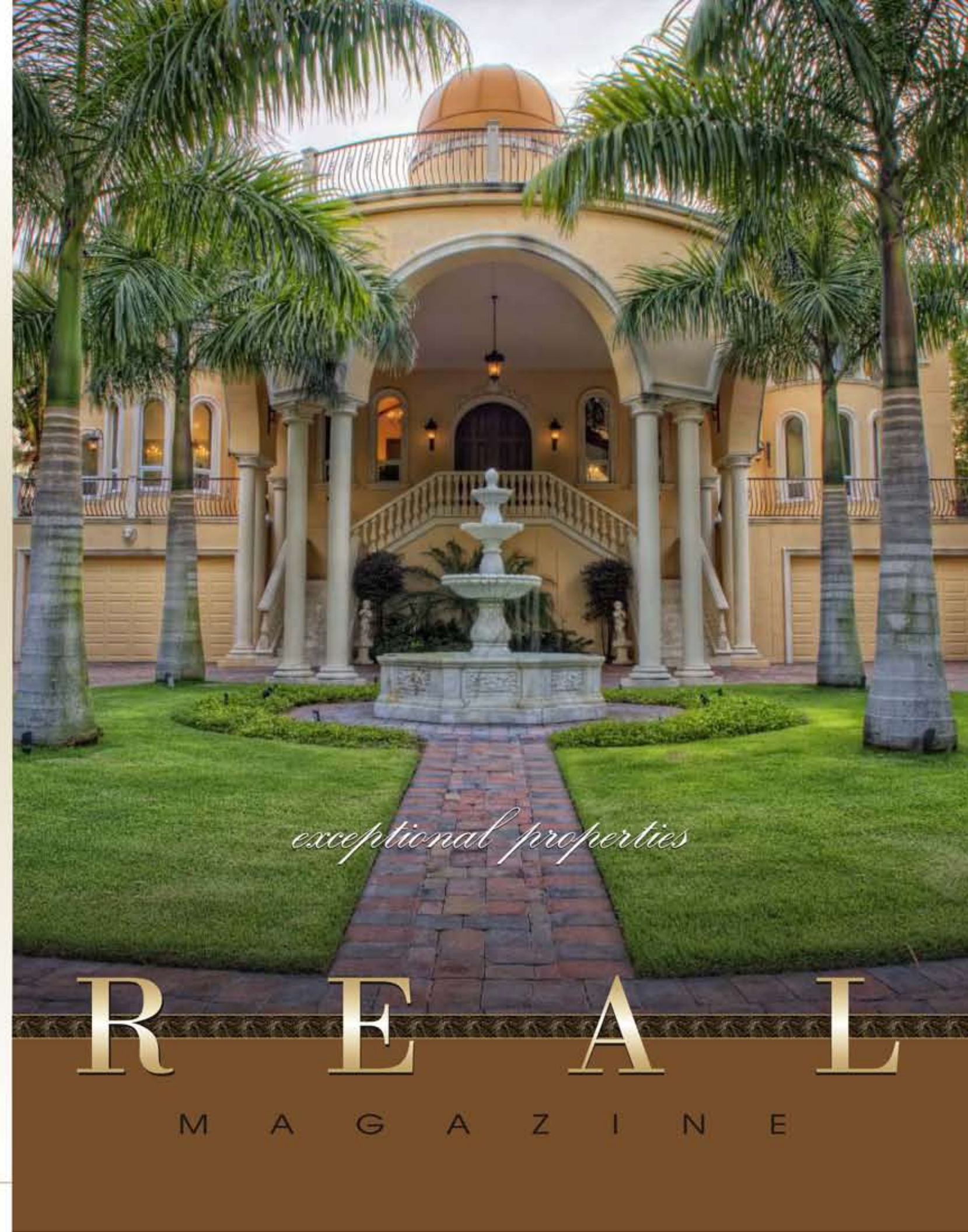
Let's talk about generic food choices, even with coupons or the popular buy one get on free deals the generic is always cheaper. I started buying the generics
Continues on page 46

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dining. Open the extended, corner sliding glass doors to combine the interior and exterior living spaces. Newly screened and over 4,000 square feet, the outdoor quarters are representative of a lavish standard of living with multiple covered entertainment areas, a heated saltwater pool, a sparkling spa, a fire-pit plus a full outdoor kitchen with a chic pizza oven; all overlooking golf course views. Additional exterior space is provided by the second level balcony off of the game/media room complete with theatre-style viewing, multiple granite bars and a convenient kitchenette. Completing the second floor are two full bedroom suites, a half bath and a loft. You will also find on the lower level two more half bathrooms, a full guest bedroom, an executive den/library and an interior laundry room. Further enhancements include many capricious exterior fountains, paver brick walkways and a driveway plus mature tropical landscaping surrounding this modern-day home. Offered at \$3,500,000.


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As its name implies, Villa di Fiori is a bucolic Tuscan villa set deep in a lush tropical garden overlooking beautiful Sarasota Bay. Studded with towering bougainvillea and foxtail palms, you approach this estate through a secluded gated entrance, then meander down a 200 foot stone motor court past fountains and cascading plants. Stately double mahogany doors open to this fabulous villa that embodies Old World elegance and quiet sophistication. Throughout the home are crown moldings, travertine flooring, plantation window treatments, and walls enhanced with delicate faux painting. Entering the gourmet kitchen and family room, the focal point is the Old Turkish pine central work

with wrought iron chandelier and bar seating. This fabulous area provides a gathering place for family and friends. With walls of glass, the Rosette framed windows showcase panoramic bay views and the pool and entertainment area below. The many additional features include an office, game room, a 3-bay garage with capacity for 7 vehicles, work shop, and fitness room. Enjoy boating from the private dock with 13,000 pound lift or walk the secluded, private 8 mile beach of Casey Key. The beautiful gardens and unique Tuscan residence make Villa di Fiori one of the undiscovered, secluded waterfront jewels of southwest Florida. \$3,495,000.

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Home is where the Yacht is. Hawk Island is one of Southwest Florida's premier gated boating communities offering direct access to the Gulf of Mexico. Panoramic views of the Manatee River are available throughout this exquisite estate home. A unique waterfront masterpiece the estate boasts 6,126 square feet total under roof and 4,623 square feet of living area. The open and versatile floor plan features 4 bedrooms, 4.5 baths, formal living

and dining rooms, office and media room. A gourmet kitchen features stainless steel appliances, granite counters, eating area. Flowing with the kitchen layout is a family gathering area that completely opens to a breathtaking pool/spa, including an outdoor kitchen and bar area. This home offers immediate occupancy. Includes designer furnishing and finishes throughout. Schedule your own private tour of this estate today. Offered at \$2,099,000.

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Continued from page 38

Kitchen "Recessionista" - Part II

By Tracy Eisnaugle

about two years ago and I will never go back, there is no brand loyalty in a recession and I truly cannot tell the difference. Some of the generic products actually taste better and come in larger sized containers.

Just a little time in the morning throwing some ingredients into a crock-pot, precooking the week's breakfasts and lunch treats, going generic and making your own snack packs can save valuable money, time and energy. For questions or comments on the Recessionista techniques or to share some of your own techniques please feel free to contact me at TLEisnaugle@msn.com. Play with your food, go generic and get creative, saving money and saving time is the key our future, a wise women once said "if you spend less than you make, you will always be rich."

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