



eClosings in North Carolina

The Future of Real Estate Closing is Now!

The background of the slide is a composite image. On the left, a hand is shown in a blue-tinted, low-key photograph, pointing towards the center. The right side of the slide features a dark blue background with a large, faint circular graphic that resembles a clock face or a complex interface. This graphic contains several icons: a lightbulb, a bar chart, a person at a computer, a group of three people, and a target. The text "eClosing Course" is written in a bright green, sans-serif font, centered over the circular graphic. The word "TRAINING" is also visible in a smaller, lighter green font within the circular graphic, positioned above "Course".

eClosing Course

Welcome



Message from N.C. Secretary of State Elaine F. Marshall





Mark Saunders



SaundersRealtyLLC



MarkSaunders



MarkESaunders



Course Agenda

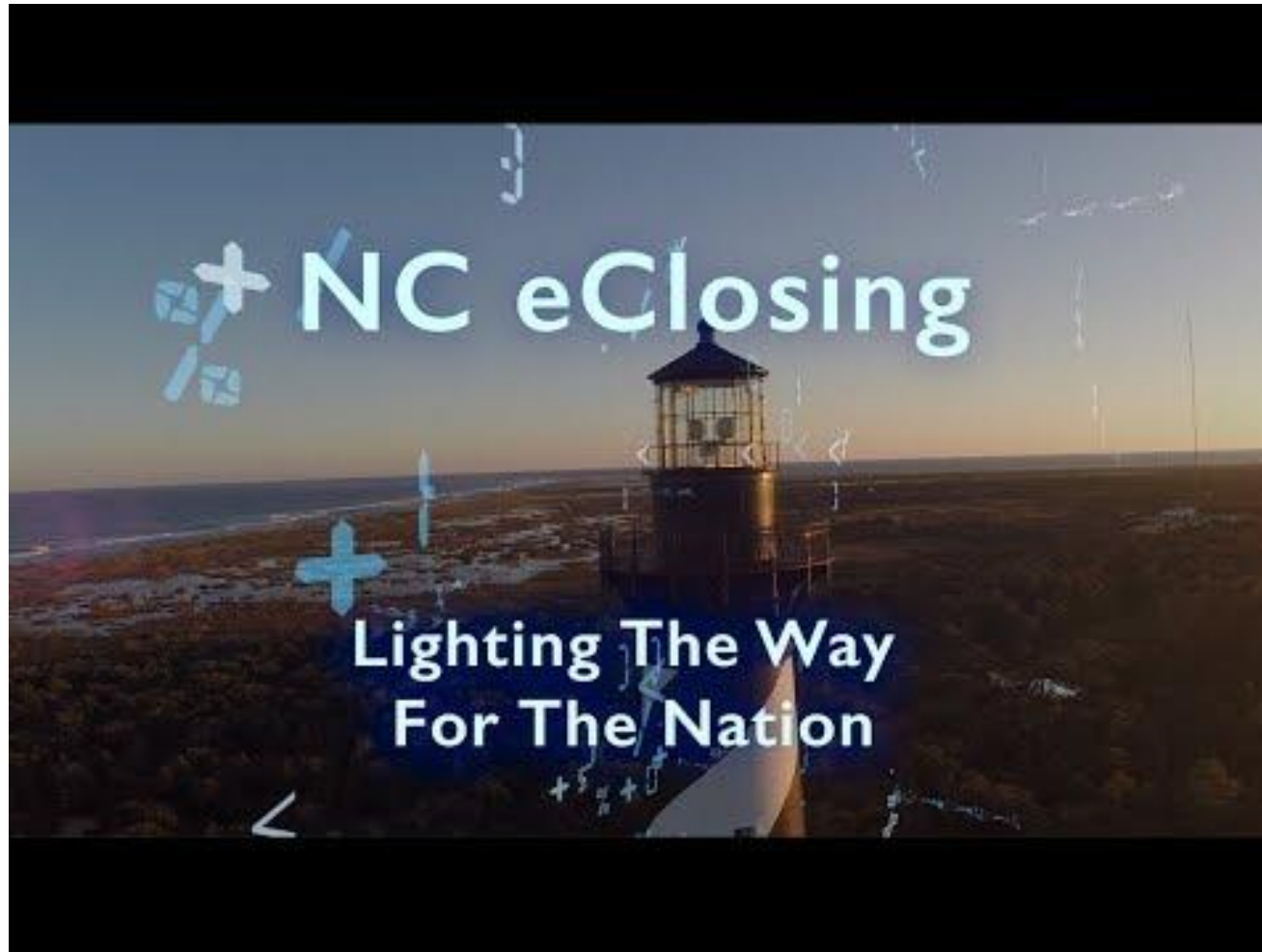
Section 1: *How the North Carolina Secretary of State has prepared for eCommerce.*

Section 2: *Why eMortgages Now?*

Section 3: *Benefits to Participants.*

Section 4: *Where are we (NC) in the Evolution of eMortgages Today?*

What is an eClosing?



Ozie Stallworth



**North Carolina Secretary of
State's Office:
Director, Electronic
Notarization and Notary
Enforcement**

This class has been a long time coming!



It all started in 2005 with the passage of The Uniform Real Property Electronic Recording Act. This allowed real property documents to be electronically recorded.

First E Advisory Committee was formed in 2016



State of North Carolina Department of the Secretary of State

ELAINE F. MARSHALL
SECRETARY OF STATE

OZIE H. STALLWORTH
Electronic Notarization and
Notary Enforcement Director

2022 North Carolina eMortgage Closing Advisory Committee

Ozie H. Stallworth
Chair, and Director eNotary
North Carolina Department
of the Secretary of State

J. Kenneth Sykes
Vice Chair, and
President
North State Bank Mortgage

Tim Anderson
EVP Director
eMortgage Strategy,
Evolve Mortgage Services,
LLC

Kelly Arrington
SVP • Chief Mortgage
Operations Officer
North State Bank Mortgage

Liz Barnicle
National Sales Manager,
Customer Group
MERSCORP Holdings, Inc.

Nathan R. Batts
Senior Vice President &
Counsel
North Carolina Bankers
Association

Jon Biggs
Vice President – Director of
Risk Management &
Education
Investors Title

Rachel Branson
Professional Development
Manager
NC Realtors

Nicole Booth
EVP Public Affairs
Notarize

Stephen B. Brown
Vice President –
Communications and
Market Development
Title Attorney
Investors Title

Michael Cafferky
eMortgage Product
Manager
Fannie Mae

Justin Ckezepis, Esq
Real Estate Attorney &
Certified NC Superior Court
Mediator
Ckezepis Law, PLLC

Sharon Davis
Register of Deeds
Durham County, NC

Beth Eller
Vice President Mortgage
Lending
Truliant Federal Credit
Union

Nancy Short Ferguson
Vice President, Senior State
Counsel
Chicago Title

Esther Thompson
Fernandez
EVP Strategic Innovation
and Client Success
Brady & Kosofsky

Wesley Fricks
President & Chief Operating
Officer
Nimbl Mortgage

Harry Gardner
Director of Digital Services
ICE Mortgage Technology |
Intercontinental Exchange

Jeremy Grant
Managing Director,
Technology Business
Strategy, Venable, LLP

Elizabeth Harrison
Raleigh Branch Manager &
Title Counsel
Fidelity National Title

Chris Hartman
National Sales Manager
Mid America Mortgage

Shane Hartzler
Chief Strategy Officer
Stavvy

Mitch Hatchett III
Attorney at Law
Hatchett Law Firm

Jeremy Haynes
Senior Account Executive
ID.me

Jon Keagle
Vice President, Member
Sales and Trading
Federal Home Loan Bank of
Atlanta

Jaime Kosofsky
Managing REO & Closing
Attorney
Brady and Kosofsky

Camelia Martin
Head of Industry and
Regulatory Affairs
Snapdocs

John T. McLean
Senior Vice President,
Senior Underwriting
Counsel
Bridge Trust Title Group

Brian Pannell
Senior Implementation
Executive, DocMagic

Rajasekhar Penugonda
eMortgage Practice Lead
Freddie Mac

Nancy G. Pratt
Senior Strategy Business
Manager
Black Knight Origination
Technologies

Wayne L. Rash
Register of Deeds
Caldwell County, NC

Mark Saunders
Realtor
Saunders Realty

Kent Scott
Director of Collateral
Management
Federal Home Loan Bank of
Atlanta

Jeff Thigpen
Register of Deeds
Guilford County, NC

Stacie Walker
Deputy Chief Lending
Officer
State Employees Credit
Union

Nathan Zaleski
Attorney, Sterling Law





Save the date!
**October 24th &
25th, 2023**

**Grandover Resort
Greensboro, NC**



Class Rule



Learning and innovation go hand in hand. The arrogance of success is to think that what you did yesterday will be sufficient for tomorrow.

-William Pollard
(1828–1893)

DocuSign®



Has Our Industry Changes Over the Last 20 Years?



PAIGE (2021 January 14). Ten Facts Every Agent Should Know about eClosings. <https://bhgrealestateblog.com/ten-facts-every-agent-should-know-about-eclosings/>

Has Our Industry Changes Over the Last 20 Years?



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Has Our Industry Changes Over the Last 20 Years?

MapQuest: Driving Directions: North America Page 1 of 3

MAPQUEST

[Send To Printer](#) [Back To Directions](#)

Start: Dallas, TX
US

End: 312 Barton Springs Rd
Austin, TX
78704-1213 US

Distance: 196.99 miles

Total Estimated Time: 3 hours, 21 minutes

Need InK?

Buy printer cartridges:
Save up to 75%
Free UPS 2-day shipping

[Buy Now!](#)

www.InkSell.com

Directions	Distance
START 1. Start out going South on N AKARD ST toward FEDERAL ST.	0.1 miles
2. Turn RIGHT onto ELM ST.	0.5 miles
3. Turn SLIGHT LEFT to stay on ELM ST.	0.1 miles
4. ELM ST becomes COMMERCE ST.	<0.1 miles
5. Merge onto I-35E S.	57.4 miles
6. Merge onto I-35 S/US-81 S via the exit- on the left.	137.6 miles
7. Take the exit- exit number 234A- toward 1ST ST/HOLLY ST.	<0.1 miles
8. Turn SLIGHT LEFT onto I-35 N.	<0.1 miles
9. Turn RIGHT onto CESAR CHAVEZ ST E/E 1ST ST/TX-343 LOOP.	0.4 miles
10. Turn RIGHT onto BRAZOS ST.	<0.1 miles
11. Turn LEFT onto E 2ND ST.	<0.1 miles
12. Turn LEFT onto CONGRESS AVE S.	0.3 miles
13. Turn RIGHT onto BARTON SPRINGS RD.	0.1 miles
END End at 312 Barton Springs Rd, Austin, TX 78704-1213 US	

Has Our Industry Changes Over the Last 20 Years?



PAIGE (2021 January 14). Ten Facts Every Agent Should Know about eClosings. <https://bhgrealestateblog.com/ten-facts-every-agent-should-know-about-eclosings/>

Has Our Industry Changes Over the Last 20 Years?

2001 Apple iPod

2003 Android Founded

2004 Facebook Founded

2005 Youtube Founded



What are some companies / industries that did not adapt to change?



What are some companies / industries that did not adapt to change?



What are some companies / industries that did not adapt to change?



What are some companies / industries that did not adapt to change?



What are some companies / industries that did not adapt to change?



Why do you think so many people resist change or are scared of it?





Let's learn
about
eMortgages!

10 Facts Every Agent Should Know About eClosings

- ▶ What is an eClosing?
- ▶ The types of eClosings available
- ▶ Electronic documents require a signature
- ▶ Time to review documents
- ▶ Eliminate the paper chase
- ▶ Minimize the risk of error
- ▶ Highest level of protection
- ▶ Integrated access to the latest information
- ▶ Optimum security
- ▶ Boost the real estate market

EClosing Resource / Website

[https://www.sosnc.gov/divisions/notary/electronic mortgage closing](https://www.sosnc.gov/divisions/notary/electronic_mortgage_closing)



**Close
where
you want**



*Be the key
to the best home
buyer
experience.*



**Using the
latest
technology**



State's first fully remote home closing happens in King

🕒 December 15, 2021 👤 Stokes News 📁 Business, News, Top Stories 💬 0



12/10/2021

Marcia and Mark Saunders of King complete their 'eClosing' for a new home on Friday via a computer video call with professionals in Winston-Salem and Charlotte. It was the first closing in North Carolina where the buyer, notary and attorney were each in different physical locations.



KING – The state first fully digital and fully remote electronic mortgage closing happened here last Friday, and the homebuyer, who is also a local Realtor, thinks this change is making history.

"This was the first true remote real estate closing in North Carolina," said Mark Saunders, owner of Saunders Realty LLC. "My wife (Marcia) and I were in King, my lender was in Winston-Salem and the attorney and notary were in Charlotte. I really think this is the future of real estate closings in our state!"

JUST IN

Biden announces \$800M in new military assistance for Ukraine

TOP STORY

Truliant completes state's first-ever 'eClosing' with homebuyer in King

Richard Craver Dec 14, 2021 0



Listen to this article now

Powered by Trinity Audio

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10 15 1.0x

02:34

The N.C. Secretary of State's office said Tuesday that Truliant Federal Credit Union has become the first North Carolina-based financial institution to complete an eClosing.

An eClosing is a "fully digital and fully remote electronic mortgage closing."

Truliant is First N.C.-based Financial Institution to Complete Fully Digital and Fully Remote Home Mortgage Closing



Truliant Federal Credit Union

14 December 2021 · 3-min read



WINSTON-SALEM, North Carolina, Dec. 14, 2021 (GLOBE NEWSWIRE) -- North Carolina Secretary of State Elaine F. Marshall and Truliant Federal Credit Union announced today that Truliant has become the first North Carolina-based financial institution to complete a fully digital and fully remote electronic mortgage closing, or eClosing.

The transaction included a paperless mortgage eClosing and also used the state's temporary Emergency Video Notarization law.

It was the first North Carolina eClosing in which the buyer, notary and attorney were each in different physical locations. Previously, N.C. notaries were required to provide final "wet ink" signatures in person with homebuyers. A King, N.C. homebuyer completed the eClosing with Truliant in Winston-Salem and a notary in Charlotte using the state's Emergency Video Notarization Law. The electronically notarized documents were accepted by the Stokes County Register of Deeds.

"The desire to achieve home-ownership remains high. As a leader in the eClosings space, Truliant is proud to continue pioneering greater convenience in the mortgage process" said



Amazon Has Millions Of Prime Subscribers - but Few Know About This Savings Trick

Reported by OnlineShoppingTo

TRENDING

1. Altech Chemicals Ltd (ATC.AX) Outstanding PFS for Silumina Anodi Project
2. Yandal Resources Ltd (YRL.AX) Exploration Update - Mt McClure G Project
3. Venus Metals Corporation Limited (VMC.AX) Youanmi Near Surface Resource Increased to 1.0Moz Au
4. Eagle Mountain Mining Limited (EM Strong Copper Results Support Res



Understanding the Basics

Definitions and Frequently Used Terms

- ▶ CFPB - Consumer Financial Protection Bureau is an agency of the United States government responsible for consumer protection in the financial sector.

Definitions and Frequently Used Terms

- ▶ Electronic Closing (“eClosing”) - An eClosing is the act of closing a mortgage loan electronically. This occurs through a secure environment(s) where one or more required closing documents are accessed, presented, and signed electronically.

Definitions and Frequently Used Terms

- ▶ Electronic Mortgage (“eMortgage”) - A mortgage loan where the closing documents -- through an eClosing process that includes, at a minimum, the Promissory Note -- are created, accessed, presented, executed, transferred and stored electronically.

Definitions and Frequently Used Terms

- ▶ **Electronic Notary (“eNotary”)** A notary public who is authorized by the Secretary of State the capability of performing electronic notarial acts in conformance with law.

Definitions and Frequently Used Terms

- ▶ **Electronic Note (“eNote”)** The electronic promissory note, or eNote, is often viewed as the most important piece of a digital mortgage because its validity is critical to the successful sale into the secondary market and the holders’ ability to legally enforce the eNote. An eNote is a Transferable Record that can be registered on the MERS eRegistry. A Transferable Record created in conformity with the requirements of eCommerce laws is the functional equivalent of a paper negotiable promissory note and is just as enforceable against the borrower as its written counterpart.

Definitions and Frequently Used Terms

- ▶ Electronic Record (“eRecord”) A record created, generated, sent, communicated, received, or stored by electronic means.

Definitions and Frequently Used Terms

- ▶ **Electronic Signature (“eSignature”)** An electronic sound, symbol, or process attached to, or logically associated with, a record and executed or adopted by a person with the intent to sign the record.

Definitions and Frequently Used Terms

- ▶ Electronic Vault (“eVault”) An application that serves as an electronic repository for delivery and storage of eNotes and other mortgage-related files. Once the eNote is created and executed, it needs to be managed correctly. Using an electronic vault, authorized users can perform key actions regarding the eNote including registration, eDelivery, transfer, and life of loan events.

Definitions and Frequently Used Terms

- ▶ Hybrid eClosing process A signing process for documents in the mortgage industry in which certain documents are printed and signed on paper while other documents are signed electronically

Definitions and Frequently Used Terms

- ▶ **MERS Systems Mortgage Electronic Registration Systems, Inc.** A national electronic registry system that tracks the changes in servicing rights and beneficial ownership interests in mortgage loans that are registered on the system. MERSCORP Holdings, Inc. owns and operates the MERS System and the MERS eRegistry.

What is MERS®?

- ▶ MERS eRegistry The system of record that identifies the owner (Controller) of a registered eNote and the custodian (Location) of the authoritative copy of the eNote.

Definitions and Frequently Used Terms

- ▶ **MIN Mortgage Identification Number.** The MIN is a unique 18-digit number that is permanently assigned to a mortgage loan registered on the MERS System or an eNote registered on the MERS eRegistry. The MIN is composed of a MERS System Member's 7-digit Org ID, a 10-digit sequence number, and a Check Digit.

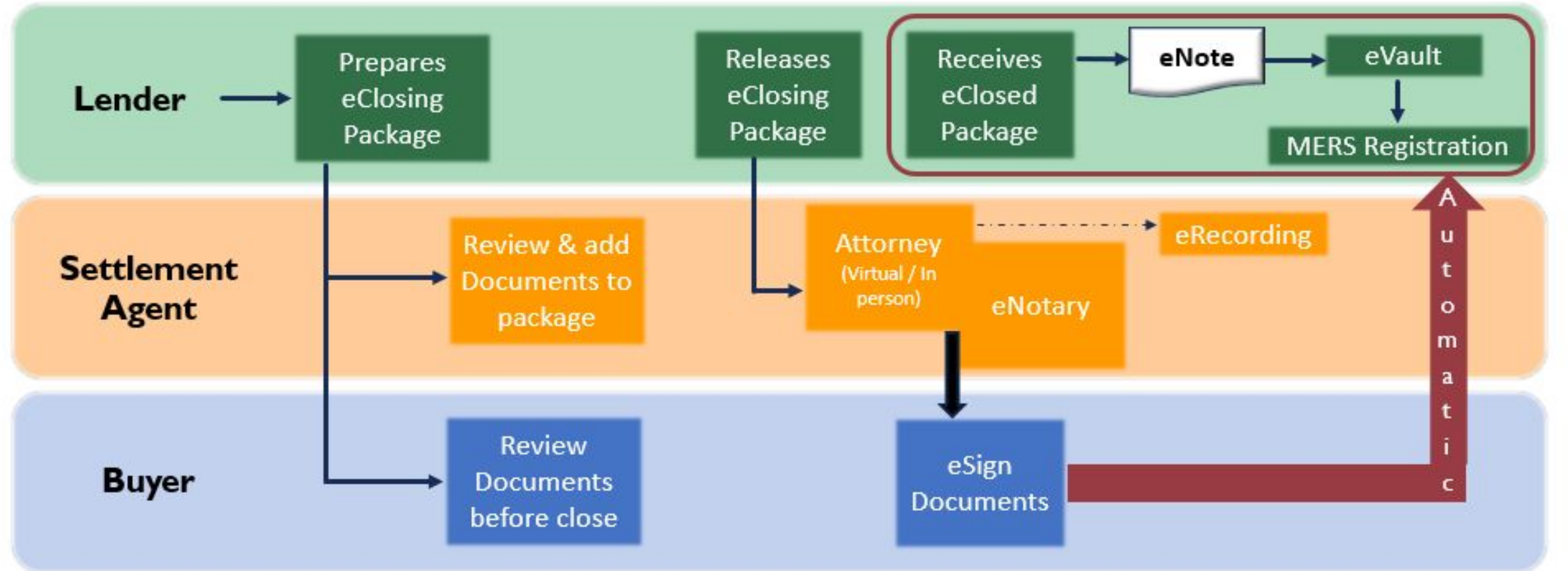
What is a normal in person closing like?

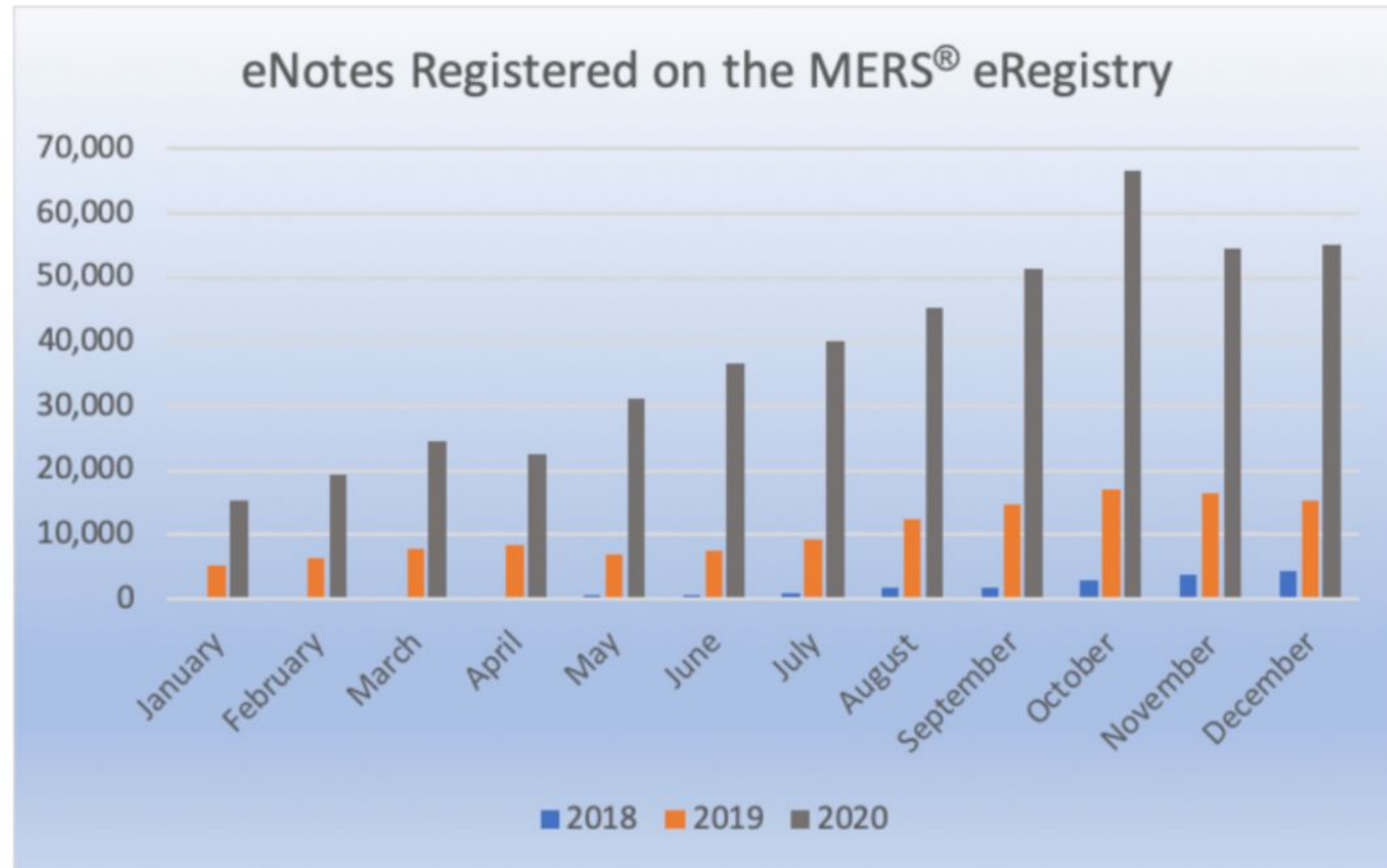


Loan Approved

Pre-Closing

eClosing





Sources: MERS, First American



North Carolina eClosing Lenders

- ▶ Performed the first fully electronic mortgage closing in North Carolina on May 5, 2017.
- ▶ Performed the first three total eClosings in the state of North Carolina in 2017.
- ▶ Founding member of the North Carolina Secretary of State's eClosing Committee.

North State Bank



Ken Sykes
Senior Relationship
Development Officer



North Carolina eClosing Lenders

- ▶ The first North Carolina based Credit Union to conduct a fully electronic mortgage loan closing on March 26, 2020.
- ▶ The FHLB of Atlanta accepted its first eNote as collateral from Truliant Federal Credit Union on March 26, 2021. This kicked off the FHLB's pilot program and helped accelerate the future acceptance of eNotes from all its shareholders.

Learning Objectives - Section 1

How the North Carolina Secretary of State has prepared for eCommerce.

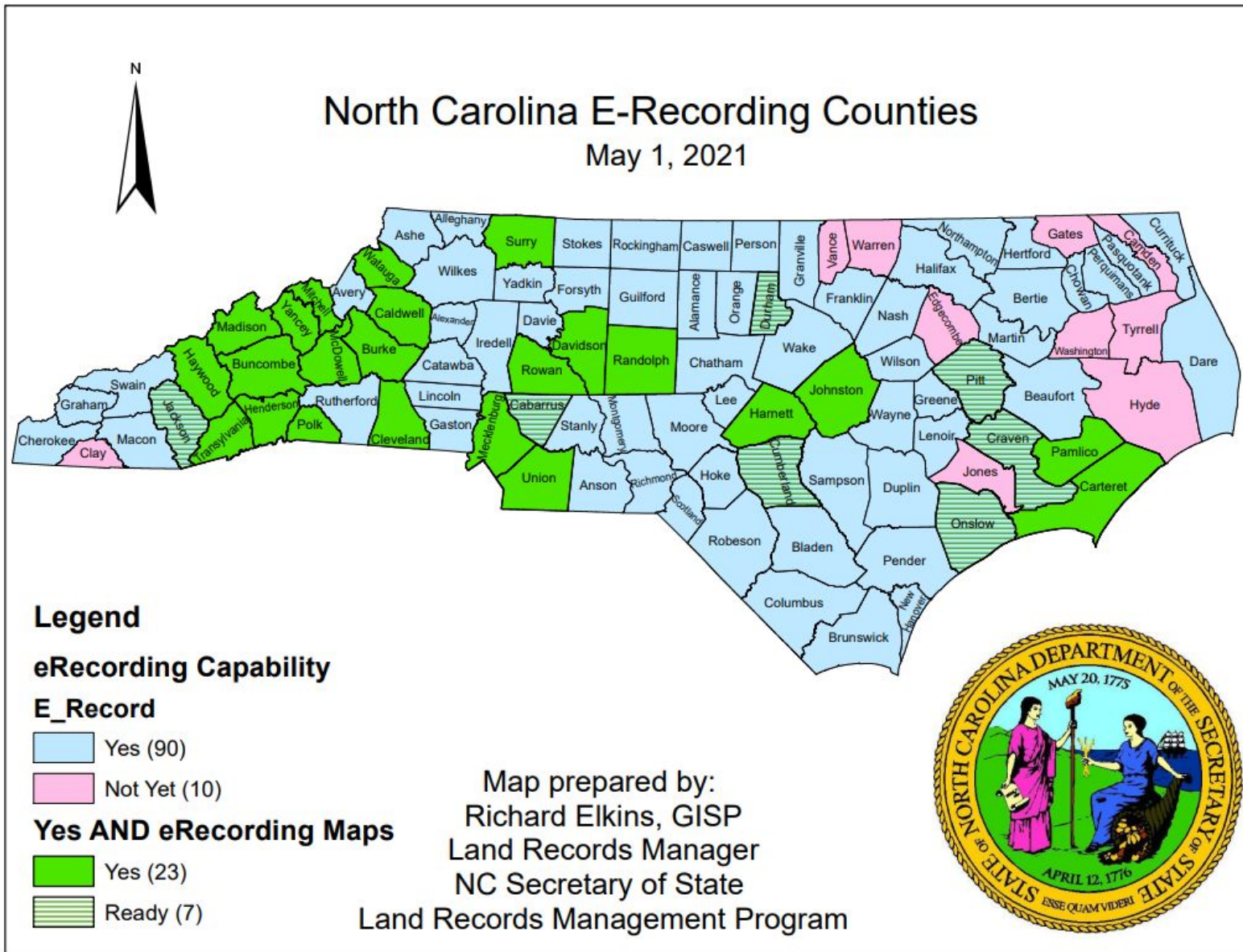
By the end of this section, you should be able to:

- ▶ Summarize how the NC SOS and NC eCommittee has provided a clear and concise path for the use of eNotes in the loan closing process;
- ▶ Define common definitions for electronic terms; and
- ▶ Assess the importance of the NC SOS white paper.



How the NC Secretary of State has prepared for eCommerce

- ▶ Does the Register of Deeds office accept electronic documents? See next slide.
- ▶ Uniform Real Property Electronic Recording Act (URPERA) passed in 2005
- ▶ Secretary of State Electronic Recording Council completed and adopted eNotarization standards in 2007



Covers Over
90%
of NC
Population



How else has the NC Secretary of State has prepared for eCommerce

- ▶ Created the Depute Director of Notarization to provide oversight & guidance.
- ▶ Formed the North Carolina eMortgage Closing Advisory Committee in 2016 & created the NC SOS E White Paper

A close-up photograph of a red marker with a white cap, positioned diagonally over a checklist. The checklist consists of a series of square boxes. The first three boxes are marked with red checkmarks, and the red marker is currently in the process of marking the fourth box. Below the marked boxes are two more empty square boxes. The background is a light green geometric pattern.

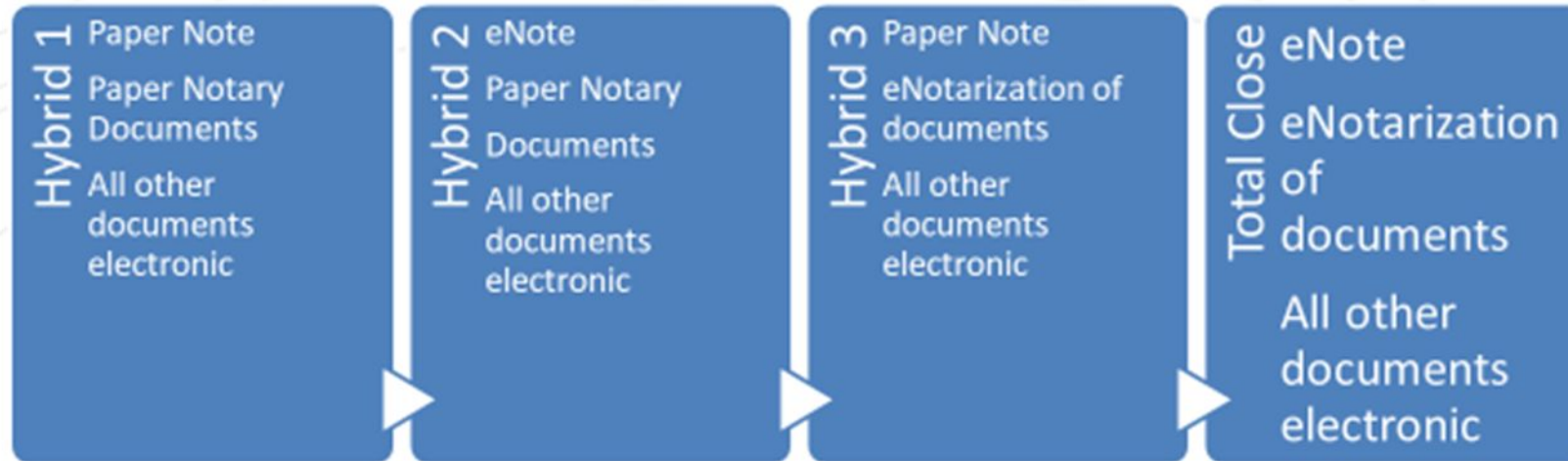
Agents should

- ▶ Discuss the benefits between a traditional closing and an eClosing with your client. Identify what is the best option for them.
- ▶ Encourage clients to provide disclosures to the lender in an electronic format.
- ▶ Obtain all inspections in a timely manner to not trigger redisclosures and delay closing.
- ▶ Use the standard closing contract form 2t which is compatible for an eClosing.

It's all about the “e”

- ▶ **eClosing** The act of closing a mortgage loan electronically.
- ▶ **eMortgage** A mortgage loan where closing documents are created & executed electronically.
- ▶ **eNotary** Notary authorized by the SOS to perform electronic notarial acts.
- ▶ **eNote** An electronic digital note.
- ▶ **eRecord** A record created, generated, and stored by electronic means.
- ▶ **eSignature** The act of a person intending to sign electronically.
- ▶ **eVault** An electronic storage facility for eNotes and documents.

Types of eClosings



Learning Objectives - Section 2

Why eMortgages Now

By the end of this section, you should be able to:

- ▶ Analyze how not only NC organized for the eClosing process but also industry collaboration partners have arranged to join the preparation for an “E” execution;
- ▶ Measure the regulatory approval and adoption of the security and efficiency of the eClosing process; and
- ▶ Differentiate between a paper and fully electronic process.



Why eMortgages Now?

- ▶ Industry evolution
- ▶ Collaborative Partners Participation
- ▶ Efficiency and Security
- ▶ Consumer Demand for Time and Digital Experience

“...those who closed their mortgage using an electronic platform are generally better off on measures of understanding, efficiency, and feeling empowered than borrowers who used just paper forms.”

CFPB Study Finds Electronic Mortgage Closings Can Benefit Consumers (2015)

CFPB “Know Before You Owe” Findings

Better Consumer Understanding.

The study found a 7 percent positive difference in perceived understanding scores for borrowers using eClosings compared to borrowers using paper documents.

CFPB “Know Before You Owe” Findings

A more efficient process.

The study found a 17 percent positive difference in scores for borrowers using eClosings compared to borrowers using paper documents.

CFPB “Know Before You Owe” Findings

Greater feelings of consumer empowerment.

The study found a 15 percent positive difference in the scores for the eClosing borrowers compared to borrowers using paper documents.

Learning Objectives - Section 3

Benefits to Participants.

By the end of this section, you should be able to:

- ▶ Judge the difference in benefits between all parties involved in the eClosing process;
- ▶ Relate the common benefits to all parties involved in the eClosing process; and
- ▶ Apply consumer benefits outlined to current real estate transactions.

A hand holding a white house-shaped key against a background of a laptop and digital overlays. The image features a hand holding a white house-shaped key. The background is a blurred laptop screen with various digital overlays, including glowing blue lines, arrows, and a network of dots, suggesting a high-tech or digital theme. The overall color palette is dominated by greens and blues.

Benefits to Participants

- ▶ Consumer Benefits
- ▶ Lender Benefits
- ▶ Real Estate Attorney Benefits
- ▶ REALTOR® Benefits
- ▶ Industry Benefits

The COVID-19 pandemic illuminated the importance of protecting our clients & ourselves.

Total eClosings provide clients with an additional layer of protection in a routine transaction.



BENEFITS



Buyers



Realtors



State



Industry

“Streamlined closing” (advanced document review)



Flexible closing locations



Faster recording & disbursement of funds



Premium on security. Loan data is part of the electronic document, eSigned, and tamper-evident sealed during eClosing. In-person Notary (iPEN).



Accommodates the tech-savvy, Buyer



Increases number of closings through efficiency and simplification of the closing process while reducing costs.



Rest of the US steadily moving towards “e”



Better loan quality - reduces Compliance Risk



Improved Buyer Experience





Benefits - Consumers

- ▶ “Streamlined closing” allows access to documents for review well in advance for a more informed Buyer at closing.
- ▶ Flexible closing locations. Can be done virtually anywhere! No need to travel to an attorney’s office for closing.
- ▶ Faster recording & disbursement of funds so Buyer walks away with keys instead of waiting.



Benefits - Consumers

- Premium on security. Loan data is part of the electronic document, eSigned, and tamper-evident sealed during eClosing.



Benefits - Consumers

- ▶ Quicker closing - electronic signatures take less time than wet-signing.



Benefits - Lenders

- ▶ Speed, efficiency, safety, and tracking.
- ▶ No paper storage facilities or calling boxes out of cold storage.
- ▶ Transfer of documents is quick & efficient.
- ▶ No change of an eNote being lost or overlooked.
- ▶ Electronic shipping to the investor saving on courier fees.



Benefits - Attorneys

- ▶ Minimal investment.
- ▶ Increase number of closings.
- ▶ Streamlines process and shortens the time frame.
- ▶ Technology makes it easier to comply with state laws.
- ▶ Eliminates manual processes of sorting, scanning, and emailing documents for funding review (saves about 30 minutes/transaction).
- ▶ Reduces overall costs - no paper, toner, paper filing, storage, shipping & other related costs.

Wet-signed Packages

- ▶ Double-checking all initials & signatures are present
- ▶ All signatures are correct
- ▶ Sorting & photocopying package
- ▶ Preparing courier package (what if there are delays with overnight service?)



eClosings

- ▶ Informed Client with fewer questions on closing day
- ▶ All initials & signatures present & correct (no more “stare & compare”)
- ▶ No sorting or photocopying necessary
- ▶ No courier package necessary
- ▶ Closing time reduced
- ▶ ...ready for the next Closing!



Let's Hear from an Attorney



**Jaime Kosofsky Founding
Partner of Brady & Kosofsky**





Benefits - REALTORS®

- ▶ Provide a better service to the client.
- ▶ Flexible time & location for the closing.
- ▶ Receive proceeds & commissions quicker.
- ▶ Buyer obtains possession earlier.
- ▶ Focus time & effort into making the process easier & less stressful for the homeowner.



Benefits - Industry

- ▶ Greater certainty and security in tracking the documents (MERS eRegistry).
- ▶ Can sell notes to investors much sooner and no lost notes.
- ▶ Reduced risk and better experience for all parties involved.
- ▶ Technology makes it easier to comply with state laws by reducing potential for errors (missed signatures, incomplete documents, etc.) or fraud (eNotary physically present).
- ▶ Eliminates manual processes of sorting, scanning, and emailing documents for funding review (saves about 30 minutes/transaction).
- ▶ Reduces overall costs - no paper, toner, paper filing, storage, shipping & other related costs.



Learning Objectives - Section 4

*Evolution of eMortgages
Today?*

By the end of this section, you should be able to:

- ▶ Clearly identify why NC is the leader in eClosings and
- ▶ List the steps to begin to participate in eClosings.

Let's Hear from Truliant Federal Credit Union



Beth Eller

**Truliant Federal Credit Union:
Vice President of Mortgage
Services**





Where are we (NC) in the Evolution of eMortgages Today?

- ▶ North Carolina is recognized as a leader in eMortgages.
- ▶ The eAdvisory Committee is moving the process forward.
- ▶ eConferences and Webinars are Hot Topics in the industry.

What Do You Need for Total eClosings?

- ▶ Eligible loan
- ▶ Lender with a capable document vendor and a MERS eRegistry account
- ▶ Buyer / REALTOR® / Closing Attorney ready to work with eClosing technology
- ▶ Closing Attorney with eNotary capability
- ▶ North Carolina county accepting eRecording of Deed



What does it take?

- ▶ Access to internet
- ▶ About 20 minutes of your time
- ▶ Convenient place of your choosing
- ▶ Attorney & eNotary to usher you through the closing process

It's that simple!



Talk to your clients about doing an eClosing





Resources

- ▶ For more information about **eNotaries**, visit the North Carolina Secretary of State website at <https://www.sosnc.gov/divisions/notary>
- ▶ If you are a Consumer/REALTOR® partner, contact your **Lender** to see if they are set-up to create eNotes.
- ▶ If you are a Lender, contact your **document provider** for more information.



CEatSea
NC REALTORS® CRUISE

February 5 – 12, 2023
Royal Caribbean Wonder of the SeasSM

BOOK ONLINE | ncrealtors.org/ceatsea

Sunday, February 5

Depart Port Canaveral, FL

Monday, February 6

At Sea

Tuesday, February 7

At Sea

Wednesday, February 8

Basseterre, St Kitts & Nevis

Thursday, February 9

Charlotte Amalie, St. Thomas

Friday, February 10

At Sea

Saturday, February 11

Nassau, Bahamas

Sunday, February 12

Return to Port Canaveral, FL



Any questions

