

**AMENDMENT TO DECLARATION OF CONDOMINIUM**

**OF**

**LAGUNA SANDS, A CONDOMINIUM**

WHEREAS the Condominium was created by recordation of the Declaration of Condominium of Laguna Sands, a Condominium, in the Office of the Judge of Probate of Baldwin County, Alabama on December 14, 2005 at Instrument No. 942778.

AND WHEREAS paragraph 5.02 of the Declaration of Condominium provides that the Developer can unilaterally amend the Declaration without the consent of any Unit Owner, Mortgagee or other Person in order to exercise any Development Rights.

WHEREAS the Developer, Laguna Sands, LLC, desires to exercise its Development Rights with regard to the Real Property.

WHEREAS the terms used in this Amendment to Declaration of Condominium shall have the same meaning as set forth in section I of the Declaration of Condominium, unless the context requires otherwise.

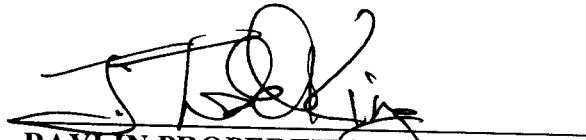
WHEREFORE, section III of the Declaration of Condominium shall be amended to include the following paragraph:

3.02. Notwithstanding any other provision of this Declaration, the four (4) separate parcels of Real Property identified on Exhibit "A" to the Declaration of Condominium which have been submitted to the condominium form of ownership as provided for herein shall at all times be and remain separate lots for all purposes of the application of the ordinances and regulations of the City of Gulf Shores, including, without limitation, the Zoning Ordinances of the City. At no time shall any structure or improvement be located on the Real Property or any use be allowed on the Real Property that would violate the ordinances and regulations of the City of Gulf Shores as applied to any or all of the separate parcels as separate lots.

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IN WITNESS WHEREOF, the Developer, Laguna Sands, LLC, by and through its duly authorized member, has caused this instrument to be executed under seal on this the 24<sup>th</sup> day of April, 2006

**LAGUNA SANDS, LLC**  
An Alabama Limited Liability Company




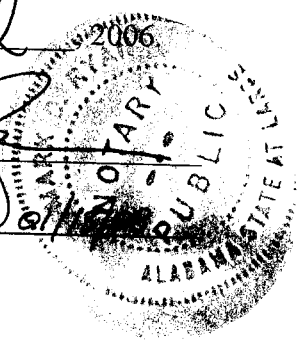
**BAYLIN PROPERTIES, LLC**  
An Alabama Limited Liability Company  
Its Authorized Member  
By: J. Todd King, Authorized Agent

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that J. TODD KING, whose name as Authorized Agent of BAYLIN PROPERTIES, LLC, an Alabama Limited Liability Company, Authorized Member of Laguna Sands, LLC is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that being informed of the contents of said instrument, he, as said Agent of said Member, and with full authority, executed the same voluntarily for and as the act of Laguna Sands, LLC on the day the same bears date.

Given under my hand and official seal on this 24 day of April, 2006

  
NOTARY PUBLIC  
My Commission Expires: 6/1/2008



This Instrument Prepared By:

Mark D. Ryan, P.C.  
Post Office Box 1000  
Bay Minette, Alabama 36507  
(251)580-0500

State of Alabama, Baldwin County  
I certify this instrument was filed  
and taxes collected on:

2006 April -24 4:16PM

Instrument Number 978552 Pages 2  
Recording 6.00 Mortgage  
Deed Min Tax  
Index DP 5.00  
Archive 5.00  
Adrian T. Johns, Judge of Probate