

THIRD AMENDED DECLARATION OF CONDOMINIUM
OF
LAGUNA SANDS, A CONDOMINIUM

State of Alabama - Baldwin County
I certify this instrument was filed
and taxes collected on:
2006 June -15 1:17PM
Instrument Number 981714 Pages 8
Recording 24.00 Mortgage
Deed Min Tax
Index 3P
Archive 5.00
Adrian T. Johns, Judge of Probate

THIS THIRD AMENDED DECLARATION is made on this 15th day of June, 2006,
by LAGUNA SANDS, LLC, an Alabama Limited Liability Company, hereinafter called the
“Developer,” for itself, its successors, grantees and assigns.

RECITALS

WHEREAS, the Developer has established a condominium pursuant to the provisions
of the Alabama Uniform Condominium Act of 1991, § 35-8A-101, et seq., Code of Alabama,
1975, as amended. The Condominium is known as Laguna Sands, a Condominium, and the
Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin
County, Alabama as Instrument Number 942778, pages 1-110; and the Amendment to
Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin
County, Alabama as Instrument Number 970552, pages 1-2; and the Second Amended
Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin
County, Alabama as Instrument Number 980137, pages 1-8.

981714

AND WHEREAS, the Developer proposes to develop the Condominium in multiple
phases;

AND WHEREAS, the Developer has previously reserved the right to amend the
Declaration pursuant to the express reservations of certain declarant rights relative to the
addition of units to the condominium, among others;

AND WHEREAS, the Declaration of Condominium shall be effectively amended as of the date of the recording of this Third Amended Declaration;

WHEREFORE, the Developer hereby makes the following Third Amended Declaration, to-wit:

(1) By amending Section 5.11 of the Declaration to include the following paragraph:

“3. Units 1376(A) and 1376(B) are two (2) story, three (3) bedroom, three and one-half (3 ½) bath Units, containing a kitchen, dining, living and den areas, totaling approximately two thousand two hundred fifty (2,250) square feet, a covered parking area containing approximately seven hundred fifty (750) square feet, an open storage area containing approximately four hundred (400) square feet, an enclosed storage area containing approximately four hundred (400) square feet, together with a porch and balcony containing approximately one hundred fifty (150) square feet, all serving the units as Limited Common Elements.”

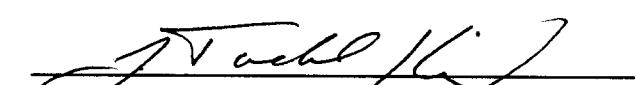
(2) By amending Exhibit “B” by adding a revised plat of the Condominium and drawings depicting the vertical unit boundaries and horizontal unit boundaries for Units 1376(A) and 1376(B) attached as Exhibit “B-3”.

(3) By amending Exhibit “H” to include a Certificate of Occupancy for Units 1376(A) and 1376(B) attached as Exhibit “H-3”.

Other than as stated herein, the Declaration previously filed shall remain in full force and effect.

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 15th day of June, 2006.

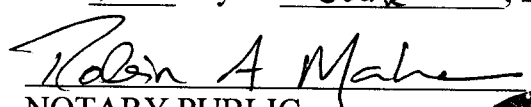
LAGUNA SANDS, LLC
An Alabama Limited Liability Company


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

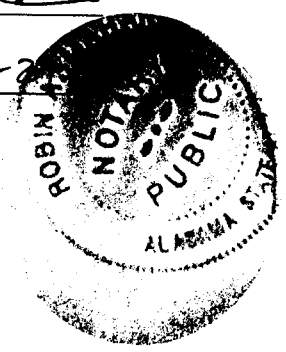
STATE OF ALABAMA
COUNTY OF BALDWIN

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, L.L.C., 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 15th day of June, 2006.


NOTARY PUBLIC
My Commission Expires: 5-2

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



TYPE OF SURVEY: CLOSING

BASE BEARING SCALED FROM COUNTY TAX RECORDS & FLOOD MAP.

NOTE* FLOOD ZONES SCALED FROM THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP: 0100320052 H DATED JUNE 17, 2002

NOTE: RSR. = 1/2" REBAR IRON FOUND I.S. = 1/2" CAPPED REBAR IRON SET (C00101LS POLYSUR) NO BUILDING SETBACK LINES OR EASEMENTS NOTED ON RECORDED PLAT C.R.(1) = 1/2" CAPPED REBAR IRON FOUND (HIRE) C.R.(2) = 1/2" CAPPED REBAR IRON FOUND (WRIGHT) C.R.(3) = 1/2" CAPPED REBAR IRON FOUND (C00101LS POLYSUR)

STATE OF ALABAMA COUNTY OF BALDWIN

I, S. MATTHEW ORRELL, A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY STATE THAT ALL PARTS OF THIS BOUNDARY SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF:

THE WEST HALF OF LOT 12, LOT 13 AND THE EAST HALF OF LOT 14, BLOCK D, CARL T. MARTIN UNIT OF GULF SHORES

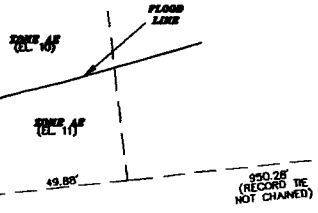
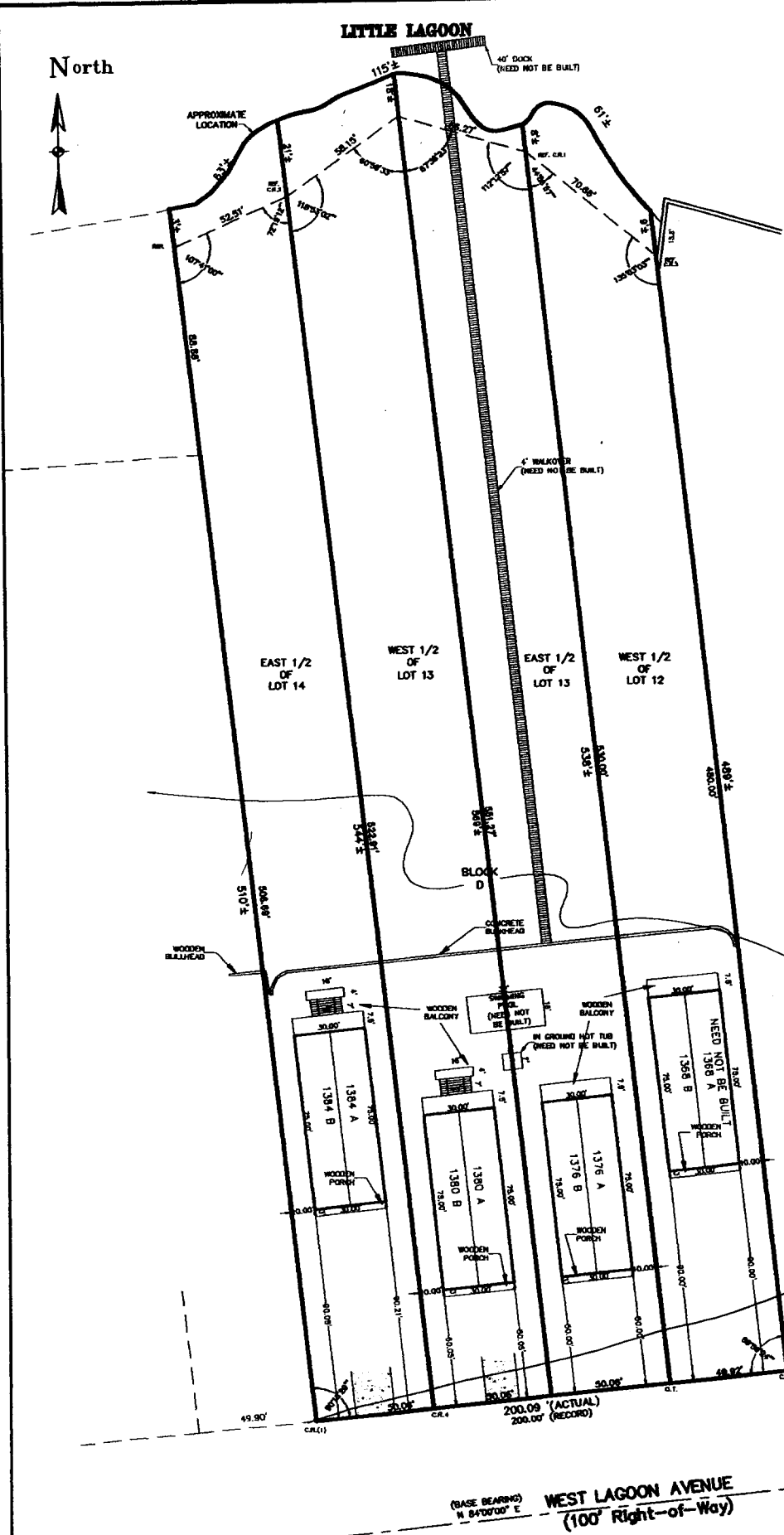
AS RECORDED IN SLIDE NUMBER 1807A, IN THE OFFICE OF JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THAT THE BUILDINGS NOW ERECTED ON SAID LOT ARE WITHIN THE BOUNDARIES OF SAME, THERE ARE NO ENCROACHMENTS BY ADJOINING PROPERTY, EXCEPT AS SHOWN, THERE ARE NO RIGHTS OF WAY, EASEMENTS OR JOINT DRIVEWAYS OVER OR ACROSS SAID LAND VISIBLE ON THE SURFACE, EXCEPT AS SHOWN, THERE ARE NO ELECTRIC OR TELEPHONE WIRES (EXCLUDING WIRES WHICH SERVE THE PREMISES ONLY) OR STRUCTURES OR SUPPORTS THEREFOR INCLUDING POLES, ANCHORS AND GUY WIRES ON OR OVER SAID PREMISES, EXCEPT AS SHOWN, THIS DRAWING ALSO DOES NOT REFLECT ANY TITLE OR EASEMENT RESEARCH OTHER THAN WHAT IS VISIBLE ON THE GROUND OR PROVIDED BY THE CLIENT'S CONVEYANCE; AND THAT THE SCALE OF DRIVES, WALKS, FENCES AND ETC. ARE IN SOME INSTANCES EXAGGERATED FOR THE PURPOSE OF DETAIL, ALSO THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP AND IN MY OPINION FOUND THAT THE ABOVE DESCRIBED PROPERTY IS LOCATED IN ZONE "AE" OF THE SPECIAL FLOOD HAZARD AREA. REFERENCE BEARINGS BASED ON RECORDED SUBDIVISION.

ACCORDING TO MY SURVEY THE DATE OF MY SURVEY IS APRIL 2005.

S. MATTHEW ORRELL

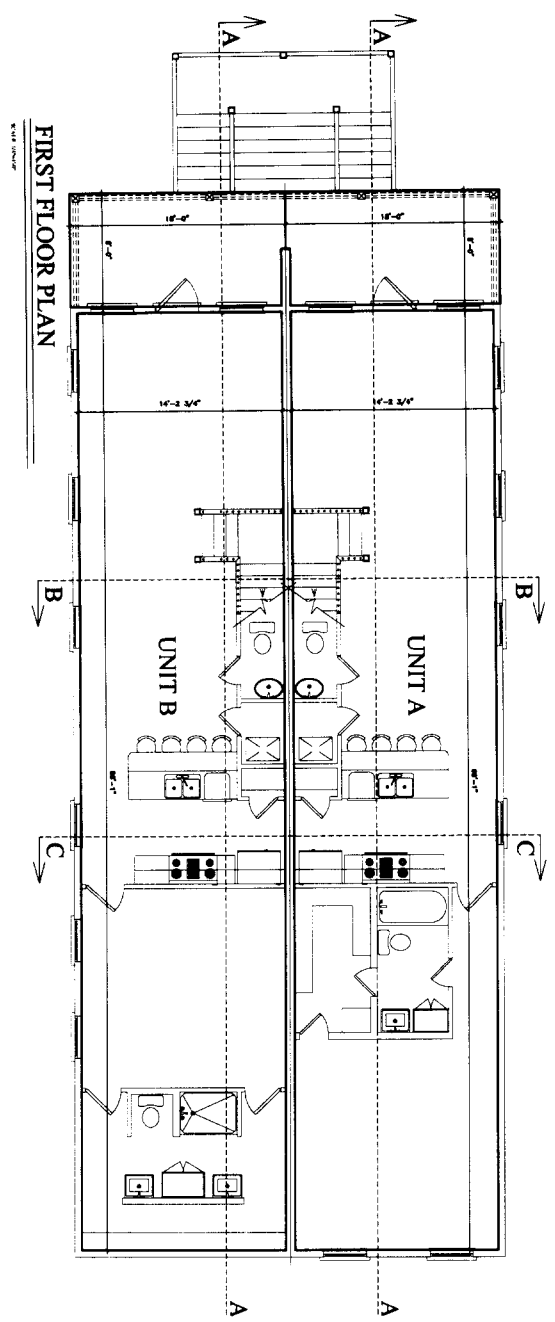
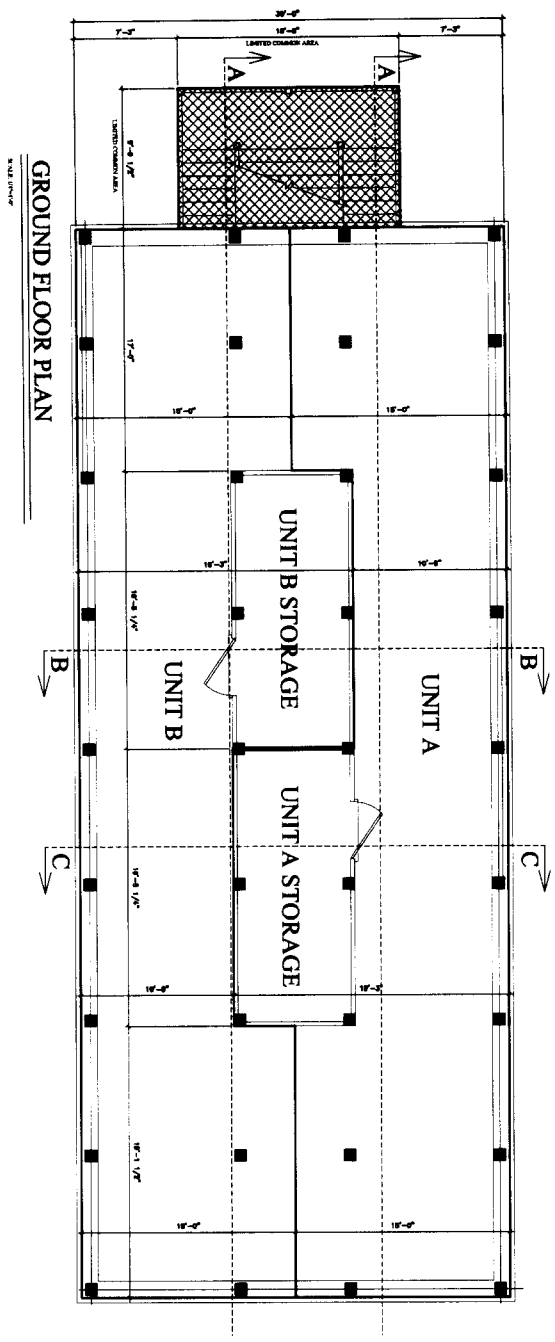


GULF DRIVE (NOT OPEN) (40' Right-of-Way)



WEST LAGOON AVENUE (BASE BEARING N 84°07'00" E) (100' Right-of-Way)

Table with project information including EOC, Laguna Sands Condominiums, Polysurveying, scale 1"=30', and revision history.



HORIZONTAL UNIT BOUNDARIES- UNIT 1376

SHEET NO.
1 of 3

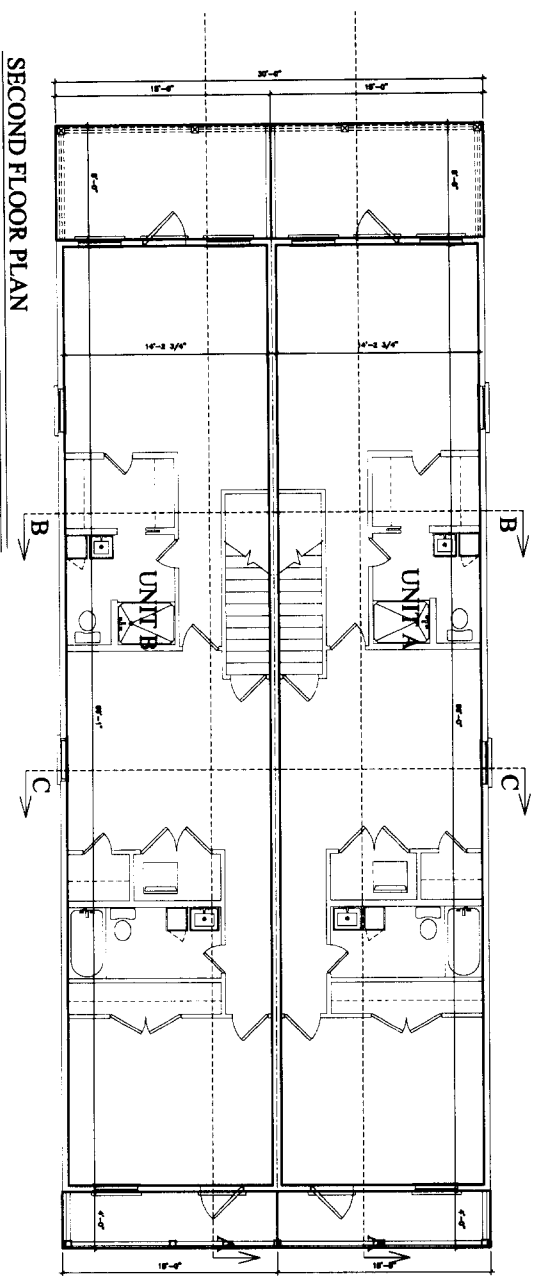
DATE:
8, DECEMBER 2005

laguna sands condominium
gulf shores, alabama



todd f. stewart
architect
218 north alston street, Foley, AL 36535
31-476-5447 FAX 31-476-5448

SECOND FLOOR PLAN



HORIZONTAL UNIT BOUNDARIES- UNIT 1376

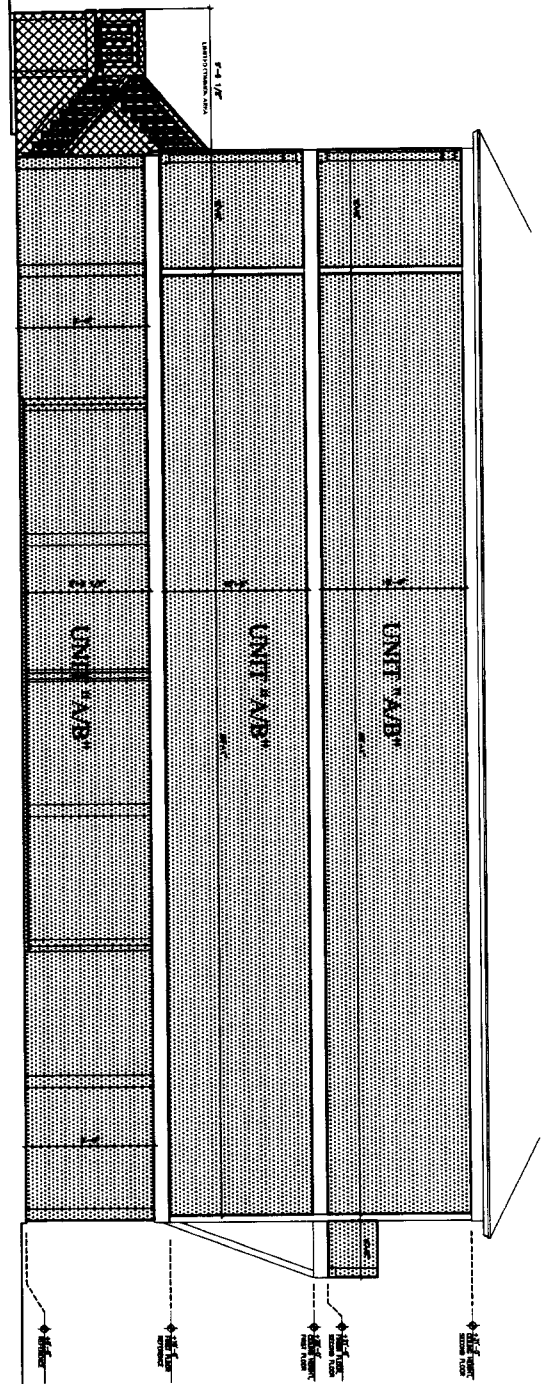
SHEET NO:
2 of 3

DATE:
8, DECEMBER 2005

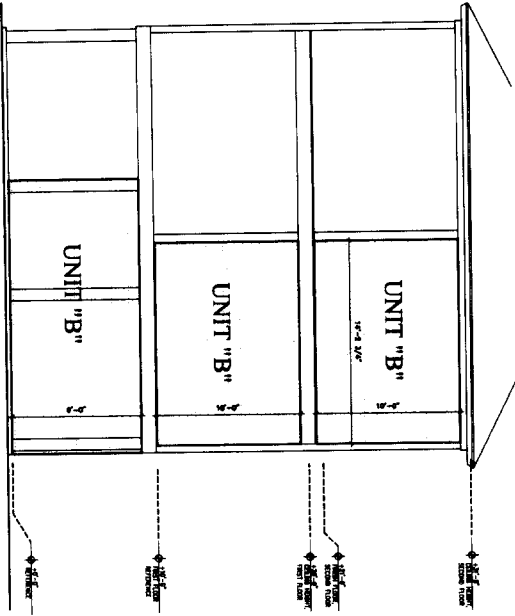
laguna sands condominium
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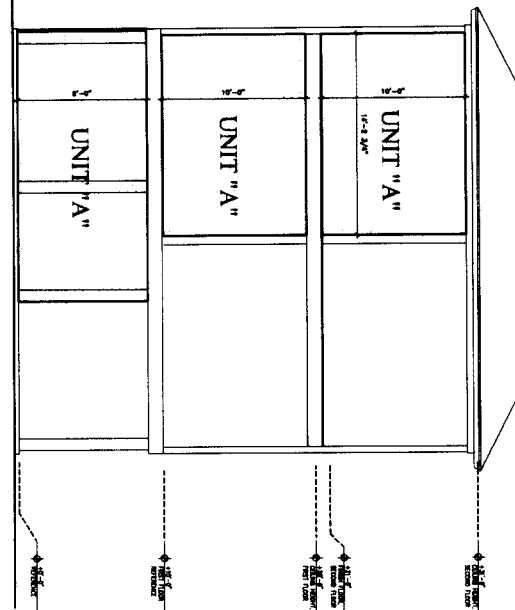
todd f. stewart
architect
218 north alston street, Foley, AL 36535
251.698.3887 home 251.698.3888 fax



SECTION A-A
SCALE 1/8\"/>



SECTION B-B
SCALE 1/8\"/>



SECTION C-C
SCALE 1/8\"/>

VERTICAL UNIT BOUNDARIES - UNIT 1376

SHEET NO.

3 of 3

DATE:

8, DECEMBER 2005

laguna sands condominium
gulf shores, alabama



todd f. stewart
architect

218 north alston street, Foley, AL 36535
351-476-5666

CERTIFICATE OF OCCUPANCY

Department of Building Inspections
City of Gulf Shores, AL

This Certificate issued pursuant to the requirements of the Standard Building Code certifying that at the time of issuance this structure was in compliance with the various ordinances of the Jurisdiction regulating building construction or use. For the following:

Use Classification **RESIDENTIAL** Group **R** Building Permit No. **10984**
Type Construction **VI** Fire District **G.S.** Legal Desc./Parcel No. **LOT # 13**
Owner of Building **LAGUNA SANDS, LLC** Building Location **1376 WEST LAGOON AVE.**
Owner Address **2440 BODDIE LANE GULF SHORES, AL 36542**

Steve Fook
Building Official

Date: **JUNE 13, 2006**

POST IN A CONSPICUOUS PLACE

EXHIBIT
H-3
8025 ON DRAWING