

STATE OF ALABAMA  
BALDWIN COUNTY

APR 27 10 49 AM '93

INGRESS, EGRESS AND USE EASEMENT

50  
RECORDED BY 508 P. 1211  
J. H. HARRIS  
CLERK OF PROBATE

KNOW ALL MEN BY THESE PRESENTS that for and in consideration of the mutual exchange of easements set forth herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto do hereby GRANT, CONVEY, ASSIGN and SET-OVER (subject to the restrictions and limitations set out below) each to the other the following described easements in their respective properties:

(1.) Cecil Ward, a married man, Jerry E. Wills, a married man, and James L. Lane, a married man, do hereby grant, convey, assign and set-over (subject to the restrictions and limitations set out below) unto Resort Conference Centre, Gulf Shores Plantation Condominium Owners' Association, Inc., a non-profit corporation, its' successor and assigns, a non-exclusive right of way and easement for the purpose of ingress and egress and parking over and across the following described lands situated in Baldwin County, Alabama, to-wit:

Commencing at the Northeast corner of Lot 11 of Surfside Shores, as recorded in Map Book 5, page 190, Probate Records of Baldwin County, Alabama, thence North 81 degrees 06 minutes 43 seconds East along the South right of way line of Dixie Graves Parkway (330 foot right of way) a distance of 202.36 feet to a point that is 200 feet due East of a Northward projection of the East line of said Surfside Shores; thence South 00 degree 07 minutes 29 seconds East along a line that is parallel to and 200 feet distant from the East line of said Surfside Shores 1462.48 feet to a point; thence South 89 degrees 59 minutes 17 seconds East 2836.12 feet to a concrete monument; thence run South 00 degrees 00 minutes 43 seconds West 364.45 feet; run thence North 89 degrees 59 minutes 32 seconds East for 171.40 feet to the Point of Beginning; continue thence North 89 degrees 59 minutes 32 seconds East for 259.41 feet; run thence North 00 degrees 00 minutes 43 seconds East for 40.0 feet; run thence South 89 degrees 59 minutes 32 seconds West for 259.41 feet; run thence South 00 degrees 00 minutes 43 seconds West for 40.0 feet to the Point of Beginning.

FILED 508 PAGE 1211

This easement is granted for the purpose of providing the unit owners in Resort Conference Centre, Gulf Shores Plantation, a condominium, a means of ingress and egress to a parking area, a parking area, and to allow for an encroachment of the individual condominium units air conditioning units.

TOGETHER WITH a non-exclusive, pedestrian easement to use the beach area located adjacent to the Gulf of Mexico and within the area designated as "common area" on the plat of Gulf Shores Plantation Planned Unit Development. The easement granted in this paragraph is contingent upon the Resort Conference Centre, Gulf Shores Plantation Condominium Owners' Association, Inc. providing a regular beach cleaning program to kept the area upon which the easement is granted clean of debris and trash and paying all cost in connection therewith.

TO HAVE AND TO HOLD the right of way and easement unto the said Resort Conference Centre, Gulf Shores Plantation Condominium Owners' Association, Inc., and unto its successors and assigns, as an appurtenance to each condominium unit of Resort Conference Centre for so long as the easement which immediately follows, number two (2), remains in full force and effect. This easement shall automatically terminate and all rights conveyed shall revert back to the Grantors, their heirs or assigns, in the event the easement set out below is revoked, cancelled, or terminated for any reason.

The Grantors retain for themselves, their heirs and assigns, the fee simple title in and to the aforesaid property and all rights not specifically granted herein. Grantors also retain, reserve and shall continue to enjoy use of the surface of such property for any and all purposes which do not interfere with and prevent the use by Grantees of the within easements.

(2.) Resort Conference Centre, Gulf Shores Plantation Condominium Owners' Association, Inc., a non-profit corporation, does hereby grant, convey, assign and set-over (subject to the restrictions and limitations set out below) unto Cecil Ward, a married man, Jerry E. Wills, a married man, and James L. Lane, a married man, their heirs and assigns, a non-exclusive, permanent, easement for the purpose of using the amenities, which include but are not limited to two swimming pools, barbeque grills, hot tub, cabanas, volleyball court, boardwalk to the beach and children's pool, located throughout the condominium project known as Resort Conference Centre, Gulf Shores Plantation situated in Baldwin County, Alabama, and being more particularly described as, to-wit:

All that piece, parcel, or tract of land, situate in the County of Baldwin, State of Alabama, as described on a Plat entitled "Plat of Survey of Resort Conference Centre" dated January 22, 1985, prepared by Rowe Surveying and Engineering Company, Inc., Mobile, Alabama, said Plat being recorded with the Condominium Plats and Plans in Apartment Book \_\_\_\_\_, at Page \_\_\_\_\_, Office of Probate Judge, Baldwin County, Alabama, to wit:

Commencing at Northeast corner of Lot 11, Surfside Shores, as recorded in Map Book 5, Page 190, Probate Court records, Baldwin County, Alabama, run North 81 degrees 06 minutes 43 seconds East along the South right of way line of Dixie Graves Parkway (330-foot right of way) a distance of 202.36 feet to a point that is 200 feet due East of a Northward projection of the East line of said Surfside Shores; thence South 00 degrees 07 minutes 29 seconds East along a line that is parallel to and 200 feet distant from the East line of said Surfside Shores 1462.48 feet to a point; thence South 89 degrees 59 minutes 17 seconds East 2836.12 feet to a concrete monument known as Point C; thence South 00 degrees 00 minutes 43 seconds West 364.43 feet to a point marked by an iron stake; thence North 89 degrees 59 minutes 32 seconds East 129.4 feet to the POINT OF BEGINNING of the property herein described; thence South 00 degrees 00 minutes 43 seconds West 50.0 feet to a point; thence South 38 degrees 29 minutes 17 seconds East 64.0 feet to a point; thence South 00 degrees 00 minutes 43 seconds West 1138 feet, more or less, to the North margin of the Gulf of Mexico; thence Eastwardly along the meanders of the North margin of the Gulf of Mexico 264 feet, more or less, to the intersection with the West line of phase II of the Gulf Shores Plantation Planned Unit Development, a subdivision, recorded in Miscellaneous Book \_\_\_\_\_, Page \_\_\_\_\_, Probate Court records, Baldwin County, Alabama; thence run Northwardly along the West line of Gulf Shores Plantation Planned Unit Development, Phase II, 1277 feet, more or less, to a point that bears North 89 degrees 59 minutes 32 seconds East from the point of beginning; thence South 89 degrees 59 minutes 32 seconds West 301.41 feet to the point of beginning.

This easement is granted for the purpose of providing the lot owners in Gulf Shores Plantation Planned Unit Development, which is being developed by the Grantees, the free use and enjoyment of all the amenities located in or about Resort Conference Centre, Gulf Shores Plantation, a condominium.

TO HAVE AND TO HOLD the right of way and easement unto Cecil Ward, James L. Lane and Jerry E. Wills, and unto their heirs and assigns, as an appurtenance to each lot located in Gulf Shores Plantation Planned Unit Development, for so long as the

easement which appears first above, number one (1), remains in full force and effect. This easement shall automatically terminate and all rights conveyed shall revert back to the Grantors, their successors and assigns, in the event the easement set out in number one (1) above is revoked, cancelled, or terminated for any reason.

The Grantors retain for itself, its successors and assigns, all rights not specifically granted herein. Grantors also retain, reserve and shall continue to enjoy use of the surface of such property for any and all purposes which do not interfere with and prevent the use by Grantees of the within easement.

IN WITNESS WHEREOF, the individual parties hereto have hereunto set their hands and seals, and the corporate parties hereto have caused this instrument to be executed by duly authorized officers, this 5 day of April, 1993.

Cecil M. Ward (SEAL)  
CECIL WARD

James L. Lane (SEAL)  
JAMES L. LANE

Jerry E. Wills (SEAL)  
JERRY E. WILLS

RESORT CONFERENCE CENTRE, GULF SHORES PLANTATION, CONDOMINIUM OWNERS ASSOCIATION, INC.

ATTEST:

ITS: \_\_\_\_\_

BY: [Signature]  
ITS: [Signature]

STATE OF ALABAMA  
BALDWIN COUNTY

ACKNOWLEDGEMENT

I, the undersigned authority, a Notary Public in and for said county, in said State, hereby certify that Cecil Ward, whose name 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 the above and foregoing instrument, he, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 5<sup>th</sup> day of April, 1993.

[Signature]  
NOTARY PUBLIC

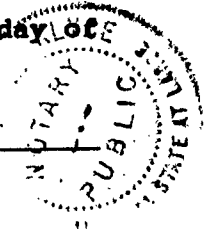
My commission expires: 11/17/94

STATE OF ALABAMA  
Dartmouth COUNTY

ACKNOWLEDGEMENT

I, the undersigned authority, a Notary Public in and for said county, in said State, hereby certify that Jerry E. Wills,

FILED 508 PAGE 1213



whose name 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 the above and foregoing instrument, he, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 25<sup>th</sup> day of March, 1993.

[Signature]  
NOTARY PUBLIC

My commission expires: 2-4-94

STATE OF ALABAMA  
Montgomery COUNTY

ACKNOWLEDGEMENT

I, the undersigned authority, a Notary Public in and for said county, in said State, hereby certify that James L. Lane, whose name 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 the above and foregoing instrument, he, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 25<sup>th</sup> day of March, 1993.

[Signature]  
NOTARY PUBLIC

My commission expires: May 18, 1994

STATE OF ALABAMA  
Baldwin COUNTY

ACKNOWLEDGEMENT

I, the undersigned authority, a Notary Public in and for said county, in said State, hereby certify that J Gary Jordan and \_\_\_\_\_, whose names as President and \_\_\_\_\_, respectively of RESORT CONFERENCE CENTRE, GULF SHORES PLANTATION CONDOMINIUM OWNERS ASSOCIATION, INC., a non-profit corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing instrument, they, in their capacity as such officers and with full authority, executed the same voluntarily on the day the same bears date, for and as the act of said corporation.

Given under my hand and official seal this 18<sup>th</sup> day of March, 1993.

[Signature]  
NOTARY PUBLIC

My commission expires: 10/23/94

This instrument prepared by:

Thomas W. Klyce  
Attorney at Law  
Post Office Box 2301  
Gulf Shores, AL 36547

FILED 508 PAGE 1214