

STATE OF ALABAMA )

COUNTY OF BALDWIN )

**ADDENDUM TO ADD PHASE II-B AMENDMENT TO THE  
DECLARATION OF CONDOMINIUM OF  
WALKER KEY, A CONDOMINIUM**

State of Alabama, Baldwin County  
I certify this instrument was filed  
and taxes collected on:  
2003 September 4 3:28PM  
Instrument Number 755734 Pages 12  
Recording 36.00 Mortgage  
Fee Min Tax 5.00  
Index  
Archive  
African I. Johns, Judge of Probate

~~RECORD COPY FILED IN 755734~~

**WHEREAS**, the Declaration of Condominium of Walker Key, a condominium ("Declaration"), was executed the 22<sup>nd</sup> day of December, 1998, and recorded on the 17<sup>th</sup> day of March 1999, as Instrument Number 483624, in the Office of the Judge of Probate of Baldwin County, Alabama; and

**WHEREAS**, pursuant to Article II, Paragraph 2.03, entitled "Phasing Amendment," which provides in pertinent part that "... the Developer may, upon the substantial completion of the improvements constituting Phase II, record an amendment to the Declaration incorporating into said Declaration the Plats and Plans for Phase II," and the current Developer of said condominium, LMUI, L.L.C., an Alabama limited liability company, desires to exercise its rights reserved to it under said Article II, Paragraph 2.03, "Phasing Amendment," of said Declaration to incorporate Phase II, Parcel B, into the condominium form of ownership, and Phase II-B is substantially completed; and

**WHEREAS**, said property is described in Exhibit "G" of the Declaration (Parcels A and B), and at this time the Developer desires to develop Parcel "II-B" (the legal description recorded herewith corrects the legal description for Parcel II-B, previously recorded as a part of Exhibit "G" of the Declaration of Condominium) specifically to the condominium form of ownership, henceforth to be known as Walker Key, Phase II-B, but reserves the right to develop Phase II, Parcel "A," which "NEED NOT BE BUILT", as set forth in the Declaration; and

**WHEREAS**, Exhibit "E" to the Declaration sets forth the fractional ownership interest in common elements and numerical value thereof for Phase I of 1/43 per unit or 2.325% ownership interest per unit and gives each unit 1 vote and further provides for the formula for bringing in additional units in Phase II, and Developer desires to bring Phase II-B into the Condominium therefore amending Exhibit "E" to change the fractional ownership interest in common elements for Walker Key Condominiums to 1/55 per unit or 1.818% ownership interest per unit with each unit in Phase I and in Phase II-B retaining 1 vote per unit.

**NOW, THEREFORE**, premises considered, this instrument is made to amend that Declaration of Condominium of Walker Key, a condominium, and the exhibits attached thereto, to include Phase II-B, with the following exhibit pages, copies of which are annexed hereto, and is hereby made a part of said Declaration:

1. Real Property. The Developer hereby submits the property attached hereto as Exhibit "A" and incorporated herein as though fully set out, together with all improvements, easements, rights and appurtenances thereto belonging, to the

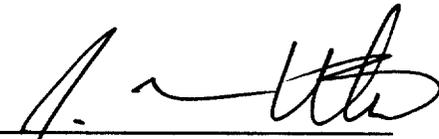
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condominium form of ownership subject to all of the covenants and restrictions set out in the Declaration, said condominium to be known as Walker Key, Phase II-B.

2. **General Description of Improvements.** Phase II-B consists essentially of one (1) building, together with covered and uncovered automobile parking areas, lawn and landscaping, and other facilities as more particularly set forth in the Plans attached hereto as Exhibit "B" and incorporated herein as though fully set out. The Building contains a Ground Level which contains twenty-four (24) Private Parking Spaces that are Limited Common Elements and twenty-four (24) Storage Units that are Limited Common Elements. There are two (2) basic floor plans. Levels 2 and 3 each contain six (6) Townhouse Units for a total of twelve (12) Units in the Building.
  - A. Unit Type "A" is a two (2) bedroom, two (2) bath Unit, containing kitchen/dining and living areas, totaling 1,235.6 square feet, more or less, and two terraces or balcony areas containing a total of 152.25 square feet, more or less, serving the Unit as Limited Common Elements. There are three (3) Type "A" Units on Levels 2 and 3 for a total of six (6) Type "A" Units.
  - B. Unit Type "B" is a mirror image of Unit "A." There are three (3) Type "B" Units on Levels 2 and 3 for a total of six (6) Type "B" Units.
  - C. The Developer may assign each Unit a Boat Slip as provided in Article IX, Paragraph 9.05, and each Boat Slip is a Limited Common Element, as set forth in Article II, Paragraph 2.05(A), and will be subject to the Restrictions on Use as set forth in Article X of the Declaration.
  - D. The Developer will assign each Unit one (1) Storage Unit, one containing 103.5 square feet, more or less. Said Storage Unit is a Limited Common Element as set forth in Article II, Paragraph 2.02.
  - E. The Developer will assign each Unit two (2) Private Parking Spaces, said Private Parking Spaces are Limited Common Elements as provided in Article II, Paragraph 2.05(B) and subject to the Restrictions on Use as set forth in Article X of the Declaration.

**IN WITNESS WHEREOF**, LMUI, L.L.C., an Alabama limited liability company., has caused this instrument to be properly executed by J. MARION UTER, its Managing Member, on this the 30<sup>th</sup> day of July, 2003.

LUMI, L.L.C.  
An Alabama limited liability company

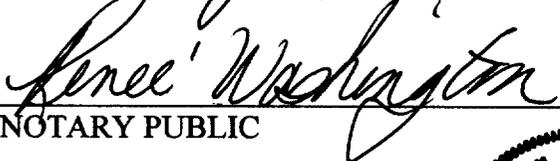
By:   
J. MARION UTER  
Its: Managing Member

STATE OF ALABAMA )

COUNTY OF BALDWIN )

I, Renee' Washington, the undersigned Notary Public in for said County in said State, hereby certify that J MARION UTER, whose name as Managing Member of LMUI, L.L.C, an Alabama limited liability company, 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 instrument, he, as such manager and with full authority, executed the same voluntarily for and as the act of said company on the day the same bears date.

Given under my hand and seal this the 30<sup>th</sup> day of July, 2003.

  
NOTARY PUBLIC

My Commission Expires: 10/08/03

THIS INSTRUMENT PREPARED BY:  
C. Andrew Harrell, Jr.  
Herbert & Harrell LLC  
P. O. Drawer 3889  
Gulf Shores, AL 36547  
(251) 968-4764



**“EXHIBIT A”**  
**To the Foregoing**  
**ADDENDUM TO ADD PHASE II-B AMENDMENT TO THE**  
**DECLARATION OF CONDOMINIUM OF**  
**WALKER KEY, A CONDOMINIUM**

Commence at the Northeast corner of Lot 9 of the G. C. Bill Estates as recorded in Map Book 3, Page 90, Probate Records of Baldwin County, Alabama; run thence South 89 Degrees 33 Minutes 42 Seconds West along the South Right-of-Way line of Alabama Highway No.180, for 291.32 Feet; Run thence South 00 Degrees 13 Minutes 23 Seconds West for 740.10 Feet for the Point of Beginning; Run thence North 89 Degrees 48 Minutes 49 Seconds East a distance of 241.76 Feet; Thence South 00 Degrees 00 Minutes 58 Seconds East a distance of 19.02 feet; Run thence South 88 Degrees 42 Minutes 00 Seconds West a distance of 5.00 Feet; Run thence South 02 Degrees 44 Minutes 09 Seconds West a distance of 27.93 feet; Run thence South 89 Degrees 54 Minutes 41 Seconds East a distance of 6.34 feet; Run thence South 00 Degrees 00 Minutes 58 Seconds East a distance of 47.95 feet to the back of a concrete curb; Run thence Southwesterly along a curve concave Northwesterly and having a radius of 142.04 Feet, an arc distance of 11.84 Feet, (Chord = 11.84', Chord Bearing = S 32 Degrees 35'56" W) to a Point of Tangency; Thence South 37 Degrees 22 Minutes 35 Seconds West a distance of 22.21 Feet; Thence South 33 Degrees 31 Minutes 06 Seconds West a distance of 17.76 Feet to a Point of Curvature; Thence along a curve to the Left having a radius of 91.53 Feet for an arc distance of 13.95 Feet, (Chord = 13.94', Chord Bearing = S 29 Degrees 09'08" W), to a Point of Tangency; Thence South 24 Degrees 47 Minutes 07 Seconds West a distance of 23.24 Feet to a Point of Curvature; Thence along a curve to the left having a radius of 115.00 Feet, for an arc distance of 26.84 Feet, (Chord = 26.77', Chord Bearing S 18 Degrees 06' 01" W),to a Point of Tangency; Thence South 11 Degrees 24 Minutes 55 Seconds West a distance of 44.10 Feet to a Point of Curvature; Thence along a curve to the Right having a radius of 19.67 Feet, for an arc distance of 26.01 Feet (Chord = 24.16', Chord Bearing = S 50 Degrees 15'58"W) to a Point of Tangency; Thence South 88 Degrees 08 Minutes 54 Seconds West a distance of 40.50 Feet to a Point of Curvature; Thence along a curve to the Right having a radius of 5.00 Feet, for an arc distance of 7.19 Feet (Chord = 6.59', Chord Bearing = N 50 Degrees 38'19" W) to a Point of Tangency; Thence North 09 Degrees 25 Minutes 31 Seconds West a distance of 14.77 Feet; Thence South 80 Degrees 22 Minutes 42 Seconds West a distance of 84.09 Feet; Thence South 10 Degrees 15 Minutes 07 Seconds East a distance of 8.93 Feet; Thence South 89 Degrees 45 Minutes 29 Seconds West a distance of 29.64 Feet; Thence North 00 Degrees 13 Minutes 23 Seconds West a distance of 259.56 Feet to the Point of Beginning. The above described parcel of land is situated in Section 12, Township 9 South, Range 5 East, Baldwin County, Alabama.

Together with a thirty (30) foot Non-Exclusive Easement for Ingress and Egress and Utilities to and from Alabama Highway 180, over and across the roadway located in Phase 1.

Together with the Phase 2 rights described in the Walker Key Condominium documents.

**CERTIFICATION**

I, the undersigned, Richard Borden, a registered Engineer in the State of Alabama, Number 13402, hereby certify that the PLANS labeled Exhibit "B," Pages 2 through 7, inclusive, attached to and made a part of the Addendum to Add Phase II-B Amendment of Walker Key, Phase II-B, a condominium, show the layout, elevations and dimensions of the improvements and the Units. I further certify that the PLANS show the dimensions of the improvements and the Units and that the improvements shown on the PLANS are substantially complete. I further certify that to the best of my knowledge and belief, the PLANS contain all of the information required by *Code of Alabama* (1975), §35-8A-209.

  
RICHARD BORDEN  
Registered Engineer Number: AL. 13402  
License Number: 13402

Date: August 22, 2003

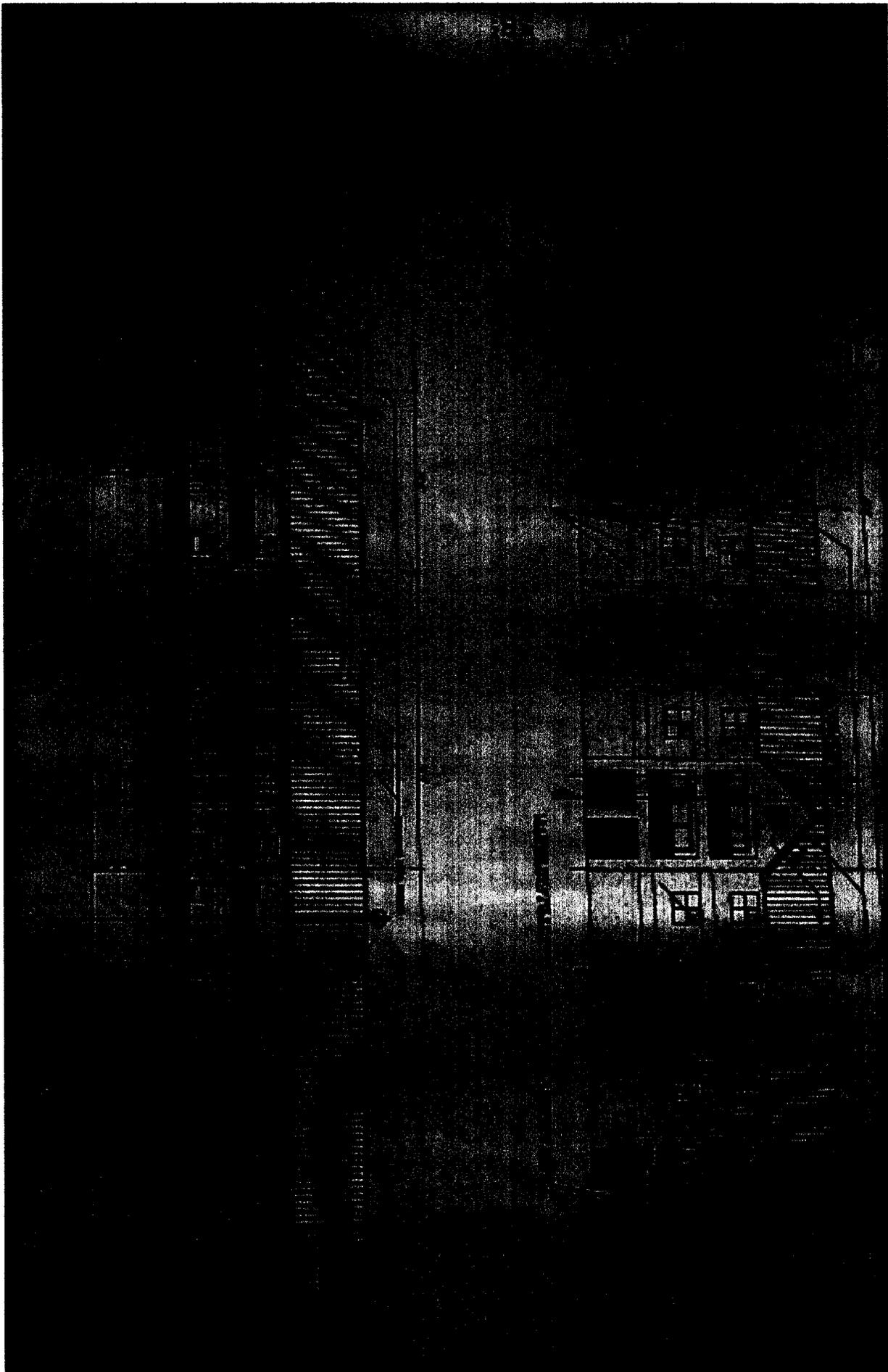
Subscribed and sworn to before me, this 22<sup>nd</sup> day of August, 2003

  
Notary Public

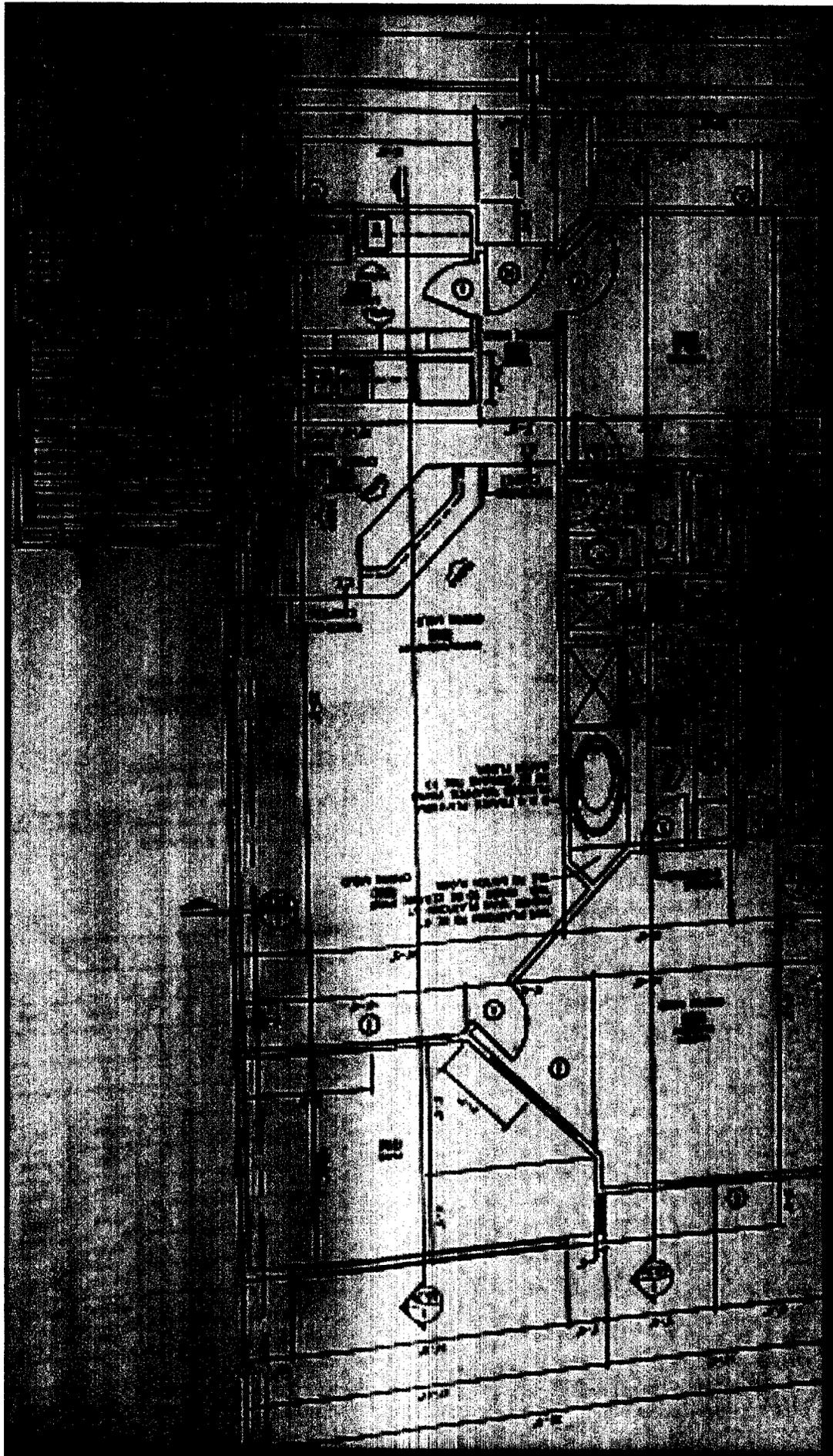
My Commission Expires:

10/08/03

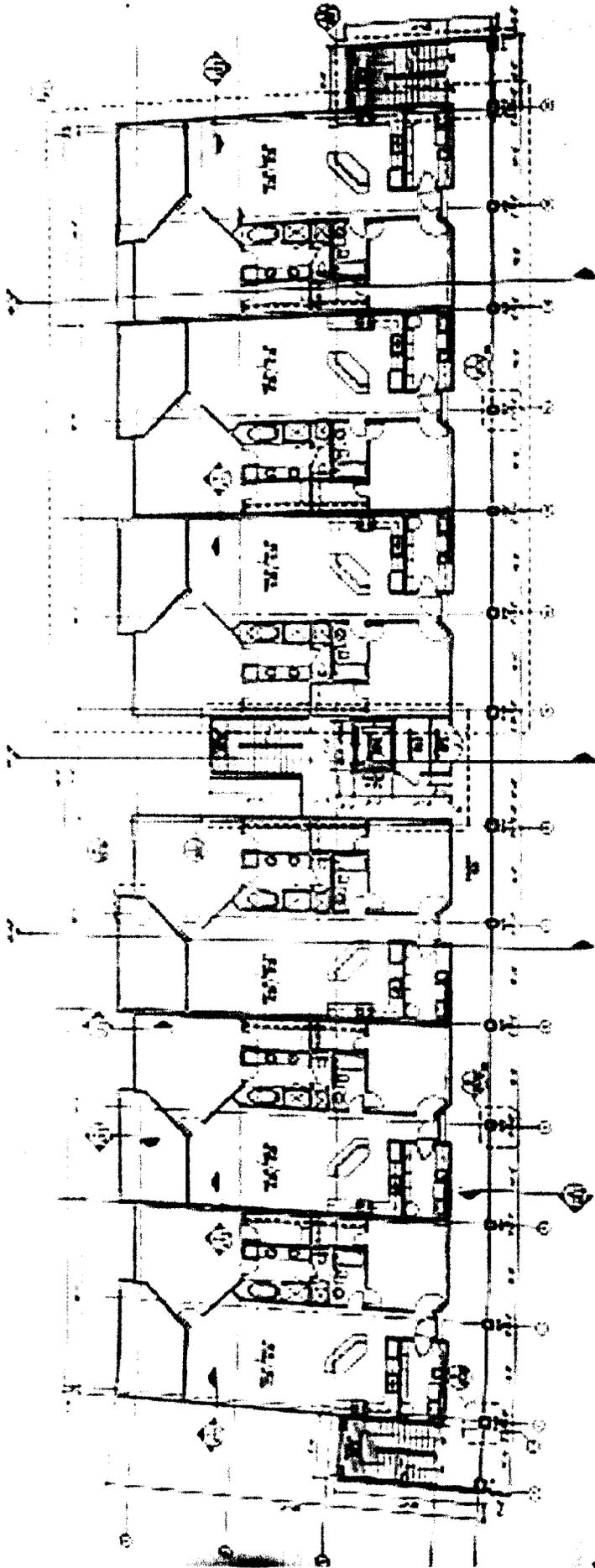




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LEGIBLY**



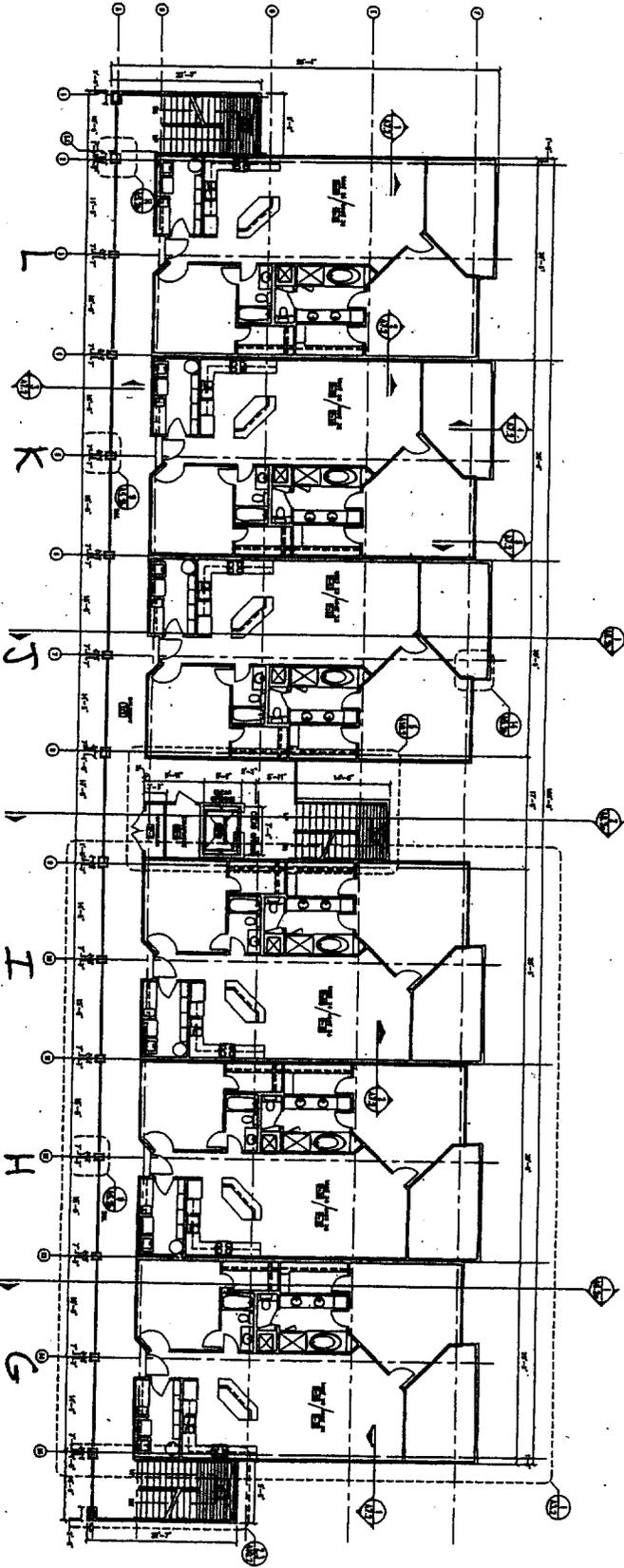
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THIS DOCUMENT MAY NOT SCAN  
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BUILDING 7  
2 FLOOR PLAN - LEVEL 2 AND 3

Unit Identification Level 2

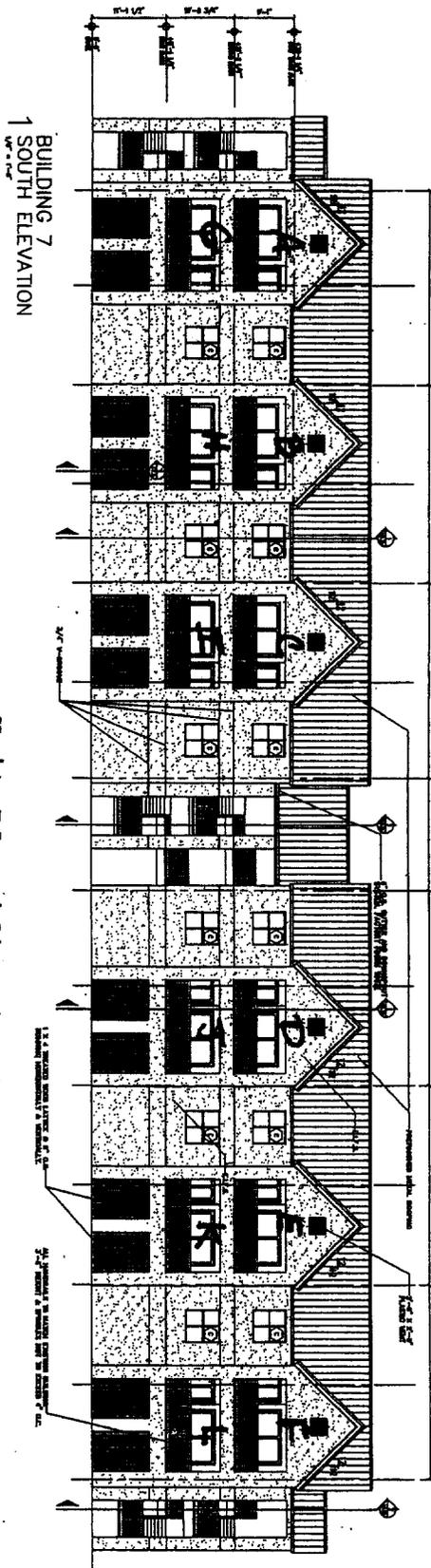
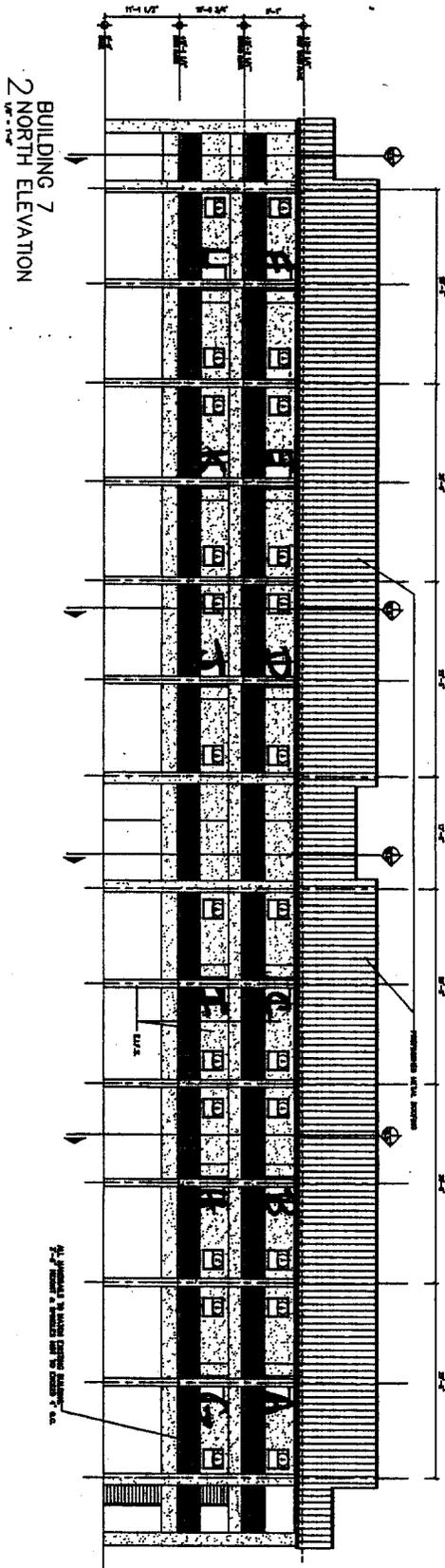


PROJECT TITLE	FLOOR PLAN
PROJECT NO.	75734
DATE	11/11/88
SCALE	AS SHOWN
REVISION	A2.2b

WALKER KEY  
CORAL RESOURCES  
ORANGE BEACH, ALABAMA

E. CLAYTON RANDOLPH, SR., OWNER  
ARCHITECT  
718 E. BARRON STREET  
PENSACOLA, FLORIDA 32505  
PHONE-432-3123 FAX 850-432-3022





Unit Identification by Elevation

WALKER KEY  
CORAL RESOURCES  
ORANGE BEACH, ALABAMA

E. CLAYTON RANDOLPH, SR. ARCHITECT  
715 E. BARRON STREET  
PENSACOLA, FLORIDA 32501  
PHONE-432-3183 FAX-850-432-3885

PROJECT: AS.2d  
DATE: 2/27/03  
DRAWING NO. 7  
REVISED: 2/27/03  
DRAWN BY: [blank]  
CHECKED BY: [blank]

**LEGEND**

- PROPERTY OR RECORD LINE
- PROPERTY OR RECORD EASEMENT
- EASEMENT OR RIGHT-OF-WAY
- GRADUAL OR SINE ROADS OR DRIVEWAYS
- GOVERNMENT CORNERS OR COMMENCEMENT POINTS
- LOT NUMBERS IN A SUBDIVISION WITH BLOCK OR UNIT NO.
- CENTER LINE OF STREETS OR ENTRANCES
- (100.00) DEED OR PLAT RECORD DIMENSIONS

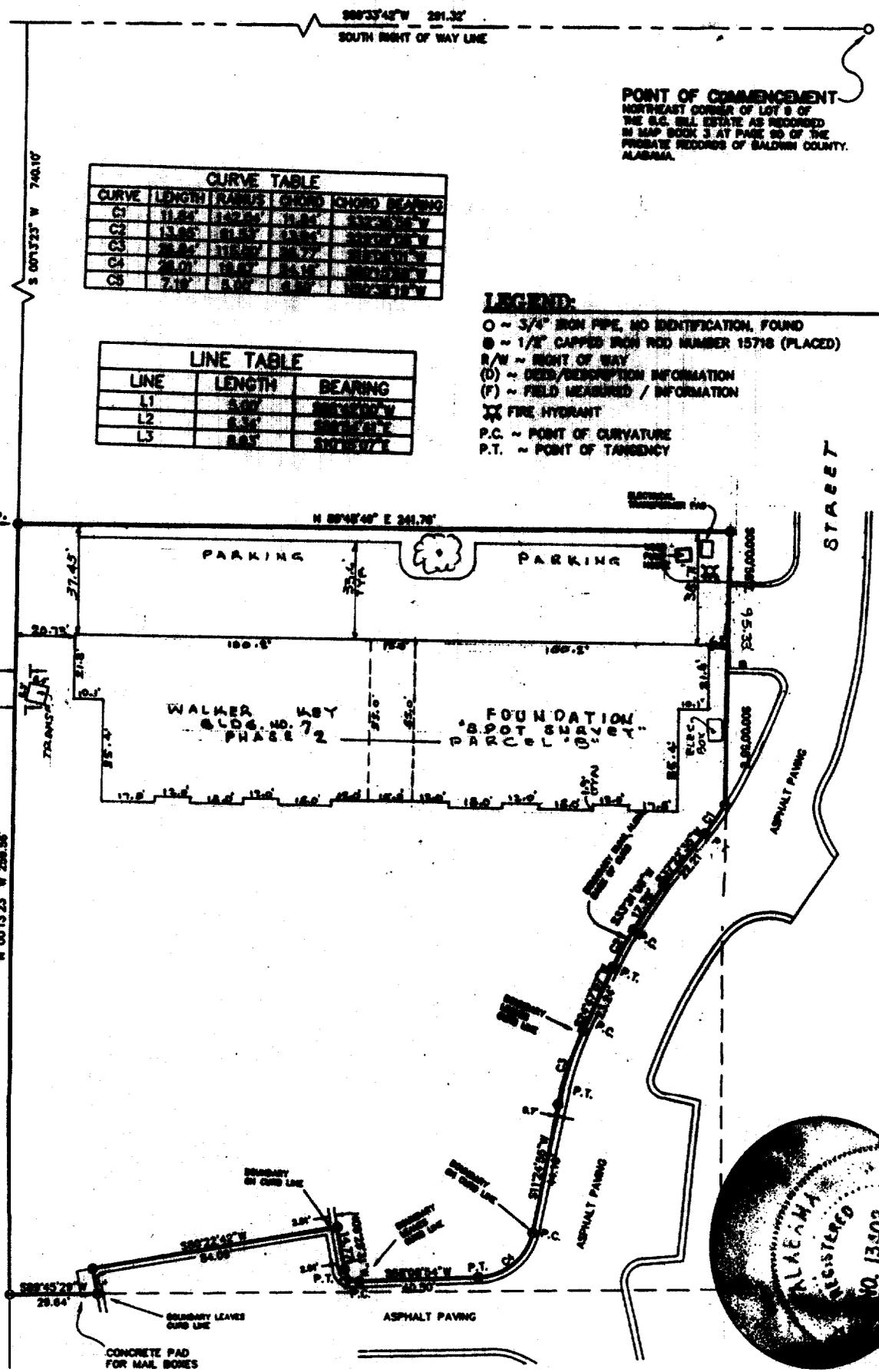
**BORDEN ENGINEERING & SURVEYING COMPANY, INC.**

REGISTERED PROFESSIONAL LAND SURVEYOR  
 STATE OF ALABAMA  
 No. 13402

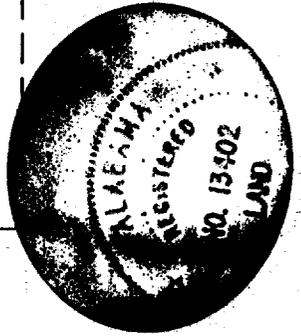
**LEGEND**

- CENTER LINE OF CREEK
- BOUNDARY OF SHORELINE OR SHORE LINE
- WOODS PATCH
- CHAIN LINK FENCE
- FENCE OR BARBED WIRE FENCE
- BREAKS A BREAK IN SCALE
- OVERHEAD POWER OR TELEPHONE LINE
- POWER POLE

**ALABAMA HIGHWAY NUMBER 180**  
 (130' R/W)



**POINT OF COMMENCEMENT**  
 NORTHEAST CORNER OF LOT 8 OF  
 THE B.C. ELLIOTT ESTATE AS SHOWN  
 IN MAP BOOK 3 AT PAGE 98 OF THE  
 PRIVATE RECORDS OF BALDWIN COUNTY,  
 ALABAMA.



**STATE OF ALABAMA**  
**COUNTY OF BALDWIN**

SOURCE OF INFORMATION: N.W. FLORIDA ENGINEERING & SURVEYING, INC.  
WALKER KEY PLANS, PHASE 7 (R.O.S.)  
 DATE OF ACTUAL FIELD SURVEY: 08/11/03, SITE 08/28/03

**SURVEYOR NOTE:** REPRODUCTIONS OF THIS  
 DRAWING ARE NOT VALID UNLESS SEALED  
 WITH AN EMBOSSED SURVEYOR'S SEAL

OWNER: L.M.U.I., LLC.

**SURVEY TYPE:** BOUNDARY BY OTHERS  
"SITE PLAN"

The Undersigned, a Registered Professional Land Surveyor in the State of Alabama, hereby certify that, to the best of my knowledge, information, and belief, a field survey was made in accordance with the STANDARDS OF PRACTICE FOR LAND SURVEYING in the State of Alabama. LOT        BLOCK        Unit or Addition B/L 2, 150 OF        Subdivision in the CITY OF DECATUR, Alabama, as found recorded in Map Book N/A Page       . That I have consulted the FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD MAP (FIRM) DATED JUNE 17, 02, as published by the FEDERAL EMERGENCY MANAGEMENT AGENCY and found the property to be located in ZONE X. This certificate DOES NOT WARRANT SAID PROPERTY FROM FLOODING. THE PROPERTY SHOWN HEREON HAS NOT BEEN ABSTRACTED FOR TITLE, RIGHT-OF-WAYS OR EASEMENTS.

THE ADDRESS IS: N/A ON THIS 25 DAY OF Aug., 20 03

**CORNER MONUMENT LEGEND**

- ▲ EXISTING GOVERNMENT CORNER FOUND
- EXISTING CONC. MON. FND
- EXISTING IRON PIPE OR PIN FOUND
- △ REFERENCE CORNER OR WITNESS CORNER SET
- CONC. MON. SET
- IRON PIPE OR PIN SET

**REVISIONS:**

- DATE: \_\_\_\_\_
- DATE: \_\_\_\_\_
- DATE: \_\_\_\_\_

BY: Richard C. Borden  
 Registered Professional Land Surveyor No. 13402  
 Richard C. Borden, P.E. & P.L.S.  
 P.O. Box 3482  
 Gulf Shores, AL 36547  
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