



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Signature Copy

Resolution: 13-0225-RES

File Number: 13-0560

Enactment Number: 13-0225-RES

Roads, Event Center and Utility Ball Field Construction

WHEREAS, the City of Foley is interested in constructing certain public improvements, including roads, an event center, and utility ball fields, in conjunction with a private development of other improvements, all of which will benefit the City and public welfare; and

WHEREAS, BC Foley, LLC, the private developer, is interested in buying certain real property for the purpose of donating it to the City to facilitate the City's construction of the roads and the event center; and

WHEREAS, the City wants to induce BC Foley, LLC into developing other properties; and

WHEREAS, the City is interested in purchasing or leasing from BC Foley, LLC certain property on which the utility ball fields would be constructed; and

WHEREAS, the City intends to finance or recoup its capital investment in the purchase of the property and in the construction of the improvements through increased lodging tax receipts from new hotel rooms that will be constructed on nearby properties, through the issuance of one or more municipal bond issues, and through the use of federal or state transportation grants; and

WHEREAS, the City wants to provide BC Foley, LLC with this Resolution stating the City's commitments to perform certain actions and the conditions and contingencies for performing those commitments;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Foley as follows:

1. That the City hereby commits to build or cause to be built certain road right of way improvements generally described as extending Pride Drive eastward from Highway 59 to County Road 20, widening and adding lanes to a section of Juniper Street from the new Pride Drive intersection with Juniper Street southward to County Road 20, and intersection creation on the Foley Beach Express and County Road 20 which are subject of the ATRIP grant application and acceptance which is attached hereto subject to the following conditions and contingencies:

a) That BC Foley donates sufficient right of way, where new right of way is needed, for the construction and location of the same; and

b) That the City is able to use the ATRIP grant, which provides \$16,593,100.00 in federal or state funding, to pay or reimburse the City for its costs and expenses up to that amount; and

c) That the City is able to finance its portion of this project through a bond issuance on terms deemed reasonable and acceptable to the City (prevailing market rates shall be deemed reasonable and acceptable), and the City agrees to use commercially reasonable efforts in securing the bond financing.

2. That the City hereby commits, within the next twenty-four months, to begin construction on an indoor event center that will be approximately 100,000 sq. ft. in size and which will be capable of housing events including, but not limited to, indoor sporting events, concerts, trade shows and conferences (the "Event Center") subject to the following conditions and contingencies all occurring promptly or within a reasonable amount of time no later than eighteen months:

a) That the road right of way contingencies and actions described in paragraph 1 above have been fully satisfied and fulfilled; and

b) That BC Foley purchases all the subject property required for its development; and

c) That BC Foley donates to the City fee simple title to the land surrounding the lake to properly maintain, construct, repair and operate the same; and

d) That BC Foley donates to the City fee simple title to such adequate and acceptable real property, in the City's reasonable discretion, on which the City can construct the Event Center including the landscaping and service areas sufficient for the effective construction, use and operation of the Event Center; and

e) That the City receives firm commitments from others to construct, at the sole expense of others than the City, one or more hotels that combine to add at least two hundred fifty (250) new hotel rooms on the property that is in close (immediate) proximity to the Event Center site. The hotel room construction commitment will be deemed satisfied when a developer or end user acquires title to the real property, applies for and receives land disturbance and building permits, and submits adequate evidence of current financing arrangements for the construction of the facility and their commitment to commence and diligently pursue construction of the same. The hotel rooms must be projected to be open and available to the public contemporaneously with the scheduled opening of the Event Center; and

3. That the City hereby commits to purchase or lease from BC Foley the following: (i) a sufficient amount of real property selected by the City, in its sole reasonable discretion, for the purpose of constructing no less than ten (10) multi-use utility ball fields which will be operated as part of the Foley Sports Complex which are capable of housing outdoor sporting events including, but not limited to, soccer, football, lacrosse and field hockey games (the "Utility Ball Fields") together with sufficient public parking areas to support the Utility Ball Fields; and (ii) a sufficient amount of real property selected by the City, in its

sole reasonable discretion, for the purpose of providing adequate parking for the Event Center. Both of these commitments are hereby made subject to the following conditions and contingencies:

a) That the Event Center contingencies and actions described in paragraph 2 above have been fully satisfied and fulfilled; and

b) That the City is able to finance its portion of this project through a bond issuance on terms deemed reasonable and acceptable to the City (prevailing market rates shall be deemed reasonable and acceptable), and the City agrees to use commercially reasonable efforts in securing the bond financing.

The purchase price that the City is hereby agreeing to pay to BC Foley for the land selected by the City is the average (mean) purchase price per acre paid by BC Foley to the various landowners whose property was purchased and assembled by BC Foley as part of the overall development on which the Utility Ball Fields and the Event Center are then a part of. If the City elects to lease some or all of this land, then the rental rate shall be a mutually agreeable rate and terms based off of the average (mean) purchase price per acre per year paid BC Foley for the land.

PASSED, APPROVED AND ADOPTED this 18th day of March, 2013.



President's Signature

Date

Attest by City Clerk

Victoria Southern

Date

3-20-2013

Mayor's Signature

[Signature]

Date

3/21/2013

THIS INSTRUMENT PREPARED BY:
 RODNEY MANASCO
 VOLKERT, INC.
 3809 MOFFETT ROAD
 MOBILE, AL 36618

CITY OF FOLEY)

PROJECT NO. AC0A59521- ATRP(003)

COUNTY OF BALDWIN)

TRACT NO. 6

BALDWIN COUNTY, ALABAMA
 TIM RUSSELL PROBATE JUDGE
 Filed/cert. 8/ 4/2014 2:16 PM
 TOTAL \$ 69.00
 21 Pages

1470636

**FEE SIMPLE
 WARRANTY DEED**



KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten and No/100 dollars (\$10.00), cash in hand paid to the undersigned by the City of Foley, the receipt of which is hereby acknowledged, I (we), the undersigned grantor(s), **BC FOLEY, LLC** have this day bargained and sold, and by these presents do hereby grant, bargain, sell and convey unto City of Foley the following described property:

A part of the S ½ of the NE ¼, of Section 4, the E ½ of the SE ¼, of Section 4, the SW ¼ of the NW ¼, of Section 3, and the W ½ of the SW ¼, of Section 3, all in Township 8 South, Range 4 West identified as Tract No. 6 on Project No. ACOA59521-ATRPO in Baldwin County, Alabama and being more fully described as follows:

Parcel 1 of 1:

Beginning at the Northwest corner of Blue Collar Country Exempt Subdivision Slide 2501-F in the Probate Court of Baldwin County, Alabama, thence S 89°57'34" E along the present R/W line of Beck Road a distance of 1280.01 feet to a point on grantor's property line;

Thence S 00°02'54" W along the grantor's property line a distance of 19.88 feet to a point on the grantor's property line;

Thence S 89 °57'14" E along the grantor's property line a distance of 727.25 feet to a point on the acquired R/W line of Pride Drive Street (said point is offset 93.03' left of and perpendicular to Pride Drive centerline at station 57+08.52);

Thence S 59°01'52" E along the acquired R/W line of Pride Drive a distance of 259.46 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' left of and perpendicular to Pride Drive centerline at station 59+44.31);

Thence S 69°58'23 "E along the acquired R/W line of Pride Drive a distance of 74.44 feet to a point on acquired R/W line of Pride Drive (said point is offset 65.96' left of and perpendicular to Pride Drive centerline at station 60+12.13);

Thence N 78°22'56" E along the acquired R/W line of Pride Drive a distance of 207.45 feet to a point on acquired R/W line of Pride Drive (said point is offset 226.31' left of and perpendicular to Pride Drive centerline at station 61+23.91);

Thence S 33°25'26" E along the acquired R/W line of Pride Drive a distance of 83.65 feet to a point on acquired R/W line of Pride Drive (said point is offset 209.71' left of and perpendicular to Pride Drive centerline at station 61+88.36);

Thence S 30°3'33" W along the acquired R/W line of Pride Drive a distance of 125.68 feet to a point on acquired R/W line of Pride Drive (said point is offset 90.57' left of and perpendicular to Pride Drive centerline at station 62+22.11);

Thence S 11°35'27" E along the acquired R/W line of Pride Drive a distance of 93.17 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' left of and perpendicular to Pride Drive centerline at station 62+99.26);

Thence along the acquired R/W line of Pride Drive and along a curve to the Southeast having a radius of 850.00 feet and a length of 513.41, a chord bearing of S 17°18'13" E and a chord distance of 505.64 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' left of and perpendicular to Pride Drive centerline at station 67+82.47);

Thence S 00°00'00" E along the acquired R/W line of Pride Drive a distance of 1351.48 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' left of and perpendicular to Pride Drive centerline at station 81+33.96);

Thence S 31°24'28" E along the acquired R/W line of Pride Drive a distance of 108.07 feet to a point on acquired R/W line of Pride Drive (said point is offset 106.32' left of and perpendicular to Pride Drive centerline at station 82+26.19);

Thence S 55°35'38" E along the acquired R/W line of Pride Drive a distance of 113.09 feet to a point on acquired R/W line of Pride Drive (said point is offset 199.62' left of and perpendicular to Pride Drive centerline at station 82+90.09);

Thence S 00°00'00" W along the acquired R/W line of Pride Drive a distance of 94.02 feet to a point on acquired R/W line of Pride Drive (said point is offset 199.62' left of and perpendicular to Pride Drive centerline at station 83+84.12);

Thence S 58°27'42" W along the acquired R/W line of Pride Drive a distance of 100.25 feet to a point on acquired R/W line of Pride Drive (said point is offset 114.18' left of and perpendicular to Pride Drive centerline at station 84+36.56);

Thence S 31°51'33" W along the acquired R/W line of Pride Drive a distance of 121.59 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' left of and perpendicular to Pride Drive centerline at station 85+39.83);

Thence S 00°00'00" W along the acquired R/W line of Pride Drive a distance of 1254.06 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' left of and perpendicular to Pride Drive centerline at station 97+93.89);

Thence S 46°22'40" E along the acquired R/W line of Pride Drive a distance of 72.21 feet to a point on acquired R/W line of Pride Drive (said point is offset tie to present R/W of County Road 20 and perpendicular to Pride Drive centerline at station 98+43.71);

Thence S 89°50'21" W the along the present R/W line of County Road 20 a distance of 203.59 feet to a point on acquired R/W line of Pride Drive (said point offset is tie to present R/W of County Road 20 and perpendicular to Pride Drive centerline at station 98+44.28);

Thence N 45°49'31" E along the acquired R/W line of Pride Drive a distance of 71.55 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 97+94.42);

Thence N 00°00'00" E along the acquired R/W line of Pride Drive a distance of 1238.35 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 85+56.07);

Thence N 24°28'32" W along the acquired R/W line of Pride Drive a distance of 125.01 feet to a point on acquired R/W line of Pride Drive (said point is offset 101.79' right of and perpendicular to Pride Drive centerline at station 84+42.29);

Thence N 61°05'56" W along the acquired R/W line of Pride Drive a distance of 114.35 feet to a point on acquired R/W line of Pride Drive (said point is offset 201.90' right of and perpendicular to Pride Drive centerline at station 83+87.02);

Thence N 00°00'00" E along the acquired R/W line of Pride Drive a distance of 94.00 feet to a point on acquired R/W line of Pride Drive (said point is offset 201.90' right of and perpendicular to Pride Drive centerline at station 82+93.02);

Thence N 56°56'42" E along the acquired R/W line of Pride Drive a distance of 127.57 feet to a point on acquired R/W line of Pride Drive (said point is offset 94.98' right of and perpendicular to Pride Drive centerline at station 82+28.45);

Thence N 24°15'19" E along the acquired R/W line of Pride Drive a distance of 109.50 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 81+23.61);

Thence N 00°00'00" E along the acquired R/W line of Pride Drive a distance of 1341.14 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 67+82.47);

Thence along the acquired R/W line of Pride Drive and along a curve to the Northwest having a radius of 750.00 feet and a length of 461.54 feet, a chord bearing of N 17°37'47" W and a chord distance of 454.30 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 62+90.16);

Thence N 56°03'47" W along the acquired R/W line of Pride Drive a distance of 92.92 feet to a point on acquired R/W line of Pride Drive (said point is offset 77.76' right of and perpendicular to Pride Drive centerline at station 61+93.71);

Thence S 74°27'37" W along the acquired R/W line of Pride Drive a distance of 153.54 feet to a point on acquired R/W line of Pride Drive (said point is offset 210.98' right of and perpendicular to Pride Drive centerline at station 61+00.03);

Thence N 33°25'26" W along the acquired R/W line of Pride Drive a distance of 87.05 feet to a point on acquired R/W line of Pride Drive (said point is offset 182.06' right of and perpendicular to Pride Drive centerline at station 59+91.07);

Thence N 28°11'23" E along the acquired R/W line of Pride Drive a distance of 102.46 feet to a point on acquired R/W line of Pride Drive (said point is offset 79.96' right of and perpendicular to Pride Drive centerline at station 59+08.89);

Thence N 37°57'40" W along the acquired R/W line of Pride Drive a distance of 78.88 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 59+01.42);

Thence along the acquired R/W line of Pride Drive and along a curve to the Northwest having a radius of 750.00 feet and a length of 351.51 feet, a chord bearing of N 76°31'38" W and a chord distance of 348.30 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 55+26.48);

Thence N 89°57'14" W along the acquired R/W line of Pride Drive a distance of 531.54 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 49+94.93);

Thence along the acquired R/W line of Pride Drive and along a curve to the Northwest having a radius of 4310.00 feet and a length of 253.95, a chord bearing of N 88°15'57" W and a chord distance of 253.92 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 47+43.93);

Thence N 86°34'41" W along the acquired R/W line of Pride Drive a distance of 829.54 feet to a point on acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 39+14.39);

Thence along the acquired R/W line of Pride Drive and along a curve to the Northwest having a radius of 4210.00 feet and a length of 107.26 feet, a chord bearing of N 87°18'28" W and a chord distance of 107.26 feet to a point on acquired R/W line of Pride Drive; (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 38+05.88);

Thence S 45°00'00" W along the acquired R/W line of Pride Drive a distance of 121.33 feet to a point on the West present R/W line of Juniper Street (said point is offset tie to present R/W of Juniper Street and perpendicular to Pride Drive centerline at station 47+49.95);

Thence N 00°10'37" E along West present R/W line of Juniper Street a distance of 164.35 feet to a point on acquired R/W line of Pride Drive POINT OF BEGINNING of the Property herein described, containing 17.668 acres more or less.

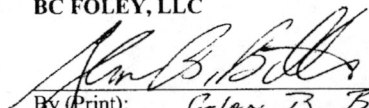
And as shown on the right of way map of record deposited in the office of the Judge of Probate as an aid to persons and entities interested therein and as shown on the Property Sketch attached hereto and made a part hereof.

TO HAVE AND TO HOLD, unto the City of Foley, its successors and assigns in fee simple forever.

AND FOR THE CONSIDERATION AFORESAID, I (we) do for myself (ourselves), for my (our) heirs, executors administrators, successors, and assigns covenant to and with the City of Foley that I (we) am (are) lawfully seized and possessed in fee simple of said tract or parcel of land hereinabove described; that I (we) have a good and lawful right to sell and convey the same as aforesaid; that the same is free of all encumbrances, liens, and claims, except the lien for advalorem taxes which attached on October 1, last past, and which is to be paid by the grantor; and that I (we) will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the grantor has executed this instrument on this 21st day of July, 2014.

BC FOLEY, LLC


By (Print): Glen B. Bilbo
As its: Manager

ACKNOWLEDGMENT

STATE OF Alabama
COUNTY OF Baldwin

I, the undersigned authority, a Notary Public in and for said county in said State, hereby certify that Glen B. Bilbo, whose name as Manager of **BC FOLEY, LLC**, 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 said instrument, he/she, as such Manager and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal on this 21st day of July, 2014.



Brenda W. Shambo
NOTARY PUBLIC

My Commission Expires:
(NOTARY SEAL)

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Dec 19, 2015
BONDED THRU NOTARY PUBLIC UNDERWRITERS

THIS INSTRUMENT PREPARED BY:
 RODNEY MANASCO
 VOLKERT, INC.
 3809 MOFFETT ROAD
 MOBILE, AL 36618

CITY OF FOLEY) PROJECT NO. AC0A59521- ATRP(003)
 COUNTY OF BALDWIN) TRACT NO. 6

**RIGHT OF WAY DEED
 FOR PERMANENT EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of sum Ten and No/100 dollars (\$10.00), cash in hand paid to the undersigned by the City of Foley, the receipt of which is hereby acknowledged, I (we), the undersigned grantor(s), **BC FOLEY, LLC** have this day bargained and sold, and by these presents do hereby grant, bargain, sell and convey unto the City of Foley a permanent easement and right of way including all right, title and interest in and to all timber growing or at any time located within the right of way and easement limits, upon the land hereinafter described, together with the right to locate or relocate utilities, and to enter upon such described land and grade, level, fill, drain, pave, build, maintain, repair, and rebuild a road or highway, together with such bridges, culverts, ramps, and cuts as may be necessary, on, over and across such right of way easement. The easement and right of way hereby granted is more particularly located and described as follows:

A part of the S ½ of the NE ¼, of Section 4, the E ½ of the SE ¼, of Section 4, the SW ¼ of the NW ¼, of Section 3, and the W ½ of the SW ¼, of Section 3, all in Township 8 South, Range 4 West identified as Tract No. 6 on Project No. ACOA59521-ATRPO in Baldwin County, Alabama and being more fully described as follows:

PDE 1 of 7:

Commencing at the Northwest corner of Blue Collar Country Exempt subdivision slide 2501-F in the Probate Court of Baldwin County, Alabama, Thence S 89°57'34" E along the grantor's property line a distance of 75.66' feet to a point on the grantor's property line;

Thence S 00°02'26" W a distance of 88.19 feet to a point on the acquired R/W line of Pride Drive and the POINT OF BEGINNING (said point is offset 60.00' right of and perpendicular to Pride Drive centerline at station 37+96.37);

Thence N 45°00'00" E along the acquired R/W line a distance of 13.70 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 38+05.86);

Thence along the acquired R/W line and along a curve to the Southeast having a radius of 4210.00' and a length of 107.26 feet, a chord bearing of S 87°18'28" E and a chord distance of 107.26 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 39+14.39);

Thence S 86°34'41" E along the acquired R/W line a distance of 829.54 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 47+43.93);

Thence along the acquired R/W line and along a curve to the Southeast having a radius of 4310.00' and a length of 253.95 feet, a chord bearing of S 88°15'57" E and a chord distance of 253.92 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 49+94.93);

Thence S 89°57'14" E along the acquired R/W a distance of 531.54 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 55+26.48);

Thence along the acquired R/W line and along a curve to the Southeast having a radius of 750.00' and a length of 351.51 feet, a chord bearing of S 76°31'38" E and a chord distance of 348.30 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 59+01.42);

Thence S 37°57'40" E along the acquired R/W line a distance of 78.88 feet to a point on the acquired R/W line of Pride Drive (said point is offset 79.96' right of and perpendicular to Pride Drive centerline at station 59+80.89);

Thence S 28°11'23" W along the acquired R/W line a distance of 102.46 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 182.06' right of and perpendicular to Pride Drive centerline at station 59+91.07);

Thence N 33°25'26 "W along the permanent drainage easement line a distance of 11.37 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 177.49' right of and perpendicular to Pride Drive centerline at station 59+77.65);

Thence N 28°11'23 "E along the permanent drainage easement line a distance of 90.54 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 87.16' right of and perpendicular to Pride Drive centerline at station 59+70.26);

Thence N 37°57'40 "W along the permanent drainage easement line a distance of 70.13 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' right of and perpendicular to Pride Drive centerline at station 59+99.02);

Thence along the permanent drainage easement line and along a curve to the Northwest having a radius of 740.00' and a length of 344.60 feet, a chord bearing of N 76°36'48" W and a chord distance of 341.50 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' right of and perpendicular to Pride Drive centerline at station 55+26.48);

Thence N 89°57'14 "W along the permanent drainage easement line a distance of 531.54 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' right of and perpendicular to Pride Drive centerline at station 49+94.93);

Thence along the permanent drainage easement line and along a curve to the Northwest having a radius of 4320.00' and a length of 254.54 feet, a chord bearing of N 88°15'57" W and a chord distance of 254.51 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' right of and perpendicular to Pride Drive centerline at station 47+43.93);

Thence N 86°34'41 "W along the permanent drainage easement line a distance of 829.54 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' right of and perpendicular to Pride Drive centerline at station 39+14.39);

Thence along the permanent drainage easement line and along a curve to the Northwest having a radius of 4200.00' and a length of 116.35 feet, a chord bearing of N 87°22'18" W and a chord distance of 116.35 feet to the POINT OF BEGINNING of the Property herein described, containing 0.516 acres more or less.

PDE 2 of 7:

Commencing at the Southeast corner of Parish Lakes Subdivision slide 2301C-F in the Probate Court of Baldwin County, Alabama, Thence N 89°57'14" W along the grantor's property line a distance of 533.64 feet to a point on the grantor's property line;

Thence S 00°02'46" E a distance of 45.32 feet to a point on the permanent drainage easement line of Pride Drive and the POINT OF BEGINNING (said point is offset 70.00' left of and perpendicular to Pride Drive centerline at station 57+85.82);

Thence along the permanent drainage easement line and along a curve to the Southeast having a radius of 870.00' and a length of 249.94 feet, a chord bearing of S 63°09'00" E and a chord distance of 249.08 feet to a point on the acquired R/W line of Pride Drive (said point is offset 70.00' left of and perpendicular to Pride Drive centerline at station 60+15.65);

Thence S 78°22'56" W along the acquired R/W line a distance of 5.56 feet to a point on the acquired R/W line of Pride Drive (said point is offset 65.96' left of and perpendicular to Pride Drive centerline at station 60+12.13);

Thence N 69°58'23" W along the acquired R/W line a distance of 74.44 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' left of and perpendicular to Pride Drive centerline at station 59+44.31);

Thence N 59°01'52" W along the acquired R/W line a distance of 171.26 feet to the POINT OF BEGINNING of the Property herein described, containing 0.072 acres more or less.

PDE 3 of 7:

Commencing at the Southeast corner of Parish Lakes Subdivision slide 2301C-F in the Probate Court of Baldwin County, Alabama, Thence S 00°06'05" W a distance of 426.40 feet to a point;

Thence N 89°53'55" W a distance of 423.31 feet to a point on the acquired R/W line of Pride Drive and the POINT OF BEGINNING (said point is offset 210.98' right of and perpendicular to Pride Drive centerline at station 61+00.03);

Thence N 74°27'37" E along the acquired R/W line a distance of 153.54 feet to a point on the acquired R/W line of Pride Drive (said point is offset 77.76' right of and perpendicular to Pride Drive centerline at station 61+93.71);

Thence S 56°03'47" E along the acquired R/W line a distance of 92.92 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 62+90.16);

Thence along the acquired R/W line and along a curve to the Southeast having a radius of 750.00' and a length of 461.54 feet, a chord bearing of S 17°37'47" E and a chord distance of 454.30 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 67+82.47);

Thence S 0°00'00" W along the acquired R/W line a distance of 1341.14 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 81+23.61);

Thence S 24°15'19" W along the acquired R/W line a distance of 24.34 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' right of and perpendicular to Pride Drive centerline at station 81+45.81);

Thence N 0°00'00" E along the permanent drainage easement line a distance of 445.81 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' right of and perpendicular to Pride Drive centerline at station 77+00.00);

Thence N 5°42'38" W along the permanent drainage easement line a distance of 100.50 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 70.00' right of and perpendicular to Pride Drive centerline at station 76+00.00);

Thence N 0°00'00" E along the permanent drainage easement line a distance of 400.00 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 70.00' right of and perpendicular to Pride Drive centerline at station 72+00.00);

Thence N 5°42'38" E along the permanent drainage easement line a distance of 100.50 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' right of and perpendicular to Pride Drive centerline at station 71+00.00);

Thence N 0°00'00" E along the permanent drainage easement line a distance of 317.53 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' right of and perpendicular to Pride Drive centerline at station 67+82.47);

Thence along the permanent drainage easement line and along a curve to the Northwest having a radius of 740.00' and a length of 455.39 feet, a chord bearing of N 17°37'47" W and a chord distance of 448.24 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' right of and perpendicular to Pride Drive centerline at station 62+90.25);

Thence N 63°37'57" W along the permanent drainage easement line a distance of 80.86 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 94.83' right of and perpendicular to Pride Drive centerline at station 62+09.98);

Thence S 74°27'37" W along the permanent drainage easement line a distance of 137.87 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 216.23' right of and perpendicular to Pride Drive centerline at station 61+27.79);

Thence N 33°25'26" W along the permanent drainage easement line a distance of 21.02 feet to the POINT OF BEGINNING of the Property herein described, containing 0.627 acres more or less.

PDE 4 of 7:

Commencing at the Southeast corner of Parish Lakes Subdivision slide 2301C-F in the Probate Court of Baldwin County, Alabama, Thence S 00°06'05" W a distance of 187.67 feet to a point;

Thence N 89°53'55" E a distance of 67.28 feet to a point on the permanent drainage easement line of Pride Drive and the POINT OF BEGINNING (said point is offset 209.71' right of and perpendicular to Pride Drive centerline at station 61+88.36);

Thence S 33°25'26" E along the permanent drainage easement line a distance of 11.18 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 208.00' left of and perpendicular to Pride Drive centerline at station 61+97.19);

Thence S 30°03'33" W along the permanent drainage easement line a distance of 116.89 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 97.57' left of and perpendicular to Pride Drive centerline at station 62+29.35);

Thence S 11°35'27" E along the permanent drainage easement line a distance of 87.33 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' left of and perpendicular to Pride Drive centerline at station 63+01.16);

Thence along the permanent drainage easement line and along a curve to the Southeast having a radius of 860.00' and a length of 517.41 feet, a chord bearing of S 17°14'08" E and a chord distance of 509.64 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' left of and perpendicular to Pride Drive centerline at station 67+82.47);

Thence S 0°00'00" W along the permanent drainage easement line a distance of 427.53 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' left of and perpendicular to Pride Drive centerline at station 72+10.00);

Thence S 29°21'28" E along the permanent drainage easement line a distance of 91.79 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 105.00' left of and perpendicular to Pride Drive centerline at station 72+90.00);

Thence S 0°00'00" W along the permanent drainage easement line a distance of 105.63 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 105.00' left of and perpendicular to Pride Drive centerline at station 73+95.63);

Thence S 60°28'53" W along the permanent drainage easement line a distance of 34.47 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 75.00' left of and perpendicular to Pride Drive centerline at station 74+12.62);

Thence S 0°00'00" W along the permanent drainage easement line a distance of 287.38 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 75.00' left of and perpendicular to Pride Drive centerline at station 77+00.00);

Thence S 8°31'51" W along the permanent drainage easement line a distance of 101.12 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' left of and perpendicular to Pride Drive centerline at station 78+00.00);

Thence S 0°00'00" W along the permanent drainage easement line a distance of 350.33 feet to a point on the acquired R/W line of Pride Drive (said point is offset 60.00' left of and perpendicular to Pride Drive centerline at station 81+50.33);

Thence N 31°24'28" W along the acquired R/W line a distance of 19.19 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' left of and perpendicular to Pride Drive centerline at station 81+33.96);

Thence N 0°00'00" E along the acquired R/W line a distance of 1351.48 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' left of and perpendicular to Pride Drive centerline at station 67+82.47);

Thence along the acquired R/W line and along a curve to the Northwest having a radius of 850.00' and a length of 513.41 feet, a chord bearing of N 17°18'13" W and a chord distance of 505.64 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' left of and perpendicular to Pride Drive centerline at station 62+99.28);

Thence N 11°35'27" W along the acquired R/W line a distance of 93.17 feet to a point on the acquired R/W line of Pride Drive (said point is offset 90.57' left of and perpendicular to Pride Drive centerline at station 62+22.11);

Thence N 30°03'33" E along the acquired R/W line a distance of 125.68 feet to the POINT OF BEGINNING of the Property herein described, containing 0.757 acres more or less.

PDE 5 of 7:

Commencing at the Southeast corner of Parish Lakes Subdivision slide 2301C-F in the Probate Court of Baldwin County, Alabama, Thence S 00°06'05" W a distance of 2621.11 feet to a point;

Thence N 89°53'55" W a distance of 66.82 feet to a point on the acquired R/W line of Pride Drive and the POINT OF BEGINNING (said point is offset 60.00' right of and perpendicular to Pride Drive centerline at station 85+34.10);

Thence S 24°28'32" E along the acquired R/W line a distance of 24.14 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 85+56.07);

Thence S 0°00'00" W along the acquired R/W line a distance of 1238.35 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' right of and perpendicular to Pride Drive centerline at station 97+94.42);

Thence S 45°49'31" W along the acquired R/W line a distance of 13.94 feet to a point on the permanent drainage easement line of Pride Drive (said point is offset 60.00' right of and perpendicular to Pride Drive centerline at station 98+04.14);

Thence N 0°00'00" E along the permanent drainage easement line a distance of 1270.04 feet to the POINT OF BEGINNING of the Property herein described, containing 0.288 acres more or less.

PDE 6 of 7:

Commencing at the Southeast corner of Parish Lakes Subdivision slide 2301C-F in the Probate Court of Baldwin County, Alabama, Thence S 00°06'05" W a distance of 2610.53 feet to a point;

Thence S 89°53'55" E a distance of 53.16 feet to a point on the permanent drainage easement line of Pride Drive and the POINT OF BEGINNING (said point is offset 60.00' left of and perpendicular to Pride Drive centerline at station 85+23.74);

Thence S 0°00'00 "W along the permanent drainage easement line a distance of 1279.69 feet to a point on the acquired R/W line of Pride Drive (said point is offset 60.00' left of and perpendicular to Pride Drive centerline at station 98+03.42);

Thence N 46°22'40 "W along the acquired R/W line of Pride Drive a distance of 13.81 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' left of and perpendicular to Pride Drive centerline at station 97+93.89);

Thence N 0°00'00 "E along the acquired R/W line of Pride Drive a distance of 1254.06 feet to a point on the acquired R/W line of Pride Drive (said point is offset 50.00' left of and perpendicular to Pride Drive centerline at station 85+39.83);

Thence N 31°51'33 "E along the acquired R/W line of Pride Drive a distance of 18.95 feet to the POINT OF BEGINNING of the Property herein described, containing 0.291 acres more or less.

PDE 7 of 7:

Commencing at the Southwest corner of Blue Collar Country Exempt Subdivision Slide 2501-F in the Probate Court of Baldwin County, Alabama, Thence N 00°10'37" E along the present R/W of Juniper Street a distance of 24.94 feet to a point on the permanent drainage easement line of Juniper Pond and the POINT OF BEGINNING (said point is offset tie to present R/W of Juniper Street right of and perpendicular to Juniper Street centerline at station 36+85.60);

Thence N 0°10'37" E along the present R/W line a distance of 153.17 feet to a point on the permanent drainage easement line of Juniper Pond (said point is offset tie to present R/W of Juniper Street right of and perpendicular to Juniper Street centerline at station 38+38.77);

Thence N 89°59'10" E along the permanent drainage easement line a distance of 625.33 feet to a point on the permanent drainage easement line of Juniper Pond (said point is offset 153.02' left of and perpendicular to Juniper Pond centerline at station 17+14.64);

Thence S 0°00'00" W along the permanent drainage easement line a distance of 153.02 feet to a point on the permanent drainage easement line of Juniper Pond (said point is offset 0.00' left of and perpendicular to Juniper Pond centerline at station 17+14.57);

Thence S 89°58'22" W along the permanent drainage easement line a distance of 625.80 feet to the POINT OF BEGINNING of the Property herein described, containing 2.199 acres more or less.

And as shown on the right of way map of record deposited in the office of the Judge of Probate as an aid to persons and entities interested therein and as shown on the Property Sketch attached hereto and made a part hereof.

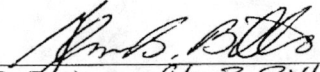
TO HAVE AND TO HOLD, the said easement and right of way including all right, title, and interest in and to such timber aforementioned unto the City of Foley and unto its successors and assigns forever.

And the said grantor(s) hereby covenant(s) with the City of Foley that I (we) am (are) lawfully seized and possessed of the afore-described tract or parcel of land; that I (we) have a good and lawful right to sell and convey it; that it is free from all encumbrances; and that I (we) will warrant and forever defend the title and quiet possession thereto against the lawful claims of all persons whomsoever.

The grantor hereby grants permission, with right of ingress to and egress from, grantor's adjoining property at any time during construction period of project for purpose of moving grantor's buildings and/or structures from the above described right of way.

IN WITNESS WHEREOF, the grantor has executed this instrument on this 21st day of July, 2014.

BC FOLEY, LLC


 By (Print): Glen B. Bilbo
 As to: Manager

ACKNOWLEDGMENT

STATE OF Alabama
COUNTY OF Baldwin

I, the undersigned authority, a Notary Public in and for said county in said State, hereby certify that Glen B. Bilbo, whose name as Manager of **BC FOLEY, LLC**, 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 said instrument, he/she, as such Manager and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal on this 21st day of July, 2014.

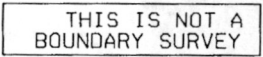


Brenda W. Shambo
NOTARY PUBLIC
My Commission Expires: _____
(NOTARY SEAL)

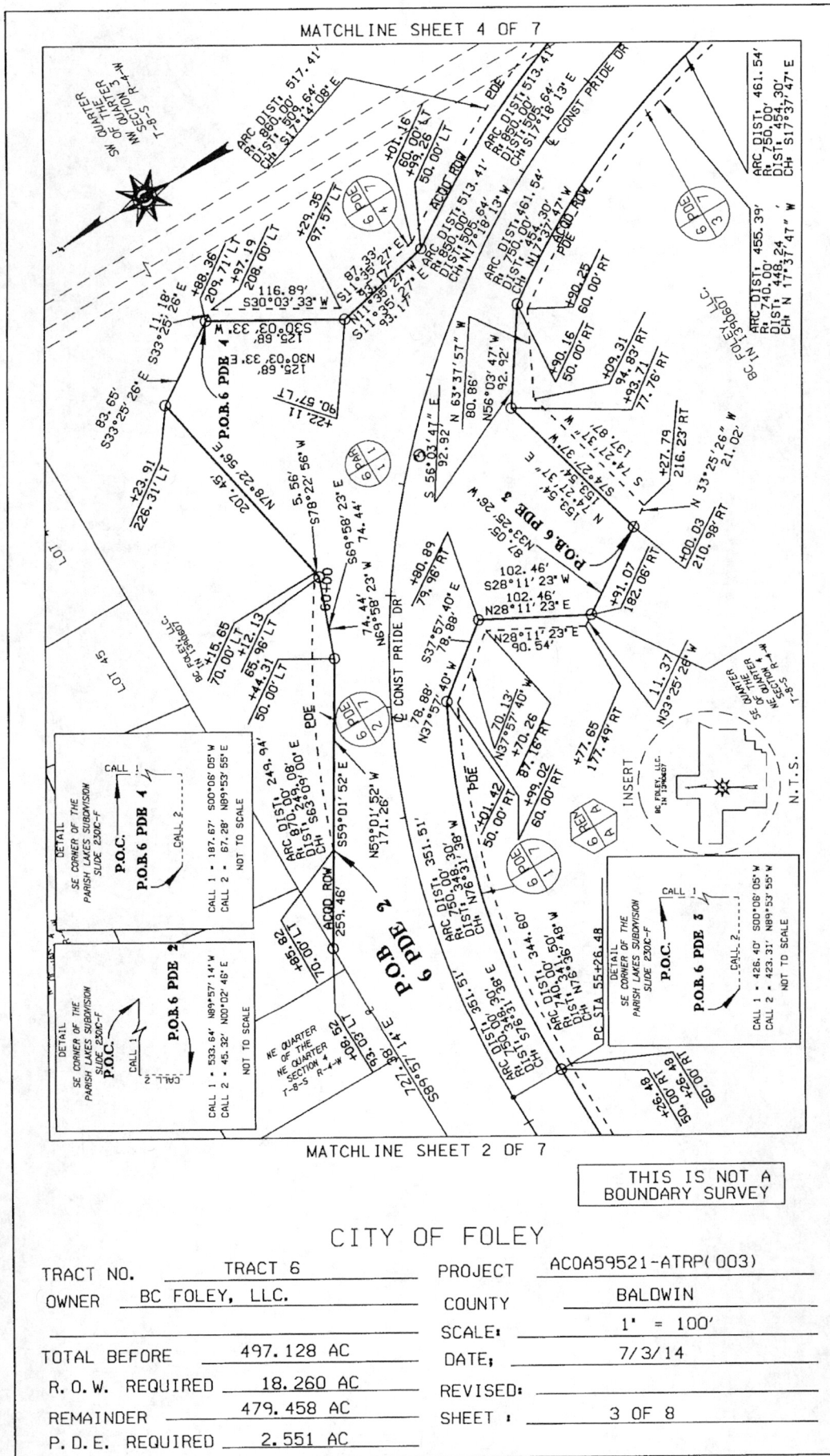
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Dec 19, 2015
BONDED THRU NOTARY PUBLIC UNDERWRITERS

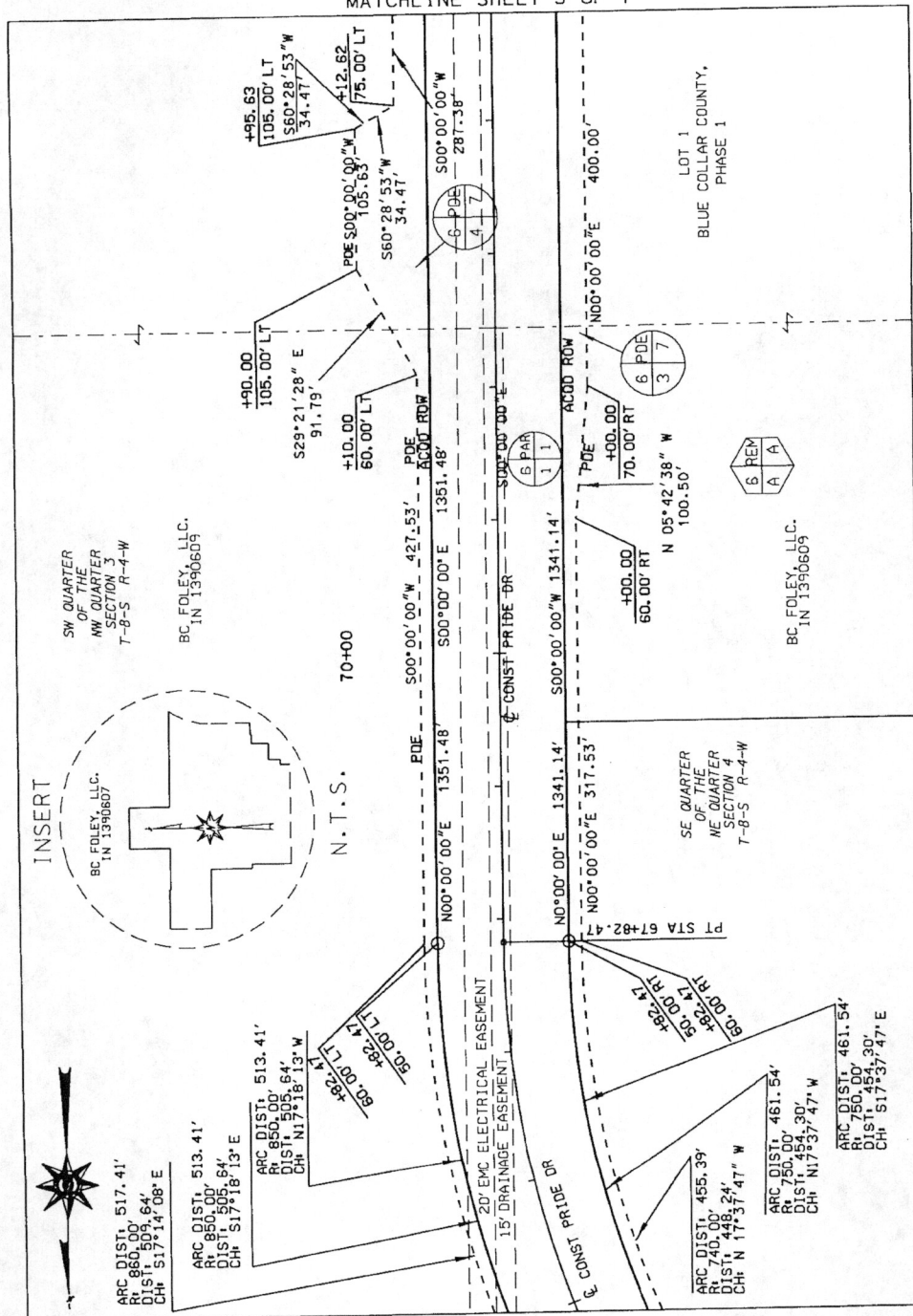
THIS IS NOT A
BOUNDARY SURVEY

TRACT NO.	TRACT 6	PROJECT	ACOA59521-ATRP (003)
OWNER	BC FOLEY, LLC.	COUNTY	BALDWIN
		SCALE:	1" = 100'
TOTAL BEFORE	497.128 AC	DATE;	7/3/14
R.O.W. REQUIRED	18.260 AC	REVISED:	
REMAINDER	479.458 AC	SHEET :	1 OF 8
P.D.E. REQUIRED	2.551 AC		



TRACT NO.	TRACT 6	PROJECT	ACOA59521-ATRP(003)
OWNER	BC FOLEY, LLC.	COUNTY	BALDWIN
		SCALE:	1' = 100'
TOTAL BEFORE	497.128 AC	DATE;	7/3/14
R. O. W. REQUIRED	18.260 AC	REVISED:	
REMAINDER	479.458 AC	SHEET :	2 OF 8
P. D. E. REQUIRED	2.551 AC		



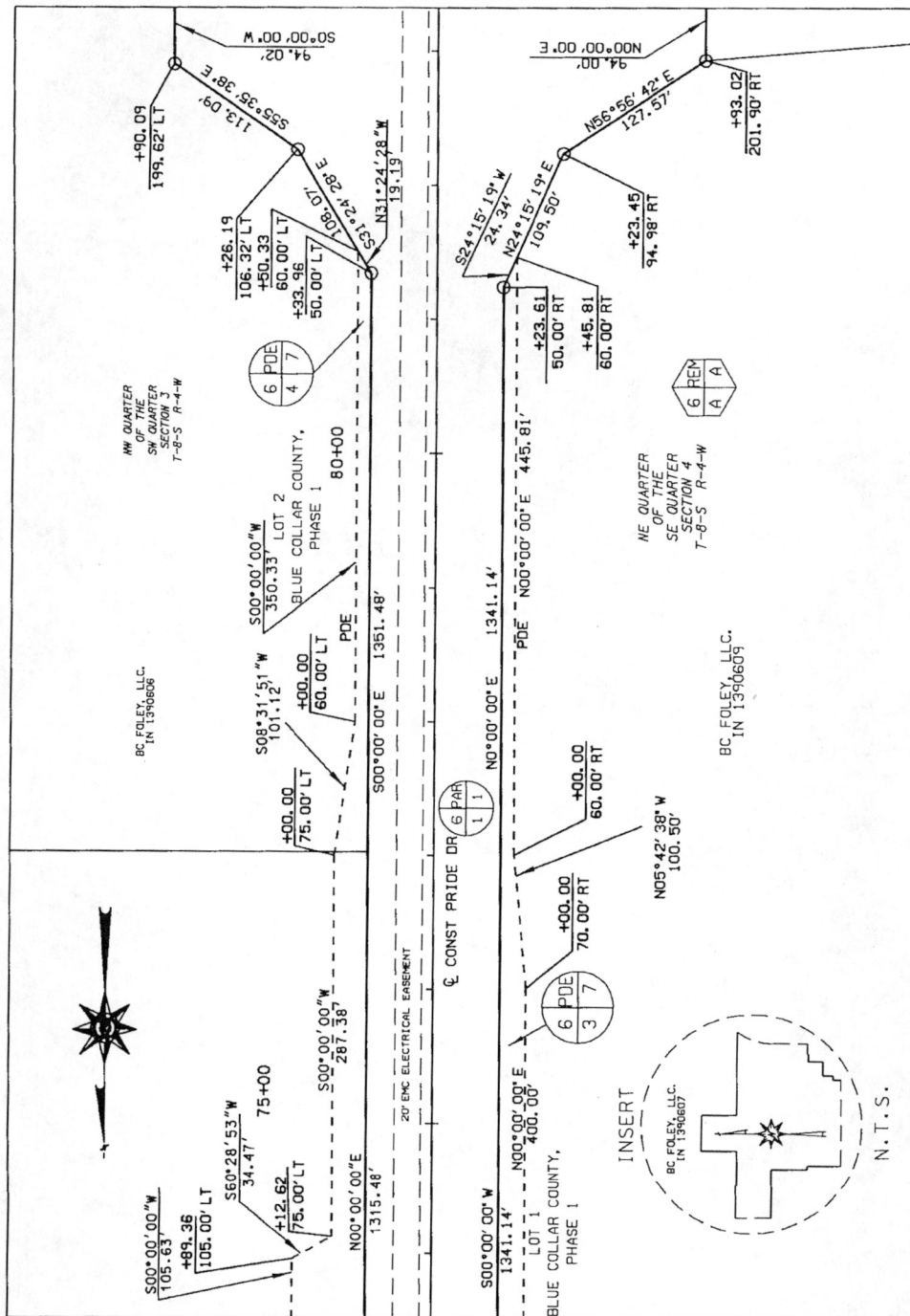


MATCHLINE SHEET 3 OF 7

THIS IS NOT A
BOUNDARY SURVEY

CITY OF FOLEY

TRACT NO.	TRACT 6	PROJECT	AC0A59521-ATRP(003)
OWNER	BC FOLEY, LLC.	COUNTY	BALDWIN
		SCALE:	1" = 100'
TOTAL BEFORE	497.128 AC	DATE:	7/3/14
R.O.W. REQUIRED	18.260 AC	REVISED:	
REMAINDER	479.458 AC	SHEET :	4 OF 8
P.D.E. REQUIRED	2,551 AC		

THIS IS NOT A
BOUNDARY SURVEY

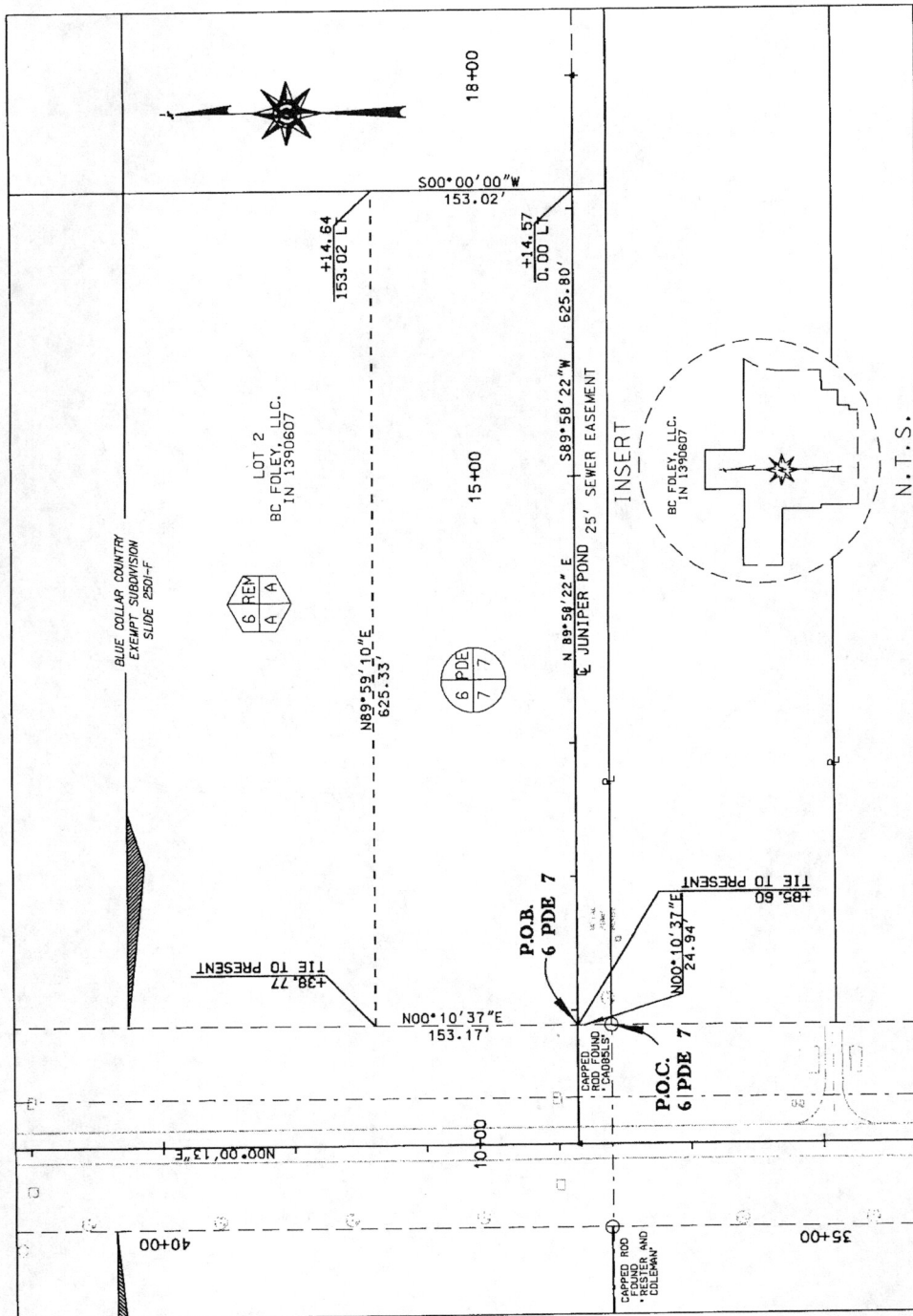
CITY OF FOLEY

TRACT NO.	TRACT 6	PROJECT	ACOA59521-ATRP(003)
OWNER	BC FOLEY, LLC.	COUNTY	BALDWIN
TOTAL BEFORE	497.128 AC	SCALE:	1" = 100'
R.O.W. REQUIRED	18.260 AC	DATE,	7/3/14
REMAINDER	479.458 AC	REVISED:	
P.D.E. REQUIRED	2.551 AC	SHEET :	5 OF 8



CITY OF FOLEY

TRACT NO.	<u>TRACT 6</u>	PROJECT	<u>AC0A59521-ATRP(003)</u>
OWNER	<u>BC FOLEY, LLC.</u>	COUNTY	<u>BALDWIN</u>
		SCALE:	<u>1" = 100'</u>
TOTAL BEFORE	<u>497.128 AC</u>	DATE:	<u>7/3/14</u>
R. O. W. REQUIRED	<u>18.260 AC</u>	REVISED:	
REMAINDER	<u>479.458 AC</u>	SHEET :	<u>7 OF 8</u>
P. D. E. REQUIRED	<u>2.551 AC</u>		



THIS IS NOT A
BOUNDARY SURVEY

CITY OF FOLEY

TRACT NO.	TRACT 6	PROJECT	AC0A59521-ATRP(003)
OWNER	BC FOLEY, LLC.	COUNTY	BALDWIN
		SCALE:	1' = 100'
TOTAL BEFORE	497.128 AC	DATE:	7/3/14
R.O.W. REQUIRED	18.260 AC	REVISED:	
REMAINDER	479.458 AC	SHEET :	8 OF 8
P.D.E. REQUIRED	4.750 AC		