

200 NORTH ALSTON STREET Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011 FAX (251) 971 -3442

July 21, 2016

Mayor and City Council City of Foley 407 East Laurel Avenue Foley, Alabama 36535

RE: Request for Rezoning

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on July 20, 2016 and the following action was taken:

Agenda Item:

Gulf Coast Elks Lodge No. 2782- Request for Re-zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the re-zoning of 4.8 +/- acres. Property is currently zoned PUD (Planned Unit Development) proposed zoning is B-1A (Extended Business District). Property is located at 2621 S. Juniper St. Applicant is Gulf Coast Elks Lodge No. 2782 Benevolent and Protective Order of Elks of the United States of America.

Action Taken:

Commissioner DeBell made a motion to recommend the requested rezoning of B-1A to Mayor and Council. Commissioner Hare seconded the motion. Vice-Chairman Hinesley voted nay. All other Commissioners voted aye.

Motion to recommend the requested rezoning of B-1A to Mayor and Council passes.

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler Planning & Zoning Coordinator mringler@cityoffoley.org

CITY OF FOLEY ALABAMA ADDENDUM APPLICATION FOR ZONING OF PROPERTY

ELKS LODGE 2621 SOUTH JUNIPER STREET FOLEY,ALABAMA 36535

JUNE 28, 2016

1. Location of property (address, pin number, legal description, map/survey, deed, and corporation ownership information):

Location: 2621 South Juniper Street - Foley, Alabama 36535

Pin Number: 119543

Description: See attachment (also Real Property Book 686, Page 1974, Probate

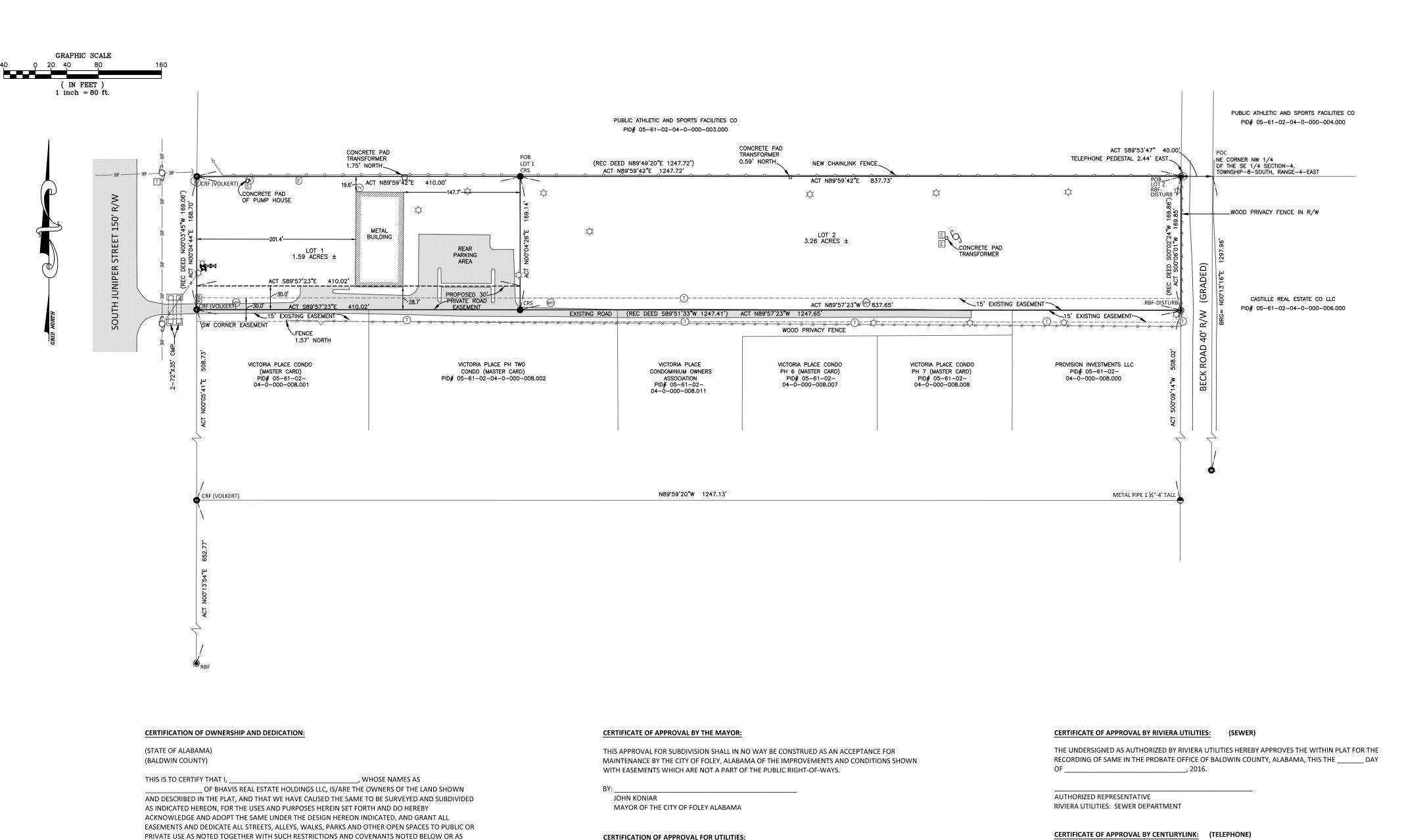
Records, Baldwin County, Alabama.

Corporation Ownership information: Gulf Coast Elks Lodge No. 2782 Benevolent and Protective Order of Elks of the United States of America

- 2. Attach separate list of adjacent property owners: see attachment
- 3. Approximate size of property: 4.8 acres, more or less
- 4. Present zoning of property: PUD
- 5. Requested zoning: B1A
- 6. Brief description of current use and structures located on the property:

A 7300 square foot metal building, used for the purpose of Elks meetings and activities. Four storage buildings(u-store), and a RV park.

- 7. Briefly describe the contemplated use of the property if re-zoned (type of development, density, etc.). A proposed hotel and restaurant.
- 8. Processing fee of \$500.00 for 20 acres or less, plus \$15.00 per additional acre over 20.



CERTIFICATION OF APPROVAL FOR UTILITIES

ATTACHED IN SEPARATE LEGAL DOCUMENT.

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY OF BALDWIN, IN THE STATE OF

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS THE _____ DAY OF JUNE, 2016.

SUBSCRIBED TO THE CERTIFICATION OF OWNERSHIP AND DEDICATION, APPEARED BEFORE ME THIS DAY

AND ACKNOWLEDGE THAT HE SIGNED SAID INSTRUMENT AS HIS FREE AND VOLUNTARY ACT AND WITH

FULL AUTHORITY FOR BHAVIS REAL ESTATE HOLDINGS LLC, FOR THE USES AND PURPOSES THEREIN SET

I, HEREBY CERTIFY THAT THE SUBDIVISION PLAT FOR ELKS LODGE SUBDIVISION HAS BEEN FOUND TO

OF SUCH VARIANCES, IF ANY, AS ARE NOTED ON THE MINUTES OF THE PLANNING COMMISSION AND

THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN

COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY OF FOLEY, ALABAMA, WITH THE EXCEPTION

DATED THIS ____ DAY OF JUNE, 2016.

BHAVIS REAL ESTATE HOLDINGS LLC

ALABAMA, HEREBY CERTIFY THAT

NOTARY PUBLIC

MY COMMISSION EXPIRES:_

CHAIRMAN, PLANNING COMMISSION

BUILDING OFFICIAL, CITY OF FOLEY

CITY CLERK, CITY OF FOLEY

THE UNDERSIGNED. AS THE CONSTRUCTION SUPERINTENDENT/ENGINEER OF THE CITY OF FOLEY. DO HEREBY CERTIFY THAT THE ATTACHED FINAL PLAT HAS BEEN EXAMINED BY ME AND ALSO THAT THE SUBDIVIDER'S PLANS AND SPECIFICATIONS COMPLY WITH THE REQUIREMENTS SET FORTH IN THE CITY OF FOLEY SUBDIVISION REGULATIONS. I FURTHER CERTIFY THAT THE STREETS, STORM DRAINAGE AND

CONSTRUCTION SUPERINTENDENT/ CITY ENGINEER CITY OF FOLEY

AFFIDAVIT OF LICENSED PROFESSIONAL ENGINEER:

SEWER HAVE BEEN INSTALLED.

I, THE UNDERSIGNED, A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF ALABAMA, LICENSE _, HEREBY CERTIFY THAT I HAVE DESIGNED THE WITHIN IMPROVEMENTS IN CONFORMITY WITH APPLICABLE CODES AND LAWS AND WITHIN THE PRINCIPLES OF GOOD ENGINEERING PRACTICE INCLUDING THE DRAINAGE DESIGN REQUIREMENTS BY THE CITY OF FOLEY AND BALDWIN COUNTY SUBDIVISION REGULATIONS I FURTHER CERTIFY THAT I HAVE PROVIDED OVERSIGHT OF THE CONSTRUCTION TO MY DESIGN, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE

WITHIN IS A TRUE AND ACCURATE REPRESENTATION OF IMPROVEMENTS AS INSTALLED.

CERTIFICATE OF APPROVAL BY BALDWIN EMC: (ELECTRIC)

THE UNDERSIGNED AS AUTHORIZED BY BALDWIN EMC HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, THIS

AUTHORIZED REPRESENTATIVE

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES: (WATER)

THE UNDERSIGNED AS AUTHORIZED BY RIVIERA UTILITIES HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE ______ DAY

AUTHORIZED REPRESENTATIVE RIVIERA UTILITIES: WATER DEPARTMENT

THE UNDERSIGNED AS AUTHORIZED BY CENTURYLINK HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS THE DAY

AUTHORIZED REPRESENTATIVE

THIS PROPERTY IS IN PUD PLANNING ZONE.

10. NO IMPROVEMENTS LOCATED UNLESS SHOWN.

THIS PROPERTY IS LOCATED ENTIRELY IN FLOOD ZONE "X" AS SCALED FROM THE FLOOD INSURANCE RATE MAP #01003C0820L AS REVISED JULY 17TH, 2007.

1. ALL MEASUREMENTS WERE MADE IN ACCORDANCE WITH U.S. STANDARDS. 2. DESCRIPTION AS FURNISHED BY CLIENT. 3. THERE MAY BE RECORDED OR UNRECORDED DEEDS, EASEMENTS, RIGHT-OF-WAYS, OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF SAID PROPERTIES. 4. THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION, OR EXTENT OF ANY SUB-SURFACE 5. SURVEY WAS CONDUCTED ON MAY 00, 2016; AND IS RECORDED IN FIELD BOOK #00, AT PAGES 00-00, AND IN ELECTRICAL DATA FILE, BS129. 6. BEARINGS AND DISTANCES SHOWN HEREON WERE "COMPUTED" FROM ACTUAL FIELD TRAVERSES. 7. BEARINGS ARE BASED ON STATE PLANE GRID COORDINATES ALABAMA WEST ZONE 0102 (NAD 83

8. ALL GPS OBSERVATIONS WERE TAKEN USING REAL TIME KINEMATIC GPS. 9. THIS SURVEY WAS BASED UPON MONUMENTATION FOUND IN PLACE AND DOES NOT PURPORT TO BE A RETRACEMENT AND PROPORTIONING OF THE ORIGINAL GOVERNMENT SURVEY.

SURVEYOR'S CERTIFICATE

(STATE OF ALABAMA)

(BALDWIN COUNTY)

I, JEFFERSON MARSHALL SMITH SR., A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY STATE THAT THE ABOVE IS A CORRECT MAP OR PLAT OF THE FOLLOWING DESCRIBED PROPERTY SITUATED IN BALDWIN COUNTY, ALABAMA, TO-WIT:

"COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4. TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA, THENCE SOUTH 89 DEGREES 53' 47" WEST, 40.0 FEET TO THE POINT OF BEGINNING, SAID POINT LYING ON THE WEST SIDE OF A PAVED ROAD; THENCE ALONG SAID ROAD SOUTH 00 DEGREES 02' 24" WEST, 169.86 FEET; THENCE SOUTH 89 DEGREES 51' 33" WEST, 1247.41 FEET TO THE EAST SIDE OF A PAVED ROAD; THENCE ALONG SAID ROAD NORTH 00 DEGREES 03' 45"WEST, 169.06 FEET; THENCE NORTH 89 DEGREES 49' 20" EAST, 1247.72 FEET TO THE POINT OF BEGINNING AND LYING IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4.

"LESS AND EXCEPT A PERMANENT AND IRREVOCABLE NON-EXCLUSIVE FIFTEEN FOOT EASEMENT FOR ACCESS RUNNING EAST AND WEST ALONG THE SOUTH SIDE OF THE ABOVE-DESCRIBED LANDS, WHICH GRANTOR HEREBY RESERVES UNTO ITSELF." (EASEMENT COPIED FROM WARRANTY DEED RECORDED IN REAL PROPERTY BOOK 554, AT PAGE 563 ET SEQ., PROBATE RECORDS, BALDWIN COUNTY, ALABAMA).

TOGETHER WITH AN APPURTENANT EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS FOLLOWS: A FIFTEEN FOOT EASEMENT RUNNING EAST AND WEST ALONG THE NORTH SIDE OF THE FOLLOWING DESCRIBED PROPERTY:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA, THENCE SOUTH 89 DEGREES 53' 47 WEST, 40.0 FEET TO THE WEST SIDE OF AN UNPAVED ROAD: THENCE ALONG SAID ROAD SOUTH 00 DEGREES 02' 24" WEST 169.86 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID ROAD SOUTH 00 DEGREES 02'24" WEST 169.50 FEET; THENCE SOUTH 89 DEGREES 51' 33" WEST, 1247.41 FEET TO THE EAST SIDE OF A PAVED ROAD; THENCE ALONG SAID ROAD NORTH 00 DEGREES 03' 45" WEST 169.50 FEET; THENCE NORTH 89 DEGREES 51' 33" EAST 1247.41 FEET TO THE POINT OF BEGINNING, LYING IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 4.

LESS AND EXCEPT SUCH OIL, GAS, AND OTHER MINERALS AND ALL RIGHTS IN CONNECTION THEREWITH AS ARE NOT OWNED BY GRANTOR.

DESCRIPTION COPIED FROM WARRANTY DEED DATED MAY 9TH, 1996 AND RECORDED IN REAL PROPERTY BOOK 686, AT PAGES 1974-1975, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA.

BEING MORE PARTICULARLY DESCRIBED AS:

LOT 1: ELKS LODGE SUBDIVISION: COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 8 SOUTH, RANGE 4 EAST AND RUN THENCE SOUTH 89 DEGREES 59 MINUTES 42 SECONDS WEST, FOR A DISTANCE OF 913.73 FEET TO THE POINT OF BEGINNING: THENCE RUN SOUTH 00 DEGREES 04 MINUTES 26 SECONDS WEST. 169.14 FEET: THENCE RUN NORTH 89 DEGREES 57 MINUTES 23 SECONDS WEST, FOR A DISTANCE OF 410.00 FEET TO THE EAST RIGHT-OF-WAY OF SOUTH JUNIPER STREET; THENCE RUN NORTH 00 DEGREES 04 MINUTES 26 SECONDS EAST, ALONG SAID EAST RIGHT-OF-WAY, FOR A DISTANCE OF 168.79 FEET; THENCE RUN NORTH 89 DEGREES 59 MINUTES 42 SECONDS EAST, FOR A DISTANCE OF 410.00 FEET TO THE POINT OF BEGINNING. CONTAINING 1.59 ACRES. MORE OR LESS. IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 8 SOUTH, RANGE 4 EAST, ST. STEPHENS MERIDIAN, BALDWIN COUNTY, ALABAMA.

TOGETHER WITH A 15 FOOT WIDE APPURTENANT EASEMENT FOR INGRESS AND EGRESS: SOUTH OF THE SOUTH PROPERTY LINE OF LOT 1, ELKS LODGE SUBDIVISION. SAID 15 FOOT WIDE EASEMENT IS THE NORTH 15 FEET OF THE ADJACENT PROPERTIES AS RECORDED IN REAL PROPERTY BOOK 686, PAGE 1974, RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

ALSO TOGETHER WITH A NEW 30 FOOT WIDE APPURTENANT EASEMENT FOR INGRESS AND EGRESS AND A PRIVATE ROAD: ALONG THE SOUTH 30 FEET OF SAID LOT 1 ELKS LODGE SUBDIVISION.

SUBJECT TO AN APPURTENANT EASEMENT FOR INGRESS AND EGRESS: UTILITIES ALONG THE SOUTH 15 FEET OF SAID LOT 1 ELKS LODGE SUBDIVISION.

QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 8 SOUTH, RANGE 4 EAST, RUN THENCE SOUTH 89 DEGREES 59 MINUTES 42 SECONDS WEST, FOR A DISTANCE OF 40.0 FEET TO THE WEST RIGHT-OF-WAY OF BECK ROAD AND THE POINT OF BEGINNING: THENCE RUN SOUTH 00 DEGREES 06 MINUTES 01 SECONDS WEST ALONG SAID WEST RIGHT-OF-WAY OF BECK ROAD FOR A DISTANCE OF 169.85 FEET; THENCE RUN NORTH 89 DEGREES 57 MINUTES 23 SECONDS WEST, FOR A DISTANCE OF 837.65 FEET; THENCE RUN NORTH 00 DEGREES 04 MINUTES 26 SECONDS EAST, FOR A DISTANCE OF 169.14 FEET: THENCE RUN NORTH 89 DEGREES 59 MINUTES 42 SECONDS EAST, FOR A DISTANCE OF 837.73 FEET TO THE POINT OF BEGINNING. CONTAINING 3.267 ACRES, MORE OR LESS, IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 8 SOUTH, RANGE 4 EAST, ST. STEPHENS MERIDIAN, BALDWIN COUNTY, ALABAMA.

TOGETHER WITH A 15 FOOT WIDE APPURTENANT EASEMENT FOR INGRESS AND EGRESS: SOUTH OF SAID PROPERTY LINE. SAID 15 FOOT WIDE EASEMENT IS THE NORTH 15 FEET OF THE ADJACENT PROPERTIES THAT RUN EAST AND WEST FROM THE EAST RIGHT-OF-WAY OF SOUTH JUNIPER STREET TO THE WEST RIGHT-OF-WAY OF BECK ROAD AS RECORDED IN REAL PROPERTY BOOK 686, PAGE 1974, IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

ALSO TOGETHER WITH A 15 FOOT WIDE APPURTENANT EASEMENT FOR INGRESS AND EGRESS: UTILITIES BEING THE SOUTH 15 FEET OF LOT 1 ELKS LODGE SUBDIVISION.

ALSO TOGETHER WITH A NEW 30 FOOT WIDE APPURTENANT EASEMENT FOR INGRESS AND EGRESS AND A PRIVATE ROAD: ALONG THE SOUTH 30 FEET OF SAID LOT 1 ELKS LODGE SUBDIVISION.

DESCRIPTIONS COMPOSED FROM AN ACTUAL FIELD SURVEY AND RECORDS.

I FURTHER CERTIFY THAT I HAVE SURVEYED AND DIVIDED SUBJECT PROPERTY AT THE REQUEST AND INSTANCE OF THE OWNER(S) THEREOF.

I FURTHER STATE THIS SURVEY HAS BEEN COMPLETED WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA. EFFECTIVE MAY 7, 2002.

JEFFERSON MARSHALL SMITH SR LICENSED PROFESSIONAL LAND SURVEYOR ALABAMA REGISTRATION NUMBER 26283-S

J. MARSHALL SMITH SURVEYING LLC

● = METAL PIPE 1½"-4" TALL

 = REBAR FOUND = CAPPED REBAR FOUND

= CAPPED REBAR SET CA 934 POB = POINT OF BEGINNING

POC = POINT OF COMMENCEMENT ACT = ACTUAL BEARING AND DISTANCE

REC = RECORD DIMENSION (INSTRUMENT 926757)

CMP = CORRUGATED METAL PIPE (v) = UNDERGROUND CABLE) = MANHOLE

(T) = TELEPHONE PEDESTAL = GUY WIRE

= UTILITY POLE = ELECTRIC METER

TELEPHONE BOX 🗘 = LAMP POST

= FIRE HYDRANT

E = ELECTRIC PLUG

■ = GATE VALVE ■ = WATER VALVE

W = WATER FAUCET ---- EASEMENT LINE ——OHP—— OVERHEAD POWER -× × × × WOOD FENCE

9 0

PLAT OF ELKS LODGE SUBDIVISION



PUBLIC NOTICE





The City of Foley Planning Commission has received a request to recommend to Mayor and Council the re-zoning of 4.8 +/- acres. Property is currently zoned PUD (Planned Unit Development) proposed zoning is B-1A (Extended Business District). Property is located at 2621 S. Juniper St. Applicant is Gulf Coast Elks Lodge No. 2782 Benevolent and Protective Order of Elks of the United States of America.

Anyone interested in the re-zoning request may be heard at a public hearing scheduled for Wednesday, July 20, 2016 in City Hall Council Chambers located at 407 E. Laurel Ave., at 5:30 p.m. or may respond in writing to 200 N. Alston St., Foley, AL 36535.

Roderick Burkle Planning Commission Chairman

WARRANTY DEED

Montgage Recorded Simultaneously

KNOW ALL MEN BY THESE PRESENTS that CHARLES RENFROH, a married man (hereinafter called "Grantor"), in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid to Grantor by GULF COAST ELKS LODGE NO. 2782, BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE UNITED STATES OF AMERICA (hereinafter called "Grantee"), the receipt whereof is hereby acknowledged, does, subject to all matters and exceptions hereinafter mentioned, hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Grantee and the successors and sasigns of Grantee, the following described real property attuate in the County of Baldwin, State of Alabama, to-wit:

Commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 4, Township 8 South, Range 4 East, Baldwin County, Alabama, thence South 89° 53° 47° West 40.0 feet to the Point of Beginning, said point lying on the west side of a paved road; thence along said road South 00° 02° 24° West 169.86 feet; thence South 89° 51° 33° West 1247.41 feet to the east side of a paved road; thence along said road North 00° 03° 45° West 169.06 feet; thence North 89° 49° 20° East 1247.72 feet to the point of beginning and lying in the Northwest Quarter of the Southeast Quarter of said Section 4.

TOGETHER WITH AN APPURTENANT EASEMENT FOR INGRESS AND EGRESS DESCRIBED AS POLLOWS: A fifteen foot easement running East and West along the North side of the following described property:

Commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 4, Township 8 South, Range 4 East, Baldwin County, Alabama, thence South 89° 53° 47" West 40.0 fect to the West side of an impayed road; thence along said road South 00° 02' 24" West 169.86 fect to the Point of Beginning; thence continue along said road South 00° 02' 24" West 169.50 fect; thence South 89° 51' 33" West 1247.41 fect to the East side of a payed road; thence along said road North 00° 03' 45" West 169.50 fect; thence North 89° 51' 33" Bast 1247.41 fect to the Point of Beginning, lying in the Northwest Quarter of the Southeast Quarter of said Section 4.

LESS AND EXCEPT such oil, gas, and other minerals and all rights in connection therewith as are not owned by Grantor.

TO HAVE AND TO HOLD said property, together with all and singular, the rights, members, privileges, tenements, improvements, hereditaments, casements and appurtenances thereunto belonging or in anywise appertaining; subject, however, to the matters and exceptions to which reference is hereinabove made, unto the said Grantee and the heirs and assigns of Grantee, forever.

The property is conveyed subject to such utility and drainage essentents, rights of way and restrictive covenants as may be applicable to the property and of record, to zoning restrictions, to setback lines, to such matters as are shown on the recorded plat of the subdivision and to any outstanding oil, gas and other mineral interests and all rights in connection therewith, as well as to the lien for current ad valorem taxes, which taxes Grantee assumes and agrees to pay when due, and to the following:

BEAL 686 PAGE 1974

- Reservation of 7/8th interest in and to all oil, gas and minerals and rights in connection therewith 1. as contained in Deed Book 372, Page 839.
- Encroachment of ditch and overhead power line as shown on plat of survey by David M. Givens, 2. dated September 18, 1986, project #86-920.
- A fifteen (15) foot essement along the south side of the property herein described as reserved in 3. deed from Riviera Centre, Inc. to Charles A. Renfroe and Michael D. Werneth, Sr., dated January 14, 1994 and recorded in Real Property Book 553, Page 839, and re-recorded in Real Property Book 554, Page 563.
- Rights of other parties in and to that certain easement described herein.

Grantor covenants to and with Grantee that, except as to the matters and exceptions to which reference is made herein. Grantor is lawfully seized of an indefeasible entate in fee simple in and to said property, same is free from other curambrances and liens, Grantor has a good and lawful right to sell and convey same, Grantor is in quiet and peaceable possession of same, and Grantor shall, and the heirs and sasigns of Grantor shall, forever warrant and defend the title to said property as herein conveyed, unto Grantee, and the successors and sasigns of Grantee, against the lawful claims of all persons whomsoever.

All recordations mentioned herein refer to the records in the office of the Judge of Probate Court of Baldwin County, Alabana.

GRANTOR CERTIFIES THAT NO PART OF THE PROPERTY CONVEYED HEREIN CONSTITUTES ANY PART OF THE HOMESTEAD OF GRANTOR OR HIS SPOUSE.

IN WITNESS WHEREOF, Gransor has placed his hand and seal hereto this

CHARLES RENFROE

STATE OF ALABAMA) COUNTY OF BALDWIN)

I, the undereigned authority, a Notary Public in and for said County in said State, hereby certify that CHARLES RENFROH, 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 instrument, he executed the same voluntarily for on the day same been date.

GIVEN under my hand this the Zday of May, 1996.

NOTARY PUBLIC

My Commission Expires:

GRANTEE'S ADDRESS:

8850 Righway 180.

Gulf Shores, AL 36342

THIS INSTRUMENT PREPARED BY: RICHARD B. DAVIS, ESQUIRE HELMSING, LYONS, SIMS & LEACH, P.C. Post Office Box 2767 Mobile, Alabama 36652

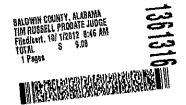
(334) 432-5521

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WHILE BLUE

| STATE OF ALABAMA |) |
|-------------------|---|
| COUNTY OF BALDWIN |) |



SCRIVENER'S AFFIDAVIT

Comes now the undersigned affiant, Richard E. Davis, Esq., after being first duly sworn according to law, and says as follows:

I am an Attorney at Law, having a license to practice law within the State of Alabama. On or about May 9, 1996, I prepared a WARRANTY DEED to be executed by CHARLES RENFROE, a married man, conveying real property located in Baldwin County, Alabama to GULF COAST ELKS LODGE NO. 2782, BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE UNITED STATES OF AMERICA. Said Warranty Deed was dated May 9, 1996 and recorded in the Office of the Judge of Probate of Baldwin County, Alabama on May 16, 1996 at Book 686, Page 1974. The Warranty Deed contained an error in the Grantee's name. It is my understanding that the correct name of the Grantee is GULF COAST LODGE NO. 2782, BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE UNITED STATES OF AMERICA.

Affiant gives this Affidavit for the purpose of correcting and perfecting title by evidencing and showing the scrivener's error appearing in above described deed of conveyance.

FURTHER AFFIANT SAYETH NAUGHT.

| STATE OF ALABAMA |) | |
|------------------|---|--|
| BALDWIN COUNTY |) | |

, a Notary Public, in and for said State and County, do hereby certify that RICHARD E. DAVIS, ESQ., who is known by me, executed the foregoing Affidavit in my presence and acknowledged that he did so of his own free will with full understanding of its contents.

Given under my hand and official seal of office on this the _____ day of June, 2012.

My Commission Expires: 3-13 7013

This Instrument Prepared By:

Craig D. Olmstead, Esq.

OLMSTEAD & OLMSTEAD, L.L.C.

234 Office Park Drive Gulf Shores, Alabama 36542

Phone: (251) 943-4000