

STATE OF ALABAMA

COUNTY OF BALDWIN

**AMENDMENT TO THE DECLARATION OF CONDOMINIUM
OF
GRAND BEACH RESORT, A CONDOMINIUM**

(Conversion of Commercial Unit to Common Element)

WHEREAS, the Declaration of Condominium of Grand Beach Resort, a Condominium (“Declaration”) has been recorded on June 11, 1998, in the office of the Judge of Probate, Baldwin County, Alabama as Instrument No. 441588 in Book M 0099, page 382; and

WHEREAS, Section 2.02 of said Declaration provides for one “Commercial Unit” within the condominium development, and is denoted as unit G-1 on Exhibit E to the Declaration; and

WHEREAS, the Grand Beach Resort Condominium Association, Inc. (“Association”) has acquired fee simple title to the Commercial Unit; and

WHEREAS, in accordance with Section 35-8A-207, CODE OF ALABAMA, 1975, as amended, and the Declaration, the Association desires to convert the Commercial Unit into a common element to be used and enjoyed by all members of the Association; and

WHEREAS, the Association recognizes that such conversion would necessitate the reallocation of the Commercial Unit’s percentage ownership, as shown on Exhibit E to the Declaration, to the remaining units; and

WHEREAS, in order to effectuate the desires of the Association, this amendment to the Declaration is being executed and recorded.

NOW THEREFORE, in accordance with an affirmative vote of at least 66 2/3 percent of a quorum of members assembled to vote on the above in compliance with and as required by

Section 13.02 of the Declaration and by Section 35-8A-217, CODE OF ALABAMA, 1975, as amended, the Association declares that the Commercial Unit shall be converted to a common element of the Association upon the recording of this Amendment in the office of the Judge of Probate, Baldwin County, Alabama, and that Exhibit E to the Declaration is also amended to reallocate the former Commercial Unit's ownership percentage the remaining members, pro rata, as attached hereto.

This Amendment may be executed in any number of identical counterparts, and each counterpart hereof shall be deemed to be an original instrument, but all counterparts hereof taken together shall constitute but a single instrument.

IN WITNESS WHEREOF, the Association has hereunto set its hand and seal, this the _____ day of _____, 2013.

GRAND BEACH RESORT CONDOMINIUM OWNERS ASSOCIATION, INC., an Alabama non-profit corporation

By: _____

Its: _____

STATE OF _____

COUNTY OF _____

Before me, the undersigned authority, a Notary Public in and for said State and County, personally appeared _____ as President of **GRAND BEACH RESORT CONDOMINIUM ASSOCIATION, INC.**, an Alabama non-profit corporation, whose name is signed to the foregoing instrument, and who is known to me, who after by be first being duly sworn on oath did depose and say that being informed of the contents of said instrument, (s)he executed the same voluntarily and with full power and authority to act on behalf of said corporation, on the day the ame bears date.

Given under my hand and seal on this _____ day of _____, 2013.

NOTARY PUBLIC

My Commission Expires:

This instrument prepared by:

*Jeffrey R. Sport, Esq.
Kilborn, Roebuck & McDonald
P.O. Box 66710
Mobile, Alabama 36660*