

SEND TAX NOTICE TO:

Baldwin County Board of Education
2600-A North Hand Avenue
Bay Minette, AL 36507

STATE OF ALABAMA)
)
BALDWIN COUNTY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by **BALDWIN COUNTY BOARD OF EDUCATION**, an agency of the State of Alabama ("Grantee") to **CITY OF ORANGE BEACH, ALABAMA** an Alabama municipal corporation ("Grantor"), the receipt and sufficiency of which are hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto the Grantee, that certain real property situated in Baldwin County, Alabama, being more particularly described on Exhibit A attached hereto and made a part hereof.

SUBJECT, however, to the permitted encumbrances set forth on Exhibit B attached hereto and made a part hereof.

TO HAVE AND TO HOLD unto the said Grantee, Grantee's successors and assigns forever.

REVERTER: The subject property is being conveyed for the sole and exclusive use by the Grantee as a public school. In the event that the subject property is not used by Grantee as a public school commencing within three (3) years from the date of this deed and continuously thereafter, all right, title and interest in and to said subject property, together with any improvements thereon, shall automatically revert to the Grantor; provided, however, that if there is damage or destruction to the improvements on the subject property which temporarily prevents its use as a public school, then the subject property shall not then and there revert to Grantor, unless (i) the improvements are not repaired and/or re-constructed within four (4) years of the date of such damage or destruction, or (ii) the subject property is not again used by Grantee as a public school within such four (4) year time period, in which case, the subject property shall automatically revert to Grantor. This reversion shall lapse after fifty (50) years from the date of this deed.

The conveyance made herein is made on an "as-is" basis and Grantor disclaims any and all warranties of any kind, express or implied, with regard to the condition or fitness of said property.

Pursuant to the provisions of Ala. Code § 40-22-1 (1975), the following information is

offered in lieu of submitting Form RT-1:

Grantor's Name and Mailing Address:	Grantee's Name and Mailing Address:
City of Orange Beach	Baldwin County Board of Education
P.O. Box 458	2600-A North Hand Avenue
Orange Beach, Alabama 36561	Bay Minette, Alabama 36507

Property Address:	23908 Canal Road, Orange Beach, AL
Date of Sale:	Date of this Deed
Actual Value:	\$ 1,803,700
The Actual Value can be verified in:	<input checked="" type="checkbox"/> Tax Assessor Records

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Grantor has caused this Statutory Warranty Deed to be executed by its duly authorized Mayor as of the ____ day of March, 2019.

GRANTOR:

CITY OF ORANGE BEACH, ALABAMA

By: _____
Tony Kennon
Its Mayor

STATE OF ALABAMA)
BALDWIN COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Tony Kennon, whose name as Mayor of the CITY OF ORANGE BEACH, ALABAMA, an Alabama municipal corporation, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, he, as such Mayor and with full authority, executed the same voluntarily for and as the act of said municipal corporation.

Given under my hand and official seal, this the ____ day of March, 2019.

[SEAL]

Notary Public
My Commission Expires: _____

THIS INSTRUMENT PREPARED BY:

Paul O. Woodall, Jr.
JONES WALKER LLP
420 20th Street North
Suite 1100
Birmingham, Alabama 35203

EXHIBIT A

Legal Description

ALL OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 9 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA. LYING SOUTH OF ALABAMA HIGHWAY NO. 180 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN 1/2 INCH REBAR MARKING THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 9 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA THENCE ALONG THE EAST LINE OF SECTION 1, RUN NORTH 00°00'27" EAST, 1326.97 FEET TO A POINT ON THE WEST RIGHT OF WAY OF WILLIAM SILVERS PARKWAY (60' RIGHT-OF-WAY); THENCE LEAVING THE EAST LINE OF SECTION 1, RUN SOUTH 89°45'48" WEST, 14.00 FEET TO CAPPED RE-BAR SET (CRS) LS 13918 AT THE POINT OF BEGINNING. THENCE LEAVING THE POINT OF BEGINNING, CONTINUE SOUTH 89°45'48" WEST, 1389.72 FEET TO A CRIMPED TOP IRON ON THE EAST RIGHT OF WAY OF SWEETWATER DRIVE, THENCE ALONG THE EAST RIGHT OF WAY OF SWEETWATER DRIVE, RUN NORTH 00°01'30" EAST, 1256.53 FEET TO A CRS (LS 13918) ON THE PROPOSED RIGHT OF WAY OF STATE HIGHWAY 180, A.K.A. CANAL ROAD; THENCE ALONG THE PROPOSED RIGHT OF WAY, RUN NORTH 89°49'32" EAST, 1335.75 FEET TO A CRS (LS 13918); THENCE RUN SOUTH 64°23'45" EAST, 59.41 FEET TO A CRS (LS 13918) MARKING A POINT ON THE PROPOSED WEST RIGHT OF WAY (74 FEET WIDE) OF WILLIAM SILVERS PARKWAY; THENCE ALONG SAID PROPOSED WEST RIGHT OF WAY, RUN SOUTH 00°00'27" WEST, 1296.18 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING:

LOT 1, CROWN COMMUNICATIONS TOWER SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA ON SLIDE NO. 2057-C; AND

ANY PORTION OF THE ABOVE-DESCRIBED PROPERTY LYING WITHIN ALABAMA HIGHWAY 180 OR WILLIAM SILVERS PARKWAY.

EXHIBIT B

Permitted Encumbrances

- 1) 2019 ad valorem taxes not yet due and payable;
- 2) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the property and not otherwise reflected herein;
- 3) Any prior reservation of minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the subject property, together with all rights, privileges, and immunities relating thereto;
- 4) Subject to the access and utility easement, and the rights of others in and to its use, as set out in that Memorandum of Lease Agreement by and between the City of Orange Beach and Crown Communication, Inc., dated April 11, 2001, recorded October 18, 2001, as Instrument Number 622313, and Agreement and Memorandum of First Amendment to Lease Agreement, dated November 15, 2010, recorded June 13, 2011, as Instrument Number 1290454, and as shown on subdivision plat recorded on Slide 2057-C;
- 5) Crown Communications Tower Subdivision as shown on subdivision plat recorded on Slide 2057-C;
- 6) Subject to Memorandum of Lease Agreement by and between the City of Orange Beach and Crown Communication, Inc., dated April 11, 2001, recorded October 18, 2001, as Instrument Number 622313, and Agreement and Memorandum of First Amendment to Lease Agreement, dated November 15, 2010, recorded June 13, 2011, as Instrument Number 1290454; and
- 7) Subject to fences not lying on the true property line.