

MBT-1487439

Send tax notice to:

Granster

4550 W 241st

Sheridan, IN 46069

This instrument prepared by:

LONG, FLANAGAN & MCDONALD, LLC

1321 Gunter Avenue

Guntersville, Alabama 35976

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 11/25/2014 10:43 AM
DEED TAX \$ 25.00
TOTAL \$ 40.00
3 Pages

1487439

STATE OF ALABAMA
COUNTY OF BALDWIN

WARRANTY DEED



KNOW ALL THESE PRESENTS, that in consideration of the sum of Ten Dollars (\$10) and other good and valuable consideration to the undersigned Grantor, in hand paid by the Grantees herein, the receipt of which is acknowledged, the undersigned, **PERDIDO DUNES 42, LLC, an Alabama limited liability company** (hereinafter referred to as GRANTOR) does hereby grant, bargain, sell and convey unto **DAVID ERVIN**, (hereinafter referred to as GRANTEE) the following real estate situation in Baldwin County, Alabama, to-wit:

Unit 42 of Perdido Dunes 2006, a Condominium, a condominium in Baldwin County, Alabama, as described in the Declaration of Condominium and the attached exhibits to the Declaration of Condominium of Perdido Dunes 2006, a condominium, filed in the Probate Records of Baldwin County, Alabama in Instrument #947975 and amended in Instruments 1040901 and 1218362. Together with an undivided interest in and to the common areas as shown and defined in the Declaration of Condominium of Perdido Dunes 2006, a condominium.

Said Condominium Unit was formally known and is one and the same as Unit 42 of Perdido Dunes, Phase II B, a condominium in Baldwin County, Alabama, as described in the Declaration of Condominium and the attached exhibits to the Declaration of Condominium of Perdido Dunes, a Condominium, filed in the Probate Records of Baldwin County, Alabama in Miscellaneous Book 49, Page 934, et seq., and as amended by Incremental amendment dated April 25, 1985 and recorded in Miscellaneous Book 53, Page 1997 and amended by Incremental Amendment dated August 21, 1985 and recorded in Miscellaneous Book 55, Page 1246, et seq., and as further amended by First Supplemental Declaration (Amendment) dated January 20, 1986 and recorded in Miscellaneous Book 56, Page 797 and all exhibits thereto, and further amendment recorded March 17, 1997 in Miscellaneous Book 92, Page 1280, and amendment recorded March 2, 2005 at Instrument #873487, and all exhibits and subsequent amendments thereto; TOGETHER WITH an undivided interest in and to the common area as shown and defined in the Declaration of Condominium of Perdido Dunes, a condominium and amendments thereto filed as herein above described excepting and reserving all easements and uses set forth herein.

THIS CONVEYANCE AND WARRANTIES HEREUNDER ARE MADE SUBJECT TO THE FOLLOWING:

1. Any and all Special Assessments, Bills, Charges or Municipal liens levied and/or assessed against subject property, which are currently due and payable, if any.
2. Taxes and/or assessments for the year 2015, not yet due and payable, and for subsequent years. Taxes assessed for, Parcel ID/Tax ID # 65-02-10-0-000-136.002-907 / PPIN 282860 are due and payable October 1, 2015, but are not delinquents until December 31, 2015. (subject to Tax Assessment.)
3. Any prior reservation or conveyance, together with release of damages, of minerals of every kind and character, including, but not limited to, oil, gas, sand and gravel in, on and under subject property. Anything to the contrary notwithstanding, nothing herein attempts to set out any ownership interest in any oil, gas, and minerals or any rights in connection therewith, and said oil, gas, and mineral interests, and all rights of entry, including the right to mine or extract such oil, gas and mineral interests are not insured.
4. The policy does not insure against any reappraisal, assessed value adjustment, and/or escape taxes which may become due by virtue of any action of the Office of the Tax Assessor, the Office of the Tax Collector, and/or the board of Equalization.

Mortgage Recorded Simultaneously

5. Building setback line, drainage and utility line easements and notes or restrictions as shown on recorded plat of said subdivision.(a) Navigational servitudes and all other rights, titles and powers of the United States, the state and local government, and any other governmental entity and the public over lands comprising the bed of Gulf of Mexico and its shore extending to the ordinary high water line thereof.(b) Lands beyond the line of the border or bulkhead lines, or vegetation line.(c) Filled lands, submerged lands or artificial lands, including any determination that some portion of the land is tide or submerged lands, or has been created by artificial means or has accreted to such portion so created.(d) Riparian or water rights, claims or title to water, whether or not shown by the public record.
6. This policy does not insure any of the lands described in Schedule "A" that would be below mean high tide.
7. All rights of the United States Government and the State of Alabama in and to the navigable waters and the land beneath any of the navigable waters within the property described in this title policy, and all rights of the United States Governments and of the State of Alabama in and to any of the lands described that may be on or below mean high tide.
8. Terms, conditions, provisions and restrictions of all permits and licenses of Federal, State and Local government, including applicable agencies and departments and private and quasi governmental agencies having jurisdiction over the real property, including but not limited to restrictions on construction of any areas delineated by government agencies as wetlands.
9. Subject to subdivision regulations by the City of Orange Beach, Alabama as recorded at Instrument #943772 in the Probate Office of Baldwin County, Alabama, and any amendments thereto.
10. Reservations, restrictions, easements, options, covenants and agreements, reservations or possibilities of reverter to powers of attorney incorporated by reference in the Declaration of Condominium for Perdido Dunes Tower and Perdido Dunes 2006 and amendments thereto and in the related By-Laws and Articles of Incorporation of the Condominium and its Owners Associations and drawings as recorded in Instrument #947974, Instrument #974975, Instrument #947996, Instrument #947997 and Instrument #947998 and further amended by Instrument #1020070 and all amendments thereto, but omitting any covenant, condition or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons.
11. Utility easement granted Alabama Gulf Utility, Inc., by instrument dated March 25, 1985 and recorded in Real Property Book 335, Page 415 in the Probate Office of Baldwin County, Alabama.
12. Utility and Road Easement as contained in Mortgage from Perdido Dunes, Inc. to The Northwestern Bank dated October 11, 1984 and recorded in Real Property Book 193, pages 774-776; as corrected in Correction Mortgage dated October 17, 1984 and recorded October 18, 1984 in Real Property Book 193, pages 995-998 and Mortgage from Perdido Dunes, Inc., to The Northwestern Bank dated March 27, 1985 and recorded in Real Property Book 208, page 1841 and contained in Declaration of Condominium of Perdido Dunes and attached exhibits as recorded in Miscellaneous Book 49, pages 934, et seq., in the Probate Office of Baldwin County, Alabama.
13. Terms and conditions of the certain instrument by and between Howard A. Yeager and Perdido Dunes, Inc., dated September 19, 1983 and recorded August 19, 1995 in Real Property Book 223, page 1947, et seq., in the Probate Office of Baldwin County, Alabama.
14. Terms, conditions, limitation, restrictions, reservations and easements as set forth in Easement for Placement, Construction, Maintenance and Use of sand and associated sand stabilization structures, vegetation, irrigation systems, and access structures between Perdido Dunes Condominium Association and The City of Orange Beach, Alabama and the Conservation and Natural Resources dated November 11, 2004 and recorded at Instrument #872939 in the Probate Office of Baldwin County, Alabama.

TO HAVE AND TO HOLD unto the Grantee, his heirs and assigns forever together with every contingent remainder and right of reversion.

And said GRANTOR does, for himself, his heirs and assigns, covenant with said GRANTEE, his heirs and assigns, that he is lawfully seized in fee simple of said premises; that he is free from all encumbrances except ad valorem taxes for 2014 and subsequent years, and easements and restrictions of record, unless otherwise stated above; that he has good right to sell and convey the same aforesaid; that he will and his heirs and assigns shall warrant and defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims all persons.

IN WITNESS WHEREOF, the Grantor hereunto set his hand and seal this the 18 day of November, 2014.

PERDIDO DUNES 42, LLC

Milton Pate

BY: Milton Pate

ITS: Managing Member

STATE OF Alabama
COUNTY OF Baldwin

I, the undersigned, a Notary Public in and for said county and state, hereby certify that Milton Pate, whose name 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 executed the same voluntarily.

* whose name as Managing Member of Perdido Dunes 42, LLC

Given under my hand and official seal this the 18 day of November, 2014.

James E. Hill

Notary Public

My Commission Expires: 8/1/17