

STATE OF ALABAMA)
COUNTY OF BALDWIN)

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 2/ 5/2015 11:47 AM
TOTAL \$ 18.00
4 Pages

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AMENITIES USE AGREEMENT

THIS AGREEMENT is entered into as of the 30 day of January, 2015 (the "Effective Date"), by and between the Buena Vista RV Resort Property Owners Association, Inc. (the "Association") and the Orange Beach RV Investments, LLC (the "Developer").

RECITALS:

The Developer is presently in the process of developing BUENA VISTA RV RESORT ("the Resort"), as shown on the Plat ("the Plat") recorded at Slide 2411-D and elsewhere in the records of the Office of Judge of Probate of Baldwin County, Alabama. The Resort potentially consists of a total of one hundred and eleven (111) Motor Coach Lots. Phases 1-A, 1-B, and 1-C containing 46 Lots have been brought into the Resort at this time. The Association is the legal entity formed to represent Lot Owners as to their common interests and is authorized to enter into agreement on their behalf and for their benefit. The Developer is also owner of an out parcel adjacent to the Resort known as Lot 2, as the same is depicted on the above referenced slide ("Lot 2"). The Developer has constructed a mixed use structure on this lot providing commercial, rental, and real estate management space, as well as certain resort-type amenities, including an indoor heated pool and an event center. It is the desire of the Developer to allow the Lot Owners, their guests, family members, and tenants the use and enjoyment of these

amenities and to administer the same for its own benefit during the marketing and sales period of the Resort's development.

NOW, THEREFORE, in consideration of the premises, as set out in the recitals and the mutual covenants and considerations set out herein, the parties agree as follows:

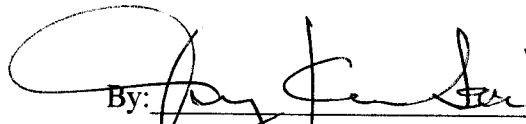
1. Fair Use. Subject to the reasonable rules and regulations issued by the Developer as may be applicable to any particular amenity located on Lot 2, the parties agree that the same shall be made available to the Lot Owners, their families, and personal guests, without charge, except as set out below, for a period of five (5) years from the Effective Date.

2. Payment of Costs of Operations, Maintenance, and Repair. The Developer shall pay the cost of operations, maintenance, and repair of the amenities built or which may be built on Lot 2 during the period set out in paragraph 1.

3. Charge for Use. The Developer reserves the right, at its discretion, to impose a daily surcharge on the rentals of Motor Coach Lots in order to contribute to or defray the expenses set out immediately above. Further, the Developer reserves the right to impose reasonable charges for the reservation and use of the event center and the other amenities for special events and private parties.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be properly executed to be effective on this the 3rd day of February, 2015.

ORANGE BEACH RV INVESTMENTS, LLC
an Alabama limited liability company

By: 
Terry Kurowski
Terry Kurowski

Its: Managing Member

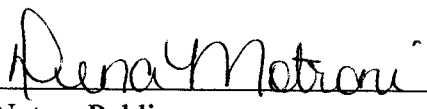
STATE OF Alabama)

COUNTY OF Baldwin)

I, Dena Motroni, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Terry Kurowski, whose name as Managing Member of ORANGE BEACH RV INVESTMENTS, 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, as such member and with full authority, has executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 3rd day of February ~~January~~, 2015.
Dena Motroni

Notary Public
My


Notary Public

My Commission Expires: 04/16/2016

Buena Vista RV Resort Property Owners Association, Inc.
an Alabama corporation

By: James Grantham
JAMES GRANTHAM
Its: President

STATE OF Alabama)

COUNTY OF Baldwin)

I, Dena Motroni, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James Grantham whose name as President of Buena Vista RV Resort Property Owners Association, Inc., 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, as such officer and with full authority, has executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 3rd day of February ~~January~~ 2015.

Dena Motroni
Notary Public

My Commission Expires:

04/16/2016

THIS INSTRUMENT PREPARED BY:

Jule R. Herbert Jr.
Herbert Law Firm LLC
Attorney at Law
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