

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

R. Shan Paden  
PADEN & PADEN  
Attorneys at Law  
5 Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

KATHRYN Y. YATES  
503 GABLES DRIVE  
BIRMINGHAM, AL 35244

Inst # 2000-35179

10/09/2000-35179  
08:59 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CJI 48.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of SEVENTY ONE THOUSAND and 00/100 (\$71,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, MADILYN MICHELLE MILLWEE (HAITHCOCK) and HUSBAND, TERRY E. HAITHCOCK (herein referred to as GRANTORS) do grant, bargain, sell and convey unto KATHRYN Y. YATES, AN UNMARRIED PERSON and ROBERT WHITE and MARION WHITE, HUSBAND AND WIFE, (herein referred to as GRANTEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

UNIT 503, BUILDING 5, IN THE GABLES, A CONDOMINIUM, A CONDOMINIUM LOCATED IN SHELBY COUNTY, ALABAMA, AS ESTABLISHED BY DECLARATION OF CONDOMINIUM AND BY-LAWS THERETO AS RECORDED IN REAL VOLUME 10, PAGE 177, AND AMENDED IN REAL VOLUME 27, PAGE 733, REAL VOLUME 50, PAGE 327 AND REAL VOLUME 50, PAGE 340 AND AMENDED IN REAL 59, PAGE 19 AND BY LAWS AMENDED IN REAL VOLUME 50, PAGE 325 TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS, AS SET FORTH IN THE AFORESAID MENTIONED DECLARATION, SAID UNIT BEING MORE PARTICULARLY DESCRIBED IN THE FLOOR PLANS AND ARCHITECTURAL DRAWINGS OF THE GABLES CONDOMINIUM AS RECORDED IN MAP BOOK 9, PAGE 41 THRU 44, AND AMENDED IN MAP BOOK 9, PAGE 135 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

**SUBJECT TO:**

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1999 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2000.
2. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.
3. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN VOLUME 4, PAGE 464 AND VOLUME 127, PAGE 140.
4. AGREEMENT WITH BLUE CROSS-BLUE SHIELD RECORDED IN MISC. BOOK 19, PAGE 690, IN SAID PROBATE OFFICE.

5. DECLARATION OF PROTECTIVE COVENANTS, AGREEMENTS, EASEMENTS, CHARGES AND LIENS FOR RIVERCHASE (BUSINESS) RECORDED IN MISC. BOOK 13, PAGE 50, AS AMENDED BY AMENDMENT NO. 1, IN MISC. BOOK 15, PAGE 189 AND FURTHER AMENDED BY AMENDMENT NO. 2, RECORDED IN MISC. BOOK 19, PAGE 633, IN SAID PROBATE OFFICE.
6. ITEM #6 IN DEED RECORDED IN DEED BOOK 331, PAGE 757 TOOWIT: SAID PROPERTY CONVEYED BY THIS INSTRUMENT IS HEREBY RESTRICTED TO USE A MULTIFAMILY DEVELOPMENT AND RELATED USES WITH A DENSITY NOT TO EXCEED TWELVE (12) UNITS PER ACRE AS DEFILED IN THE RIVERCHASE ARCHITECTURAL COMMITTEE DEVELOPMENT CRITERIA FOR PLANNED MULTI-FAMILY (RR-2) DISTRICT OF RIVERCHASE DATED APRIL 11, 1980, UNLESS A CHANGE IN USE IS AUTHORIZED PURSUANT TO THE RIVERCHASE BUSINESS COVENANTS, AS DESCRIBED IN PARAGRAPH 5 IN DEED, SAID RESTRICTIONS TO BE EFFECTIVE FOR THE SAME PERIOD OF TIME AS THE RIVERCHASE BUSINESS COVENANTS.
7. TERMS AND CONDITIONS AS SET FORTH IN THE DECLARATION OF CONDOMINIUM BY-LAWS AND AMENDMENTS RECORDED IN REAL VOLUME 10, PAGE 177, AND AMENDED IN CORPORATE VOLUME 30, PAGE 407; REAL 59, PAGE 19; REAL 27, PAGE 733; REAL VOLUME 50, PAGE 327 AND REAL VOLUME 50, PAGE 340 AND AMENDED BY REAL 50, PAGE 942 AND FURTHER AMENDED IN BOOK 189, PAGE 222 AND IN BOOK 284, PAGE 181, AND BY-LAWS AMENDED IN REAL VOLUME 50, PAGE 325 IN SAID PROBATE OFFICE.
8. RIGHT-OF-WAY GRANTED ALABAMA POWER COMPANY RECORDED IN VOLUME 347, PAGE 472 AND BOOK 220, PAGE 457.
9. EASEMENT FOR INSTALLATION, MAINTENANCE AND OPERATION OF SANITARY SEWER PIPELINE AS RECORDED IN BOOK 97, PAGE 535 AND BOOK 97, PAGE 541.
10. EASEMENT AND BUILDING LINE AS SHOWN ON RECORDED MAP.
11. RIGHT-OF-WAY GRANTED SOUTH CENTRAL BELL TELEPHONE COMPANY RECORDED IN REAL VOLUME 269, PAGE 678.
12. RIGHTS OF OWNERS OF PROPERTY ADJOINING PROPERTY IN AND TO THE JOINT OR COMMON RIGHTS IN BUILDING SITUATED ON SAID LOTS, SUCH RIGHTS INCLUDE BUT ARE NOT LIMITED TO ROOF, FOUNDATION, PARTY WALLS, WALKWAY AND ENTRANCE.

MADILYN HAITHCOCK NAMED HEREIN IS ONE AND THE SAME AS MADILYN MICHELLE MILLWEE, GRANTEE IN DEED RECORDED UNDER INSTRUMENT NUMBER 1996-15199.

\$40,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**TO HAVE AND TO HOLD** Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, his, her, or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, MADILYN MICHELLE MILLWEE (HAITHCOCK) and HUSBAND, TERRY E. HAITHCOCK, have hereunto set his, her or their signature(s) and seal(s), this the 29th day of September, 2000.

Madilyn Michelle Haithcock  
MADILYN MICHELLE MILLWEE (HAITHCOCK)

Terry E. Haithcock  
TERRY E. HAITHCOCK

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that MADILYN MICHELLE MILLWEE (HAITHCOCK) and HUSBAND, TERRY E. HAITHCOCK, whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 29th day of September, 2000.

M MV  
Notary Public

My commission expires: 9.29.00

Inst # 2000-35179

10/09/2000-35179  
08:59 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CJ1 48.00