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20020508000215020 Pg 1/3 97.00
Shelby Cnty Judge of Probate, AL
05/08/2002 10:05:00 FILED/CERTIFIED

This instrument prepared by:
John N. Randolph, Attorney
Sirote & Permutt P.C.
2311 Highland Avenue South
Birmingham, Alabama 35205

Send Tax Notice to:
Linda McIlwain

SPECIAL WARRANTY DEED

STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS,

JEFFERSON COUNTY

That in consideration of **Eighty Thousand and no/100's Dollars (\$80,000.00)** to the undersigned Grantor, Conesco Finance Corp-Alabama, a corporation, (herein referred to as Grantor) in hand paid by the Grantee herein, the receipt whereof is acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto **Linda McIlwain**, (herein referred to as Grantee), the following described real estate situated in Jefferson County, Alabama, to-wit:

Unit # 203, in Building #2, according to the map of The Gables, a Condominium, a condominium located in Shelby County, Alabama, as established by the Declaration of Condominium as recorded in Real Volume 10, Page 177, as amended in Real Volume 50, Page 327 and Real Volume 50, Page 340 and re-recorded in Real Volume 50, Page 942 and amended in Real Volume 59, Page 19 and further amended in Corporation Book 30, Page 407, Real Volume 96, Page 855, Real Volume 97, Page 937 the Articles of Incorporation of The Gables Condominium Association, Inc., as recorded in Corporation Book 26, Page 922, and the By-Laws of said Association, as recorded in Real Volume 10, Page 177, Real Volume 27, Page 733 and amended in Real Volume 50, Page 325, together with an undivided interest in the common elements as set forth in the mentioned Declaration, said Unit being more particularly described in the floor plans and architectural drawing of the Gables Condominium, as recorded in Map Book 9, Pages 41 thru 44 and amended in Map Book 9, Page 135 and further amended in Map Book 10, Page 49, as recorded in the Probate Office of Shelby County, Alabama.

Subject to:

1. Ad valorem Taxes for the current tax year which Grantee herein assumes and agrees to pay.
2. Easements, reservations, restrictions, protective covenants, rights of way, conditions and building setback lines of record, if any.
3. All outstanding rights of redemption in favor of all persons entitled to redeem the property from that certain mortgage foreclosure sale evidenced by mortgage foreclosure deed recorded in Instrument No. 2002/03.412, in the Probate Office of Jefferson County, Alabama.
4. Title to mineral underlying caption lands with mining rights and privileges belonging thereto, as reserved in Deed Book 4, Page 464, in Probate Office of Shelby County, Alabama.

Special Warranty Deed
Conseco Finance Corp-Alabama to Linda McIlwain
March, 02

5. Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Business) as recorded in Misc. 13, Page 50, as Amended by Amendment No. 1 in Misc. Book 15, Page 189, and further amended by Amendment No. 2 as recorded in Misc. Book 19, Page 19, Page 633, in Probate Office.
6. Item 6 in deed recorded in deed Book 331, Page 757, in said Probate Office to-wit: Said property conveyed by this instrument is hereby restricted to use as a multi-family development and related uses with a density not to exceed Twelve (12) units per acre as defined in the Riverchase Architectural Committee Development Criteria for Planned Multi-Family (PR-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 restriction to be effective for the same period of time at the Riverchase Business Covenants.
7. Land use agreement between Harbert-Equitable Joint Venture and Blue Cross and Blue Shield of Alabama, as recorded in Misc. Book 19, Page 690, in the Probate Office of Shelby County, Alabama.
8. Permit to Alabama Power Company, as recorded in Real Record 032, Page 924, in said Probate Office.
9. Sewer easement as described in real Record 097, Page 535, in the Probate Office of Shelby County, Alabama.
10. Easement to South Central Bell, as recorded in Real Record 087, Page 189 in said Probate Office.
11. Covenants, conditions, restrictions, reservations, easements, liens for assessments, options, power of attorney, and limitations on title, created by the Alabama Condominium Ownership Act, Section 35-8-1, Code of Alabama, 1975, and as set forth in the Declaration of Condominium of The Gables , a Condominium, dated November 27, 1984, recorded in Real Record 010, Page 177, as amended in Real Volume 50, Page 327, and Real Volume 50, Page 340, and re-recorded in Real Volume 50, Page 942, and Amended in Real Volume 59, Page 19, and further amended by Corporate Volume 30, Page 407; in the Articles of Incorporation of The Gables Condominium Association, Inc., as recorded in Corporate Volume 026, Page 292, and further amended in Real Volume 165, Page 578 and Real Volume 189, Page 222 and By-Laws of said association as recorded in Real Volume 10, Page 177, at Page 243, amended as shown in Corporate Volume 27, Page 733, and then amended in Real Volume 50, Page 325, and Real Volume 222, Page 691 together with an undivided interest in the common elements, as set forth in the aforesaid mentioned mentioned Declaration; in any instrument creating the estate or interest insured by this policy; and in any other allied instrument referred to in any of the instruments aforesaid.

Special Warranty Deed
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Grantor covenants that it is seized and possessed of the said land and has a right to convey it, and warrants the title against the lawful claims of all persons claiming by, through, and under it, but not further otherwise.

TO HAVE AND TO HOLD Unto the said Grantee, his/her heirs and assigns, forever.

IN WITNESS WHEREOF, the said Grantor, has hereto set its signature and seal, this the 20 day of March, 2002.

Conseco Finance Corp-Alabama

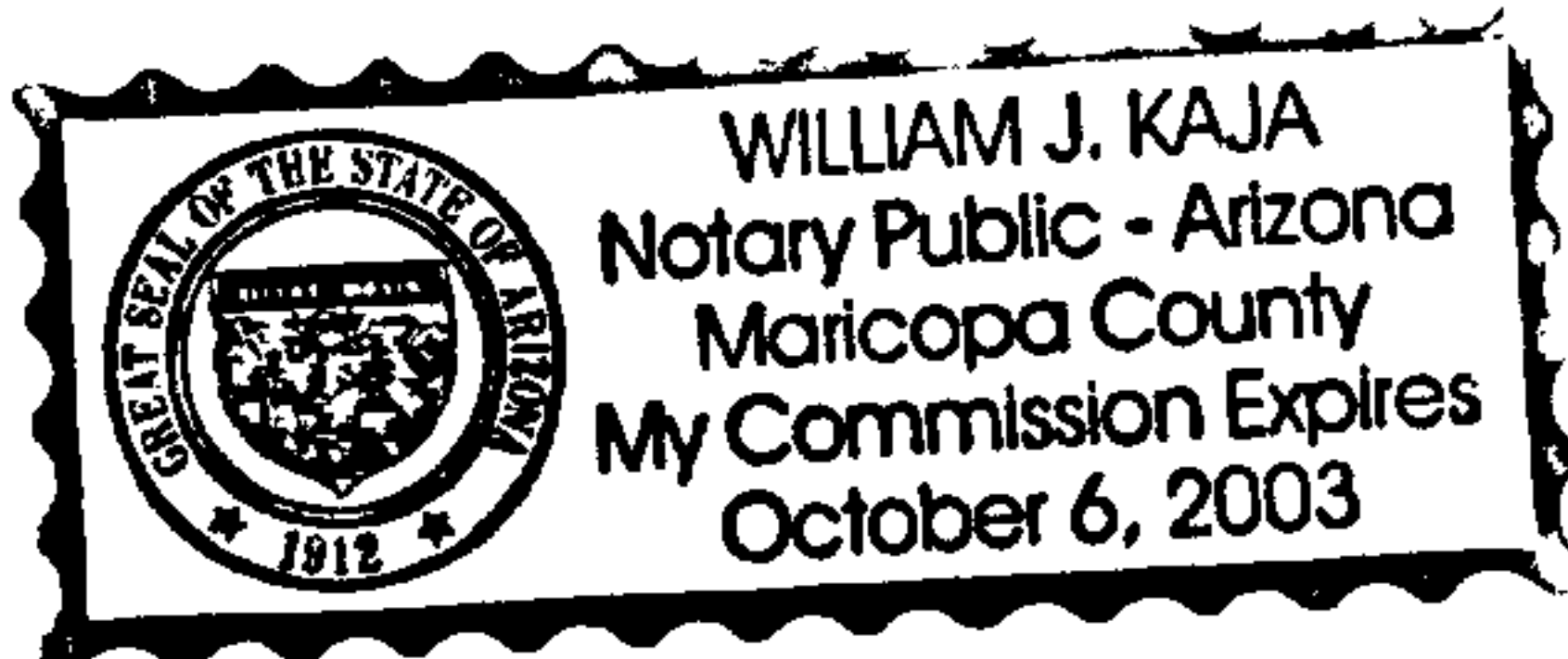
by, [Signature]
Its Vice President

STATE OF Arizona

COUNTY OF Maricopa

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Scott Kamp, whose name as Vice President of Conseco Finance Corp-Alabama, a 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 the conveyance, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 20 day of March, 2002.



[Signature]
NOTARY PUBLIC
My Commission expires:
AFFIX SEAL