

**WARRANTY DEED WITH SURVIVORSHIP**

This Instrument Was Prepared By:

Frank K. Bynum, Esquire  
#17 Office Park Circle  
Birmingham, Alabama 35223

Send Tax Notice To:

Dianne G. Carruth  
404 Gables Drive  
Birmingham, AL 35244

STATE OF ALABAMA )

KNOW ALL MEN BY THESE PRESENTS,

COUNTY OF SHELBY )

That in consideration of SEVENTY ONE THOUSAND TWO HUNDRED AND NO/100 DOLLARS (\$ 71,200.00) to the undersigned grantor in hand paid by the Grantee herein, the receipt of which is hereby acknowledged, **HEATHER DORSETT SWINDLE, a married woman**, (herein referred to as Grantor) does grant, bargain, sell and convey unto **DIANNE G. CARRUTH**

(herein referred to as Grantee), the following described real estate, situated in the State of Alabama, County of Shelby, to-wit:

**SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION**

The property described in this instrument is not the homestead of the Grantor. Said Grantor is conveying pursuant to Section 6-10-3 of the Code of Alabama, as amended

Subject to existing easements, restrictions, set back lines, rights of ways, limitations, if any, of record.

\$ 69,064.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD unto the said Grantee her heirs and assigns, forever.

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

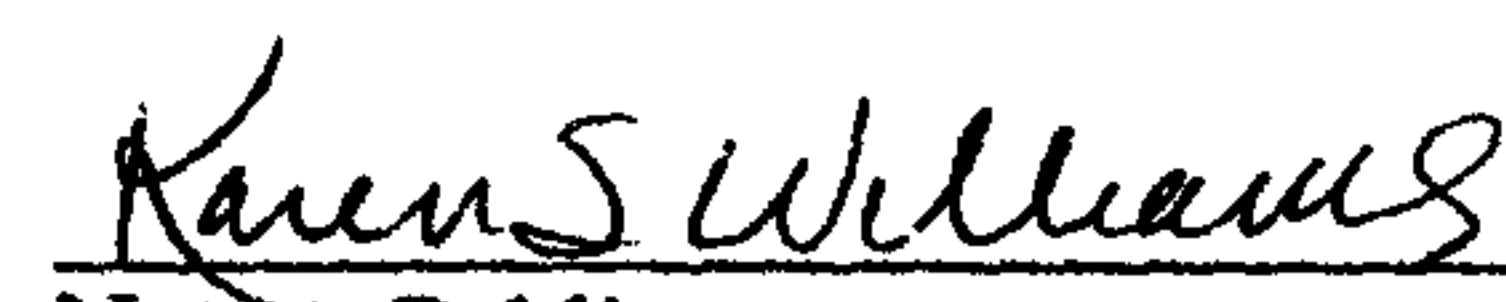
IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 24 day of February, 2003.

  
Heather Dorsett Swindle

STATE OF Virginia  
COUNTY OF Norfolk

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **HEATHER DORSETT SWINDLE, a married woman**, 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 the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the \_\_\_\_\_ day of February, 2003.

  
Notary Public

My Commission Expires: 3/31/2004

EXHIBIT "A"

Unit 404, Building 4, 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, Real Volume 50, Page 340, and re-recorded in Real Volume 50, Page 942, Real Volume 165, Page 578 and amended in Real Volume 59, Page 19 and further amended by Corporate Volume 30, Page 407, Real Volume 96, Page 855 and Real Volume 97, Page 937 and By-Laws as shown in Real Volume 27, Page 733 and then amended in Real Volume 50, Page 325, further amended by Real Volume 189, Page 222, Real 222, Page 691, Real 238, Page 241, Real Volume 269, Page 270, further amended by eleventh amendment to declaration of Condominium as recorded in Real 284, Page 181, 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, Map Book 10, Page 49 and further amended by Map Book 12, Page 50, in the Probate Office of Shelby County, Alabama.