

PLEASE RETURN TO:

MOSS & CONDON, LLC

300 UNION HILL DRIVE, SUITE 200
BIRMINGHAM, AL 35209

This instrument was prepared by:

David P. Condon

Moss & Condon, L.L.C.

300 Union Hill Drive, Suite 200

Birmingham, Alabama 35209

Send tax notice to:

Kimberly Smith

609 Gables Drive

Birmingham, Alabama 35244

20040611000316860 Pg 1/2 23.00
Shelby Cnty Judge of Probate, AL
06/11/2004 10:16:00 FILED/CERTIFIED

WARRANTY DEED

STATE OF ALABAMA)

JEFFERSON COUNTY)

KNOW ALL MEN BY THESE PRESENTS

That in consideration of **Ninety-One Thousand and 00/100 Dollars (\$91,000.00)** to the undersigned grantors in hand paid by the grantee herein, the receipt and sufficiency of which is acknowledged, we,

John M. Wokna and his wife, Rogene M. Wokna

(hereinafter referred to as "Grantors") do grant, bargain, sell and convey unto

Kimberly Smith

(hereinafter referred to as "Grantee") the following described real estate situated in Jefferson County, Alabama to-wit:

See Attached Exhibit "A" Hereto and Incorporated Herein

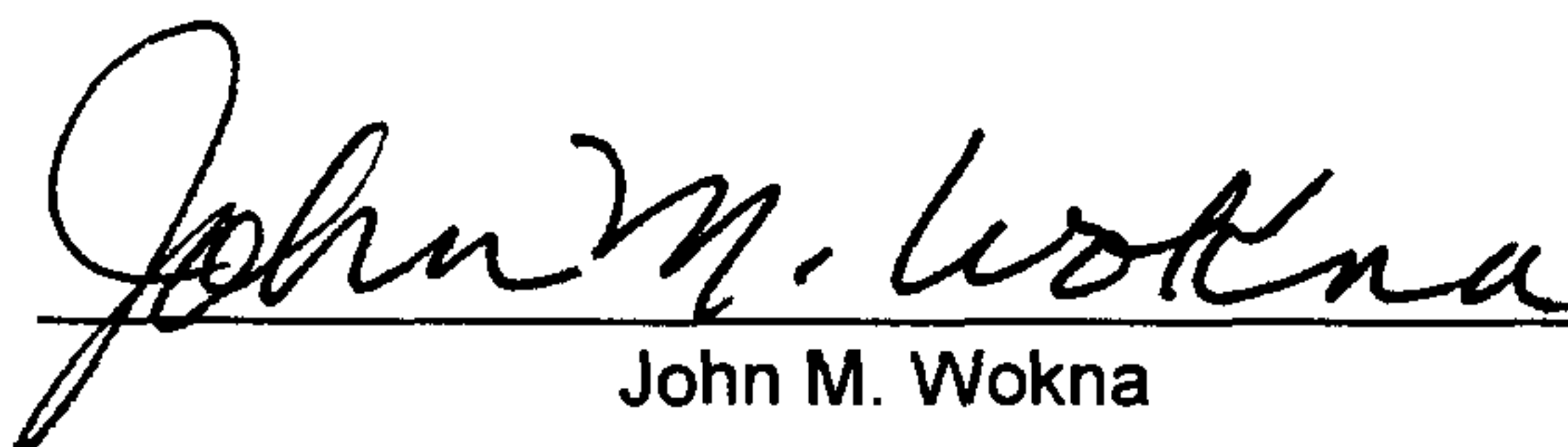
\$82,350.00 of the proceeds come from a mortgage recorded simultaneously herewith.

Subject to: (1) 2004 ad valorem taxes not yet due and payable;
(2) all mineral and mining rights not owned by the Grantors; and
(3) all easements, rights-of-way, restrictions, covenants and encumbrances of record.

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

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

IN WITNESS WHEREOF, we have set our hands and seals, this 28th day of May, 2004.

 (Seal)
John M. Wokna

 (Seal)
Rogene M. Wokna

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned Notary Public in and for said County, in said State, hereby certify that John M. Wokna and Rogene M. Wokna whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day, that being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 28th day of May, 2004.

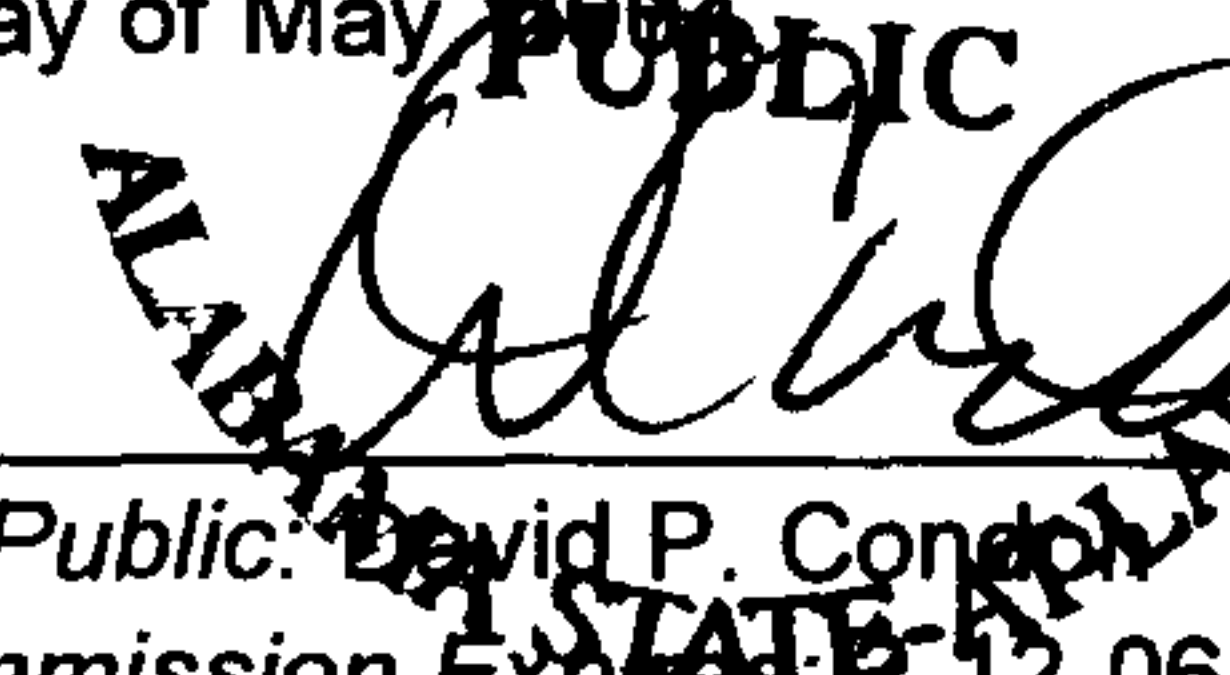
NOTARY PUBLIC

Notary Public: David P. Condon
My Commission Expires: 2-12-06

EXHIBIT "A"

Unit 609, Building 6, 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 237 and Real Volume 50, Page 340, and re-recorded in Real 50, Page 942, Real 165, Page 578 and amended in Real 59, Page 19 and further amended by Corporate Volume 50, Page 407 and in Real 96, Page 855 and Real 97, Page 937 and By-Laws as shown in Real Volume 27, Page 733 and amended in Real Volume 50, Page 325, further amended in Real 189, Page 222, Real 222, Page 691; Real 238, Page 241, Real 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, Pages 41 thru 44 and amended in Map Book 9, Page 135, Map Book 10, Page 49 and further amended in Map Book 12, Page 50, in the Probate Office of Shelby County, Alabama.

Emw
Emw