

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

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PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

MACK CLAYTON
403 GABLES DRIVE
BIRMINGHAM, AL 35244

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 NINE HUNDRED DOLLARS and 00/100 (\$71,900.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, BRENT S. BRIZENDINE, AN UNMARRIED PERSON (herein referred to as GRANTORS) do grant, bargain, sell and convey unto MACK CLAYTON and FRAN CLAYTON, 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 403, 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 AND REAL VOLUME 60, PAGE 340 AND RE-RECORDED IN REAL VOLUME 50, PAGE 942, REAL 165, PAGE 678 AND AMENDED IN REAL 69, PAGE 19 AND FURTHER AMENDED BY CORPORATE VOLUME 30, PAGE 407 AND IN REAL 96, PAGE 855 AND REAL 97, PAGE 937 AND BY LAWS AS SHOWN IN REAL VOLUME 27, PAGE 733 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, PAGE 41 THRU 44, AND AMENDED IN MAP BOOK 9, PAGE 135, AND FURTHER AMENDED BY MAP BOOK 10, PAGE 49 AND FURTHER AMENDED BY MAP BOOK 12, PAGE 50 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

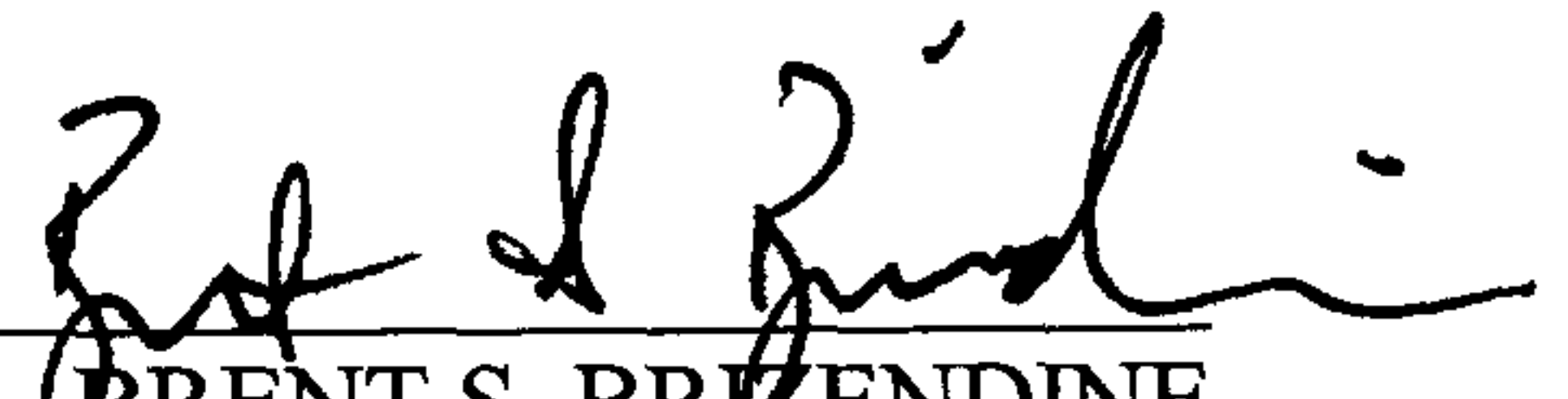
1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2003 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. BUILDING LINE(S), AS SHOWN BY RECORDED MAP.
3. EASEMENT(S) AS SHOWN BY RECORDED MAP.

4. MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT THERETO RECORDED IN VOLUME 4, PAGE 464 AND VOLUME 127, PAGE 140, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
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 1, PAGE 189 AND FURTHER AMENDED BY AMENDMENT NO. 2, RECORDED IN MISC. BOOK 19, PAGE 633, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
6. LAND USE AGREEMENT BETWEEN HARBERT EQUITABLE JOINT VENTURE AND BLUE CROSS AND BLUE SHIELD OF ALABAMA AS RECORDED IN MISC BOOK 19, PAGE 690.
7. PERMIT TO ALABAMA POWER COMPANY AS RECORDED IN REAL BOOK 32, PAGE 924; REAL BOOK 220, PAGE 457 AND REAL BOOK 34, PAGE 647.
8. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN VOLUME 347, PAGE 472 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
9. SEWER EASEMENT AS RECORDED IN REAL BOOK 97, PAGE 535.
10. EASEMENT TO SOUTH CENTRAL BELL AS RECORDED IN REAL BOOK 87, PAGE 189 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
11. SUBJECT TO COVENANTS CONDITIONS AND RESTRICTIONS AS SET FORTH IN THE DOCUMENT RECORDED IN DEED BOOK 331, PAGE 757 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
12. RIGHT OF WAY TO REALTY DEVELOPMENT CORPORATION AS RECORDED IN REAL BOOK 97, PAGE 535 AND REAL BOOK 97, PAGE 541 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
13. 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 VOLUME 27, PAGE 733, REAL VOLUME 50, PAGE 327; REAL VOLUME 50, PAGE 340, AMENDED BY REAL 50, PAGE 942, REAL 97, PAGE 937, REAL 165, PAGE 578, REAL 96 PAGE 855, REAL 269, PAGE 270 AND REAL 189, PAGE 222 AND BY LAWS AMENDED IN REAL VOLUME 50, PAGE 325, REAL 222, PAGE 691 AND REAL 238, PAGE 241, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

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, BRENT S. BRIZENDINE, AN UNMARRIED PERSON, have hereunto set his, her or their signature(s) and seal(s), this the 8th day of July, 2004.


BRENT S. BRIZENDINE

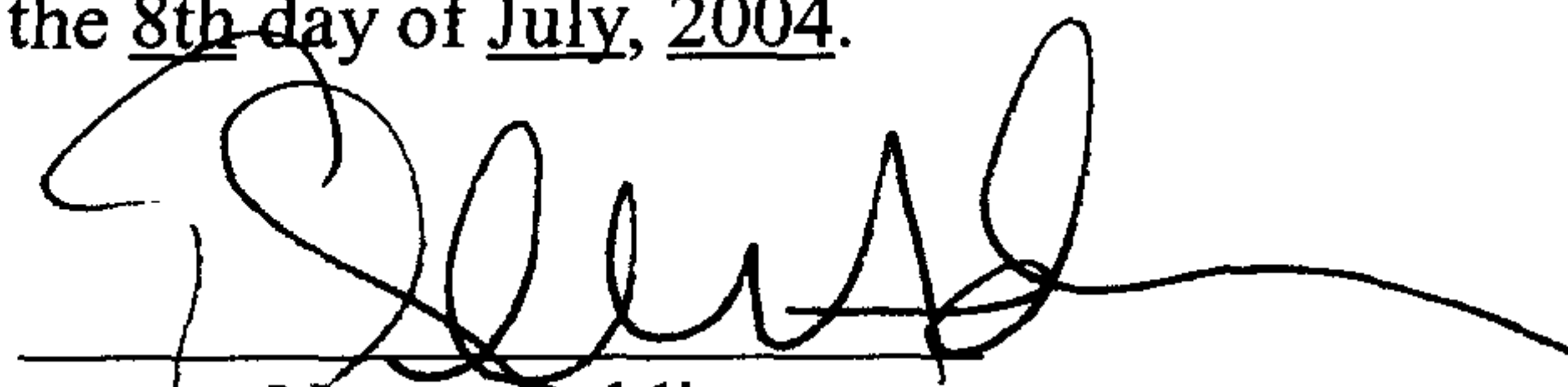
STATE OF ALABAMA)
COUNTY OF SHELBY)

20040720000400870 Pg 3/3 89.00
Shelby Cnty Judge of Probate, AL
07/20/2004 08:37:00 FILED/CERTIFIED

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that BRENT S. BRIZENDINE, AN UNMARRIED PERSON, 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 8th day of July, 2004.


Notary Public

My commission expires: 10-2-05