(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by:
R. Shan Paden
PADEN & PADEN, PC
5 Riverchase Ridge
Birmingham, Alabama 35244

SEND TAX NOTICE TO: RONDA F. SMITH 510 GABLES DRIVE BIRMINGHAM, AL 35244

STATE OF ALABAMA COUNTY OF SHELBY

WARRANTY DEED

Know All Men by These Presents: That in consideration of NINETY TWO THOUSAND NINE HUNDRED DOLLARS 00/100 (\$92,900.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, I/we, LOUIS D. BOISOT and DONNA K. BRANCH, HUSBAND and WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto RONDA F. SMITH, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

Unit 510, 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; Real Volume 50, page 340 and rerecorded in Real 50, page 942; Real 165, page 578 and amended in Real 59, 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 and then amended in Real Volume 50, page 325, further amended by Real 189, page 222; Real 222, page 691; Real 238, page 241; Real 269, page 270 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.

SUBJECT TO:

- 1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2005 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2006.
- 2. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, INCLUDING RELEASE OF DAMAGES, AS RECORDED IN VOLUME 4, PAGE 464 AND VOLUME 127, PAGE 140.
- 3. AGREEMENT WITH BLUE CROSS-BLUE SHIELD RECORDED IN MISC. BOOK 19, PAGE 690.
- 4. ITEM #6 IN DEED RECORDED IN DEED BOOK 331, PAGE 757, 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 ARCHITECTURAL COMMITTEE 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.
- 5. EASEMENT(S)/RIGHT(S) OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN VOLUME 347, PAGE 472 AND REAL VOLUME 220, PAGE 457.
- 6. 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 VOLUME 59, PAGE 19; REAL VOLUME 27, PAGE 733; REAL VOLUME 50, PAGE 327 AND REAL VOLUME 50, PAGE 340; REAL VOLUME 50, PAGE 942 AND FURTHER AMENDED IN BOOK 189, PAGE 222 AND IN BOOK 284, PAGE 181.
- 7. 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.

- 8. SEWER LINE EASEMENT AS RECORDED IN BOOK 97, PAGES 535 AND 541.
- 9. RESTRICTIONS APPEARING OF RECORD IN MISC. BOOK 14, PAGE 536 AND AMENDED IN MISC. BOOK 17, PAGE 550.
 NOTE: THIS EXCEPTION OMITS ANY COVENANT, CONDITION OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN AS PROVIDED IN 42 U.S.C. SECTION 3604, UNLESS AND ONLY TO THE EXTENT THAT THE COVENANT (A) IS NOT IN VIOLATION OF STATE AND FEDERAL LAW, (B) IS EXEMPT UNDER 42 U.S.C. SECTION 3607, OR (C) RELATES TO A HANDICAP, BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PEOPLE.
- 10. CERTIFICATE OF COMPLIANCE AS RECORDED IN MISC. BOOK 34, PAGE 549.

\$74,320.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

\$18,580.00 of the consideration herein was derived from a second mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES, his, her or their heirs and assigns, forever.

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, LOUIS D. BOISOT, BY HIS ATTORNEY IN FACT, DONNA K. BRANCH and DONNA K. BRANCH, have hereunto set his, her or their signature(s) and seal(s), this the 21st day of September 2006.

ZOUIS D. BOISOT, BY HIS ATTORNEY IN FACT, DONNA K. BRANCH

DONNA K. BRANCH

NOTARY

STATE OF ALABAMA COUNTY OF SHELBY

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **DONNA K. BRANCH**, 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.

Notary Public

My commission expires:

STATE OF ALABAMA COUNTY OF SHELBY

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that DONNA K. BRANCH whose name(s) as attorney in fact for LOUIS D. BOISOT, 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, they, in their capacity as Attorney In Fact, executed the same voluntarily with full authority on the day the same bears date.

Given under my hand this the 21ST day of SEPTEMBER, 2006.

Given under my hand this the 21st day of September, 2006.

Notary Public

My commission expires:

20061004000490460 2/2 \$15.00 Shelby Cnty Judge of Probate, AL 10/04/2006 08:50:06AM FILED/CERT