

4. Subject to the modification specifically provided in subparagraph (a), said property conveyed by this instrument is hereby subjected to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential), recorded in Miscellaneous Book 14, beginning at page 536 in the office of the Judge of Probate of Shelby County, Alabama, except as follows:

(a) Section 12.20 of said Declaration shall not apply to GRANTEE herein.

GRANTEE covenants and agrees to join and execute any covenants and easements required by Alabama Power Company for the purpose of providing underground distribution of electric service to that portion of the Riverchase subdivision which encompasses this parcel.

TO HAVE AND TO HOLD unto GRANTEE, its successors and assigns, forever.

IN WITNESS WHEREOF, the GRANTOR has caused this conveyance to be executed by each Venturer by their respective duly authorized officers thereunto on this the 13th day of July, 1976.

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES

By Donald J. [Signature]
Its Division Manager

By: HARBERT CONSTRUCTION CORPORATION

By Ed [Signature]
Its Vice-President

Witnesses:

[Signature]
[Signature]

Darlene P. Alexander

Witnesses:

E. H. Hoover
L. J. Stephen

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Shelby Cnty Judge of Probate, AL
07/15/1976 12:00:00AM FILED/CERT

BOOK 299 PAGE 799

STATE OF Georgia)

COUNTY OF Fulton)

I, Carroll K. Price, a Notary Public in and for said County, in said State, hereby certify that D. F. Evans, whose name as Trustee, of The Equitable Life Assurance Society of the United States, a corporation, under Joint Venture Agreement dated January 30, 1974, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation as General Partner of The Harbert-Equitable Joint Venture.

Given under my hand and official seal, this the 21st day of May, 1976.

Carroll K. Price
Notary Public

My commission expires: 8-17-76

STATE OF ALABAMA
COUNTY OF JEFFERSON
1976 JUL 15 AM 9:29
JUDGE OF PROBATE
DEAN J. S. COO
INSTRUMENT WAS FILED

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, Judy M. Johnson, a Notary Public in and for said County, in said State, hereby certify that Edwin M. Dixon, whose name as Secretary & Vice Pres. of Harbert Construction Corporation, a corporation, as General Partner of The Harbert-Equitable Joint Venture, under Joint Venture Agreement dated January 30, 1974, 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, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation as General Partner of The Harbert-Equitable Joint Venture.

Given under my hand and official seal, this the 26th day of May, 1976.

Judy M. Johnson
Notary Public

My commission expires: July 18, 1976

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Shelby Cnty Judge of Probate, AL
07/15/1976 12:00:00AM FILED/CERT