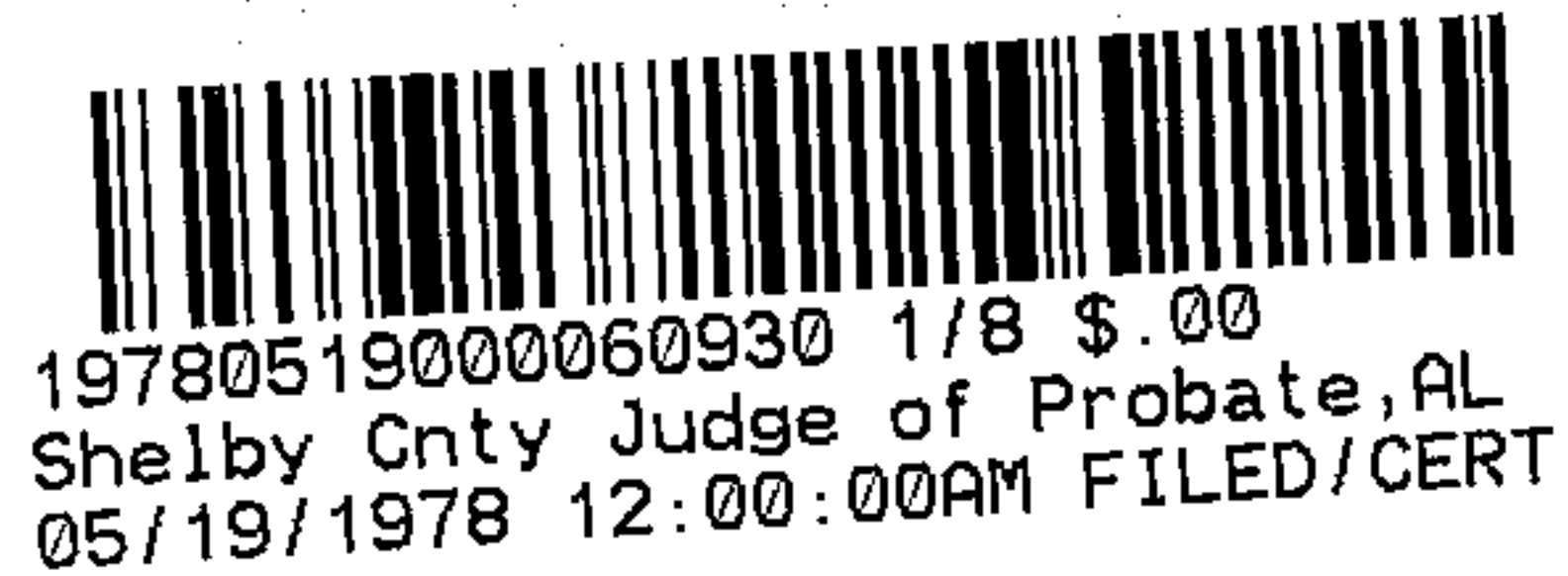


William H. Satterfield
Attorney at Law
Post Office Box 1297
Birmingham, Alabama 35201



STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of SIXTY SEVEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$67,500.00) and other good and valuable consideration in hand paid by BILL L. HARBERT (hereinafter referred to as "GRANTEE"), to the undersigned, THE HARBERT-EQUITABLE JOINT VENTURE, under Joint Venture Agreement dated January 30, 1974, composed of Harbert Construction Corporation, a corporation, and The Equitable Life Assurance Society of the United States, a corporation (hereinafter referred to as "GRANTOR"), the receipt of which is hereby acknowledged, the said GRANTOR does by these presents grant, bargain, sell and convey unto said GRANTEE the following real estate situated in Shelby County, Alabama:

A tract of land situated in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 26 and the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 35, Township 19 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the SW corner of Section 26; thence East along the South line of said section 1,292.84 feet to the point of beginning; thence 75°43'08" left, 195.57 feet; thence 13°48'44" right, 324.10 feet; thence 96°22'17" right, 220.72 feet; thence 100°00'35" right, 120.21 feet; thence 90°19'32" left, 374.85 feet; thence 96°37'00" right, 336.52 feet; thence 18°16'16" left, 412.67 feet; thence 22°16'34" left, 118.92 feet; thence 78°23'10" right, 88.38 feet; thence 24°00'51" right, 56.19 feet; thence 20°17'54" right, 55.21 feet; thence 28°37'19" right, 25.36 feet; thence 20°43'32" right, 123.15 feet; thence 12°01'00" right, 485.09 feet to the point of beginning and containing 8.25 acres, more or less.

Such land is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1978.
2. Mineral and mining rights not owned by GRANTOR.
3. Any applicable zoning ordinances.
4. Easements, rights of way, reservations, agreements, restrictions and setback lines of record.
5. 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, as

amended by Amendment No. 1 recorded in Miscellaneous Book 17, beginning at page 550, in the office of the Judge of Probate of Shelby County, Alabama except as follows:

(a) Sections 12.20 of 12.21 of said Declaration shall not apply to GRANTEE herein.

6. Said property conveyed by this instrument is hereby restricted to use for the construction and operation of a maximum of thirteen (13) single family residences, together with all usual appurtenances, unless a change in use is authorized pursuant to the Riverchase Residential Covenants, as described in paragraph 5 above, said restriction to be effective for the same period of time as the Riverchase Residential Covenants.
7. GRANTOR reserves a ten foot (10') easement for drainage and utility lines and appurtenances, including but not limited to gas, water, sewer, electricity, and telephone, together with all rights and privileges necessary or convenient for the full use and enjoyment thereof, such easement shown on the survey attached as Exhibit A hereto as being the ten feet south of the centerline of a twenty foot (20') easement along the northern boundary of the property. GRANTOR also reserves ten foot (10') sanitary sewer easements, together with all rights and privileges necessary or convenient for the full use and enjoyment thereof, such easements shown on the survey attached as Exhibit A hereto, as being the ten feet east and west respectively of the centerline of a twenty foot (20') easement along the western and eastern boundaries of the property. GRANTOR further reserves fifteen foot (15') temporary construction easements, together with all rights and privileges necessary or convenient for the full use and enjoyment thereof, such easements shown on the survey attached as Exhibit A hereto, as being the easements which run along the northern, western and eastern boundaries of the property.

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 effective on this the 10TH day of MAY, 1978.

THE HARBERT-EQUITABLE JOINT VENTURE

Witnesses:

By: THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES

Maria W. Cabera

By Daniel D. Dean
Its Division Manager

Witnesses:

By: HARBERT CONSTRUCTION CORPORATION

William G. Butler
Margaret E. Russo

By W. H. Freeman
Its Vice President

STATE OF GEORGIA)
COUNTY OF FULTON)

I, ORVILLE L. ALEXANDER, a Notary Public in and for said County, in said State, hereby certify that RONALD D. EPLER, whose name as Division Manager of The Equitable Life Assurance Society of the United States, 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 8th day of MAY, 1978.

Orville L. Alexander
Notary Public

My commission expires: 8-16-80

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, EVANGELINE H. HOOVER, a Notary Public in and for said County, in said State, hereby certify that W. H. ROSSMAN, whose name as VICE PRESIDENT 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.

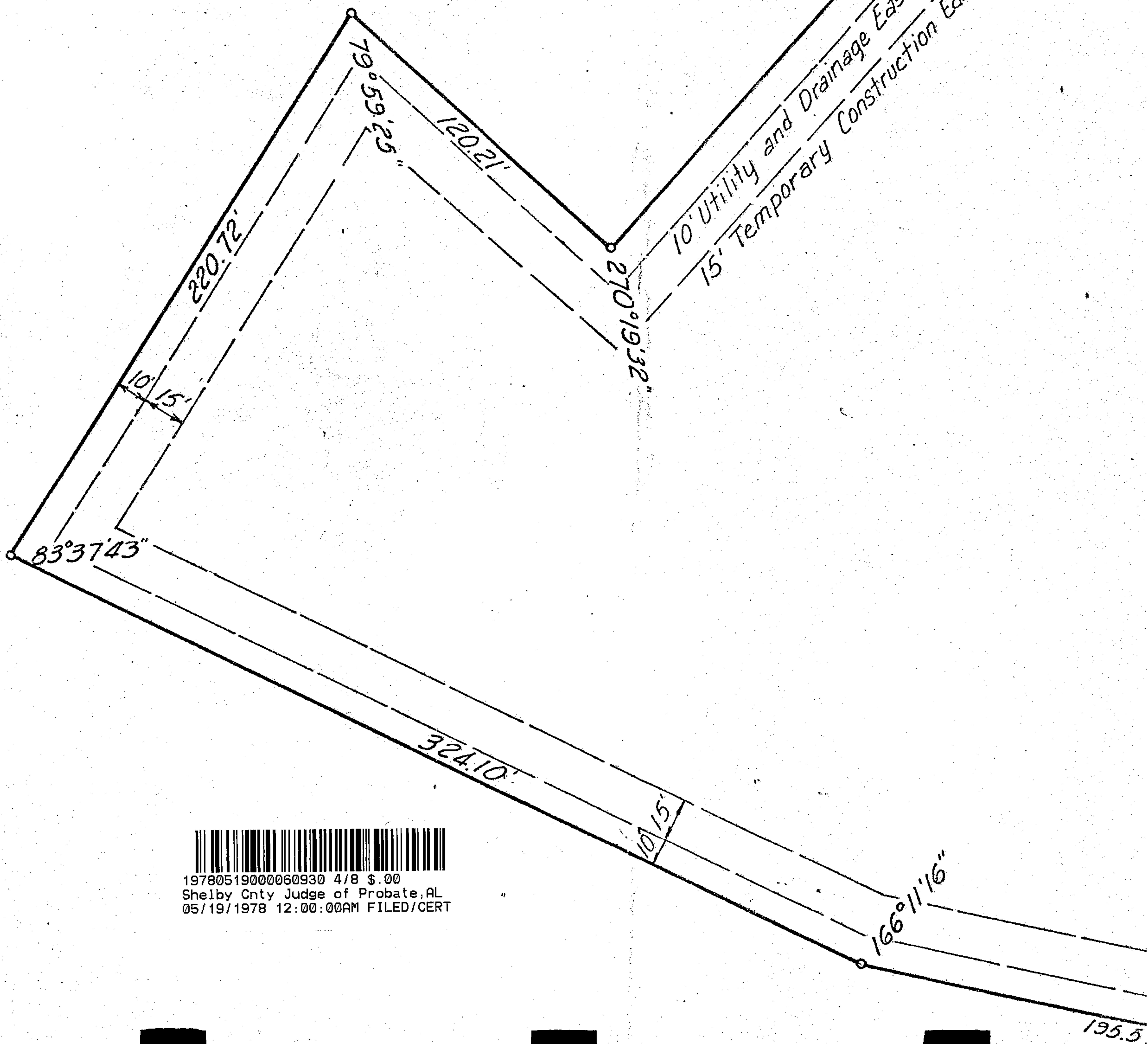
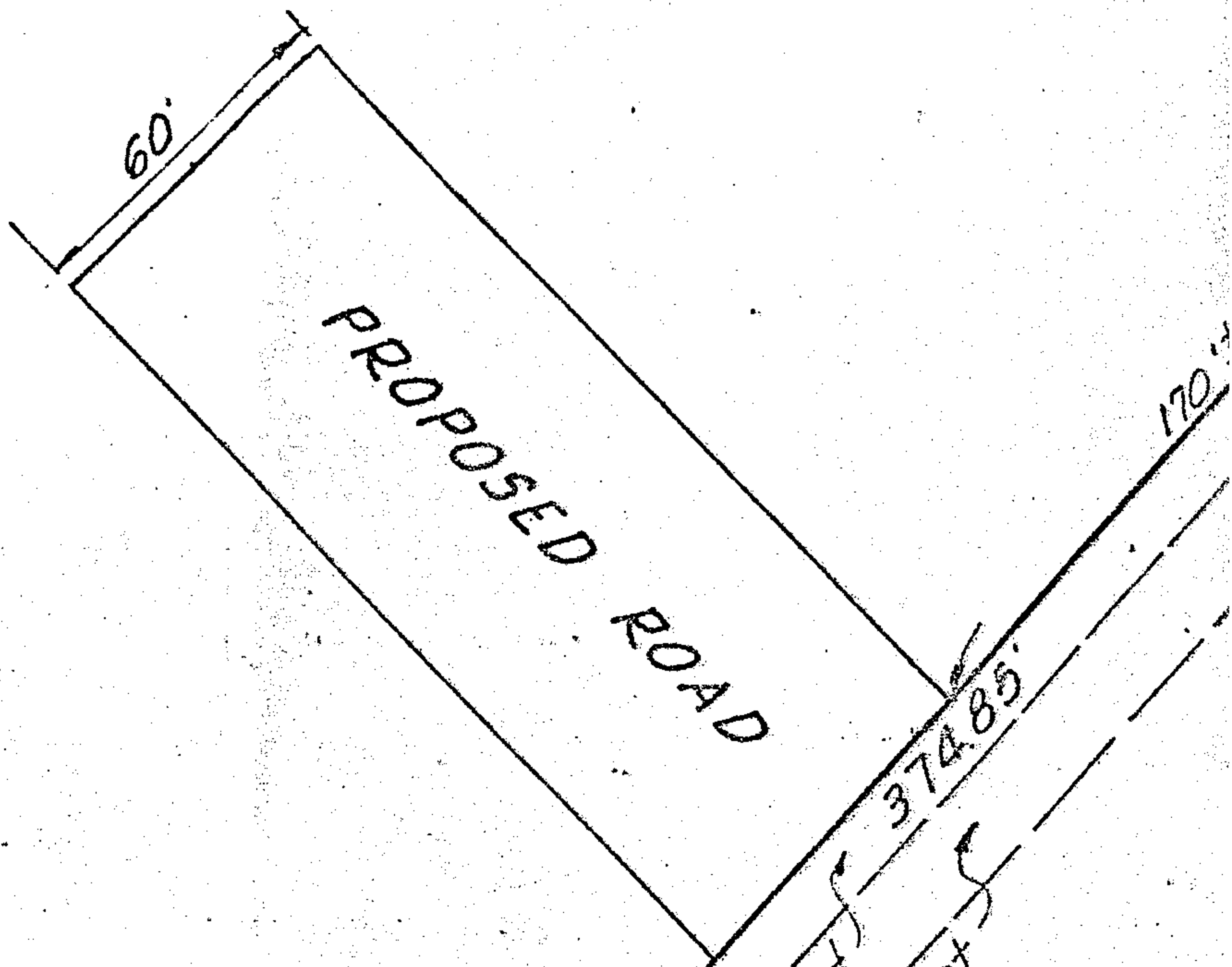
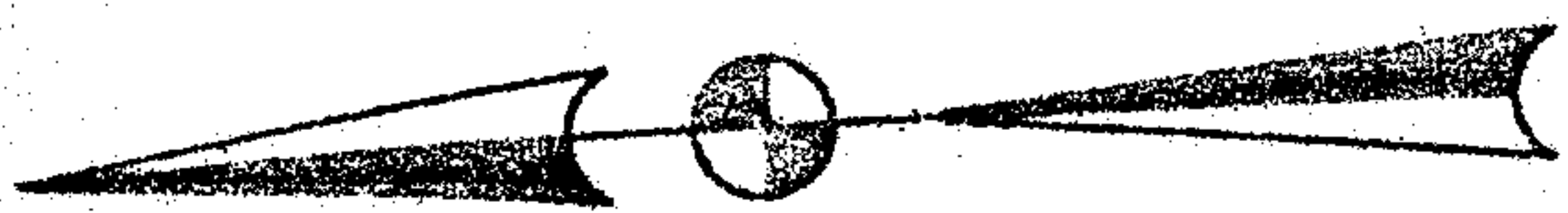
Given under my hand and official seal, this the 9th day of MAY, 1978.

Evangeline H. Hoover
Notary Public

My commission expires: April 29, 1982

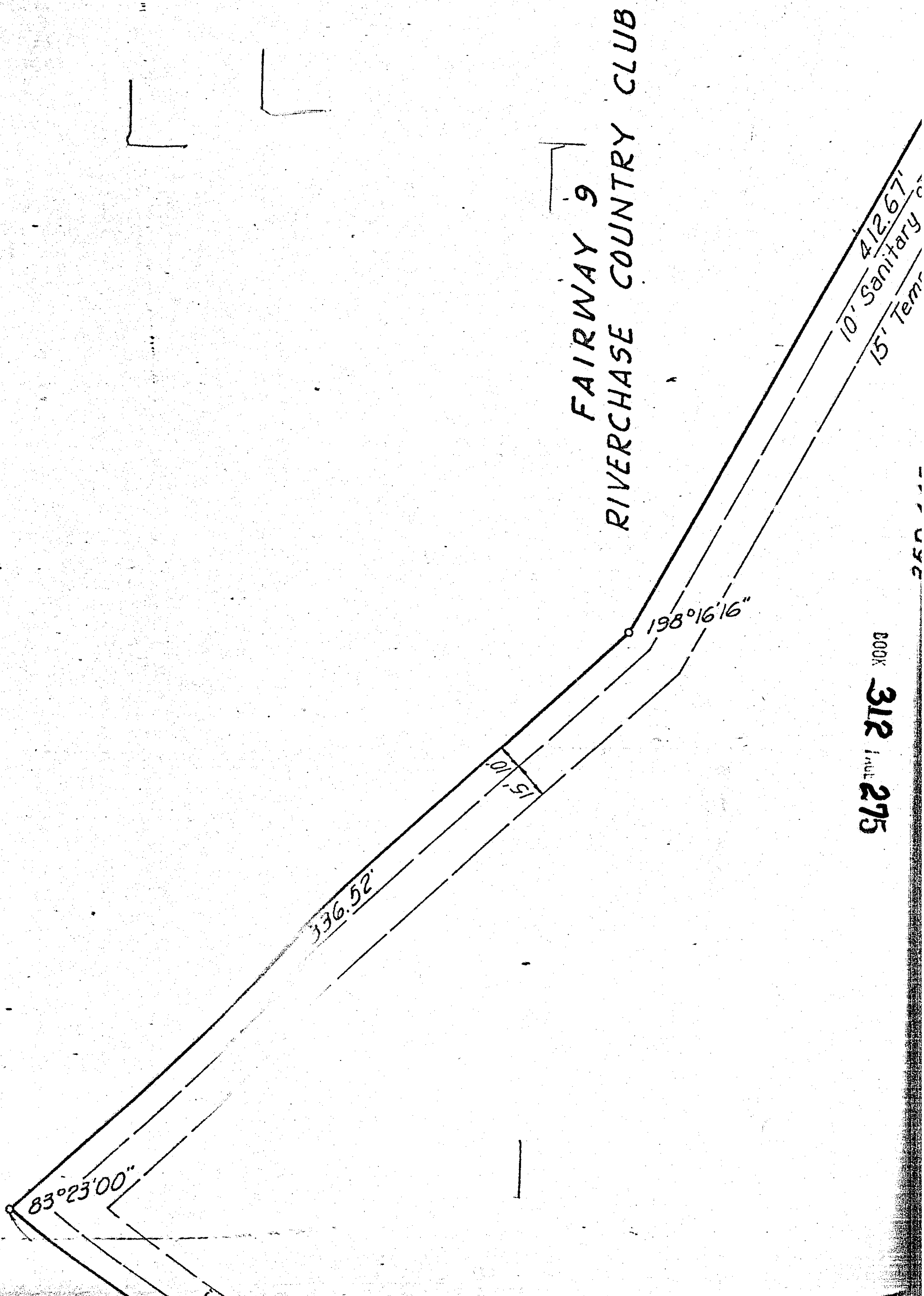
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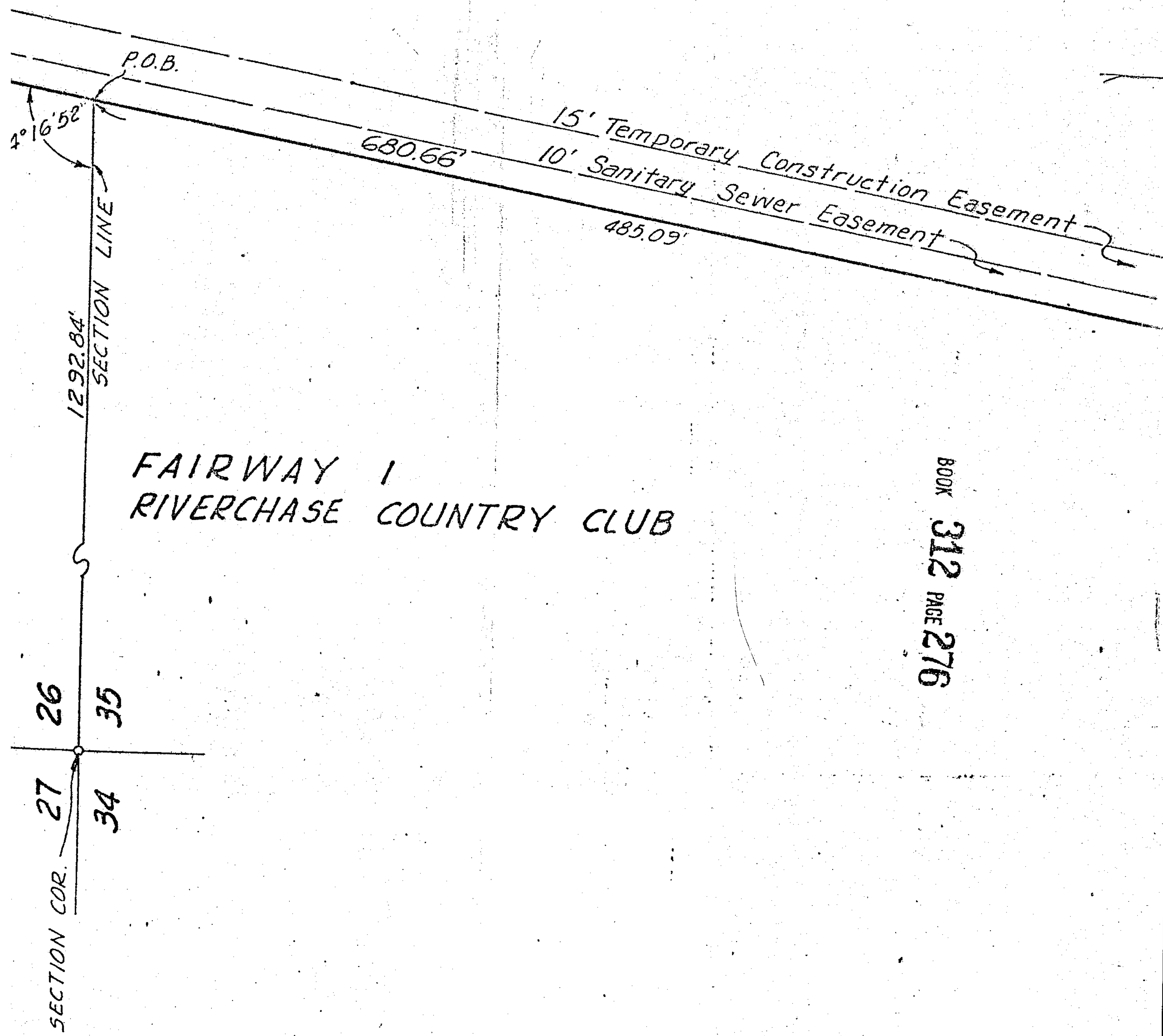


BOOK 312
275

8.25 Acres ±



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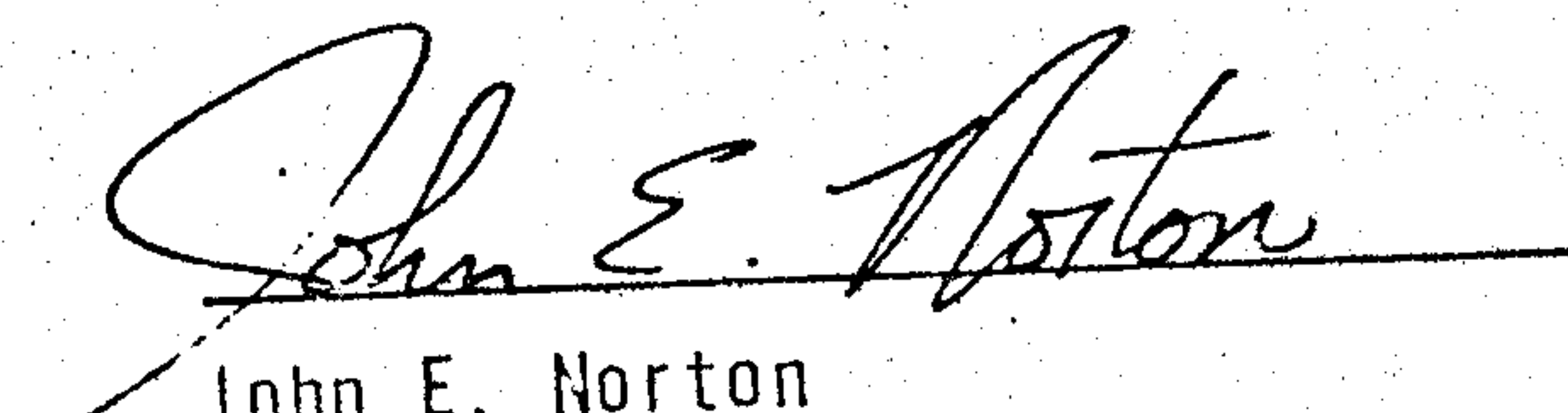


BOOK 312 PAGE 276

The following is a description of a tract of land situated in the S ½ of the SW ¼ of Section 26 and the N ½ of the NW ¼ of Section 35, Township 19 S., Range 3 W., Shelby County, Alabama and being more particularly described as follows:

Commence at the SW corner of Section 26; thence East along the South line of said section 1,292.84 feet to the point of beginning; thence 75°43'08" left, 195.57 feet; thence 13°48'44" right, 324.10 feet; thence 96°22'17" right, 220.72 feet; thence 100°00'35" right, 120.21 feet; thence 90°19'32" left, 374.85 feet; thence 96°37'00" right, 336.52 feet; thence 19°16'16" left, 412.67 feet; thence 22°16'34" left, 118.92 feet; thence 78°23'10" right, 88.38 feet; thence 24°00'51" right, 56.19 feet; thence 20°17'54" right, 55.21 feet; thence 28°37'19" right, 25.36 feet; thence 20°43'32" right, 123.15 feet; thence 12°01'00" right, 485.09 feet to the point of beginning and containing 8.25 acres, more or less.

I hereby certify that this plat is a true and correct representation of the land surveyed and has been prepared in conformity with the minimum standards and requirements by law.


John E. Norton
Registered Engineer and Surveyor
State of Alabama Reg. No. 10287



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Shelby Cnty Judge of Probate, AL
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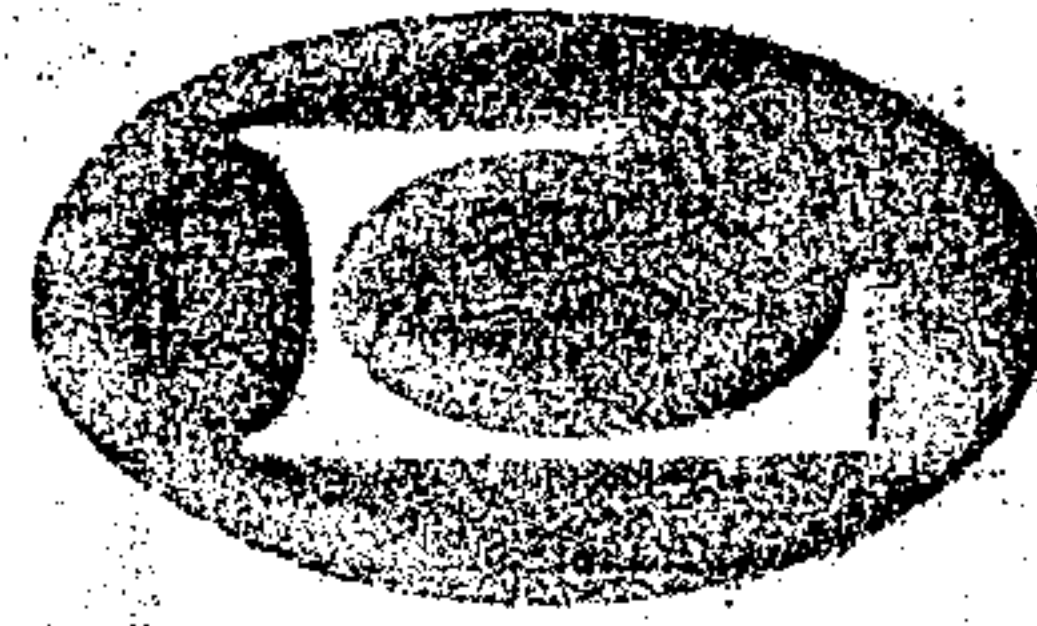
88.38'
5°59'09"
61.95'
5°06'



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BOOK 312 PAGE 278

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1978 MAY 19 *Seed Day* - 6750
AM 11:55 *Sec. 1200*
100
JUDGE OF PROBATE *8050*

NO.	REVISIONS
BOUNDARY SURVEY FOR THE HARBERT-EQUITABLE JOINT V <i>Situated in the S 1/2 of the SW 1/4 c Section 26 and the N 1/2 of the NW Section 35, Township 19 South, Range Shelby County, Alabama.</i>	
 Lowe Engineers, Inc. Birmingham, Alabama	
Sca' D= E	

BOOK 312 PAGE 273