

THIS DOCUMENT WAS PREPARED BY:

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

STATE OF ALABAMA)
COUNTY OF SHELBY)

1052

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of ONE HUNDRED TWENTY ONE THOUSAND FOUR HUNDRED THIRTY SEVEN AND 050/100 DOLLARS (\$121,437.50) in hand paid by CLAYTON, CLAYTON AND BOOTH, a partnership consisting of Larry Clayton, Lane Clayton and W. T. Booth (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 the said GRANTEE the following described real estate situated in Shelby County, Alabama:

Lot 5, according to 2nd Amendment, Commercial Subdivision, Riverchase East First Sector, Revision No. 3, as recorded in Map Book 6, page 139, in the Office of the Judge of Probate of Shelby County, Alabama.

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. Said property conveyed by this instrument is hereby subjected to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Business), recorded in Miscellaneous Book 13, beginning at page 50, as amended by Amendment No. 1 recorded in Misc. Book 15, beginning at page 189, and as further amended by Amendment No. 2 recorded in Misc. Book 19, beginning at page 663, in the office of the Judge of Probate of Shelby County, Alabama.
6. Said property conveyed by this instrument is hereby restricted to use as an office, retail, restaurant or commercial development with a density not to exceed 10,000 square feet per acre, unless a change in use is authorized pursuant to the Riverchase Business Covenants, as described in paragraph 5 above, said restriction to be effective for the same period of time as the Riverchase Business Covenants.



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Shelby Cnty Judge of Probate, AL
08/22/1978 12:00:00AM FILED/CERT

Bham R. Satterfield

7. Said property conveyed by this instrument is hereby subjected to that certain Land Use Agreement dated April 26, 1977, between The Harbert-Equitable Joint Venture and Blue Cross and Blue Shield of Alabama, recorded in Miscellaneous Book 19, beginning at page 690, in the office of the Judge of Probate of Shelby County, Alabama.

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 15th day of August, 1978.

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES

Witnesses:

By

Donald J. [Signature]
Its Division Manager

Witnesses:

By

HARBERT CONSTRUCTION CORPORATION

By

Stell Hunter, Jr.
Its Manager - Real Estate



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Shelby Cnty Judge of Probate, AL
08/22/1978 12:00:00AM FILED/CERT

STATE OF Alabama
COUNTY OF Shelby

I, Donna C. White, a Notary Public in and for said County, in said State, hereby certify that Ronald Owens, 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 15th day of August, 1978.

Donna C. White
Notary Public

My commission expires: 1-20-81

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STATE OF Alabama
COUNTY OF Shelby

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Shelby Cnty Judge of Probate, AL
08/22/1978 12:00:00AM FILED/CERT

I, Donna C. White, a Notary Public in and for said County, in said State, hereby certify that Will Hunter, Jr., whose name as Manager - Real Estate 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 15th day of August, 1978.

Donna C. White
Notary Public

My commission expires: 1-20-81

ALABAMA SHELBY COUNTY JUDGE OF PROBATE
AUG 22 1978

Deed Tax - 121.50
Re. 4.50
1.00
127.00