

THIS DOCUMENT WAS PREPARED BY:

Randolph H. Lanier
Balch, Bingham, Baker, Hawthorne,
Williams & Ward
Attorneys at Law
600 North 18th Street
Birmingham, Alabama 35203

STATE OF ALABAMA)

SHELBY COUNTY)



19770801000078840 1/5 \$.00
Shelby Cnty Judge of Probate, AL
08/01/1977 12:00:00AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of ONE HUNDRED NINETY THOUSAND AND NO/100 DOLLARS (\$190,000.00) in hand paid by CONTINENTAL DEVELOPMENT CO., an Arizona General Partnership (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 real estate situated in Shelby County, Alabama:

A tract of land situated in the NE 1/4 of the SW 1/4 of Section 19, Township 19 South, Range 2 West and being more particularly described as follows:

Commence at the SE corner of the SE 1/4 of the NE 1/4 of said section; thence West along the South line of said 1/4 - 1/4 N 87°46'35"W, 2723.44 feet; thence 90°00'00" left 84.39 feet to the point of beginning, said point also being on the Southerly right-of-way line of a proposed road; thence 88°06'23" right tangent to a curve to the left, said curve having a central angle of 11°22'48" and a radius of 420.00 feet; thence along said curve and right-of-way 83.42 feet; thence continue tangent to said curve and right-of-way 109.97 feet to a curve to the right, said curve having a central angle of 11°02'00" and a radius of 1402.00 feet; thence along said curve and right-of-way 269.98 feet; thence continue tangent to said curve and right-of-way 59.67 feet to a curve to the left, said curve having a central angle of 84°12'14" and a radius of

220.00 feet; thence along said curve and right-of-way 323.32 feet to a curve to the left, said curve having a central angle of 98°05'07" and a radius of 25.00 feet; thence along said curve and right-of-way 42.80 feet to a point, said point being the intersection of the proposed right-of-way and the Northeasterly right-of-way line of Riverchase Parkway East, said point also being on the beginning of a curve to the right, said curve having a central angle of 49°48'37" and a radius of 661.41 feet; thence along said curve and right-of-way 575.00 feet; thence 115°43'36" left from tangent of said curve and leaving said right-of-way N 21°46'40"E, 532.27 feet to the point of beginning.

Such land is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1977.
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 Miscellaneous Book 15, beginning at page 189, as amended by Amendment No. 2 recorded in Miscellaneous Book 19, beginning at page 633 in the office of the Judge of Probate of Shelby County, Alabama.
6. GRANTOR reserves a ten foot (10') and a twenty foot (20') easement for 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 easements shown on the survey attached as Exhibit A hereto as being the ten feet along the east boundary and the twenty feet along the southeast boundary of the property. GRANTOR also reserves a twenty foot (20') easement for drainage purposes, 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 twenty feet along the western boundary and along the northern portion of the property.

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

19770801000078840 2/5 \$.00
Shelby Cnty Judge of Probate, AL
08/01/1977 12:00:00AM FILED/CERT

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 26th day of July, 1977.

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES

Witnesses:

[Signature]

By [Signature]
Its Division Manager

[Signature]

Witnesses:

[Signature]

By: HARBERT CONSTRUCTION CORPORATION

By [Signature]
Its Vice President
MANAGER - REAL ESTATE

[Signature]

BOOK 306 PAGE 907



19770801000078840 3/5 \$.00
Shelby Cnty Judge of Probate, AL
08/01/1977 12:00:00AM FILED/CERT

STATE OF Georgia

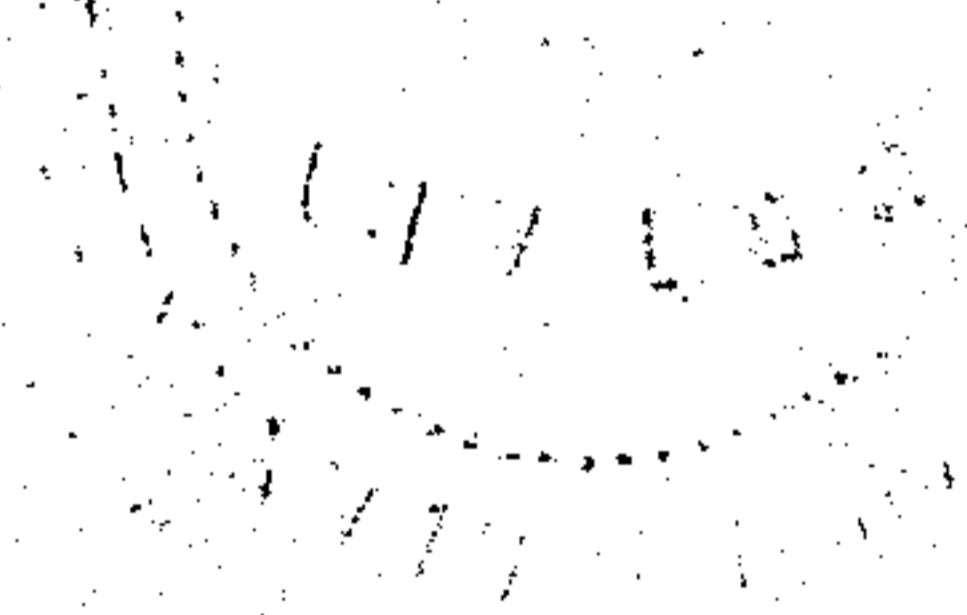
COUNTY OF Fulton

I, Cecilia R. Alexander, a Notary Public in and for said County in said State, hereby certify that Dennis D. Evans, 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 20th day of July, 1977.

Cecilia R. Alexander
Notary Public

My commission expires: 8-16-80



STATE OF Alabama

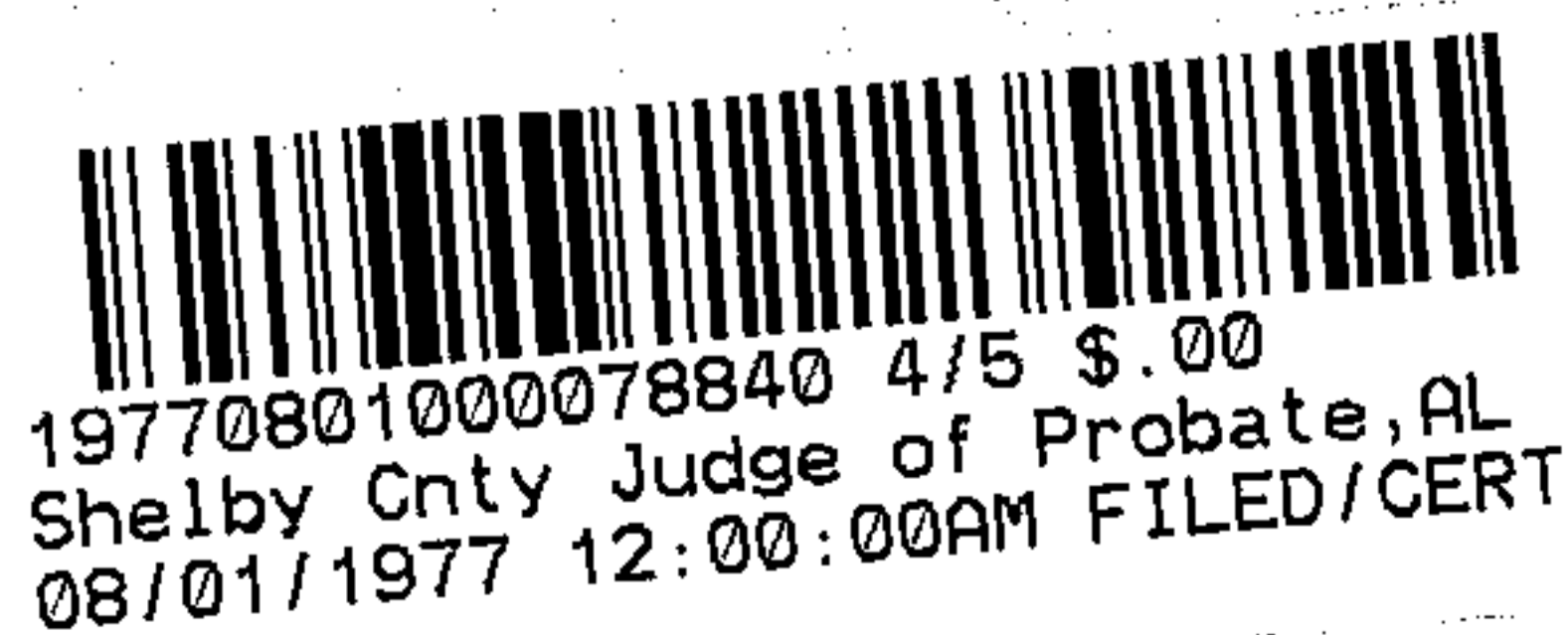
COUNTY OF Shelby

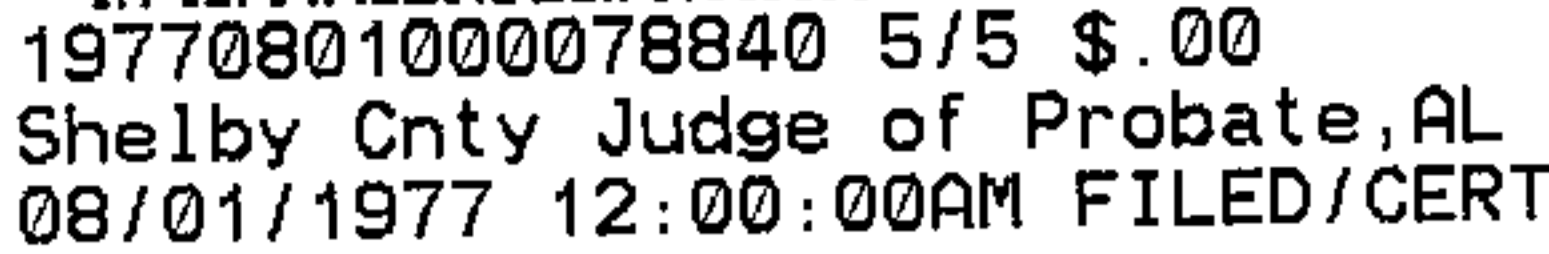
I, Donna C. White, a Notary Public in and for said County in said State, hereby certify that Bill Hunter, whose name as Manager Real Estate of Harbert Construction Corporation, a corporation, as General Partner of The Harbert-Equitable Joint Venture, under Joint Venture Agreement dated January 30, 1974, 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 20th day of July, 1977.

Donna C. White
Notary Public

My commission expires: 1-26-81





STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
Ad Jan #190
1977 AUG -1- AM 9:15

1977 AUG -1- AM 9:13
Pen 7.50
Thomas A. Brownlee, Jr. 1.00
 JUDGE OF PROBATE
\$198.50

The following is a description of a series of land surveys in the NE $\frac{1}{4}$ of the 20 N of Section 10, Township 10 North, Range 2 East and Section 10 North, Township 10 North, Range 2 East and

I hereby certify that this plan 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
John E. Norton
Registered Engineer and Surveyor
State of Alabama Reg. No. 18722

2	Revised List Accompanying Comments	5/23/77
1	Added Drainage Elements	1/4/77
NO.	REVISIONS	DATE

THE HERBERT-EQUITABLE JOINT VENTURE
Sited in the NE 1/4 of the SW 1/4, Section
19, Township 19 South, Range 4 West, Shelby
County, Alabama.



**LOWE
ENGINEERS**
Birmingham, Ala.

SCOH: 17450
Date: 5-2-77
Drawing Number: