

THIS INSTRUMENT WAS PREPARED BY:

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

STATE OF ALABAMA

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COUNTY OF SHELBY

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19770822000087630 1/3 \$.00  
Shelby Cnty Judge of Probate, AL  
08/22/1977 12:00:00AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of TWENTY-EIGHT THOUSAND AND NO/100 DOLLARS (\$28,000.00) in hand paid by VOWENS ENTERPRISES, INC. (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:

Lots No. 40 and 42, Riverchase Country Club Sub-division, according to plat recorded in Map Book 6, page 137, 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, 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. Requirements of the Shelby County Health Department for permits, construction, and approval of septic tanks.
6. 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

BOOK 307 PAGE 371

*Owens Enterprises*  
*2062 Old Hwy 31*  
*B'ham. 35244*

County, Alabama, as amended in Miscellaneous Book 17, beginning at page 550, in the office of the Judge of Probate of Shelby County, Alabama.

GRANTEE, his heirs and assigns, agree and covenant to terminate the use of any septic tank and field lines now or hereafter located on or serving said Lots No. 40 and 42, Riverchase Country Club Subdivision, at such time, if any, as an operating Sewage Treatment System may be made available to said Lot, and covenant to connect to such Sewage Treatment System at such time as it is available, at GRANTEE's sole expense. Further, GRANTEE agrees and covenants to give such easements as are necessary to the appropriate Sewer Authority for the construction of a sewer line to serve such Lots No. 40 and 42, Riverchase Country Club Subdivision.

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 10th day of August, 1977.

Witnesses:

[Signature]

[Signature]

Witnesses:

[Signature]

[Signature]

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES

By [Signature]  
Its Division Manager

By: HARBERT CONSTRUCTION CORPORATION

By [Signature]  
Its Vice President  
MANAGER - REAL ESTATE



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STATE OF GEORGIA  
COUNTY OF FULTON

I, BERNARD ALEXANDER, a Notary Public in and for said County in said State, hereby certify that RONALD 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 3RD day of AUGUST, 1977.

Bernard L. Alexander  
Notary Public

My commission expires: 8-16-80

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Shelby Cnty Judge of Probate, AL  
08/22/1977 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 Steve 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 14th day of August, 1977.

Donna C White  
Notary Public

My commission expires: 1-30-81

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STATE OF ALA. SHELBY CO.  
1977 AUG 22 AM 11:28  
Seed Tax 28.00  
Rec. 4.50  
Ind. 1.00  
JUDGE OF PROBATE  
3350