

THIS DOCUMENT WAS PREPARED BY:

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

STATE OF ALABAMA)

COUNTY OF SHELBY)



19780519000060860 1/10 \$.00
Shelby Cnty Judge of Probate, AL
05/19/1978 12:00:00AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of SEVENTY FOUR THOUSAND AND NO/100 DOLLARS (\$74,000.00) and other good and valuable consideration in hand paid by EDWIN M. DIXON, BILL L. HARBERT and STILL HUNTER, JR. (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 described real estate situated in Shelby County, Alabama:

A tract of land situated in the S½ of the SW¼ of Section 26, 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 1,075.56 feet; thence 90°00'00" left, 696.17 feet to the point of beginning; thence 18°58'28" right, 559 feet, more or less, to the centerline of the Cahaba River; thence Easterly and Northeasterly along the centerline of the Cahaba River following the meanders thereof 856 feet, more or less; thence S 03°50'29"E, 281 feet, more or less; thence 46°05'56" right 551.50 feet; thence 61°34'20" left, 117.12 feet to the right-of-way of a proposed road "A"; thence 116°34'54" right to the tangent of a curve to the left, said curve having a central angle of 08°16'01" and a radius of 440.00 feet; thence along the arc of said curve and proposed right-of-way 63.49 feet; thence tangent to curve along the proposed right-of-way, 130.21 feet to a curve to the left, said curve having a central angle of 09°38'53" and a radius of 210.00 feet; thence along the arc of said curve and proposed right-of-way, 35.36 feet to the tangent point of a curve to the right of a proposed road "B" right-of-way, said curve having a central angle of 76°27'53" and a radius of 25.00 feet; thence leaving said proposed road "A" right-of-way, along the arc of said curve of proposed road "B" right-of-way, 33.36 feet; thence tangent to curve and along the proposed road "B" right-of-way 54.99 feet to a curve to the left, said curve having a central angle of 51°52'00" and a radius of 210.00 feet; thence along the arc of said curve and proposed right-of-way 190.10 feet; thence tangent to curve and along the proposed right-of-way 233.20 feet to a curve to the right, said curve having a central angle of 10°49'39" and a radius of 470.00 feet; thence along the arc of said curve and proposed right-of-way 88.82 feet to the point of beginning and containing 13.04 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.

Mr. William H. Satterfield
Harbert-Equitable Joint Venture
P. O. Box 1297

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 and 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 twelve (12) single family residences, or for the construction and operation of condominiums or other multi-family use with a density not to exceed five (5) units per acre, 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 ten foot (10') easements for drainage and utility lines and appurtenances, including but not limited to gas, water, sewer, electricity, and telephone, 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 sanitary sewer and flood 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 boundary of the property. GRANTOR also reserves a golf cart easement, 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 easement located in the southeastern corner 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.

Witnesses:

William H. Gattis, Jr.
Maynard E. Russo

William H. Gattis, Jr.
Maynard E. Russo

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES

By: Donald E. [Signature]
Its Division Manager

By: HARBERT CONSTRUCTION CORPORATION

By: W. H. [Signature]
Its Vice President

STATE OF GEORGIA)
COUNTY OF FULTON)

I, Cecilia L. Alvarez, a Notary Public in and for said County, in said State, hereby certify that Donald 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 2nd day of May, 1978.

Cecilia L. Alvarez
Notary Public

My commission expires: 8-16-80

STATE OF ALABAMA)
COUNTY OF SHELBY)

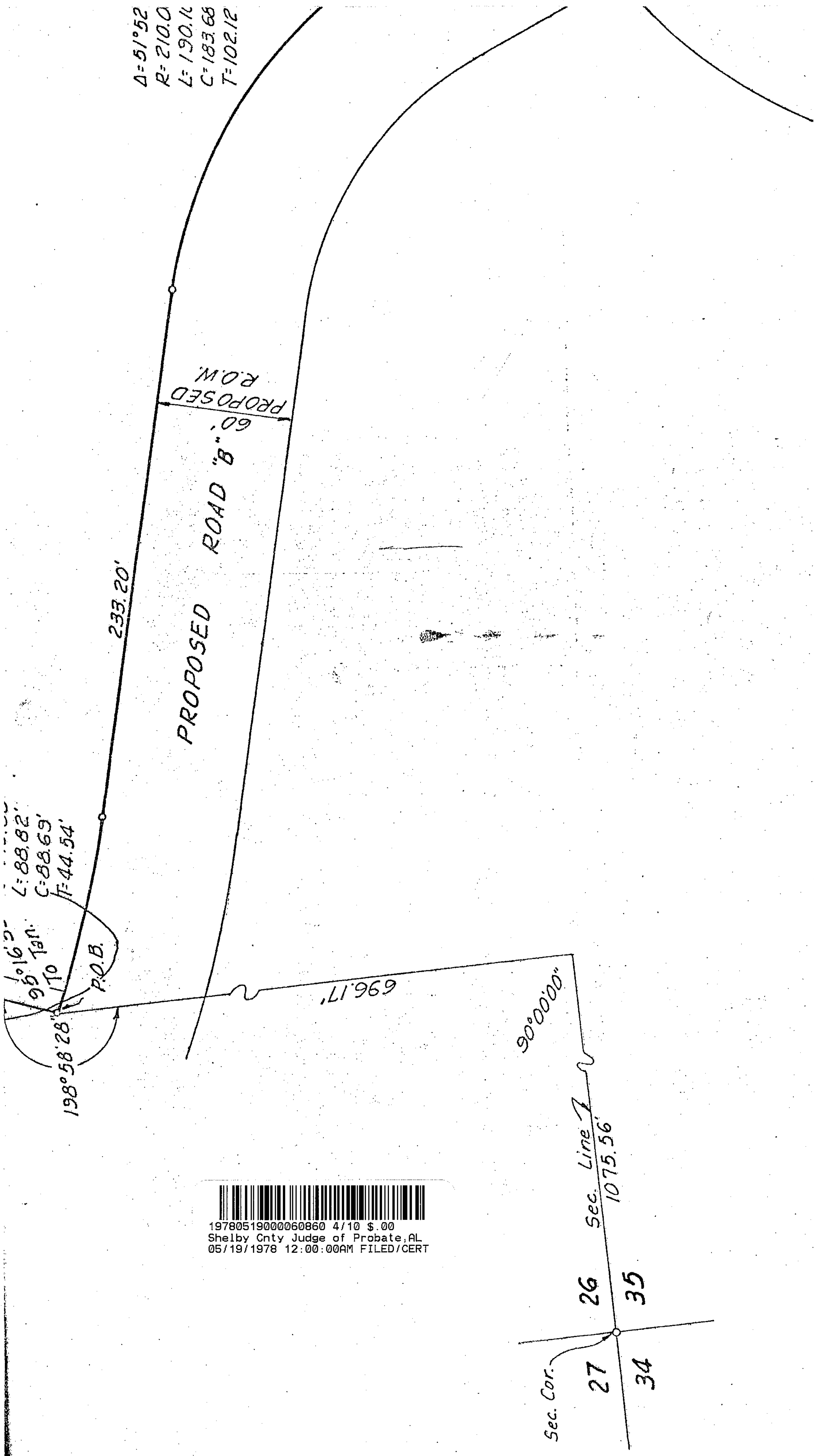
I, EVANGELINE H. HOOVER, a Notary Public in and for said County, in said State, hereby certify that W.H. ROSSMAN, whose name as VICE PRESIDENT of Harbert Construction Corporation, a corporation, as General Partner of The Harbert-Equitable Joint Venture, under Joint Venture Agreement dated January 30, 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

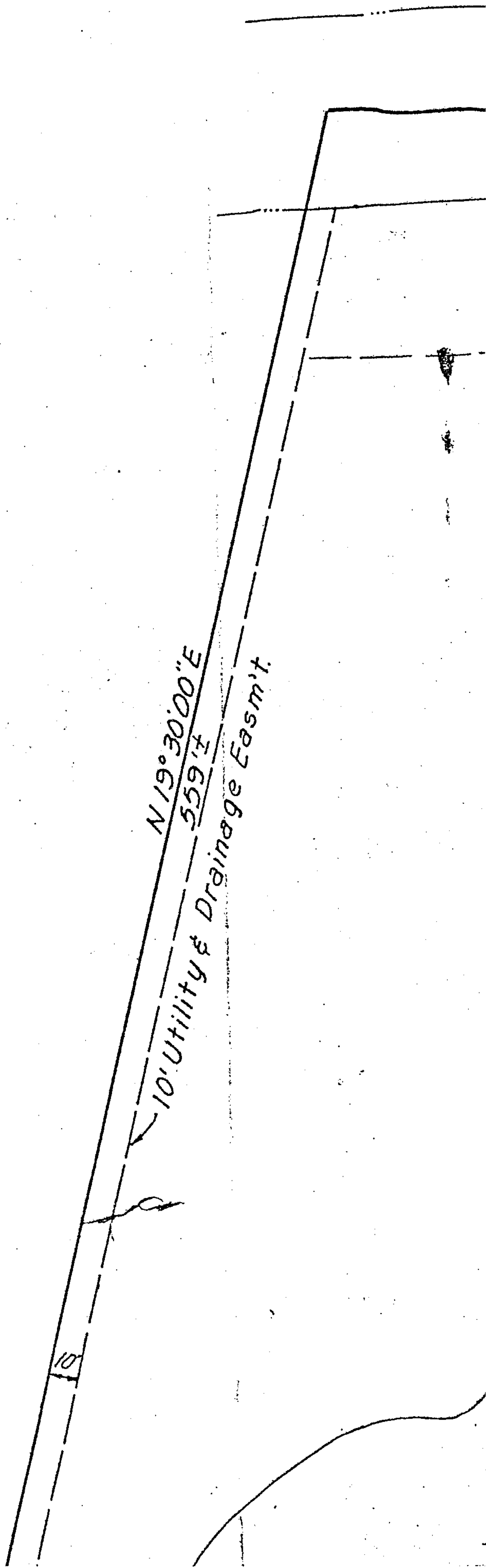
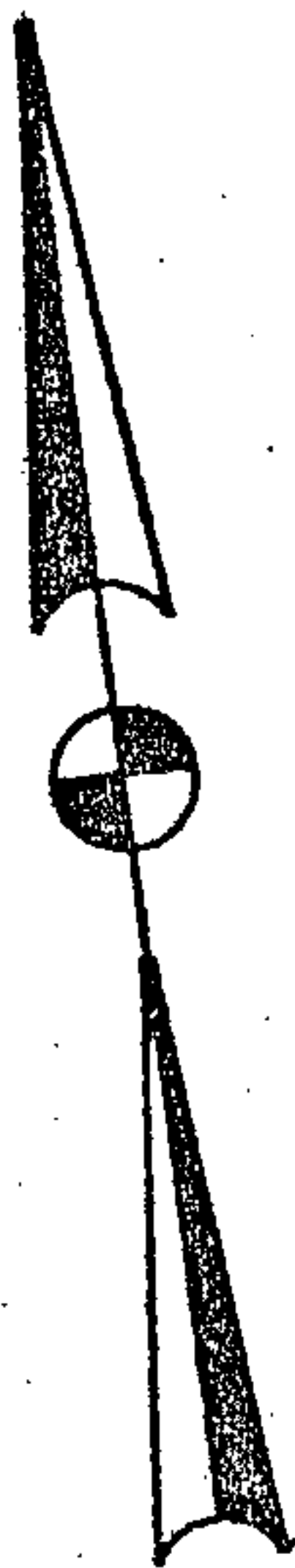
My commission expires: April 29, 1982

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BOOK 312 PAGE 265



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856'±

50'

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567,923 Sq. Ft.
13.04± Acres



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CAHABA RIVER

50' Sanitary Sewer Easement

53°50'29"E
281'7"

133°54'04"

422

10' Utility & Drainage Easmt.
551.50'

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241°34'20"

FAIRWAY 2
RIVERCHASE COUNTRY CLUB

$\Delta = 8^{\circ}16'01''$

$R = 440.00'$

$L = 63.49'$

$C = 63.43'$

$T = 31.80'$

63°25'06"
To Tan.

5.69'
Golf Cart Easement

49.75'
PROPOSED
R.O.W.

ROAD "A"

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7.998

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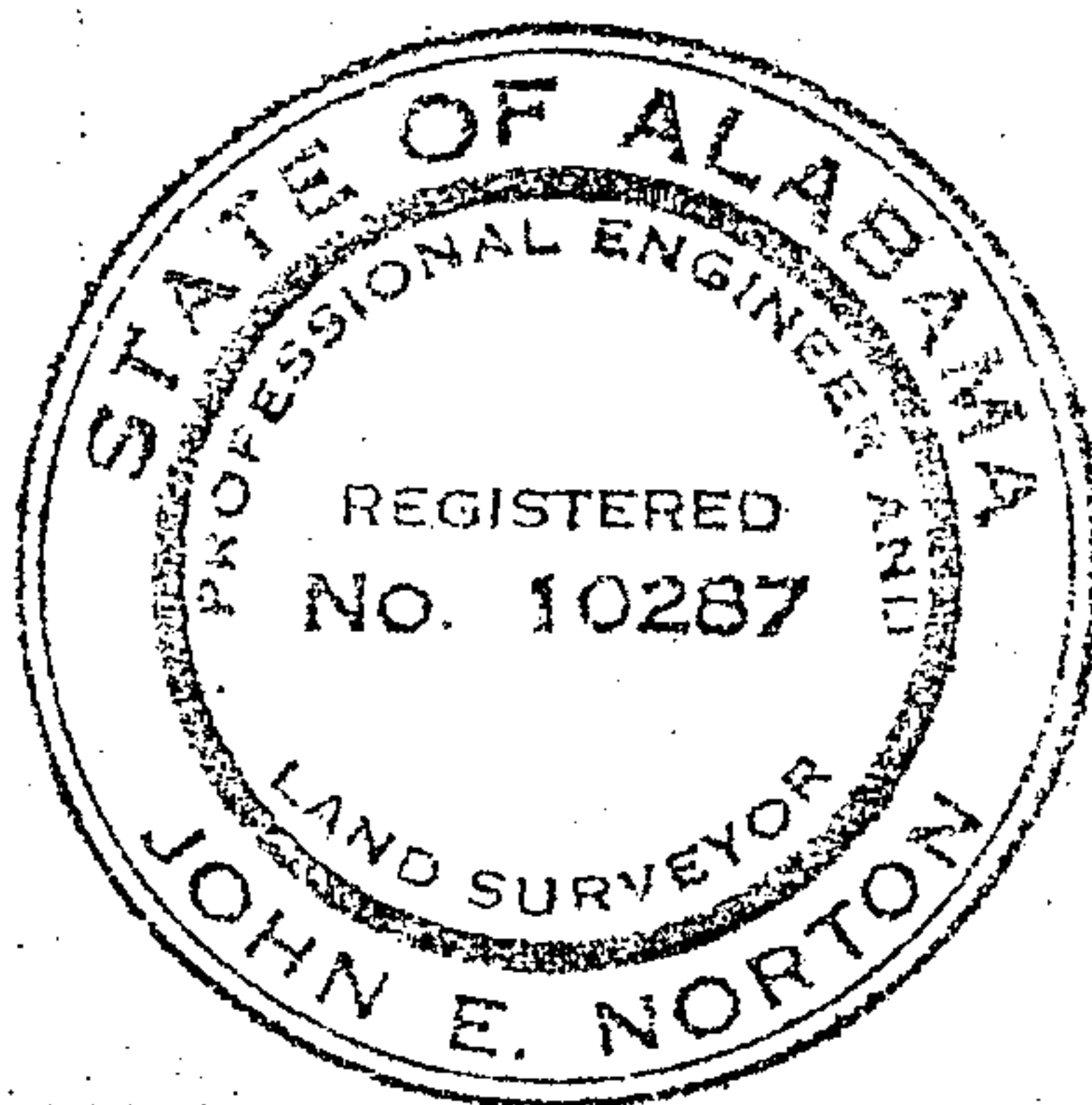
The following is a description of a tract of land situated in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 26, Township 19 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the SW corner of Section 26, thence East along the South line of said section 1,075.56 feet; thence $90^{\circ}00'00''$ left, 696.17 feet to the point of beginning; thence $18^{\circ}58'28''$ right, 559. feet, more or less, to the centerline of the Cahaba River; thence Easterly and Northeasterly along the centerline of the Cahaba River following the meanders thereof 856 feet, more or less; thence $S 03^{\circ}50'29''E$, 281 feet, more or less; thence $46^{\circ}05'56''$ right 551.50 feet; thence $61^{\circ}34'20''$ left, 117.12 feet to the right-of-way of a proposed road "A"; thence $116^{\circ}34'54''$ right to the tangent of a curve to the left, said curve having a central angle of $08^{\circ}16'01''$ and a radius of 440.00 feet; thence along the arc of said curve and proposed right-of-way 63.49 feet; thence tangent to curve and along the proposed right-of-way, 130.21 feet to a curve to the left, said curve having a central angle of $09^{\circ}38'53''$ and a radius of 210.00 feet; thence along the arc of said curve and proposed right-of-way, 35.36 feet to the tangent point of a curve to the right of a proposed road "B" right-of-way; said curve having a central angle of $76^{\circ}27'53''$ and a radius of 25.00 feet; thence leaving said proposed road A right-of-way, along the arc of said curve of proposed road B right-of-way, 33.36 feet; thence tangent to curve and along the proposed road B right-of-way 54.99 feet to a curve to the left, said curve having a central angle of $51^{\circ}52'00''$ and a radius of 210.00 feet; thence along the arc of said curve and proposed right-of-way 190.10 feet; thence tangent to curve and along the proposed right-of-way 233.20 feet to a curve to the right, said curve having a central angle of $10^{\circ}49'39''$ and a radius of 470.00 feet; thence along the arc of said curve and proposed right-of-way 88.82 feet to the point of beginning and containing 13.04 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

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



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STATE OF ALA. SHELBY CO.

I CERTIFY THIS

INSTRUMENT WAS FILED

1978 MAY 19 AM 11:54

Rec'd Day - 7400

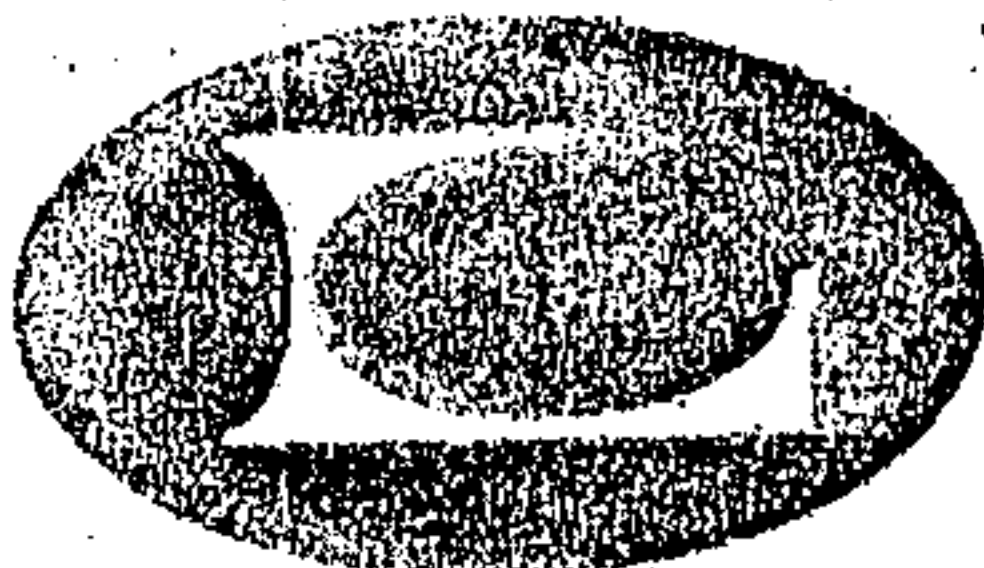
Rec. 1500

Ind. 100

9000

JUDGE OF PROBATE

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NO.	REVISIONS	DATE
BOUNDARY SURVEY FOR THE HARBERT-EQUITABLE JOINT VENTURE Situated in the S 1/2 of SW 1/4 of Section 26, Township 19 South, Range 3 West Shelby Co., Alabama.		
 Lowe Engineers, Inc. Birmingham, Alabama		Scale: <i>1" = 50'</i> Date: <i>7 APR 78</i> Drawing Number:

PARCEL - 2

