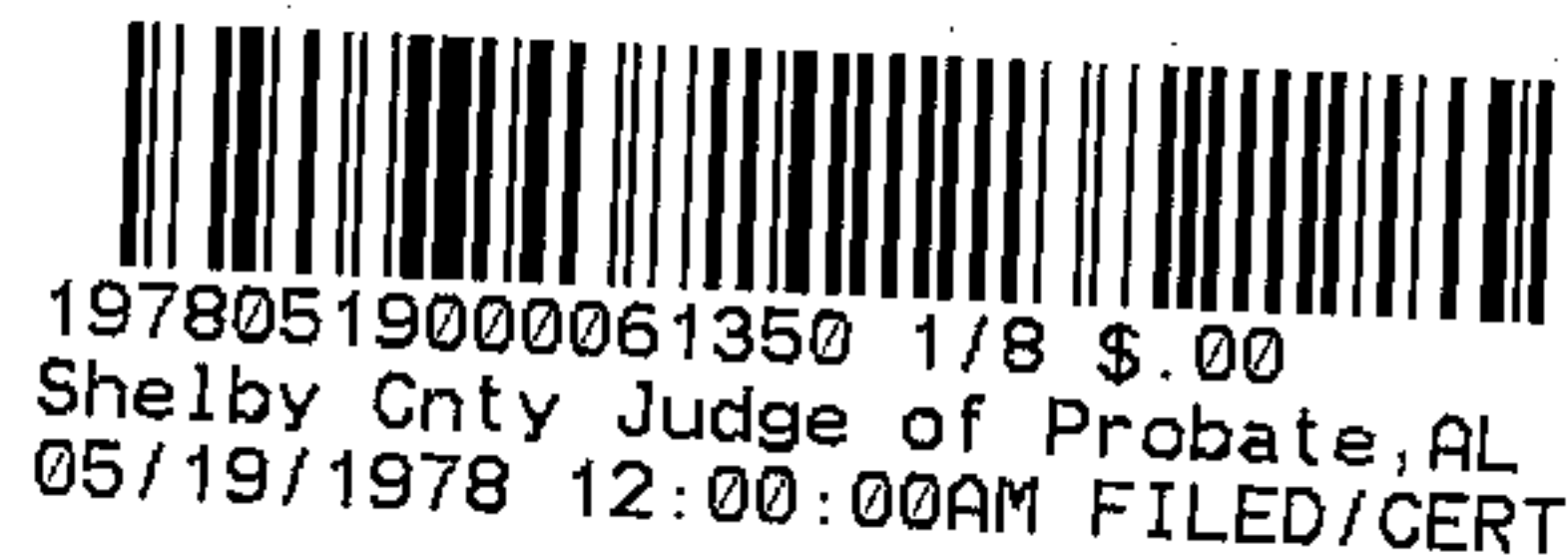


William H. Satterfield
Attorney at Law
Post Office Box 1297
Birmingham, Alabama 35201



STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of SEVENTY TWO THOUSAND NINE HUNDRED AND NO/100 DOLLARS (\$72,900.00) and other good and valuable consideration in hand paid by DONALD L. COOK (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 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 NW corner of Section 35; thence South along the West line of said section 1,521.01 feet; thence 90°00'00" left, 1,447.78 feet to the point of beginning; thence 103°56'42" left, 264 feet, more or less to the 419.00 foot contour elevation (mean sea level datum); thence in a South-easterly, Northeasterly, Easterly, Southeasterly, South-westerly direction 1,112 feet, more or less along said 419.00 foot contour to a point; thence leaving said contour S 36°52'00"W, 80 feet, more or less to a point; thence 19°41'00" left, 115.16 feet; thence 09°26'00" left, 194.95 feet to the right-of-way of proposed road; thence 113°32'00" right, tangent to a curve to the left, said curve having a central angle of 10°25'42" and a radius of 504.55 feet; thence along the arc of said curve and proposed right-of-way 91.83 feet to a curve to the left, said curve having a central angle of 64°13'18" and a radius of 130.00 feet; thence along the arc of said curve and proposed right-of-way 145.71 feet; thence 51°32'40" from tangent to tangent leaving said proposed right-of-way to a curve to the right, said curve having a central angle of 65°59'59" and a radius of 150.00 feet; thence 172.79 feet along the arc of said curve; thence 88°45'39" left, to tangent of said curve, 184.83 feet to the point of beginning and containing 7.49 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

Mr. William H. Satterfield
Harbert-Equitable Joint Venture
P. O. Box 1297
Birmingham, Alabama 35201

312 MAY 27 1978

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 eleven (11) 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 north, east and west respectively of the centerline of a twenty foot (20') easement along the southern, 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 and eastern boundaries of the property. GRANTOR also reserves twenty (20') temporary sanitary sewer 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, southern, eastern and western portions 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 electrical 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

By: THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES

By: [Signature]
Its Division Manager

By: HARBERT CONSTRUCTION CORPORATION

By: [Signature]
Its Vice President

Witnesses:

[Signature]
Maria C. Capella

Witnesses:

[Signature]
Margaret E. Russo

197805190000061350 2/8 \$.00
Shelby Cnty Judge of Probate, AL
05/19/1978 12:00:00AM FILED/CERT

BOOK 312 PAGE 280

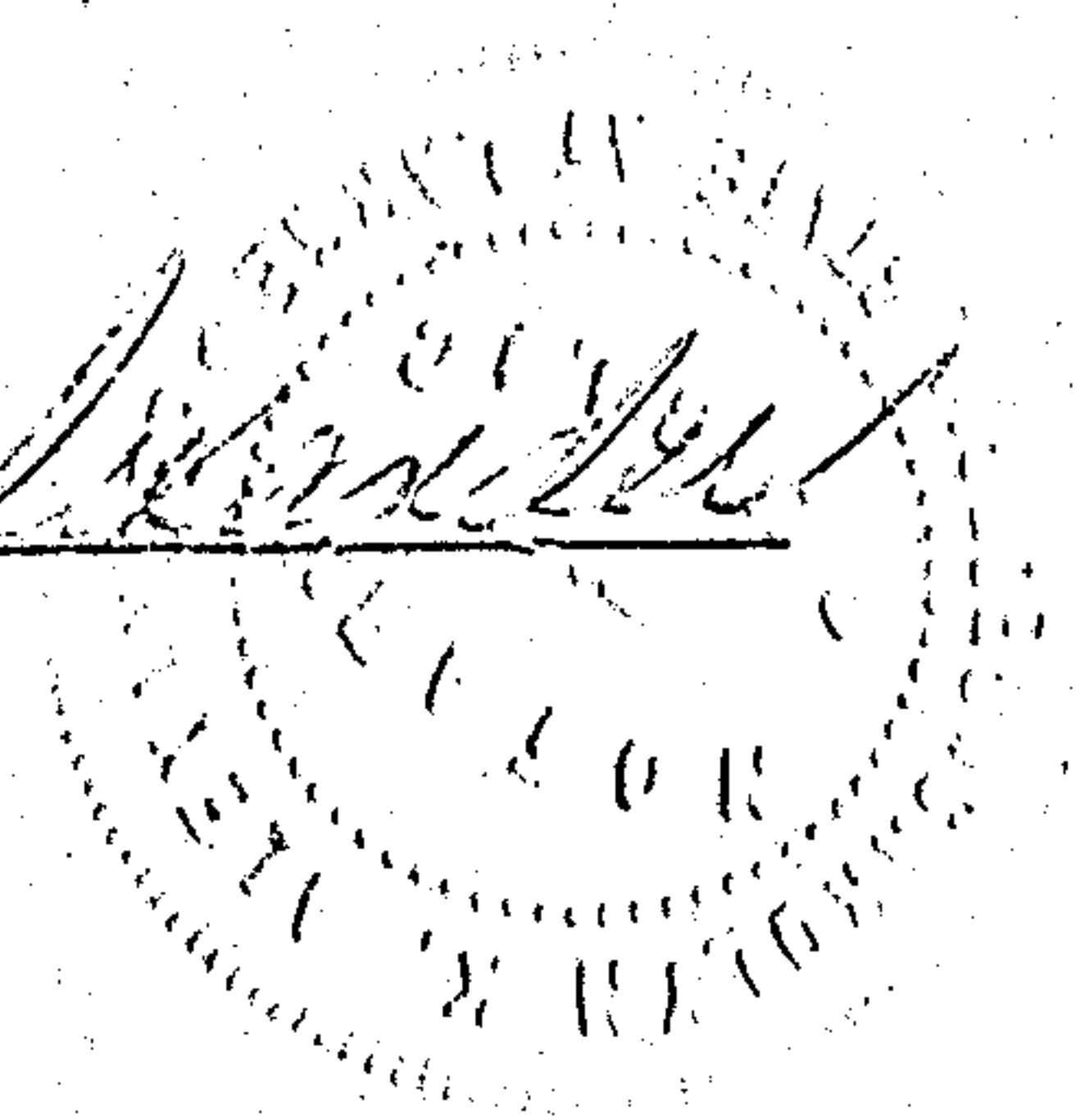
STATE OF GEORGIA)
COUNTY OF FULTON)

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Shelby Cnty Judge of Probate, AL
05/19/1978 12:00:00AM FILED/CERT

I, CRISTINA L. ALEXANDER, 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 22 day of MAY, 1978.

Cristina L. Alexander
Notary Public



My commission expires: 8-16-80

BOOK 312 PAGE 281

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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SECTION
CORNER

27

26

34

35

SECTION LINE

1521.01'

90°00'00"

PRACTICE RANGE
RIVERCHASE COUNTRY
CLUB

1447.78'

419

38.57'

58°21'56"

425

263.64'

264.1'

76°03'18"

89°05'52"

10' 20'

10' Utility and
184.83'

Property Line
419 Ft. Contour
M. S. L. Datum

Traverse Line

Temporary Se

65.93'

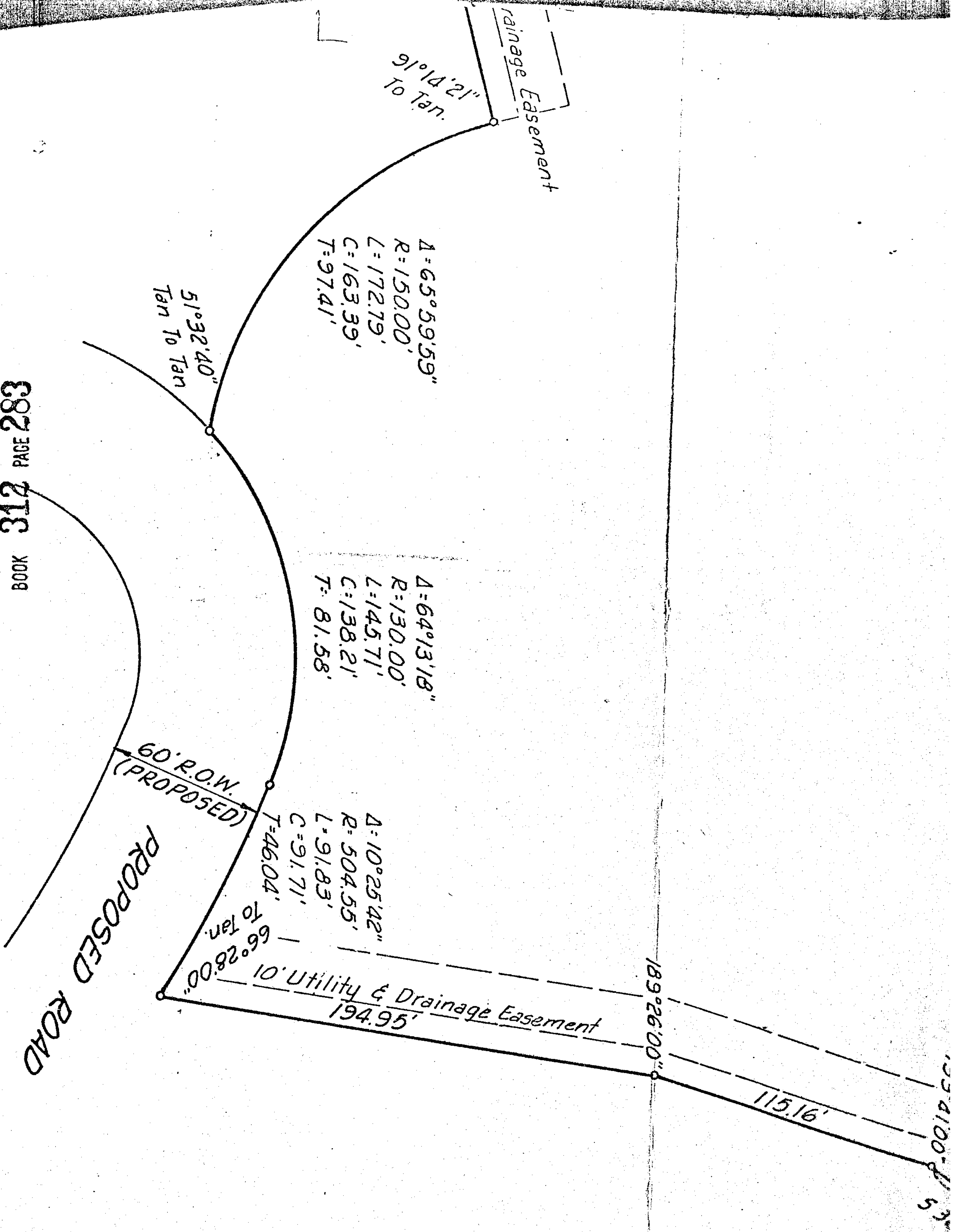
202°08'

162°42'36"

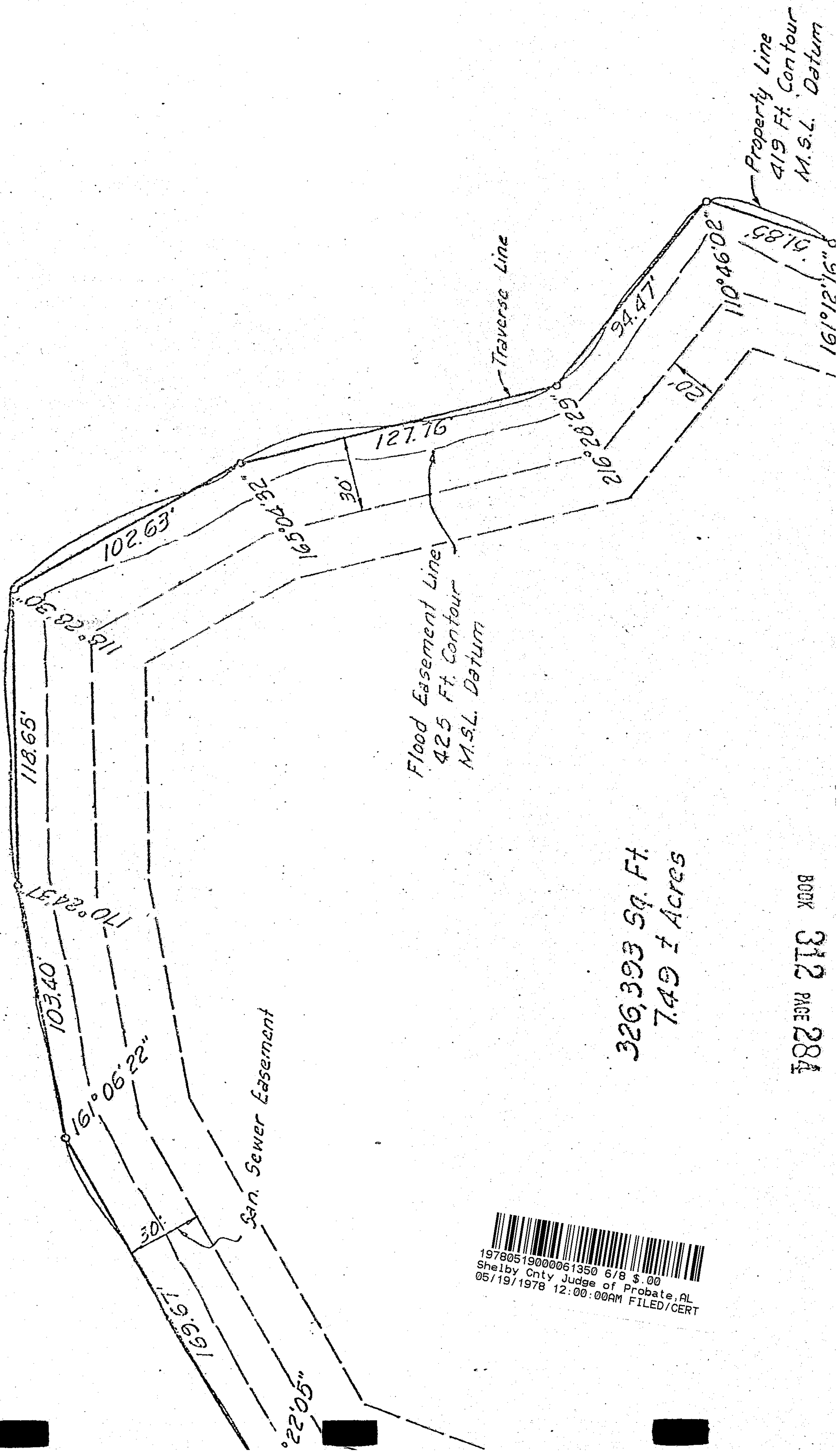
145.71'

20'

23.62'



WANE RIVERCHASE COUNTRY CLUB



326,393 Sq. Ft.
7.49 ± Acres

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Ex 1
(D.1)

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Shelby Cnty Judge of Probate, AL
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BOOK 312 PAGE 285

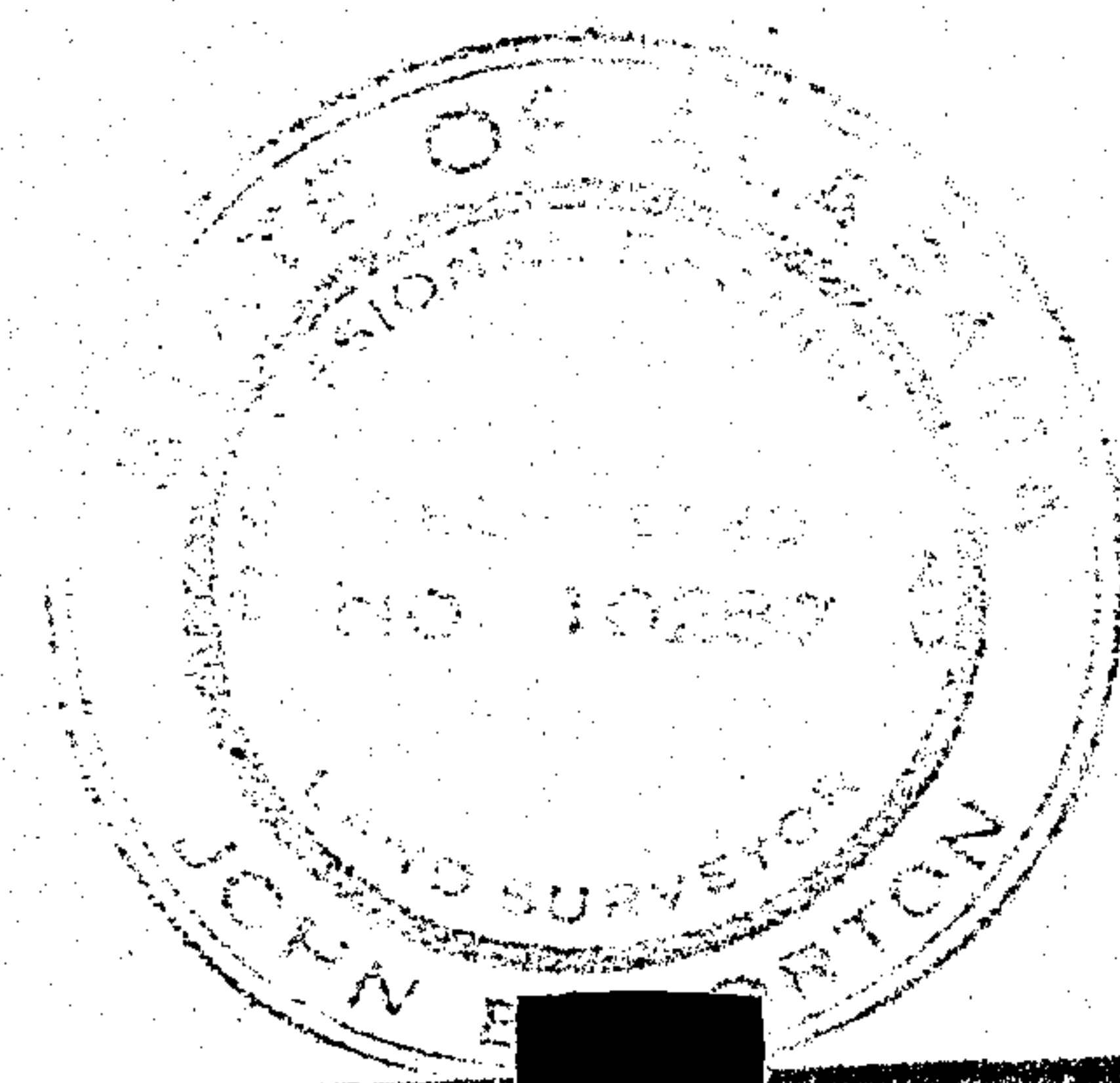
The following is a description of a tract of land situated in the NW ¼ of Section 35, Township 19 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the NW corner of Section 35; thence South along the West line of said section 1,521.01 feet; thence 90°00'00" left, 1,447.78 feet to the point of beginning; thence 103°56'42" left, 264 feet, more or less to the 419.00 foot contour elevation (mean sea level datum); thence in a Southeasterly, Northeasterly, Easterly, Southeasterly, Southwesterly direction 1112 feet, more or less along said 419.00 foot contour to a point; thence leaving said contour S 36°52'00"W, 80 feet, more or less to a point; thence 19°41'00" left, 115.16 feet; thence 09°26'00" left, 194.95 feet to the right-of-way of proposed road; thence 113°32'00" right, tangent to a curve to the left, said curve having a central angle of 10°25'42" and radius of 504.55 feet; thence along the arc of said curve and proposed right-of-way 91.83 feet to a curve to the left, said curve having a central angle of 64°13'18" and a radius of 130.00 feet; thence along the arc of said curve and proposed right-of-way 145.71 feet thence 51°32'40" from tangent to tangent leaving said proposed right-of-way to a curve to the right, said curve having a central angle of 65°59'59" and a radius of 150.00 feet; thence 17 feet along the arc of said curve; thence 88°45'39" left, to tangent of said curve, 184.83 feet to the point of beginning and containing 7.49 acres more or less.

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

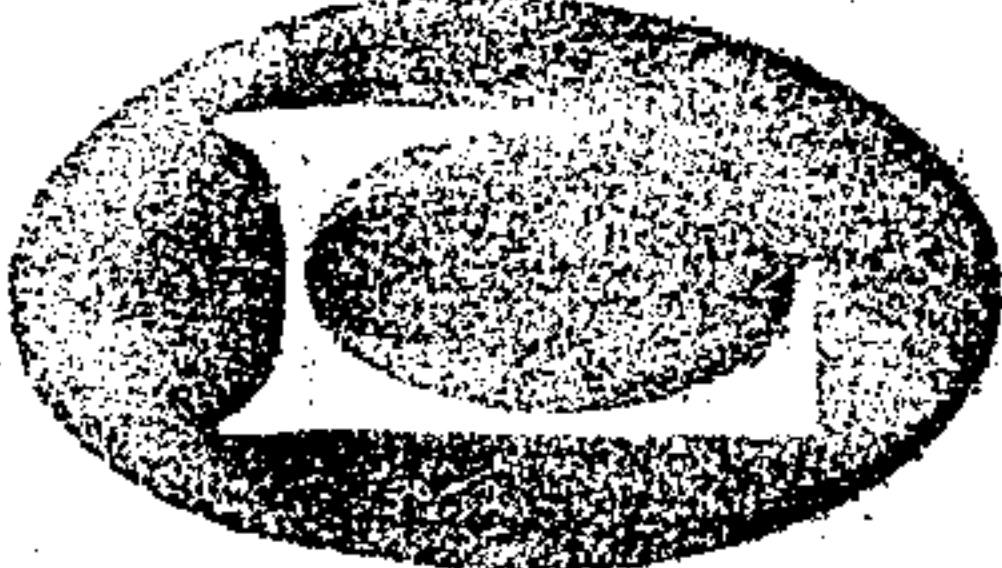
John E. Norton

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



BOOK 312 PAGE 286

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1978 MAY 19 AM 11:56
Reed 73.00
Rec. 12.00
1.00
86.00
Thomas A. Snowles, Jr.
JUDGE OF PROBATE

1	Revised South Boundary Line	5-8-78
NO.	REVISIONS	DATE
BOUNDARY SURVEY FOR THE HARBERT-EQUITABLE JOINT VENTURE SITUATED IN THE NW 1/4 OF SECTION 35, TOWNSHIP 19 S, RANGE 3 WEST, SHELBY COUNTY, ALABAMA.		
		Scale: 1"=50'
Lowe Engineers, Inc. Birmingham, Alabama		Date: 7 APR 78
		Drawing Number:

PARCEL - 4



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Shelby Cnty Judge of Probate, AL
05/19/1978 12:00:00AM FILED/CERT