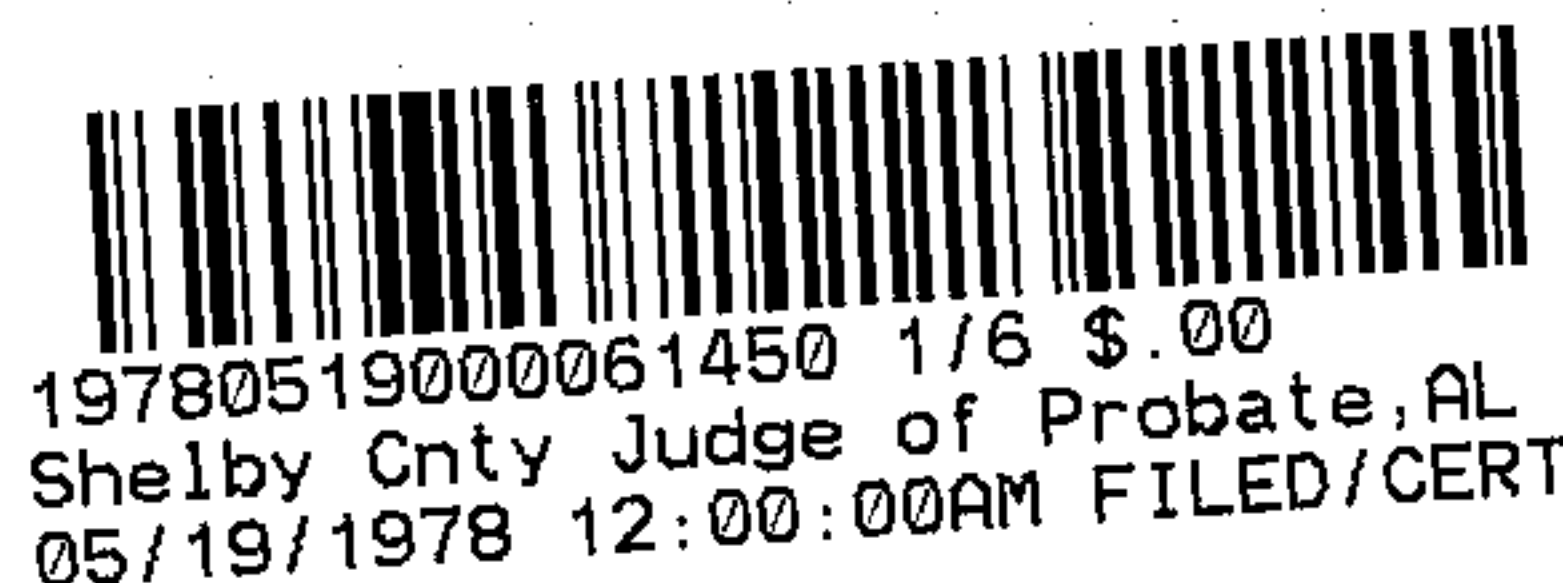


William H. Satterfield
Attorney at Law
Post Office Box 1297
Birmingham, Alabama 35201



STATE OF ALABAMA.)

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of FORTY TWO THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$42,300.00) and other good and valuable consideration in hand paid by GRACE B. HUNTER and JAMES D. STEWART, JR., as Trustees for Elizabeth Lanier Hunter and Still Hunter, III, under instrument dated May 9, 1978, (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 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 East along the North line of said section 1,014.39 feet; thence 90°00'00" right, 56.74 feet to the point of beginning; thence 05°57'18" right, 101.65 feet; thence 21°42'09" left, 50 feet, more or less to the elevation 419 foot contour (mean sea level datum); thence in a Southwesterly and Westerly direction 477 feet, more or less along said contour to a point; thence leaving said contour N 31°11'00"W, 118 feet, more or less; thence 57°42'00" right, 44.89 feet; thence 95°26'00" left; 237.55 feet to the right-of-way of a proposed road; thence 90°00'00" right, tangent to a curve to the right, said curve having a central angle of 40°16'00" and a radius of 270.00 feet; thence along the arc of said curve and proposed right-of-way 189.75 feet; thence tangent to curve and along the proposed right-of-way 181.37 feet to a curve to the left, said curve having a central angle of 21°44'00" and a radius of 230.00 feet; thence along the arc of said curve and proposed right-of-way 87.24 feet; thence 72°04'50" right, leaving said curve and right-of-way, 240.05 feet to the point of beginning and containing 4.03 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.

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

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 six (6) 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, south and west respectively of the centerline of a twenty foot (20') easement along the southern, northern and eastern boundaries of the property. GRANTOR also 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 eastern and southern 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

Witnesses:

Walter M. Murrell
Maria C. Coburn

By Donald D. [Signature]
Its Division Manager

Witnesses:

William H. Hattfield
Margaret E. Russo

By: HARBERT CONSTRUCTION CORPORATION

By W. H. [Signature]
Its President



19780519000061450 2/6 \$.00
Shelby Cnty Judge of Probate, AL
05/19/1978 12:00:00AM FILED/CERT

STATE OF GEORGIA)
COUNTY OF FILTON)

I, CHARLES 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 8th day of MAY, 1978.

Charles Alexander
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.

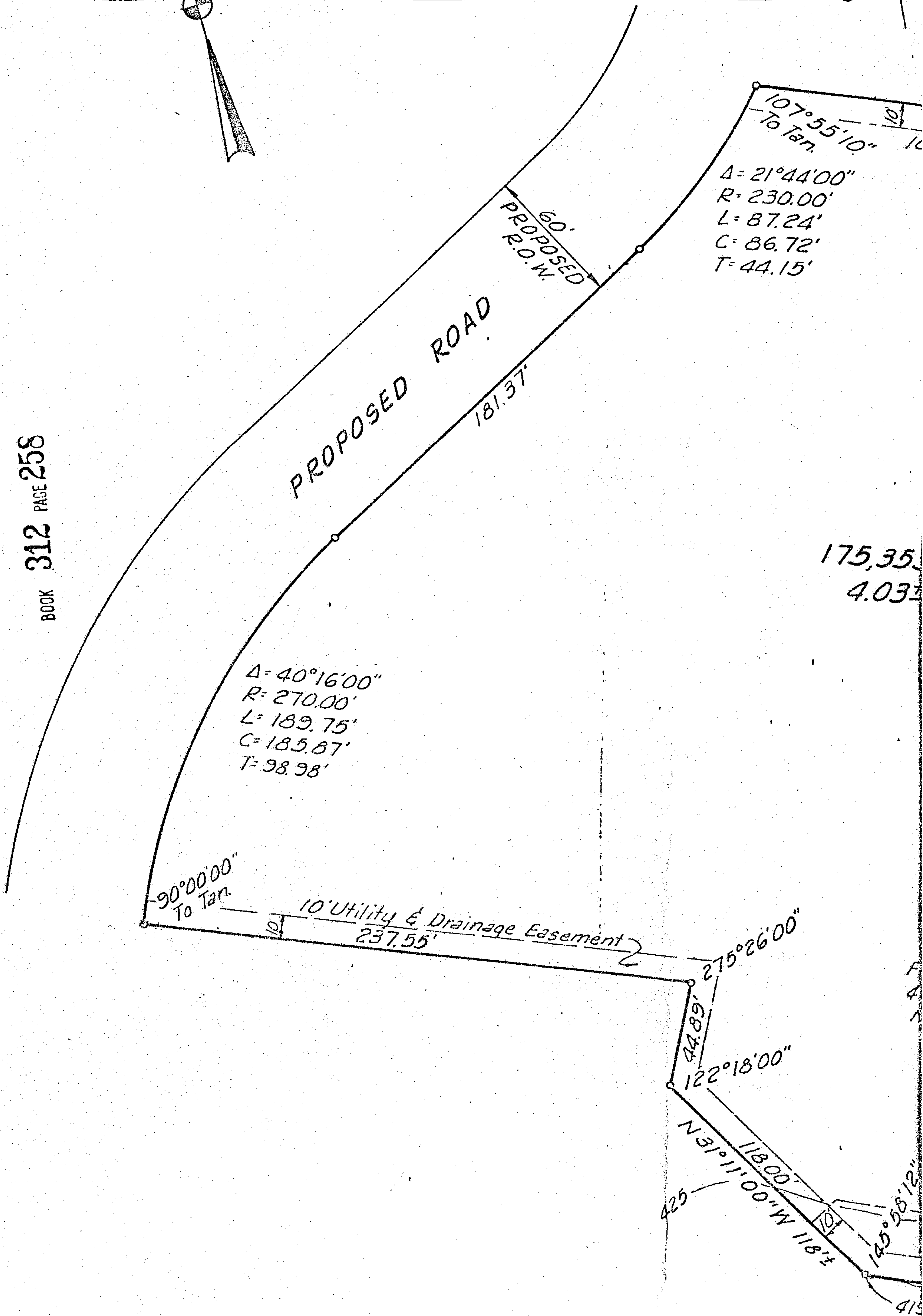
Evangeline H. Hoover
Notary Public

My commission expires: April 29, 1982

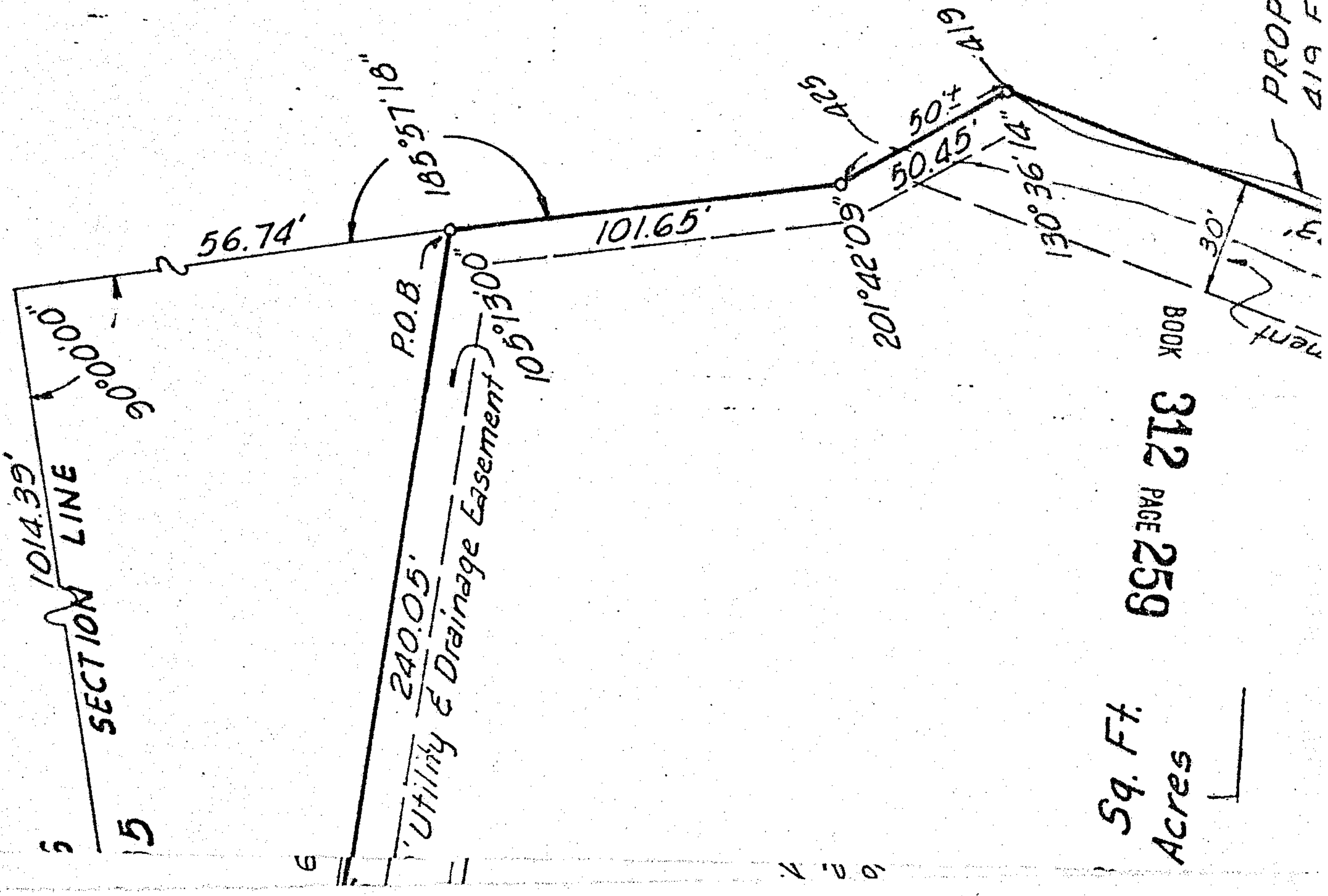


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Shelby Cnty Judge of Probate, AL
05/19/1978 12:00:00AM FILED/CERT

BOOK 312 PAGE 258



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



The following is a description of a tract of land situated in the NW 1/4 of the NW 1/4 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 East along the North line of said section 1,014.39 feet; thence 90°00'00" right, 56.74 feet to the point of beginning; thence 05°57'18" right, 101.65 feet; thence 21°42'09" left, 50 feet, more or less to the elevation 419 foot contour (mean sea level datum); thence in a Southwesterly and Westerly direction 477 feet, more or less along said contour to a point; thence leaving said contour N 31°11'00"W, 118 feet, more or less; thence 57°42'00" right, 44.89 feet; thence 95°26'00" left, 237.55 feet to the right-of-way of a proposed road; thence 90°00'00" right, tangent to a curve to the right, said curve having a central angle of 40°16'00" and a radius of 270.00 feet; thence along the arc of said curve and proposed right-of-way 189.75 feet; thence tangent to curve and along the proposed right-of-way 181.37 feet to a curve to the left, said curve having a central angle of 21°44'00" and a radius of 230.00 feet; thence along the arc of said curve and proposed right-of-way 87.24 feet; thence 72°04'50" right, leaving said curve and right-of-way, 240.05 feet to the point of beginning and containing 4.03 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

LAKE
RIVERCHASE COUNTRY
CLUB

TRAVERSE LINE

San. Sewer

od Easement Line
5 Ft. Contour
S.L. Datum

182°18'21"

124.26'

160°39'42"

12.76'

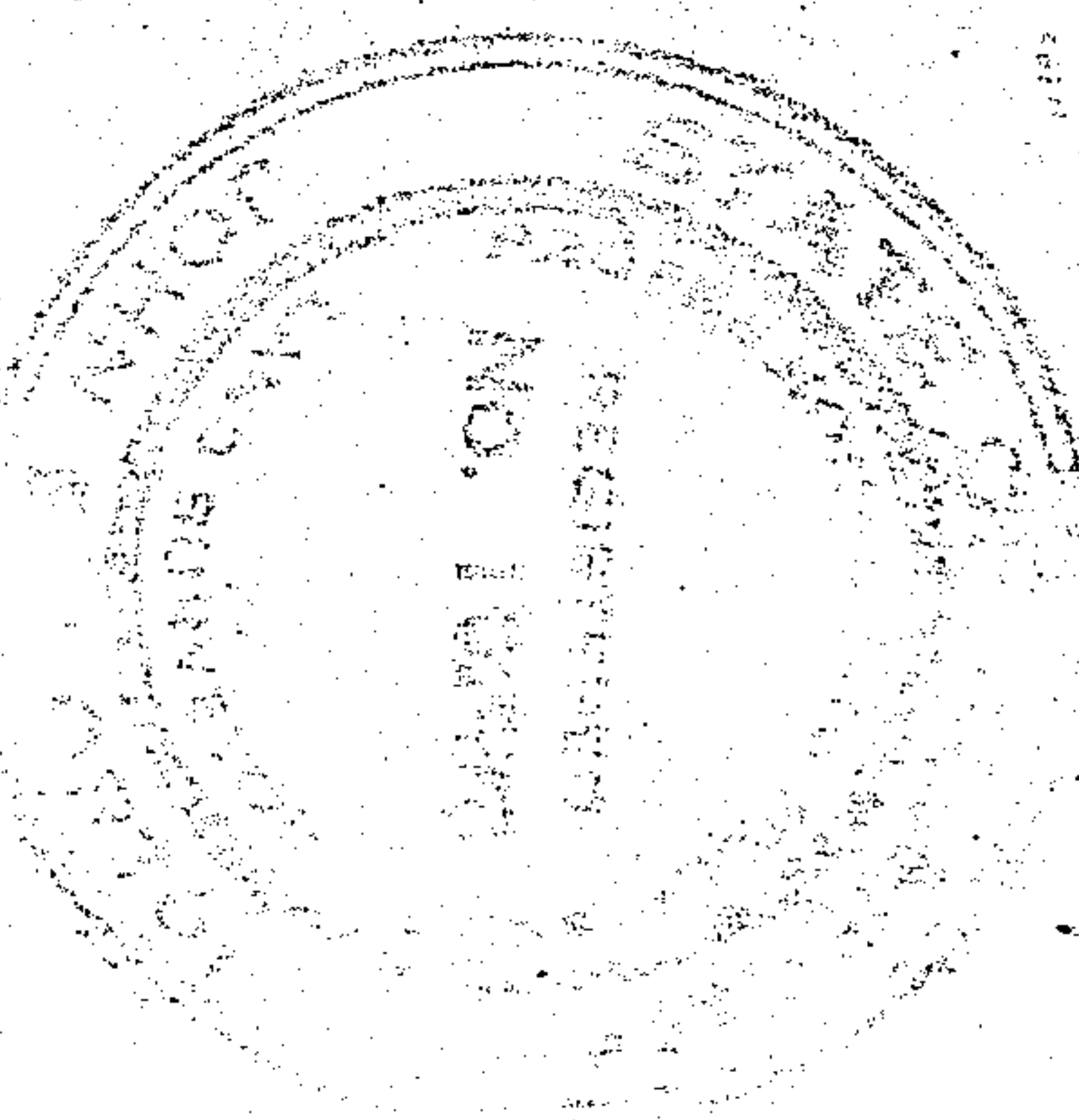
2060' - 16°05'12"

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
NOTICEMENT WAS FILED

1978 MAY 19 AM 11:53

JUDGE OF PROBATE

Rec'd Tax - 42.80
Rec. 9.00
Sub. 1.00
52.80

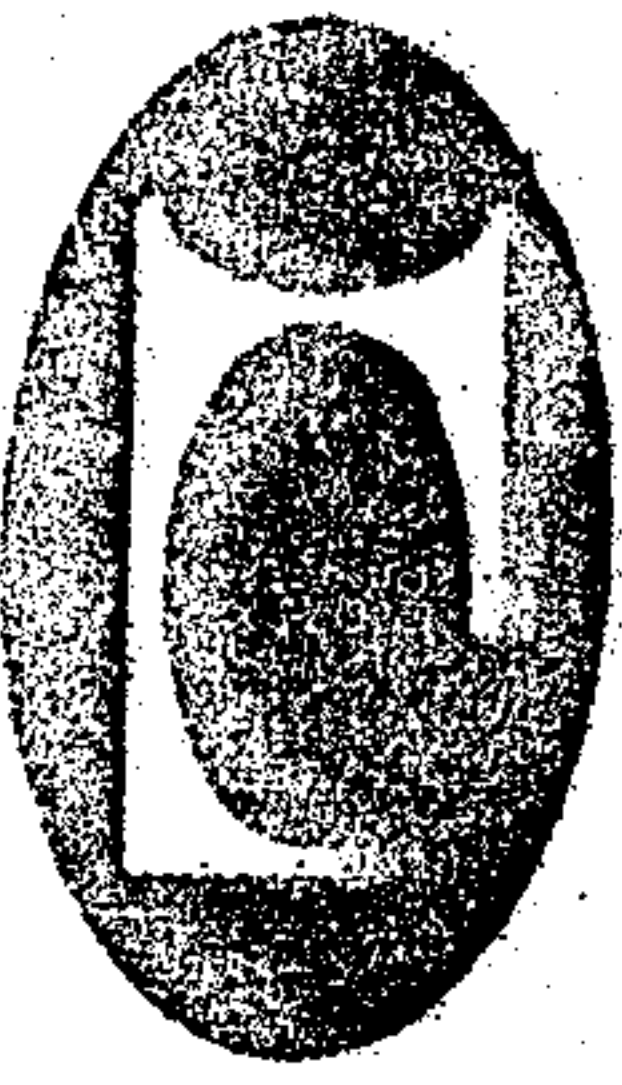


NO.		
REVISIONS		
DATE		

BOUNDARY SURVEY
FOR

THE HERBERT-EQUITABLE JOINT VENTURE

Situated in the NW 1/4 - NW 1/4 of
Sec. 35 T19 S, R3 W, Shelby Co. Ala.



LOWE
ENGINEERS
Birmingham, Ala.

Scale: 1"=50'
Date: 11 APR 78

Drawing
Number:

BOOK 312 PAGE 260



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