

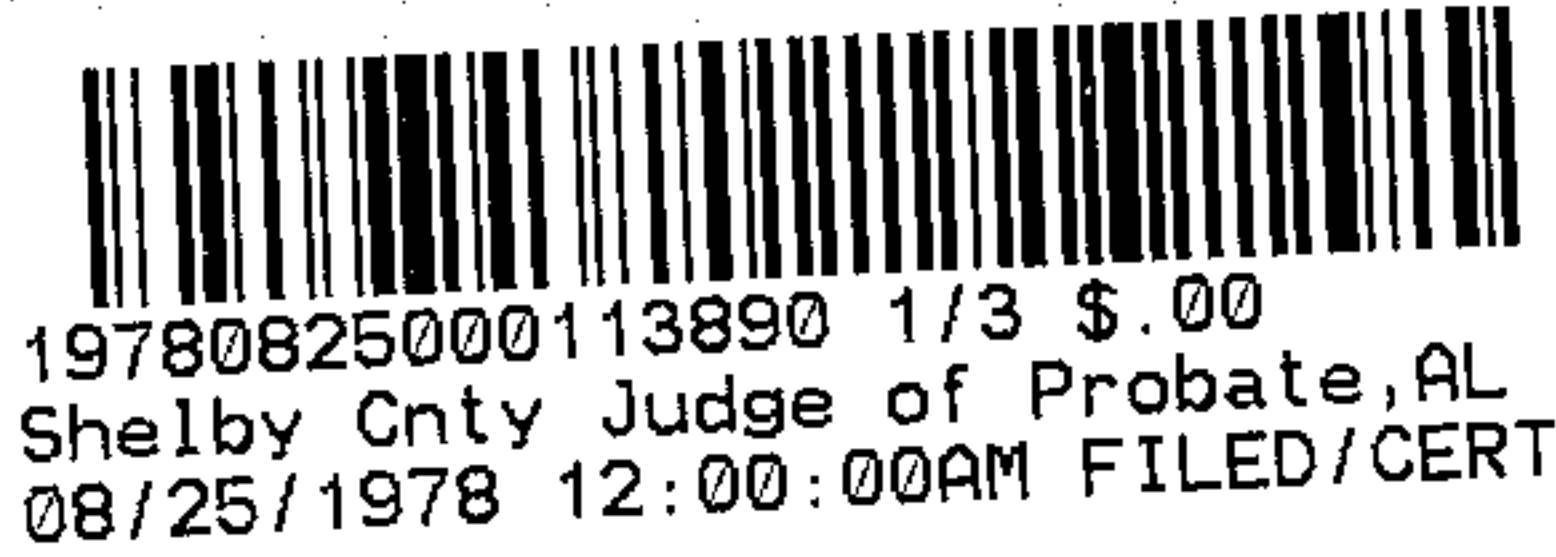
1255-

Return 10:  
NATTER PROPERTIES, INC  
752 Dividing Ridge DR.  
B'ham, AL

35244

THIS INSTRUMENT WAS PREPARED BY:

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



STATE OF ALABAMA )

COUNTY OF JEFFERSON )

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of THIRTY EIGHT THOUSAND AND NO/100 DOLLARS (\$38,000.00) in hand paid by NATTER PROPERTIES, 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 Jefferson County, Alabama:

Lots 19 and 52, Riverchase Country Club Residential Subdivision, Fourth Addition, a subdivision of Riverchase, according to Plat recorded in Map Book 21, page 8 in the office of the Judge of Probate of Jefferson County, Alabama, Bessemer Division.

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. Requirements of the Jefferson 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 Real Volume 348, beginning at page 49, in the office of the Judge of Probate of Jefferson County, Alabama, Bessemer Division, as amended by Amendment No. 1, recorded in Real Volume 348, beginning at page 822, in the office of the Judge of Probate of Jefferson County, Alabama, Bessemer Division.

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David Little

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7. Said property conveyed by this instrument is hereby restricted to use as a single family residential dwelling, unless a change in use is authorized in accordance with the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential), as amended, as described in paragraph 6 above, said restriction to be effective for the same period of time as the Riverchase Residential Covenants.

GRANTEE agrees to install and connect a sanitary sewer service line from the house to be constructed on each lot conveyed to GRANTEE herein to the capped sewer line which is already in place in the subdivision. GRANTEE recognizes that said sanitary sewer service line will be in addition to the septic tank system if the capped sewers are not in operation before the occupancy of the house to be constructed on the property. GRANTEE, at its sole expense, shall obtain all permits necessary for the installation of said sanitary sewer service line.

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 19 and 52, Riverchase Country Club Residential Subdivision, Fourth Addition, at such time, if any, as an operating Sewage Treatment System may be made available to said Lots, and covenant to connect to such Sewage Treatment System at such time as it is available, at GRANTEE's sole expense.

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 effective on this the 10<sup>th</sup> day of AUGUST, 1978.

19780825000113890 2/3 \$.00  
Shelby Cnty Judge of Probate, AL  
08/25/1978 12:00:00AM FILED/CERT

Witnesses:

[Signature]

[Signature]

Witnesses:

[Signature]  
William Butterfield

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE  
SOCIETY OF THE UNITED STATES

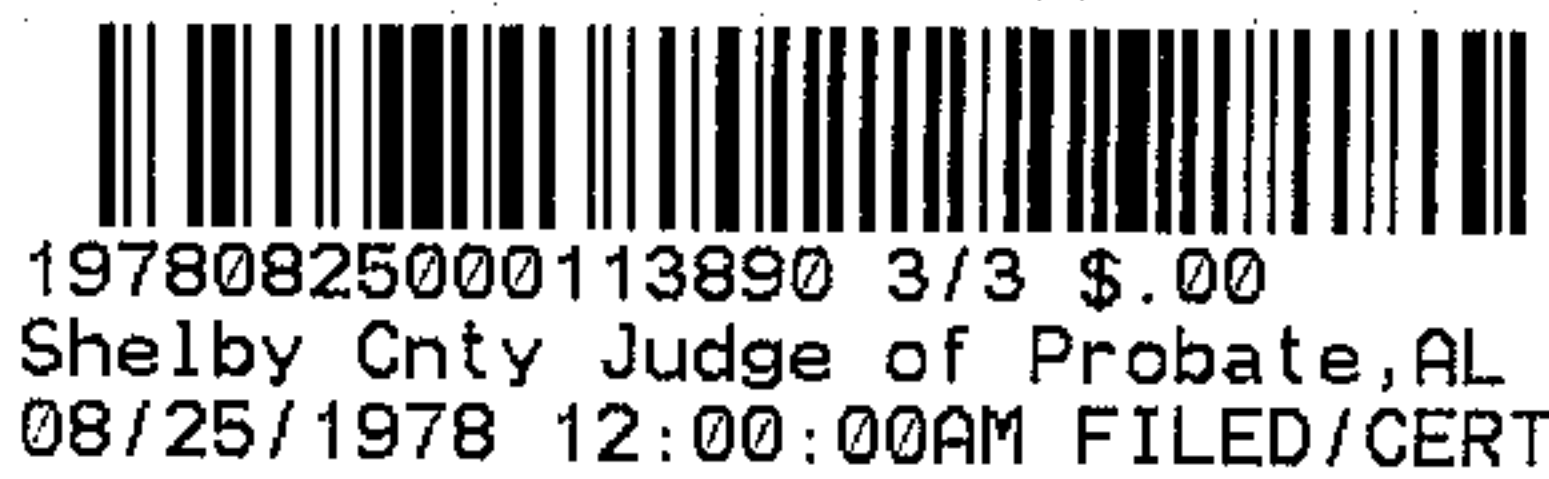
By [Signature]  
Its Division Manager

By: HARBERT CONSTRUCTION CORPORATION

By [Signature]  
Its  
MANAGER-REAL ESTATE



STATE OF GEORGIA



COUNTY OF FULTON

I, Carolyn K. 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 7th day of August, 1978.

Carolyn K. Alexander  
Notary Public

My commission expires: August 16, 1980

STATE OF Alabama

COUNTY OF Shelby

I, Donna C. White, a Notary Public in and for said County, in said State, hereby certify that Stell Hunter, Jr., 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 9th day of August, 1978.

Donna C. White  
Notary Public

My commission expires: 1-20-81

FILED  
BY THIS  
OFFICE

AUG 25 AM 10 28

JUDGE OF PROBATE

Deed 38.00  
Rec. 4.50  
Paid 1.00  
43.50  
-3-