

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

1706

550
2350
2900

STATE OF ALABAMA)

COUNTIES OF JEFFERSON & SHELBY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of TWENTY THREE THOUSAND TWO HUNDRED AND FIFTY AND NO/100 DOLLARS (\$23,250.00) in hand paid by MA-JER, 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, and in Shelby County, Alabama:

Lot 5, 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, and also recorded in Map Book 7, page 85, 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, 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 and Shelby County Health Departments 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 County, Alabama, 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, and also 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.

19781013000138050 1/3 \$.00
Shelby Cnty Judge of Probate, AL
10/13/1978 12:00:00AM FILED/CERT

Jack Atchison

BOOK 315 PAGE 610

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 Lot 5, Riverchase Country Club Residential Subdivision, Fourth Addition, 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.

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 17th day of September, 1978.

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES

By Donald J. Evans
Its Division Manager

Witnesses:

Mildred M. Martin
Robert E. Thorne

Witnesses:

Leo G. Gibson
William H. Satterfield

By: HARBERT CONSTRUCTION CORPORATION

By Stell Hunter, Jr.
Its



19781013000138050 2/3 \$.00
Shelby Cnty Judge of Probate, AL
10/13/1978 12:00:00AM FILED/CERT

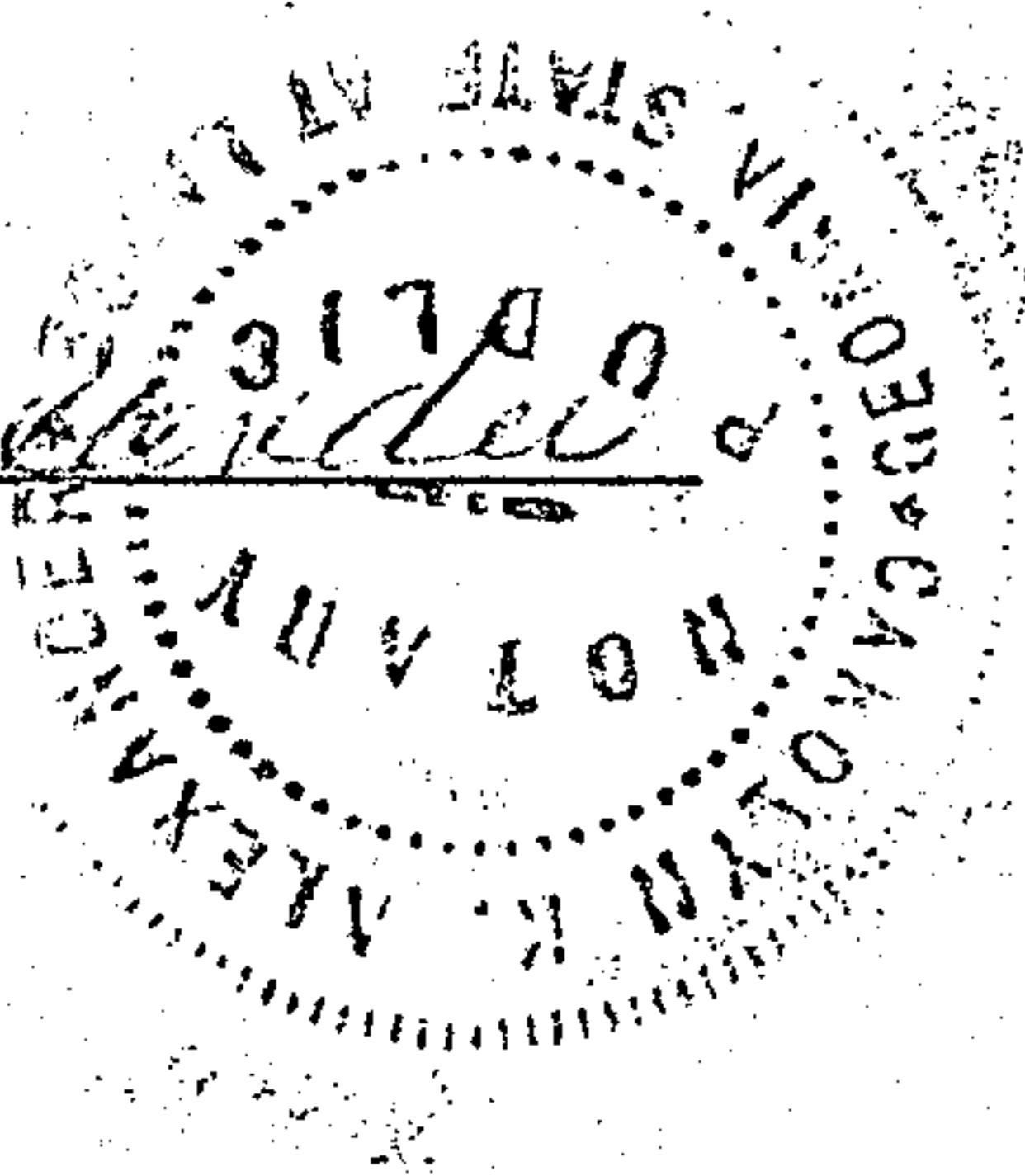
STATE OF GEORGIA

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 5th day of SEPTEMBER, 1978.

Carolyn K. Alexander
Notary Public

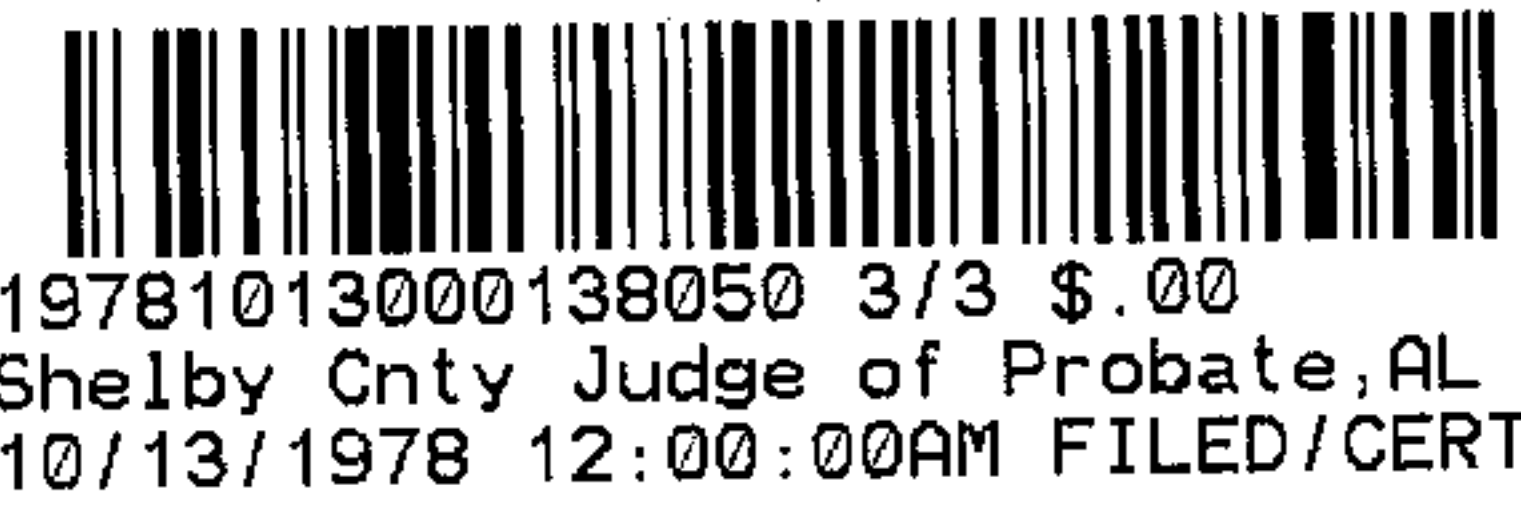


My commission expires: AUGUST 16, 1980

BOOK 315 PAGE 612

STATE OF Alabama

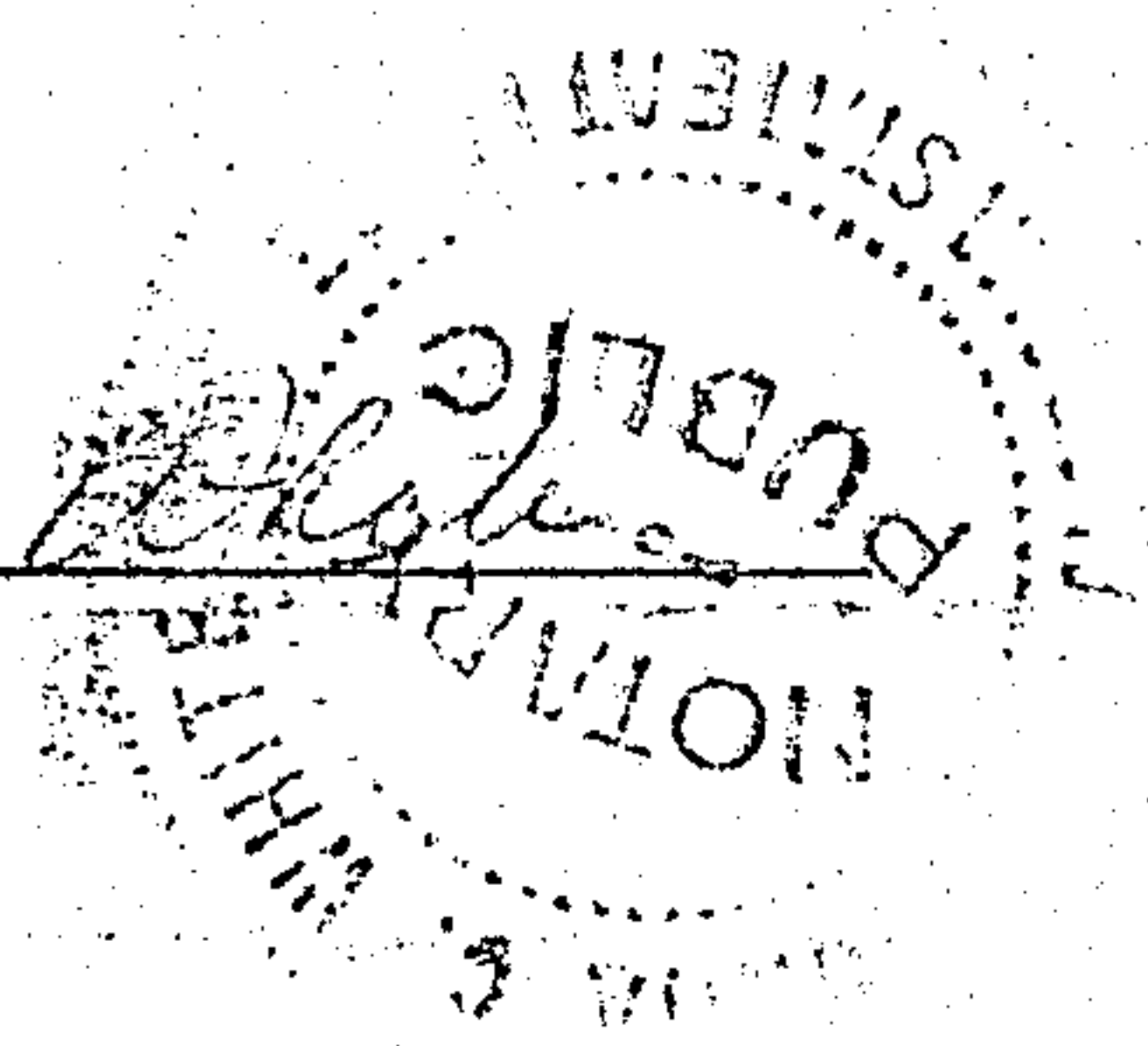
COUNTY OF Shelby



I, Donna C. White, a Notary Public in and for said County, in said State, hereby certify that Will Hunter, Jr., whose name as Manager - 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 18th day of September, 1978.

Donna C. White
Notary Public



My commission expires: 1-20-81

STATE OF ALA. SHELBY CO.
RECEIVED
1978 OCT 13 AM 9:40
Rec. 4/50
550
JUDGE OF PROBATE

STATE OF ALA. SHELBY CO.
RECEIVED CIVIL
1978 SEP 29 PM 2 14
REAL 358 PAGE 539
FILED TAX HAS BEEN
PAID ON THIS INSTRUMENT
JUDGE OF PROBATE