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THIS INSTRUMENT WAS PREPARED BY:

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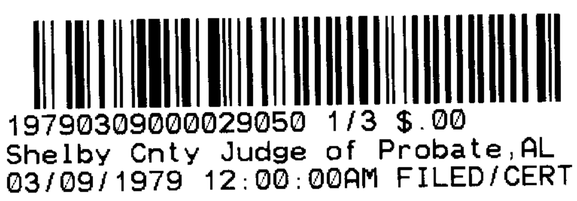
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Shelby Cnty Judge of Probate,AL
03/09/1979 12:00:00AM FILED/CERT

STATE OF ALABAMA)

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of FORTY SIX THOUSAND FOUR HUNDRED AND FIFTY AND NO/100 DOLLARS ($46,450.00) in hand paid by ALPINE BUILDERS, 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 Shelby County, Alabama:

Book 316 Page 283

Lot 7, Riverchase Country Club Residential Subdivision, Third Addition, a subdivision of Riverchase, according to Plat recorded in Map Book 7, page 53, in the office of the Judge of Probate of Shelby County, Alabama.

Lot 63, Riverchase Country Club Residential Subdivision, Fifth Addition, a subdivision of Riverchase, according to Plat recorded in Map Book 7, page 54, 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 Shelby 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 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.

BANK OF THE SOUTHEAST
305 North 20th St.

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Shelby Cnty Judge of Probate,AL
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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 Lot 7, Riverchase Country Club Residential Subdivision, Third Addition, and said Lot 63, Riverchase Country Club Residential Subdivision, Fifth 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.

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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 10th day of AUGUST, 1978.

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES

Witnesses:

By _____
Its Division Manager

Witnesses:

By: HARBERT CONSTRUCTION CORPORATION

By _____
Its _____

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*

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STATE OF Alabama

COUNTY OF Shelby

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Shelby Cnty Judge of Probate, AL
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I, Donna C White, a Notary Public in and for said County, in said State, hereby certify that Steve 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

NOTARY PUBLIC STATE AT LARGE

My commission expires: 1-20-81

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
FILED
1979 MAR -9 AM 9:40

Deed tax 46.50
Rec. 4.50
1.00
52.00

JUDGE OF PROBATE