704

THIS INSTRUMENT WAS PREPARED BY:

383

Randolph Lanier
Attorney at Law
Post Office Box 306
Birmingham, Alabama 35201

STATE OF ALABAMA)

COUNTY OF SHELBY)

19790321000034260 1/3 $.00
Shelby Cnty Judge of Probate,AL
03/21/1979 12:00:00AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of THIRTY THOUSAND AND NO/100 DOLLARS ($30,000.00) in hand paid by MANGRUM HOMES, 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 315 PAGE 509

Lot 61-A, according to a Resurvey of Lots 61 and 62, Fifth Addition to Riverchase Country Club Residential Subdivision, as recorded in Map Book 7, Page 126, 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, 1979.

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. 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, as amended in Miscellaneous Book 17, beginning at page 550, in the office of the Judge of Probate of Shelby County, Alabama.

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 61-A, Fifth Addition to Riverchase Country Club Residential Subdivision, at such time, if any, as an operating Sewage Treatment System may be made available to said Lot 61-A, 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 16th day of March _____, 1979.

BOOK 315 PAGE 510

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES

By _____
Its Division Manager

Witnesses:

_____

_____

By: HARBERT CONSTRUCTION CORPORATION

By _____
Its Manager-Real Estate

Witnesses:

_____

_____

19790321000034260 2/3 $.00
Shelby Cnty Judge of Probate,AL
03/21/1979 12:00:00AM FILED/CERT

STATE OF GEORGIA

COUNTY OF FULTON

I, Frances Hoffman, 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 12th day of March, 1979.

Frances Hoffman
Notary Public

My commission expires: Notary Public, Georgia State at Large My Commission Expires Sept 17, 1982

BOOK 315 PAGE 511

19790321000034260 3/3 $.00
Shelby Cnty Judge of Probate, AL
03/21/1979 12:00:00AM FILED/CERT

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, Elizabeth D Beck, 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 14th day of March, 1979.

Elizabeth D. Beck
Notary Public

My commission expires: My Commission Expires October 20, 1982

See MTg 389-651

STATE OF ALA. SHELBY CO.
I HEREBY CERTIFY THIS
INSTRUMENT WAS FILED
1979 MAR 21 PM 2:05
JUDGE OF PROBATE

Rec. $6.00
Rec. 4.50
Ind 1.00
$11.50