THIS INSTRUMENT WAS PREPARED BY:

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

19790910000116680 1/3 $.00
Shelby Cnty Judge of Probate,AL
09/10/1979 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 NINE THOUSAND SIX HUNDRED FIFTY AND 00/100THS DOLLARS ($49,650.00) in hand paid by JOHNSON-RAST & HAYS COMPANY, (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 321 PAGE 895

Lots 20, 37, and 45, according to Third Addition, Riverchase West Residential Subdivision, as recorded in Map Book 7, Page 139, 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.

6. Said property conveyed by this instrument is hereby restricted to use for single-family residential dwellings (with a density not to exceed one single family unit per lot) unless a change in use is authorized pursuant to 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.

Johnson-Rast & Hays
501 Riverchase Pkwy East
Suite 202 Birm. 35244

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 5 day of SEPTEMBER, 1979.

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES

Witnesses:

By _____
Its Div. Mgr.

Witnesses:

By: HARBERT CONSTRUCTION CORPORATION

By _____
Its MANAGER - REAL ESTATE

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19790910000116680 2/3 $.00
Shelby Cnty Judge of Probate,AL
09/10/1979 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 *3rd* day of *August*, 1979.

Carolyn K. Alexander
Notary Public

My commission expires: *August 16, 1980*

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STATE OF ALABAMA

COUNTY OF JEFFERSON

I, *Elizabeth D Beck*, 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 *6th* day of *August*, 1979.

Elizabeth D Beck
Notary Public

My Commission Expires October 20, 1982

My commission expires:

Deed Tax - 50.00
Rec. 4.50
Ind. 1.00
55.50

1979 SEP 10 AM 8:45

JUDGE OF PROBATE

19790910000116680 3/3 $.00
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