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THIS DOCUMENT WAS PREPARED BY:

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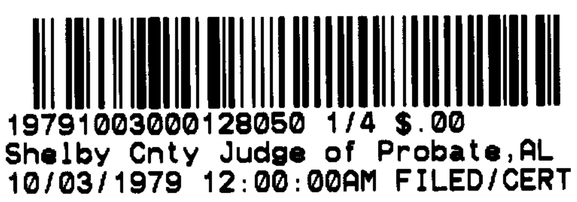
19791003000128050 1/4 $.00
Shelby Cnty Judge of Probate,AL
10/03/1979 12:00:00AM FILED/CERT

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of THREE HUNDRED TEN THOUSAND THREE HUNDRED NINETY SEVEN AND 50/100THS DOLLARS ($310,397.50) in hand paid by FRANK KOVACH, JR., an individual, JUNEMAN-MONZELLA, a partnership, DALE CORLEY, an individual, and REALTY BROKERS, INC., a corporation, (hereinafter referred to as "GRANTEES"), 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 said GRANTEES the following described real estate situated in Shelby County, Alabama in the following proportions: to FRANK KOVACH, JR., an individual, thirty-five percent (35%); to JUNEMAN-MONZELLA, an individual, an undivided thirty-two and one-half percent (32 1/2%); to DALE CORLEY, an individual, an undivided sixteen and one-quarter percent (16 1/4%); to REALTY BROKERS, INC., an undivided sixteen and one-quarter percent (16 1/4%):

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A tract of land situated in the NE 1/4 of the SE 1/4 of Section 24, Township 19 South, Range 3 West, and in the NW 1/4 of the SW 1/4 of Section 19, Township 19 South, Range 2 West,

Shelby County, Alabama, and being more particularly described as follows:

Commence at the NE corner of the NE 1/4 of the SE 1/4 of Section 19, Township 19 South, Range 2 West; thence West along the North 1/4-1/4 line of said 1/4-1/4, 5,026.59 feet; thence 90 deg. 00' 00" left, 320.09 feet to the point of beginning; thence 42 deg. 00' 14" left, 240.20 feet to the Northwest right-of-way of Chase Park and curve to the left, said curve having a central angle of 83 deg. 06' 54" and a radius of 150.00 feet; thence 90 deg. 00' 00" right, to tangent and along the arc of said curve and said right-of-way 217.60 feet; thence tangent to said curve and along said right-of-way, 45.43 feet to a curve to the right, said curve having a central angle of 84 deg. 24' 58" and a radius of 25.00 feet; thence along the arc of said curve and said right-of-way, 36.83 feet to the Northwest right-of-way of Riverchase Parkway East and a curve to the left; said curve having a central angle of 6 deg. 20' 15" and a radius of 540.22 feet; thence along the arc of said curve and right-of-way 59.75 feet; thence tangent to said curve and along said right-of-way, 138.06 feet to a curve to the right, said curve having a central angle of 26 deg. 30' 00" and a radius of 374.70 feet; thence along the arc of said curve and said right-of-way, 173.30 feet; thence tangent to said curve and along said right-of-way, 116.46 feet to the Easterly right-of-way of U. S. 31 and a curve to the left; said curve having a central angle of 00 deg. 59' 04" and a radius of 3939.72 feet; thence 88 deg. 39' 08" right to tangent and along the arc of said curve and said right-of-way, 67.69 feet; thence 90 deg. 00' 00" right from tangent and along said right-of-way, 55.0 feet to a curve to the left; said curve having a central angle of 5 deg. 54' 47" and a radius of 3994.72 feet; thence 90 deg. 0' 00" left to tangent and along the arc of said curve and said right-of-way, 412.26 feet; thence tangent to said curve and along said right-of-way, 72.36 feet; thence 92 deg. 24' 43" right leaving said right-of-way, 466.58 feet to the point of beginning.

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.

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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 (Business), recorded in Miscellaneous Book 13, beginning at page 50, as amended by Amendment No. 1 recorded in Miscellaneous Book 15, beginning at page 189, and as further amended by Amendment No. 2 recorded in Miscellaneous Book 19, beginning at page 633, in the office of the Judge of Probate of Shelby County, Alabama.

6. Said property conveyed by this instrument is hereby restricted in use as a (CP) office development with a density not to exceed 10,000 sq. ft. per acre, unless a change in use is authorized pursuant to the Riverchase Business Covenants, as described in paragraph 5 above, said restriction to be effective for the same period of time as the Riverchase Business Covenants.

7. Said property conveyed by this instrument is hereby subjected to that certain Land Use Agreement dated April 26, 1977, between The Harbert-Equitable Joint Venture and Blue Cross and Blue Shield of Alabama, recorded in Miscellaneous Book 19, beginning at page 690, in the office of the Judge of Probate of Shelby County, Alabama.

TO HAVE AND TO HOLD UNTO GRANTEES, their 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 effective on this the 28th day of September, 1979.

THE HARBERT-EQUITABLE JOINT VENTURE

BY: THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES

Witnesses:

Robert E. Thrower

H. Thomas Campbell

By: [signature]
Its Division Manager

By: HARBERT CONSTRUCTION CORPORATION

Witnesses:

Patsy Lowry

By: W H Foreman
Its Vice President

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STATE OF)
)
COUNTY OF)

I, _____, a Notary Public in and for said County, in said State, hereby certify that _____, whose name as _____ 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 _____ day of _____, 1979.

_____
Notary Public

My commission expires: _____

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STATE OF ALABAMA)
)
COUNTY OF JEFFERSON)

I, Evangeline H. Hoover, a Notary Public in and for said County, in said State, hereby certify that N. H. Rosenn whose name as Vice 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 28 day of September, 1979.

Evangeline H. Hoover
Notary Public

My commission expires: 4-29-82

STATE OF ALA. SHELBY CO.
1979 OCT -3 AM 9 20

Deed 310.50
Rec. 7.00
Bal. 1.00
318.50