

849
Return to:
The Harbert-Equitable Joint
Venture
P. O. Box 1297
Birmingham, Alabama 35201

STATE OF ALABAMA)

COUNTY OF ~~SHELBY~~ *Dm*)
JEFFERSON

REAL 1827 490

19791019000136490 1/3 \$.00
Shelby Cnty Judge of Probate, AL
10/19/1979 12:00:00 AM FILED/CERT

CONSENT TO CHANGE IN USE

WHEREAS, an Agreement was entered into on April 26, 1977,
by and between The Harbert-Equitable Joint Venture ("Venture")
and Blue Cross and Blue Shield of Alabama ("Blue Cross") which
specified certain properties within the area known as Riverchase
as being "commercial properties", and which imposed certain use
restrictions on such properties; and

WHEREAS, such Agreement is recorded in Book 19, beginning
at Page 690 in the Office of the Judge of Probate of Shelby
County, Alabama, and in Real Volume 1437, beginning at Page 627
in the Office of the Judge of Probate of Jefferson County, Alabama;
and

WHEREAS, Venture has requested that the use restrictions be
modified as to one parcel so as to allow for the construction and
operation of a sewage treatment plant and facilities to serve the
Riverchase area.

NOW, THEREFORE, for and in consideration of the premises and
other good and valuable consideration, the receipt and sufficiency
of which is hereby acknowledged, Blue Cross hereby gives its consent
pursuant to paragraph 1 of the aforesaid Agreement as follows:

1. Insofar as the use of the property described on
Exhibit A hereto is restricted by the aforesaid Agreement,
Blue Cross consents to the use of said property for the
construction and operation of a sewage treatment plant
and related facilities thereon.
2. This consent shall be binding upon Blue Cross and its
successors and assigns.
3. This consent may be filed for record in the Probate
Courts of Jefferson and Shelby Counties, Alabama.

RIVERCHASE

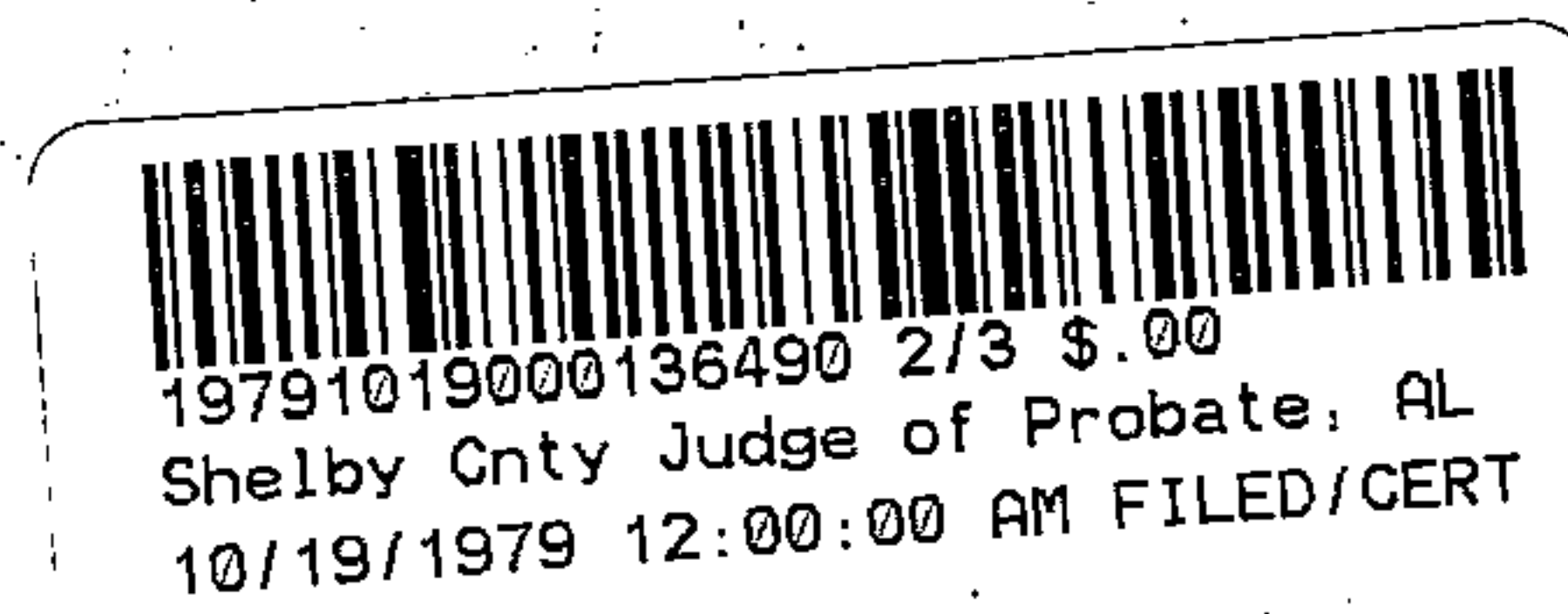
IN WITNESS WHEREOF, Blue Cross has caused this instrument
to be executed on this the 1st day of May, 1979.

ATTEST:

BLUE CROSS and BLUE SHIELD OF
ALABAMA

Elizabeth K. Steedman
Its Assistant Secretary

By *Wm E. Milhys*
Its President



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EXHIBIT "A"

The following is a description of a tract of land situated in the SW 1/4 of the NW 1/4 of Section 19, Township 19S, Range 2W, Jefferson County, Alabama, and being more particularly described as follows:

Commence at the Southeast corner of the SW 1/4 of the NE 1/4 of said Section; thence West along said 1/4 - 1/4 Line, 3038.10 feet; thence 90 degrees 00 minutes 00 seconds right, 465.89 feet to the westerly right-of-way of Parkway River Road and the point of beginning; thence 93 degrees 39 minutes 31 seconds left, 842 + feet to the centerline of the Cahaba River; thence in a northwesterly direction along the meandering centerline of said River, 399 + feet; thence leaving said River North 70 degrees 13 minutes 40 seconds East, 161 + feet; thence 42 degrees 18 minutes 09 seconds left, 320.30 feet; thence 53 degrees 47 minutes 15 seconds right, 256.68 feet; thence 29 degrees 06 minutes 57 seconds right, 494.83 feet; thence 66 degrees 04 minutes 41 seconds right, 554.57 feet to the northerly right-of-way of Parkway River Road and a curve to the left, said curve having a central angle of 122 degrees 09 minutes 13 seconds and a radius of 50.00 feet; thence 152 degrees 41 minutes 55 seconds right to tangent of said curve and along said right-of-way and the arc of said curve, 106.60 feet to the point of beginning and containing 611,771 ± sq.ft. or 14.0 acres, more or less.

19791019000136490 3/3 \$.00
Shelby Cnty Judge of Probate, AL
10/19/1979 12:00:00 AM FILED/CERT

STATE OF ALA. SHELBY CO.
JUDGE OF PROBATE

1979 OCT 19 AM 8:28

Thomas C. Shouder, Jr.
JUDGE OF PROBATE

Rec. 4.50

Ind. 1.00

5.50

STATE OF ALA. JEFFERSON CO.
JUDGE OF PROBATE

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OCT 11 11 00 AM '79

MTG. TAX
TAX HAS BEEN
ON THIS INSTRUMENT.

W. H. B. B. B.
JUDGE OF PROBATE

550

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