28

1979110100014317O 1/3 $.00
Shelby Cnty Judge of Probate,AL
11/01/1979 12:00:00AM FILED/CERT

THIS INSTRUMENT WAS PREPARED BY:

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

STATE OF ALABAMA)

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of THIRTY EIGHT THOUSAND AND 00/100THS DOLLARS ($38,000.00) in hand paid by NATTER PROPERTIES, 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 323 PAGE 45

Lot 24A, according to the resurvey of Lots 24 and 25, Third Addition, Riverchase Country Club, as recorded in Map Book 7, Page 146, in the Probate Office of Shelby County, Alabama.

AND

Lot 35, according to Third Addition, Riverchase Country Club, as recorded in Map Book 7, Page 53, in the Probate Office 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.

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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.

GRANTEE, its successors and assigns, agrees and covenants to terminate the use of any septic tank and field lines now or hereafter located on or serving said Lots 24Aand 35, Riverchase Country Club, Third Addition, at such time, if any, as an operating sewage treatment system may be made available to said Lots 24Aand 35, and covenants 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 heirs 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 12th day of September, 1979.

BOOK 323 PAGE 46

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES

By _____
Its Division Manager

By: HARBERT CONSTRUCTION CORPORATION

By _____
Its MANAGER-REAL ESTATE

Witnesses:

_____

_____

Witnesses:

_____

_____

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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 *11th* day of *September*, 1979.

Carolyn K. Alexander
Notary Public

My commission expires: *August 16, 1980*

BOOK 323 PAGE 47

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, *Patsy Lowery*, a Notary Public in and for said County, in said State, hereby certify that *Steve Hunt, 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 *12th* day of *September*, 1979.

Patsy Lowery
Notary Public

My commission expires: My Commission Expires October 20, 1982

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1979 NOV -1 AM 10:26

JUDGE OF PROBATE

Deed 38.00
Rec. 4.50
Ind. 1.00
43.50