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Shelby Cnty Judge of Probate, AL
07/31/1980 00:00:00 FILED/CERTIFIED

THIS DOCUMENT 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 NINETY SEVEN THOUSAND EIGHT HUNDRED FORTY THREE AND 80/100THS DOLLARS (\$97,843.80) in hand paid by J. F. GASKILL CO., 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 said GRANTEE the following described real estate situated in Shelby County, Alabama:

A tract of land situated in the NE 1/4 of the SE 1/4 of Section 19, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the Southeast corner of the Northeast 1/4 of the Southeast 1/4 of Section 19, Township 19 South, Range 2 West; thence North along the East line of said section 283.46 feet; thence 90 deg. 00 min. 00 sec. left, 729.70 feet to a point on the West right-of-way line of Parkway Office Circle and also the point of beginning; thence 40 deg. 23 min. 12 sec. left, leaving said right-of-way line, 262.29 feet; thence 30 deg. 38 min. 09 sec. right, 303.59 feet; thence 92 deg. 43 min. 07 sec. right, 328.01 feet; thence 82 deg. 20 min. 48 sec. right, 495.17 feet to the West right-of-way line of Parkway Office Circle; thence 95 deg. 48 min. 12 sec. right, 89.70 feet along said right-of-way line to the beginning of a curve to the left; said curve having a central angle of 18 deg. 34 min. 36 sec. and a radius of 460.00 feet; thence along the arc of said curve and said right-of-way, 149.14 feet to the point of beginning and containing 163,073 square feet or 3.74 acres more or less.

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.

\$77,714.39 of the purchase price was paid from a mortgage loan.

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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 Misc. Book 15, beginning at page 189, as further amended by Amendment No. 2 recorded in Misc. 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 to use as a commercial preferred office (with a density not to exceed 10,000 square feet 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 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.
8. Utility easements and sanitary sewer easements as shown on survey of John E. Norton, dated December 13, 1978, and last revised on March 29, 1979, a copy of said survey being attached hereto as Exhibit A.

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 effective on this the 2nd day of April, 1979.

Witnesses:

Robert E. Flucher
Harbert E. Flucher

Witnesses:

Joe O. White, Jr.
Patsy Young

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES

By Daniel C. [Signature]
Its Division Manager

By: HARBERT CONSTRUCTION CORPORATION

By Stuart Hunter, Jr.
Its MANAGER-REAL ESTATE

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 2nd day of April, 1979.

Carolyn K. Alexander
Notary Public

My Commission Expires: August 16, 1980

STATE OF Alabama)
COUNTY OF Jefferson)

I, Patsy Loney, a Notary Public in and for said County, in said State, hereby certify that Will 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 2nd day of April, 1979.

Patsy Loney
Notary Public

My Commission Expires: My Commission Expires October 20, 1982

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