

7170
Shelby Co.

THIS DOCUMENT WAS PREPARED BY:

Randolph Lanier
Balch, Bingham, Baker,
Hawthorne, Williams & Ward
Post Office Box 306
Birmingham, Alabama 35201

19800929000109510 Pg 1/4 .00
Shelby Cnty Judge of Probate, AL
09/29/1980 00:00:00 FILED/CERTIFIED

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of Two Hundred Thirty Thousand and No/100 Dollars (\$230,000.00) in hand paid by Riverchase Town Homes II, Ltd., an Alabama limited partnership (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:

A description of a tract of land situated in the NE 1/4 of the SF 1/4 of Section 24, Township 19 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows:

From the SW Corner of said 1/4-1/4 section run in a northerly direction along the west line of said 1/4-1/4 section for a distance of 326.02 feet to a point "A"; thence continue along last mentioned course for a distance of 633 feet, more or less, to the centerline of the Cahaba River being the point of beginning; thence turn an angle to the right of 180°00' and run in a southerly direction for a distance of 633 feet, more or less to a point "A"; thence turn an angle to the left of 123°03'31" and run in a north-easterly direction for a distance of 248.96 feet; thence turn an angle to the right of 53°34'20" and run in a southeasterly direction for a distance of 142.00 feet; thence turn an angle to the left of 33°20'48" and run in a northeasterly direction for a distance of 155.77 feet; thence turn an angle to the left of 77°15'24" and run in a direction for a distance of 143.65

RIVERCHASE

feet; thence turn an angle to the right of 78°42'00" and run in a northeasterly direction for a distance of 361.46 feet to a point on the southwest right-of-way line of U.S. Highway #31; thence turn an angle to the left of 105°15'43" and run in a northwesterly direction along said southwest right-of-way line for a distance of 103.32 feet; thence turn an angle to the left of 90° and run in a southwesterly direction for a distance of 20 feet; thence turn an angle to the right of 90° and run in a northwesterly direction along said southwest right-of-way line for a distance of 210 feet, more or less, to a point on the centerline of the Cahaba River; thence turn an angle to the left and run along the centerline of said Cahaba River for a distance of 692 feet, more or less, to the point of beginning.

Such land is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1980.
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 Book 14, beginning at page 536, as amended by Amendment No. 1 recorded in 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 residential townhouses (with a density not to exceed five per acre) unless a change in use is authorized pursuant to the 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.
7. GRANTOR reserves those easements shown on survey attached hereto as Exhibit A and made a part hereof for use for utility lines and appurtenances, including but not limited to gas, water, sewer, drainage, electricity, and telephone, together with all rights and privileges necessary or convenient for the full use and enjoyment thereof.

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 16th day of September, 1980.

WITNESSES:

H. Thomas Campbell
Maria O. Cabrera

THE HARBERT-EQUITABLE JOINT VENTURE

By: The Equitable Life Assurance
Society of the United States

By: Donald D. Evans
Its Assistant Vice President

WITNESSES:

Cindy Aldridge
Patsy Looney

By: Harbert Construction Corporation

By: W.H. Foreman
Its Manager-Real Estate
Its: Vice President

BOOK 328 PAGE 823

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 ASSISTANT VICE PRESIDENT 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 instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, 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 15th day of SEPTEMBER, 1980.

Carolyn K. Alexander
Notary Public

My Commission expires: 8-17-84

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

19800929000109510 Pg 4/4 .00
Shelby Cnty Judge of Probate, AL
09/29/1980 00:00:00 FILED/CERTIFIED

I, Cynthia A. Aldridge, a Notary Public in and for said County, in said State, hereby certify taht William H. Roosman, 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 16th day of September, 1980.

Cynthia A. Aldridge
Notary Public

My Commission expires: MY COMMISSION EXPIRES NOVEMBER 7, 1981

BOOK 328 PAGE 824

STATE OF ALA. SHELBY CO.
RECEIVED THIS
FILED
1980 SEP 29 AM 8:38
JUDGE OF PROBATE
Rec. 600
Sub. 100
1700