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Shelby Cnty Judge of Probate, AL
12/12/1980 00:00:00 FILED/CERTIFIED

THIS DOCUMENT WAS PREPARED BY:

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

STATE OF ALABAMA)

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of SIX HUNDRED SIXTY-FOUR THOUSAND TWO HUNDRED NINETY AND 00/100 DOLLARS (\$664,290.00) in hand paid by BROOKWOOD HEALTH SERVICES, INC., an Alabama corporation (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:

Part of the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 30, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

From the northwest corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 30, run S 44°24'35" E along the northeast line of the Dr. Johnson property for a distance of 305.17 feet, thence turn an angle to the right of 49°06'30" and run in a southwesterly direction for a distance of 250.82 feet, thence turn an angle to the right of 89°45'22" and run in a westerly direction for a distance of 4.30 feet to a point on the west right-of-way line of I-65 and also being on the south line of the Dr. Johnson property and being the point of beginning, thence continue along last mentioned course for a distance of 683.70 feet, more or less, to a point on the east right-of-way line of Riverchase Parkway East and also being the southwest corner of the Dr. Johnson property, thence turn an angle to the left of 92°44'17" and run in a southerly direction along the east right-of-way line of said Riverchase Parkway East for a distance of 146.16 feet to a point of curve, said curve having the following characteristics; being concave in a westerly direction, having a central angle of 18°11' and a radius of 574.98 feet, thence turn an angle to the right and run along the arc of said curve for a distance of 182.48 feet to the end of said curve, thence turn an angle to the right and run along a line tangent to the end of said curve for a distance of 110.19 feet, thence turn an angle to the left of 112°24'25" and run in a northeasterly direction for a distance of 730.89 feet to a point on the west right-of-way line of I-65, thence turn an angle to the left of 82°55'37" and run in a northeasterly direction along said west right-of-way line of I-65 for a distance of 344.21 feet, more or less, to the point of beginning, containing 6.100 acres or 265,716 square feet, more or less.

Brookwood Health Serv. Inc.

Such land is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1981.
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 (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 health facility and related uses with a density not to exceed 75% as defined in the Riverchase Architectural Committee Development Criteria for Planned Commercial (PC) District of Riverchase, dated April 11, 1980 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 Laurence D. Weygand, dated December 1, 1980, 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 10th day of December 1980.

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES

Witnesses:

[Signature]
Karen O. Bearden

By [Signature]
Its [Signature]

Witnesses:

[Signature]
Quinn R. Sargent

By: HARBERT CONSTRUCTION COMPANY

BY [Signature]
Its [Signature]

STATE OF ALABAMA
COUNTY OF SHELBY *Jefferson*

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Clyde R. Joiner and wife, Evelyn E. Joiner whose name s are signed to the foregoing conveyance, and who are known to me acknowledged before me on this day, that, being informed of the contents of the onveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1st day of September, 1980.

Stano Johnson
Notary Public
Comm. Up 12-14-81

STATE OF ALABAMA
COUNTY OF SHELBY *Jefferson*

I, the undersigned, a Notary Public in and for said County, insaid State hereby certify that Hubert K. Joiner and wife, Dorothy C. Joiner whose name s are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 27th day of August, 1980.

Stano Johnson
Notary Public
Commission Expires 12-14-81

STATE OF ALABAMA
COUNTY OF SHELBY *Jefferson*

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Homer C. Joiner and wife, Barbara H. Joiner whose name s are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1st day of September 1980.

Stano Johnson
Notary Public
Comm. Up 12-14-81

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

1980 DEC 12 PM 2:19

Stano Johnson
JUDGE OF PROBATE
12-12-80
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