

THIS INSTRUMENT WAS PREPARED BY:

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

PLEASE SEND TAX NOTICE TO:

Kovach Eddleman Properties
 200 Century Park South
 Birmingham, Alabama 35226

25-



19810701000072370 Pg 1/7 .00
 Shelby Cnty Judge of Probate, AL
 07/01/1981 00:00:00 FILED/CERTIFIED

STATE OF ALABAMA)
)
 COUNTIES OF SHELBY &)
 JEFFERSON)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of TWO HUNDRED FOUR THOUSAND TWO HUNDRED FORTY AND NO/100 DOLLARS (\$204,240.00) in hand paid by KOVACH EDDLEMAN PROPERTIES, a general 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 and Jefferson Counties, Alabama:

A tract of land situated in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19, Township 19 South, Range 2 West, Jefferson and Shelby Counties, Alabama, and being more part-described as follows:

Commence at the Northeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 19 South, Range 2 West; thence West along the North 1/4-1/4 line of said 1/4-1/4 4,622.16 feet; thence 90 deg.00'00" left, 88.78 feet to the point of beginning; thence 120 deg. 42'25" left, 514.92 feet to the Southwest right of way of Parkway Over Road; thence 84 deg. 25'59" right, along said right of way 160.90 feet to a curve to the right, said curve having a central angle of 92 deg. 49'00" and a radius of 170.00 feet; thence along the arc of said curve and said right of way, 275.39 feet; thence tangent to said curve and along said right of way, 116.87 feet to a curve to the left; said curve having a central angle of 31 deg.00'00" and a radius of 280.00 feet; thence along the arc of said curve and said right of way 151.50 feet; thence 108 deg.15'00" right, from tangent of said curve, leaving said right of way, 413.96 feet to the point of beginning and containing 163,392 S.F., or 3.76 acres, more or less.

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Kovach Eddleman Properties
 200 Century Park South Suite 126

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; and recorded in Real Volume 1236, beginning at page 881, as amended by Amendment No. 1 recorded in Real Volume 1294, beginning at page 30, as amended by Amendment No. 2 recorded in Real Volume 1437, beginning at page 570 in the Office of the Judge of Probate of Jefferson County, Alabama.
6. Said property conveyed by this instrument is hereby restricted to use as an office building(s), (with a density not to exceed 10,000 sq.ft. per acre), as defined in the Riverchase Architectural Committee Development Criteria for Planned Office 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. 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. The fifteen (15) foot easements shown on survey of John E. Norton, dated August 23, 1979, a copy of said survey being attached hereto as Exhibit "A", are reserved as utility easements, sanitary sewer easements and recreation easements.

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 23rd day of June, 1981.

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES

BY _____
Its _____

By: HARBERT CONSTRUCTION CORPORATION

BY W H Poman
Its Vice President

Witnesses:

July 11/1861
Judge S. Hawthorne

Witnesses:

Cindy Maridge
Arlene

STATE OF Georgia,
COUNTY OF Fulton,

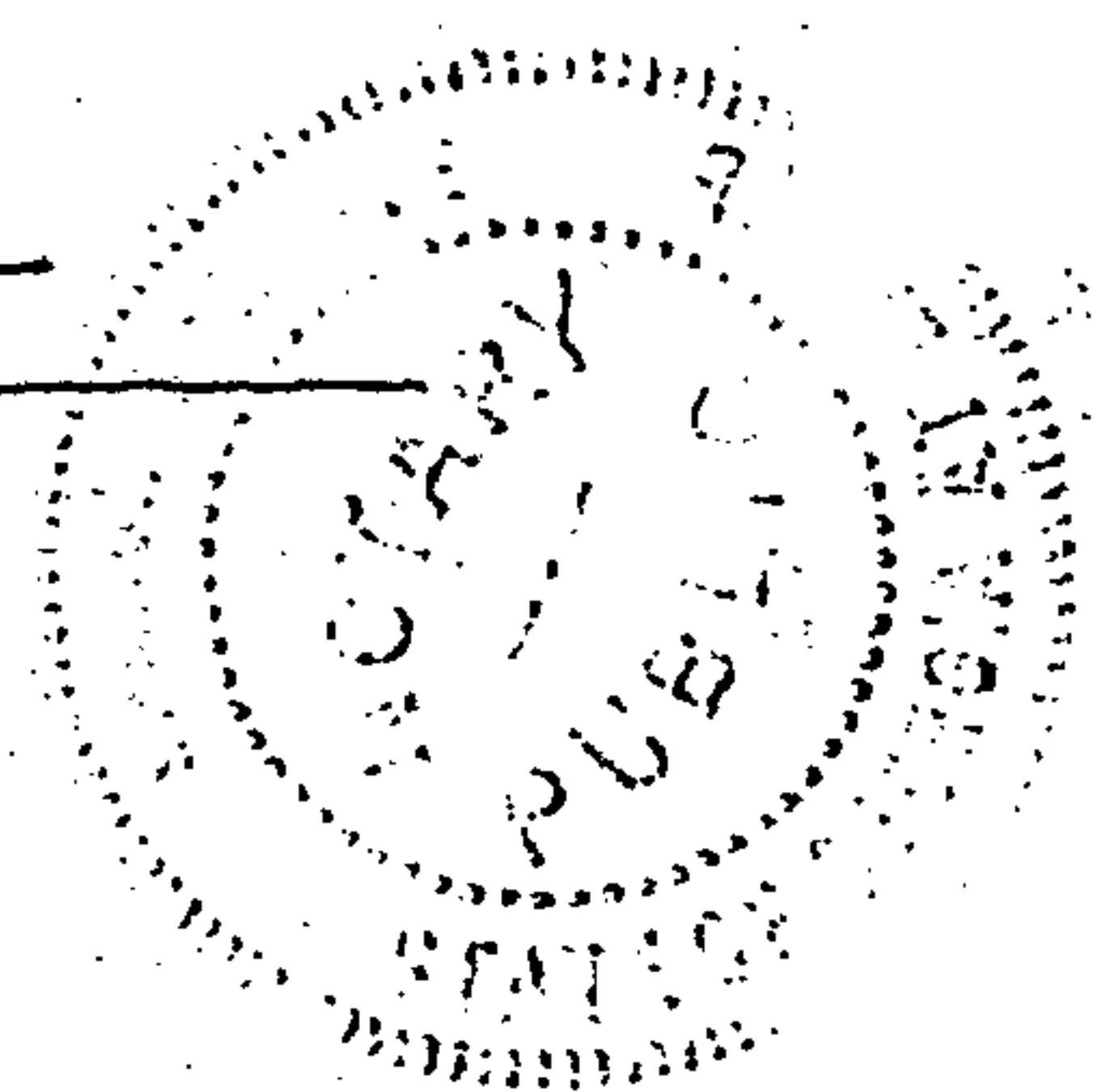
I, Sharon R. Hoste, a Notary Public in and for said County, in said State, hereby certify that Donald D. Evans, whose name as Asst. Vice President of The Equitable Life Assurance Society of the United States, a corporation, as General Partner of The Harbert-Equitable Joint Venture, under Joint Venture Agreement dated January 30, 1974, is signed to the foregoing 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 17th day of June, 1981.

Sharon R. Hoste
Notary Public

My commission expires:

Notary Public, Georgia State at Large
My Commission Expires Dec. 26, 1982



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STATE OF ALABAMA)
COUNTY OF Shelby)

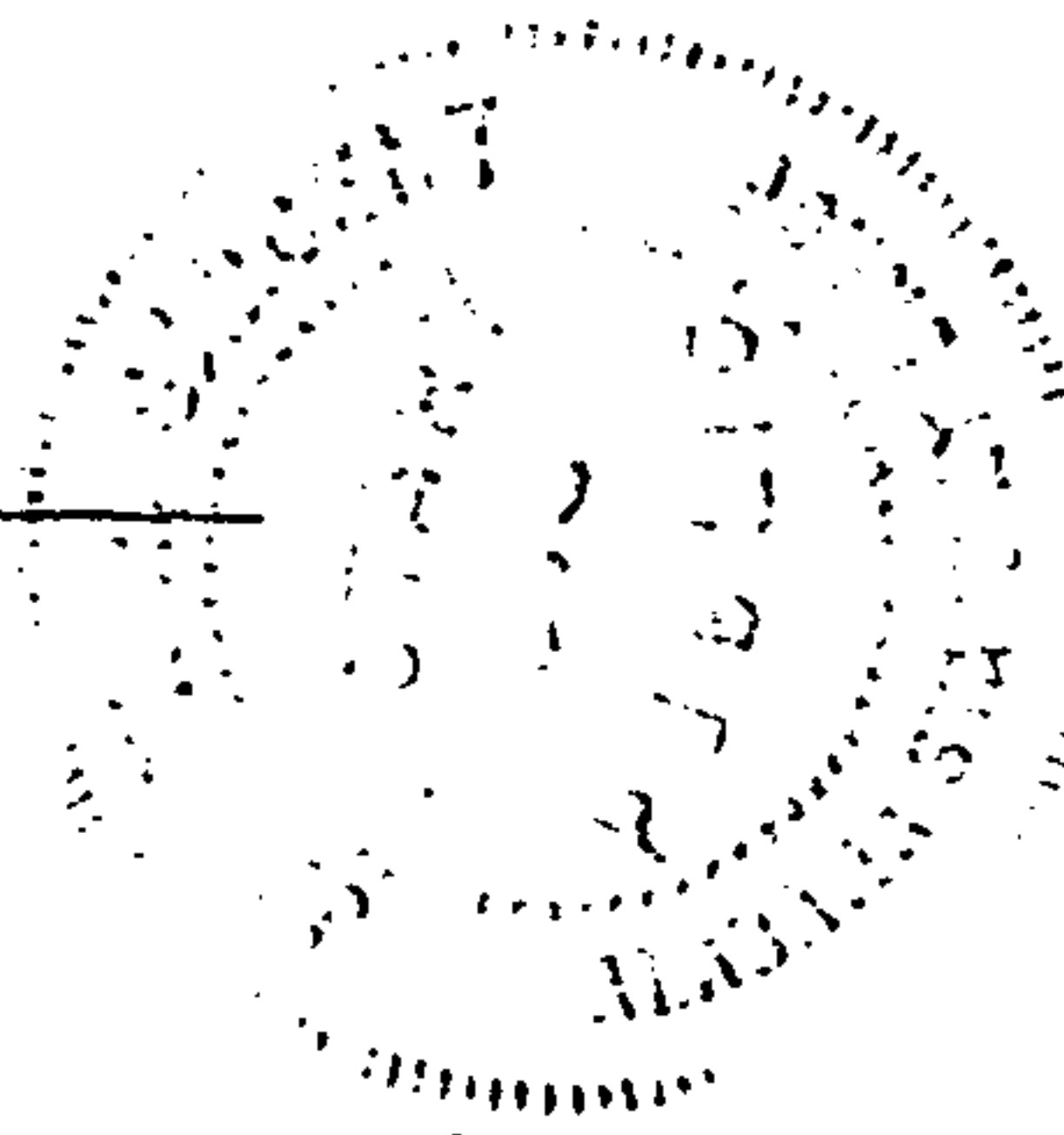
I, Judith R. Sargent, a Notary Public in and for said County, in said State, hereby certify that W. N. Roseman, whose name as Vice President of Harbert Construction Corporation, a corporation, as General Partner of The Harbert-Equitable Joint Venture, under Joint Venture Agreement dated January 30, 1974, 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 20th day of June, 1981.

Judith R. Sargent
Notary Public

My commission expires:

My Commission Expires November 12, 1984



STATE OF ALA. JEFFERSON CO.
I CERTIFY THIS INSTRUMENT
WAS FILED
REAL 2076 PAGE 203
JUN 29 12 12 PM '81

1981 JUL -1 AM 11:02
Rec. 1050
Ind. 100
1150

Map Attch
1200
2

4,622.16'

0°00'00"

88.78'



514.92'

15' Easement

JEFFERSON
SHELBY

59°17'35"

74°30'00"

P.O.B.

LOT 5 O.P.
163,392 S.F.
3.76± Acres

15' Easement
413.96'

$\Delta = 31^{\circ}00'00''$
 $R = 280.00'$
 $L = 151.50'$
 $T = 77.65'$

PARKWAY

108°15'00"
To Tan.

N.E. Corner of N.E. 1/4 of
S.E. 1/4 of Section 19,
Township 19 South, Range
2 West, Shelby County,
Alabama.

95°34'01"

30'

R/W
160.90'

COUNTY
COUNTY

$\Delta = 92^{\circ}49'00''$
 $R = 170.00'$
 $L = 275.39'$
 $T = 178.57'$

BOOK 333 PAGE 768

116.87'
R/W

30'

ER ROAD

In the S.W. 1/4 of the N.W. 1/4
of Section 19, Township 19 S
and Shelby County, Alab
described as follows:

Commence at the N.E. corner
Section 19, Township 19 S
along the North 1/4 line
90°00'00" left, 88.78 feet
120°42'25" left, 514.92 feet
of Parkway River Road; th
Right-of-Way, 160.90 feet
curve having a central an
of 170.00 feet; thence al
Right-of-Way, 275.39 feet
and along said Right-of-W
left; said curve having a
a radius of 280.00 feet;
curve and said Right-of-W
Right from tangent of sai
413.96 feet to the point
163.392 S.F. or 3.76 acre

I hereby certify that this
representation of the land
in conformity with the mi
by law.

John E. Norton

John E. Norton
Alabama Registered P.E.
No. 10287

BOOK 333 PAGE 770

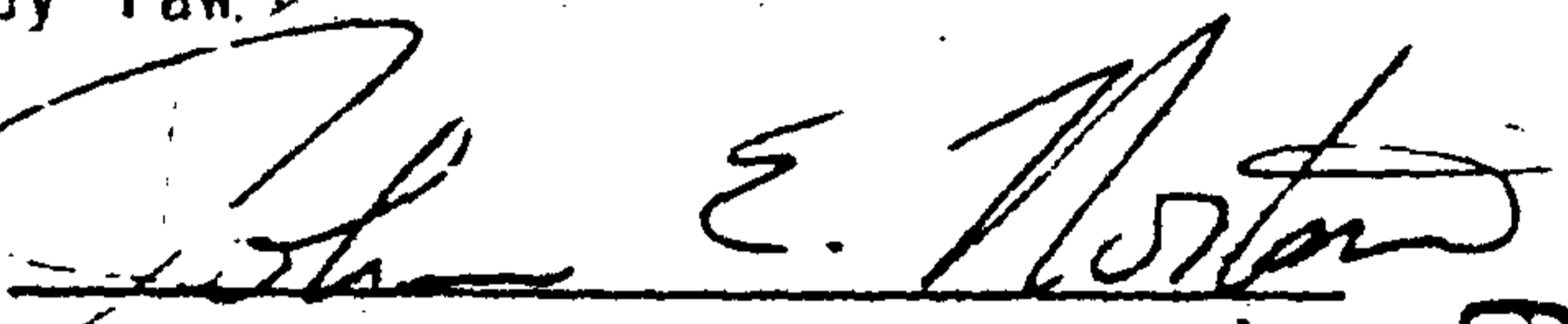
NO.	

THE HARBER
situated in the

following is a description of a tract of land situated
the S.W. 1/4 of the N.W. 1/4 and in the N.W. 1/4 of the S.W. 1/4
Section 19, Township 19 South, Range 2 West, Jefferson
Shelby Counties, Alabama and being more particularly
cribed as follows:

Commence at the N.E. corner of the N.E. 1/4 of the S.E. 1/4 of
Section 19, Township 19 South, Range 2 West; thence West
along the North 1/4-1/4 line of said 1/4-1/4, 4,622.16 feet; thence
00' 00" left, 88.78 feet to the point of beginning; thence
0° 42' 25" left, 514.92 feet to the Southwest Right-of-Way
Parkway River Road; thence 84° 25' 59" Right along said
Right-of-Way, 160.90 feet to a curve to the Right, said
curve having a central angle of 92° 49' 00" and a radius
170.00 feet; thence along the arc of said curve and said
Right-of-Way, 275.39 feet; thence tangent to said curve
and along said Right-of-Way, 116.87 feet to a curve to the
left; said curve having a central angle of 31° 00' 00" and
radius of 280.00 feet; thence along the arc of said
curve and said Right-of-Way 151.50 feet; thence 108° 15' 00"
Right from tangent of said curve, leaving said Right-of-Way,
13.96 feet to the point of beginning and containing
63.392 S.F. or 3.76 acres, more or less

I hereby certify that this plat is a true and correct
representation of the land surveyed and has been prepared
in conformity with the minimum standards and requirements
by law.



John E. Norton
Alabama Registered P.E. and L.S.
No. 10287

BOOK 333 PAGE 769

EXHIBIT "A"


2076 PAGE 203

STATE OF ALA. JEFFERSON CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON
JUN 29 12 12 PM '81
RECORDED
TAX
BEEN
PD. ON THIS INSTRUMENT.
JUL 10 10 10 AM '81
JUL 10 10 10 AM '81
23

076 PAGE 203

STATE OF ALA. JEFFERSON CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON
JUN 29 12 12 PM '81
RECORDED IN THE TAX
AND DEED RECORDS OF THE
CLERK OF THIS COUNTY.
JUDGE OF PROBATE

EXHIBIT "A"

NO.	REVISIONS	DATE
<p align="center">BOUNDARY SURVEY FOR THE HARBERT-EQUITABLE JOINT VENTURE <i>Situated in the S.W.1/4 of the N.W.1/4 and in the N.W. 1/4 of the S.W.1/4 of Section 19, Township 19 South, Range 2 West, Jefferson and Shelby Counties, Alabama.</i></p>		
	LOWE ENGINEERS Birmingham, Ala.	Scale: 1"=50' Date: 8-23-79
		Drawing Number: 37

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