

STATE OF ALABAMA)
COUNTY OF SHELBY)

MODIFICATION OF EASEMENT

WHEREAS, by Deed recorded in Book 335, Page 161, Probate Office of Shelby County, Alabama, The Harbert-Equitable Joint Venture ("HEJV") conveyed certain real property described therein to Percy W. Brower, Jr. ("Brower"), and reserved in such Deed those easements shown on the survey attached as Exhibit A to the Deed; and

WHEREAS, by Deed recorded in Book 335, Page 172, Probate Office of Shelby County, Alabama, Brower conveyed the above-referenced real property to Harbar Homes, Inc., a corporation ("Harbar"); and

WHEREAS, Harbar and HEJV desire to modify certain of those easements reserved by HEJV in its Deed to Brower as aforesaid.

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, HEJV and Brower agree as follows:

1. Those certain easements shown on the survey attached as Exhibit A to Deed recorded in Book 335, Page 161, Probate Office of Shelby County, Alabama, are hereby modified as shown on the survey dated 9-18-81, as revised on 10-5-81, attached hereto as Exhibit A and made a part hereof.

2. For the consideration aforesaid, Harbar Homes hereby grants and conveys to HEJV, its successors and assigns, those easements shown on the survey dated 9-18-81, as revised on 10-5-81, 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, telephone, and private cable TV systems, together with all rights and privileges necessary or convenient for the full use and enjoyment thereof. TO HAVE AND TO HOLD unto HEJV, its successors and assigns, forever.

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IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed effective on this the 26th day of October, 1981.

THE HARBERT-EQUITABLE JOINT VENTURE

WITNESS:

By: Harbert International, Inc.,
Its Managing Partner

By: [Signature]
Its: Epc. V. President

[Signature]
[Signature]

HARBAR HOMES, INC.

By: [Signature]
Its: vice President

[Signature]
[Signature]

STATE OF Alabama)
COUNTY OF Shelby)

I, Judith R. Sargent, a Notary Public in and for said County, in said State, hereby certify that Ed M. Dixon, whose name as Epc. V. President of Harbert International, Inc., a corporation, as Managing 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation as Managing Partner of The Harbert-Equitable Joint Venture.

Given under my hand and official seal, this 26th day of October, 1981.

[Signature]
Notary Public

My Commission expires: 11-12-84

STATE OF Alabama)
COUNTY OF Shelby)

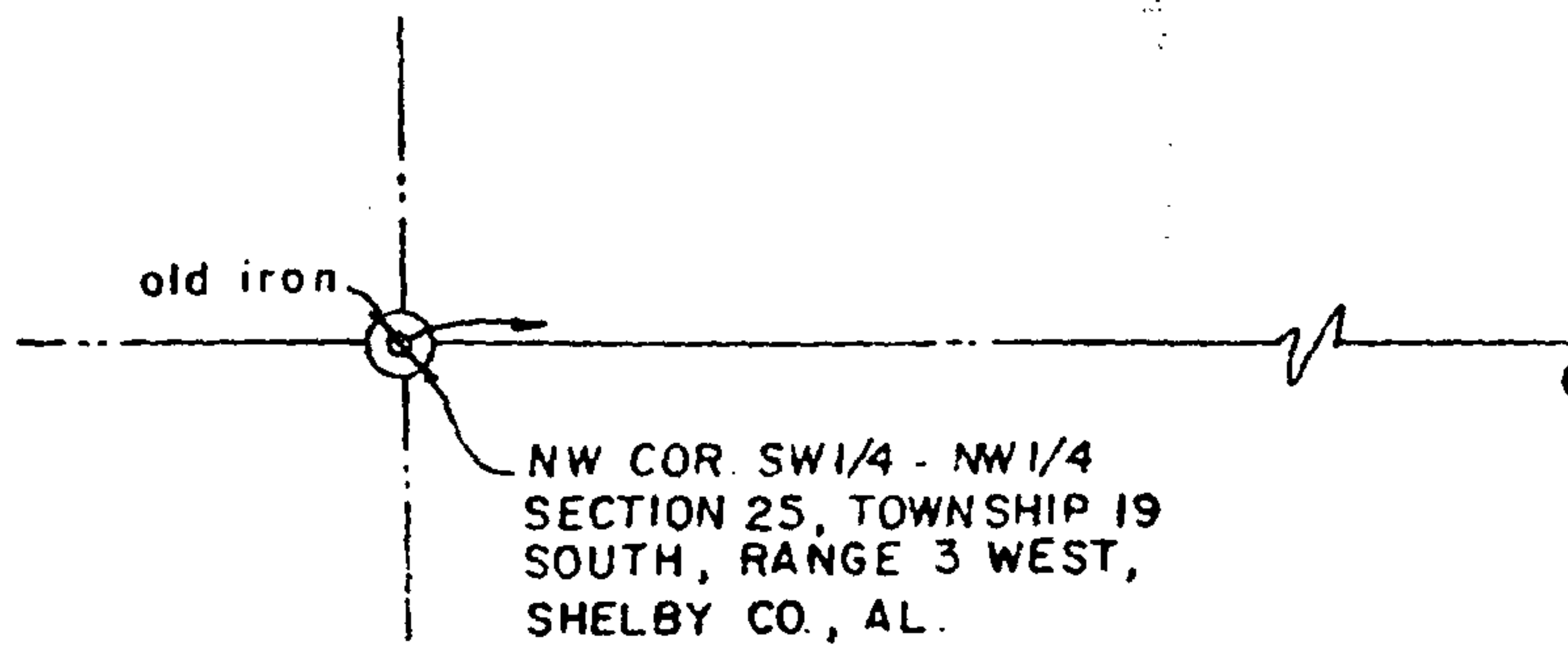
I, Betty Picher, a Notary Public in and for said County in said State, hereby certify that Dwight Barrow, whose name as Vice President of Harbar Homes, Inc., a corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 19th day of October, 1981.

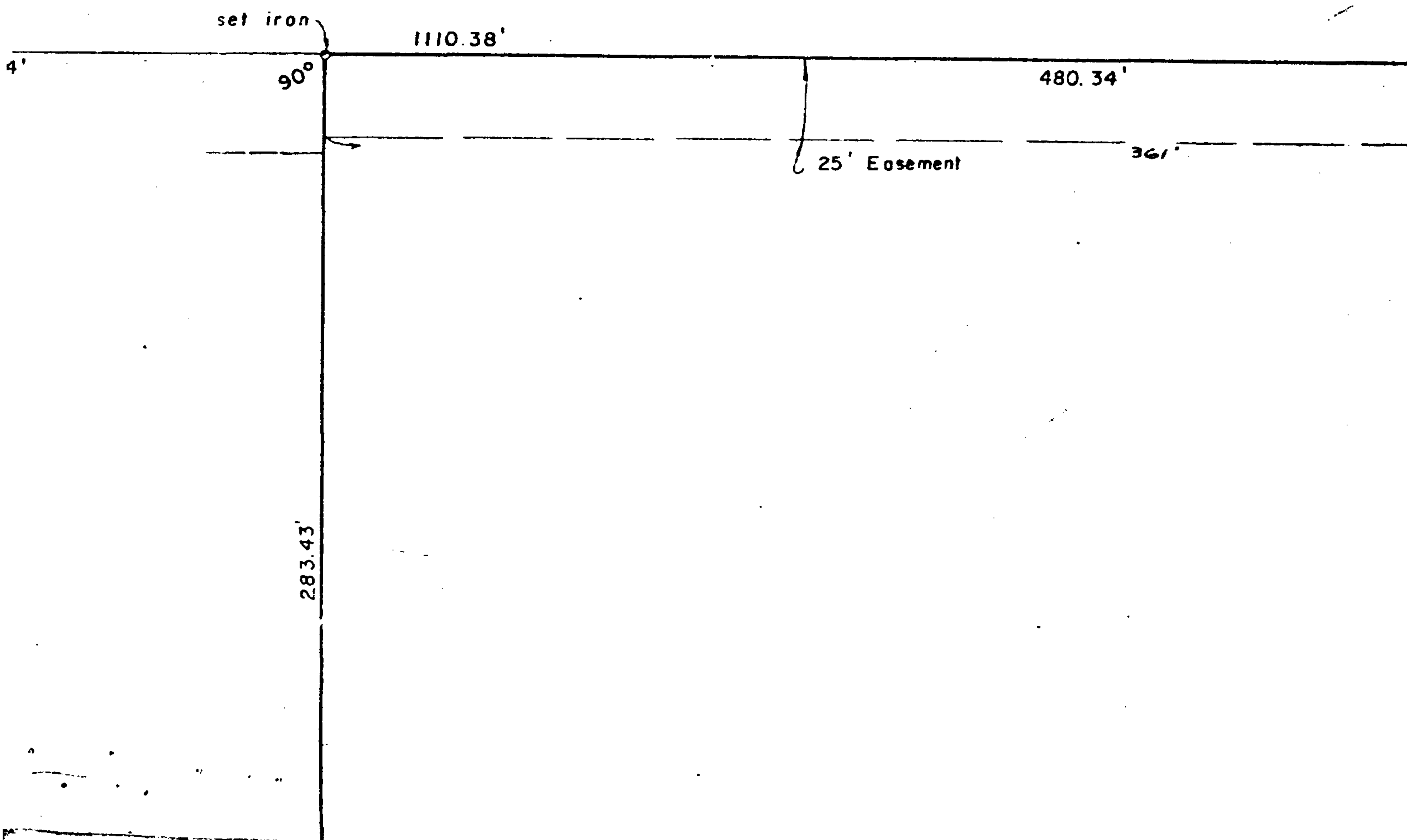
[Signature]
Notary Public

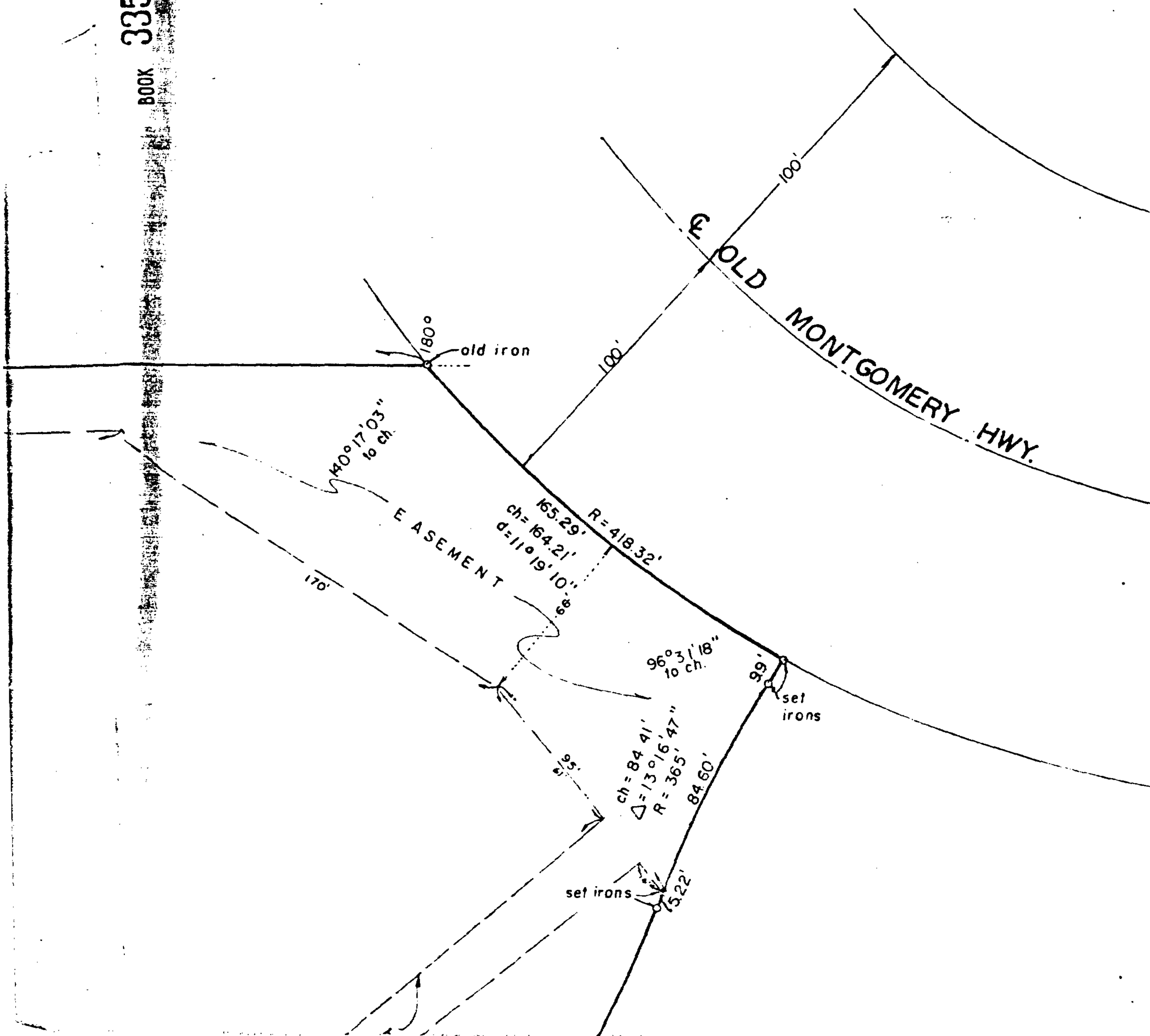
My Commission expires: 11/7/84

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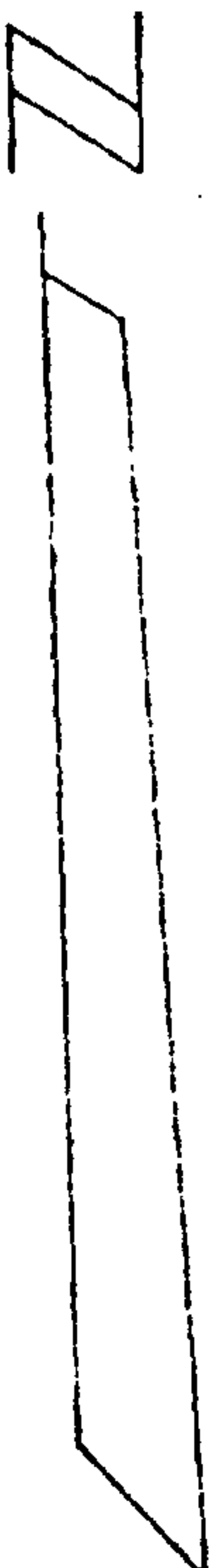
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NOTE:

ALL EASEMENTS SHOWN ON THIS MAP ARE FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS AND STORM DITCHES, AND PRIVATE TELEVISION CABLE SYSTEMS AND MAY BE USED FOR SUCH PURPOSES TO SERVE PROPERTY BOTH WITHIN AND WITHOUT THIS SUBDIVISION.



STATE OF ALABAMA)
JEFFERSON COUNTY)

SCALE: 1" = 50'

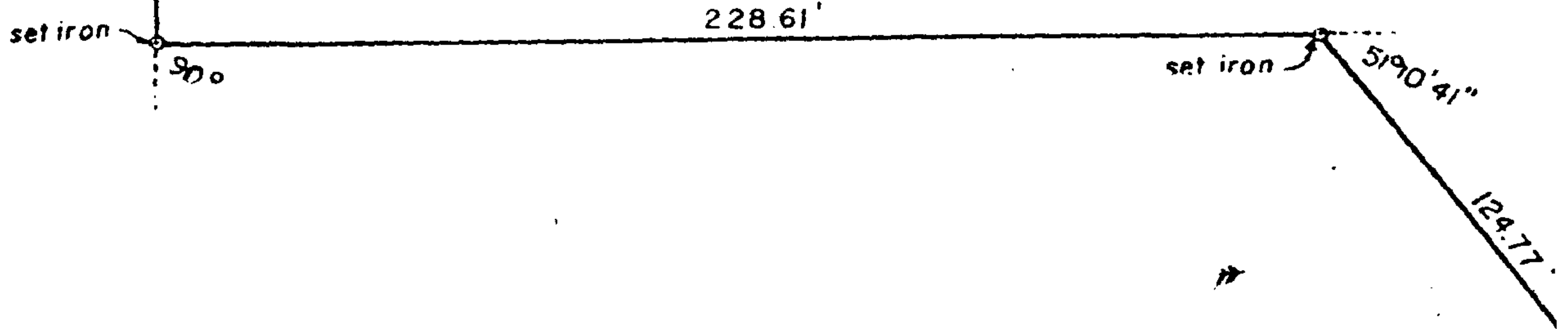
I, Laurence D. Weygand, Engineer-Land Surveyor, certify that I have surveyed the land shown

Part of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25, Township 19 South, Range 5 West, Shelby County, Ala

From the Northwest corner of said ~~NW~~ section, run in a northeasterly direction along the line of said ~~NW~~ section for a distance of 480.34 feet; then turn an angle to the left a distance of 124.77 feet; thence turn an angle to the left of 90° and run in a northeasterly direction to a point of curve, said curve being concave in a northwesterly direction and having the following direction for a distance of 5.22 feet to a point of a second curve, said second curve being tangent to the end of said curve, run in a northeasterly direction for a distance of 4.90 feet more or less to the point of beginning and containing 124,200 square feet or 2.8 acres, more or less.

According to my survey of: September 18, 1981

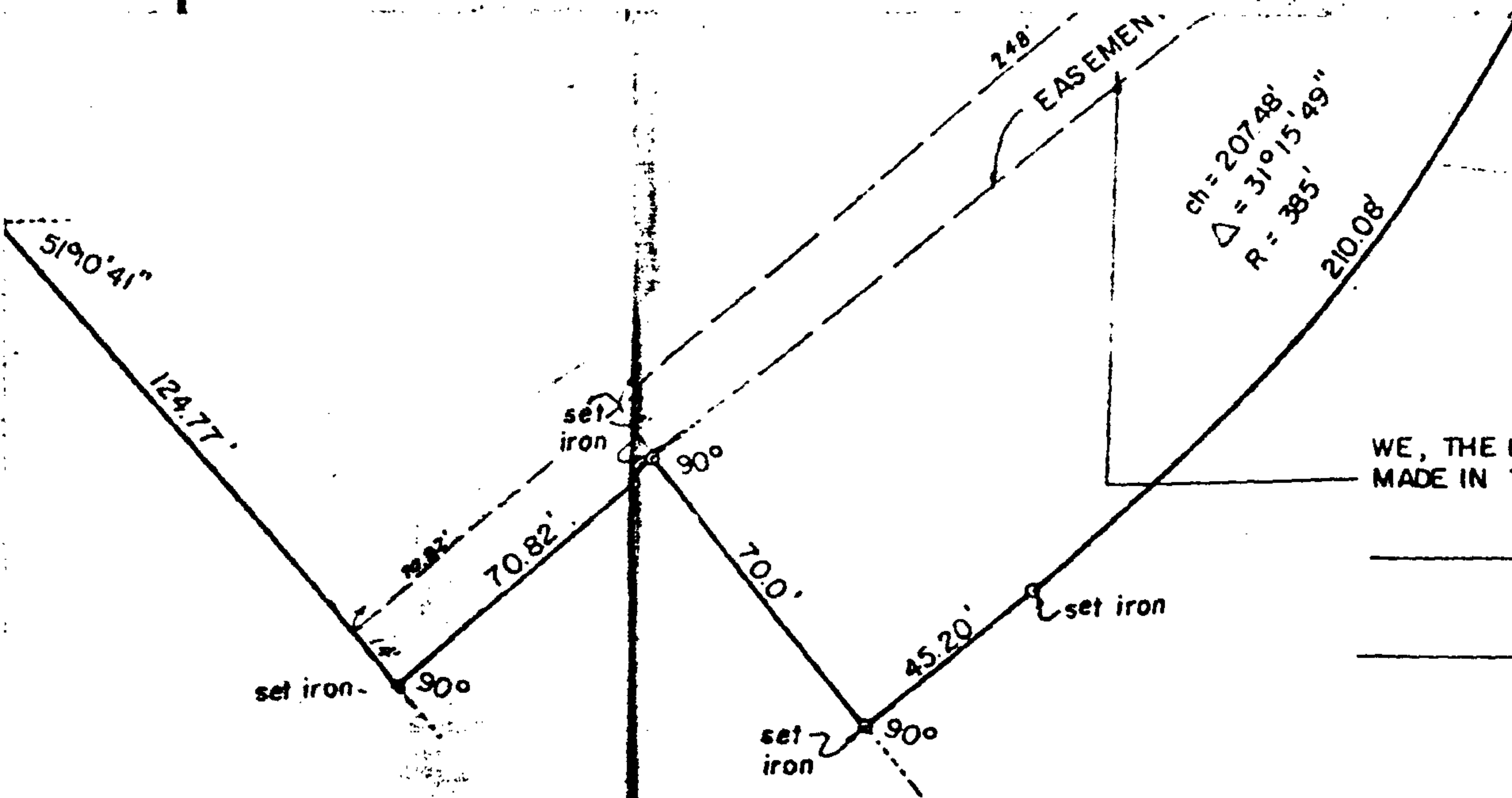
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bove and described below; and that I have consulted the Federal Insurance Administration Flood d

, being more particularly described as follows:

orth line of said 1/4 section for a distance of 1,110.38 feet to a point on the southwesterly right
 90° and run in a southerly direction for a distance of 283.43 feet; thence turn an angle to the left
 direction for a distance of 70.82 feet; thence turn an angle to the right of 90° and run in a sou
 characteristics: a delta of 31° 15' 49", a radius of 385.0 feet; thence turn an angle to the left
 concave in a southeasterly direction and having the following characteristics: a delta of 13° 16' 47"
 to a point on the southwesterly right-of-way line of Old Montgomery Highway; thence turn an angl
 or 1-3-3.



WE, THE UNDERSIGNED, HEREBY ACCEPT
MADE IN THE EASEMENT.

ation Flood Hazard Boundary Map and found that this property is not located in a special flood hazard

westerly right-of-way line of Montgomery Highway, being the point of beginning, thence turn an angle to the left of 90° and run in an easterly direction for a distance of 28.61 feet; thence turn and run in a southeasterly direction for a distance of 70.0 feet; thence turn an angle to the left of 13°16'47" and run along the arc of said curve for a distance of 110.08 feet to the end of said arc; thence turn an angle to the right and run along the arc of said curve for a distance of 110.08 feet to the end of said arc; thence turn an angle to the left and run in a northwesterly direction along the arc of said southwesterly

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Laurence D. Weyand
Laurence D. Weyand
Reg. C.E.-I. . . 1033
Ph: 939-0900

10/5/81
J.D.W.

... of 180° and run in a westerly direction along said north
right of 1°10'41" and run in a southeasterly direction for
a northeasterly direction for a distance of 45.20 feet to a
tangent to the end of said curve, run in a northeasterly
for a distance of 17.50 feet to the end of said curve; thence
line of Old Montgomery Highway for a distance of 165.00 feet,

Dec 16.50
Jud 1.00
17.50

1981 OCT 30 PM 2:25
STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
JUDGE OF PROBATE

EXHIBIT

HARBAR TOWNH RIVERCHASE V	
SCALE: 1" = 50'	APPROVED BY:
DATE: 9 - 18 - 81	
PREPARED BY WEGAND SURVEYORS 2130 HIGHLAND AVENUE BIRMINGHAM, AL 35205 PH: 939-0900	

DRAWING NUMBER			
PREPARED BY WEGAND SURVEYORS 2130 HIGHLAND AVENUE BIRMINGHAM, AL 35205 PH: 939-0900			
DATE: 9-18-81	APPROVED BY:	REVISIT REVISED 9-24-81	DRAWN BY
SCALE: 1" = 50'			
HARBAR TOWNHOUSES RIVERCHASE WEST			

EXHIBIT "A"

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

1981 OCT 30 PM 2:25

Thomas A. Shoverlin
JUDGE OF PROBATE

*Q. 16.50
1.00
14.50*

section along said north
westerly direction for
distance of 55.20 feet to a
point in a northeasterly
direction of said curve; hence
distance of 165.0 feet.