

THIS INSTRUMENT PREPARED BY:

Randolph Lanier  
Balch, Bingham, Baker, Ward, Smith,  
Bowman & Thagard  
Post Office Box 306  
Birmingham, Alabama 35201

1048

STATE OF ALABAMA )

COUNTY OF SHELBY )

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of THREE HUNDRED EIGHTY FOUR THOUSAND ONE HUNDRED THIRTY SIX AND 50/100 DOLLARS (\$384,136.50) in hand paid by LLOYD JOHNSON, JR. (hereinafter referred to as "GRANTEE"), to the undersigned, THE HARBERT-EQUITABLE JOINT VENTURE, under Joint Venture Agreement dated January 30, 1974, composed of Harbert International, Inc., 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 NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  and the NW $\frac{1}{4}$  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 southwest corner of said NE $\frac{1}{4}$  of NE $\frac{1}{4}$ , run in a northerly direction along the west line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section for a distance of 320.00 feet to the point of beginning; thence turn an angle to the right of 180°00' and run in a southerly direction along the west line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section for a distance of 320.00 feet to the southwest corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence turn an angle to the right of 118°25'05" and run in a northwesterly direction for a distance of 264.49 feet to a point of curve on the easterly right-of-way line of Riverchase Parkway East, as the same is shown on map recorded in the Office of the Judge of Probate, Shelby County, Alabama, in map book 7, page 28; said curve being concave in a westerly direction and having a central angle of 1°28'27" and a radius of 1,083.71 feet; thence turn an angle to the right (88°36'13.5" to chord line) and run in a northeasterly direction along the arc of said curve and said right-of-way line for a distance of 27.88 feet to the end of said curve; thence run in a northeasterly direction along a line tangent to end of said curve and along said right-of-way line for a distance of 165.70 feet to a point of curve to the right, said curve being concave in a southeasterly direction and having a central angle of 17°32' and a radius of 467.30 feet; thence run in a northeasterly direction along the arc of said curve and said right-of-way line for a distance of 143.00 feet to the end of said curve; thence run in a northeasterly

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direction along a line tangent to end of said curve for a distance of 162.76 feet to a point of a curve to the left; said curve being concave in a westerly direction and having a central angle of 60°26'28" and a radius of 423.97 feet; thence run in a northerly direction along the arc of said curve and said right-of-way line for a distance of 447.24 feet; thence turn an angle to the right (66°26'20" from chord line) and run in a northeasterly direction for a distance of 425.02 feet to an existing iron pin; thence turn an angle to the left of 20°16'31" and run in a northeasterly direction for a distance of 495.87 feet to an existing iron pin and being the northwest corner of the Dr. Johnson Property; thence turn an angle to the right and run in southwesterly direction along the northwest line of said Dr. Johnson Property for a distance of 1,376.89 feet, more or less, to the point of beginning, containing 256,091.35 square feet or 5.879 acres, more or less.

Such land is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1984.
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 commercial facilities 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 16, 1983, 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 21st day of DECEMBER, 1983.

WITNESS:

Cindy Aldridge

WITNESS:

Cindy Aldridge

THE HARBERT-EQUITABLE JOINT VENTURE

BY: THE EQUITABLE LIFE ASSURANCE  
SOCIETY OF THE UNITED STATES

BY Donald A. Brown  
Its Asst. Vice President

BY: HARBERT INTERNATIONAL, INC.

BY W.H. Foxman  
Its Vice President

STATE OF Alabama

COUNTY OF Shelby

I, Cynthia A. Aldridge, a Notary Public in and for said County, in said State, hereby certify that Donald S. Bitson, whose name as 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 21st day of December, 1983.

Cynthia A. Aldridge  
Notary Public

My commission expires:

MY COMMISSION EXPIRES NOVEMBER 30, 1986

STATE OF ALABAMA )

COUNTY OF Shelby

I, Marilyn H. Young, a Notary Public in and for said County, in said State hereby certify that W. H. Roseman, whose name as Vice President of Harbert International, Inc., 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 21st day of December, 1983.

Marilyn H. Young  
Notary Public

My commission expires:

My Commission Expires November 30, 1986

1983 DEC 29 AM 8:26

Deed Tax - 384.50

Rec. 600  
Ind. 100

391.50