

Marilynn H. Young  
 THE HARBERT-EQUITABLE JOINT VENTURE  
 Post Office Box 1297  
 Birmingham, Alabama 35201  
 (205) 988-4730

STATE OF ALABAMA )

COUNTY OF SHELBY )

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of ONE HUNDRED THREE THOUSAND FORTY FOUR AND NO/100 DOLLARS (\$104,544.00), in hand paid by Guy E. Blaudeau, M.D. and Erick Blaudeau, (hereinafter referred to as "GRANTEES"), 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 the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingency remainder and right of reversion, the following described real estate situated in Shelby County, Alabama:

Part of the Southwest Quarter of the Northeast Quarter of Section 30, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at the Southwest corner of Lot 1-A, Resurvey of Lot 1, Brookwood Addition to Riverchase, a map of which is recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 8, Page 94, run in an Easterly direction along the South line of said Lot 1-A for a distance of 150.49 feet to an existing iron pin; thence turn an angle to the right of 90° and run in a Southerly direction for a distance of 192.11 feet to an existing iron pin; thence turn an angle to the right of 90° and run in a Westerly direction for a distance of 199.17 feet to an existing iron pin being on the curved East right-of-way line of Riverchase Parkway East (said curve being concave in an Easterly direction and having a radius of 478.86 feet); thence turn an angle to the right (102°31'25" to chord line) and run along the arc of said curved East right-of-way line for a distance of 165.20 feet (chord line measures 164.39 feet) to the end of said curve; thence run along a line tangent to end of said curve in a Northeasterly direction and being said East right-of-way line for a distance of 34.20 feet to the point of beginning, containing 34,848 square feet, more or less, or 0.8 acres, more or less.

*First Ala. Bank*

The entire consideration of the purchase price recited above was paid from a mortgage loan simultaneously herewith.

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Such land is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1986.
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 Miscellaneous Book 15, beginning at page 189, as further amended by Amendment No. 2 recorded in Miscellaneous 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 an office development (with a density not to exceed 10,000 square feet per acre), in accordance with the Riverchase Architectural Committee Development Criteria for the Planned Office Development 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, as amended per agreement dated September 13, 1983, as recorded in Real Book 16, beginning at page 64, 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 October 24, 1985, a copy of said survey being attached hereto as Exhibit "A".

TO HAVE AND TO HOLD UNTO GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingency remainder and right of reversion.

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 4 day of November, 1985.

THE HARBERT-EQUITABLE JOINT VENTURE,  
under Joint Venture Agreement dated  
January 30, 1974

WITNESS:

Issa L. Medley

WITNESS:

[Signature]

BY: THE EQUITABLE LIFE ASSURANCE  
SOCIETY OF THE UNITED STATE, a  
Joint Venturer

BY: Donald L. Batson  
Its: Donald L. Batson  
Assistant Secretary

BY: HARBERT INTERNATIONAL, INC., a  
Joint Venturer

[Signature]  
Its: Treasurer

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STATE OF Georgia ,  
COUNTY OF Fulton ,

I, Pamela Brown Reese , a Notary Public in and for said County, in said State, hereby certify that Donald S. Patton , whose name as Assistant Secretary 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 31st day of October , 1985.

Pamela Brown Reese  
Notary Public

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My commission expires:  
Notary Public, Georgia, State of Large  
My Commission Expires Aug. 10, 1987

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

1985 NOV -8 AM 11:47

STATE OF ALABAMA )  
COUNTY OF Shelby )

Thomas H. Johnston, Jr.  
JUDGE OF PROBATE

RECORDING FEES	
Mortgage Tax	\$ <u>          </u>
Deed Tax	<u>          </u>
Mineral Tax	<u>          </u>
Recording Fee	<u>7.50</u>
Index Fee	<u>1.00</u>
TOTAL	<u>8.50</u>

I, Marilyn H. Young , a Notary Public in and for said County, in said State, hereby certify that Jerry M. Johnston , whose name as Treasurer 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 1st day of November , 1985.

Marilyn H. Young  
Notary Public

My commission expires:  
Nov. 30, 1986