

1575  
STATE OF ALABAMA                    )  
COUNTY OF SHELBY                 )

JOINT DRIVEWAY EASEMENT

WHEREAS, THE HARBERT-EQUITABLE JOINT VENTURE, an Alabama general partnership (the "Developer"), owns Lots 2220, 2221 and 2222 according to the map or survey of Riverchase Country Club Residential Subdivision, 22nd Addition, as recorded in Map Book 9, Page 124, in the Probate Office of Shelby County, Alabama (said lots 2220, 2221 and 2222 are sometimes collectively referred to herein as the "Lots"); and

WHEREAS, the Developer desires to create a joint driveway easement over the Lots as more particularly set forth herein.

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NOW, THEREFORE, the Developer does hereby proclaim, publish and declare that the Lots shall be held, conveyed, hypothecated or encumbered, rented, used, occupied and improved subject to this Easement, which shall run with the Lots and shall be binding upon the Developer and upon all parties having or acquiring any right, title or interest in any part of the Lots. This Easement is made on the following terms and conditions:

There is hereby created, located and permanently established a right-of-way or driveway over the Lots as more particularly shown on the survey attached hereto as Exhibit "A" and made a part hereof. No structures shall be built upon said right-of-way or driveway. The right-of-way or driveway shall be kept open and unobstructed for the benefit of, and may be used in common by, all the respective owners and occupants, present and future, of the Lots and of any buildings erected thereon, for ingress and egress, to and from said Lots and buildings. The right of way or driveway shall be maintained in common by, and as a common expense of all the respective owners, present and future, of the said Lots.

IN WITNESS WHEREOF, The Harbert-Equitable Joint Venture has

*City of Hoover*

caused this Easement to be executed as of the 5th day of March, 1986.

THE HARBERT-EQUITABLE JOINT VENTURE,  
an Alabama general partnership

WITNESS

Jessie L. Medley

By: The Equitable Life Assurance  
Society of the United States,  
as its general partner

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

WITNESS

Marilyn Young

By: Harbert International, Inc.,  
as its general partner

By: [Signature]  
Its Treasurer

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 L. Batson  
whose name as Assistant Secretary of The  
Equitable Life Assurance Society of the United States, as general  
partner of The Harbert-Equitable Joint Venture, an Alabama general  
partnership, 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 general partner of The Harbert-  
Equitable Joint Venture.

Given under my hand this the 4th day of March, 1986.

Pamela Brown Reese  
Notary Public

NOTARIAL SEAL

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



STATE OF Alabama  
COUNTY OF Shelby

I, Jada Sims Miller, a Notary Public in and for said  
County in said State, hereby certify that Jerry M. Johnston  
whose name as President of  
Harbert International, Inc., as general partner of The Harbert-  
Equitable Joint Venture, an Alabama general partnership, 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 general partner of The Harbert-Equitable Joint Venture.

Given under my hand this the 5<sup>th</sup> day of March, 1986.

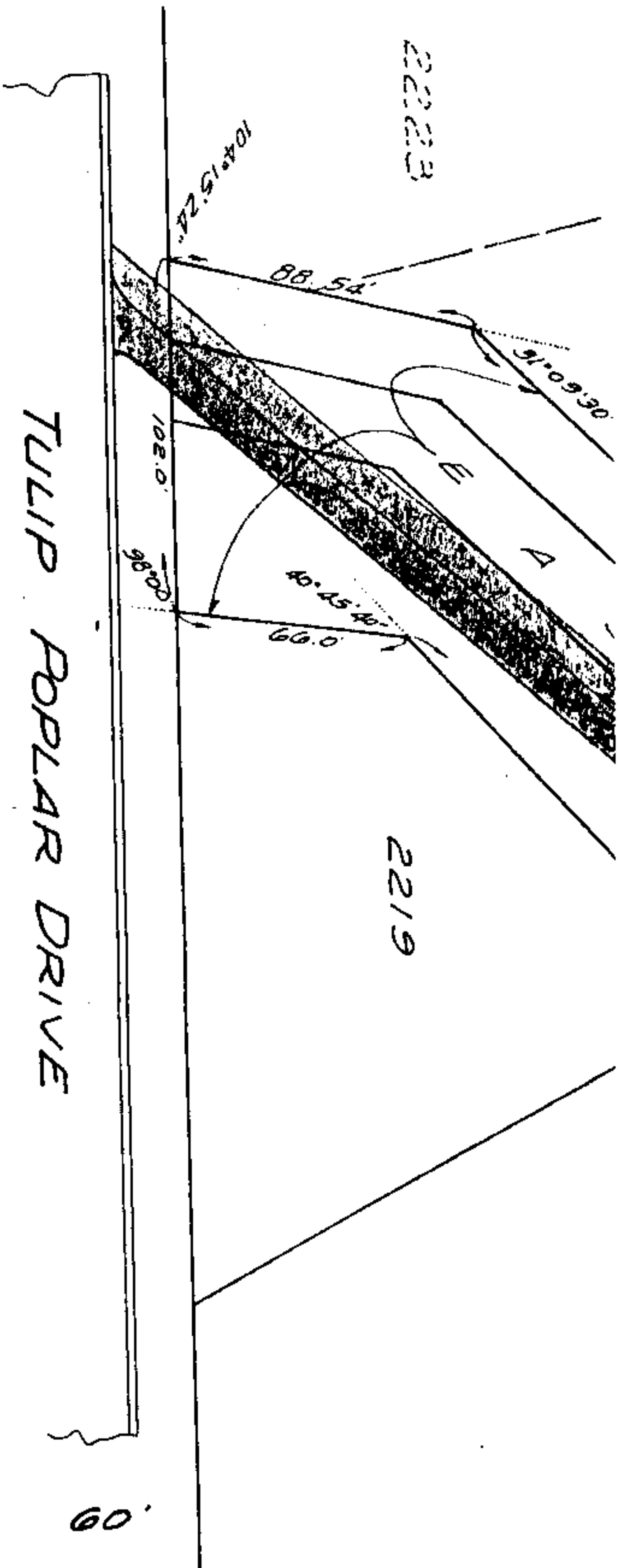
Jada L. Helgen  
Notary Public

NOTARIAL SEAL

My commission expires: Oct. 5, 1989



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# DESCRIPTION FOR EASEMENT

The following is a description of an easement for ingress-egress and public utilities for lots 2220, 2221 and 2222, Riverchase Country Club 22nd Addition, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 9, Pages 124 A&B, and being more particularly described as follows:

From the Southwest corner of Lot 2222 in said subdivision run in a northwesterly direction for a distance of 180.37 feet to the point of beginning; thence turn an angle to the left of 34°00'55" and run in a northwesterly direction for a distance of 93.48 feet; thence turn an angle to the right of 77°28'36" and run in a northeasterly direction for a distance of 336.37 feet, more or less, to a point being the northeast corner of Lot 2219; thence turn an angle to the left of 40°45'40" and run in a northwesterly direction for a distance of 66.0 feet to a point on the southerly right-of-way line of Tulip Poplar Drive; thence turn an angle to the right of 98°00' and run in a northeasterly direction along said right-of-way line for a distance of 102.0 feet to the northeast corner of Lot 2222; thence turn an angle to the right of 104°15'24" and run in a southeasterly direction along the common lot line of Lots 2222, 2223 and 2228 for a distance of 88.54 feet; thence turn an angle to the right of 31°09'30" and run in a southwesterly direction along the common lot line of Lot 2222 and 2228 for a distance of 160.0 feet; thence turn an angle to the left of 16°46'00" and run in a southerly direction along the common lot line of Lots 2222 and 2229 for a distance of 119.16 feet; thence turn an angle to the right and run in a southwesterly direction for a distance of 127.0 feet, more or less, to a point on the southwesterly line of Lot 2222, said point being 29.0 feet northwest of the point of beginning; thence turn an angle to the left and run in a southeasterly direction along said southwest line of Lot 2222 for a distance of 29.0 feet, to the point of beginning.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1986 JUN 20 PM 3:53

*Thomas A. Shivers, Jr.*  
JUDGE OF PROBATE

RECORDING FEES

Recording Fee \$ 13.50

Index Fee 1.00

TOTAL \$ 13.50

