

Simult note exceeds value

1877

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

LIMITED WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to the undersigned grantor, REALTY DEVELOPMENT CORPORATION, a corporation (herein referred to as "Grantor"), in hand paid by the Grantee herein, the receipt of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto BIRMINGHAM I ASSOCIATES, LTD., a Georgia limited partnership (herein referred to as "Grantee") the real estate, situated in Shelby County, Alabama, described in Exhibit A attached hereto (the "Property"), subject to the Permitted Encumbrances described in Exhibit B attached hereto, and together with all of the buildings, improvements, fixtures, appurtenances, and usufructs thereon or pertaining thereto.

TO HAVE AND TO HOLD, to the said Grantee and to the successors, and assigns of Grantee, forever.

And said Grantor does for itself, and its successors and assigns, covenant with said Grantee, and the successors and assigns of Grantee, that Grantor is lawfully seized in fee simple of the Property, that the Property is free from all encumbrances, except for the Permitted Encumbrances, that Grantor has a good right to sell and convey the same as aforesaid, and that Grantor will, and the successors and assigns of Grantor shall, warrant and defend the same to the said Grantee, and the successors and assigns forever of Grantee, against the lawful claims of all persons claims by, through or under Grantor.

This instrument was prepared by
GUY V. MARTIN, JR.
1900 SouthTrust Tower
BIRMINGHAM, ALABAMA 35203

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Please Return This Instrument To
GUY V. MARTIN, JR.
LEWIS, MARTIN BURNETT & DUNKLE
1900 SouthTrust Tower
BIRMINGHAM, ALABAMA 35203

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IN WITNESS WHEREOF, the said Grantor has set its hand and seal hereon this
the 6th day of April, 1987.

ATTEST:

By

Its

[Signature]
Asst Secretary

REALTY DEVELOPMENT CORPORATION,
a corporation

By

Its

[Signature] [SEAL]
VICE PRESIDENT

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Georgia
STATE OF ~~ALABAMA~~)
COUNTY OF Fulton)

I, the undersigned, a Notary Public in and for said county in said state,
hereby certify that Charles L. Spivey whose name as Vice Pres.
of REALTY DEVELOPMENT CORPORATION, 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 within instrument, he, as such officer and
with full authority executed the same voluntarily on the day the same bears date for
and as the act of said corporation.

April GIVEN under my hand and official seal of office, this 6 day of
April, 1987.

[Signature]
Notary Public

My Commission Expires: Notary Public, Georgia, State at Large
My Commission Expires Feb. 10, 1989

EXHIBIT A

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Commence at the Southeast corner of the Northwest One-Quarter of Section 30, Township 19 South, Range 2 West, Shelby County, Alabama; run thence in a Westerly direction along the South line of said Quarter Section for a distance of 2,300.55 feet; thence turn an angle to the right of 86 degrees and run in a Northwesterly direction along the Northeasterly right-of-way line of U.S. Highway No. 31 South for a distance of 1,096.84 feet; thence turn an angle to the right of 101 degrees 03 minutes 10 seconds and run in an Easterly direction for a distance of 346.16 feet to the point of beginning; from the point of beginning thus obtained thence turn an angle to the left of 71 degrees 19 minutes 50 seconds and run in a Northeasterly direction for a distance of 580 feet; thence turn an angle to the right of 18 degrees 59 minutes 22 seconds and run in a Northeasterly direction for a distance of 525.54 feet; thence turn an angle to the right of 101 degrees 40 minutes 03 seconds and run in a Southeasterly direction for a distance of 526.96 feet; thence turn an angle to the right of 31 degrees 30 minutes and run in a Southeasterly direction for a distance of 176.65 feet; thence turn an angle to the right of 00 degrees 14 minutes 53 seconds and run in a Southeasterly direction for a distance of 60 feet; thence turn an angle to the left of 90 degrees to the tangent of the following described course, said course being situated on a curve to the left having a central angle of 15 degrees 10 minutes 25 seconds and a radius of 438.82 feet; thence run in a Northeasterly direction along the arc of said curve for a distance of 116.21 feet to the end of said curve and the point of beginning of a curve to the right, said curve having a central angle of 87 degrees 12 minutes 41 seconds and a radius of 25 feet; thence run along the arc of said curve to the right in a Northeasterly, Easterly, and Southeasterly direction for a distance of 38.05 feet to the end of said curve; thence run along the tangent extended to last described course in a Southeasterly direction for a distance of 424.16 feet to the point of beginning of a curve to the right, said curve having a central angle of 19 degrees 26 minutes 05 seconds and a radius of 349.57 feet; thence run along the arc of said curve in a Southeasterly direction for a distance of 118.57 feet to the end of said curve; thence run along the tangent extended to said curve in a Southeasterly direction for a distance of 20.40 feet to the point of beginning of a curve to the left, said curve having a central angle of 12 degrees 15 minutes 04 seconds and a radius of 889.71 feet; thence run along the arc of said curve in a Southeasterly direction for a distance of 190.24 feet to the end of said curve and the point of beginning of a curve to the right, said curve having a central angle of 93 degrees 01 minutes 06 seconds and a radius of 25 feet; thence run along the arc of said curve to the right in a Southeasterly and Southwesterly direction for a distance of 40.59 feet to the end of said curve and the point of beginning of a curve to the right, said curve having a central angle of 25 degrees 18 minutes and a radius of 483.33 feet; thence run along arc of said curve in a Northwesterly direction for a distance of 213.43 feet to the end of said curve; thence run along the tangent extended to said curve in a Northwesterly direction for a distance of 35.74 feet to the point of beginning of a curve to the left, said curve having a central angle of 25 degrees 39 minutes 10 seconds and a radius of 271.57 feet; thence run along the arc of said curve in a Northwesterly and Southwesterly direction for a distance of 121.59 feet to the end of said curve and the point of beginning of a curve to the right, said curve having a central angle of 20 degrees 18 minutes 07 seconds and a radius of 591.13 feet; thence run along the arc of said curve in a Southwesterly, Westerly, and Northwesterly direction for a distance of 209.46 feet to the end of said curve; thence turn an angle to the right from tangent of last described course of 34 degrees 45 minutes 06 seconds and run in a Northwesterly direction for a distance of 307.91 feet; thence turn an angle to the right of 44 degrees 55 minutes 54 seconds and run in a Northerly direction for a distance of 142.00 feet; thence turn an angle to the left of 84 degrees 31 minutes 38 seconds and run in a Northwesterly direction for a distance of 335.53 feet; thence turn an angle to the right of 40 degrees 30 minutes and run in a Northwesterly direction for a distance of 153.91 feet to the point of beginning.

EXHIBIT A

Together with a perpetual easement for a sanitary sewer pipeline over, along, and through the following described real estate, for the benefit of the real property described hereinabove:

Description of a 20-foot wide sanitary sewer easement situated in the SE 1/4 of the NW 1/4 of Section 30, Township 19 South, Range 2 West, Shelby County, Alabama, the centerline of which is more particularly described as follows: From the Southeast corner of the SE 1/4 of the NW 1/4 of Section 30, Township 19 South, Range 2 West, Shelby County, Alabama, run West along the South line of said SE 1/4 of the NW 1/4 for a distance of 1170.59 feet; thence turn an angle to the right of 110 degrees 52 minutes 50 seconds and run in a North-easterly direction for a distance of 32.41 feet to the center of an existing sanitary sewer manhole and the point of beginning of the centerline of the 20 foot wide sanitary sewer easement herein described; from the point of beginning, thus obtained, continue along the last described course for a distance of 175.15 feet; thence turn an angle to the left of 15 degrees 58 minutes 58 seconds and run in a Northeasterly direction for a distance of 178.66 feet; thence turn an angle to the right of 8 degrees 19 minutes 00 seconds and run in a Northeasterly direction for a distance of 160.00 feet, more or less, to a point on the Southern boundary line of the above described property, and the end of said sanitary sewer easement.

Also, an easement 15-feet in width for sanitary sewer easement over, along and through that certain property described in the easement recorded in Real Record 097, Page 535, in the Probate Office of Shelby County, Alabama.

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EXHIBIT B

Permitted Encumbrances

Taxes for 1987 and subsequent years. 1987 taxes are a lien but not due and payable until October 1, 1987.

Title to minerals underlying caption lands together with mining rights and privileges belonging thereto as conveyed in Deed Book 4, page 464 (as to E 1/2 of NW 1/4); and oil, gas, petroleum and sulphur as reserved in Deed Book 127, page 140, (as to W 1/2 of NW 1/4), in the Probate Office of Shelby County, Alabama.

Agreement with Blue Cross-Blue Shield as recorded in Misc. Book 19, page 690, in said Probate Office.

NOTE: Caption lands are described in Exhibit "B" to said instrument.

15-foot utility easement over the Northwest side and a triangular portion of a sanitary sewer easement on the East side of caption lands as shown on survey of Jimmy A. Gay, Reg. No. 8759, dated June 10, 1986.

Declaration of Protective Covenants, Agreements, Easements and Charges and Liens for Riverchase (Business) as recorded in Misc. Book 13, page 50, as Amended by Amendment No. 1 in Misc. Book 15, page 189, and further amended by Amendment No. 2 as recorded in Misc. Book 19, page 633, in said Probate Office.

Item 6 in deed recorded in Deed Book 331, page 757, in said Probate Office to-wit: Said property conveyed by this instrument is hereby restricted to use as a multi-family development and related uses with a density not to exceed Twelve (12) units per acre as defined in the Riverchase Architectural Committee Development Criteria for Planned Multi-Family (PR-2) 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 in deed, said restriction to be effective for the same period of time as the Riverchase Business Covenants.

Easements as shown in deed recorded in Real Record 086, Page 332, in the Probate Office of Shelby County, Alabama.

Terms and conditions of the instruments creating the easements insured herein.

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

1987 APR 15 PM 3:15

Thomas C. Summerville, Jr.
JUDGE OF PROBATE

1. Land Tax	\$	_____
2. Misc. Tax		_____
3. Recording Fee		12 50
4. Indexing Fee		1 00
TOTAL		13 50