This Document Prepared By:
Randolph H. Lanier
Balch & Bingham
P. O. Box 306
Birmingham, Alabama 35201
Telephone: (205) 251-8100

STATE OF ALABAMA

**COUNTIES OF JEFFERSON AND SHELBY** 

## VACATION AND TERMINATION OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That THE HARBERT-EQUITABLE JOINT VENTURE, under Joint Venture Agreement dated January 30, 1974, composed of Harbert Properties Corporation, a corporation, and The Equitable Life Assurance Society of the United States, a corporation, ("HEJV"), does by these presents vacate, terminate and release all of HEJV's right, title and interest in that certain easement area shown as "Easement Area to be Vacated" on the survey of Laurence Weygand attached hereto as Exhibit A. (\*\*\*Corporation\*\*)

It is the intent of this instrument that, to the extent of HEJV's interest, said easement shown on Exhibit A as "Easement Area to be Vacated", be vacated, terminated and of no further force or effect.

IN WITNESS WHEREOF, HEJV has caused this instrument to be executed by each Venturer by their respective duly authorized officers effective on this the 18<sup>TM</sup> day of FEBRUARY, 1993.

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

By: THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES

Bv:

Itar KA MACE PRESIDENT

By:

HARBERT PROPERTIES CORPORATION

WITNESS:/

WITNESS:

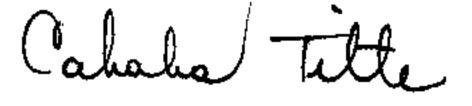
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STATE OF ALABAMA	
COUNTY OF	
I, DEBORAH A. HOPKINS, a Notary Public in and for said County, in said State, hereby certify that ROBERTE. TUROWER, whose name as SR. VICE PRESIDENT, of The Equitable Life Assurance Society of the United States, a corporation, as General Partner of The Harbert-Equitable Joint Venture, under Joint Venture Agreement dated January 30, 1974, is signed to the foregoing 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 and official seal, this the 18 <sup>TU</sup> day of <u>FEBRUARY</u> , 19 <u>93</u> .	
	Obborah A. Hopkins  Notary Public
[NOTARIAL SEAL]	My commission expires: 5 31 95
STATE OF <u>ALABAMA</u> COUNTY OF <u>JEGGERSON</u>	
I, <u>DEBORAM A. MOPKINS</u> , a Notary Public in and for said County, in said State, hereby certify that <u>BARNETT J. EARLES</u> , whose name as <u>PRESIDENT</u> , of Harbert Properties Corporation, a corporation, as General 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, <u>HE</u> , 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 18 <sup>th</sup> day of FERUACH, 19 <u>93</u> .	
	Deborah A. Hapkins Notary Public
[NOTARIAL SEAL]	My commission expires: 5/31/95
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SHELBY COUNTY JUDGE OF PROBATE
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