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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. *Map Book 17 page 09*

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 18TH 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

WITNESS:

[Signature]

By: *[Signature]*
Its: SR. VICE PRESIDENT

By: HARBERT PROPERTIES CORPORATION

WITNESS:

[Signature]

By: *[Signature]*
Its: PRESIDENT

Inst # 1993-05234

02/23/1993-05234
03:53 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NCD 9.00

Cahaba Title

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, DEBORAH A. HOPKINS, a Notary Public in and for said County, in said State, hereby certify that ROBERT E. THROWER, 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 18TH day of FEBRUARY, 1993.

Deborah A. Hopkins
Notary Public

[NOTARIAL SEAL]

My commission expires: 5/31/95

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, DEBORAH A. HOPKINS, a Notary Public in and for said County, in said State, hereby certify that BARNETT J. EARLES, whose name as PRESIDENT, 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, 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 18TH day of FEBRUARY, 1993.

Deborah A. Hopkins
Notary Public

[NOTARIAL SEAL]

My commission expires: 5/31/95

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