

THIS INSTRUMENT PREPARED BY:

Susan J. Reeves
THE HARBERT-EQUITABLE JOINT VENTURE
One Riverchase Office Plaza, Suite 200
Birmingham, Alabama 35244
(205) 988-4730

Purchaser's Address: MARTHA G. McCLINTON
1969 Old Highway 31
Birmingham, AL 35244

STATE OF ALABAMA)

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of ONE THOUSAND SEVEN HUNDRED SEVENTY SIX AND 20/100 (\$1,776.20) in hand paid by MARTHA G. McCLINTON (hereinafter referred to as "GRANTEE"), to the undersigned, THE HARBERT-EQUITABLE JOINT VENTURE, under Joint Venture Agreement dated January 30, 1974 composed of Harbert Properties 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 GRANTEE, the following described real estate situated in Shelby County, Alabama:

Part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 19 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

From the NE corner of said SE $\frac{1}{4}$ of NW $\frac{1}{4}$ run in a westerly direction along the north line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 440.79 feet to an existing old open top iron pin being the point of beginning; thence turn an angle to the left of 83 degrees 11 minutes 41 seconds and run in a southwesterly direction for a distance of 43.91 feet to an existing iron pin being on the north right-of-way line of Old Montgomery Highway; thence turn an angle to the right of 89 degrees 59 minutes 59 seconds and run in a northwesterly direction for a distance of 209.25 feet to an existing iron pin; thence turn an angle to the right of 95 degrees 53 minutes and run in a northeasterly direction for a distance of 19.5 feet to an existing iron rebar being on the north line of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence turn an angle to the right of 77 degrees 22 minutes 22 seconds and run in an easterly direction along the north line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 208.69 feet, more or less, to the point of beginning.

Such land is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1995.
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 (Residential), recorded in Miscellaneous Book 14, beginning at Page 536, in the Office of the Judge of Probate of Shelby County, Alabama, as amended in Miscellaneous Book 17, beginning at Page 550, in the Office of the Judge of Probate of Shelby County, Alabama, except as follows:
 - a) The first sentence of Section 12.20 entitled "Construction Period" shall be deleted and the following sentence shall be inserted in lieu thereof:

"With respect to each Residential Parcel, construction of the residential building is to be completed within one (1) year from date of beginning construction."

Inst # 1995-31036

10/30/1995-31036
10:05 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
15:50

b) Section 12.21 shall be deleted in its entirety and shall not be applicable to subject property.

6. Grantee has made its own independent inspections and investigations of the Property, and is taking the Property "as is" and based solely upon and in reliance upon such inspection and investigations of the Property. Grantor makes no representation, warranty or agreement concerning the conditions of the Property, the soil or the sub-soil. Grantee, for itself and its heirs, successors and assigns, waives all claims, present and future, against Grantor based upon or in connection with the condition of the Property, including but not limited to underground mines, tunnels, or sinkholes, and hereby releases Grantor from any liability whatsoever with respect thereto.

TO HAVE AND TO HOLD unto GRANTEE, its successors and assigns, forever.

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 22 day of September, 1995.

THE HARBERT-EQUITABLE JOINT VENTURE,
an Alabama General Partnership

Witness:

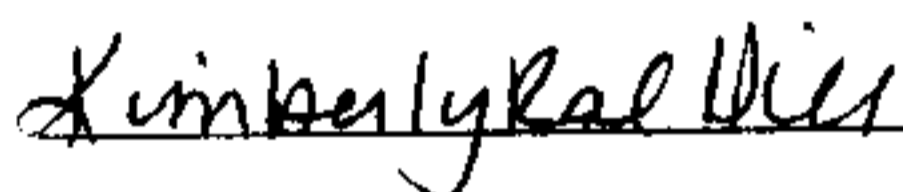


BY: THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES,
Its General Partner

BY:



Its
Terrill E. Deffor
Investment Officer

Witness:



BY: HARBERT PROPERTIES CORPORATION,
Its General Partner

BY:


Its

BARNETT J. EARLES
PRESIDENT

STATE OF Georgia)
COUNTY OF Fulton)

I, J. Sue King, a Notary Public in and for said County,
in said State, hereby certify that Todd E. Dyer, whose name as
Investment Officer 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 21 day of
September, 1995.

J. Sue King
Notary Public

My Commission expires:
Notary Public, Cobb County, Georgia
My Commission Expires April 27, 1999

STATE OF ALABAMA)
COUNTY OF Jefferson)

I, Kimberly Rae Hill, a Notary Public in and for said County,
in said State, hereby certify that Bennett J. Eales, 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 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 22nd day of
September, 1995.

Kimberly Rae Hill
Notary Public

My commission expires:
MY COMMISSION EXPIRES APRIL 14, 1997

Inst # 1995-31036

10/30/1995-31036
10:05 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 NCD 15.50