

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

QUITCLAIM OF EASEMENT RIGHTS

THIS QUITCLAIM OF EASEMENT RIGHTS is made and entered into as of the 20th day of March, 2002 by THE HARBERT-EQUITABLE JOINT VENTURE, under Joint Venture Agreement dated January 30, 1974 ("Assignor"), in favor of CITY OF HOOVER, ALABAMA, a municipal corporation ("Assignee").

RECITALS:

Pursuant to Easement dated September 25, 1981 (the "Easement") which has been recorded in Deed Book 335, Page 158 in the Office of the Judge of Probate of Shelby County, Alabama, Assignor was granted certain easement rights over, across, through and upon that certain real property described in Exhibit A to the Easement.

Assignor desires to quitclaim to Assignee all of its right, title and interest in the Easement.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor does hereby remise and quitclaim unto Assignee all of its right, title and interest, if any, in and to the Easement. As a result of the foregoing Assignment, Assignor shall no longer have any right, title or interest in the Easement or the real property described in Exhibit A to the Easement or the right to exercise any of the easement rights set forth in the Easement.

IN WITNESS WHEREOF, Assignor has caused this instrument to be executed as of the day and year first above written.

THE HARBERT-EQUITABLE JOINT VENTURE

By: THE EQUITABLE LIFE ASSURANCE
SOCIETY OF THE UNITED STATES

By: [Signature]
Its: Investment Officer

Inst # 2002-13472

03/21/2002-13472
04:15 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MSB 20.00

By: HARBERT PROPERTIES CORPORATION

By: [Signature]

Its: PRESIDENT

STATE OF GEORGIA)

COUNTY OF FULTON)

I, JANE JOHNSON, a Notary Public in and for said County, in said State, hereby certify that TERRELL E. DAFFER, 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 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 20th day of MARCH, 2002.

[Signature]
Notary Public

Notary Public, Fulton County, Georgia

My commission expires: My Commission Expires May 11, 2004

STATE OF ALABAMA

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COUNTY OF SHELBY

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I, Mary T. Cain, a Notary Public in and for said County, in said State, hereby certify that William W. Brooke, 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 19th day of March, 2002.

Mary T. Cain
Notary Public

MY COMMISSION EXPIRES DEC. 16, 2003

My commission expires: _____

This instrument prepared by and upon recording should be returned to:

Stephen R. Monk, Esq.
Bradley Arant Rose & White LLP
2001 Park Place, Suite 1400
Birmingham, Alabama 35203
(205) 521-8429

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