

20070208000060100 1/3 \$17.00
Shelby Cnty Judge of Probate, AL
02/08/2007 12:16:47PM FILED/CERT

This Instrument was prepared by:

Scott A. Abney
Maynard, Cooper, & Gale, P.C.
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Birmingham, Alabama 35203

(Reserved)

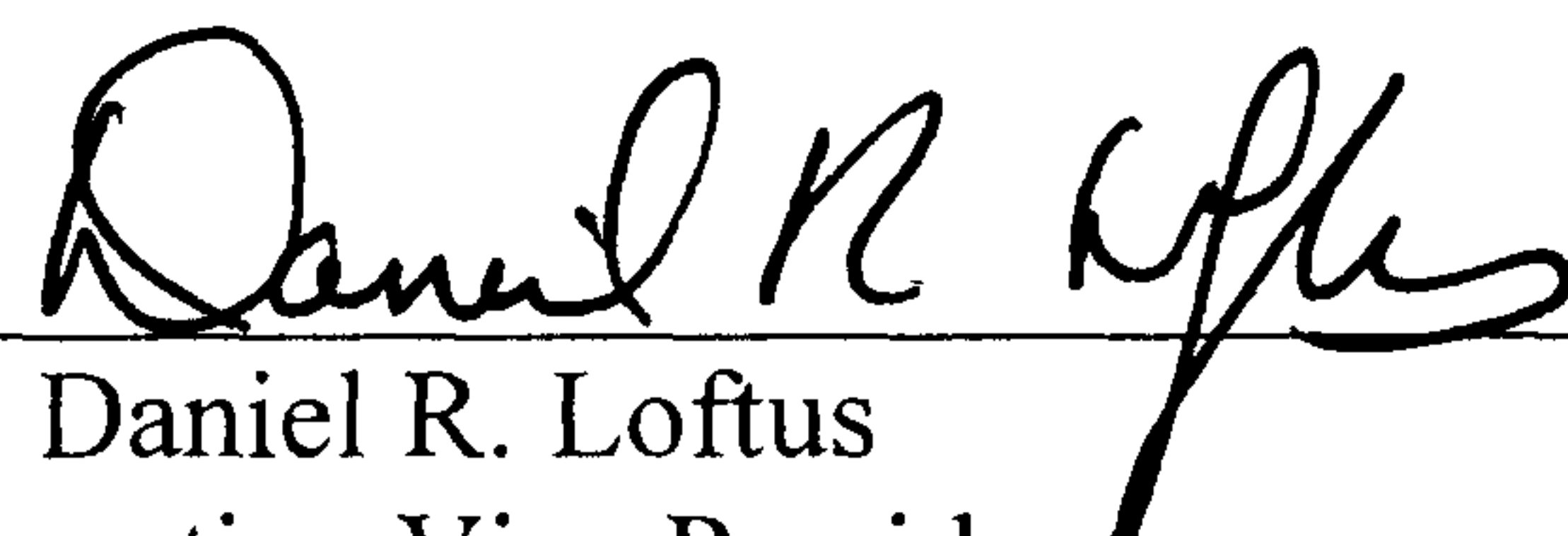
TERMINATION OF RIGHT OF FIRST REFUSAL AGREEMENT

Windrose 119 Properties, L.L.C., a Delaware limited liability company ("Optionee") acknowledges and agrees that the Right of First Refusal Agreement dated June 1, 2006 between Optionee and Baptist Health System, Inc. recorded as Instrument Number 20060623000301840 in the Probate Office of Shelby County, Alabama relating to that certain property described on Exhibit A attached hereto is hereby terminated, null and void and of no further force and effect.

IN WITNESS WHEREOF, the undersigned has executed this Termination of Right of First Refusal Agreement as of February 2, 2007.

OPTIONEE:


WINDROSE 119 PROPERTIES, L.L.C.,
a Delaware limited liability company

By: 
Name: Daniel R. Loftus
Its: Executive Vice President

STATE OF INDIANA)
) ss:
COUNTY OF MARION)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Daniel R. Loftus, whose name as Executive Vice President of Windrose 119 Properties, L.L.C., a Delaware limited liability company, 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 said instrument, he, as such Executive Vice President and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal, this 2nd day of February, 2007.


Notary Public

AFFIX SEAL

My commission expires: _____

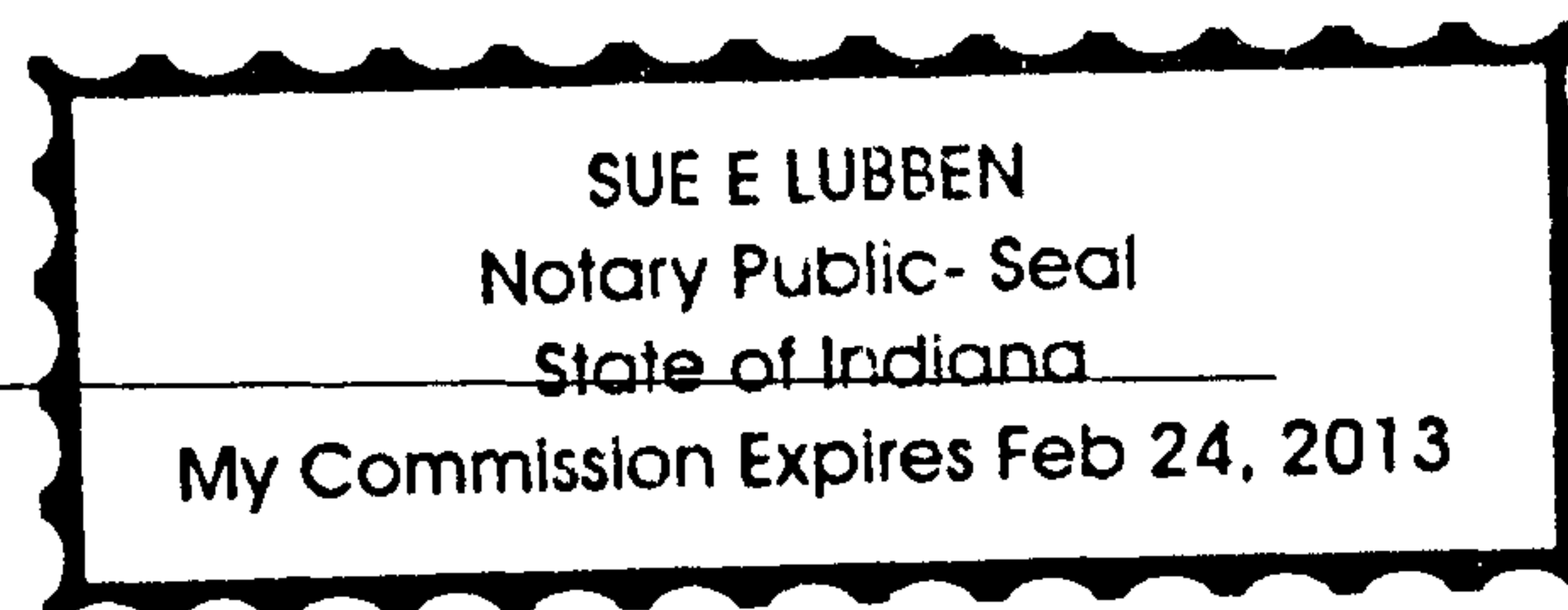



EXHIBIT A
LEGAL DESCRIPTION OF
PROPERTY


20070208000060100 3/3 \$17.00
Shelby Cnty Judge of Probate, AL
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Lot 1-C, according to a Resurvey of Lot 1-A, Golden Corral's Addition to Pelham,
as recorded in Map Book 36, page 143, in the Probate Office of Shelby County,
Alabama.