

4/21

HP-42

STATE OF ALABAMA )  
 )  
 SHELBY COUNTY )

WHEREAS, an application has been made for a grant of Federal funds to assist in the construction of a proposed 32-bed nursing unit addition to existing 55-bed general hospital, to be situated upon the hereinafter described real estate, situated in the Town of Alabaster, Shelby County, Alabama, said proposed 32-bed addition to be known as the Shelby Memorial Hospital, Project Ala. 181 and

WHEREAS, said Federal grant in aid for the construction of said Shelby Memorial Hospital has been approved by the Alabama State Board of Health and the United States Public Health Service;

NOW, THEREFORE, the Shelby Memorial Hospital Board, in consideration of the aforesaid Federal grant in aid and in conformity with Section 625(e) of the Hospital Survey and Construction Act (Public Law 725, 79th Congress) does hereby agree, covenant and bind itself, its assigns and successors as follows:

If at any time within twenty years after the completion of the construction of the Shelby Memorial Hospital located at Alabaster Alabama, upon lands hereinafter described, said Shelby Memorial Hospital (A) is sold or transferred to any person, agency or organization which (1) is not qualified to file an application under said Section 625(e) of said Act, or (2) is not approved as a transferee by the Alabama State Board of Health or its successor, or (B) has ceased to be a non-profit hospital, as defined in Section 631 (g) of said Act, the United States shall be entitled to recover from either the transferor or the transferee (or, in case said Shelby Memorial Hosp. ceases to be a non-profit hospital, from the owner thereof) 66 2/3 per centum of the then value of such assets, as determined by agreement of the parties or by action brought in the district court of the United States for the district in which such Shelby Memorial Hospis located.

Said real estate hereby affected and otherwise encumbered and upon which  
said Shelby Memorial Hospital is to be constructed,  
is described as follows, to-wit:

See attachment.

Executed this 22nd Day of March, 1966

ATTEST:

*Robert L. Starnes*

Administrator  
(Title)

SHELBY MEMORIAL HOSPITAL  
(Applicant)

By *Eugene A. Starnes*

Chairman  
(Title of Authorized Officer)

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A portion of the East half of SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 35, Township 20 South, Range 3 West, and a portion of the West half of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 36, Township 20 South, Range 3 West, of Huntsville principal meridian, Shelby County, Alabama, being more particularly described as follows: Begin at the SE corner of the East half of SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 35, thence in a westerly direction along South boundary of East half of SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 35, 197.24 feet to the point of intersection with the arc of a curve turning to the left, which is Easterly boundary of right-of-way of U.S. Highway No. 31, said arc having a radius of 38,287.20 feet, and being subtended by a central angle of 0° 12' 38", having a cord of 140.68 feet in length, said cord forming an angle of 96° 04' 19" to the right from last mentioned course, having a length of 197.24 feet; thence along said arc of said curve 140.68 feet to the point of intersection with a straight line tangent to said arc; thence continuing along said straight line which is Easterly boundary of said highway right-of-way 659.32 feet; thence turning an angle of 84° 00' 30" to the right in an easterly direction 94.68 feet to the point of intersection with East boundary line of said Section 35; thence continuing east and to Section 36, Township 20 South, Range 3 West, along said last mentioned course which is a straight line 659.49 feet to the point of intersection with the East boundary line of West half of SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 36, Township 20 South, Range 3 West; thence turning an angle of 88° 40' 30" to the right in southerly direction along East boundary said West half of SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 36, 795.80 feet to the SE corner of West half of SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 36; thence turning an angle of 91° 19' 30" to the right along South boundary of West half of SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 36, 659.16 feet to the point of beginning, containing 14.705 acres, more or less.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON

3/24/1966  
RECORDED & INDEXED  
& \$... TAX  
PD. ON THIS INSTRUMENT

*Conrad M. Jacobs*  
JUDGE OF PROBATE

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