

DECLARATION OF VACATION

Inst # 1994-05557

STATE OF ALABAMA )

SHELBY COUNTY )

KNOWN ALL MEN BY THESE PRESENTS, that the undersigned, 119 PROPERTIES, LTD., an Alabama limited partnership, THE BAPTIST MEDICAL CENTERS and the SHELBY COUNTY HEALTH CARE AUTHORITY, being the owners of all lands abutting the portion of public way or ways hereinafter declared vacated, do hereby declare vacated and divested out of the public the portion or portions of public way or ways described as follows, to-wit:

All that part of Cahaba Valley Parkway lying South of a line drawn across and perpendicular to the rights-of-way lines of said Cahaba Valley Parkway, said perpendicular line being 214.33 feet Southeasterly of P.C. Station 13.+54.43 and the North line of Cahaba Valley Parkway East and its extension to the West to the North line of Cahaba Valley Parkway.

The vacation hereinabove declared shall be subject to such conditions and reservations for the benefit of the owners or operators of public utilities or installations in said way or ways as the governing body of the City of Pelham may see fit to specify in a resolution of assent.

The said owners do further declare that after the vacation hereinafter declared, convenient means of ingress and egress to and from their respective properties will be afforded to all other property owners by the remaining public ways dedicated to the public for public way purposes.

IN WITNESS WHEREOF, the said undersigned have hereunto set their hands and seals, this the 18<sup>th</sup> day of January, 1994.

119 PROPERTIES, LTD., an Alabama limited partnership

By: Cahaba Valley Properties, Inc.,  
Its General Partner

By:   
Charles H. Stephens  
President

02/18/1994-05557  
12:34 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 1153

THE BAPTIST MEDICAL CENTERS

By: CA Faulkner  
Its: officer

SHELBY COUNTY HEALTH CARE AUTHORITY

By: Charles H. Stephens  
Its: President

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **Charles H. Stephens**, whose name as President of Cahaba Valley Properties, Inc., the General Partner of **119 PROPERTIES, LTD.**, an Alabama limited partnership, is signed to the foregoing Declaration of Vacation and who is known to me, acknowledged before me on this day that, being informed of the contents of the Declaration of Vacation, he, in his capacity as such President and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as General Partner of said limited partnership.

Given under my hand this the 19<sup>th</sup> day of January, 1994.

[Signature]  
Notary Public

My Commission Expires: 8-6-96

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Charles A. Faulkner, whose name as officer of **THE BAPTIST MEDICAL CENTERS**, a corporation, is signed to the foregoing Declaration of Vacation and who is known to me, acknowledged before me on this day that, being informed of the contents of the Declaration of Vacation, he, as in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 19<sup>th</sup> day of January, 1994.

[Signature]  
Notary Public

My Commission Expires: 8-6-96

STATE OF ALABAMA )

SHELBY COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Charles C. Calvert, whose name as President of SHELBY COUNTY HEALTH AUTHORITY, a corporation, is signed to the foregoing Declaration of Vacation and who is known to me, acknowledged before me on this day that, being informed of the contents of the Declaration of Vacation, he, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 18<sup>th</sup> day of January, 1994.

Don J. L...  
Notary Public

My Commission Expires: 8-6-96

THIS INSTRUMENT PREPARED BY:

David L. Silverstein  
Berkowitz, Lefkovits, Isom & Kushner  
1600 SouthTrust Tower  
Birmingham, Alabama 35203

Inst # 1994-05557

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02/18/1994-05557  
12:34 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
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