

This instrument prepared by:
S. Perry Given, Jr.
Harbert Management Corporation
P. O. Box 1297
Birmingham, Alabama 35201

Send Tax Notice To:
Automotive Real Estate of Alabama, Inc.
700 8th Street, South
Birmingham, Alabama 35233
Attention: Sam Ito

Value - \$175,000

STATUTORY WARRANTY DEED

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

Inst # 1997-02432

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of One Thousand and 00/100 Dollars (\$1,000.00) in hand paid by Automotive Real Estate of Alabama, Inc. (hereinafter referred to as "**Grantee**"), to the undersigned, The Baptist Health System, Inc., a non-profit corporation organized and existing under the laws of the State of Alabama (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, State of Alabama, to-wit:

Part of the east one-half of the S.E. 1/4 of the N.E. 1/4 of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the northeast corner of said Section 31; thence run west along the north line of same for 836.90 feet to a point on the west right of way line of Interstate Highway I-65; thence continue west along the same course for 494.98 feet to the northwest corner of the N.E. 1/4 of the N.E. 1/4 of said Section 31, said point being also the northeast corner of Block 3 of Cahaba Valley Park North, as recorded in Map Book 13, Page 140, in the Probate Office of Shelby County, Alabama; thence 91°-56'-44" left, measured (91°-58'-00" left record) and run south along the west line of said 1/4 1/4 section and the east line of said Block 3 for 1,315.15 feet, measured (1,317.51 feet record); thence 69°-43'-00" left and run southeasterly along the east line of said Block 3 for 202.77 feet; thence 20°-33'-00" right and run southeasterly along said east line of said Block 3 for 174.53 feet; thence 08°-30'-00" right and run southeasterly for 37.46 feet to a point on the north boundary line of Lot 1 of Shelby Medical Center Baptist Medical Centers Resurvey, as recorded in Map Book 18, Page 27, in the Probate Office of Shelby County, Alabama; thence 74°-27'-53" left and run northeasterly along said property line for 62.81 feet to a point, said point being the **point of beginning**; thence continue northeasterly along the last stated course for 228.84 feet to a point on the westerly right of way line of Interstate Highway I-65; thence 110°-26'-35" right and run southerly along said right of way line for 843.40 feet; thence 90°-00'-00" right and run westerly for 37.57 feet; thence

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101°-45'-03" left to become tangent to a curve to the left said curve subtending a central angle of 09°-07'-17" and having a radius of 150.00 feet; thence run southeasterly along the arc of said curve for 23.88 feet to the end of said curve; thence at tangent to said curve run southeasterly for 46.64 feet to the beginning of a curve to the right, said curve subtending a central angle of 15°-31'-27" and having a radius of 200.00 feet; thence run southeasterly along said arc of said curve for 54.19 feet to a point on the westerly right of way line of said Interstate Highway I-65; thence from tangent of said curve 05°-20'-53" right and run southerly along said Interstate Highway I-65 right of way line for 1.00 feet; thence 12°-04'-00" right and run southerly along said right of way line for 96.71 feet; thence 90°-00'-00" right and run westerly for 65.00 feet to a point on the east property line of Pelham Motel Investment, Inc. Survey by Miller Triplett & Miller Engineers, Inc. dated 5/12/92, said Survey being a part of Block 3 of Cahaba Valley Park North as recorded in Map Book 13, Page 140, in the office of the Probate Judge of Shelby County, Alabama; thence 88°-49'-37" right and run northerly along the east line of said survey for 123.07 feet to the northeast corner of said survey; thence 31°-45'-57" left and run northwesterly for 42.29 feet to a point at the beginning of a curve to the right, said curve subtending a central angle of 45°-29'-08" and having a radius of 200.00 feet; thence run northerly along the arc of said curve for 158.77 feet to the end of said curve and to the beginning of a curve to the left, said curve subtending a central angle of 24°-50'-08" and having a radius of 150.00 feet; thence run northerly along the arc of said curve for 65.02 feet to end of said curve; thence at tangent to said curve run northerly for 365.34 feet to a point at the beginning of a curve to the left, said curve subtending a central angle of 69°-57'-58" and having a radius of 236.13 feet; thence run northwesterly along the arc of said curve for 288.34 feet to the end of said curve and to the **point of beginning**. Said parcel contains 77,978 square feet, more or less, or 1.79 acres, more or less.

Such land is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1997.
2. Mineral and mining rights not owned by Grantor.
3. Any applicable zoning ordinances.
4. Defects, liens, encumbrances, adverse claims, easements, rights-of-way, reservations, agreements, restrictions and setback lines, if any, appearing in the public records.
5. Said property conveyed by this instrument is subject to the Declaration of Restrictive Covenant, recorded in Real Volume 1997 beginning at page 02431 in the office of the Judge of Probate of Shelby County, Alabama.

6. Transmission Line Permit(s) to Alabama Power Company as shown in Deed Book 179, Page 346 in the office of the Judge of Probate of Shelby County, Alabama.
7. An existing, future or potential common law or statutory rights of access between the right-of-way of I-65 and the subject property as conveyed and relinquished to the State of Alabama.
8. General and special taxes or assessments for 1997 and subsequent years not yet due and payable.
9. The conveyance of the Property by Grantor under this instrument is expressly contingent upon the Grantee's agreement to: (i) construct a paved access road, approximately 28 feet in width, which will run the length thereof (the "**Roadway**"); and (ii) maintain said Roadway, each in conformity with the requirements of the City of Pelham or the State of Alabama for public roadways, whichever is more restrictive. Notwithstanding the foregoing, this contingency shall not create any right of reversion in the Grantor; provided, however, the Grantor shall have the right to specifically enforce these obligations.
10. Grantor expressly reserves the right to access to and ingress and egress on and over the Roadway. Notwithstanding Grantor's reservation of said right of access to the Roadway, Grantor does not presently desire such access and the Approved Plans do not reflect changes which would be required to the Roadway if and when Grantor desires such access. Grantee's current plan is to maintain the Roadway as a private roadway. In the event Grantor wants access to said Roadway in the future, Grantor will: (i) provide Grantee with written notice of its desire to obtain such access; (ii) provide Grantee with the plans and specifications for such access ("**Access Plans**"), including curb cuts and any other modifications to the Roadway required for the dedication of said Roadway to the City of Pelham as a public road ("**Access Modifications**"); and (iii) pay any and all costs and expenses for the preparation of the Access Plans and the installation or construction of the Access Modifications.
11. A 20 foot sanitary sewer easement running through access stop as shown on the survey by Joseph A. Miller, dated December 18, 1996.

TO HAVE AND TO HOLD unto the said Automotive Real Estate of Alabama, Inc., its successors and assigns, forever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal this 23rd day of January, 1997.

THE BAPTIST HEALTH SYSTEM, INC.

Witness:

[Signature]
Baptist Morrow

By:

[Signature]
Name: Charles C. Lawrence
Title: Pres. SMC

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, Shirley Henson, a Notary Public in and for said County, in said State, hereby
certify that Charles C. Colvert, whose name as President of Shelby Baptist Medical
Centers Division of
Baptist Health System, Inc., an Alabama non-profit corporation, 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.

Given under my hand and official seal, this the 23rd day of January, 1997.

Shirley Henson
Notary Public

My commission expires 3-15-97.

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