

Inst # 1999-07730

STATE OF ALABAMA)

SHELBY COUNTY)

02/24/1999-07730
12:47 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
013 NWS 38.50

RECIPROCAL EASEMENT AGREEMENT

This Reciprocal Easement Agreement ("Agreement") made as of the 1st day of January, 1998, between **BAPTIST HEALTH SYSTEM, INC.**, an Alabama non-profit corporation ("BHS"), and **DANTRACT, INC.**, an Alabama corporation, and **CHARLES W. DANIEL**, an individual (collectively, "Daniel").

RECITALS

WHEREAS, BHS is the owner of certain real property located in Shelby County, Alabama, as more particularly described on Exhibit A hereto ("BHS Property");

WHEREAS, Daniel is the owner of certain real property located in Shelby County, Alabama, as more particularly described on Exhibit B hereto ("Daniel Property");

WHEREAS, BHS desires to acquire an easement over a portion of the Daniel Property described on Exhibit C hereto ("BHS Easement Area") for the purpose of providing foot and vehicular ingress and egress to and from the BHS Property to Highway 119; and

WHEREAS, Daniel desires to acquire an easement over a portion of the BHS Property described on Exhibit D hereto ("Daniel Easement Area") for the purpose of providing foot and vehicular ingress and egress to and from the Daniel Property to U.S. Highway 280.

NOW, THEREFORE, in consideration of the premises, and the mutual covenants herein contained, the parties hereby agree as follows:

1. Daniel does hereby grant, bargain, sell and convey to BHS a non-exclusive easement and right-of-way over and across the BHS Easement Area for the purposes set forth in the Recitals to this Agreement.

2. BHS does hereby grant, bargain, sell and convey to Daniel a non-exclusive easement and right-of-way over and across the Daniel Easement Area for the purposes set forth in the Recitals to this Agreement.

3. The parties hereto each agree to construct an entrance, exit and drive ("Improvements") on their respective properties (within the respective Easement Areas) and shall maintain the Improvements in good condition, at their respective expense, in a manner so as to permit the same to remain open to the safe and convenient flow of traffic to Highway 119 and U.S. Highway 280. Each party shall be responsible for the costs of constructing and maintaining the portion of the Improvements located on their respective properties.

4. The easements granted hereunder render unnecessary that an easement for ingress and egress described in that certain Warranty Deed dated September 2, 1982, from H. Hugh Daniel, Sr. and Martha Cobb Daniel to the Shelby County Hospital Board, said deed being recorded at Book 342 Page 189 in the Probate Office of Shelby County, Alabama ("Existing Easement"); therefore, the parties agree to terminate the Existing Easement.

5. This Agreement and the parties rights hereunder shall run with the land and shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. Any reference hereto to Daniel, or to BHS, or to any "party" or "parties" shall be deemed to also refer to their respective successors and assigns.

6. All notices provided for hereunder shall be given by instrument in writing deposited in the U.S. Mail, postage prepaid, by registered mail, addressed as follows:

To BHS: 3500 Blue Lake Drive
P.O. Box 830605
Birmingham, Alabama 35283-0605
Attn: Mr. Bruce Gouin

To Daniel: c/o First Sunbelt Properties, Inc.
820 Shades Creek Parkway
Suite 1200
Birmingham, Alabama 35209

The address of and the party to whose attention the notices may be sent may be changed by either of the parties by notice in writing given as hereinabove provided.

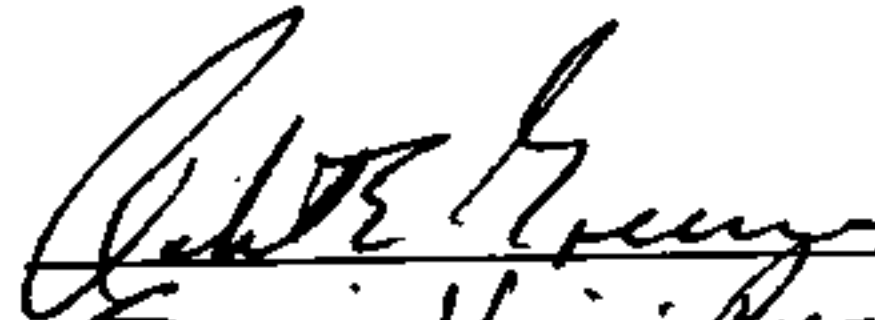
[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

BAPTIST HEALTH SYSTEM, INC.

By:

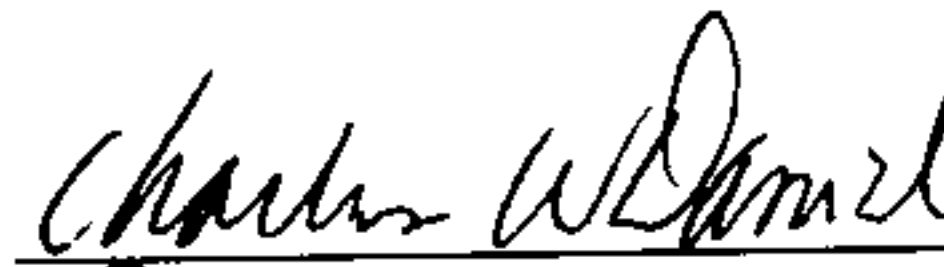
Its:


Senior Vice President, Finance

DANTRACT, INC.

By:

Its:


Pres.

CHARLES W. DANIEL


Charles W. Daniel

*Description of BNS
property (Double Oak)*

STATE OF ALABAMA

SHELBY COUNTY

PARCEL 1 (13.098Ac)

A parcel of land situated in the Southwest Quarter of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama and run in an Easterly direction along the South line of said Section a distance of 1334.76 feet to a point at the Southwest corner of the Southeast quarter of the Southwest corner of said Section 32, said point also being the POINT OF BEGINNING of the herein described parcel; thence deflect an angle to the left of $132^{\circ}54'34''$ and run in a Northwesterly direction a distance of 102.35 feet to a point; thence turn an interior angle of $184^{\circ}50'35''$ and run to the left in a Northwesterly direction a distance of 112.35 feet to a point; thence turn an interior angle of $176^{\circ}08'50''$ and run to the right in a Northwesterly direction a distance of 294.36 feet to a point; thence turn an interior angle of $105^{\circ}41'43''$ and run to the right in a Northeasterly direction a distance of 399.98 feet to a point; thence turn an interior angle of $90^{\circ}00'00''$ and run to the right in a Southeasterly direction a distance of 363.23 feet to a point; thence turn an interior angle of $265^{\circ}36'56''$ and run to the left in a Northeasterly direction a distance of 216.05 feet to a point on the Southwesterly right-of-way of U.S. Highway 280, also being a point on a curve; thence turn an interior angle of $88^{\circ}25'55''$ to tangent and run to the right in a Southeasterly direction along said right-of-way and along the arc of a curve having a radius of 2714.79 feet and a central angle of $17^{\circ}28'40''$ a distance of 826.55 feet to a point; thence turn an interior angle of $175^{\circ}16'58''$ to tangent and run along said right-of-way in a Southeasterly direction a distance of

142.57 feet to a point on the South line of said Section 32; thence turn an interior angle of $58^{\circ}33'55''$ and, leaving said right-of-way, run to the right in a Westerly direction along the South line of said Section 32 a distance of 929.07 feet to the POINT OF BEGINNING.

Parcel 2 (1Ac)

A parcel of land situated in the Southwest Quarter of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama and run in an Easterly direction along the South line of said Section a distance of 1334.76 feet to a point at the Southwest corner of the Southeast quarter of the Southwest corner of said Section 32; thence deflect an angle to the left of $132^{\circ}54'34''$ and run in a Northwesterly direction a distance of 102.35 feet to a point; thence deflect an angle of $184^{\circ}50'35''$ to the left and run in a Northwesterly direction a distance of 112.35 feet to a point; thence deflect an angle of $176^{\circ}08'50''$ to the right and run in a Northwesterly direction a distance of 294.36 feet to a point; thence deflect an angle of $105^{\circ}41'43''$ to the right and run in a Northeasterly direction a distance of 449.98 feet to the POINT OF BEGINNING of the herein described parcel; thence continue on the last described course in a Northeasterly direction a distance of 178.62 feet to a point on the Southwesterly right-of-way of U.S. Highway 280, said point also being a point on a curve; thence turn an interior angle of $91^{\circ}51'43''$ to tangent and run to the right in a Southeasterly direction along said right-of-way and along the arc of a curve having a radius of 2714.79 feet and a central angle of $5^{\circ}16'54''$ a distance of 250.26 feet to a point; thence turn an interior angle of $89^{\circ}02'07''$ to tangent and, leaving said right-of-way, run to the right in a Southwesterly direction a distance of 175.74 feet to a point; thence turn an interior angle of $94^{\circ}23'04''$ and run to the right

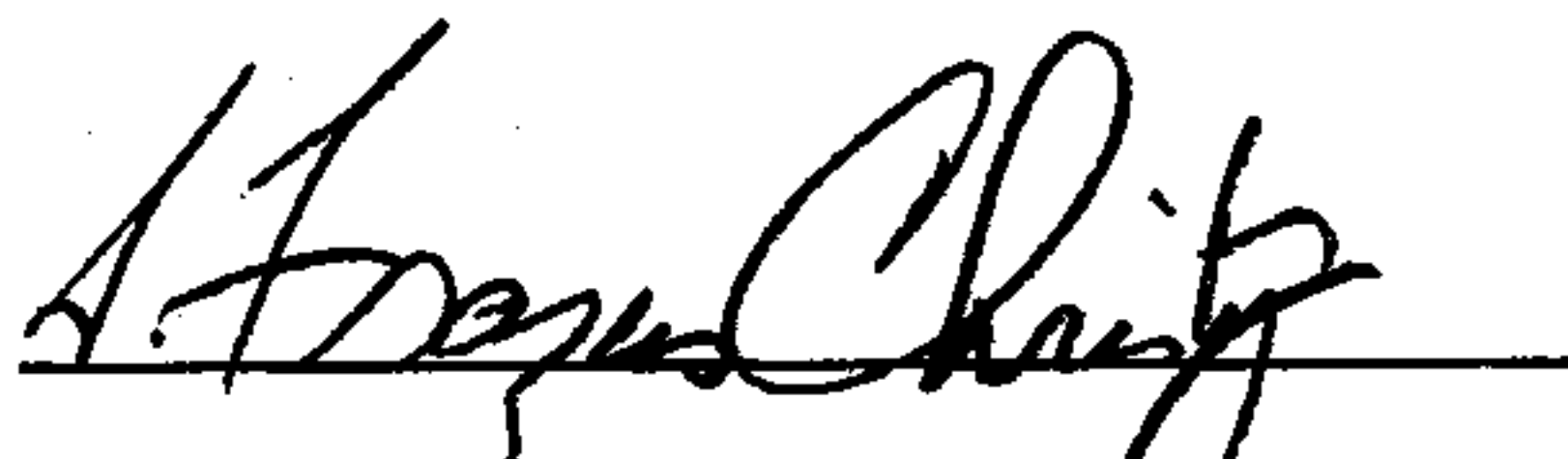
in a Northwesterly direction a distance of 236.71 feet to the POINT OF BEGINNING of the herein described parcel.

EASEMENT AREA

An easement for the right of egress and ingress across the following described lands situated in the Southwest Quarter of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama:

Commence at the Southwest corner of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama and run in an Easterly direction along the South line of said Section in an Easterly direction a distance of 1334.76 feet to a point at the Southwest corner of the Southeast quarter of the Southwest corner of said Section 32, also being a point at the Southwest most corner of the property of the Shelby Medical Center's Double Oak Mountain Facility; thence turn a deflection angle to the left of $132^{\circ}54'34''$ and run in a Northwesterly direction along the Southwest property line of said facility a distance of 101.75 feet to a point; thence turn a deflection angle to the left of $184^{\circ}50'35''$ and run in a Northwesterly direction along the Southwest property line of said facility a distance of 112.35 feet to a point; thence turn a deflection angle to the right of $176^{\circ}08'50''$ and run in a Northwesterly direction along the Southwest property line of said facility a distance of 294.36 feet to a point; thence turn a deflection angle of $105^{\circ}41'43''$ to the right and run in a Northeasterly direction along the Northwest property line of said facility a distance of 399.98 feet to the POINT OF BEGINNING of the herein described easement; thence continue on the last described course along the Northwest property line of said facility a distance of 50.00 feet to a point; thence turn an interior angle of $90^{\circ}00'00''$ and run to the right

in a Southeasterly direction a distance of 236.71 feet to a point; thence turn an interior angle of $265^{\circ}36'56''$ and run to the left in a Northeasterly direction a distance of 175.74 feet to a point on the Southwesterly right-of-way line of U.S. Highway 280, said point also being a point on a curve; thence turn an interior angle of $90^{\circ}57'53''$ to tangent and run to the right in a Southeasterly direction along said right-of-way and along the arc of a curve having a radius of 2714.79 feet and a central angle of $2^{\circ}31'58''$ a distance of 120.01 feet to a point; thence turn an interior angle of $91^{\circ}34'05''$ to tangent and, leaving said right-of-way, run to the right in a Southwesterly direction a distance of 216.05 feet to a point; thence turn an interior angle of $94^{\circ}23'04''$ and run to the right in a Northwesterly direction a distance of 353.23 feet to the POINT OF BEGINNING, containing 0.8795 acres, more or less.

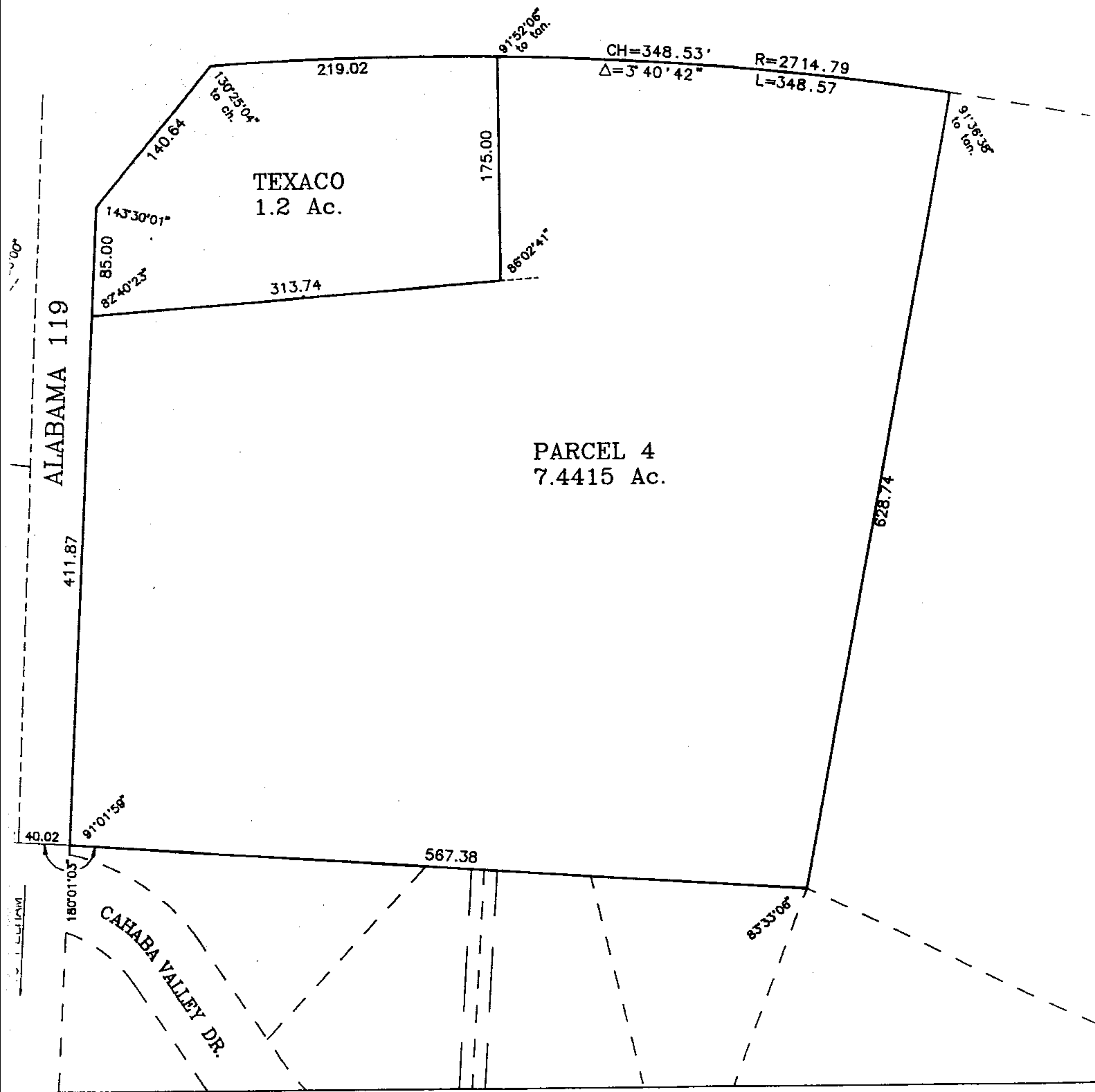


A. Frazier Christy, AL. P.L.S. N° 10264

A:\1991BIG\91B27LGL.WPD

EXHIBIT "B"

$\Delta = 28^{\circ} 48' 34''$ $R = 2944.79$
 $L = 1480.70$



PARCEL 2

A parcel of land in the SW 1/4 of the SW 1/4 of Section 32, Township 18 South, Range 1 West, more particularly described as follows:

From the SW Corner of said 1/4-1/4 Section, run North along the West Boundary thereof for a distance of 1167.40 feet to the Northeast right-of-way line of Old U.S. Highway #280; thence turn an angle to the right of 114° 26' 31" and run in a Southeast direction along said right-of-way for a distance of 58.64 feet to the point of beginning of the property herein described; thence continue on same course along said right-of-way line for a distance of 444.11 feet; thence turn an angle to the left of 58° 39' 28" and run in a Northeast direction for a distance of 83.00 feet to the Northwest right-of-way line of Alabama Highway #119; thence turn an angle to the left of 33° 55' and run in a Northeast direction along said right-of-way line for a distance of 65.37 feet; thence turn an angle to the left of 48° 32' 12" and run in a Northwest direction for a distance of 123.37 feet to the Southwest right-of-way line of U.S. Highway #280; thence turn an angle to the left of 53° 40' 19" to tangent and run in a Northwest direction along said right-of-way line along the arc of a curve to the left having a central angle of 9° 25' 04" and a radius of 2699.79 feet for a distance of 443.77 feet; thence turn an angle to the left of 90° from tangent and run South for a distance of 72.07 feet to the point of beginning of the property herein described, containing 1.737 acres, more or less.

PARCEL 3

A parcel of land in the SW 1/4 of the SW 1/4 of Section 32, Township 18 South, Range 1 West, more particularly described as follows:

From the SW Corner of said 1/4-1/4 Section, run North along the West Boundary thereof for a distance of 762.28 feet; thence turn an angle to the right of 103° 32' 37" and run in a Southeast direction for a distance of 20.57 feet to the point of beginning of the property herein described; thence continue on the same course for a distance of 133.80 feet; thence turn an angle to the right of 9° 23' 05" and continue in a Southeast direction for a distance of 244.97 feet to the Northwest right-of-way line of Alabama Highway #119; thence turn an angle to the left of 91° 03' 39" and run in a Northeast direction along said right-of-way line for a distance of 174.45 feet; thence turn an angle to the left of 41° 36' 31" and run in a Northwest direction for a distance of 110.00 feet to the Southwest right-of-way line of Old U.S. Highway #280; thence turn an angle to the left of 45° 49' 01" and run in a Northwest direction along said right-of-way line for a distance of 421.27 feet to the East Boundary of a County Road; thence turn an angle to the left of 114° 26' 31" and run South along said right-of-way line for a distance of 312.97 feet to the point of beginning of the property herein described, containing 2.5869 acres, more or less.

PARCEL 4

A parcel of land in the SW 1/4 of Section 32, Township 18 South, Range 1 West, more particularly described as follows:

From the SW Corner of said 1/4 Section run North along the West Boundary thereof for a distance of 762.28 feet; thence turn an angle to the right of 103° 32' 37" and run in a Southeast direction for a distance of 154.37 feet; thence turn an angle to the right of 9° 23' 05" and continue in a Southeast direction for a distance of 325.01 feet to the Southeast right-of-way line of Alabama Highway #119 which is the point of beginning of the property herein described; thence turn an angle to the left of 91° 01' 59" and run in a Northeast direction along said right-of-way line for a distance of 411.87 feet; thence turn an angle to the right of 82° 40' 23" and run in a Southeast direction for a distance of 313.74 feet; thence turn an angle to the left of 86° 02' 41" and run in a Northeast direction for a distance of 175.00 feet to the Southwest right-of-way line of U.S. Highway #280; thence turn an angle to the right of 91° 52' 06" to tangent and run in a Southeast direction along said right-of-way line along a curve to the right, said curve having a central angle of 7° 21' 24" and a radius of 2714.79 feet for a distance of 348.57 feet; thence turn an angle to the right of 91° 36' 38" from tangent and run in a Southeast direction for a distance of 628.74 feet; thence turn an angle to the right of 83° 33' 06" and run in a Northwest direction for a distance of 567.38 feet to the point of beginning of the property herein described, containing 7.4415 acres, more or less.

PARCEL 5

A parcel of land in the SW 1/4 of Section 32, Township 18 South, Range 1 West, more particularly described as follows:

Begin at the NE Corner of the SE 1/4 of the SW 1/4 of said Section and run West along the North Boundary of said 1/4-1/4 Section for a distance of 1332.82 feet; thence turn an angle to the right of 26° 15' 08" and run in a Northwest direction for a distance of 559.12 feet to the Southeast right-of-way line of Alabama Highway #119; thence turn an angle to the left of 95° 49' 12" and run in a Southwest direction along said right-of-way for a distance of 107.54 feet; thence turn an angle to the left of 45° 45' 19" and run in a Southeast direction for a distance of 139.81 feet to the Northeast right-of-way line of U.S. Highway #280; thence turn an angle to the left of 47° 21' 19" to tangent and run in a Southeast direction along said right-of-way along a curve to the right, said curve having a central angle of 28° 48' 34" and a radius of 2944.79 feet for a distance of 1480.70 feet; thence turn an angle to the left of 99° 06' 38" from tangent and run in a Northwest direction for a distance of 939.73 feet to the point of beginning of the property herein described, containing 14.7134 acres, more or less.

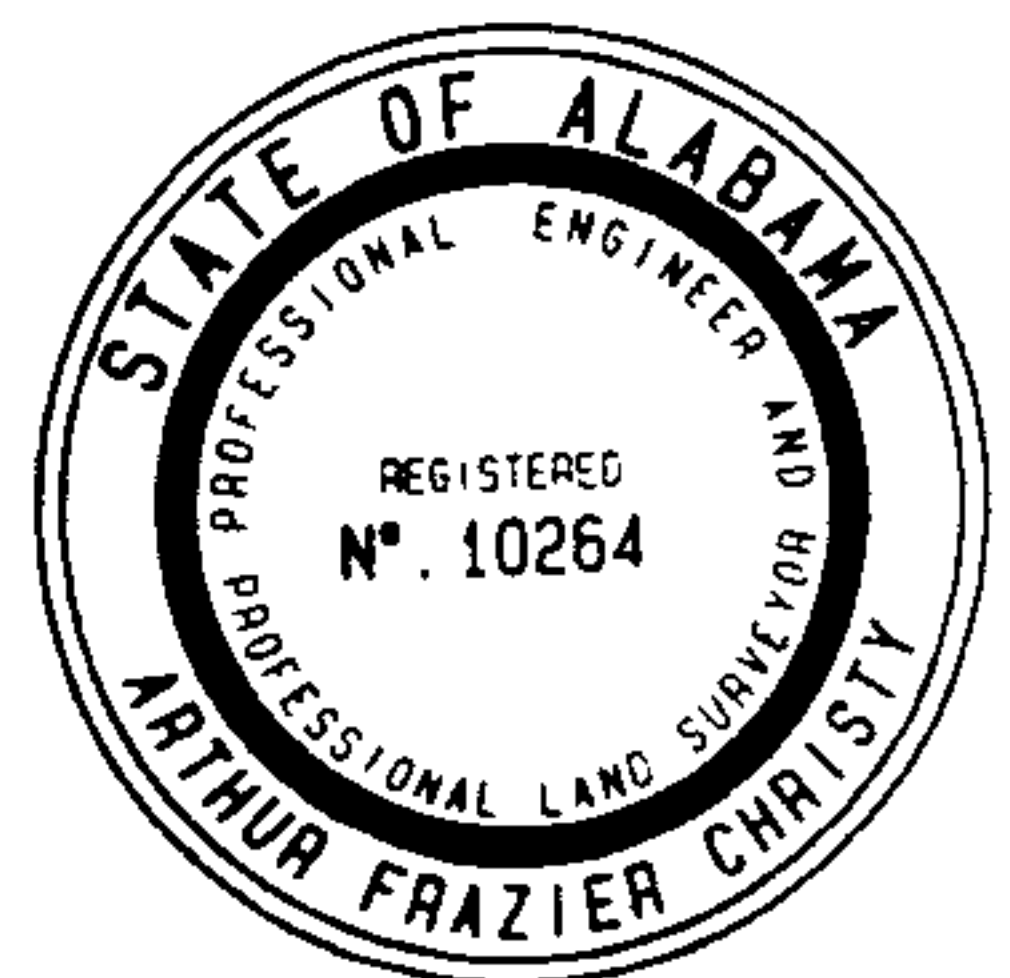
STATE OF ALABAMA
SHELBY COUNTY

A 50 FOOT WIDE EASEMENT, BEING 25' EACH SIDE OF THE CENTER LINE THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

* Bill Daniel
Easement to
BHS

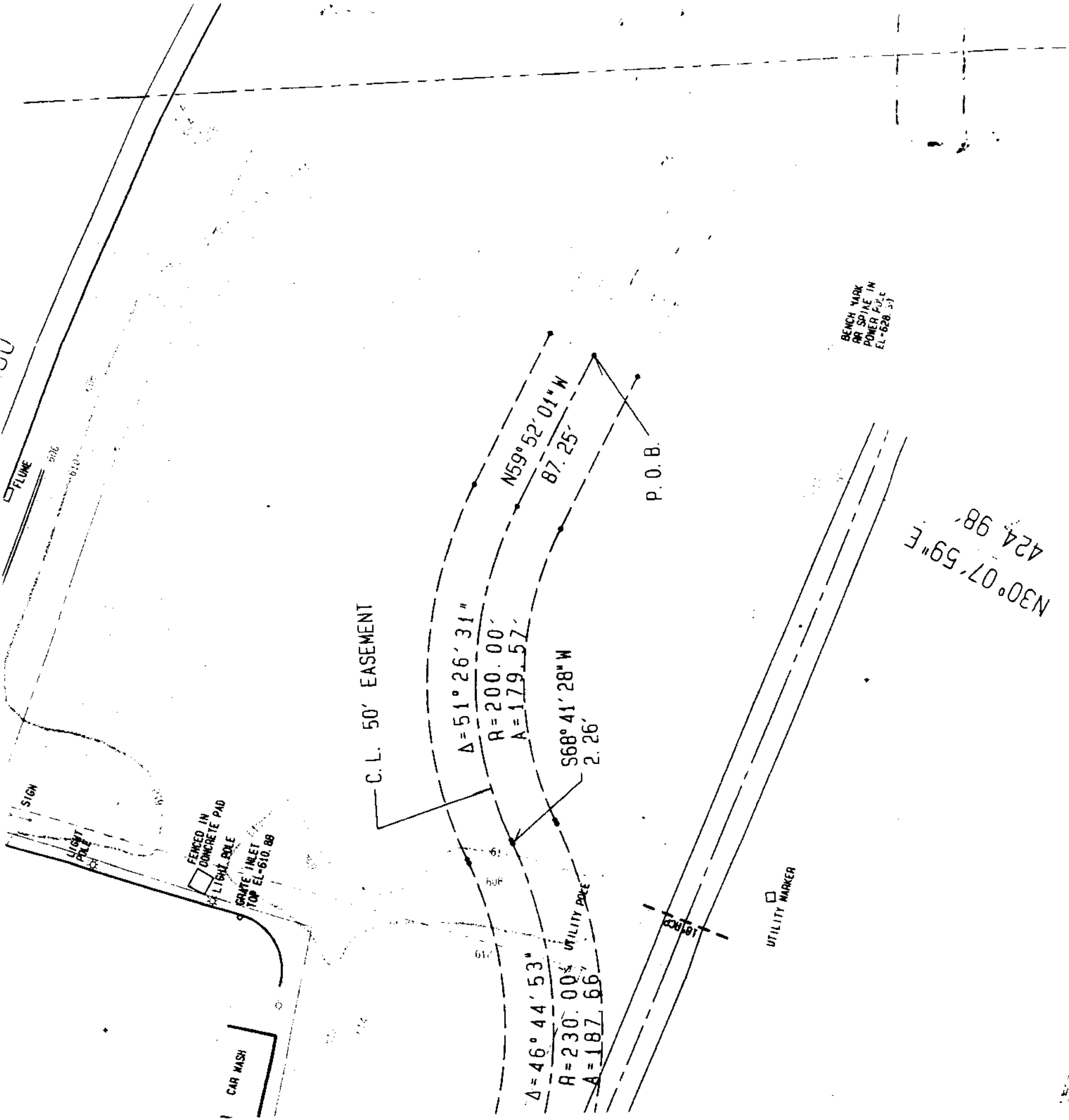
COMMENCE AT THE SOUTHWEST CORNER OF SECTION 32, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA AND RUN IN AN EASTERLY DIRECTION ALONG THE SOUTH LINE OF SAID SECTION ON AN ASSUMED BEARING OF NORTH 89° 42' 31" EAST A DISTANCE OF 1334.76 FEET TO A POINT AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST CORNER OF SAID SECTION 32 ALSO A POINT AT THE SOUTHWEST MOST CORNER OF THE PROPERTY OF THE SHELBY MEDICAL CENTER'S DOUBLE OAK MOUNTAIN FACILITY; THENCE RUN NORTH 43° 11' 16" WEST ALONG THE SOUTHWEST PROPERTY LINE OF SAID FACILITY A DISTANCE OF 101.75 FEET TO A POINT; THENCE RUN NORTH 48° 01' 51" WEST ALONG THE SOUTHWEST PROPERTY LINE OF SAID FACILITY A DISTANCE OF 112.35 FEET TO A POINT; THENCE RUN NORTH 44° 10' 41" WEST ALONG THE SOUTHWEST PROPERTY LINE OF SAID FACILITY A DISTANCE OF 294.36 FEET TO A POINT; THENCE RUN NORTH 30° 07' 59" EAST ALONG THE NORTHWEST PROPERTY LINE OF SAID FACILITY A DISTANCE OF 424.98 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF A 50 FOOT WIDE EASEMENT, BEING 25' EACH SIDE OF THE HEREIN DESCRIBED CENTER LINE; THENCE RUN NORTH 59° 52' 01" WEST A DISTANCE OF 87.25 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 51° 52' 31" AND A RADIUS OF 200.00 FEET; THENCE CONTINUE TANGENT TO THE LAST DESCRIBED COURSE ALONG THE ARC OF THE LAST DESCRIBED CURVE A DISTANCE OF 179.57 FEET TO A POINT; THENCE RUN SOUTH 68° 41' 28" WEST A DISTANCE OF 2.26 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 46° 44' 52" AND A RADIUS OF 230.00 FEET; THENCE CONTINUE TANGENT TO THE LAST DESCRIBED COURSE ALONG THE ARC OF THE LAST DESCRIBED CURVE A DISTANCE OF 187.66 FEET TO A POINT; THENCE RUN NORTH 64° 33' 40" WEST A DISTANCE OF 196.36 FEET TO THE POINT OF INTERSECTION OF SAID CENTER LINE WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF ALABAMA HIGHWAY 119 (Cahaba Valley Road) AND THE ENDING POINT OF THIS EASEMENT.

Arthur Frazier Christy
A. FRAZIER CHRISTY, AL. P.L.S. N. 10264



NOTES:

THIS EASEMENT IS TAKEN FROM NOTES OF FIELD SURVEYS



* BHS easement
to Bill Daniel

P. A. & G. O. N
ENGINEERING, INC.

AUG 8 1996

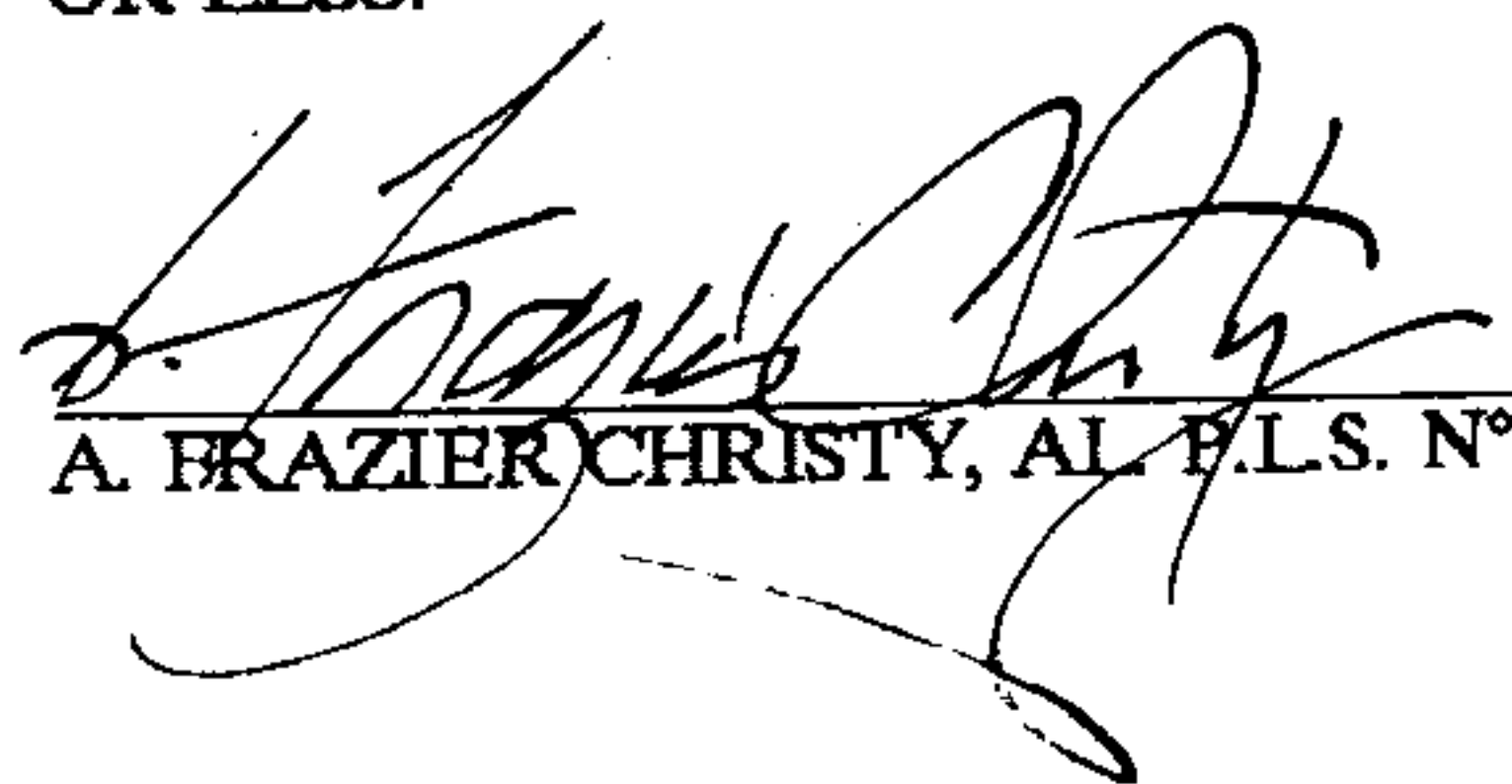
EXHIBIT "D"

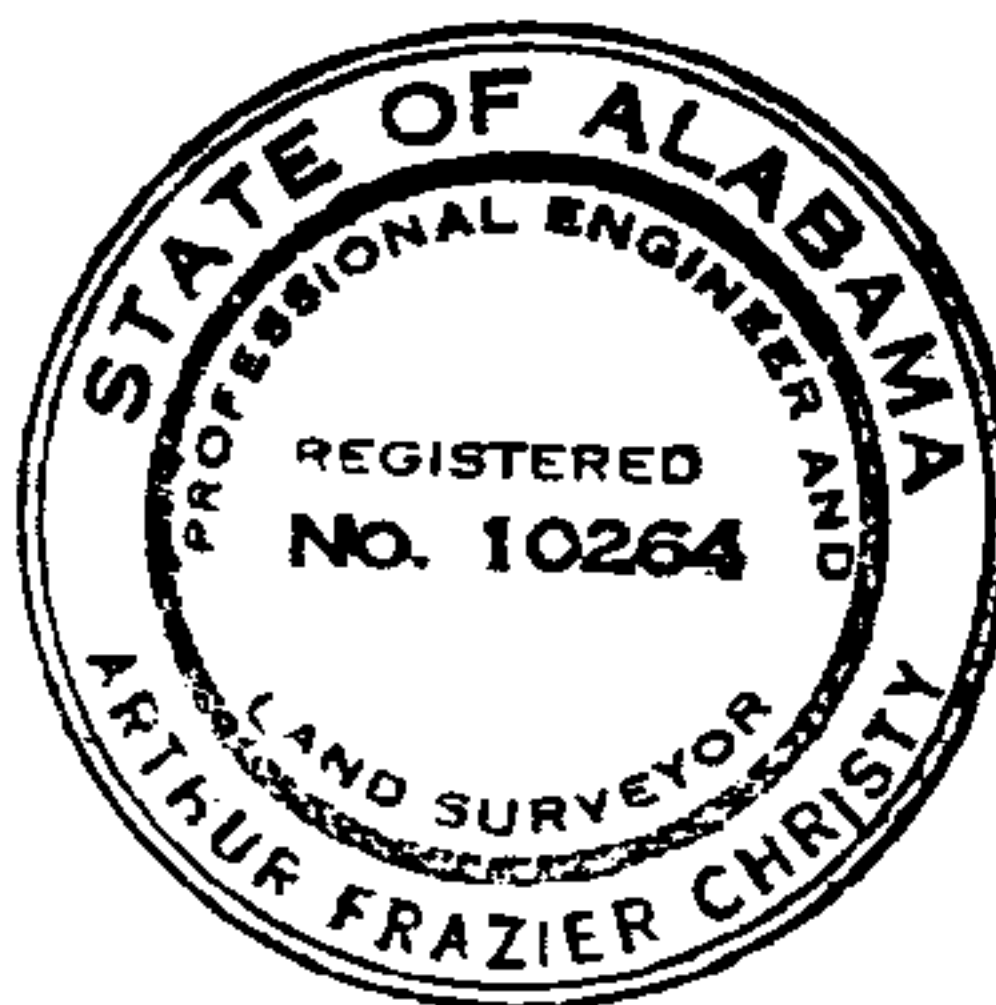
STATE OF ALABAMA
SHELBY COUNTY

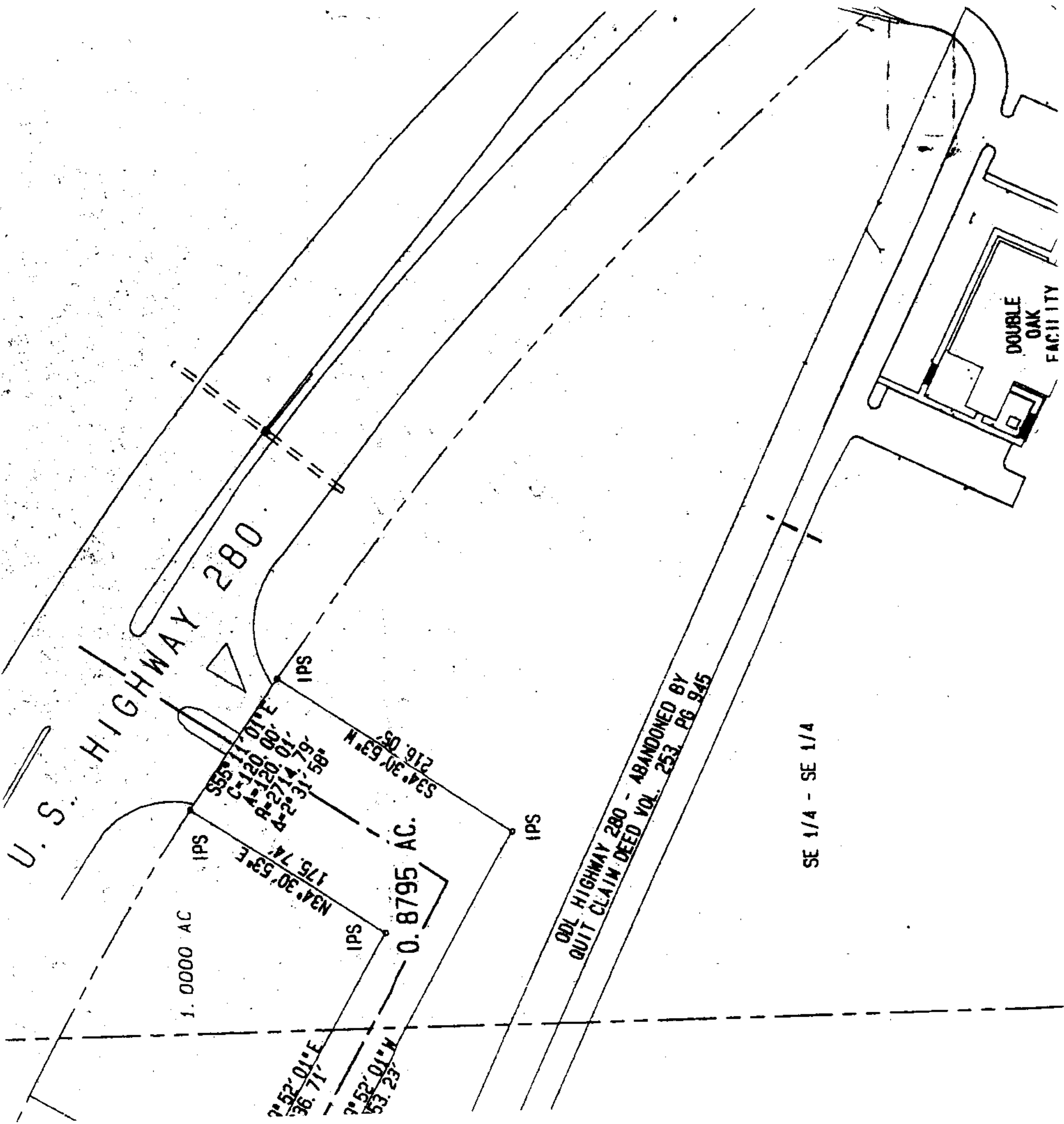


AN EASEMENT FOR THE RIGHT OF EGRESS AND INGRESS ACROSS THE FOLLOWING DESCRIBED LANDS SITUATED IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 32, TOWNSHIP 18 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA AND RUN IN AN EASTERLY DIRECTION ALONG THE SOUTH LINE OF SAID SECTION ON AN ASSUMED BEARING OF NORTH 89°42'31" EAST A DISTANCE OF 1334.76 FEET TO A POINT AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST CORNER OF SAID SECTION 32 ALSO A POINT AT THE SOUTHWEST MOST CORNER OF THE PROPERTY OF THE SHELBY MEDICAL CENTER'S DOUBLE OAK MOUNTAIN FACILITY; THENCE RUN NORTH 43°11'16" WEST ALONG THE SOUTHWEST PROPERTY LINE OF SAID FACILITY A DISTANCE OF 101.75 FEET TO A POINT; THENCE RUN NORTH 48°01'51" WEST ALONG THE SOUTHWEST PROPERTY LINE OF SAID FACILITY A DISTANCE OF 112.35 FEET TO A POINT; THENCE RUN NORTH 44°10'41" WEST ALONG THE SOUTHWEST PROPERTY LINE OF SAID FACILITY A DISTANCE OF 294.36 FEET TO A POINT; THENCE RUN NORTH 30°07'59" EAST ALONG THE NORTHWEST PROPERTY LINE OF SAID FACILITY A DISTANCE OF 399.98 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE CONTINUE NORTH 30°07'59" EAST ALONG THE NORTHWEST PROPERTY LINE OF SAID FACILITY A DISTANCE OF 50.00 FEET TO A POINT; THENCE SOUTH 59°52'01" EAST A DISTANCE OF 236.71 FEET TO A POINT; THENCE NORTH 34°30'53" EAST A DISTANCE OF 175.74 FEET TO A POINT ON A CURVE OF THE SOUTHWEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 280, SAID CURVE HAVING A CHORD BEARING OF SOUTH 55°11'01" EAST, A CHORD DISTANCE OF 120.00 FEET, A CENTRAL ANGLE OF 2°31'58" AND A RADIUS OF 2714.79 FEET; THENCE RUN ALONG THE ARC OF SAID RIGHT-OF-WAY CURVE TO THE RIGHT IN A SOUTHEASTERLY DIRECTION A DISTANCE OF 120.00 FEET TO A POINT; THENCE SOUTH 34°30'53" EAST A DISTANCE OF 216.05 FEET TO A POINT; THENCE NORTH 59°52'01" EAST A DISTANCE OF 353.23 FEET, MORE OR LESS, TO THE POINT OF BEGINNING CONTAINING 0.8795 ACRES, MORE OR LESS.


A. FRAZIER CHRISTY, AL. P.L.S. N° 10264





Inst # 1999-07730

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12:47 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
013 MMS 38.50