



20021004000484770 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
10/04/2002 12:22:00 FILED/CERTIFIED

RELEASE OF RIGHTS

THIS RELEASE was executed on September 30, 2002 by BROOKWOOD CENTER DEVELOPMENT CORPORATION, an Alabama corporation ("BCDC").

RECITALS:

- A. BCDC was the tenant under that certain Master Lease Agreement – POB 2, dated as of October 1, 1992 (the "Master Lease") with respect to the professional office building commonly referred to as MedPlex POB 2 (the "Building").
- B. BCDC held a right of first refusal under the Master Lease (the "Refusal Right") with respect to the sale, ground leasing, exchange or other disposition of the Building.
- C. BCDC's Refusal Right was documented in that certain Memorandum of Agreement (the "Recorded Memorandum") dated as of November 24, 1992, and filed of record in the Office of the Judge of Probate for Shelby County, Alabama as Instrument 1992-28265.
- D. The Master Lease was terminated as of June 30, 2001 pursuant to a separate Termination and Release of Master Lease Agreement (the "Termination and Release") executed by and between BCDC and MedPlex Two, Inc. an Alabama corporation.
- E. BCDC has executed and delivered this instrument in order to confirm that its Refusal Right was terminated upon execution of the Termination and Release, and in order to discharge, release and satisfy the Recorded Memorandum of record.

NOW, THEREFORE, in consideration of the premises recited above, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, BCDC hereby acknowledges and agrees as follows:

1. **Termination of Refusal Right:** BCDC's Refusal Right has been terminated pursuant to the Termination and Release.
2. **Release of Memorandum:** BCDC hereby discharges, satisfies and terminates the Recorded Memorandum of record.

IN WITNESS WHEREOF, BCDC has caused this instrument to be executed, acknowledged and delivered as of the date first shown above.

BROOKWOOD CENTER DEVELOPMENT CORPORATION, an Alabama corporation.

By: [Signature]
Its: John R. Nickens, III

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STATE OF ALABAMA

Jefferson COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that John Nickens, whose name as President of Brookwood Center Development Corporation, an Alabama corporation, is signed to the foregoing _____, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, in such capacity and with full authority, executed said instrument voluntarily for and as the act of said company as of the date first written above.

Given under my hand and official seal this the 30 day of September, 2002.

Kin Muecke
Notary Public
My Commission Expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Sept 9, 2004
BONDED THRU NOTARY PUBLIC

