

Send tax notice to:
W. E. Peek, Sr. and JoAnn W. Peek

311 Peek Dr
Oneonta, AL 35121

This instrument prepared by:
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Birmingham, Alabama 35203
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GENERAL WARRANTY DEED

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

KNOW ALL PERSONS BY THESE PRESENTS, that in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt whereof is acknowledged, **BAPTIST HEALTH SYSTEM, INC.**, an Alabama non-profit corporation ("Grantor"), does hereby grant, bargain, sell and convey unto **W. E. PEEK, SR. and JoANN W. PEEK**, husband and wife ("Grantees"), that certain real property situated in Shelby County, Alabama, and being more particularly described in Exhibit A attached hereto, subject to the following:

1. Taxes and assessments for the year 2003 and subsequent years that are not yet due and payable (Parcels I & II);
2. Mineral and mining rights in the property and rights incident thereto (Parcels I & II);
3. Grading Easement recorded in Instrument 2001/8587, in the Probate Office of Shelby County, Alabama (Parcel I);
4. 25 foot slope easement on northwest, as shown by recorded map (Parcel I);
5. 20 foot drainage easement on northeast, 15 foot drainage easement crossing lot, rights relating to the City of Pelham as designated on the survey of Paragon Engineering, Inc., dated June 6, 2003, and 10 x 30 foot easement on southwest, as shown by recorded map (Parcel I);
6. Restrictions, Covenants and conditions recorded in Real 268, page 140 and in Instrument 1993/25691, in the Probate Office of Shelby County, Alabama (Parcels I & II);

7. All existing, future or potential common law or statutory rights of access between the right of way of I-65 and subject property as conveyed and relinquished to the State of Alabama (Parcels I & II);
8. Mineral and mining rights and rights incident thereto recorded in Deed Book 5, page 706, in the Probate Office of Shelby County, Alabama (Parcels I & II);
9. Rights of others in and to the use of the detention pond located on the property, as designated on the map recorded in Map Book 30, Page 109, and as shown on the Survey of Paragon Engineering, dated June 6, 2003 (Parcel II); and
10. All other matters of record as of the date hereof (Parcels I & II)

(the "Property").

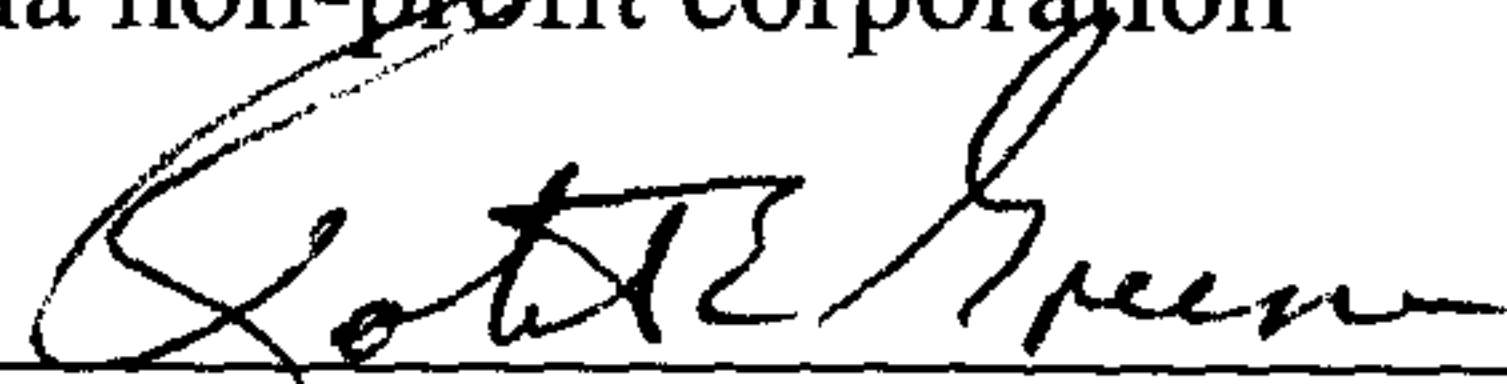
TO HAVE AND TO HOLD to the Grantees and their heirs and assigns forever. Grantor does for itself and its successors and assigns covenant with Grantees and their heirs and assigns that it is lawfully seized in fee simple of the Property; that it is free from all encumbrances, unless otherwise noted above; that it will, and its successors and assigns shall warrant and defend the same to the Grantees and their successors and assigns forever against the lawful claims of all persons.

FURTHERMORE, for a period of fifteen (15) years from the date of the conveyance, the Property, or any part thereof, shall not be used for the ownership or operation of (a) a liquor store or business other than a restaurant which derives over fifty percent (50%) of its business from the sale of alcohol or (b) health care related facilities that would be considered in competition with Grantor such as hospitals, nursing facilities, assisted living facilities, senior housing facilities, medical clinics, doctor's offices, wellness centers, rehabilitation facilities, diagnostic facilities, or any other health care or health related center or facility. The restriction contained in this paragraph shall run with the land and shall benefit Grantor and its successors and assigns and shall automatically terminate upon the expiration of said fifteen-year period without further action by Grantor or Grantee.

[SIGNATURE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the undersigned representative of Grantor has hereunto set his hand and seal as of the 24TH day of July, 2003.

BAPTIST HEALTH SYSTEM, INC.,
an Alabama non-profit corporation

By: 
Robert E. Greene

Its: Senior Vice President and Chief Financial Officer

STATE OF Alabama)
)
COUNTY OF Jefferson)

I, the undersigned Notary Public in and for said County, in said State, hereby certify that Robert E. Greene, whose name as Senior Vice President and Chief Financial Officer of Baptist Health System, Inc., an Alabama non-profit corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he as such officer and with full authority, executed the same voluntarily for and as the act of said entity on the day the same bears date.

Given under my hand and official seal, this 24th day of July, 2003.


Notary Public
My Commission Expires Aug 15, 2004
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Aug 15, 2004
BONDED THRU NOTARY PUBLIC UNDERWRITERS

EXHIBIT A

Parcel I

Lot 1-B-1A, according to the Survey of Baptist Health System, Inc. Resurvey of Lot 1-B-1, as recorded in Map Book 31, Page 84, in the Probate Office of Shelby County, Alabama.

Parcel II

Lot 1-B-4, according to the Survey of Baptist Health System, Inc. Resurvey of Lot 1-B, as recorded in Map Book 30, Page 109, in the Probate Office of Shelby County, Alabama.