

STATE OF ALABAMA :  
COUNTY OF SHELBY :ss

SPACE ABOVE LINE FOR  
RECORDER'S USE

### TERMINATION OF EASEMENT

**THIS TERMINATION OF EASEMENT** is executed as of November 19, 2004, by **BAPTIST HEALTH SYSTEMS, INC.**, an Alabama not-for-profit corporation, d/b/a Shelby Baptist Medical Center (herein called the "**Baptist**"), and **SHELBY MOB III, LLC**, an Alabama limited liability company (hereinafter called "**Shelby**").

**WHEREAS**, Baptist is the owner of property located in Shelby County, Alabama, and more particularly described on Exhibit "A" (the "**Servient Parcel**") and Exhibit "B" (the "**Dominant Parcel**");

**WHEREAS**, Shelby is the leasehold owner of the leasehold interest in certain property located in Shelby County, Alabama, and more particularly described on Exhibit "C" attached hereto (the "**Leased Parcel**") which Leasehold Parcel includes a portion of the Servient Parcel.

**NOW THEREFORE**, for good and valuable consideration, the undersigned hereby disclaim, release and terminate the easement for access described on Exhibit "D".

This Termination may be executed in any number of counterparts, each of which so executed shall be deemed an original, but all such counterparts shall together constitute but one and the same agreement.

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IN WITNESS WHEREOF, the undersigned Baptist and Shelby have caused this instrument to be executed by its duly authorized officers and have executed this instrument as of the date first written above.

**BAPTIST HEALTH SYSTEMS, INC.**

By: Charles C. Colvert

Name: CHARLES C. COLVERT

Title: Pres. SBMC

**STATE OF ALABAMA     )**  
**COUNTY OF SHELBY    )**

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Charles C. Colvert, whose name as President SBMC of Baptist Health Systems, Inc., 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 corporation.

Given under my hand and official seal, this the 17 day of November, 2004.

[ NOTARIAL SEAL ]

Donna G. Smiley  
Notary Public  
My Commission expires: 3/25/2006

**SHELBY MOB III, LLC**

By its manager:

HPS of Alabama, LLC, an Alabama limited liability company

By T. Lynn Adams  
T. Lynn Adams  
Manager

STATE OF ALABAMA                    )  
JEFFERSON COUNTY                 )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that T. Lynn Adams, whose name as Manager of HPS of Alabama, LLC, as manager of SHELBY MOB III, LLC, 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, she executed the same as such manager and with full authority, for the purposes therein contained as of the day the same bears date on behalf of said company.

Given under my hand and official seal on this the 19<sup>th</sup> day of November, 2004.

{SEAL}

L. B. Smith  
Notary Public

My Commission Expires: 7/5/05

THIS INSTRUMENT PREPARED BY  
AND WHEN RECORDED MAIL TO:  
Thomas A. Ansley  
Sirote & Permutt, P.C.  
2311 Highland Avenue South  
Birmingham, Alabama 35205

**Exhibit A**

**(Servient Parcel)**

Lot B, according to the survey of Greater Shelby Office Plaza, as recorded in Map Book 7, Page 141, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

**Exhibit B**

**(Dominant Parcel)**

Lot A, according to the survey of Greater Shelby Office Plaza, as recorded in Map Book 7, Page 141, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

**Exhibit C**

**(Leased Parcel)**

Commence at the Northwest corner of the Southwest quarter of the Northwest quarter of Section 36, Township 20 South, Range 3 West and run in an Easterly direction along the North line of said quarter-quarter section a distance of 316.16 feet to a point; thence deflect  $78^{\circ}14'10''$  to the right and run in a Southeasterly direction a distance of 331.53 feet to the Point of Beginning of the herein described parcel; thence deflect  $17^{\circ}41'19''$  to the right and run in a Southerly direction a distance of 120.00 feet to a point; thence turn an interior angle of  $90^{\circ}00'00''$  and run to the right in a Westerly direction a distance of 184.00 feet to a point; thence turn an interior angle of  $90^{\circ}00'00''$  and run in a Northerly direction a distance of 120.00 feet to a point; thence turn an interior angle of  $90^{\circ}00'00''$  and run to the right in an Easterly direction a distance of 184.00 feet to the Point of Beginning of said parcel.

**Exhibit "D"**

**(Easement for Access)**

That certain easement for access located on the Servient Parcel and as shown on that certain Amended Map of Greater Shelby Office Plaza recorded at Plat Book 7, Page 141, in the Office of the Judge of Probate of Shelby County, Alabama.