


STATE OF ALABAMA )

SHELBY COUNTY )

  
20060505000211660 1/4 \$22.00  
Shelby Cnty Judge of Probate, AL  
05/05/2006 08:39:32AM FILED/CERT

**MEMORANDUM OF LEASE TERMINATION AND  
TERMINATION OF EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS**, SPD PROPERTIES, LLC, an Alabama limited liability company ("SPD") and BAPTIST HEALTH SYSTEM, INC., an Alabama nonprofit corporation, ("BHS"), are parties to (i) that certain Ground Lease dated as of September 27, 2002 (the "Ground Lease"), for which a Memorandum of Lease was recorded on October 3, 2002 at Instrument No. 20021003000479660 in the Office of the Judge of Probate for Shelby County, Alabama (the "Probate Office"), and (ii) that certain Lease Agreement dated as of September 27, 2002 (the "Building Lease") for which a Memorandum of Lease was recorded on October 3, 2002 at Instrument No. 20021003000479670 in the Probate Office, and (iii) that certain Access, Ingress, Egress and Utilities Easement and Restrictions Agreement dated as of September 27, 2002 (the "Easement") recorded at Instrument No. 20021003000479680 in the Probate Office which, by its terms, remains effective for so long as the Ground Lease remains in effect. Pursuant to that certain Lease Termination Agreement dated as of May 1, 2006 by and between SPD and BHS, the parties thereto agreed to terminate the Ground Lease and the Building Lease. BHS and SPD have executed this Memorandum of Lease Termination and Termination of Easement to provide record notice that Ground Lease and the Building Lease have been terminated and the Easement has terminated in accordance with its terms.

**IN WITNESS WHEREOF**, SPD and BHS have caused this instrument to be executed as of the 1<sup>st</sup> day of May, 2006.

*[Signature pages and acknowledgments follow.]*

BAPTIST HEALTH SYSTEM, INC., an Alabama  
nonprofit corporation

By: [Signature]

Its: SVP CFO

STATE OF ALABAMA )

Jefferson COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Douglas Wavenport whose name as SVP/CFO of Baptist Health System, Inc., an Alabama nonprofit 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 instruments, 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 1<sup>st</sup> day of May, 2006.

[Signature]

Notary Public

AFFIX SEAL

My commission expires: 3-12-07



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SPD PROPERTIES, LLC, an Alabama limited liability company

By: State Blackwell

Its: member manager

STATE OF ALABAMA )

Jefferson COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that State Blackwell whose name as manager of SPD Properties, LLC, an Alabama limited liability company, 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 instruments, he, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal, this 28<sup>th</sup> day of April, 2006.

Jamie B. Sharf  
Notary Public


AFFIX SEAL

My commission expires: 6/23/07

This instrument was prepared by:

Scott A. Abney  
MAYNARD, COOPER & GALE, P.C.  
1901 Sixth Avenue North  
2400 AmSouth/Harbert Plaza  
Birmingham, Alabama 35203-2602  
(205) 254-1000

## **EXHIBIT A**

  
20060505000211660 4/4 \$22.00  
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### **[Description of Property]**

Commence at the Northwest corner of the Southwest Quarter of the Northwest Quarter of Section 36, Township 20 South, Range 3 West, Shelby County, Alabama, 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 290 degrees 37 minutes 37 seconds to the right and run in a Southwesterly direction a distance of 327.47 feet to the point of beginning; thence deflect 14 degrees 10 minutes 48 seconds to the left and run in a Southerly direction a distance of 220.00 feet to a point; thence turn an interior angle of 90 degrees 00 minutes 00 seconds and run in a Westerly direction a distance of 76.83 feet to a point; thence turn an interior angle of 270 degrees 00 minutes 00 seconds and run in a Southerly direction a distance of 10.50 feet to a point; thence turn an interior angle of 90 degrees 00 minutes 00 seconds and run in a Westerly direction a distance of 113.17 feet to a point; thence turn an interior angle of 90 degrees 00 minutes 00 seconds and run in a Northerly direction a distance of 230.50 feet to a point; thence turn an interior angle of 90 degrees 00 minutes 00 seconds and run in an Easterly direction a distance of 190.00 feet to the end point.