

This Instrument Was Prepared By:
Mark E. Hoffman, Esquire
Mark E. Hoffman, P.C.
2229 First Avenue North
Birmingham, Alabama 35203

Send Tax Notice To:
Alabaster MB, LLC
2316 1st Avenue South
Birmingham, Alabama 35233

STATUTORY WARRANTY DEED

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY)

That in consideration of FOUR HUNDRED SIXTY FIVE THOUSAND AND 00/100 DOLLARS (\$465,000.00) to the undersigned GRANTOR, BIRMINGHAM RADIOLOGICAL GROUP-SHELBY, P.C., an Alabama professional corporation (herein referred to as "Grantor") in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto ALABASTER MB, LLC (herein referred to as "Grantee"), the following described real estate situated in Shelby County, Alabama, to-wit:

See Attached Exhibit "A".

Subject to:

1. Ad Valorem taxes due and payable October 1, 2009 and subsequent years which are not yet due and payable.
2. Right of way granted to American Telephone & Telegraph Company as recorded in Volume 232, Page 538.
3. Right of way to Alabama Power Company as set out in instrument(s) recorded in Volume 170, Page 252 and Volume 179, Page 89.

Grantee hereby covenants and agrees that the property herein conveyed shall at no time be used for any activity, procedure or service in connection with the production of magnetic resonance imaging (MRI) or computed tomography (CT) services or similar diagnostic imaging services. The foregoing use restriction shall expire and terminate without further action of the parties upon the expiration of ten (10) years from and after the date of this Statutory Warranty Deed. Grantor hereby specifies that the provisions of this restrictive covenant shall constitute a covenant running with the land and shall be binding upon the Grantee, its tenants, licensees, and permittees, and all subsequent purchasers and owners of the real property described herein, together with their grantees,

and their tenants, licensees, and permittees, successors, heirs, executors, administrators and assigns, for such ten (10) year period.

TO HAVE AND TO HOLD to the said Grantee, its heirs and assigns, forever.

And the Grantor does hereby covenant with the Grantee, except as above-noted, that, at the time of the delivery of this Deed, the premises were free from all encumbrances made by it, and that it shall warrant and defend the same against the lawful claims and demands of all persons claiming by, through, or under it, but against none other.

IN WITNESS WHEREOF, the said GRANTOR by its President, who is authorized to execute this conveyance, hereto sets its signature and seal, this the 6 day of July, 2009.

BIRMINGHAM RADIOLOGICAL GROUP-
SHELBY, P.C.

By: 
Daniel W. Thompson
Its President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Daniel W. Thompson, whose name as President of Birmingham Radiological Group-Shelby, P.C, an Alabama professional corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he as such President and with such authority, executed the same voluntarily for and as the act of said professional corporation.

Given under my hand and official seal this 6th day of July, 2009.

Shelby County, AL 07/14/2009

State of Alabama

Deed Tax : \$465.00


Notary Public
My Commission Expires: 07/14/11

EXHIBIT "A":

20090714000268900 3/3 \$482.00
Shelby Cnty Judge of Probate, AL
07/14/2009 09:36:16 AM FILED/CERT

PARCEL I:

Beginning at the Northeast corner of the Southeast $\frac{1}{4}$ of Northeast $\frac{1}{4}$ of Section 35, Township 20 South, Range 3 West, Shelby County, Alabama; thence in a Westerly direction along the North boundary of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 299.98 feet to the point of intersection with the East boundary of the right of way of the L & N Railroad; thence turning an angle of 83 degrees 18 minutes to the left in a Southwesterly direction along the East boundary of said railroad right of way 520.72 feet to an existing PK nail being the point of beginning of the tract of land herein described; thence turn an angle of 90 degrees 19 minutes 42 seconds to the left and run a distance of 78.59 feet to a cross cut in concrete being on the West right of way line of U.S. Highway #31; thence turn an angle of 89 degrees 50 minutes 42 seconds to the right and run a distance of 185.46 feet to an existing nail being on the West right of way line of U.S. Highway #31; thence turn an angle of 90 degrees 10 minutes 42 seconds to the right and run a distance of 80.15 feet to a nail being on the East right of way line of L & N Railroad; thence turn an angle of 90 degrees 18 minutes 18 seconds to the right and run a distance of 185.43 feet, more or less, to the point of beginning.

PARCEL II:

A tract fronting on the West side of U.S. Highway #31 and extending back to L & N Railroad right of way more particularly described as follows:

From the Northeast corner of Southeast $\frac{1}{4}$ - Northeast $\frac{1}{4}$, Section 35, Township 20 South, Range 3 West, Shelby County, Alabama, run Westerly along the North line, Southeast $\frac{1}{4}$ - Northeast $\frac{1}{4}$, of Section 35, Township 20 South, Range 3 West for 299.98 feet to a point on the East right of way line of the Louisville and Nashville Railroad; thence turn an angle of 83 degrees 18 minutes to the left and run Southwesterly along the East right of way line of the L & N Railroad for 382.12 feet to an existing cross being the point of beginning; thence continue Southwesterly along the East right of way line of the L & N Railroad 138.6 feet to an existing PK nail; thence turn an angle of 90 degrees 19 minutes 42 seconds to the left and run Southeasterly 78.59 feet to a cross cut in concrete and being on the West right of way line of U.S. Highway #31; thence turn an angle of 90 degrees 09 minutes 18 seconds to the left and run Northeasterly along the West right of way line of U.S. Highway #31, 138.47 feet to an existing Weygand rebar; thence turn an angle to the left of 89 degrees 45 minutes and run in a Westerly direction for a distance of 77.42 feet, more or less, to the point of beginning.