

20200204000046520
02/04/2020 01:22:41 PM
REL 1/7

PREPARED BY:

Polsinelli
150 N. Riverside Plaza
Suite 3000
Chicago, IL 60606

AFTER RECORDING
PLEASE RETURN TO:

Polsinelli
Attn: Jason Kaplan, Esq.
150 N. Riverside Plaza
Suite 3000
Chicago, IL 60606

Property:

Brookwood Baptist Shelby
Alabaster MOB
1010 1st Street North
Alabaster, Alabama 35007
Shelby County, Alabama

SPACE ABOVE FOR RECORDER'S USE ONLY

**RELEASE OF OPEN-END MORTGAGE, ASSIGNMENT OF LEASES AND RENTS,
SECURITY AGREEMENT AND FIXTURE FILING**

STATE OF ALABAMA)
)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS:

THAT THIS RELEASE OF OPEN-END MORTGAGE, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING (the "**Release**") is executed and delivered by CAPITAL ONE, NATIONAL ASSOCIATION, having an address at Two Bethesda Metro Center, Suite 600, Bethesda, Maryland 20814 ("**Lender**").

RECITALS:

A. Reference is hereby made to that certain Open-End Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing dated as of December 30, 2015, executed and delivered by ALABASTER 1010 MEDICAL PROPERTIES, LLC, a Delaware

ALS

limited liability company ("Borrower"), for the benefit of Lender, and recorded on **January 26, 2016**, as Instrument Number **20160126000025760**; and re-recorded on **February 29, 2016**, as Instrument Number **20160229000061860**, in the Recorder's Office of Shelby County, Alabama ("Official Records") (the "Mortgage").

B. Lender is the current holder of the Mortgage, and, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration paid to Lender, Lender is willing to execute and deliver this Release.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lender, without covenant or warranty, express or implied, hereby terminates, remises, releases, quit-claims, exonerates and discharges the lien of the Mortgage from the real property more particularly described on Exhibit A attached hereto and made a part hereof for all purposes.

[SIGNATURE PAGE FOLLOWS]

In witness whereof, the undersigned, Daniel Eppley, has caused these presents to be executed this 4th day of December, 2019.

LENDER:

CAPITAL ONE NATIONAL ASSOCIATION

By: 

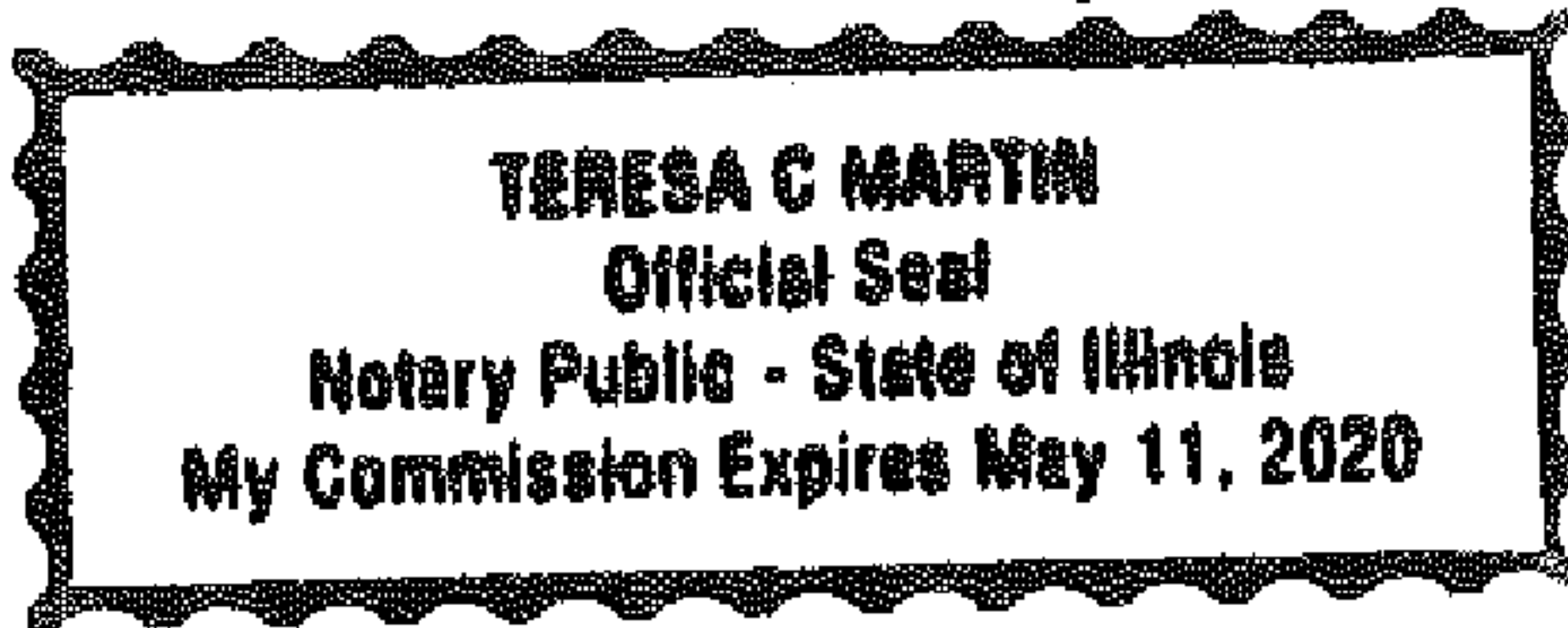
Name: Daniel Eppley

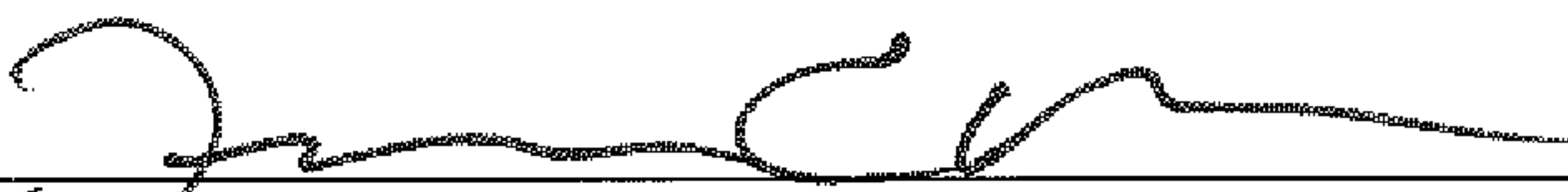
Title: Duly Authorized Signatory

[LENDER NOTARY BLOCK FOLLOWS]

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

The Undersigned, a Notary Public within and for said County, in the State aforesaid, duly commissioned and acting, do hereby certify that on this 4 day of December, 2019, personally appeared before me Gregg Graines, the Duly Authorized Signatory of **CAPITAL ONE, NATIONAL ASSOCIATION** (the "Company"), to me personally well-known and known to be the person who signed the foregoing instrument, and who, being by me duly sworn, stated and acknowledged that he is the Duly Authorized Signatory of the Company, and that he signed and delivered the same on behalf of the Company with authority, as his free and voluntary act and deed for the uses and purposes therein mentioned and set forth.





Notary Public in and for Said County and State
Teresa C Martin

(Type, print or stamp the Notary's name below his or her signature.)

My Commission Expires:
5/11/20

[SEAL]

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL I

Parcel located in Shelby County, Alabama.

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 line a distance of 316.16 feet to a point; thence deflect 88°34'47" and run to the right and in a Southerly direction a distance of 262.86 feet to a point; thence deflect 43°11'19" and run to the left and in a Southeasterly direction a distance of 86.47 feet to the point of beginning of the herein described parcel; thence deflect 50°35'59" and run to the right and in a Southerly direction a distance of 120.67 feet to a point; thence turn an interior angle of 90°00'00" and run to the right and in a Westerly direction a distance of 184.00 feet to a point; thence turn an interior angle of 90°00'00" and run to the right and in a Northerly direction a distance of 120.67 feet to a point; thence turn an interior angle of 90°00'00" and run to the right and in an Easterly direction a distance of 184.00 feet to the point of beginning of the herein described parcel, Shelby County, Alabama.

Said parcel being one and the same as that set out in Memorandum of Lease by and between Baptist Health System, Inc. and Shelby MOB II, LLC recorded in Instrument 20020506000209240 corrected by Corrective Memorandum of Lease recorded in Instrument 20041126000644460; assigned to TST Houston, L.P., by instrument recorded in 20041123000644440; further assigned by Assignment and Assumption of Tenant's Interest in Ground Lease and Special Warranty Deed between TST Houston, L.P. and HCP Shelby MOB, LLC, recorded in Instrument 20060302000100210 and corrected by Scrivener's Affidavit recorded in Instrument 20061003000489370; Assignment and Assumption of Ground Lease executed by and between Baptist Health System, Inc. and BBH SBMC, LLC, as recorded in Instrument 20151002000346420 in the Probate Office of Shelby County, Alabama, and being more particularly described as follows:

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°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°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°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°00'00" and run in a Northerly direction a distance of 120.00 feet to a point; thence turn an interior angle of 90°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.

PARCEL II

The following non-exclusive easements as set out in Access, Ingress, Parking and Utility Easements and Restrictions Agreement recorded in Instrument #2002-20925 in the Office of the Judge of Probate of Shelby County, Alabama.

ACCESS EASEMENT NO. 1:



Commence at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 36, Township 20 South, Range 3 West, Shelby County, Alabama and run in a Westerly direction along the bearing of the North line of said 1/4-1/4 Section a distance of 14.33 feet to a point on a curve to the left having a central angle of 2°37'54" and a radius of 5629.58 feet, said point also being on the Easterly right of way line of U.S. Highway 31; thence deflect 80°09'10" to the left to the tangent of said curve and run in a Southerly direction along the arc of said curve and right of way a distance of 258.58 feet to the Point of Beginning of the herein described access easement; thence deflect 95°08'59" from the tangent of said curve and run to the left in a Northeasterly direction a distance of 147.08 feet to a point; thence turn an interior angle of 180°36'31" and run in an Easterly direction a distance of 227.72 feet to a point; thence turn an interior angle of 85°15'31" and run in a Southerly direction a distance of 56.71 feet to a point; thence turn an interior angle of 90°00'00" and run in a Westerly direction a distance 60.00 feet to a point; then turn an interior angle of 90°00'00" and run in a Northerly direction a distance of 20.63 feet to a point; thence turn an interior angle of 274°44'29" and run in a Westerly direction a distance of 104.19 feet to a point; thence turn an interior angle of 175°24'19" and run in a Northwesterly direction a distance of 84.96 feet to a point; thence turn an interior angle of 270°00'00" and run in a Southeasterly direction a distance of 244.23 feet to a point; thence turn an interior angle of 90°00'00" and run in a Southwesterly direction a distance of 87.87 feet to a point; thence turn an interior angle of 135°00'00" and run in a Northwesterly direction a distance of 54.41 feet to a point, said point being on the Easterly right of way line of U.S. Highway 31; thence turn an interior angle of 135°03'20" and run in a Northerly direction along said right of way a distance of 101.81 feet to a point on a curve to the right, having a central angle of 1°13'08" and a radius of 5629.58 feet; thence continue along the arc of said curve and said right of way a distance of 119.77 feet to the Point of Beginning of said easement, Shelby County, Alabama.

ACCESS EASEMENT NO. 2 (Walkway):

Commence at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 36, Township 20 South, Range 3 West, Shelby County, Alabama, and run in an Easterly direction along the North line of said 1/4-1/4 Section a distance of 316.16 feet to a point; thence deflect 78°14'10" to the right and run in a Southeasterly direction a distance of 331.53 feet to a point; thence deflect 17°41'19" to the right and run in a Southerly direction a distance of 115.0 feet to a point; thence deflect 90°00'00" to the right and run in a Westerly direction a distance of 95.48 feet to the Point of Beginning of the herein described access easement; thence deflect 90°00'00" to the left and run in a Southerly direction a distance of 31.48 feet to a point; thence turn an interior angle of 90°00'00" and run in a Westerly direction a distance of 15.00 feet to a point; thence turn an interior angle of 90°00'00" and run in a Northerly direction a distance of 31.48 feet to a point; thence turn an interior angle of 90°00'00" and run in an Easterly direction a distance of 15.00 feet to the Point of Beginning of the herein described easement, Shelby County, Alabama.

Sanitary Sewer Easement:

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 a Westerly direction a distance of 14.33 feet to a point on a curve to the left having a central angle of 3°51'02" and a radius of 5629.58 feet, said point also being on the Easterly right of way line of U.S. Highway 31; thence deflect 80°09'10" to the left to the tangent of said curve and run in a Southerly direction along the arc of said curve and said right of way a distance of 378.35 feet to a point; thence continue on the tangent of said curve and said right of way a distance of 135.11 feet to the Point of Beginning of a 10 foot Sanitary Sewer Easement, lying 5 feet each side of, parallel to and abutting the following described centerline; thence deflect 95°37'52" to the left and run in a Northeasterly direction a distance of 241.85 feet to a point; thence deflect 84°10'00" to the left and run in a Northerly direction a distance of 84.57 feet to a point; thence deflect 89°51'56" to the right and run in an Easterly direction a distance of 128.00 feet to the endpoint of said easement, Shelby County, Alabama.

GAS AND WATER LINE EASEMENT:

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 a Westerly direction a distance of 14.33 feet to a point on a curve to the left having a central angle of 3°09'31" and a radius of 5629.58 feet, said point also being on the Easterly right of way of U.S. Highway 31; thence deflect 80°09'10" to the left to the tangent of said curve and run along the arc of said curve and right of way in a Southerly direction a distance of 310.35 feet to the Point of Beginning of the centerline of a 20 foot easement lying 10 feet each side of, parallel to and abutting the following described line; thence deflect 90°00'00" from the tangent of the last described curve and run in an Easterly direction a distance of 42.89 feet to a point; thence deflect 64°43'38" to the left and in a Northeasterly direction a distance of 45.19 feet to a point; thence deflect 59°14'55" to the right and run in an Easterly direction a distance of 379.07 feet to a point; thence deflect 94°26'20" to the right and run in a Southerly direction a distance of 39.55 feet to the endpoint of said easement.

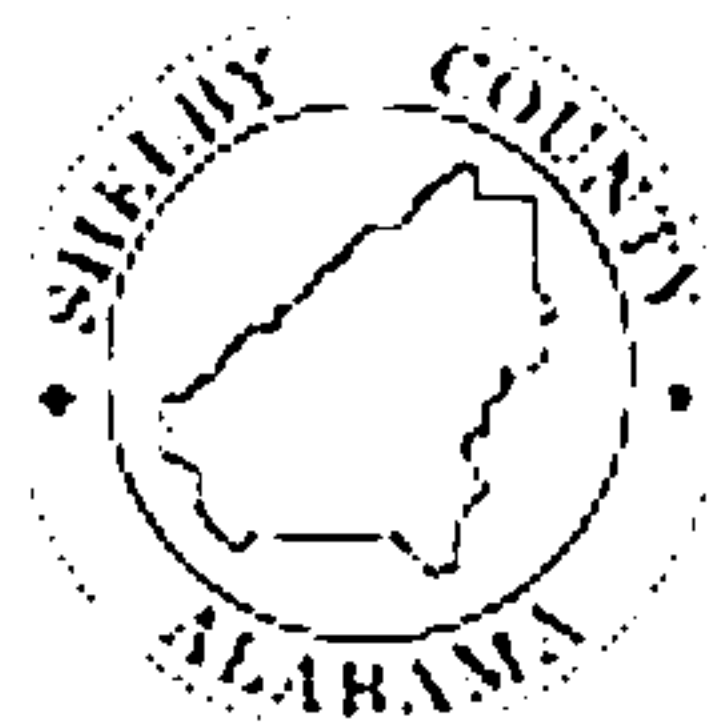
STORM SEWER EASEMENT:

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 a Westerly direction a distance of 14.33 feet to a point on a curve to the left having a central angle of 3°06'02" and a radius of 5629.58 feet, said point also being on the Easterly right of way line of U.S. Highway 31; thence deflect 80°09'10" to the left to the tangent of said curve and run in a Southerly direction along the arc of said curve and said right of way a distance of 304.65 feet to the Point of Beginning of a 10 foot Storm Sewer Easement, lying 5 feet each side of, parallel to and abutting the following described centerline; thence deflect 62°15'23" to the left and run in an Easterly direction a distance of 256.00 feet to a point; thence deflect 27°32'41" to the left and run in a Southeasterly direction a distance of 68.03 feet to a point; thence deflect 90°00'00" to the left and run in a Northerly direction a distance of 21.32 feet to the endpoint of said easement, Shelby County, Alabama.

PARKING EASEMENT:

All paved parking spaces located on the Hospital Campus within 400 feet of the insured tract, as set out in Access, Ingress, Egress, Parking and Utilities Easements and Restrictions Agreement in Instrument #2002-20925.

Parcel ID Number 13-7-36-2-001-049.002.



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
02/04/2020 01:22:41 PM
\$40.00 MISTI
20200204000046520

Allen S. Boyd