

FRANK A. McLEAN  
LANDSCAPE ARCHITECT  
DIVISION OF STATE PARKS

64 NORTH UNION STREET  
MONTGOMERY, ALABAMA 36104

THIS INSTRUMENT PREPARED BY C. J. Sherlock III, STATE OF ALABAMA  
HIGHWAY DEPARTMENT, BUREAU OF RIGHT  
OF WAY, MONTGOMERY, ALABAMA. 36104

P A T E N T

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STATE OF ALABAMA )  
COUNTY OF MONTGOMERY )

KNOW ALL MEN BY THESE PRESENTS: That this Patent  
is made on this the 13<sup>th</sup> day of January, 1977,  
by the State of Alabama, Grantor, hereinafter referred to as  
the Party of the First Part, and the Department of Conservation  
and Natural Resources, Grantee, hereinafter referred to as the  
Party of the Second Part, WITNESSETH:

WHEREAS, The State of Alabama Highway Department  
has certified to the Governor of the State of Alabama, under  
Title 47, Section 57, Code of Alabama, 1940, (Recompiled 1958),  
that a sale of the hereinafter described property by the Party  
of the First Part to the Party of the Second Part has been  
obtained and negotiated and that all requirements of law with  
respect to such sale have been complied with; and

NOW THEREFORE, FOR AND IN CONSIDERATION OF THE  
PREMISES CONSIDERED AND in exchange for land owned by the  
State of Alabama Department of Conservation and Natural Resources  
for use as a public highway known as Tract 35, Project No.  
I-65-2(37), Shelby County, Alabama, conveys to said Department  
of Conservation and Natural Resources the following described  
portion of the remainder parcel of Tract No. 38 of said project:

Beginning at the southwest corner of the SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ,  
Section 32, T-19-S, R-2-W; thence easterly along the south line  
of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , the south property line, a distance of 986  
feet, more or less, to the northeast property line; thence north-  
westerly along said northeast property line, a distance of 504  
feet; thence westerly, parallel to the south line of the SW $\frac{1}{4}$  of  
SW $\frac{1}{4}$ , said Section 32 and the south line of the SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section  
31, T-19-S, R-2-W, a distance of 910 feet, more or less, to a  
point that is 200 feet easterly of and at right angles to the  
centerline of the right lane of Project No. I-65-2(37); thence  
southerly along a curve to the right (concave westerly) having  
a radius of 4019.72 feet, parallel to the centerline of said  
right lane, a distance of 494 feet, more or less, to the south  
line of the SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , said Section 31, the south property line;  
thence easterly along said south property line, a distance of 96  
feet, more or less, to the point of beginning.



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Said strip of land lying in the SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 32, T-19-S, R-2-W and the SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 31, T-19-S, R-2-W and containing 11.23 acres, more or less.

It being understood that all existing, future or potential common law or statutory rights of access between the right of way of the public way identified as Project No. I-65-2(37), County of Shelby and the above described parcel is hereby denied.

Be it understood that the Grantee, the Department of Conservation and Natural Resources, shall use the above described land exclusively for public park, recreational, and conservation purposes and it shall be provided that the title and right of possession of the above described land, with the improvements thereon, shall become the property of the United States upon a finding by the Secretary of the Interior after notice to such grantee and after an opportunity for a hearing, that the grantee has not complied with such conditions during a period of more than three years, which finding shall be final and conclusive. and such lands and improvements thereon shall be under the jurisdiction of the Department of Interior.

The Party of the Second part further agrees not to erect, construct, build or maintain any signs, billboards, outdoor advertisements, junk or scrap metal yards on the said tract in violation of the federal Beautification Act of 1965 and amendments thereto or in violation of any State law regulating outdoor advertising and junk yards.

TO HAVE AND TO HOLD, the said tract or parcel of land unto said Party of the Second Part, its successors and assigns, in fee simple forever.

IN WITNESS WHEREOF, the Parties hereto have set their hands and seals, and further that the said Party of the First Part, has caused its name to be hereunto signed by the Governor of the State of Alabama, and attested by the Secretary of State of the State of Alabama, and the Party of the First Part has further caused the seal of the State of Alabama to be affixed on the date hereinafter shown.

This the 13<sup>th</sup> day of January, 19 77.

APPROVED as to Form

Russell Smith / Jan 11/77  
CHIEF COUNSEL  
STATE OF ALABAMA  
HIGHWAY DEPARTMENT

THE STATE OF ALABAMA

BY Morgan C. Warner  
GOVERNOR OF ALABAMA

APPROVED:

Ralph W. Barrs  
HIGHWAY DIPECTOR

ATTEST:

Mrs. Cagnie Baggett  
SECRETARY OF STATE OF  
THE STATE OF ALABAMA

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STATE OF ALABAMA )

COUNTY OF MONTGOMERY ) -

I, Kate Sumner, a Notary Public, hereby certify that George C. Wallace and Agnes Baggett, whose names as Governor and Secretary of State of the State of Alabama, are respectively signed to the foregoing conveyance, acknowledged before me on this day, that being informed of the contents of the foregoing conveyance, they, in their capacities as such Governor and Secretary of State, respectively, executed the same voluntarily on the day the same bears date.

GIVEN under my hand and official seal this the

26 day of January, 19 77.

*Kate Sumner*  
Notary Public

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C E R T I F I C A T I O N

STATE OF ALABAMA )

COUNTY OF MONTGOMERY )

TO HONORABLE GEORGE C. WALLACE, GOVERNOR, OF THE STATE OF ALABAMA:

I, Ray D. Bass, Director, of the State of Alabama, Highway Department, do hereby certify that the State of Alabama Highway Department, acting by and through the powers vested in it by law, has obtained and negotiated with the Department of Conservation and Natural Resources, Grantee, and who is otherwise known as the Party of the Second Part, in the Patent hereto attached, for the sale of certain lands by the State of Alabama, Grantor and Party of the First Part therein, said lands being located in Shelby County, Alabama, and which said lands are better described in said Patent, and do further certify that all requirements of law with respect to such sale have been complied with.

This the 13<sup>th</sup> day of January, 19 77.

Ray D. Bass  
HIGHWAY DIRECTOR

STATE OF ALABAMA )

COUNTY OF MONTGOMERY )

I, Reba W. Krater, a Notary Public, in and for said State and County, do hereby certify that Ray D. Bass, whose name as Director of the State of Alabama Highway Department, an agency of the State of Alabama, 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 the instrument, he, as such officer and with full authority executed the same voluntarily for and as the act of said Department.

GIVEN under my hand and official seal this the

13<sup>th</sup> day of January, 19 77.

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Thomas A. Snowden, Jr.  
JUDGE OF PROBATE

Reba W. Krater  
NOTARY PUBLIC

Fee. 6.00  
Ind. 1.00  
\$ 7.50



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