

2256

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS, That

JEFFERSON COUNTY)

We, Frank E. Spain and his wife, Margaret C. Spain, for and in consideration of One Dollar (\$1.00), do hereby grant, bargain, sell and convey unto the City of Birmingham, Alabama the following described real estate, situated, lying and being in Shelby County, Alabama, to-wit:

So much of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11, Township 19 South, Range 2 West, as lies North and West of the Valleydale Road, containing 20 acres, more or less, in fee simple; and also

The SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Township 19 South, Range 2 West, containing 40 acres, more or less, minerals and mining rights excepted; and also

The North $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15, Township 19 South, Range 2 West, containing 20 acres, more or less, minerals and mining rights excepted.

(The aforesaid contiguous tracts containing in the aggregate 80 acres, more or less.)

Grantors by this deed give and grant the aforesaid property to the City of Birmingham for a public park, and subject to its acceptance by the Council of the City of Birmingham under the power conferred by Section 470, Title 37, Code of Alabama of 1940, to establish, lay out and improve public grounds and parks, and its acceptance on behalf of said City by the Park and Recreation Board of the City of Birmingham, as authorized by Section 721, Title 62, Code of Alabama of 1940, the grantors dedicate said property for the following public purposes:

For use as a public park; for the recreation, health and betterment of the public; for the betterment and improvement of all ornamental and useful vegetable life; including agriculture, arboriculture, horticulture, and experimenting with growth and seeds of ornamental shrubs, trees and flowers; for the betterment of all animal life including domestic animals, wild life, fish, and fish hatch-

ery; including the collection and exhibit of minerals and all native products; including the creation and maintenance of springs, streams, and lakes thereon; including other improvements thereon such as fair grounds, athletic fields, museums, art galleries, military grounds, state armory, hospitals, school buildings; and such other improvements and buildings thereon as may be deemed necessary for public purposes.

To Have and to Hold unto the said City of Birmingham, its successors and assigns forever.

And we do, for ourselves and for our heirs, executors and administrators, covenant with the said City of Birmingham, its successors and assigns, that we are lawfully seized of said premises; that they are free from all encumbrances; and we have a good right to convey the same as aforesaid; that we will, and our heirs, executors and administrators shall, warrant and defend the same to the said City of Birmingham, its successors and assigns, against the lawful claims of all persons..

IN WITNESS WHEREOF, we have each hereunto set our hand and seal, this 3rd day of January, 1967.

Prepared by
SPAIN, G.

Richard S. Riley
N. RILEY, TATE & ANSLEY

1000 1/2 Building
Birmingham, Ala 35203

Frank E. Spain (Seal)
Frank E. Spain

Margaret C. Spain (Seal)
Margaret C. Spain

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Richard S. Riley, a Notary Public in and for said County, in said State, hereby certify that Frank E. Spain and wife, Margaret C. Spain, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of January, 1967.

STATE OF ALA., SHELBY
I CERTIFY THIS INSTRUMENT
WAS FILED ON 1-12-1967

RECORDED & INDEXED
NOTARY PUBLIC

Richard S. Riley
Notary Public

