

WARRANTY DEED

STATE OF ALABAMA)

3693

KNOW ALL MEN BY THESE PRESENTS, That:

JEFFERSON COUNTY)

We, Frank E. Spain and 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:

A part of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10, Township 19 South, Range 2 West, more particularly described as follows: Commence at the SE corner of said forty and proceed Westerly along the South boundary line of said forty 1061.08 feet to a stake on the East boundary of the Caldwell Mill Road; thence turn an angle to the right of 88 degrees 29 minutes and proceed in a Northerly direction along the East boundary of said road 299.37 feet; thence turn an angle to the right of 11 degrees 44 minutes and proceed in the East boundary of said road 292.71 feet; thence turn an angle to the right of 11 degrees 14 minutes and proceed in a Northerly direction in the East boundary of said road 97.16 feet to an iron stake; thence turn an angle to the right of 68 degrees 37 minutes and proceed in an Easterly direction 965.44 feet to an iron stake in the East boundary of said forty; thence turn an angle to the right of 88 degrees 42 minutes and proceed in a Southerly direction along the East line of said forty 677.32 feet to point of beginning, containing 16 acres more or less, in fee simple; and also

The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Township 19 South, Range 2 West, less and except 16 acres, more or less, described as follows: Commence at the NW corner of said forty and proceed in a Southerly direction along the West boundary of said forty 525.70 feet to an iron stake; thence turn an angle to the left of 88 degrees 40 minutes and proceed in an easterly direction 1328.32 feet to an iron stake in the East boundary of said forty; thence turn an angle to the left of 91 degrees 25 minutes and proceed in a Northerly direction in the East boundary of said forty 527.08 feet to an iron stake at the NE corner of said forty; thence turn an angle to the left 88 degrees forty minutes and proceed in a Westerly direction along the North boundary of said forty 1327.52 feet to the point of beginning. The tract hereby conveyed contains 24 acres, more or less, in fee simple; and also

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

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, arborculture, 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 hatcheries; 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 except as above noted; 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 16th day of January, 1969.

Frank E. Spain (SEAL)
Frank E. Spain

Margaret C. Spain (SEAL)
Margaret C. Spain

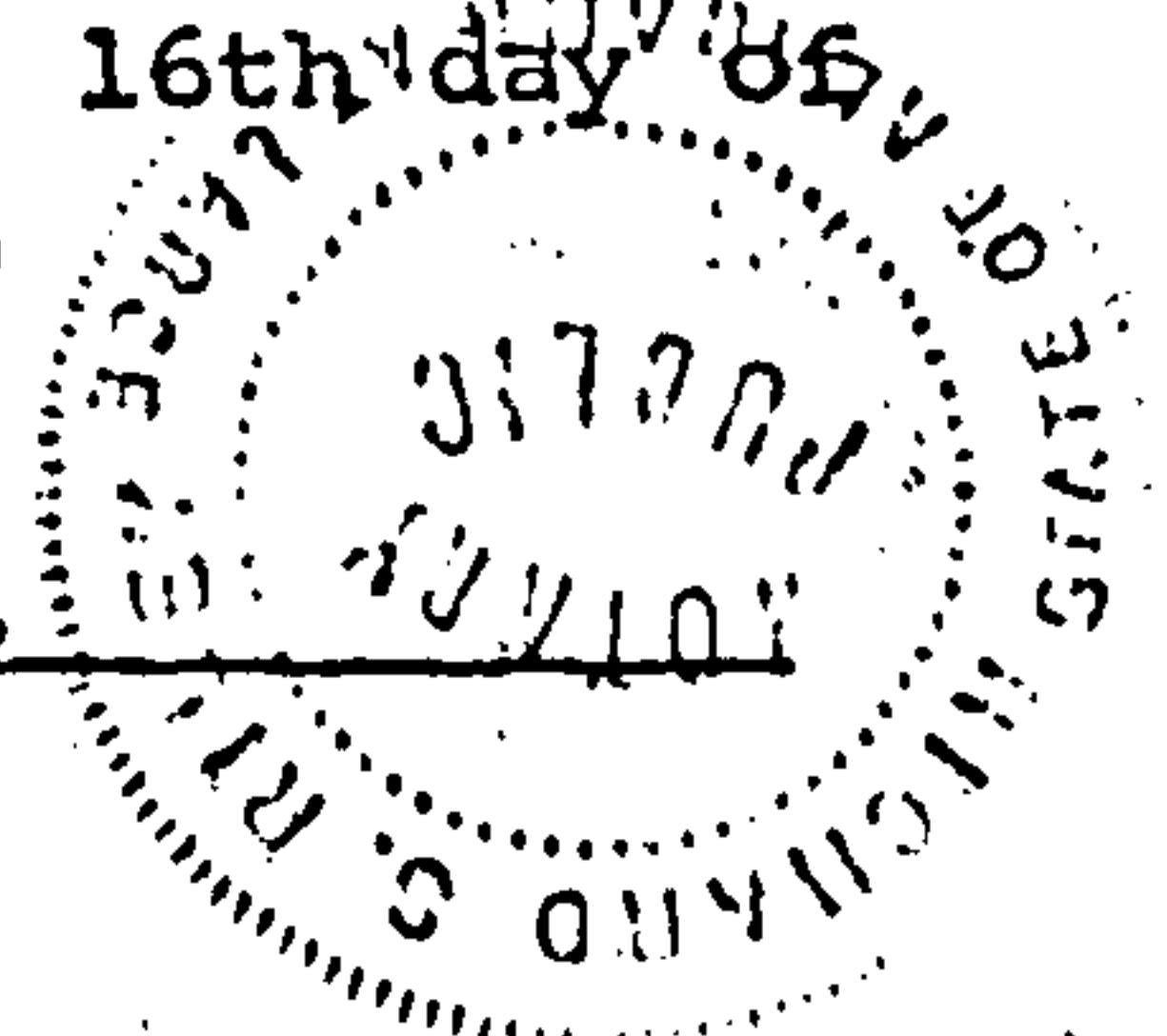
STATE OF ALABAMA)

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 16th day of January, 1969.

Richard S. Riley
Notary Public



STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1969 AUG 15 PM 1:43
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
JUDGE OF PROBATE

BOOK 259 PAGE 104