

MAIL TAX NOTICE TO:
CITY OF HOOVER, ALABAMA

This instrument was prepared by:
William M. Pate Jr.
Assistant City Attorney
600 City Hall
Birmingham, Alabama 35203

GENERAL WARRANTY DEED

STATE OF ALABAMA)
JEFFERSON COUNTY)

KNOW ALL MEN BY THESE PRESENTS that, for and in consideration of One Hundred Dollars (\$100) and other valuable considerations paid to the City of Birmingham, Alabama, an Alabama municipal corporation, hereinafter referred to as "grantor", by the City of Hoover, Alabama, an Alabama municipal corporation, hereinafter referred to as "grantee", the receipt and sufficiency of which is acknowledged, the said Grantor does hereby grant, bargain, sell, and convey unto the Grantee a tract of land, excepting any mineral rights NOT owned by the grantor, said tract being described as follows:

Parcel I

Part of the West $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 11, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at the SE corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 11, run in a westerly direction along the south line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 1075.09 feet to an existing open top iron pin; thence turn an angle to the right of 87 degrees 28 minutes 32 seconds and run in a northerly direction for a distance of 295.18 feet to an existing crimp iron pin being on the southeast right-of-way line of Valleydale Road; thence turn an angle to the right of 46 degrees 13 minutes 07 seconds and run in a northeasterly direction along the southeast right-of-way line of said Valleydale road for a distance of 1381.46 feet to the point of beginning of a curve, said curve being concave in a northwesterly direction and having a central angle of 6 degrees 53 minutes 56 seconds and a radius of 951.10 feet; thence continue in a northeasterly direction along the southeast right-of-way line of said Valleydale Road for a distance of 114.52 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right (137 degrees 34 minutes 48 seconds from the chord of last mentioned curve) and run in a southerly direction along the east line of said West $\frac{1}{2}$ of SW

$\frac{1}{4}$ of said Section 11 for a distance of 45.88 feet to an existing 2" capped iron pipe; thence turn an angle to the left of 0 degrees 18 minutes 56 seconds and run in a southerly direction along the east line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 11 for a distance of 1336.51 feet to an existing iron rebar being the point of beginning. Containing 20.57 acres, more or less.

Parcel II

Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15, and part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, all in Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at the NE corner of said Section 15 and being marked by an existing 3" capped iron pipe, run in a southerly direction along the east line of said NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 15 for a distance of 661.76 feet to an existing crimp iron pin; thence turn an angle to the right of 90 degrees 40 minutes 08 seconds and run in a westerly direction for a distance of 713.38 feet to an existing iron rebar set by Laurence D. Weygand and being on the southeast right-of-way line of Valleydale Road; thence turn an angle to the right of 134 degrees 25 minutes 05 seconds and run in a northeasterly direction along the southeast right-of-way line of said Valleydale Road for a distance of 1005.48 feet to an existing 1" crimp iron pin; thence turn an angle to the right of 133 degrees 37 minutes 09 seconds and run in a southerly direction for a distance of 56.48 feet, more or less to the point of beginning. Containing 5.89 acres, more or less.


Parcel III

Part of Section 10, Township 19 South, Range 2 West, Shelby County, Alabama, and also part of the SW $\frac{1}{4}$ of Section 11, Township 19 South, Range 2 West, Shelby County, Alabama, and also part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15, Township 19 South, Range 2 West, Shelby County, Alabama, all being more particularly described as follows:

Beginning at an existing 2" open pipe being the SW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 10, run in a northerly direction along the west line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 10 for a distance of 1330.38 feet to an existing 3" capped iron pipe being the NW corner of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 10; thence turn an angle to the right of 0 degrees 01 minutes 52 seconds and run in a northerly direction along the west line of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 10 for a distance of 1330.34 feet to an existing 3" capped iron pipe being the NW corner of the said NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of

said Section 10; thence turn an angle to the left of 88 degrees 35 minutes 19 seconds and run in a westerly direction along the south line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 10 for a distance of 972.81 feet to an existing iron rebar set by Laurence D. Weygand and being on the east right-of-way line of Caldwell Mill Road; thence turn an angle to the right of 93 degrees 45 minutes 16 seconds and run in a northerly direction along the east line of said Caldwell Mill Road for a distance of 676.16 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 86 degrees 07 minutes 53 seconds and run in an easterly direction for a distance of 911.83 feet to an existing crimp iron pin; thence turn an angle to the left of 91 degrees 15 minutes 57 seconds and run in a northerly direction for a distance of 129.88 feet to an existing crimp iron pin; thence turn an angle to the right of 91 degrees 14 minutes 16 seconds and run in an easterly direction for a distance of 1328.81 feet to an existing crimp iron pin; thence turn an angle to the right of 88 degrees 37 minutes 44 seconds and run in a southerly direction along the east line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 10 for a distance of 807.94 feet to an existing 3" capped iron pipe being the SE corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10; thence turn an angle to the left of 88 degrees 30 minutes 29 seconds and run in an easterly direction along the north line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 10 for a distance of 1330.02 feet to an existing 3" capped iron pipe; thence turn an angle to the right of 1 degrees 12 minutes 20 seconds and run in an easterly direction for a distance of 1321.83 feet to an existing crimp iron pin; thence turn an angle to the right of 0 degrees 5 minutes 13 seconds and run in an easterly direction for a distance of 281.28 feet to an existing iron rebar set by Laurence D. Weygand and being on the curved west right-of-way line of Valleydale Road, said curved right-of-way line being concave in an easterly direction and having a central angle of 28 degrees 11 minutes 33 seconds and a radius of 1219.29 feet; thence turn an angle to the right (101 degrees 55 minutes 36 seconds to the chord of said curve) and run in a southwesterly and southerly direction along the arc of said curve for a distance of 599.95 feet to the point of ending of said curve; thence continue in a southerly direction along a line tangent to the end of said curve and along the west right-of-way line of said Valleydale Road for a distance of 107.52 feet to the point of beginning of a new curve, said new curve being concave in a northwesterly direction and having a central angle of 45 degrees 28 minutes 23 seconds and a radius of 871.10 feet; thence turn an angle to the right and run in a southerly and southwesterly direction along the arc of said curve and along the northwest right-of-way line of Valleydale Road for a distance of 691.35 feet to the point of ending of said curve; thence run in a southwesterly direction along a line tangent to the end of said curve and along the northwest right-of-way line of

Valleydale Road for a distance of 1381.46 feet; thence turn an angle to the right of 0 degrees 09 minutes 38 seconds and run in a southwesterly direction along said northwest right-of-way of Valleydale Road for a distance of 331.09 feet; thence turn an angle to the left of 0 degrees 04 minutes and run in a southwesterly direction along the northwest right-of-way line of said Valleydale Road for a distance of 1083.82 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 45 degrees 35 minutes 06 seconds and run in a westerly direction for a distance of 507.56 feet to an existing crimp iron pin; thence turn an angle to the right of 89 degrees 16 minutes 13 seconds and run in a northerly direction along the west line of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 15, Township 19 South, Range 2 West, for a distance of 663.06 feet to an existing crimp iron pin being the NW corner of said NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 15; thence turn an angle to the left of 89 degrees 14 minutes 15 seconds and run in a westerly direction for a distance of 1334.84 feet, more or less, to the point of beginning. Containing 274.35 acres, more or less.

 As a condition of the conveyance hereunder, Grantee acknowledges that said land conveyed hereunder has been inspected by Grantee or its duly authorized agent and that said land is purchased by Grantee as a result of such inspection and not upon any representation or warranty made by Grantor. Furthermore, Grantee agrees that Grantor shall not, in any way, be liable to Grantee for the condition of said land conveyed hereunder. Grantee specifically, as a condition of the conveyance hereunder, accepts the condition of said land **"AS IS, WHERE IS, WITH ALL FAULTS"** and shall release ~~and hold~~ Grantor ~~harmless~~ from any liability arising therefrom. This condition shall constitute a covenant running with the land as against said Grantee and all other successors in title.

No private right of action shall accrue with respect to the physical condition of said land to any subsequent purchaser of said land, whether by foreclosure or otherwise, due solely to the taking of title to said land and, by taking such title, any such purchaser does thereby waive any and all right or claim against Grantor, Grantee, or their heirs, successors, and assigns or any of them, for any costs, loss, damage, or liability such purchaser or its successors and assigns may incur as a result of the physical condition of said land or the need or desirability to do any removal, corrective, or remediation work including, but not limited to, in connection with hazardous materials or waste pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the Resources Conservation and Recovery Act, as amended, and all regulations thereunder or any similar laws or regulations enacted by the United States of America or the State of Alabama, or any agency or instrumentality of either.

TO HAVE AND TO HOLD unto the said Grantee and to Grantee's successors and assigns forever, SUBJECT, however, to the following; (a) any applicable zoning ordinances and subdivision regulations or other ordinances, laws, and regulations affecting said land (b) any taxes, charges, or assessments of the levying jurisdictions; (c) all matters of public record affecting said land; (d) encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of said land; and (e) rights of Mr. Carl Dunnaway to a life estate in the following described parcel consisting of 1.985 acres + and access to Valleydale Road as drawn by Laurence D. Weygand, Reg. P.E.- L.S. # 10373, dated September 6, 1997, described as follows:

Part of the SW $\frac{1}{4}$ of Section 11, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

From the SW corner of said Section 11, run in an easterly direction along the south line of said Section for a distance of 98.70 feet; thence turn an angle to the left of 91 degrees 11 minutes 53 seconds and run in a northerly direction for a distance of 933.70 feet to an existing iron rebar set by Laurence D. Weygand and being the point of beginning; thence continue in a northerly direction along last mentioned course for a distance of 352.54 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 65 degrees 52 minutes 21 seconds and run in a northeasterly direction for a distance of 252.39 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 95 degrees 29 minutes 56 seconds and run in a southeasterly direction for a distance of 166.54 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 40 degrees 08 minutes 03 seconds and run in a southwesterly direction for a distance of 126.81 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 21 degrees 12 minutes 20 seconds and run in a southwesterly direction for a distance of 221.36 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 36 degrees 03 minutes 18 seconds and run in a southwesterly direction for a distance of 88.60 feet, more or less, to the point of beginning. Containing 1.985 acres, more or less.

Together with a 20 foot wide ingress/egress easement lying 10 feet on either side of the centerline, said centerline being described as follows:

From the SW corner of Section 11, Township 19 South, Range 2 West, Shelby County, Alabama, run in an easterly direction along the

south line of said section for a distance of 98.70 feet; thence turn an angle to the left of 91 degrees 11 minutes 53 seconds and run in a northerly direction for a distance of 933.7 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 78 degrees 45 minutes 58 seconds and run in a northeasterly direction for a distance of 88.60 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of 36 degrees 03 minutes 18 seconds and run in a northeasterly direction for a distance of 204.21 feet to the point of beginning; thence turn an angle to the right of 120 degrees 04 minutes 38 seconds and run in a southeasterly direction for a distance of 65.0 feet; thence turn an angle to the left of 7 degrees 50 minutes 33 seconds and run in a southeasterly direction for a distance of 50.78 feet; thence turn an angle to the left of 4 degrees 06 minutes 18 seconds and run in a southeasterly direction for a distance of 49.62 feet; thence turn an angle to the left of 1 degree 10 minutes 05 seconds and run in a southeasterly direction for a distance of 48.87 feet; thence turn an angle to the right of 2 degrees 04 minutes 55 seconds and run in a southeasterly direction for a distance of 49.18 feet; thence turn an angle to the right of 0 degrees 15 minutes 59 seconds and run in a southeasterly direction for a distance of 51.80 feet; thence turn an angle to the right of 3 degrees 14 minutes 11 seconds and run in a southeasterly direction for a distance of 53.04 feet; thence turn an angle to the right of 3 degrees 41 minutes 16 seconds and run in a southeasterly direction for a distance of 41.12 feet; thence turn an angle to the left of 0 degrees 14 minutes 06 seconds and run in a southeasterly direction for a distance of 50.7 feet, more or less, to a point of intersection with the northwest right-of-way line of Valleydale Road being the point of ending.

(f) cemetery consisting of 0.1074 acres, and (g) all restrictions, covenants, rights and other matters arising from or related to the manner Grantor acquired this property from Mr. Frank Spain.

And the Grantor does for itself and for its successors and assigns, covenant with the Grantee, Grantee's successors and assigns, that it is lawfully seized in fee simple of the lands conveyed hereby; that they are free from all encumbrances, except as herein mentioned; that it has a good right to sell and convey the same as aforesaid; and that it will and its successors and assigns shall warrant and defend the same to the Grantee, Grantee's successors and assigns, forever against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name and behalf and its corporate seal to be hereunto affixed and attested by its officers thereunto duly authorized, this, the 30th day of September, 1997.

CITY OF BIRMINGHAM

BY:

Richard L. ...
Mayor

ATTEST:

Paula R. Smith
City Clerk

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, HELEN GRENshaw, a Notary Public in and for said County, in said State, hereby certify that Richard
Arrington, JR, whose name as Mayor of the City of Birmingham, Alabama, an Alabama municipal corporation, 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 said instrument, he, as such Mayor and with full authority, executed the same voluntarily for and as the act of said municipal corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 30th
day of September, 1997.

[SEAL]

Helen Grenshaw
Notary Public

My commission expires: 6-18-98

Inst # 1997-31675

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09/30/1997-31675
04:16 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
007 MCD 24.50