

4500.00

20100226000057520 1/6 \$26.50
Shelby Cnty Judge of Probate, AL
02/26/2010 12:11:00 PM FILED/CERT

Line Name: Southern Cement Line
Line No.: 321
ROW No.: 1
AFE No.: 126311

This instrument prepared by:
Southern Natural Gas Company
Property Rights Services
P. O. Box 2563
Birmingham, AL 35202-2563

STATE OF ALABAMA

COUNTY OF SHELBY

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned Lafarge's North America Inc (hereinafter called "Grantor", whether one or more) for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto Southern Natural Gas Company, a Delaware general partnership (hereinafter called "Grantee") its successors and assigns, an easement and right-of-way over, along, and through a strip of land thirty (30) feet in width, to be located within the boundaries of the hereinafter described lands, as provided herein, for the purposes, presently and at such other times in the future as Grantee may elect, of constructing, maintaining, operating, renewing, repairing, changing the size of, relocating, and/or removing a pipeline for the transportation of natural gas, oil, petroleum, or any other substance or commodity, and all appliances, appurtenances, fixtures and equipment, whether above or below ground, deemed by Grantee to be necessary or desirable in connection with such line, on, over, across, and through lands of Grantor situated in Shelby County, State of Alabama, to wit:

A PARCEL OF LAND 30 FEET IN WIDTH ON, OVER, ACROSS AND THROUGH THAT TRACT OF LAND LYING AND BEING IN THE NE¼ OF THE NE¼ OF SECTION 5, TOWNSHIP 24 NORTH, RANGE 13 EAST, SHELBY COUNTY, ALABAMA, SAID PARCEL IS MORE PARTICULARLY DESCRIBED AS LYING 15 FEET LEFT AND 15 FEET RIGHT OF THE FOLLOWING DESCRIBED CENTERLINE DEPICTED ON SOUTHERN NATURAL GAS DRAWING NO. R/W 8807, TO WIT:

TO LOCATE THE POINT OF BEGINNING COMMENCE AT AN IRON PIPE FOUND MARKING THE SOUTHWEST CORNER OF THE NE¼ OF THE NE¼ OF SECTION 5, TOWNSHIP 24 NORTH, RANGE 13 EAST, SHELBY COUNTY, ALABAMA, SAID POINT LYING ON THE NORTH RIGHT-OF-WAY OF ALABAMA HIGHWAY 25; THENCE N85°17'12"E ON SAID RIGHT-OF-WAY A DISTANCE OF 210.17 FEET TO AN IRON PIPE FOUND; THENCE CONTINUE N85°17'12"E A DISTANCE OF 297.89 FEET TO A POINT; THENCE N21°30'39"W A DISTANCE OF 289.32 FEET THE POINT OF BEGINNING, SAID POINT LYING ON THE CENTERLINE OF AN EXISTING SOUTHERN NATURAL GAS COMPANY 6 INCH SOUTHERN CEMENT LINE; THENCE CONTINUE N21°30'39"W A DISTANCE OF 137.90 FEET TO A POINT; THENCE N59°01'39"E A DISTANCE OF 143.36 FEET TO THE POINT OF ENDING, SAID POINT LYING ON THE CENTERLINE OF AN EXISTING SOUTHERN NATURAL GAS COMPANY 6 INCH SOUTHERN CEMENT LINE AND CONTAINING 0.19 ACRES.

Shelby County, AL 02/26/2010
State of Alabama
Deed Tax : \$.50

NSA

The thirty (30) foot wide right-of-way herein granted being and to be situated fifteen (15) feet West and North and fifteen (15) feet East and South from the centerline of the first pipeline hereafter installed and constructed by Grantee for the entire distance that said right of way easement traverses Grantor's lands as described above. Said thirty (30) foot right-of-way is depicted on Southern Natural Gas Company Drawing Number RW-8807, attached hereto as Exhibit "A".

8607 JS

This grant shall include, without limitation, the right of convenient ingress and egress by Grantee over and across said lands and other adjacent lands of the Grantor by reasonable means, including, but not limited to, the use of private roads, headlands, and any other routes of access of Grantor, whether presently existing or hereafter constructed and maintained in, over, and across said lands and the use thereof reasonable necessary in connection with the construction, maintenance, operation, renewal, changing the size of, repair, replacement, relocation, or removal of the pipeline, appliances, appurtenances, fixtures, and equipment, on said right-of-way.

Grantee shall have the continuing right, exercisable at any time, and from time to time, to cut and keep said right-of-way clear of all trees, undergrowth, and other natural and man-made obstructions that may injure or endanger Grantee's pipeline, appliances, appurtenances, fixtures, and equipment, or interfere with Grantee's access to, monitoring of, or maintenance, repair, relocation, construction, and/or operation of the same.

Grantor reserves the right to cultivate or otherwise make use of said lands for purposes and in a manner which will not interfere with the enjoyment or use of the rights, easement, and estate granted hereby, but Grantor shall not construct, nor permit to be constructed, any houses, building, dams, levees, lakes, ponds, structures, or any similar or dissimilar obstructions on or over said right-of-way, or any part thereof, as surveyed or finally determined hereunder.

The Grantee herein is further granted the full right and authority to lease, sell, assign, transfer, and/or convey to others the right-of-way, estate, interests, rights, and privileges hereby granted, in whole or in part of any interest herein, and to encumber the same.

Grantee shall bury the pipe laid hereunder to a minimum depth of 36" below ground level.

Grantee shall pay for all damages to Grantor's roads, fences, crops, timber and property that may be suffered by Grantor by reason of the exercise by Grantee of any of the rights and privileges hereby granted, but shall not be liable for damages caused by keeping said right-of-way clear of trees, undergrowth, and other natural or man-made obstructions, in the course of the maintenance and operation of its system and appurtenances.

No delay of Grantee in the use or enjoyment of any right or easement hereby granted shall result in the loss, limitation, or abandonment of any of the right, title, interest, easement, or estate granted hereby.

NSA



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This grant covers all the agreements and stipulations between Grantor and Grantee and no representations or statements, verbal or written, have been made modifying, adding to or changing the terms or consideration for this grant.

The terms and provisions hereof shall inure to the benefit of and be binding upon the Grantor and Grantee and their respective heirs, successors and assigns.

TO HAVE AND TO HOLD the estate, easement, rights, and privileges hereby conveyed to said GRANTEE, its heirs, successors and assigns, forever.

IN TESTIMONY WHEREOF, the said undersigned has hereto set his/her hand and seal, on this the 18th day of SEPTEMBER, 2009.

Signed, Sealed, and Delivered
in the Presence of:

WITNESSES:

Don Collins

GRANTOR:

[Signature]

Name: Joseph G. Goo

Name: _____

N/A.



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DIRECT ACKNOWLEDGMENT

STATE OF ALABAMA

COUNTY OF SHELBY

This day personally appeared before me, the undersigned officer authorized to take acknowledgments in and for said County and State, the within named LAFARGE NORTH AMERICA whose name 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/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 6th day of OCTOBER 2009.

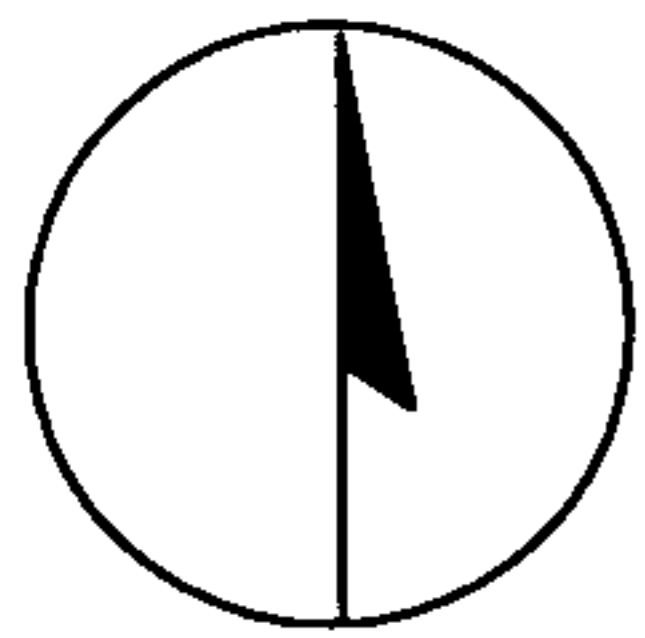
[Handwritten Signature]
Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Jan 28, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS

My Commission Expires: _____



[Handwritten initials]



NORTH

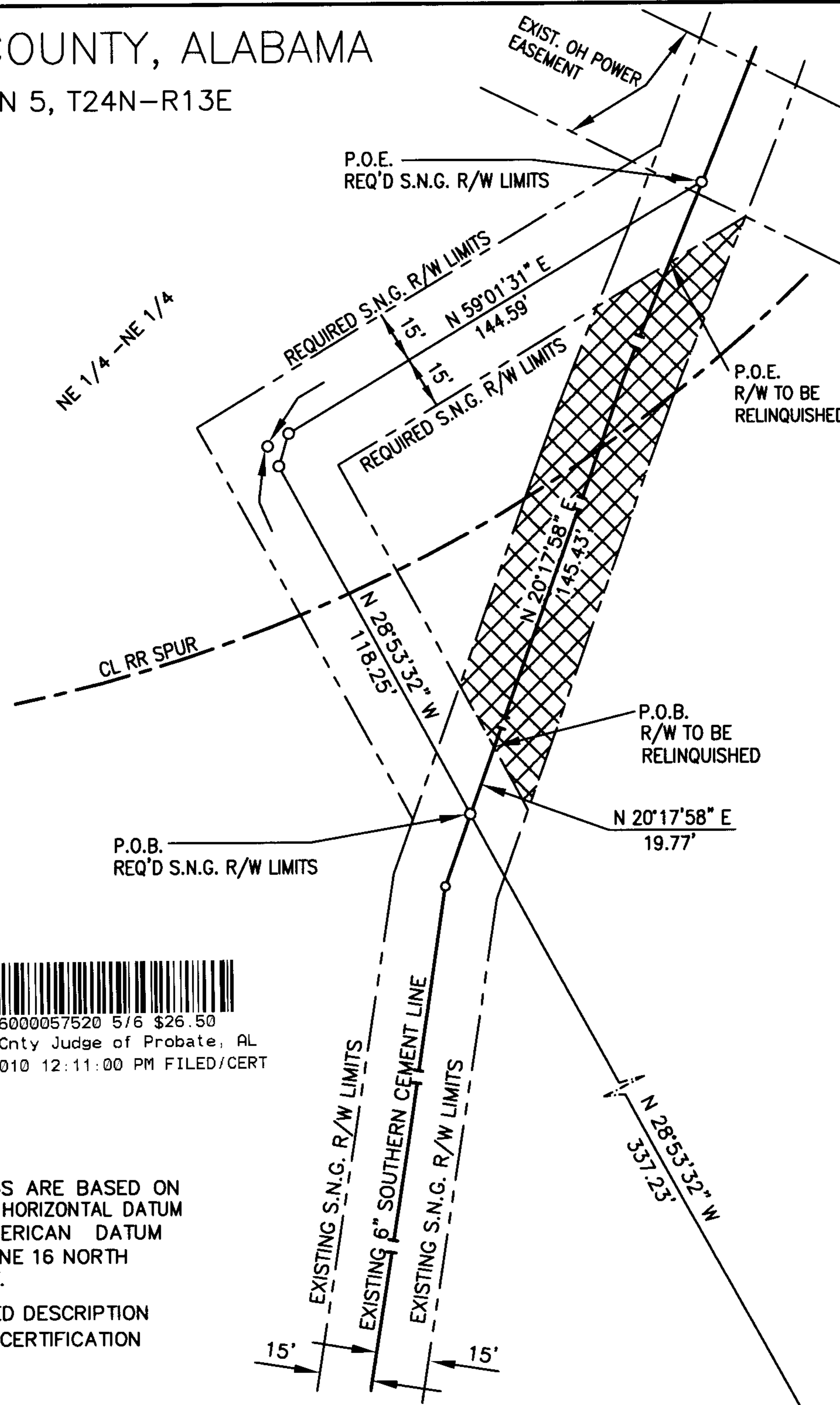
SHELBY COUNTY, ALABAMA

SECTION 5, T24N-R13E

TOTAL FEET 262.84
 TOTAL RODDAGE 15.93
 AREA IN R/W TO BE RELINQUISHED 0.10 ACRES
 AREA IN R/W TO BE ACQUIRED 0.18 ACRES

LEGEND

POINT OF COMMENCEMENT P.O.C.
 POINT OF BEGINNING P.O.B.
 POINT OF ENDING P.O.E.
 IRON PIPE FOUND ●
 R/W TO BE RELINQUISHED



REFERENCES:

ALIGNMENT MAP: P-5-83 (OLD)
 SN-AL-SOCM-1-1
 P-13-1509



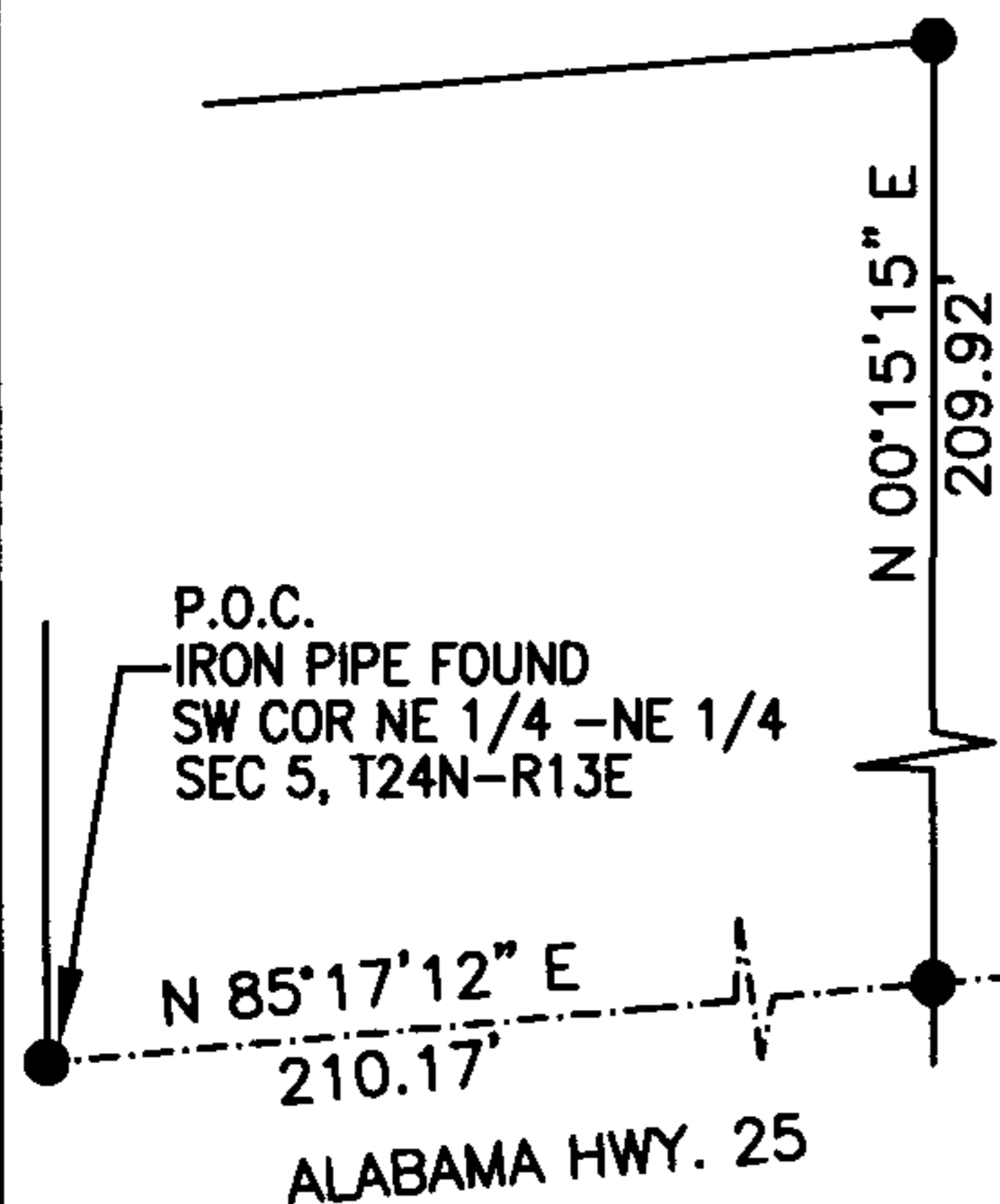
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SCALE IN FEET

NOTES:

- ALL BEARINGS ARE BASED ON GRID NORTH. HORIZONTAL DATUM IS NORTH AMERICAN DATUM 1983, UTM ZONE 16 NORTH SURVEY FEET.
- SEE ATTACHED DESCRIPTION AND SURVEY CERTIFICATION



NO.	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
1	1-05-10	RLS	REVISED AS-BUILT		

Division:	SOUTHEAST	Op. Area:	BIRMINGHAM
St.:	ALABAMA	Co./Par.:	SHELBY
Section:	05	Township:	24N
		Range:	13E
Dft:	RLS	Date:	5-6-09
		Project ID:	126311
Chk:		Date:	
		Scale:	1" = 50'
Appr:		Date:	
		Filename:	

6" SOUTHERN CEMENT LINE
 (REPLACEMENT & RELOCATION)
 CROSSING LAFARGE CEMENT PLANT
 RAILROAD SPUR
 M.P. 0-7+97



RW 8607

Sheet: 1 of 1
 Type: ACAD

DESCRIPTION: RIGHT-OF-WAY TO BE RELINQUISHED

A PARCEL OF LAND 30 FEET IN WIDTH ON, OVER, ACROSS AND THROUGH THAT TRACT OF LAND LYING AND BEING IN THE NE¼ OF THE NE¼ OF SECTION 5, TOWNSHIP 24 NORTH, RANGE 13 EAST, SHELBY COUNTY, ALABAMA, SAID PARCEL IS MORE PARTICULARLY DESCRIBED AS LYING 15 FEET LEFT AND 15 FEET RIGHT OF THE FOLLOWING DESCRIBED CENTERLINE DEPICTED ON SOUTHERN NATURAL GAS DRAWING NO. R/W 8807, TO WIT:

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DESCRIPTION: RIGHT-OF-WAY TO BE ACQUIRED

A PARCEL OF LAND 30 FEET IN WIDTH ON, OVER, ACROSS AND THROUGH THAT TRACT OF LAND LYING AND BEING IN THE NE¼ OF THE NE¼ OF SECTION 5, TOWNSHIP 24 NORTH, RANGE 13 EAST, SHELBY COUNTY, ALABAMA, SAID PARCEL IS MORE PARTICULARLY DESCRIBED AS LYING 15 FEET LEFT AND 15 FEET RIGHT OF THE FOLLOWING DESCRIBED CENTERLINE DEPICTED ON SOUTHERN NATURAL GAS DRAWING NO. R/W 8807, TO WIT:

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I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF ON THIS THE 4 DAY OF JANUARY, 2010.

SURVEYOR'S SIGNATURE: 

ALABAMA REGISTRATION NO.: 10739

REVISED AS-BUILT: 01/06/2010

