

State Highway Department of Alabama
Bureau of Construction
Division of Materials

3209

MATERIALS OPTION

STATE OF ALABAMA)	OPTION TO PURCHASE	Gravel (*)	Sand ()
)		Topsoil ()	Earth ()
COUNTY OF SHELBY)		Sandclay ()	
)		Stone ()	
		Chert ()	

Know all men by these presents that and in consideration of one dollar (\$1.00) in hand paid to me, receipt of which is hereby acknowledged, owner of mineral and surface rights of a certain tract of land hereinafter described, do hereby grant unto the County of Shelby through the State Highway Department, or its agents or contractors, the right to remove such quantities of Gravel as desired for use in the construction of Road Project Montevallo-Siluria from a certain portion of my land, hereinafter described, together with the use of whatever lands are necessary for a convenient temporary right-of-way between this tract of land and the Project for the duration of this instrument; said tract being approximately described as follows:

NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 26, Township 21, Range 3 West.

Execution of this form shall void Shelby County's claim to base course

materials in Sections 22 & 27, Township 21, Range 3 West.

on which land the definite location of the Gravel to be removed has been designated to me; under the following conditions, to-wit: Payment for the Gravel from the above described land shall be at the rate of 5¢ per cubic yard by loose volume as measured in truck beds at the place of dumping, the record of yardage for payment to me to be the same as made by the State for payment to its hauling contractors or agents and that payment shall be made to me by the State Highway Department or its contractors or agents, within 60 days after the expiration of each calendar month in which this Gravel was removed, and it is hereby agreed that no payment shall be made to me for any stripping or material necessarily removed in securing suitable Gravel or in maintaining a temporary haul road, but that the State Highway Department or its contractors or agents, will remove without charge any or all such stripping or material to any spot on my land designated by me, without three hundred (300) feet off the place of excavation, and that the above payment will compensate me in full for any damage to my land incurred in the removal and disposal of these materials.

This option to purchase the right to remove materials in accordance with the terms of this instrument shall be binding upon me, my heirs, assigns, or administrators from the date of its execution to November 1, 1948, further state that I have the right to give this option and to sell the said Gravel that I (am) I the sole owner of the land (pit) from which the said Gravel is to be taken and that the said land (pit) is free and clear of all liens, mortgages, encumbrances, and/ or reservations.

This materials option is in lieu of and cancels and rescinds materials option dated January 16, 1948, executed by Belcher Land & Timber Co.

In witness whereof, I have hereunto set my hand and seal this 22 day of April, 1948.

Floyd T. Hawkins (L.S.)

WITNESSES:

Sadie Hawkins (L.S.)

F. Y. Tinsley

Notary Public
NOTARIAL SEAL

Filed in the office of the Probate Judge the 27th day of April, 1948 at 3 o'clock P.M. and recorded in the Deed Record 133 on page 571 on this the 10th day of May, 1948.

L.C. Walker,

NO TAX DUE ON THIS INSTRUMENT

Judge of Probate