

4547

Form C-4M

STATE HIGHWAY DEPARTMENT OF ALABAMA
BUREAU OF CONSTRUCTION
DIVISION OF MATERIALS

MATERIALS OPTION

STATE OF ALABAMA

COUNTY OF

Shelby

OPTION TO PURCHASE

{ Gravel () Chert ()
Topsoil () Sand ()
Sandclay () Earth ()
Stone () Shale ✓

Know all men by these presents that and in consideration of one dollar (\$1.00) in hand paid to it, receipt of which is hereby acknowledged, City of Columbiana, owner of mineral and surface rights of a certain tract of land hereinafter described, do hereby grant unto the State of Alabama acting through the State Highway Department, or its agents or contractor, the right to remove such quantities of Shale as desired for use in the construction of Road Project SACP 440-B from a certain portion of its 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:

Located 1.71 Miles North-west of Sta. 0+00
of Project SACP 440-B, lying in the NE 1/4, Sec. 27,
T21S, R1W.

on which land the definite location of the Shale to be removed has been designated to me; under the following conditions, to-wit: Payment for the removed from the above described land shall be at the rate of 0¢ per cubic yard by loose volume as measured in truck beds at the place of dumping, the record of yardage for payment to to be the same as made by the State for payment to its hauling contractors or agents and that payment shall be made to by the State Highway Department or its contractors or agents, within days after the expiration of each calendar month in which this was removed, and it is hereby agreed that no payment shall be made to for any stripping or material necessarily removed in securing suitable 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, within three hundred (300) feet off the place of excavation, and that the above payment will compensate me in full for any damage to 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 heirs, assigns, or administrators from the date of its execution to The termination of project

 , further state that it have the right to give this option and to sell the said Shale that it (am) (are) 1.5 the sole owner of the land (pit) from which the said Shale is to be taken and that the said land (pit) is free and clear of all liens, mortgages, encumbrances, and/or reservations.

In witness whereof, have hereunto set hand and seal this 30 day of August, 19 51.

WITNESSES: Attest

Mayor

(LS)

If property is a homestead, separate acknowledgments on reverse side must be taken and wife must make acknowledgment before notary public.

ACKNOWLEDGMENT FOR INDIVIDUAL

STATE OF ALABAMA,

Shelby County }

I, Orvil Duke, a Justice of Peace in and for said County, in said State hereby certify that W. D. Wallace Jr whose name _____ signed to the foregoing conveyance, and who _____ known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, _____ executed the same voluntarily on the day the same bears date.

Given under my hand this 30 day of Aug, A.D. 19 51

Orvil Duke
Justice of Peace
(Official Title)

Filed in the office of the Probate Judge on the 30 day of Aug 1951 at 2 o'clock P M.
and recorded in Deed Book 148 Page 99 this 5 day of Sept 1951.
Deed Tax _____ Mortgage Tax _____ has been paid.

L.C. Walker, Judge of Probate