

SHELBY COUNTY

Form C-4M

~~STATE~~ HIGHWAY DEPARTMENT OF ALABAMA
BUREAU OF CONSTRUCTION
DIVISION OF MATERIALS

FILED 16 FEBRUARY 1959

MATERIALS OPTION

STATE OF ALABAMA

COUNTY OF Shelby

OPTION TO PURCHASE

| | | | | |
|---|----------|-----|-------|-----|
| { | Gravel | () | Chert | (X) |
| | Topsoil | () | Sand | () |
| | Sandclay | () | Earth | () |
| | Stone | () | | |

Know all men by these presents that and in consideration of one dollar (\$1.00) in hand paid to us, receipt of which is hereby acknowledged, Alabama Mineral Land Co., owner of mineral and surface rights of a certain tract of land hereinafter described, do hereby grant unto ~~the State of Alabama through the~~ Shelby County ~~Second~~ Shelby Highway Department, or its agents or contractor, the right to remove such quantities of chert as desired for use in the construction of Road Project _____ from a certain portion of our 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 in the SW¹/₄ of SW¹/₄ Section 17, T.29S, R.1E, S.

Located in the ~~SE 1/4 of the~~ SE 1/4 of the SW 1/4, Section 17,
T 20 S, R 1 E, being 10 acres more or less.

on which land the definite location of the chert to be removed has been designated to me; under the following conditions, to wit: Payment for the chert removed from the above described land shall be at the rate of * 3¢ and 5¢ per cubic yard by loose volume as measured in truck beds at the place of dumping, the record of yardage for payment to us to be the same as made by the ~~State of Ohio~~ Shelby County to its hauling contractors or agents and that payment shall be made to us by the ~~State~~ Shelby County Highway Department or its contractors or agents, within 60 days after the expiration of each calendar month in which this chert was removed, and it is hereby agreed that no payment shall be made to us for any stripping or material necessarily removed in securing suitable chert or in maintaining a temporary haul road, ~~no compensation~~
~~the State of Ohio, its contractors or agents, without compensation and no~~
~~stripping or material necessarily removed in securing suitable chert or in maintaining a temporary haul road, within three hundred (300) feet of~~
~~the place of removal~~ and that the above payment will compensate me in full for any damage to our 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 us, our heirs, assigns, or administrators from the date of its execution to February 1, 1965. 1962 (110)

STATE OF ALABAMA
SHELBY COUNTY

ACT NO. 76

STATE OF ALABAMA
SHELBY COUNTY
I hereby certify that no Deed Tax has been col-
lected on this instrument

Conrad H. Olson, Judge of Probate, further state that WE have the right to give this option and to sell the said chert that WE had (are) the sole owner of the land (pit) from which the said chert 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, I have hereunto set my hand and seal this 12th. day of Feb., 19 59.

WITNESSES:

THE ALABAMA MINERAL LAND CO.

BY W. J. Kelly (LS)

(LS)

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

*Payment for the said chert is to be 3¢ per C.Y. when used on county maintenance or county maintenance grading; payment will be 5¢ per C.Y. when used on Farm-to-Market construction work.

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STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within Option
was filed for record the 16 day of July 1959 at 2 o'clock and recorded in
Book Record, Page 264 and the Mortgage Tax Deed Tax
has been paid. 199

Court of Probate