

FORM C-4M

## STATE HIGHWAY DEPARTMENT OF ALABAMA

## BUREAU OF CONSTRUCTION

FILED 8

JULY 1959

DIVISION OF MATERIALS

## 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 \_\_\_\_\_, receipt of which is hereby acknowledged, Coosa River Newsprint Co., 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 chert as desired for use in the construction of Road Project Various County Projects 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 0.1 mile left and right of Station 502+00 of County Highway 22

(Dargin to Pearidge) and lying in the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  and SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , Sec. 36,

T 21 S, R 4 W in Shelby County. This pit shall have a width of approximately 100

feet and a length of 1000 ft. There will be approximately 35000 Cu. Yds. of chert

in this pit.

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 34 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 for payment to its hauling contractors or agents and that payment shall be made to us by the State 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, but that the State Highway Department or its contractors or agents shall be responsible for any and 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 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 July 1, 1965.

Shelby County will make the necessary relocation and construction of the Coosa River Newsprint Company access road.

\_\_\_\_\_, further state that \_\_\_\_\_ have the right to give this option and to sell the said \_\_\_\_\_ that \_\_\_\_\_ (am) (are) \_\_\_\_\_ the sole owner of the land (pit) from which the said \_\_\_\_\_ 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 26 day of

June, 1959.

WITNESSES:

Mildred Morris  
Notary - Ala. at Large

B. B. B. B. B.

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

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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 8 day of July 1959 at 7 o'clock PM and recorded in Book 202, at page 450. The Mortgage Tax Deed Tax has been paid.

Conrad M. Fowler  
Judge of Probate