

KNOW ALL MEN BY THESE PRESENTS: That

SOUTHERN RAILWAY COMPANY, a Virginia corporation, hereinafter styled Railroad, hereby grants unto SHELBY COUNTY, Alabama, hereinafter styled County, and its successors, in so far as its title enables it so to do, but without warranty, the right or easement to relocate, construct, maintain and use in accordance with this agreement a public road or highway across, at grade, the right of way or property and main track of Railroad running between Wilton and Burstall, at MAYLENE, Alabama, the center line of said road to cross said main track at a point 1,896 feet northwest of Milepost 10-R, substantially as shown in red on print of Drawing No. 38820, dated November 23, 1960, hereunto annexed and made a part of this instrument; RESERVING, however, unto said Railroad the right to continue to maintain, repair, renew and operate said track and appurtenances across said road and hereafter to construct such additional track or tracks and other railroad facilities across said road and maintain, repair, renew and operate the same as in the judgment of Railroad may be requisite.

And COUNTY, in consider of the foregoing grant, hereby agrees:

(1) The portion of said road to be relocated and constructed within the boundaries of said right of way or property of Railroad (which railroad right of way is of the width shown on said annexed print) shall be located as shown on said annexed print, shall be so relocated, constructed and maintained that the same shall not interfere with any use made or to be made of the said right of way or property for railroad purposes, or the safe and proper operation and maintenance of said railroad, or the proper drainage of the roadbed and right of way or property of said railroad. It is understood and agreed that County will not allow or permit the diversion of any additional drainage into existing drainage facilities or upon the property of Railroad.

(2) Railroad will perform the work of constructing the portion of said crossing located between the rails of said track and to the outside ends of the cross ties on each side thereof, and relocating a pole in the communications wire line of Railroad. County will, at the expense of County, lay out, grade and pave the remainder of said road upon the right of way or property of Railroad to conform with the present grade of said track and will provide and maintain adequate drainage facilities for said road.

(3) Railroad shall not be required to pay any assessments of any kind or character on account of the relocation, construction or maintenance of said road within the limits of said right of way or property.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their respective officers thereunto duly authorized, as of the 1st day of June, 1961. Done in duplicate, each part being an original.

2m7
L. S.
ATTEST:

R. L. Eddington

Assistant Secretary.

L. S.
ATTEST:

Cecil Duke
County Clerk.

5-23-61 Mc/lt
45751

SOUTHERN RAILWAY COMPANY,

By *C. H. [Signature]*
Vice President.

SHELBY COUNTY, Alabama,

By *Com. [Signature]*
Judge of Probate.

961 PM 912 JUN

DISTRICT OF COLUMBIA, }
City of Washington. } ss:

I, Hobart R. House, a Notary Public in and for the District of Columbia, hereby certify that E. M. Tolleson, whose name as Vice President of Southern Railway Company, a corporation, 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, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand and official notarial seal, this 31st day of July, 1961.

Hobart R. House
Notary Public in and for the District of Columbia.

My commission expires November 14, 1961.

STATE OF ALABAMA, }
Shelby County. } ss:

I, Lonice Brasher, a Notary Public in and for the State and County aforesaid, hereby certify that Conrad M. Fowler, whose name as Judge of Probate of Shelby County, Alabama, 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, as such officer, and with full authority, executed the same voluntarily for and as the act of said Shelby County, Alabama.

GIVEN under my hand and official notarial seal, this 1 day of June, 1961.

Lonice Brasher
Notary Public.

My commission expires 1-3-65.

STATE OF ALABAMA
SHELBY COUNTY

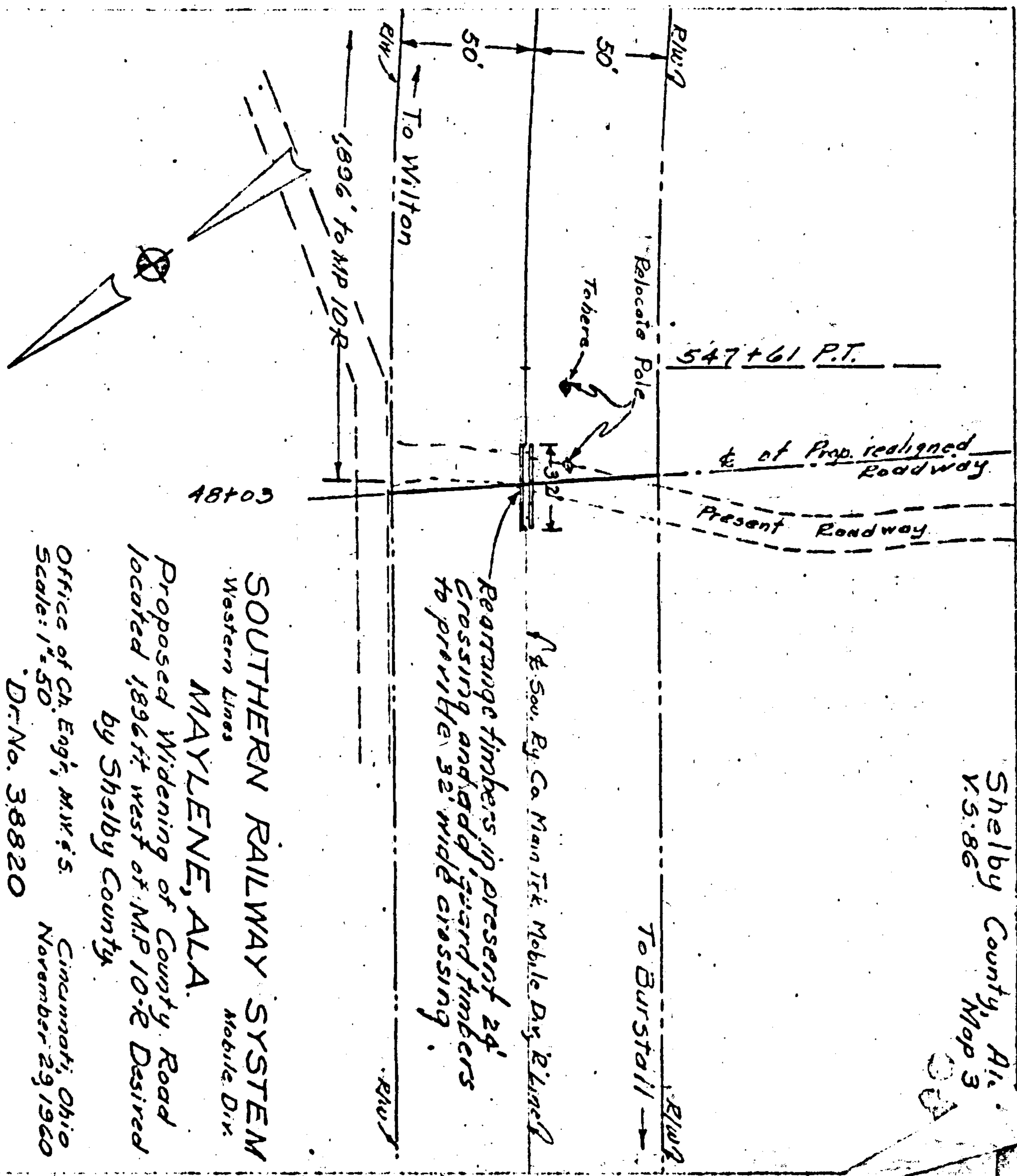
ACT NO. 789

I hereby certify that no Deed Tax has been collected on this instrument.

Conrad M. Fowler
Judge of Probate

"TAX EXEMPT"

Shelby County, Ala.
V.S. 86
Map 3



SOUTHERN RAILWAY SYSTEM
Western Lines
Mobile Div.

MAYLENE, ALA.
Proposed Widening of County Road
located 1896 ft. west of M.P. 10-R Desired
by Shelby County.

Office of Ch. Eng'g, M.W.'s.
Scale: 1"=50'
Dr. No. 38820
Cincinnati, Ohio
November 29, 1960

Case File 5-12584

862 JND 912 NOV 9

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 8/21/61
RECORDED & PAID TAX
& DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Conrad W. Taylor
JUDGE OF PROBATE

Estimated cost of work to be done by the Southern Railway Company for the account of Shelby County, Alabama, in connection with widening a crossing of present main track at a point 1,896 ft. northeast of Milepost 10-B on the Mobile Division of the Southern Railway Company at Maylena, Alabama.

I Additional timber (4 pcs. for 1 - 8' section)

132# crossing timbers - 4 pcs.	0.170	MBH	@	\$165.	0	28.
Screw spikes 5/8"x12", 24 @ 1.50	0.36	MBH	@	11.20		4.
Transportation (0.37 ton)	70	T.M.	@	0.01		1.
Plus 5% handling @ storage Yd.	5%	on \$32.				2.
Contingencies about 10%						4.
					0	39.

II Rearrange present timbers and add 1 - 8' section

Foreman (1)	4	MBH	@	\$2.70	0	11.
Laborer (1)	4	"	@	2.17		9.
Plus 5% Vacation Allowance (on \$20.)						1.
" 23 Paid Holidays (on \$20.)						1.
" 3% Health & Welfare Ins. (on \$21.)						1.
" 4% Comp. Ins. P.D.&P.L. Ins. (on \$21.)						1.
" 10% R.R. Ret.&Unemploy. Tax (on \$21.)						2.
Contingencies about 10%						3.
					0	20.

III Relocate Communication Pole Line

Contingencies about 10%

0	290.
20.	
0	310.
0	335.

Total Estimated Cost

NOTE: County or County's Contractor to place blacktop if wanted.

Office of Chief Engineer, MRAS
Cincinnati, Ohio
November 30, 1960 hcf/vjk

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STATE OF ALA. SHELBY CO.
I CERTIFY THIS RETURN HAS
BEEN FILED ON
RECORDED & INDEXED
& \$... PAID TAXES
PD. ON THIS RETURN