

Right of Way

BLUE CIRCLE CEMENT #2 & #3 145 KV
BIRMINGHAM DIVISION
37200441-300

70000285

This instrument prepared in the
Corporate Real Estate Office
Alabama Power Company
P.O. Box 2641
Birmingham, AL 35291
By Karen Jones

STATE OF ALABAMA }

County of SHELBY }

Blue Circle, Inc., a corporation

for and in consideration of the sum of One and No/100
Dollars (\$ 1.00) to it in hand paid by Alabama

Power Company, a corporation, the receipt whereof is acknowledged, do hereby grant to said Alabama Power Company, its successors and assigns, the right to construct, operate and maintain electric transmission and communication lines and all towers, poles, conduits, conductors, cables, insulators, anchors, guy wires, counterpoise conductors, and all other appliances necessary or convenient in connection therewith from time to time over, under and across, a strip of land 100 feet in width, as said strip is now located by the final location survey thereof heretofore made by said Company, over, under and across the lands of which it is hereinafter described as being a part, together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof for the purposes above described, including the right of ingress and egress to and from said strip and the right to cut, remove, or otherwise kill, and keep clear by any means, including chemicals, all trees and undergrowth and all other obstructions under, on or above said strip and the right to cut such timber outside of said strip which in falling would come within five (5) feet of any conductor on said strip, and the right to install, maintain and use anchors and guy wires on land adjacent to said strip, and the right to install grounding devices on grantors' fences now or hereafter located on such strip and on fences or other structures of grantors now or hereafter located adjacent to such strip, and the right to prevent the use of such strip as a parking area for automobiles or other vehicles, as a storage area for machinery or materials, or as a road other than a road crossing such strip at a location which does not endanger or interfere with works that have been or may at some future date be constructed on such strip, said strip and the lands of which the same is a part being described as follows:

A strip of land 100 feet in width which lies within the Northwest Quarter (NW1/4) of Section 19, Township 22 South, Range 2 West, Shelby County, Alabama, such strip being more particularly described as follows:

To reach the point of beginning of said strip of right of way, commence at the Northeast corner of Section 19, Township 22 South, Range 2 West; thence run S88°12'24"W a distance of 4870.79 feet to a point, such point being called Point "A" for reference hereinafter; such point also being the point of beginning of the right of way herein described; therefrom, the strip lies 50 feet each side of a centerline and the continuations thereof which begins at such point of beginning and turns a deflection angle to the left of 71°46'10" and runs S16°26'14"W a distance of 1053.85 feet to a point, such point being called Point "B" for reference hereinafter; thence centerline turns a deflection angle to the left of 23°07'00" and runs S06°40'46"E a distance of 694.47 feet to a point; thence turn a deflection angle to the right of 44°25'39" and runs S37°44'53"W a distance of 90.27 feet to a point, such point being called Point "C" for reference hereinafter; thence center line turns a deflection angle to the right of 90°00' and runs N52°15'03"W a distance of 53 feet, more or less, to a point, such point being the point of ending of the right of way herein described. Alabama Power Company is also granted the right and authority to place such guy wires and anchors in a westerly direction from such ways and rights of way at Points "A" & "B" and in a southerly direction from such ways and rights of way at Point "C" indicated above as may be necessary in the erection, construction or maintenance of said wire lines and appliances of said company. The grantors covenant with the said Company, that they are lawfully seized in fee of the above described land; that it is free from all encumbrance; that they have a good right to convey the same to the said Company, and that they will warrant and defend the said land to the said Company forever.

TO HAVE AND TO HOLD the same to the said Company, its successors and assigns, forever.
The grantors shall have the right to cultivate and use said strip of land for any purpose not inconsistent with the rights which the grantee may from time to time exercise hereunder.

IN WITNESS WHEREOF, the said Blue Circle, Inc. has caused this instrument to be executed in its name by [Signature], as its President MGR, and attested by L. Philip McClendon, its Secretary, and its corporation seal to be affixed, on this the 12th day of May, 2000.

ATTEST:

L. Philip McClendon
Its SECRETARY

Blue Circle, Inc.
BY [Signature]
Its OPERATIONS MGR.

Inst

2000-2988 07/11/2000 1320
10:29 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

002 CJ1 11.30

GRANTEE'S ADDRESS
ALABAMA POWER CO
P.O. BOX 2641
BIRMINGHAM, AL 35291
ATT: CORP REAL ESTATE

STATE OF Alabama

County of Shelby

I, Carol Jean Hadley, a Notary Public in and for said County in said State, hereby certify that Laurence Reid, whose name as General Manager of Blue Circle Inc., 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 seal this the 12th day of May, 2000.

Carol Jean Hadley
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: JULY 25, 2000

STATE OF _____ }

County of _____ }

I, _____, a Notary Public in and for said County in said State, hereby certify that _____, whose name as _____ of _____, 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 seal this the _____ day of _____, 2000.

STATE OF _____ }

County of _____ }

I, _____, a Notary Public in and for said County in said State, hereby certify that _____, whose name as _____ of _____, 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 seal this the _____ day of _____, _____.

STATE OF _____ }

County of _____ }

I, _____, a Notary Public in and for said County in said State, hereby certify that _____, whose name as _____ of _____, 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 seal this the _____ day of _____, _____.

Inst # 2000-23208

07/11/2000-23208
10:29 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CJ1 11:50