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X

This instrument prepared by:
Lou D. Buratt
Alabama Power Company

W.E. No. 61700-00-0157-500
Parcel No. 70157108
Transformer No. _____

Alabama Power Company
P. O. Box 2641
Birmingham, Alabama 35291

(Lessor)

B. RIGHTS The easements, rights and privileges granted hereby are as follows:

1. **Overhead and/or Underground.** The right from time to time to construct, install, operate and maintain, upon, over, under and across the Property described in Section C below, along a route to be selected by the Company which is generally shown on the Company's final location drawing (which shows the general location of underground Facilities, if any, by indicating an area not greater than ten feet (10') in width), all poles, towers, wires, conduits, fiber optics, cables, trans closures, transformers, anchors, guy wires and other Facilities useful or necessary in connection therewith (collectively, "Facilities"), for the overhead and/or underground transmission and distribution of electric power, and also the right to clear and keep clear a strip of land extending five feet (5') to either side of the center line of underground Facilities and fifteen feet (15') to either side of the center line of overhead Facilities; further, the right in the future to install and utilize intermediate poles in line for overhead Facilities and the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the thirty foot (30') strip for overhead Facilities that, in the sole opinion of the Company, might now or may hereafter endanger, interfere with or fall upon any of the overhead Facilities.
LD 5-20-05
2. **Line Clearing.** The right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs that, in the sole opinion of the Company, might now or may hereafter endanger, interfere with or fall upon the electric transmission or distribution lines, poles, towers or other Facilities now or hereafter located adjacent to the Property described in Section C below along a route to be selected by the Company generally shown on the Company's final location drawing, and also the right to clear and keep clear all trees, undergrowth, and other obstructions on property in which Grantor has an interest within fifteen feet (15') of the center line of the lines of such poles, towers or other Facilities.
LD 5-20-05
3. **Guy Wires and Anchors.** The right to implant, install and maintain anchor(s) of concrete, metal or other material on and under the Property described in Section C below, and to construct, extend and maintain guy wires from such anchor(s) to structures now or hereafter erected adjacent to such Property or property adjacent thereto (collectively, "Guy Wire Facilities") along a route to be selected by the Company generally shown on the Company's final location drawing; and also the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs that, in the sole opinion of the Company, might now or may hereafter endanger, interfere with or fall upon any of the Guy Wire Facilities.

C. PROPERTY DESCRIPTION The easements, rights and privileges granted hereby shall apply to, and the word "Property" as used in this instrument shall mean, the following described real property situated in Shelby County, Alabama (the "Property"):

See Exhibit "A" attached hereto and made a part hereof for a legal description of the property involved and a statement about the duration of this agreement.

TO HAVE AND TO HOLD the same to the Company, its successors and assigns, forever.

IN WITNESS WHEREOF, the undersigned Grantor(s) has/~~have~~ set his/~~her~~ their hand(s) and seal(s) this the 1st day of June, 20 05.

(Grantor)

Martin Marietta Materials, Inc. (SEAL)
(Grantor) *0 1 1 1*

By: Danny C. Smith (SEAL)

VICE PRESIDENT / GENERAL MANAGER
MARTIN MARETTA MATERIALS - ALABAMA DIST.

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by _____, its authorized representative, as of the _____ day of _____, 20____.

ATTEST (if corporation) or WITNESS:

By: _____
Its: _____

(Grantor - Name of Corporation/Partnership/LLC)
By: _____ (SEAL)
Its: _____
[indicate President, General Partner, Member, etc.]

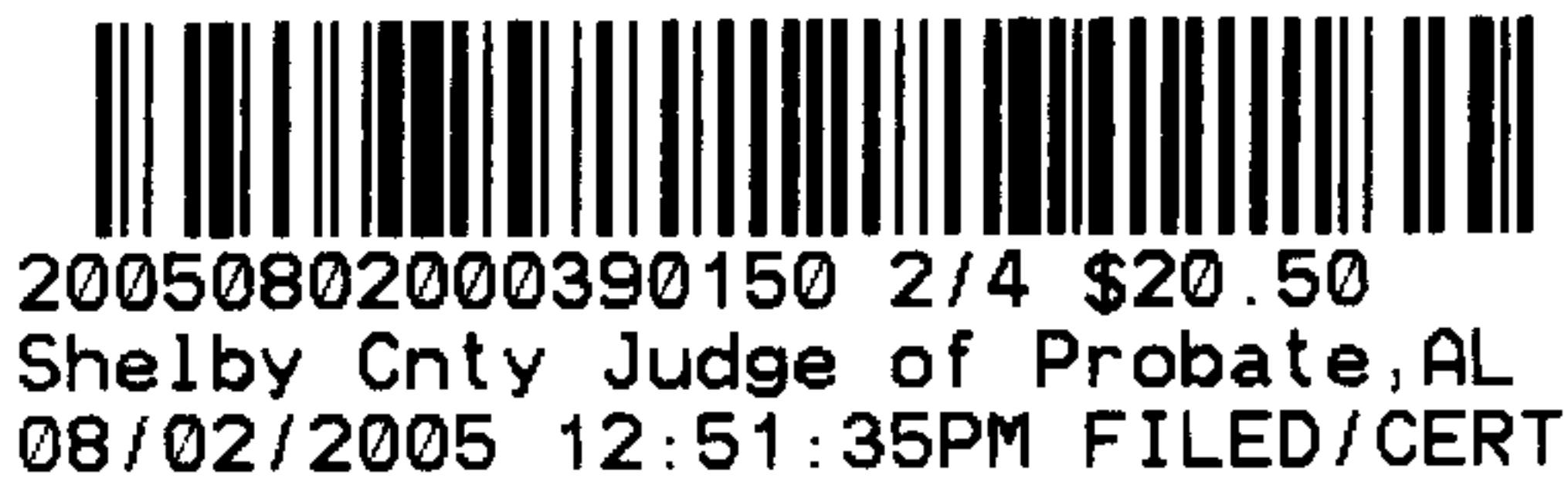
INDIVIDUAL NOTARIES

STATE OF ALABAMA }
COUNTY OF _____ }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that _____ whose name(s) is/are signed to the foregoing instrument and who is/are known to me, acknowledged before me on this day that being informed of the contents of the instrument, he/she/they executed the same voluntarily, on the day the same bears date.
Given under my hand and official seal this the _____ day of _____, _____.

[SEAL]

Notary Public
My commission expires: _____



STATE OF ALABAMA }
COUNTY OF _____ }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that _____ whose name(s) is/are signed to the foregoing instrument and who is/are known to me, acknowledged before me on this day that being informed of the contents of the instrument, he/she/they executed the same voluntarily, on the day the same bears date.
Given under my hand and official seal this the _____ day of _____, _____.

[SEAL]

Notary Public
My commission expires: _____

TRUSTEE/CORPORATION/PARTNERSHIP/LLC NOTARY

STATE OF ALABAMA }
COUNTY OF Jefferson }

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that _____, whose name as Barry C. Scott of Martin Marietta Whateals, Inc a Vice President/General Manager [as _____], 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/she, as such _____ and with full authority, executed the same voluntarily for and as the act of said _____ [acting in such capacity as aforesaid].

Given under my hand and official seal, this the 13th day of June, 2005.

[SEAL]

Ineida E Peoples
Notary Public
My commission expires: MY COMMISSION EXPIRES FEBRUARY 17, 2008

For Alabama Power Company Corporate Real Estate Department Use Only

All facilities on Grantor: _____ Station to Station: _____

Exhibit "A"

LEGAL DESCRIPTION

Parcel ID #23-8-28-0-000-004.000

Commence at the NE corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 28, Township 21 South, Range 3 West, for the point of beginning; thence S $0^{\circ}-18'-13''$ E and along east line of said $\frac{1}{4}$ - $\frac{1}{4}$ section run 983.31'; thence N $88^{\circ}-23'-21''$ W and run 696.20' to the east R.O.W. of a railroad; thence N $11^{\circ}-02'-37''$ E and along said east R.O.W. run 994.21' to the north line of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence S $88^{\circ}-37'-03''$ E and run 500.41' to the point of beginning. Containing 13.5 acres, more or less and situated in Shelby County, Alabama, and recorded in Deed Book 358, Page 581.

Parcel ID#23-5-21-0-001-034.000

Commence at the NE corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 28, Township 21 South, Range 3 West, for the point of beginning; thence S $0^{\circ}18'13''$ E and along east line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section run 983.31'; thence N $88^{\circ}23'21''$ W and run 696.20' to the east R.O.W. of a railroad; thence N $11^{\circ}02'37''$ E and along said east R.O.W. run 994.21' to the north line of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence S $88^{\circ}37'03''$ E and run 500.41' to the point of beginning. Containing 13.5 acres, more or less, and situated in Shelby County, Alabama.

Also, the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 21, Township 21, Range 3 West, less and except approximately 10 acres as shown in Will Book 13, page 460, in the Probate Office of Shelby county, Alabama.

LESS and EXCEPT 1 $\frac{1}{2}$ acres as described in Real Book 235, page 797;

LESS AND EXCEPT approximately 1 acre as described in Deed Book 276; page 312;

LESS AND EXCEPT approximately 1 acre as described in Real Book 295, page 615;

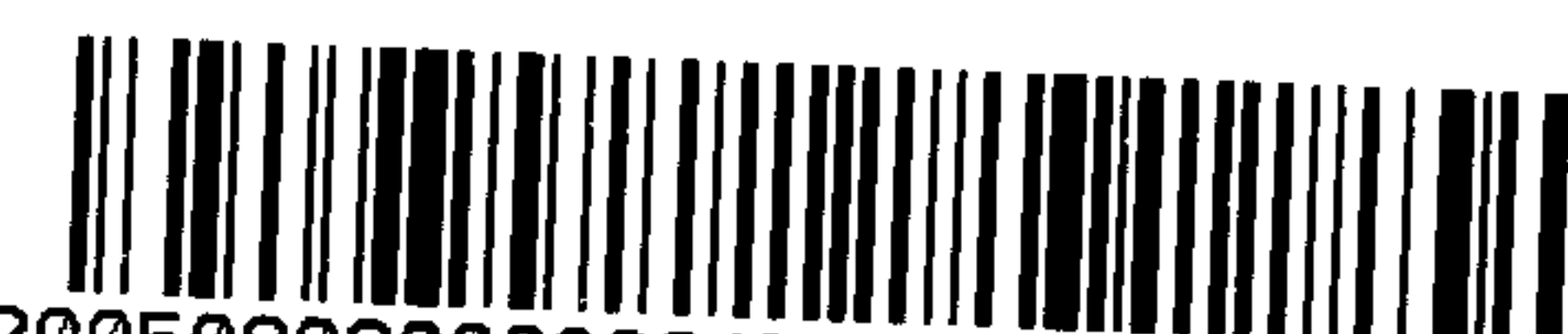
LESS AND EXCEPT approximately 9 acres, as described in Deed Book 141, page 127.

LESS AND EXCEPT 4.95 acres, more or less, as described in Real Book 167, page 520.

ALL IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, as recorded in Plat Book 344, page 237 and contains 26.9 acres more or less.

This right of way agreement is only valid through the term of the lease agreement with the fee owner of the property. The lease expires 12-31-2040.

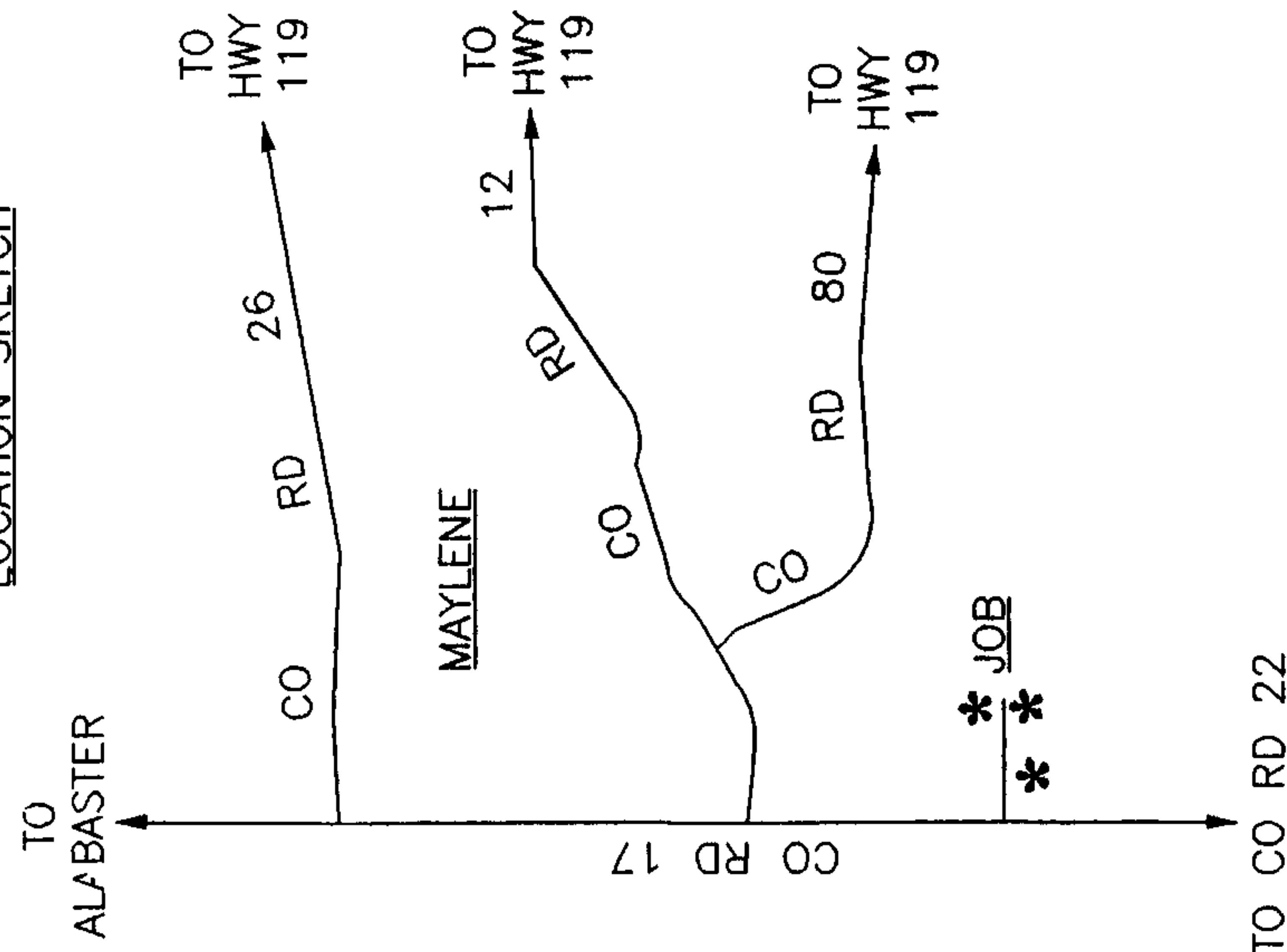
L.D.S.
5-20-05



20050802000390150 3/4 \$20.50
Shelby Cnty Judge of Probate, AL
08/02/2005 12:51:35PM FILED/CERT

Revised Lease
9/00

LOCATION SKETCH



FOR ENERGIZED LINE WORK:

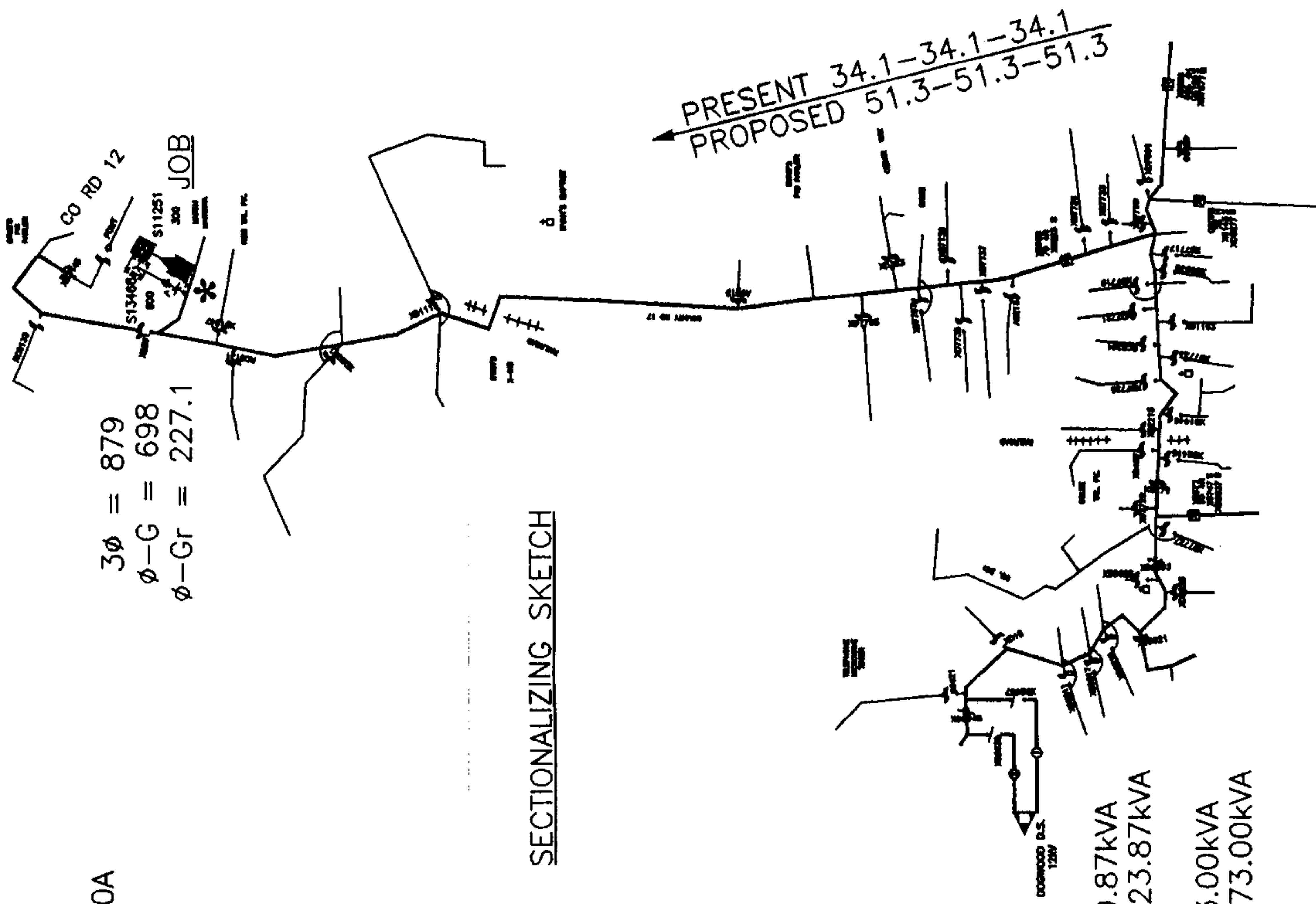
OBTAIN HL WORK PERMT @ X-6568 70A

SUBSTATION: DOGWOOD D.S.
FEEDER #1 BREAKER #35256

UNIT RATING = 5626kVA (SUMMER)
6094kVA (WINTER)

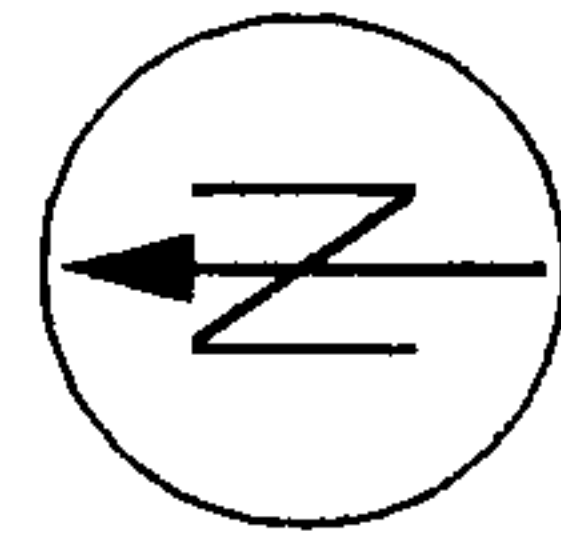
$3\phi = 879$
 $\phi-G = 698$
 $\phi-Gr = 227.1$

SECTIONALIZING SKETCH



2004 EXISTING LOAD = 4959.87kVA
2004 PROPOSED LOAD = 5323.87kVA
2005 EXISTING LOAD = 5223.00kVA
2005 PROPOSED LOAD = 5573.00kVA

CONSTRUCTION COMPLETE:



DATE:

**ANY CONSTRUCTION FIELD CHANGES
ARE SHOWN IN RED ON THIS PRINT.**

0 100 200
PLAN SCALE

TOWN: COUNTY: JORDAN
MAP REF: 3W-21-21-4 SEC-21,TP-21S,R-3W
DRAWN: LTC ENGR DATE 04/11/05
APPROVED: DATE
SUPERSEDES: DATE

ALABAMA POWER COMPANY
JOB POWER DELIVERY - BIRMINGHAM SOUTH
DETAIL KELLY CONSTRUCTION COMPANY
11275 CO RD 17
SCALE 1" = 100' PLOTTED 04-11-05
SHEET 1 OF 1 SHEETS
SUPERSEDES B-61700-00-01575

ENGINEER: BOB JORDAN
RADIO #11493

1: 500kVA 12kV 277/480V DFPM
1: (3) 400:5 BUSHING MOUNTED CTs
CALC. LOAD = 465.6kVA

NEW ASPHALT PLANT

L=1kW
RES. HT=10kW
MTR=408kW
TOTAL=419kW
@ 0.9pf
465.6kVA

OLD ASPHALT PLANT

S13468
167 167 167

R: 300kVA 12kV 277/480V DFPM
R: (3) 200:5 BUSHING MOUNTED CTs

ENTRANCE DRIVE S2615 25'

3-ZACSR&T-2ACSR
1-2 WP AL 65'
1-2 WP AL 65'
45/4
45/4

1: 45/4 CCA
1: 3 ϕ TANG ON 2 ϕ BKT & PCP
1: 4" PRI RISER
1: (3) 100A CUTOUTS & LAS

R: 4" PRI RISER
R: (3) 100A CUTOUTS & LAS

20050802000390150 4/4 \$20.50
Shelby Cnty Judge of Probate, PL
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