

WE# A 6170-50-A609
STA 2+110 to
STA 2+210



TRANSPORTATION

Rene M. Kurth

Customer Account Specialist

October 21, 2009

Mr. Jerry Roberson
Alabama Power Company
600 North 18th Street
Birmingham, AL 35219

RE: Agreement No.: CSX641441
Customer Ref No.: WE#A-6170-50-A609

Dear Mr. Roberson:

Attached is fully-executed original of Agreement No. CSX641441, dated October 21, 2009.

In accordance with this Agreement, Agreement Holder is responsible for paying the actual cost of CSXT flagging and/or support services, including all applicable surcharges (collectively "Fees").

No work is to be performed on CSXT property without Roadmaster's authorization.

It is your responsibility to schedule any work on CSXT property with CSXT Outside Services. To schedule the work, complete and follow the instructions on the attached Outside Party Number Request Form.

It was a pleasure assisting you with this project and we look forward to working with you in the future. If you have any questions please contact me at 904-633-1108 or rene_kurth@csx.com

Sincerely,

Rene M. Kurth

Attachment

IN NE 1/4 of the NE 1/4 of Section
13, Township 21 South, Range
3 West, Shelby County, Alabama

70227110



20091116000426590 1/10 \$38.50
Shelby Cnty Judge of Probate, AL
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"How Tomorrow Moves"

CSX Transportation - 500 Water Street, J180, Jacksonville, Florida 32202-4423

OUTSIDE PARTY NUMBER REQUEST FORM

- All information must be TYPED or CLEARLY PRINTED
- Proof of insurance as **required** by CSX and/or indicated in your agreement
- **Note:** If flagging protection is required, the average cost is \$800.00/day, this is not an invoice. A separate invoice for actual costs of flagging services will be sent to the Licensee or Project Owner upon completion of the project.
- Please submit this form in one of the following manners:

Mail: Property Services
c/o Flagging Projects
500 Water Street, J180
Jacksonville, FL 32202

Fax: 904.245.3692 **Email:** OP_Request@csx.com

Section 1: Project Information		To be Completed by Customer	
Location / Project Description		Agreement Information	
City:	Alabaster	CSXT Agreement No.:	CSX641441
County:	Shelby	CSXT Agreement Date:	October 21, 2009
State:	AL	Agreement Holder:	Alabama Power Company
Requested Start Date:		Railroad Milepost :	000 419.16
Duration in Days:		Installation :	<input checked="" type="checkbox"/> New <input type="checkbox"/> Maintenance
Scope of Work:		Installation of aerial Wireline. RK	
Section 2: Project Contact Information		To be Completed by Customer	
Billing Information for Agreement Holder/Project Owner		Project Contact (if different from Billing)	
Contact Name:		Contact Name:	
Company Name:		Company Name:	
Company Billing Address:		Company Address:	
Address (2):		Address (2):	
City:		City:	
State/Zip:		State/Zip:	
Phone:		Phone:	
Fax:		Fax:	
Email:		Email:	
CSXT Use Only			
Roadmaster		Signal Manager	
Name:		Name:	
Division:			
Project			
Outside Party (OP) Number		Valid Thru	Inspection
Actual Start Date			

Deed Tax : \$.50



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OUTSIDE PARTY NUMBER REQUEST FORM

Flagging Services:

Flagging services are required when projects are within close proximity to active rail lines and can only be performed by qualified CSXT personnel. Conditions when CSXT flagging services are required include:

- When an agency, consultant, or contractor is working on, near or adjacent to active railroad tracks
- When an outside party is using railroad property or performing operations that may affect railroad property or facilities
- When work off railroad property could impact CSXT property or operations
- When off-highway construction equipment is crossing the railroad at a private or public crossing
- When oversized equipment or highway vehicles are to cross the railroad at a private or public crossing

CSXT flagging services may only be performed by qualified CSXT employees who are (i) trained in the proper procedures related to rail operations and safety requirements, (ii) familiar with rail operations and procedures in a project area, and (iii) able to communicate directly with CSXT dispatching personnel and train crews. Depending on the current schedule of projects and/or your project scope, it may take 30 or more days to secure a flagman for your project.

Instructions:

- **All** information must be TYPED or CLEARLY PRINTED
- **Proof** of insurance as required by CSX or as indicated in your agreement (Certificate of Insurance which states CSX Transportation, Inc. as additional insured. Current coverage requirement is \$3 million per occurrence. Please direct any questions to Sheldon Morant at 904.633.1566)
- **Note:** If flagging protection is required, the average cost is \$800.00/day, minimum 8 hours plus drive time and other incurred expenses. This is not an invoice. A separate invoice for actual costs of flagging services will be sent to the Licensee or Project Owner upon completion of the project. *(Please note certain projects may require engineering review and the Agreement Holder/ Project Owner will be responsible for all costs associated with this review by CSXT and/or its Contractors.)*
- When off-highway construction equipment is crossing the railroad at a private or public crossing
- When oversized equipment or highway vehicles are to cross the railroad at a private or public crossing
- **Please** submit the form with payment of \$150.00 [pre-authorization (credit card) form can be found on the CSX website at: http://www.csx.com/?fuseaction=general.csxp_flag] in one of the following manners:

Mail: Property Services **Fax:** 904.245.3692 **Email:** OP_Request@csx.com
c/o Flagging Projects
500 Water Street, J180
Jacksonville, FL 32202

[include pre-authorization form with fax or email]

[Include check or pre- Authorization form]

- **In** the event that local flagging services are not available at the time of your request work effort, flagging services from outside the geographical area of your project may be assigned but at extra cost to the Agreement Holder/ Project Owner. The cost of flagging services vary based on factors including, but not limited to, type of project, duration of project, utilization of local or out of town flagging personnel, etc.
- **In** the event it is necessary to cancel or re-schedule flagging services already scheduled, the following notice periods are required *(failure to provide notice as stated shall result in the customer incurring costs associated with the scheduled flagging services)*:
 - i. 48 hour notice - Short term projects (project time frame of 1 - 3 days to completion)
 - ii. 3 days notice - Medium term projects (project time frame of 4 - 19 days to completion)
 - iii. 5 days notice - Long term projects (20 or more days to completion)

Completing the form:

Section 1: Project Information (to be completed by customer)

Location / Project Description:

- | | | |
|----------------------|---|--|
| City, County, State | - | Location of the requested work to be performed |
| Requested Start Date | - | The day you wish to initiate your work efforts (<i>note: depending on the work to be performed and the duration in days, 30 days advance notice is required</i>) |
| Duration in Days | - | The number of days you expect your work effort to take place |
| Project Description | - | A detailed description of your work effort (<i>note: this information is required in making the decision as to the necessity of flagging services - can be submitted on separate page. If an adequate description is not provided, we can not process your request.</i>) |

Agreement Information:

- | | | |
|---------------------|---|---|
| CSXT Agreement No. | - | Typically located in the top right corner of the agreement |
| CSXT Agreement Date | - | Date agreement executed. Typically located on page 1 of the agreement |
| Agreement Holder: | - | Entity named in agreement - other than CSXT. Typically located on page 1 of the agreement |
| Railroad Milepost | - | Typically located on page 1 of the agreement |

Section 2: Project Contact Information (to be completed by customer)

- | | | |
|-----------------------------|---|--|
| Current Billing Information | - | Billing information for the agreement holder (entity named in agreement) |
| Project Contact Information | - | Contact information for individual responsible for managing work efforts |

Please direct any questions to Sheldon Morant at 633-1566 or OP_Request@csx.com.





Rene Kurth
Customer Account Specialist

70227110
301 West Bay Street, Suite 900
Jacksonville, FL 32202
904.633.1108
Rene_Kurth@csx.com

October 21, 2009

General Agreement No.: CSX057553
Site Location No.: CSX 641441

Mr. Jerry Roberson
Alabama Power Company
600 North 18th Street
Birmingham, Alabama 35291

Dear Mr. Roberson:

Reference is made to Alabama Power Company's request to install facilities within CSX Transportation, Inc.'s property as noted below:

Agreement Date:	October 21, 2009	Location:	Milepost 000-419.16, at or near Alabaster, Shelby County, Alabama, Atlanta Division, S & NA South Subdivision
Application Date:	August 18, 2009	Facility:	One (1) aerial 7200 electrical distribution wireline

Subject to Alabama Power Company's scheduling the work as hereafter referenced, this letter will serve as formal authority to make the installation at the location shown on the attached approved print, in accordance with specifications outlined in your application, also attached hereto, and subject to the terms of said Agreement. This letter shall constitute a Supplement to said Agreement; please retain it in your file(s) pertaining to the same.

To schedule the work, complete and follow the instructions on the attached Outside Party Number Request Form. Pursuant to terms of the Agreement, the flagging fees will be invoiced upon completion of installation of the facilities.

Should there be any questions, please feel free to give us a call at the above referenced number.

Sincerely,


Rene Kurth



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APPLICATION FOR WIRE OR CABLE LINES CROSSING
OR PARALLELING PROPERTIES AND TRACK

Submit one original and one copy of both the application and drawing along with a \$750.00 nonrefundable Application Fee to CSX Transportation, Property Services J180, 500 Water Street, Jacksonville, FL 32202.

Application and plans must be approved and written authority received from the Railroad before construction is begun. Your proposal and construction must be in accordance with CSXT's Specifications, the National Electrical Safety Code, and any governing laws or regulations. Note: Specifications furnished in the Application Package are to be used as a guideline only. CSXT reserves the right to approve or decline any application.

PLEASE SIGN BEFORE COMPLETING:

Agreement No.: CSX641441

I affirm the information I am furnishing in this application will comply with the NESC Standards and accurately reflects the proposed construction plans.

Signature: [Signature] Application Date: August 18 2009

Project Owner Information:

☐ Check here if agreement should be mailed to this address

1. Complete Legal Name of applicant as it would appear in a legal document (inaccurate information will delay your request): Alabama Power Company
2. Company Contact Name: Jerry D. Roberson
Title: Chief Technical Specialist
3. Telephone: 205 257-4643 Fax: 205 257-1220 E-Mail: jdrobers@southernco.com
Company Emergency Contact Number (in case of derailment, fallen wire/pole, etc.): _____
4. Street Address: 600 North 18th Street City: Birmingham State: AL Zip: 35291
5. Type of business:
☒ Corporation (State of incorporation Alabama)
☐ Partnership (Type and State of Partnership _____)
☐ Individual ☐ Developer ☐ Municipality ☐ Other _____

Engineer/Consultant Information:

☐ Check here if agreement should be mailed to this address

6. Company Name: Same as Above
7. Company Contact Name: _____ Title: _____
8. Telephone: () _____ Fax: () _____ E-Mail: _____
9. Street Address: _____ City: _____ State: _____ Zip: _____

Project Information:

(Note: Metric Information will NOT be accepted.)

10. Is this installation: ☒ New ☐ Revision to existing ☐ Attachment to existing ☐ Upgrade to existing
11. If not a new installation, furnish existing Agreement Number: _____
12. If this installation is to be a supplement to your master (general) agreement, furnish:
Agreement Number: _____ Date: _____
13. Your Reference Number: _____
14. Town Location: Alabaster County: Shelby State/Province: Alabama
15. Type of Crossing: ☒ Electric ☐ CATV ☐ Telephone ☐ Communications
☐ Other (explain): _____
16. Crossing is dedicated to: ☐ Trunk ☒ Distribution ☐ Transmission ☐ Other _____
17. Conductor Material: ☐ Copper ☒ Aluminum ☐ Fiber Optic & Fiber Count _____
18. ☒ AC / ☐ DC : Voltage: 7200 No. of Phases: 1 Amperes: 200 Hertz: 60
19. Maximum Voltage: 7200 Maximum Current: 200
20. Maximum Fault to Ground: 2284 Amps 21. AWG Gauge: #2 ACSR
21. Is this both a Crossing and Parallelism? ☐ Yes ☒ No

Exhibit "A"

(Form continued on Page 2)

Sheet 1 of 2
CSXT File No. CSX641441



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Project Information Cont'd:

22. Number of tracks to be crossed: 1 Angle of crossing 54'00'55"
23. Crossing location: 838 feet SE (direction) from Railroad Milepost: 419
If known: Valuation Station: _____ Valuation Map Number: _____
If known: Latitude/Longitude: _____
If known: Street Address of Crossing/Parallelism: _____
24. Parallelism location: Beginning: _____ feet (direction) from RR Milepost: _____
and Ending: _____ feet (direction) from RR Milepost: _____
25. Total length on Railroad R/W: 120' Length Crossing: 120' Length Paralleling: _____
26. Will line be located entirely within a public road right-of-way? ☐ Yes ☒ No
** If you answered yes, road name, number, and width of public right-of-way are required on drawing
DOT/AAR Crossing Number: _____
27. a) Will this occupancy connect to an existing facility within Railroad corridor? ☐ Yes ☒ No
b) If Yes, name facility owner(s): _____
28. Number of ☐ Manholes ☐ Handholes ☐ Pull boxes ☐ Other (describe) _____
to be located within Railroad corridor. Dimensions of ancillary structures are required on drawing.
29. Distance from manholes/handholes/pull boxes/other to nearest track: _____
30. Number of: ☐ new poles ☐ existing poles _____ to be utilized on Railroad R/W
31. Owner of existing poles to be utilized within Railroad R/W: _____
32. Distance from butt of pole(s) utilized to nearest rail of track: 97'
33. Underground facilities: (For the purpose of this application, Conduit or Innerduct shall mean a single di
or pipe suitable for housing cables or wires).
Total buried length on Railroad R/W: _____ If power, total number circuits: _____
Number of Conduit(s): _____ Total Filled Conduit(s): _____ Total Empty Conduit(s): _____
Number of Cables or Lines in each Conduit: _____
Number of Conductors in each Cable or Line: _____
Encasement material: _____ Outside diameter: _____ (over 4", See Pipeline specs.) Wall thickness: _____
Bury depth from base of rail to top of casing: _____ feet
Bury depth on right of way, but not beneath tracks: _____ feet
Bury depth below ditches: _____ feet
Method of installation: _____ (Note: Directional boring is prohibited. See spe
Location of boring pits to adjacent track @ 90°: Launching Pit: _____ ft., Receiving Pit: _____ ft.
34. Aerial facilities:
Total aerial length on Railroad R/W: 120' If power, total number circuits: 1
Total number of CSX pole lines to be crossed: 0
* → Type of wire supports: WOOD Size: 60' False dead ends: _____
Height of wires above top of rail at 60°f: 32.6 feet Sag in Spans at 60°f: 11.6'
Height of wires above Railroad communication and signal wires at 60°f: _____ feet


Supplemental Fiber Optic Information (Must be Completed for Fiber Proposals):

35. Identify each intended user of the conduit/cable: _____
36. Entity performing construction: _____
37. Number of fibers per cable: _____

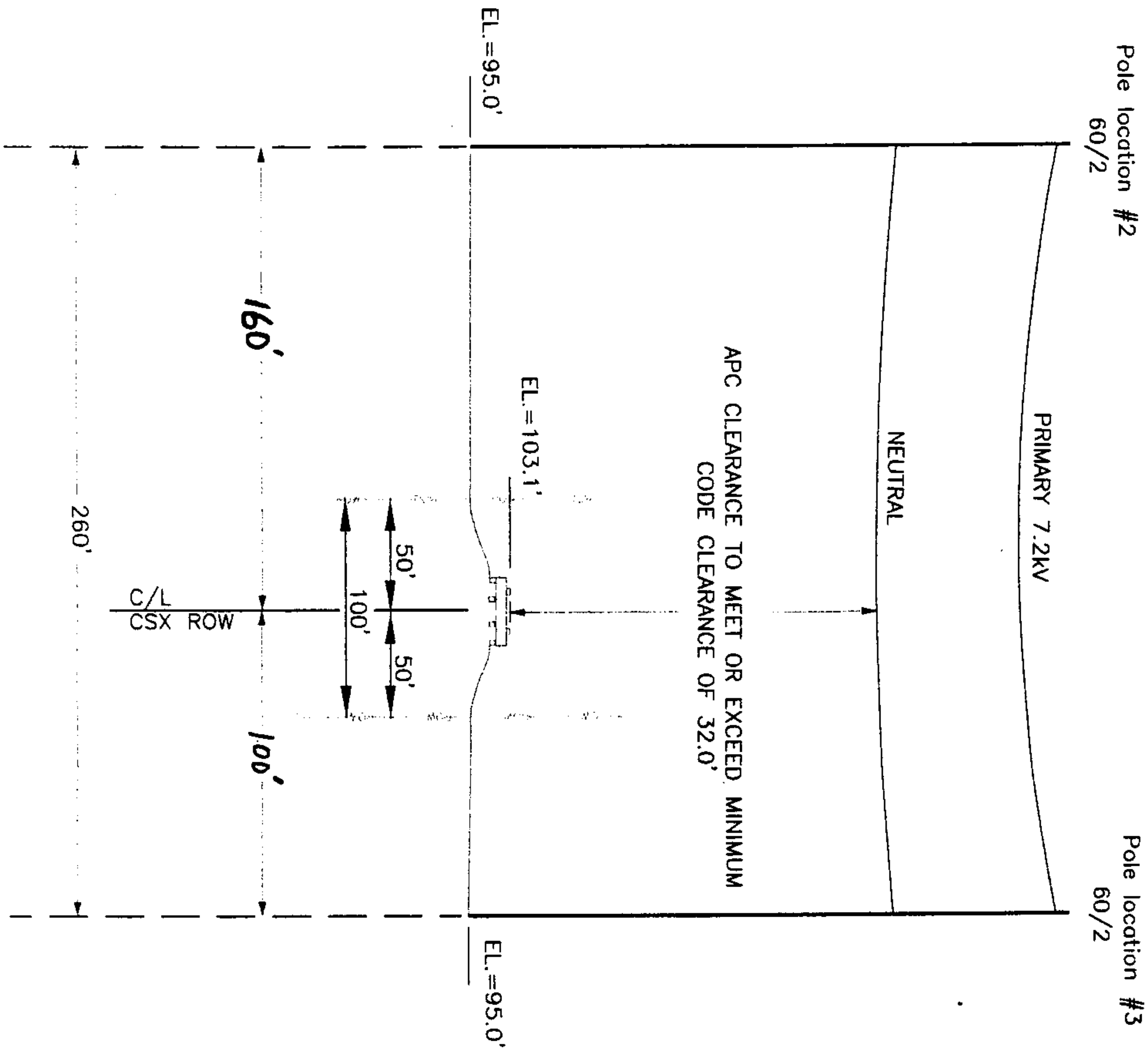
Railroad Use Only:

Division ATLANTA Subdivision SENA SOUTH No. of Crossings: 1
Absolute No.: 26550 Valuation Section/Map No.: _____
Valuation Station: _____
Milepost: 000 419.16
* HIGHEST OF WIRES NO LESS THAN 32' ACCORDING TO DRAWING
Roadmaster No.: _____ Contr. Type: WIPWK Fiber? NO

Exhibit "A"

Sheet 2 of 2
CSXT File No. CSX 641441
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CSX Real Estate Engineering
Engineering Design Approved
By: [Signature]
Date: 10/20/09

Exhibit "B"
Sheet 1 of 2
CSXT File No. CSV6041441



MAP REF: SEC-13 TP-215 R-3W
DRAWN: SLH ENGR. D.NOAH DATE: 08/04/09
APPROVED: SLH DATE: _____

ALABAMA POWER COMPANY
JOB: METRO SOUTH - WAGONS
DETAL: AABASTER SWITCHING STATION
SHADY ACRES ROAD
SCALE: 1" = 50' PLOTTED: B-12-08
SHEET 1 OF 2 SHEETS
SUPERSEDES: B-46170-50A609

REVISER: 08/12/09 SLH

117350A609.dwg



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SITUATED IN THE NORTHEAST 1/4 OF THE
NORTHEAST 1/4 OF SECTION 13, TOWNSHIP
21S, RANGE 3 WEST OF SHELBY COUNTY.

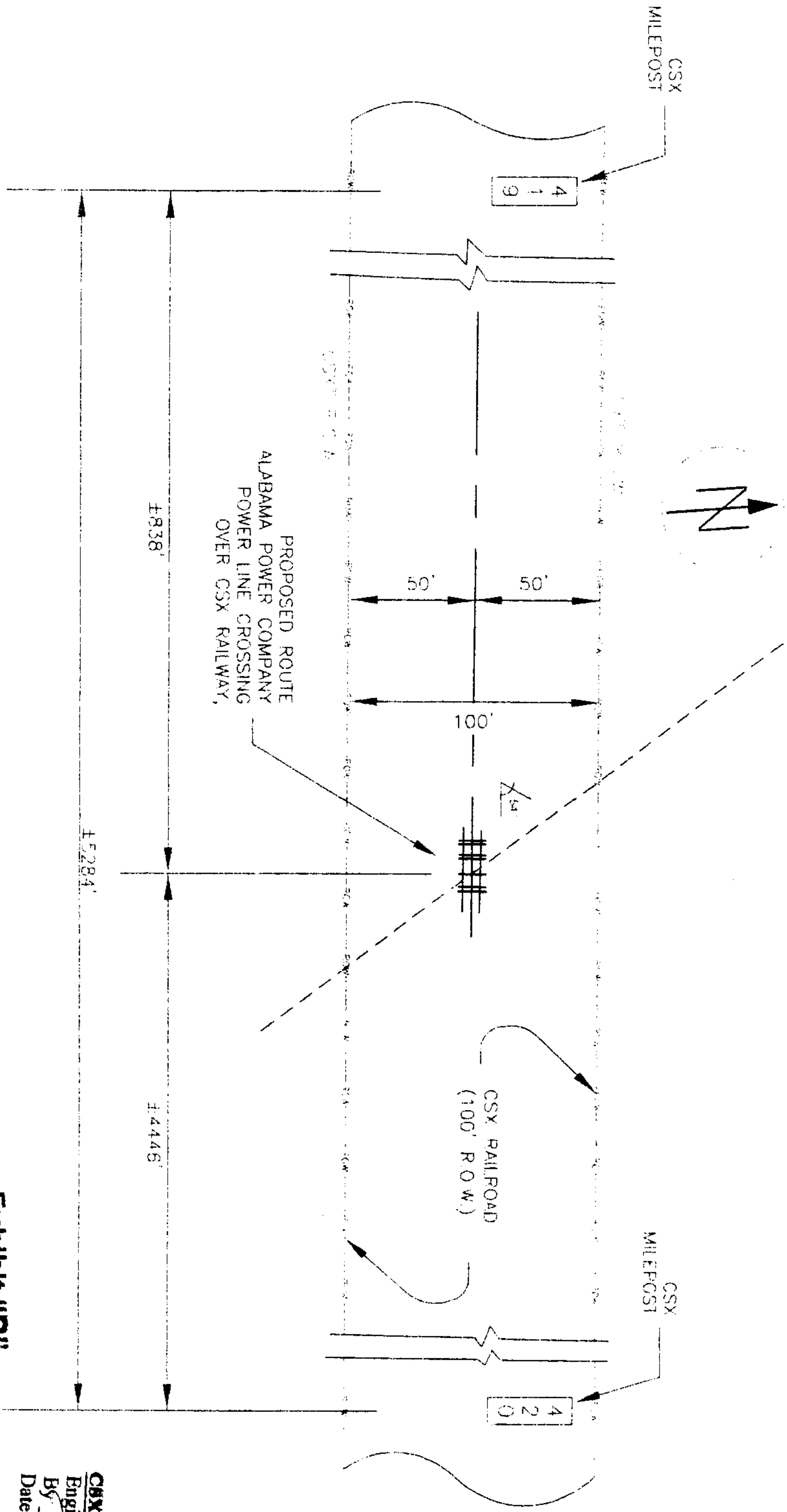


Exhibit "B"

Sheet 2 of 2
CSXT File No. CSX 641441

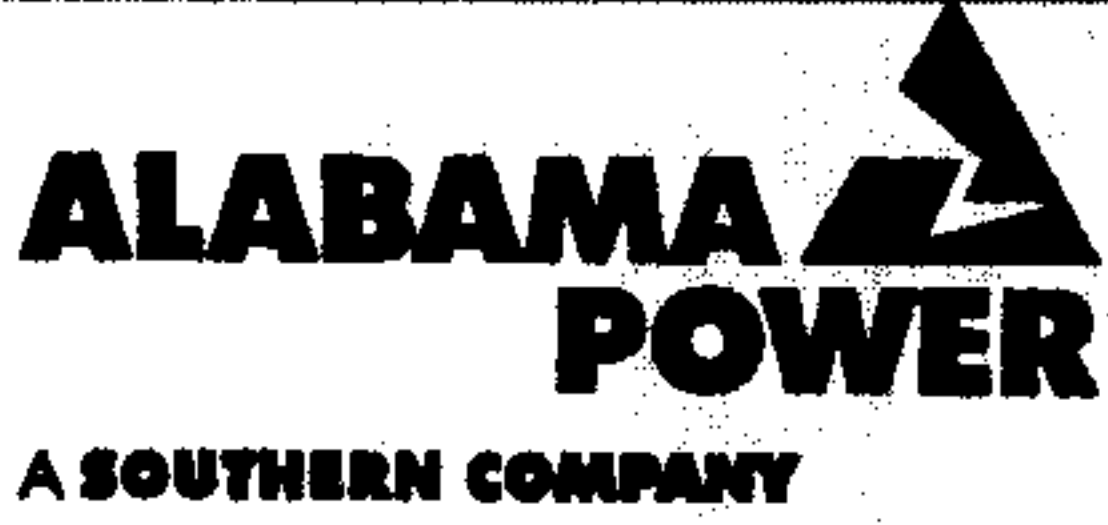
CSX Real Estate Inc.
Engineering Design
By [Signature]
Date: 10/20/09

20091116000426590 9/10 \$38.50
Shelby Cnty Judge of Probate, AL
11/16/2009 03:04:32 PM FILED/CERT

17350A609.dwg

ENGINEER: DAVID NOAH
RADIO #11105
REVISED: 08/12/09 SLH

AUTOMATED DRAWING - MAKE NO MANUAL REVISIONS	
ALABAMA POWER COMPANY	
JOB	METRO SOUTH - VARNOS
DETAIL	ALABASTER SWITCHING STATION
SHADY ACRES ROAD	
SCALE	1" = 50'
SHEET	1 OF 2 SHEETS
DATE	8-12-08
APPROVED	[Signature]
DATE	10/20/09
PROJECT	R-60170-50A609



ALABAMA POWER COMPANY
Corporate Real Estate Agency Account
Post Office Box 2641
Birmingham, Alabama 35291-0040

61-373
622

0006488

DATE August 18, 2009

PAY TO THE
ORDER OF

CSX Transportation, Inc.

\$ 3,000.00

Three thousand dollars and no/100

DOLLARS

VOID AFTER 90 DAYS

TWO SIGNATURES REQUIRED FOR \$50,000 OR GREATER

Jerry R. Redden
AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

PRCN 10982 CT EALG CORP EWO 000000

PROJ A6890 LOC 3000 FERC 0000 SUB 0000 RRCN

PROJECT W.E# A6170-50-A609 R/R Crossing
AMSOUTH BANK N.A. Near Alabaster at M.P.
BIRMINGHAM, ALABAMA 419, Shelby County

⑈0006488⑈ ⑆062203735⑆ 5990006724⑈



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