

USE# A6170-50 - A116
Sta 1+6 to 1+146
Sta 1+146 to 1+146

In Section 16, Township
22 South, Range 2 West,
Shelby County, Alabama

Page 1 of 1

Roberson, Jerry D.

70227112

From: Kurth, Rene [Rene_Kurth@csx.com]
Sent: Friday, October 30, 2009 3:52 PM
To: Roberson, Jerry D.
Subject: CSX 641442 Agreement Packet
Attachments: AL Power 641442 ex.pdf


20091116000426600 1/10 \$38.50
Shelby Cnty Judge of Probate, AL
11/16/2009 03:04:33 PM FILED/CERT

File No CSX 641442
Alabama Power

Good afternoon,

I've attached the agreement packet for the above referenced file. I'll also mail the original in Monday's mail, but you can proceed with scheduling the flagging with the attached documents.

Good luck with the project.

Kind regards,

Rene Kurth
Corridor Occupancy Services
301 West Bay Street, J180
Jacksonville, FL 32202
(904) 633-1108

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11/2/2009

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TRANSPORTATION
Rene M. Kurth
Customer Account Specialist

October 30, 2009

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

RE: Agreement No.: CSX641442
Customer Ref No.: WE # A-6170-50-A110

Dear Mr. Roberson:

Attached is fully-executed original of Agreement No. CSX641442, dated October 30, 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

Shelby County, AL 11/16/2009

State of Alabama

Deed Tax : \$.50

"How Tomorrow Moves"

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



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Form # OP

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 Project Coordination Fee of \$150.00 with this form. Thank you.**
- **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:	Calera	CSXT Agreement No.:	CSX641442
County:	Shelby	CSXT Agreement Date:	October 30, 2009
State:	AL	Agreement Holder:	Alabama Power Company
Requested Start Date:		Railroad Milepost:	000 424.47
Duration in Days:		Installation:	☒ New ☐ 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			


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Instructions

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 [include pre-authorization form with fax or email]
 Jacksonville, FL 32202

[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)*:
 - 48 hour notice - Short term projects (project time frame of 1 - 3 days to completion)
 - 3 days notice - Medium term projects (project time frame of 4 - 19 days to completion)
 - 5 days notice - Long term projects (20 or more days to completion)



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Instructions

OUTSIDE PARTY NUMBER REQUEST FORM 0

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

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

October 30, 2009

General Agreement No.: CSX 057553
Site Location No.: CSX 641442

Mr. Jerry Roberson
Alabama Power Company
600 North 18th Street
P.O. Box 2641
Birmingham, AL 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:

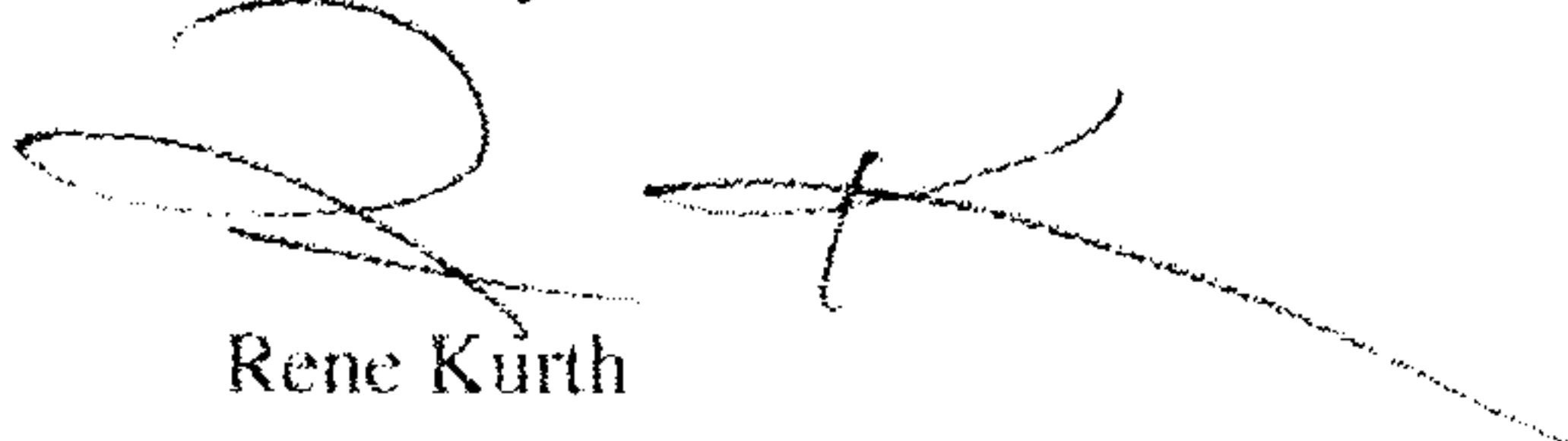
Agreement Date:	October 30, 2009	Location:	Milepost 000-424.47, at or near Calera, Shelby County, Alabama
Application Date:	August 24, 2009	Facility:	One (1) aerial 12000V electrical distribution wireline.

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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Exhibit "A"

Sheet 1 of 2



Print Form

Reset Form

Mail To: CSX Transportation, Inc.
ATTN: Corridor Occupancy Services
500 Water Street, J-180
Jacksonville, FL 32202

CSXT File No. FORM CSXT #A01 03/30/0

CSK641442 Page 1 of 2

Submittal Must Include Drawing(s) and Review Fee(s)

APPLICATION FOR FACILITY/UTILITY INSTALLATIONS

Application Date: August 24, 2009

CSXT File/Agreement Number: CSX641442

SECTION 1: FACILITY OWNER INFORMATION

TO BE COMPLETED BY APPLICANT

Owner/Legal Company Identification (required)

Owner's Complete Legal Company Name:	Alabama Power Company		
Legal Address (1):	600 North 18th Street, P.O. Box 2641		
Legal Address (2):	Corporate Real Estate Dept.		
City:	Birmingham	AL State:	Zip: 35291
Business Type:	☒ Corporation ☐ Limited Liability Company ☐ Limited Liability Partnership ☐ Municipality ☐ General Partnership		
State of Incorporation:	ALABAMA	Other Business Type - Describe:	NA

Billing Address

☐ (Check box if same as above); if not, please complete below.

Billing Address (1):	Same as Above		
Billing Address (2):			
City:		State:	Zip:

Owner Contact Information

Contact Name:	JERRY D. ROBERSON	Contact Title:	Chief Technical Specialist
Office Phone:	205-257-4643 Ext.:	Mobile Phone:	205-531-3343
Email:	jdroberse@southernco.com	Emergency Phone:	

SECTION 2: PROJECT CONTACT INFORMATION

TO BE COMPLETED BY APPLICANT

☒ Check here if address is the same as legal address above.☐ If not the same as above, check here if agreement should be mailed to this address.

Project Engineer/Consultant/Agent Information

Engineer/Consultant/Agent Company Name:	Eddie Hendon		
Contact Name:	Sr. Distribution Spec. Support		
Mailing Address:	2721 Pelham Parkway		
City:	Pelham	State:	Alabama Zip: 35124
Office Phone:	205-226-1762	Mobile Phone:	205-438-3110
Email:	e.hendon@southernco.com		



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Application for Facility/Utility Installation

FORM CSXT #A01 03/30/0

Page 2 of 2

SECTION 3: PROJECT INFORMATION/LOCATION

TO BE COMPLETED BY APPLICANT

Project Reference

Is this covered by an existing CSX permit/agreement or master agreement:

☐ Yes

Provide Agreement # and/or date:

☒ No

→ 70227112

Is this project related to another transaction/project with CSX:

☐ Yes

Describe:

☒ No

Provide utility owner project reference number:

Project Scope

Check box to indicate type of installation request:

☒ New Installation Request☐ Upgrade/Replacement/Relocation of Existing Facilities

Will proposed installation connect to an existing facility within railroad corridor:

☐ Yes

Provide name of connecting facility owner:

☒ No

Check all boxes that apply to indicate type of installation request:

☐ Sub-grade☒ Aerial

If "Sub-grade," check all boxes that apply to indicate proposed method of installation:

☐ Jack & Bore☐ Horizontal Directional Drill☐ Other

Describe:

Project Description

Description / Scope (Include: purpose, scope of work, materials, equipment, geographic features, special conditions):

INSTALL 3# 795 AAC 12 KV DISTRIBUTION LINE ACROSS RAILROAD TRACKS IN
ORDER TO UPGRADE OUR EXISTING DISTRIBUTION SYSTEM (EXISTING DOESN'T
CROSS CSX) (12KV)

2806 feet north of Mile Post # 425.

Exhibit "A"

Sheet 2 of 2

CSXT File No. CSX 6041AA2

Project Location

City:

CALERA

County:

SHELBY

State:

ALABAMA

Will facility installation be located entirely within public road right-of-way:

☐ Yes

Provide AAR/DOT Crossing Inventory Number of Road (posted at crossing):

☒ No

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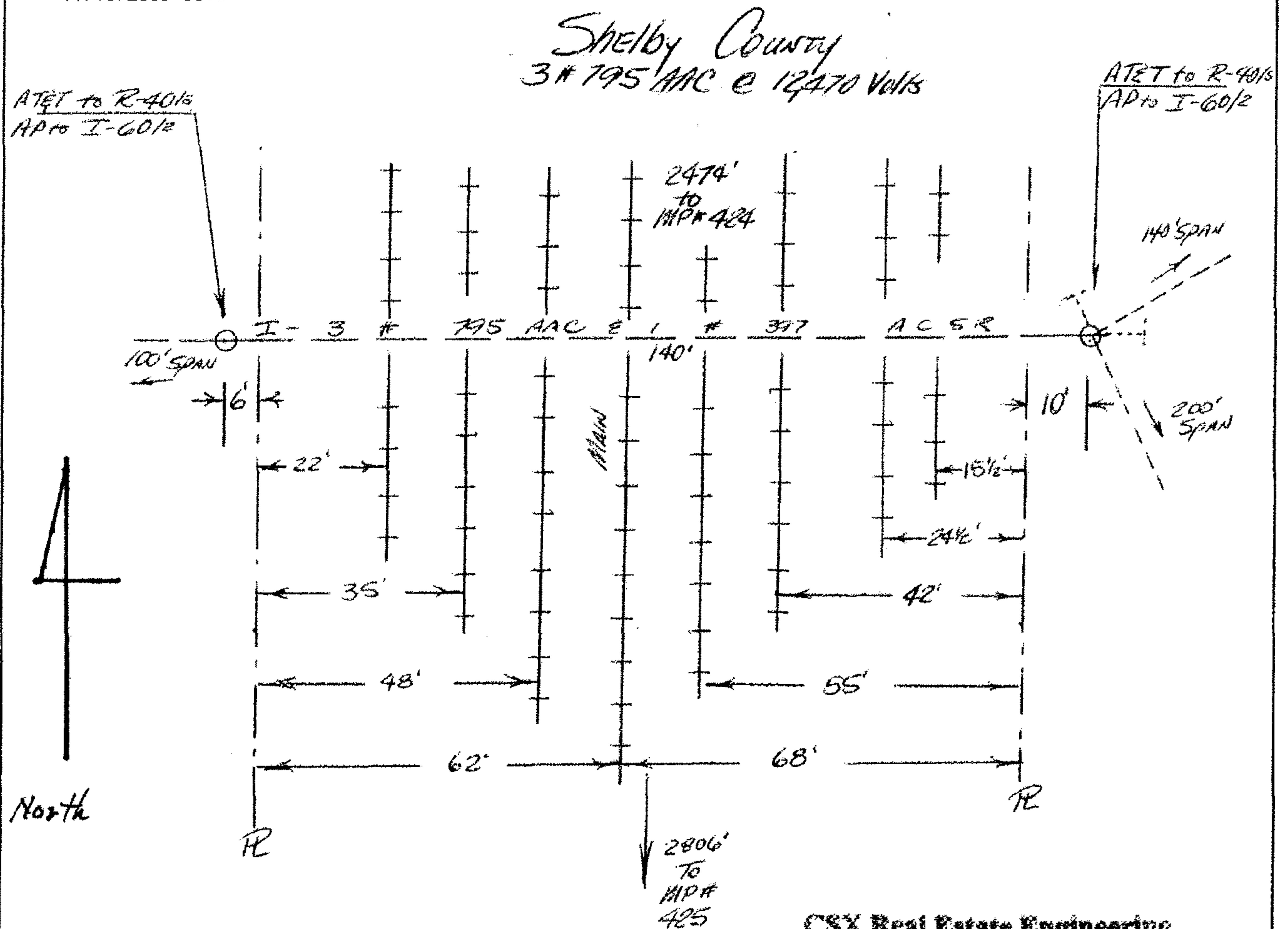
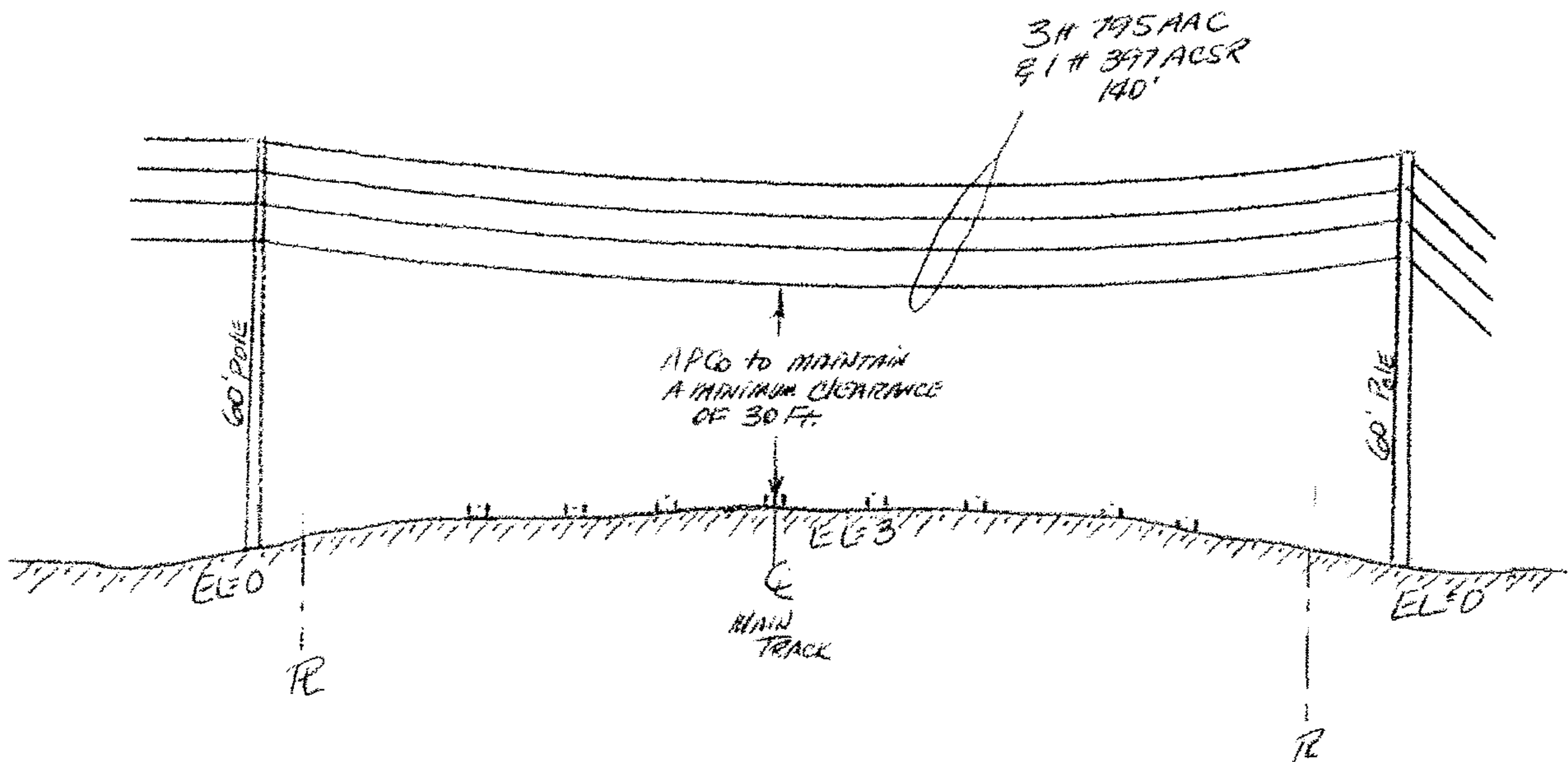


Exhibit "B"
Sheet 1 of 1
CSXT File No. CSX 41442

CSX Real Estate Engineering
Engineering Design Approved
By: [Signature]
Date: 10/23/09



UserID elhendon	CSX TRANSPORTATION	SW 1/4 SE 1/4	ALABAMA POWER	WE # A617050A110
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Section 16, Township 22 South, Range 2 West

70227112



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

61-373
622

0006492

DATE August 24, 2009

PAY TO THE
ORDER OF

CSX Transportation, Inc. \$ 3,000.⁰⁰
Three thousand dollars and 10/100 DOLLARS

VOID AFTER 90 DAYS

TWO SIGNATURES REQUIRED FOR \$50,000 OR GREATER

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

PRCH	CT	ACTV	EWO	
10982	EALG	002PRE	0000000	
PROJ	LOC	FERC	SUB	RRCN
	A68903	000	00000	
PROJECT				
W.E. # A6170-50-A110 New RR Crossing				

AMSOUTH BANK N.A.
BIRMINGHAM, ALABAMA

Near Alabaster mile post 42.5

⑈0006492⑈ ⑆062203735⑆ 5990006724⑈



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