

File AL Title

2 0 0 5 6 2 / 6 3 3 6

2005 17825

Recorded in the Above

DEED Book & Page

08-18-2005 09:22:32 AM

Source Of Title: 2003 / 23559

W. Hardy McCollum - Probate Judge

Tuscaloosa County, Alabama

SOURCE OF TITLE

**ESTOPPEL CERTIFICATE**

FILED BK. 2003 PAGE 23559 & 25509

The undersigned, RGGS LAND & MINERALS, LTD, L.P., is the "Mineral Owner" under that certain Timber Purchase and Cutting Agreement [30,385.75 ac] dated September 29, 2003 (the "TPC Agreement") by and between the undersigned and U.S. Steel Timber Company LLC, the predecessor in interest of TC&I Timber Company, LLC, which is the "Company" under the TPC Agreement affecting certain property in Bibb, Jefferson, Shelby, Tuscaloosa and Walker Counties in Alabama. The undersigned, as Mineral Owner under the TPC Agreement hereby certifies to the Company and to SWF Birmingham, LLC, the proposed assignee of Company ("Assignee"), that:

1. To Mineral Owner's best knowledge, the TPC Agreement as it pertains to the rights and obligations to the Mineral Owner is in force and effect and has not been modified.

2. There is no payment due to Mineral Owner from Company at this time under the TPC Agreement.

3. There is no existing default which relates to Mineral Owner under the TPC Agreement by any party thereto with respect to which a notice of default has been served upon Mineral Owner and there are no conditions which with the passage of time or giving of notice or both would become a default.

4. Mineral Owner has no defenses, offsets or counterclaims against enforcement of the obligations to be performed under the TPC Agreement by Mineral Owner.

The Mineral Owner makes the above statements for the benefit of the Company and Assignee, knowing that they will rely on them.

Book/Pg: 2005/17825

Term/Cashier: SCAN2 / hazeln

Trans: 6024 418726 495595

Recorded: 08-18-2005 09:22:53

REC Recording Fee

PJF Probate Judge Fee

Not Source of Title

Total Fees: \$ 6.75

3.50

2.00

1.25

Dated: August 5, 2005

OWNER:

**RGGS LAND & MINERALS, LTD, L.P.**

By: Gordy Oil Company, a Texas corporation

Its General Partner

By:

Thomas R. Speck

Name: Thomas R. Speck

Title: Vice President

20060117000024200 1/1 \$13.00  
Shelby Cnty Judge of Probate, AL  
01/17/2006 12:45:39PM FILED/CERT

State of Alabama - Jefferson County  
I certify this instrument filed on:  
2005 AUG 10 03:36:21:42PM  
Recorded and \$  
and \$ 7.00 Total \$ 7.00  
Deed Tax and Fee Amt.  
MARK GAINES, Judge of Probate  
200511/3444

State of Alabama - Jefferson County  
I certify this instrument filed on:  
2005 AUG 16 04:24:14:28PM  
Recorded and \$  
and \$ 4.50 Total \$ 4.50  
Deed Tax and Fee Amt.  
MARK GAINES, Judge of Probate  
200562/6336 BESS