

CORRECTIVE CONVEYANCE

STATE OF ALABAMA

COUNTY OF SHELBY

)
) KNOW ALL MEN BY THESE PRESENTS:
)

THIS CORRECTIVE CONVEYANCE, made this 16th day of November, 1990, between CSX TRANSPORTATION, INC., a Virginia corporation with offices at One James Center, Richmond, Virginia 23219 ("Grantor"), and WESTERN POCAHONTAS PROPERTIES LIMITED PARTNERSHIP, a Delaware limited partnership with offices at 601 Jefferson Street, Suite 4000, Houston, Harris County, Texas 77002 ("Grantee"); WITNESSETH:

WHEREAS, by conveyance dated December 31, 1986, and recorded in the Shelby County, Alabama Public Land Records in Volume 112, Page 876 (the "Deed") Grantor conveyed certain properties ("the Properties"), as more particularly defined in the Deed, to Grantee; and

WHEREAS, a question has now been raised as to the accuracy of the description of the Properties contained in the Deed; and

WHEREAS, the parties hereto desire by this instrument to correct and reform the Deed for the sole purpose of removing any question as to the description of the Properties intended to be conveyed by said Deed; and

WHEREAS, all other provisions, exceptions, reservations and conditions, as more particularly defined in the Deed, and attachments thereto, are to remain in full force and effect, as if copied in full herein;

NOW, THEREFORE, in consideration of the sum of Ten and no/100 Dollars (\$10.00), and other good and valuable consideration in hand paid by Grantee to Grantor, the receipt and sufficiency of which consideration are hereby acknowledged, Grantor does by these presents GRANT, BARGAIN, SELL, CONVEY AND ASSIGN, unto Grantee, the land described in Exhibit A, attached hereto and incorporated herein, hereinafter referred to as "the Premises," in exactly the same manner as conveyed in the Deed, LESS AND EXCEPT the Oil and Gas Rights and the Deferred Interests, as therein defined.

TO HAVE AND TO HOLD the Premises, together with all and singular the rights and appurtenances thereunto belonging, unto Grantee, its successors and assigns, forever. SUBJECT, however, to: (1) exceptions, reservations, easements and restrictions of record; and (2) express provisions, exceptions, reservations and conditions contained in the Deed.

Western Pocahontas Prop.
1035 - 3rd Ave.
P.O. Box - 2827
Huntington, WV

IN WITNESS WHEREOF, Grantor and Grantee, pursuant to due authority, have caused their names to be signed hereto by their officers hereunto duly authorized and their corporate seals, duly attested, to be hereunto affixed.

GRANTOR:

CSX TRANSPORTATION, INC.

By: *Frederick J. Favorite, Jr.*

Title: *Vice President*

Name: *Frederick J. Favorite, Jr.*

GRANTEE:

WESTERN POCAHONTAS PROPERTIES LIMITED
PARTNERSHIP, a Limited Partnership

By: Western Pocahontas Corporation, its
General Partner

By: *Nick Carter*

Title: *President*

Name: *NICK CARTER*

GRANTEE'S MAILING ADDRESS:

Western Pocahontas Corporation
601 Jefferson Street
Suite 4000
Houston, Texas 77002

This Instrument was Prepared By,
Or Under the Direction of:

William C. Basney, Senior Counsel
CSX Transportation, Inc.
500 Water Street
Speed Code J-150
Jacksonville, Florida 32202

BOOK 328 PAGE 02

Alabama Corporate
Acknowledgement

THE STATE OF FLORIDA

§
§
§

DUVAL COUNTY

I, Kathryn R. Casey, a notary public in and for said county in said state, hereby certify that Frederick J. Favarite, Jr., whose name as Vice President, of CSX TRANSPORTATION, INC., a Virginia corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, 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 seal of office this 16th day of November, A.D., 1990.

[SEAL]

Kathryn R. Casey
Notary Public in and for
The State of Florida

My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA
My commission expires Aug. 24, 1994
Bonded thru Patterson - Becht Agency

Printed Name of Notary:

Kathryn R. Casey

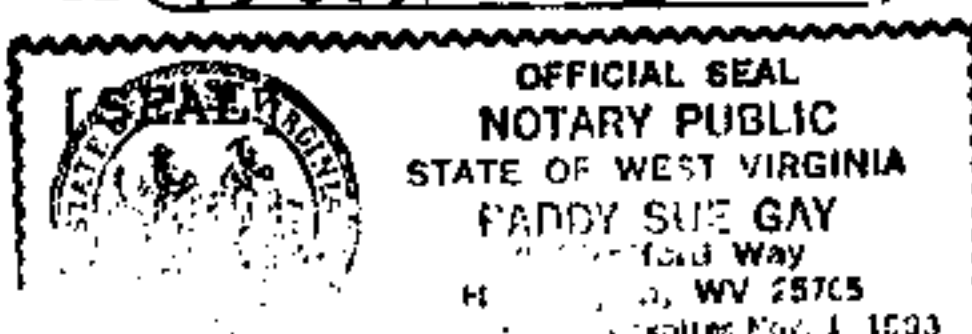
THE STATE OF WEST VIRGINIA

§
§
§

CABELL COUNTY

I, Paddy Sue Gay, a notary public in and for said county in said state, hereby certify that NICK CARTER, whose name as President of WESTERN POCAHONTAS CORPORATION, General Partner of WESTERN POCAHONTAS LIMITED PARTNERSHIP, a Texas Limited Partnership, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said limited partnership.

Given under my hand and seal of office this 13th day of December, A.D., 1990.



My Commission Expires:

November 1, 1998

Paddy Sue Gay
Notary Public in and for
The State of West Virginia

Printed Name of Notary:

PADDY SUE GAY

<u>County</u>	<u>Description</u>	<u>Sec.</u>	<u>Town- ship</u>	<u>Range</u>	<u>Acres</u>
Shelby [Mineral Rights]	N $\frac{1}{4}$ of NE $\frac{1}{4}$, N $\frac{1}{4}$ of NW $\frac{1}{4}$	10	19S	2W	160
	NW $\frac{1}{4}$ of SW $\frac{1}{4}$	3	20S	3W	40
	S $\frac{1}{4}$ of section,				
	W $\frac{1}{4}$ of NW $\frac{1}{4}$	4	20S	3W	400
	SE $\frac{1}{4}$ of NE $\frac{1}{4}$, S $\frac{1}{4}$ of SE $\frac{1}{4}$	5	20S	3W	120
	That portion of NW $\frac{1}{4}$				
	that lies northeast				
	of mean low water				
	line of Cahaba River	9	20S	3W	40
	SE $\frac{1}{4}$ of SE $\frac{1}{4}$	18	20S	3W	40
	E $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$,				
	SE $\frac{1}{4}$ of SW $\frac{1}{4}$, the				
[Fee]	northwest diagonal 20				
	acres of SW $\frac{1}{4}$ of SE $\frac{1}{4}$				
	lying west of				
	Cahaba River	19	20S	3W	180
	The northwest diagonal				
	20 acres of NE $\frac{1}{4}$ of NW $\frac{1}{4}$				
	west of Cahaba River	30	20S	3W	20
	That portion of NE $\frac{1}{4}$				
	located in Shelby				
	County	14	20S	4W	25
	NE $\frac{1}{4}$ of SW $\frac{1}{4}$	3	20S	3W	40
	S $\frac{1}{4}$ of SW $\frac{1}{4}$	5	20S	3W	80
	E $\frac{1}{4}$ of NE $\frac{1}{4}$, N $\frac{1}{4}$ of SE $\frac{1}{4}$	7	20S	3W	160
	All of section				
	(less 2.88 acres sold				
	to Atlantic Coastline				
	RR 4/17/61)	8	20S	3W	637.12
	NE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, W $\frac{1}{4}$ of				
	SE $\frac{1}{4}$, SW $\frac{1}{4}$, all that				
	portion of NW $\frac{1}{4}$ west of				
	the northeast bank of				
	Cahaba River on mean				
	low water line	9	20S	3W	560
	N $\frac{1}{4}$ of section, SE $\frac{1}{4}$, SE $\frac{1}{4}$				
	of SW $\frac{1}{4}$, E $\frac{1}{4}$ of NE $\frac{1}{4}$ of				
	SW $\frac{1}{4}$	17	20S	3W	540
	N $\frac{1}{4}$ of NE $\frac{1}{4}$, N $\frac{1}{4}$ of NW $\frac{1}{4}$,				
	SE $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of				
	SE $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$, SE $\frac{1}{4}$				
	of SW $\frac{1}{4}$	18	20S	3W	320
	NW $\frac{1}{4}$ of NE $\frac{1}{4}$	19	20S	3W	40

1. Dead Tax ----- \$ NO TAX PAID
 2. Mtg. Tax ----- \$
 3. Recording Fee ----- \$ 10.00
 4. Indexing Fee ----- \$ 3.00
 5. No Tax Fee ----- \$ 7.00
 6. Certified Fee ----- \$ 1.00
 Total ----- \$ 15.00

STATE OF ALA. SHELBY CO.
 I CERTIFY THIS
 INSTRUMENT WAS FILED
 91 FEB -4 PM 3:16

JUDGE OF PROBATE

04
 328