

This Instrument Was Prepared By:

Michael M. Partain, General Attorney
United States Steel Corporation
Law Department - Fairfield Office
P. O. Box 599 - Suite 192
Fairfield, AL 36064

STATE OF ALABAMA)
SHELBY COUNTY)

DECLARATION TO ESTABLISH EASEMENT

THIS DECLARATION OF EASEMENT is made January 17, 2002
by UNITED STATES STEEL CORPORATION, a Delaware corporation, successor (by conversion) to
United States Steel LLC ("Owner").

WHEREAS, Owner is the owner of that certain real property located in Shelby County, Alabama,
as approximately shown on "EXHIBIT A"; and

WHEREAS, simultaneously herewith, Owner has conveyed that certain property described as
"Parcel A" on "EXHIBIT B" attached hereto to the AUBURN UNIVERSITY FOUNDATION as Trustee of
the J. E. Wilborn Charitable Remainder Unitrust ("AUF") (said parcel referred to as the "Wilborn Property");
and

WHEREAS, Owner contemplates constructing an extension to the road known as Mineral Trace at
an indefinite point in the future (the "Future Road"), which Future Road has not yet been designed; and

WHEREAS, as an inducement to acquiring the Wilborn Property, AUF desires the ability to further
extend the Future Road, when constructed, to provide vehicular and pedestrian access to the Wilborn
Property (the "AUF Road Extension").

NOW, THEREFORE, Owner hereby establishes a non-exclusive easement and right-of-way in
favor of AUF, which will extend from the terminal point of the Future Road, when constructed, to the
easternmost boundary of the Wilborn Property, for the purpose of ingress and egress and road
construction to service and benefit the Wilborn Property.

The easement hereby established shall run with the land and shall inure to the benefit of AUF, its
successors, assigns and invitees.

The AUF Road Extension shall be constructed and maintained by AUF, its successors and
assigns; however, Owner shall reasonably cooperate with AUF in obtaining any and all necessary
approvals and permits and any dedication of any road constructed in connection with AUF's exercise of its
rights under this easement.

01/24/2002-04258
01:20 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MEL 20.00

Inst # 2002-04258

IN WITNESS WHEREOF, this Declaration has been executed as of the date first above written.

ATTEST:

By: Michael W. Patten

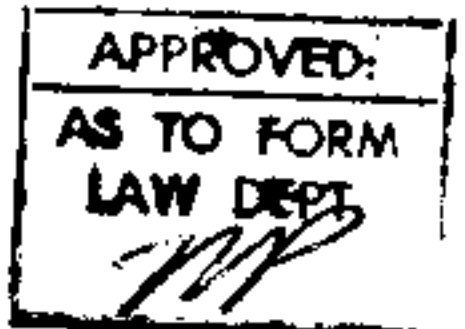
Title: Assistant Secretary

OWNER:

UNITED STATES STEEL CORPORATION

By: Thomas G. Howard

Its: General Manager - Southeast
USS Real Estate,
a division of United States Steel Corporation



STATE OF ALABAMA)

COUNTY OF JEFFERSON)

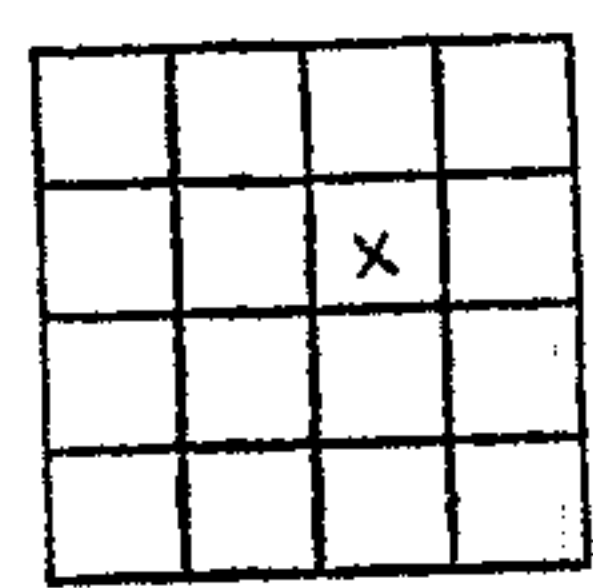
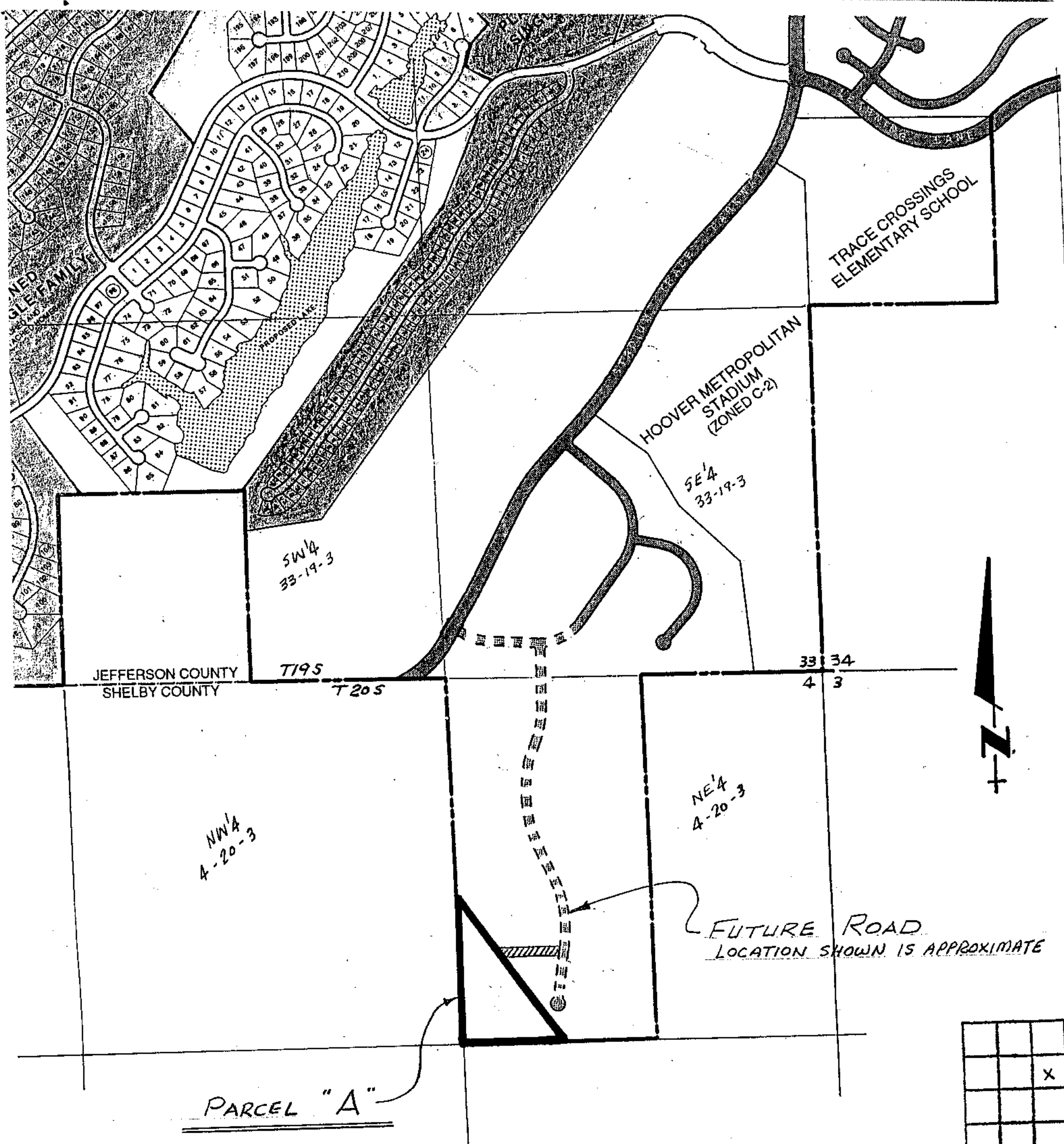
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Thomas G. Howard, whose name as General Manager - Southeast of USS Real Estate, a division of United States Steel Corporation, a Delaware corporation, is signed to the foregoing Declaration, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Declaration, he, in such capacity 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 17th day of January, 2002.

Michael W. Patten
Notary Public

[SEAL]

My Commission Expires: February 25, 2005



S4 T20S R3W


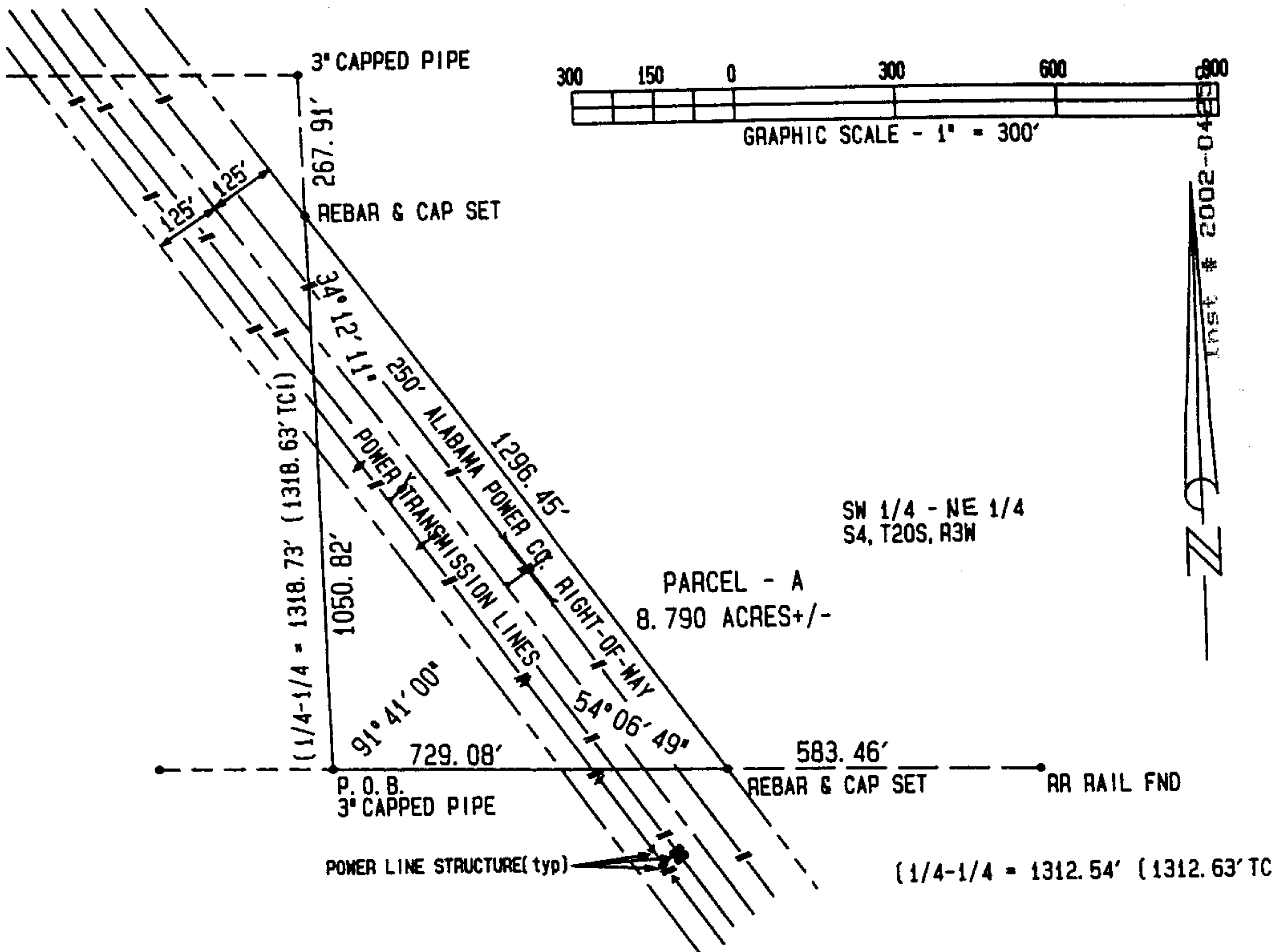
 EASEMENT FOR PUBLIC ROAD
LOCATION SHOWN IS APPROXIMATE

EXHIBIT "A"

011502 USSRE



A parcel of land situated in the Southwest quarter of the Northeast quarter of Section 4, Township 20 South, Range 3 West, Shelby County, Alabama being more particularly described as follows:

Begin at a 3" capped pipe marking the accepted location of the Southwest corner of the Southwest quarter of the Northeast quarter of Section 4, Township 20 South, Range 3 West, Shelby County, Alabama; thence run in a Northerly direction along the accepted West line of said quarter-quarter section for 1050.82 feet to the Northeasterly line of a 250 foot Alabama Power Company right-of-way; thence turn an interior angle of 34°12'11" and run to the right in a Southeasterly direction along said right-of-way for 1296.45 feet to the accepted South line of said quarter-quarter section; thence turn an interior angle of 54°06'49" and run to the right in a Westerly direction along said south line for 729.08 feet to the point of beginning, containing 8.790 acres, more or less.

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EXHIBIT B

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