

File AL Title

2 0 0 5 6 2 / 6 3 3 5

(2 0 0 5 1 1 / 3 4 4 4)

SOURCE OF TITLE

ESTOPPEL CERTIFICATE

DEED BK. 2003 PAGE 236394 25399

4.50

The undersigned, RGGS LAND & MINERALS, LTD, L.P., is the "Mineral Owner" under that certain Timber Purchase and Cutting Agreement [134,606.27 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.

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

State of Alabama - Jefferson County
I certify this instrument filed on:

2005 AUG 16 04:24:10:32PM

Recorded and \$

Mtg. Tax

and \$

Deed Tax and Fee Amt.

\$ 4.50 Total \$ 4.50

MARK GAINES, Judge of Probate



200562/6335 BESS



20060117000024190 1/1 \$13.00
Shelby Cnty Judge of Probate, AL
01/17/2006 12:45:38PM FILED/CERT

2005 17805
Recorded in the Above
DEED Book & Page
08-18-2005 09:12:54 AM
Source of Title: 2003 / 23639
U. Hardy McCallum - Probate Judge
Tuscaloosa County, Alabama
Book/PG: 2005/17805
Term/Cashier: SCAND / hazeln
Tran: 6024.418726.495589
Recorded: 08-18-2005 09:13:06
REC Recording Fee
PJF Probate Judge Fee
Source of Title
Total Fees: \$ 6.75