

STATE OF ALABAMA
COUNTY OF PERRY

This instrument was prepared by:
Lisa H. Rayfield
MARION BANK AND TRUST
COMPANY, P. O. Box 510, Marion,
Alabama 36756

ASSIGNMENT OF RIGHTS UNDER TIMBER DEED

KNOW ALL MEN BY THESE PRESENTS, that whereas, SWF BIRMINGHAM, LLC, A DELWARE LIMITED LIABILTIY COMPANY ACTING AS AUTHORIZED AGEDNT AND PROPERTY MANAGER FOR MOLPHUS TIMBERLANDS MANAGEMENT, LLC., SELLERS did by Timber Deed dated FEBRUARY 2, 2006 convey to BLUE OX FORESTRY, INC., an Alabama Corporation, certain merchantable timber on the land herein described, said Timber Deed being recorded or to be recorded in the Probate Office of SHELBY COUNTY Alabama and whereas pursuant to the terms of said Timber Deed the rights granted there under will terminate on FEBRUARY 2, 2007. Inst & 20060216000077120

NOW, THEREFORE, in consideration of the sum of EIGHT HUNDRED THIRTEEN THOUSAND NINE HUNDRED FIFTY SEVEN AND XX/100 (813,957.00) BLUE OX FORESTY, INC., an Alabama Corporation, does hereby assign, transfer, and set over to MARION BANK AND TRUST COMPANY, a banking corporation of Marion, Alabama, all of its rights, title, and interest in and to the hereinabove described timber and land situated in SHELBY COUNTY, ALABAMA to WIT:

THE TIMBER SALE IS APPROXIMATELY 263 ACRES AND IS LOCATED IN THE NW1/4 OF SECTION 2 AND THE NE1/4 AND THE S1/2 OF NW1/4 OF SECTION 3, THE NE1/4 OF THE NE1/4 OF SECTION 9 AND THE NW1/4 AND THE NW1/4 OF NE ¼ OF SECTION 10, TOWNSHIP 21 SOUTH, RANGE 4 WEST; AND, THE S ½ OF SE ¼ OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 4 WEST; AND, S ½ OF SE ¼ OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 4 WEST, SHELBY COUNTY, AL.

This assignment is intended to convey to MARION BANK AND TRUST COMPANY, a banking corporation, the following timber and timber rights located on the above described lands.

And for the consideration set forth above, the said BLUE OX FORESTRY, INC., an Alabama Corporation, does hereby remise, release, and quitclaim unto MARION BANK AND TRUST COMPANY, a banking corporation of Marion, Alabama, all of its right, title, and interest in and to the merchantable timber as hereinabove set forth and described in the above referenced Timber Deed.

DONE on the 2ND day of FEBRUARY, 2006.

IN WITNESS WHEREOF, BLUE OX FORESTRY, INC., has hereunto set its hand and seal by its Vice President, STEEN TRAYLOR.

BLUE OX FORESTRY, INC.

DU STEEN TO AVEOD VICE DESIDENT

STATE OF ALABAMA COUNTY OF PERRY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that STEEN TRAYLOR, whose named as Vice President of BLUE OX FORESTRY, INC., an Alabama Corporation, is signed to the foregoing assignment, 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 on the day the same bears date.

Given under my hand and seal this the 2ND day of FEBRUARY, 2006.

(SEAL)

My commission expires: 7/29/2008

Lisa H. Rayfield, Notary Alabama State at Large