

## CLARIFICATION DEED

20080318000111160 1/6 \$27.00  
Shelby Cnty Judge of Probate, AL  
03/18/2008 01:50:23PM FILED/CERT

STATE OF ALABAMA

COUNTIES OF AUTAUGA, BIBB,  
CALHOUN, CHILTON, CLAY,  
CLEBURNE, COOSA, ELMORE,  
ETOWAH, LEE, RANDOLPH,  
ST CLAIR, SHELBY, TALLADEGA  
and TALLAPOOSA

RPB 211 61  
Recorded In Above Book and Page  
03/18/2008 12:24:00 PM  
Jerry C. Pow  
Probate Judge  
Bibb County, Alabama  
Recording Fee 21.50  
TOTAL 21.50

WITNESS this Clarification Deed made and entered effective as of March 27, 1997, by  
and between Kimberly-Clark Worldwide, Inc. and Bowater Alabama, Inc:

### RECITALS

1. **Kimberly-Clark Worldwide, Inc.** ("KCW") is a Delaware corporation whose principal address is 351 Phelps Drive, Irving, Texas 75083 and is a subsidiary of Kimberly-Clark Corporation.
2. **Bowater Alabama Inc.** ("Bowater") is an Alabama corporation whose principal address is Plant Road, Coosa Pines, Alabama 35044-9000.
3. Bowater is the successor in interest to U.S. Alliance Coosa Pines Corporation.
4. By deeds ("1997 Deeds") dated March 27, 1997, and recorded in Book 26, page 163 in the Office of the Judge of Probate of Bibb County, Alabama, and in Book 1997, Page 9552 in the Office of the Judge of Probate of Shelby County, Alabama and in the offices of the Judges of Probate of Autauga, Calhoun, Chilton, Clay, Cleburne, Coosa, Elmore, Etowah, Lee, Randolph, St Clair, Talladega, and Tallapoosa Counties, Alabama, KCW, reserving to itself certain oil, gas, and minerals and mineral rights in, on, and under the following lands, conveyed to U.S. Alliance Coosa Pines Corporation (i) those lands described in Exhibits "A" to the 1997 Deeds less and except those lands described on Exhibits "B" to the 1997 Deeds, and. (ii) all other real property owned by KCW in Autauga, Bibb, Calhoun, Chilton, Clay, Cleburne, Coosa, Elmore, Etowah, Lee, Randolph, St. Clair, Shelby, Talladega, and Tallapoosa Counties, Alabama except as described on Exhibits "B" to the 1997 Deeds.

5. The term "*Lands Granted to U.S. Alliance Coosa Pines*" as used in this Clarification Deed shall mean (i) those lands described in Exhibits "A" to the 1997 Deeds less and except those lands described on Exhibits "B" to the 1997 Deeds, and (ii) all other real property owned by KCW in Autauga, Bibb, Calhoun, Chilton, Clay, Cleburne, Coosa, Elmore, Etowah, Lee, Randolph, St. Clair, Shelby, Talladega, and Tallapoosa Counties, Alabama except as described on Exhibits "B" to the 1997 Deeds.
6. The owners of the interests conveyed by the 1997 Deeds have subsequently executed and delivered each to the other one or more deeds correcting the 1997 Deeds so that it would be consistent with the intentions of the parties. The correction deeds include: (i) a correction deed recorded on March 16, 1998, in Real Property Book 38, Page 271 in the records of the Judge of Probate of Bibb County, Alabama; (ii) a correction deed recorded on March 13, 1998, in Book 1998, Page 8745 in the records of the Judge of Probate of Shelby County, Alabama.
7. KCW and Bowater have recognized that KCW and U.S. Alliance Coosa Pines Corporation intended for KCW to convey one-half (1/2) of its oil, gas, and minerals and mineral rights in, on, and under the Lands Granted to U.S. Alliance Coosa Pines and to retain one-half (1/2) of those rights.
8. Subsequent to March 27, 1997, Kimberly-Clark Corporation, without the joinder of Bowater, has granted to third parties oil, gas, and mineral leases covering one-half of the oil, gas, and minerals and mineral rights in, on, and under portions of the Lands Granted to U.S. Alliance Coosa Pines. KCW subsequently executed ratifications of certain of those mineral leases.
9. Subsequent to March 27, 1997, Bowater, without the joinder of KCW, has granted to third parties oil, gas, and mineral leases covering one-half of the oil, gas, and minerals and mineral rights in, on, and under portions of the Lands Granted to U.S. Alliance Coosa Pines.
10. From time to time third parties have questioned Kimberly-Clark Corporation, KCW and Bowater as to what interests in the oil, gas, and minerals and mineral rights in, on, and under portions of the Lands Granted to U.S. Alliance Coosa Pines KCW retained and what interests in such oil, gas, and minerals and mineral rights were acquired by U.S. Alliance Coosa Pines Corporation.

11. KCW and Bowater desire to enter this Clarification Deed in order to clarify the 1997 Deeds and to establish clearly what interests in the oil, gas, and minerals and mineral rights in, on, and under the Lands Granted to U.S. Alliance Coosa Pines are now held by KCW and what interests in such oil, gas, and minerals and mineral rights are now held by Bowater.
12. KCW and Bowater join in the execution and delivery of this Clarification Deed for the purpose of perfecting title to real property as contemplated by ALA. CODE §40-22-1 (1975)

### AGREEMENT

**NOW, THEREFORE,** for and in consideration of the premises and the additional consideration of Ten and No/100ths Dollars (\$10.00) and other good and valuable consideration paid by KCW to Bowater and paid by Bowater to KCW, the receipt and sufficiency of which each of KCW and Bowater acknowledges, KCW and Bowater do hereby adopt and incorporate the recitals set forth above and do further agree as follows:

**1. Stipulation of Interest.** Each of KCW and Bowater hereby stipulates and agrees that (i) KCW, its successors, and assigns, owns one-half (1/2) of the oil, gas, and minerals and mineral rights in, on, and under the Lands Granted to U.S. Alliance Coosa Pines; and (ii) Bowater, its successors, and assigns, owns one-half (1/2) of the oil, gas, and minerals and mineral rights in, on, and under the Lands Granted to U.S. Alliance Coosa Pines.

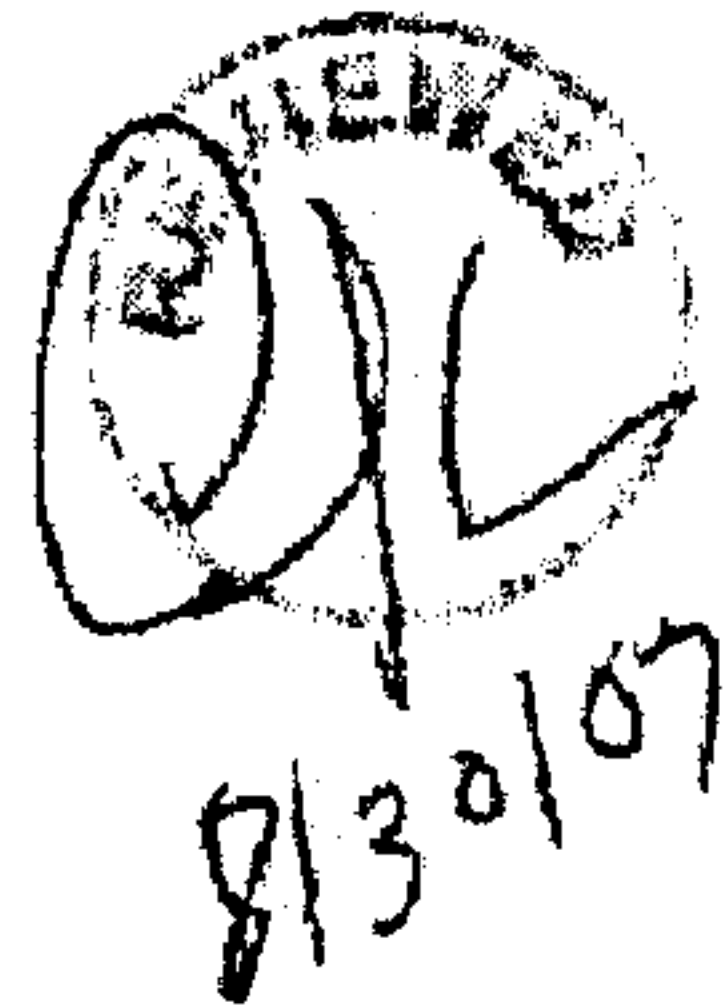
**2. Clarifying Cross-Grants.** In order to effectuate the purpose of this Clarification Deed, KCW and Bowater hereby quitclaim, remise, and release each to the other such of the oil, gas, and minerals and mineral in, on, and under in, on, and under the Lands Granted to U.S. Alliance Coosa Pines (as subsequently corrected and amended) as is

necessary for each of KCW and Bowater to own and to hold equal, undivided, one-half (1/2) interests in the oil, gas, and minerals and mineral rights in, on, and under the Lands Granted to U.S. Alliance Coosa Pines.

3. **Correction of 1997 Deeds.** In order to effectuate the purpose of this Clarification Deed, KCW and Bowater, being the successors in interest to the original parties to the 1997 Deeds, do hereby amend the mineral reservation in the 1997 Deeds to be consistent with each of KCW and Bowater owning and holding equal, undivided, one-half (1/2) interests in the oil, gas, and minerals and mineral in, on, and under the Lands Granted to U.S. Alliance Coosa Pines.

IN WITNESS WHEREOF, KCW and Bowater have caused their names to be executed hereto by their duly authorized representatives on the dates shown below to be effective as of the date first shown above.

**KIMBERLY-CLARK WORLDWIDE, INC.**



By:

Leonard J. Anderson  
Leonard J. Anderson

Its:

Authorized Representative

**BOWATER ALABAMA INC.**

By:

W. S. Hargis

Its:

Vice President

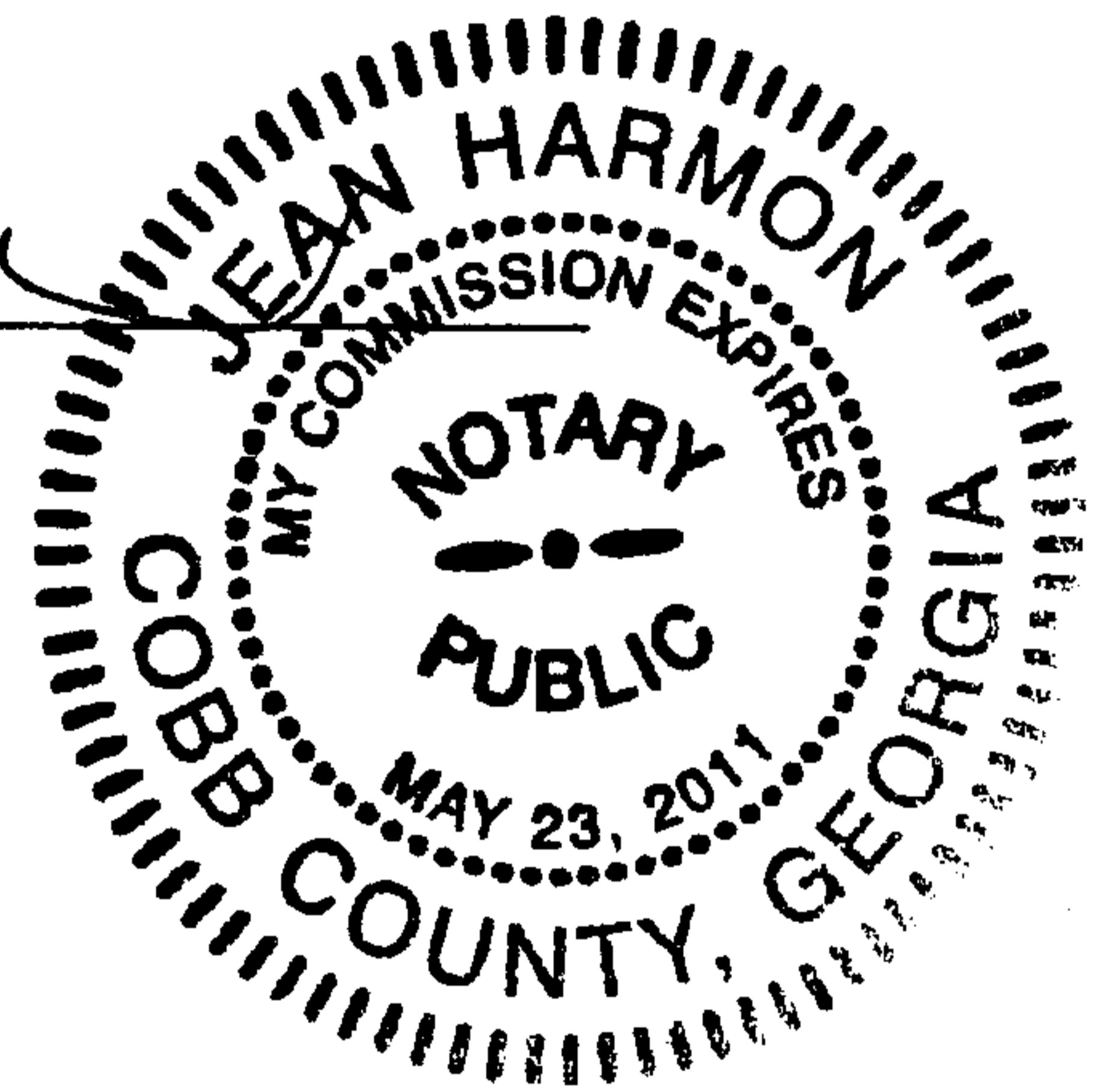
STATE OF GEORGIA }

COUNTY OF Cobb }

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Leonard J. Anderson, whose name as authorized representative of **Kimberly-Clark Worldwide, Inc.**, a Delaware corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand this 30 day of August, 2007.

Jean Harmon  
NOTARY PUBLIC



My Commission Expires:

May 23, 2011

STATE OF South Carolina }

COUNTY OF Greenville }

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that William G. Harvey, whose name as Vice President of **Bowater Alabama Inc.**, an Alabama corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand this 3rd day of October, 2007.

Ellen S. Griffin  
NOTARY PUBLIC

My Commission Expires: May 23, 2013



20080318000111160 6/6 \$27.00  
Shelby Cnty Judge of Probate, AL  
03/18/2008 01:50:23PM FILED/CERT

## CERTIFICATION

STATE OF ALABAMA  
BIBB COUNTY

I, Jerry C. Pow, Judge of Probate in and for this  
State and County aforesaid do hereby certify that this  
within and foregoing is a true and correct copy of:

Deed

Book 211 Page 61

as the same appears and remains of record in the  
Probate Office of Bibb County, Alabama.

Dated this the 18<sup>th</sup> day of Mar 20 08

Jerry C Pow

• Judge of Probate