



20080410000146280 1/20 \$68.00
Shelby Cnty Judge of Probate, AL
04/10/2008 01:26:55PM FILED/CERT

STATE OF ALABAMA :
COUNTIES OF SHELBY AND BIBB :

SURFACE USE AFFIDAVIT

COMES NOW Robert D. Anderson, Jr., Land Manager for CDX Sequoya, LLC, a Texas limited liability company, and for CDX Gulf, LLC, a Texas limited liability company, who after being duly sworn did depose and state the following:

That I am the Land Manager for CDX Sequoya, LLC and CDX Gulf, LLC, and as such, have full knowledge of the drilling and pipeline activities and other operational affairs of said limited liability companies.

That in the normal course of business for said limited liability companies, a Surface Use Agreement, dated April 13, 2007, was obtained from John Hancock Life Insurance Company, A Massachusetts corporation, Cahaba Forests, LLC, a Delaware limited liability company and Hawaii ERS Timberland, LLC, a Hawaii limited liability company, collectively, for various purposes, including, but not limited to, pipeline and power line rights-of-way, drillsite pads, roads and roadways, for the purpose of coalbed methane and oil and gas drilling and production operations.

That summary of such Surface Use Agreement is attached hereto as Exhibit "1" and third parties are hereby put on notice of the existence of such agreement. A copy of such agreement is located in the office of CDX Sequoya, LLC and CDX Gulf, LLC, currently located at 200 Chase Park South, Suite 100, Hoover, Alabama 35244

Further, affiant saith not.

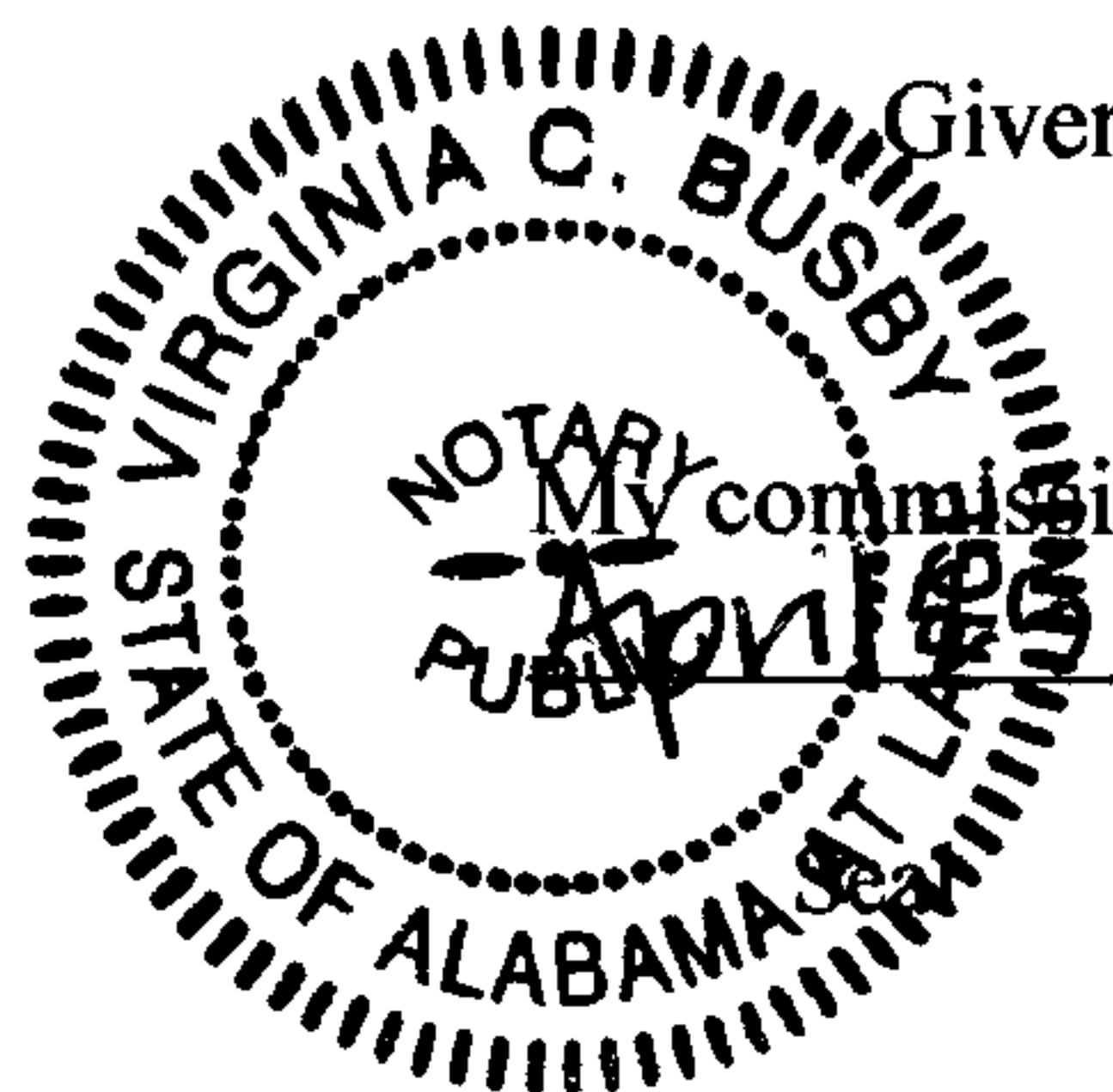
Executed this 10th day of April, 2008.

Robert D. Anderson, Jr.

State of Alabama
County of Shelby

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that Robert D. Anderson, Jr., whose name is signed to the foregoing Surface Use Affidavit and who is known to me, acknowledged before me on this day that, being informed of the contents of the Affidavit, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 10th day of April, 2008.



Notary Public

Recorded In RPB BK 212 PG 619, 04/10/2008 12:21:53 PM Recording Fee 66.50, TOTAL 66.50
Jerry C. Pow, Probate Judge, Bibb County, Alabama



20080410000146280 2/20 \$68.00
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04/10/2008 01:26:55PM FILED/CERT

Exhibit "1"

Attached to and made a part of that certain Surface Use Affidavit dated April 10, 2008

Title: Surface Use Agreement

Date: April 13, 2007

Grantor: John Hancock Life Insurance Company, Cahaba Forests, LLC and Hawaii ERS Timberland, LLC.

Grantee: CDX Sequoya, LLC and CDX Gulf, LLC

Description: See Exhibits "A", "B" and "C" attached hereto and made a part Hereof.

FPB 212 620



EXHIBIT "A"

Attached to and made a part of the Surface Use Agreement by and between JOHN HANCOCK LIFE INSURANCE COMPANY, CAHABA FOREST, LLC and HAWAII ERS TIMBERLAND, LLC, as Grantors and CDX SEQUOYA, LLC and CDX GULF, LLC, as Grantees, dated April 13, 2007.

The following described property situated in Bibb County and Shelby County, Alabama:

Exhibit "A" (1.) John Hancock Life Insurance Company Surface Ownership

Section 7, Township 22 South, Range 4 West

NW ¼ SE ¼
S ½ SE ¼

Exhibit "A" (2.) Cahaba Forests, LLC Surface Ownership

Section 22, Township 22 South, Range 4 West

SE ¼ SW ¼

Section 23, Township 22 South, Range 4 West

SE ¼ SW ¼

Section 25, Township 22 South, Range 4 West

W ½ of Partial Section 25

Section 6, Township 24 North, Range 12 East

NE ¼ NW ¼
S ½ NW ¼
NW ¼ SW ¼

Exhibit "A" (3.) Hawaii ERS Timberland, LLC

Section 17, Township 22 South, Range 4 West

SE ¼ NW ¼
NE ¼ SW ¼

Section 18, Township 22 South, Range 4 West

W ½ NE ¼
SE ¼ NE ¼
E ½ NW ¼

FPB 212 621

EXHIBIT "A"

(Page 2)



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Exhibit "A" (3.) Hawaii ERS Timberland, LLC (continued)

Section 20, Township 22 South, Range 4 West

W ½ NW ¼

SE ¼ SE ¼

Section 21, Township 22 South, Range 4 West

SE ¼ SE ¼

NE ¼ SE ¼

FPB 212 622



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EXHIBIT "B"

Attached to and made a part of the Surface Use Agreement dated *April 13th*, 2007 by and between JOHN HANCOCK INSURANCE COMPANY, CAHABA FOREST, LLC and HAWAII ERS TIMBERLAND, LLC, as Grantors, and CDX SEQUOYA, LLC and CDX GULF, LLC, as Grantees.

EXHIBIT "B" (1.) JOHN HANCOCK LIFE INSURANCE COMPANY
SEE ATTACHED PLATS

EXHIBIT "B" (2.) CAHABA FOREST, LLC
SEE ATTACHED PLATS

EXHIBIT "B" (3.) HAWAII ERS TIMBERLAND, LLC
SEE ATTACHED PLATS

FPB 212 623



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EXHIBIT "B"

Attached to and made a part of the Surface Use Agreement dated *April 13th*, 2007 by and between JOHN HANCOCK INSURANCE COMPANY, CAHABA FOREST, LLC and HAWAII ERS TIMBERLAND, LLC, as Grantors, and CDX SEQUOYUA, LLC and CDX GULF, LLC, as Grantees.

EXHIBIT "B" (1.) JOHN HANCOCK LIFE INSURANCE COMPANY
SEE ATTACHED PLATS

RPB 212 624

SECTION 7, TOWNSHIP 22 SOUTH, RANGE WEST

7

200' x 200'
WELL PAD
SESCO
07-10-316

EXISTING
55' RIGHT-OF-WAY

EDDINGSTOWN RD
(BIBB COUNTY RD 54)
NE 1/4 - SE 1/4

55' RIGHT-OF-WAY
405 L.F.

JAMES
HUBBARD



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EAST LINE OF SEC. 7

JOHN HANCOCK
LIFE INSURANCE

RPB 212 625

JOHN HANCOCK
LIFE INSURANCE

EXISTING
30' RIGHT-OF-WAY

EXISTING
55' RIGHT-OF-WAY

EXISTING
55' RIGHT-OF-WAY

SW 1/4 - SE 1/4

SE 1/4 - SE 1/4

55' RIGHT-OF-WAY
709 L.F.

SESCO
07-16-287

EXISTING
WELL PAD

SOUTH LINE OF SEC. 7



SESCO
18-02-315

NW 1/4 - NE 1/4

HAWAII ERS
TIMBERLAND, LLC

RIGHT-OF-WAY MAP
JOHN HANCOCK LIFE INSURANCE PROPERTY

CDX Gas, L.L.C.

200 CHASE PARK S, SUITE 100, HOOVER, AL 35244

Seqouya Project

DATE	DESCRIPTION	CHECKED BY

Faulkner Surveying
LICENSED PROFESSIONAL SURVEYORS


P.O. BOX 40270 / 1701 HOLT ROAD NE / TUSCALOOSA, ALABAMA 35404 / (205) 553-8333

DATE: 11/28/06	DRAWN BY: E M H	FILE: OCT'06
SCALE: 1"=400'	CHECKED BY: S G F	Job No.: 04-120

EXHIBIT "B"

Attached to and made a part of the Surface Use Agreement dated *April 13th*, 2007 by and between JOHN HANCOCK INSURANCE COMPANY, CAHABA FOREST, LLC and HAWAII ERS TIMBERLAND, LLC, as Grantors, and CDX SEQUOYA, LLC and CDX GULF, LLC, as Grantees.

EXHIBIT "B" (2.) CAHABA FOREST, LLC
SEE ATTACHED PLATS


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FPB 212 626

SECTION 2, TOWNSHIP 22 SOUTH, RANGE 1 WEST

UNIVERSITY
OF ALABAMA

55' RIGHT-OF-WAY
786 L.F.

CAHABA FORESTS, LLC

200' x 200'
WELL PAD

SEGCO-KCB
22-14-309

SE 1/4 - SW 1/4



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SOUTH LINE OF SEC. 22
NORTH LINE OF SEC. 27

HEADWATERS
INVESTMENTS, LLC

RIGHT-OF-WAY MAP
CAHABA FORESTS, LLC PROPERTY

CDX Gas, L.L.C.

200 CHASE PARK S, SUITE 100, HOOVER, AL 35244

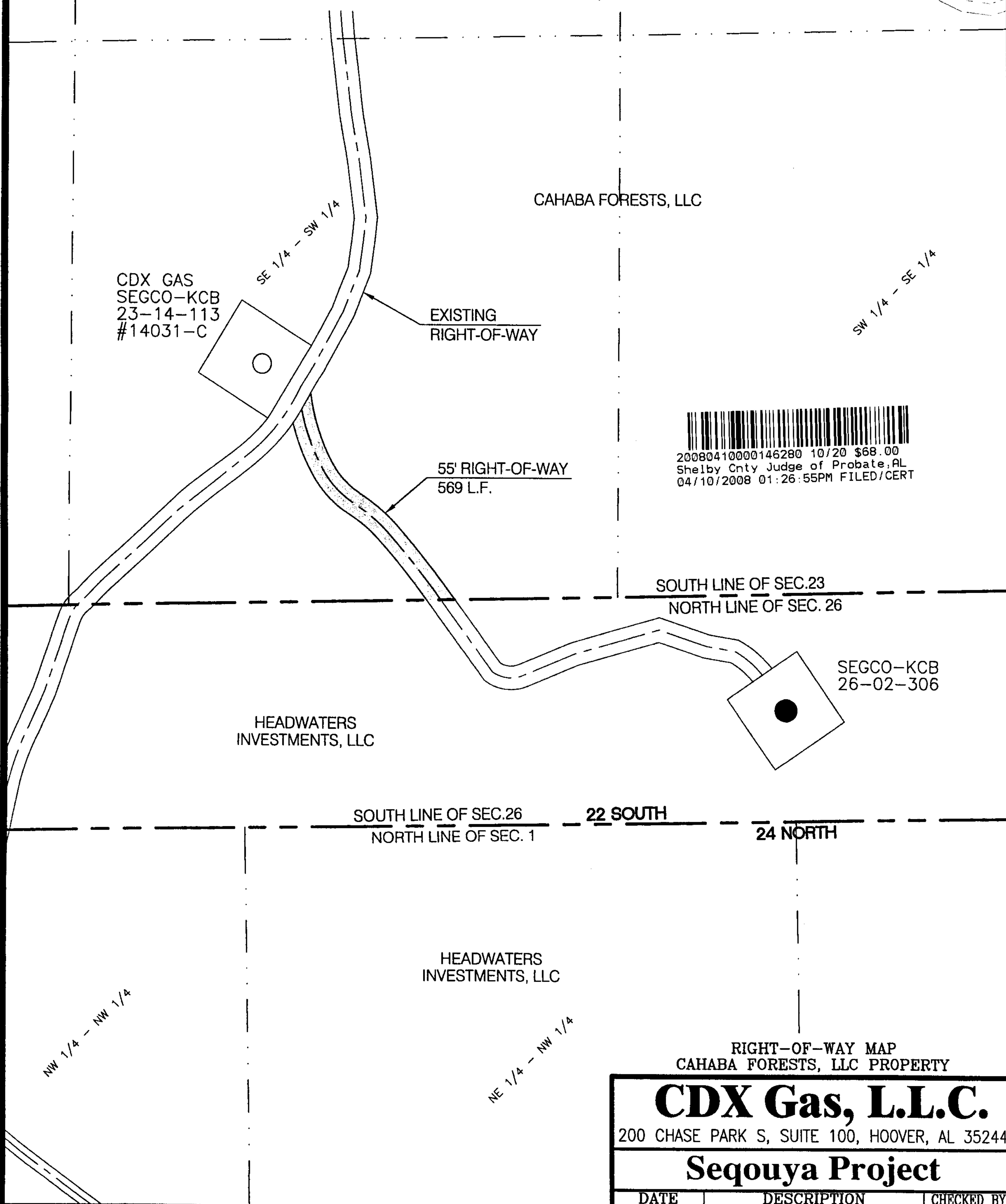
Seqouya Project

DATE	DESCRIPTION	CHECKED BY
DATE: 01/12/07	DRAWN BY: E M H	FILE: JAN'07
SCALE: 1"=200'	CHECKED BY: S G F	Job No.: 04-120

Faulkner Surveying
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SECTION 23, TOWNSHIP 22 SOUTH, RANGE 1 WEST



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RIGHT-OF-WAY MAP
 CAHABA FORESTS, LLC PROPERTY

CDX Gas, L.L.C.

200 CHASE PARK S, SUITE 100, HOOVER, AL 35244

Sequoya Project

DATE	DESCRIPTION	CHECKED BY
01/24/07	CORRECT SEC NO	E M H

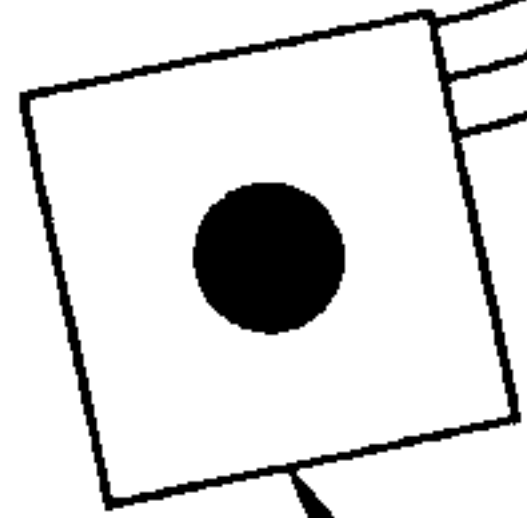
DATE: 11/28/06	DRAWN BY: E M H	FILE: OCT'06
SCALE: 1"=300'	CHECKED BY: S G F	Job No.: 04-120

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 P.O. BOX 40270 / 1701 HOLT ROAD NE / TUSCALOOSA, ALABAMA 35404 / (205) 553-8333

SECTION 5, TOWNSHIP 22 SOUTH, RANGE 12 WEST
 SECTION 6, TOWNSHIP 24 NORTH, RANGE 12 EAST

23
24
25
26

SEGO-KCB
25-04-305



200' x 200'
WELL PAD

55' RIGHT-OF-WAY
182 L.F.

NORTH LINE OF SEC. 25

EXISTING
55' RIGHT-OF-WAY

25

CAHABA FORESTS, LLC

22 SOUTH
24 NORTH

SOUTH LINE OF SEC. 25
NORTH LINE OF SEC. 6

NE 1/4 - NE 1/4

NW 1/4 - NW 1/4

NE 1/4 - NW 1/4



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WEST LINE OF SEC. 6

30' RIGHT-OF-WAY
3693 L.F.

SE 1/4 - NE 1/4

SW 1/4 - NW 1/4

SE 1/4 - NW 1/4

CAHABA FORESTS, LLC

6

11 EAST
12 EAST

RIGHT-OF-WAY MAP
 CAHABA FORESTS, LLC PROPERTY

CDX Gas, L.L.C.

200 CHASE PARK S, SUITE 100, HOOVER, AL 35244

Sequoya Project

DATE	DESCRIPTION	CHECKED BY

DATE: 11/28/06 DRAWN BY: E M H FILE: OCT'06
 SCALE: 1"=400' CHECKED BY: S G F Job No.: 04-120

Faulkner Surveying

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P.O. BOX 40270 / 1701 HOLT ROAD NE / TUSCALOOSA, ALABAMA 35404 / (205) 553-8333

FPB 212 629

EXHIBIT "B"

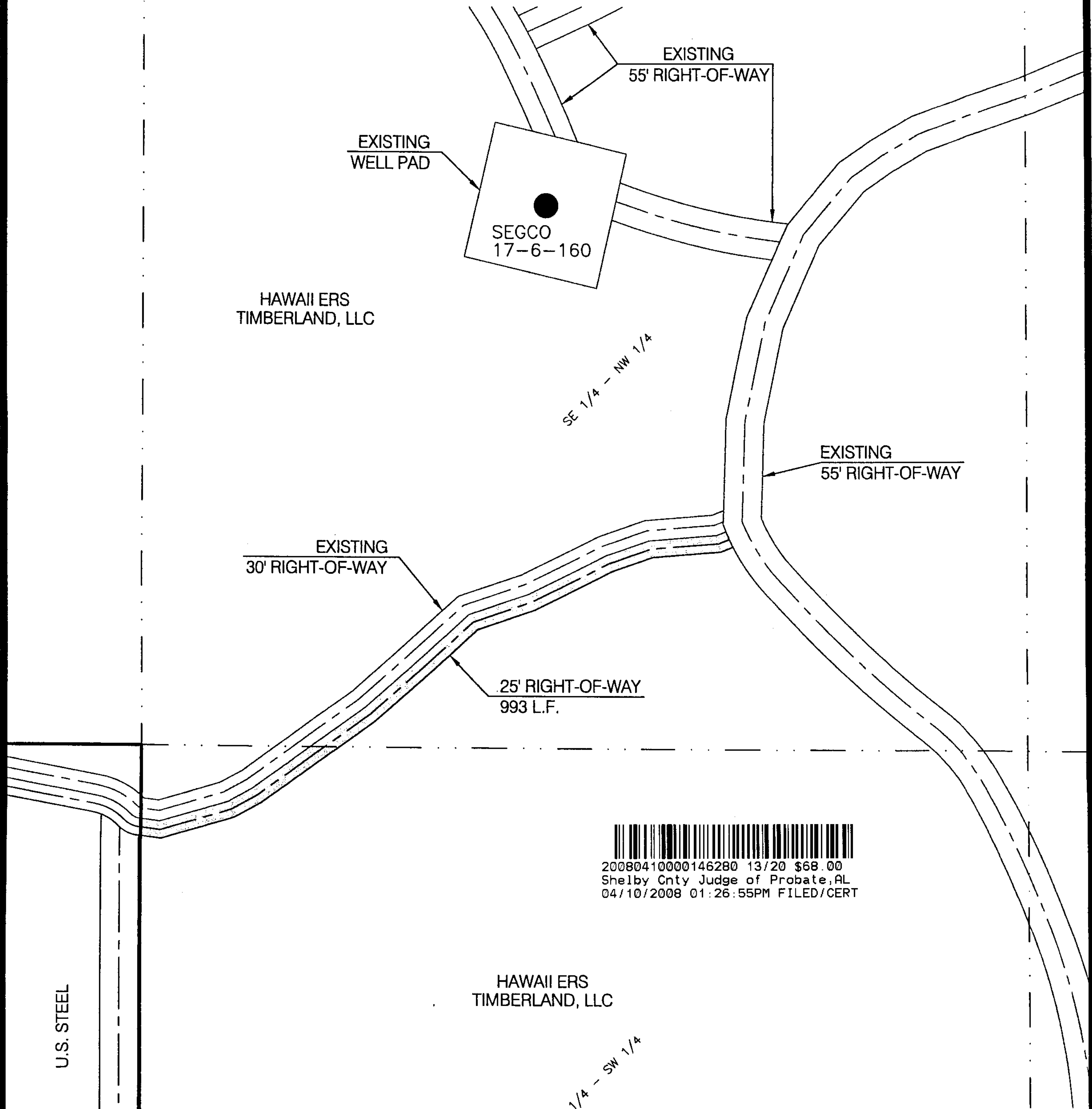
Attached to and made a part of the Surface Use Agreement dated *April 13th*, 2007 by and between JOHN HANCOCK INSURANCE COMPANY, CAHABA FOREST, LLC and HAWAII ERS TIMBERLAND, LLC, as Grantors, and CDX SEQUOYA, LLC and CDX GULF, LLC, as Grantees.

EXHIBIT "B" (3.) HAWAII ERS TIMBERLAND, LLC
SEE ATTACHED PLATS


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SECTION 7, TOWNSHIP 22 SOUTH, RANGE WEST



PPB 212 631



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U.S. STEEL

HAWAII ERS
 TIMBERLAND, LLC

NE 1/4 - SW 1/4

RIGHT-OF-WAY MAP
 HAWAII ERS TIMBERLAND, LLC PROPERTY

CDX Gas, L.L.C.

200 CHASE PARK S, SUITE 100, HOOVER, AL 35244

Seqouya Project

DATE	DESCRIPTION	CHECKED BY
DATE: 01/12/07	DRAWN BY: E M H	FILE: JAN'07
SCALE: 1"=200'	CHECKED BY: S G F	Job No.: 04-120

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SECTION 18, TOWNSHIP 22 SOUTH, RANGE 12 WEST

JAMES HUBBARD

JOHN HANCOCK LIFE INSURANCE

SEGCO 07-16-287

EXISTING 55' RIGHT-OF-WAY

NORTH LINE OF SEC. 18

EXISTING 30' RIGHT-OF-WAY

SEGCO 18-02-315

200' x 200' WELL PAD

55' RIGHT-OF-WAY 1170 L.F.

55' RIGHT-OF-WAY 3380 L.F.

EXISTING 55' RIGHT-OF-WAY

HAWAII ERS TIMBERLAND, LLC

EAST LINE OF SEC. 18

SEGCO 18-06-314

200' x 200' WELL PAD

SW 1/4 - NE 1/4

SEGCO 18-08-222

25' RIGHT-OF-WAY 821 L.F.

EXISTING 30' R.O.W.

18



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U.S. STEEL

RIGHT-OF-WAY MAP
HAWAII ERS TIMBERLAND, LLC PROPERTY

CDX Gas, L.L.C.

200 CHASE PARK S, SUITE 100, HOOVER, AL 35244

Seqouya Project

DATE	DESCRIPTION	CHECKED BY
DATE: 11/28/06	DRAWN BY: E M H	FILE: OCT'06
SCALE: 1"=500'	CHECKED BY: S G F	Job No.: 04-120

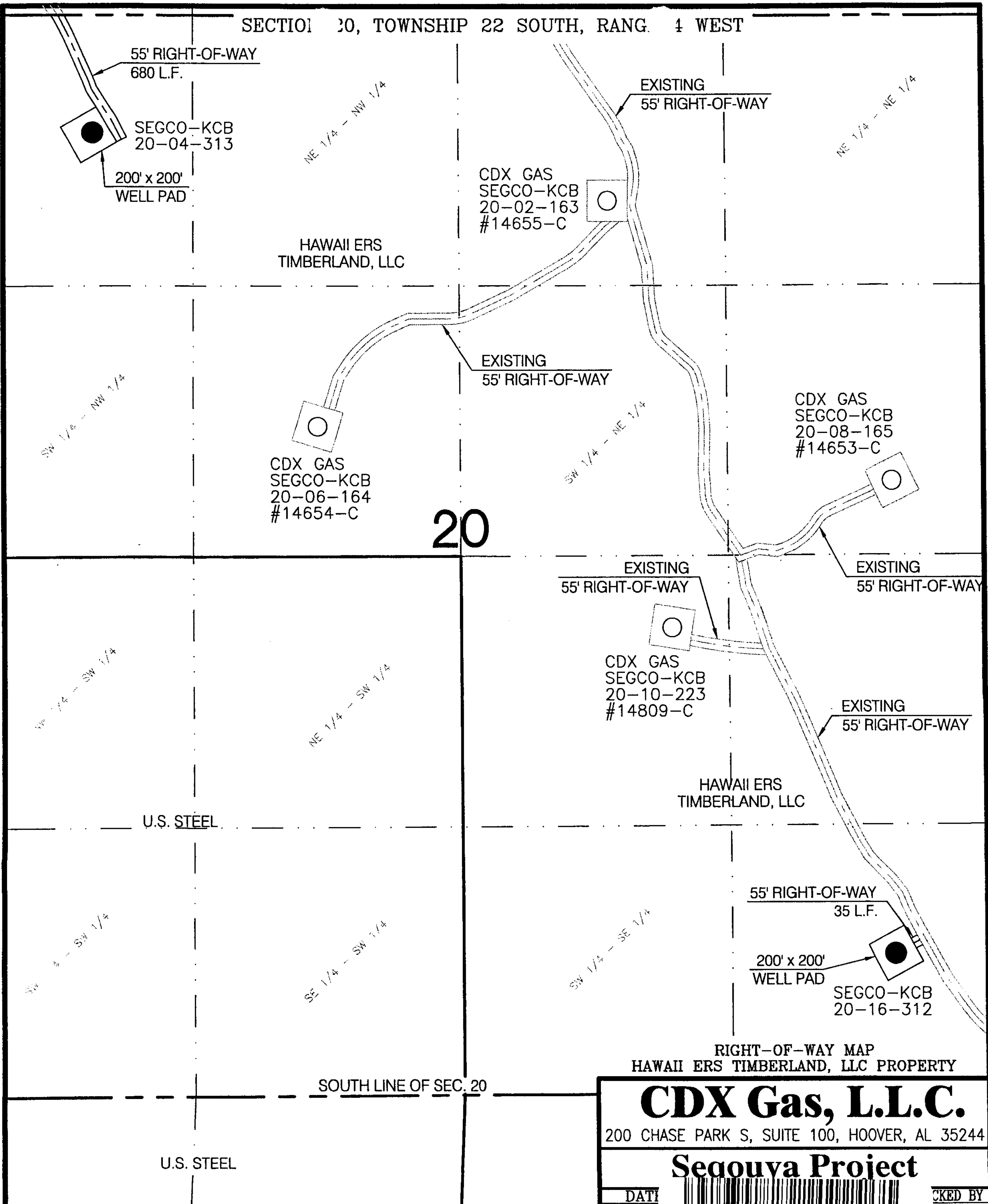
Faulkner Surveying

LICENSED PROFESSIONAL SURVEYORS

P.O. BOX 40270 / 1701 HOLT ROAD NE / TUSCALOOSA, ALABAMA 35404 / (205) 553-8333

RPB 212 632

SECTION 20, TOWNSHIP 22 SOUTH, RANGE 4 WEST



APB 212 633

RIGHT-OF-WAY MAP
HAWAII ERS TIMBERLAND, LLC PROPERTY

CDX Gas, L.L.C.

200 CHASE PARK S, SUITE 100, HOOVER, AL 35244

Sequoia Project



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DATE: 11

DATE: 11

SCALE: 1" = 500'

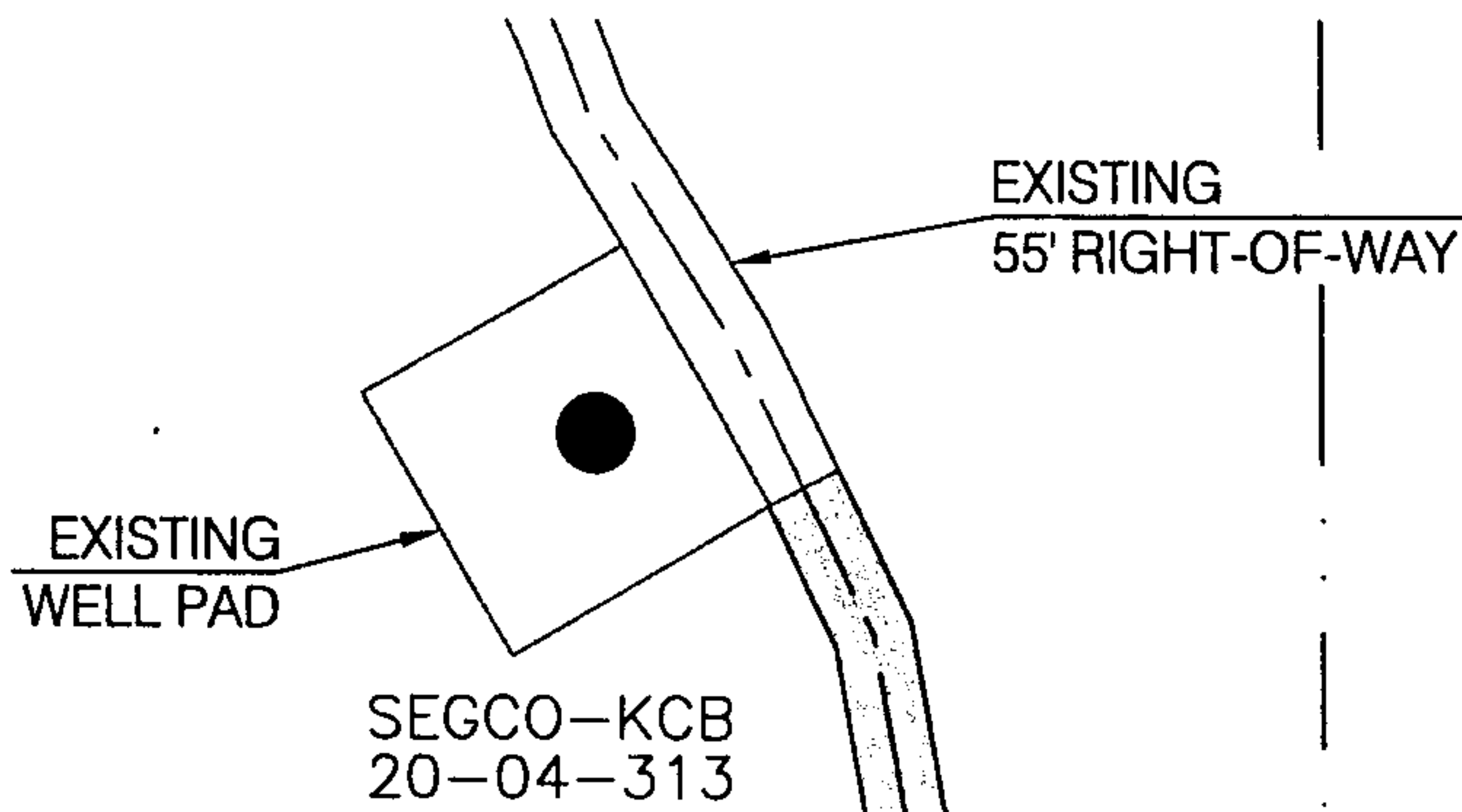
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06

04-120

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LICENSED PROFESSIONAL SURVEYORS
P.O. BOX 40270 / 1701 HOLT ROAD NE / TUSCALOOSA, ALABAMA 35404 / (205) 553-8333

SECTION 0, TOWNSHIP 22 SOUTH, RANGE WEST



NE 1/4 - NW 1/4

U.S. STEEL

EAST LINE OF SEC. 19
WEST LINE OF SEC. 20


55' RIGHT-OF-WAY
2067 L.F.

SW 1/4 - NW 1/4

HAWAII ERS
TIMBERLAND, LLC

EXISTING
WELL PAD

CDX GAS
SEGCO-KCB
20-06-164
#14654-C


20080410000146280 16/20 \$68.00
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U.S. STEEL

RGGS
20-12-329

RIGHT-OF-WAY MAP
HAWAII ERS TIMBERLAND, LLC PROPERTY

CDX Gas, L.L.C.

200 CHASE PARK S, SUITE 100, HOOVER, AL 35244

Seqouya Project

DATE	DESCRIPTION	CHECKED BY
DATE: 01/12/07	DRAWN BY: E M H	FILE: JAN'07
SCALE: 1"=300'	CHECKED BY: S G F	Job No.: 04-120

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RPB 212 634

SECTION 21, TOWNSHIP 22 SOUTH, RANGE 1 WEST

HAWAII ERS
TIMBERLAND

EXISTING
55' RIGHT-OF-WAY

SEGCO-KCB
21-16-290

EXISTING
WELL PAD

55' RIGHT-OF-WAY
1329 L.F.

SW 1/4 - SE 1/4

SE 1/4 - SE 1/4

SOUTH LINE OF SEC. 21
NORTH LINE OF FRAC. SEC. 28

UNIVERSITY
OF ALABAMA

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RIGHT-OF-WAY MAP
HAWAII ERS TIMBERLAND PROPERTY

CDX Gas, L.L.C.

200 CHASE PARK S, SUITE 100, HOOVER, AL 35244

Sequoya Project

DATE	DESCRIPTION	CHECKED BY
DATE: 11/28/06	DRAWN BY: E M H	FILE: OCT'06
SCALE: 1"=200'	CHECKED BY: S G F	Job No.: 04-120

Faulkner Surveying

LICENSED PROFESSIONAL SURVEYORS
P.O. BOX 40270 / 1701 HOLT ROAD NE / TUSCALOOSA, ALABAMA 35404 / (205) 553-8333

APB 212 635

SECTION 01, TOWNSHIP 22 SOUTH, RANGE 1 WEST

HAWAII ERS
TIMBERLAND

NE 1/4 - SE 1/4

55' RIGHT-OF-WAY
1148 L.F.

SEGCCO-KCB
22-12-326

UNIVERSITY
OF ALABAMA

EXISTING
RIGHT-OF-WAY

EAST LINE OF SEC. 21
WEST LINE OF SEC. 22

HAWAII ERS
TIMBERLAND

SEGCCO-KCB
21-16-290



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RIGHT-OF-WAY MAP
HAWAII ERS TIMBERLAND PROPERTY

CDX Gas, L.L.C.

200 CHASE PARK S, SUITE 100, HOOVER, AL 35244

Seqouya Project

DATE	DESCRIPTION	CHECKED BY
DATE: 01/12/07	DRAWN BY: E M H	FILE: JAN'07
SCALE: 1"=200'	CHECKED BY: S G F	Job No.: 04-120

Faulkner Surveying

LICENSED PROFESSIONAL SURVEYORS

P.O. BOX 40270 / 1701 HOLT ROAD NE / TUSCALOOSA, ALABAMA 35404 / (205) 553-8333

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EXHIBIT "C"

Attached to and made a part of that certain Surface Use Agreement dated *April 13th*, 2007 between JOHN HANCOCK LIFE INSURANCE COMPANY, CAHABA FOREST, LLC AND HAWAII ERS TIMBERLAND, LLC, as Grantors, and CDX SEQUOYA, LLC, and CDX GULF, LLC, as Grantees.

EXHIBIT "C" (1.) JOHN HANCOCK LIFE INSURANCE COMPANY

S-T-R	Facility	Width / Ft.	Length / Ft.	Acres
S07-T22S-R4W	SEGCO Well # 07-10-316 Well Pad	200	200	0.92
S07-T22S-R4W	55' ROW	55	405	0.51
S07-T22S-R4W	55' ROW	55	709	0.90
Total Acres				2.33

EXHIBIT "C" (2.) CAHABA FOREST, LLC

S-T-R	Facility	Width / Ft.	Length / Ft.	Acres
S22-T22S-R4W	SEGCO-KCB Well # 22-14-309 Well Pad	200	200	0.92
S22-T22S-R4W	55' ROW	55	786	0.99
S23-T22S-R4W	55' ROW	55	569	0.72
S25-T22S-R4W	SEGCO-KCB Well # 25-04-305 Well Pad	200	200	0.92
S25-T22S-R4W	55' ROW	55	182	0.23
S25-T22S-R4W S06-T24N-R12E	30' ROW	30	3693	2.54
Total Acres				6.32

EXHIBIT "C" (3.) Hawaii ERS Timberland, LLC

S-T-R	Facility	Width / Ft.	Length / Ft.	Acres
S17-T22S-R4W	25' ROW	25	993	0.57
S18-T22S-R4W	SEGCO Well # 18-06-314 Well Pad	200	200	0.92
S18-T22S-R4W	55' ROW	55	3380	4.27
S18-T22S-R4W	SEGCO Well # 18-02-315 Well Pad	200	200	0.92
S18-T22S-R4W	55' ROW	55	1170	1.48
S18-T22S-R4W	25' ROW	25	821	0.47
S20-T22S-R4W	SEGCO-KCB Well # 20-16-312 Well Pad	200	200	0.92
S20-T22S-R4W	55' ROW	55	35	0.04
S20-T22S-R4W	SEGCO-KCB Well # 20-04-313 Well Pad	200	200	0.92
S20-T22S-R4W	55' ROW	55	680	0.86
S20-T22S-R4W	55' ROW	55	2067	2.61
S21-T22S-R4W	55' ROW	55	1329	1.68
S21-T22S-R4W	55' ROW	55	1148	1.45
Total Acres				17.11

FPB 212 637



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EXHIBIT "C"
(Acreage Summary)

Attached to and made a part of that certain Surface Use Agreement dated *April 13th*, 2007 between JOHN HANCOCK LIFE INSURANCE COMPANY, CAHABA FOREST, LLC AND HAWAII ERS TIMBERLAND, LLC, as Grantors, and CDX SEQUOYA, LLC and CDX GULF, LLC, as Grantees.

JOHN HANCOCK LIFE INSURANCE COMPANY	TOTAL ACRES	2.33
CAHABA FOREST, LLC	TOTAL ACRES	6.32
HAWAII ERS TIMBERLAND, LLC	TOTAL ACRES	17.11
COMBINED TOTAL ACRES		25.76

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