



20080910000359670 1/3 \$21.00
Shelby Cnty Judge of Probate:AL
09/10/2008 12:10:53PM FILED/CERT

PARTIAL RELEASE OF OIL AND GAS LEASE

STATE OF ALABAMA)

COUNTIES OF BIBB & SHELBY)

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS , The Westervelt Company, Inc., a Delaware corporation (formerly known as Gulf States Paper Corporation), with an office at P.O. Box 48999 Tuscaloosa, Alabama 35404-8999 ("*Lessor*") entered into an unrecorded Paid-Up Oil and Gas Lease ("*Lease*") with CDX Sequoya, LLC, a Texas limited liability company with an office at 5485 Beltline Road, Suite 190, Dallas, Texas 75254-7656, dated February 9, 2004; and

WHEREAS, the Lease was amended by Lessor and Lessee by that certain unrecorded Amendment to Oil and Gas Lease dated as of August 6, 2004 ("*Amendment*"); and

WHEREAS, the Lease and Amendment are both referenced in that certain Memorandum of Oil and Gas Lease recorded in the probate records of Bibb County at RPB 147, Page 186 and in Shelby County at Instrument Number 20050201000050290; and

WHEREAS, CDX Sequoya, LLC assigned all its right, title and interest in Lease to CDX Bishop Creek, LLC at RPB 148, Page 130 of the probate records of Bibb County, Alabama and at Instrument Number 20050218000080070 of the probate records of Shelby County, Alabama; and

WHEREAS, CDX Bishop Creek, LLC assigned a total of fifteen percent (15%) of its right, title and interest in Lease to W. Ray Wallace at RPB 149, Page 604 and RPB 161, Page 408 of the probate records of Bibb County, Alabama, and at Instrument Number 20050314000112980 and Instrument Number 20051028000562410 of the probate records of Shelby County, Alabama; and

WHEREAS, the Lease provides that Lessee may at any time and from time to time execute and deliver to Lessor or file for record a release or releases of this Lease as to any part or all of said Premises.

NOW THEREFORE, know all men by these presents, CDX BISHOP CREEK, LLC and W. RAY WALLACE do hereby release, relinquish and surrender all of their right, title and interest in certain lands covered by said Lease and Amendment, these lands more specifically described on Exhibit "A" which is adopted and incorporated herein.

This Partial Release is in-lieu of and supersedes and replaces that certain Partial Release dated January 30, 2008, recorded at RPB 209, Page 144 of the probate records of Bibb County, Alabama and at Instrument Number 20080215000062220 of the probate records of Shelby County, Alabama.

IN WITNESS WHEREOF, this instrument is executed on this 10th day of August, 2008, but effective as of the 30th day of January, 2008.

CDX BISHOP CREEK, LLC
By: [Signature]
Name: David J. Minor
Title: Sr. VP

[Signature]
W. RAY WALLACE

Recorded In RPB BK 220 PG 388, 09/10/2008 11:10:16 AM Recording Fee 15.50, TOTAL 15.50
Jerry C. Poir, Probate Judge, Bibb County, Alabama



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ACKNOWLEDGEMENT

Alabama
STATE OF ~~TEXAS~~)
COUNTY OF Shelby)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that David J. Minor, whose name as Senior Vice President of CDX BISHOP CREEK, LLC, a Texas limited liability company, is signed to the foregoing agreement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the partial release, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and seal of office this 18th day of August 2008.

(SEAL)

My Commission Expires:

April 29, 2011

Virginia C. Bondy
NOTARY PUBLIC
County of _____, State of Alabama
at Large

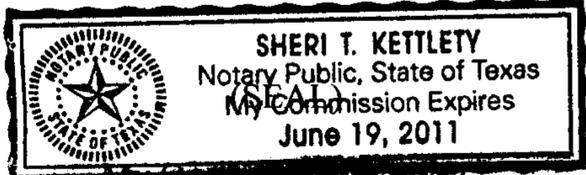
FPB 220 389

ACKNOWLEDGEMENT

STATE OF TEXAS)
COUNTY OF Dallas)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that W. RAY WALLACE, whose name is signed to the foregoing agreement, and who is known to me, acknowledged before me on this day that, being informed of the contents of the partial release, he did sign, execute and deliver the same voluntarily on the day same bears date.

Given under my hand and seal of office this 3RD day of September 2008.



My Commission Expires:

June 19, 2011

Sheri Kettleby
NOTARY PUBLIC
County of Dallas, State of Texas

This instrument prepared by:
CDX Gas, LLC
200 Chase Park South, Suite 100
Hoover, AL 35244

Source of title:
Bibb County: RPB 209, Page 144
Shelby County: 20080215000062220



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Exhibit "A"

Attached to and made a part of the Partial Release of Oil and Gas Lease by CDX Bixhop Creek, LLC and W. Ray Wallace to The Westervelt Company, Inc. (formerly known as Gulf States Paper Corporation) on the 18th day of August, 2008.

<u>Property Description</u>	<u>Number of Acres</u>	
	<u>FEE</u>	<u>MRO</u>
<u>SHELBY COUNTY, ALABAMA</u>		
<u>Township 21 South, Range 5 West</u>		
Section 13: NE/4; E2 of NW/4; E/2 of SE/4; SW/4 of SE/4; W/2 of SW/4	440.00	
<u>BIBB COUNTY</u>		
<u>Township 21 South, Range 5 West</u>		
Section 14: NW/4 of NE/4; E2 of NW/4 except that part lying W of Shades Creek and N of the first branching flowing into Shades Creek which is S of N boundary of SE/4 of NW/4; SW/4 of SW/4; E/2 of SW/4; NW/4 of SE/4; E/2 of SE/4	342.00	
Section 21: W/2; SE/4; E/2 of NE/4; NW/4 of NE/4	600.00	
Section 23: N/2 of NW/4; SW/4 of NW/4	120.00	
Section 29: ALL, less and except 1 acre in the SE corner of Section	639.00	
Section 30: W/2 of SE/4 of NE/4; SW/4 of NE/4; SE/4	220.00	
Section 31: E/2 of NW/4; E/2 of NE/4; NE/4 of SE/4; NW/4 of SW/4 W/2 of NW/4; W/2 of E/2; SE/4 of SE/4	240.00	280.00
Section 32: S/2 of NW/4; N/2 of SW/4	160.00	
TOTAL ACRES PER CATEGORY OF THIS RELEASE	2761.00	280.00
TOTAL NET ACRES OF THIS RELEASE		3041.00

FPB 220 390