

**MEMORANDUM OF SEVENTH AMENDMENT TO  
CORRECTED AND RESTATED  
COALBED METHANE GAS LEASE**

STATE OF ALABAMA

COUNTIES OF BIBB AND SHELBY

**KNOW ALL BY THESE PRESENTS:**

WITNESSETH:

WHEREAS, **Alabama Power Company** and **Southern Electric Generating Company** (both of which are collectively referred to herein as "Lessor") and **CDX Gas, LLC** and **CDX Sequoya, LLC** (both of which are collectively referred to herein as "Lessee") entered into an unrecorded Coalbed Methane Gas Lease ("Lease") dated July 9, 2004 (The "Effective Date") wherein Lessee leased certain interests from Lessor in Bibb and Shelby Counties, Alabama; and

WHEREAS in order to correct certain mistakes in the Lease, an unrecorded Corrected and Restated Coalbed Methane Gas Lease was entered into effective July 9, 2004 as evidenced by a Memorandum of Coalbed Methane Gas Lease effective as of July 9, 2004 and recorded in RPB 149, page 668 in the Deed Records of the Judge of Probate of Bibb County, Alabama on March 22, 2005 and as Instrument No. 20050323000131220 in the Deed Records of the Judge of Probate of Shelby County, Alabama on March 23, 2005; and

WHEREAS, the parties now desire to recognize that said Corrected and Restated Coalbed Methane Gas Lease, as amended, was amended by amending certain language in Section 2.1 of above referenced Lease.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, the Lessor and Lessee, for and in consideration of the mutual benefits to be derived by the parties hereto, do hereby amend said Corrected and Restated Coalbed Methane Gas Lease, as amended, to recognize that certain language was amended in Section 2.1 of the above referenced unrecorded Lease.

IN WITNESS WHEREOF, the parties hereto have duly signed this Memorandum of Seventh Amendment to Corrected and Restated Coalbed Methane Gas Lease to be effective as of the 9<sup>th</sup> day of July, 2004, for the sole purpose of giving record notice of the executed Seventh Amendment to Corrected and Restated Coalbed Methane Gas Lease and the existence thereof.

(SIGNATURES FOLLOW ON NEXT PAGE)

Recorded In RPB BK 221 Pg 62, 09/26/2008 10:33:11 AM Recording Fee 18.50, TOTAL 18.50  
Jerry C. Pow, Probate Judge, Bibb County, Alabama



20080926000381550 2/4 \$21.00  
Shelby Cnty Judge of Probate, AL  
09/26/2008 11:32:47AM FILED/CERT

**ALABAMA POWER COMPANY**

By: Arthur P. Beattie

Its: Executive Vice-President

**SOUTHERN ELECTRIC GENERATING  
COMPANY**

By: Arthur P. Beattie

Its: Executive Vice-President

**CDX GAS, LLC**

By: Rick D. Johnson

Its: Vice President Operations

**CDX SEQUOYA, LLC**

By: Rick D. Johnson

Its: Vice President Operations

FPB 221 63

ACKNOWLEDGMENT

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, THE UNDERSIGNED, a Notary Public in and for said County and State, hereby certify that **Arthur P. Beattie**, whose name as **Executive Vice-President** of **ALABAMA POWER COMPANY**, 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 and seal this 4<sup>th</sup> day of September, 2008.

Seal

Arvida St. Baker  
NOTARY PUBLIC  
in and for Jefferson County, Alabama

My Commission Expires:

2-3-09

FPB 221 64

ACKNOWLEDGMENT

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, THE UNDERSIGNED, a Notary Public in and for said County and State, hereby certify that **Arthur P. Beattie**, whose name as **Executive Vice-President** of **SOUTHERN ELECTRIC GENERATING COMPANY**, 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 and seal this 4<sup>th</sup> day of September, 2008.

Seal

Arvida St. Baker  
NOTARY PUBLIC  
in and for Jefferson County, Alabama

My Commission Expires:

2-3-09





20080926000381550 4/4 \$21.00  
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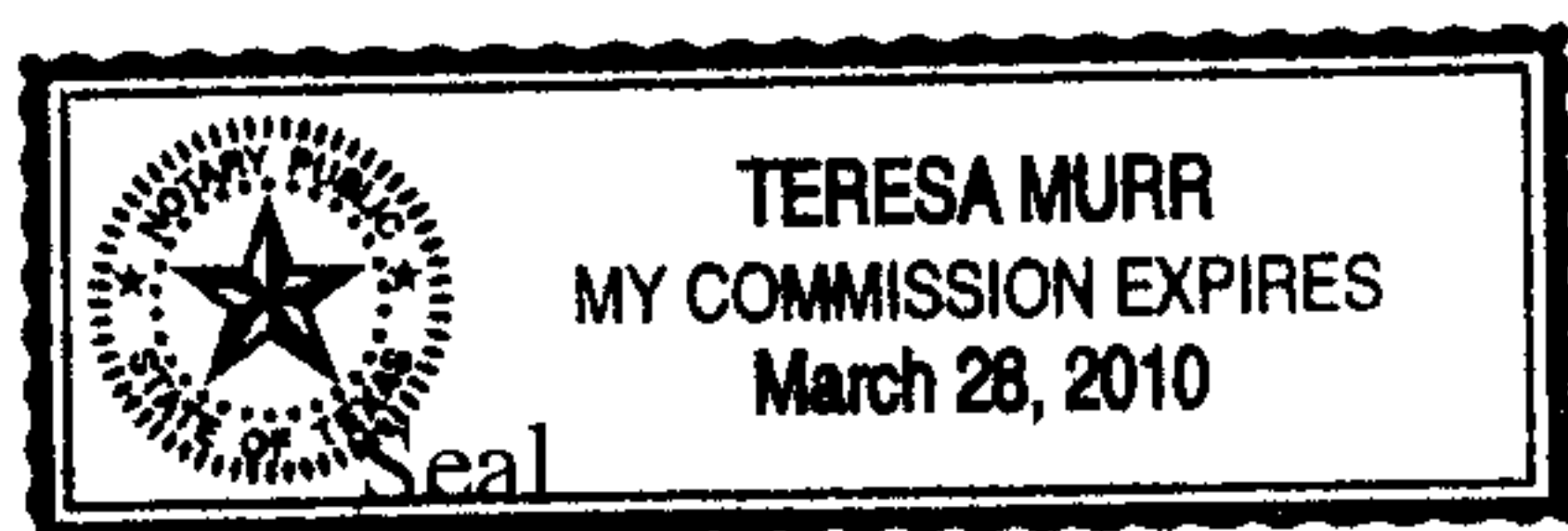
ACKNOWLEDGMENT

STATE OF Texas

COUNTY OF Harris

I, THE UNDERSIGNED, a Notary Public in and for said County and State, hereby certify that Rick D. Johnson, who is the Vice President Operations CDX GAS, LLC, a Delaware limited liability company, and whose name as such is signed to the foregoing instrument, as its officer and who is known to me, acknowledged before me on this day that, being informed of the contents of the same, he, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal this 28<sup>th</sup> day of August, 2008.



Teresa Murr  
NOTARY PUBLIC

My Commission Expires:

3 - 28 - 2010

FPB 221 65

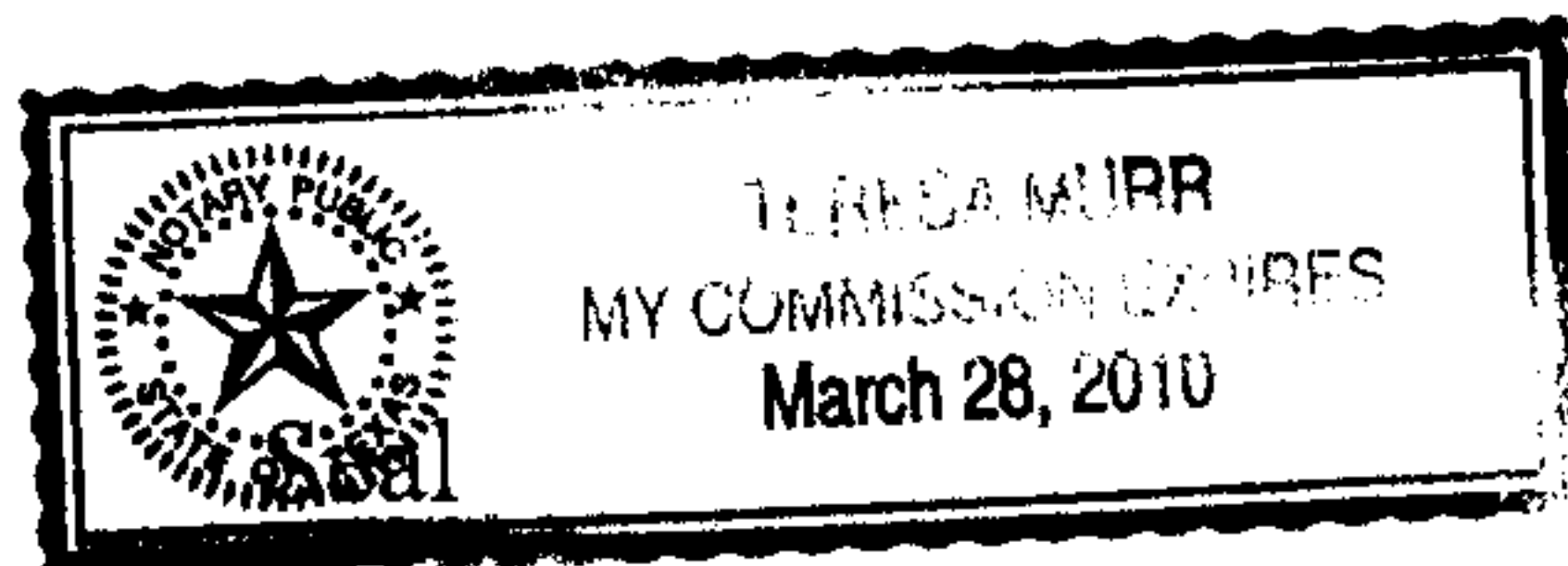
ACKNOWLEDGMENT

STATE OF Texas

COUNTY OF Harris

I, THE UNDERSIGNED, a Notary Public in and for said County and State, hereby certify that Rick D. Johnson, who is the Vice President Operations of CDX SEQUOYA, LLC, a Texas limited liability company, and whose name as such is signed to the foregoing instrument, as its officer and who is known to me, acknowledged before me on this day that, being informed of the contents of the same, he, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal this 28<sup>th</sup> day of August, 2008.



Teresa Murr  
NOTARY PUBLIC

My Commission Expires:

3 - 28 - 2010