

## TRUSTEE'S DEED

THIS DEED made this 21st day of October, 2008 by Wachovia Bank, National Association, as Trustee of the Donald N. Lathem Trust under Revocable Trust Agreement dated October 11, 1982, hereinafter known as Grantor, to Donald N. Lathem, Sr., 1208 First Street, Alabaster, Alabama 35007, hereinafter known as Grantee.

NOW THEREFORE, Grantor, for and in consideration of the sum of Ten dollars (\$10.00) cash in hand and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, sell, quitclaim and convey unto Grantee all of Grantor's right, title, and interest in and to all oil, gas and other minerals of any kind whatsoever, in and under the following described lands, situated in Shelby County, Alabama:

Beginning at the SE corner of the W. F. Strowd Subdivision, situated in the N ½ of NE ¼ of Section 2, Township 21, Range 3 West, said adoption of said subdivision being dated on the 28<sup>th</sup> day of July, 1926, and filed in Map Book 3, page 43, in the Probate Office of Shelby County, Alabama, on the 16th day of August, 1926, at the SE corner of said Lot No. 1 of said subdivision; thence South 5° East 920 feet to point on the West side of Montevallo & Ashville Road for beginning point; thence South 86 1/2° West 702 feet to point on the North side of John Allen Branch; thence South 52° East along said branch 750 feet to the West margin of said Montevallo & Ashville Road; thence North 2 ½° deflection West 400 feet to a point; thence North 10° 37 feet to a point; thence North 5° West 50 feet to point of beginning.

All being the same property reserved in that certain Trustee's Deed, dated September 13, 2007, and recorded as Instrument 20070928000455540 in the Shelby County Judge of Probate Records, Alabama.

IN ADDITION, Grantor does hereby grant, bargain, sell, quitclaim and convey unto Grantee all right, title and interest that Grantor may have in any and all current oil and gas leases, all net profits interests, and all reversionary and suspended interests. It is Grantor's intent to convey all interests and rights, known and unknown.

TO HAVE AND TO HOLD the herein-described property with all and singular the rights, privileges and appurtenances thereunto or in anywise belonging unto said Grantee, their heirs, successors and assigns.

THIS CONVEYANCE is made without warranty of any kind, either expressed or implied.

IN WITNESS WHEREOF Grantor hereunto sets his hand the day and year first written above.

Wachovia Bank, National Association, as Trustee of the  
Donald N. Lathem Trust under Revocable Trust  
under Agreement dated October 11, 1982

  
By: Linn A. Willers  
Its: Vice President

## CORPORATE ACKNOWLEDGMENT

State of FLORIDA )

Shelby County, AL 11/12/2008  
State of Alabama

County of DUVAL )

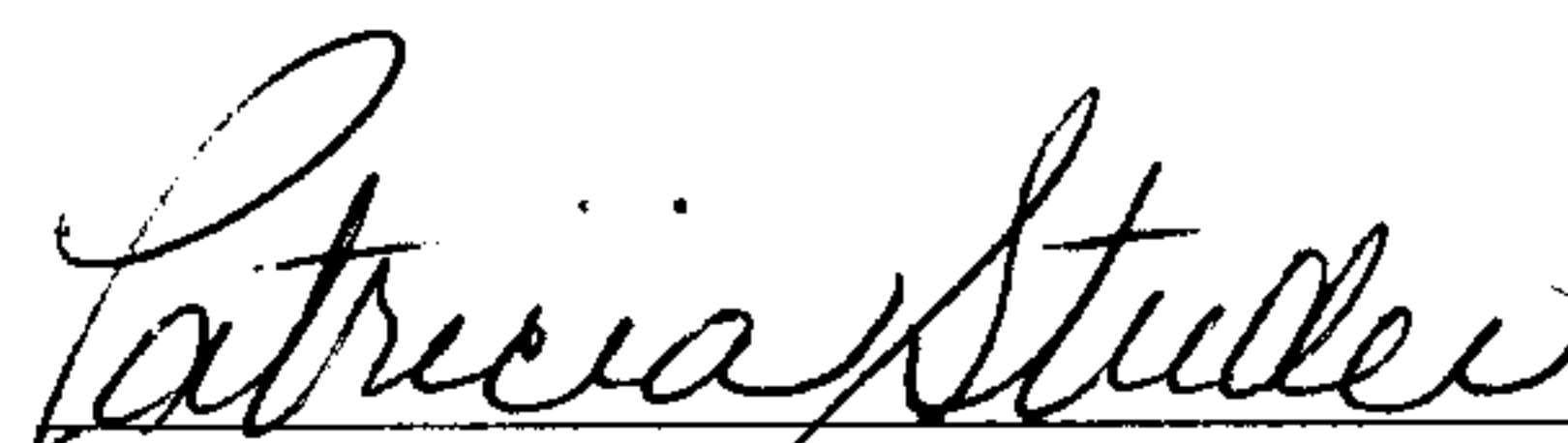
Deed Tax: \$.50

The foregoing instrument was acknowledged before me this 21st day of October, 2008, by Linn A. Willers, Vice President of Wachovia Bank, National Association, as Trustee of the Donald N. Lathem Trust under Revocable Trust Agreement dated October 11, 1982, on behalf of the said corporation. Linn A. Willers is personally known to me.

WITNESS MY HAND and Official Seal



**Patricia Studer**  
Commission # DD572695  
Expires July 10, 2010  
Bonded Troy Fain - Insurance, Inc 800-385-7019

  
Notary Public

My Commission Expires: July 10, 2010

This Instrument Prepared By & Return to:  
DONALD N LATHEM TUA  
WACHOVIA BANK NA, TRUSTEE  
P. O. BOX 40062 FL0027  
JACKSONVILLE, FL 32203-00621