

Source of Title:  
RFB 148, Page 500 - Bibb  
20050303000100960 - Shelby

MEMORANDUM OF THIRD AMENDMENT TO  
COALBED METHANE GAS LEASE

STATE OF ALABAMA

COUNTIES OF BIBB AND SHELBY

KNOW ALL BY THESE PRESENTS:



20081121000446590 1/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
11/21/2008 01:29:48PM FILED/CERT

WITNESSETH:

WHEREAS, Bowater Alabama LLC (referred to herein as "Lessor") and CDX Sequoya, LLC (referred to herein as "Lessee") entered into an unrecorded Coalbed Methane Gas Lease ("Said Lease") dated October 12, 2004 (The "Effective Date") wherein Lessee leased certain interests from Lessor in Bibb and Shelby Counties, Alabama, which Said Lease is evidenced by Memorandum of Coalbed Methane Gas Lease recorded in RPB 148, page 500 in the Deed Records of the Judge of Probate of Bibb County, Alabama on March 3, 2005 and as Instrument No. 20050303000100960 in the Deed Records of the Judge of Probate of Shelby County, Alabama on March 3, 2005; and

WHEREAS, a portion of Said Lease was assigned to W. Ray Wallace (referred to herein as "Assignee") by Assignment dated September 28, 2005; and

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

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

IN WITNESS WHEREOF, the parties hereto have duly signed this Memorandum of Third Amendment to Coalbed Methane Gas Lease on the 22<sup>nd</sup> day of October, 2008, to be effective as of the 12<sup>th</sup> day of October, 2004, for the sole purpose of giving record notice of the executed Third Amendment to Coalbed Methane Gas Lease and the existence thereof.

BOWATER ALABAMA LLC

By: William G. Harvey  
Its: Manager

CDX SEQUOYA, LLC

By: David J. Minor  
Its: Sr. VP

W. RAY WALLACE

W. Ray Wallace

Recorded In RPB BK 223 PG 640, 11/21/2008 12:29:52 PM Recording Fee 15.50, TOTAL 15.50  
Jerry C. Fow, Probate Judge, Bibb County, Alabama

20081121000446590 2/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
11/21/2008 01:29:48PM FILED/CERT

ACKNOWLEDGMENT

PROVINCE  
~~STATE OF~~ QUEBEC

CITY  
~~COUNTY OF~~ MONTREAL

I, THE UNDERSIGNED, a Notary Public in and for said <sup>City</sup> ~~County~~ and <sup>Province</sup> ~~State~~, hereby certify that William G. Harvey, whose name as MANAGER of BOWATER ALABAMA LLC, 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 22<sup>nd</sup> day of October, 2008.

Genevieve Dumas

NOTARY PUBLIC

in and for Montreal ~~County~~ Quebec  
City

My Commission Expires:

25 August 2009



FPB 223 641

ACKNOWLEDGMENT

STATE OF Alabama

COUNTY OF Shelby

I, THE UNDERSIGNED, a Notary Public in and for said County and State, hereby certify that David J. Minor, whose name as Senior Vice-President of CDX SEQUOYA, LLC, a Texas limited liability company, 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 7<sup>th</sup> day of November, 2008.

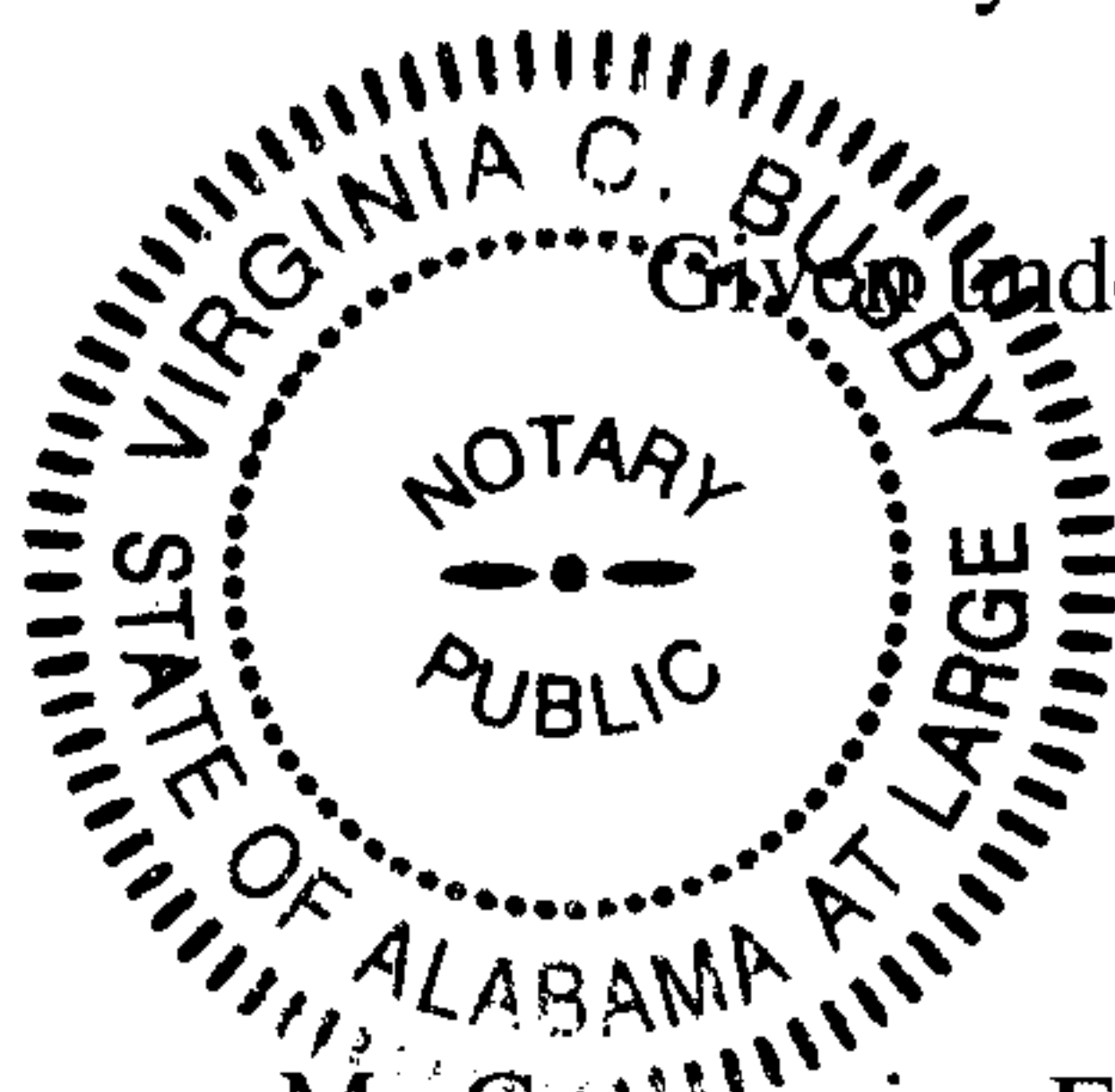
Virginia C. Bush

NOTARY PUBLIC

in and for the State of ~~County~~ Alabama  
at large

My Commission Expires:

April 25, 2011



Prepared by:  
CDX GAS, LLC  
200 CHASE PARK SOUTH, Suite 100  
Hoover, AL 35244

ACKNOWLEDGMENT



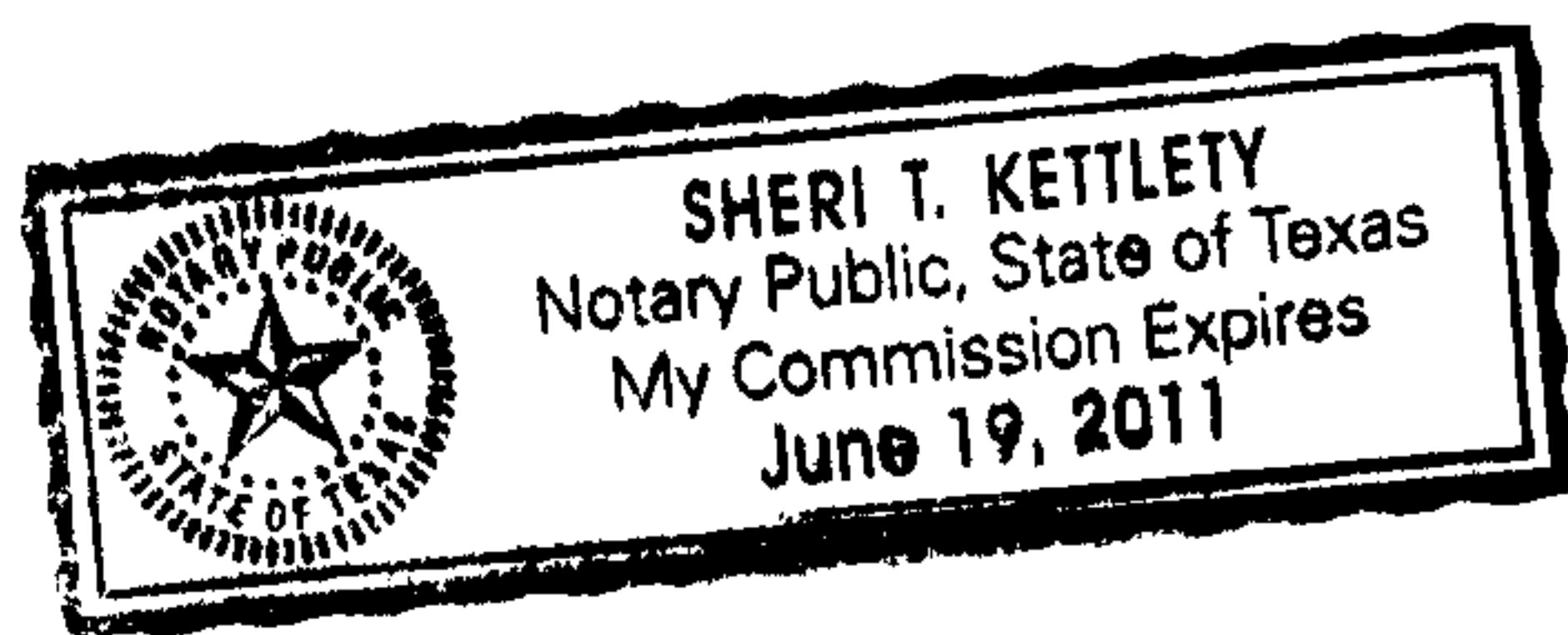
20081121000446590 3/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
11/21/2008 01:29:48PM FILED/CERT

STATE OF Texas

COUNTY OF Dallas

I, THE UNDERSIGNED, a Notary Public in and for said County and State, hereby certify that W. Ray Wallace, whose name 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 executed the same voluntarily.

Given under my hand and seal this 10<sup>th</sup> day of November, 2008.



Sheri T. Kettley  
NOTARY PUBLIC  
in and for State of Texas County Dallas

My Commission Expires:

June 19, 2011

FPB 223 642