

THIS DEED PREPARED WITHOUT THE BENEFIT OF TITLE EXAMINATION.  
NO OPINION OF TITLE IS GIVEN BY THE DRAFTSMAN.

CORRECTIVE TRUSTEES' MINERAL RIGHTS DEED

STATE OF ALABAMA                 )  
  )  
SHELBY COUNTY                    )

**WHEREAS**, by Trustee's Deed dated the 23<sup>rd</sup> day of December, 1980, First Alabama Bank of Montgomery, N.A. and John Durr Elmore as trustees under the Will of Kate Durr Elmore did transfer and convey to First Alabama Bank of Montgomery, N.A. and John Durr Elmore as trustees of the trust under the Will of Kate Durr Elmore for the benefit of Kate D. Elmore a four percent (4%) interest in the mineral rights in certain property located in Shelby County, Alabama, said deed being recorded in the office of the Judge of Probate of Shelby County, Alabama, at Book 330 Page 621;

**WHEREAS**, Regions Bank, which succeeded to the personal trust business of First Alabama Bank of Montgomery, N.A., and John Durr Elmore are currently serving as co-trustees of the trust under the Will of Kate Durr Elmore for the benefit of Kate D. Elmore;

**WHEREAS**, Kate D. Elmore died on or about the 17<sup>th</sup> day of September, 2005, leaving a Last Will and Testament dated June 21, 1995, and a first Codicil thereto dated April 16, 1996, which were duly probated in the Probate Court of Montgomery County, Alabama, on December 1, 2005, in Probate Case No. 05-00901, and recorded in the office of the Judge of Probate of Montgomery County, Alabama, at Book J00581, Pages 798-814, and said Kate D. Elmore did by Item II of her Last Will and Testament expressly exercise the general power of appointment granted to her under the Will of Kate Durr Elmore over the property remaining in said trust under the Will of Kate Durr Elmore for the benefit of Kate D. Elmore in favor of the devisees of the rest residue and remainder of her estate under her will, authorizing and directing that the distributions be made from said trust established under her mother's Last Will and Testament directly to the appropriate distributees without the necessity of transfer to or through her Executor or her estate, and it is the desire of the co-trustees to convey to the proper owners their respective interests in said mineral rights;

**WHEREAS**, by mistake a Trustee's Mineral Deed stated that Regions Bank is serving as sole trustee of the of the trust under the Will of Kate Durr Elmore for the benefit of Kate D. Elmore was executed by Regions Bank as sole trustee of the of the trust under the Will of Kate Durr Elmore for the benefit of Kate D. Elmore (Grantor) to said distributees and recorded in the Office of the Judge of Probate of Shelby County, Alabama, on January 9, 2008, as Document No. 20080109000011420, when in fact John Durr Elmore and Regions Bank were then and are serving as the co-trustees of the trust under the Will of Kate Durr Elmore for the benefit of Kate D. Elmore and said co-trustees desire to correct said deed by this Corrective Trustees' Mineral Deed duly executed by both co-trustees;

**NOW**, therefore, **KNOW ALL MEN BY THESE PRESENTS**, that the undersigned John Durr Elmore and Regions Bank, as co-trustees of the trust under the Will of Kate Durr Elmore for the benefit of Kate D. Elmore (Grantor), for and in consideration of the premises does hereby grant, bargain, sell and convey unto the following Grantees all of their interest as said co-trustees in the mineral rights in the property described in EXHIBIT A attached hereto; said Grantees and their proportionate interests being as follows:

Griffin Doster Fry — a twelve hundredths percent (0.12%) interest;

Regions Bank as trustee of the trust under the Will of Kate Durr Elmore for the benefit of Griffin Fry — a twelve hundredths percent (0.12%) interest;

Zecozy Williams --- a six hundredths percent (0.06%) interest

Cass Gardner --- a four hundredths percent (0.04%) interest

Regions Bank as trustee of the trust under the Will of Kate Durr Elmore for the benefit of Kate Durr Elmore --- a thirty-two thousandths percent (0.032%) interest

Susan Elmore Roberts --- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3%) interest

Eugenia Elmore Hammel -- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

Nesbitt Durr Elmore --- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

Lucy Elmore Griffin --- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

Jacquelyn Elmore Blount -- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

Margaret Stanhope Elmore McKinnon --- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

Kate Elmore Wolverton --- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

Jane Elmore Mickle --- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

Mildred Elmore Hulsey --- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

Regions Bank as trustee of the trust under the Will of Kate Durr Elmore for the benefit of John Durr Elmore, Jr. -- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

Regions Bank as trustee of the trust under the Will of Kate Durr Elmore for the benefit of Wesley Williams Elmore -- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

William Bellingrath Elmore, Jr. --- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

Gates Shaw Elmore --- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

Katherine Elmore McCarter --- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

Bruce Elmore --- a two thousand four hundred eighteen and two-thirds ten-thousandths percent (0.2418 2/3 %) interest

The interest conveyed herein is the interest of the Grantors in the mineral rights in certain lands laying and being in Shelby County Alabama; and described in EXHIBIT A attached hereto and incorporated herein. This conveyance is made subject to any and all liens, covenants, reservations, restrictions, mortgages, easements, rights-of-way, encumbrances, leases and rights of parties in possession affecting the above described property, or any parts thereof, The above described property is conveyed "AS IS."

TO HAVE AND TO HOLD the aforegranted premises to the said Grantees, their respective heirs, successors and assigns forever.

The undersigned Grantors execute this Corrective Trustee's Mineral Rights Deed solely in their representative capacity as co-trustees of the trust under the Will of Kate Durr Elmore for the benefit of Kate D. Elmore, and their liability arising under or by virtue of any covenants, warranties or representations herein contained, whether express or



implied, shall be limited to the assets held by them as co-trustees of the trust under the Will of Kate Durr Elmore for the benefit of Kate D. Elmore.

**IN WITNESS WHEREOF**, the undersigned Grantors have signed or caused this instrument to be signed and sealed by its duly authorized officer on the respective dates set forth below.

Date: August 27, 2008

John Durr Elmore  
John Durr Elmore, as Co-Trustee under the Will of Kate Durr Elmore for the benefit of Kate D. Elmore

Date: August 27, 2008

REGIONS BANK, as Co-Trustee under the Will of Kate Durr Elmore for the benefit of Kate D. Elmore

By: John C. Bell  
As its Sr VP & Trust Officer

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, DAVID P. SCHMIDT, a Notary Public in and for said state of Alabama, hereby certify that John Durr Elmore, whose name as a Co-Trustee of the trust under the Will of Kate Durr Elmore, Deceased, for the benefit of Kate D. Elmore, is signed to the foregoing conveyance and who is known to me; acknowledge before me on this day that being informed of the contents of said conveyance he in his capacity as such co-trustee executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND AND SEAL this the 27th day of August, 2008

David P. Schmidt  
Notary Public  
State of Alabama at Large  
My commission expires: NEW COMMISSION EXPIRES DECEMBER 27, 2011

STATE OF ALABAMA )  
MONTGOMERY COUNTY )

I, LINDA P. SINGLETON, A Notary Public in and for said state of Alabama, hereby certify that John C. Bell whose name as the Sr. V. P. & Trust Officer of Regions Bank as Trustee of the trust under the Will of Kate Durr Elmore, Deceased, for the benefit of Kate D. Elmore, are signed to the foregoing conveyance and who are known to me; acknowledge before me on this day that being informed of the contents of said conveyance they as such officers and with full authority executed the same voluntarily for and as the act of said corporation in its fiduciary capacity.

GIVEN UNDER MY HAND AND SEAL this the 27 day of August, 2008

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Apr 21, 2010  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Linda P. Singleton  
Notary Public  
State of Alabama at Large  
My commission expires: April 21, 2010

**The Preparer of this Deed has simply acted as a scrivener and has conducted no title search to verify ownership of the property described herein and makes no representations as to the title of the property described herein.**

This instrument prepared by:


Laura L. Crum

HILL, HILL, CARTER, FRANCO, COLE AND BLACK, P.C.

P. O. Box 116

Montgomery, Alabama 36101-0116

Phone(334) 834-7600

  
20081202000454670 3/4 \$42.00  
Shelby Cnty Judge of Probate, AL  
12/02/2008 11:36:23AM FILED/CERT

## EXHIBIT A

### The following parcels in Township 20, Range 1 West:


The North  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 1; the West  $\frac{1}{2}$  of Northwest  $\frac{1}{4}$ , the West  $\frac{1}{2}$  of Northeast  $\frac{1}{4}$ , the East  $\frac{1}{2}$  of the East  $\frac{1}{2}$  of Northwest  $\frac{1}{4}$ , East of the Creek; and the Northwest  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$  North of the Creek, in Section 2; the North  $\frac{1}{2}$ , less the North  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$  of Section 3; the East  $\frac{1}{2}$  of Northeast  $\frac{1}{4}$ , the West  $\frac{1}{2}$  of Northeast  $\frac{1}{4}$  less 9 acres, the Southeast  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$ , and South  $\frac{1}{2}$  of Southwest  $\frac{1}{4}$ , in Section 4; and the Northeast  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$ , and North  $\frac{1}{2}$  of Northwest  $\frac{1}{4}$  of Section 9.

### The following parcels in Township 19, Range 1 West:

The Southwest  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$  of Section 10, the Southeast  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$  of Section 17, the Northeast  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$ , and the Southwest  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$  of Section 20, the Northeast  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$  and the South  $\frac{1}{2}$  of Northeast  $\frac{1}{4}$  of Section 23, the North  $\frac{1}{2}$  less the Northeast  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$ , the Southwest  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$ , the North  $\frac{1}{2}$  of South  $\frac{1}{2}$  less 4 acres in the Northeast  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$  and 5 acres in the Southeast  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$ , in Section 24; the South  $\frac{1}{2}$  of Northeast  $\frac{1}{4}$ , the Southeast  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$  less 3 acres in the northwest Corner, the Southwest  $\frac{1}{2}$  of Southwest  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$  and the Northwest  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$ , in Section 25; the North  $\frac{1}{2}$  and the West  $\frac{1}{2}$  of Southwest  $\frac{1}{4}$ , and the Southeast  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$ , of Section 26; the South  $\frac{1}{2}$  less 10 acres in the Southeast  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$ , of Section 27; the East  $\frac{1}{2}$  of Southeast  $\frac{1}{4}$  and the East  $\frac{1}{2}$  of Northwest  $\frac{1}{4}$ , of Section 28, the Southeast  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$ , and the Southwest  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$ , of Section 29; the Northwest  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$ , the Southwest  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$ , the North  $\frac{1}{2}$  of Southeast  $\frac{1}{4}$ , and the Southwest  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$  of Section 30; the Northeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$  of Section 31; the East  $\frac{1}{2}$  of Northeast  $\frac{1}{4}$ , and the Southwest  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$ , of Section 33; the East  $\frac{1}{2}$  of Northwest  $\frac{1}{4}$ , the Northeast  $\frac{1}{4}$  less 4 acres, the Northeast  $\frac{1}{4}$  of Southeast  $\frac{1}{4}$ ; the South  $\frac{1}{2}$  of Northwest  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$ ; and the South  $\frac{1}{2}$  of the South  $\frac{1}{2}$ , of Section 34; the West  $\frac{1}{2}$  of West  $\frac{1}{2}$ , the West  $\frac{1}{2}$  of East  $\frac{1}{2}$ , the Southeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$ , the Northeast  $\frac{1}{4}$  of Northeast  $\frac{1}{4}$ , the Southeast  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$ , and the East  $\frac{1}{2}$  of Southeast  $\frac{1}{4}$ , of Section 35; the South  $\frac{1}{2}$  of Southwest  $\frac{1}{4}$  except 2 acres in the Northeast corner of Southeast  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$ , and the Northwest  $\frac{1}{4}$  and West  $\frac{1}{2}$  of the East  $\frac{1}{2}$ , Section 36.

### The following parcels in Township 19, Range 1 East:

The Southwest  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$  and the East  $\frac{1}{2}$  of Southwest  $\frac{1}{4}$  of Section 18, the Southwest  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$ , the Northeast  $\frac{1}{4}$  of Northwest  $\frac{1}{4}$ , and the West  $\frac{1}{2}$  of Southwest  $\frac{1}{4}$  of Section 19.

  
20081202000454670 4/4 \$42.00  
Shelby Cnty Judge of Probate, AL  
12/02/2008 11:36:23AM FILED/CERT