


**MEMORANDUM OF THIRD AMENDMENT TO  
COALBED METHANE GAS LEASE**

  
20100202000031750 1/3 \$22.00  
Shelby Cnty Judge of Probate, AL  
02/02/2010 10:04:55 AM FILED/CERT

STATE OF ALABAMA

COUNTIES OF BIBB AND SHELBY

**KNOW ALL BY THESE PRESENTS:**

WITNESSETH:

WHEREAS, **Kimberly-Clark Corporation**, a Delaware corporation, as Lessor, and **CDX Sequoya, LLC**, a Texas limited liability company, **CDX Gas, LLC**, formerly a Texas liability company, now reorganized as a Delaware limited liability company, and **CD Exploration, Inc.**, an Oklahoma corporation (collectively referred to herein as "Lessee") entered into an unrecorded Coalbed Methane Gas Lease ("Said Lease") dated November 29, 2004 (The "Effective Date") wherein Lessee leased certain interests in Bibb and Shelby Counties, Alabama, which Said Lease is evidenced by Memorandum of Coalbed Methane Gas Lease recorded in **RPB 148, page 508** in the Deed Records of the Judge of Probate of Bibb County, Alabama on March 3, 2005 and as Instrument No. 20050303000100950 in the Deed Records of the Judge of Probate of Shelby County, Alabama on March 3, 2005; and

WHEREAS, said Lease was amended by a First Amendment to Coalbed Methane Gas Lease, as filed in the Office of the Probate Judge of Bibb County, Alabama in Real Property Book 182, at Page 201, and in the Office of the Probate Judge of Shelby County, Alabama as Document No. 20061201000585020, to which reference is here made for all purposes; and

WHEREAS, said Lease, as amended, was ratified by **Kimberly-Clark Worldwide, Inc.**, a Delaware corporation, in that certain Ratification of Coalbed Methane Gas Lease, as filed in the Office of the Probate Judge of Bibb County, Alabama in Real Property Book 190, at page 186, and in the Office of the Probate Judge of Shelby County, Alabama as Document No. 20070410000163750, to which reference is here made for all purposes; and

WHEREAS, said Lease was amended by a Second Amendment to Coalbed Methane Gas Lease, filed as Memorandum of Second Amendment to Coalbed Methane Gas Lease in the Office of the Probate Judge of Bibb County, Alabama in Real Property Book 198, at Page 262, and in the Office of the Probate Judge of Shelby County, Alabama as Document No. 20070808000370360, to which reference is here made for all purposes; and

WHEREAS, effective July 1, 2009, CDX Gas, LLC, et al, assigned all its right, title and interest in said Lease to Calera Gas, LLC at RPB 234, Page 93 of the probate records of Bibb County, Alabama, and as Document No. 20090724000285890 of the probate records of Shelby

County, Alabama; and

WHEREAS, the parties have executed a Third Amendment to Coalbed Methane Lease dated November 2, 2009 amending Articles 2, 3.9 and 7.2 of the original Coalbed Methane Lease dated November 29, 2004; and


WHEREAS, the parties now desire to recognize that said Coalbed Methane Gas Lease was amended on November 2, 2009 by amending certain language in Article 2, Article 3.9 and Article 7.2 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 acknowledge and recognize that certain language was amended in Article 2, Article 3.9 and Article 7.2 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 to be effective as of the 2nd day of November 2009, for the sole purpose of giving record notice of the executed Third Amendment to Coalbed Methane Gas Lease and the existence thereof.

**LESSOR:**

KIMBERLY-CLARK CORPORATION


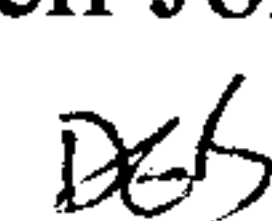
  
By: Leonard J. Anderson  
Its: Director-Real Estate



**LESSEE:**

CALERA GAS, LLC

By: OGP-Gurnee, LLC  
A Texas limited liability company  
As Its Member

By:   
C. Mitchell Johnston  
Manager 





# ACKNOWLEDGMENT

STATE OF GEORGIA

COUNTY OF COBB

I, THE UNDERSIGNED, a Notary Public in and for said County and State, hereby certify that Leonard L. Anderson whose name as Director, Real Estate of Kimberly-Clark Corporation, a Delaware 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.

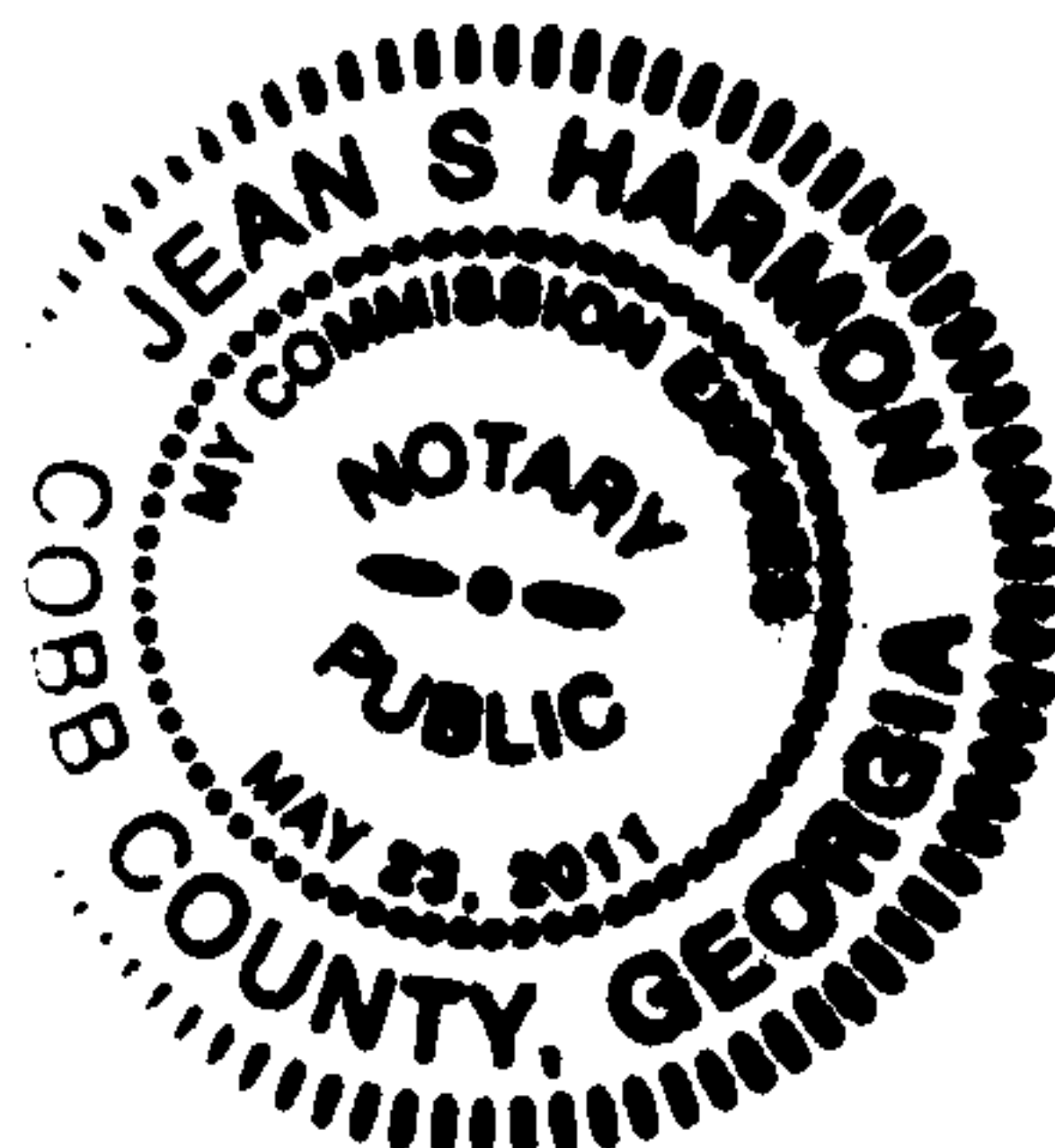
Given under my hand and seal this 21 day of <sup>January 2010</sup> ~~December 2009~~.

Seal

Jean S Harmon  
Notary Public

My Commission Expires:

May 23, 2011



STATE OF TEXAS

COUNTY OF DALLAS

I, THE UNDERSIGNED, a Notary Public in and for said County and State, hereby certify that C. Mitchell Johnston, whose name as manager of, **OGP-Gurnee, LLC**, member of **Calera Gas, LLC** a Nevada 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 company.

Given under my hand and seal this 9th day of December 2009.

Seal

Mary J. Arnold  
Notary Public

My Commission Expires:

