

STATE OF

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COUNTY OF SHELBY

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MEMORANDUM OF LEASE

KNOW ALL MEN BY THESE PRESENTS, that Jesse Creek Mining, LLC (the "Lessee"), an Alabama limited liability company, by virtue of a Coal Mining Lease dated August 16, 2016 (the "Lease") did lease certain rights to mine coal by surface and highwall mining methods in the Gholson and Clark Seams as may exist in certain lands located in Shelby County, Alabama described in **Exhibit "A"** and shown on map marked **Exhibit "B"**, both attached hereto and made a part of this Memorandum of Lease, from **RGGS LAND & MINERALS, LTD., L.P.**, a Delaware limited liability company, successors to United States Steel Corporation who was successor by conversion to United States Steel LLC and remote successor to USX Corporation. The Lease provides for a term of five (5) years.

This Memorandum of Lease is placed of record by Lessor and Lessee to serve as notice of the execution and existence of said Lease, and is in no way to supersede, abrogate, change or modify any of the terms, conditions, rights or obligations of any of the parties, all of which are set forth in detail in said Lease. The terms and conditions of said Lease are made a part hereof by reference for all purposes, to be the same effect as though written in extenso herein.

This is the 16 day of August, 2016.

LESSOR: RGGS LAND & MINERALS, LTD., L.P.

By: Gordy Oil Company, a Texas corporation

Its: General Partner

By: 

Russell D. Gordy, President


Date: 8/16/16

LESSEE: JESSE CREEK MINING, LLC

By: 

Its: CEO

Date: 8/16/16


20170511000163760 1/4 \$57.00
Shelby Cnty Judge of Probate, AL
05/11/2017 10:02:29 AM FILED/CERT

STATE OF TEXAS

COUNTY OF HARRIS

I, Melissa P. McKirahan, a Notary Public, in and for said County in said State, hereby certify that Russell D. Gordy, whose name as President of Gordy Oil Company, a Texas Corporation, general partner of RGGGS Land & Minerals, Ltd., L.P., a Delaware Limited Partnership, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said limited partnership.

Given under my hand and seal this 16th day of August, 2016.



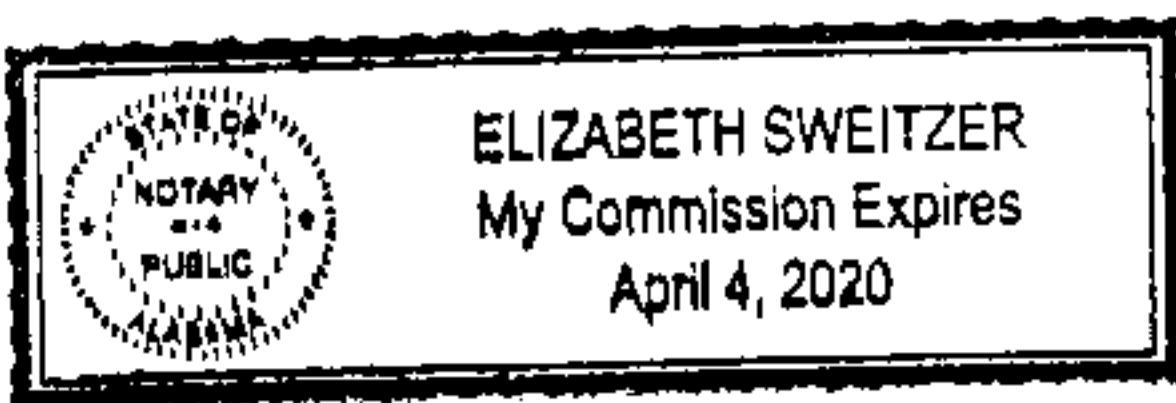
Melissa P. McKirahan
Notary Public
State of TX
County of Harris
My Commission Expires May 23, 2019

STATE OF Alabama

COUNTY OF Shelby

Before me, the undersigned, a Notary Public in and for said County and State, on this 16th day of August, 2016, personally appeared B. SCOTT SPEARS, known to me to be the identical person who subscribed the name of B. SCOTT SPEARS to the foregoing instrument as its officer and acknowledged to me that he executed the same as his free and voluntary act and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

Given under my hand and seal this 16th day of August, 2016.



Elizabeth Sweitzer
Notary Public
State of Alabama
County of Shelby
My Commission Expires April 4, 2020




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EXHIBIT A

The following described lands are where RGGGS Land & Minerals Ltd. L.P. owns minerals and mining rights under surface owned by SWF Birmingham, LLC and USS which are hereby leased to Jesse Creek Mining, LLC according to the terms of the document hereto attached.

Township 21 South, Range 4 West
Shelby County, Alabama

<u>Section</u>	<u>Description</u>	<u>Acres</u>
13	The South West diagonal half of the South East quarter of The South West quarter.	20
	The South West quarter of the South West quarter.	40
14	The South West quarter of the South East quarter.	40
15	The East half of the South East quarter.	80
22	The East half of the North East quarter.	80
23	The North half of the section	320
24	The North half of the North West quarter.	80
Total Acres		660

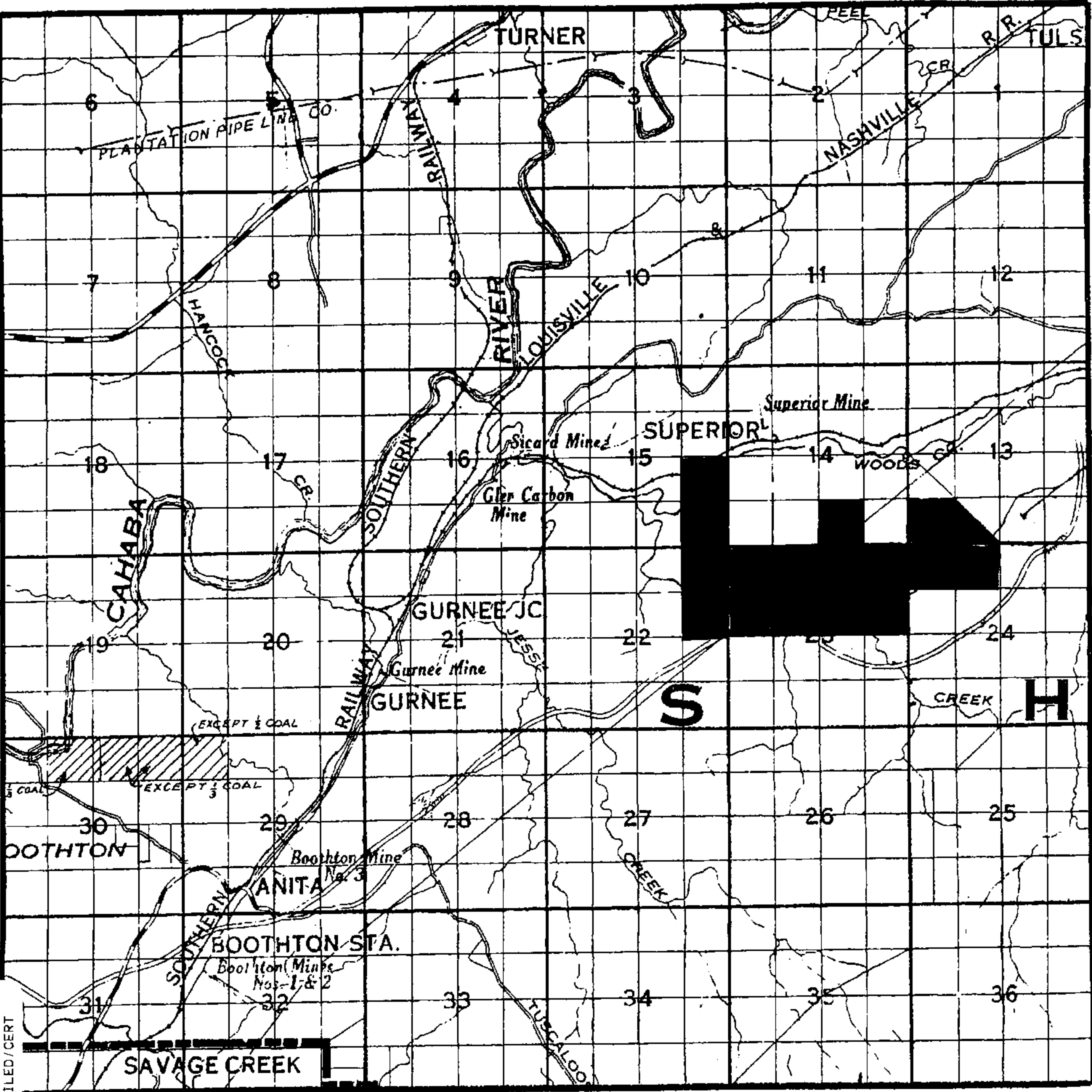

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RGGS LAND & MINERALS LTD., L.P.

APPROXIMATE SCALE 1" = 4,000'

BIBB CO.
SHELBY CO.

T.21S.-R.4 W.



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Lands where RGGS Land & Minerals Ltd. L.P. owns minerals and mining rights under surface owned by SWF Birmingham, LLC which are hereby leased to Jesse Creek Mining, LLC according to the terms of the document hereto attached.