

RESOLUTION

WHEREAS, Section 905 of the Zoning Resolution of Jefferson County, Alabama, sets forth regulations for the extraction of minerals, coal, ore, etc., by the surface stripping method; and,

WHEREAS, Item 905.02.a.2 of said Section grants authority to the Jefferson County Commission to reduce, in whole or in part, the required 100-foot setback for such extraction from any public right-of-way; and,

WHEREAS, WB Mining, LLC, has submitted a request to be allowed to conduct extraction activities in an I-3(S) Strip Mining District within the 100-foot setback along Short Creek Road in western Jefferson County at Fishtrap Mine No. 2 (ASMC Ref. #P-3930/Revision R-2); and,

WHEREAS, WB Mining, LLC, has met with the Director of the Jefferson County Roads & Transportation Department, and, as a result of said meeting, has submitted a letter describing the nature of the proposed operations within the 100-foot setback area; and,

WHEREAS, the Directors of Roads & Transportation and Land Planning & Development Services have determined that, if the operation complies with certain conditions, there will be adequate protection for the traveling public on Short Creek Road, as well as of the interests of the County and its public investment in the Short Creek Road right-of-way;

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Commission does hereby grant unto WB Mining, LLC, the right to conduct surface mining and reclamation activities within the 100-foot setback, provided a berm is constructed outside the right-of-way and along Short Creek Road to separate the traveling public from said activities within the 100-foot setback area; and further, that any area of Short Creek Road that is damaged by the mining operation shall be repaired by WB Mining to its condition as of March 1, 2012. The specific area affected by this allowance is described as follows: in the NW¼ of NW¼ of Section 3, Township 17 South; the NE¼ of NE¼ of Section 4, Township 17 South; the SE¼ of SE¼ of Section 33, Township 16 South; and the SW¼ of SW¼ of Section 34, Township 16 South, all within Range 5 West, Jefferson County, Alabama.

APPROVED BY THE
JEFFERSON COUNTY COMMISSION
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