

**CDM MINING & EQUIPMENT, LLC**

**MASSEYLINE MINE, P-3971**

ALABAMA SURFACE MINING COMMISSION  
SURFACE COAL MINING PERMIT APPLICATION

**PART I**

**ADMINISTRATIVE**

Prepared by:

**TASK Engineering Management Inc.**

P.O. Box 660548

Birmingham, Alabama 35266-0548

Telephone: 205.978.5070

[Email: jw-task@charter.net](mailto:jw-task@charter.net)

# STATE OF ALABAMA SURFACE MINING COMMISSION

- Permit Application for a Surface Coal Mine**
- Permit Application for an Underground Coal Mine**
- Permit Application for a Preparation Facility**

## **1. PERMIT APPLICANT**

Name: CDM Mining & Equipment, LLC  
Street Address: 600 North 20th Street, Suite 400  
City: Birmingham State: AL Zip: 35203  
Mailing Address: 600 North 20th Street, Suite 400  
City: Birmingham State: AL Zip: 35203  
Telephone Number: (949) 302-4257  
Social Security Number (Voluntary): \_\_\_\_\_  
Employer Identification Number: 26-2344021  
ASMC License #: L-0801

## **2. ENTITY OR PERSON RESPONSIBLE FOR PAYING ABANDONED MINE LAND RECLAMATION FEES**

Name: CDM Mining & Equipment, LLC  
Street Address: 600 North 20th Street, Suite 400  
City: Birmingham State: AL Zip: 35203  
Mailing Address: 600 North 20th Street, Suite 400  
City: Birmingham State: AL Zip: 35203  
Telephone Number: (949) 302-4257  
Social Security Number (Voluntary): \_\_\_\_\_  
Employer Identification Number: 26-2344021  
ASMC License #: L-0801

## **3. IDENTIFY THE OPERATORS FOR THIS MINE DIFFERENT FROM THE PERMITTEE**

Name: SAME AS PERMITTEE  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Social Security Number (Voluntary): \_\_\_\_\_  
Employer Identification Number: \_\_\_\_\_  
ASMC License #: \_\_\_\_\_

## **4. CONTACT PERSON FOR PERMIT REVIEW ISSUES AND CORRESPONDENCE**

Name: TASK Engineering Management Inc.  
Mailing Address: P.O. Box 660548  
City: Birmingham State: AL Zip: 35266-0548  
Telephone Number: (205) 978-5070  
Email Address: [jw-task@charter.net](mailto:jw-task@charter.net)



**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS**

**1. OWNERSHIP OF PROPERTY TO BE MINED AND RIGHT OF ENTRY**

INSTRUCTIONS: Show the property ownership boundaries of each parcel of land in the permit area on the permit map or an overlay of the same scale as the permit map. If the surface estate is severed from the mineral estate, show and describe the ownership of each estate separately. In the spaces below, identify:

1. Every current legal or equitable owner (s) of record ( as found in a standard search of title) of the property;
2. The holders of record of any leasehold interest in the property; and,
3. Any purchaser of record under a real estate contract of the property.

Describe the basis of the applicant's legal right to enter and mine on all properties contained in the permit application. If the mineral estate has been severed from the surface estate, describe the basis of the legal right to enter and mine both the surface and mineral separately. Give the nature of such right ( i.e. lease, deed, contract, etc.), where recorded, describe from whom, to whom and the date executed and whether that right is the subject of pending litigation.

**USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NESCESSARY**

Legal description of property or permit map symbol: F1  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): FEE SIMPLE

Legal owner (s) of record: DRUMMOND COMPANY, INC.  
 Address: PO BOX 1549 City: JASPER State: AL Zip: 35502-1549

Holders of leasehold interest:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	DRUMMOND COMPANY, INC.	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: F2  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): FEE SIMPLE

Legal owner (s) of record: HOBART YOUNGBLOOD  
 Address: 26052 STATE HIGHWAY 79 City: TRAFFORD State: AL Zip: 35172-8698

Holders of leasehold interest:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	HOBART YOUNGBLOOD	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: M-1  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): MINERAL

Legal owner (s) of record: DRUMMOND COMPANY, INC.  
 Address: PO BOX 1549 City: JASPER State: AL Zip: 35502-1549

Holders of leasehold interest:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	DRUMMOND COMPANY, INC.	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-20  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: SANDRA J. LIMBAUGH

Address: 4038 BETHEL ROAD City: PINSON State: AL Zip: 35126

Holders of leasehold interest: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	SANDRA J. LIMBAUGH	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-39  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: JOSHUA A. KENT

Address: 1675 COUNTY ROAD 1092 City: CULLMAN State: AL Zip: 35057-6457

Holders of leasehold interest: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	JOSHUA A. KENT	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-41  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: KENNETH F. KENT

Address: 1675 COUNTY ROAD 1092 City: CULLMAN State: AL Zip: 35057-6457

Holders of leasehold interest: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	KENNETH F. KENT	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-42  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: STEVEN NEAL HANNAH

Address: 9635 THERMAL ROAD City: WARRIOR State: AL Zip: 35180-2432

Holders of leasehold interest:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	STEVEN NEAL HANNAH	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-45

SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: RICHARD KENNEDY

Address: 8601 BRADFORD-TRAFFORD City: PINSON State: AL Zip: 35126-2563  
ROAD

Holders of leasehold interest:

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract:

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	RICHARD KENNEDY	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-47

SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: WILLIAM R. & LOUISE C. McCOMBS

Address: 3705 BRADFORD-TRAFFORD City: WARRIOR State: AL Zip: 35180-2407  
ROAD

Holders of leasehold interest:

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract:

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	WILLIAM R. & LOUISE C. McCOMBS	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-93  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: ELDRIDGE F. CHEATWOOD  
 Address: 3512 OLD BRADFORD - City: WARRIOR State: AL Zip: 35180-2437  
TRAFFORD ROAD

Holders of leasehold interest:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	ELDRIDGE F. CHEATWOOD	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-99  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: WILLIAM R. & DONNA B. SANDERS  
 Address: 5310 SCOTT DRIVE City: PINSON State: AL Zip: 35126-3618

Holders of leasehold interest:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	WILLIAM R. & DONNA B. SANDERS	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-100  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: SARAH PALMER AKINS

Address: 4352 SILVER LAKE ROAD City: PINSON State: AL Zip: 35126-3350

Holders of leasehold interest: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	SARAH PALMER AKINS	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-101  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: CLIFTON & SHELIA KANADAY

Address: 9531 DEER TRAIL City: WARRIOR State: AL Zip: 35180-2401

Holders of leasehold interest: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	CLIFTON & SHELIA KANADAY	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-104  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: SANDRA M. BENNETT

Address: 9515 DEER TRAIL City: WARRIOR State: AL Zip: 35180-2401

Holders of leasehold interest:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	SANDRA M. BENNETT	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-105  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: CHARLES D. MILLER

Address: 1434 W. FERN AVENUE City: REDLANDS State: CA Zip: 92373-4912

Holders of leasehold interest: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	CHARLES D. MILLER	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-111  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: CDM LAND INVESTMENTS, LLC  
 Address: 1432 SEA RIDGE DRIVE City: NEWPORT BEACH State: CA Zip: 92660-8207

Holders of leasehold interest:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract:  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	CDM LAND INVESTMENTS, LLC	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. PROPERTY OWNERSHIP, INTEREST AND RIGHTS (CONTINUED)**

Legal description of property or permit map symbol: S-112  
SEE PERMIT MAP

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner (s) of record: LARRY W. LIMBAUGH

Address: 4038 BETHEL ROAD City: PINSON State: AL Zip: 35126-2012

Holders of leasehold interest: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Purchasers under a real estate contract: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner (s) of the property, identify all grantors and grantees of the right beginning with the owner (s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
LEASE	LARRY W. LIMBAUGH	CDM MINING & EQUIPMENT, LLC	PENDING	NO

**PART I C. (CONTINUED)**

**2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED.**

INSTRUCTIONS: Provide the information below for the owner of record of all surface and mineral properties contiguous to any part of the proposed permit area.

**USE ADDITIONAL SHEET AS NECESSARY IN THE FORMAT BELOW**

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**Page 1 of 3**

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Name: DRUMMOND COMPANY, INC.  
Address: PO BOX 1549  
City: JASPER State: AL Zip: 35502-1549  
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE  
Type of Interest (Owner, Lease or Other): OWNER

Name: HOBART YOUNGBLOOD  
Address: 26052 STATE HIGHWAY 79  
City: TRAFFORD State: AL Zip: 35172-8698  
Interest owned (Surface, Coal or Fee Simple): FEE SIMPLE  
Type of Interest (Owner, Lease or Other): OWNER

Name: SANDRA J. LIMBAUGH  
Address: 4038 BETHEL ROAD  
City: PINSON State: AL Zip: 35126-2012  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: MARGIE MARIE MELVIN  
Address: 3911 BETHEL ROAD  
City: PINSON State: AL Zip: 35126-4301  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: SCOTT A. CATES  
Address: 4067 BETHEL ROAD  
City: PINSON State: AL Zip: 35126-2002  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: JOSHUA A. KENT  
Address: 1675 COUNTY ROAD 1092  
City: CULLMAN State: AL Zip: 35057-6457  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: STEPHEN MICHAEL LEE  
Address: 3840 BETHEL ROAD  
City: PINSON State: AL Zip: 35126-4309  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

**PART I C. (CONTINUED)**

**2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED.**

INSTRUCTIONS: Provide the information below for the owner of record of all surface and mineral properties contiguous to any part of the proposed permit area.

**USE ADDITIONAL SHEET AS NECESSARY IN THE FORMAT BELOW**

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Page 2 of 3

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Name: KENNETH F. KENT  
Address: 1675 COUNTY ROAD 1092  
City: CULLMAN State: AL Zip: 35057-6457  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: STEVEN NEAL HANNAH  
Address: 9365 THERMAL ROAD  
City: WARRIOR State: AL Zip: 35180-2432  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: BETHEL METHODIST CHURCH  
Address: 9417 THERMAL ROAD  
City: WARRIOR State: AL Zip: 35180-2433  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: RICHARD KENNEDY  
Address: 8601 BRADFORD-TRAFFORD ROAD  
City: PINSON State: AL Zip: 35126-2563  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: TOMMY ERVUB SHYRIE  
Address: 3551 BETHEL ROAD  
City: WARRIOR State: AL Zip: 35180-2409  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: WILLIAM R. & LOUISE C. McCOMBS  
Address: 3705 BRADFORD TRAFFORD ROAD  
City: WARRIOR State: AL Zip: 35180-2407  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: J.L. & JEROME McCOMBS  
Address: 3500 OLD BRADFORD-TRAFFORD ROAD  
City: WARRIOR State: AL Zip: 35180-2407  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

**PART I C. (CONTINUED)**

**2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED.**

INSTRUCTIONS: Provide the information below for the owner of record of all surface and mineral properties contiguous to any part of the proposed permit area.

**USE ADDITIONAL SHEET AS NECESSARY IN THE FORMAT BELOW**

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Name: ELDRIDGE F. CHEATWOOD  
Address: 3512 OLD BRADFORD-TRAFFORD ROAD  
City: WARRIOR State: AL Zip: 35180-2437  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: WILLIAM R. & DONNA B. SANDERS  
Address: 5310 SCOTT DRIVE  
City: PINSON State: AL Zip: 35126-3618  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: SARAH PALMER AKINS  
Address: 4352 SILVER LAKE ROAD  
City: PINSON State: AL Zip: 35126-3350  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: CLIFTON & SHELIA KANADAY  
Address: 9531 DEER TRAIL  
City: WARRIOR State: AL Zip: 35180-2401  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: SANDRA M. BENNETT  
Address: 9515 DEER TRAIL  
City: WARRIOR State: AL Zip: 35180-2401  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: CHARLES D. MILLER  
Address: 1934 W. FERN AVENUE  
City: REDLANDS State: CA Zip: 92373-4912  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

Name: ALLEN W. JENNINGS  
Address: 401 ECHO TRAIL  
City: WARRIOR State: AL Zip: 35180-4348  
Interest owned (Surface, Coal or Fee Simple): SURFACE  
Type of Interest (Owner, Lease or Other): OWNER

**PART I C. (CONTINUED)**

**3. INTEREST OR PENDING INTERESTS IN LANDS CONTIGUOUS TO THE PERMIT AREA.**

INSTRUCTIONS: Give the legal description of all lands contiguous to the permit area for which the permit applicant:

1. Holds an interest,
2. Holds an option, or
3. Has made a bid for ownership, lease or other interest

**THE APPLICANT DOES NOT HAVE ANY INTEREST OR PENDING INTEREST IN ANY LANDS CONTIGUOUS TO THE PERMIT AREA.**

**USE ADDITIONAL SHEET AS NECESSARY IN THE FORMAT BELOW**

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**Page 1 of 1**

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Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
Describe the nature of the interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
Describe the nature of the interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
Describe the nature of the interest: \_\_\_\_\_  
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\_\_\_\_\_

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Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
Describe the nature of the interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Legal Description: \_\_\_\_\_  
\_\_\_\_\_  
Describe the nature of the interest: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART I D. PERMIT AREA INFORMATION**

1. Give the requested term of this permit: 5 years.
2. Give the legal description of the land upon which the applicant proposes to conduct surface coal mining operations. List each quarter-quarter section, section, township, range and county.  
SW/SW - SECTION 24, T14S, R2W; NW/NW, NE/NW, NW/NE, SW/NW, SE/NW, SW/NE, SE/NE, NW/SW, NE/SW, NW/SE, NE/SE, SE/SW, SW/SE, SE/SE - SECTION 25, T14S, R2W; NE/NW, NW/NE, NE/NE, SW/NE, SE/NE - SECTION 36, T14S, R2W; JEFFERSON COUNTY, ALABAMA

3. Give the acreage of the permit, each increment and the type of bonding.
- a. Total permit acreage: 393.00 acres. See [Permit Map](#)
- b. Give the acreage and type of bond for each mining increment:

<u>Increment</u>	<u>Acres</u>	<u>Type Bond Proposed</u>
<u>1</u>	<u>100.00</u>	<u>Letter of Credit</u>
<u>2</u>	<u>63.00</u>	<u>Letter of Credit</u>
<u>3</u>	<u>78.00</u>	<u>Letter of Credit</u>
<u>4</u>	<u>84.00</u>	<u>Letter of Credit</u>
<u>5</u>	<u>57.00</u>	<u>Letter of Credit</u>
<u>6</u>	<u>11.00</u>	<u>Letter of Credit</u>

- c. Identify the increment (s) on which mining will initially begin upon issuance of this permit: Increments 1 & 6

4. Has any acreage in the proposed permit area been previously disturbed by mining?  
 YES       NO

If yes, supply the following for any and all previously disturbed areas:

- a. Show all boundaries of the previously disturbed area (s) on the permit map and identify with an appropriate symbol. See [Permit Map](#)
- b. List, for each area, the permit number under which it was disturbed and the number of acres. Indicate the status of each permit as Unreleased, Grading release or 100% released. (If no permit, indicate as such )

<u>Permit</u>	<u>Acres</u>	<u>Status</u>
<u>NONE</u>	<u>188.00</u>	<u>Un-Reclaimed (Pre-Law)</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

- c. For each area which has not been reclaimed or received a 100% release, indicate whether you intend to assume responsibility for reclamation of the area under this permit and its performance bond (s).

5. Is disturbance to be conducted within 300 feet, measured horizontally, from an occupied dwelling?  
 YES       NO

If yes, attach a signed waiver from the owner of the dwelling indicating the minimum distance will be allowed by the owner.

**PART I D. (CONTINUED)**

6. Is the disturbance proposed within 100 feet of a public road right-of-way or will a public road be closed or relocated? ( X ) YES ( ) NO

If YES, enclose a copy of the approval granted by the government entity which has jurisdiction over the road. The approval must state the minimum distance disturbance will be allowed to the road or road right-of-way.

APPROVAL FROM JEFFERSON COUNTY ROADS AND TRANSPORTATION PENDING.

7. List all other licenses and permits required to conduct mining operations including, but not limited to, MSHA I.D. and NPDES. Give the identification or permit number, the name and address of the issuing authority, and the status or date of approval or issuance of each:

Permit	ID or Permit Number	Issuing Authority	Address	Status or date of issuance
<u>MSHA ID</u>	<u>PENDING</u>	<u>MSHA</u>	<u>228 West Valley Ave Birmingham, AL 35209</u>	<u>PENDING</u>
<u>NPDES</u>	<u>AL0080993</u>	<u>ADEM</u>	<u>1751 Federal Drive Montgomery, AL 36130</u>	<u>PENDING ASMC SUBMISSION</u>

8. Is the property in the permit covered by zoning or other land use restrictions? ( X ) YES ( ) NO

If YES, indicate the jurisdictional authority and zoning or landuse restrictions for entire permit area. If more than one zoning classification exists for the permit area, identify the boundaries of each on the permit map.

**All surface properties on Increment No. 2 are now zoned A-1, agriculture.**

Jurisdictional Authority	Zoning Classification	Allows mining? Yes or No
<u>Jefferson County</u>	<u>A-1</u>	<u>NO</u>

9. Describe access to the proposed mine from known point on the nearest public highway:  
From the City of Pinson, take Highway 79 North for 7.6 miles, turn left on County Road 153 (Bethel Road).  
The mine site is located 0.9 miles on both sides (left and right) of Bethel Road.

10. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application? ( ) YES ( X ) NO

If YES, list SOAP I.D. Number: \_\_\_\_\_

11. Submit a certificate of proof of Liability Insurance with this application.

**PART I E. PUBLIC NOTICE AND AVAILABILITY FOR INSPECTION**

12. Give the name of the approval public office in which a copy of this application will be filed for public inspection following notification of completeness: ASMC Website & Office

13. Enclose a copy of the notice of filing of this application which will appear in a newspaper of general circulation in the vicinity of the mine and identify the name of the newspaper: See Attachment I-E-13

**ATTACHMENT I-E-13**

**PUBLIC NOTICE FILING OF PERMIT APPLICATION**

In accordance with the provision of Act. N. 81-435 of the State of Alabama and the regulations promulgated under this act, CDM Mining & Equipment, LLC, 600 North 20th Street, Suite 400, Birmingham, Alabama 35203 is filing an application to permit its Masseyline Mine, P-3971, Surface Mine. Access to the mine is as follows:

From the City of Pinson, take Highway 79 North for 7.6 miles, turn left on County Road 153 ( Bethel Road). The mine site is located 0.9 miles on both sides (left and right) of Bethel Road.

SW/SW - SECTION 24, T14S, R2W; NW/NW, NE/NW, NW/NE, SW/NW, SE/NW, SW/NE, SE/NE, NW/SW, NE/SW, NW/SE, NE/SE, SE/SW, SW/SE, SE/SE - SECTION 25, T14S, R2W; NE/NW, NW/NE, NE/NE, SW/NE, SE/NE - SECTION 36, T14S, R2W; JEFFERSON COUNTY, ALABAMA

A copy of the permit application is available for public inspection and review on the Alabama Surface Mining Commission website, <http://surface-mining.alabama.gov>. A copy of the permit application is also available for public inspection and review at the Alabama Surface Mining Commission office located on the second floor of the Pinnacle Bank Building at 1811 2nd Avenue, Jasper, Alabama 35501. Written comments, objections, request for a public hearing or an informal conferences concerning this permit should be sent to the Alabama Surface Mining Commission, PO Box 2390, Jasper, Alabama 35502-2390, no later than 30 days from the last day of publication of this notice.

This notice to be published in The Birmingham News.

TO THE BIRMINGHAM NEWS:

Please run this notice once a week for four (4) consecutive weeks. Please send invoice and notarized proof of publication to:

TASK Engineering Management Inc.  
P.O. Box 660548  
Birmingham, Alabama 35266-0548  
Telephone: (205) 978-5070

If you have any questions or need additional information, please call us at (205) 978-5070.