

AFFIDAVIT OF PUBLICATION

THE BIRMINGHAM NEWS COMPANY

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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 conference concerning this permit should be sent to the Alabama Surface Mining Commission, PO Box 2390, Jasper, Alabama 35602-2390, no later than 30 days from the last day of publication of this notice.

Bham News: July 25, Aug. 1, 8, 15, 2012

On this 15th day of August

A.D. Two Thousand , and Twelve, Vickie Webb declares that she is an Accounting Clerk of "The Birmingham News" published in the City of Birmingham, in the County of Jefferson, in the State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham News" on the following dates:

August 15, 2012
August 8, 2012
August 1, 2012
July 25, 2012

Vickie Webb
Signed- Vickie Webb

State of Alabama
County of Jefferson

On 8-15, 2012, Vickie Webb

personally appeared before me, who is personally known to me to be the signer of the above document, and she acknowledged that she signed it.

Nancy S. Bridgman
Nancy S Bridgman, Notary Public

NANCY S BRIDGMAN
NOTARY PUBLIC
STATE OF ALABAMA
MY COMMISSION EXPIRES DEC. 22, 2014