

Module 5: Property Interests/Right of Entry

Instructions: Provide the following information on an 8 1/2" x 11" sheet of paper. Attach the page(s) to this module and identify as Exhibit 5: Property Interests/Right of Entry. Identify the module number and letter (e.g 5.1c) on the attached page(s). Each owner name listed in this module must be exactly the same as the name is identified on the maps and other documents.

- 5.1 Permit Area. [§77.163]** For each parcel of land within the permit area provide the following information: (identify each parcel and key to maps.)
- a) the names and addresses of every legal or equitable owner of record; the holders of record of any leasehold interest; and any purchaser of record under a real estate contract of the surface property to be affected by surface operations and facilities and of the mineral to be mined;
 - b) the documents on which the applicant bases the legal right to enter and commence noncoal mining activities and whether that right is subject of pending court litigation; and
 - c) a Consent of Landowner Form "Supplemental C" Form 5600-FM-MR0050 when applicable (indicate whether the Form is contained in this application or will be submitted with successive bonding phases – if Consent of Landowner is not applicable, indicate reasons.)
- 5.2 Contiguous Area. [§77.410(a)(1)]** For each parcel of land contiguous to the permit area provide the names of the owners of record of the surface. (Identify each parcel and key to maps.)
- 5.3 Adjacent Area. [§ 77.410(a)(3)]** For each parcel of land within 1,000 feet of the permit area provide the name of the owner of record of the surface property. (Identify each parcel and key to maps.)

5.1 Permit Area

- a) Joseph C. & Lynette E. Metzgar - Property (1) Tax Map No. S06-006-059-00, 060-00
175 Lost Mountain Lane
Rockwood, PA 15557
195 Lost Mountain Lane
Rockwood, PA 15557
- b) Lease
- c) The original signed, notarized, and recorded Contractual Consent of Landowner is attached.
-
- a) On the Trail, LLC - Property (2) Tax Map No. S06-006-043-00
195 Lost Mountain Lane
Rockwood, PA 15557
- b) Lease
- c) The original signed, notarized, and recorded Contractual Consent of Landowner is attached.

5.2 Contiguous Area

Harry William Mosholder – Property (3)
Tax Map No. S06-006-058-00

John Franklin Snyder – Property (4)
Tax Map No. S06-006-056-00, 044-00

Robert D. & Barbara J. Trout – Property (13)
Tax Map No. S06-016-039-00

Gregory J. & Thersea L. Pavlosky – Property (14) & (15)
Tax Map No. S06-016-041-00, 036-00

Douglas L. & Roxanne Sanner – Property (47)
Tax Map No. S06-006-062-00, 01

Kristin Atchison Trustees *c/o Larry R. Sanner* – Property (48)
Tax Map No. S06-010-005-00

5.3 Adjacent Area

- | | | |
|------|--|------------------------------------|
| (5) | Black Township | Tax Map No. S06-016-032-00, 033-00 |
| (6) | Caroline Jones | Tax Map No. S06-006-052-01 |
| (7) | Samuel Q. & Christine Sanner | Tax Map No. S06-006-057-00 |
| (8) | Patricia Ann Mosholder | Tax Map No. S06-006-058-01 |
| (9) | Black Township | Tax Map No. S06-006-055-00 |
| (10) | Mark E. & Michelle L. Mull | Tax Map No. S06-006-054-00 |
| (11) | Edward D. & Esther C. Baker | Tax Map No. S06-006-053-00 |
| (12) | Bruce & Brenda Ohler | Tax Map No. S06-016-031-00 |
| (16) | Maurice Mondon Dickey <i>c/o Barbara Trout</i> | Tax Map No. S06-016-038-00 |
| (17) | Lynn N. & Debra A. Sanner | Tax Map No. S06-006-052-02 |

5.3 Adjacent Area (continued)

(18)	Samuel Q. Sanner	Tax Map No. S06-006-052-04
(19)	Debra E. Wagner	Tax Map No. S06-016-030-00
(20)	Charles Scott Monorak & Kristeen A. Pritts	Tax Map No. S06-016-029-00
(21)	Jon J. & Kortini D. Pribelsky	Tax Map No. S06-016-028-00
(22)	Allyson Elizabeth Cramer	Tax Map No. S06-016-027-00
(23)	Sean T. Ibinson II	Tax Map No. S06-016-026-00
(24)	Neal C. & Lynette R. Adolphson	Tax Map No. S06-016-024-00
(25)	Kathy J. Putman	Tax Map No. S06-016-022-00
(26)	Brooke C. & Leeanna Baer	Tax Map No. S06-016-025-00
(27)	Lynn D. & Debra A. Sanner	Tax Map No. S06-006-046-00
(28)	Justin Trimpey & Amanda Urban	Tax Map No. S06-016-044-00
(29)	Diane L. Paul	Tax Map No. S06-016-043-00,015-00,018-00,019-00
(30)	James Edward Brant	Tax Map No. S06-016-021-00
(31)	Rebekah M. & Robert G. Deskevich	Tax Map No. S06-016-020-00
(32)	Joseph D. Ledosky	Tax Map No. S06-016-017-00
(33)	Rick L. Bruner	Tax Map No. S06-016-016-00
(34)	Robert & Tracy A. Deskevich	Tax Map No. S06-016-012-00
(35)	Kevin A. Phillippi	Tax Map No. S06-016-023-00
(36)	Anna Marie Leisher & Josiah J. Withrow	Tax Map No. S06-016-042-00
(37)	Rockwood American Legion	Tax Map No. S06-016-007-00
(38)	James & Debra A. Mallory	Tax Map No. S06-016-035-00
(39)	County of Somerset	Tax Map No. S06-005-004-00
(40), (41)	Barry L. & B. Jean Atchison	Tax Map No. S06-006-042-00
(42), (43)	Penelec c/o First Energy Service Co.	Tax Map No. S06-006-041-00
(44)	Douglas L. & Roxanne Sanner	Tax Map No. S06-006-062-00
(45)	Todd David Miller & Heather M. Weimer	Tax Map No. S06-006-076-00
(46)	B&O RR Co. c/o CSX Transportation Co. Inc.	Tax Map No. S06-006-063-00
(49)	Gail A. Snyder	Tax Map No. S06-010-004-00
(50)	Samuel Q. & Christine Sanner	Tax Map No. S06-006-057-00

38
22
16.50

5600-FM-BMP0050 11/2012

"Supplement C"



pennsylvania

DEPARTMENT OF ENVIRONMENTAL
PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING PROGRAMS

APPL. NO. (Department Use Only)

**CONTRACTUAL CONSENT OF LANDOWNER
(NONCOAL/INDUSTRIAL MINERALS)**

(I) (We), the undersigned, being the owner(s) of +/- 17.4 acres of land
located in Black Township, Somerset County, as described
(Township, Borough, City)

in the deed(s) recorded in the Recorder of Deeds Office Book(s) and page(s) DB2994, PG975 and shown by
crosshatched lines on the map attached hereto which is signed in the original by the landowner upon which
Rockwood Stone, LLC.

(Name of Mining Operator)

proposes to engage in surface mining activities for which application for permit will be made to the Department of Environmental Protection and of which application this consent will be made a part, **DO HEREBY ACKNOWLEDGE THAT THE MINING OPERATOR HAS THE RIGHT TO ENTER UPON AND USE THE LAND FOR THE PURPOSES OF CONDUCTING SURFACE MINING ACTIVITIES.** Furthermore, (I) (We), the undersigned, do hereby irrevocably grant to the mining operator, his heirs, executors, administrators, successors, transferees, and assigns and to the Commonwealth of Pennsylvania, the right to enter upon the aforesaid land before beginning the mining activity(ies), and for a period of five (5) years after the termination, completion or abandonment of the mining activity(ies) for the purposes of inspecting, studying, backfilling, planting and reclaiming the land and abating pollution in accordance with the provisions of the Noncoal Surface Mining Conservation and Reclamation Act and The Clean Streams, as amended, rules and regulations promulgated thereunder, and the provisions of permit(s) issued to the Mining Operator. (I) (We) do hereby grant in addition to the Commonwealth, for the aforesaid period of time, a right of entry across any adjoining or contiguous lands owned by (us) (me) in order to have access to the land described herein. It is specifically agreed and understood that this contractual consent gives the Commonwealth the right to enter, inspect, study, backfill, plant and reclaim the land and abate pollution therefrom as a matter within the police power but does not obligate the Commonwealth to do so, and does not constitute any ownership interest by the Commonwealth in the aforesaid land.

This Consent shall not be construed to impair any contractual agreement between the Mine Operator and the landowner.

(INSERT ADDITIONAL PROVISIONS OR CROSS OUT)

In witness whereof and intending to legally bind ~~(myself)~~ (ourselves), ~~(my)~~ (our) heirs, successors and assigns, (I) (we) have hereunto set ~~(my)~~ (our) hand(s) and seal this 13th day of January, 2025 (year)

Tax Parcels: S06-006-043-00

On The Trail, LLC

LANDOWNER

(Print Name)

By:

(Signature)

(Seal)

Joseph C. Metzgar - MEMBER

(Print Name)

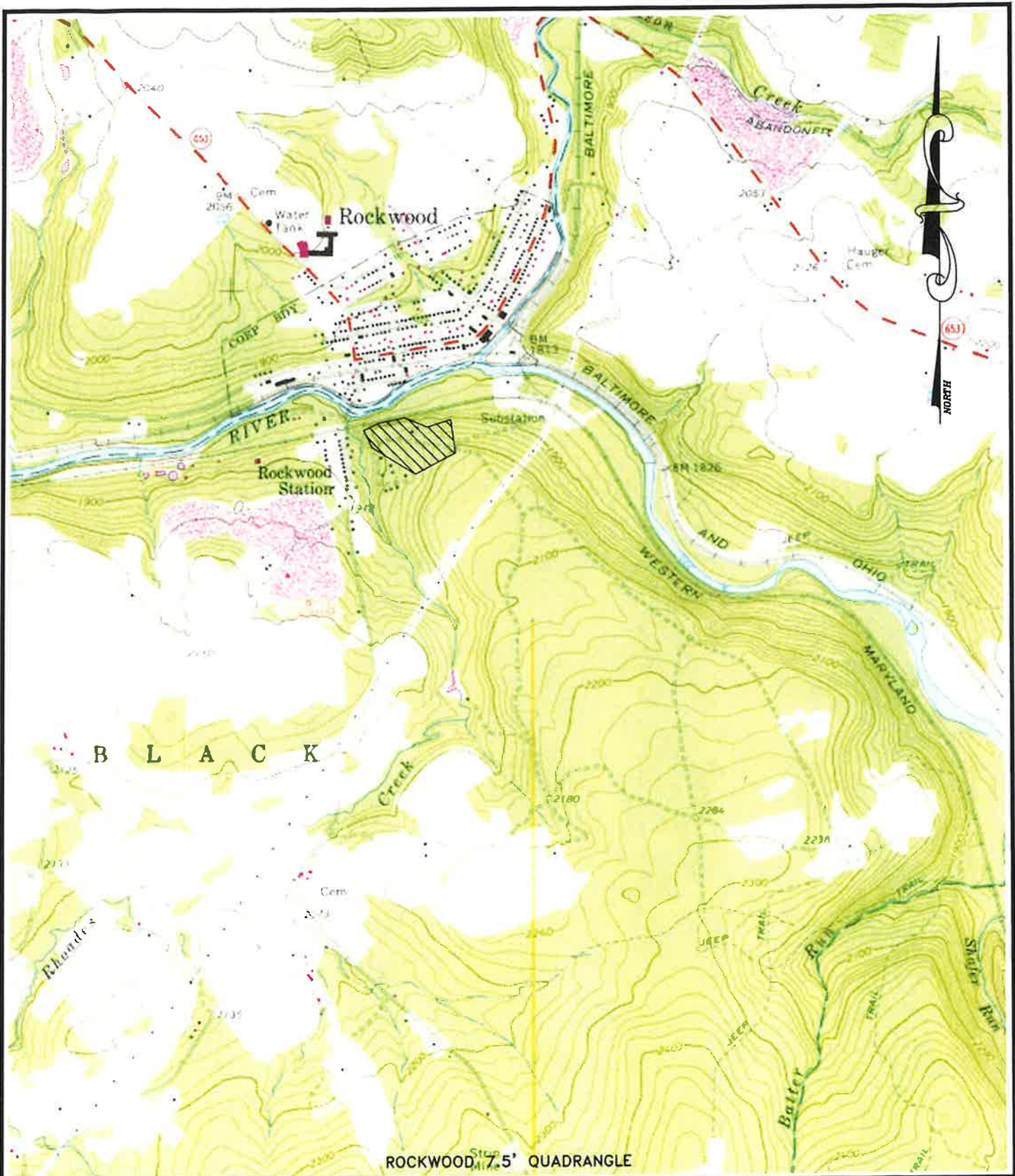
By:

(Signature)

(Seal)

Lynette E. Metzgar - MEMBER

(Print Name)



The cross hatched area is located in Black Township, Somerset County, Pennsylvania and is the area referred to in this Contractual Consent of Landowner Form.

On The Trail, LLC
Landowner

Rockwood Quarry 2024.dwg

(Signature)

JOSEPH C. METZGAR

(Date)

1/13/25

(Signature)

LYNETTE E. METZGAR

(Date)

1/13/25

ACKNOWLEDGEMENT OF INDIVIDUALS OR PARTNERS**LANDOWNER**

STATE OF Pennsylvania

SS

COUNTY OF Somerset

On January 13th 2025, before me, the undersigned Notary, personally appearedJoseph Metzgar and Lynette Metzgar
(Name (s))known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument, and who acknowledged that they
(he, she or they)

executed the same and desires it to be recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Commonwealth of Pennsylvania - Notary Seal
 Candy Fazenbaker, Notary Public
 (SEAL) Somerset County
 My commission expires October 30, 2026
 Commission number 1286517

My Commission Expires: October 30, 2026
(Date)

Member, Pennsylvania Association of Notaries

LANDOWNER

STATE OF

SS

COUNTY OF

On _____, before me, the undersigned Notary, personally appeared

(Name (s))

known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument, and who acknowledged that _____
(he, she or they)

executed the same and desires it to be recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

(SEAL) _____
Notary PublicMy Commission Expires: _____
(Date)**ACKNOWLEDGEMENT OF CORPORATIONS****LANDOWNER**

STATE OF _____

SS

COUNTY OF _____

On _____, before me, the undersigned Notary, personally appeared

_____ who acknowledged (herself) (himself) to be the _____ of _____
(Title of Person)

(Name of Corporation)

corporation, and that (she) (he), as such officer, being authorized to do so, executed the foregoing instrument on behalf of the said corporation and desires that this instrument be recorded.

IN WITNESS WHEREOF, I have hereunder set my hand and official seal.

(SEAL) _____
Notary PublicMy Commission Expires: _____
(Date)

This instrument has been recorded in _____
 County, Pennsylvania, this _____ day of _____,
 _____ (year), at Book _____, Page(s) _____.

(Signed) + (Print Name)

(Seal)

Book: **3108**

Starting Page: **449**

Ending Page: **452**

**SOMERSET COUNTY RECORDER OF DEEDS
PATRICIA A. PEIFER, RECORDER
300 NORTH CENTER AVENUE
SUITE 400
SOMERSET, PENNSYLVANIA 15501
Phone: (814) 445-1547
Fax: (814) 445-1563**



**RETURN DOCUMENT TO:
EARTHTECH INC
966 PLEASANT HILL ROAD
SOMERSET, PA 15501**

**Instrument Number - 2025000302
Recorded On 1/14/2025 At 2:07:58 PM
* Instrument Type - LANDOWNER CONSENT
Invoice Number - 333494 User ID - SMH
* Total Pages - 4
* Customer - EARTHTECH INC
* Grantor - ON THE TRAIL LLC**

*** Grantee - ROCKWOOD STONE LLC**

*** FEES**

STATE WRIT TAX	\$0.50
RECORDING FEES	\$13.00
ROD IMPROVEMENT FUND	\$3.00
COUNTY IMPROVEMENT FUND	\$2.00
TOTAL PAID	\$18.50

This is a certification page

DO NOT DETACH

**This page is now part
of this legal document.**

**I hereby CERTIFY that this
document is recorded in the
Recorder of Deeds Office of
SOMERSET COUNTY, PENNSYLVANIA**



**Patricia A. Peifer
Recorder Of Deeds**

*** - Information denoted by an asterisk may change during
the verification process and may not be reflected on this page.**

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**CONTRACTUAL CONSENT OF LANDOWNER
(NONCOAL/INDUSTRIAL MINERALS)**

(†) (We), the undersigned, being the owner(s) of +/- 83.093 & +/- 160.000 acres of land located in Black Township, Somerset County, as described (Township, Borough, City)

in the deed(s) recorded in the Recorder of Deeds Office Book(s) and page(s) DB1699, PG655 & DB1475, PG1 and shown by crosshatched lines on the map attached hereto which is signed in the original by the landowner upon which Rockwood Stone, LLC.

(Name of Mining Operator)

proposes to engage in surface mining activities for which application for permit will be made to the Department of Environmental Protection and of which application this consent will be made a part, **DO HEREBY ACKNOWLEDGE THAT THE MINING OPERATOR HAS THE RIGHT TO ENTER UPON AND USE THE LAND FOR THE PURPOSES OF CONDUCTING SURFACE MINING ACTIVITIES.** Furthermore, (†) (We), the undersigned, do hereby irrevocably grant to the mining operator, his heirs, executors, administrators, successors, transferees, and assigns and to the Commonwealth of Pennsylvania, the right to enter upon the aforesaid land before beginning the mining activity(ies), and for a period of five (5) years after the termination, completion or abandonment of the mining activity(ies) for the purposes of inspecting, studying, backfilling, planting and reclaiming the land and abating pollution in accordance with the provisions of the Noncoal Surface Mining Conservation and Reclamation Act and The Clean Streams, as amended, rules and regulations promulgated thereunder, and the provisions of permit(s) issued to the Mining Operator. (†) (We) do hereby grant in addition to the Commonwealth, for the aforesaid period of time, a right of entry across any adjoining or contiguous lands owned by (us) ~~(me)~~ in order to have access to the land described herein. It is specifically agreed and understood that this contractual consent gives the Commonwealth the right to enter, inspect, study, backfill, plant and reclaim the land and abate pollution therefrom as a matter within the police power but does not obligate the Commonwealth to do so, and does not constitute any ownership interest by the Commonwealth in the aforesaid land.

This Consent shall not be construed to impair any contractual agreement between the Mine Operator and the landowner.

(INSERT ADDITIONAL PROVISIONS OR CROSS OUT)

In witness whereof and intending to legally bind ~~(myself)~~ (ourselves), ~~(my)~~ (our) heirs, successors and assigns, (†) (we) have hereunto set ~~(my)~~ (our) hand(s) and seal this 13th day of January, 2025 (year)

Tax Parcels: S06-006-059-00, S06-006-060-00

Joseph C. Metzgar & Lynette E. Metzgar

LANDOWNER

(Print Name)

By:

(Signature)

(Seal)

Joseph C. Metzgar

(Print Name)

By:

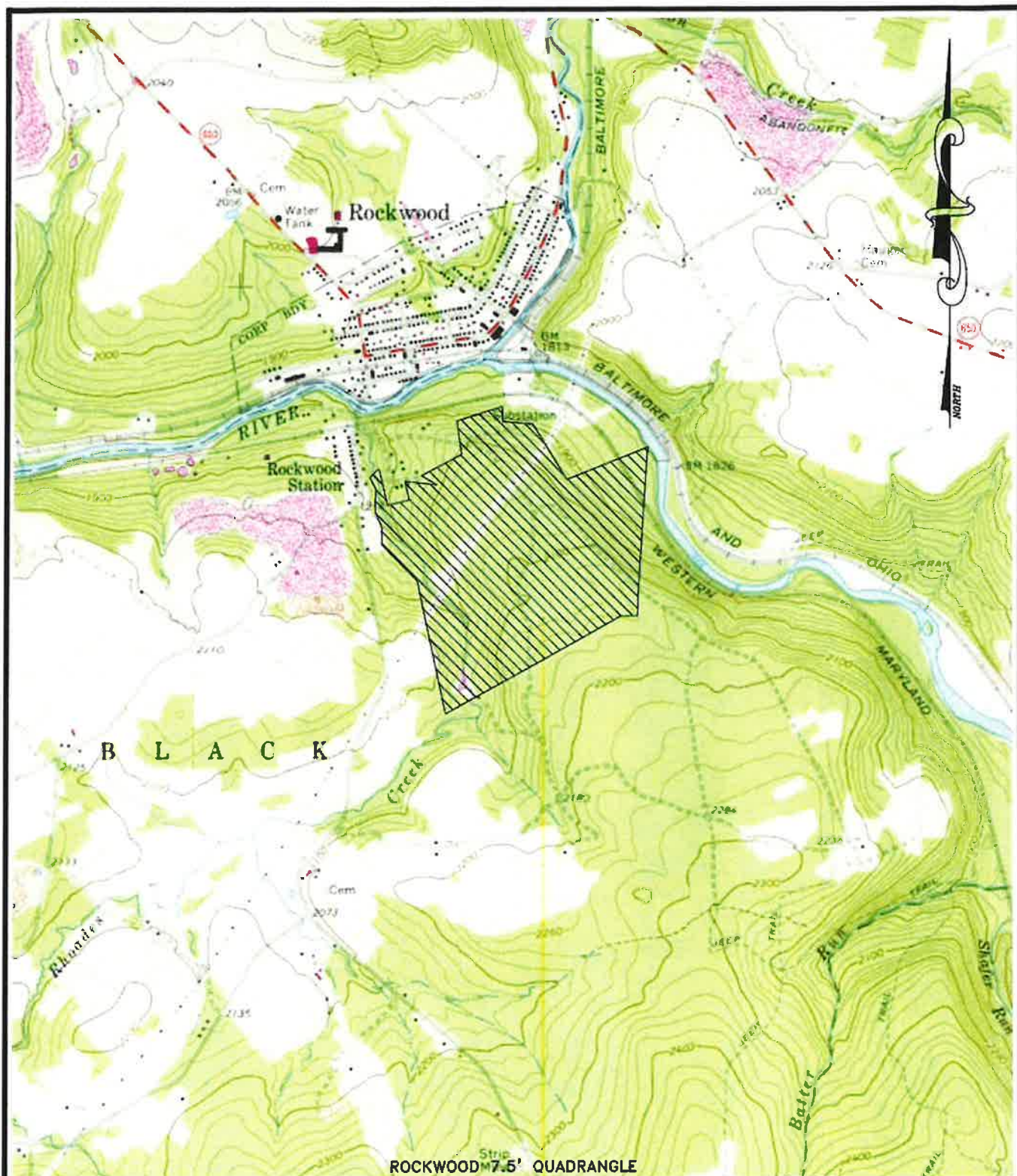
(Signature)

(Seal)

Lynette E. Metzgar

(Print Name)

CONTRACTUAL CONSENT OF LANDOWNER



The cross hatched area is located in Black Township, Somerset County, Pennsylvania and is the area referred to in this Contractual Consent of Landowner Form.

Joseph C. & Lynette E. Metzgar
Landowner

Rockwood Quarry 2024.dwg

Joseph C. & Lynette E. Metzgar, Owners
(Print Name and Title)

(Signature)

(Signature)

1/13/25

(Date)

1/13/25

(Date)

ACKNOWLEDGEMENT OF INDIVIDUALS OR PARTNERS**LANDOWNER**

STATE OF Pennsylvania

ss

COUNTY OF Somerset

On January 13, 2025, before me, the undersigned Notary, personally appearedJoseph Metzgar and Lynette Metzgar

(Name (s))

known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument, and who acknowledged that they
(he, she or they)

executed the same and desires it to be recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Commonwealth of Pennsylvania, Notary Seal

Candy Fazenbaker, Notary Public

(SEAL) Somerset County, Notary Public

My commission expires October 30, 2026

Commission number 1280517

Member, Pennsylvania Association of Notaries

My Commission Expires: October 30, 2026

(Date)

LANDOWNER

STATE OF

ss

COUNTY OF

On _____, before me, the undersigned Notary, personally appeared

(Name (s))

known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument, and who acknowledged that _____
(he, she or they)

executed the same and desires it to be recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

(SEAL)

Notary Public

My Commission Expires: _____

(Date)

ACKNOWLEDGEMENT OF CORPORATIONS**LANDOWNER**

STATE OF _____

ss

COUNTY OF _____

On _____, before me, the undersigned Notary, personally appeared

who acknowledged (herself) (himself) to be the _____

(Title of Person)

(Name of Corporation)

a
corporation, and that (she) (he), as such officer, being authorized to do so, executed the foregoing instrument on behalf of the said corporation and desires that this instrument be recorded.

IN WITNESS WHEREOF, I have hereunder set my hand and official seal.

(SEAL)

Notary Public

My Commission Expires: _____

(Date)

This instrument has been recorded in _____
County, Pennsylvania, this _____ day of _____,
(year), at Book _____, Page(s) _____.

(Signed) + (Print Name)

(Seal)

Book: **3108**

Starting Page: **445**

Ending Page: **448**

**SOMERSET COUNTY RECORDER OF DEEDS
PATRICIA A. PEIFER, RECORDER
300 NORTH CENTER AVENUE
SUITE 400
SOMERSET, PENNSYLVANIA 15501
Phone: (814) 445-1547
Fax: (814) 445-1563**



RETURN DOCUMENT TO:

**EARTHTECH INC
966 PLEASANT HILL ROAD
SOMERSET, PA 15501**

**Instrument Number - 2025000301
Recorded On 1/14/2025 At 2:07:57 PM
* Instrument Type - LANDOWNER CONSENT
Invoice Number - 333494 User ID - SMH
* Total Pages - 4
* Customer - EARTHTECH INC
* Grantor - METZGAR, JOSEPH C
METZGAR, LYNETTE E

* Grantee - ROCKWOOD STONE LLC**

*** FEES**

STATE WRIT TAX	\$0.50
RECORDING FEES	\$13.00
ROD IMPROVEMENT FUND	\$3.00
COUNTY IMPROVEMENT FUND	\$2.00
TOTAL PAID	\$18.50

This is a certification page

DO NOT DETACH

**This page is now part
of this legal document.**

**I hereby CERTIFY that this
document is recorded in the
Recorder of Deeds Office of
SOMERSET COUNTY, PENNSYLVANIA**



**Patricia A. Peifer
Recorder Of Deeds**

*** - Information denoted by an asterisk may change during
the verification process and may not be reflected on this page.**

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