

MODULE 5

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;

Specialty Granules, LLC

1455 Old Waynesboro Road

Blue Ridge Summit, PA 17214

- 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

A deed related to the property within the permit area is provided as an attachment to this module. There are no pending court litigations against these rights.

- 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.)

All parcels are owned by Specialty Granules LLC. A Consent of Landowner Form is attached.

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.)

See attached Module 5.2 and Exhibit 6.2 map.

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.)

See attached Module 5.3 and Exhibit 6.2 map.

PROPERTY DEEDS

DEED

MADE THE 5th day of August, 2011

BETWEEN COMMONWEALTH OF PENNSYLVANIA, acting by and through the Department of Conservation and Natural Resources (hereinafter referred to as the Grantor)

AND ISP MINERALS INC., a Delaware corporation (hereinafter referred to as the Grantee)

WHEREAS, under the authority and in conformance with Section 302(a)(11) of Act 18 of 1995, known as the Conservation and Natural Resources Act, relating to the powers and duties of the Department of Conservation and Natural Resources, the exchange of land hereinafter recited was adjudged to be to the advantage of the State Forest interests.

THIS INDENTURE Witnesseth, that the said Grantor, for and in consideration of the simultaneous conveyance to the Grantor by the Grantee herein, of three (3) tracts of land located in Adams County, Pennsylvania, containing 115.9200 acres, more or less, has hereby granted, sold, aliened, enfeoffed, released, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, enfeoff, release, convey and confirm unto the said Grantee, its successors and assigns:

ALL that certain tract of land (hereinafter referred to as the Land) situate in Hamiltonban Township, Adams County, Pennsylvania, being more particularly bounded and described as follows, to wit:

Stamp #2011-027464	Consideration	\$0.00
Loc Hamiltonban Township	Aftt Y	
Commonwealth of Pennsylvania		\$5,708.87
Hamiltonban Township		\$2,854.43
Fairfield Area School District		\$2,854.44
By :LINDA BARBOUR	Total :	\$11,417.74

[1]



Image ID: 000003024939 Type: GEN
Recorded: 08/08/2011 at 04:26:18 PM
Fee Amt: \$11.479.24 Page 1 of 7
Instr# 201100010192
Adams County, PA
Linda K Myers Register and Recorder

BK **5621** PG **290**

DCNR-OCC
OG # 11-1290

BEGINNING at an existing p.k. nail in the centerline of Gum Springs Road (T-300); thence along the centerline of Gum Springs Road, North 30 degrees 44 minutes 57 seconds East a distance of 503.68 feet to a point in the centerline of Gum Springs Road; thence along the same by a curve to the right with a central angle of 17 degrees 08 minutes 45 seconds with a radius of 700.00 feet, an arc length of 209.48 feet, a chord bearing of North 39 degrees 19 minutes 19 seconds East and a chord length of 208.69 feet to a point; thence along the same North 47 degrees 53 minutes 42 seconds East a distance of 221.61 feet to a point in the centerline of Gum Springs Road; thence along the same North 55 degrees 10 minutes 17 seconds East a distance of 97.82 feet to a point in the centerline of Gum Springs Road; thence along the same by a curve to the right with a central angle of 45 degrees 58 minutes 50 seconds, a radius of 300.00 feet, an arc length of 240.75 feet, a chord bearing of North 78 degrees 09 minutes 42 seconds East and a chord distance of 234.34 feet to a point in the centerline of Gum Springs Road; thence along the same, South 78 degrees 50 minutes 53 seconds East 290.63 feet to an existing p.k. nail; thence leaving Gum Springs Road along lands of Commonwealth of Pennsylvania North 13 degrees 10 minutes 24 seconds East a distance of 33.92 feet to a set p.k. nail in boulder; thence along lands of the Commonwealth of Pennsylvania and crossing Lower Gum Springs Road (T-305) South 73 degrees 25 minutes 52 seconds East a distance of 776.84 feet to an existing concrete monument; thence continuing along lands of the Commonwealth of Pennsylvania South 73 degrees 47 minutes 30 seconds East a distance of 986.96 feet to an existing concrete monument; thence South 05 degrees 19 minutes 47 seconds East a distance of 559.37 feet to an existing concrete monument; thence South 25 degrees 33 minutes 11 seconds East a distance of 225.55 feet to an existing concrete monument at lands of David A. and Caroline S. Paolini; thence along lands of Paolini South 41 degrees 57 minutes 43 seconds West a distance of 1,562.47 feet to an existing concrete monument at lands of ISP Minerals, Inc.; thence along lands of ISP Minerals, Inc. South 84 degrees 36 minutes 20 seconds West a distance of 1,087.80 feet to an existing concrete monument; thence along the same North 20 degrees 43 minutes 26 seconds East a distance of 433.38 feet to an existing iron pin; thence along the same North 38 degrees 41 minutes 53 seconds East a distance of 86.12 feet to an existing concrete monument; thence along the same North 14 degrees 39 minutes 22 seconds West a distance of 157.07 feet to an existing iron pin; thence along the same, North 2 degrees 23 minutes 30 seconds West a distance of 197.16 feet to an existing iron pin; thence along the same North 69 degrees 58 minutes 12 seconds West a distance of 434.77 feet to a 36 inch white oak; thence along the same South 23 degrees 12 minutes 16 seconds West a distance of 114.66 feet to an existing iron pin in stones; thence along the same North 38 degrees 20 minutes 38 seconds West a distance of 479.99 feet to an existing iron pin at lands of Terry L. and Linda K. King; thence along lands of King North 31 degrees 22 minutes 53 seconds West a distance of 534.63 feet to an existing p.k. nail in the centerline of Gum Springs Road, the place of **BEGINNING**. The total area of the property described herein is 112.2200 acres or 4,888,305.05 square feet as shown on a survey prepared by William A.

[2]



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Brindle Associates, Inc., dated February 18, 2011, and having a last revision date of April 5, 2011, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference. (This description represents the perimeter of all those adjoining parcels of land situate in Hamiltonban Township, Adams County, Pennsylvania conveyed unto the Commonwealth of Pennsylvania, designated as parcel A as shown on a plan of Preliminary/Final Subdivision of Land prepared by William A. Brindle Associates, Inc. for the Commonwealth of Pennsylvania dated January 14, 2011 (and having a February 23, 2011 date of last revision) and recorded in the Office of the Recorder of Deeds of Adams County in Plat Book 98 at page 60 and Record Book 5574 at page 501.)

BEING a portion of Tract No. 27 and all of Tract Nos. 33A, 33C, 35, 36 and 41 which The Conservation Fund, a Non-Profit Corporation, by its deed dated May 20, 2010, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Record Book 5483 at page 193, conveyed unto Commonwealth of Pennsylvania, acting by and through the Department of Conservation and Natural Resources, the Grantor herein.

TOGETHER with all and singular the privileges, rights, tenements, hereditaments and appurtenances to the hereby granted premises belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; AND ALSO all the estate, right, title and interest, property claim and demand whatsoever, both in law and in equity of the said Grantor of, in and to or out of the said premises, and every part and parcel thereof.

RESERVING UNTO GRANTOR a one-time right to harvest the timber on the portion of the Land that will be disturbed by Grantee's mining operations and operations ancillary thereto, within one hundred eighty (180) days after Grantee gives written notice to Grantor that Grantee intends to commence such operations on such portion of the Land.



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TO HAVE AND TO HOLD the said granted premises, tenements and hereditaments with all and singular the appurtenance unto the said Grantee and its successors and assigns, to and for the only proper use and behoof of the said Grantee and its successors and assigns forever.

AND the said Grantor hereby covenants and agrees that it will WARRANT SPECIALLY the property hereby conveyed.

IN WITNESS WHEREOF, said Grantor has caused this instrument to be signed by the Secretary of the Department of Conservation and Natural Resources, he being duly authorized and the seal of the Department of Conservation and Natural Resources impressed herein, duly attested, the day and year first above written.

ATTEST:

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CONSERVATION AND
NATURAL RESOURCES



By: 

Name: Richard J. Allan
Title: Secretary, DCNR

Date: 

APPROVED


TOM CORBETT
Governor

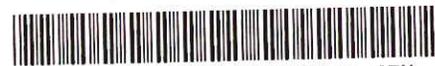


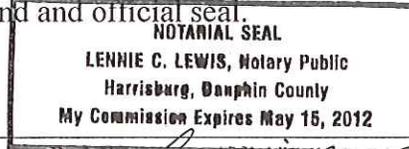
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BK 5621 PG 293

COMMONWEALTH OF PENNSYLVANIA :
:
COUNTY OF DAUPHIN :

On this, the 5th day of August, 2011, before me, a Notary Public, the undersigned officer, personally appeared RICHARD J. ALLAN, Secretary of the Department of Conservation and Natural Resources, and in due form of law acknowledged the above instrument to be his act and deed and the act and deed of the Commonwealth of Pennsylvania, acting by and through the Department of Conservation and Natural Resources.

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



Notary Public Lennie C. Lewis
My commission expires: May 15, 2012

Approved as to Legality and Form:

Angela Elliott
Office of Attorney General

[Signature]
Office of General Counsel

Kimberly Hammel Childs
Chief Counsel, DCNR *KS*

CERTIFICATE OF RESIDENCE AND ADDRESS

I hereby certify that the principal place of business and the complete post office address of the within-named Grantee is: 1101 Opal Court, Suite 315, Hagerstown, Maryland 21740.

[Signature]
Attorney for Grantee



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LANDOWNER CONSENT FORMS



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 112.2 acres of land
located in Hamiltonban Township, Adams County, as described
(Township, Borough, City)

in the deed(s) recorded in the Recorder of Deeds Office Book(s) and page(s) 5621 and 0290, respectively,
and shown by crosshatched lines on the map attached hereto which is signed in the original by the landowner upon which
Specialty Granules 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 3rd day of January, 2018 (year)

Justin P. Dunlap
LANDOWNER (Print Name)

By: [Signature] (Signature) (Seal)

(Print Name)

By: (Signature)

(Print Name)

ACKNOWLEDGEMENT OF INDIVIDUALS OR PARTNERS

LANDOWNER

STATE OF :
COUNTY OF : ss

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 _____
executed the same and desires it to be recorded. (he, she or they)

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

(SEAL) _____ My Commission Expires: _____
Notary Public (Date)

LANDOWNER

STATE OF :
COUNTY OF : ss

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 _____
executed the same and desires it to be recorded. (he, she or they)

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

(SEAL) _____ My Commission Expires: _____
Notary Public (Date)

ACKNOWLEDGEMENT OF CORPORATIONS

LANDOWNER

STATE OF Maryland :
COUNTY OF Washington : ss

On January 3, 2018, before me, the undersigned Notary, personally appeared

Justin P. Dunlap

who acknowledged (herself) (himself) to be the President of

Specialty Granules LLC (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) [Signature] My Commission Expires: March 14, 2018 (Date)

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

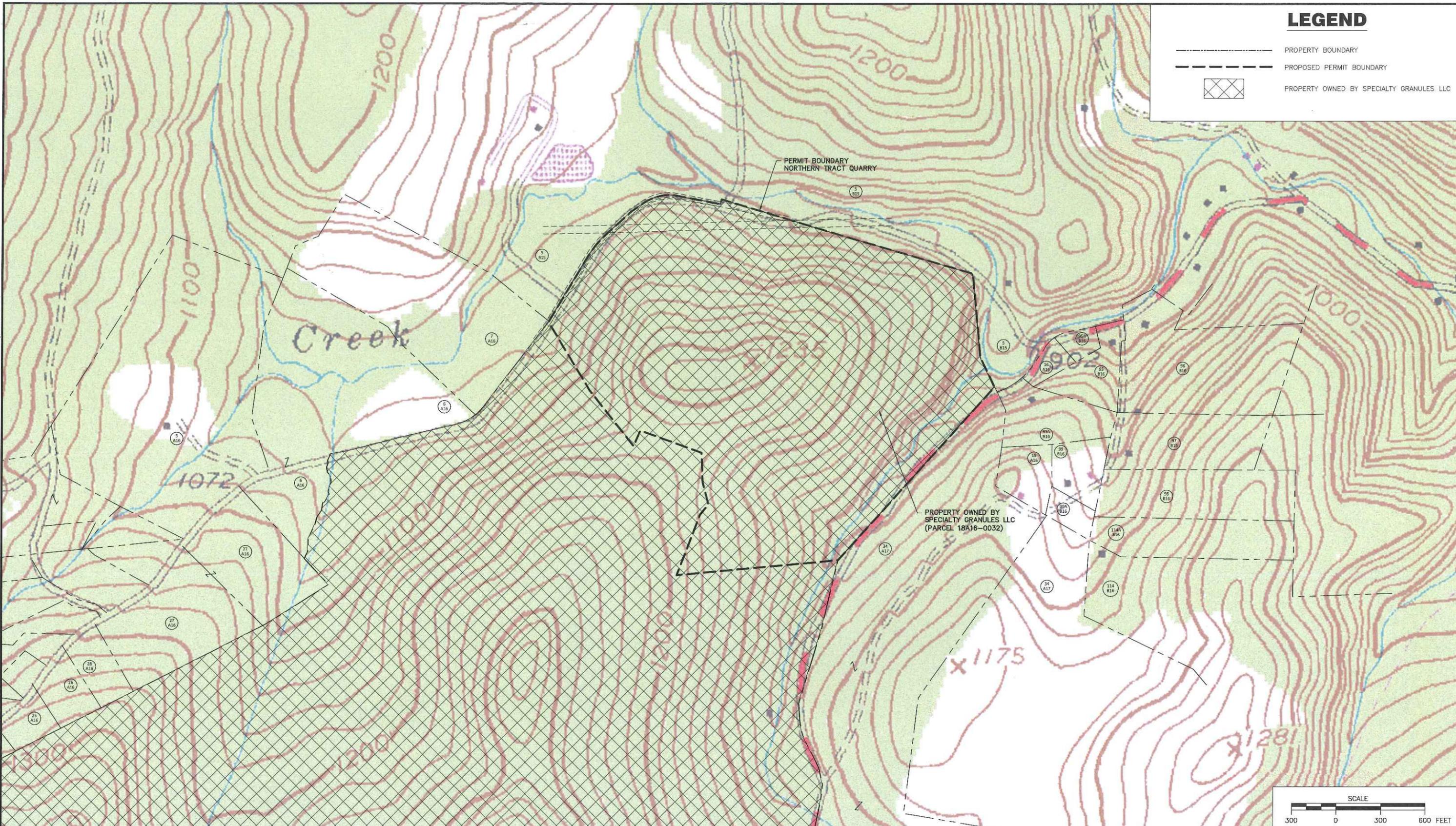
(Signed) + (Print Name)

Wednesday, December 13, 2017 2:56:39 PM

R:\2015\152596 - SGI Disposal Enhancement Drawings\Northern Tract\Module 5 - Property Consent Map-SGI-RD.dwg

LEGEND

-  PROPERTY BOUNDARY
-  PROPOSED PERMIT BOUNDARY
-  PROPERTY OWNED BY SPECIALTY GRANULES LLC



NOTES / REVISIONS					
<p>REFERENCE: USGS TOPOGRAPHIC MAP, 7.5 MINUTE SERIES BLUE RIDGE SUMMIT PENNSYLVANIA QUADRANGLE, DATED 1953, PHOTOREVISED 1985 IRON SPRINGS PENNSYLVANIA QUADRANGLE, DATED 1953, PHOTOREVISED 1968 AND 1973 SCALE: 1" = 1000'</p>					
4					
3					
2					
1					
ISSUED FOR	DATE	REV.	REVISION DESCRIPTION	MADE BY	CHKD BY

Justin Pugh
1/3/2018

SEAL:



D'APPOLONIA
 701 RUDI ROAD, FLOOR 2
 PITTSBURGH, PENNSYLVANIA 15235-4559
 (412) 958-9440 FAX (412) 958-9535




PROJECT NUMBER: 152596L
 FILE NAME: Module 5 - Property Consent Map-SGI-RD.dwg

DRAWN BY: MDW
 CHECKED BY: AJM

DATE: 12/13/2017
 DATE: 12/13/2017

SPECIALTY GRANULES, LLC
CHARMIAN - NORTHERN TRACT QUARRY

CONTRACTUAL CONSENT OF LAND OWNER FORM ATTACHMENT
 PROPERTY OWNERSHIP MAP

SCALE: AS SHOWN
 DRAWING NO. 1
 REV 0

TABLE 5.2

**EXHIBIT 5: PROPERTY INTERESTS/RIGHT OF ENTRY
MODULE 5.2 - CONTIGUOUS PARCELS**

DISTRICT	TAX MAP	PARCEL	NAME	MAILING ADDRESS	CITY	STATE	ZIP
18	A-16	006	Warner, George G.	P.O. Box 277	Blue Ridge Summit	PA	17214
18	A-16	007	Shank, Kenneth Eugene & M. Patricia	15469 Norwood Ave, P.O. Box 309	Blue Ridge Summit	PA	17214
18	A-17	034	Paolini, David A. & Caroline S.	2150 Iron Springs Rd.	Fairfield	PA	17320
18	B-15	005	Department of Conservation & Natural Res.	PO Box 8451	Harrisburg	PA	17105

TABLE 5.3

**EXHIBIT 5: PROPERTY INTERESTS/RIGHT OF ENTRY
MODULE 5.3 - PARCELS WITHIN 1,000 FEET OF PERMIT BOUNDARY**

DISTRICT	TAX MAP	PARCEL	NAME	MAILING ADDRESS	CITY	STATE	ZIP
18	A-16	006	Warner, George G.	P.O. Box 277	Blue Ridge Summit	PA	17214
18	A-16	007	Shank, Kenneth Eugene & M. Patricia	15469 Norwood Ave, P.O. Box 309	Blue Ridge Summit	PA	17214
18	A-16	016	Holbrook, Stephen W.	1698 Iron Springs Rd.	Fairfield	PA	17320
18	A-16	019	Deardorff, William & Cynthia	220 Petes Ln.	Fairfield	PA	17320
18	A-17	034	Paolini, David A. & Caroline S.	2150 Iron Springs Rd.	Fairfield	PA	17320
18	B-15	005	Department of Conservation & Natural Res.	PO Box 8451	Harrisburg	PA	17105
18	B-16	095	Dick, Bryon	26 Echo Trailer	Fairfield	PA	17320
18	B-16	096	Shaffer, Eric E.	13902 Wolfsville Rd.	Smithsburg	MD	21783
18	B-16	097	Beltowski, David D. & Denise L.	1648A Iron Springs Rd.	Fairfield	PA	17320
18	B-16	098	Heller, Crystal J.	245 Petes Ln.	Fairfield	PA	17320
18	B-16	099	Estes, Thomas A., Jr. & Kelley R.	P.O. Box 346	Fairfield	PA	17320
18	B-16	095-A	Craig, John D. & Lisa A.	1748 Iron Springs Rd.	Fairfield	PA	17320
18	B-16	095-B	Merryman, Scott H. & Dayna J.	1682 Iron Springs Road	Fairfield	PA	17320
18	B-16	099-A	Heller, Crystal J.	245 Petes Ln.	Fairfield	PA	17320