

APPLICATION FOR CONDITIONAL USE

Surface Mining

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|--------------------------------|---|
| Applicant Scott Lyon | Street Address of Property (if different address): HWY 43 North |
|--------------------------------|---|

| APPLICATION DATE | Present Zoning of Property | Legal Description of Property: | TAX PARCEL NUMBER | FLOOD ZONE | MAP/PLAT OF PROPERTY |
|-------------------------|-----------------------------------|---------------------------------------|--------------------------|-------------------|-----------------------------|
| 1-31-2023 | A-1 | See (Exhibit A) | 104I-31-006/00.00 | X | See (Exhibit B) |

Other Comments: As per Section 805 of the Madison County Zoning Ordinance.

Respectfully Submitted

Scott Lyon

Petition submitted to Madison County Planning and Development Commission on _____

Recommendation of Madison County Planning and Development Commission on Petition _____ Approved March 9, 2023

Public Hearing date as established by the Madison County Board of Supervisors _____

Final disposition of Petition _____

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF GEOLOGY
Mining and Reclamation Division
P. O. Box 2279
Jackson, Mississippi 39225-2279
(601) 961-5527

NOTICE OF EXEMPT OPERATION

This form shall be filed with the Office of Geology, Mining and Reclamation Division **only** for operations affecting 4 acres or less *and* greater than 1320 feet from another mine. **NOTE:** Local, county, federal or other state agencies may also require permits before mining can be done on your site. This is *your* responsibility.

Name of applicant/operator: Scott Lyon, Operator
Mailing address: 933 Pat Luckett Rd
Canton, Mississippi
Telephone number: (769)798-2161

Do you have any **other** exempt mining operations on file? yes no
Do you plan to file for a permit and expand this site later? yes no

LOCATION

E 1/4 and SW 1/4 of SW 1/4 of Section 4, Township 8N Range 2E County MADISON

Include a map or aerial photo marked with site location with this form.

Name of land owner: Lloyd G Spivey Jr
Mailing address: P.O. Box 8
Canton, Mississippi 39046
Telephone number (601) -859-5251

Date operation to begin February 2023 Date operation to end (estimated) Jan. 2024
Material to be mined Dirt Number of acres to be mined <4.0 (A)*
Total acres to be affected by operation (mine, roads, storage, etc.) <4.0 (B)*
Is operation closer than 1,320 feet (1/4 mile) to another mine? no yes (C*)
Is there a Dam present and/or one to be constructed onsite? no yes

***If items A or B exceed 4 acres or you answered YES to C above, you need to apply for a MINING PERMIT.**

Applicant/operator: Scott Lyon By Scott Lyon
Signature

Date: 1/31/2023 Position Operator/Mine Manager

For Office of Geology use only

Date: _____ By _____

Mining and Reclamation Division

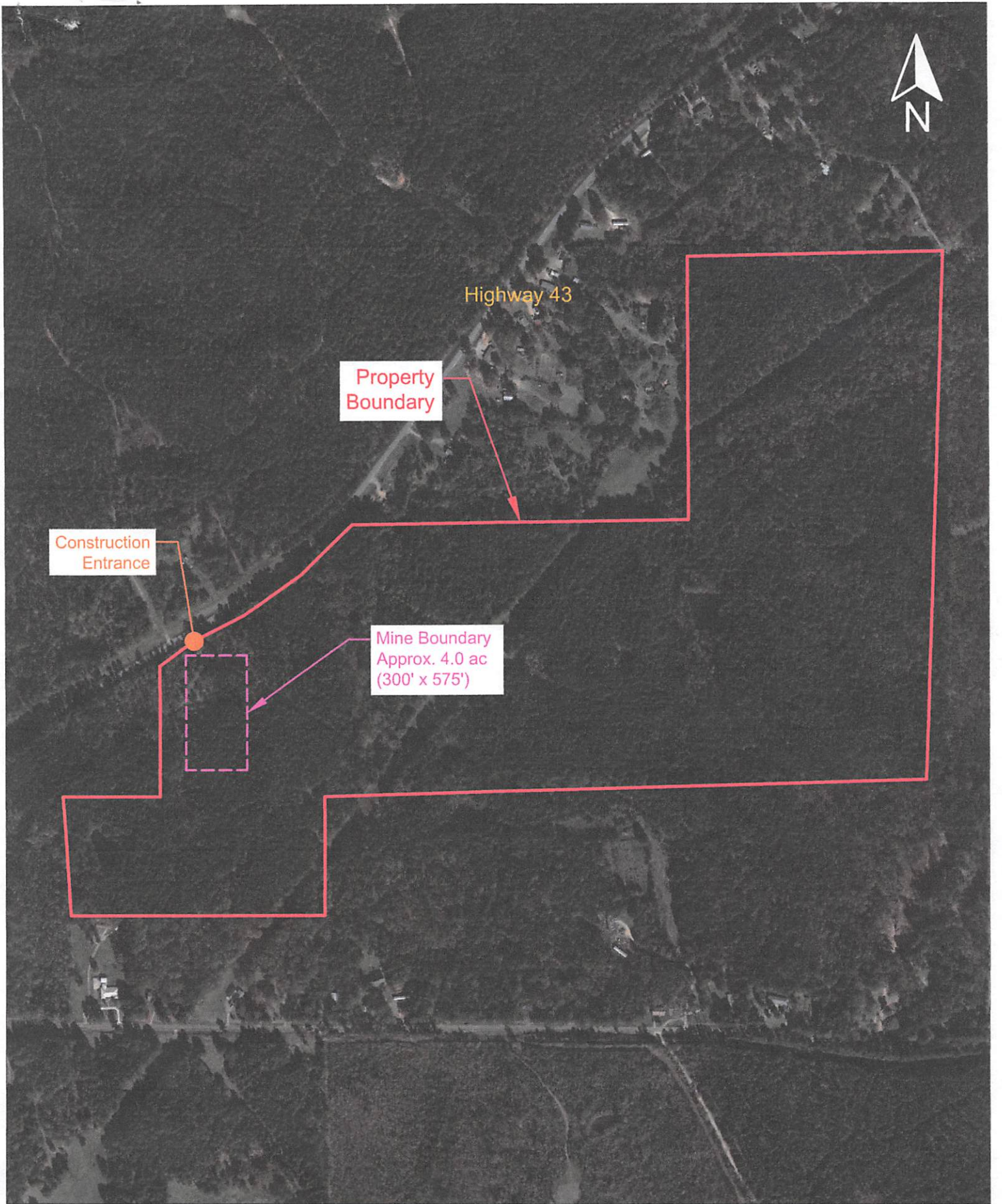


Highway 43

Property Boundary

Construction Entrance

Mine Boundary
Approx. 4.0 ac
(300' x 575')



LEGAL DESCRIPTION

Proposed 4 acre mine within the following parcel:

Commencing at a concrete monument marking the NE corner of the NW¼ of Section 33, Township 10 North, Range 4 East, Madison County, Mississippi, run thence S00°01'17"W 660.29 feet to a concrete monument; thence S89°56'41"W 1,320.25 feet to a concrete monument; thence S00°19'48"E 659.62 feet to a concrete monument; thence S89°49'35"W 2,315.18 feet to a concrete monument; thence S00°10'57"E 1,319.99 feet to a concrete monument; thence S88°43'06"W 342.14 feet to a concrete monument; thence N89°46'39"W 590.08 feet to a concrete monument; thence N89°46'40"W 264.76 feet to an iron pin; thence N89°46'42"W 462.02 feet to an iron pin marking the center of Section 32 and the Point of Beginning of this description; thence S00°11'09"E 2,640.00 feet to an iron pin; thence S89°55'38"W 2,648.56 feet to the SW corner of Section 32; thence N90°00'00"W 458.70 feet to an iron pin; thence S00°00'00"E 660.00 feet to an iron pin; thence N90°00'00"W 1,320.00 feet to an iron pin; thence N00°00'00"E 660.00 feet to an iron pin; thence N90°00'00"E 458.70 feet to an iron pin; thence N00°00'00"E 591.92 feet to an iron pin on the southerly right of way of Mississippi State Highway No. 43; thence N59°42'00"E 293.71 feet along said right of way to a point; thence 366.47 feet along said right of way and the arc of a curve to the left, to a point; said curve having a radius of 2,935.18 feet, a delta angle of 07°09'13", and a chord bearing N56°07'22"E for a distance of 366.24 feet; thence N40°27'47"E 104.04 feet along said right of way to a point; thence 406.59 feet along said right of way and the arc of a curve to the left, to a point; said curve having a radius of 2914.85 feet, a delta angle of 07°59'32", and a chord bearing N46°32'56"E for a distance of 406.26 feet; thence N54°13'46"E 32.28 feet along said right of way to an iron pin; departing said right of way, run thence S90°00'00"E 1,693.71 feet to an iron pin; thence N00°00'00"E 1,104.50 feet to an iron pin; thence N00°00'00"E 217.18 feet to a point situated S83°53'54"W 4.63 feet from an iron bar at a fence corner; thence N90°00'00"E 1,320.00 feet to an iron pin and the Point of Beginning and close; said described tract containing 171.52 acres, more or less, lying and being situated in the SE¼ of Section 31 and the SW¼ of Section 32, Township 10 North, Range 4 East, and the NE ¼ of Section 6, Township 9 North, Range 4 East, Madison County, Mississippi.