



BOND NUMBER

MINED LAND RECLAMATION BOND

INSTRUCTIONS

1. Form 85-02-3 shall be filed with the New York State Department of Environmental Conservation, Division of Mineral Resources, 625 Broadway, Albany, NY 12233-6500 by the mining permit applicant.
2. The form shall be typed and be signed by responsible individuals who have full and correct knowledge of the facts stated and the authority to bind the applicant.

KNOW ALL MEN BY THESE PRESENTS:

That we _____ of permanent address
(Principal)

(Street Address, City, State, Zip Code)

as Principal, and _____
(Surety)

of _____
(Mailing Address and Telephone Number of Responsible District Office)

as Surety, a corporation organized and existing under the laws of the State of _____, and authorized to transact the business of suretyship in the State of New York, are held and firmly bound unto the State of New York in the full and just sum of _____ dollars (_____), lawful money of the United States of America, for which payment, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is that the said Principal has been issued a mining permit re:

Mine File Number(s): _____
by the Department of Environmental Conservation of the State of New York.

Now, therefore, if said Principal shall comply with the conditions of the permit, then this obligation shall be void; otherwise to remain in full force and effect, in which case the Department may call upon the surety to complete the reclamation.

This bond shall be further subject to the following conditions:

1. The bond shall be continuous and shall remain in force until the Surety is released from liability by the Department of Environmental Conservation of the State of New York, or until the bond is canceled by the Surety as herein provided. Without prejudice to any liability accrued prior to such cancellation, the Surety may cancel this bond upon ninety (90) days advance notice in writing sent by mail to the Principal and to the Department of Environmental Conservation of the State of New York.
2. In no event shall the total liability of the Surety for any one or more recoveries under this bond exceed in the aggregate the total sum hereof.
3. Any suit brought upon this bond must be instituted before the expiration of two years after the release, cancellation or termination thereof.

In Witness Hereof, said Principal and said Surety have caused these presents to be duly signed and sealed:

this _____ day of _____, _____

(Principal)
By: _____
(Signature)

(Print Name and Title)

(Surety)
By: _____
(Signature)

, Attorney in Fact
(Print Name and Title)

FOR DEPARTMENT USE ONLY

Approved _____ Date _____