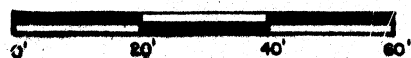


MAP OF SURVEY

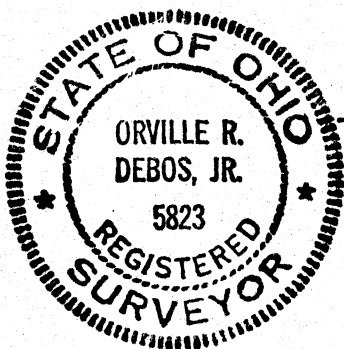
Being Lot Number 12575 in the City of Massillon, County of Stark, Ohio. And the Topography of said lot and the lands that are adjacent.

SCALE: 1" = 30'

DATE: NOV. 28, 1981



FOR: ECKROATE



Orville R. DeBos, Jr.
Orville R. DeBos, Jr.
Reg. Surveyor # 5823



ORVILLE R. DE BOS & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYOR

14137 ORRVILLE ST. N.W.
NORTH LAWRENCE, OHIO 44666



REGISTERED NO. 5823

PHONE 837-2678 & 832-9970

MORTGAGE LOAN SURVEYS

TOPOGRAPHIC SURVEYS

MAPPING

LOT SURVEYS

FARM SURVEYS

Nov. 27, 1981

Mr. Robert Eckroate
225- Lori Ave. N.E.
Massillon, Ohio 44646

Mr. Eckroate:

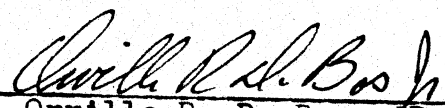
Upon completion of the survey of your lot, and doing a topography of a small area that lies adjacent to your lot. We are in need of the following information if you are going to pursue the matter of the Diana Gravel Pitt and processing plant any father.

1. A copy of the accompanying map when he filed his application for mining in Stark County. Block #4, Application date 1/1/76, Permit date 4/1/76. We would like to compare them to the recent topography maps flown by Stark County and the City of Massillon. Also copies of Annual Maps that he has filled after 1976.

As per your questions pertaining to your letter received by my office, I can answer the following:

1. Mr. Diana is in violation of the Ohio Surface Mining Laws. Page 8, Paragraph 11, Assuring adequate lateral support and being closer then 50 foot from your property line. Also Section 4153.11, closer than 50 foot to a public road, (Lori Ave. N.E.); and also Item #2 being the same elevation at a point 50 foot from the said road and at an angle of 40 degrees from said road found on page 28 of the Ohio Surface Mine Law Book.
2. Final highwalls around your property are not 18 degrees or less and I don't know if the Ohio Department of Natural Resources, Division of Reclamation considers these highwalls as final or furture highwalls. I would think final but check with them. At present they are about a 70 to 85 degree slope.
3. Highwalls in general:
It is the intent of the Department of Reclamation to insure public safety at all times. Ref: NRim-111-07.
(D) Restrict assess to the highwall as approached from the top. This is in violation.
(E) Perform other measures as are necessary to insure public safety because of the particular site conditions.

The other questions pertaining to the small children playing in the hand dug caves on the highwalls, the certificate of public liability insurance, final report to the Division of Reclamation and when the highwalls will be sloped properly is all questions that Mrs. Grace Marshall Smith can answer or direct you to the proper authority. I feel at this time to do a complete topo survey of the area involved will be of further expense to you. If you have any other questions regarding the surveying portion of this matter please don't hesitate to call.


Orville R. De Bos, Jr.
Reg. Surveyor # 5823