

ASSIGNMENT OF CERTIFICATE (S) OF DEPOSIT TO
THE ILLINOIS DEPARTMENT OF NATURAL RESOURCES
FOR COLLATERAL BOND

WHEREAS, on the ___ day of _____, 20___, the Permittee_____

At address:_____

Executed certain Certificate(s) of Deposit described as follows:

To secure the Permittee's performance for reclamation under Surface Coal Mining Permit No.(s)_____

WHEREAS, under 62 Ill. Adm. Code 1800.21(a)(3) the Permittee is required to post (an) acceptable Certificate(s) of Deposit made payable to the regulatory agency, the Illinois Department of Natural Resources, Office of Mines and Minerals.

NOW THEREFORE, to satisfy the requirements of 62 Ill. Adm. Code 1800.21(a)(3), the undersigned Permittee _____ as Obligor, hereby assigns its interest in all of the above described Certificate(s) of Deposit to the Illinois Department of Natural Resources, Office of Mines and Minerals.

THE CONDITIONS OF THE ABOVE ASSIGNMENT ARE SUCH THAT:

- 1) The Illinois Department of Natural Resources, Office of Mines and Minerals shall not accept an individual Certificate of Deposit in an amount in excess of \$250,000 or the maximum insurable amount as determined by the Federal Deposit Insurance Corporation.
- 2) The Certificate(s) of Deposit must be issued by a bank organized and authorized to do business in Illinois or authorized to do business in the United States by a national charter, with an office in Illinois.
- 3) The Certificate(s) of Deposit shall be assigned to the Illinois Department of Natural Resources, Office of Mines and Minerals, both in writing and upon the books of the Issuing Bank.

4) The Certificate(s) of Deposit shall be conditional upon the Issuing Bank waiving all rights of set-off or liens which it has or may have against the Permittee for such certificates.

5) The Certificate(s) of Deposit shall be payable in part or in full to the Illinois Department of Natural Resources, Office of Mines and Minerals upon demand after receipt by the Issuing Bank from the Illinois Department of Natural Resources, Office of Mines and Minerals of a Notice of Forfeiture in accordance with 62 Ill. Adm. Code 1800.50.

6) The Certificate(s) of Deposit shall be in sufficient amounts, so that liquidation of those certificates prior to maturity will provide the required bond amount.

7) The Assignment of the Certificate(s) of Deposit shall remain in full force and effect until released in writing by the Illinois Department of Natural Resources, Office of Mines and Minerals.

8) The Assignment shall be valid throughout all renewal periods as designated by the Issuing Bank and shall also automatically renew when the Certificate(s) of Deposit are renewed.

Signed and dated this _____ day of _____, 20____.

Signature of Permittee

Permittee/Obligor Address

The signature as shown above compares correctly with our files. The undersigned hereby accepts the foregoing assignment of Certificate(s) of Deposit in the amount of \$ _____

This _____ day of _____, 20____.

Name of Bank

Signature of Bank Representative

Title