



**Exhibit A**

**00574752**

B: 1139 P: 398 Fee \$0.00  
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06/30/2008 10:36:41 AM By GOVERNOR/STATE OF UTAH



**AFFIDAVIT OF LYNN FIACK**  
**SAGE HILLS DRIVE ROAD**  
**IRON COUNTY, UTAH**  
**ROAD NUMBER 274A**

State of Utah                    )  
  : ss.  
County of Iron                 )

LYNN FIACK, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Iron County, Utah. I have lived in Iron County since 1942. I was an employee of the Iron County Road Department from 1963 to 1987 and served as the Road Foreman from 1974 to 1987. I participated in the maintenance of the above referenced road during that time.

2. I have traveled and am familiar with a road in Iron County known as Sage Hills Drive Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 1987 when I last observed it. Attached is a Iron County map showing Sage Hills Drive Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to 1987. Throughout this time period I have observed travel on the road by means of pickup trucks, road maintenance vehicles and trucks. Throughout this time period, the road has been used daily.

5. Throughout the time period from the early 1960s to 1987, I have used the road

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myself for road maintenance and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed vehicles from the general public using the road at various times for livestock operations, landfill use, and traveling in and through the area.

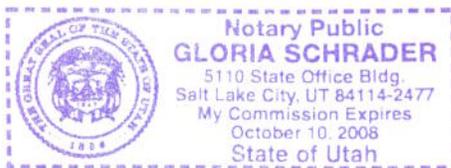
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I performed and observed maintenance and construction activities on the road.

DATED this 21 day of December, 2006.

  
LYNN FIACK

SUBSCRIBED AND SWORN to before me this 21<sup>st</sup> day of December, 2006.



  
NOTARY PUBLIC

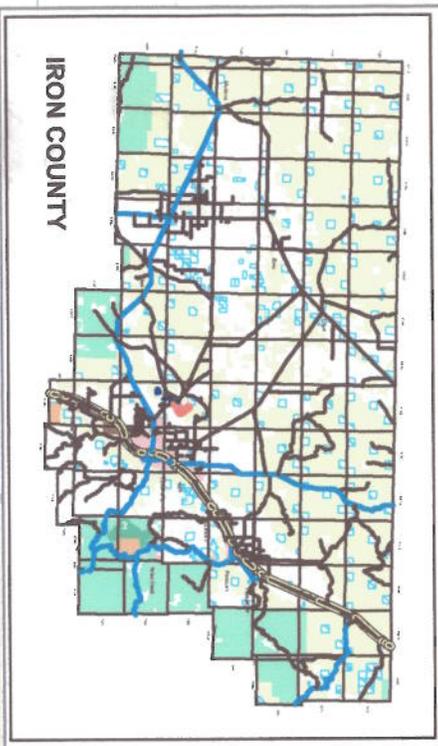
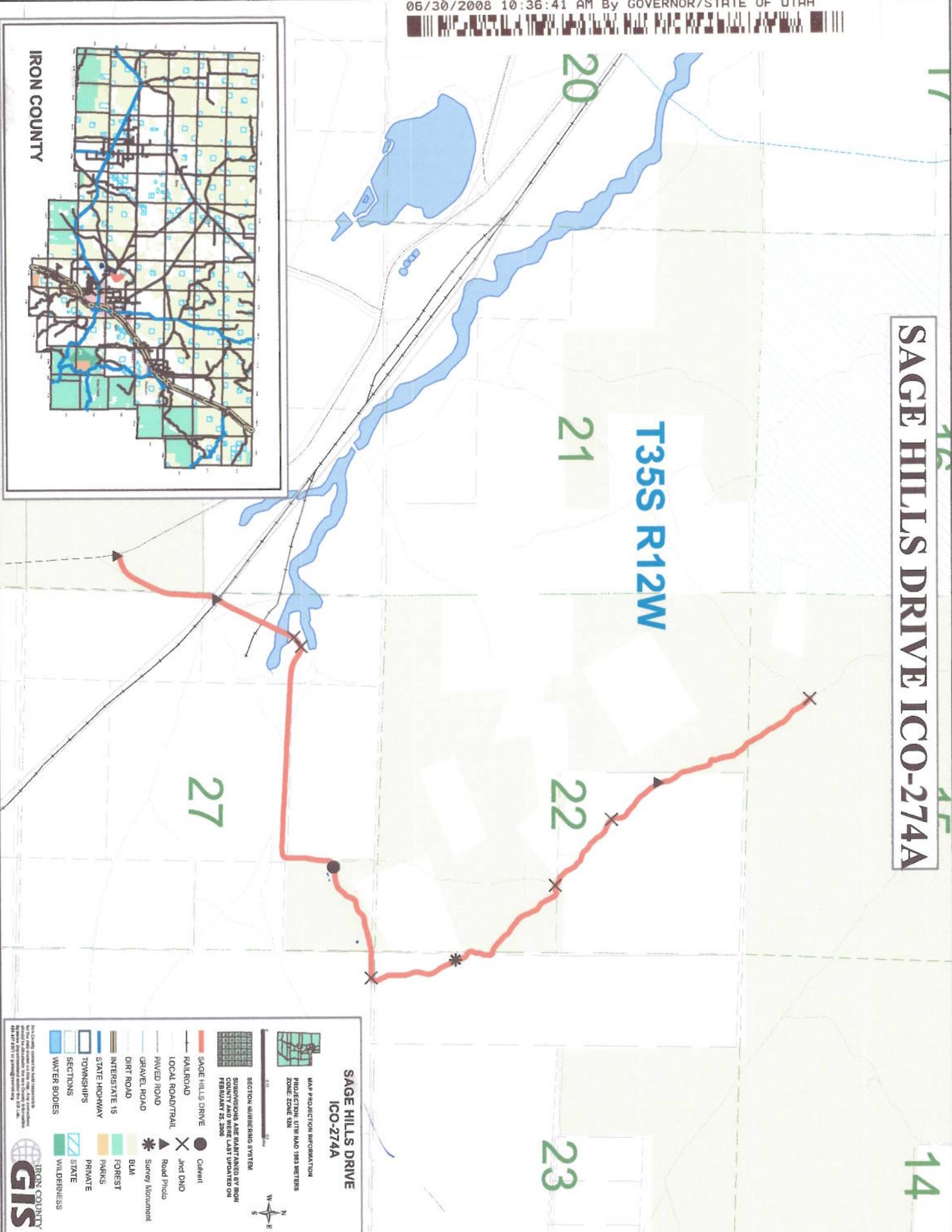
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SAGE HILLS DRIVE ICO-274A

T35S R12W

27

21

22

23

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**SAGE HILLS DRIVE**  
**ICO-274A**

SECTION NUMBERING SYSTEM  
SUBDIVISIONS ARE MAINTAINED BY IRON COUNTY AND WERE LAST UPDATED ON FEBRUARY 29, 2008

MAP PROJECTION INFORMATION  
PROJECTION: UTM WAD 1863 METERS  
ZONE: ZONE 12N

IRON COUNTY GIS

	SAGE HILLS DRIVE		Center
	RAILROAD		Jnd DND
	LOCAL ROAD/TRAIL		Road Right-of-Way
	PAVED ROAD		Survey Monument
	GRAVEL ROAD		BLM
	DIRT ROAD		FOREST
	INTERSTATE IIS		PARKS
	STATE HIGHWAY		PRIVATE
	TOWNSHIPS		STATE
	SECTIONS		WILDERNESS
	WATER BODIES		

**AFFIDAVIT OF NEIL JAMIESON FORSYTH**  
**SAGE HILLS DRIVE ROAD**  
**IRON COUNTY, UTAH**  
**ROAD NUMBER 274A**

State of Utah                    )  
  : ss.  
County of Iron                 )

NEIL JAMIESON FORSYTH, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Iron County, Utah. I have lived in Iron County since 1954. I am an employee of the Iron County Road Department and have been since August of 1974. I have been the Road Foreman since July of 1987. I have participated in the maintenance of the above referenced road throughout the time period of my employment.

2. I have traveled and am familiar with a road in Iron County known as Sage Hills Drive Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1970s, it followed the same route as in 2006 when I last observed it. Attached is a Iron County map showing Sage Hills Drive Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1970s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by means of cars, pickup trucks and road maintenance vehicles. Throughout this time period, the road has been used daily.

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5. Throughout the time period from the early 1970s to the present, I have used the road myself for landfill access and road maintenance.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus livestock operations, mining, travel to and from schools, hunting, recreation, government access and traveling in and through the area.

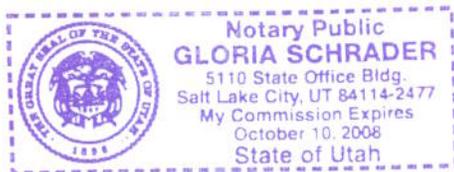
7. It is also the reputation in the community that this road has been open o the public for all to use, to come and go as they pleased, since at least as early as the 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed maintenance and construction activities on the road.

DATED this 20<sup>th</sup> day of December, 2006.

  
NEIL JAMESON FORSYTH

SUBSCRIBED AND SWORN to before me this 20<sup>th</sup> day of December, 2006.



  
NOTARY PUBLIC

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SAGE HILLS DRIVE ICO-274A

T35S R12W

20

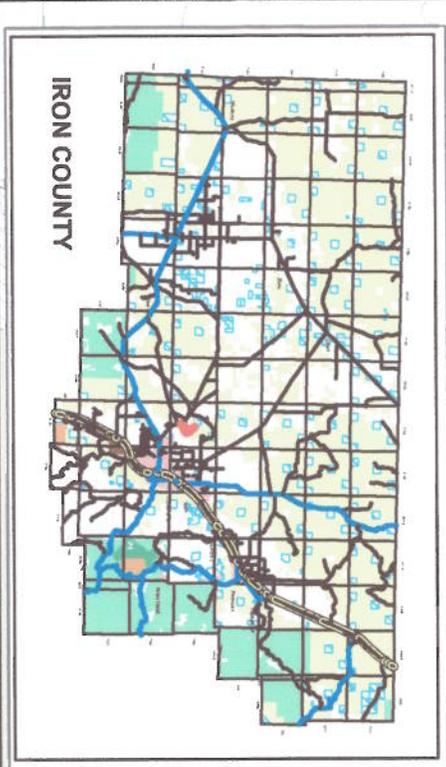
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**SAGE HILLS DRIVE**  
**ICO-274A**

MAP PROJECTION INFORMATION  
PROJECTION: UTM WAD 1983 METERS  
ZONE: ZONE 12N

SECTION NUMBERING SYSTEM  
SUBDIVISIONS ARE MAINTAINED BY RPOW  
FEBRUARY 28, 2006

IRON COUNTY GIS

	SAGE HILLS DRIVE		Culvert
	RAILROAD		Jct DND
	LOCAL ROAD/TRAIL		Road Photo
	GRAVEL ROAD		Sunny Monument
	DIRT ROAD		BLM
	INTERSTATE I-5		FOREST
	STATE HIGHWAY		PARKS
	TOWNSHIPS		PRIVATE
	SECTIONS		STATE
	WATER BODIES		WILDERNESS

## Exhibit B

### Beginning & Ending Points and Township, Range, and Section References For:

**Popular Name: SAGE HILLS DRIVE**

**County: Iron**

**County Road Number: 274A**

**State Geographic Information Database (SGID) Road Identification Number: RD119917.**

**Total Road Length: 3.29 miles more or less.**

**Beginning at a point** on the road centerline located at 37 degrees 43 minutes 30.16 seconds North Latitude and -113 degrees 11 minutes 59.69 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,148,790.9 feet and Y = 10,232,342.9 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 37 degrees 45 minutes 12.03 seconds North Latitude and -113 degrees 11 minutes 35.67 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,150,906.9 feet and Y = 10,242,609.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 35 South Range 12 West, Section(s) 15,22,23,26,27,28, Salt Lake Base & Meridian

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