

Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

DOC # 00354987

Affidavits B: 0603 P: 0181
Jayrene B Nielsen Sevier County Recorder Page 1 of 9
07/01/2008 11:53:25 AM Fee \$0.00 By GOVERNOR OF STATE OF UTAH


THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Sevier County known as 1035db_Poverty Flat Road; County Road Number: 6491; State Geographic Information Database (SGID) Road Identification Number: RD210093.

This document supplements and supports the information contained in the document first recorded at **Doc # 00344687, Bk 0561, Beg Pg 0518**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **2/13/2008 at Doc #00352502 Bk 0591, Beg Pg 0732**. A legal description is attached hereto as Exhibit B.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 25th day of June, 2008.

By the Governor's Designee



John Harja

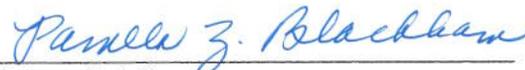
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 25th day of June, 2008.





Notary Public

Exhibit A

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AFFIDAVIT OF DALLIN MAGLEBY
POVERTY FLAT ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6491

State of Utah)
 : ss.
County of Sevier)

DALLIN MAGLEBY, 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 Monroe, Sevier County, Utah. I have lived in Sevier County since 1931.
2. I have traveled and am familiar with a road in Sevier County known as the Poverty Flat Road (County Road Number 6491). I am also familiar with the land the road traverses. When I first used and observed the road in the 1940's, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing Poverty Flat Road (County Road Number 6491). 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 1940's and continuing through 1976 to 2006. During this time period I have observed travel on the road by various means, including all types of vehicles such as ATV's pickups, automobiles, trucks, horses and trailers. . During this time period, the road has been used daily.
5. During the time period from the 1940's to 2006, I have used the road myself for the following uses: Recreation and gathering rocks.

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6. During the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: mining, oil and gas exploration, prospecting for minerals, government access, wood gathering, livestock operations, tourism, hunting 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 1940's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

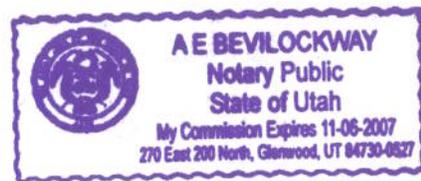
8. I observed graders performing maintenance/construction activities on the road prior to 1976.

DATED this 9 day of November, 2006.

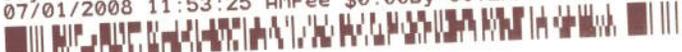

DALLIN MAGLEBY

SUBSCRIBED AND SWORN to before me this 9th day of November, 2006.


NOTARY PUBLIC



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Class "B" Maintained Roads - Blue

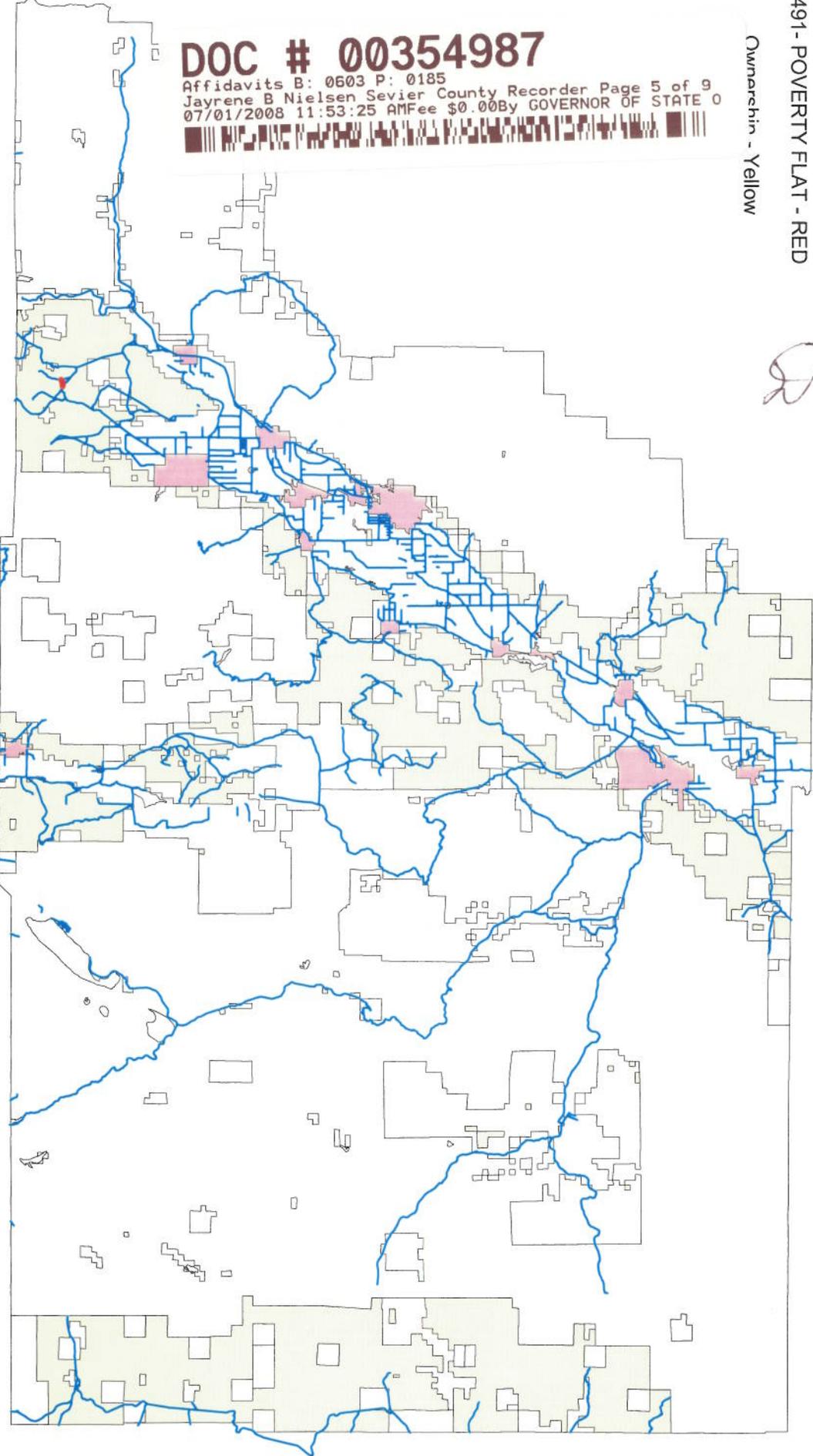
6491 - POVERTY FLAT - RED

Ownership - Yellow

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SEVIER COUNTY

RS2477

October 18, 2006

**AFFIDAVIT OF FRED PETERSON
POVERTY FLAT ROAD
SEVIER COUNTY, UTAH
COUNTY ROAD NUMBER 6491**

State of Utah)
 : ss.
County of Sevier)

FRED PETERSON, 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 Joseph, Sevier County, Utah. I have lived in Sevier County since 1962.

2. I have traveled and am familiar with a road in Sevier County known to me as the Poverty Flat Road (County Road Number 6491). I am also familiar with the land the road traverses. When I first used and observed the road in 1962, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the Poverty Flat Road (County Road Number 6491). 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 1962 and continuing through 1976 to 2006. During this time period I have observed travel on the road by various means, including four wheelers, trucks, and jeeps. During this time period, the road has been used daily.

5. During the time period from 1962 to 2006, I have used the road myself for the following uses: hunting, recreation, and gathering rocks.

6. During the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses:

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mining, oil and gas exploration, prospecting for minerals, government access, wood gathering, livestock operations, tourism, recreation, hunting, accessing mines and traveling in and through the area.

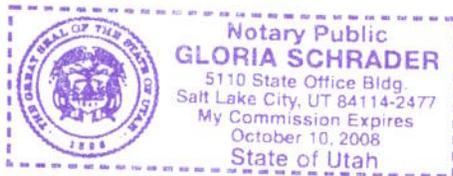
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1962 and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road.

DATED this 15 day of November, 2006.


FRED PETERSON

SUBSCRIBED AND SWORN to before me this 15th day of November, 2006.




NOTARY PUBLIC

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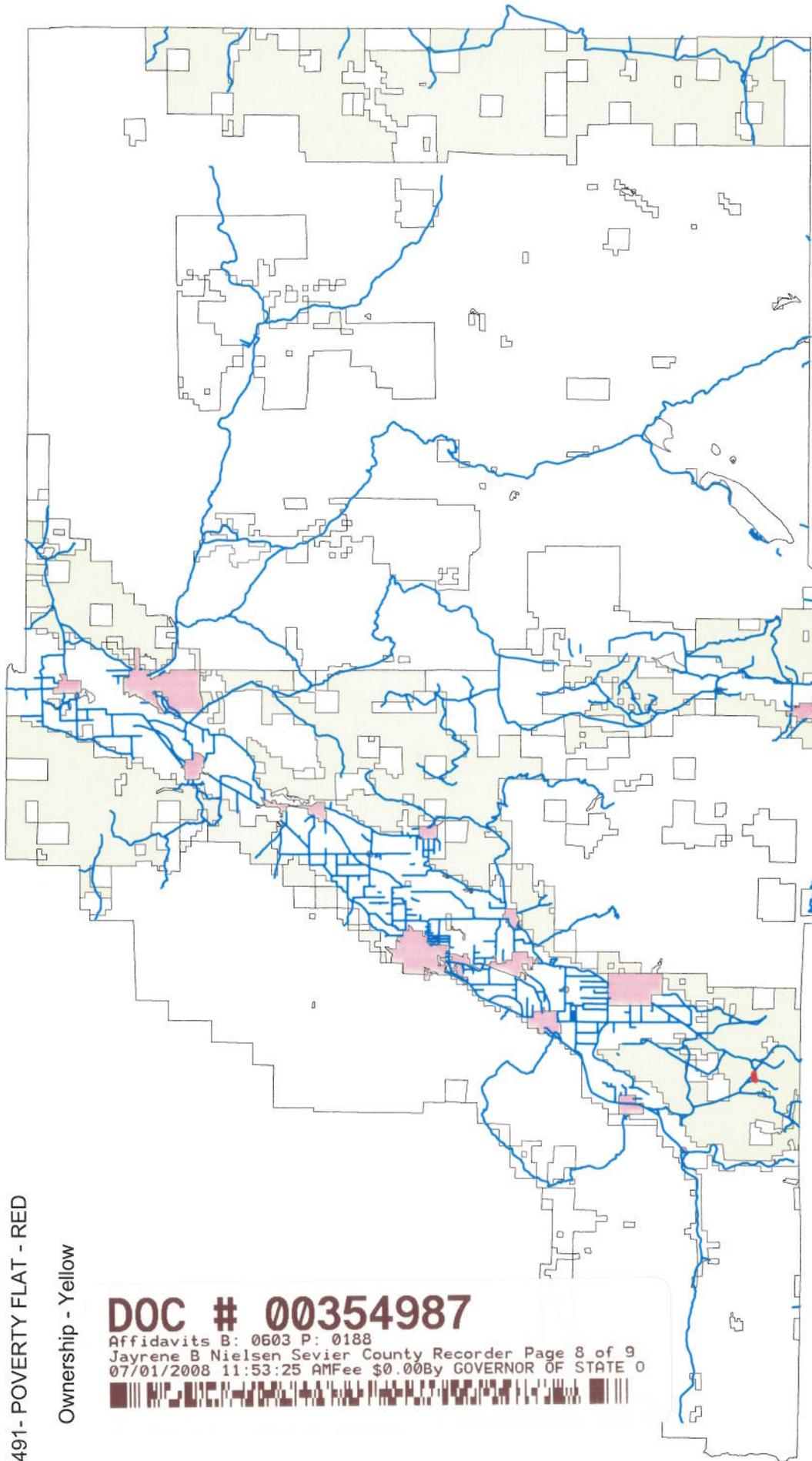


SEVIER COUNTY
RS2477
October 18, 2006

Class "B" Maintained Roads - Blue

6491- POVERTY FLAT - RED

Ownership - Yellow



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Exhibit B

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

Popular Name: 1035db_Poverty Flat Road

County: Sevier

County Road Number: 6491

State Geographic Information Database (SGID) Road Identification Number: RD210093.

Total Road Length: 0.34 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 32 minutes 31.11 seconds North Latitude and -112 degrees 11 minutes 49.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,441,026.6 feet and Y = 6,638,443.5 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 32 minutes 34.57 seconds North Latitude and -112 degrees 11 minutes 28.25 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,442,693.5 feet and Y = 6,638,779.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 26 South Range 4 West, Section(s) 13,14, Salt Lake Base & Meridian

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