

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

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 Beaver County known as NADA CROSSING; County Road Number: B-133; State Geographic Information Database (SGID) Road Identification Number: RD010033.

This document supplements and supports the information contained in the document first recorded at Ent 233003, Bk 409, Beg Pg 699, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on February 14, 2008 at Ent 235734, Bk 418, Beg Pg 186. 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 27th day of June, 2008.

By the Governor's Designee

[Signature of John Harja]

John Harja

Ent 236985 Bk 423 Pg 755
Date: 02-JUL-2008 12:44PM
Fee: None
Filed By: CP
BRUCE BROWN, Recorder
BEAVER COUNTY CORPORATION
For: STATE OF UTAH

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 27th day of June, 2008.



[Signature of Deborah Montgomery]
Notary Public

## Exhibit A

**AFFIDAVIT OF ROBERT MERRYWEATHER**

**NADA CROSSING ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-133**

State of Utah                    )  
  : ss.  
County of Beaver                )

ROBERT MERRYWEATHER, 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 Milford, Beaver County, Utah. I have lived in Beaver County most of my life. I was employed with the Beaver County Road Department from approximately 1970 to 2000.

2. I have traveled and am familiar with a road in Beaver County known as Nada Crossing Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1950, it followed the same route as in 2006 when I last observed it. Attached is a Beaver County map showing Nada Crossing 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 1950 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by means of pickup trucks and ATVs. Throughout this time period, the road has been used daily, weather permitting.

5. Throughout the time period from 1950 to 2006, I have used the road myself for county 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 and travel in and through the area.

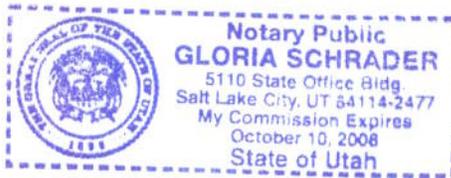
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 1 day of February, 2007.

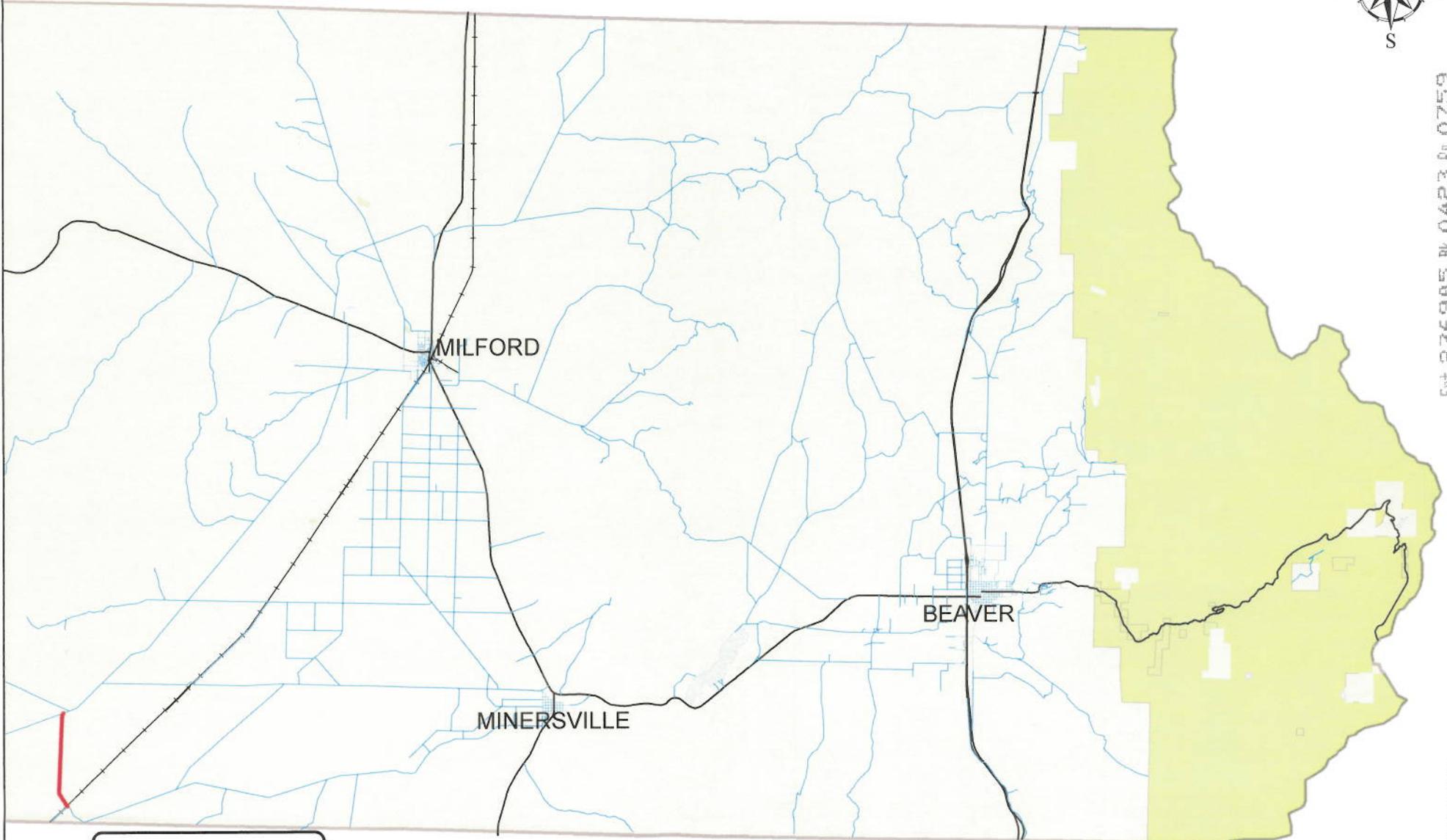
  
ROBERT MERRYWEATHER

SUBSCRIBED AND SWORN to before me this 1<sup>st</sup> day of February, 2007.



  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



**Legend**

- Nada Crossing
- County B Roads
- State Highways
- UPRR

**NADA CROSSING ROAD  
B-133**

MAP VIEW AREA



Ent 236985 Bk 0423 Pg 0759

CREATED BY BEAVER CO GIS DEPT

**AFFIDAVIT OF JIMMY CRAW**

**NADA CROSSING ROAD**

**BEAVER COUNTY, UTAH**

**ROAD NUMBER B-133**

State of Utah                    )  
  : ss.  
County of Beaver                )

JIMMY CRAW, 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 Minersville, Beaver County, Utah. I have lived in Beaver County my entire life.

2. I have traveled and am familiar with a road in Beaver County known as Nada Crossing Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1945, it followed the same route as in 2006 when I last observed it. Attached is a Beaver County map showing Nada Crossing 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 1945 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by means of ATVs, trucks and cars. Throughout the time period from 1945 to 2006 the road has been used daily, weather permitting.

5. Throughout the time period from 1945 to 2006, I have used the road myself for livestock operations and traveling in and through the area.

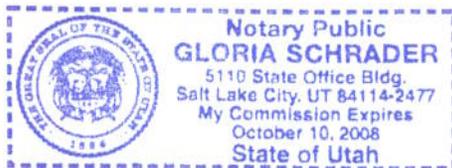
6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus prospecting. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 31 day of January, 2007.

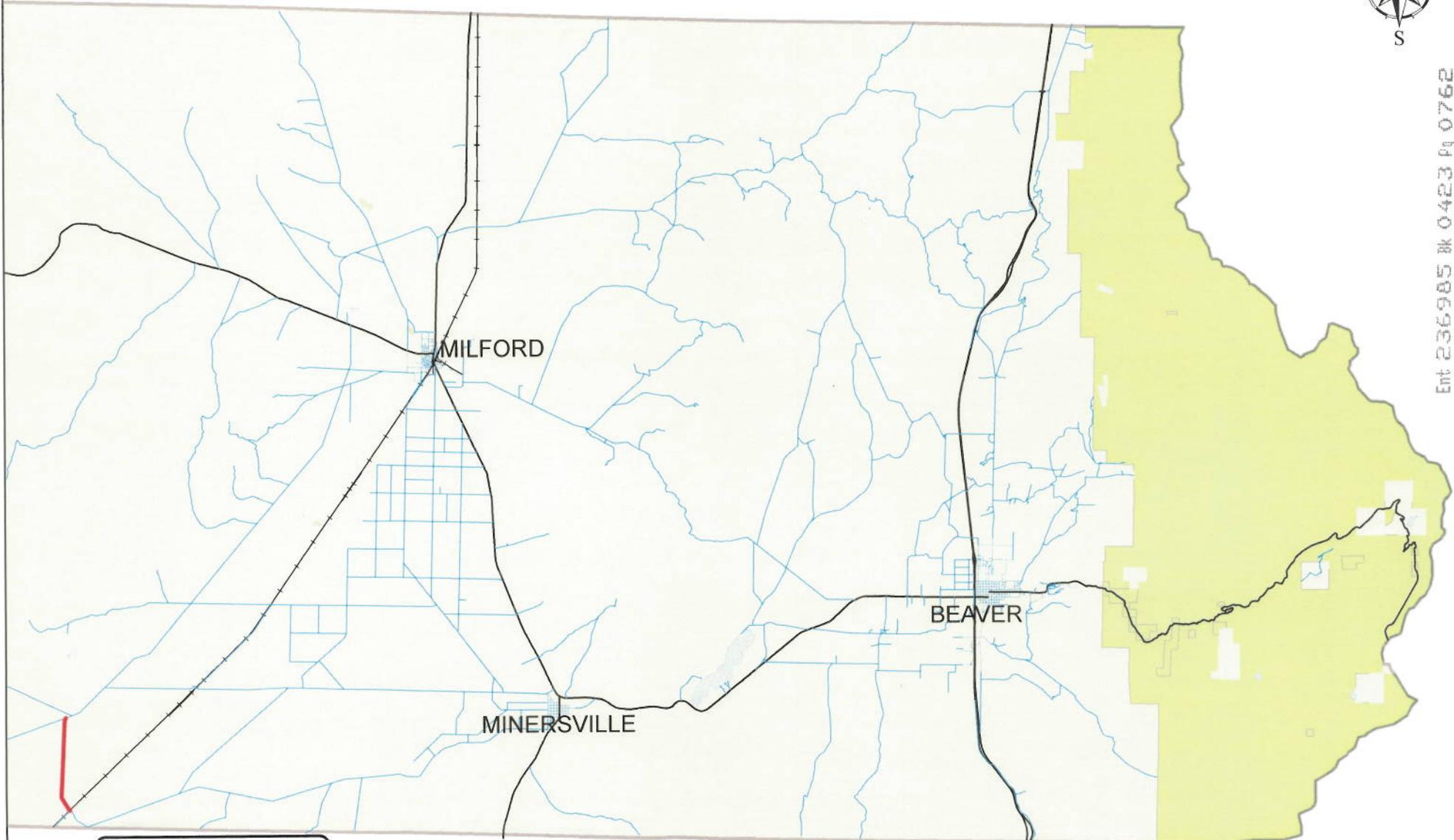
  
\_\_\_\_\_  
JIMMY CRAW

SUBSCRIBED AND SWORN to before me this 31<sup>st</sup> day of January, 2007.



  
\_\_\_\_\_  
NOTARY PUBLIC

# BEAVER COUNTY "B" ROADS



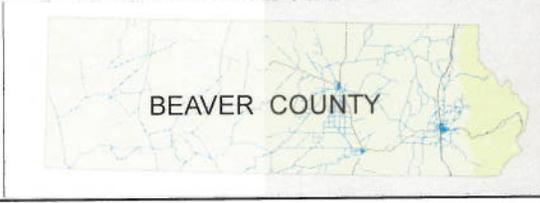
Ent 236985 Bk 0423 Pg 0762

**Legend**

- Nada Crossing
- County B Roads
- State Highways
- UPRR

**NADA CROSSING ROAD  
B-133**

MAP VIEW AREA



BEAVER COUNTY

## Exhibit B

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

**Popular Name: NADA CROSSING**

**County: Beaver**

**County Road Number: B-133**

**State Geographic Information Database (SGID) Road Identification Number: RD010033.**

**Total Road Length: 3.46 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 09 minutes 23.67 seconds North Latitude and -113 degrees 14 minutes 43.98 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,138,527.0 feet and Y = 10,389,696.2 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 12 minutes 18.39 seconds North Latitude and -113 degrees 14 minutes 57.92 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,137,744.5 feet and Y = 10,407,388.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 30 South Range 12 West, Section(s) 18,19,30,31, Salt Lake Base & Meridian

Township 30 South Range 13 West, Section(s) 25,36, Salt Lake Base & Meridian