Ent 265665 Bk 1056 Pg 1450
Date 3-Jul-2008 10:02AM Fee $0.00
LuAnn Adams - Filed By mm
Box Elder Co., UT
For STATE OF UTAH

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 Box Elder County known as Middle Pass Road; County Road Number: 17; State Geographic Information Database (SGID) Road Identification Number: RD020059.

This document supplements and supports the information contained in the document first recorded at **Ent 238509, Bk 988, Beg Pg 634,** as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **Nov. 19, 2007** at **Ent 255669 Bk 1030 Beg Pg 972** . 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

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.

Notary Public
DEBORAH MONTGOMERY
5110 State Office Bldg, PO Box 142477
Salt Lake City, Utah 84114
My Commission Expires
April 24, 2012
State of Utah

Dated this 27th day of June, 2008.

Notary Public

Exhibit A

AFFIDAVIT OF JOHN COLLOM

MIDDLE PASS ROAD

COUNTY ROAD NUMBER 17

BOX ELDER COUNTY, UTAH

State of Utah)
: ss.
County of Box Elder)

John Collom, 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 Box Elder County, Utah. I have been the Box Elder County Road Supervisor from 1983 to the present. I have been employed by the Box Elder County Road Department since 1961.

2. I have traveled, worked on and am familiar with a road in Box Elder County known as the Middle Pass 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 2006 when I last observed it. Attached is a Box Elder County map showing Middle Pass 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. The County also identifies this road according to the road number listed above.

3. 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 the present. Throughout this time period I have observed travel on the road by motor vehicles. Throughout this time period, the road has been used numerous times during the week with year-round access. It was used continuously for more than ten years prior to 1976.

4. Throughout the time period from 1961 to the present, I have traveled the road in my capacity as a Box Elder County road employee.

5. Throughout the time period described in the previous paragraph I have observed vehicles using the road at various times for ranching, hunting, sightseeing, camping, recreation and traveling in and through the area.

6. 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 the present, for the uses described in the previous paragraph.

7. The road has been maintained by the county since at least as early as the early 1960s when I came to work for the county.

DATED this 28 day of November, 2006.

John Collom

SUBSCRIBED AND SWORN to before me this 28th day of November, 2006.

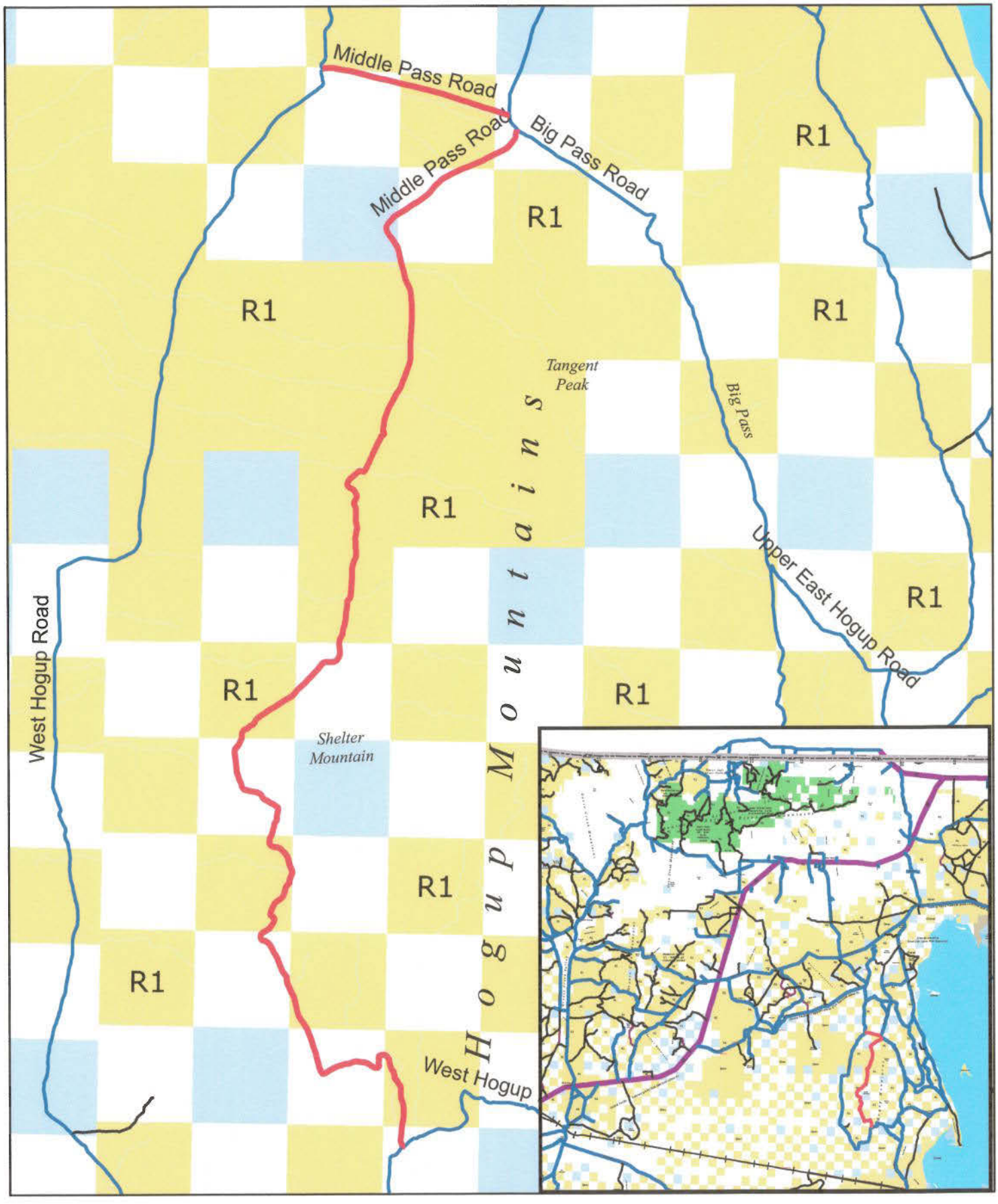
Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC

Road Name: Middle Pass Road
County Unique Number: 17

Bk 645 Pg 1454

0 0.4 0.8 1.6 2.4 3.2
Miles



AFFIDAVIT OF RICHARD D. ROCK

MIDDLE PASS ROAD

COUNTY ROAD NUMBER 17

BOX ELDER COUNTY, UTAH

State of Utah)
: ss
County of Box Elder)

Richard D. Rock, 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 Box Elder County, Utah. I have lived in Box Elder County 65 years. I have worked for the Box Elder County Road Department since 1963 and my father had worked for the road department many years before I started.

2. I have traveled and am familiar with a road in Box Elder County known as Middle Pass 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 2006 when I last observed it. Attached is a Box Elder County map showing Middle Pass 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. The County also identifies this road according to the road number listed above.

3. 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 the present. Throughout this time period I have observed travel on the road primarily by trucks and ATV's. Throughout this time period, the road has been used weekly for more than ten continuous years prior to 1976, and is presently used weekly.

4. Throughout the time period from the early 1960s to the present, I have used the road myself for hunting and county road work.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus ranching, sightseeing, recreation and traveling in and through the area. The road is often used for sheepherders who run their sheep in the area.

6. 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 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

7. This road was well established and graded before I started working for the county road department in 1963 and has been maintained since that time.

DATED this 28 day of November, 2006.

Richard D Rock
Richard D. Rock

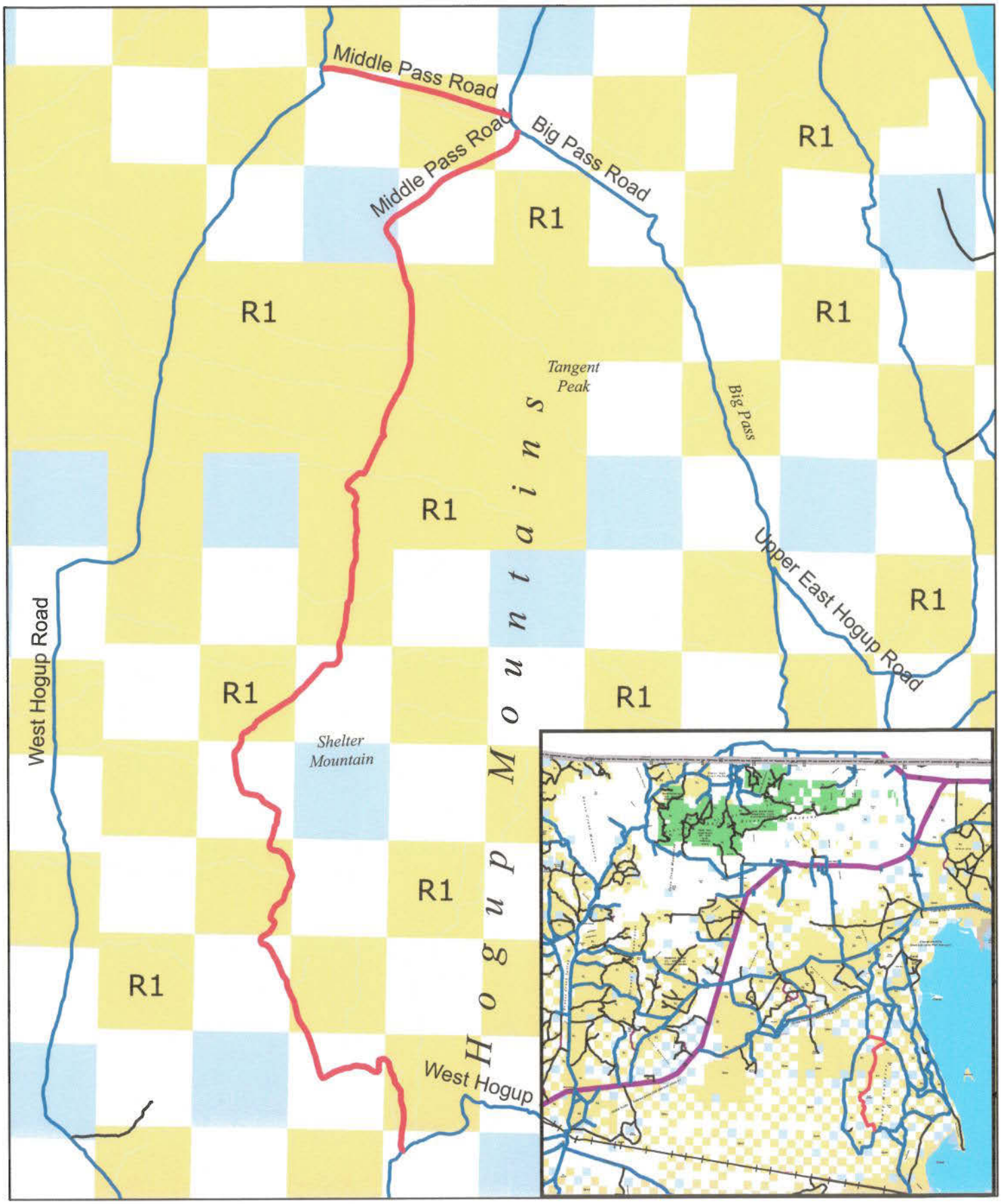
SUBSCRIBED AND SWORN to before me this 28th day of November, 2006.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

Gloria Schrader
NOTARY PUBLIC

Ent 265665 Bk 1056 Pg 1457

Road Name: Middle Pass Road
County Unique Number: 17



Ent 365665 Bk 1056 Pg 1458

EXHIBIT B

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

Popular Name: Middle Pass Road
County: Box Elder
County Road Number: 17
State Geographic Information Database (SGID) Road Identification Number: RD020059.
Total Road Length: 16.16 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 21 minutes 50.29 seconds North Latitude and -113 degrees 12 minutes 18.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,172,360.9 feet and Y = 3,660,925.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 31 minutes 39.08 seconds North Latitude and -113 degrees 13 minutes 34.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,167,816.0 feet and Y = 3,720,619.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 7 North Range 12 West, Section(s) 3, Salt Lake Base & Meridian
Township 8 North Range 12 West, Section(s) 4,8,9,17,20,28,29,33,34, Salt Lake Base & Meridian
Township 9 North Range 12 West, Section(s) 4,9,10,11,15,16,22,27,28,33, Salt Lake Base & Meridian
See Attachment 1 above for a cartographic depiction of the course of this road.