Ent 265687 Bk 1056 Pg 1648
Date 3-Jul-2008 10:35AM 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 Cotton Thomas Road; County Road Number: 8; State Geographic Information Database (SGID) Road Identification Number: RD020143.

This document supplements and supports the information contained in the document first recorded at **Ent 238531, Bk 988, Beg Pg 767,** as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **Nov. 19, 2007** at **Ent 255692 Bk 1030 Beg Pg 1111** . 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.

Dated this 27th day of June, 2008.

Notary Public

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

# Exhibit A

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**AFFIDAVIT OF JOHN COLLOM**

**COTTON THOMAS ROAD**

**COUNTY ROAD NUMBER 8**

**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 Cotton Thomas Road. 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 Box Elder County map showing Cotton Thomas 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 horseback, cars, recreational vehicles and trucks. 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 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, farming, hunting, mining, accessing school and institutional trust lands and traveling in and through the area. The road has always been a main thoroughfare road to the town of Grouse Creek in the summer.

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. Since I have been with the county road crew, we have regularly maintained the road by grading it at least once a year. The road was rebuilt three years ago, and was widened and straightened in parts. The road is sometimes graded as many as four and five times a year.

DATED this 28 day of November, 2006.

John Collom

John Collom

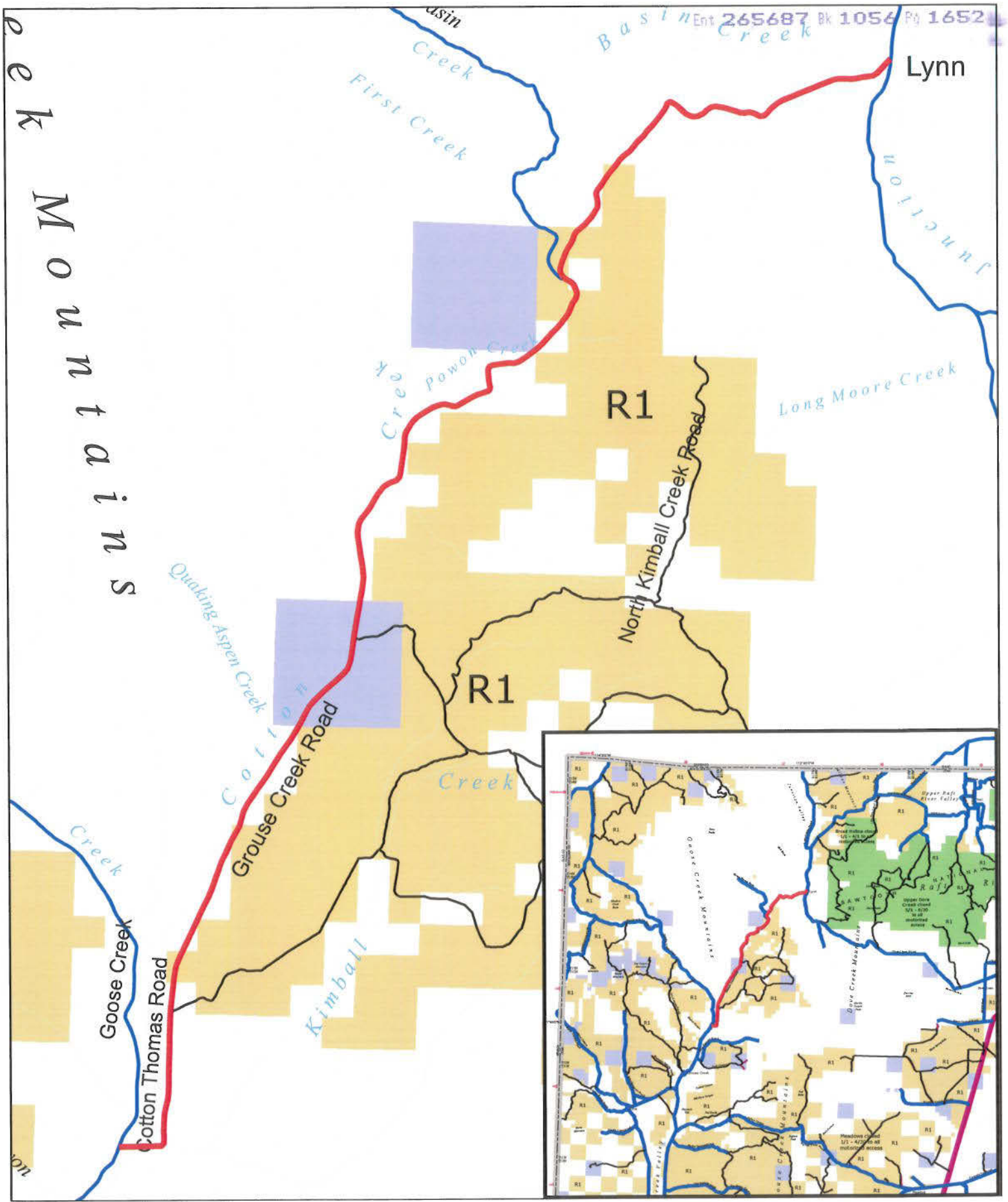
SUBSCRIBED AND SWORN to before me this 28th day of November, 2006.

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

Gloria Schrader

NOTARY PUBLIC

Road Name: Cotton Thomas Road
County Unique Number: 8



**AFFIDAVIT OF RICHARD D. ROCK**

**COTTON THOMAS ROAD**

**COUNTY ROAD NUMBER 8**

**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 Cotton Thomas 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 Cotton Thomas 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 2006. Throughout this time period I have observed travel on the road by various means, including cars, trucks, semi trucks and all types of motor vehicles. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and is presently

used daily.

4. Throughout the time period from the 1960s to 2006, I have used the road myself for hunting, fishing 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, farming, mining, accessing state school and institutional trust lands and traveling in and through the area. This road has been used as one of the main ways to access the town of Grouse Creek in the summer.

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. The road has been maintained by the county since at least the early 1960s. Since I have been with the county road crew, starting in 1963, we have regularly maintained the road by grading it at least once a year. The road was rebuilt in approximately 2000 and is now a gravel road. The road has always been very well maintained.

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

# Road Name: Cotton Thomas Road
# County Unique Number: 8

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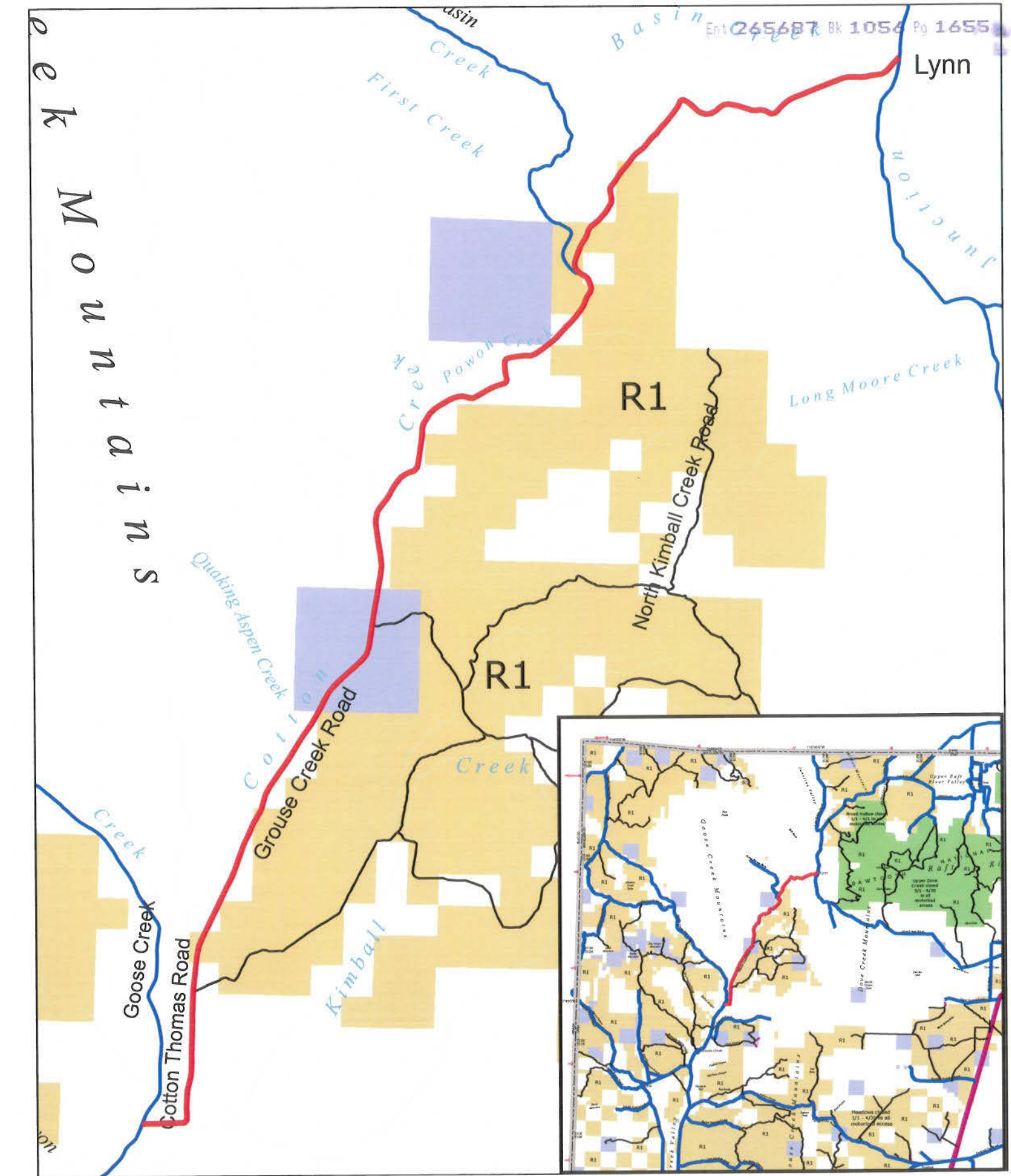

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# Exhibit B

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

**Popular Name: Cotton Thomas Road**
**County: Box Elder**
**County Road Number: 8**
**State Geographic Information Database (SGID) Road Identification Number: RD020143.**
**Total Road Length: 12.27 miles more or less.**

**Beginning at a point** on the road centerline located at 41 degrees 45 minutes 03.91 seconds North Latitude and -113 degrees 51 minutes 21.56 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 997,605.3 feet and Y = 3,806,103.6 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 41 degrees 52 minutes 40.46 seconds North Latitude and -113 degrees 44 minutes 33.91 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,029,686.5 feet and Y = 3,851,484.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 12 North Range 17 West, Section(s) 5,6,7,18,19, Salt Lake Base & Meridian
Township 12 North Range 18 West, Section(s) 24, Salt Lake Base & Meridian
Township 13 North Range 17 West, Section(s) 1,2,10,11,15,16,20,21,29,32, Salt Lake Base & Meridian