Ent 265693 Bk 1056 Pg 1702
Date 3-Jul-2008 10:42AM 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 Old Railroad Grade Road; County Road Number: 88; State Geographic Information Database (SGID) Road Identification Number: RD020153.

This document supplements and supports the information contained in the document first recorded at **Ent 238536, Bk 988, Beg Pg 797,** as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **Nov. 19, 2007** at **Ent 255697 Bk 1030 Beg Pg 1141** . 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
DEBORAH MONTGOMERY
5110 State Office Bldg. PO Box 142477
Salt Lake City, Utah 84114
My Commission Expires
April 24, 2012
State of Utah

Notary Public

Exhibit A

Ent 265693 Bk 1056 Pg 1704

AFFIDAVIT OF JOHN COLLOM

OLD RAILROAD GRADE ROAD

COUNTY ROAD NUMBER 88

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 and am familiar with a road in Box Elder County known as Old Railroad Grade Road (also known as Watercress Road on the west end). I am also familiar with the land the road traverses. When I first used and observed the road in 1961, it followed the same route as in 2006 when I last observed it. Attached is a Box Elder County map showing Old Railroad Grade 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 1961 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 daily 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, search and rescue, law enforcement, property access, access to grazing areas, 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. I have participated, in my capacity as a road employee, in the maintenance of this road with graders and other similar road equipment prior to 1976 and continuing to the present.

DATED this 28 day of November, 2006.

John Collom

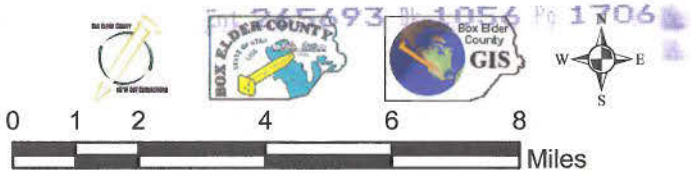
SUBSCRIBED AND SWORN to before me this 28th day of November, 2006.

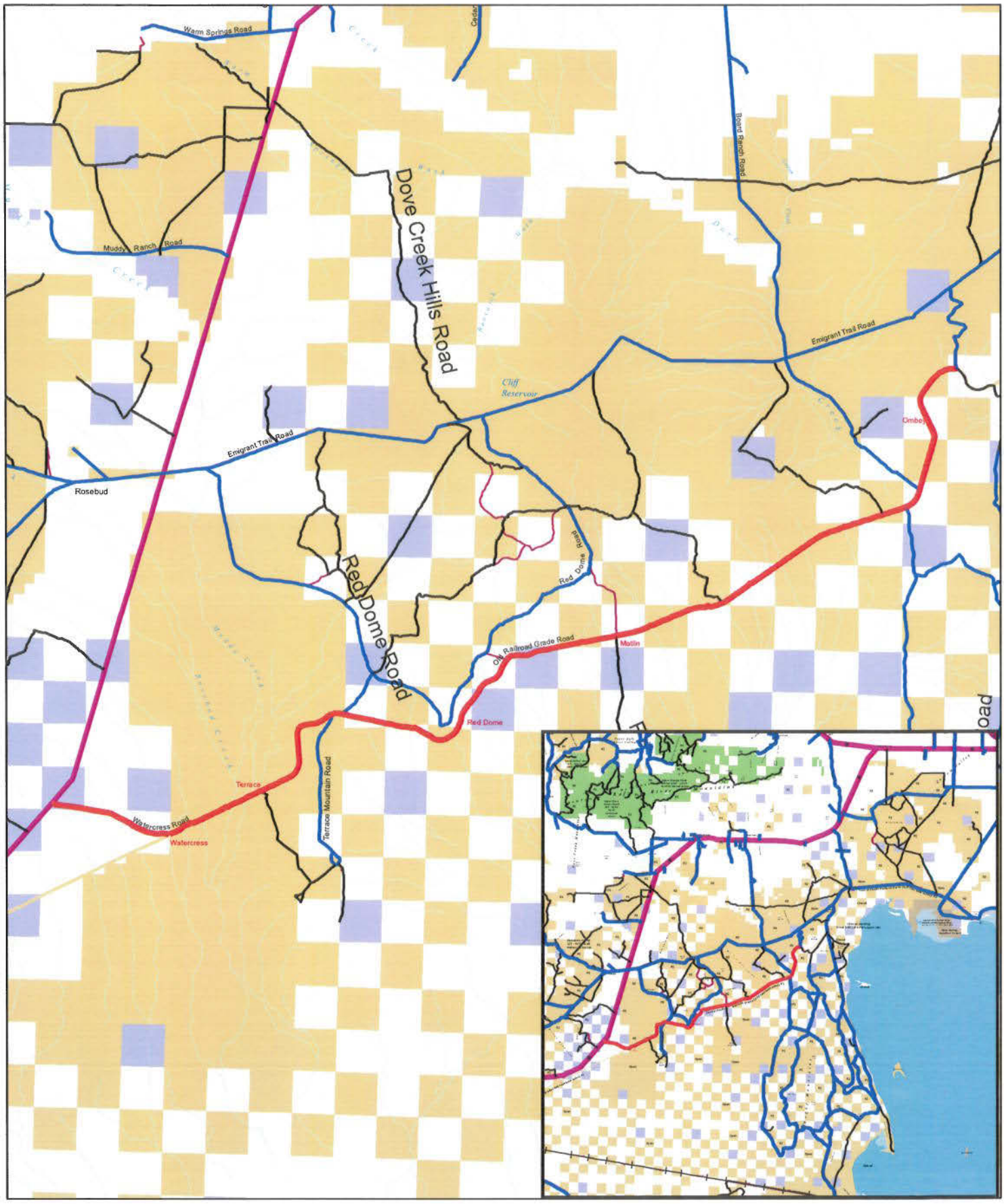
Notary Public
GLORIA SCHRADER
5110 State Office Bldg
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

Gloria Schrader
NOTARY PUBLIC

Road Old Railroad Grade Road
County Unique Number: 88

Bk 965693 Pg 1706





Ent 265693 Bk 1056 Pg 1707

AFFIDAVIT OF ALAN ANDREASEN

OLD RAILROAD GRADE

COUNTY ROAD NUMBER 88

BOX ELDER COUNTY, UTAH

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

Alan Andreasen, 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 employed with the Box Elder County Road Department from 1964 to the present and currently serve as Gravel and Oil Lead Man.

2. I have traveled and am familiar with a road in Box Elder County known as Old Railroad Grade Road (County Road Number 88). I am also familiar with the land the road traverses. When I first used and observed the road in 1965, it followed the same route as in 2006 when I last observed it. Attached is a Box Elder County map showing Old Railraod Grade Road (County Road Number 88). 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 1965 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 year with seasonal access and the heaviest use during the warmer seasons. It was used continuously for more than ten years prior to 1976.

4. Throughout the time period from 1965 to the present, I have traveled the road in my capacity as a Box Elder County Road Department 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, recreation, search and rescue, law enforcement, property access, access to grazing areas 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. I have observed and/or participated in, in my capacity as a Box Elder County Road Department employee, maintenance of this road with graders and other similar road equipment prior to 1976 and continuing to the present.

DATED this 28 day of November, 2006.

Alan Andreasen

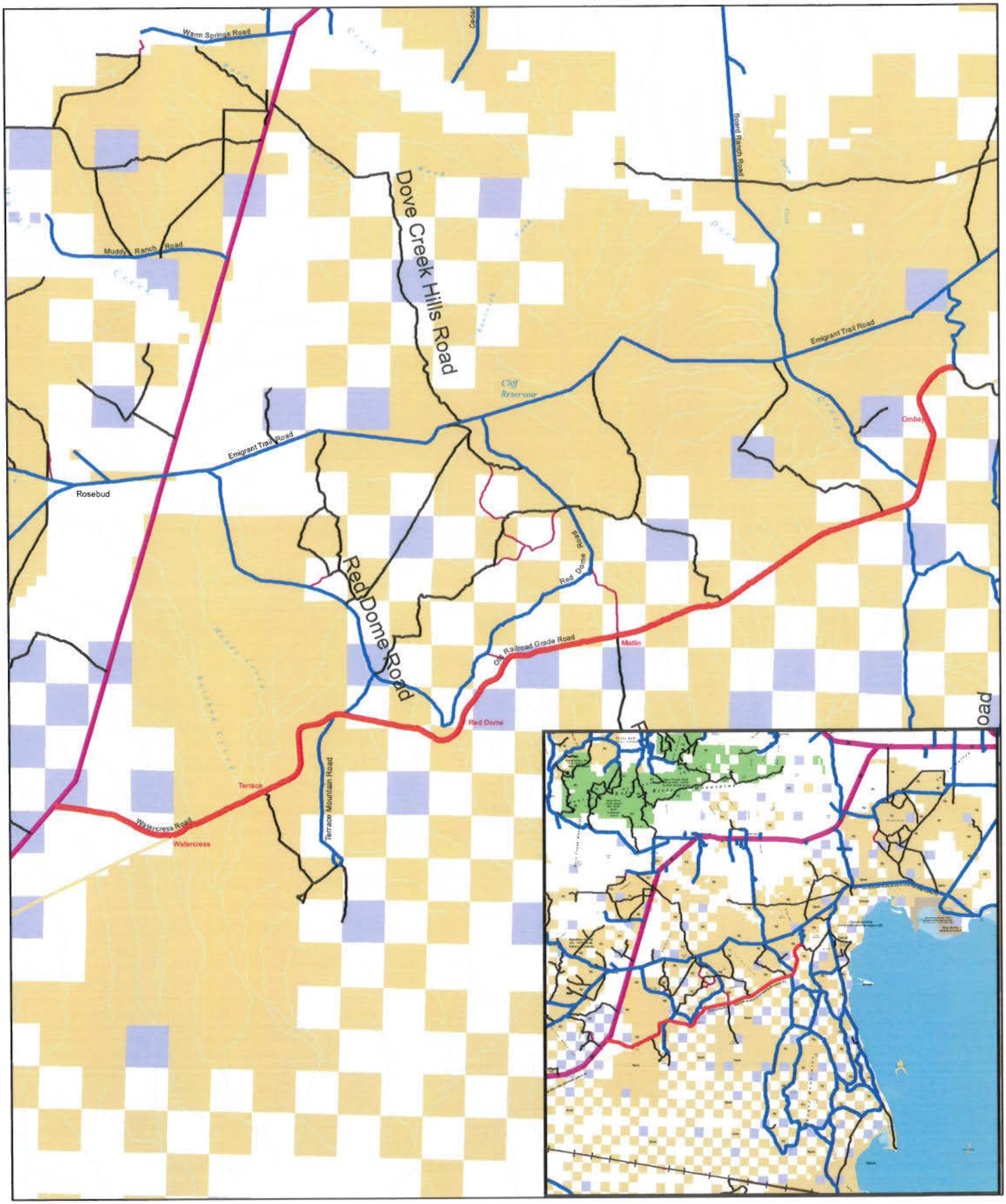
SUBSCRIBED AND SWORN to before me this 28th day of November, 2006.

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

Ent 265693 Bk 1056 Pg 1709

Road Old Railroad Grade Road
County Unique Number: 88



0 1 2 4 6 8 Miles

N W E S

ENT 265693 BK 1056 PG. 1710

EXHIBIT B

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

Popular Name: Old Railroad Grade Road
County: Box Elder
County Road Number: 88
State Geographic Information Database (SGID) Road Identification Number: RD020153.
Total Road Length: 27.53 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 29 minutes 47.82 seconds North Latitude and -113 degrees 36 minutes 43.14 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,061,912.6 feet and Y = 3,711,695.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 39 minutes 10.76 seconds North Latitude and -113 degrees 12 minutes 33.84 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,173,291.3 feet and Y = 3,766,237.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 North Range 12 West, Section(s) 4,7,8,9,17,18, Salt Lake Base & Meridian
Township 10 North Range 13 West, Section(s) 13,22,23,24,27,28,29,30,31, Salt Lake Base & Meridian
Township 10 North Range 14 West, Section(s) 35,36, Salt Lake Base & Meridian
Township 11 North Range 12 West, Section(s) 27,28,33, Salt Lake Base & Meridian
Township 9 North Range 14 West, Section(s) 2,3,4,5,6,7,10,9, Salt Lake Base & Meridian
Township 9 North Range 15 West, Section(s) 1,12,13,14,17,18,20,21,22,23, Salt Lake Base & Meridian
See Attachment 1 above for a cartographic depiction of the course of this road.