

Exhibit A

00574706

B: 1138 P: 1841 Fee \$0.00
Patsy Cutler, Iron County Recorder Page 2 of 9
06/30/2008 10:12:48 AM By GOVERNOR/STATE OF UTAH



AFFIDAVIT OF LYNN FIACK
NORTH HILLS BENCH ROAD
IRON COUNTY, UTAH
ROAD NUMBER 18

State of Utah)
 : ss.
County of Iron)

LYNN FIACK, 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 Iron County, Utah. I have lived in Iron County since 1942. I was an employee of the Iron County Road Department from 1963 to 1987 and served as the Road Foreman from 1974 to 1987. I participated in the maintenance of the above referenced road during that time.

2. I have traveled and am familiar with a road in Iron County known as North Hills Bench 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 1987 when I last observed it. Attached is a Iron County map showing North Hills Bench 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 the early 1960s and continuing through 1976 to 1987. Throughout this time period I have observed travel on the road by means of pickup trucks, cars, road maintenance vehicles and trucks. Throughout this time period, the road has been used weekly.

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5. Throughout the time period from the early 1960s to 1987, I have used the road myself for road maintenance and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed vehicles from the general public using the road at various times for livestock operations, hunting, and traveling in and through the area.

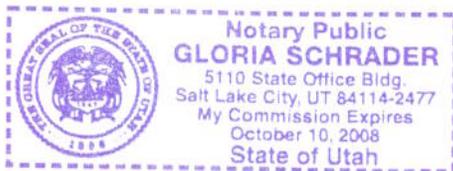
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 21 day of December, 2006.


LYNN FIACK

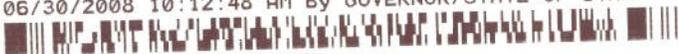
SUBSCRIBED AND SWORN to before me this 21st day of December, 2006.



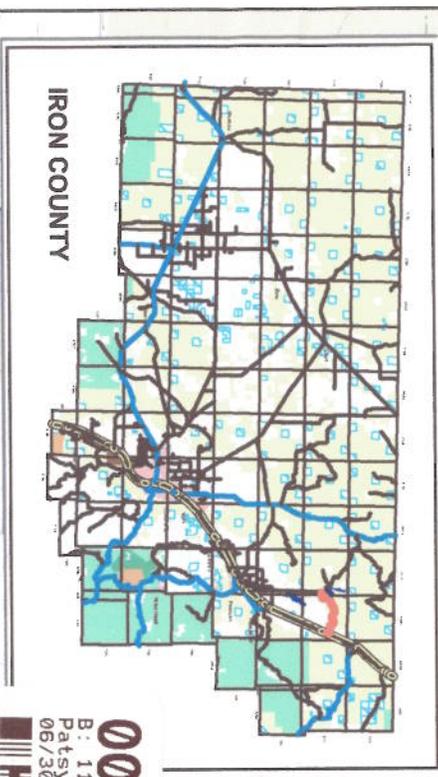
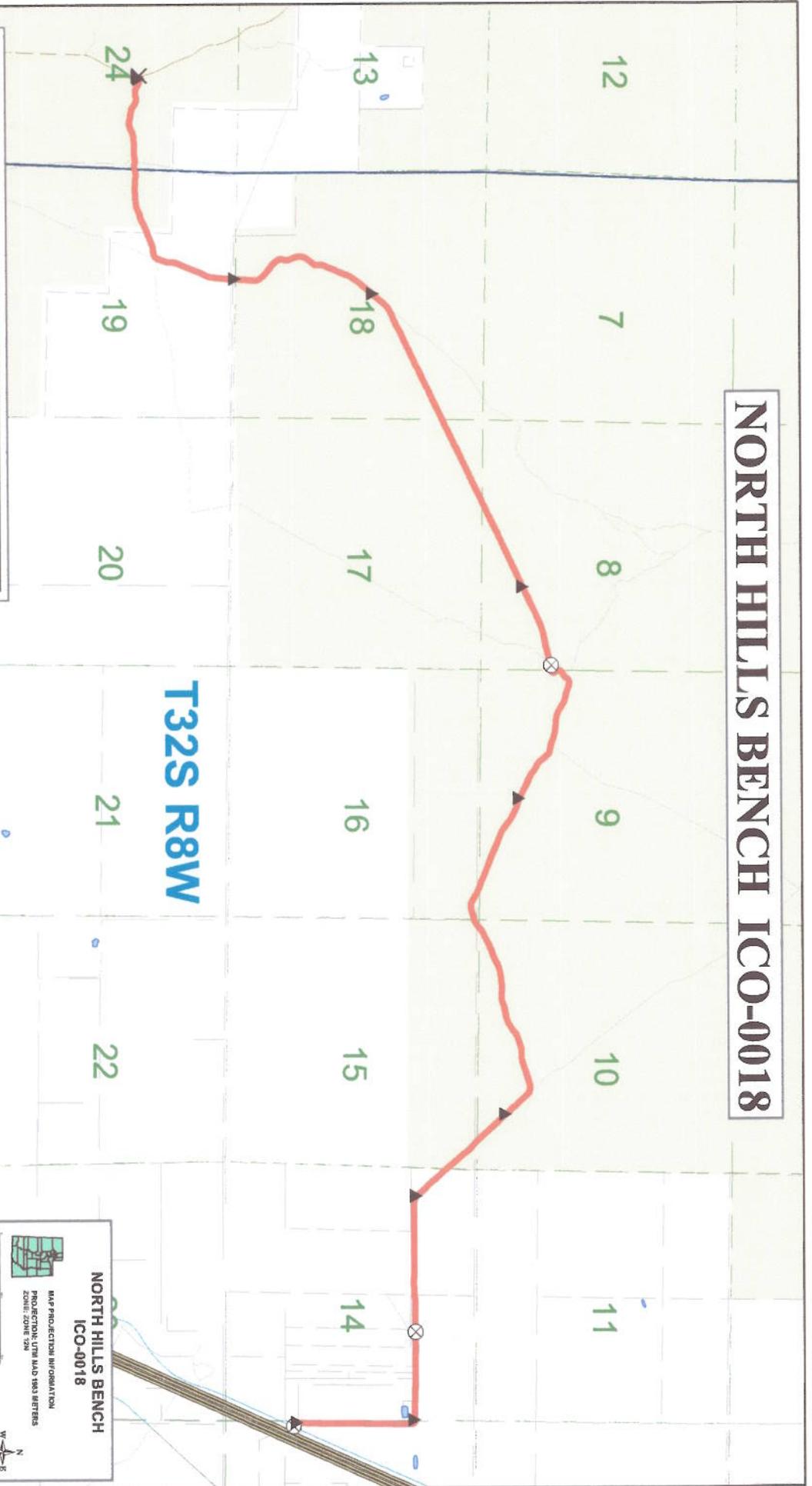

NOTARY PUBLIC

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NORTH HILLS BENCH ICO-0018



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NORTH HILLS BENCH
ICO-0018

MAP PROJECTION INFORMATION
 PROJECTION: UTM
 ZONE: 50N
 UNIT: METERS

SECTION NUMBERING SYSTEM
 SECTIONS ARE MAINTAINED BY ROW COUNTY AND WERE LAST UPDATED ON FEBRUARY 25, 2008

LEGEND:

- RAILROAD
- LOCAL ROAD/TRAIL
- PAVED ROAD
- GRAVEL ROAD
- DIRT ROAD
- INTERSTATE I5
- STATE HIGHWAY
- TOWNSHIPS
- SECTIONS
- WATER BODIES
- NORTH HILLS BENCH
- Gate
- Jct DND
- Road Photo
- BLM
- FOREST
- PARKS
- PRIVATE
- STATE
- WILDERNESS

IRON COUNTY GIS

AFFIDAVIT OF NEIL JAMIESON FORSYTH

NORTH HILLS BENCH ROAD

IRON COUNTY, UTAH

ROAD NUMBER 18

State of Utah)
 : ss.
County of Iron)

NEIL JAMIESON FORSYTH, 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 Iron County, Utah. I have lived in Iron County since 1954. I am an employee of the Iron County Road Department and have been since August of 1974. I have been the Road Foreman since July of 1987. I have participated in the maintenance of the above referenced road throughout the time period of my employment.

2. I have traveled and am familiar with a road in Iron County known as North Hills Bench Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1970s, it followed the same route as in 2006 when I last observed it. Attached is a Iron County map showing North Hills Bench 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 the early 1970s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by means of cars, pickup trucks and road maintenance vehicles. Throughout this time period, the road has been used daily.

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5. Throughout the time period from the early 1970s to the present, I have used the road myself for hunting and 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, farming, travel to and from schools, wood gathering, recreation, government access and traveling in and through the area.

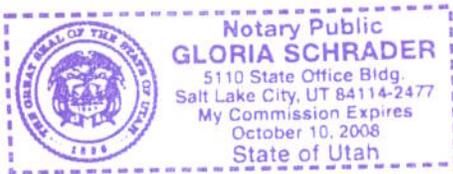
7. It is also the reputation in the community that this road has been open o the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 20th day of December, 2006.


NEIL JAMIESON FORSYTH

SUBSCRIBED AND SWORN to before me this 20th day of December, 2006.




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NORTH HILLS BENCH ICO-0018

T32S R8W



IRON COUNTY

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NORTH HILLS BENCH
ICO-0018

MAP PROJECTION INFORMATION
PROJECTION: UTM
ZONE: 12N
EARTH MODEL: WGS 84

SECTION NUMBERING SYSTEM
SUBSEQUENCE ARE MAINTAINED BY ROW COUNTY AND WERE LAST UPDATED ON FEBRUARY 25, 2008

	NORTH HILLS BENCH		Gate
	RAILROAD		Jct DND
	LOCAL ROAD/TRAIL		Road Photo
	PAVED ROAD		BLM
	GRAVEL ROAD		FOREST
	DIRT ROAD		PARKS
	INTERSTATE 15		PRIVATE
	STATE HIGHWAY		STATE
	TOWNSHIPS		WILDERNESS
	SECTIONS		
	WATER BODIES		

IRON COUNTY GIS

Exhibit B

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

Popular Name: NORTH HILLS BENCH ROAD

County: Iron

County Road Number: 18

State Geographic Information Database (SGID) Road Identification Number: RD110018.

Total Road Length: 18.49 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 04 minutes 32.85 seconds North Latitude and -112 degrees 57 minutes 28.53 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,220,760.1 feet and Y = 10,358,866.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 01 minutes 05.89 seconds North Latitude and -112 degrees 43 minutes 06.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,289,433.5 feet and Y = 10,336,946.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 31 South Range 10 West, Section(s) 25,26,27,35,36, Salt Lake Base & Meridian

Township 31 South Range 9 West, Section(s) 31,32, Salt Lake Base & Meridian

Township 32 South Range 8 West, Section(s) 8,9,10,13,14,15,16,17,18,19, Salt Lake Base & Meridian

Township 32 South Range 9 West, Section(s) 3,4,5,10,11,13,14,24, Salt Lake Base & Meridian

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