

Exhibit A

00574740

B: 1139 P: 290 Fee \$0.00 Page 2 of 9
Patsy Cutler, Iron County Recorder
06/30/2008 10:31:28 AM By GOVERNOR/STATE OF UTAH



AFFIDAVIT OF LYNN FIACK

1600 WEST BERYL ROAD

IRON COUNTY, UTAH

ROAD NUMBER 226

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 1600 West Beryl 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 1600 West Beryl 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 and road maintenance vehicles. Throughout this time period, the road has been used daily.

5. Throughout the time period from the early 1960s to 1987, I have used the road

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myself for 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, travel to and from schools, farming and traveling in and through the area.

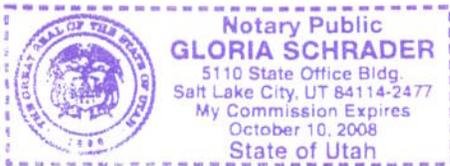
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 26 day of December, 2006.


LYNN FIACK

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




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1600 WEST BERYL ICO-0226

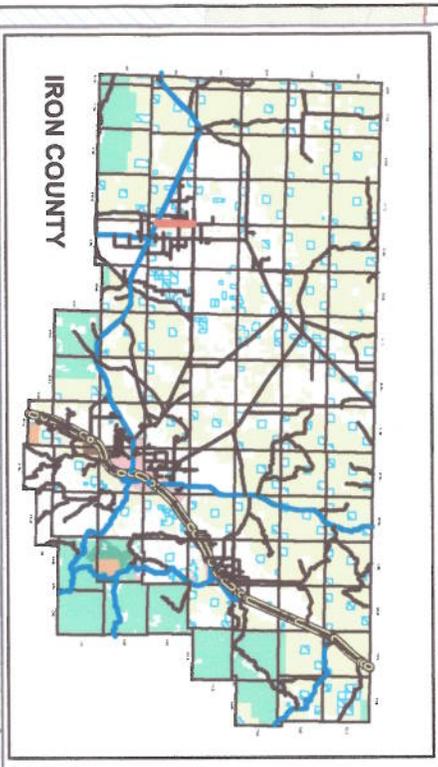
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T35S R17W

T35S R16W



1600 WEST BERYL
ICO-0226

MAP PROJECTION INFORMATION
 PROJECTION: UTM MGRS METERS
 ZONE: 12N

SECTION NUMBERING SYSTEM
 QUADROSSINGS ARE MAINTAINED BY IRON COUNTY GIS DEPARTMENT SINCE FEBRUARY 28, 2006

IRON COUNTY GIS

X	Jct DND	BLM
▲	Road Prick	FOREST
▲	1600 WEST BERYL	PARKS
—	RAILROAD	PRIVATE
—	LOCAL ROAD/TRAIL	STATE
—	PAVED ROAD	WILDERNESS
—	GRAVEL ROAD	TOWNSHIPS
—	DIRT ROAD	SECTIONS
—	INTERSTATE 15	WATER BODIES
—	STATE HIGHWAY	

AFFIDAVIT OF NEIL JAMIESON FORSYTH

1600 WEST BERYL ROAD

IRON COUNTY, UTAH

ROAD NUMBER 226

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 1600 West Beryl 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 1600 West Beryl 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 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, mail delivery, government access and traveling in and through the area.

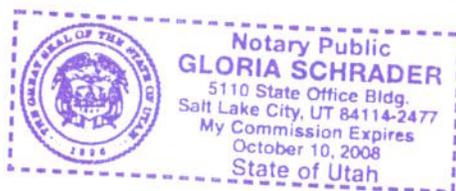
7. It is also the reputation in the community that this road has been open o the public for all to use, to come and go as they pleased, since at least as early as the 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 20th day of December, 2006.


NEIL JAMESON FORSYTH

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




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1600 WEST BERYL ICO-0226

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T35S R17W

T35S R16W

1600 WEST BERYL
 ICO-0226

SECTION NUMBERING SYSTEM
 SUBDIVISIONS ARE MAINTAINED BY IRON COUNTY RECORDERS OFFICE ON FEBRUARY 28, 2005

MAP PROJECTION INFORMATION
 PROJECTION: UTM WAD 8983 METERS
 ZONE: 12N



- X Jct DND
- ▲ Road Right
- ▲ 1600 WEST BERYL
- RAILROAD
- LOCAL ROAD/RAIL
- PAVED ROAD
- GRAVEL ROAD
- DIRT ROAD
- INTERSTATE 15
- STATE HIGHWAY
- BLM
- FOREST
- PARKS
- PRIVATE
- STATE
- WILDERNESS
- TOWNSHIPS
- SECTIONS
- WATER BODIES



IRON COUNTY



Exhibit B

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

Popular Name: 1600 WEST BERYL ROAD

County: Iron

County Road Number: 226

State Geographic Information Database (SGID) Road Identification Number: RD110226.

Total Road Length: 7.48 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 43 minutes 21.63 seconds North Latitude and -113 degrees 41 minutes 034.4 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,006,221.8 feet and Y = 10,234,447.1 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 49 minutes 52.11 seconds North Latitude and -113 degrees 41 minutes 34.48 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,007,141.9 feet and Y = 10,273,932.5 feet based on the US Survey Foot conversion.

This road may traverse:

Township 34 South Range 16 West, Section(s) 19,30, Salt Lake Base & Meridian

Township 34 South Range 17 West, Section(s) 24,25,36, Salt Lake Base & Meridian

Township 35 South Range 16 West, Section(s) 7,18, Salt Lake Base & Meridian

Township 35 South Range 17 West, Section(s) 1,12,13,24,25, Salt Lake Base & Meridian

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