

DOC # 00354993

Affidavits B: 0603 P: 0235
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07/01/2008 11:53:25 AM Fee \$0.00 By GOVERNOR OF 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 Sevier County known as 1039d, 83p_Poverty Flat Road; County Road Number: 6473; State Geographic Information Database (SGID) Road Identification Number: RD210082.

This document supplements and supports the information contained in the document first recorded at Doc # 00344676, Bk 0561, Beg Pg 0451, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on 2/13/2008 at Doc #00352491 Bk 0591, Beg Pg 0666 . 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 25th day of June, 2008.

By the Governor's Designee

John Harja
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 25th day of June, 2008.



Pamela Z. Blackham
Notary Public

Exhibit A

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AFFIDAVIT OF JOAN ANDERSON

POVERTY FLAT ROAD

SEVIER COUNTY, UTAH

COUNTY ROAD NUMBER 6473

State of Utah)
 : ss.
County of Sevier)

JOAN ANDERSON, 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 Marysvale, Piute County, Utah. I have lived in Piute County 65 years.
2. I have traveled and am familiar with a road in Sevier County known to me as the Poverty Flat Road (County Road Number 6473). I am also familiar with the land the road traverses. When I first used and observed the road in the late 1940's and the early 1950's, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing Poverty Flat Road (County Road Number 6473). 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 late 1940's and the early 1950's and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including cars, trucks, ATV's, cement trucks, Utah Power & Light trucks, Questar trucks, Search & Rescue, and Sevier County Sheriff's Department vehicles. Throughout this time period, the road has been used daily.

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5. Throughout the time period from the late 1940's and the early 1950's to 2006, I have used the road myself for the following uses: Rock hounding, geo caching, rabbit hunting, wood gathering, and sightseeing.

6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: Ranchers herded livestock through there, and they still do.

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 late 1800's and continuing through 1976 to 2006, for the uses described in the previous paragraphs, plus the following uses: Recreation, wood gathering, and looking for water out there.

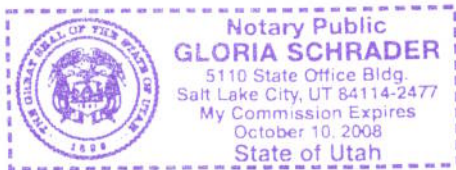
8. Prior to 1976, I observed graders and backhoes performing maintenance/construction activities on the road,

DATED this 16 day of November, 2006.



JOAN ANDERSON

SUBSCRIBED AND SWORN to before me this 16th day of November, 2006.





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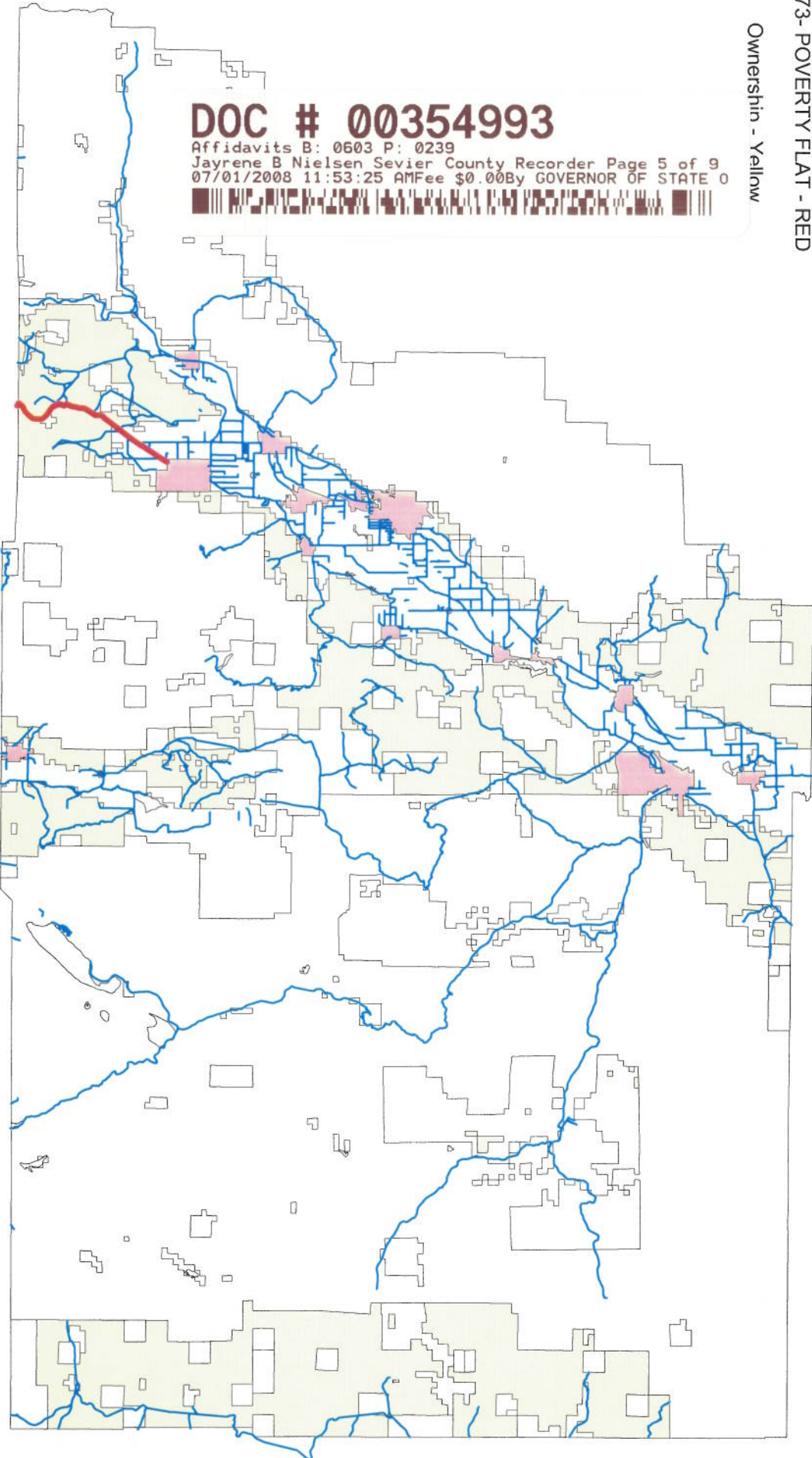

Class "B" Maintained Roads - Blue

6473- POVERTY FLAT - RED

Ownership - Yellow

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SEVIER COUNTY

RS2477

October 18, 2006

AFFIDAVIT OF R. KENT PARSONS

POVERTY FLAT ROAD

SEVIER COUNTY, UTAH

COUNTY ROAD NUMBER 6473

State of Utah)
 : ss.
County of Sevier)

KENT PARSONS, 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 Monroe, Sevier County, Utah. I have lived in Sevier County since 1932.
2. I have traveled and am familiar with a road in Sevier County known as the Poverty Flat Road (County Road Number 6473). I am also familiar with the land the road traverses. When I first used and observed the road in 1950, it followed the same route as in 2006 when I last observed it. Attached is a Sevier County map showing the Poverty Flat Road (County Road Number 6473). 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 1950 and continuing through 1976 to 2006. During this time period I have observed travel on the road by various means, including automobiles, pickup trucks, motorcycles, and four wheelers. During this time period, the road has been used daily.
5. During the time period from 1950 to 2006, I have used the road myself for the following uses: accessing the towers, herding sheep, and traveling in and through the area.



6. During the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: livestock operations, recreation, and traveling in and through the area.

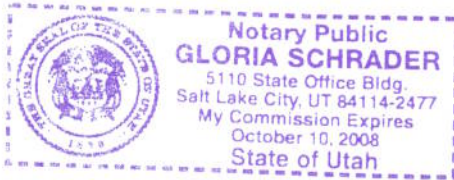
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1920's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed graders performing maintenance and construction activities. I have also maintenance equipment doing flood repair work.

DATED this 15 day of November, 2006.


KENT PARSONS

SUBSCRIBED AND SWORN to before me this 15th day of November, 2006.




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SEVIER COUNTY
RS2477
October 18, 2006

Class "B" Maintained Roads - Blue
6473- POVERTY FLAT - RED

Ownership Valley...

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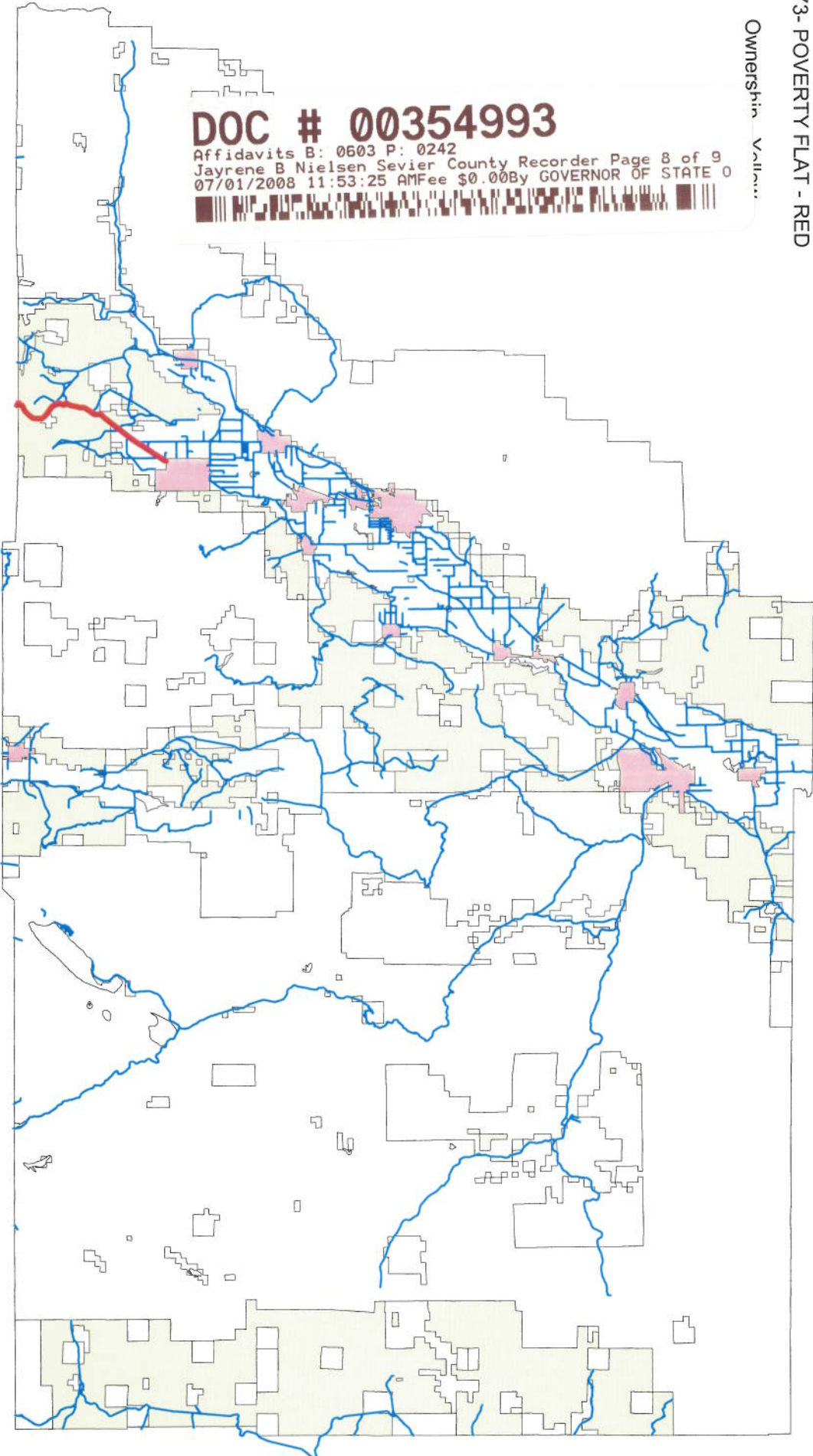


Exhibit B

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

Popular Name: 1039d, 83p_Poverty Flat Road

County: Sevier

County Road Number: 6473

State Geographic Information Database (SGID) Road Identification Number: RD210082.

Total Road Length: 8.49 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 30 minutes 40.05 seconds North Latitude and -112 degrees 10 minutes 043.4 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,446,168.7 feet and Y = 6,627,165.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 36 minutes 39.68 seconds North Latitude and -112 degrees 07 minutes 54.07 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,459,887.0 feet and Y = 6,663,453.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 25 South Range 3 West, Section(s) 21,28,29,31,32, Salt Lake Base & Meridian
Township 26 South Range 3 West, Section(s) 6,7,18,19,30, Salt Lake Base & Meridian
Township 26 South Range 4 West, Section(s) 12,13,25, Salt Lake Base & Meridian

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