

**Supplement to Acknowledgment and
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 Acknowledgment and Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Acknowledgment and Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Utah County known as BROAD CANYON ROAD; County Road Number: B823; State Geographic Information Database (SGID) Road Identification Number: RD250001.

This document supplements and supports the information contained in the document recorded on **Feb. 26, 2008** at **Ent: 21729:2008, Beg Pg 1**. 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 Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 3rd day of July, 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 3rd day of July, 2008.





Notary Public

Exhibit A

AFFIDAVIT OF CLYDE R. NAYLOR

BROAD CANYON ROAD

UTAH COUNTY, UTAH

COUNTY "B" ROAD NUMBER B 823

STATE OF UTAH)
 :SS
COUNTY OF UTAH)

I, CLYDE R. NAYLOR, being first sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based on my personal knowledge.
2. My educational background includes a B.E.S. degree in Civil Engineering and M.S. degree in Structural Engineering, both from Brigham Young University.
3. I am currently a member of the American Public Works Association where I was the past chapter president and a past National Institute for Transportation Executive Council Member, a member of the American Society of Civil Engineers, and a member of the Utah Council of Land Surveyors.
4. I have been the Utah County Surveyor from January 1979 to December 31, 2006, the Utah County Engineer from January 1980 to the present, and the Utah County Public Works Director from January 1991 to the present. During these time periods, I have been personally familiar with Utah County's construction and maintenance activities on county roads, including the "B" road known as the Broad Canyon Road that runs from Twelve Mile Pass Road westerly and southerly to Broad Canyon. A map of the road is attached hereto as Exhibit "A".

5. The road is known as Utah County "B" road # B 823. The road is a dirt road located in Township 8 South, Range 3 West and Township 9 South, Range 3 West. The 2.87 miles length of the road, located in Sections 35 and 36 of Township 8 South, Range 3 West and Section 11 of Township 9 South, Range 3 West runs across federal property.
6. As the Utah County Surveyor, I have supervised a center line survey of the segments of the Broad Canyon Road believed to be in the ownership of the Bureau of Land Management.

The center line descriptions are as follows:

SEGMENT 1:

Commencing at a point located at the centerline of Broad Canyon Road, said point being located 2457.12 feet West and 5079.37 feet North from the Northeast Corner of Section 1, Township 9 South, Range 3 West, Salt Lake Base and Meridian; thence the following along said centerline: North 65° 14' 34" West 366.37 feet; North 73° 36' 43" West 229.72 feet; North 81° 46' 36" West 160.63 feet; North 86° 43' 17" West 243.86 feet; South 84° 19' 06" West 140.88 feet; South 81° 34' 13" West 307.80 feet; South 70° 22' 28" West 112.37 feet; South 67° 44' 34" West 181.95 feet; South 69° 25' 32" West 261.48 feet; South 63° 53' 47" West 415.81 feet; South 71° 55' 54" West 93.74 feet; South 78° 07' 06" West 90.03 feet; South 82° 29' 52" West 131.79 feet; South 89° 33' 30" West 106.46 feet; North 75° 18' 42" West 572.73 feet; South 84° 40' 36" West 61.91 feet; South 73° 00' 04" West 216.11 feet; South 82° 03' 58" West 398.26 feet; North 87° 53' 47" West 111.74 feet; North 79° 09' 18" West 344.48 feet; North 79° 17' 42" West 291.50 feet; North 87° 19' 17" West 70.21 feet; South 84° 05' 38" West 95.67 feet; South 72° 23' 15" West 54.23 feet; South 62° 10' 30" West 156.43 feet; South 53° 45' 15" West 158.20 feet; South 44° 26' 26" West 208.00 feet; South 39° 50' 53" West 247.93 feet; South 37° 38' 26" West

433.10 feet; South 33° 50' 50" West 124.47 feet; South 29° 47' 48" West 239.2 feet; South 24° 06' 55" West 171.68 feet; South 18° 48' 35" West 267.81 feet; South 10° 42' 55" West 302.26 feet; South 07° 38' 35" West 619.19 feet; South 08° 51' 40" West 298.91 feet; South 11° 08' 07" West 627.16 feet; South 12° 20' 32" West 881.85 feet; South 10° 13' 07" West 316.79 feet; South 07° 53' 54" West 588.08 feet.

SEGMENT 3:

Commencing at a point located at the centerline of Broad Canyon Road, said point being located 5221.33 feet South and 9312.16 feet West from the Northeast Corner of Section 1, Township 9 South, Range 3 West, Salt Lake Base and Meridian; thence the following along said centerline: South 10° 28' 17" West 116.80 feet; South 03° 50' 26" West 133.20 feet; South 03° 28' 31" East 174.24 feet; South 10° 49' 30" West 351.67 feet; South 18° 39' 28" West 133.36 feet; South 29° 01' 21" West 213.91 feet; South 17° 24' 50" West 187.43 feet; South 07° 36' 04" West 61.25 feet; South 08° 24' 12" East 173.32 feet; South 12° 47' 03" West 77.39 feet; South 01° 09' 46" West 192.03 feet; South 12° 45' 46" East 125.36 feet; South 18° 01' 15" East 201.90 feet; South 00° 43' 36" West 56.63 feet; South 26° 11' 28" West 266.99 feet; South 29° 34' 33" West 293.40 feet; South 17° 50' 37" West 97.41 feet; South 00° 39' 28" East 80.41 feet; South 10° 15' 49" East 89.20 feet; South 22° 21' 54" East 170.34 feet; South 11° 01' 55" East 203.11 feet; South 02° 36' 27" East 105.94 feet; South 01° 30' 59" West 139.53 feet; South 00° 40' 55" East 189.53 feet; South 09° 34' 20" East 281.23 feet; South 11° 09' 08" East 168.08 feet; South 02° 13' 09" East 82.12 feet; South 10° 16' 43" West 220.14 feet; South 15° 31' 10" West 134.55 feet; South 11° 54' 17" West 56.17 feet; South 01° 04' 46" West 163.29 feet; South 12° 06' 56" West 276.08 feet; South 07° 19' 46" West 114.14 feet; South 06° 48' 45" East 198.45 feet.

7. Pursuant to Utah Code Ann. § 17-23-1 and during the time I served as the Utah County Surveyor, I was the designated record holder for all the surveys and maps made within the county. The records of the Utah County Surveyor show that the road has existed since 1949, and has been utilized and maintained as a county "B" road since that time. The attached copies of documents taken from the Utah County Surveyor's records identify the roads existence:

- a. The United States Government survey map for Boulter Mountains, Utah dated 1949, shows the location of the road in Sections 35 and 36 of Township 8 South, Range 3 West and Section 11 of Township 9 South, Range 3 West, which is attached hereto as Exhibit "A1".
- b. The general highway map of Utah County, dated 1975, prepared by the Utah State Department of Highways, shows the Broad Canyon Road as a county road, which is attached hereto as Exhibit "A2".
- c. The official Utah County road map for Township 8 South, Range 3 West, adopted by the Utah County Commission on December 8, 1978 shows the northern portion of the road, which is attached hereto as Exhibit "A3".
- d. The official Utah County road map for Township 9 South, Range 3 West, adopted by the Utah County Commission on December 8, 1978 shows the southern portion of the road, which is attached hereto as Exhibit "A4".
- e. The Road Map of Utah County, Sheet # 8, created November 21, 1995, shows the relationship the road has with the federal property in the area, which is attached as Exhibit "A5".

- f. The official County Road Map of Utah County, Sheet #8, adopted by the Board of County Commissioners on October 30, 1996, shows the road running across the federal properties, which is attached as Exhibit "A6".
 - g. The current County Atlas, page 10, titled Allens Ranch, shows the Broad Canyon Road as it traverses federal property, which is attached as Exhibit "A7".
 - h. The surveyed description for Segment 01 of the Broad Canyon Road has been plotted on an Aerial Photo taken in 1993 to verify the roads existence and is attached as Exhibit "A8".
 - i. The surveyed description for Segment 03 of the Broad Canyon Road has been plotted on an Aerial Photo taken in 1993 to verify the roads existence and is attached as Exhibit "A9".
8. At no time during my tenure with the County did it undertake any procedure to abandon or vacate its right-of-way on the road.
9. I have had the County records searched for any evidence of reservations on this road and none have been found.

DATED this 15th day of FEBRUARY, 2007

Clyde R. Naylor
CLYDE R. NAYLOR

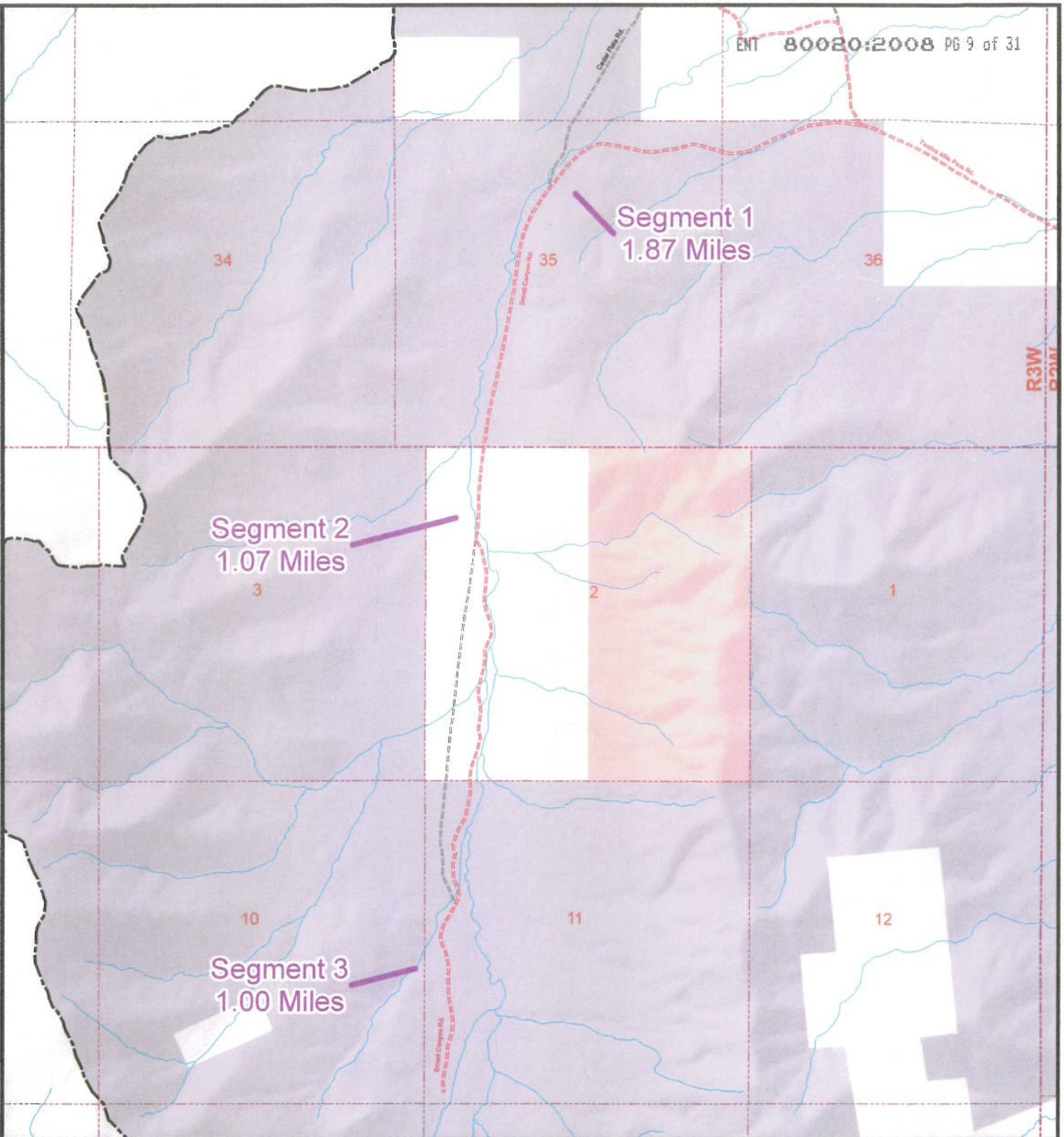
SUBSCRIBED AND SWORN to me, a Notary Public, this 15th day of February, 2007

Regina J. Tanner
Notary Public

Residing in: UTAH

My commission expires: 01-03-2011





RS2477
Broad Canyon Rd.
2.87 Miles

B823
3.94 Miles

State Roads

- I-15
- US HWY/State Route
- Other FAE Route

Official County Roads

- Paved
- Unpaved

Local Roads

- Paved
- Dirt Roads
- Gravel Roads
- Other Roads
- Railroads

Emergency

- Ambulance
- Fire
- Fire/Amb Combo
- Volunteer Fire
- Hospital
- Police
- Sheriff
- Public Works Office
- Other PW Facility

Legend

Government

- Government Offices
- Court House
- Post Office
- Points of Interest
- Schools
- Church
- LDS Church
- Krishna Temple
- Cemeteries

Public Land

- B.L.M. Lands
- National Park Service
- National Forest
- Military
- Other Federal Lands
- State Lands
- State Park
- Utah County Property
- Urban Parks
- National Forest Boundary
- Wilderness Study Areas
- Major Peaks
- Minor Peaks

Public Survey Lines

- Township Lines
- Section Lines
- Incorporated Cities

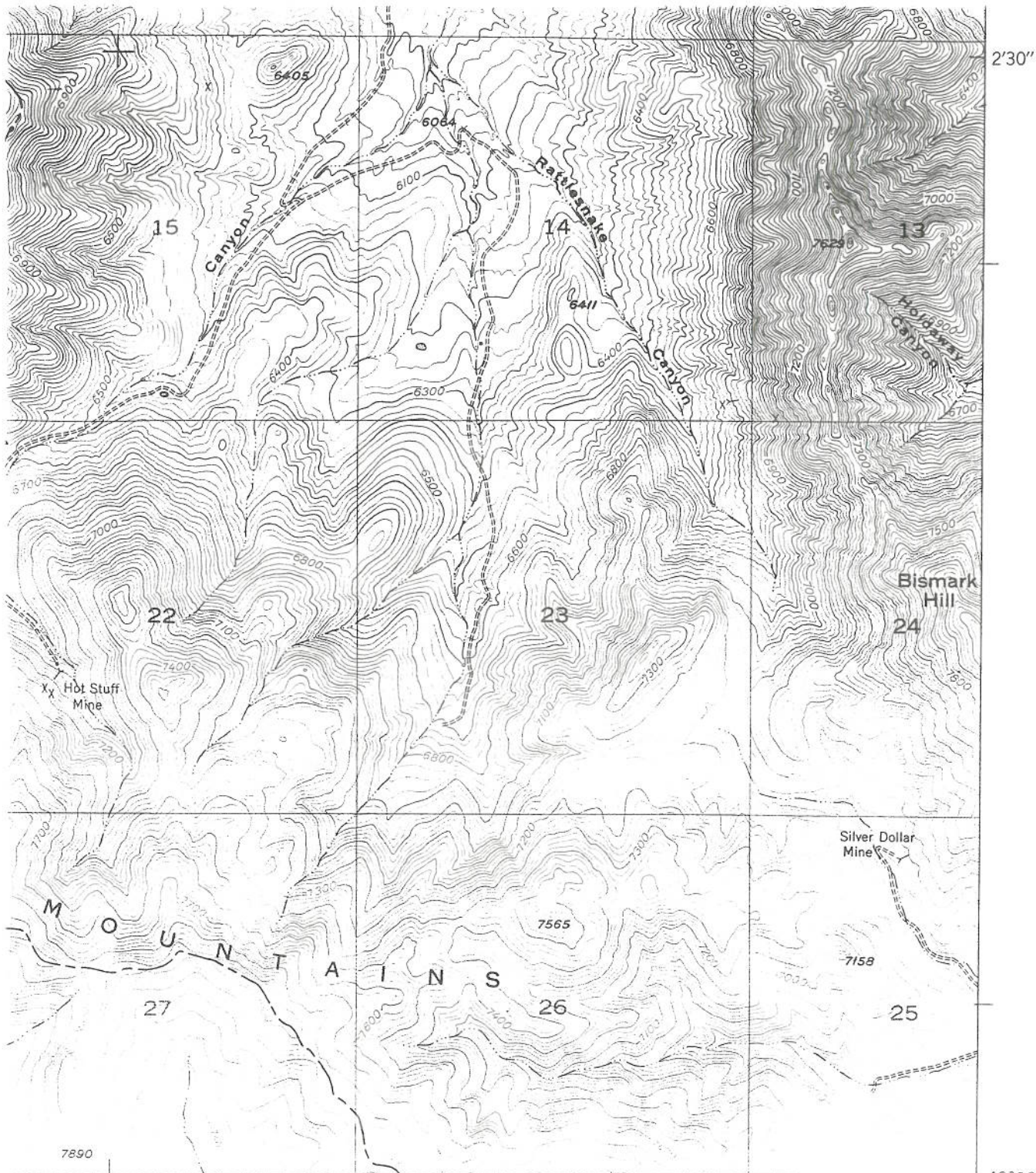


1:26,746
 1 inch equals 2,228.86 feet



Utah County Public Works - Mapping Division
 2855 South State Street
 Provo, UT 84606
 (801) 851-8628
 Printed on July 26, 2008 by maryek

"Exhibit A"



2'30"

40°00'

10' (TINTIC SPECIAL 1:62500)

112°07'30"

(EUREKA)

1 MILE
ET

ROAD CLASSIFICATION

HARD-SURFACE ALL WEATHER ROADS DRY WEATHER ROADS
 Heavy-duty ———— 4 LANE 6 LANE Improved dirt ————
 Medium-duty ———— 4 LANE 6 LANE Unimproved dirt ————
 Loose-surface, graded, or narrow hard-surface ————

① U. S. Route ① State Route

ENT 80020:2008 PG 10 of 31

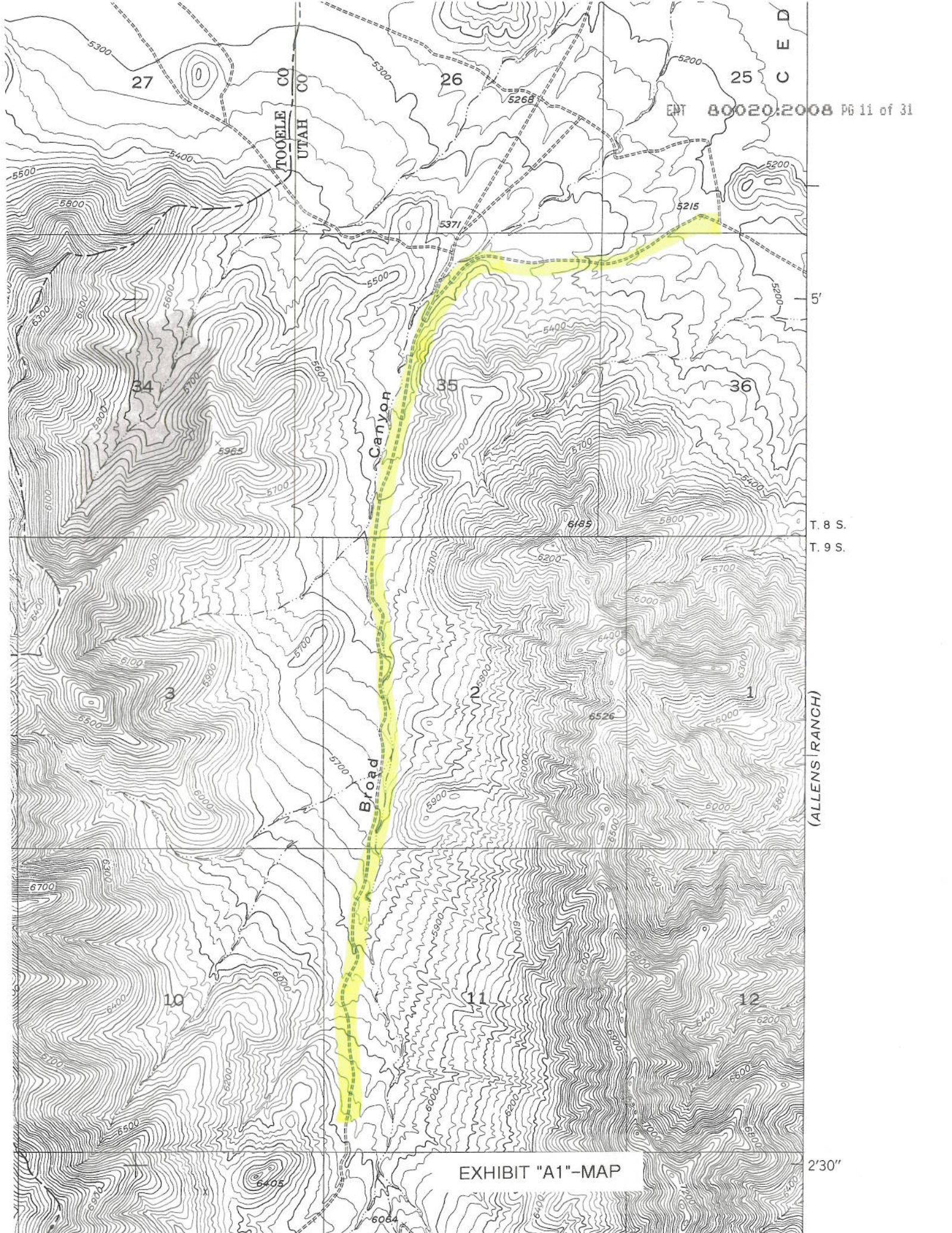
BOULTER MTS. UTAH

N4000—W11207.5/7 5

PRINTED 1949

EXHIBIT "A1"—MAP TITLE

PROPERTY OF
 UTAH COUNTY PLANNING COMMISSION



TOOELE CO
UTAH CO

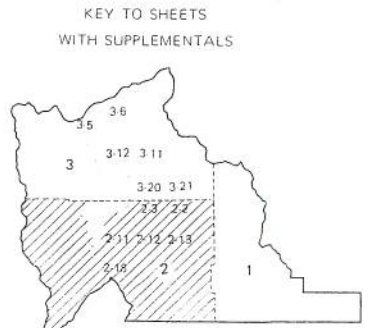
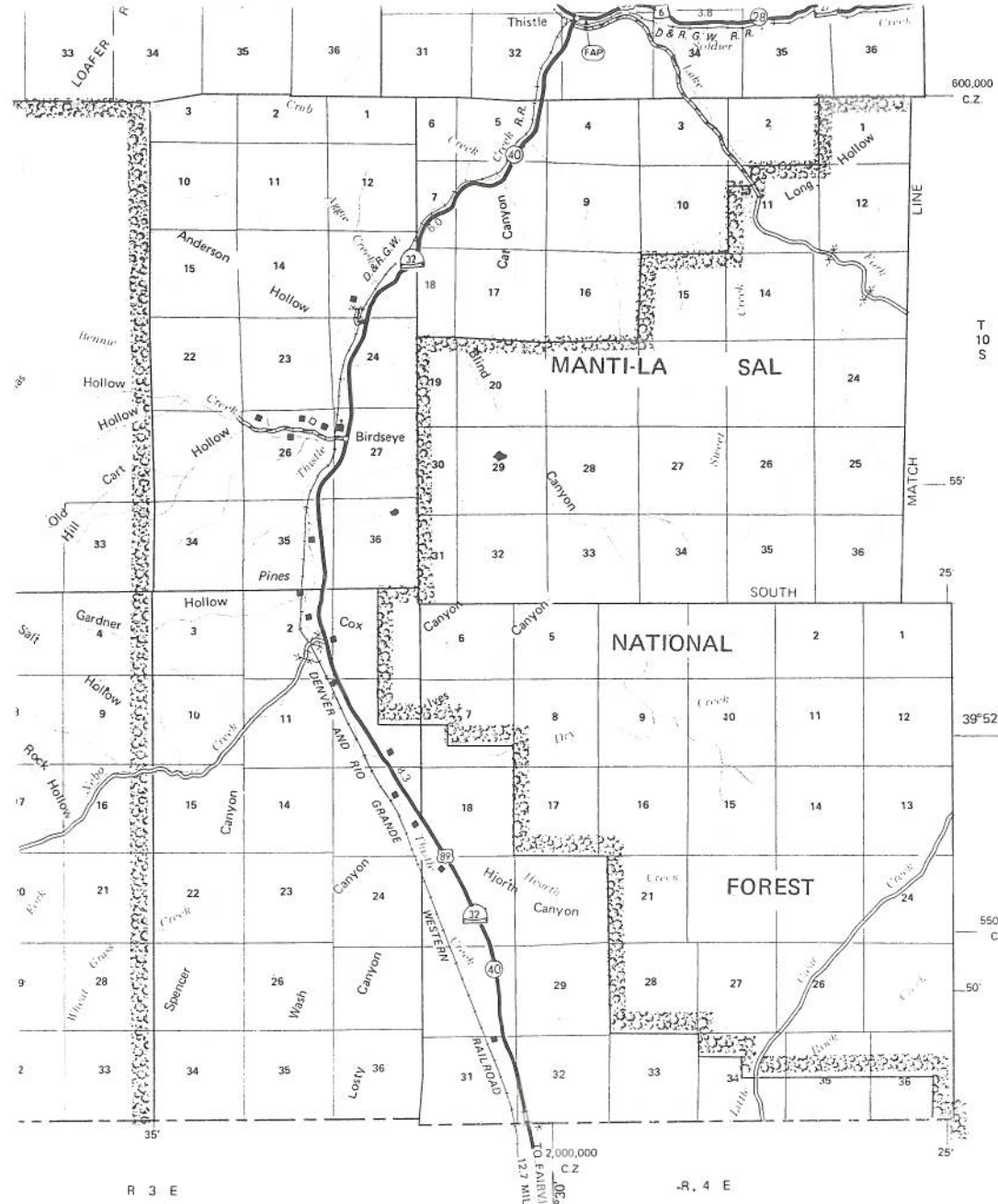
C
E
D

T. 8 S.
T. 9 S.

(ALLENS RANCH)

EXHIBIT "A1"-MAP

2'30"



ENT 80020:2008 PG 12 of 31



**GENERAL HIGHWAY MAP
UTAH COUNTY**

UTAH
SCALE



1975

POLYCONIC PROJECTION
50,000 foot grid based on Utah
Coordinate System, Central Zone,
as established by the NOAA.

SHEET 2 OF 3 MAP SHEETS AND 10 SUPPLEMENTAL SHEET

SANPETE

COUNTY

SHEET NO. 1

EXHIBIT "A2"-MAP TITLE

for resale prohibited.

Copies of this map are available
for public use at nominal cost.

Utah State Dept. of Highways
Room 612
State Office Building
Salt Lake City, Utah 84114

R 3 W

R 2 W

1,850,000 C.Z.

COUNTY

TOOELE

T 9 S

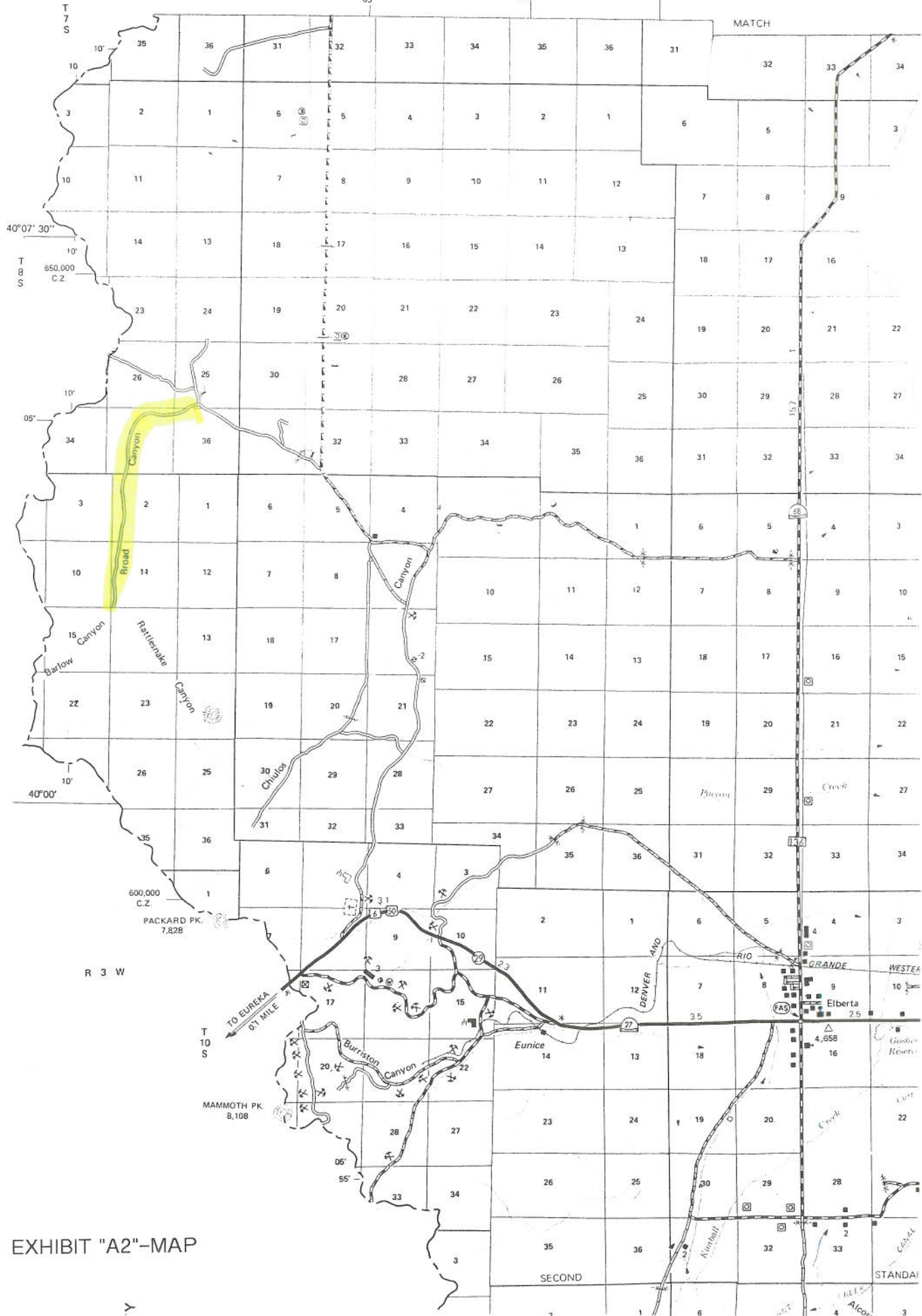


EXHIBIT "A2"-MAP

Y

T8S R3W

Official County Road Map of Utah County

Adopted by the Board of County
Commissioners this 8th day of
December, 1978.

Chairman *Art Simpson*

Commissioner *James W. Young*

Commissioner *Kenneth J. Finigan*

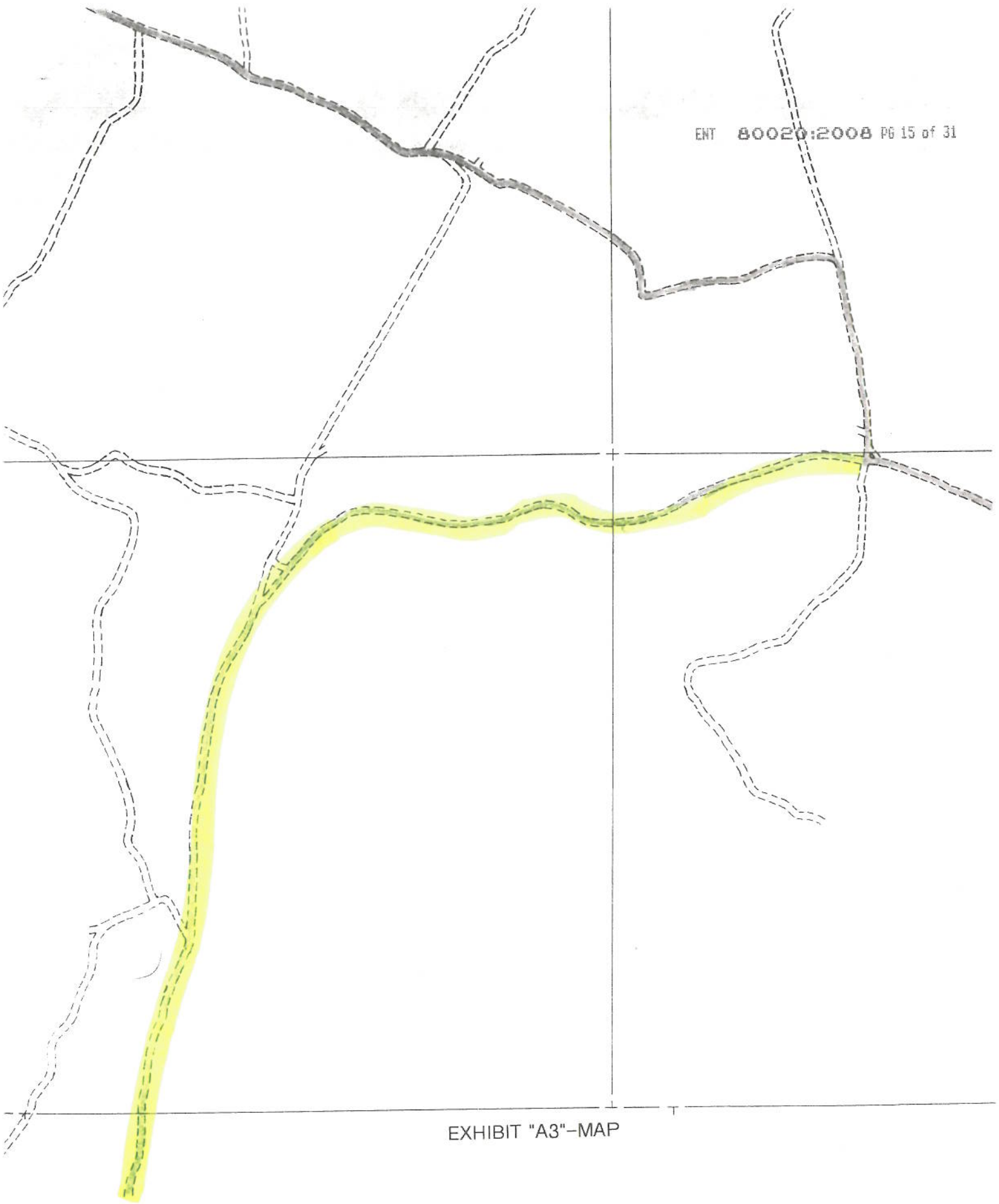
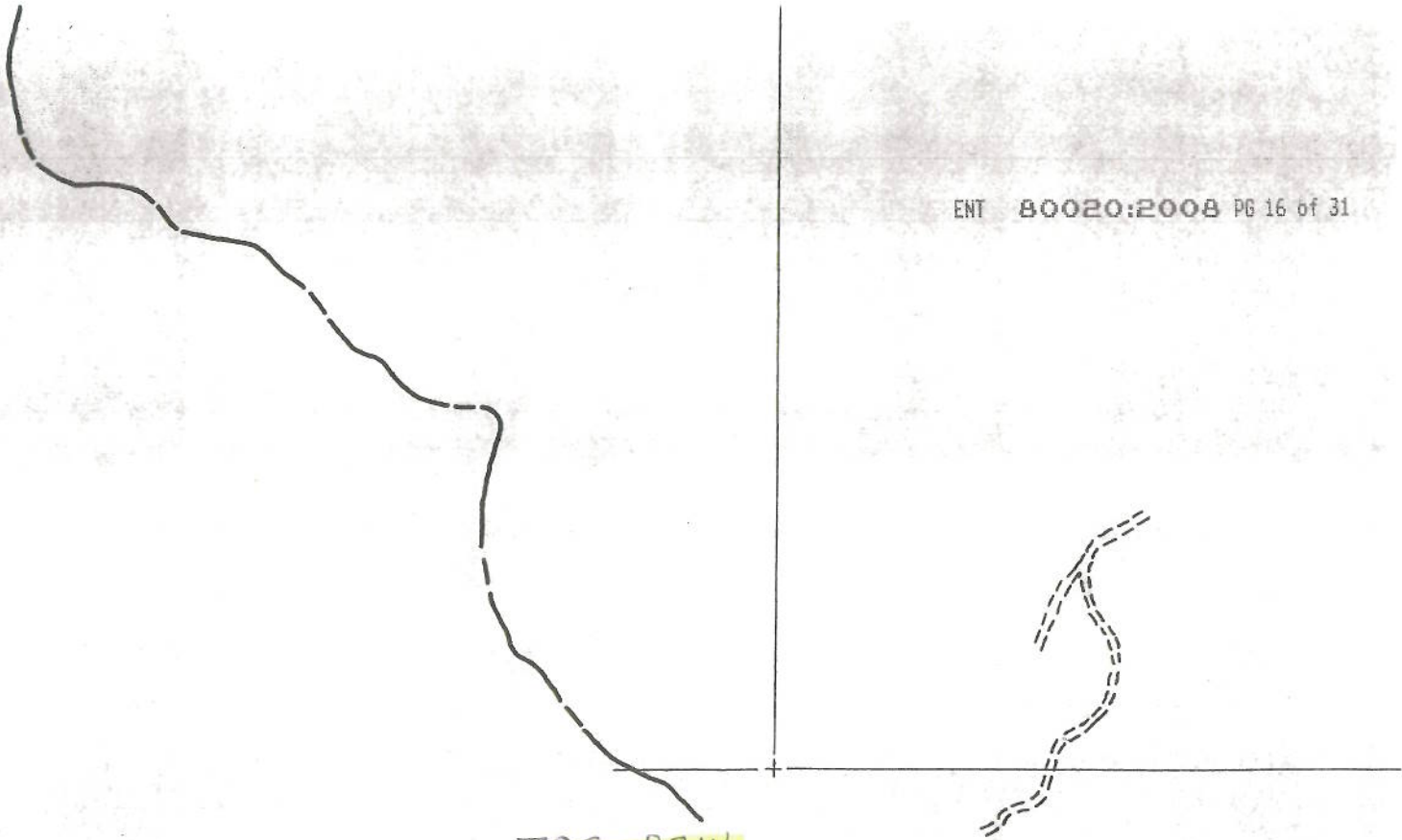


EXHIBIT "A3"-MAP



T9S R3W

Official County Road Map of Utah County

Adopted by the Board of County
Commissioners this 8th day of
December, 1978.

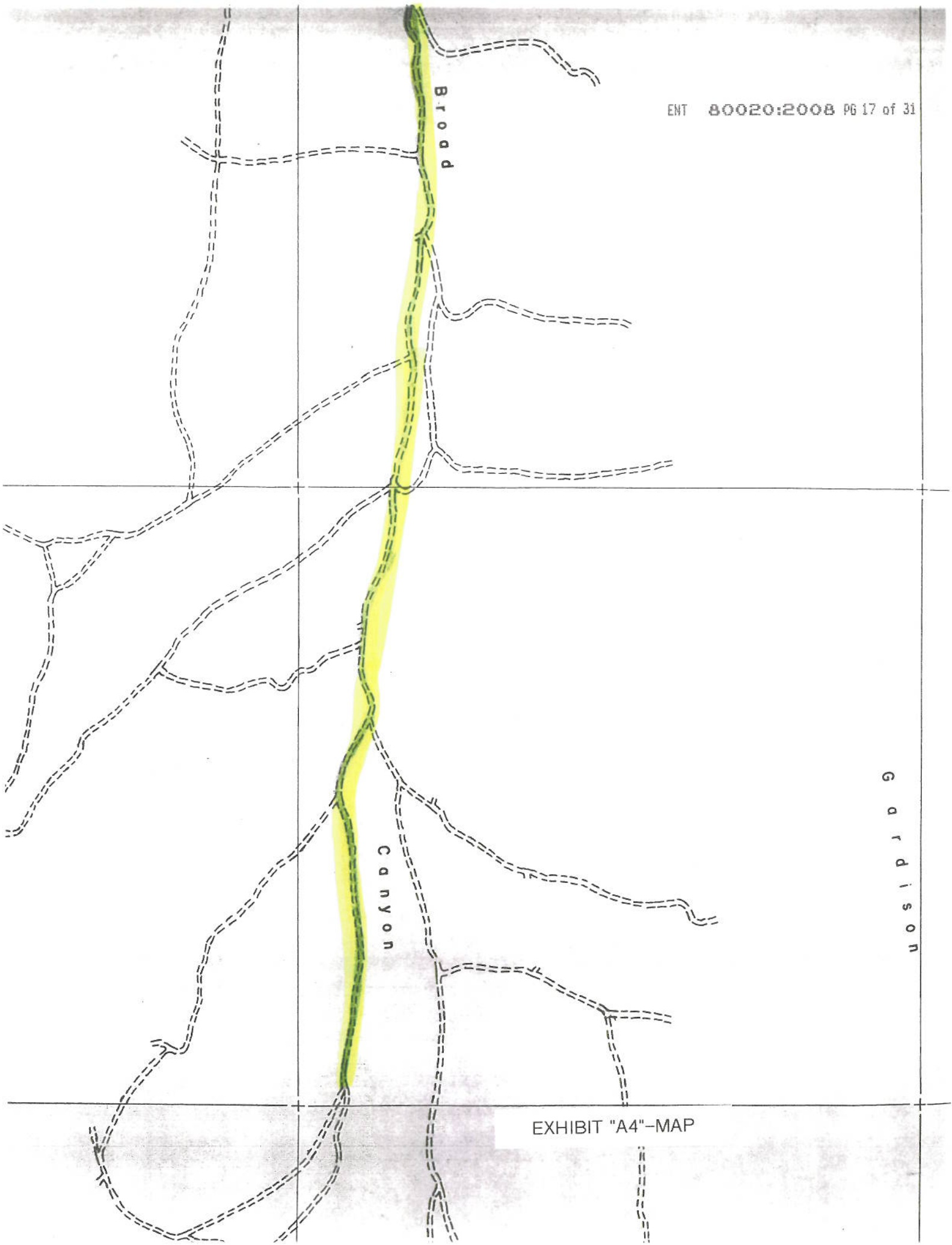
Chairman *[Signature]*

Commissioner *[Signature]*

Commissioner *[Signature]*

[Signature]

EXHIBIT "A4"-MAP TITLE

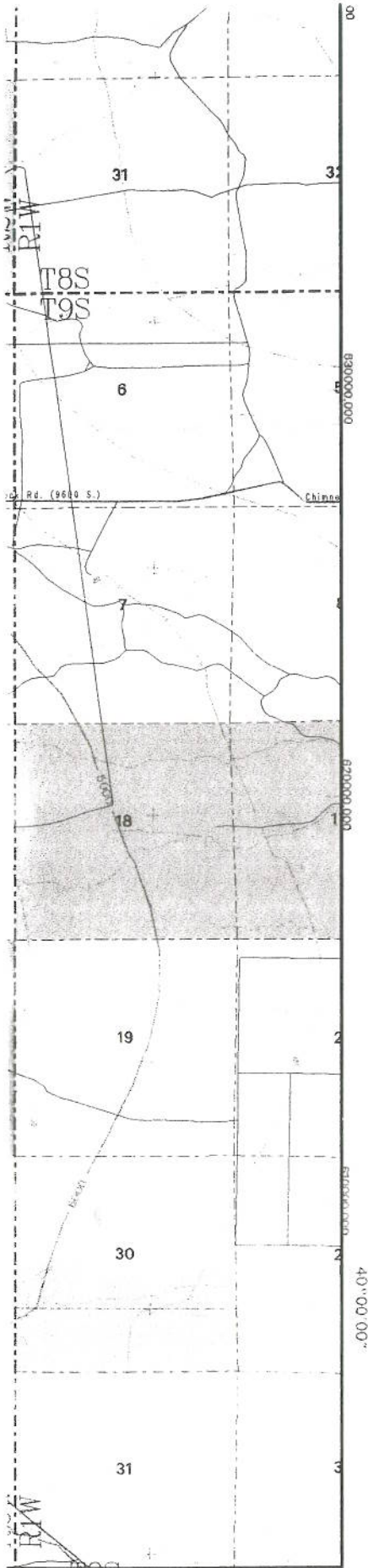


Broad

Canyon

Gardison

EXHIBIT "A4"-MAP



Class C roads: City roads
 Class D roads: Public roads which are neither class A, class B, or class C.

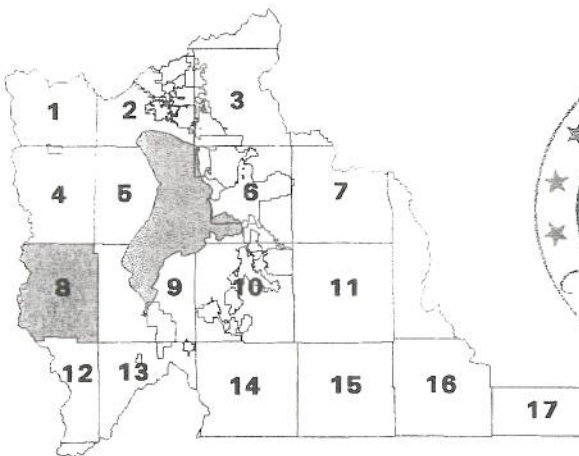
The latitude/longitude ticks are based on the NAD83 datum. The state plane coordinate ticks are based on the NAD27 datum.

Utah County Geographic Information System
 Utah County Public Works Department, Mapping Division
 2855 South State, Provo, UT 84606, (801)370-8600

Plot Created: November 21, 1995 DBH

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Road Map of Utah County Sheet 8



Index Map

EXHIBIT "A5"-MAP TITLE



EXHIBIT "A5"-MAP

Official County Road Map of Utah County Sheet 8

Utah County Geographic Information System
Utah County Public Works Department, Mapping Division
2855 South State, Provo, UT 84606, (801)370-8600

Acceptance by Legislative Body

Adopted by the Board of County

Commissioners this 30th day of October, 1996.

Chairman: S/ Jerry D. Grover

Commissioner: S/ David Gardner

Commissioner: S/ Gary R. Herbert

Attest: S/ LeeAnn Orton

Title (See Seal): Deputy Clerk

Seal

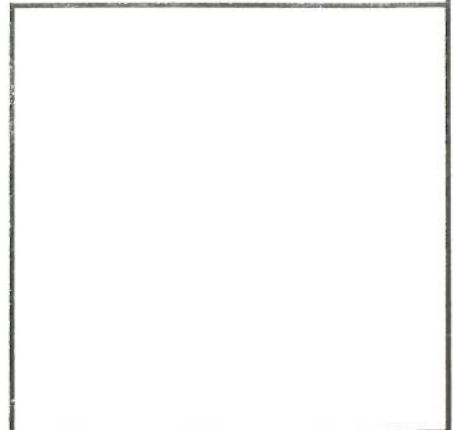


EXHIBIT "A6"-MAP TITLE



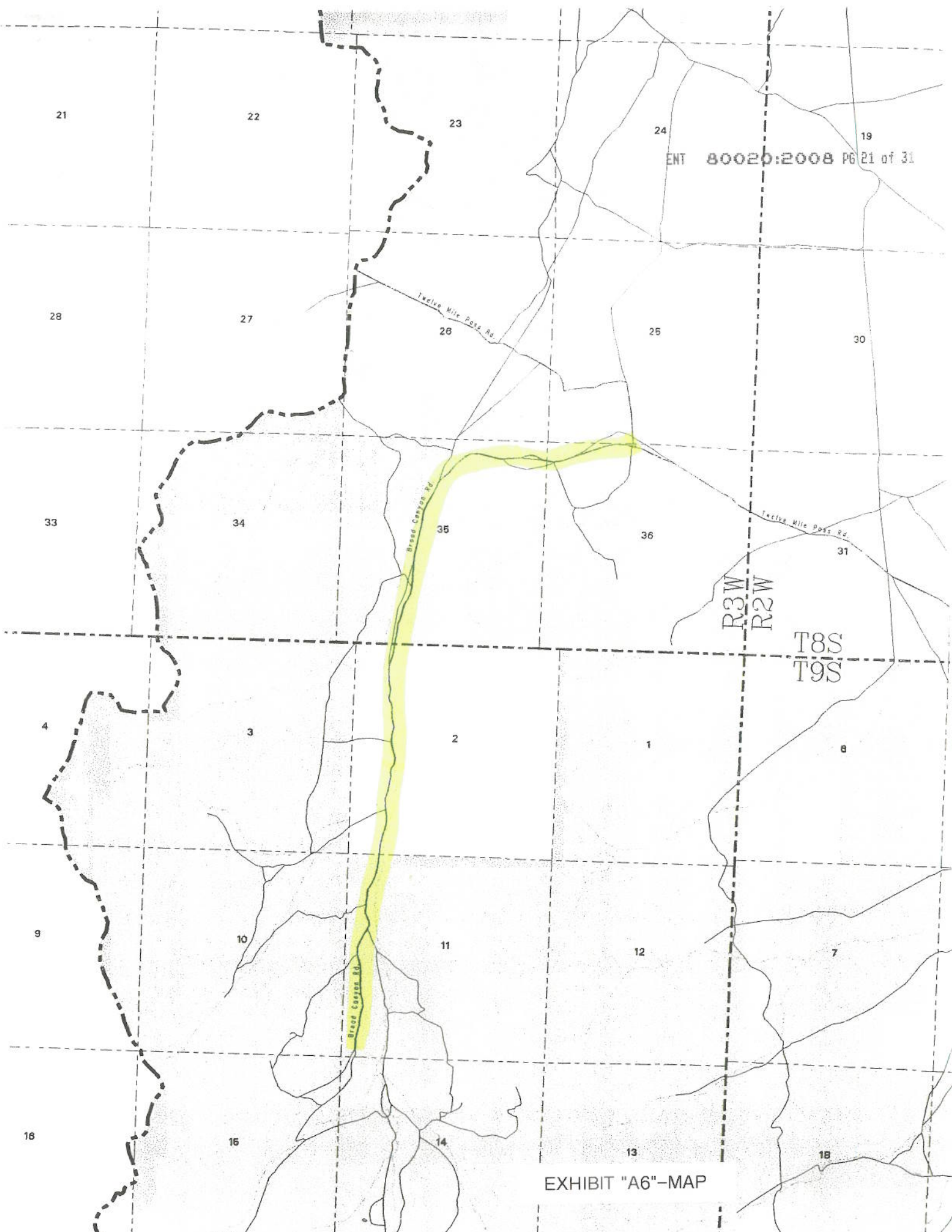
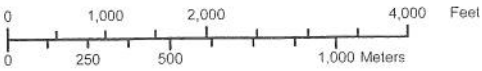


EXHIBIT "A6"-MAP



R3W 112°10'0"W Cedar Valley - 5 112°5'0"W R2W 112°0'0"W

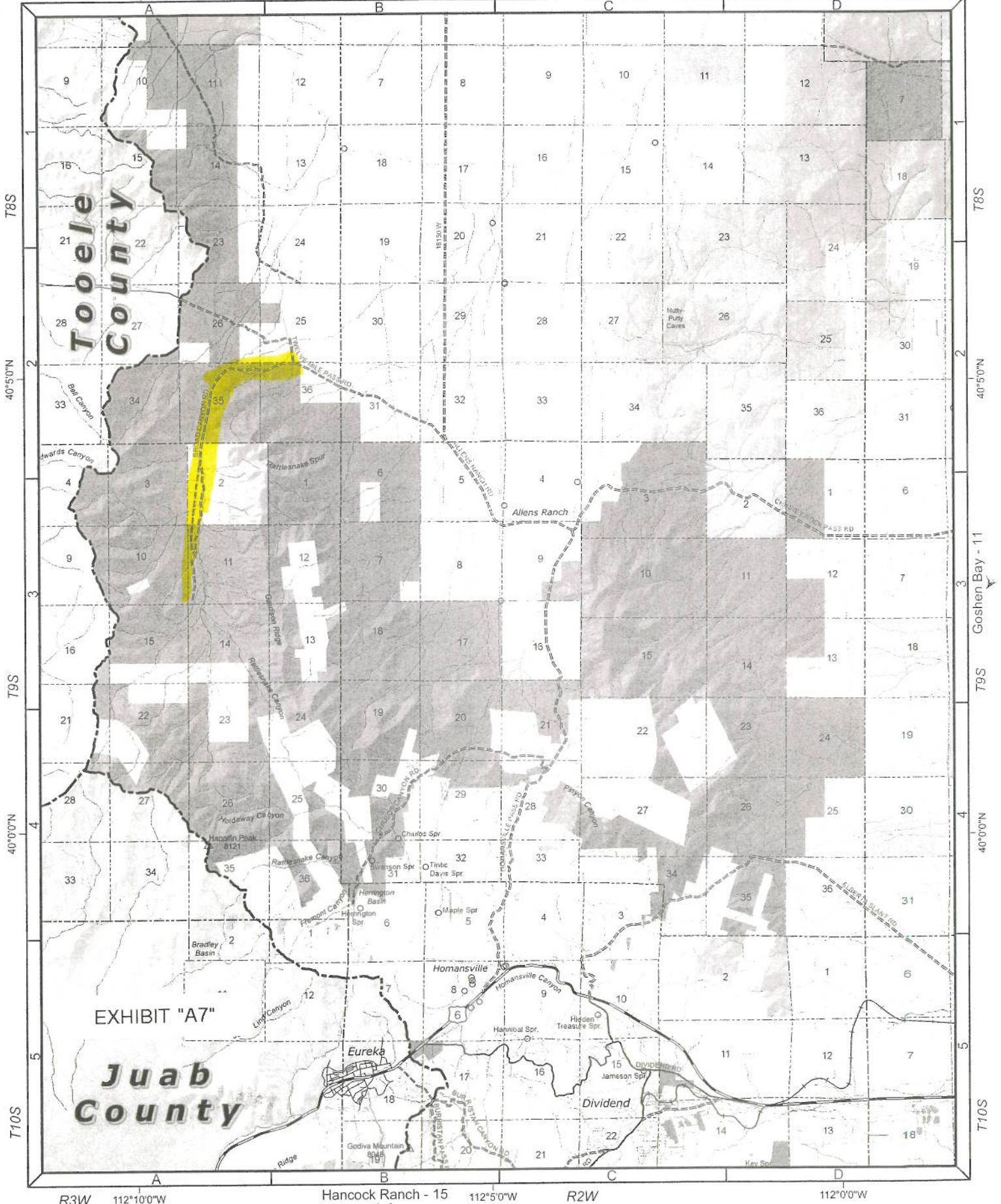


EXHIBIT "A7"

Juab County

R3W 112°10'0"W Hancock Ranch - 15 112°5'0"W R2W 112°0'0"W



**RS2477
Broad Canyon
Rd.**

**Comparison with Aerial Photo
(See Segment Description)**



1:11,455
1 inch equals 955.43 feet

Segment 01

Photo Date 1993

EXHIBIT "A8"



Utah County Public Works - Mapping Division
2855 South State Street
Provo, UT 84606
(801) 851-8626
Printed on August 14, 2006 by maryek



**RS2477
Broad Canyon
Rd.**

**Comparison with Aerial Photo
(See Segment Description)**



1:13,359
1 inch equals 1,113.24 feet

Segment 03

Photo Date 1993

EXHIBIT "A9"



Utah County Public Works - Mapping Division
2855 South State Street
Provo, UT 84606
(801) 851-8626
Printed on August 14, 2006 by maryek

BROAD CANYON ROAD

STATE OF UTAH)
 :SS
COUNTY OF UTAH)

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I, ROBERT CURTIS BEVERLY, being first duly sworn, deposes and state as follows:

1. I am adult competent to testify about the matters set forth below based on my personal knowledge.
2. From 1958 to 1988, I was employed with Utah County in the Roads Department where I was an operator/truck driver, supervisor over bridges and culverts, and worked in maintenance and oiling of roads. During that time period, I was personally familiar with Utah County's construction and maintenance activities on county roads, including the road known as Broad Canyon road that runs from Twelve Mile Pass road westerly and southerly to Broad Canyon. A map of the road is attached hereto as Exhibit "A".
3. Construction and maintenance of the road before 1976 was performed by road graders and other road equipment in addition to the passing of motorized vehicles over the roadway.
4. All acts of the County regarding this road were, to my knowledge, consistent with its status as a public highway.
5. It is the reputation in the community that this road was used by the public since at least as early as 1950.
6. Since before 1950 and continuing to the present the road has been used for hunting, prospecting, mining, sightseeing, camping, recreation, and search and rescue, law enforcement, and traveling in the through the area. I often used the road for hunting beginning as early as the 1950's. I also traveled the road often while performing road maintenance for the Utah County Public Works

Department, Roads Division beginning in the 1950's and throughout the 1960's and 1970's.

- 7. The road has been open to the public for all to use, to come and go as they pleased, since before 1950 and continuing through 1976 and beyond.
- 8. Travelers on the road from before 1966 and continuing thereafter included those who went by car, recreational vehicle, and truck. The frequency of use over the period 1966 to the present is approximately daily.
- 9. When I first used and observed the road it ran the same route as it does now, and the road was well established as of 1966.
- 10. At no time during my employment with the County did it undertake any procedures to abandon or vacate its right-of-way on the road.

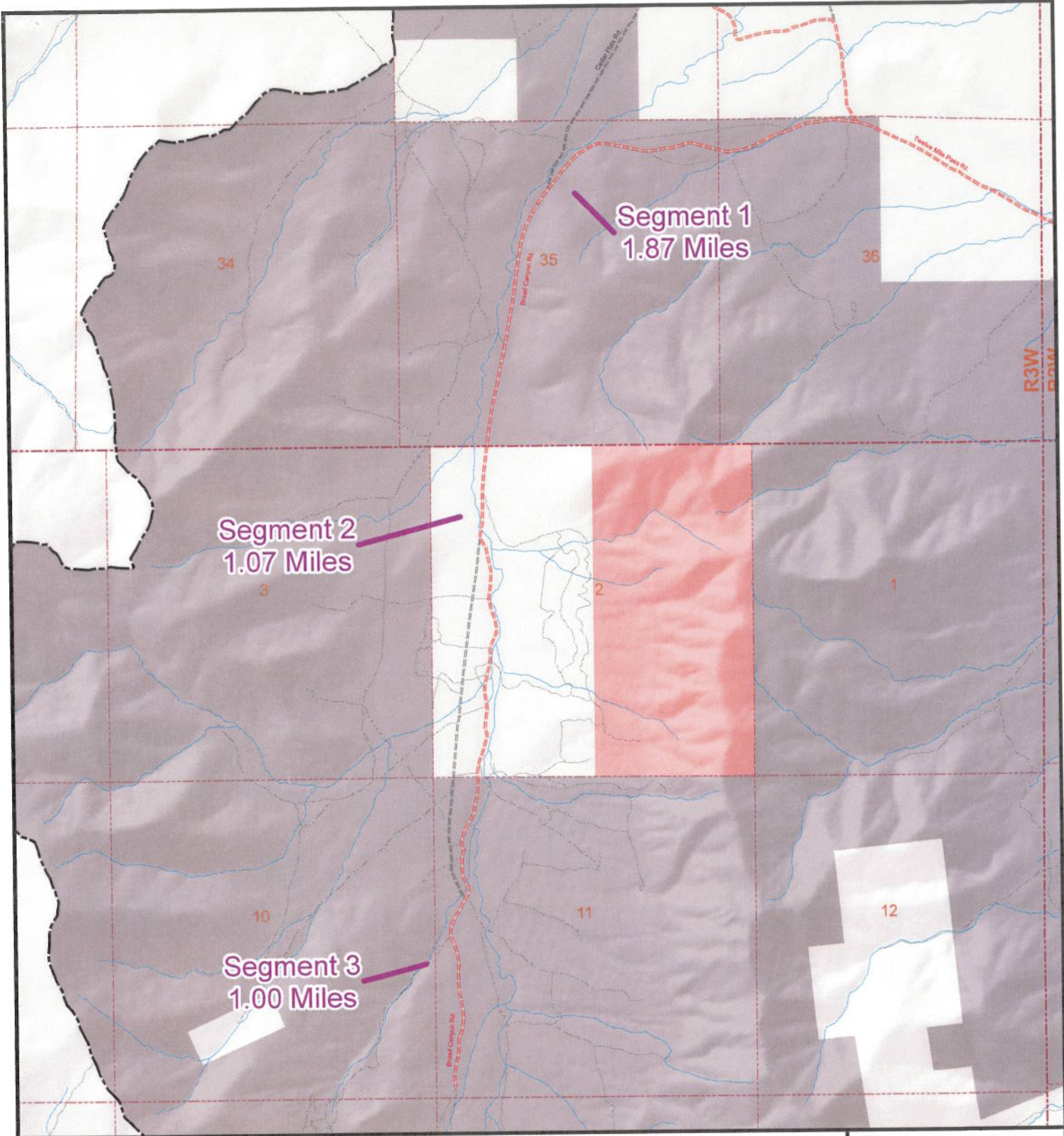
DATED this 11 day of JUNE, 2007.

Robert Curtis Beverly
 ROBERT CURTIS BEVERLY

SUBSCRIBED AND SWORN to me, a Notary Public, this 11 day of JUNE, 2007.



Glen G. Tanner
 Notary Public



RS2477
Broad Canyon Rd.
2.87 Miles

B823
3.94 Miles

Legend

<p>State Roads</p> <ul style="list-style-type: none"> I-15 US HWY/State Route Other FAE Route <p>Official County Roads</p> <ul style="list-style-type: none"> Paved Unpaved <p>Local Roads</p> <ul style="list-style-type: none"> Paved Dirt Roads Gravel Roads Other Roads Railroads 	<p>Emergency</p> <ul style="list-style-type: none"> Ambulance Fire Fire/Amb Combo Volunteer Fire Hospital Police Sheriff Public Works Office Other PW Facility 	<p>Government</p> <ul style="list-style-type: none"> Government Offices Court House Post Office <p>Points of Interest</p> <ul style="list-style-type: none"> Schools Church LDS Church Krishna Temple Cemeteries 	<p>Public Land</p> <ul style="list-style-type: none"> B.L.M. Lands National Park Service National Forest Military Other Federal Lands State Lands State Park Utah County Property Urban Parks National Forest Boundary Wilderness Study Areas Major Peaks Minor Peaks 	<p>Public Survey Lines</p> <ul style="list-style-type: none"> Township Lines Section Lines Incorporated Cities
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1:26,746
 1 inch equals 2,228.86 feet

Utah County Public Works - Mapping Division
 2855 South State Street
 Provo, UT 84606
 (801) 851-8628
 Printed on July 26, 2006 by maryek

"Exhibit A"

BROAD CANYON ROAD

STATE OF UTAH)
 :SS
COUNTY OF UTAH)

ENT 80020:2008 PG 28 of 31

I, BYRON L. ORTON, being of first duly sworn, deposes and state as follows:

1. I am an adult competent to testify about the matters set forth below based on my personal knowledge.
2. From 1947 to 1965 I was employed with the Utah Department of Transportation in District 6 where I was a truck operator, a foremen, and supervisor. From 1965 to 1985 I was employed with Utah County in the Roads Department where I was an assistant supervisor and supervisor over the Roads Department. During that time period, I was personally familiar with Utah County's construction and maintenance activities on county roads, including the road known as Broad Canyon Road that runs from Twelve Mile Pass road westerly and southerly to Broad Canyon. A map of the road is attached hereto as Exhibit "A".
3. Construction and maintenance of the road from 1965 was performed by road graders and other road equipment in addition to the passing of motorized vehicles over the roadway. Thereafter, still before 1976, the roadway was graveled in parts and maintained regularly by the county.
4. All acts of the County regarding this road where, to my knowledge, consistent with its status as a public highway.
5. It is the reputation in the community that this road was used by the public since at least as early as 1965 and has been continuously used since that time.
6. Since before 1966 and continuing to the present the road had been used for ranching, hunting, commerce, sightseeing, law enforcement, and traveling in and through the area. I

often traveled the road from 1965 to 1985 in order to perform road maintenance duties for the county.

- 7. Travelers on the road from 1965 and continuing thereafter included those who went by car, recreational vehicle, and truck. The frequency of use over the period 1966 to the present is approximately daily.
- 8. When I first used and observed the road it ran the same route as it does now, and the road was well established as of 1965.
- 9. At no time during my employment with the County did it undertake any procedure to abandon or vacate its right-of-way on the road.

DATED this 17 day of MAY, 2007.



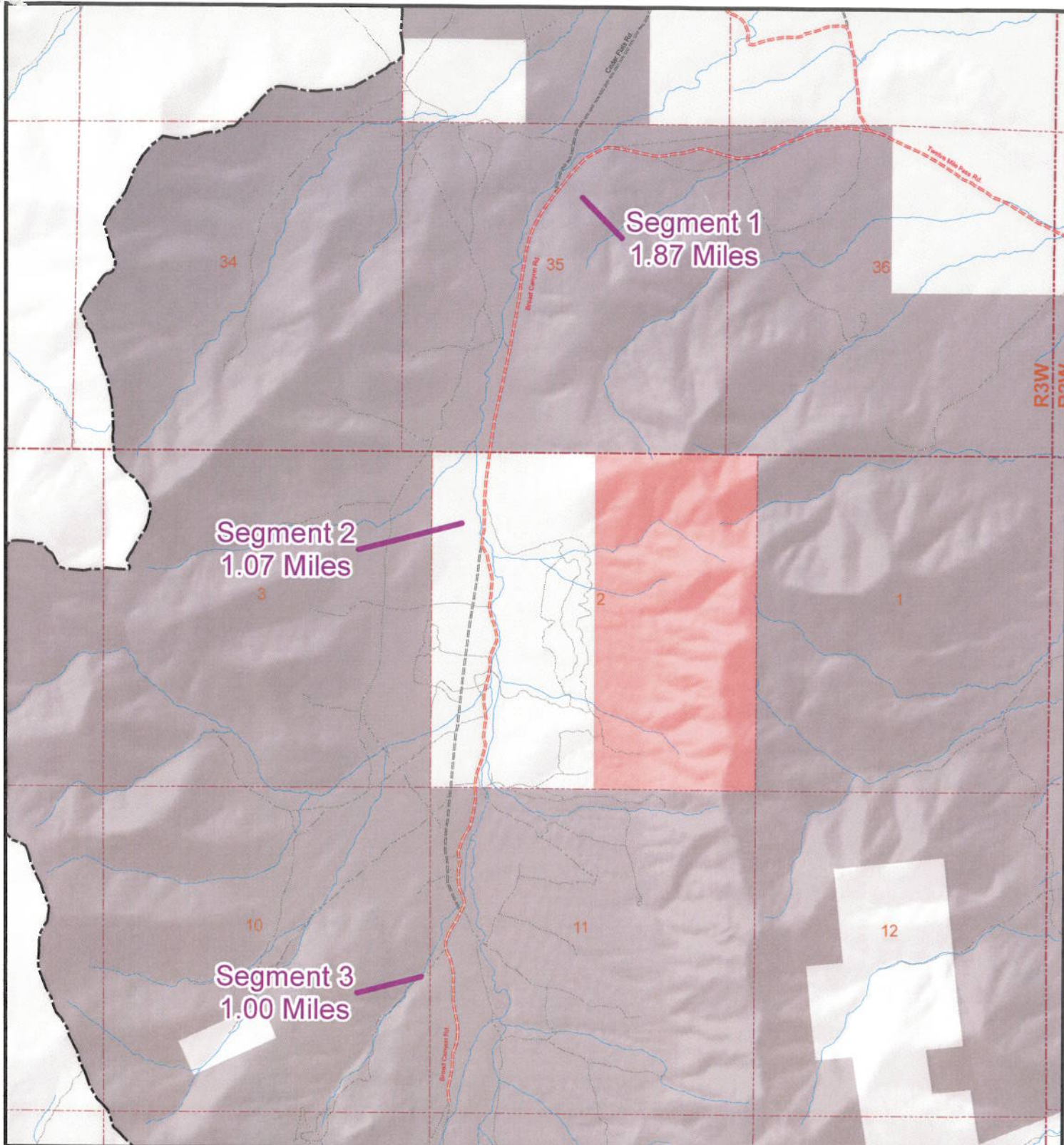
 BYRON L. ORTON

SUBSCRIBED AND SWORN to me, a Notary Public, this 17 day of may, 2007.



 Notary Public





RS2477
Broad Canyon Rd.
2.87 Miles

B823
3.94 Miles

State Roads

- I-15
- US HWY/State Route
- Other FAE Route

Official County Roads

- Paved
- Unpaved

Local Roads

- Paved
- Dirt Roads
- Gravel Roads
- Other Roads
- Railroads

Emergency

- Ambulance
- Fire
- Fire/Amb Combo
- Volunteer Fire
- Hospital
- Police
- Sheriff
- Public Works Office
- Other PW Facility

Government

- Government Offices
- Court House
- Post Office
- Schools
- Church
- LDS Church
- Krishna Temple
- Cemeteries

Points of Interest

- Schools
- Church
- LDS Church
- Krishna Temple
- Cemeteries

Public Land

- B.L.M. Lands
- National Park Service
- National Forest
- Military
- Other Federal Lands
- State Lands
- State Park
- Utah County Property
- Urban Parks
- National Forest Boundary
- Wilderness Study Areas
- Major Peaks
- Minor Peaks

Public Survey Lines

- Township Lines
- Section Lines
- Incorporated Cities



1:26,746
 1 inch equals 2,226.86 feet



Utah County Public Works - Mapping Division
 2855 South State Street
 Provo, UT 84606
 (801) 851-8626
 Printed on July 26, 2006 by maryek

"Exhibit A"

Exhibit B

ENT 80020:2008 PG 31 of 31

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

Popular Name: BROAD CANYON ROAD

County: Utah

County Road Number: B823

State Geographic Information Database (SGID) Road Identification Number: RD250001.

Total Road Length: 4.48 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 02 minutes 09.57 seconds North Latitude and -112 degrees 09 minutes 33.56 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,455,815.2 feet and Y = 7,182,514.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 05 minutes 10.49 seconds North Latitude and -112 degrees 07 minutes 50.75 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,463,939.8 feet and Y = 7,200,761.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 8 South Range 3 West, Section(s) 35,36, Salt Lake Base & Meridian

Township 9 South Range 3 West, Section(s) 2,11,14,15, Salt Lake Base & Meridian