

8
/ 32

**Supplement to Acknowledgment and
Notice of Acknowledgment
of Acceptance of R.S. 2477
Right-of-Way Grant**

ENT 80023:2008 PG 1 of 32
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2008 Jul 15 12:29 pm FEE 0.00 BY SS
RECORDED FOR STATE OF UTAH ATTORNEYS GEN

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 CHIULOS CANYON ROAD; County Road Number: B836; State Geographic Information Database (SGID) Road Identification Number: RD250004.

This document supplements and supports the information contained in the document recorded on **Feb. 26, 2008** at **Ent: 21732:2008, 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



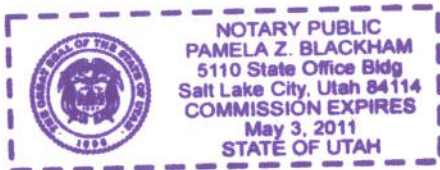
John Harja

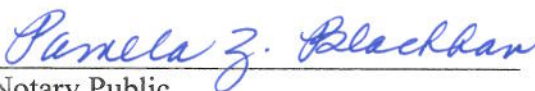
CERTIFICATION

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

CHIULOS CANYON ROAD

UTAH COUNTY, UTAH

COUNTY "B" ROAD NUMBER B 836

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 Chiulos Canyon Road that runs from the intersection of Homansville Pass Road with the Twelve Mile Pass Road westerly and southerly to Chiulos Canyon. A map of the road is attached hereto as Exhibit "A".

5. The road is known as Utah County "B" road # B 836. The road is a dirt road located in Township 9 South, Range 2 West. The 1.60 miles length of the road, located in Sections 20, 28, 29 and 30 of Township 9 South, Range 2 West runs across federal property.
6. As the Utah County Surveyor, I have supervised a center line survey of the segments of the Chiulos 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 the point of intersection of the Chiulos Canyon Road with the centerline of Homansville Road, said point of intersection being located 5957.09 feet South and 3100.43 feet East from the Southwest Corner of Section 16, Township 9 South, Range 2 West, Salt Lake Base and Meridian; thence the following along said centerline: North 49° 16' 28" West 84.36 feet; North 56° 39' 24" West 60.96 feet; North 71° 16' 55" West 48.42 feet; North 81° 52' 20" West 159.30 feet; South 72° 13' 36" West 69.49 feet; North 89° 28' 11" West 44.56 feet; North 38° 06' 09" West 43.75 feet; North 13° 18' 12" West 38.74 feet; North 05° 25' 06" East 45.54 feet; North 12° 46' 02" East 104.65 feet; North 33° 07' 39" East 93.49 feet; North 22° 34' 01" East 52.31 feet.

SEGMENT 3:

Commencing at a point located at the centerline of Chiulos Canyon Road, said point being located South 4689.15 feet and West 645.41 feet from the Southwest Corner of Section 16, Township 9 South, Range 2 West, Salt Lake Base and Meridian; thence the following along said

centerline: North 68° 24' 49" West 165.68 feet; North 77° 16' 28" West 97.70 feet; North 82° 58' 12" West 139.10 feet; North 88° 39' 39" West 182.43 feet; North 77° 26' 26" West 152.14 feet; North 85° 06' 16" West 40.23 feet; North 87° 46' 37" West 226.17 feet; South 89° 58' 53" West 304.48 feet; South 88° 04' 52" West 195.15 feet; North 84° 11' 02" West 42.01 feet; North 69° 18' 45" West 131.85 feet; South 83° 55' 04" West 42.10 feet; South 74° 16' 39" West 132.16 feet; South 69° 44' 24" West 316.62 feet; South 66° 15' 28" West 326.08 feet; South 61° 04' 12" West 123.96 feet; South 53° 21' 09" West 246.08 feet; South 50° 24' 13" West 180.05 feet; South 53° 35' 18" West 96.18 feet; South 36° 53' 06" West 192.56 feet; South 46° 00' 56" West 397.85 feet; South 50° 44' 59" West 363.38 feet; South 56° 36' 11" West 138.19 feet.

SEGMENT 5:

Commencing at a point located at the centerline of Chiulos Canyon Road, said point being located South 7699.87 feet and West 6118.14 feet from the Southwest Corner of Section 16, Township 9 South, Range 2 West, Salt Lake Base and Meridian; thence the following along said centerline: South 13° 51' 03" West 87.50 feet; South 20° 48' 51" West 106.29 feet; South 35° 15' 30" West 139.75 feet; South 21° 33' 53" West 139.80 feet; South 33° 03' 35" West 106.41 feet; South 49° 18' 10" West 356.19 feet; South 54° 22' 04" West 76.10 feet; South 64° 50' 23" West 159.39 feet; South 54° 15' 21" West 88.30 feet; South 37° 19' 25" West 142.16 feet; South 32° 19' 51" West 109.86 feet; South 07° 50' 38" West 148.24 feet; South 13° 09' 45" West 265.33 feet; South 03° 19' 51" West 58.35 feet; South 15° 34' 43" East 35.49 feet; South 24° 12' 57" East 66.17 feet; South 13° 30' 14" East 46.96 feet; South 03° 57' 28" West

68.52 feet; South 18° 11' 00" West 154.18 feet; South 31° 23' 50" West 205.03 feet; South 24° 06' 15" West 66.59 feet; South 43° 26' 04" West 117.83 feet; South 35° 03' 19" West 77.11 feet; South 48° 27' 25" West 45.46 feet; South 63° 59' 35" West 34.51 feet; South 72° 58' 57" West 125.25 feet; South 68° 06' 45" West 134.67 feet; South 82° 51' 00" West 249.42 feet; North 84° 11' 19" West 45.51 feet; North 70° 47' 54" West 143.06 feet; North 78° 19' 01" West 121.61 feet; North 75° 33' 51" West 136.60 feet; North 83° 27' 24" West 97.10 feet; North 74° 00' 35" West 102.67 feet; North 82° 55' 58" West 53.43 feet; South 89° 13' 55" West 104.35 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 1947, 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 Allens Ranch, Utah dated 1947, shows the location of the road in Sections 20, 28, 29 and 30 of Township 9 South, Range 2 West, which is attached hereto as Exhibit "A1".
- b. The general highway map of Utah County, dated 1955, prepared by the Utah Department of Transportation, shows the Chiulos Canyon Road as a county road located between Homansville Pass Road and Freemont

Canyon Road, which is attached hereto as Exhibit "A2". The map also shows a cabin east of the road.

- c. The general highway map of Utah County, prepared by the Utah State Department of Highways, dated 1975, shows the "B" road as a county road running westerly and southerly from the Homansville Pass Road, which is attached hereto as Exhibit "A3".
- d. The general highway map of Utah County prepared by the Utah Department of Transportation, dated 1985, shows the county road, which is attached 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 Chiulos Canyon Road as it traverses federal property, which is attached as Exhibit "A7".
- h. The surveyed description for Segment 01 of the Chiulos 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 Chiulos Canyon Road has been plotted on an Aerial Photo taken in 1993 to verify the roads existence and is attached as Exhibit "A9".
 - j. The surveyed description for Segment 05 of the Chiulos Canyon Road has been plotted on an Aerial Photo taken in 1993 to verify the roads existence and is attached as Exhibit "A10".
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 5th day of MARCH, 2007

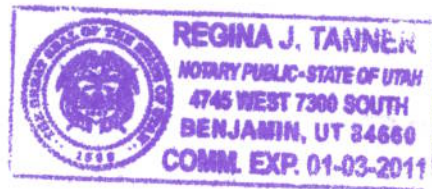
Clyde R. Naylor
CLYDE R. NAYLOR

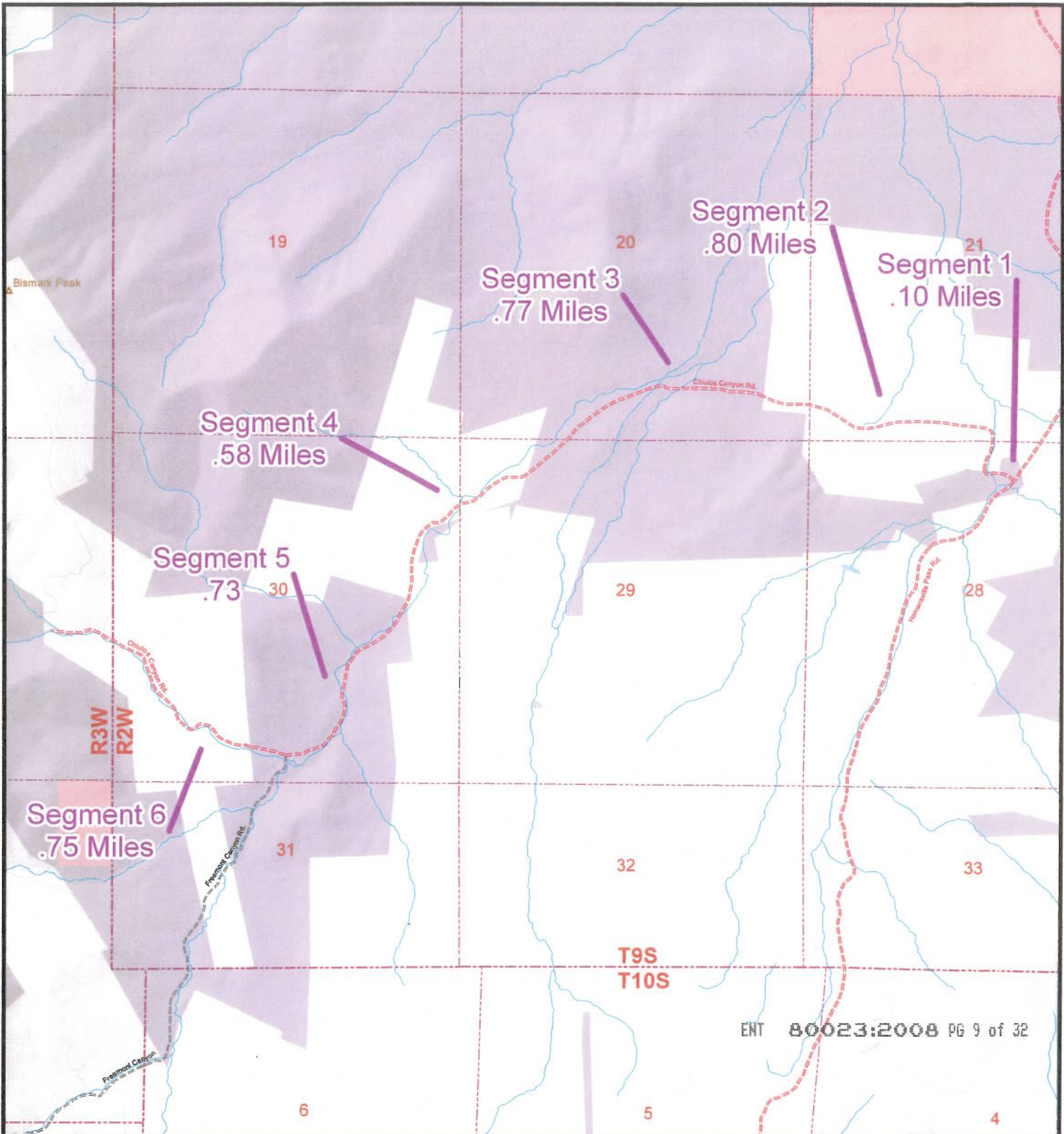
SUBSCRIBED AND SWORN to me, a Notary Public, this 5th day of march, 2007

Regina J. Tanner
Notary Public

Residing in: UTAH

My commission expires: 01-03-2011





ENT 80023:2008 PG 9 of 32

RS2477
Chiulos
Canyon Rd
1.6 Miles

B836
3.73 Miles

Legend	
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 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	

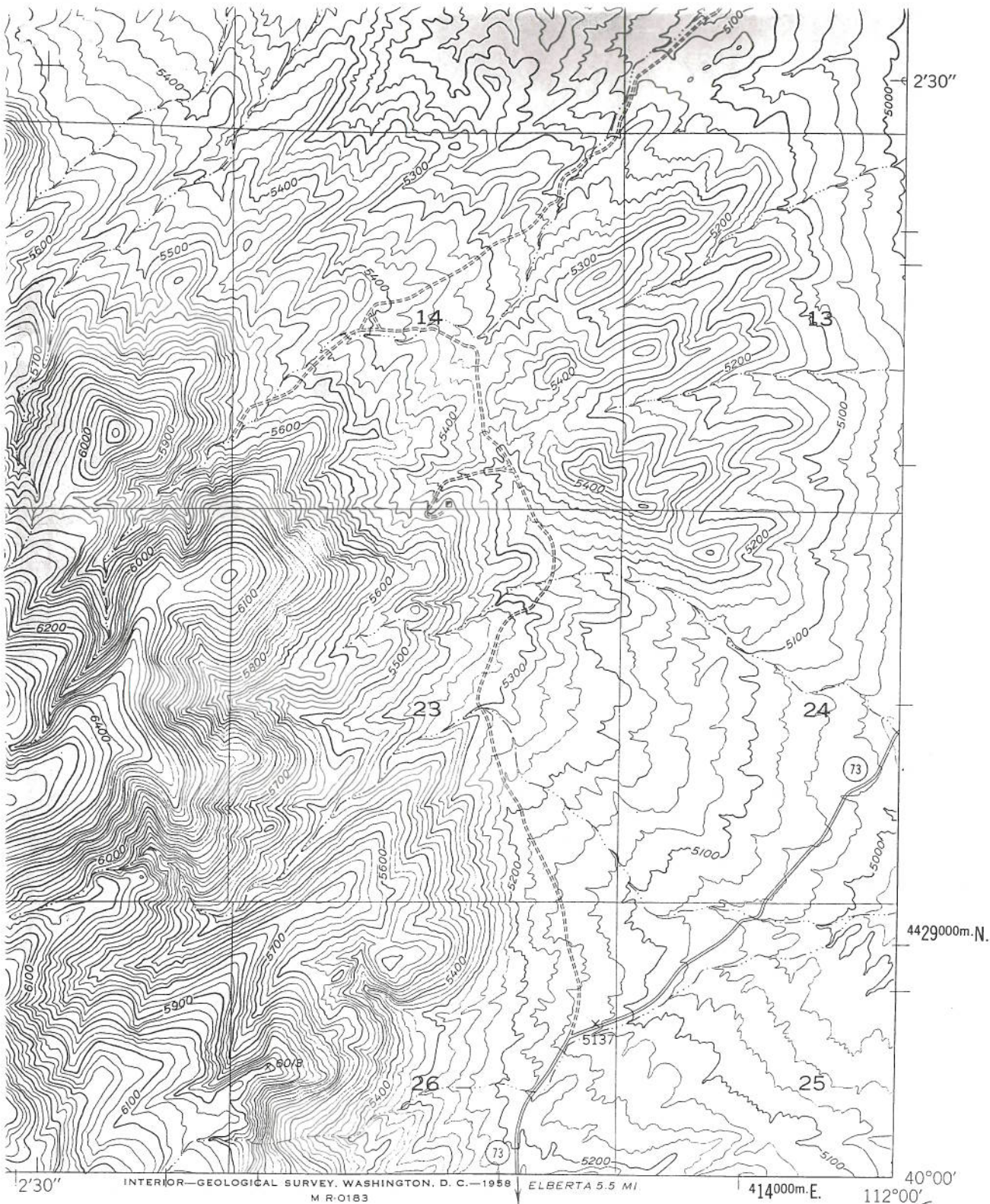


1:25,088
 1 inch equals 2,090.69 feet



Utah County Public Works - Mapping Division
 2855 South State Street
 Provo, UT 84606
 (801) 851-8628
 Printed on August 09, 2006 by maryek

"Exhibit A"



MILE

ROAD CLASSIFICATION

HARD-SURFACE ALL WEATHER ROADS		DRY WEATHER ROADS	
Heavy-duty	4 LANE 16 LANE	Improved dirt	-----
Medium-duty	4 LANE 16 LANE	Unimproved dirt	-----
Loose-surface, graded, or narrow hard-surface - - - -			
① U. S. Route		① State Route	

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EXHIBIT "A1"-MAP TITLE

ALLENS RANCH, UTAH

N4000-W11200/7.5

1947

29

BM 5178

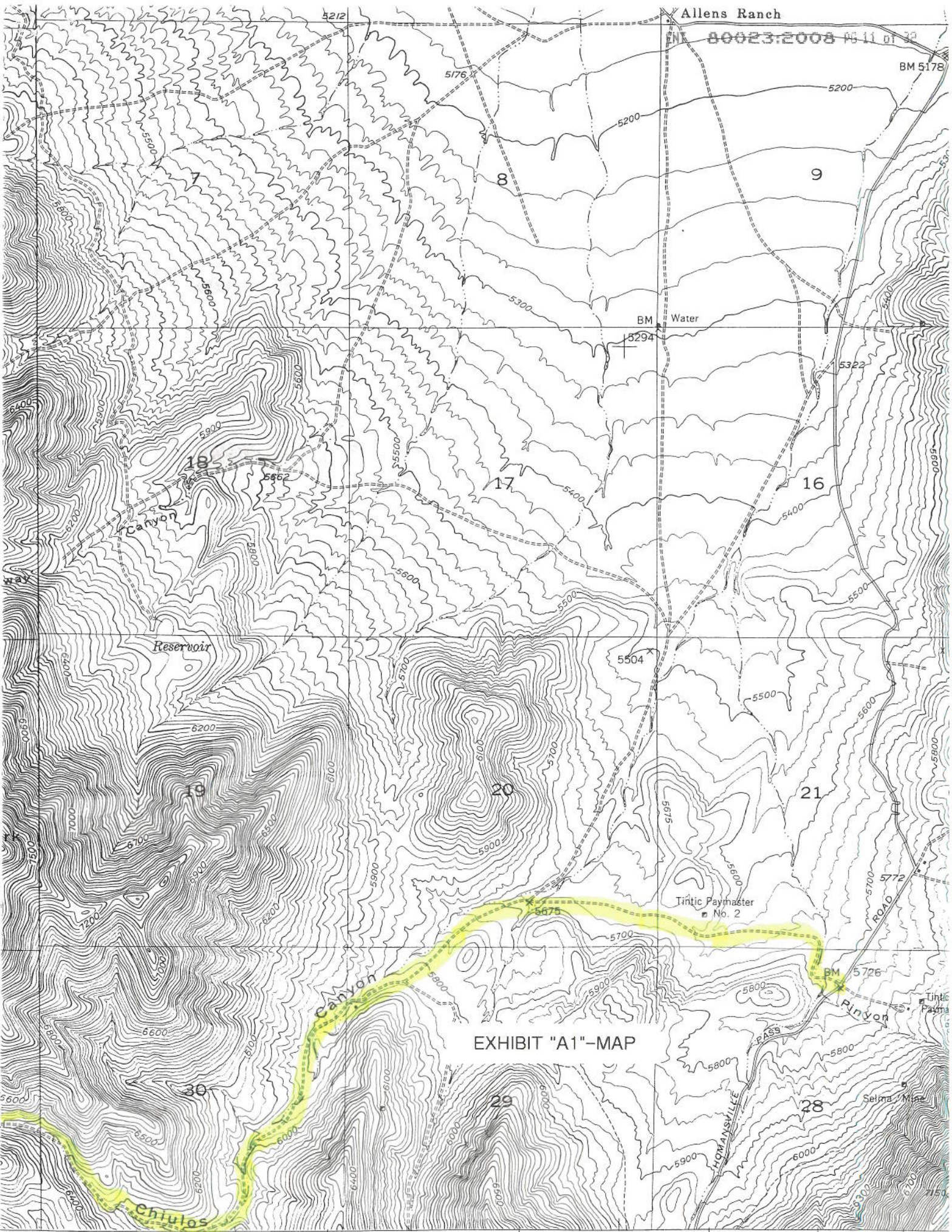
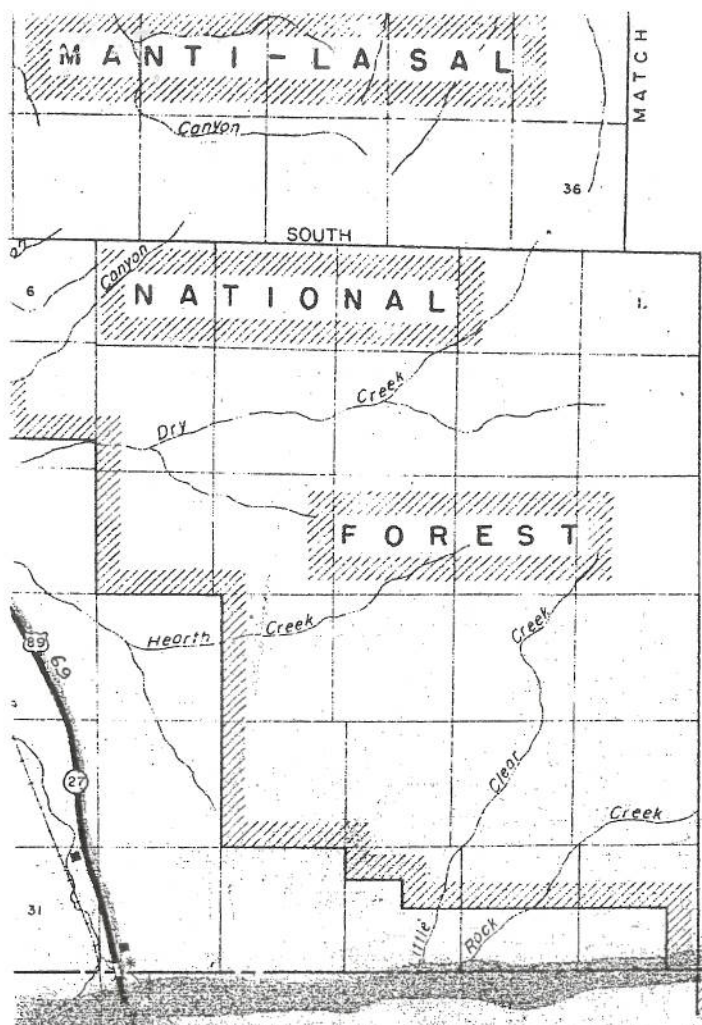


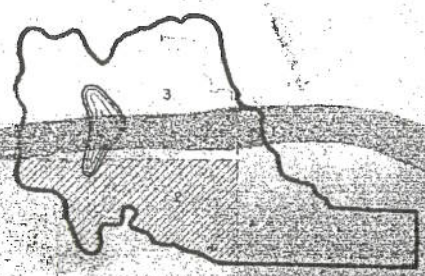
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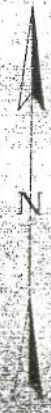
ENT 80023:2008 P 12 of 32

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KEY TO SHEETS



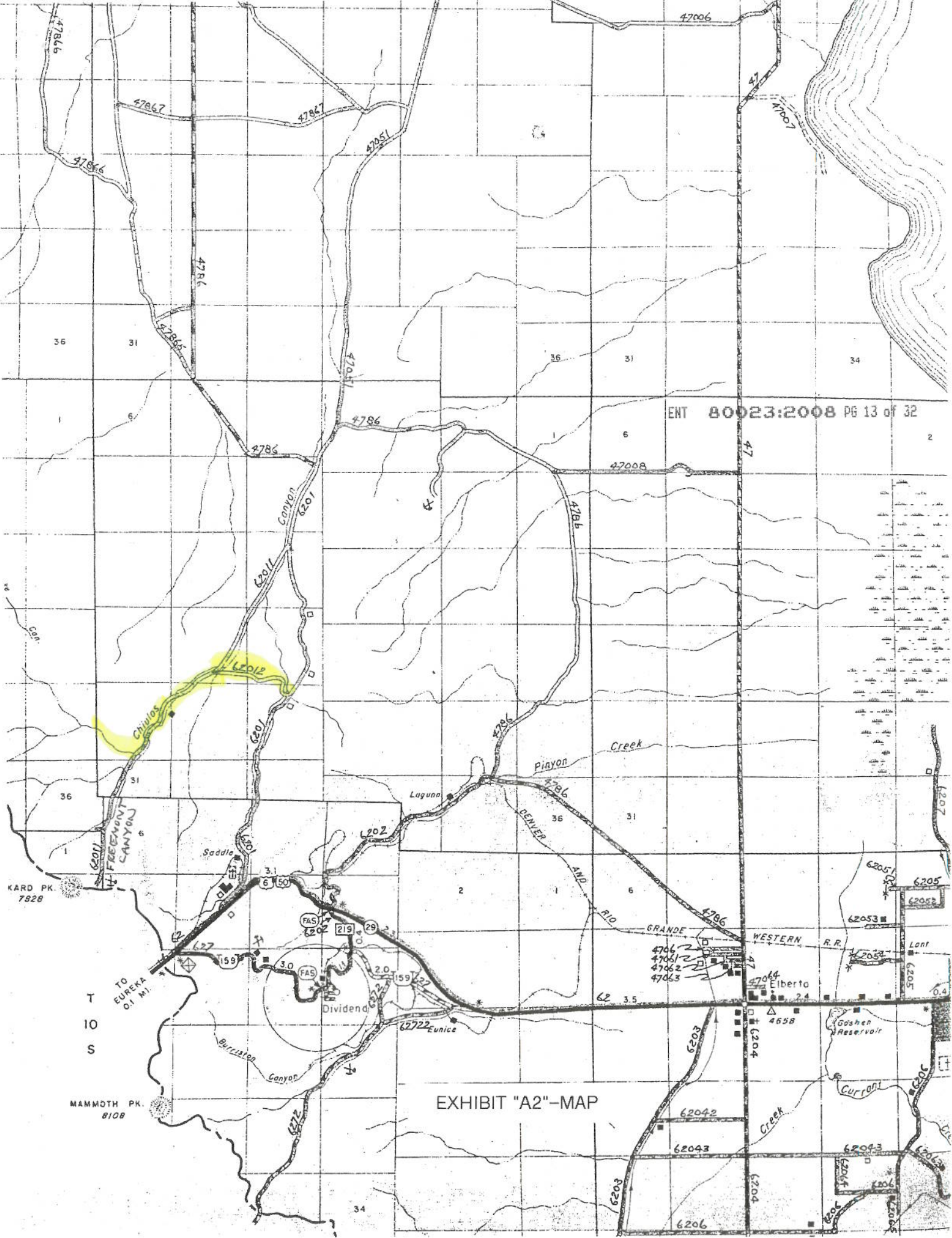
R 4 E
C O U N T Y



GENERAL HIGHWAY MAP
UTAH COUNTY
UTAH

EXHIBIT "A2"-MAP TITLE

1955



ENT 80023:2008 PG 13 of 32

EXHIBIT "A2"-MAP

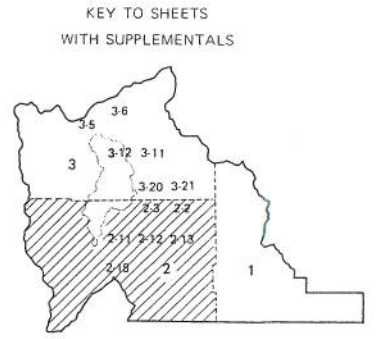
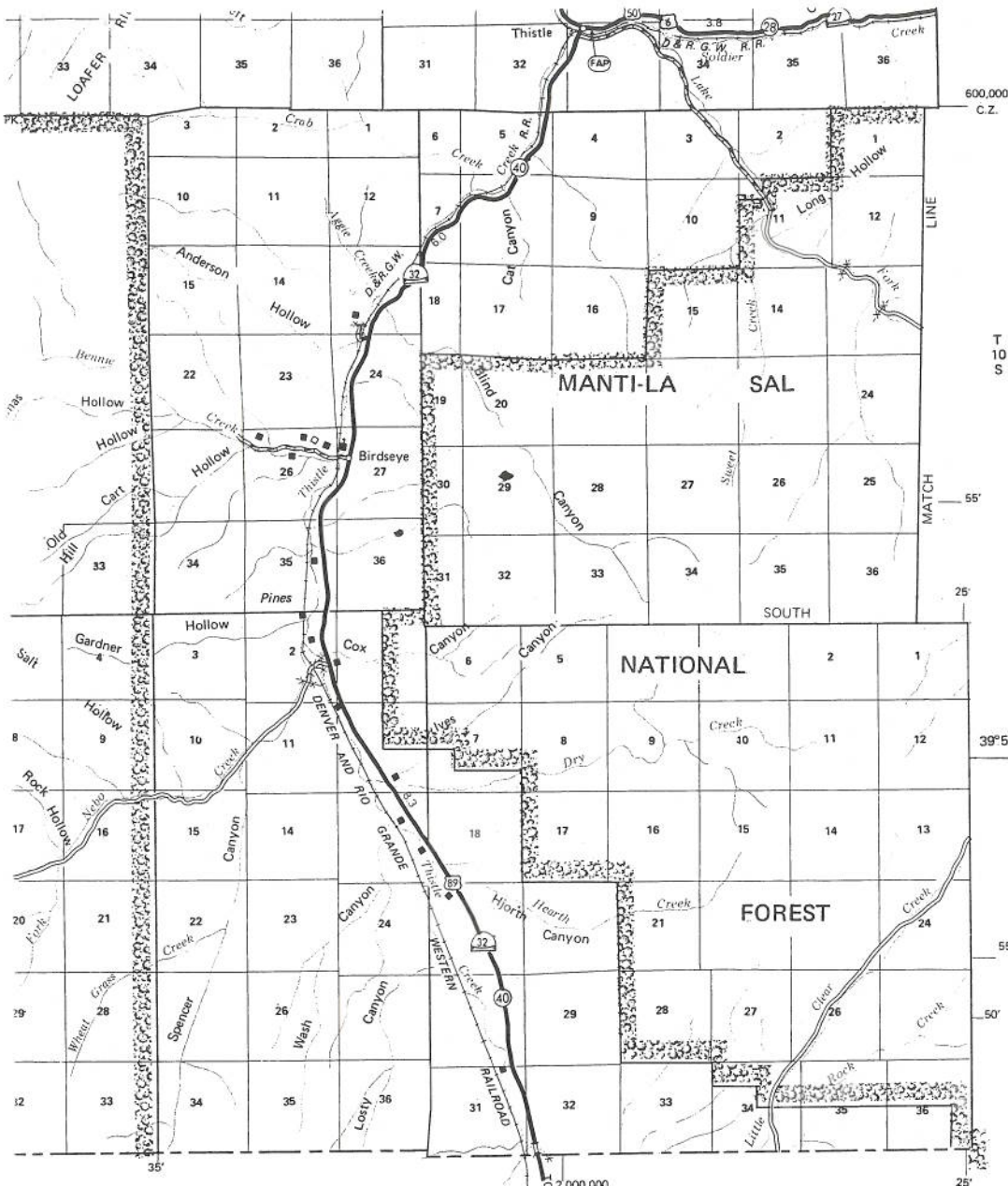
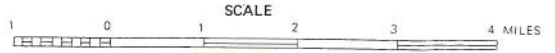


EXHIBIT "A3"-MAP TITLE

GENERAL HIGHWAY MAP UTAH COUNTY

UTAH



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

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

for resale prohibited.

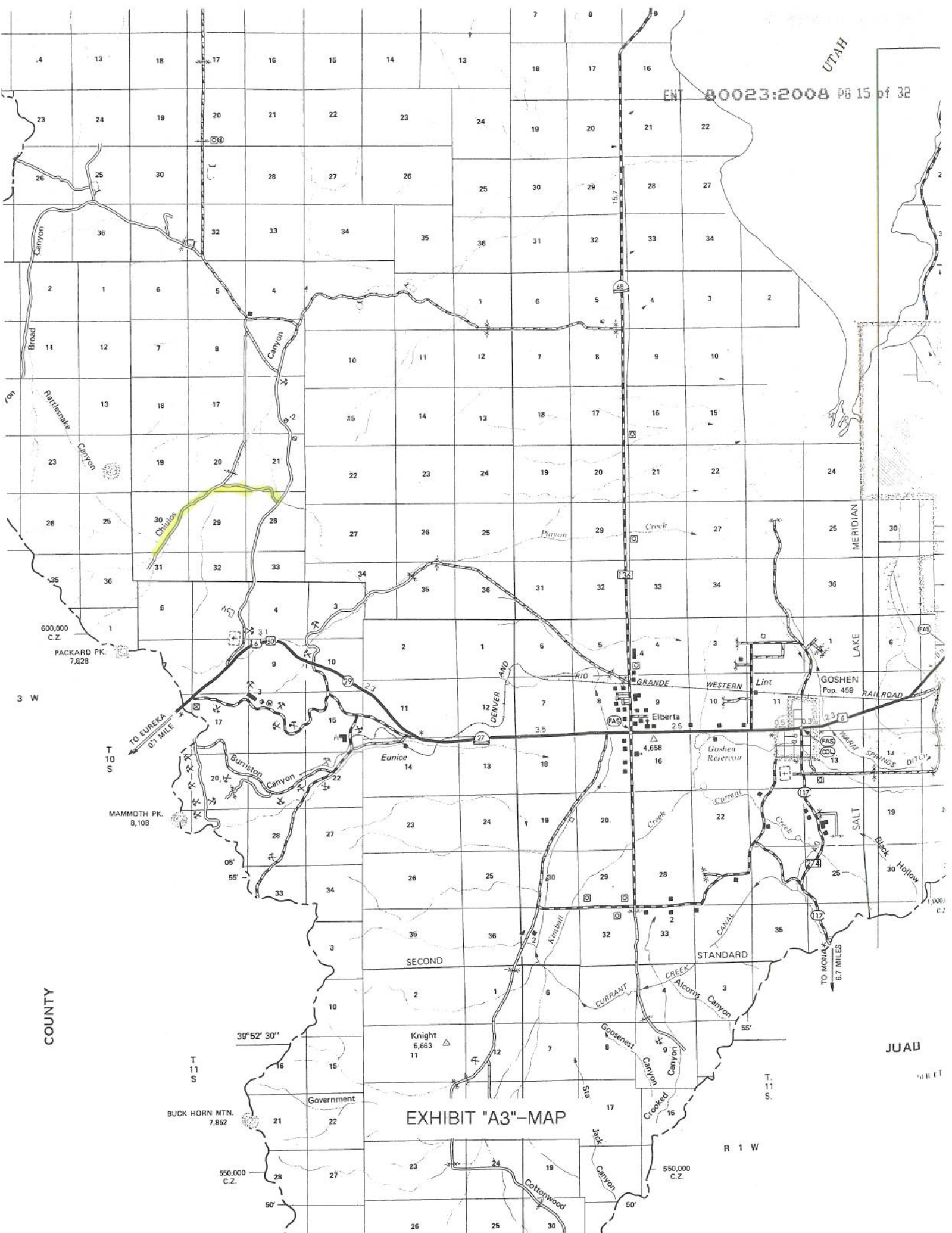


EXHIBIT "A3"-MAP

JUAB
SHEET

COUNTY

PACKARD PK. 7,828
600,000 C.Z.

MAMMOTH PK. 8,108

BUCK HORN MTN. 7,852
550,000 C.Z.

50'

50'

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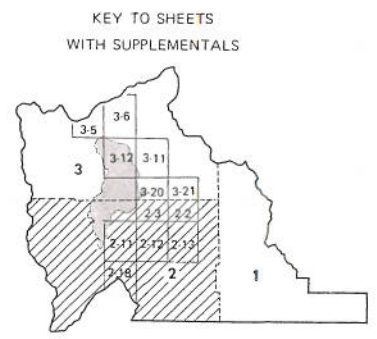
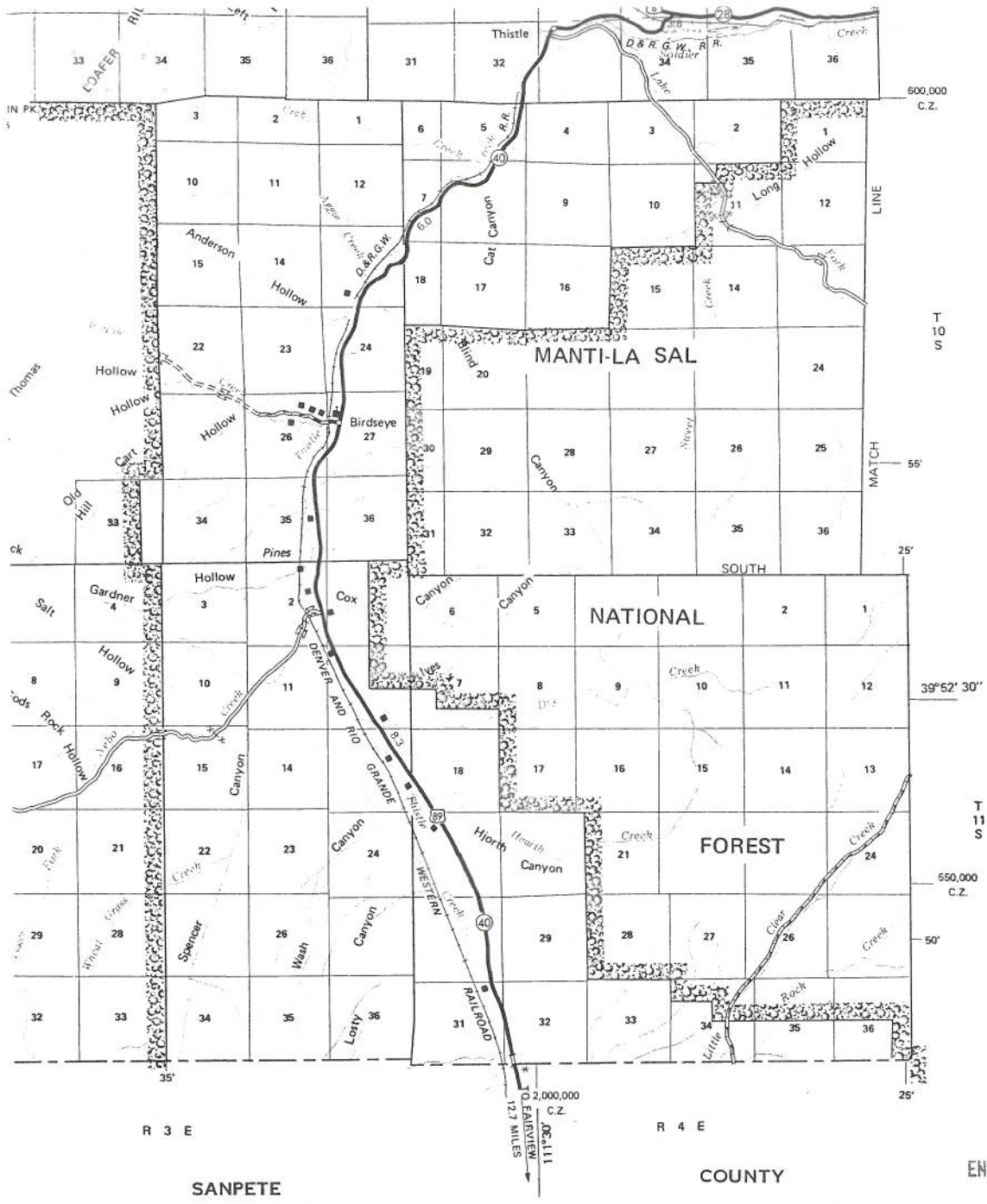
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**GENERAL HIGHWAY MAP
UTAH COUNTY**

UTAH
SCALE



1985

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

EXHIBIT "A4"-MAP TITLE

Copies of this map are available
for public use at nominal cost
U.D.O.T.
Office of Community Relations
U.D.O.T. - D.P.S. Complex
4501 South 2700 West
Salt Lake City, Utah 84119

Copyright © Utah Department of Transportation

SHEET 2 OF 3 MAP SHEETS AND 10 SUPPLEMENTAL SHEET

R 3 E

R 4 E

SANPETE

COUNTY

SHEET NO. 1

EETS

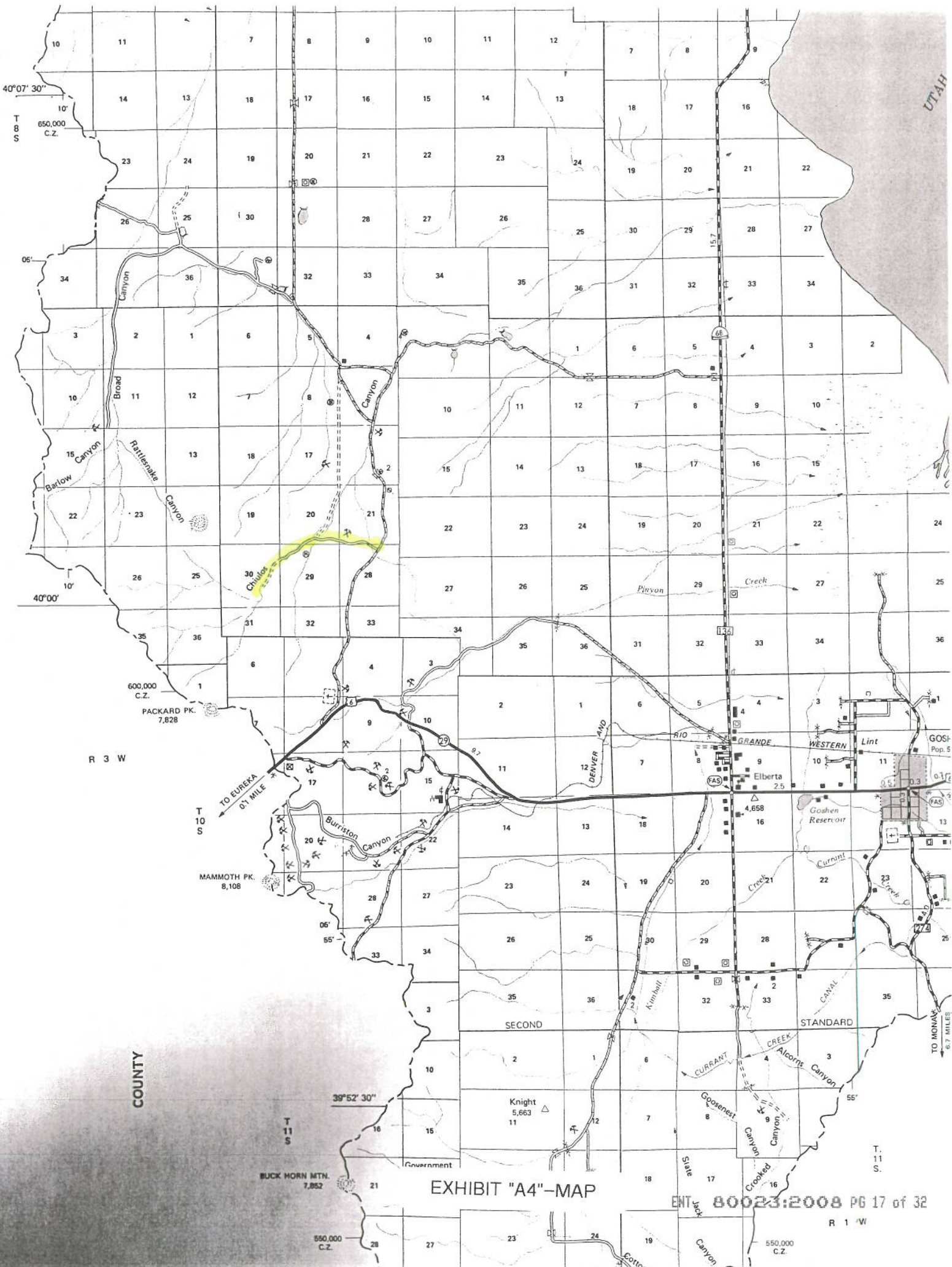


EXHIBIT "A4"-MAP

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R 1 W

COUNTY

UTAH

T 8 S

T 10 S

T 11 S

T. 11 S.

R 3 W

Government

Site

40°00'

39°52' 30"

550,000 C.Z.

550,000 C.Z.

600,000 C.Z.

650,000 C.Z.

PACKARD PK. 7,828

MAMMOTH PK. 8,108

BUCK HORN MTN. 7,852

Knight 5,663 11

Elberta 2.5

Lint

GOSH Pop. 5

TO MONAHE 6.7 MILES

TO EUREKA 0.1 MILE

EXHIBIT "A4"-MAP

ENT 80023:2008 PG 17 of 32

R 1 W

COUNTY

UTAH

T 8 S

T 10 S

T 11 S

T. 11 S.

R 3 W

Government

Site

40°00'

39°52' 30"

550,000 C.Z.

550,000 C.Z.

600,000 C.Z.

650,000 C.Z.

PACKARD PK. 7,828

MAMMOTH PK. 8,108

BUCK HORN MTN. 7,852

Knight 5,663 11

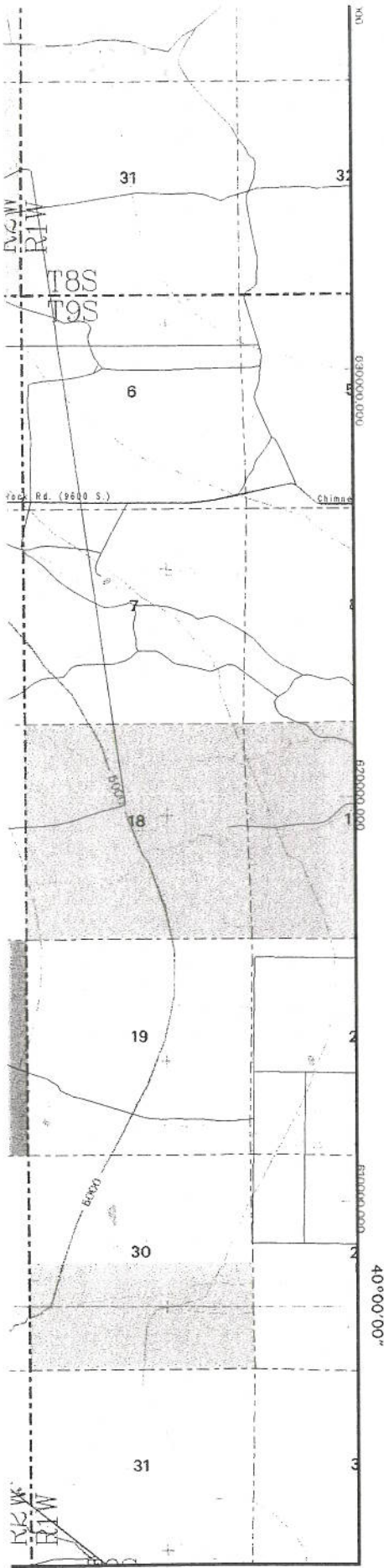
Elberta 2.5

Lint

GOSH Pop. 5

TO MONAHE 6.7 MILES

TO EUREKA 0.1 MILE



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

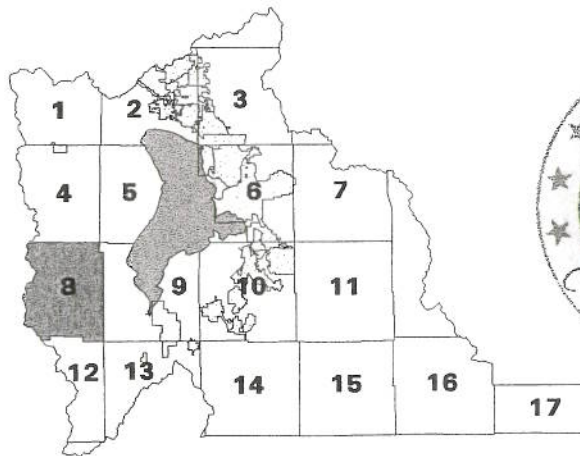
The latitude/longitude tics are based on the
 NAD83 datum. The state plane coordinate tics
 are based on the NAD27 datum.

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

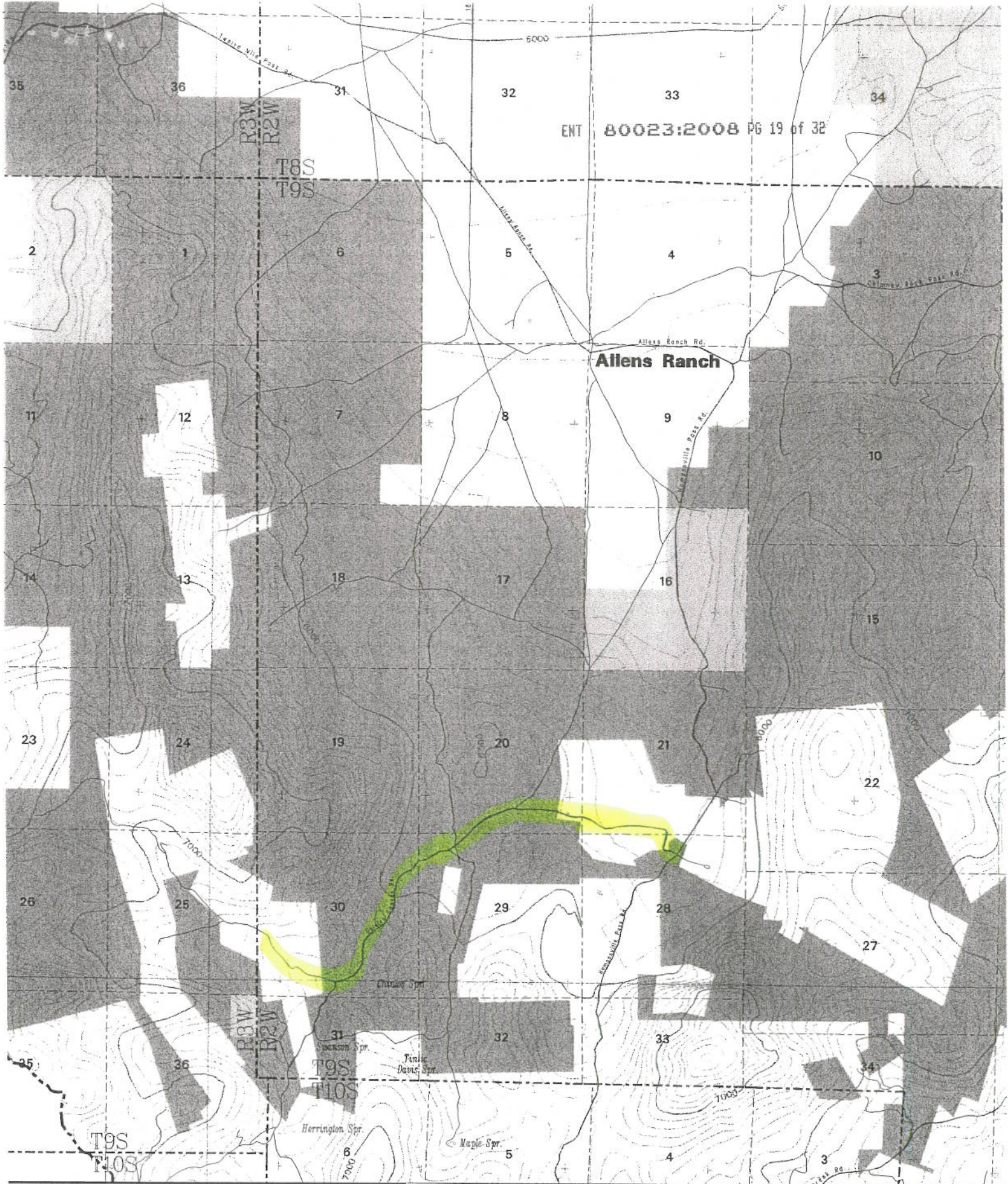
Plot Created: November 21, 1995 DBH

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Road Map of Utah County Sheet 8



Index Map



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Allens Ranch

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 30 day of OCTOBER, 1996.

Chairman: Jerry D. Corcoran

Commissioner: [Signature]

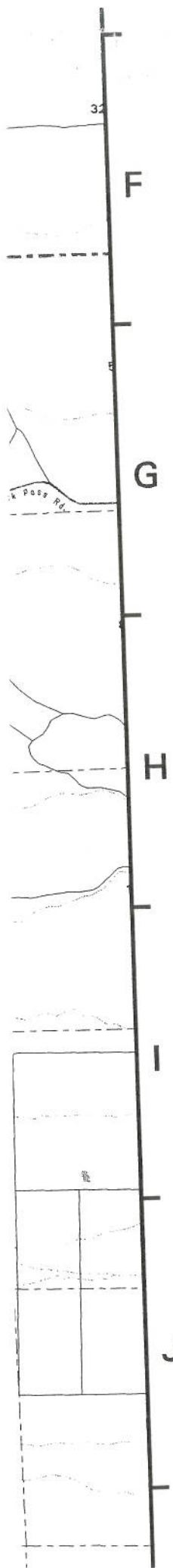
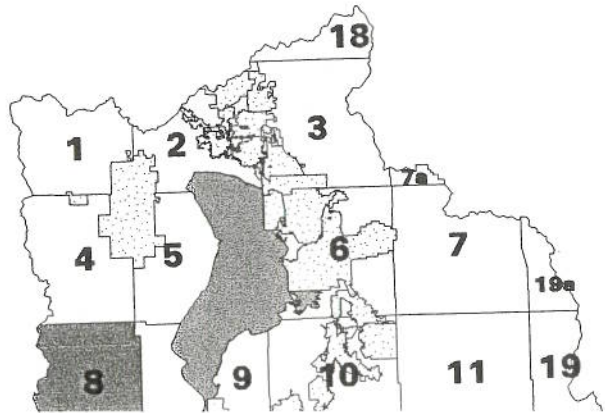
Commissioner: [Signature]

Attest: [Signature]
Title (See Seal): Deputy Clerk

Seal



EXHIBIT "A6"-MAP TITLE



Allens Ranch

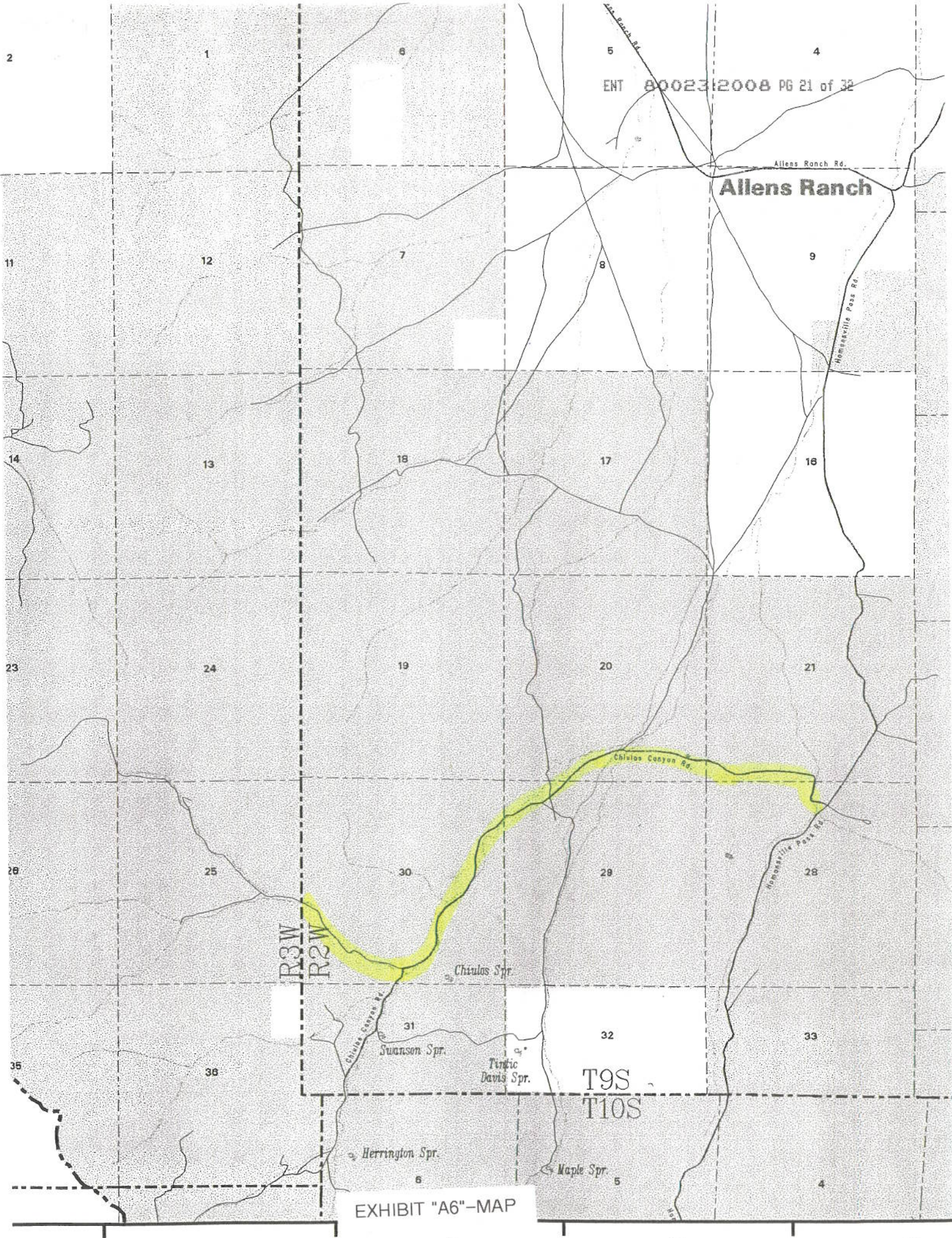


EXHIBIT "A6"-MAP

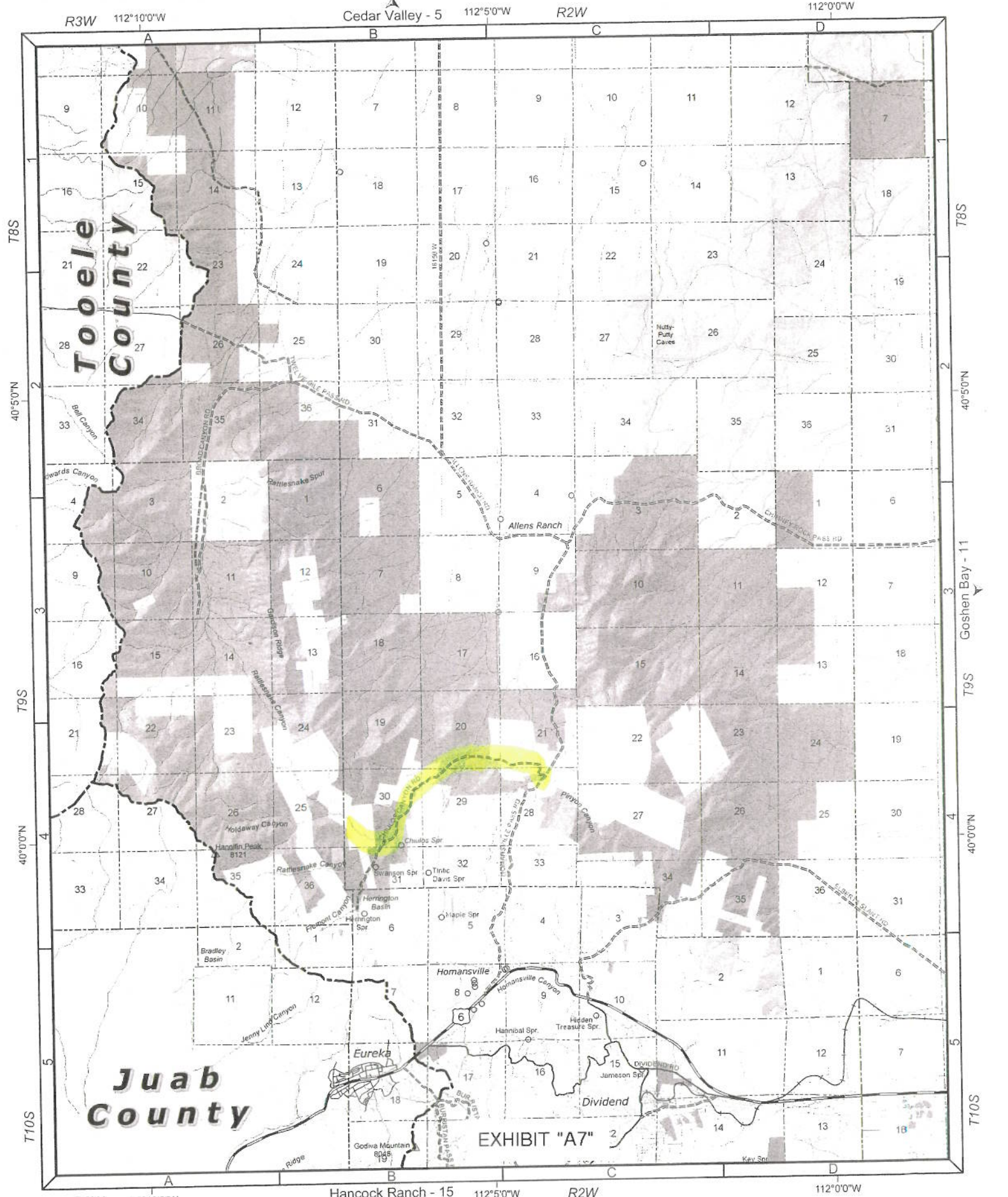
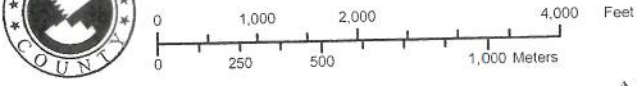
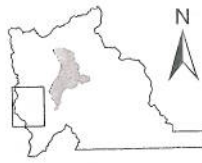
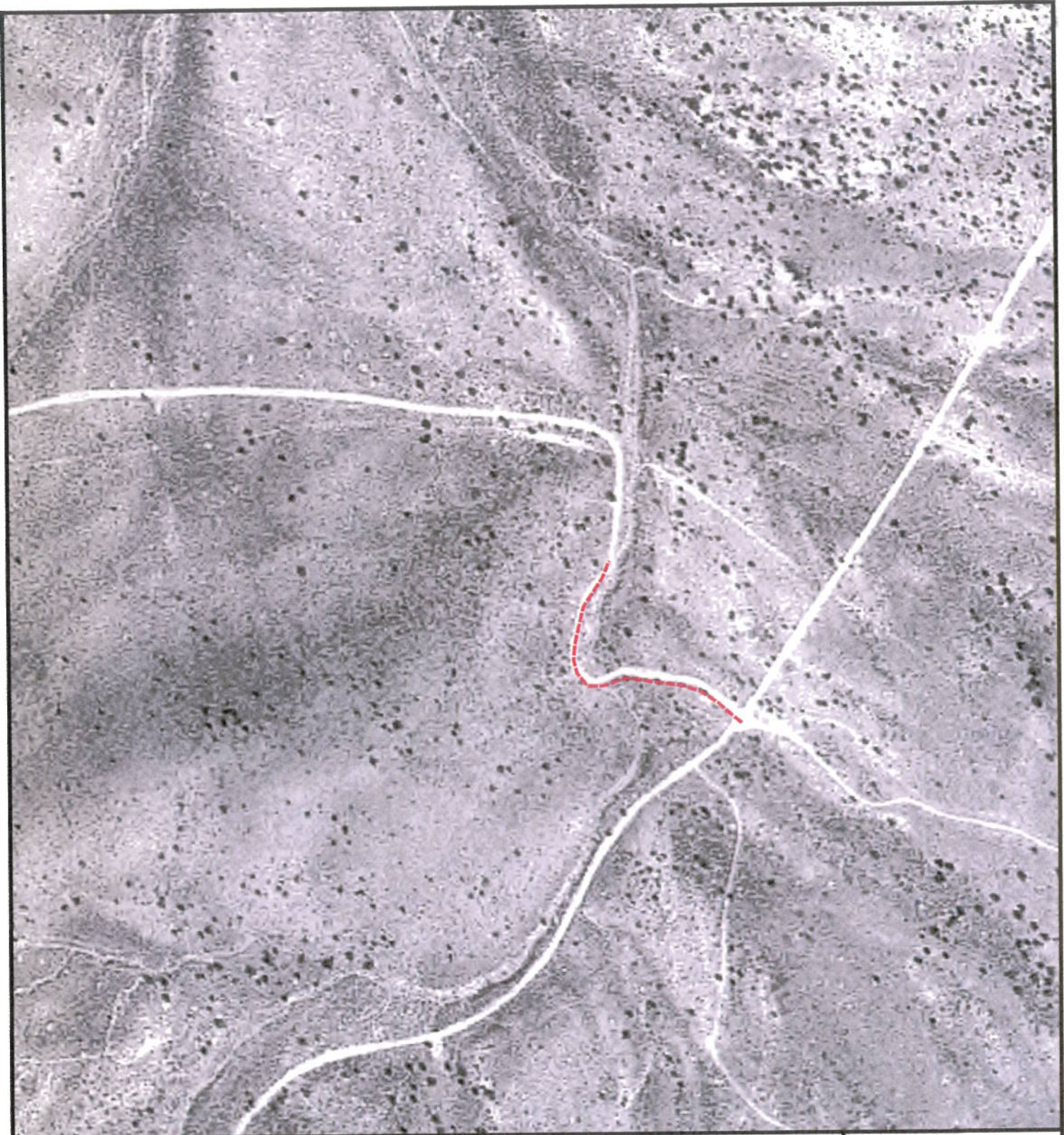


EXHIBIT "A7"



**RS2477
Chiulos
Canyon Rd.**


Segment 01

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

Photo Date 1993

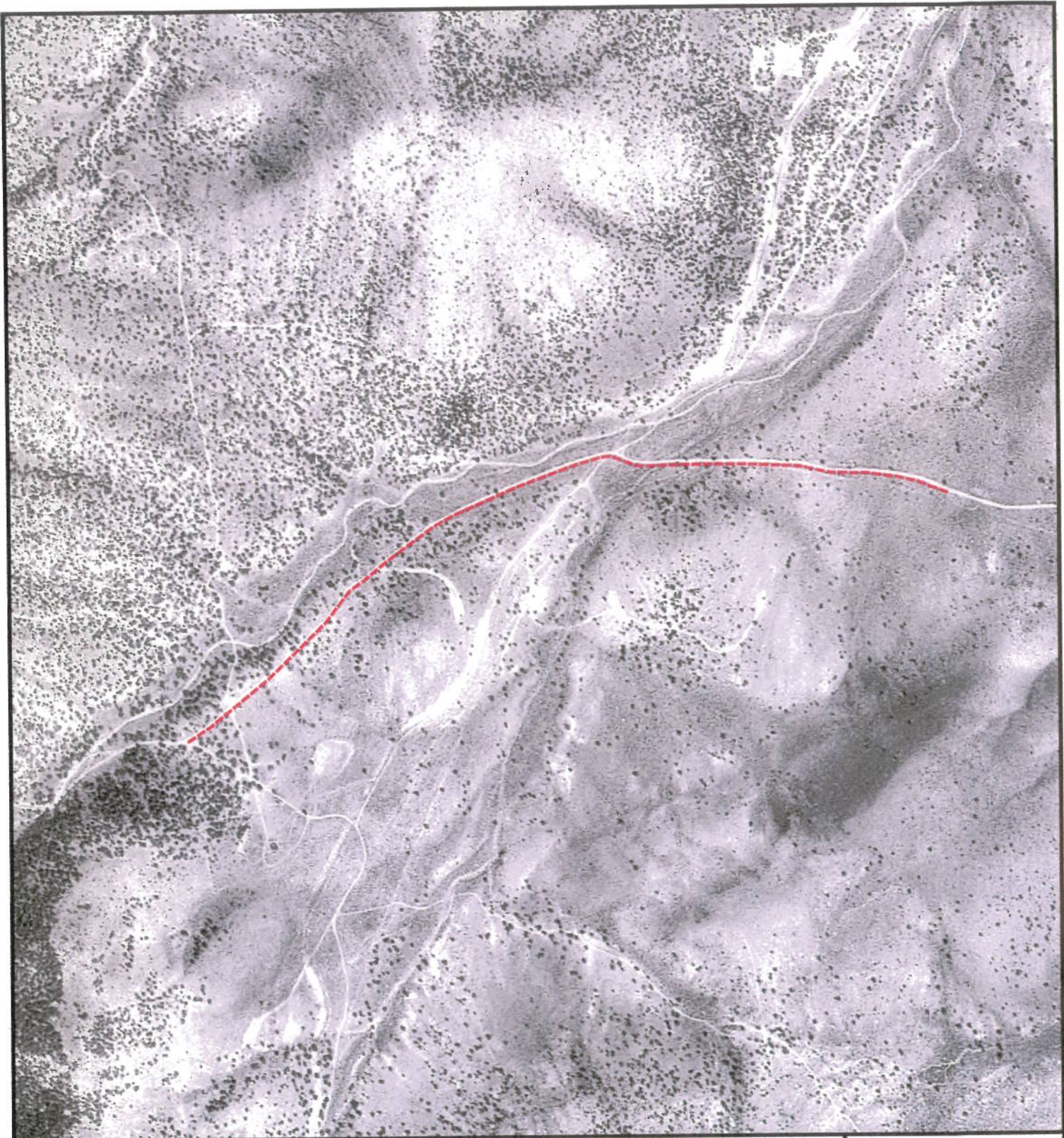
EXHIBIT "A8"



1:4,500
1 inch equals 375 feet



Utah County Public Works - Mapping Division
2855 South State Street
Provo, UT 84606
(801) 851-8626
Printed on August 16, 2006 by maryek



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**RS2477
Chiulos
Canyon Rd.**

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



1:8,036
1 inch equals 669.64 feet

Segment 03

Photo Date 1993

EXHIBIT "A9"



Utah County Public Works - Mapping Division
2855 South State Street
Provo, UT 84606
(801) 851-8826
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**RS2477
Chiulos
Canyon Rd.**

Segment 05

ENT 80023:2008 PG 25 of 32

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

Photo Date 1993

EXHIBIT "A10"



1:6,699
1 inch equals 558.21 feet



Utah County Public Works - Mapping Division
2855 South State Street
Provo, UT 84606
(801) 851-8626
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CHIULOS CANYON ROAD

ENT 80023:2008 PG 26 of 32

STATE OF UTAH)
 :SS
COUNTY OF UTAH)

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

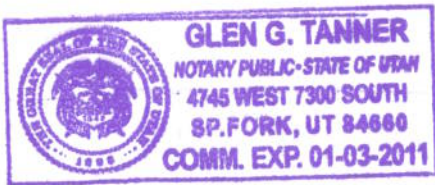
1. I am an adult competent to testify about the matters set forth below based on my personal knowledge.
2. From 1958 to 1988 I was employed with Utah County in the Roads Department where I was an operator/truck driver, supervisor over bridges and culverts, and worked in maintenance and oiling of roads. During that time period, I was personally familiar with Utah County's construction and maintenance activities on county roads, including the road known as Chiulos Canyon Road that runs from Homansville Pass Road. A map of the road is attached hereto as Exhibit "A".
3. Utah County has performed the following maintenance activities on the road during my employment with the County: graded the road and performed other general maintenance on the road.
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 1958.
6. At no time during my employment with the County undertake any procedure to abandon or vacate its right-of-way on the road.
7. Uses of the road since before 1966 and before any federal reservation included, but were not

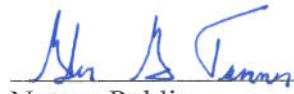
limited to, mining, shepherding, ranching, and for recreational activities.

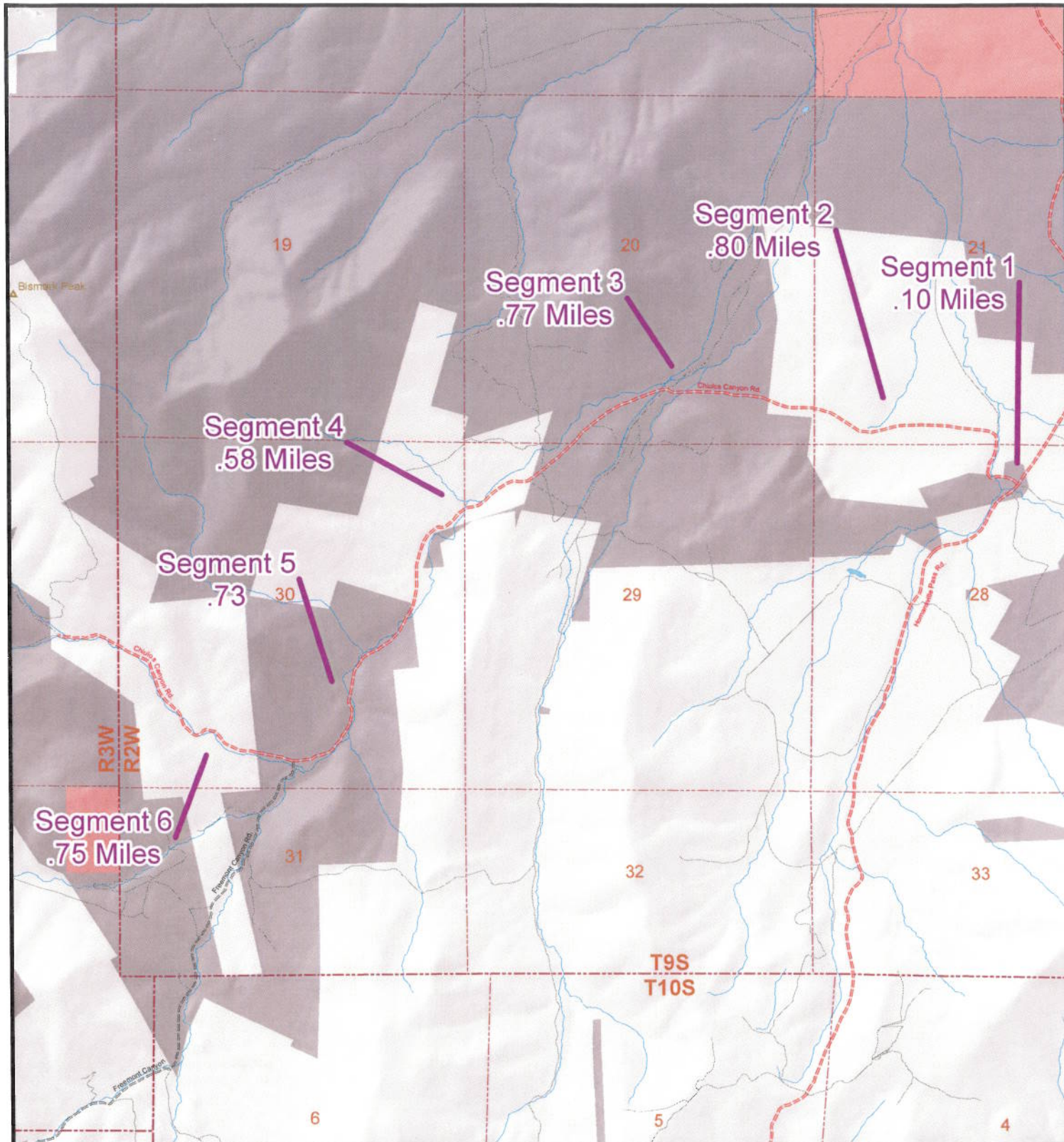
DATED this 11 day of JUNE, 2007.


ROBERT CURTIS BEVERLY

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




Notary Public



RS2477
Chiulos
Canyon Rd
1.6 Miles

B836
3.73 Miles

Legend				
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 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

N
 W E
 S
 1:25,088
 1 inch equals 2,090.69 feet



Utah County Public Works - Mapping Division
 2855 South State Street
 Provo, UT 84606
 (801) 851-8526
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"Exhibit A"

CHIULOS CANYON ROAD

STATE OF UTAH)
 :SS
COUNTY OF UTAH)

I, BYRON L. ORTON, being first duly 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. From 1947 to 1965 I was employed with the Utah Department of Transportation in District 6 where I was a truck operator, a foreman, and a 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 Chiulos Canyon Road that runs from Homansville Pass Road. A map of the road is attached hereto as Exhibit "A".
3. Utah County has performed the following maintenance activities on the road during my employment with the County: graded the road and performed other general maintenance.
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 1947.
6. At no time during my employment with the County undertake any procedure to abandon or vacate its right-of-way on the road.
7. Uses of the road since before 1966 and before any federal reservation included, but were not

limited to, mining, shepherding, ranching, and for recreational activities.

DATED this 17 day of MAY, 2007.



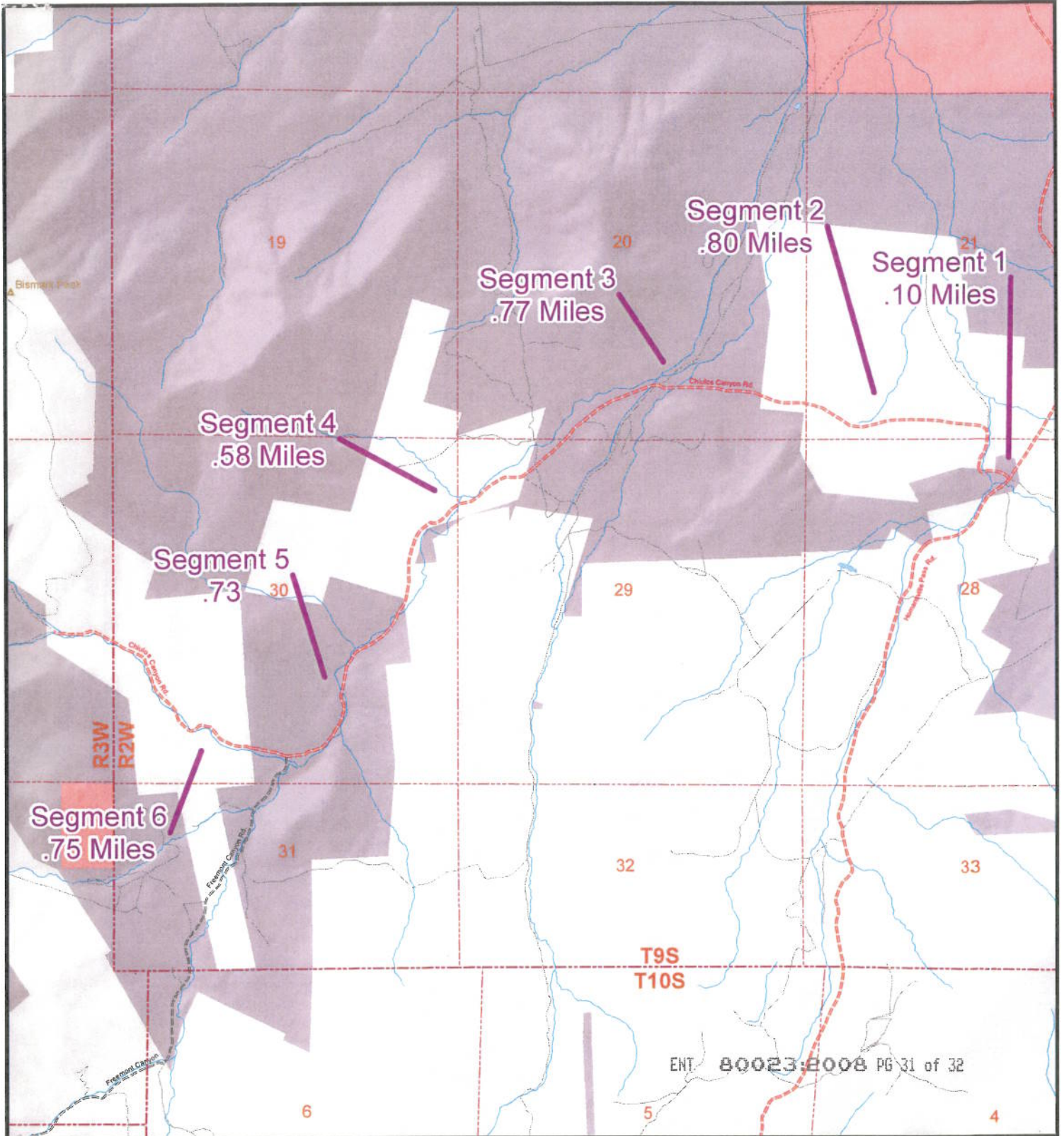
BYRON L. ORTON

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



Notary Public





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RS2477
Chiulos
Canyon Rd
1.6 Miles

B836
3.73 Miles

State Roads

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

Official County Roads

- Paved
- Unpaved

Local Roads

- Paved
- 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
- 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



1:25,088
 1 inch equals 2,090.69 feet



Utah County Public Works - Mapping Division
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"Exhibit A"

Exhibit B

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

Popular Name: CHIULOS CANYON ROAD

County: Utah

County Road Number: B836

State Geographic Information Database (SGID) Road Identification Number: RD250004.

Total Road Length: 3.87 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 59 minutes 13.48 seconds North Latitude and -112 degrees 06 minutes 059.9 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,467,642.9 feet and Y = 7,164,612.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 00 minutes 42.37 seconds North Latitude and -112 degrees 04 minutes 14.47 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,480,575.1 feet and Y = 7,173,520.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 South Range 2 West, Section(s) 6, Salt Lake Base & Meridian

Township 9 South Range 2 West, Section(s) 20,21,28,29,30,31, Salt Lake Base & Meridian