



**Exhibit A**

**AFFIDAVIT OF CLYDE R. NAYLOR**  
**LAKE MOUNTAIN COMMUNICATION ROAD**  
**UTAH COUNTY, UTAH**  
**COUNTY "D" ROAD NUMBER D 004**

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 "D" road known as the Lake Mountain Communication Road that runs from State Road 68 southerly to the Soldiers Pass Road. A map of the road is attached hereto as Exhibit "A".

5. The road is known as Utah County "D" road # D 004. The road is a dirt road located in Township 6 South, Range 1 West and Township 7 South, Range 1 West. The 6.26 miles of the road, located in Sections 10, 15, 22 and 34 of Township 6 South, Range 1 West and Sections 3, 9, 10 and 17 of Township 7 South, Range 1 West, runs across federal property.
6. As the Utah County Surveyor, I have supervised a center line survey of the segments of the Lake Mountain Communication Road believed to be in the ownership of the Bureau of Land Management.

The center line descriptions are as follows:

SEGMENT 7:

Commencing at the point of intersection of the centerline of the Lake Mountain Communication Road with the East line of Section 10, Township 6 South, Range 1 West, Salt Lake Base and Meridian, said point being more specifically described as being located 709.61 feet North and 4.98 feet East from the Southeast Corner of said Section 10; thence the following along said centerline:

South 46° 33' 16" West, 78.02 feet; South 40° 03' 29" West, 80.63 feet; South 62° 10' 36" West, 38.65 feet; South 73° 11' 30" West, 44.29 feet; South 80° 44' 06" West, 101.98 feet; North 67° 08' 07" West, 108.27 feet; South 88° 47' 13" West, 30.00 feet; South 68° 27' 49" West, 34.24 feet; South 54° 06' 49" West, 52.20 feet; South 20° 21' 02" West, 81.12 feet; South 43° 54' 28" West, 46.59 feet; South 76° 31' 58" West, 47.17 feet; North 45° 38' 22" West, 57.38 feet; North 30° 08' 43" West, 81.89 feet; North 47° 34' 29" West, 57.09 feet; North 80° 59' 51" West, 31.25 feet; South 83° 31' 00" West, 28.12 feet; South 69° 46' 15" West, 59.35 feet; South 59° 32' 38"

West, 130.91 feet; South 67° 26' 02" West, 209.48 feet; South 77° 13' 26" West, 200.37 feet;  
South 63° 16' 43" West, 100.28 feet; South 45° 37' 53" West, 27.16 feet; South 25° 46' 42"  
West, 63.25 feet; South 12° 30' 46" West, 199.81 feet; South 34° 45' 02" West, 212.91 feet;  
South 25° 46' 59" West, 63.24 feet; South 36° 46' 58" West, 115.98 feet; South 60° 28' 30"  
West, 125.00 feet; South 17° 38' 55" West, 78.26 feet; South 38° 12' 21" West, 95.53 feet;  
South 50° 33' 15" West, 135.83 feet; South 41° 02' 05" West, 90.14 feet; North 69° 47' 34"  
West, 49.26 feet; North 10° 45' 33" West, 61.06 feet; North 45° 47' 08" West, 55.00 feet;  
North 83° 47' 42" West, 80.73 feet; South 86° 32' 36" West, 47.35 feet; South 79° 08' 55" West,  
146.50 feet; South 71° 45' 01" West, 117.79 feet; South 56° 22' 30" West, 123.71 feet; South  
52° 43' 33" West, 445.62 feet; South 58° 12' 25" West, 128.23 feet; South 47° 42' 23" West,  
242.36 feet; South 54° 03' 44" West, 94.57 feet; South 59° 23' 08" West, 145.58 feet; South 63°  
55' 19" West, 177.39 feet; South 61° 40' 07" West, 242.07 feet; South 70° 53' 59" West, 208.69  
feet; South 77° 25' 05" West, 148.64 feet; South 70° 58' 24" West, 108.01 feet; South 60° 15'  
18" West, 265.97 feet; South 68° 02' 44" West, 111.26 feet; South 59° 25' 10" West, 166.89  
feet; South 46° 43' 00" West, 70.18 feet; South 35° 20' 30" West, 380.79 feet; South 49° 39' 09"  
West, 80.62 feet; South 42° 31' 34" West, 85.00 feet; South 54° 16' 14" West, 73.71 feet; South  
68° 39' 33" West, 28.29 feet; South 82° 45' 06" West, 99.15 feet; North 88° 37' 12" West, 44.38  
feet; North 80° 20' 13" West, 83.33 feet; South 87° 37' 57" West, 28.07 feet; South 67° 12' 53"  
West, 189.03 feet; South 47° 50' 49" West, 82.30 feet; South 36° 49' 34" West, 149.00 feet;  
South 25° 07' 10" West, 101.13 feet; South 19° 36' 09" West, 95.13 feet; South 28° 58' 14"  
West, 209.88 feet; South 38° 23' 32" West, 134.63 feet; South 44° 53' 18" West, 73.82 feet;

South 24° 43' 14" West, 106.07 feet; South 01° 31' 16" West, 134.63 feet; South 17° 06' 02" East, 72.11 feet; South 02° 14' 24" West, 221.93 feet; South 16° 04' 19" East, 64.81 feet; South 19° 55' 36" East, 342.45 feet; South 03° 01' 20" West, 89.92 feet; South 10° 20' 32" East, 73.67 feet; South 36° 47' 54" East, 102.26 feet; South 45° 38' 53" East, 106.81 feet; South 53° 31' 29" East, 122.36 feet; South 68° 36' 09" East, 59.11 feet; South 86° 23' 22" East, 63.31 feet; South 65° 27' 05" East, 55.61 feet; South 54° 53' 54" East, 115.09 feet; South 46° 16' 43" East, 164.66 feet; South 51° 21' 03" East, 123.68 feet; South 34° 53' 27" East, 54.40 feet; South 26° 38' 50" East, 91.33 feet; South 42° 32' 14" East, 28.58 feet; South 61° 37' 35" East, 69.02 feet to the intersection with the South line of Section 15 of the aforementioned Township and Range.

SEGMENT 9:

Commencing at the point of intersection of the centerline of the Lake Mountain Communication Road with the South boundary of the NE ¼ of the NW ¼ of Section 22, Township 6 South, Range 1 West, Salt Lake Base and Meridian, said point being more specifically described as being located 1315.61 feet South and 426.05 feet West from the North Quarter Corner of said Section 22; thence the following along said centerline:

South 16° 49' 02" East, 80.44 feet; South 11° 36' 58" East, 265.20 feet; South 05° 23' 39" West, 53.62 feet; South 28° 10' 40" West, 36.80 feet; South 03° 31' 09" East, 40.92 feet; North 65° 39' 54" East, 68.64 feet; North 44° 59' 07" East, 84.78 feet; North 31° 09' 46" East, 77.51 feet; North 21° 47' 37" East, 39.98 feet; North 34° 03' 21" East, 40.01 feet; South 19° 26' 10" East, 40.86 feet; South 07° 18' 48" West, 137.56 feet; South 12° 43' 48" West, 113.32 feet; South 04° 14' 07" West, 171.37 feet; South 00° 59' 48" West, 210.54 feet; South 11° 04' 00" West, 85.43

feet; South 15° 52' 15" West, 114.02 feet; South 27° 53' 51" West, 136.19 feet; South 20° 41' 32" West, 105.66 feet to the intersection with the East-West Quarter Section line of said Section 22.

SEGMENT 11:

Commencing at the point of intersection of the centerline of the Lake Mountain Communication Road with the North line of Section 34, Township 6 South, Range 1 West, Salt Lake Base and Meridian, said point being more specifically described as being located 9.59 feet North and 2383.09 feet West from the Northeast Corner of said Section 34; thence the following along said centerline:

South 00° 39' 53" East, 101.42 feet; South 16° 03' 53" East, 59.90 feet; South 26° 27' 29" East, 87.11 feet; South 08° 22' 45" East, 30.82 feet; South 09° 44' 56" West, 88.59 feet; South 02° 33' 21" East, 30.61 feet; South 15° 01' 49" East, 113.94 feet; South 04° 38' 37" West, 145.83 feet; South 03° 59' 03" East, 155.64 feet; South 10° 40' 12" West, 90.91 feet; South 16° 10' 06" West, 112.61 feet; South 01° 12' 56" East, 148.54 feet; South 10° 40' 29" East, 121.50 feet; South 06° 23' 09" West, 183.91 feet; South 17° 43' 29" West, 62.83 feet; South 26° 16' 06" West, 90.00 feet; South 11° 23' 08" West, 85.65 feet; South 03° 47' 33" West, 322.85 feet; South 15° 39' 26" West, 93.97 feet; South 31° 03' 39" West, 144.62 feet; South 25° 36' 01" West, 110.54 feet; South 11° 35' 05" West, 87.17 feet; South 00° 23' 03" East, 92.90 feet; South 18° 04' 57" East, 87.62 feet; South 32° 18' 00" East, 135.86 feet; South 04° 12' 00" East, 38.28 feet; South 17° 41' 53" West, 90.37 feet; South 00° 31' 47" East, 63.62 feet; South 08° 04' 34" East, 211.97 feet; South 00° 07' 03" West, 53.47 feet; South 09° 31' 09" West, 85.64 feet;

South 03° 41' 16" West, 159.22 feet; South 17° 27' 27" West, 129.24 feet; South 11° 34' 38" West, 102.59 feet; South 24° 11' 44" West, 33.48 feet; South 52° 50' 07" West, 54.32 feet; South 71° 42' 54" West, 90.91 feet; South 78° 56' 39" West, 62.20 feet; South 63° 09' 19" West, 40.31 feet; South 43° 08' 50" West, 58.74 feet; South 23° 12' 06" West, 62.30 feet; South 15° 27' 32" West, 86.65 feet; South 27° 53' 18" West, 75.04 feet; South 38° 42' 05" West, 45.57 feet; South 72° 18' 59" West, 140.87 feet; South 61° 49' 16" West, 55.24 feet; South 57° 39' 05" West, 193.79 feet; South 42° 24' 38" West, 31.18 feet; South 14° 11' 03" West, 59.29 feet; South 02° 28' 00" East, 67.41 feet; South 16° 25' 30" East, 107.17 feet; South 26° 34' 43" East, 71.74 feet; South 00° 11' 46" West, 42.06 feet; South 16° 43' 49" West, 128.12 feet; South 06° 59' 33" West, 119.17 feet; South 10° 43' 24" East, 94.50 feet; South 25° 34' 42" East, 117.57 feet; South 13° 41' 26" East, 267.64 feet; South 09° 46' 41" West, 59.34 feet; South 17° 11' 49" West, 70.64 feet; South 11° 29' 41" West, 118.85 feet; South 07° 19' 42" West, 141.73 feet; South 32° 43' 32" West, 56.91 feet; South 52° 40' 30" West, 123.92 feet; South 30° 29' 49" West, 68.65 feet; South 11° 30' 17" West, 124.42 feet; South 04° 29' 42" West, 171.31 feet; South 21° 39' 50" West, 54.38 feet; South 41° 30' 42" West, 144.33 feet; South 25° 45' 33" West, 68.72 feet; South 11° 55' 05" West, 46.98 feet; South 09° 56' 02" East, 33.12 feet; South 32° 48' 16" East, 176.48 feet; South 30° 16' 22" East, 203.40 feet; South 18° 56' 47" East, 75.76 feet; South 07° 49' 58" East, 88.64 feet; South 24° 57' 29" East, 90.38 feet; South 34° 43' 16" East, 88.04 feet; South 62° 09' 19" East, 74.92 feet; South 70° 08' 42" East, 71.45 feet; South 66° 02' 26" East, 141.36 feet; South 77° 46' 43" East, 176.30 feet; South 68° 53' 33" East, 83.80 feet; South 49° 40' 05" East, 92.19 feet; South 28° 41' 27" East, 61.83 feet;



South 12° 13' 02" East, 30.50 feet; South 07° 03' 27" West, 28.96 feet; South 28° 33' 26" West, 129.01 feet; South 24° 00' 01" West, 112.38 feet; South 08° 27' 01" West, 115.51 feet; South 12° 21' 48" East, 95.26 feet; South 23° 49' 28" East, 125.10 feet; South 11° 29' 01" East, 94.39 feet; South 03° 59' 02" West, 148.01 feet; South 10° 48' 57" West, 88.09 feet; South 20° 16' 13" West, 118.28 feet; South 28° 17' 42" West, 332.12 feet; South 09° 54' 19" West, 86.02 feet; South 03° 24' 34" West, 134.31 feet; South 03° 02' 54" East, 133.49 feet; South 07° 44' 41" West, 135.70 feet; South 06° 41' 24" East, 89.47 feet; South 19° 02' 40" East, 91.38 feet; South 23° 57' 43" East, 63.29 feet; South 18° 00' 14" East, 87.70 feet; South 00° 23' 34" East, 125.22 feet; South 22° 59' 23" East, 99.39 feet; South 01° 50' 19" East, 38.31 feet; South 13° 09' 25" West, 71.59 feet; South 01° 03' 41" West, 45.00 feet; South 21° 38' 43" East, 38.86 feet; South 03° 50' 27" East, 66.35 feet; South 04° 41' 00" West, 87.92 feet; South 15° 30' 38" West, 96.99 feet; South 24° 32' 46" West, 98.28 feet; South 35° 31' 47" West, 259.46 feet; South 32° 50' 28" West, 277.19 feet; South 26° 08' 32" West, 164.07 feet; South 38° 44' 29" West, 57.61 feet; South 51° 27' 17" West, 91.55 feet; South 61° 10' 44" West, 61.15 feet; South 75° 59' 33" West, 137.22 feet; South 63° 48' 33" West, 102.36 feet; South 52° 38' 28" West, 208.66 feet; South 34° 41' 52" West, 137.60 feet; South 23° 06' 09" West, 131.15 feet; South 28° 04' 09" West, 249.10 feet; South 31° 29' 45" West, 122.55 feet; South 16° 56' 31" West, 33.14 feet; South 01° 53' 02" East, 57.86 feet; South 20° 42' 15" East, 76.79 feet; South 00° 18' 03" West, 30.00 feet; South 09° 32' 42" West, 156.93 feet; South 12° 51' 00" West, 212.18 feet; South 31° 21' 38" West, 96.81 feet; South 52° 37' 37" West, 248.97 feet; South 38° 46' 09" West, 66.71 feet; South 13° 40' 40" West, 71.58 feet; South 00° 30' 05" West, 121.79 feet;

South 13° 52' 23" East, 127.26 feet; South 24° 13' 55" East, 106.10 feet; South 14° 51' 03" West, 17.54 feet; South 30° 02' 52" West, 166.11 feet; South 45° 44' 24" West, 160.63 feet; South 27° 37' 35" West, 55.23 feet; South 03° 05' 20" East, 58.03 feet; South 17° 23' 34" East, 112.12 feet; South 06° 25' 24" East, 62.16 feet; South 15° 54' 00" West, 32.76 feet; South 38° 08' 06" West, 61.30 feet; South 41° 13' 17" West, 73.19 feet; South 53° 38' 30" West, 61.00 feet; South 67° 55' 54" West, 43.66 feet; South 76° 14' 31" West, 47.52 feet; South 57° 31' 25" West, 73.10 feet; South 43° 35' 13" West, 66.29 feet; South 20° 58' 34" West, 66.32 feet; South 09° 16' 09" West, 93.30 feet; South 02° 43' 22" East, 78.53 feet; South 09° 09' 01" East, 90.04 feet; South 02° 48' 21" West, 101.47 feet; South 19° 27' 49" West, 55.04 feet; South 29° 33' 57" West, 52.11 feet; South 43° 10' 28" West, 71.93 feet; South 32° 31' 55" West, 188.82 feet; South 54° 59' 04" West, 123.29 feet; South 80° 01' 47" West, 144.04 feet; South 68° 48' 32" West, 34.91 feet; South 35° 43' 40" West, 71.31 feet; South 16° 54' 55" West, 57.23 feet; South 40° 08' 15" West, 58.79 feet; South 86° 22' 39" West, 78.80 feet; North 87° 48' 09" West, 104.62 feet; South 68° 11' 16" West, 42.40 feet; South 43° 24' 00" West, 32.64 feet; South 30° 05' 14" West, 232.02 feet; South 49° 59' 30" West, 131.91 feet; South 53° 12' 50" West, 158.02 feet; South 64° 02' 31" West, 156.52 feet; South 79° 07' 07" West, 232.11 feet; South 79° 37' 27" West, 223.28 feet; South 85° 12' 45" West, 228.13 feet; North 89° 04' 21" West, 256.14 feet; South 83° 46' 11" West, 32.69 feet; South 67° 31' 15" West, 39.06 feet; South 42° 46' 46" West, 126.92 feet; South 61° 22' 07" West, 41.52 feet; South 70° 10' 28" West, 120.09 feet; South 59° 48' 32" West, 90.88 feet; South 69° 41' 48" West, 74.11 feet; South 76° 22' 27" West, 92.22 feet; South 69° 00' 26" West, 48.88 feet; South 56° 25' 57" West, 64.73 feet;

South 46° 27' 37" West, 121.49 feet; South 50° 32' 27" West, 63.04 feet; South 55° 11' 03" West, 54.02 feet; South 57° 49' 53" West, 71.65 feet to the intersection with the South line of Section 9 of Township 7 South, Range 1 West, Salt Lake Base and Meridian.

SEGMENT 13:

Commencing at the point of intersection of the centerline of the Lake Mountain Communication Road with the North line of the NE ¼ of the SE ¼ of Section 17, Township 7 South, Range 1 West, Salt Lake Base and Meridian, said point being more specifically described as being located 7.57 feet North and 984.96 feet West from the East Quarter Corner of said Section 17; thence the following along said centerline:

South 36° 53' 56" West, 185.92 feet; South 42° 34' 47" West, 336.04 feet to the intersection with the West line of the Northeast Quarter of the Southeast Quarter of said Section 17.

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 1950, and has been utilized by the public as a county "D" 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 Soldiers Pass, Utah dated 1950, shows the location of the road in Sections 3, 9, 10, and 17 of Township 7 South, Range 1 West, which is attached hereto as Exhibit "A1".
- b. The United States Government survey map for Saratoga Springs, Utah,

- dated 1951, shows the location of the road within Sections 10, 15, 22, and 34 of Township 6 South, Range 1 West, which is attached hereto as Exhibit "A2".
- c. The Official County Road Map of Utah County for Township 6 South, Range 1 West, dated December 8, 1978, shows the northern portion of the Lake Mountain Communications Road, which is attached hereto as Exhibit "A3".
  - d. The Official County Road Map of Utah County for Township 7 South, Range 1 West, dated December 8, 1978, shows the southern portion of the Lake Mountain Communications Road, which is attached hereto as Exhibit "A4".
  - e. The current County Atlas, page 6, titled Lake Mountain, shows the Lake Mountain Communication Road as it traverses federal property, which is attached as Exhibit "A5".
  - f. The Current County "D" road map for the Lake Mountain Communication Road (road # D 004) shows the relationship the road has with the federal property in the area, which is attached as Exhibit "A6".
  - g. The surveyed description for Segment 04 of the Lake Mountain Communication Road has been plotted on an Aerial Photo taken in 1993 to verify the roads existence and is attached as Exhibit "A7".
  - h. The surveyed description for Segment 06 of the Lake Mountain Communication 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 08 of the Lake Mountain Communication 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 10 of the Lake Mountain Communication 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 13<sup>th</sup> day of MARCH, 2007

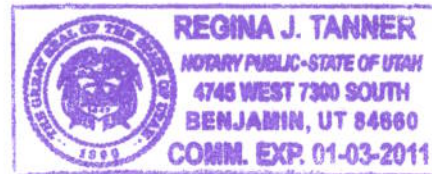
Clyde R. Naylor  
 CLYDE R. NAYLOR

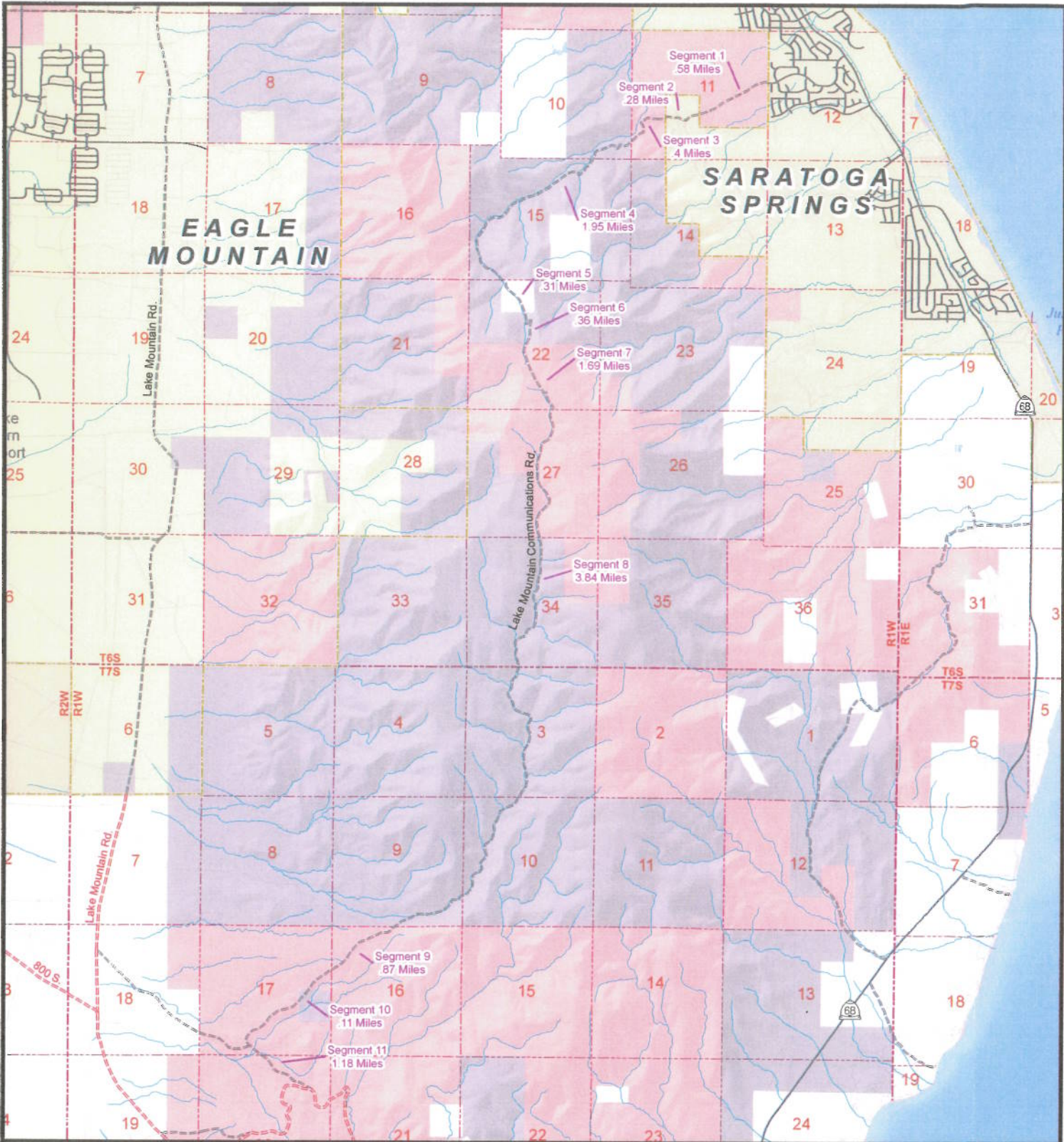
SUBSCRIBED AND SWORN to me, a Notary Public, this 13<sup>th</sup> day of march, 2007

Regina J. Tanner  
 Notary Public

Residing in: UT

My commission expires: 01-03-2011





**RS2477**  
**Lake Mountain**  
**Comm Rd.**  
**11.57 Miles**

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**D004**  
**6.26 Miles**

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**Legend**

<p><b>State Roads</b></p> <ul style="list-style-type: none"> <li> I-15</li> <li> US HWY/State Route</li> <li> Other FAE Route</li> </ul> <p><b>Official County Roads</b></p> <ul style="list-style-type: none"> <li> Paved</li> <li> Unpaved</li> </ul> <p><b>Local Roads</b></p> <ul style="list-style-type: none"> <li> Paved</li> <li> Dirt Roads</li> <li> Gravel Roads</li> <li> Other Roads</li> <li> Railroads</li> </ul>	<p><b>Public Land</b></p> <ul style="list-style-type: none"> <li> B.L.M. Lands</li> <li> National Park Service</li> <li> National Forest</li> <li> Military</li> <li> Other Federal Lands</li> <li> State Lands</li> <li> State Park</li> <li> Utah County Property</li> </ul>	<p><b>Public Survey Lines</b></p> <ul style="list-style-type: none"> <li> Township Lines</li> <li> Section Lines</li> <li> Incorporated Cities</li> </ul>
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1:66,692  
 1 inch equals 5,567.66 feet

Utah County Public Works - Mapping Division  
 2855 South State Street  
 Provo, UT 84606  
 (801) 851-8626  
 Printed on August 10, 2006 by maryek

"Exhibit A"

35

10'

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4000 S.  
T. 7 S.  
T. 8 S.

T A H L A K E

ELEVATION 4487  
SEPT 1949

55'

INTERIOR-GEOLOGICAL SURVEY, WASHINGTON, D. C.-1952

40°07'30"  
111°52'30"

ILE

ROAD CLASSIFICATION

Heavy-duty 4 LANE 16 LANE Light-duty

Medium-duty 4 LANE 16 LANE Unimproved dirt

U. S. Route

State Route

(WEST MOUNTAIN)  
16

EXHIBIT "A1"-MAP TITLE

SOLDIERS PASS, UTAH

N4007.5-W11152.5/7.5

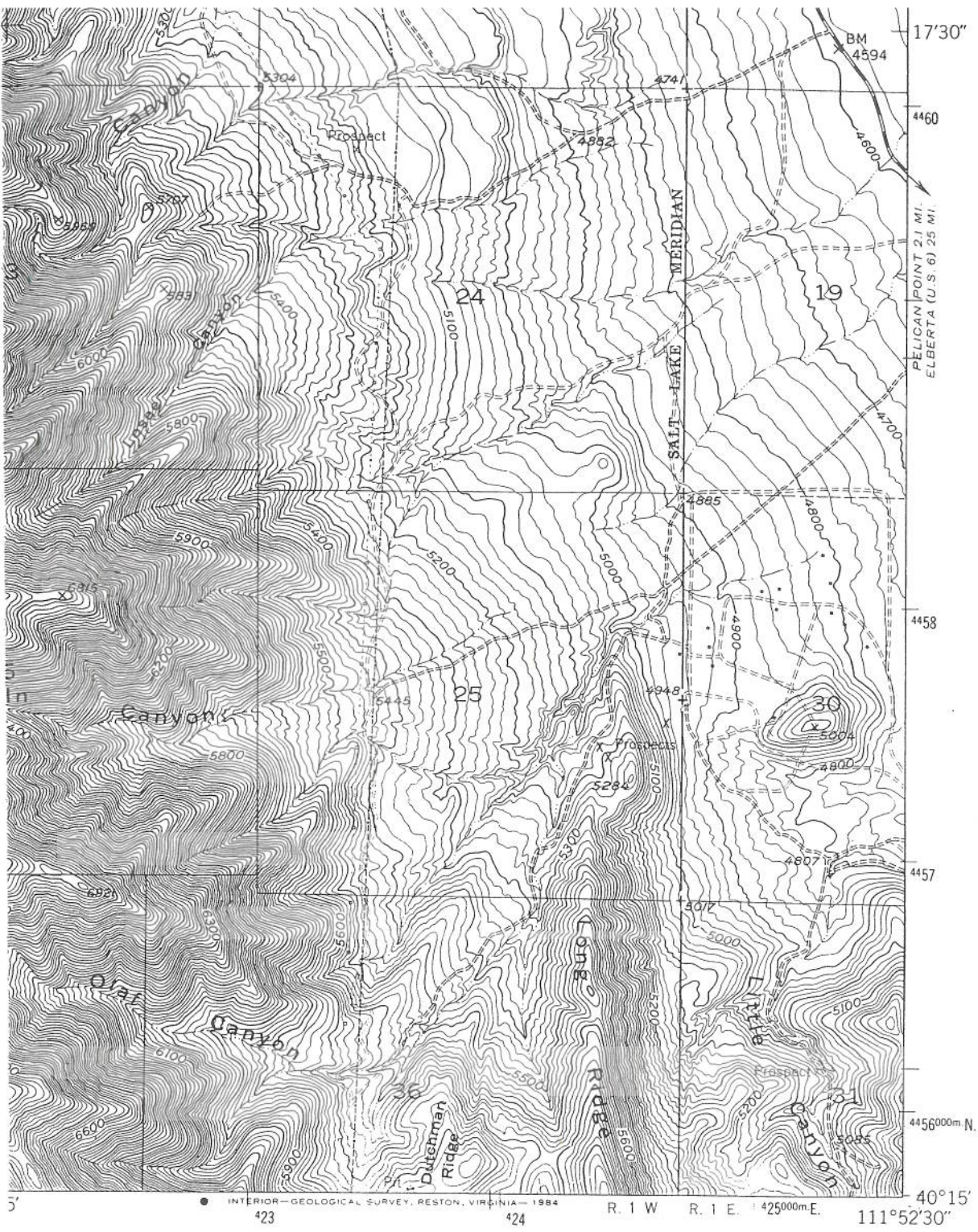
5, D. C.

1950

2B







ROAD CLASSIFICATION  
 Medium-duty Light-duty   
 Unimproved dirt

State Route

(LINCOLN POINT)  
 3664 III NE

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**SARATOGA SPRINGS, UTAH**

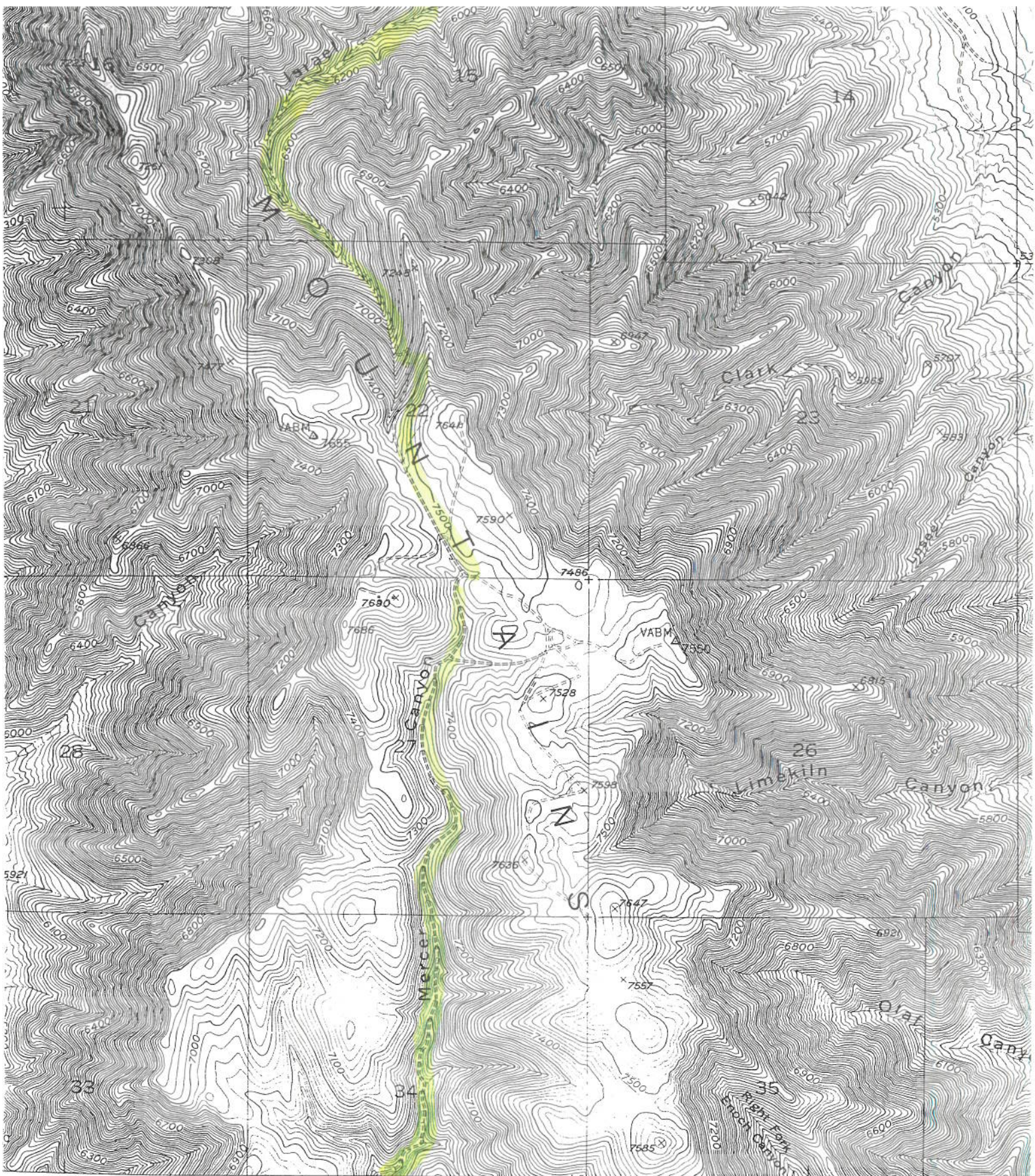
40111-C8-TF-024

1951

PHOTOREVISED 1969 AND 1975

DMA 3664 IV SW-SERIES V897

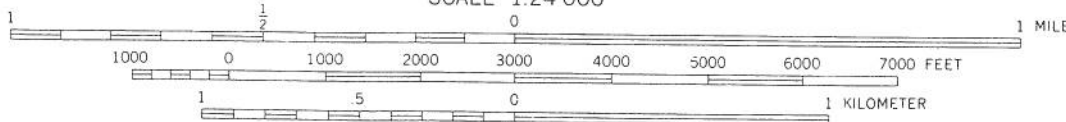
EXHIBIT "A2"-MAP TITLE



57'30" 1'49" (SOLDIERS PASS) 3664 III NW 1'21" 1'55" INTERIOR 423

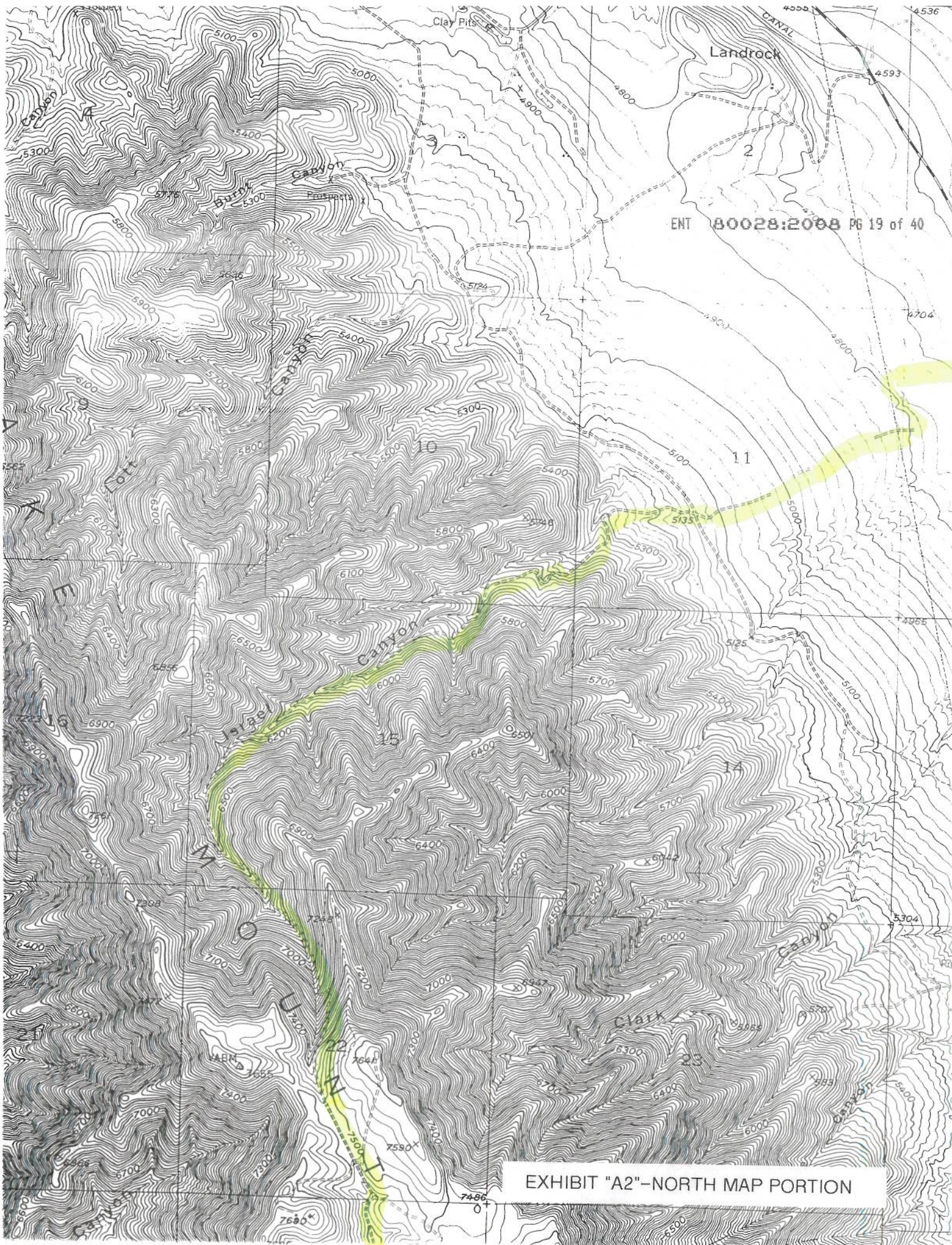
SCALE 1:24 000

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CONTOUR INTERVAL 20 FEET  
DOTTED LINES REPRESENT 5-FOOT CONTOURS  
NATIONAL GEODETIC VERTICAL DATUM OF 1929

EXHIBIT "A2"-SOUTH MAP PORTION



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EXHIBIT "A2"-NORTH MAP PORTION

T65 RIW

# Official County Road Map of Utah County

Adopted by the Board of County  
Commissioners this 8<sup>th</sup> day of  
December, 1978.

Chairman

*[Signature]*

Commissioner

*[Signature]*

Commissioner

*[Signature]*

*Cheryl*



15

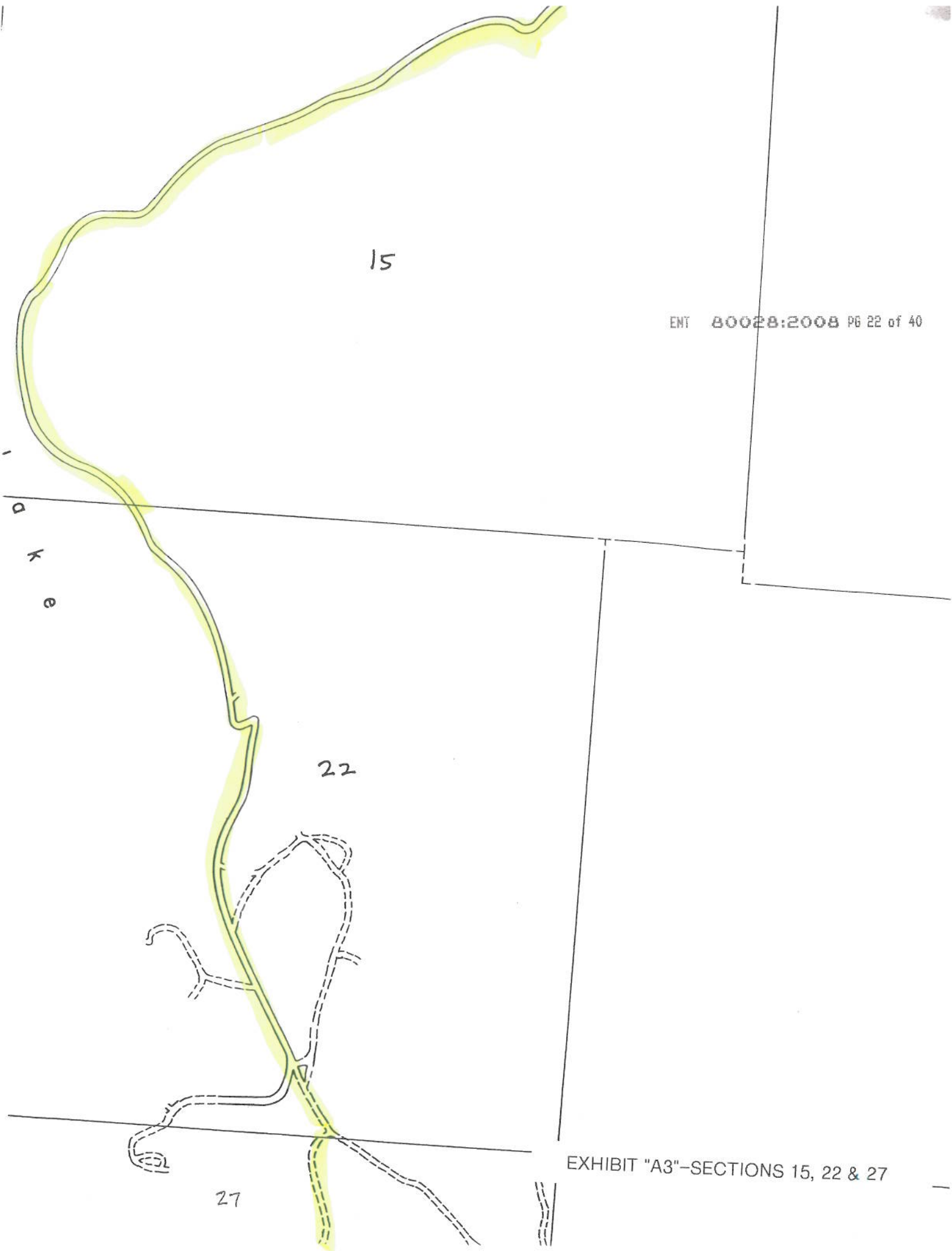
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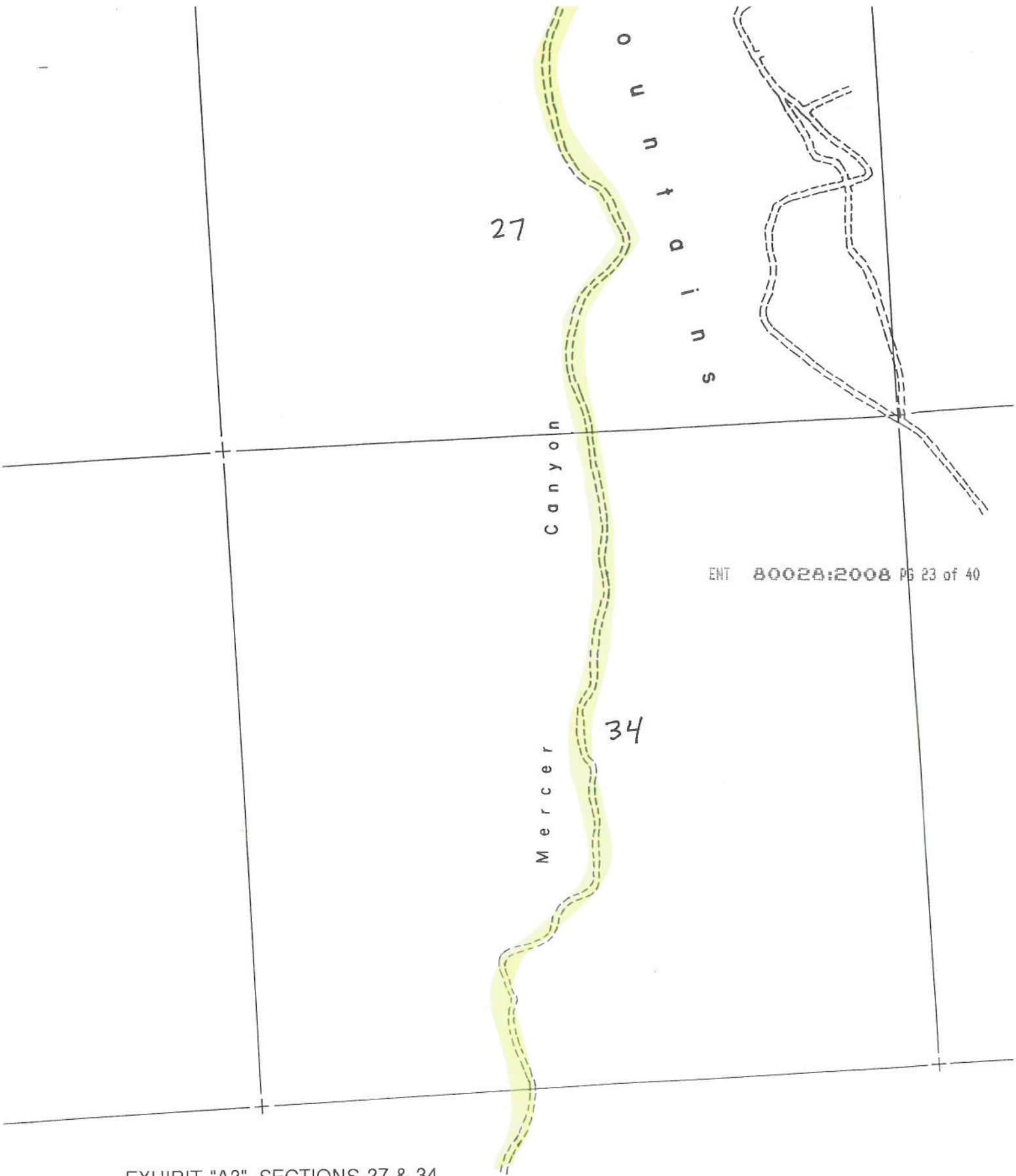
i  
p  
k  
e

22

27

EXHIBIT "A3"-SECTIONS 15, 22 & 27





27

M e r c e r  
C a n y o n

34

S U I D T U N O

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EXHIBIT "A3"-SECTIONS 27 & 34



T 75 RIW

# Official County Road Map of Utah County

Adopted by the Board of County  
Commissioners this 8<sup>th</sup> day of  
December, 1978.

Chairman *[Signature]*

Commissioner *[Signature]*

Commissioner *[Signature]*

*Cheryl*



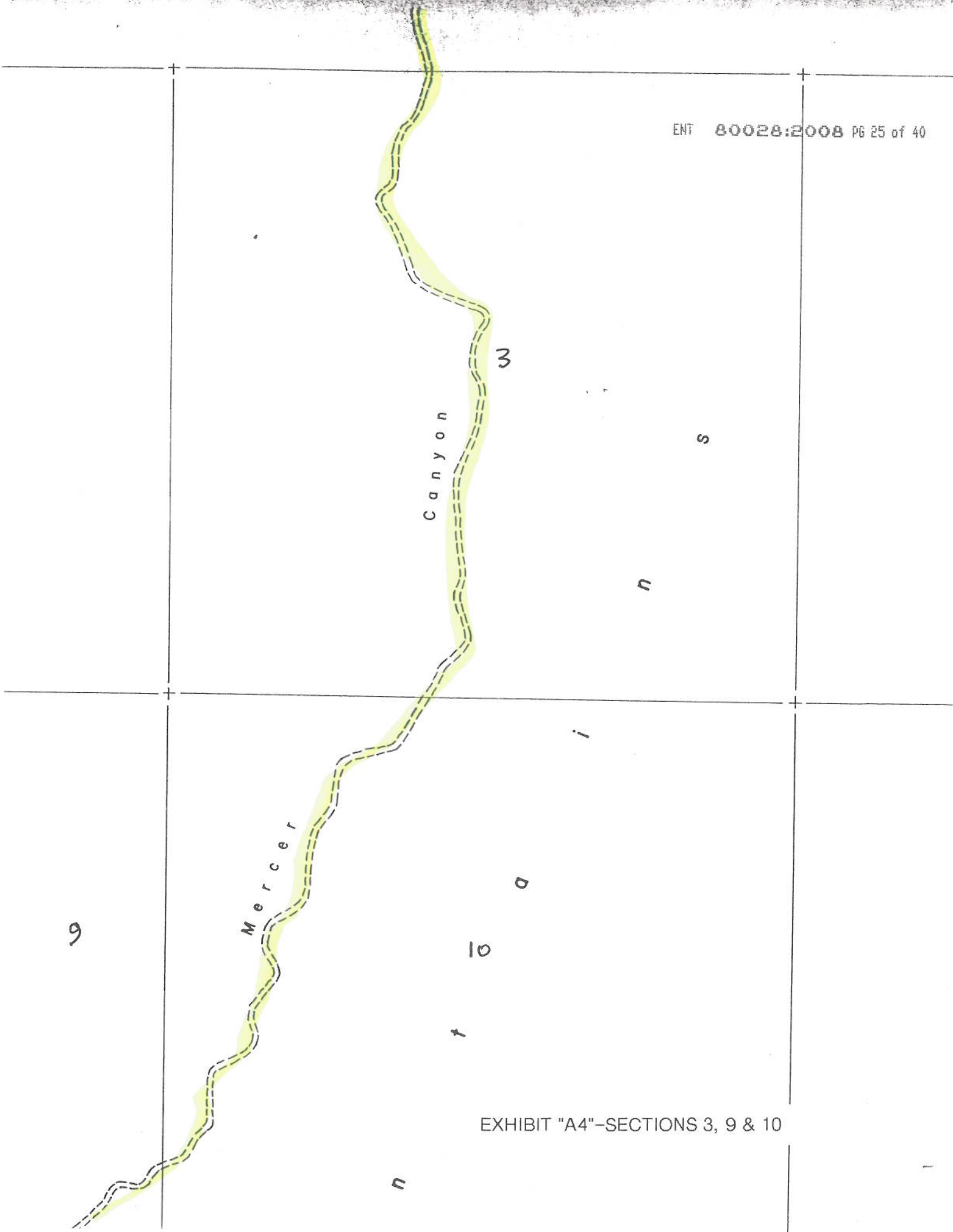


EXHIBIT "A4"-SECTIONS 3, 9 & 10

9

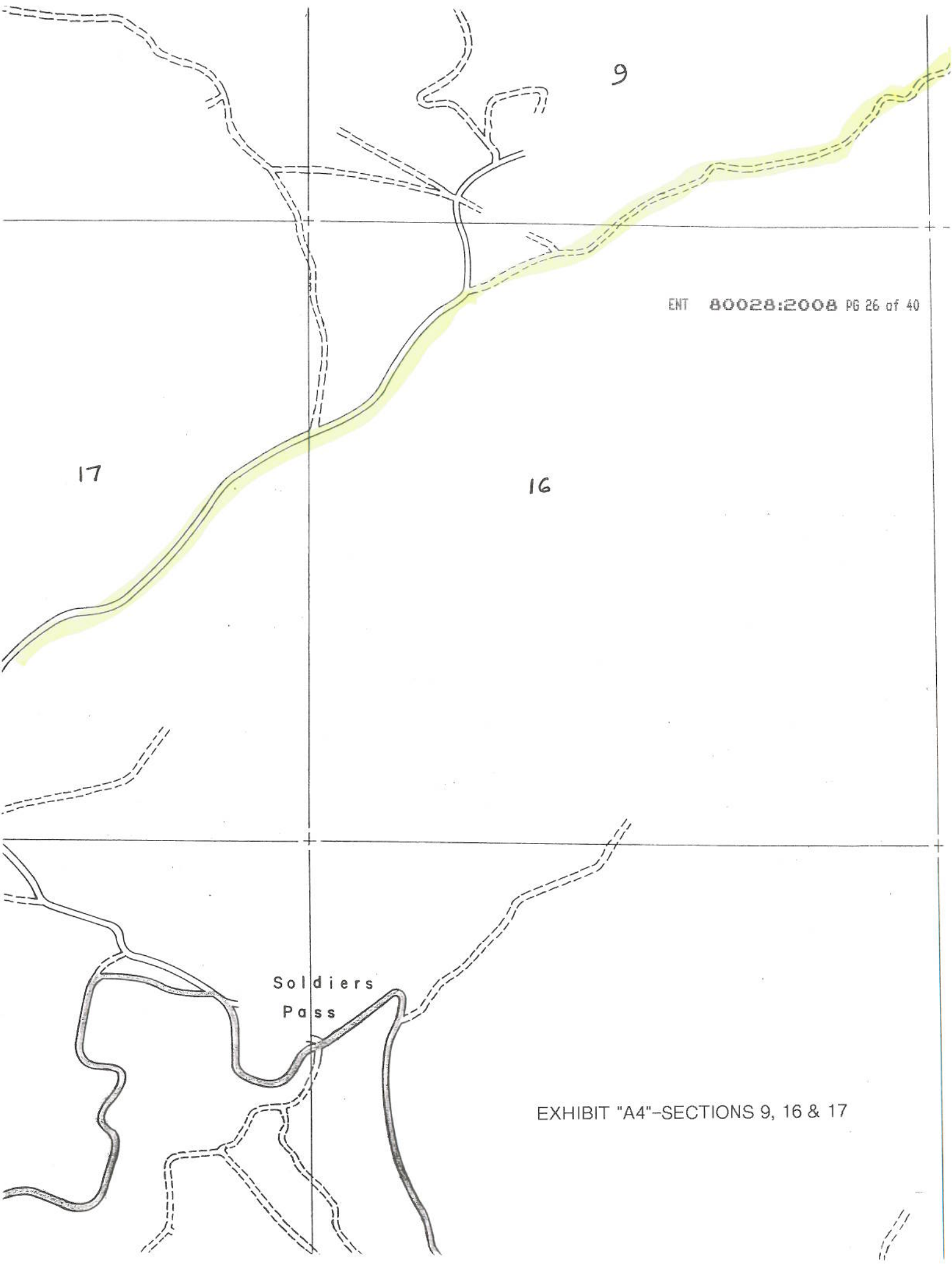
ENT 80028:2008 PG 26 of 40

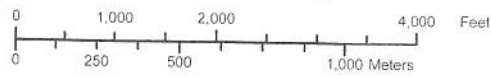
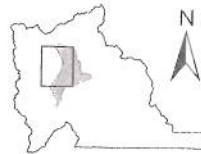
17

16

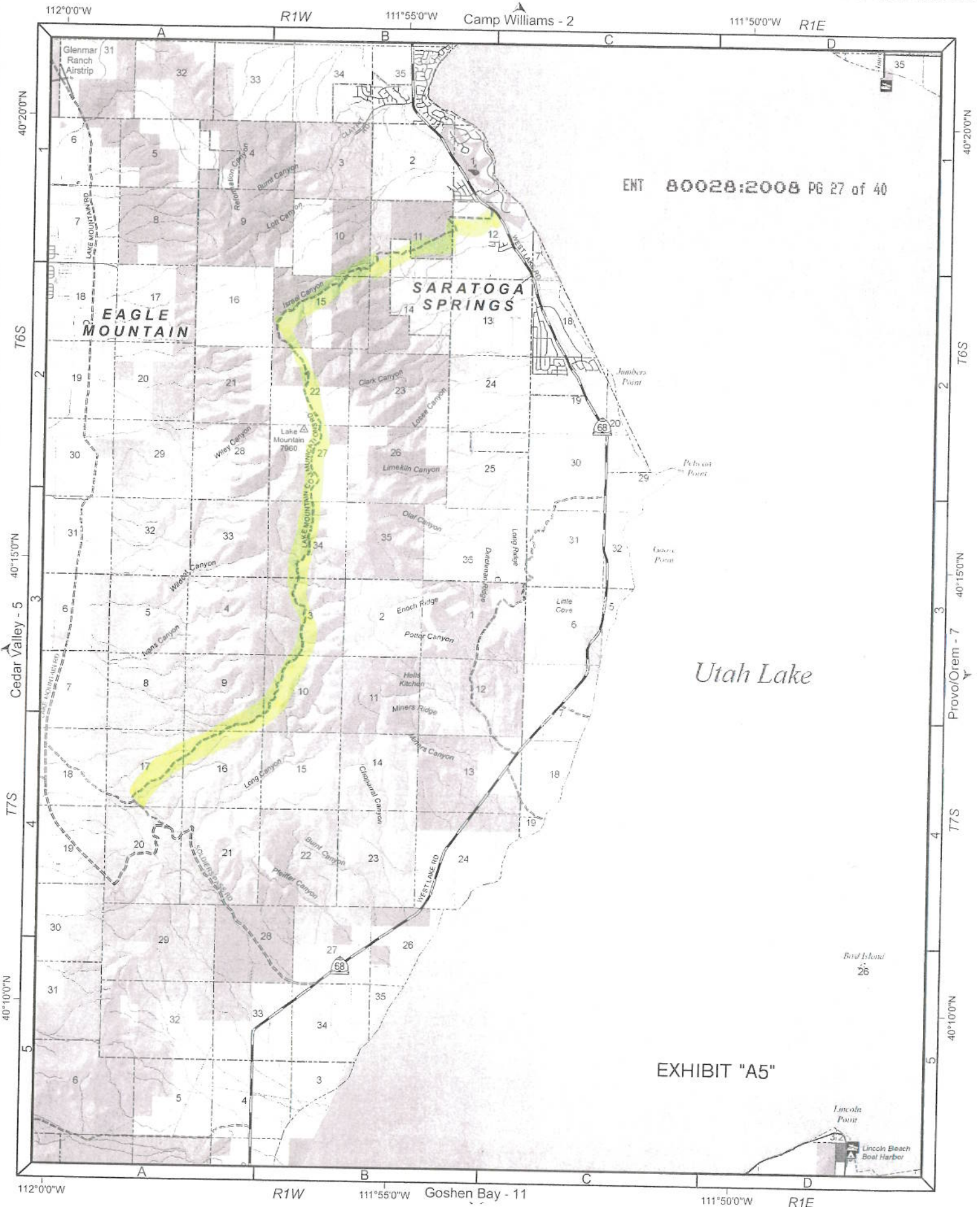
Soldiers  
Pass

EXHIBIT "A4"-SECTIONS 9, 16 & 17





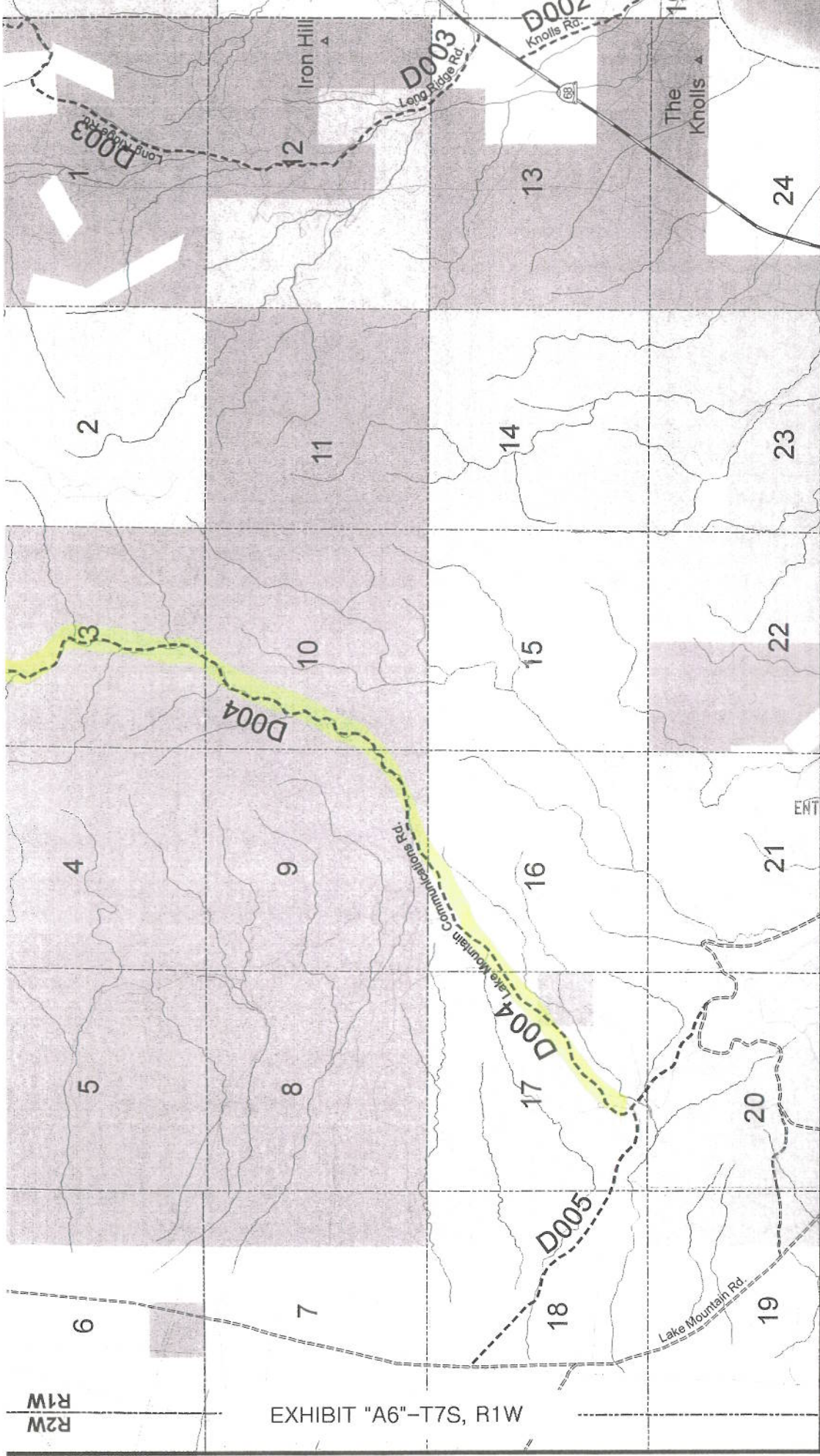
ENT 80028:2008 PG 27 of 40



Utah Lake

EXHIBIT "A5"

Lincoln Point  
Lincoln Beach  
Boat Harbor



**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
  - D Class Roads
  - Paved
  - Dirt
  - Gravel
- Public Land Ownership
  - B.L.M. Lands
  - National Park Service
  - National Forest
  - Military
  - Other Federal Lands
  - State Lands
  - State Park
  - Utah County Property
- Other Features
  - Incorporated Cities
  - National Forest Boundary
  - Wilderness Study Areas

**Lake Mountain Communications Rd**

**D004**

**80028:2008 PG 28 of 40**

Scale: 1:40,304  
 S 1 inch equals 3,358.63 feet

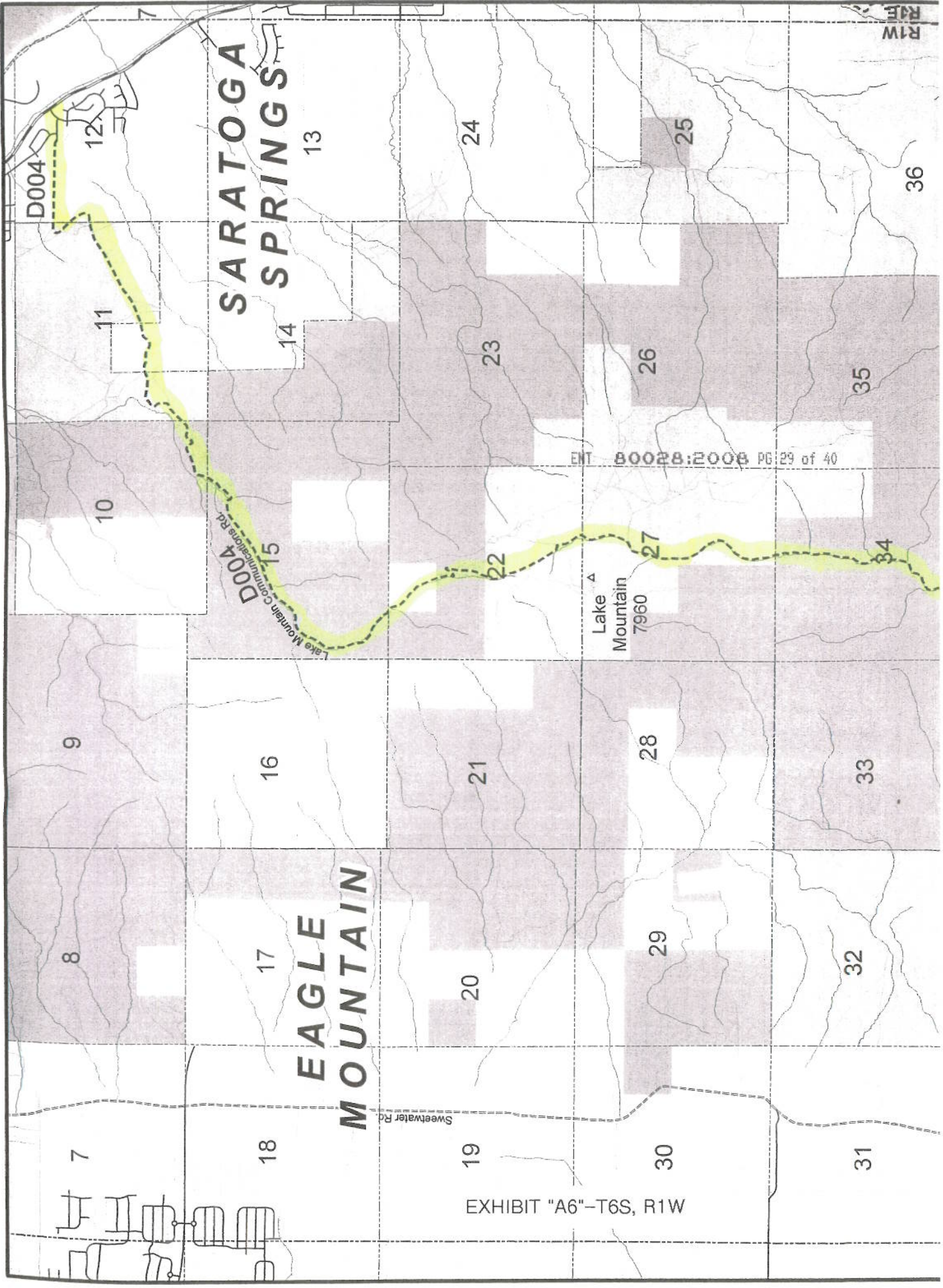
Utah County Public Works Mapping Division  
 2855 South State Street, Provo, UT 84606  
 (801) 851-9626

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Printed on December 09, 2005 by maryek

R1W  
R2W

EXHIBIT "A6"-T7S, R1W



**SARATOGA  
SPRINGS**

**EAGLE  
MOUNTAIN**

Lake  
Mountain  
7960

D004  
Lake Mountain  
Communications  
Rd

Sweetwater Rd

ENT BOORB:2008 PG 29 of 40

EXHIBIT "A6"-T6S, R1W

R1W  
R1E



**RS2477  
Lake Mt  
Comm Rd.**

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



1:10,675  
1 inch equals 889.57 feet

**Segment 4**

**Photo Date 1993**

**Exhibit A7**



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2855 South State Street  
Provo, UT 84606  
(801) 851-8626  
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RS2477  
Lake Mt  
Comm Rd.

Comparison with Aerial Photo  
(See Segment Description)



1:3,500  
1 inch equals 291.67 feet

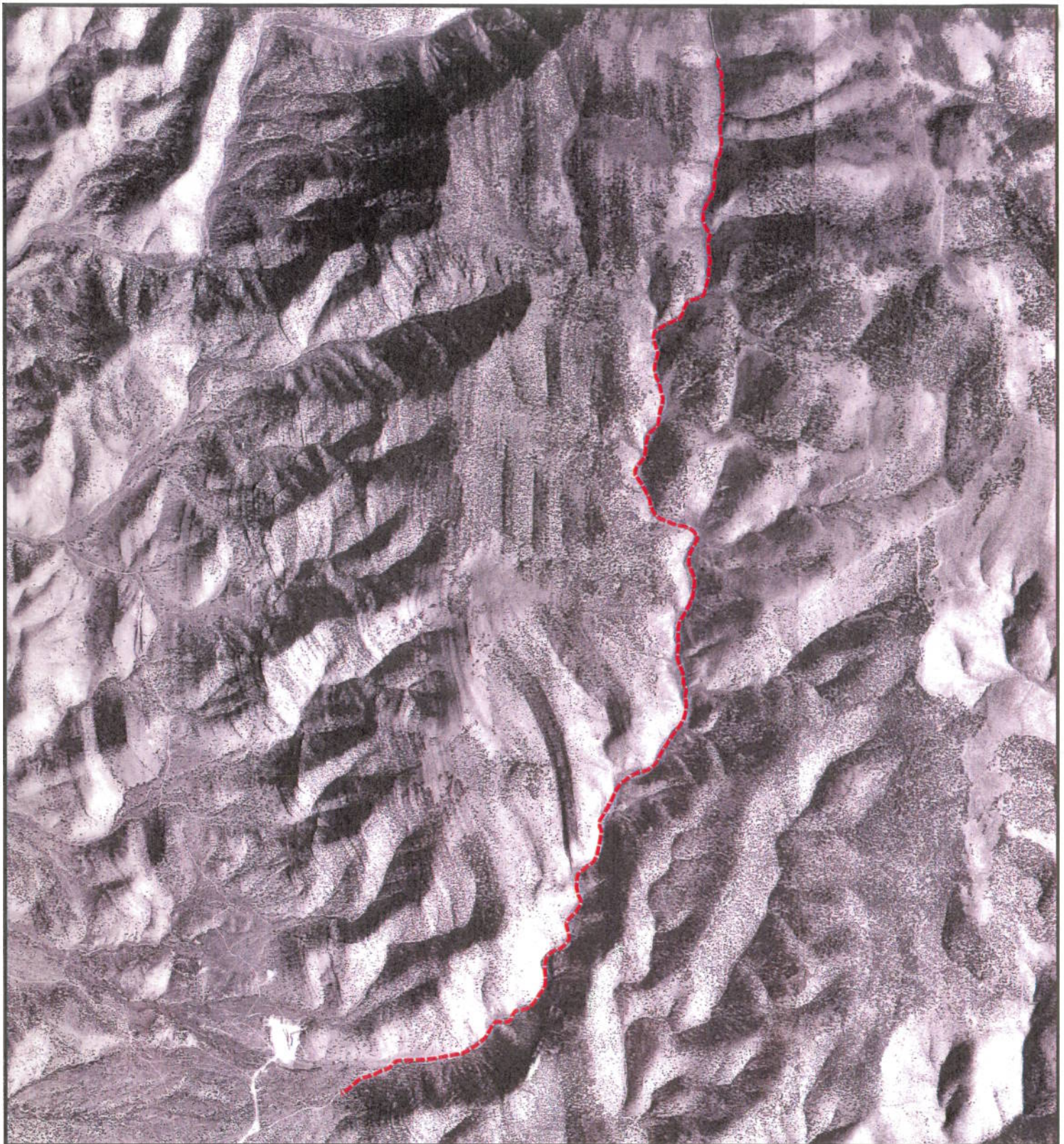
Segment 6

Photo Date 1993

Exhibit A8



Utah County Public Works - Mapping Division  
2855 South State Street  
Provo, UT 84608  
(801) 851-8626  
Printed on December 13, 2006 by maryek



**RS2477  
Lake Mt  
Comm Rd.**

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



1:25,119  
1 inch equals 2,093.29 feet

**Segment 8**

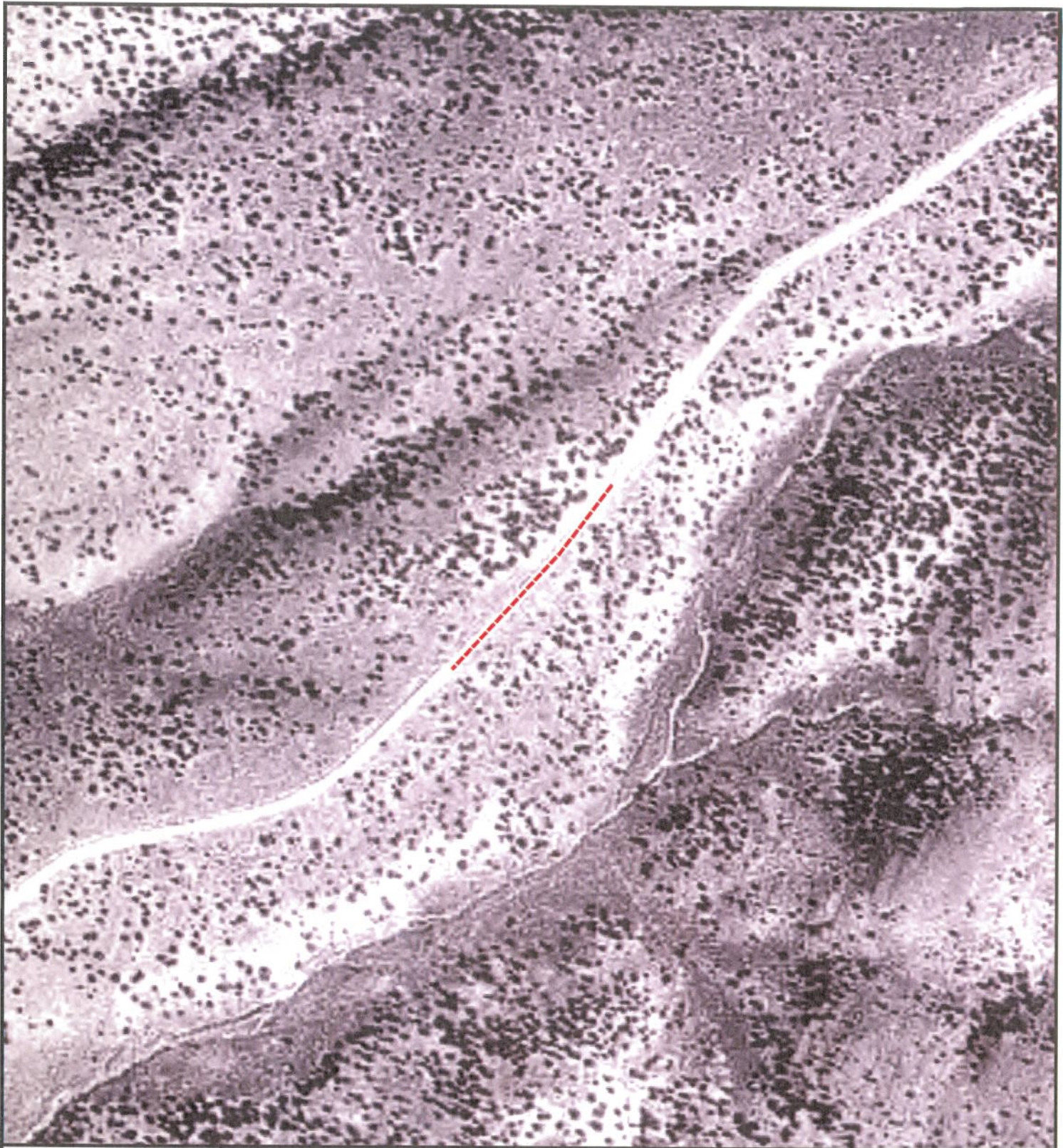
**Photo Date 1993**

**Exhibit A9**



Utah County Public Works - Mapping Division  
2855 South State Street  
Provo, UT 84606  
(801) 851-8625  
Printed on December 12, 2008 by maryek





RS2477  
Lake Mt  
Comm Rd.

Comparison with Aerial Photo  
(See Segment Description)



1:3,500  
1 inch equals 291.67 feet

Segment 10

Photo Date 1993

Exhibit A10



Utah County Public Works - Mapping Division  
2855 South State Street  
Provo, UT 84606  
(801) 851-8628  
Printed on December 13, 2006 by maryek

**LAKE MOUNTAIN COMMUNICATIONS ROAD**

STATE OF UTAH                    )  
  :SS  
COUNTY OF UTAH                )

I, ROBERT CURTIS BEVERLY, being 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 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 Lake Mountain Communications Road that runs from State Road 68 southerly to the Solders Pass Road. A map of the road is attached hereto as Exhibit “A”.
3. Construction and maintenance of the road before 1949 was performed by passing of motor vehicles over the roadway and by removing rocks and vegetation from the road. In more recent times, especially during the 1960’s construction 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. I am familiar with the indicated road because I helped maintain the road while I worked with the Utah County Public Works Department Roads Division throughout the late 1940’s, 1950’s, and 1960’s.
6. Since before 1949 and continuing to the present the road has been used for ranching, logging, wood gathering, farming, hunting, commerce, sightseeing, recreation,

law enforcement, accessing state school and institutional trust lands, and traveling in and through the area. I used the road for hunting and for performing road maintenance at least as early as 1949.

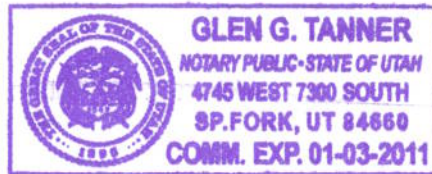
- 7. The road has been open to the public for all to use, to come and go as they pleased, since before 1966 and continuing through 1976 and beyond.
- 8. Travelers on the road beginning at least as early as 1949 and continuing thereafter traveled by car, recreational vehicle, and truck.
- 9. When I first 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.

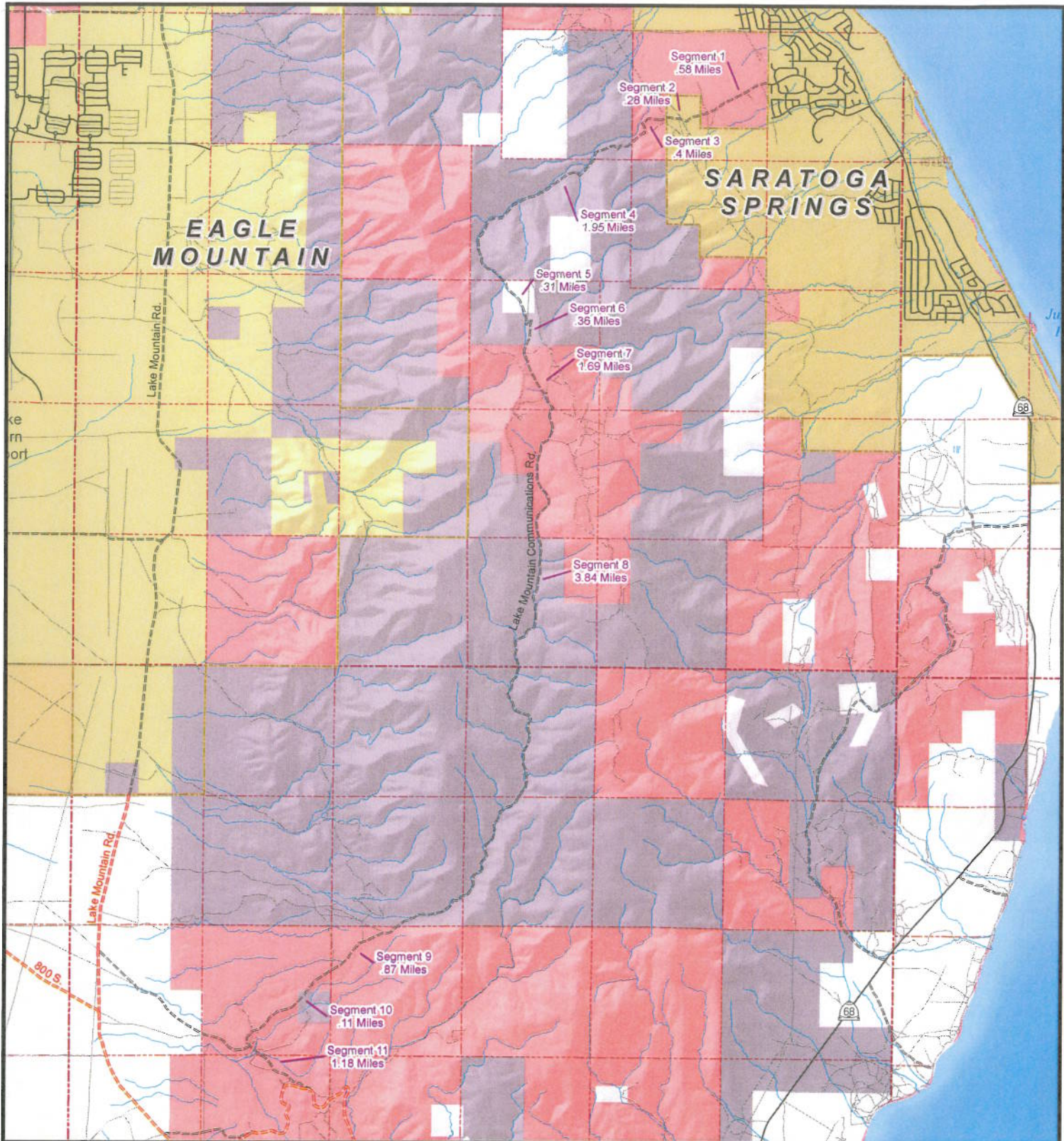
DATED this 11 day of JUNE, 2007.

*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**  
**Lake Mountain**  
**Comm Rd.**  
**11.57 Miles**

**D004**  
**6.26 Miles**

- Legend**
- |                    |                |                       |
|--------------------|----------------|-----------------------|
| Paved              | Township Lines | B.L.M. Lands          |
| Unpaved            | Section Lines  | National Park Service |
| State Roads        |                | National Forest       |
| I-15               |                | Military              |
| US HWY/State Route |                | Other Federal Lands   |
| Other FAE Route    |                | State Lands           |
| <b>Local Roads</b> |                | State Park            |
| Paved              |                | Utah County Property  |
| Dirt Roads         |                | Incorporated Cities   |
| Gravel Roads       |                |                       |
| Other Roads        |                |                       |
| Railroads          |                |                       |



1:66,692  
 1 inch equals 5,557.66 feet



Utah County Public Works - Mapping Division  
 2855 South State Street  
 Provo, UT 84605  
 (801) 851-8626  
 Printed on August 10, 2008 by maryek

"Exhibit A"

**LAKE MOUNTAIN COMMUNICATIONS ROAD**

STATE OF UTAH                    )  
  :SS  
COUNTY OF UTAH                )

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 Lake Mountain Communications Road that runs from State Road 68 southerly to the Soldier Pass Road. A map of the road is attached hereto as Exhibit "A".
3. Construction and maintenance of the road before 1976 was performed by bull dozers and other road equipment in addition to the passing of motorized vehicles over the roadway.
4. All acts of the County regarding this road where, to my knowledge, consistent with its status as a public highway.
5. The road has been open to the public for all to use, to come and go as they pleased, since before 1976 and beyond.
6. Since before 1976 and continuing to the present the road has been used for ranching, hunting, commerce, sightseeing, recreation, and law enforcement. The road is used by many communications companies as there are several communications towers along the road.
7. Travelers on the road from before 1966 and continuing thereafter included those


who went by horseback and horse-drawn wagon, and in more recent times car, recreational vehicle and truck. The frequency of use over the period 1966 to the present is approximately weekly.

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 1976.
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.

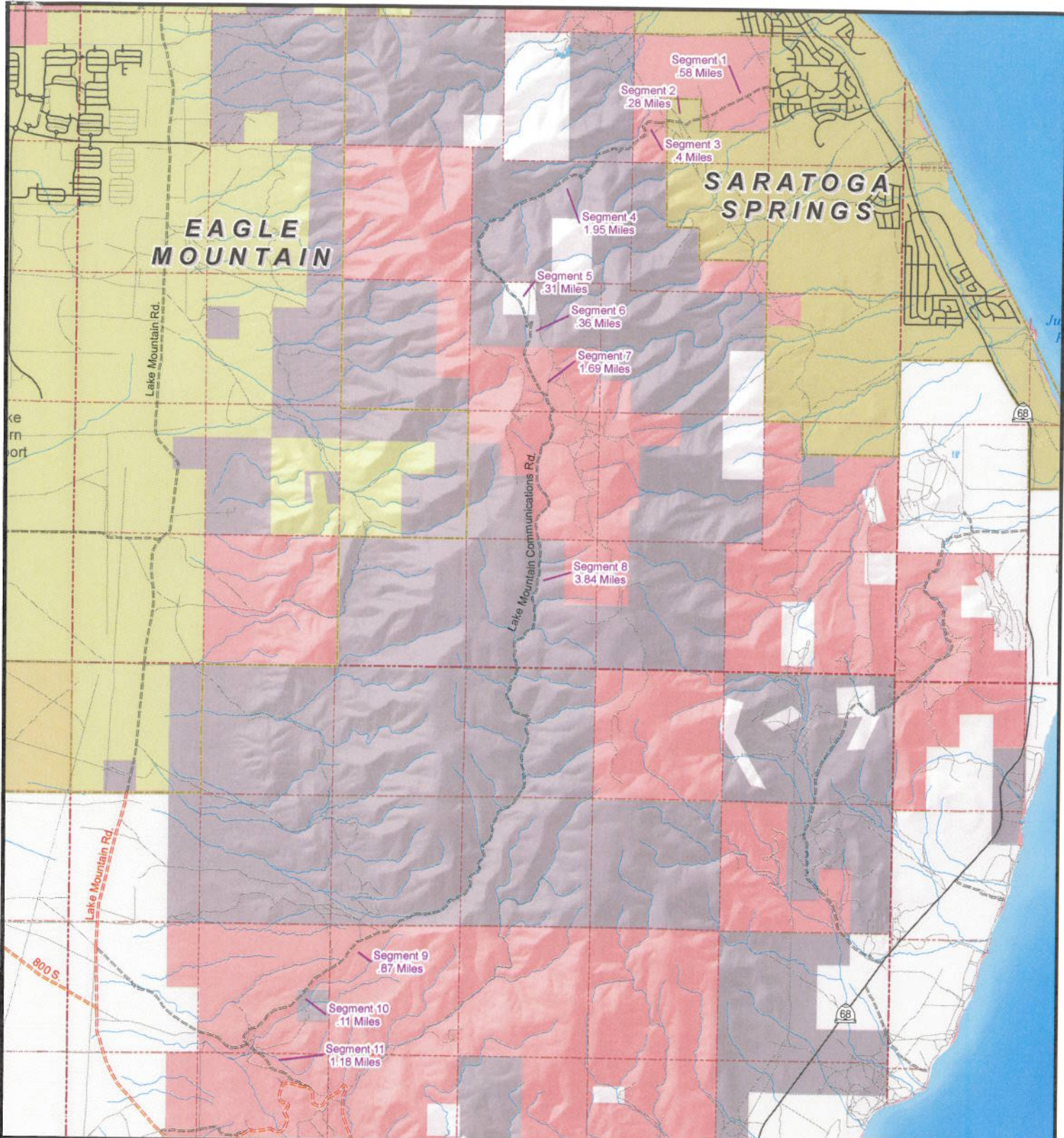
DATED this 17 day of MAY, 2007.

  
BYRON L. ORTON

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

  
Notary Public





**RS2477**  
**Lake Mountain**  
**Comm Rd.**  
**11.57 Miles**

**D004**  
**6.26 Miles**

**Legend**

<b>Official County Roads</b>	<b>Public Survey Lines</b>	<b>Public Land</b>
Paved	Township Lines	B.L.M. Lands
Unpaved	Section Lines	National Park Service
<b>State Roads</b>		National Forest
I-15		Military
US HWY/State Route		Other Federal Lands
Other FAE Route		State Lands
<b>Local Roads</b>		State Park
Paved		Utah County Property
Dirt Roads		Incorporated Cities
Gravel Roads		
Other Roads		
Railroads		



1:66,692  
 1 inch equals 5,557.66 feet



Utah County Public Works - Mapping Division  
 2855 South State Street  
 Provo, UT 84606  
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"Exhibit A"

**Exhibit B****Beginning & Ending Points and Township, Range, and Section References For:****Popular Name: LAKE MTN COMMUNICATIONS ROAD****County: Utah****County Road Number: D004****State Geographic Information Database (SGID) Road Identification Number: RD250012.****Total Road Length: 12.49 miles more or less.**

**Beginning at a point** on the road centerline located at 40 degrees 11 minutes 57.33 seconds North Latitude and -111 degrees 58 minutes 13.33 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,509,031.8 feet and Y = 7,241,650.7 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 40 degrees 19 minutes 01.24 seconds North Latitude and -111 degrees 53 minutes 47.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,529,881.4 feet and Y = 7,284,445.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 6 South Range 1 West, Section(s) 10,11,12,15,22,27,34, Salt Lake Base & Meridian  
Township 7 South Range 1 West, Section(s) 3,9,10,16,17,20, Salt Lake Base & Meridian