

Appendix C –

Correspondence

Update



State of Utah

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.
Executive Director

CARLOS M. BRACERAS, P.E.
Deputy Director

09-0617

October 8, 2009

Lori Hunsaker, Deputy State Historic Preservation Officer
Utah Division of State History
300 Rio Grande
Salt Lake City, Utah 84101-1182

RE: Case No. 09-0617
UDOT Project No. F-LC45(6)0; Tooele Midvalley Highway, Tooele County, Utah. *Addendum*
Determination of Eligibility and Finding of Effect.

Dear Ms. Hunsaker;

The Federal Highway Administration (FHWA), and the Utah Department of Transportation (UDOT) is conducting environmental impact study for the subject federal-aid project. The project proposes to construct a new highway in the Tooele Midvalley area to alleviate anticipated traffic congestion in the region.

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. §470 et seq., and Utah Code Annotated (U.C.A.) §9-8-404, the FHWA, in partnership with the UDOT, is taking into account the effects of this undertaking on historic properties, which could be eligible for the State or National registers, located within the project Area of Potential Effect (APE) and to afford the Utah State Historic Preservation Office (USHPO) an opportunity to comment on the undertaking and its effects. The FHWA presented your office with a Determination of Eligibility and Finding of Effect (DOE/FOE) for the project on April 28, 2009. Concurrence was provided May 12 2009.

Since that time, a new alignment has been developed for consideration. It is called the Midvalley Highway West Alternative, Option B (West Option B for short). Some portions of this option lay outside areas previously inventoried for this undertaking. In addition, the project made a small alignment shift in the south end (see discussion for 42TO505 below). These additional areas were surveyed by Logan Simpson Design. Complete results are reported in the accompanying report. This letter serves as an addendum to the previous DOE/FOE for the subject project, dated April 28 2009.

DETERMINATION OF ELIGIBILITY

The survey of the West B Alternative resulted in the revisit an update of four sites previously recorded for this undertaking: 42TO505, 42TO1077, 42TO1552, 42TO3283. Three of these

Received

OCT 14 2009

USHPO

properties. Eligibility determinations remain as concurred in the April 28 DOE/FOE, and are listed in Table 1.

Table 1. NRHP Eligibility

| Site | Description | Eligibility and Criteria |
|----------|------------------------------------|--------------------------|
| 42TO505 | Western Pacific Railroad | Eligible, A |
| 42TO1077 | 1913 Lincoln Highway Route | Eligible, A, C |
| 42TO1552 | Utah Western/Utah & Nevada Railway | Eligible, A, B |
| 42TO3283 | SLE-Utility | Not Eligible |

FINDINGS OF EFFECT

Three historic properties were documented in the inventory. Although the sites have been recorded previously, the new alignment impacts segments not previously affected. The following summarizes potential impacts. The accompanying addendum presents greater detail.

42TO505: Western Pacific Railroad

Several segments of the Western Pacific Railroad were recorded in previous inventory. The West Option B inventory updates Segments 1 and 7. West Option B impacts an additional 366 meters (1200 feet or approximately seven percent of the site located within the project area) of Segment 1, and an additional 41 meters (134 feet) of Segment 7. The portion of the proposed facility that impacts Segment 1 is common to all build alternatives.

The original finding of effect was No Adverse effect. Because these additional impacts are minor, the FHWA has determined that West Option B, and the alignment shift near Segment 7, would have **No Adverse Effect** on the Western Pacific Railroad (Site 42TO505).

42TO1077: 1913 Lincoln Highway Route

Several segments of the 1913 Lincoln Highway Route were recorded in previous inventory. The West Option B inventory updates Segment 2. West Option B would impact an additional 1,200 meters (0.75 miles) of this segment.

The original finding of effect was No Adverse Effect. The Lincoln Highway originally extended from New York to San Francisco. Approximately 528 miles of the site exists in Utah, and approximately 146 miles remain relatively undisturbed and maintain good overall integrity. Given that West Option B would impact a minor portion of this site (0.1 percent of the 528 overall miles or 0.5 percent of the relatively undisturbed 146 miles) relative to its entire length, it would have **No Adverse Effect** on the 1913 Route of the Lincoln Highway.

42TO1552: Utah Western/Utah & Nevada Railway

Two segments of the Utah Western/Utah & Nevada Railway were recorded in previous inventory. The West Option B inventory updates Segment 1. West Option B impacts an additional 40 meters (131 feet of this segment. This represents approximately 1.5 percent of the site within the Tooele Valley.

The original finding of effect was No Adverse Effect. Given minor additional impact of West Option B, and the length of the entire site, the FHWA has determined that West Option B would have **No Adverse Effect** on the Utah Western/Utah & Nevada Railway (Site 42TO1552).

There are no other changes to the previously submitted Determinations of Eligibility and the Findings of Effect for which the Utah SHPO has already concurred. As before, the finding of effect for the project as a whole is **No Adverse Effect**.

Whereas the proposed undertaking will have No Adverse Effect on the eligible properties listed in Table 1, FHWA intends to apply a Section 4(f) De Minimis Impacts Finding (as outlined in Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)) to these 4(f) properties pending your concurrence with the findings herein, and no avoidance measures need be considered.

Please review this document and, providing you agree with the findings contained herein, sign and date the signature line at the end of this letter. Should you have any questions or need additional information, please feel free to contact me at (801) 975-4923 (ceaston@utah.gov).

Sincerely,

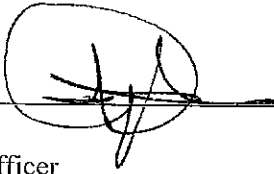
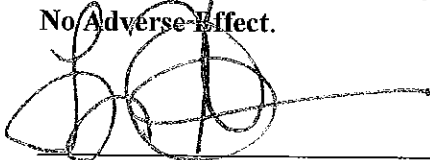


Chuck Easton
Region 2 Environmental Lead
UDOT Region 2

Enclosures

cc: Matt Zundell, UDOT PM Region 2
Jason Bright, Parsons Brinckerhoff

Regarding UDOT Project No. F-LC45(6)0; Tooele Midvalley Highway, Tooele County, Utah, I concur with these findings of effect, submitted to the Utah State Historic Preservation Office in accordance with Section 106 of the NHPA and U.C.A. 9-8-404. The finding of effect for the project as a whole remains **No Adverse Effect**.



Lori Hunsaker
Deputy State Historic Preservation Officer

10-19-09
Date



December 28, 2009

Tooele County
Parks and Recreation
47 South Main Street
Tooele, Utah 84074

Subject: Tooele Midvalley Highway sponsored by Tooele County, UDOT, and FHWA – Section 4(f) Evaluation of Tooele County Trails

Dear Jerry:

Tooele County, the Utah Department of Transportation (UDOT), and the Federal Highway Administration (FHWA) is preparing an Environmental Impact Statement for the proposed Midvalley Highway project. Tooele County is a co-joint lead with UDOT and FHWA, and has been coordinating regarding county trails throughout the National Environmental Policy Act (NEPA) phase. The proposed Midvalley Highway will cross over the Sheep Lane Trail, Midvalley Trail, and the planned UP Right-of-way Trail. As we have discussed, these trails will be spanned by bridges or culverts. In addition, a small segment of Sheep Lane Trail may require realignment adjacent to the Midvalley Highway, to eliminate the need for frequently crossing the proposed roadway.

As publically-owned recreation facilities, these trails are afforded protection under Section 4(f) of the Department of Transportation Act of 1966. As Section 4(f) resources, FHWA cannot use portions of these trails unless there are no reasonable or prudent alternatives, or unless the project (including impact avoidance, minimization, and mitigation or enhancement measures) does not adversely affect the activities, features, or attributes that qualify the resource for protection. If none of these features are adversely impacted the impact is considered a *de minimis* (minimal).

The Midvalley Highway project would provide crossings for each of these trails, and not disrupt the continuity of the trail system. It would also re-align a portion of the Sheep Lane trail to the side of the Midvalley Highway, reducing the need to cross the highway multiple times. These actions would not adversely affect the activities, features, and attributes that are important for the continued use of these trails. Therefore, FHWA in coordination with UDOT and Tooele County, have determined that the use of the Sheep Lane Trail (and its minor realignment), Midvalley Trail, and the planned UP Right-of-way Trail is *de minimis*. As the official with jurisdiction over these trail facilities, please provide your concurrence below that the Midvalley Highway project will not adversely affect the activities, features, and attributes that qualify these trails for 4(f) protection. UDOT and FHWA look forward to working with Tooele County Trails on the Midvalley Highway project as it proceeds. If you have any questions, please give me a call at (801) 288-3248 or contact Chris Elison at (801) 288-3223 or elison@pbworld.com. If you agree that the possible impacts to the Sheep Lane Trail, Midvalley Trail, and the planned UP Right-of-way Trail are minor and therefore considered *de minimis* under Section 4(f), please sign the concurrence line below and return to Chris Elison at 488 East Winchester Street, Suite 400 Murray, Utah 84107. Thank you for your time and consideration.

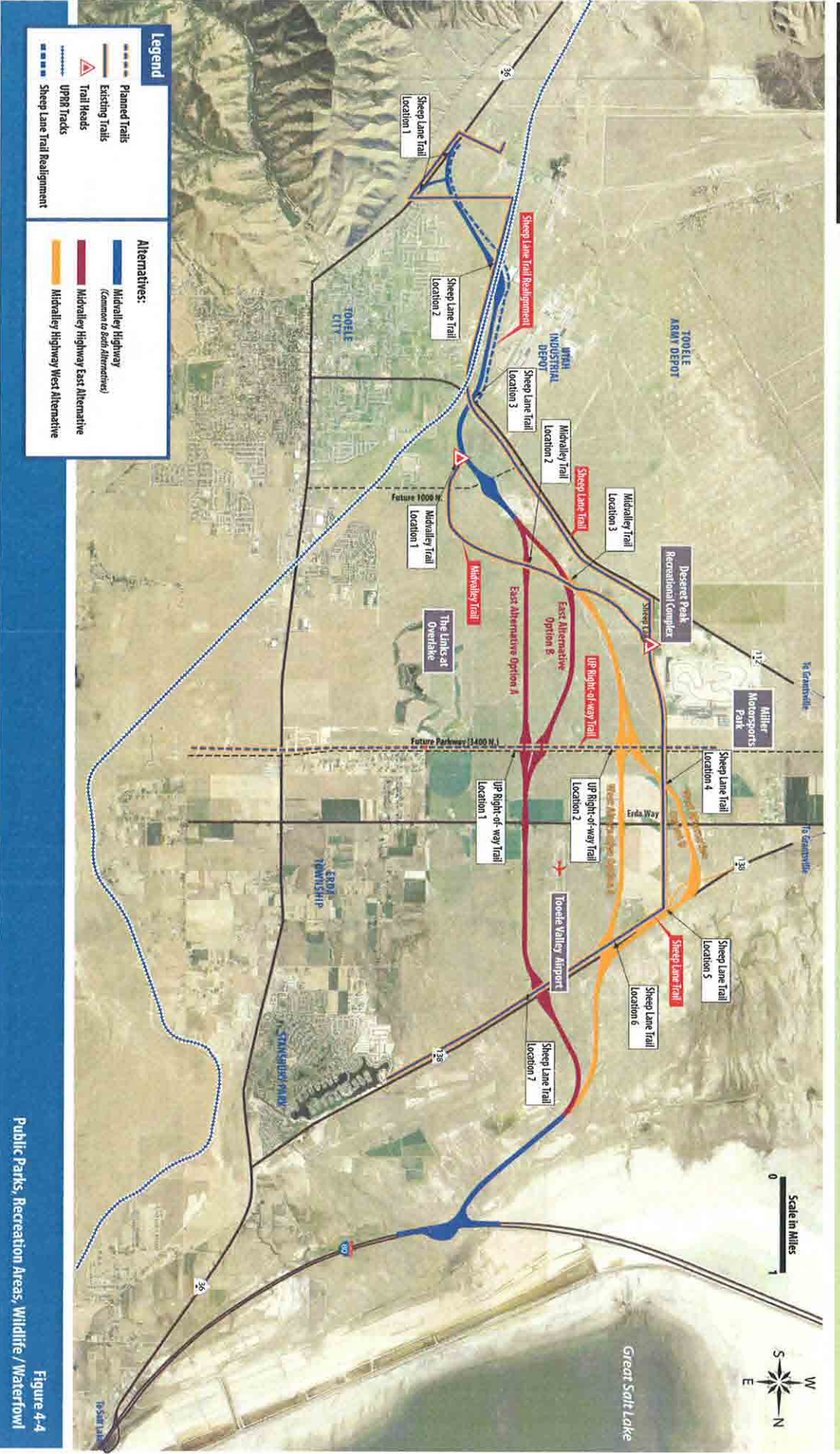
Sincerely,

Jason Bright, PB Midvalley Highway Project Manager

Encl: Map
cc: Project file

I, the undersigned, concur with the *de minimis* impact finding as described above.

Jerry Hurst, Tooele County Commissioner



Legend

- Planned Trails
- Existing Trails
- Trail Heads
- UPRR Tracks
- Sheep Lane Trail Realignment

Alternatives:

- Midvalley Highway (Commit to Both Alternative)
- Midvalley Highway East Alternative
- Midvalley Highway West Alternative

Scale in Miles
0 1

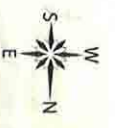


Figure 4-4
Public Parks, Recreation Areas, Wildlife / Waterfowl



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

April 16, 2010

Regulatory Division SPK-2007-00789-UO

Chuck Easton
Utah Department of Transportation
2010 South 2760 West
Salt Lake City, Utah 84104

Dear Mr. Easton:

We are responding to your request for an approved jurisdictional determination for the Tooele Mid-Valley Highway project. The project involves an approximately 350-foot-wide corridor along five alignments, all originating south of Tooele City at Highway 36 and going north to terminate at Interstate 80. The southern terminus point is located in Section 32, Township 3 South, Range 4 West, and the northern terminus is located in Section 7, Township 2 South, Range 4 West, Latitude 40.605°, Longitude -112.296°, Tooele County, Utah.

Based on available information, we concur with the estimate of waters of the United States as depicted on the enclosed Wetland Delineation Map, dated September 2009, prepared by Todd Sherman of Wetland Resources. Approximately 179.17-acres of waters of the United States, including wetlands, are present within the survey area, as depicted on the enclosed spreadsheet titled "Corps of Engineers Jurisdictional Determination for the Tooele Mid-Valley Highway Project." These waters are regulated under Section 404 of the Clean Water Act, since they are wetlands adjacent to or abutting a Relatively Permanent Water that flows to the Great Salt Lake, which is a Traditional Navigable Waterway, or they are wetlands directly abutting the Great Salt Lake.

The project corridor includes 7.95-acres of Wet Meadow (#W1, W5, W6) and 7.95-acres of Playa (#W7 and W13) that are isolated and have no significant nexus to waters of the United States or interstate commerce connections. Therefore, these isolated waters are not regulated under Section 404 of the Clean Water Act.

This verification is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331.

A combined Notification of Appeal Process fact sheet and Request for Appeal form is enclosed. If you request to appeal this determination you must submit a completed appeal form to the South Pacific Division Office at the following address: Administrative Appeal Review Officer, Army Corps of Engineers, South Pacific Division, CESPDPDS-O, 1455 Market Street, San Francisco, California 94103-1399, Telephone: 415-503-6574, FAX: 415-503-6646.

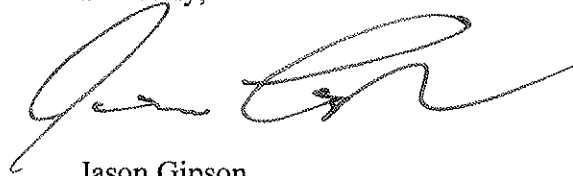
In order for an appeal request to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the Notification of Appeal Process.. Should you decide to submit an appeal request form, it must be received at the above address by 60 days from the date of this letter. It is not necessary to submit an appeal request form to the Division Office if you do not object to the determination in this letter.

You should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property. This determination has been conducted to identify the limits of Corps of Engineers' Clean Water Act jurisdiction for the particular site identified in this request.

We appreciate your feedback. At your earliest convenience, please go to our website and tell us how we are doing by clicking on the Customer Service Survey link (right) at: <http://www.spk.usace.army.mil/regulatory.html/>.

Please refer to identification number SPK-2007-00789-UO in any correspondence concerning this project. If you have any questions, please contact John Derinzy at Nevada-Utah Regulatory Branch, 533 West 2600 South, Suite 150, Bountiful, Utah 84010, telephone 801-295-8380, ext. 13, or email John.W.Derinzy@usace.army.mil.

Sincerely,

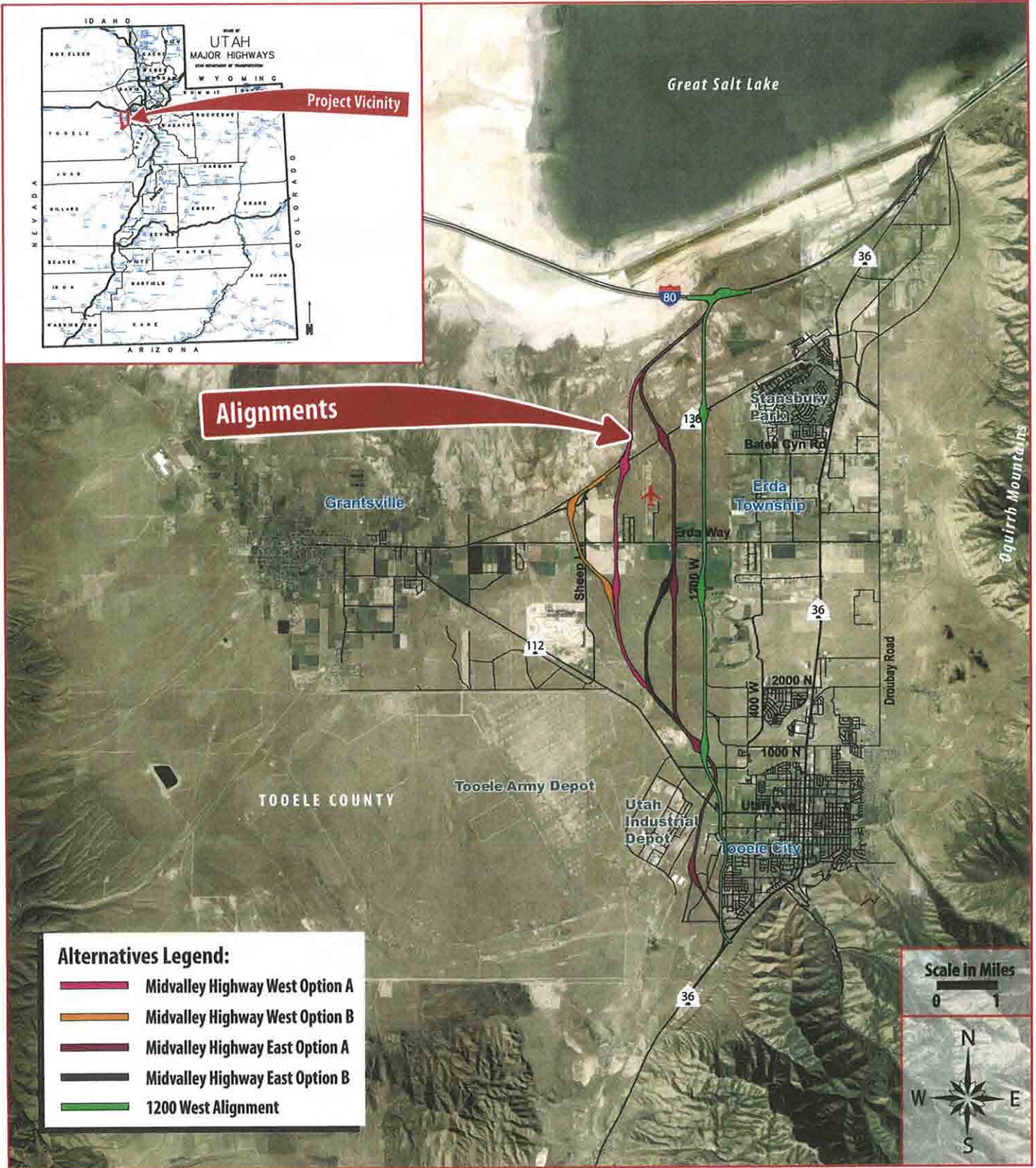
A handwritten signature in black ink, appearing to read 'Jason Gipson', written over a horizontal line.

Jason Gipson
Chief, Nevada-Utah Regulatory Branch

Enclosures

Copy furnished without enclosures:

Todd Sherman, Wetland Resources, 182 East 300 North, Logan, Utah 84321
PB Americas, Inc., 488 East Winchester Street, Suite 400, Murray, Utah 84107



Alternatives Legend:

- Midvalley Highway West Option A
- Midvalley Highway West Option B
- Midvalley Highway East Option A
- Midvalley Highway East Option B
- 1200 West Alignment

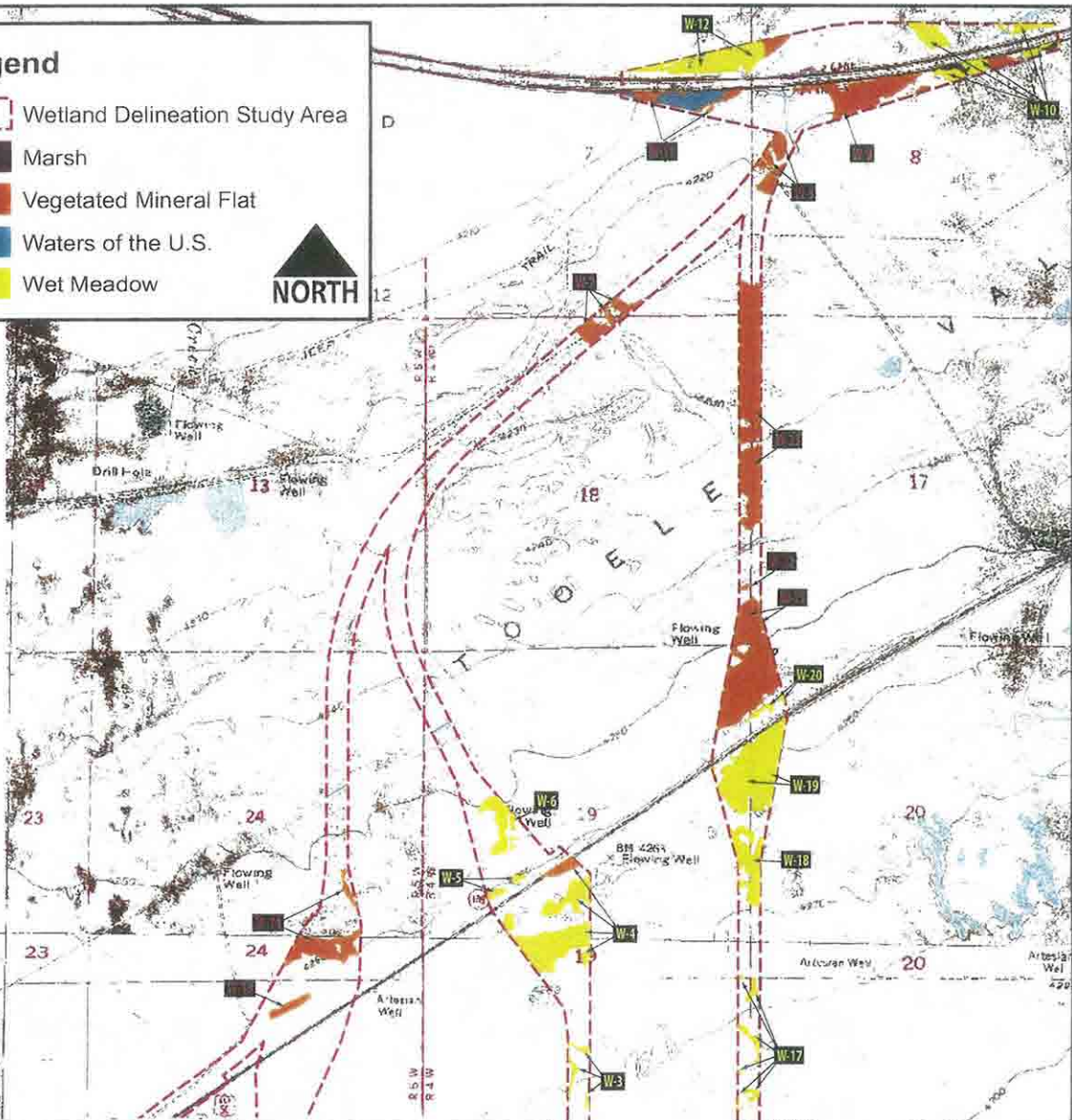
Scale in Miles
0 1



Figure 1. Project Study Area

Legend

-  Wetland Delineation Study Area
-  Marsh
-  Vegetated Mineral Flat
-  Waters of the U.S.
-  Wet Meadow



| Wetland Number | Acreage | | | Total |
|----------------|--------------|------------------------|-------------|---------------|
| | Wet Meadow | Vegetated Mineral Flat | Marsh | |
| W1 | 0.25 | 0 | 0 | 0.25 |
| W2 | 3.68 | 0 | 0 | 3.68 |
| W3 | 1.72 | 0 | 0 | 1.72 |
| W4 | 19.94 | 2.14 | 0 | 22.08 |
| W5 | 1.41 | 0 | 0 | 1.41 |
| W6 | 6.29 | 0 | 0 | 6.29 |
| W7 | 0 | 5.76 | 0 | 5.76 |
| W8 | 0 | 5.51 | 0 | 5.51 |
| W9 | 0 | 12.17 | 0 | 12.17 |
| W10 | 9.82 | 1.36 | 1.30 | 12.48 |
| W11 | 0 | 2.74 | 0 | 2.74 |
| W12 | 13.76 | 2.18 | 0 | 15.94 |
| W13 | 0 | 2.19 | 0 | 2.19 |
| W14 | 0 | 9.82 | 0 | 9.82 |
| W15 | 4.88 | 0 | 0 | 4.88 |
| W16 | 0 | 0 | 0.15 | 0.15 |
| W17 | 3.35 | 0 | 0 | 3.35 |
| W18 | 7.91 | 0 | 0 | 7.91 |
| W19 | 20.69 | 0 | 0 | 20.69 |
| W20 | 1.04 | 0 | 0 | 1.04 |
| W21 | 0 | 28.00 | 0 | 28.00 |
| W22 | 0 | 0.31 | 0 | 0.31 |
| W23 | 0 | 28.70 | 0 | 28.70 |
| Totals | 94.74 | 98.88 | 1.45 | 195.07 |

Tooele Midvalley Highway Wetland Delineation

0.5
Miles

Delineated by: Todd Sherman
Wetland Resources
Prepared: September 2009

CORPS OF ENGINEERS JURISDICTIONAL DETERMINATION
FOR THE TOOEELE MID-VALLEY HIGHWAY PROJECT

| <u>Jurisdictional Determination</u> | <u>Acreage</u> | <u>Wetland Names</u> |
|---|----------------|--------------------------------|
| Abutting TNW- wet meadow: | 23.58 | W10, W12 |
| Abutting TNW- playa: | 47.15 | W9, W10, W11, W12, W23 |
| Abutting TNW- marsh | 1.3 | W10 |
| Total Acreage: | 72.03 | |
| | | |
| Abutting RPW- wet meadow: | 62.17 | W2, W3, W4, W15, W17, W18, W19 |
| Abutting RPW- playa: | 37.96 | W4, W21 |
| Total Acreage: | 100.13 | |
| | | |
| Adjacent RPW- wet meadow: | 1.04 | W20 |
| Adjacent RPW- playa: | 5.82 | W8, W22 |
| Adjacent RPW- marsh: | 0.15 | W16 |
| Total Acreage: | 7.01 | |
| Total Jurisdictional Wetlands: | 179.17 | |
| | | |
| Isolated- wet meadow: | 7.95 | W1, W5, W6 |
| Isolated- playa: | 7.95 | W7, W13 |
| Total Acreage: | 15.9 | |
| Total Non-Jurisdictional Wetlands: | 15.9 | |

MEMORANDUM OF AGREEMENT

Among the FEDERAL HIGHWAY ADMINISTRATION, UTAH DEPARTMENT OF TRANSPORTATION, and TOOELE COUNTY regarding the TOOELE MIDVALLEY HIGHWAY PREFERRED ALTERNATIVE

WHEREAS, the Federal Highway Administration, Utah Department of Transportation, and Tooele County are Joint Lead Agencies (Joint Leads) on the Tooele Midvalley Highway EIS Project, and,

WHEREAS, a Draft Environmental Impact Statement (DEIS) and supporting technical documents concerning traffic performance, environmental impacts, and cost estimates have been developed to comply with the National Environmental Policy Act, and

WHEREAS the DEIS was published for public comment and public input was received regarding the Draft Environmental Impact Statement, and,

WHEREAS the Joint Leads have reviewed the DEIS and its supporting documentation and all public input on the project,

NOW, THEREFORE, the Joint Leads have identified Tooele Midvalley Highway West Alternative Option B as the Preferred Alternative to be identified in the Final Environmental Impact Statement.

The Joint Leads have carefully considered the Tooele Midvalley Highway East and West Alternatives and their attendant options. After considering public and agency input, potential environmental impacts documented in Chapters 3 and 4 of the DEIS, traffic performance detailed in Chapters 2 and 3, and associated technical reports and memoranda, the Joint Leads have identified the Tooele Midvalley Highway West Alternative with Option B, as their Preferred Alternative. This alternative includes the following elements:

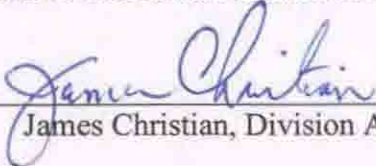
- A four-lane arterial between SR-36 and SR-112
- A four-lane freeway from SR-112 and I-80
- A re-alignment of SR-138 at Sheep Lane
- Interchanges with the proposed freeway at I-80, SR-138, and 1000 North, as well as the planned 3400 North (future parkway).
- Structures over Erda Way, Sheep Lane, and the Midvalley Trail, and at-grade intersections with SR-112 and SR-36



West Alternative Option B has been chosen as the Preferred Alternative for a number of reasons. Both of the East Alternative Options and both of the West Alternative Options met the purpose and need for the project as described in Chapter 1 of the DEIS. However, the West Alternative Option B does so while impacting fewer Waters of the U.S., especially jurisdictional wetlands, than the East Alternative Options or the West Alternative Option A. The West Alternative Option B would impact fewer acres of Agricultural Protection Areas (APA) than either of the East Alternative Options or West Alternative Option A. West Alternative Option B requires the same number of potential residential relocations as West Alternative Option A, and provides an alternative that reduces potential social or community impacts, by providing an alignment that is located west of Erda Township. It has impacts comparable to all other build alternatives in other environmental respects. Although West Alternative Option B is estimated to be more expensive, and to carry 10% fewer trips than either of the East Alternative Options or the West Alternative Option A, the Joint Leads feel these estimates are offset by the reduced wetland, APA, and community impacts associated with West Alternative Option B.

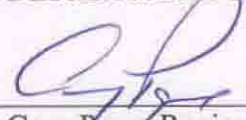
FHWA retains the authority to select an alternative in the Record of Decision, pursuant to 23 CFR §771.127.

FEDERAL HIGHWAY ADMINISTRATION

By: 
James Christian, Division Administrator

DATE: 12/16/10

UTAH DEPARTMENT OF TRANSPORTATION

By: 
Cory Pope, Region 2 Director

DATE: 12/16/10

TOOELE COUNTY COMMISSION

By: 
Colleen S. Johnson, Commission Chair

DATE: 12-8-10

EIS No. 20090263, ERP No. F-NSF-K99036-HI, Advanced Technology Solar Telescope Project, Issuing Special Use Permit to Operate Commercial Vehicles on Haeakala National Park Road during the Construction of Site at the University of Hawai'i Institute for Astronomy, Haleakala High Altitude Observatory (HO) Site, Island of Maui, HI.

Summary: No formal comment letter was sent to the preparing agency.

EIS No. 20090264, ERP No. F-FHW-F40447-OH, Cleveland Innerbelt Project, Proposing Major Rehabilitation and Reconstruction between I-71 and I-90, Cleveland Central Business District, Funding, City of Cleveland, Cuyahoga County, OH.

Summary: EPA continues to have environmental concerns about stormwater impacts and requested the pretreatment of all stormwater.

Dated: September 1, 2009.

Robert W. Hargrove,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. E9-21386 Filed 9-3-09; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-8596-9]

Environmental Impacts Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-1399 or <http://www.epa.gov/compliance/nepa/>.

Weekly receipt of Environmental Impact Statements filed 08/24/2009 through 08/28/2009. Pursuant to 40 CFR 1506.9.

EIS No. 20090301, Final Supplement, NRS, WV, Lost River Subwatershed of the Potomac River Watershed Project, Construction of Site 16 on Lower Cove Run and Deletion of Site 23 on Cullers Run in the Lost River Watershed, Change in Purpose for Site 16 and Updates Information Relative to Site 23, U.S. Army COE Section 404 Permit, Hardy County, WV, Wait Period Ends: 10/05/2009, *Contact:* Kevin Wickey 304-284-7540.

EIS No. 20090302, Draft EIS, FHW, UT, Tooele County Midvalley Highway Project, To Address Traffic Congestion on UT-36 and at the I-80/Lake Point interchange through the Year 2030, Funding, Tooele County, UT, Comment Period Ends: 10/19/2009, *Contact:* Edward Woolford 801-963-0182.

EIS No. 20090303, Draft EIS, AFS, OR, Upper Beaver Creek Vegetation Management Project, Proposes to Implement Multiple Resource Management Actions, Pauline Ranger District, Ochoco National Forest, Crook County, OR, Comment Period Ends: 10/19/2009, *Contact:* Slater Turner 541-477-6900

EIS No. 20090304, Final EIS, AFS, CA, Inyo National Forest Motorized Travel Management Project, Implementation, Inyo, Mineral, Mono and Esmeralda Counties, CA, Wait Period Ends: 10/05/2009, *Contact:* Susan Joyce 760-873-2516.

EIS No. 20090305, Final EIS, NOA, CA, ADOPTION—PROGRAMMATIC—South Bay Salt Pond Restoration Project, Restored Tidal Marsh, Managed Ponds, Flood Control Measures and Public Access Features, Don Edward San Francisco Bay National Wildlife Refuge, Alameda, Santa Clara and San Mateo Counties, CA, Wait Period Ends: 10/05/2009, *Contact:* Patricia A. Montanio 301-713-2325.

The U.S. Department of Commerce, National Oceanic and Atmospheric Administration's has adopted the U.S. Department of Interior's, Fish and Wildlife Service's FEIS #20070539 filed 12/17/2007. Fish and Wildlife Service was not a Cooperating Agency on the above FEIS. Under Section 1506.3(b) of the CEQ Regulations, the FEIS must be recirculated for a 30-day Wait Period. *EIS No. 20090306, Final EIS, NOA, CA*, ADOPTION—PROGRAMMATIC—San Francisco Estuary Invasive Spartina Project, Spartina Control Program, Preservation and Restoration of Ecological Integrity for the Estuary's Intertidal Habitats, Alameda, Contra Costa, Marin, Napa, San Francisco, Santa Mateo Counties, CA, Wait Period Ends: 10/05/2009, *Contact:* Patricia A. Montanio 301-713-2325.

The U.S. Department of Commerce, National Oceanic and Atmospheric Administration's has adopted the U.S. Department of Interior's, Fish and Wildlife Service's FEIS #200400013 filed 01/12/2004. Fish and Wildlife Service was not a Cooperating Agency on the above FEIS. Under Section 1506.3(b) of the CEQ Regulations, the FEIS must be recirculated for a 30-day Wait Period.

EIS No. 20090307, Draft EIS, UCG, 00, PROGRAMMATIC—Ballast Water Discharge Standard Project, To Implement a Ballast Water Discharge Standard to Prevent or Reduce the Number of Non-indigenous Species introduced into the United States

Waters, Comment Period Ends: 10/19/2009, *Contact:* Gregory B. Kirkbride 202-372-1479.

EIS No. 20090308, Draft Supplement, USN, FL, Renewal of Authorization to Use Pinecastle Range, New Information that was not Available in the 2002 FEIS, Continued Use of the Range for a 20 Year Period, Special Use Permit Issuance, Ocala National Forest, Marion and Lake Counties, FL, Comment Period Ends: 10/19/2009, *Contact:* Tom Currin 904-542-6301.

EIS No. 20090309, Final EIS, FHW, MO, Interstate 70 East Corridor Improvements, Kansas City to St. Louis, Evaluates if a Truck-Only Lane Strategy is Viable, Kansas City to St. Louis, MO, Wait Period Ends: 10/05/2009, *Contact:* David Beckhouse 720-963-3306.

Amended Notices

EIS No. 20090223, Draft EIS, AFS, NV, Jarbridge Ranger District Rangeland Management Project, Proposed Reauthorizing Grazing on 21 Existing Grazing Allotments, Humboldt Toiyabe National Forest, Elko County, NV, Comment Period Ends: 09/08/2009, *Contact:* Vern Keller 775-355-5356 Revision to FR Notice Published 07/10/2009: Extending Comment Period from 08/24/2009 to 09/08/2009.

EIS No. 20090265, Draft EIS, AFS, ID, Clearwater National Forest Travel Planning Project, Proposes to Manage Motorized and Mechanized Travel within the 1,827.380-Acre, Clearwater National Forest, Idaho, Clearwater, Latah and Shoshone Counties, ID, Comment Period Ends: 10/02/2009, *Contact:* Doug Gober 208-476-4541. Revision to FR Notice Published 08/07/2009: Extending Comment Period from 09/21/2009 to 10/02/2009

EIS No. 20090285, Draft EIS, NPS, CA, Warner Valley Comprehensive Site Plan, Addressing Natural and Cultural Resource Conflicts, Parking and Circulation Improvements in Warner Valley, Implementation, Lassen Volcanic National Park, Plumas County, CA, Comment Period Ends: 11/20/2009, *Contact:* Louise Johnson 530-595-4444 ext. 5170. Revision to FR Notice Published 08/21/2009: Correction to Comment Period from 11/21/2009 to 11/20/2009.

Dated: September 1, 2009.

Robert W. Hargrove,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. E9-21387 Filed 9-3-09; 8:45 am]

BILLING CODE 6560-50-P



CITY OF OREM REQUEST FOR BIDS

The City of Orem is requesting bids from responsible firms or individuals for 3200' of 8" DR 17 IPS Pipe, HDPE 3408 AWWA, plus other support items needed for a water project...

Bids for this request will be received by the Office of Purchasing, 56 North State Street, Orem, Utah, 84057, from 11:45 a.m. to 3:00 p.m., Thursday, September 24th, 2009...

The City of Orem reserves the right to accept or reject any or all bids, or any part of any bid if it is deemed to be in the best interests of the City of Orem.

PUBLISHED IN THE DESERT MORNING NEWS MONDAY & TUESDAY, SEPTEMBER 14 & 15, 2009

PUBLISHED IN THE SALT LAKE TRIBUNE MONDAY & TUESDAY, SEPTEMBER 14 & 15, 2009 490696 UAPXLP

NOTICE OF TRUSTEE'S SALE APN: 14-34-302-011 Trust No. 1217294-07 Ref: Howard D Mitchell TRA: Loan No. xxxxxx3957. IMPORTANT NOTICE TO PROPERTY OWNER: YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED March 22, 2005...

SECOND AMENDED NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder at the Second District Court, 425 North Wasatch Drive, Layton, UT, on October 2, 2009, at 8:30 a.m. of said day...

Lot 102, MEADOW CROSSING SUBDIVISION PLAT IV, according to the official plat thereof on file and of record in the Davis County Recorder's Office.

Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

The current beneficiary of the trust deed is National City Mortgage, A Division of National City Bank and the record owners of the property as of the recording of the notice of default are Johnny Rodriguez and Janel A. Rodriguez.

The sale is subject to bankruptcy filing, payoff, reinstatement or any other circumstance that would affect the validity of the sale. If any such circumstance exists, the sale shall be void, the successful bidder's funds returned and the trustee and current beneficiary shall not be liable to the successful bidder for any damage.

Bidders must tender to the trustee a \$5,000.00 deposit at the sale and the balance of the purchase price by 12:00 noon the day following the sale. The deposit must be in the form of a bank or credit union cashier's check or bank official check payable to eTitle Insurance Agency.

DATED: September 1, 2009. eTitle Insurance Agency, Trustee 3269 South Main, #100 Salt Lake City, UT 84115 (801) 263-3400 Office Hours: 8:00 a.m. - 5:00 p.m. L&A Case No. 08-65809 KB

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. UAPXLP 493432

NOTICE OF PUBLIC HEARING AND AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT STATEMENT

for Toolee Midvalley Highway in Tooele County. Project No: FHWA-UT-EIS-09-01-D-F-1C45(6)

The Federal Highway Administration (FHWA), in cooperation with Tooele County and the Utah Department of Transportation (UDOT), herewith advises all interested persons or groups that it proposes improvements to the north-south transportation system in the Toolee Valley that provide additional north-south transportation capacity...

Open Public Hearings conducted by FHWA, UDOT and Tooele County will be held on the following dates: September 22, 2009 5:00 p.m. to 8:00 p.m.

The No Build alternative and the Toolee Midvalley Highway West alternatives under consideration will be presented for public comment at this public hearing. Members of the public are invited to review illustrative materials and discuss the proposed project with project team members any time between the hours posted.

The public is further advised that a Draft Environmental Impact Statement (DEIS) for this project has been prepared. The DEIS defines the scope of the project, alternatives, potential for environmental impacts, and mitigation measures that might relieve potential impacts. The DEIS may be reviewed at the following locations during regular office hours:

FHWA 2520 West 4700 South, Suite 9A Salt Lake City, Utah

UDOT Region Two 2010 South 2760 West Salt Lake City, Utah

UDOT Central 4501 South 2700 West Salt Lake City, Utah

Tooele County Offices 47 South Main Street, Tooele

Tooele City Offices 90 North Main Street, Tooele

Tooele City Library 128 West Vine Street, Tooele

Grantsville City Offices 429 East Main Street, Grantsville

Tooele County Bookmobile Library 429 East Main Street, Grantsville

Tooele County School District 92 South Lodestone Way, Tooele

Grantsville Senior Center 120 South Center Street, Grantsville

Tooele Senior Center 59 East Vine Street, Tooele

Stansbury Park Improvement District, #30 Plaza, Stansbury Park

The DEIS and further project information is also available through the project website at www.midvalleyhighway.com.

Further information about the project can be obtained by contacting Vern Lovelace, Tooele County Engineer, 47 S Main, Tooele, UT 84074 or Edward Woolford, FHWA Utah Division, 2520 West 4700 South, Suite 9A, Salt Lake City, Utah 84119 or Matthew Zundel, UDOT Region Two Project Manager 2010 South 2760 West Salt Lake City, UT 84104.

In compliance with the Americans with Disabilities Act, individuals requiring special accommodations during the meeting (including auxiliary communicative aids and services) should notify Pam Murray (murrayap@pbworld.com; 801-288-3250) the working days prior to the meeting. UAPXLP 494116

NOTICE OF TRUSTEE'S SALE APN: 09-32-454-002 Trust No. 1171162-07 Ref: James D Helmutz TRA: Loan No. xxxxxx1071. IMPORTANT NOTICE TO PROPERTY OWNER: YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED March 22, 2007...

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder at the Second District Court, 425 North Wasatch Drive, Layton, UT, on October 9, 2009, at 8:30 a.m. of said day, for the purpose of foreclosing a trust deed originally executed on December 14, 2007...

DATED: September 10, 2009. eTitle Insurance Agency, Trustee 3269 South Main, #100 Salt Lake City, UT 84115 (801) 263-3400 Office Hours: 8:00 a.m. - 5:00 p.m. L&A Case No. 09-77919 MG

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. UAPXLP 493636

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder at the Second District Court, 425 North Wasatch Drive, Layton, UT, on September 25, 2009, at 8:30 a.m. of said day, for the purpose of foreclosing a trust deed originally executed on August 25, 2008...

DATED: September 25, 2009. eTitle Insurance Agency, Trustee 3269 South Main, #100 Salt Lake City, UT 84115 (801) 263-3400 Office Hours: 8:00 a.m. - 5:00 p.m. L&A Case No. 09-74514 KB

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. UAPXLP 490890

NOTICE OF DISPOSITION OF COLLATERAL BY PUBLIC SALE

Debtor: C.T. PROPERTIES LC, CREATERA INCORPORATED, WILLOW BLUFFS LC, BENJAMIN MAGELSEN

Secured Party: JORDAN BLUFFS HOLDINGS LC, 9192 South 300 West, Ste. 28 Sandy, Utah 84070

Description of Collateral to be Sold: All of C.T. PROPERTIES LC, CREATERA INCORPORATED, WILLOW BLUFFS LC, and BENJAMIN MAGELSEN's incidental property rights to the real property commonly known as Sharon Steel or Jordan Bluffs in Middle, Utah described in an Assignment of Trust Deed (recorded at the Salt Lake County Recorder's Office, Bk. 9644, Page 3992-3996), including engineering, work products, rights to access, and other rights to reimbursements from the Tax Incremental Reimbursement Agreement dated February 24, 2005 and/or the Master Development Agreement with Middle City dated December 1, 2004...

Information: Any requests for information or any other related inquiries should be directed to the following: Stephen W. Cook, COOK & ASSOCIATES, P.C., 230 South 500 East, Ste. 465 Telephone: (801) 595-8600 Counsel for Jordan Bluffs Holdings LC.

Accounting: You are entitled to an accounting of the unpaid indebtedness secured by the property that we intend to sell for a charge of \$25.00 per hour for an accounting by contacting Jordan Bluffs Holdings LC's counsel at (801) 595-8600.

THIS NOTICE IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. Dated this 15th day of August, 2009. UAPXLP 493632

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder at the Second District Court, 425 North Wasatch Drive, Layton, UT, on September 25, 2009, at 8:30 a.m. of said day, for the purpose of foreclosing a trust deed originally executed on August 25, 2008...

DATED: September 9, 2009. eTitle Insurance Agency, Trustee 3269 South Main, #100 Salt Lake City, UT 84115 (801) 263-3400 Office Hours: 8:00 a.m. - 5:00 p.m. L&A Case No. 09-75857 KB

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. UAPXLP 493632

NOTICE OF TRUSTEE'S SALE APN: 22-30-204-037 Trust No. 1213626-07 Ref: Sharon Ventura LC TRA: Loan No. xxxxxx9175. IMPORTANT NOTICE TO PROPERTY OWNER: YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED September 2, 2006...

Day and Date: Tuesday, September 29, 2009 Place: Front Steps of the Matheson Courthouse 450 South State Street Salt Lake City, Utah 84114

The public sale of the above-described personal property is for the purpose of foreclosing the security interest which was perfected by UCC-1 Financing statement file number 3531482036 in the Official Records in the Utah Department of Commerce.

Terms: Bidders must be prepared to tender to the trustee a \$5,000 cash deposit at the time of sale and the balance of the purchase price within 24 hours after the sale. The sale of the collateral described herein will be made without any warranty including, warranties as to title, possession, encumbrances, or bankruptcy status. Also, the sale is subject to workout, reinstatement, payoff, sale, cancellation or postponement, incorrect bidding instructions, bankruptcy, or any other circumstance of which JORDAN BLUFFS HOLDINGS LC is unaware. In the event of any such circumstance, the sale will be void and the successful bidder's funds will be returned without any liability of or by JORDAN BLUFFS HOLDINGS LC for interest or any other damages.

Information: Any requests for information or any other related inquiries should be directed to the following: Stephen W. Cook, COOK & ASSOCIATES, P.C., 230 South 500 East, Ste. 465 Telephone: (801) 595-8600 Counsel for Jordan Bluffs Holdings LC.

Accounting: You are entitled to an accounting of the unpaid indebtedness secured by the property that we intend to sell for a charge of \$25.00 per hour for an accounting by contacting Jordan Bluffs Holdings LC's counsel at (801) 595-8600.

THIS NOTICE IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. Dated this 15th day of August, 2009. UAPXLP 493632

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder at the Second District Court, 425 North Wasatch Drive, Layton, UT, on September 25, 2009, at 8:30 a.m. of said day, for the purpose of foreclosing a trust deed originally executed on September 25, 2008...

DATED: September 5, 2009. eTitle Insurance Agency, Trustee 3269 South Main, #100 Salt Lake City, UT 84115 (801) 263-3400 Office Hours: 8:00 a.m. - 5:00 p.m. L&A Case No. 09-77877 KB

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. UAPXLP 493436

BARNARD C. LAVER Attorney for Petitioner 302 East 100th St. Salt Lake City, UT 84109 Telephone: 801-487-8433

IN THE SECOND DISTRICT JUVENILE COURT COUNTY OF DAVIS, STATE OF UTAH

PETITIONER KRISTIN HART,) SUMMONS BY PUBLICATION In the interest of,) (Termination of Parental Rights) E.M., DOB 07/02/06,) Case Number: 2011303 a minor child) Judge: J. Mark Andrus

THE STATE OF UTAH TO: CHAD MAGEE A petition for the termination of your parental rights to this child has been filed with the above-entitled Court at 800 West South Street, Farmington, Utah 84025. You are summoned and required to appear on:

NOTICE OF HEARING Date: 10/29/2009 at 10:30 A.M. Location: 200 West State Street Farmington, Utah 84025 801-451-4900 Presiding Judge: J. Mark Andrus

IF YOU FAIL TO APPEAR, the Court may hear testimony of the allegations in the attached Petition and grant the request for termination of your parental rights to this child. If you desire to contest the matter and cannot afford an attorney, the state may appoint an attorney to represent you.

DATED this 9th day of September, 2009. /s/ Barnard C. Laver Attorney for Petitioner UAPXLP 496356

NOTICE OF TRUSTEE'S SALE APN: 26-01-232-002-0000 Trust No. 1213624-07 Ref: Cynthia Zeddes TRA: Loan No. xxxxxx9744. IMPORTANT NOTICE TO PROPERTY OWNER: YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED August 08, 2006...

DATED: September 10, 2009. eTitle Insurance Agency, Trustee 3269 South Main, #100 Salt Lake City, UT 84115 (801) 263-3400 Office Hours: 8:00 a.m. - 5:00 p.m. L&A Case No. 09-77919 MG

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. UAPXLP 493636

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder at the Second District Court, 425 North Wasatch Drive, Layton, UT, on October 9, 2009, at 8:30 a.m. of said day, for the purpose of foreclosing a trust deed originally executed on December 14, 2007...

DATED: September 10, 2009. eTitle Insurance Agency, Trustee 3269 South Main, #100 Salt Lake City, UT 84115 (801) 263-3400 Office Hours: 8:00 a.m. - 5:00 p.m. L&A Case No. 09-77919 MG

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. UAPXLP 493636

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder at the Second District Court, 425 North Wasatch Drive, Layton, UT, on September 25, 2009, at 8:30 a.m. of said day, for the purpose of foreclosing a trust deed originally executed on August 25, 2008...

DATED: September 9, 2009. eTitle Insurance Agency, Trustee 3269 South Main, #100 Salt Lake City, UT 84115 (801) 263-3400 Office Hours: 8:00 a.m. - 5:00 p.m. L&A Case No. 09-75857 KB

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. UAPXLP 493632

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder at the Second District Court, 425 North Wasatch Drive, Layton, UT, on September 25, 2009, at 8:30 a.m. of said day, for the purpose of foreclosing a trust deed originally executed on April 23, 2003 by Daniel T. Mathews and Kimberly Mathews, as trustees, in favor of Mortgage Electronic Registration Systems, Inc., as nominee for ATX Mortgage, a Division of Wells Fargo Bank, N.A., covering the following real property purported to be located in Davis County at 835 East 1950 South, Clearfield, UT 84015 (the undersigned disclaims liability for any error in the address), and more particularly described as:

All of Lot 141, FOX HOLLOW PHASE 3, Clearfield City, Davis County, Utah, according to the official plat thereof.

Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

The current beneficiary of the trust deed is Wells Fargo Bank, N.A. and the record owners of the property as of the recording of the notice of default are Daniel T. Mathews and Kimberly Mathews.

The sale is subject to bankruptcy filing, payoff, reinstatement or any other circumstance that would affect the validity of the sale. If any such circumstance exists, the sale shall be void, the successful bidder's funds returned and the trustee and current beneficiary shall not be liable to the successful bidder for any damage.

Bidders must tender to the trustee a \$5,000.00 deposit at the sale and the balance of the purchase price by 12:00 noon the day following the sale. The deposit must be in the form of a bank or credit union cashier's check or bank official check payable to eTitle Insurance Agency. The balance must be in the form of a wire transfer, bank or credit union cashier's check, bank official check or U.S. Postal money order payable to eTitle Insurance Agency. Cash payments are not accepted. A trustee's deed will be delivered to the successful bidder within three business days after receipt of the amount bid.

DATED: September 9, 2009. eTitle Insurance Agency, Trustee 3269 South Main, #100 Salt Lake City, UT 84115 (801) 263-3400 Office Hours: 8:00 a.m. - 5:00 p.m. L&A Case No. 09-75857 KB

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. UAPXLP 493632

NOTICE OF TRUSTEE'S SALE APN: 22-30-204-037 Trust No. 1213626-07 Ref: Sharon Ventura LC TRA: Loan No. xxxxxx9175. IMPORTANT NOTICE TO PROPERTY OWNER: YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED September 2, 2006...

Day and Date: Tuesday, September 29, 2009 Place: Front Steps of the Matheson Courthouse 450 South State Street Salt Lake City, Utah 84114

The public sale of the above-described personal property is for the purpose of foreclosing the security interest which was perfected by UCC-1 Financing statement file number 3531482036 in the Official Records in the Utah Department of Commerce.

Terms: Bidders must be prepared to tender to the trustee a \$5,000 cash deposit at the time of sale and the balance of the purchase price within 24 hours after the sale. The sale of the collateral described herein will be made without any warranty including, warranties as to title, possession, encumbrances, or bankruptcy status. Also, the sale is subject to workout, reinstatement, payoff, sale, cancellation or postponement, incorrect bidding instructions, bankruptcy, or any other circumstance of which JORDAN BLUFFS HOLDINGS LC is unaware. In the event of any such circumstance, the sale will be void and the successful bidder's funds will be returned without any liability of or by JORDAN BLUFFS HOLDINGS LC for interest or any other damages.

Information: Any requests for information or any other related inquiries should be directed to the following: Stephen W. Cook, COOK & ASSOCIATES, P.C., 230 South 500 East, Ste. 465 Telephone: (801) 595-8600 Counsel for Jordan Bluffs Holdings LC.

Accounting: You are entitled to an accounting of the unpaid indebtedness secured by the property that we intend to sell for a charge of \$25.00 per hour for an accounting by contacting Jordan Bluffs Holdings LC's counsel at (801) 595-8600.

THIS NOTICE IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. Dated this 15th day of August, 2009. UAPXLP 493632

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder at the Second District Court, 425 North Wasatch Drive, Layton, UT, on September 25, 2009, at 8:30 a.m. of said day, for the purpose of foreclosing a trust deed originally executed on September 25, 2008...

DATED: September 5, 2009. eTitle Insurance Agency, Trustee 3269 South Main, #100 Salt Lake City, UT 84115 (801) 263-3400 Office Hours: 8:00 a.m. - 5:00 p.m. L&A Case No. 09-77877 KB

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. UAPXLP 493436

NOTICE TO FATHER BY PUBLICATION LEGAL NOTICE

IN THE MATTER OF THE PATERNITY OF S.R. to J.C. and John Doe (real name unknown) described as a Caucasian male.

You have been identified as the biological father or possible biological father for a Caucasian female child known as the biological mother currently intends to place for adoption for whom the Nebraska Department of Health and Human Services is currently conducting adoption planning. The placement occurred on or about October 04, 2005.

S.R. was conceived on or about April 5, 1997 in Salt Lake City, Utah and was born on January 5, 1998 in Salt Lake City, Utah.

If you are the biological father, you have the right to: 1) deny paternity; 2) waive any parental rights you may have; 3) relinquish and consent to adoption; 4) file a Notice of Objection to Adoption and Intent to Obtain Custody pursuant to Nebraska Revised Statute section 43-104.02 or; 5) object to the adoption in a proceeding before any Nebraska court which has adjudicated you to be the biological father of the child.

In order to deny paternity, waive your parental rights, relinquish and consent to the adoption or receive additional information to determine whether you are the father of S.R., you must contact the genetic testing agency you wish to be subject to the adoption and seek custody of this child you must seek legal counsel from your own attorney immediately.

BY: Nebraska Department of Health and Human Services Gwen Ruter Protective Services Worker Adoption Unit 313 Farm-on-The-Mall Omaha, NE 68102 (402) 595-2903 (402) 595-2045 fax 479292 UAPXLP

NOTICE OF TRUSTEE'S SALE APN: 20-02-353-013-0000 Trust No. 1213624-07 Ref: Ernesta Sanborn TRA: Loan No. xxxxxx9459. IMPORTANT NOTICE TO PROPERTY OWNER: YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED March 15, 2007...

The following described property will be sold at public auction to the highest bidder at the Second District Court, 425 North Wasatch Drive, Layton, UT, on September 30, 2009, at 8:30 a.m. of said day, for the purpose of foreclosing a trust deed originally executed on August 8, 2006 by Jesse L. Mathews and Kimberly Mathews, as trustees, in favor of Mortgage Electronic Registration Systems, Inc., as nominee for Primary Residential Mortgage Inc., its successors and assigns, covering the following real property purported to be located in Davis County at 2223.116.81. The undersigned Trustee disclaims any liability for any inaccuracy of the street address and other common designation of the real property described above is reported to be: 6273 W anders Ridge Way West Valley City, UT 84128. Estimated Total Debt as of September 30, 2009 is \$223,216.81. The undersigned Trustee disclaims any liability for any inaccuracy of the street address and other common designation, if any, shown herein. Said sale will be made without covenant or warranty, express or implied, regarding title, possession, condition or encumbrances, including fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust, to pay the remaining principal sums of the note(s) secured by said Deed of Trust. The current beneficiary of the Trust Deed as of the date of this notice is: Mortgage Electronic Registration Systems, Inc. The record owner of the property as of the recording of the Notice of Default is: Ernesta Sanborn. The record owner of the property as of the recording of the Notice of Default is: Ernesta Sanborn. The record owner of the property as of the recording of the Notice of Default is: Ernesta Sanborn. The record owner of the property as of the recording of the Notice of Default is: Ernesta Sanborn.

DATED: September 9, 2009. eTitle Insurance Agency, Trustee 3269 South Main, #100 Salt Lake City, UT 84115 (801) 263-3400 Office Hours: 8:00 a.m. - 5:00 p.m. L&A Case No. 08-72175 KB

THIS COMMUNICATION IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. UAPXLP 493632

FIFTH AMENDED NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder at the Second District Court, 425 North Wasatch Drive, Layton, UT, on September 25, 2009, at 8:30 a.m. of said day, for the purpose of foreclosing a trust deed originally executed on June 8, 2006 by Brandi Hart, as trustee, in favor of Wells Fargo Bank, N.A., covering the following real property purported to be located in Davis County at 2088 North Evans Cove Loop, Layton, UT 84041 (the undersigned disclaims liability for any error in the address), and more particularly described as:

ALL OF PARCEL 2, A PLANNED UNIT DEVELOPMENT ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF THE DAVIS COUNTY RECORDER, STATE OF UTAH.

Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

The current beneficiary of the trust deed is U.S. Bank National Association, a Division of Wells Fargo Bank, N.A., covering the following real property purported to be located in Davis County at 2088 North Evans Cove Loop, Layton, UT 84041 (the undersigned disclaims liability for any error in the address), and more particularly described as:

ALL OF PARCEL 2, A PLANNED UNIT DEVELOPMENT ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF THE DAVIS COUNTY RECORDER, STATE OF UTAH.

Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

The current beneficiary of the trust deed is U.S. Bank National Association, a Division of Wells Fargo Bank, N.A., covering the following real property purported to be located in Davis County at 2088 North Evans Cove Loop, Layton, UT 84041 (the undersigned disclaims liability for any error in the address), and more particularly described as:

ALL OF PARCEL 2, A PLANNED UNIT DEVELOPMENT ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF THE DAVIS COUNTY RECORDER, STATE OF UTAH.

Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

The current beneficiary of the trust deed is U.S. Bank National Association, a Division of Wells Fargo Bank, N.A., covering the following real property purported to be located in Davis County at 2088 North Evans Cove Loop, Layton, UT 84041 (the undersigned disclaims liability for any error in the address), and more particularly described as:

ALL OF PARCEL 2, A PLANNED UNIT DEVELOPMENT ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF THE DAVIS COUNTY RECORDER, STATE OF UTAH.

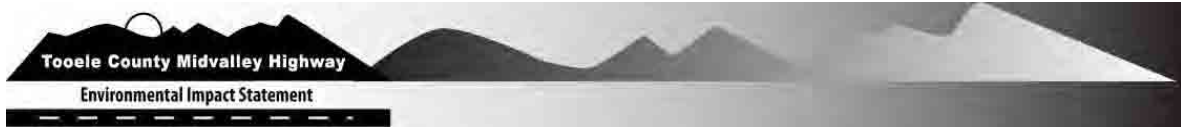
Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

The current beneficiary of the trust deed is U.S. Bank National Association, a Division of Wells Fargo Bank, N.A., covering the following real property purported to be located in Davis County at 2088 North Evans Cove Loop, Layton, UT 84041 (the undersigned disclaims liability for any error in the address), and more particularly described as:

ALL OF PARCEL 2, A PLANNED UNIT DEVELOPMENT ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF THE DAVIS COUNTY RECORDER, STATE OF UTAH.

Together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

The current beneficiary of the trust deed is U.S. Bank National Association, a Division of Wells Fargo Bank, N.A., covering the following real



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