

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

**ENTRY NO. 00253785**

06/18/2008 11:40:53 AM B: 0524 P: 1567

2477 Road Acceptance PAGE 1 / 13

CRAIG J. SPERRY, JUAB COUNTY RECORDER

FEE \$ 0.00 BY STATE OF UTAH



**THE STATE OF UTAH**

**TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:**

**Know ye,** This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Juab County as it pertains to the highway located in Juab County known as CHERRY CREEK LEFT ROAD; County Road Number: 5120901; State Geographic Information Database (SGID) Road Identification Number: RD121307. Total road length is 1.48 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at <http://recorded2477roads.utah.gov>.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

**In Witness Whereof**, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 17<sup>th</sup> day of June, 2008.

By the Governor's Designee

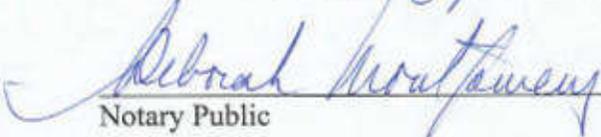
  
\_\_\_\_\_  
John Harja

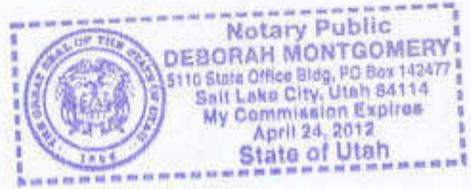
**CERTIFICATION**

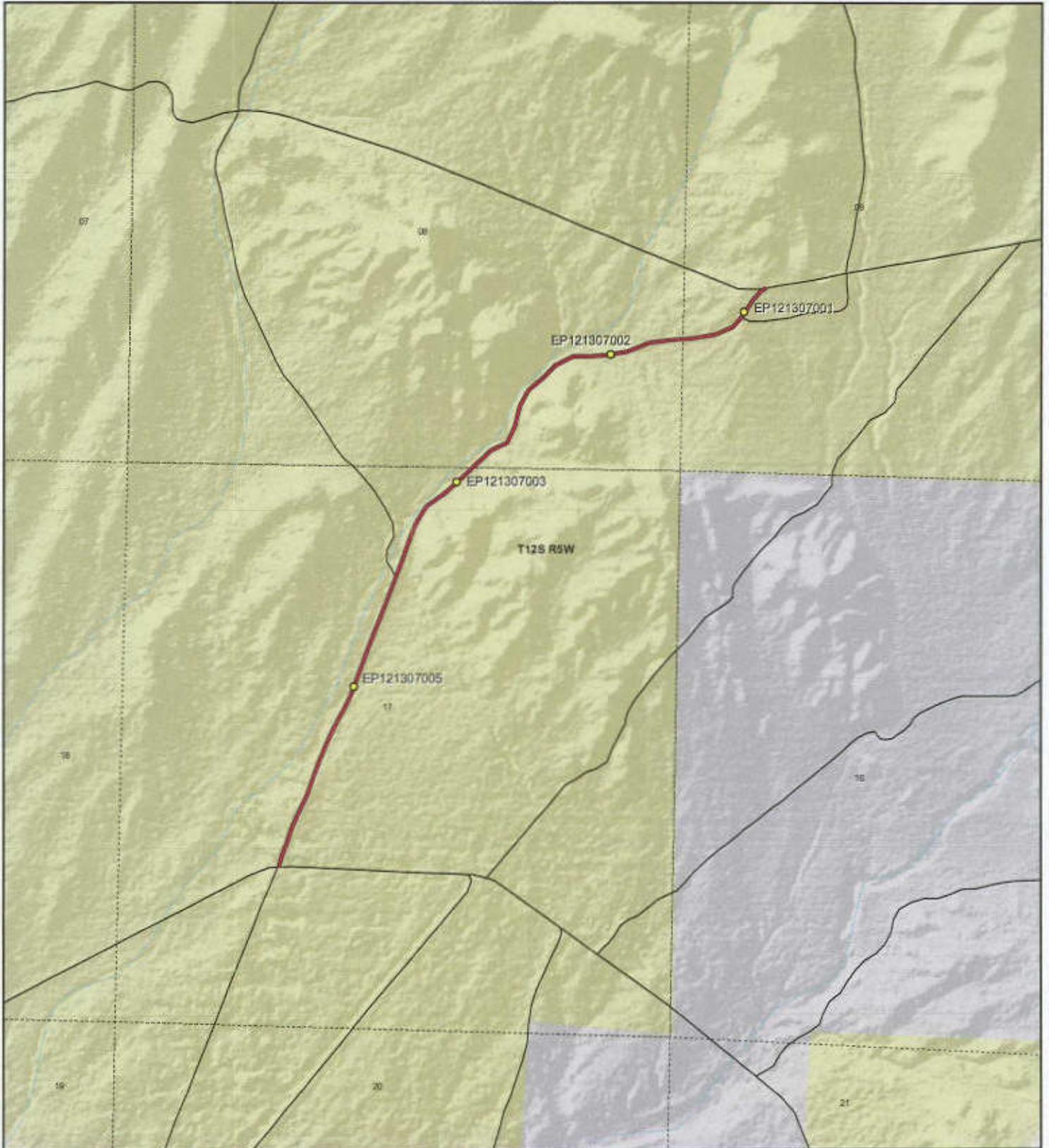
State of Utah                    )  
  : ss  
County of Salt Lake         )

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 17 day of June, 2008.

  
\_\_\_\_\_  
Notary Public





**CHERRY CREEK LEFT ROAD - Juab County**  
**SGID RD\_ID RD121307**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park
- Wilderness
- UDWR Wildlife Reserve
- DOD, Military
- State Sovereign Land
- National Recreation Area
- USFWS, Natl. Wildlife Refuge

**Transportation Network**

- CHERRY CREEK LEFT ROAD
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- Photo Event Point
- Section = 1 Mile

Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 May 27, 2008



1:14,817  
 1 inch equals 0.2 miles



Attachment 2



EP121307001



EP121307002



EP121307003



EP121307005

EP000000000

EP000000000

**CHERRY CREEK LEFT ROAD - Juab County**  
**SGID RD\_ID RD121307**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
May 25, 2006



### Attachment 3

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

**Popular Name:** CHERRY CREEK LEFT ROAD

**County:** Juab

**County Road Number:** 5120901

**State Geographic Information Database (SGID) Road Identification Number:** RD121307.

**Total Road Length:** 1.48 miles more or less.

**Beginning at a point** on the road centerline located at 39 degrees 46 minutes 36.12 seconds North Latitude and -112 degrees 26 minutes 10.34 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,377,305.5 feet and Y = 7,088,765.1 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 47 minutes 31.02 seconds North Latitude and -112 degrees 25 minutes 12.16 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,381,904.0 feet and Y = 7,094,272.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 12 South Range 5 West, Section(s) 8,9,17, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

**Attachment 4  
Road Centerline Description Cover Page(s)**

**Popular Name: CHERRY CREEK LEFT ROAD**

**County: Juab**

**County Road Number: 5120901**

**State Geographic Information Database (SGID) Road Identification Number: RD121307.**

**Total Road Length: 1.48 miles more or less.**

**Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).**

<b>Road-Segments Listed by SGID Road Identification Number (RD_ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
<b>RD121307</b>	<b>001</b>	<b>BLM</b>	<b>1.48 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>1.48</b>	<b>_____</b>

\* Indicates that a Title V permit will be requested, is in process, or has been issued.

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

## **Attachment 5**

**AFFIDAVIT OF ROBERT STEELE**  
**CHERRY CREEK LEFT ROAD**  
**COUNTY ROAD NUMBER 5120901**  
**JUAB COUNTY, UTAH**

State of Utah                    )  
  : ss.  
County of Juab                 )

ROBERT STEELE, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Juab County for 71 years. I was a Juab County Commissioner from 1999-2006.

2. I have traveled and am familiar with a road in Juab County known as Cherry Creek Left Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1942, it followed the same route as in 2007 when I last observed it. Attached is a Juab County map showing Cherry Creek Left Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.

3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1942 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, trucks, maintenance vehicles, jeeps and ATV's. Throughout this

time period, the road has been used daily for more than ten continuous years prior to 1976, and was used daily in 2007.

4. Throughout the time period from 1942 to 2007, I have used the road myself for hunting, mining, fishing, trapping and traveling in and through the area and prospecting for minerals.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus livestock operations, camping, wood gathering, oil and gas exploration, rock hounding and government access.

6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

Dated this 5 day of June, 2007.

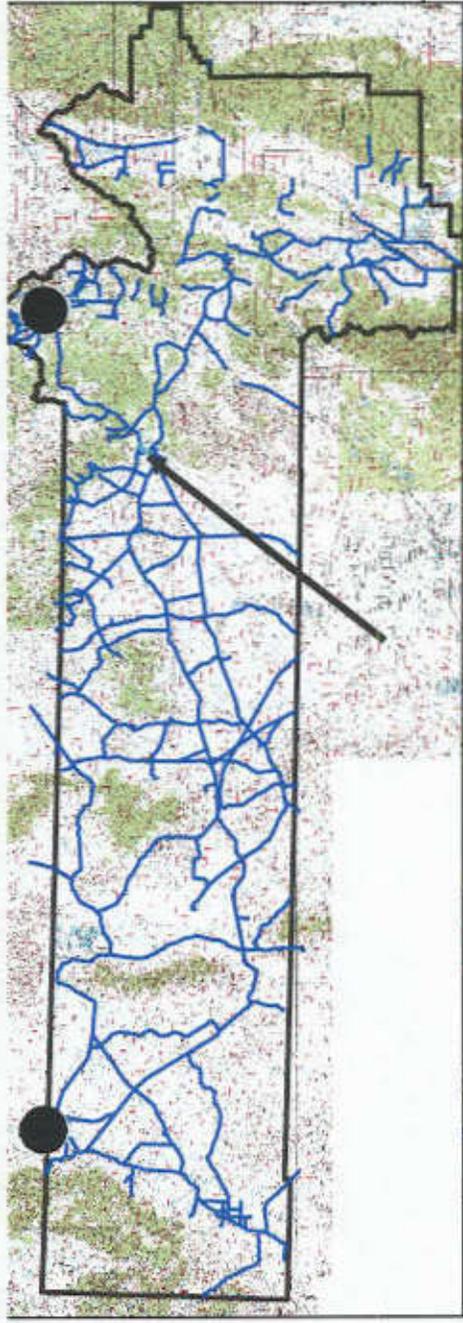
  
\_\_\_\_\_  
ROBERT STEELE

SUBSCRIBED AND SWORN to before me this 5<sup>th</sup> day of June, 2007.

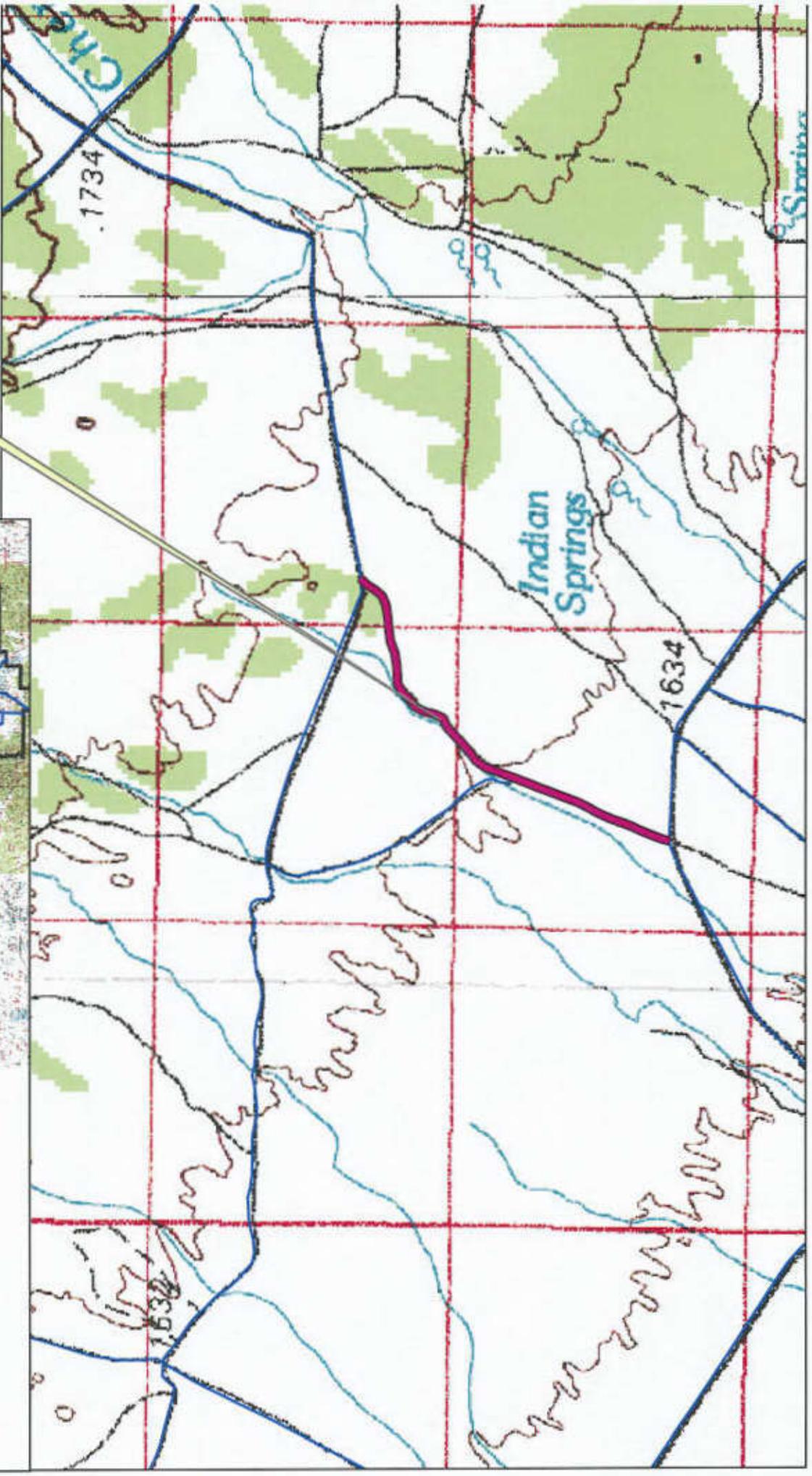


  
\_\_\_\_\_  
NOTARY PUBLIC

Juab County  
RS2477 Assertions  
June 2006



Cherry Creek Left



**AFFIDAVIT OF RON JONES**  
**CHERRY CREEK LEFT ROAD**  
**JUAB COUNTY, UTAH**  
**ROAD NUMBER 5120901**

State of Utah                    )  
  : ss.  
County of Juab                 )

RON JONES, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Nephi, Juab County, Utah. I have lived in Juab County for 85 years. I was an employee of the Juab County Road Department for 38 years from 1947 to 1987 and have participated in maintenance of county B roads during that time.

2. I have traveled and am familiar with a road in Juab County known as Cherry Creek Left Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1930s it followed the same route as in 2006 when I last observed it. Attached is a Juab County map showing Cherry Creek Left Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1930s and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by means of cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road as been used daily for more than ten continuous years prior to 1976, and was so used in 2006.

5. Throughout the time period from the late 1930s to 2006, I have used the road myself for county road maintenance, sight-seeing and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus livestock operations, wood gathering, cedar post cutting, hunting, rock hounding, mining, trapping and recreation.

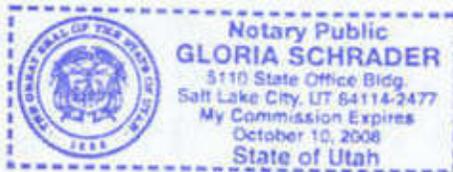
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976 I participated in grading and maintenance and construction activities on the road as a county road employee.

DATED this 5 day of June, 2007.

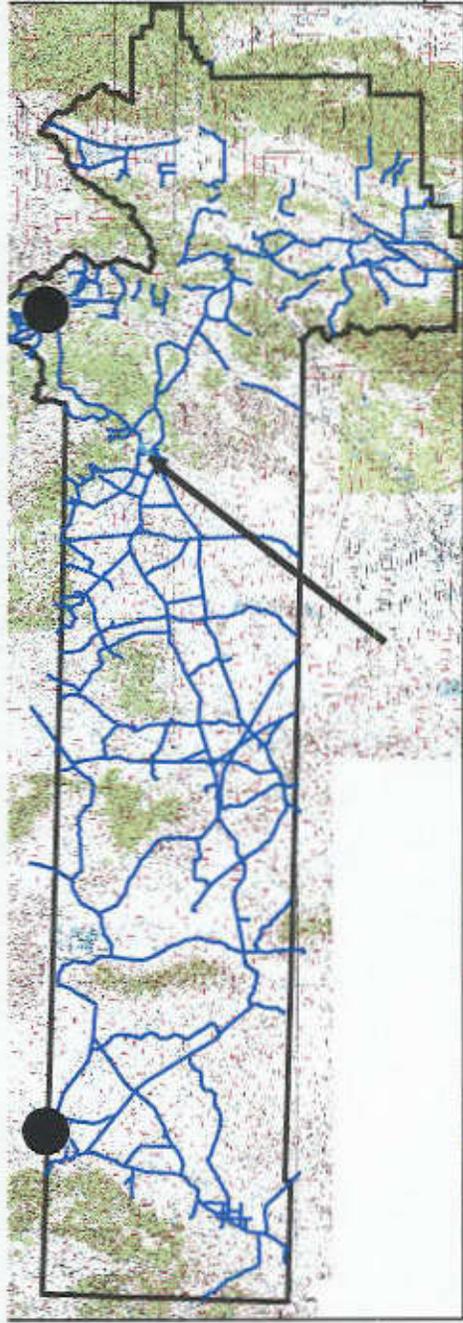
Ron Jones  
RON JONES

SUBSCRIBED AND SWORN to before me this 5<sup>th</sup> day of June, 2007.

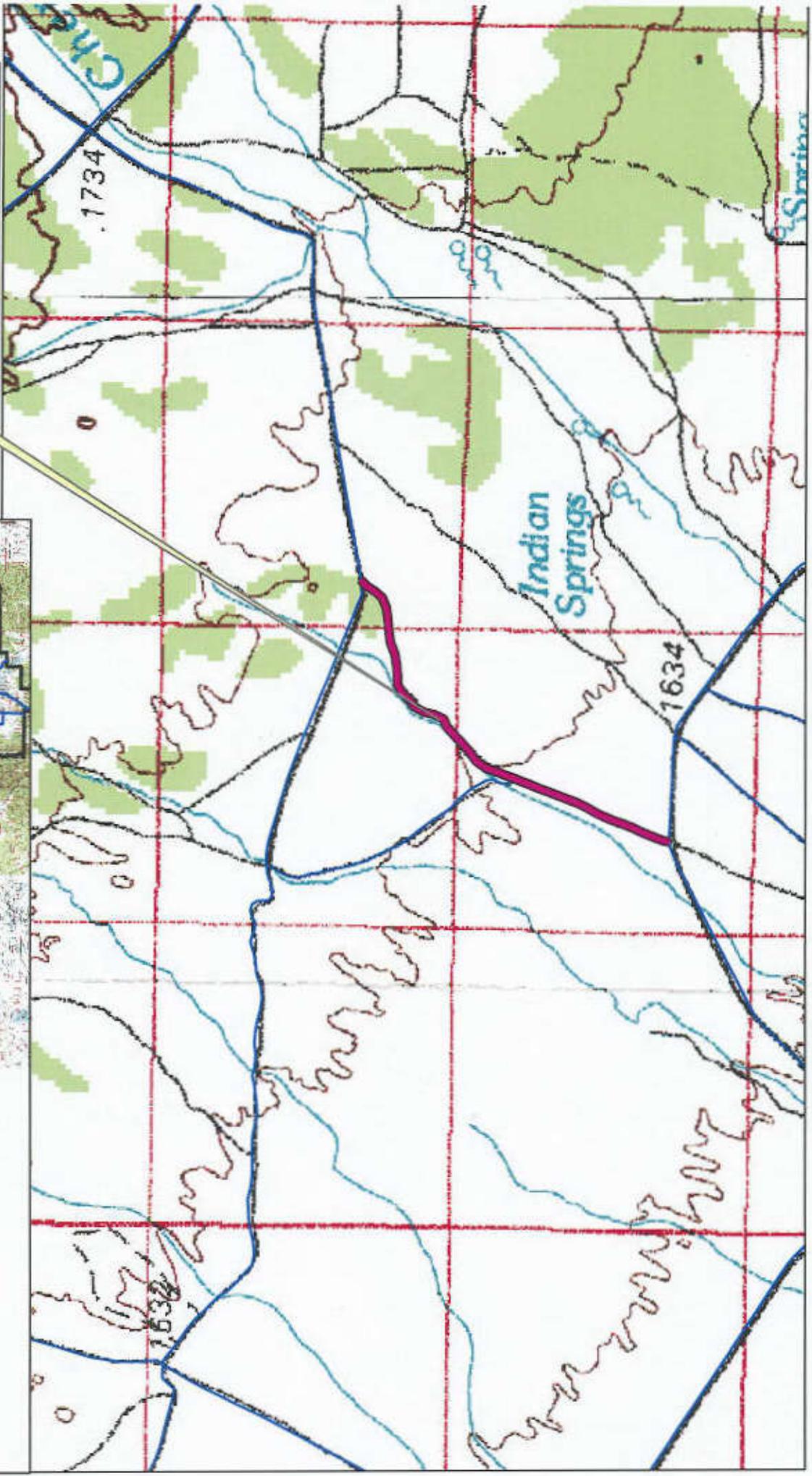


Gloria Schrader  
NOTARY PUBLIC

Juab County ●  
RS2477 Assertions  
June 2006



Cherry Creek Left



**Appendix A to Attachment 4**

**Popular Name: CHERRY CREEK LEFT ROAD**

**County: Juab**

**County Road Number: 5120901**

**State Geographic Information Database (SGID) Road Identification Number: RD121307.**

**Road-Segment Number: 001**

**Road-Segment Length: 1.48 miles more or less.**

**Believed owner of the land underlying this road-segment is: Bureau of Land Management.**

*The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).*

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 12 South Range 5 West, Section(s) 8,9,17, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (CHERRY CREEK LEFT ROAD)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 39 degrees 46 minutes 36.12 seconds North Latitude and -112 degrees 26 minutes 10.34 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,377,305.5 feet and Y = 7,088,765.1 feet; thence the following courses along the said road center line:

thence North 10 Degrees 23 Minutes 37 Seconds East	98.8 feet
thence North 20 Degrees 36 Minutes 18 Seconds East	155.3 feet
thence North 20 Degrees 38 Minutes 11 Seconds East	165.1 feet
thence North 22 Degrees 25 Minutes 29 Seconds East	163 feet
thence North 25 Degrees 34 Minutes 20 Seconds East	162.3 feet
thence North 20 Degrees 07 Minutes 03 Seconds East	166.3 feet
thence North 18 Degrees 52 Minutes 56 Seconds East	170.6 feet
thence North 22 Degrees 26 Minutes 41 Seconds East	170.4 feet
thence North 25 Degrees 15 Minutes 43 Seconds East	171 feet
thence North 28 Degrees 50 Minutes 03 Seconds East	165.7 feet
thence North 26 Degrees 20 Minutes 36 Seconds East	171.8 feet

thence North 21 Degrees 30 Minutes 03 Seconds East 184.5 feet  
 thence North 19 Degrees 42 Minutes 21 Seconds East 190.7 feet  
 thence North 20 Degrees 12 Minutes 48 Seconds East 189.9 feet  
 thence North 20 Degrees 34 Minutes 42 Seconds East 193.2 feet  
 thence North 21 Degrees 34 Minutes 15 Seconds East 196.3 feet  
 thence North 20 Degrees 20 Minutes 48 Seconds East 199.9 feet  
 thence North 19 Degrees 57 Minutes 47 Seconds East 48.3 feet  
 thence North 19 Degrees 59 Minutes 10 Seconds East 149.4 feet  
 thence North 19 Degrees 49 Minutes 00 Seconds East 199.2 feet  
 thence North 19 Degrees 30 Minutes 40 Seconds East 200.2 feet  
 thence North 33 Degrees 19 Minutes 03 Seconds East 196.7 feet  
 thence North 53 Degrees 43 Minutes 22 Seconds East 197.8 feet  
 thence North 48 Degrees 57 Minutes 58 Seconds East 198.7 feet  
 thence North 45 Degrees 11 Minutes 54 Seconds East 166.8 feet  
 thence North 45 Degrees 10 Minutes 58 Seconds East 39.7 feet  
 thence North 47 Degrees 31 Minutes 11 Seconds East 201.4 feet  
 thence North 64 Degrees 32 Minutes 15 Seconds East 171.4 feet  
 thence North 24 Degrees 29 Minutes 59 Seconds East 178.2 feet  
 thence North 12 Degrees 51 Minutes 10 Seconds East 190.1 feet  
 thence North 29 Degrees 33 Minutes 00 Seconds East 168 feet  
 thence North 50 Degrees 02 Minutes 27 Seconds East 173.8 feet  
 thence North 43 Degrees 42 Minutes 24 Seconds East 177.5 feet  
 thence North 62 Degrees 55 Minutes 48 Seconds East 181.5 feet  
 thence North 89 Degrees 19 Minutes 57 Seconds East 162.1 feet  
 thence North 85 Degrees 56 Minutes 18 Seconds East 155.9 feet  
 thence North 80 Degrees 41 Minutes 02 Seconds East 205.6 feet  
 thence North 68 Degrees 23 Minutes 08 Seconds East 220.5 feet  
 thence North 82 Degrees 10 Minutes 56 Seconds East 218.8 feet  
 thence North 84 Degrees 34 Minutes 29 Seconds East 107.3 feet  
 thence North 84 Degrees 34 Minutes 20 Seconds East 106.5 feet  
 thence North 80 Degrees 50 Minutes 56 Seconds East 200.9 feet  
 thence North 67 Degrees 07 Minutes 28 Seconds East 180.5 feet  
 thence North 41 Degrees 04 Minutes 24 Seconds East 162.3 feet  
 thence North 31 Degrees 48 Minutes 02 Seconds East 156.1 feet  
 thence North 40 Degrees 31 Minutes 00 Seconds East 121.4 feet

thence North 56 Degrees 53 Minutes 12 Seconds East 58.2 feet more or less to **the ending point at:** 39 degrees 47 minutes 31.02 seconds North Latitude and -112 degrees 25 minutes 12.16 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,381,904.0 feet and Y = 7,094,272.1 feet.