

**ENTRY NO. 00253792**

06/18/2008 11:40:53 AM B: 0524 P: 1658

2477 Road Acceptance PAGE 1 / 13

CRAIG J. SPERRY, JUAB COUNTY RECORDER

FEE \$ 0.00 BY STATE OF UTAH



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

**THE STATE OF UTAH**

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

**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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 OTTS ROAD; County Road Number: 6111001; State Geographic Information Database (SGID) Road Identification Number: RD121314. Total road length is 1.57 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

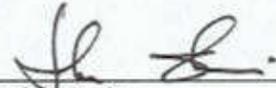
Internet at <http://recorded2477roads.utah.gov>.

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

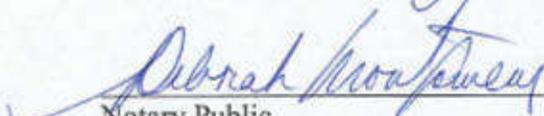
  
\_\_\_\_\_  
John Harja

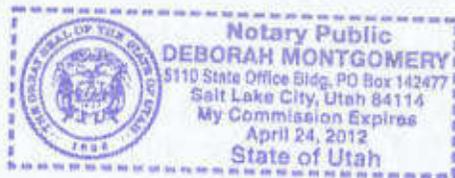
**CERTIFICATION**

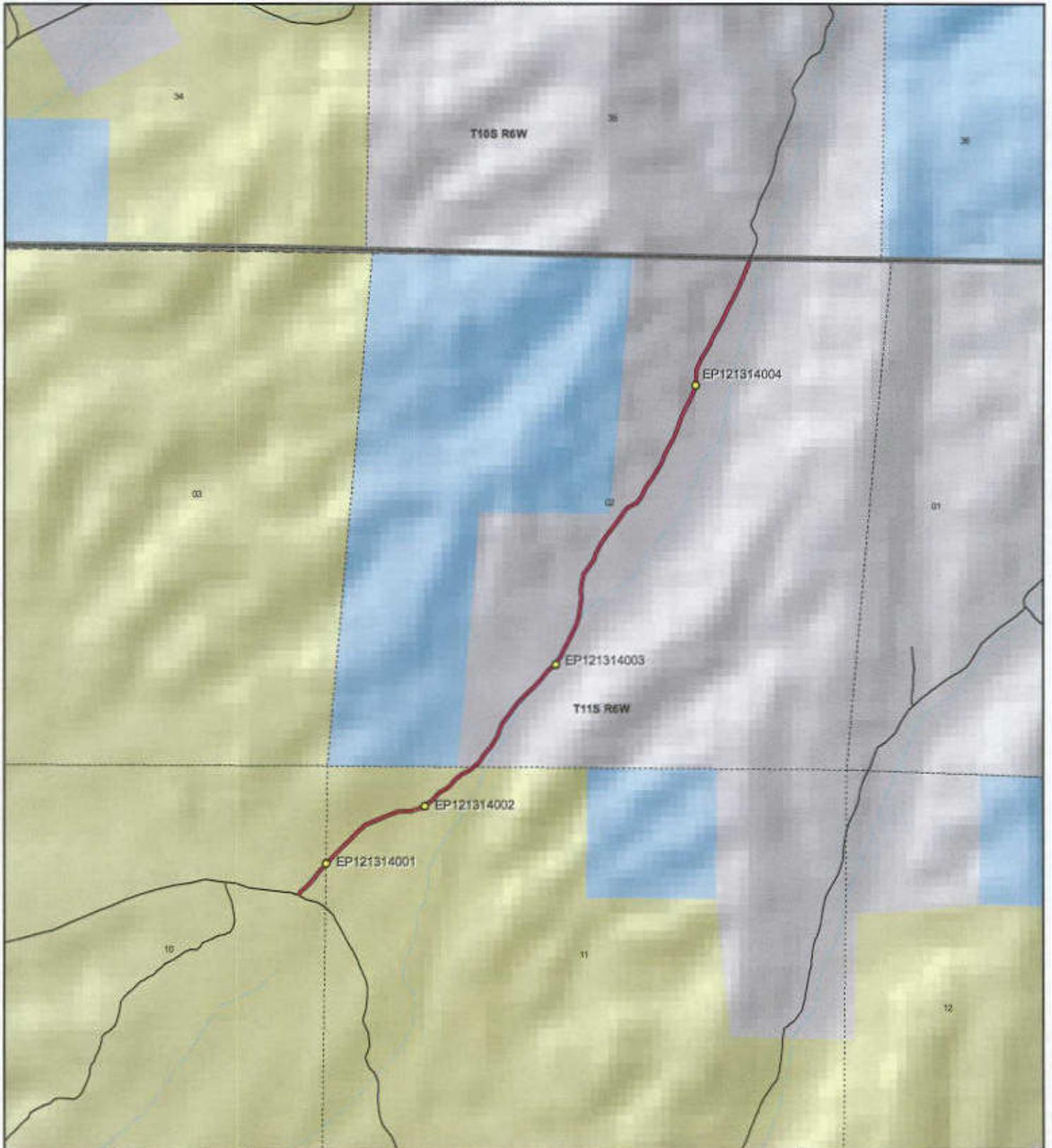
State of Utah                    )  
  : ss  
County of Salt Lake         )

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





<p>1:15,972 1 inch equals 0.3 miles</p>		<p align="center"><b>OTTS ROAD - Juab County</b> <b>SGID RD_ID RD121314</b></p> <table border="0"> <tr> <td><b>Land Ownership Categories</b></td> <td></td> <td><b>Transportation Network</b></td> </tr> <tr> <td> <ul style="list-style-type: none"> <li><span style="color: yellow;">●</span> BLM</li> <li><span style="color: lightblue;">●</span> Private</li> <li><span style="color: lightgreen;">●</span> SITLA, State Trust Land</li> <li><span style="color: blue;">●</span> USFS, National Forest</li> <li><span style="color: darkblue;">●</span> State Parks and Recreation</li> <li><span style="color: brown;">●</span> Tribal, Indian Reservation</li> <li><span style="color: lightcyan;">●</span> NPS, National Park</li> </ul> </td> <td> <ul style="list-style-type: none"> <li><span style="color: green;">◆</span> Wilderness</li> <li><span style="color: darkgreen;">◆</span> UOWR Wildlife Reserve</li> <li><span style="color: grey;">◆</span> DOD, Military</li> <li><span style="color: lightblue;">◆</span> State Sovereign Land</li> <li><span style="color: pink;">◆</span> National Recreation Area</li> <li><span style="color: darkgreen;">◆</span> USFWS, Nat. Wildlife Refuge</li> </ul> </td> <td> <ul style="list-style-type: none"> <li><span style="color: red;">—</span> OTTS ROAD</li> <li><span style="color: red;">—</span> Title V; Issued Or Under Consideration By SLM Or County</li> <li><span style="color: black;">—</span> Other Roads</li> <li><span style="color: yellow;">●</span> Photo Event Point</li> <li><span style="border: 1px dashed black; display: inline-block; width: 10px; height: 10px;"></span> Section = 1 Mile</li> </ul> </td> </tr> </table>	<b>Land Ownership Categories</b>		<b>Transportation Network</b>	<ul style="list-style-type: none"> <li><span style="color: yellow;">●</span> BLM</li> <li><span style="color: lightblue;">●</span> Private</li> <li><span style="color: lightgreen;">●</span> SITLA, State Trust Land</li> <li><span style="color: blue;">●</span> USFS, National Forest</li> <li><span style="color: darkblue;">●</span> State Parks and Recreation</li> <li><span style="color: brown;">●</span> Tribal, Indian Reservation</li> <li><span style="color: lightcyan;">●</span> NPS, National Park</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: green;">◆</span> Wilderness</li> <li><span style="color: darkgreen;">◆</span> UOWR Wildlife Reserve</li> <li><span style="color: grey;">◆</span> DOD, Military</li> <li><span style="color: lightblue;">◆</span> State Sovereign Land</li> <li><span style="color: pink;">◆</span> National Recreation Area</li> <li><span style="color: darkgreen;">◆</span> USFWS, Nat. Wildlife Refuge</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: red;">—</span> OTTS ROAD</li> <li><span style="color: red;">—</span> Title V; Issued Or Under Consideration By SLM Or County</li> <li><span style="color: black;">—</span> Other Roads</li> <li><span style="color: yellow;">●</span> Photo Event Point</li> <li><span style="border: 1px dashed black; display: inline-block; width: 10px; height: 10px;"></span> Section = 1 Mile</li> </ul>	<p>Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 May 27, 2008</p>
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Attachment 2



EP121314001



EP121314002



EP121314003



EP121314004

EP000000000

EP000000000

**OTTS ROAD - Juab County**  
**SGID RD\_ID RD121314**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
May 28, 2008



### Attachment 3

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

**Popular Name: OTTS ROAD**

**County: Juab**

**County Road Number: 6111001**

**State Geographic Information Database (SGID) Road Identification Number: RD121314.**

**Total Road Length: 1.57 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 53 minutes 09.04 seconds North Latitude and -112 degrees 29 minutes 57.45 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,360,020.5 feet and Y = 7,128,709.0 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 54 minutes 13.65 seconds North Latitude and -112 degrees 28 minutes 059.6 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,364,601.4 feet and Y = 7,135,195.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 11 South Range 6 West, Section(s) 2,10,11, 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: OTTS ROAD**

**County: Juab**

**County Road Number: 6111001**

**State Geographic Information Database (SGID) Road Identification Number: RD121314.**

**Total Road Length: 1.57 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>RD121314</b>	<b>001</b>	<b>BLM</b>	<b>0.43 Miles</b>	<b>A</b>
<b>RD121314</b>	<b>002</b>	<b>PVT</b>	<b>1.14 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>1.57</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**

**OTTS ROAD**

**COUNTY ROAD NUMBER 6111001**

**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 Otts Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1967, it followed the same route as in 1995 when I last observed it. Attached is a Juab County map showing Otts 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 1967 and continuing through 1976 to 1995. 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 weekly for more than ten continuous years prior to 1976, and was used weekly in 1995.

4. Throughout the time period from 1967 to 1995, I have used the road myself for 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, mining, oil and gas exploration, rock hounding and government access.

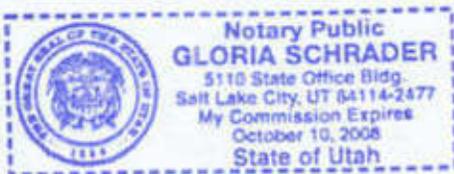
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed the graded surface of the road.

Dated this 5 day of June, 2007.

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

SUBSCRIBED AND SWORN to before me this 5th day of June, 2007.



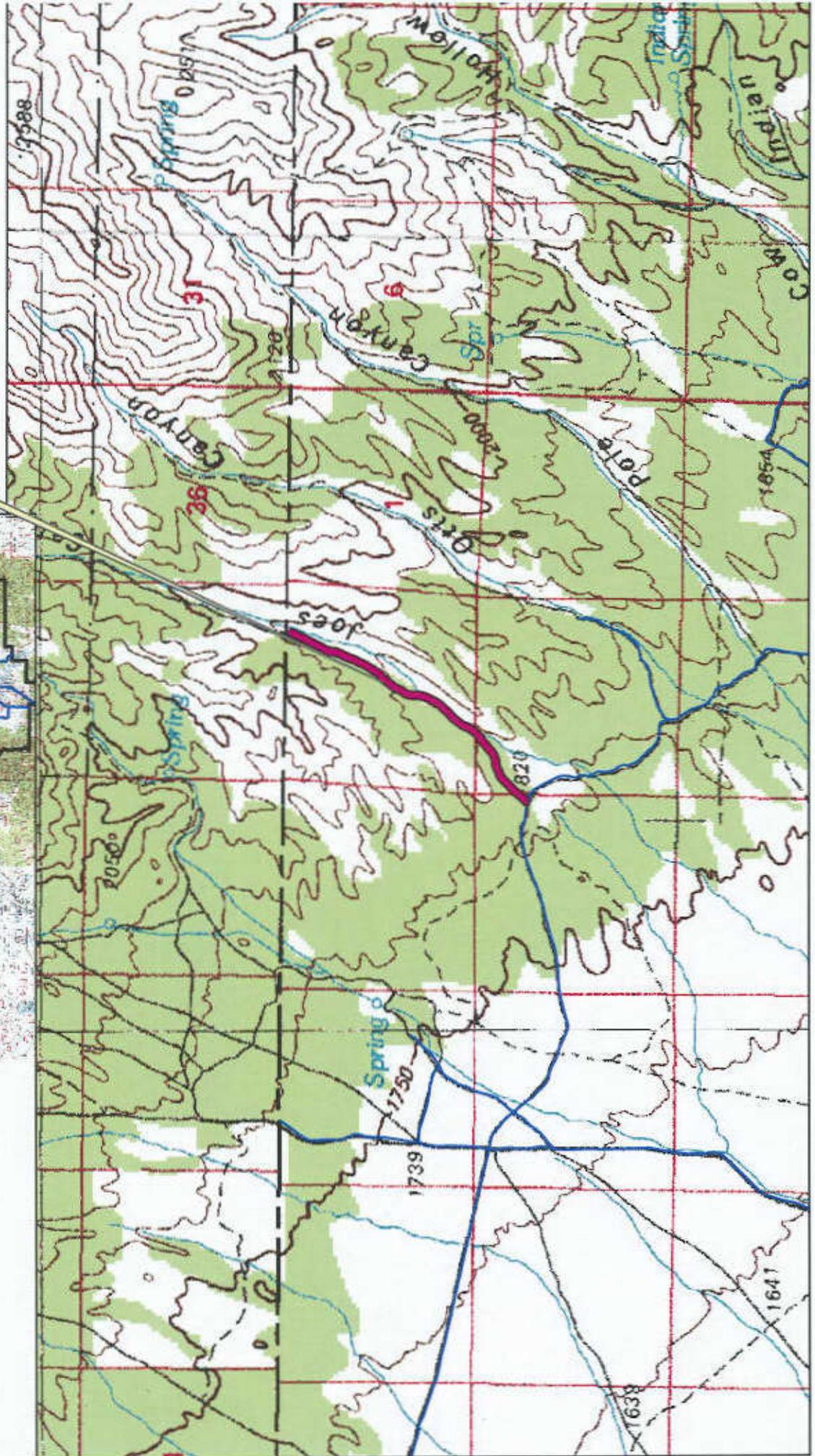
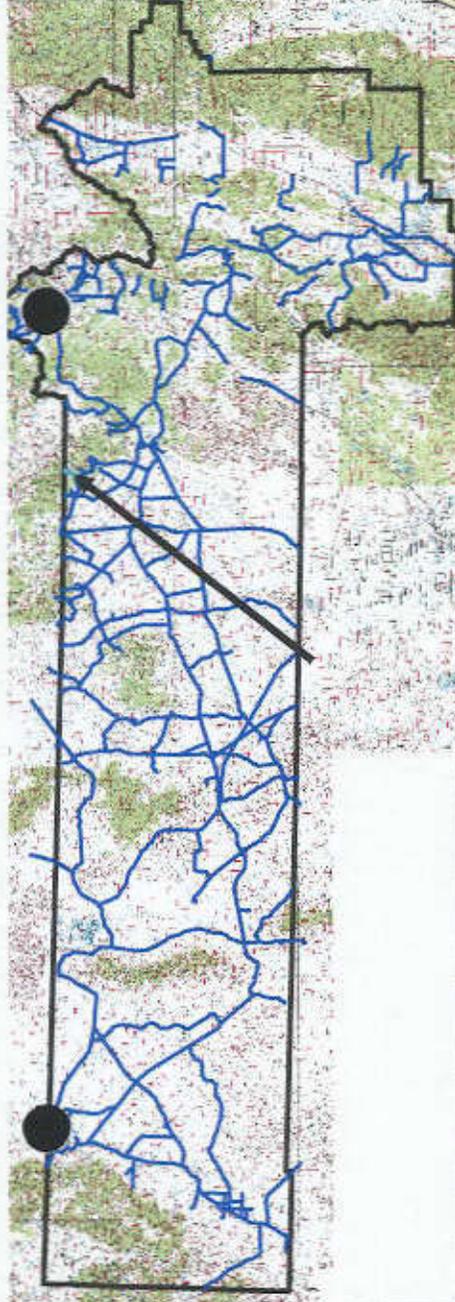
  
\_\_\_\_\_  
NOTARY PUBLIC

# Juab County

## RS2477 Assertions

### June 2006

Otts



**AFFIDAVIT OF RON JONES**

**OTTS ROAD**

**JUAB COUNTY, UTAH**

**ROAD NUMBER 6111001**

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 Otts 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 2002 when I last observed it. Attached is a Juab County map showing Otts 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 2002. 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 2002.

5. Throughout the time period from the late 1930s to 2002, 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, hunting, prospecting for minerals, wood gathering, mining, rock hounding, trapping and recreation.

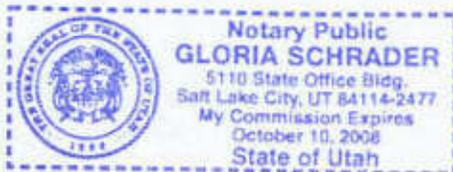
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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.



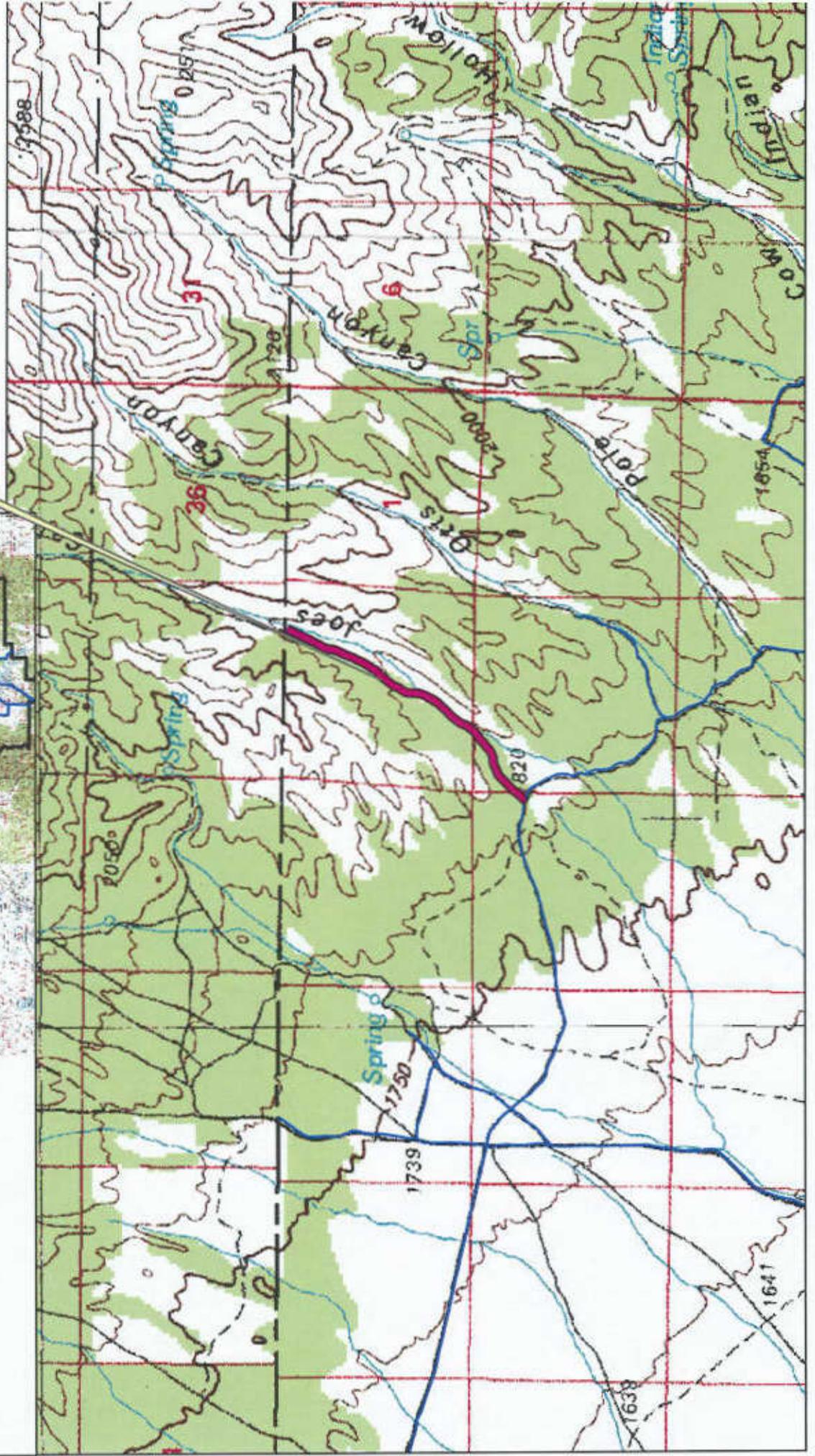
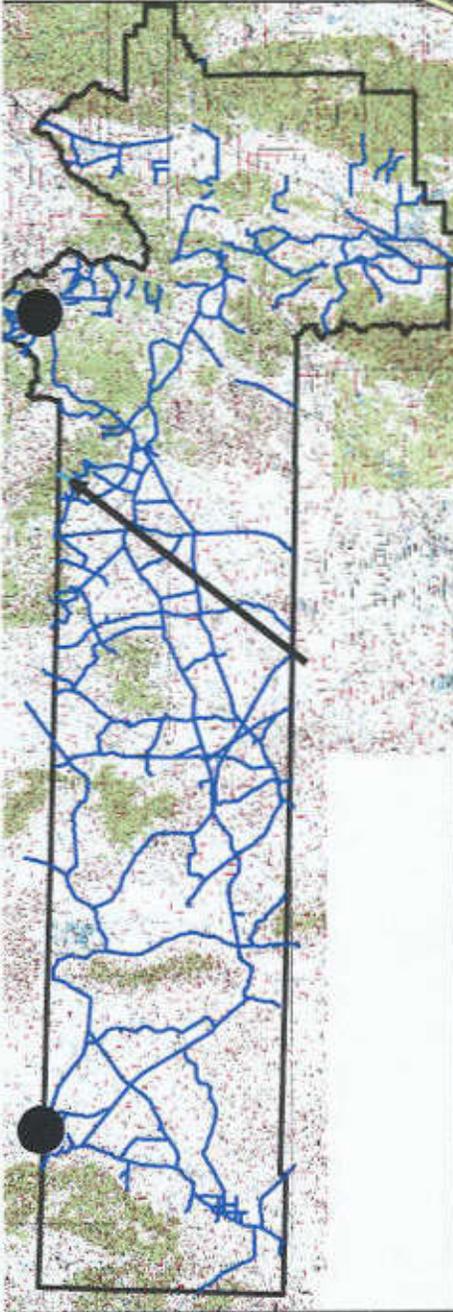
Gloria Schrader  
NOTARY PUBLIC

# Juab County

## RS2477 Assertions

### June 2006

Otts



**Appendix A to Attachment 4**

**Popular Name: OTTS ROAD**

**County: Juab**

**County Road Number: 6111001**

**State Geographic Information Database (SGID) Road Identification Number: RD121314.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.43 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 11 South Range 6 West, Section(s) 10,11, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (OTTS 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 53 minutes 09.04 seconds North Latitude and -112 degrees 29 minutes 57.45 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,360,020.5 feet and Y = 7,128,709.0 feet; thence the following courses along the said road center line:

thence North 18 Degrees 06 Minutes 48 Seconds East 3.1 feet  
thence North 26 Degrees 01 Minutes 29 Seconds East 38.4 feet  
thence North 52 Degrees 07 Minutes 25 Seconds East 82.4 feet  
thence North 41 Degrees 35 Minutes 43 Seconds East 99.2 feet  
thence North 39 Degrees 48 Minutes 30 Seconds East 103.9 feet  
thence North 39 Degrees 49 Minutes 48 Seconds East 102.9 feet  
thence North 39 Degrees 47 Minutes 14 Seconds East 9.5 feet  
thence North 42 Degrees 23 Minutes 52 Seconds East 105 feet  
thence North 45 Degrees 40 Minutes 14 Seconds East 107.2 feet  
thence North 47 Degrees 26 Minutes 15 Seconds East 115.7 feet  
thence North 43 Degrees 28 Minutes 08 Seconds East 120.9 feet  
thence North 48 Degrees 43 Minutes 55 Seconds East 118.2 feet

thence North 66 Degrees 47 Minutes 52 Seconds East 116.5 feet  
thence North 65 Degrees 17 Minutes 37 Seconds East 131.1 feet  
thence North 70 Degrees 19 Minutes 39 Seconds East 116.8 feet  
thence North 89 Degrees 21 Minutes 33 Seconds East 117.8 feet  
thence North 71 Degrees 45 Minutes 35 Seconds East 115.2 feet  
thence North 56 Degrees 16 Minutes 33 Seconds East 127 feet  
thence North 44 Degrees 40 Minutes 42 Seconds East 115.5 feet  
thence North 59 Degrees 49 Minutes 35 Seconds East 87 feet  
thence North 46 Degrees 47 Minutes 58 Seconds East 62.7 feet  
thence North 32 Degrees 51 Minutes 25 Seconds East 10.2 feet  
thence North 35 Degrees 24 Minutes 21 Seconds East 23 feet  
thence North 30 Degrees 38 Minutes 32 Seconds East 3.8 feet  
thence North 37 Degrees 18 Minutes 17 Seconds East 19.9 feet  
thence North 52 Degrees 31 Minutes 12 Seconds East 78.2 feet  
thence North 61 Degrees 50 Minutes 25 Seconds East 99.1 feet  
thence North 50 Degrees 22 Minutes 28 Seconds East 54.7 feet more or less to **the ending**

**point at:** 39 degrees 53 minutes 22.25 seconds North Latitude and -112 degrees 29 minutes 34.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,361,807.9 feet and Y = 7,130,026.1 feet.