

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

**00165722**

B: 484 P: 756 Fee \$0.00  
Connie Hansen, Millard Recorder  
05/14/2008 09:18:55 AM By UT STATE GOVERNOR Page 1 of 13



**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Millard County as it pertains to the highway located in Millard County known as North Garrison Road; County Road Number: MC1153; State Geographic Information Database (SGID) Road Identification Number: RD140188. Total road length is 0.83 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 23<sup>rd</sup> day of April, 2008.

By the Governor's Designee

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

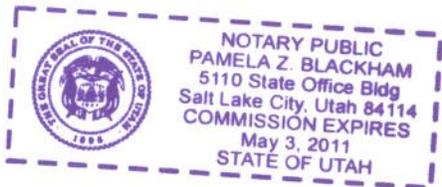
**CERTIFICATION**

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 23<sup>rd</sup> day of April, 2008.

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



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1:10,970  
 1 inch equals 0.2 miles



**North Garrison Road - Millard County**  
**SGID RD\_ID RD140188**

Land Ownership Categories		Transportation Network
BLM	Wilderness	North Garrison Road
Private	UDWR Wildlife Reserve	Other Roads
SITLA, State Trust Land	DOD, Military	Title V: Issued Or Under Consideration By BLM Or County
USFS, National Forest	State Sovereign Land	Photo Event Point
State Parks and Recreation	National Recreation Area	Section = 1 Mile
Tribal, Indian Reservation	USFWS, Natl. Wildlife Refuge	
NPS, National Park		

Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Nov 23, 2006

Attachment 2



EP140188002



EP140188012



EP140188007

EP000000000

EP000000000

EP000000000

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**North Garrison Road - Millard County**  
**SGID RD\_ID RD140188**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
November 22, 2006



## Attachment 3

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

**Popular Name: North Garrison Road**

**County: Millard**

**County Road Number: MC1153**

**State Geographic Information Database (SGID) Road Identification Number: RD140188.**

**Total Road Length: 0.83 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 57 minutes 17.88 seconds North Latitude and -114 degrees 01 minutes 53.73 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 920,550.3 feet and Y = 6,798,281.3 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 57 minutes 18.85 seconds North Latitude and -114 degrees 00 minutes 58.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 924,897.7 feet and Y = 6,798,256.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 21 South Range 19 West, Section(s) 30,31, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

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Connie Hansen, Millard Recorder

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

**Popular Name:** North Garrison Road  
**County:** Millard  
**County Road Number:** MC1153  
**State Geographic Information Database (SGID) Road Identification Number:** RD140188.  
**Total Road Length:** 0.83 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>RD140188</b>	<b>001</b>	<b>BLM</b>	<b>0.18 Miles</b>	<b>A</b>
<b>RD140188</b>	<b>002</b>	<b>PVT</b>	<b>0.26 Miles</b>	<b>(not shown)</b>
<b>RD140188</b>	<b>003</b>	<b>BLM</b>	<b>0.38 Miles</b>	<b>B</b>
		<b>Total Road Length</b>	<b>0.83</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.

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**Attachment 5**

**00165722**

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**AFFIDAVIT OF JAY ATKINSON**  
**NORTH GARRISON ROAD**  
**MILLARD COUNTY, UTAH**  
**ROAD NUMBER MC 1153**

State of Utah                    )  
  : ss.  
County of Millard                )

JAY ATKINSON, 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 Millard County, Utah. I have lived in Millard County for sixty-eight years. I was an employee of the Millard County Road Department from February of 1970 to April of 2000, and participated in maintenance of the road during that time.

2. I have traveled and am familiar with a road in Millard County known as North Garrison Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1940s, it followed the same route as in 2006 when I last observed it. Attached is a Millard County map showing North Garrison 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 early 1940s and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for ten continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from the early 1940s to 2006, I have used the road



myself for the following uses: hunting, county road work and recreation.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: livestock operations, trapping, government access and sightseeing.

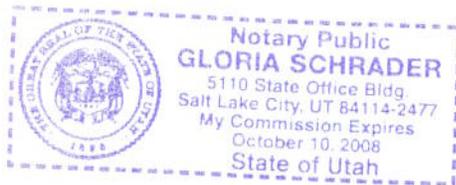
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I participated in maintenance and construction activities on the road. Construction and maintenance have been performed since the early 1950s by Millard County Road Department.

DATED this 6 day of December, 2006.

Jay Atkinson  
JAY ATKINSON

SUBSCRIBED AND SWORN to before me this 6<sup>th</sup> day of December, 2006.



Gloria Schrader  
NOTARY PUBLIC

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ROAD = MC1153  
NORTH GARRISON ROAD

Garrison

1

00165722

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# M I L L A R D C O U N T Y

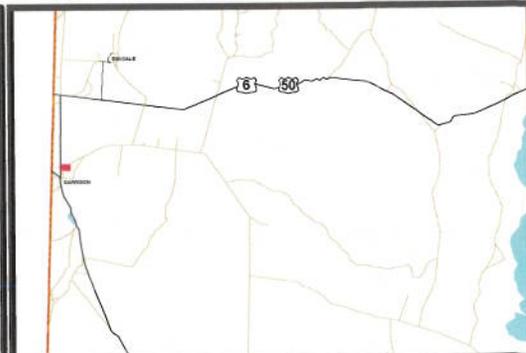
— B Class Road of Interest

- Interstate
- Highway Major
- Highway Minor
- B Class Road
- Unimproved Road

- County Border
- River
- Cities / Towns
- Lakes
- Lakes - Intermittent

- Township & Range Line
- Forest Service Lands
- BLM Lands
- State Trust Lands
- Private Lands

0.0 0.05 0.1  
Miles



**AFFIDAVIT OF WILLIAM THAYNE HENRIE**

**NORTH GARRISON ROAD**

**MILLARD COUNTY, UTAH**

**ROAD NUMBER MC1153**

State of Utah                    )  
  : ss.  
County of Millard                )

WILLIAM THAYNE HENRIE, 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 Millard County, Utah. I have lived in Millard County for fifty-eight years. I have been an employee of the Millard County Road Department since June of 1990, have been the Road Department Supervisor from January 1993 to the present and have participated in maintenance of the road during that time.

2. I have traveled and am familiar with a road in Millard County known as North Garrison Road. I am also familiar with the land the road traverses. When I first used and observed the road in the 1950s, it followed the same route as in 2006 when I last observed it. Attached is a Millard County map showing North Garrison 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 1950s and continuing through 1976 to the present. 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 has been used daily for more than ten continuous years prior to 1976, and is presently used daily.

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5. Throughout the time period from the 1950s to the present, I have used the road myself for camping, hunting, rock hounding, participating in search and rescue efforts and recreation.

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 mining, prospecting for minerals, livestock operations, farming, trapping, tourism, government access, picnicking, hiking and sightseeing.

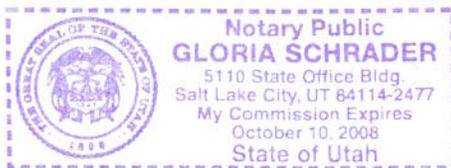
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976 I observed graders and other maintenance equipment performing maintenance and construction activities on the road. Maintenance on the road has been performed since 1955 by the Millard County Road Department.

DATED this 5 day of December, 2006.

  
WILLIAM THAYNE HENRIE

SUBSCRIBED AND SWORN to before me this 5th day of December, 2006.



  
NOTARY PUBLIC

**00165722**  
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ROAD = MC1153  
NORTH GARRISON ROAD

Garrison

1

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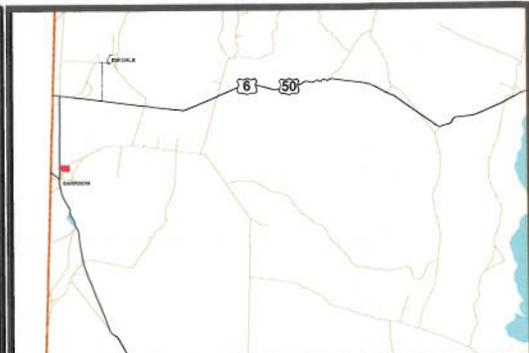


# MILLARD COUNTY

— B Class Road of Interest

- |                   |                        |                         |
|-------------------|------------------------|-------------------------|
| — Interstate      | — County Border        | — Township & Range Line |
| — Highway Major   | — River                | — Forest Service Lands  |
| — Highway Minor   | — Cities / Towns       | — BLM Lands             |
| — B Class Road    | — Lakes                | — State Trust Lands     |
| — Unimproved Road | — Lakes - Intermittent | — Private Lands         |

0.0 0.02 0.1  
Miles



**Appendix A to Attachment 4**

**Popular Name: North Garrison Road**

**County: Millard**

**County Road Number: MC1153**

**State Geographic Information Database (SGID) Road Identification Number: RD140188.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.18 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 21 South Range 19 West, Section(s) 30,31, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (North Garrison 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 38 degrees 57 minutes 17.88 seconds North Latitude and -114 degrees 01 minutes 53.73 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 920,550.3 feet and Y = 6,798,281.3 feet; thence the following courses along the said road center line:

thence North 85 Degrees 57 Minutes 02 Seconds East	25 feet
thence North 83 Degrees 13 Minutes 53 Seconds East	14.5 feet
thence North 78 Degrees 47 Minutes 48 Seconds East	65.8 feet
thence North 80 Degrees 45 Minutes 54 Seconds East	84.3 feet
thence North 80 Degrees 18 Minutes 58 Seconds East	96.4 feet
thence North 81 Degrees 40 Minutes 18 Seconds East	30.5 feet
thence North 81 Degrees 41 Minutes 25 Seconds East	75.2 feet
thence North 82 Degrees 46 Minutes 57 Seconds East	108.7 feet
thence North 87 Degrees 35 Minutes 04 Seconds East	79.4 feet
thence South 87 Degrees 49 Minutes 21 Seconds East	30.5 feet
thence North 85 Degrees 30 Minutes 14 Seconds East	53.6 feet

thence South 89 Degrees 39 Minutes 45 Seconds East 60.3 feet  
thence South 88 Degrees 54 Minutes 30 Seconds East 68.2 feet  
thence South 88 Degrees 40 Minutes 35 Seconds East 58.4 feet  
thence South 88 Degrees 16 Minutes 58 Seconds East 46.9 feet  
thence South 88 Degrees 38 Minutes 55 Seconds East 57.4 feet  
thence North 89 Degrees 42 Minutes 52 Seconds East 5.9 feet more or less to **the ending point**  
**at:** 38 degrees 57 minutes 018.9 seconds North Latitude and -114 degrees 01 minutes 41.67 seconds West  
Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet  
coordinates of X = 921,505.2 feet and Y = 6,798,356.9 feet.

## Appendix B to Attachment 4

**Popular Name: North Garrison Road**

**County: Millard**

**County Road Number: MC1153**

**State Geographic Information Database (SGID) Road Identification Number: RD140188.**

**Road-Segment Number: 003**

**Road-Segment Length: 0.38 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 21 South Range 19 West, Section(s) 30, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (North Garrison Road)-- Segment 003 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 38 degrees 57 minutes 18.87 seconds North Latitude and -114 degrees 01 minutes 24.02 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 922,899.2 feet and Y = 6,798,314.6 feet; thence the following courses along the said road center line:

thence North 89 Degrees 42 Minutes 52 Seconds East 1.6 feet  
thence South 88 Degrees 55 Minutes 56 Seconds East 41.7 feet  
thence South 89 Degrees 00 Minutes 44 Seconds East 29.5 feet  
thence South 88 Degrees 32 Minutes 59 Seconds East 10.8 feet  
thence South 85 Degrees 18 Minutes 56 Seconds East 15.1 feet  
thence South 89 Degrees 11 Minutes 01 Seconds East 34.1 feet  
thence North 89 Degrees 42 Minutes 52 Seconds East 46.6 feet  
thence South 87 Degrees 42 Minutes 08 Seconds East 43.7 feet  
thence South 87 Degrees 50 Minutes 29 Seconds East 53.8 feet  
thence South 87 Degrees 27 Minutes 05 Seconds East 66.3 feet  
thence South 88 Degrees 06 Minutes 13 Seconds East 68.9 feet

thence South 88 Degrees 55 Minutes 40 Seconds East 69.2 feet  
thence South 87 Degrees 23 Minutes 23 Seconds East 84.4 feet  
thence South 88 Degrees 51 Minutes 12 Seconds East 91.9 feet  
thence South 88 Degrees 34 Minutes 09 Seconds East 87.6 feet  
thence South 87 Degrees 38 Minutes 34 Seconds East 85.4 feet  
thence South 85 Degrees 57 Minutes 11 Seconds East 65.1 feet  
thence North 89 Degrees 42 Minutes 52 Seconds East 27.5 feet  
thence South 85 Degrees 27 Minutes 53 Seconds East 27.3 feet  
thence South 86 Degrees 55 Minutes 08 Seconds East 5.6 feet  
thence South 86 Degrees 42 Minutes 33 Seconds East 47.3 feet  
thence South 88 Degrees 17 Minutes 15 Seconds East 56.4 feet  
thence South 89 Degrees 07 Minutes 20 Seconds East 64.6 feet  
thence South 88 Degrees 07 Minutes 28 Seconds East 69.6 feet  
thence South 88 Degrees 41 Minutes 39 Seconds East 59.1 feet  
thence North 89 Degrees 42 Minutes 52 Seconds East 33.5 feet  
thence South 89 Degrees 25 Minutes 34 Seconds East 65.6 feet  
thence South 88 Degrees 35 Minutes 11 Seconds East 77.4 feet  
thence South 88 Degrees 42 Minutes 02 Seconds East 83 feet  
thence South 89 Degrees 11 Minutes 47 Seconds East 86.3 feet  
thence South 88 Degrees 17 Minutes 43 Seconds East 85 feet  
thence South 89 Degrees 49 Minutes 24 Seconds East 81.3 feet  
thence South 88 Degrees 09 Minutes 52 Seconds East 79.7 feet  
thence South 86 Degrees 56 Minutes 42 Seconds East 84.4 feet  
thence South 88 Degrees 08 Minutes 40 Seconds East 70.2 feet more or less to **the ending**

**point at:** 38 degrees 57 minutes 18.85 seconds North Latitude and -114 degrees 00 minutes 58.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 924,897.7 feet and Y = 6,798,256.4 feet.