

00165815

B: 486 P: 143 Fee \$0.00  
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05/14/2008 10:50:51 AM By UT STATE GOVERNOR



**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Millard County as it pertains to the highway located in Millard County known as Flat Road; County Road Number: MC4407; State Geographic Information Database (SGID) Road Identification Number: RD142814. Total road length is 0.47 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

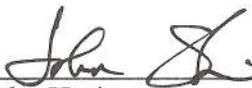
Internet at <http://recorded2477roads.utah.gov>.

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

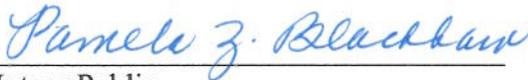
**CERTIFICATION**

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.

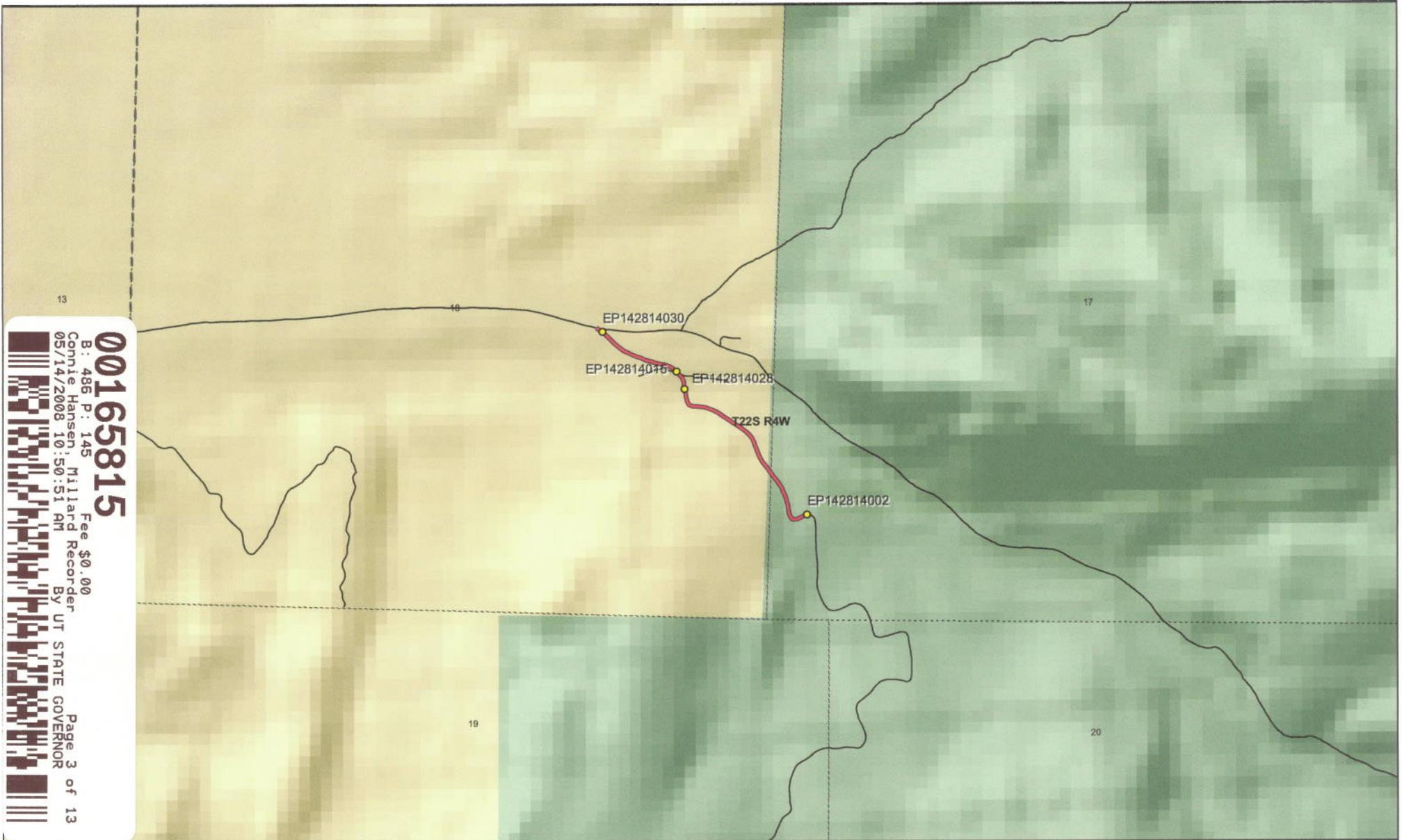


  
\_\_\_\_\_  
Notary Public

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**Flat Road - Millard County**  
**SGID RD\_ID RD142814**

**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**

- Flat Road
- Other Roads
- Title V: Issued Or Under Consideration By BLM Or County
- 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  
 Nov 24, 2006



1:12,985  
 1 inch equals 0.2 miles





EP142814002



EP142814015



EP142814030



EP142814028

EP000000000

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**Flat Road - Millard County  
SGID RD\_ID RD142814**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
November 24, 2006



## Attachment 3

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

**Popular Name:** Flat Road

**County:** Millard

**County Road Number:** MC4407

**State Geographic Information Database (SGID) Road Identification Number:** RD142814.

**Total Road Length:** 0.47 miles more or less.

**Beginning at a point** on the road centerline located at 38 degrees 53 minutes 49.95 seconds North Latitude and -112 degrees 20 minutes 33.14 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,400,611.2 feet and Y = 6,768,185.2 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 53 minutes 35.01 seconds North Latitude and -112 degrees 20 minutes 11.45 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,402,312.1 feet and Y = 6,766,657.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 22 South Range 4 West, Section(s) 17,18, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

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

**Popular Name: Flat Road**

**County: Millard**

**County Road Number: MC4407**

**State Geographic Information Database (SGID) Road Identification Number: RD142814.**

**Total Road Length: 0.47 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>RD142814</b>	<b>001</b>	<b>BLM</b>	<b>0.37 Miles</b>	<b>A</b>
<b>RD142814</b>	<b>002</b>	<b>FS</b>	<b>0.11 Miles</b>	<b>†(pending)</b>
		<b>Total Road Length</b>	<b>0.47</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**

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By UT STATE GOVERNOR



**AFFIDAVIT OF JOHN LARSEN  
FLAT ROAD  
MILLARD COUNTY, UTAH  
ROAD NUMBER MC4407**

State of Utah                    )  
  : ss  
County of Millard                )

JOHN LARSEN, 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 forty-six years. I have been an employee of the Millard County Road Department since June 1980 to 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 the Flat Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 2006 when I last observed it. Attached is a Millard County map showing Flat 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 1960s and continuing through 1976 to the present. 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 weekly for more than ten continuous years prior to 1976, and is presently used weekly.

5. Throughout the time period from the early 1960s to the present, I have used the

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road myself for the following uses: hunting, camping, county road work, gathering fire wood, 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: 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 1910 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

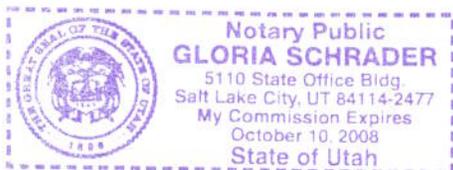
8. Prior to 1976, I observed the graded surface of the road and have personally graded the road since 1980.

DATED this 4 day of December, 2006.

John Larsen  
JOHN LARSEN

SUBSCRIBED AND SWORN to before me this 4th day of December, 2006.

Gloria Schrader  
NOTARY PUBLIC



ROAD = MC4407  
FLAT ROAD



Halfway Hill

# Meadow

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

- 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

— B Class Road of Interest



**AFFIDAVIT OF DEAN LARSEN  
FLAT ROAD  
MILLARD COUNTY, UTAH  
ROAD NUMBER MC4407**

State of Utah                    )  
  : ss.  
County of Millard                )

DEAN LARSEN, 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 Holden, Millard County, Utah. I have lived in Millard County for forty-six years.
2. I have traveled and am familiar with a road in Millard County known as the Flat Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 1999 when I last observed it. Attached is a Millard County map showing Flat 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 1960s and continuing through 1976 to 1999. 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 weekly for more than ten continuous years prior to 1976, and was so used through 1999.
5. Throughout the time period from the early 1960s to 1999, I have used the road myself for the following uses: hunting, camping, gathering fire wood, and recreation.

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

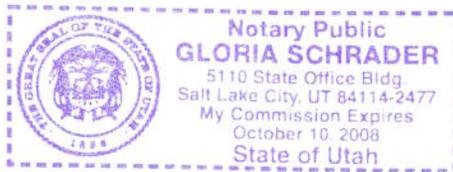
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1900 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of maintenance/construction activities on the road prior to 1976: I have observed the graded surface of the road.

DATED this 4 day of December, 2006.

  
DEAN LARSEN

SUBSCRIBED AND SWORN to before me this 4<sup>th</sup> day of December, 2006.



  
NOTARY PUBLIC

ROAD = MC4407  
FLAT ROAD



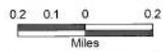
Halfway Hill

Meadow

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# MILLARD COUNTY

- 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



## Appendix A to Attachment 4

**Popular Name: Flat Road**

**County: Millard**

**County Road Number: MC4407**

**State Geographic Information Database (SGID) Road Identification Number: RD142814.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.37 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 22 South Range 4 West, Section(s) 18, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Flat 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 53 minutes 49.95 seconds North Latitude and -112 degrees 20 minutes 33.14 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,400,611.2 feet and Y = 6,768,185.2 feet; thence the following courses along the said road center line:

thence South 55 Degrees 54 Minutes 38 Seconds East	66.8 feet
thence South 47 Degrees 25 Minutes 28 Seconds East	6.3 feet
thence South 48 Degrees 01 Minutes 46 Seconds East	24.4 feet
thence South 44 Degrees 18 Minutes 56 Seconds East	26.9 feet
thence South 46 Degrees 08 Minutes 45 Seconds East	31.6 feet
thence South 45 Degrees 42 Minutes 56 Seconds East	32.3 feet
thence South 48 Degrees 01 Minutes 46 Seconds East	34.2 feet
thence South 50 Degrees 09 Minutes 36 Seconds East	35.6 feet
thence South 57 Degrees 30 Minutes 13 Seconds East	35.1 feet
thence South 63 Degrees 44 Minutes 18 Seconds East	36.7 feet
thence South 64 Degrees 51 Minutes 41 Seconds East	37.4 feet
thence South 68 Degrees 52 Minutes 20 Seconds East	37.7 feet

thence South 69 Degrees 10 Minutes 08 Seconds East 41.9 feet  
 thence South 66 Degrees 34 Minutes 13 Seconds East 41.6 feet  
 thence South 76 Degrees 02 Minutes 20 Seconds East 40 feet  
 thence South 71 Degrees 43 Minutes 26 Seconds East 41.2 feet  
 thence South 78 Degrees 20 Minutes 28 Seconds East 39.6 feet  
 thence South 78 Degrees 24 Minutes 53 Seconds East 38.2 feet  
 thence South 72 Degrees 32 Minutes 18 Seconds East 35.5 feet  
 thence South 64 Degrees 26 Minutes 13 Seconds East 24.1 feet  
 thence South 50 Degrees 57 Minutes 05 Seconds East 21.2 feet  
 thence South 50 Degrees 29 Minutes 52 Seconds East 7.7 feet  
 thence South 54 Degrees 45 Minutes 56 Seconds East 5.6 feet  
 thence South 42 Degrees 21 Minutes 09 Seconds East 22.5 feet  
 thence South 47 Degrees 47 Minutes 34 Seconds East 5.3 feet  
 thence South 42 Degrees 24 Minutes 27 Seconds East 59.7 feet  
 thence South 18 Degrees 10 Minutes 55 Seconds East 10.7 feet  
 thence South 26 Degrees 52 Minutes 06 Seconds East 20.5 feet  
 thence South 04 Degrees 10 Minutes 54 Seconds East 19.4 feet  
 thence South 10 Degrees 31 Minutes 32 Seconds East 20.3 feet  
 thence South 10 Degrees 36 Minutes 29 Seconds East 18.3 feet  
 thence South 15 Degrees 22 Minutes 18 Seconds East 8.8 feet  
 thence South 09 Degrees 14 Minutes 34 Seconds East 29.6 feet  
 thence South 11 Degrees 01 Minutes 56 Seconds East 31.7 feet  
 thence South 10 Degrees 49 Minutes 27 Seconds East 23.4 feet  
 thence South 15 Degrees 39 Minutes 12 Seconds East 17.4 feet  
 thence South 18 Degrees 44 Minutes 18 Seconds East 13.5 feet  
 thence South 36 Degrees 37 Minutes 48 Seconds East 13.8 feet  
 thence South 60 Degrees 59 Minutes 36 Seconds East 21.5 feet  
 thence South 74 Degrees 00 Minutes 33 Seconds East 22.2 feet  
 thence North 86 Degrees 41 Minutes 01 Seconds East 25 feet  
 thence South 83 Degrees 57 Minutes 47 Seconds East 26.7 feet  
 thence South 82 Degrees 30 Minutes 40 Seconds East 31.5 feet  
 thence South 74 Degrees 56 Minutes 30 Seconds East 31 feet  
 thence South 68 Degrees 15 Minutes 08 Seconds East 28 feet  
 thence South 70 Degrees 23 Minutes 13 Seconds East 24.1 feet  
 thence South 60 Degrees 56 Minutes 44 Seconds East 6 feet  
 thence South 65 Degrees 13 Minutes 11 Seconds East 17 feet  
 thence South 59 Degrees 20 Minutes 22 Seconds East 26.8 feet  
 thence South 55 Degrees 36 Minutes 29 Seconds East 25.9 feet  
 thence South 54 Degrees 05 Minutes 38 Seconds East 22.8 feet  
 thence South 55 Degrees 32 Minutes 50 Seconds East 19.6 feet  
 thence South 56 Degrees 00 Minutes 59 Seconds East 17.5 feet  
 thence South 62 Degrees 00 Minutes 09 Seconds East 4.8 feet  
 thence South 55 Degrees 47 Minutes 41 Seconds East 19.1 feet  
 thence South 56 Degrees 02 Minutes 32 Seconds East 27.4 feet  
 thence South 58 Degrees 17 Minutes 52 Seconds East 24.8 feet  
 thence South 50 Degrees 49 Minutes 51 Seconds East 7.2 feet  
 thence South 66 Degrees 04 Minutes 32 Seconds East 7.2 feet  
 thence South 54 Degrees 41 Minutes 33 Seconds East 29.9 feet  
 thence South 53 Degrees 53 Minutes 40 Seconds East 32.6 feet

thence South 51 Degrees 54 Minutes 00 Seconds East 34.3 feet  
thence South 48 Degrees 37 Minutes 35 Seconds East 36 feet  
thence South 39 Degrees 10 Minutes 16 Seconds East 28.2 feet  
thence South 29 Degrees 48 Minutes 53 Seconds East 20 feet  
thence South 20 Degrees 21 Minutes 34 Seconds East 22 feet  
thence South 17 Degrees 27 Minutes 55 Seconds East 23.4 feet  
thence South 22 Degrees 49 Minutes 26 Seconds East 14.6 feet  
thence South 20 Degrees 42 Minutes 47 Seconds East 15.1 feet  
thence South 20 Degrees 26 Minutes 22 Seconds East 21 feet  
thence South 20 Degrees 09 Minutes 31 Seconds East 25.1 feet  
thence South 23 Degrees 18 Minutes 44 Seconds East 26 feet  
thence South 28 Degrees 36 Minutes 14 Seconds East 24.2 feet  
thence South 33 Degrees 05 Minutes 15 Seconds East 23 feet  
thence South 36 Degrees 29 Minutes 47 Seconds East 16.7 feet  
thence South 42 Degrees 08 Minutes 54 Seconds East 29.5 feet  
thence South 38 Degrees 10 Minutes 42 Seconds East 18.7 feet more or less to **the ending**

**point at:** 38 degrees 53 minutes 38.76 seconds North Latitude and -112 degrees 20 minutes 15.32 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,402,009.4 feet and Y = 6,767,039.8 feet.