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

Ent 103246 Bk 895 Pg 429 -441
Date: 30-MAY-2008 9:56AM
Fee: None
Filed By: LCJ
LOUISE JONES, Recorder
SAN JUAN COUNTY CORPORATION
For: GOVERNOR 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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 San Juan County as it pertains to the highway located in San Juan County known as SOUTH OLD HIGHWAY ROAD; County Road Number: B336; State Geographic Information Database (SGID) Road Identification Number: RD190367. Total road length is 5.17 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 22nd day of May, 2008.

By the Governor's Designee

John Harja

CERTIFICATION

State of Utah)
: ss
County of Salt Lake)

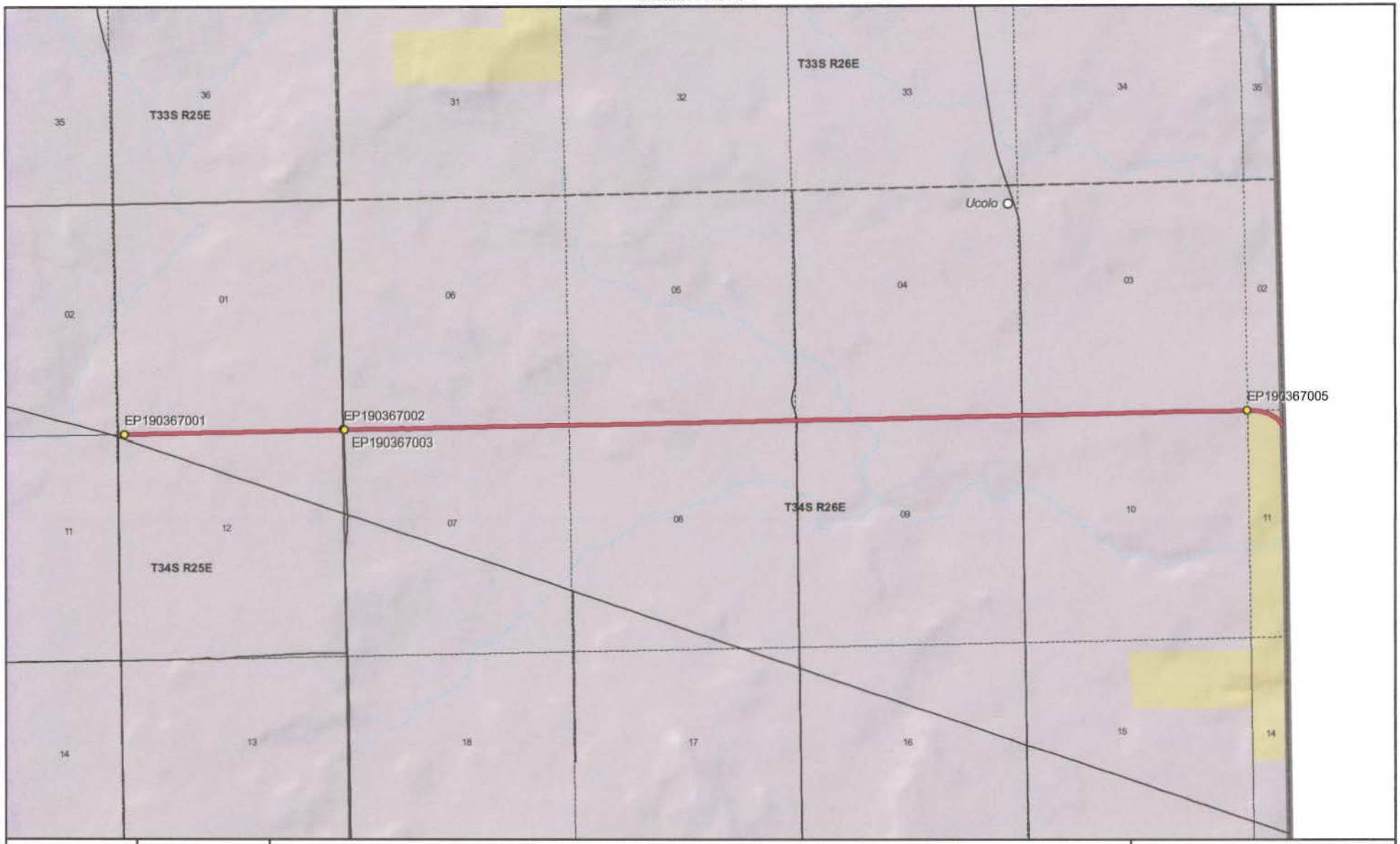
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 22nd day of May, 2008.

NOTARY PUBLIC
PAMELA Z. BLACKHAM
5110 State Office Bldg
Salt Lake City, Utah 84114
COMMISSION EXPIRES
May 3, 2011
STATE OF UTAH

Pamela Z. Blackham
Notary Public

Ent 103246 Bk 0895 Pg 0430



Ent 103246 Bk 0895 Pg 0431

1:37,068
1 inch equals 0.6 miles

SOUTH OLD HIGHWAY ROAD - San Juan County
SGID RD_ID RD190367

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

- SOUTH OLD HIGHWAY 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
Apr 07, 2008

EP190367001

EP190367002

EP190367003

EP190367005

EP000000000

EP000000000

SOUTH OLD HIGHWAY ROAD - San Juan County
SGID RD_ID RD190367

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
April 11, 2008

Ent 103246 Bk 0895 Pg 0432

Attachment 3

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

Popular Name: SOUTH OLD HIGHWAY ROAD
County: San Juan
County Road Number: B336
State Geographic Information Database (SGID) Road Identification Number: RD190367.
Total Road Length: 5.17 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 50 minutes 37.21 seconds North Latitude and -109 degrees 08 minutes 09.73 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,322,962.9 feet and Y = 10,279,696.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 50 minutes 33.73 seconds North Latitude and -109 degrees 02 minutes 31.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,350,118.2 feet and Y = 10,280,045.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 34 South Range 25 East, Section(s) 1,12, Salt Lake Base & Meridian
Township 34 South Range 26 East, Section(s) 3,4,5,6,10,11, 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: SOUTH OLD HIGHWAY ROAD
County: San Juan
County Road Number: B336
State Geographic Information Database (SGID) Road Identification Number: RD190367.
Total Road Length: 5.17 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).

Road-Segments Listed by SGID Road Identification Number (RD_ID)	**Road-Segment Numbers**	**Believed Ownership Of Servient Estate**	**Approximate Segment Length**	**See Attached Appendix**
RD190367	**001**	**PVT**	**5.04 Miles**	**(not shown)**
RD190367	**002**	**BLM**	**0.13 Miles**	**A**
		Total Road Length	**5.17**	_____

*** 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

Ent 103246 Bk 0895 Pg 0435

AFFIDAVIT OF LYNN L. ADAMS

SOUTH OLD HIGHWAY ROAD

SAN JUAN COUNTY, UTAH

COUNTY ROAD NUMBER B336

State of Utah)
: ss
County of San Juan)

Lynn L. Adams, 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 San Juan County, Utah. I have lived in San Juan County for 82 years.

2. I have traveled and am familiar with a road in San Juan County known as South Old Highway Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1941, it followed the same route as in 2006, when I last observed it. Attached is a San Juan County map showing South Old Highway 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 identifies this road according to the road number described 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 1941 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including: farm equipment, ore truck, pickup, automobile, motorbike, ATV and exploration equipment.

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Throughout this time period, the road has been used moderately for more than 10 continuous years prior to 1976, and is presently used moderately.

5. Throughout the time period from 1941 to 2006, I have used the road myself for the following uses: livestock operations.

6. 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 the following uses: farming, mining, oil exploration and wagon teams.

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 1900's and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I personally maintained this road (grading and drains).

Dated this 18 day of Sept, 2007.

Lynn L. Adams

Lynn L. Adams

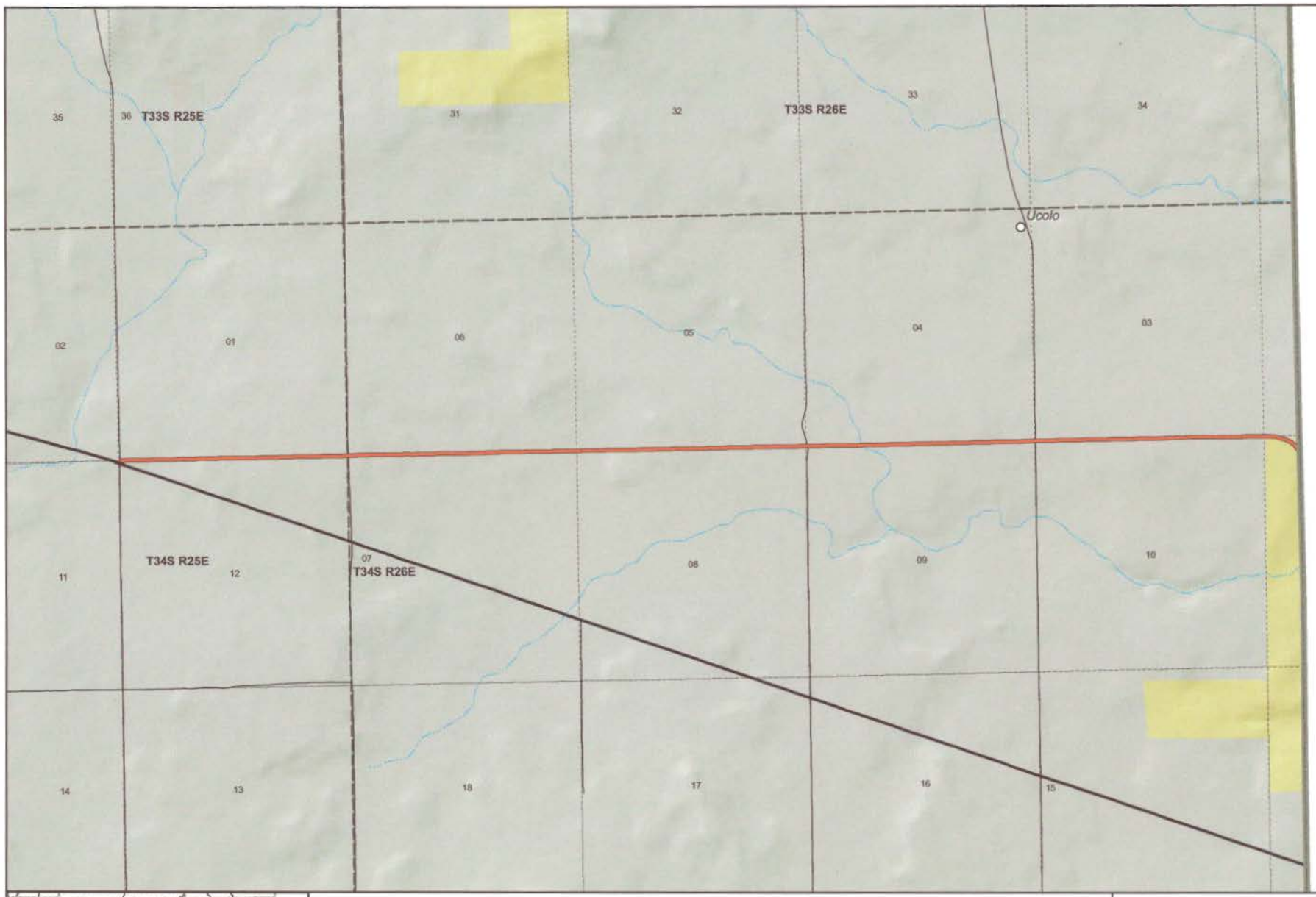
SUBSCRIBED AND SWORN TO before me this 18th day of September, 2007.

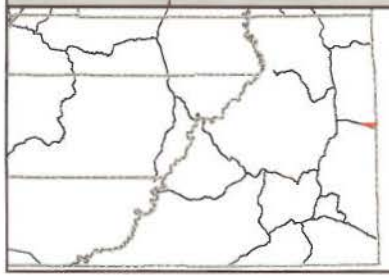
Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

Gloria Schrader

Notary Public
Residing at Davis County, UT

Ent 103246 Bk 0895 Pg 0437





SOUTH OLD HIGHWAY
County Unique - B336

Land Ownership Categories
- BLM
- National Recreation Area
- SITLA, State Trust Land
- USFS, National Forest
- National Parks & Monuments (NPS)
- Private
- Wilderness
- State Park
- Tribal Lands

Misc
- City / Town
- Municipalities
- Section = 1 Mile

Transportation Network
- SOUTH OLD HIGHWAY
- State / U.S. Highway
- Local Roads

N

1:37,071

1 inch equals 0.6 miles

Jul 26, 2007

Ent 103246 Bk 0895 Pg 0438

AFFIDAVIT OF JOHN M. SCORUP

SOUTH OLD HIGHWAY ROAD

SAN JUAN COUNTY, UTAH

COUNTY ROAD NUMBER B336

State of Utah)
: ss
County of San Juan)

John M. Scorup, 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 San Juan County, Utah. I have lived in San Juan County since 1935.

2. I have traveled and am familiar with a road in San Juan County known as South Old Highway Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1953, it followed the same route as in 2007, when I last observed it. Attached is a San Juan County map showing South Old Highway 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 identifies this road according to the road number described 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 1953 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including automobile, pickup truck, road maintenance vehicle, jeep, motorcycle, ATV, OHV, and horse.

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Throughout this time period, the road has been used daily, weather permitting, for more than 10 continuous years prior to 1976 and is presently used daily, weather permitting.

5. Throughout the time period from the summer of 1953 to 2007, I have used the road myself for the following uses: livestock operations, wood gathering, hunting and recreation.

6. 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 the following uses: farming, oil and gas exploration, government access and traveling in and through the area.

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. I observed graders maintaining the road prior to 1976.

Dated this 17th day of September, 2007.

John M. Scorup

John M. Scorup

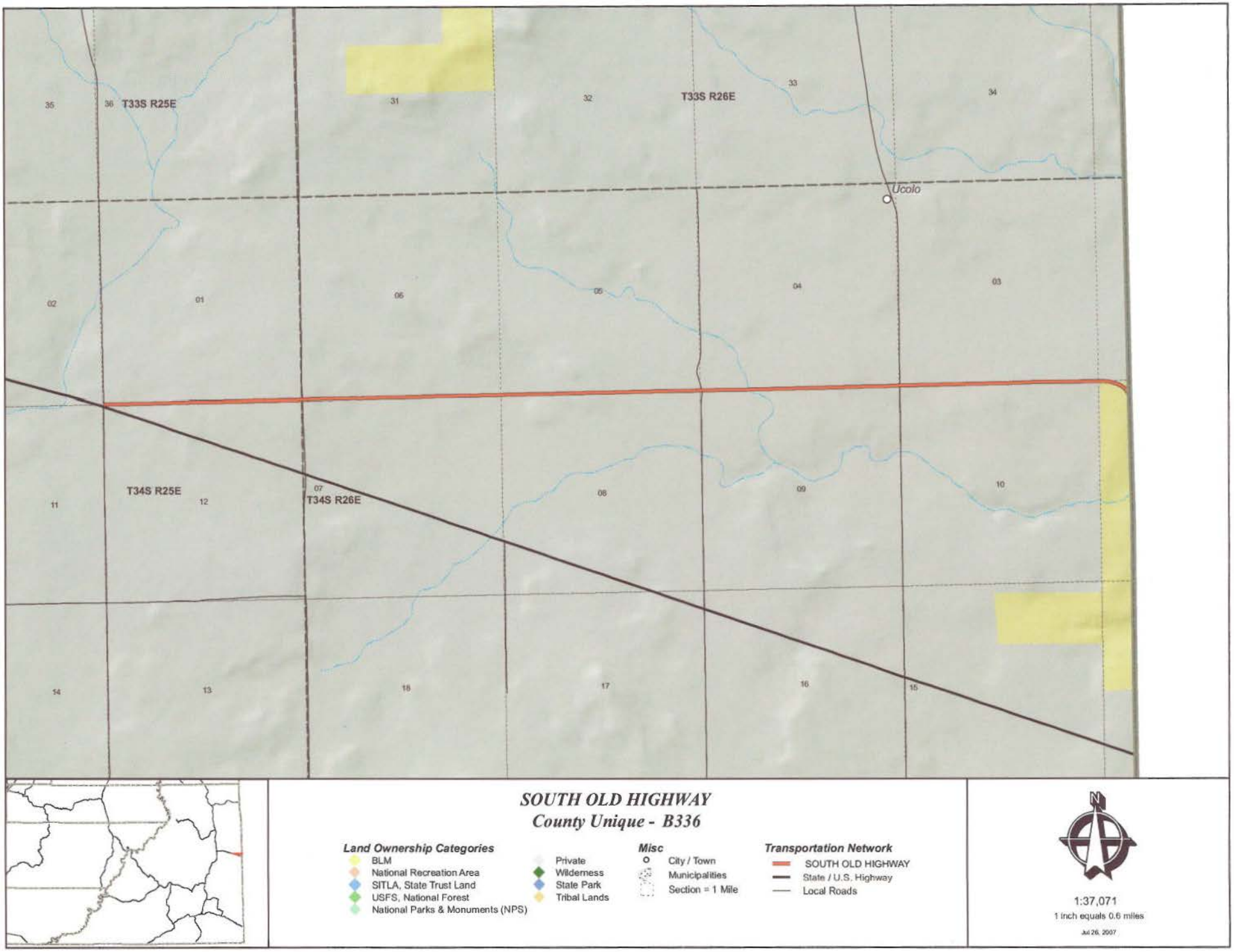
SUBSCRIBED AND SWORN TO before me this 17th day of September, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

Gloria Schrader

Notary Public

Ent 103246 Bk 0895 Pg 0440



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Appendix A to Attachment 4

Popular Name: SOUTH OLD HIGHWAY ROAD
County: San Juan
County Road Number: B336
State Geographic Information Database (SGID) Road Identification Number: RD190367.
Road-Segment Number: 002
Road-Segment Length: 0.13 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 34 South Range 26 East, Section(s) 11, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (SOUTH OLD HIGHWAY ROAD)-- Segment 002 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 37 degrees 50 minutes 37.02 seconds North Latitude and -109 degrees 02 minutes 038.3 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,349,539.0 feet and Y = 10,280,362.5 feet; thence the following courses along the said road center line:

thence South 84 Degrees 09 Minutes 59 Seconds East 71.8 feet
thence South 76 Degrees 16 Minutes 05 Seconds East 148.8 feet
thence South 71 Degrees 52 Minutes 10 Seconds East 48.8 feet
thence South 64 Degrees 02 Minutes 27 Seconds East 139.4 feet
thence South 53 Degrees 17 Minutes 31 Seconds East 131.9 feet
thence South 35 Degrees 55 Minutes 35 Seconds East 129.6 feet
thence South 33 Degrees 08 Minutes 50 Seconds East 17.8 feet more or less to **the ending point at:** 37 degrees 50 minutes 33.73 seconds North Latitude and -109 degrees 02 minutes 31.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,350,118.2 feet and Y = 10,280,045.0 feet.