Ent: 309590 - Pg 1 of 13
Date: 6/23/2008 12:52 PM
Fee: $0.00 NO CHARGE
Filed By: RGL
CALLEEN B PESHELL, Recorder
Tooele County Corporation
For: STATE OF UT GOVERNORS OFF

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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Tooele County as it pertains to the highway located in Tooele County known as Erickson Cutoff Road; County Road Number: tc02953; State Geographic Information Database (SGID) Road Identification Number: RD230106. Total road length is 1.29 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 20th day of June, 2008.

By the Governor's Designee

John Harja

CERTIFICATION

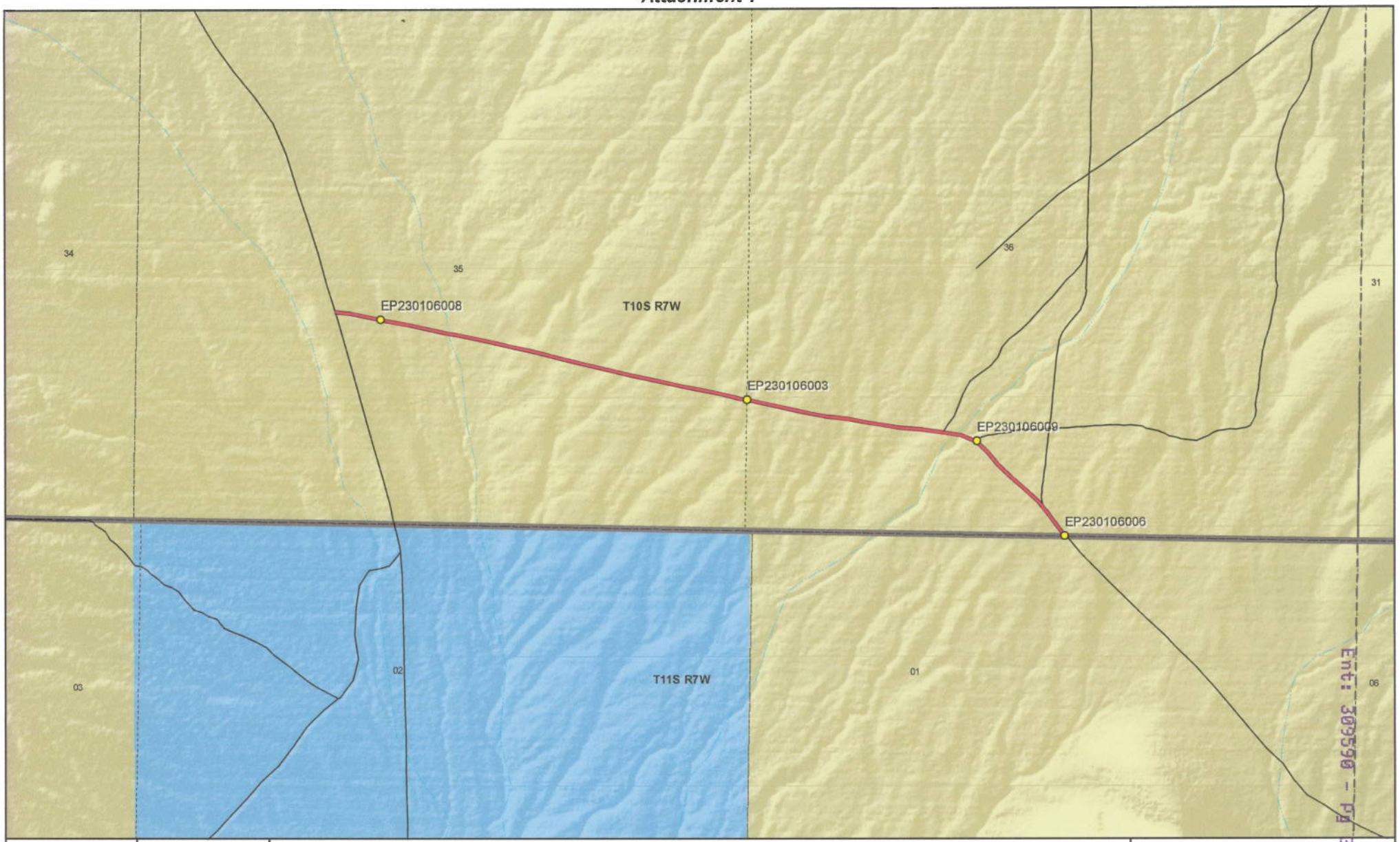
State of Utah)
: ss
County of Salt Lake)

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 20th day of June, 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: 309590 - Pg 3 of 13

1:13,723
1 inch equals 0.2 miles

Erickson Cutoff Road - Tooele County
SGID RD_ID RD230106

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

- Erickson Cutoff 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
Jun 16, 2008

EP230106003

EP230106006

EP230106008

EP230106009

EP000000000

EP000000000

Erickson Cutoff Road - Tooele County
SGID RD_ID RD230106

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
June 18, 2008

Attachment 3

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

Popular Name: Erickson Cutoff Road
County: Tooele
County Road Number: tc02953
State Geographic Information Database (SGID) Road Identification Number: RD230106.
Total Road Length: 1.29 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 54 minutes 31.46 seconds North Latitude and -112 degrees 36 minutes 21.09 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,330,223.1 feet and Y = 7,137,399.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 54 minutes 13.25 seconds North Latitude and -112 degrees 34 minutes 59.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,336,541.2 feet and Y = 7,135,479.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 South Range 7 West, Section(s) 35,36, 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: Erickson Cutoff Road
County: Tooele
County Road Number: tc02953
State Geographic Information Database (SGID) Road Identification Number: RD230106.
Total Road Length: 1.29 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**
RD230106	**001**	**BLM**	**1.29 Miles**	**A**
		Total Road Length	**1.29**	_____

*** 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 JAMES S. MCKENDRICK

ERICKSON CUTOFF ROAD

TOOELE COUNTY, UTAH

ROAD NUMBER tc02953

State of Utah)
: ss.
County of Tooele)

JAMES S. MCKENDRICK, 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 Tooele, Tooele County, Utah. I have lived in Tooele County for most of the past 76 years. I was employed by the Tooele County Road Department from 1963 to 1993.

2. I have traveled and am familiar with a road in Tooele County known as Erickson Cutoff 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 the early 1990s when I last observed it. Attached is a Tooele County map showing Erickson Cutoff 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. 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 the early 1990s. Throughout this time period I observed travel on the road by means of cars, pickup trucks and ATVs. During this time period, the road was used daily, for more than ten continuous years prior to 1976 and was so used in the early 1990s.

5. Throughout the time period from the early 1960s to the early 1990s, I have used the road myself for county road maintenance and travel though 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 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 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I graded and performed maintenance and construction activities on the road.

DATED this 22 day of May, 2008.

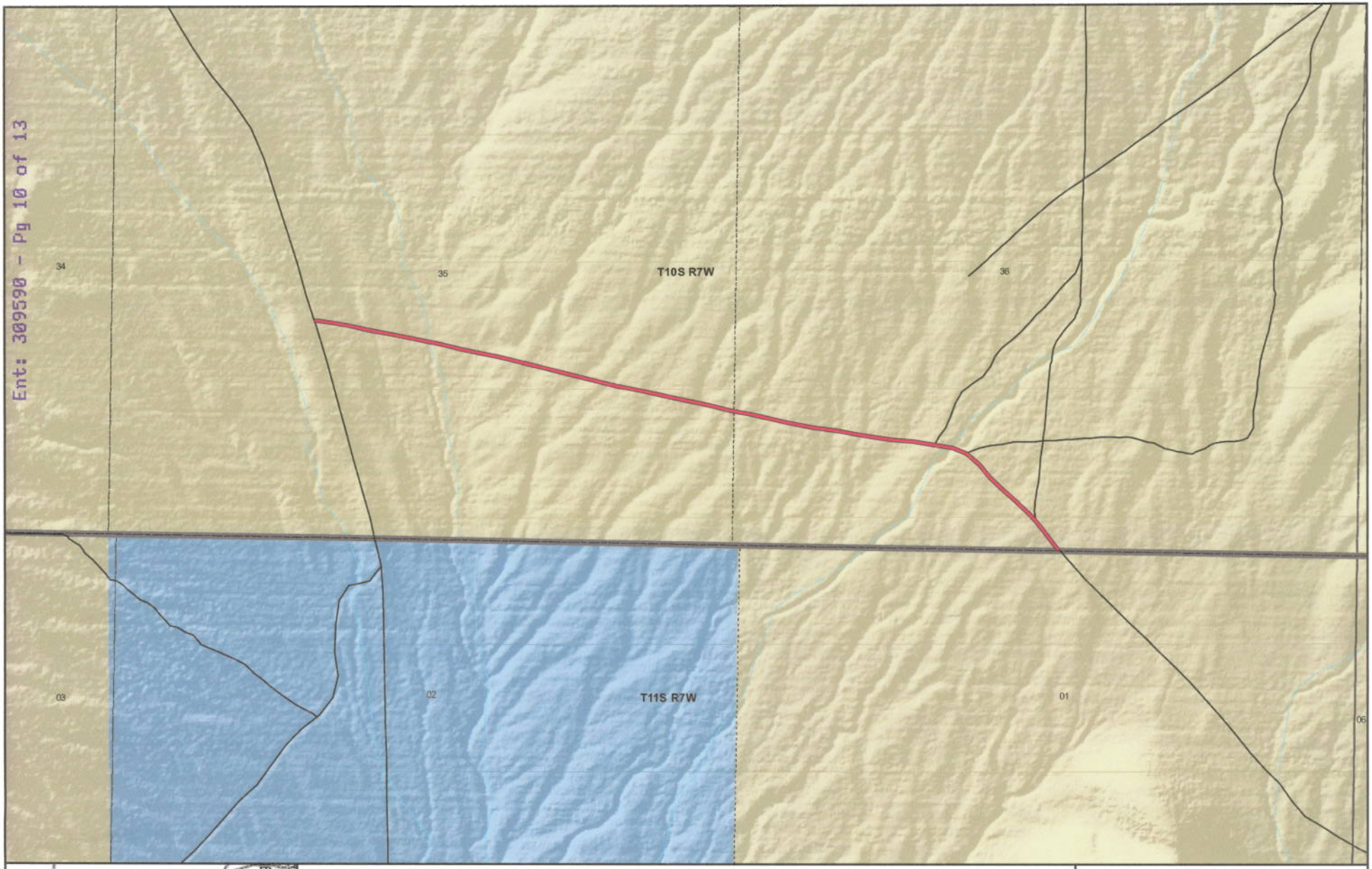
JAMES S. MCKENDRICK

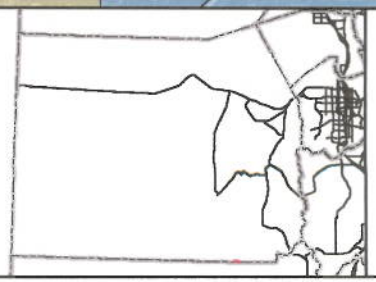
SUBSCRIBED AND SWORN to before me this 22 day of May, 2008.

Notary Public
DEBORAH MONTGOMERY
5110 State Office Bldg, PO Box 142477
Salt Lake City, Utah 84114
My Commission Expires
April 24, 2012
State of Utah

NOTARY PUBLIC

Ent: 309590 - Pg 10 of 13





Tooele County
Erickson Cutoff Road
County Unique - tc02953

Land Ownership Categories
- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Park
- Wildlife Reserve
- Military
- Wilderness
- Tribal

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

Transportation Network
- Erickson Cutoff Road
- State / U.S. Highway
- Local Roads

1:13,207
1 inch equals 0.2 miles

Map prepared by the State of Utah
Automated Geographic Reference Center
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 18, 2008

AFFIDAVIT OF LEE F. NIX

ERICKSON CUTOFF ROAD

TOOELE COUNTY, UTAH

ROAD NUMBER tc02953

State of Utah)
: ss.
County of Tooele)

LEE F. NIX, 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 Tooele, Tooele County, Utah. I was born and raised in Tooele County and have lived here all of my life for 80 years.

2. I have traveled and am familiar with a road in Tooele County known as Erickson Cutoff 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 Tooele County map showing Erickson Cutoff 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 2006. During this time period I have observed travel on the road by means of cars, pickup trucks and ATVs. During this time period, the road was used daily, weather permitting, for more than ten continuous years prior to 1976 and was so used in 2006.

5. During the time period from the late 1930s to 2006, I have used the road myself for sightseeing and recreation, livestock operations, hunting, trapping and travel in and through the area.

6. During 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.

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 the graded surface of the road and other evidence of maintenance and construction such as berms along the side of the road.

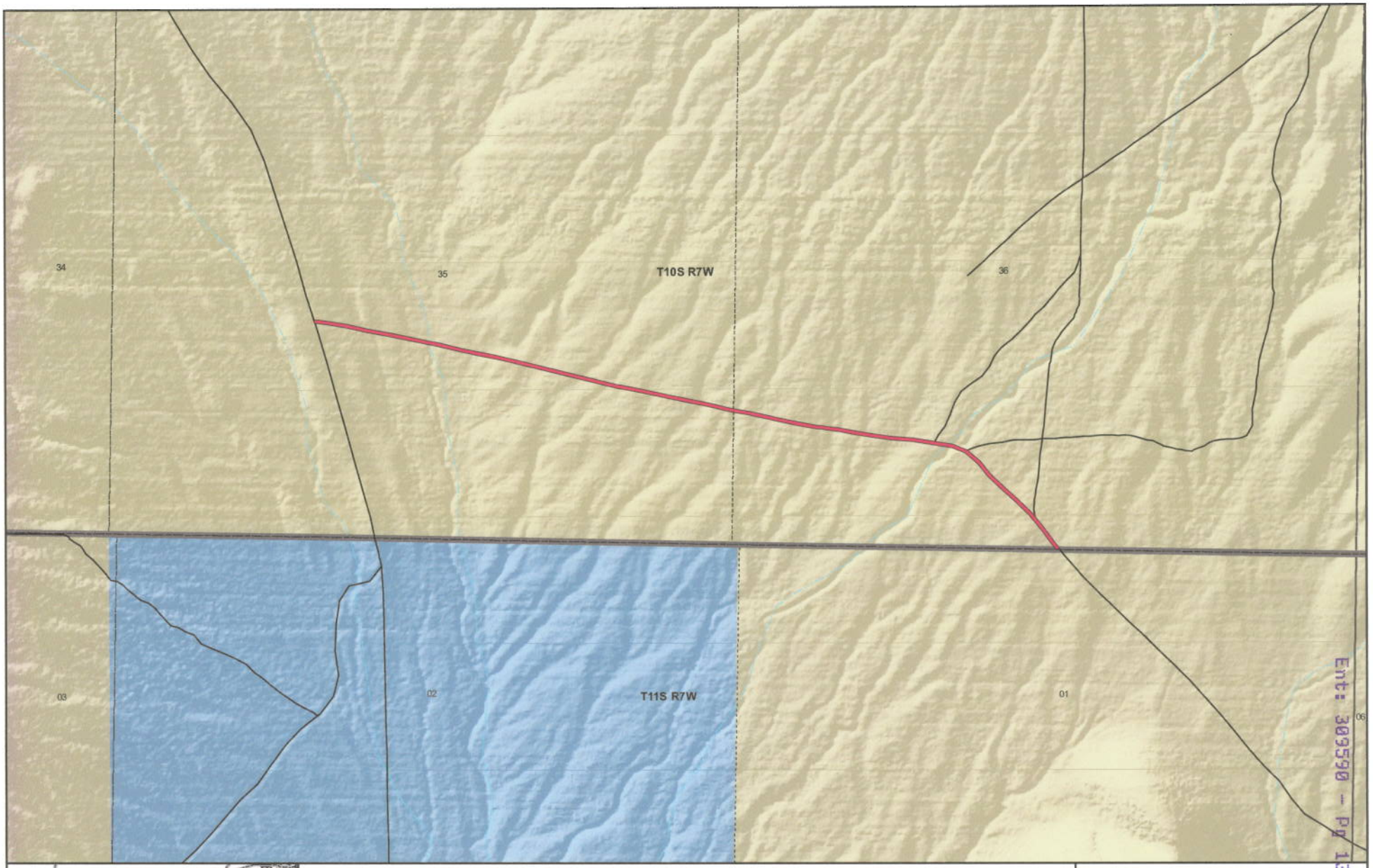
DATED this 1 day of May, 2008.

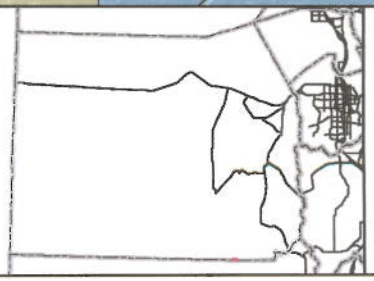
LEE F. NIX

SUBSCRIBED AND SWORN to before me this 1st day of May, 2008.

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

NOTARY PUBLIC





Tooele County
Erickson Cutoff Road
County Unique - tc02953

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Park
- Wildlife Reserve
- Military
- Wilderness
- Tribal

Misc

- City / Town
- Municipalities
- Section = 1 Mile

Transportation Network

- Erickson Cutoff Road
- State / U.S. Highway
- Local Roads

N

1:13,207

1 inch equals 0.2 miles

Map prepared by the State of Utah
Automated Geographic Reference Center
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 18, 2008

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Appendix A to Attachment 4

Popular Name: Erickson Cutoff Road
County: Tooele
County Road Number: tc02953
State Geographic Information Database (SGID) Road Identification Number: RD230106.
Road-Segment Number: 001
Road-Segment Length: 1.29 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 10 South Range 7 West, Section(s) 35,36, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Erickson Cutoff 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 54 minutes 31.46 seconds North Latitude and -112 degrees 36 minutes 21.09 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,330,223.1 feet and Y = 7,137,399.8 feet; thence the following courses along the said road center line:

thence South 83 Degrees 36 Minutes 43 Seconds East 28.1 feet
thence South 83 Degrees 47 Minutes 49 Seconds East 101.1 feet
thence South 79 Degrees 34 Minutes 43 Seconds East 149.6 feet
thence South 78 Degrees 31 Minutes 55 Seconds East 176.6 feet
thence South 78 Degrees 41 Minutes 49 Seconds East 187.3 feet
thence South 78 Degrees 43 Minutes 47 Seconds East 195.9 feet
thence South 78 Degrees 16 Minutes 58 Seconds East 141.6 feet
thence South 80 Degrees 15 Minutes 21 Seconds East 56.3 feet
thence South 77 Degrees 56 Minutes 43 Seconds East 107.2 feet
thence South 77 Degrees 28 Minutes 56 Seconds East 118.1 feet
thence South 78 Degrees 16 Minutes 58 Seconds East 141.6 feet

thence South 78 Degrees 15 Minutes 38 Seconds East 157 feet
thence South 77 Degrees 07 Minutes 53 Seconds East 151 feet
thence South 76 Degrees 48 Minutes 19 Seconds East 140.4 feet
thence South 75 Degrees 28 Minutes 35 Seconds East 140.9 feet
thence South 76 Degrees 36 Minutes 54 Seconds East 623.1 feet
thence South 78 Degrees 24 Minutes 42 Seconds East 135.1 feet
thence South 79 Degrees 17 Minutes 25 Seconds East 145.7 feet
thence South 77 Degrees 19 Minutes 38 Seconds East 153.2 feet
thence South 78 Degrees 48 Minutes 57 Seconds East 263.2 feet
thence South 77 Degrees 55 Minutes 35 Seconds East 30.6 feet
thence South 77 Degrees 56 Minutes 28 Seconds East 137.7 feet
thence South 76 Degrees 31 Minutes 20 Seconds East 96.3 feet
thence South 78 Degrees 41 Minutes 41 Seconds East 65.1 feet
thence South 78 Degrees 39 Minutes 41 Seconds East 56.8 feet
thence South 80 Degrees 29 Minutes 31 Seconds East 67.3 feet
thence South 77 Degrees 24 Minutes 14 Seconds East 330.2 feet
thence South 82 Degrees 24 Minutes 53 Seconds East 23.9 feet
thence South 78 Degrees 07 Minutes 17 Seconds East 124.2 feet
thence South 80 Degrees 15 Minutes 21 Seconds East 112.6 feet
thence South 85 Degrees 27 Minutes 02 Seconds East 58 feet
thence South 84 Degrees 49 Minutes 46 Seconds East 17.1 feet
thence South 82 Degrees 31 Minutes 18 Seconds East 120.9 feet
thence South 79 Degrees 48 Minutes 11 Seconds East 125.8 feet
thence South 81 Degrees 06 Minutes 04 Seconds East 153.6 feet
thence South 81 Degrees 07 Minutes 23 Seconds East 164.2 feet
thence South 85 Degrees 49 Minutes 53 Seconds East 188.6 feet
thence South 82 Degrees 00 Minutes 04 Seconds East 181.4 feet
thence South 81 Degrees 33 Minutes 39 Seconds East 96.9 feet
thence South 79 Degrees 49 Minutes 49 Seconds East 63.1 feet
thence South 67 Degrees 10 Minutes 52 Seconds East 127.7 feet
thence South 69 Degrees 04 Minutes 17 Seconds East 6.3 feet
thence South 49 Degrees 05 Minutes 00 Seconds East 134.4 feet
thence South 39 Degrees 42 Minutes 15 Seconds East 142.2 feet
thence South 46 Degrees 23 Minutes 33 Seconds East 149 feet
thence South 49 Degrees 10 Minutes 46 Seconds East 162.1 feet
thence South 46 Degrees 36 Minutes 07 Seconds East 166.2 feet
thence South 37 Degrees 53 Minutes 25 Seconds East 64.6 feet
thence South 36 Degrees 42 Minutes 22 Seconds East 7.7 feet
thence South 40 Degrees 52 Minutes 14 Seconds East 38.9 feet
thence South 38 Degrees 33 Minutes 36 Seconds East 104.4 feet
thence South 36 Degrees 44 Minutes 27 Seconds East 91.7 feet
thence South 36 Degrees 04 Minutes 32 Seconds East 60.6 feet
thence South 38 Degrees 58 Minutes 54 Seconds East 6.3 feet more or less to **the ending point at:** 39 degrees 54 minutes 13.25 seconds North Latitude and -112 degrees 34 minutes 59.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,336,541.2 feet and Y = 7,135,479.7 feet.