

219

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

**DOC # 20080019337**

Right of Way Page 1 of 19  
Russell Shirts Washington County Recorder  
05/12/2008 09:13:30 AM Fee \$ 0.00  
By GOVERNOR OF 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Washington County as it pertains to the highway located in Washington County known as ENTERPRISE TO COUNTY LINE ROAD; County Road Number: 0202; State Geographic Information Database (SGID) Road Identification Number: RD270202. 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.

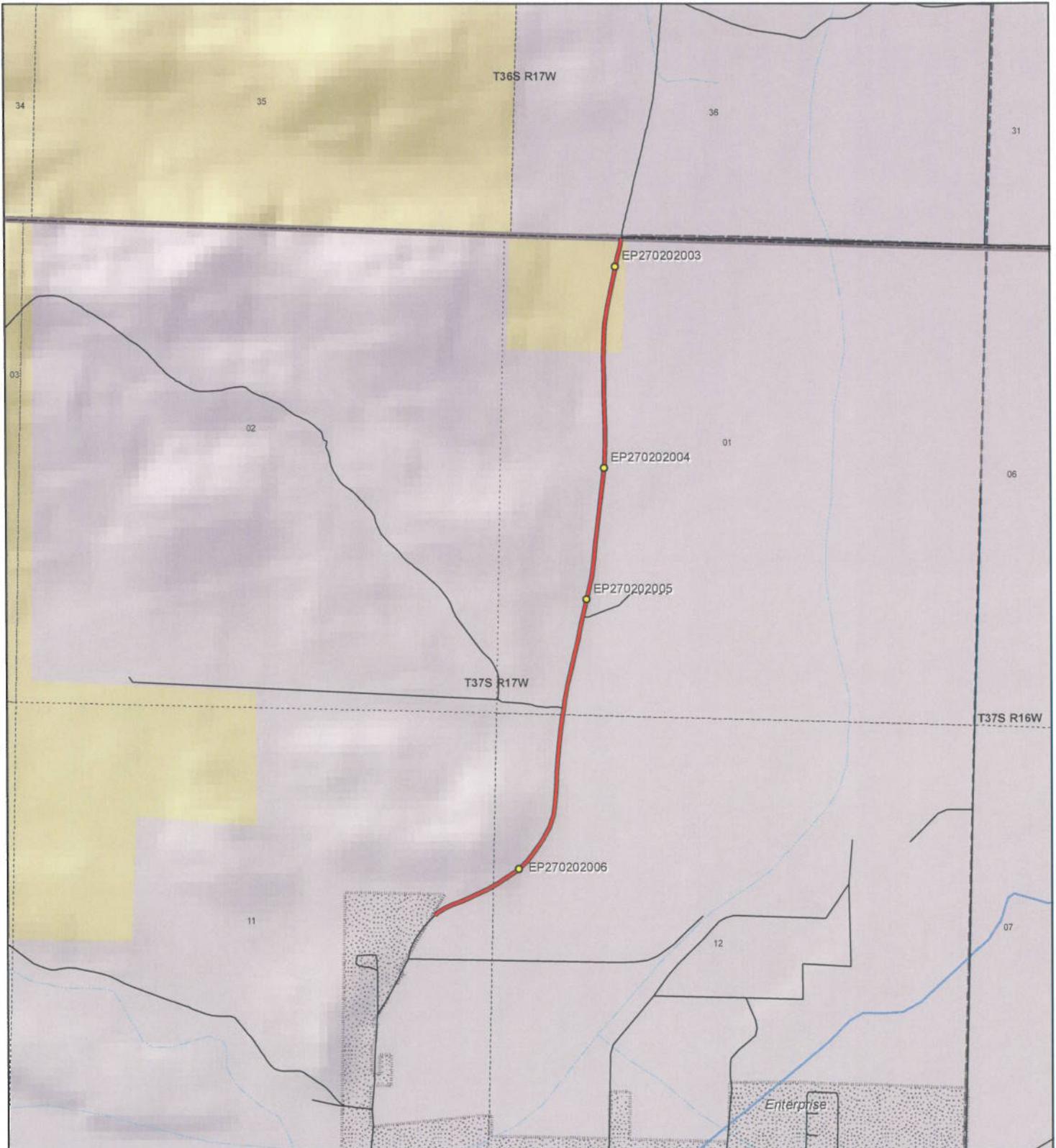
A printed copy of a map showing the location of the road in said county is appended hereto as “Attachment 1,” a printed copy of representative photos of the road is appended hereto as “Attachment 2,” a printed copy of a description of the beginning and ending points of the entire road together with a 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



Attachment 1



**ENTERPRISE TO COUNTY LINE ROAD - Washington County  
SGID RD\_ID RD270202**

**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**

- ENTERPRISE TO COUNTY LINE RD
- Title V, Issued Or Under Consideration By BLM Or County
- Other Roads
- 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  
Feb 13, 2008



1:17,406  
1 inch equals 0.3 miles



Attachment 2



EP270202003



EP270202004



EP270202005



EP270202006

EP000000000

EP000000000

**ENTERPRISE TO COUNTY LINE ROAD - Washington County**  
**SGID RD\_ID RD270202**



Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
February 14, 2008



## Attachment 3

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

**Popular Name: ENTERPRISE TO COUNTY LINE ROAD**

**County: Washington**

**County Road Number: 0202**

**State Geographic Information Database (SGID) Road Identification Number: RD270202.**

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

**Beginning at a point** on the road centerline located at 37 degrees 35 minutes 1.6 seconds North Latitude and -113 degrees 43 minutes 08.89 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 997,432.5 feet and Y = 10,184,065.3 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 37 degrees 36 minutes 16.65 seconds North Latitude and -113 degrees 42 minutes 45.49 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 999,495.7 feet and Y = 10,191,609.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 37 South Range 17 West, Section(s) 1,11,12, 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: ENTERPRISE TO COUNTY LINE ROAD**

**County: Washington**

**County Road Number: 0202**

**State Geographic Information Database (SGID) Road Identification Number: RD270202.**

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

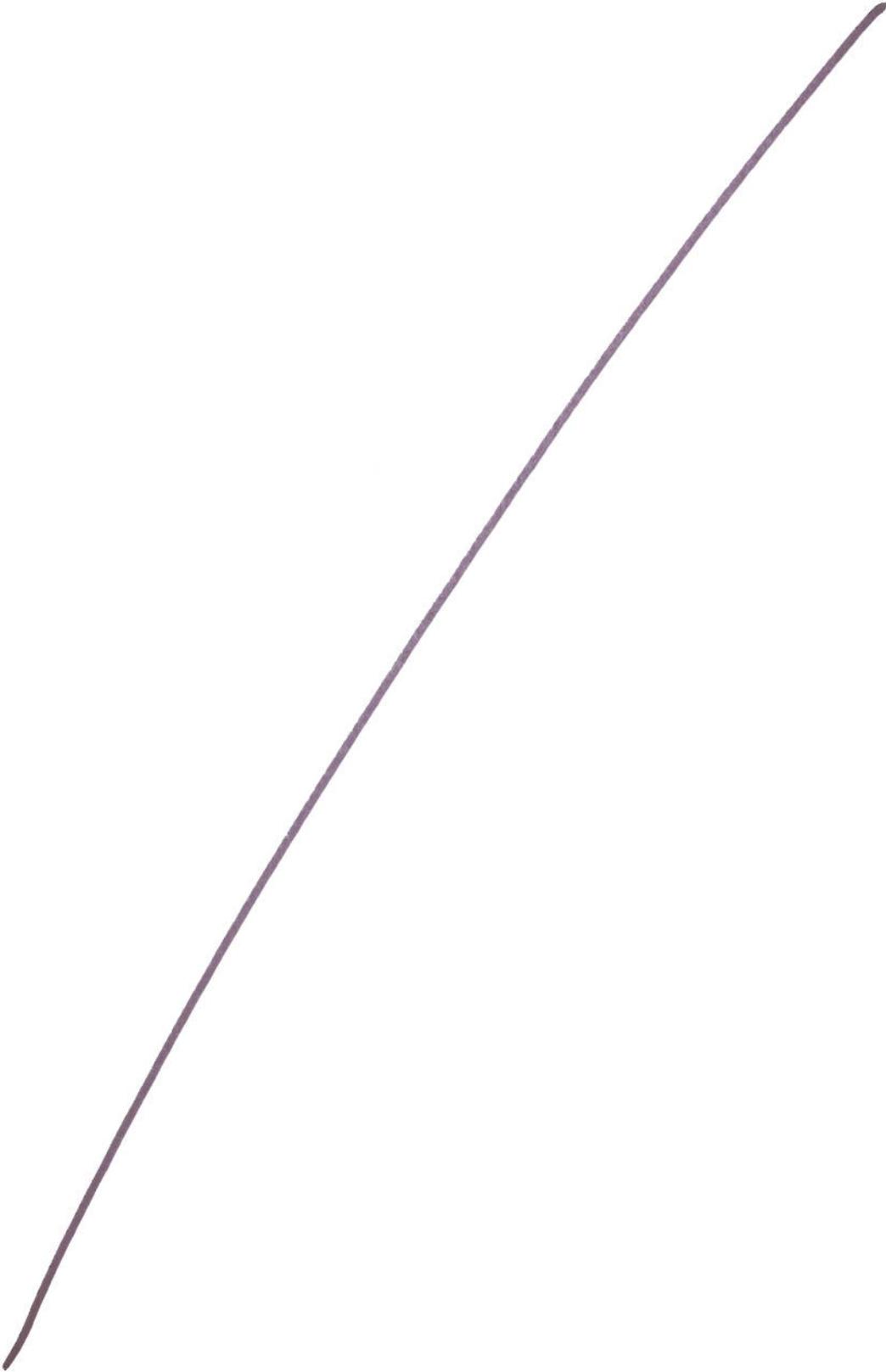
**Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (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>RD270202</b>	<b>001</b>	<b>PVT</b>	<b>1.33 Miles</b>	<b>(not shown)</b>
<b>RD270202</b>	<b>002</b>	<b>BLM</b>	<b>0.24 Miles</b>	<b>A</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**





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 1965, and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by commercial trucks, jeeps, stock trucks, ATVs, farm equipment, and other motor vehicles. Throughout this time period, the road has been used regularly, weather permitting, for more than ten continuous years prior to 1976, and it is presently used daily.

4. Throughout the time period from 1965 to the present, I have used the road myself for farming and ranching operations, hunting, search and rescue operations, and recreation.

5. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, in addition to government access including the Bureau of Land Management and United States Forest Service; private company access; wood gathering; mining; prospecting; and recreation, such as camping, picnicking, hiking, sight seeing, and traveling in and through the general areas.

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 1940, and continuing through 1976 to the present, for the uses described in the previous paragraphs. Also, during my travel with my grandfather on this road, he reported to me on several occasions that this road has been open for all to use since 1900.

7. Prior to 1976 I occasionally observed county graders on the road. I observed general repairs and/or maintenance on the road, including berms, culverts, graded and raised surfaces, grader marks and flood repair work, as necessary. I also occasionally observed small caterpillar machines.

DATED this 13<sup>th</sup> of April, 2007.

  
SHERWOOD LEE BRACKEN

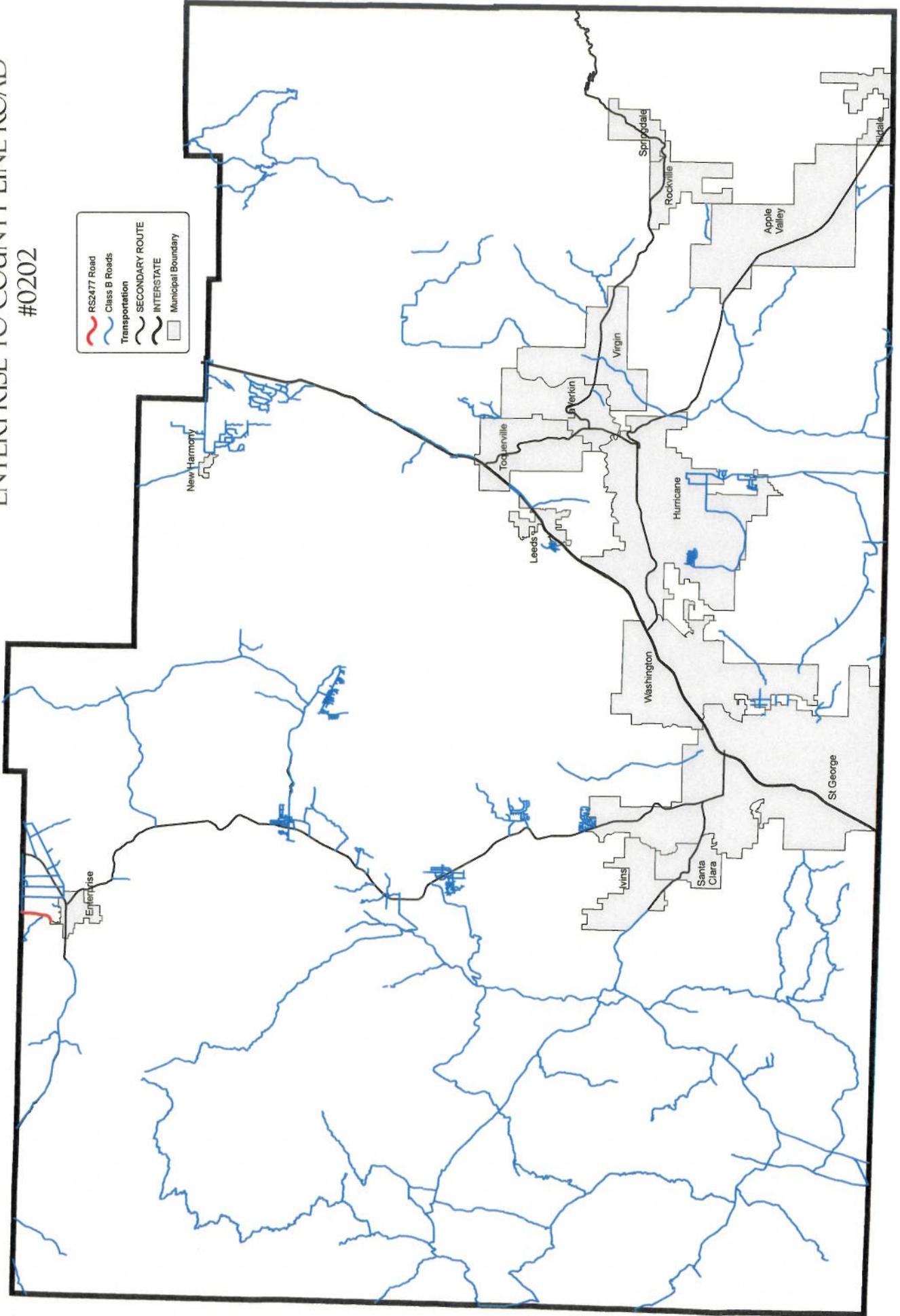
SUBSCRIBED AND SWORN to before me this 13<sup>th</sup> day of April, 2007.



  
NOTARY PUBLIC

# WASHINGTON COUNTY ENTERPRISE TO COUNTY LINE ROAD #0202

- RS2477 Road
- Class B Roads
- Transportation
- SECONDARY ROUTE
- INTERSTATE
- Municipal Boundary





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 the early 1940s, and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by trucks, jeeps, commercial vehicles, ATVs, farm equipment, and other motor vehicles. Throughout this time period, the road has been used regularly for more than ten continuous years prior to 1976, and it is presently used daily.

4. Throughout the time period from the mid 1940s to the present, I have used the road myself for farming and ranching operations, hunting, and recreation.

5. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, as well as travel to and from school; mining and prospecting; government access; commercial uses; and recreation, such as camping, picnicking, hiking and sight seeing.

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 the early 1940s, and continuing through 1976 to the present, for the uses described in the previous paragraphs. Also, during my travels my father reported to me on several occasions that this road has been open for all to use since the early 1900s. I have also reviewed early pioneer history, which shows at least some of this road was created by pioneer or early settler construction.

7. Prior to 1976, I occasionally observed county graders on the road. I observed general repairs and/or maintenance on the road, including berms, culverts, graded and raised surfaces, grader marks and flood repair work, as necessary.

DATED this 10 of May, 2007.

Sherwood N. Bracken  
SHERWOOD N. BRACKEN

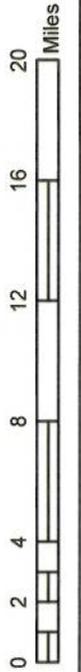
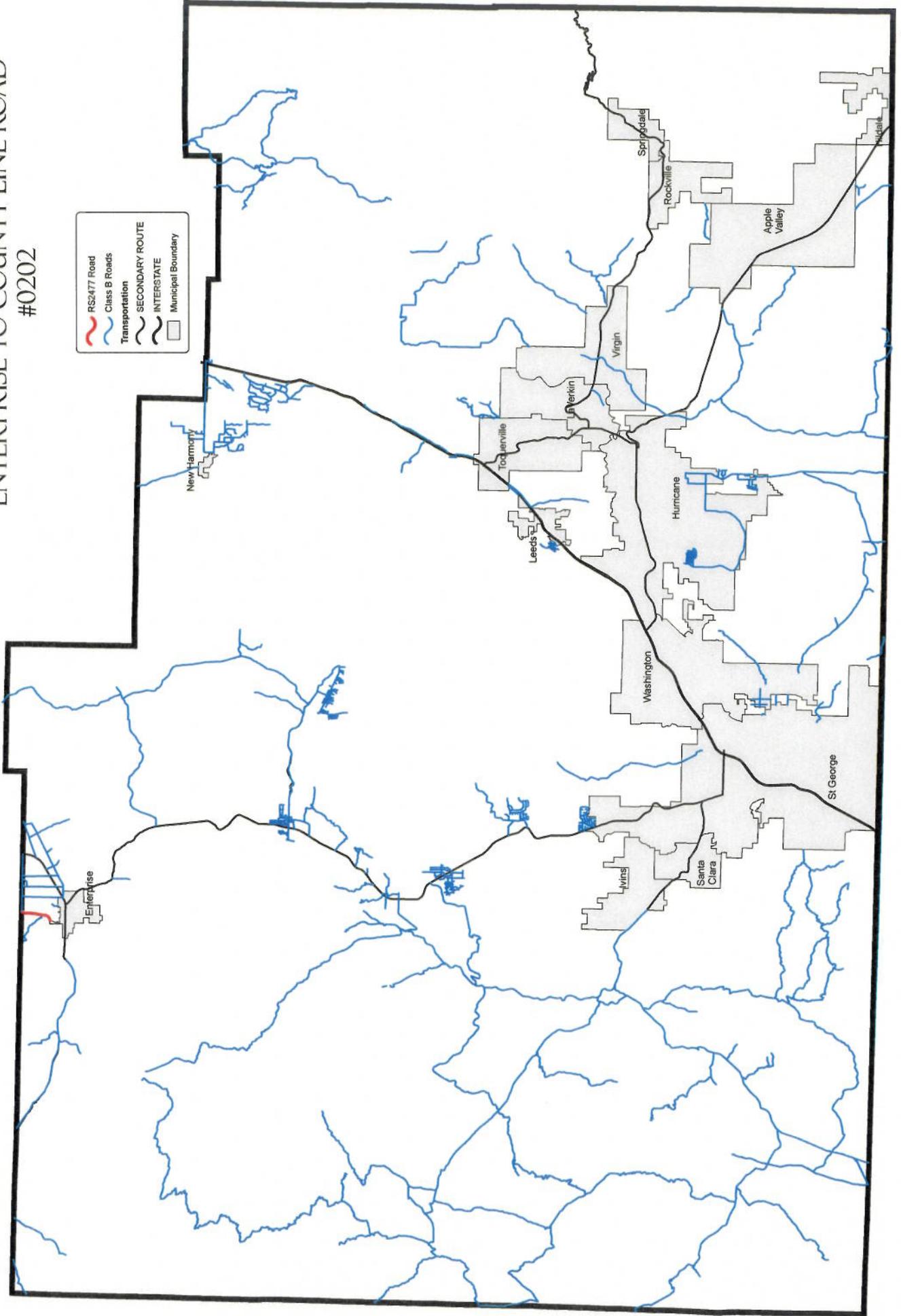
SUBSCRIBED AND SWORN to before me this 10th day of  
May, 2007.



Merri Lee Colvin  
NOTARY PUBLIC

# WASHINGTON COUNTY ENTERPRISE TO COUNTY LINE ROAD #0202

- RS2477 Road
- Class B Roads
- Transportation
- SECONDARY ROUTE
- INTERSTATE
- Municipal Boundary





illustrated on the attached map, except for some diversion due to flooding. 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 the 1940s, and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by trucks, jeeps, stock trucks, and other motor vehicles, including more recently, ATVs. Throughout this time period, the road has been used regularly for more than ten continuous years prior to 1976, and it is presently used on a regular basis, weather permitting. The road is used more on weekends, holidays and during hunting seasons.

4. Throughout the time period from the early 1940s to the present, I have used the road myself for hunting, and recreation such as camping, hiking, and sight seeing.

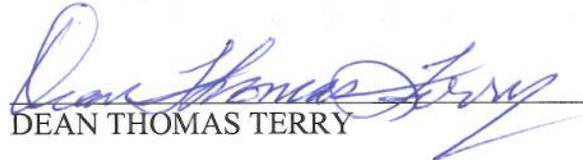
5. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus homesteading, farming, commerce, mining and prospecting, wood gathering, general recreation and tourism, government access, and travel in and through the general areas.

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 before 1915, and continuing through 1976 to the present, for the uses described in the previous paragraphs. My father told me on several occasions that the road was open before his 1915 homestead was established.

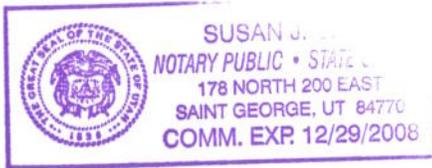
7. Prior to 1976, I occasionally observed Washington County and private graders on the road. I observed general repairs and maintenance of the road. I observed cattle guards,

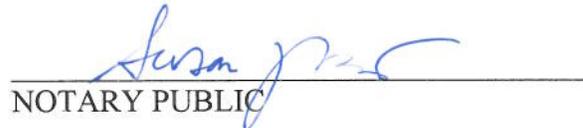
where needed, cuts and fills, grader marks, culverts, and flood repair work, on an as-needed-basis.

DATED this 6th of June, 2007.

  
DEAN THOMAS TERRY

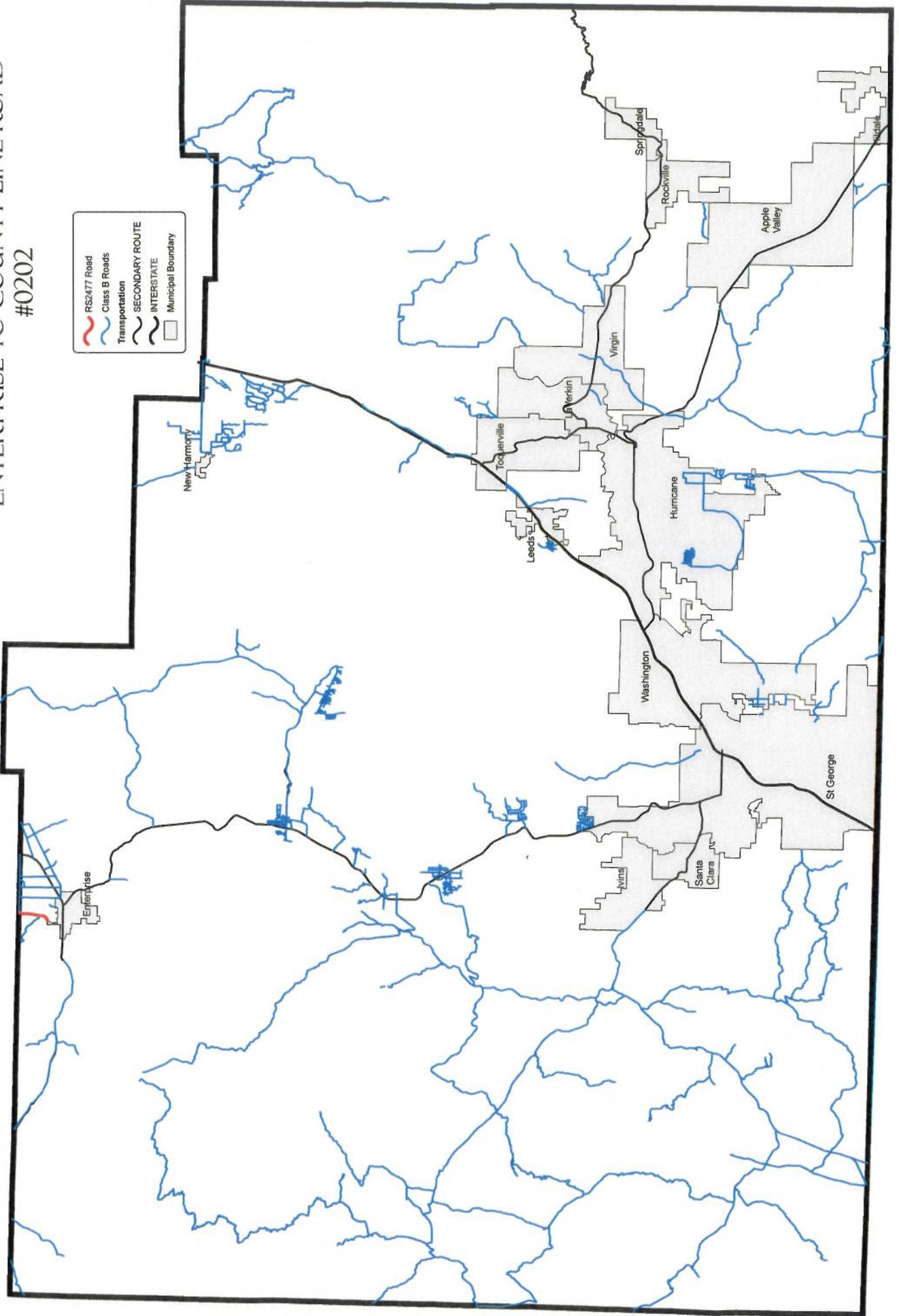
SUBSCRIBED AND SWORN to before me this 6th day of June 2007, 2007.



  
NOTARY PUBLIC

# WASHINGTON COUNTY ENTERPRISE TO COUNTY LINE ROAD #0202

- RS2477 Road
- Class B Roads
- Transportation
- SECONDARY ROUTE
- INTERSTATE
- Municipal Boundary



## Appendix A to Attachment 4

**Popular Name: ENTERPRISE TO COUNTY LINE ROAD**

**County: Washington**

**County Road Number: 0202**

**State Geographic Information Database (SGID) Road Identification Number: RD270202.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.24 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 37 South Range 17 West, Section(s) 1, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (ENTERPRISE TO COUNTY LINE 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 36 minutes 04.21 seconds North Latitude and -113 degrees 42 minutes 47.58 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 999,297.5 feet and Y = 10,190,355.0 feet; thence the following courses along the said road center line:

thence North 00 Degrees 50 Minutes 29 Seconds East 105.7 feet  
thence North 03 Degrees 20 Minutes 08 Seconds East 196.5 feet  
thence North 07 Degrees 36 Minutes 52 Seconds East 197.7 feet  
thence North 11 Degrees 23 Minutes 08 Seconds East 195.9 feet  
thence North 11 Degrees 59 Minutes 23 Seconds East 188 feet  
thence North 11 Degrees 51 Minutes 42 Seconds East 155.7 feet  
thence North 13 Degrees 06 Minutes 00 Seconds East 107.6 feet  
thence North 13 Degrees 34 Minutes 23 Seconds East 56.1 feet  
thence North 09 Degrees 24 Minutes 58 Seconds East 48.6 feet  
thence North 10 Degrees 29 Minutes 02 Seconds East 21 feet more or less to **the ending point**

**at:** 37 degrees 36 minutes 16.65 seconds North Latitude and -113 degrees 42 minutes 45.49 seconds West

Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 999,495.7 feet and Y = 10,191,609.0 feet.