

119

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

DOC # 20080019342

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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 OLD 91 NORTH LEEDS ROAD; County Road Number: 0367; State Geographic Information Database (SGID) Road Identification Number: RD270367. Total road length is 3.08 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 23rd day of April, 2008.

By the Governor's Designee



John Harja

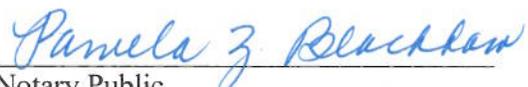
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

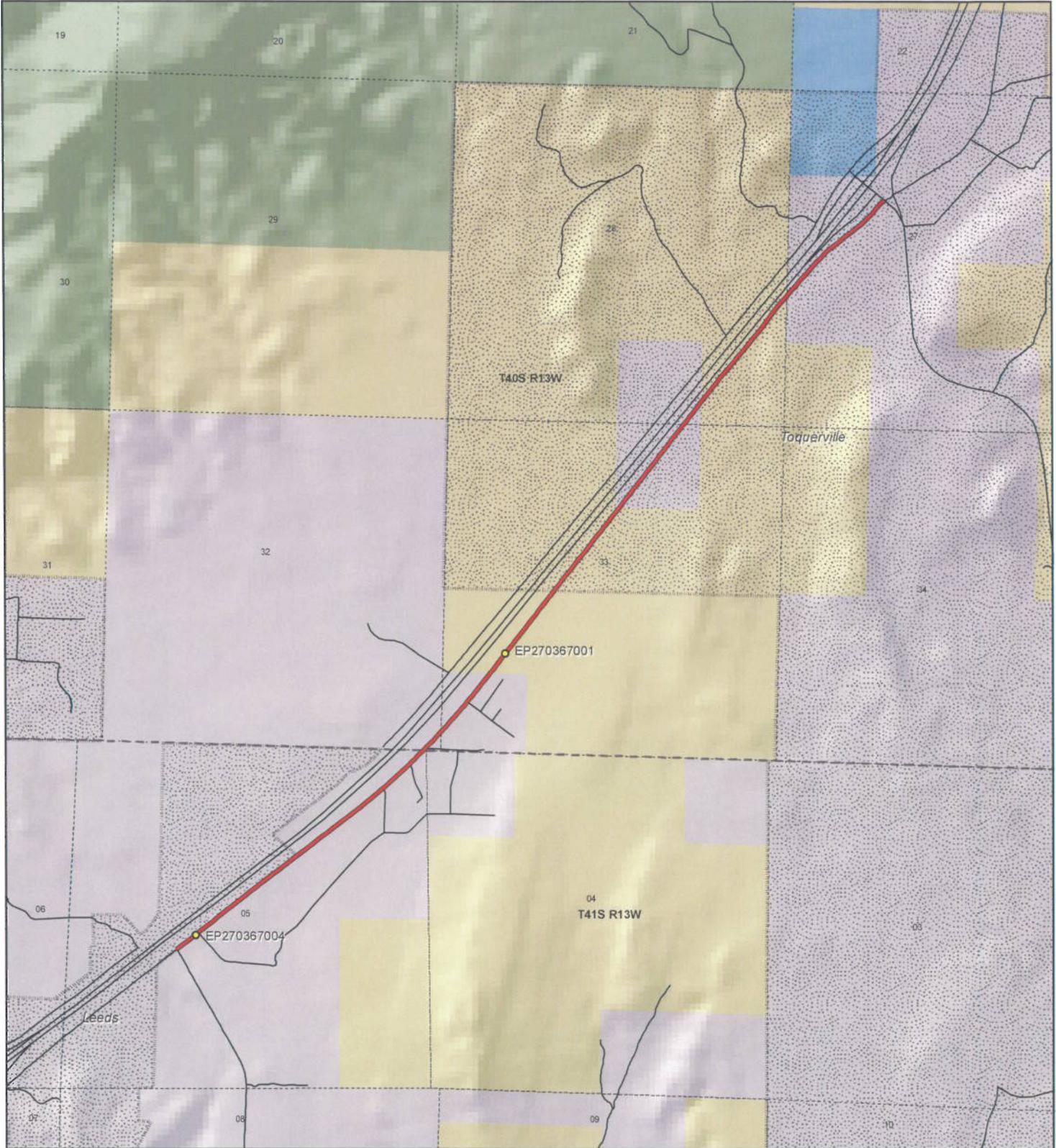
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 23rd day of April, 2008.





Notary Public



OLD 91 NORTH LEEDS ROAD - Washington County
SGID RD_ID RD270367

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

- OLD 91 NORTH LEEDS ROAD
- 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



1:24,524
 1 inch equals 0.4 miles



Attachment 2



EP270367001



EP270367004

EP000000000

EP000000000

EP000000000

EP000000000

OLD 91 NORTH LEEDS ROAD - Washington County
SGID RD_ID RD270367



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: OLD 91 NORTH LEEDS ROAD

County: Washington

County Road Number: 0367

State Geographic Information Database (SGID) Road Identification Number: RD270367.

Total Road Length: 3.08 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 15 minutes 00.32 seconds North Latitude and -113 degrees 20 minutes 33.44 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,104,116.3 feet and Y = 10,060,218.5 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 16 minutes 59.05 seconds North Latitude and -113 degrees 18 minutes 19.75 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,115,155.3 feet and Y = 10,072,013.5 feet based on the US Survey Foot conversion.

This road may traverse:

Township 40 South Range 13 West, Section(s) 27,28,32,33, Salt Lake Base & Meridian

Township 41 South Range 13 West, Section(s) 5, 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: OLD 91 NORTH LEEDS ROAD

County: Washington

County Road Number: 0367

State Geographic Information Database (SGID) Road Identification Number: RD270367.

Total Road Length: 3.08 miles more or less.

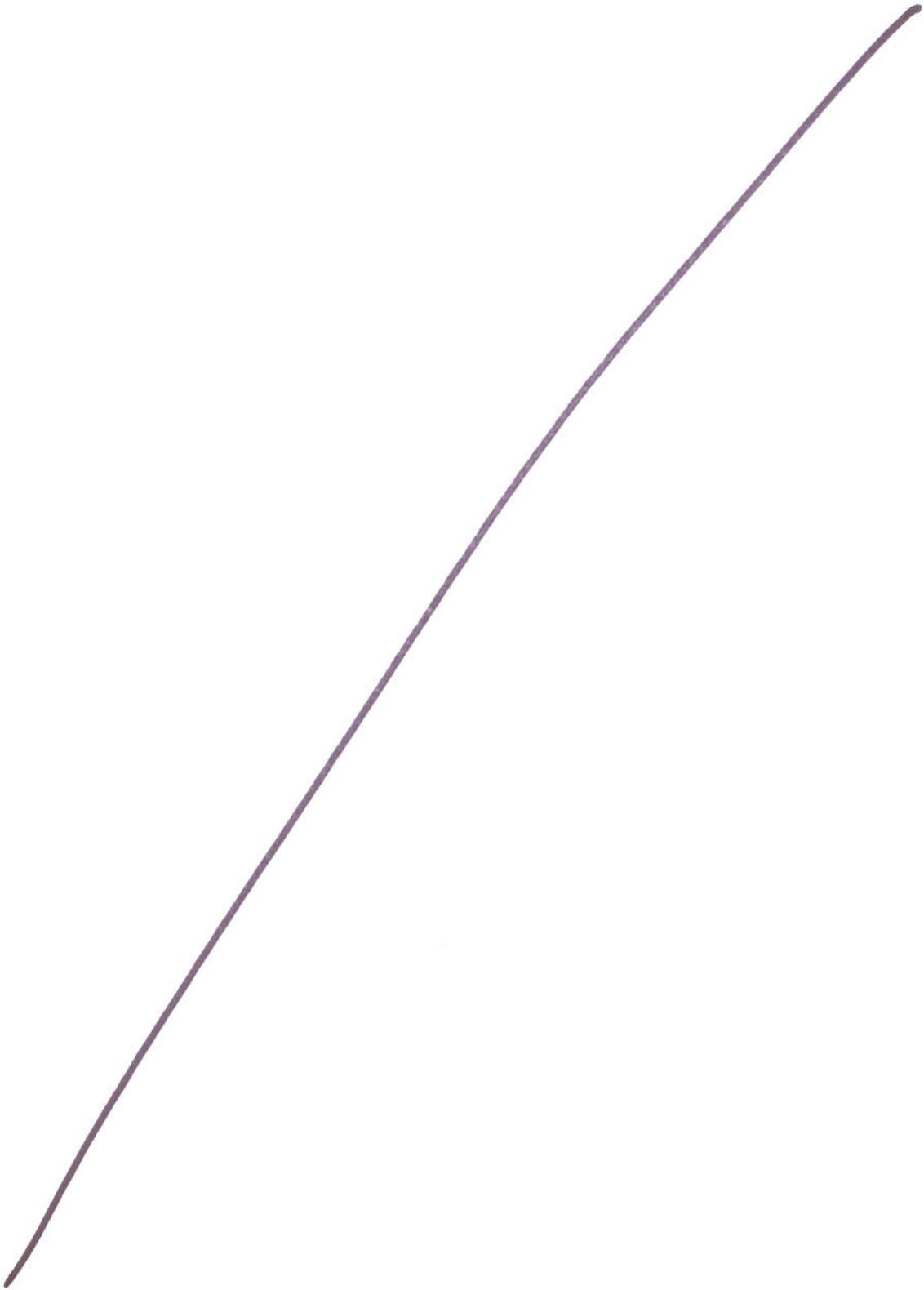
Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (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
RD270367	001	PVT	1.25 Miles	(not shown)
RD270367	002	BLM	0.62 Miles	A
RD270367	003	PVT	0.39 Miles	(not shown)
RD270367	004	BLM	0.41 Miles	B
RD270367	005	PVT	0.4 Miles	(not shown)
		Total Road Length	3.08	_____

* 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



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 1960, 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. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and it is presently used on a daily basis, weather permitting.

4. Throughout the time period from 1960 to the present, I have used the road myself for hunting, camping, hiking, sight seeing, wood gathering, government access for my job, and trapping.

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 livestock operations, commerce, mining and prospecting, recreation and tourism, 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 as early as 1900, when pioneers traveled the area, and continuing through 1976 to the present, for the uses described in the previous paragraphs.

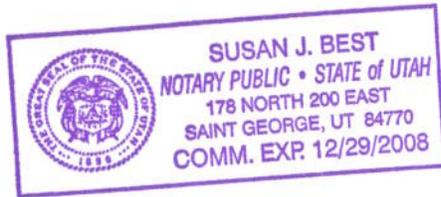
7. Prior to 1976, I occasionally observed graders and road crews from Washington County on the road. I observed general repairs and maintenance of the road.

I observed cattle guards, berms, cuts and fills, grader marks, culverts, flood repair work, and gated areas, where necessary.

DATED this 12 of April, 2007.

Rymal J. Hinton
RYMAL J. HINTON

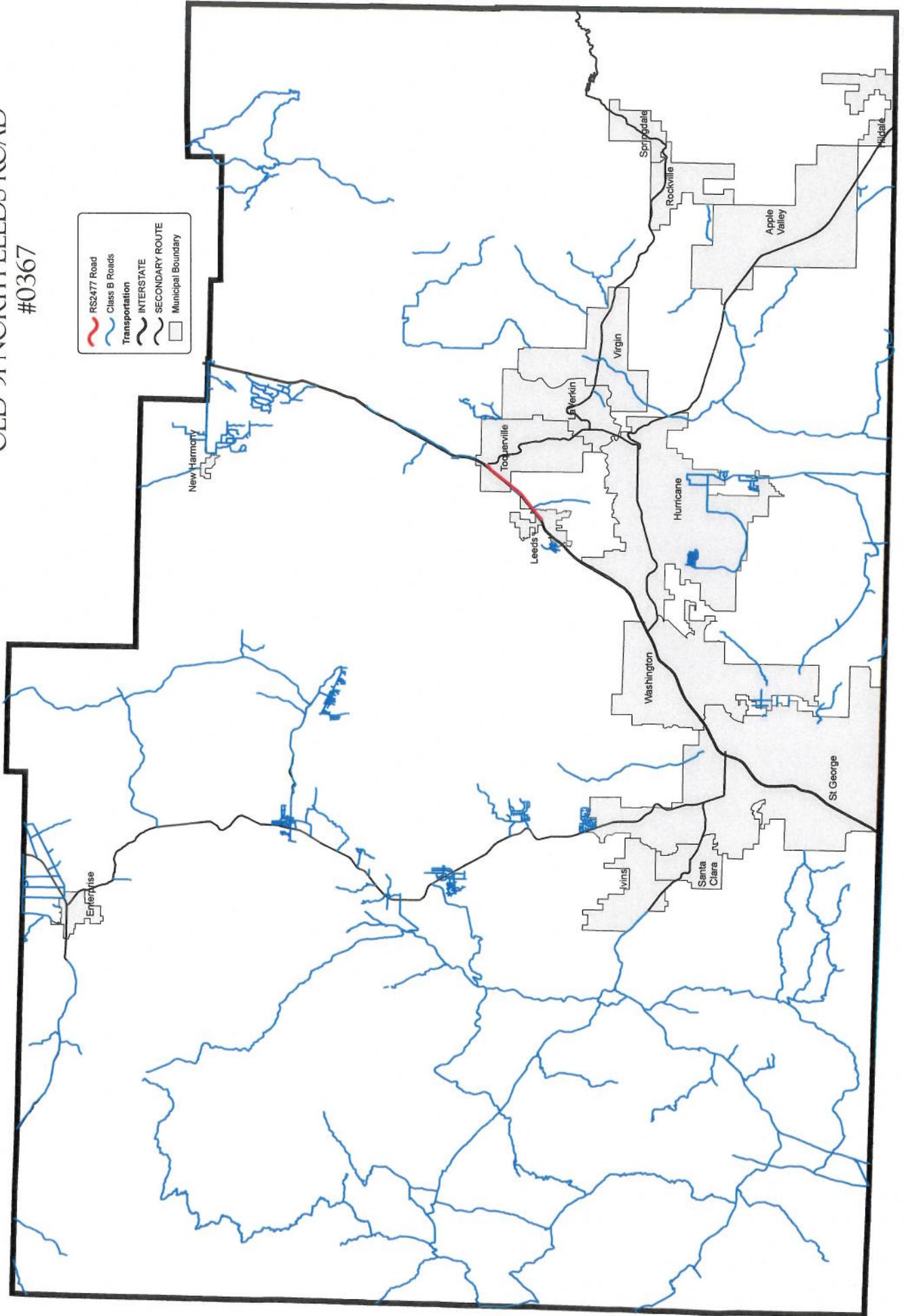
SUBSCRIBED AND SWORN to before me this 12 day of
April, 2007.



Susan J. Best
NOTARY PUBLIC

WASHINGTON COUNTY OLD 91 NORTH LEADS ROAD #0367

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



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.

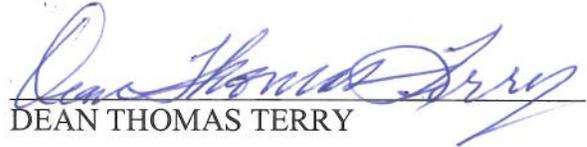
5. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus homesteading, farming, commerce, mining and prospecting, wood gathering, general recreation and tourism, government access, and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

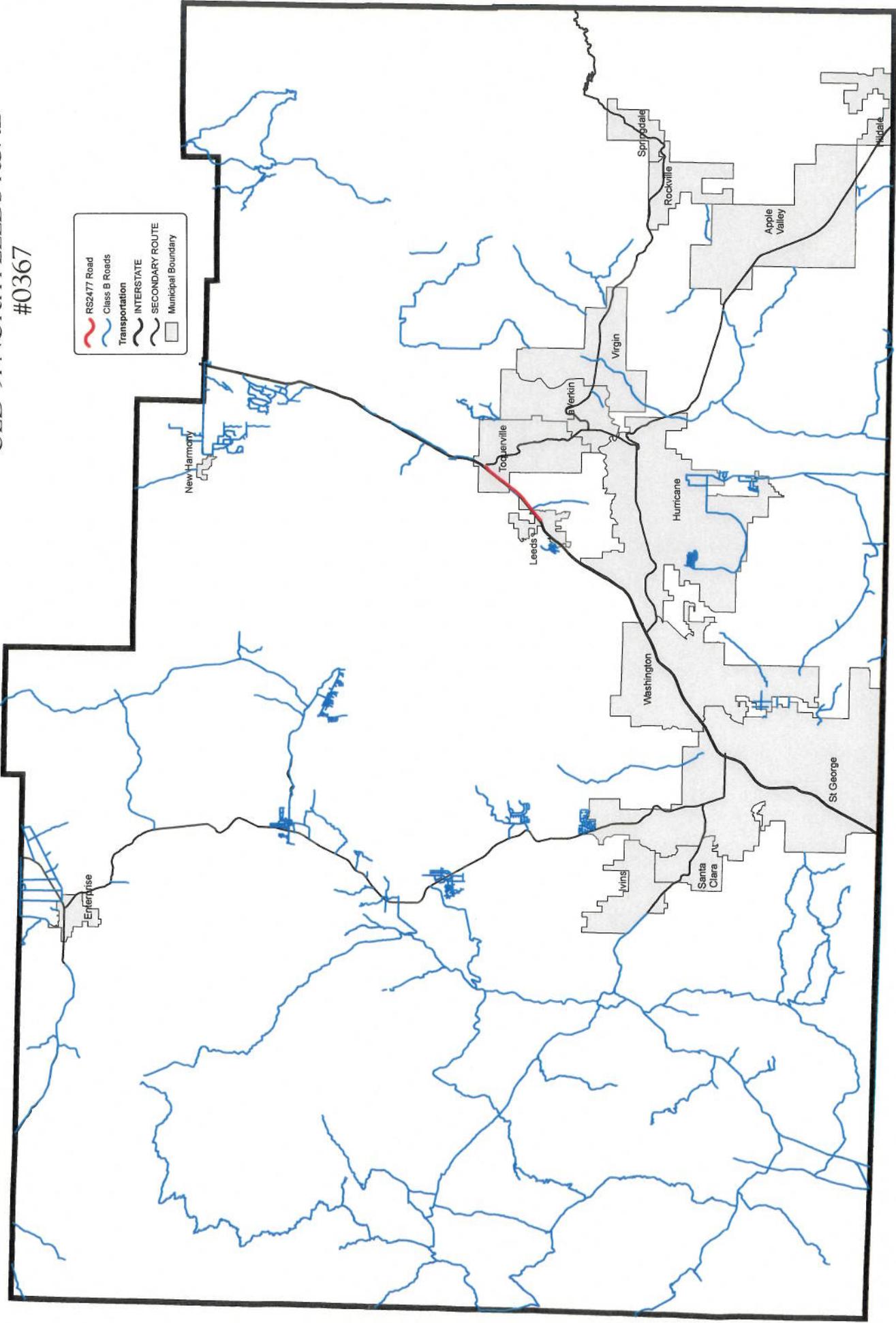
SUBSCRIBED AND SWORN to before me this 6th day of June 2007, 2007.

 **SUSAN J. BEST**
NOTARY PUBLIC • STATE of UTAH
178 NORTH 200 EAST
SAINT GEORGE, UT 84770
COMM. EXP. 12/29/2008


NOTARY PUBLIC

WASHINGTON COUNTY OLD 91 NORTH LEEDS ROAD #0367

-  RS2477 Road
-  Class B Roads
-  Transportation
-  INTERSTATE
-  SECONDARY ROUTE
-  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 1964, and continuing through 1976 to 2006.

Throughout this time period I have observed travel on the road by private pickup trucks, jeeps, stock trucks, motorcycles, and other motor vehicles. Through out this time period, the road has been used daily for more than ten continuous years prior to 1976, and it is presently used daily.

4. Throughout the time period from 1964 to 2006, I have used the road myself, occasionally, weather permitting, for wood gathering, sight seeing and hunting.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for uses described in the previous paragraph, plus government access; trapping; livestock operations; mining; prospecting; tourism; and recreation, such as camping, picnicking, hiking, and traveling in and through the general areas.

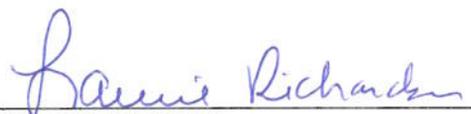
6. It is also my understanding that it is the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased since the early pioneer settlers arrived, and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed general repairs, maintenance and/or construction activities of the road by Washington County. I observed parked graders, cattle guards, berms, gravel, culverts, graded and raised surfaces, cuts and fills, grader marks, and flood and repair work on the road on an as-needed-basis. I occasionally observed Washington County graders on the road.

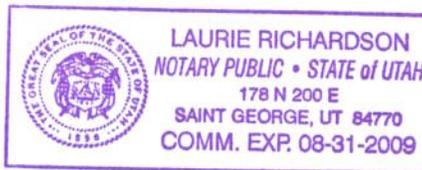
DATED this 2nd of March, 2007


GEORGE EDWARD WRIGHT

SUBSCRIBED AND SWORN to before me this 2nd day of March, 2007.


NOTARY PUBLIC

END OF DOCUMENT

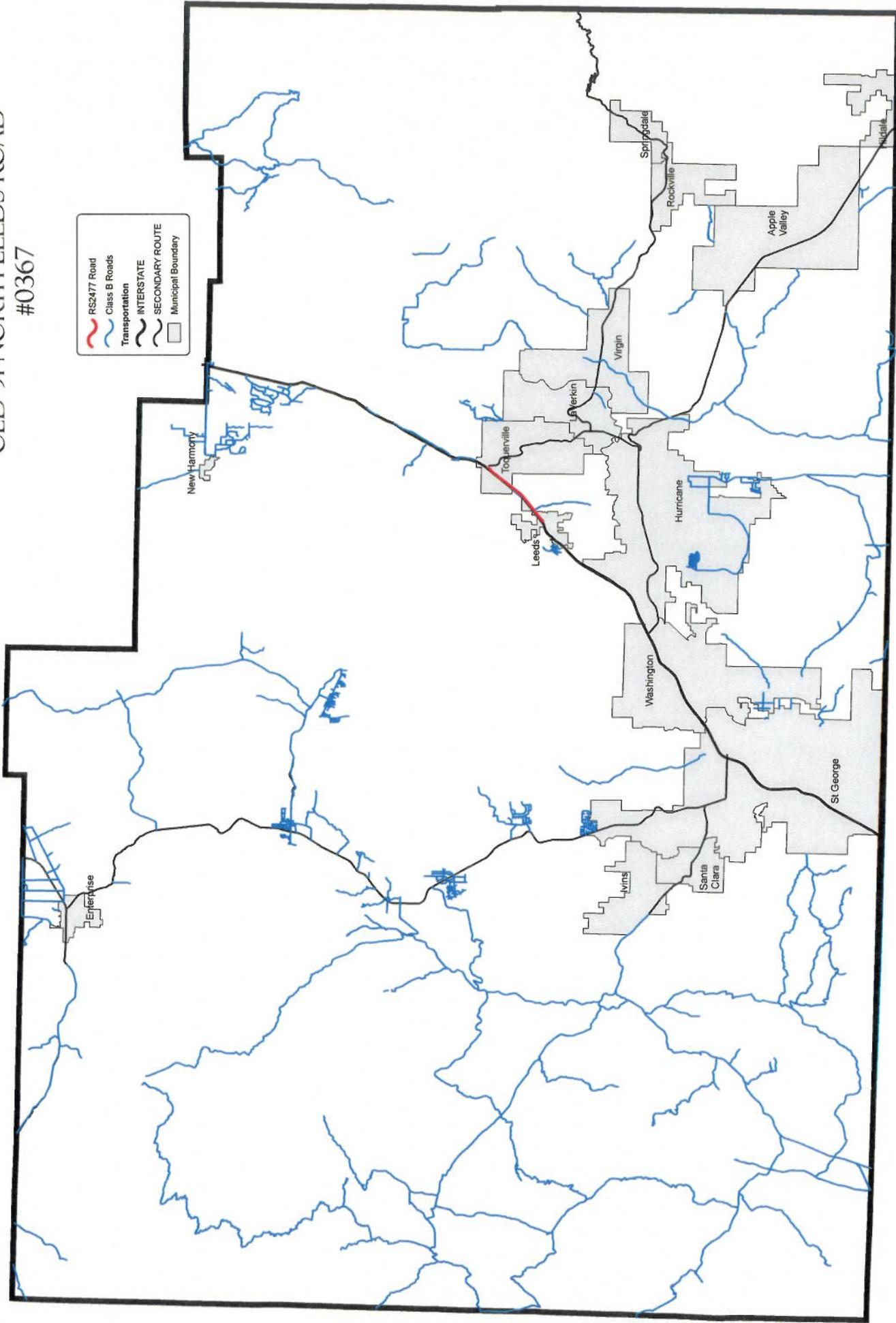


WASHINGTON COUNTY

OLD 91 NORTH LEEDS ROAD

#0367

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



Appendix A to Attachment 4

Popular Name: OLD 91 NORTH LEEDS ROAD

County: Washington

County Road Number: 0367

State Geographic Information Database (SGID) Road Identification Number: RD270367.

Road-Segment Number: 002

Road-Segment Length: 0.62 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 40 South Range 13 West, Section(s) 33, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (OLD 91 NORTH LEEDS 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 15 minutes 44.44 seconds North Latitude and -113 degrees 19 minutes 33.96 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,109,012.0 feet and Y = 10,064,585.1 feet; thence the following courses along the said road center line:

thence North 37 Degrees 09 Minutes 37 Seconds East	65.1 feet
thence North 38 Degrees 24 Minutes 26 Seconds East	78.2 feet
thence North 37 Degrees 27 Minutes 24 Seconds East	77.2 feet
thence North 37 Degrees 55 Minutes 15 Seconds East	78.5 feet
thence North 37 Degrees 30 Minutes 13 Seconds East	81.4 feet
thence North 37 Degrees 29 Minutes 33 Seconds East	53.5 feet
thence North 37 Degrees 33 Minutes 22 Seconds East	57.7 feet
thence North 38 Degrees 29 Minutes 53 Seconds East	68.6 feet
thence North 37 Degrees 21 Minutes 27 Seconds East	72.5 feet
thence North 37 Degrees 13 Minutes 44 Seconds East	69.5 feet
thence North 38 Degrees 00 Minutes 34 Seconds East	81.5 feet

thence North 37 Degrees 48 Minutes 40 Seconds East 94.6 feet
 thence North 37 Degrees 27 Minutes 59 Seconds East 97.5 feet
 thence North 37 Degrees 44 Minutes 35 Seconds East 93.7 feet
 thence North 38 Degrees 05 Minutes 30 Seconds East 84.5 feet
 thence North 38 Degrees 13 Minutes 08 Seconds East 39 feet
 thence North 38 Degrees 00 Minutes 00 Seconds East 63.5 feet
 thence North 37 Degrees 36 Minutes 26 Seconds East 73.2 feet
 thence North 38 Degrees 04 Minutes 10 Seconds East 78.2 feet
 thence North 37 Degrees 36 Minutes 15 Seconds East 84.4 feet
 thence North 37 Degrees 12 Minutes 50 Seconds East 35.6 feet
 thence North 37 Degrees 27 Minutes 23 Seconds East 51.4 feet
 thence North 38 Degrees 16 Minutes 05 Seconds East 86.8 feet
 thence North 38 Degrees 01 Minutes 37 Seconds East 85.7 feet
 thence North 37 Degrees 25 Minutes 41 Seconds East 84.2 feet
 thence North 37 Degrees 52 Minutes 01 Seconds East 81.8 feet
 thence North 37 Degrees 31 Minutes 31 Seconds East 83.5 feet
 thence North 37 Degrees 25 Minutes 41 Seconds East 84.2 feet
 thence North 38 Degrees 05 Minutes 04 Seconds East 82.4 feet
 thence North 37 Degrees 09 Minutes 37 Seconds East 77.7 feet
 thence North 38 Degrees 22 Minutes 10 Seconds East 71.4 feet
 thence North 38 Degrees 03 Minutes 19 Seconds East 28 feet
 thence North 38 Degrees 53 Minutes 00 Seconds East 57.1 feet
 thence North 37 Degrees 02 Minutes 48 Seconds East 64.4 feet
 thence North 38 Degrees 14 Minutes 08 Seconds East 65.8 feet
 thence North 37 Degrees 19 Minutes 37 Seconds East 70.4 feet
 thence North 38 Degrees 22 Minutes 10 Seconds East 71.4 feet
 thence North 37 Degrees 39 Minutes 06 Seconds East 73.6 feet
 thence North 38 Degrees 17 Minutes 19 Seconds East 72.6 feet
 thence North 37 Degrees 44 Minutes 51 Seconds East 70.8 feet
 thence North 37 Degrees 00 Minutes 13 Seconds East 70.9 feet
 thence North 37 Degrees 35 Minutes 04 Seconds East 82.3 feet
 thence North 37 Degrees 11 Minutes 09 Seconds East 86.8 feet
 thence North 38 Degrees 15 Minutes 14 Seconds East 76.3 feet
 thence North 38 Degrees 06 Minutes 54 Seconds East 80.8 feet
 thence North 38 Degrees 22 Minutes 10 Seconds East 6.7 feet more or less to **the ending point**

at: 37 degrees 16 minutes 10.57 seconds North Latitude and -113 degrees 19 minutes 09.62 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,111,030.2 feet and Y = 10,067,189.6 feet.

Appendix B to Attachment 4

Popular Name: OLD 91 NORTH LEEDS ROAD

County: Washington

County Road Number: 0367

State Geographic Information Database (SGID) Road Identification Number: RD270367.

Road-Segment Number: 004

Road-Segment Length: 0.41 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 40 South Range 13 West, Section(s) 28, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (OLD 91 NORTH LEEDS ROAD)-- Segment 004 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 16 minutes 27.05 seconds North Latitude and -113 degrees 18 minutes 54.29 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,112,301.7 feet and Y = 10,068,831.6 feet; thence the following courses along the said road center line:

thence North 38 Degrees 27 Minutes 20 Seconds East	63.3 feet
thence North 37 Degrees 29 Minutes 06 Seconds East	66.4 feet
thence North 38 Degrees 09 Minutes 47 Seconds East	42.7 feet
thence North 39 Degrees 03 Minutes 18 Seconds East	47.1 feet
thence North 39 Degrees 02 Minutes 20 Seconds East	65.7 feet
thence North 40 Degrees 18 Minutes 38 Seconds East	57.5 feet
thence North 39 Degrees 44 Minutes 51 Seconds East	72.4 feet
thence North 40 Degrees 09 Minutes 41 Seconds East	81.9 feet
thence North 39 Degrees 34 Minutes 16 Seconds East	85.5 feet
thence North 39 Degrees 22 Minutes 07 Seconds East	82.2 feet
thence North 39 Degrees 29 Minutes 11 Seconds East	84.1 feet

thence North 39 Degrees 15 Minutes 42 Seconds East 85.5 feet
 thence North 39 Degrees 19 Minutes 32 Seconds East 89 feet
 thence North 39 Degrees 52 Minutes 13 Seconds East 88 feet
 thence North 40 Degrees 06 Minutes 21 Seconds East 89.6 feet
 thence North 38 Degrees 45 Minutes 55 Seconds East 96.3 feet
 thence North 39 Degrees 46 Minutes 24 Seconds East 102.4 feet
 thence North 39 Degrees 42 Minutes 37 Seconds East 98.5 feet
 thence North 39 Degrees 24 Minutes 44 Seconds East 70.4 feet
 thence North 37 Degrees 54 Minutes 01 Seconds East 31.3 feet
 thence North 36 Degrees 38 Minutes 53 Seconds East 54.6 feet
 thence North 37 Degrees 58 Minutes 35 Seconds East 67.3 feet
 thence North 36 Degrees 11 Minutes 10 Seconds East 86.1 feet
 thence North 36 Degrees 32 Minutes 24 Seconds East 96.3 feet
 thence North 36 Degrees 39 Minutes 31 Seconds East 94.4 feet
 thence North 38 Degrees 31 Minutes 39 Seconds East 92.6 feet
 thence North 39 Degrees 17 Minutes 19 Seconds East 95.8 feet
 thence North 39 Degrees 27 Minutes 48 Seconds East 73.3 feet more or less to **the ending**

point at: 37 degrees 16 minutes 43.94 seconds North Latitude and -113 degrees 18 minutes 37.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,113,656.1 feet and Y = 10,070,513.9 feet.