

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

Ent 147056, Bk 209 Pg 756
Date: 08-MAY-2008 1:59PM
Fee: None
Filed By: CB
COLLEEN BRINKERHOFF, Recorder
WAYNE COUNTY
For: 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Wayne County as it pertains to the highway located in Wayne County known as CIGARETTE HOLLOW; County Road Number: 68; State Geographic Information Database (SGID) Road Identification Number: RD280345. Total road length is 0.55 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

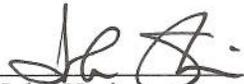
Internet at <http://recorded2477roads.utah.gov>.

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

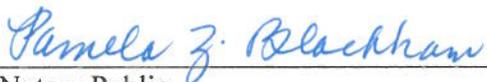
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

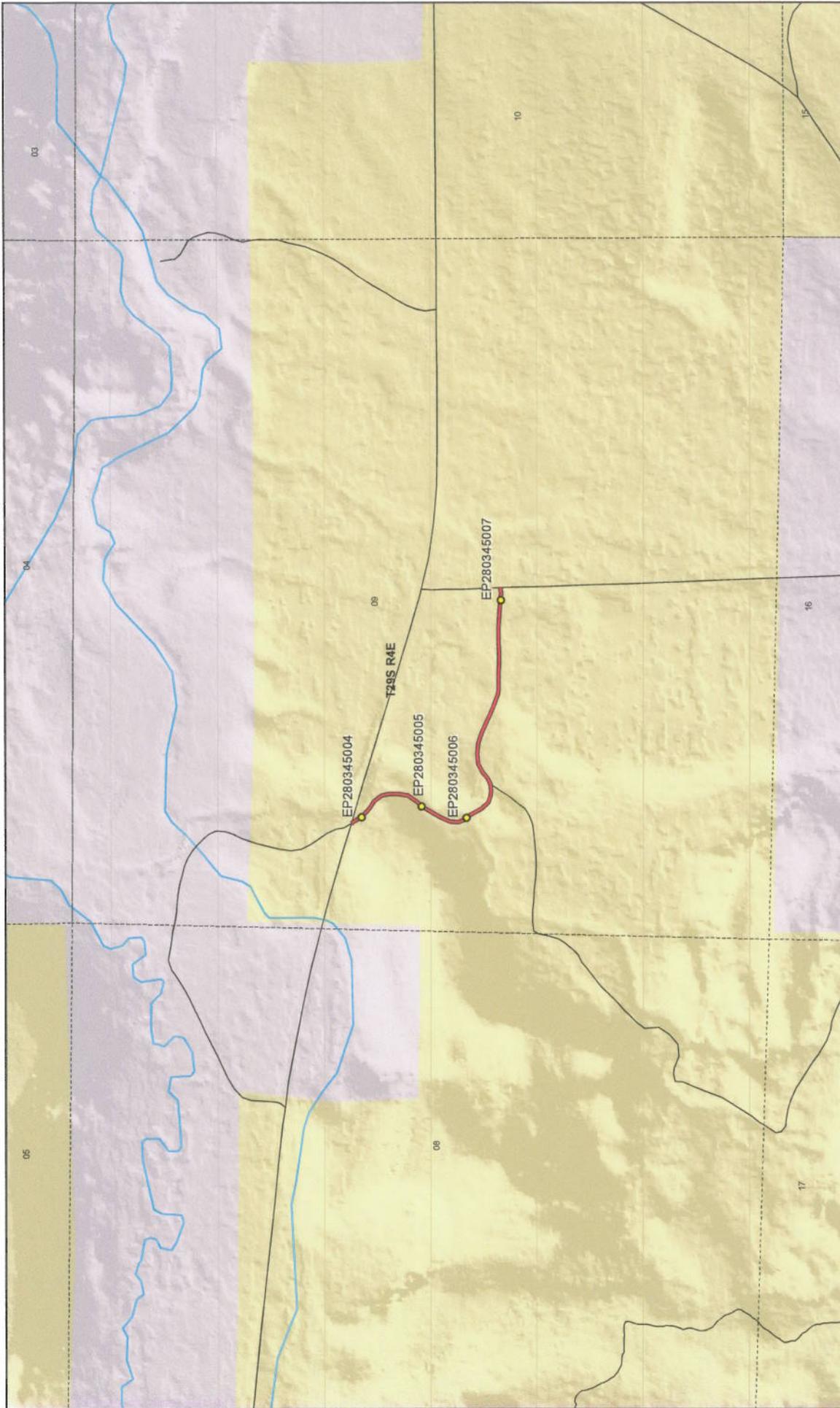
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to 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.





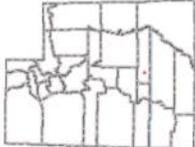
Notary Public





1:12,160
1 inch equals 0.2 miles

CIGARETTE HOLLOW - Wayne County
SGID RD_ID RD280345



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

- CIGARETTE HOLLOW
- 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
Mar 24, 2008



Attachment 2



EP280345004



EP280345005



EP280345006



EP280345007

EP000000000

EP000000000

CIGARETTE HOLLOW - Wayne County
SGID RD_ID RD280345

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
March 19, 2008



Attachment 3

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

Popular Name: CIGARETTE HOLLOW

County: Wayne

County Road Number: 68

State Geographic Information Database (SGID) Road Identification Number: RD280345.

Total Road Length: 0.55 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 18 minutes 15.18 seconds North Latitude and -111 degrees 29 minutes 4 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,644,880.7 feet and Y = 10,438,779.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 18 minutes 04.09 seconds North Latitude and -111 degrees 28 minutes 41.59 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,646,667.3 feet and Y = 10,437,658.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 29 South Range 4 East, Section(s) 9, 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: CIGARETTE HOLLOW

County: Wayne

County Road Number: 68

State Geographic Information Database (SGID) Road Identification Number: RD280345.

Total Road Length: 0.55 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
RD280345	001	BLM	0.55 Miles	A
		Total Road Length	0.55	_____

* 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 TED R. TAYLOR

CIGARETTE HOLLOW

WAYNE COUNTY, UTAH

ROAD NUMBER 68

State of Utah)
 : ss.
County of Wayne)

TED R. TAYLOR, 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 Wayne County, Utah. I have lived in Wayne County for most of the past 55years. I have been employed by the Wayne County Road Department since 1982.

2. I have traveled and am familiar with a road in Wayne County known as Cigarette Hollow. 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 2007 when I last observed it. Attached is a Wayne County map showing Cigarette Hollow. 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 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, 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 2007, I have used the road myself for the following uses: county road maintenance, shortcut to Teasdale and traveling in and through the area.

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: livestock operations and wood gathering.

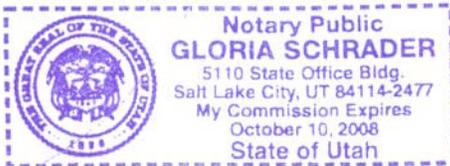
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road.

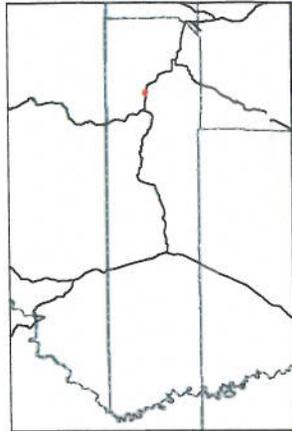
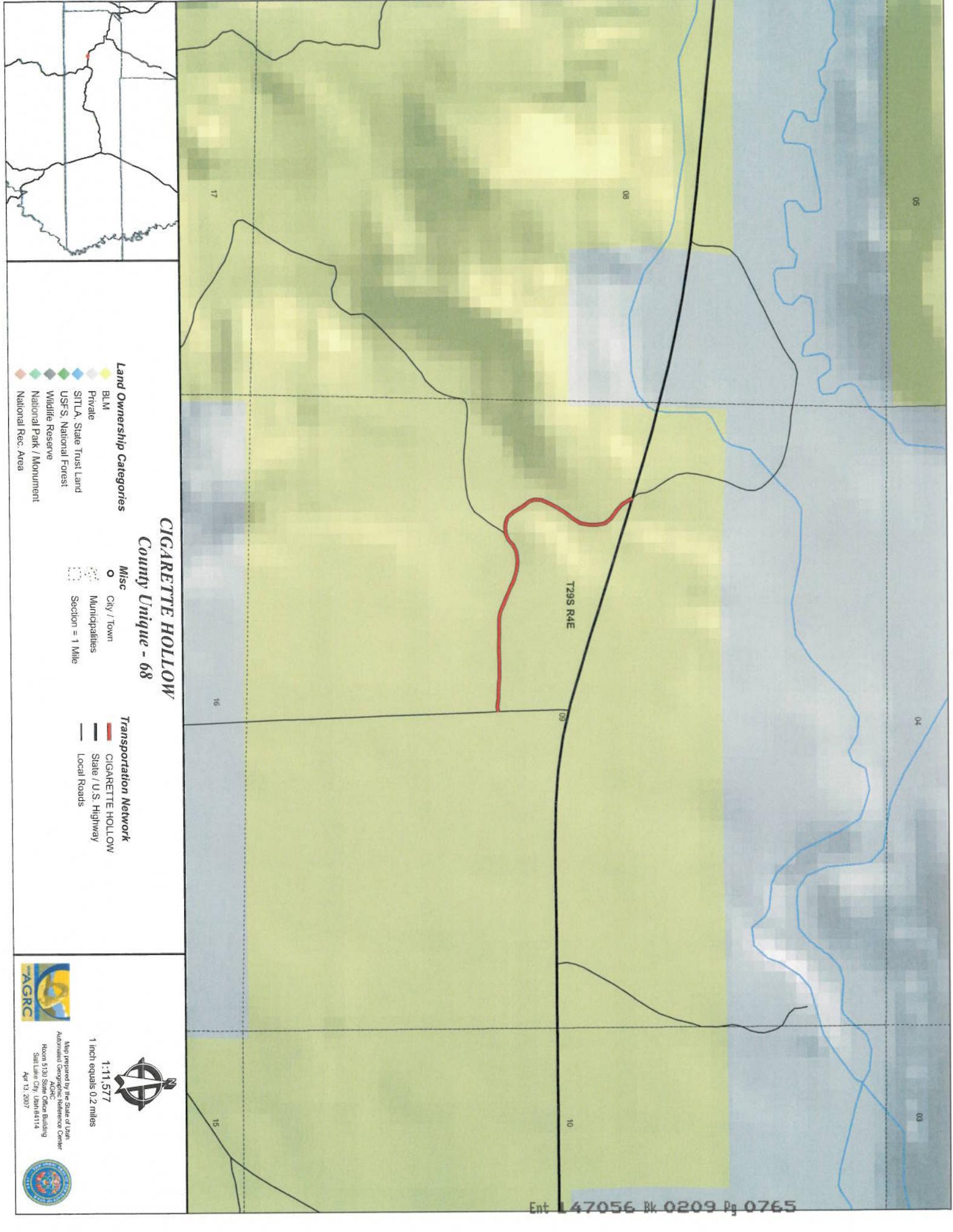
DATED this 18 day of April, 2007.


TED R. TAYLOR

SUBSCRIBED AND SWORN to before me this 18th day of April, 2007.




NOTARY PUBLIC



CIGARETTE HOLLOW
County Unique - 68

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- National Park / Monument
- National Rec. Area

Misc

- City / Town
- Municipalities
- Section = 1 Mile

Transportation Network

- CIGARETTE HOLLOW
- State / U.S. Highway
- Local Roads


 1:11,577
 1 inch equals 0.2 miles

Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Apr 11, 2007




AFFIDAVIT OF DWIGHT S. WILLIAMS

CIGARETTE HOLLOW ROAD

WAYNE COUNTY, UTAH

ROAD NUMBER 68

State of Utah)
 : ss.
County of Wayne)

DWIGHT S. WILLIAMS, 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 Wayne County, Utah. I have lived in Wayne County for 79 years.

2. I have traveled and am familiar with a road in Wayne County known as Cigarette Hollow 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 Wayne County map showing Cigarette Hollow 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 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and is presently used daily.

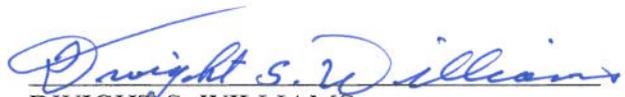
5. Throughout the time period from the late 1930s to 2006, I have used the road myself for the following uses: recreation and livestock operations.

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: mail delivery, travel to and from schools, rock hounding and hunting.

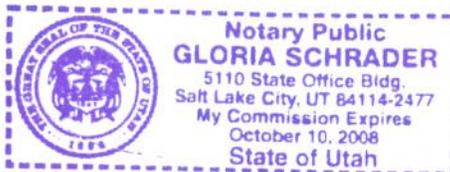
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road.

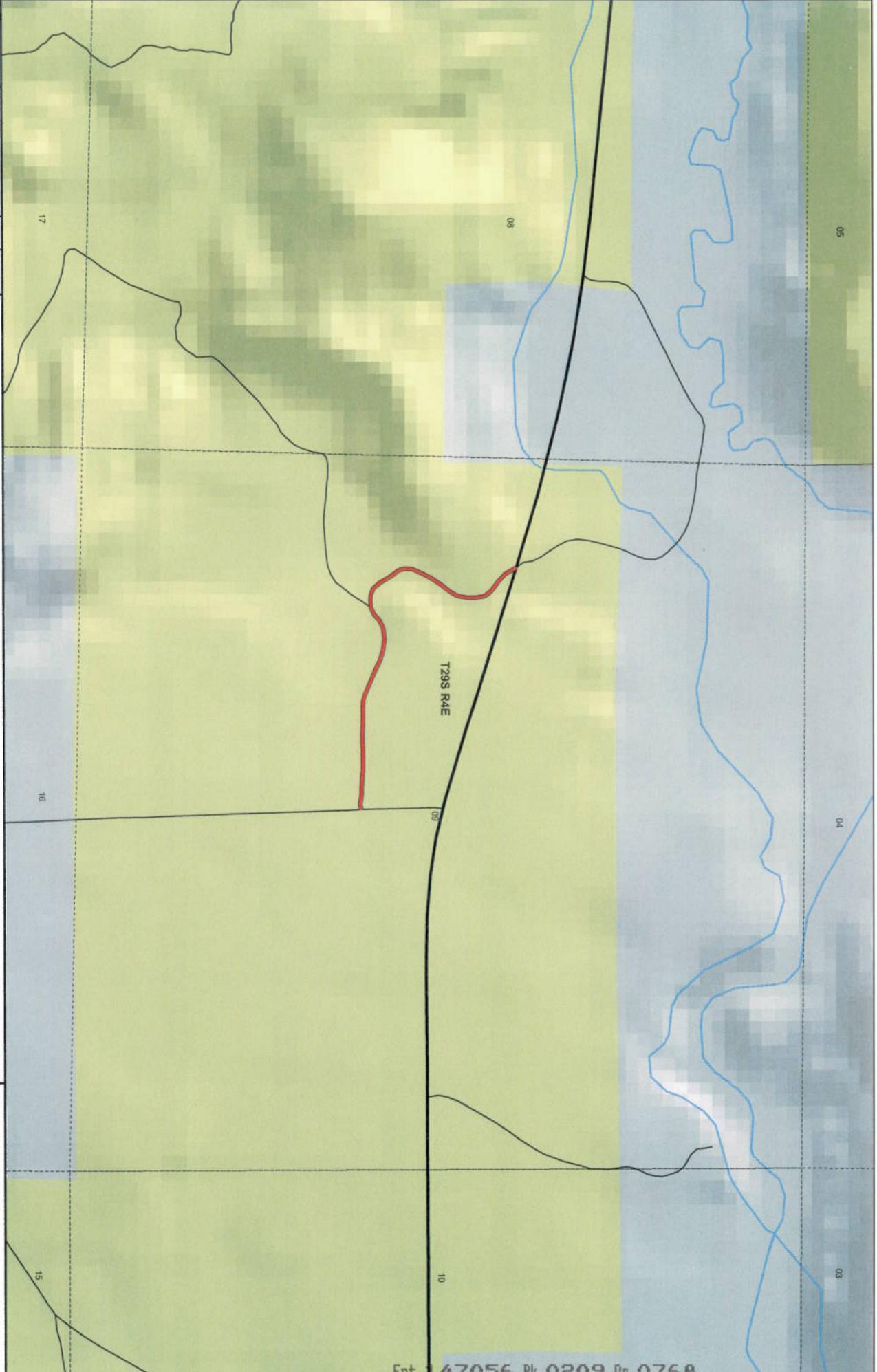
DATED this 7 day of April, 2007.


DWIGHT S. WILLIAMS

SUBSCRIBED AND SWORN to before me this 7th day of April, 2007.




NOTARY PUBLIC



CIGARETTE HOLLOW
County Unique - 68

- Land Ownership Categories**
- BLM
 - Private
 - SITLA, State Trust Land
 - USFS, National Forest
 - Wildlife Reserve
 - National Park / Monument
 - National Rec. Area

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

- Transportation Network**
- CIGARETTE HOLLOW
 - State / U.S. Highway
 - Local Roads



1:11,577

1 inch equals 0.2 miles



Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Apr 13, 2007



Appendix A to Attachment 4

Popular Name: CIGARETTE HOLLOW

County: Wayne

County Road Number: 68

State Geographic Information Database (SGID) Road Identification Number: RD280345.

Road-Segment Number: 001

Road-Segment Length: 0.55 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 29 South Range 4 East, Section(s) 9, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (CIGARETTE HOLLOW)-- 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 18 minutes 15.18 seconds North Latitude and -111 degrees 29 minutes 4 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,644,880.7 feet and Y = 10,438,779.3 feet; thence the following courses along the said road center line:

thence South 35 Degrees 21 Minutes 33 Seconds East 26.9 feet
thence South 21 Degrees 12 Minutes 27 Seconds East 19.3 feet
thence South 32 Degrees 09 Minutes 31 Seconds East 51 feet
thence South 48 Degrees 27 Minutes 03 Seconds East 76.2 feet
thence South 54 Degrees 58 Minutes 24 Seconds East 76 feet
thence South 39 Degrees 13 Minutes 44 Seconds East 67.9 feet
thence South 09 Degrees 58 Minutes 34 Seconds East 60.6 feet
thence South 00 Degrees 47 Minutes 11 Seconds West 68.6 feet
thence South 09 Degrees 24 Minutes 12 Seconds West 73.9 feet
thence South 32 Degrees 49 Minutes 11 Seconds West 74.5 feet
thence South 39 Degrees 03 Minutes 51 Seconds West 78.1 feet

thence South 32 Degrees 06 Minutes 20 Seconds West 77.8 feet
 thence South 27 Degrees 02 Minutes 24 Seconds West 75 feet
 thence South 23 Degrees 58 Minutes 44 Seconds West 70.2 feet
 thence South 03 Degrees 08 Minutes 56 Seconds West 59.8 feet
 thence South 20 Degrees 09 Minutes 15 Seconds East 46.4 feet
 thence South 39 Degrees 31 Minutes 38 Seconds East 36.9 feet
 thence South 33 Degrees 31 Minutes 45 Seconds East 44.3 feet
 thence South 29 Degrees 00 Minutes 56 Seconds East 78.6 feet
 thence South 43 Degrees 57 Minutes 34 Seconds East 68.9 feet
 thence South 72 Degrees 20 Minutes 26 Seconds East 51.1 feet
 thence South 84 Degrees 01 Minutes 22 Seconds East 39 feet
 thence North 85 Degrees 24 Minutes 38 Seconds East 48.4 feet
 thence North 65 Degrees 09 Minutes 33 Seconds East 53.8 feet
 thence North 47 Degrees 31 Minutes 44 Seconds East 56.2 feet
 thence North 63 Degrees 21 Minutes 42 Seconds East 71 feet
 thence North 84 Degrees 21 Minutes 52 Seconds East 77.8 feet
 thence South 84 Degrees 42 Minutes 53 Seconds East 80.8 feet
 thence South 72 Degrees 37 Minutes 53 Seconds East 86.5 feet
 thence South 65 Degrees 34 Minutes 56 Seconds East 82.4 feet
 thence South 67 Degrees 22 Minutes 39 Seconds East 74.1 feet
 thence South 65 Degrees 53 Minutes 20 Seconds East 66.7 feet
 thence South 68 Degrees 11 Minutes 25 Seconds East 54.9 feet
 thence South 76 Degrees 16 Minutes 24 Seconds East 40.6 feet
 thence South 83 Degrees 35 Minutes 59 Seconds East 28.1 feet
 thence South 88 Degrees 10 Minutes 22 Seconds East 44 feet
 thence South 89 Degrees 49 Minutes 04 Seconds East 76.5 feet
 thence South 89 Degrees 24 Minutes 01 Seconds East 82.7 feet
 thence North 89 Degrees 41 Minutes 24 Seconds East 81.7 feet
 thence North 88 Degrees 53 Minutes 40 Seconds East 70.9 feet
 thence North 88 Degrees 09 Minutes 31 Seconds East 61.4 feet
 thence North 89 Degrees 22 Minutes 31 Seconds East 59.7 feet
 thence South 85 Degrees 32 Minutes 46 Seconds East 63.2 feet
 thence South 86 Degrees 38 Minutes 16 Seconds East 61.5 feet
 thence South 87 Degrees 55 Minutes 25 Seconds East 55.2 feet
 thence South 83 Degrees 58 Minutes 10 Seconds East 44.6 feet
 thence South 80 Degrees 21 Minutes 32 Seconds East 19 feet
 thence South 78 Degrees 12 Minutes 53 Seconds East 4.7 feet
 thence North 87 Degrees 34 Minutes 08 Seconds East 17.7 feet
 thence North 79 Degrees 43 Minutes 05 Seconds East 30.3 feet more or less to **the ending**

point at: 38 degrees 18 minutes 04.09 seconds North Latitude and -111 degrees 28 minutes 41.59 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,646,667.3 feet and Y = 10,437,658.0 feet.