

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

Ent 147057 Bk 209 Pg 769
Date: 08-MAY-2008 2:01PM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 DICK PACE ROAD; County Road Number: 71; State Geographic Information Database (SGID) Road Identification Number: RD280346. Total road length is 0.31 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

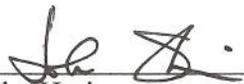
Internet at <http://recorded2477roads.utah.gov>.

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)

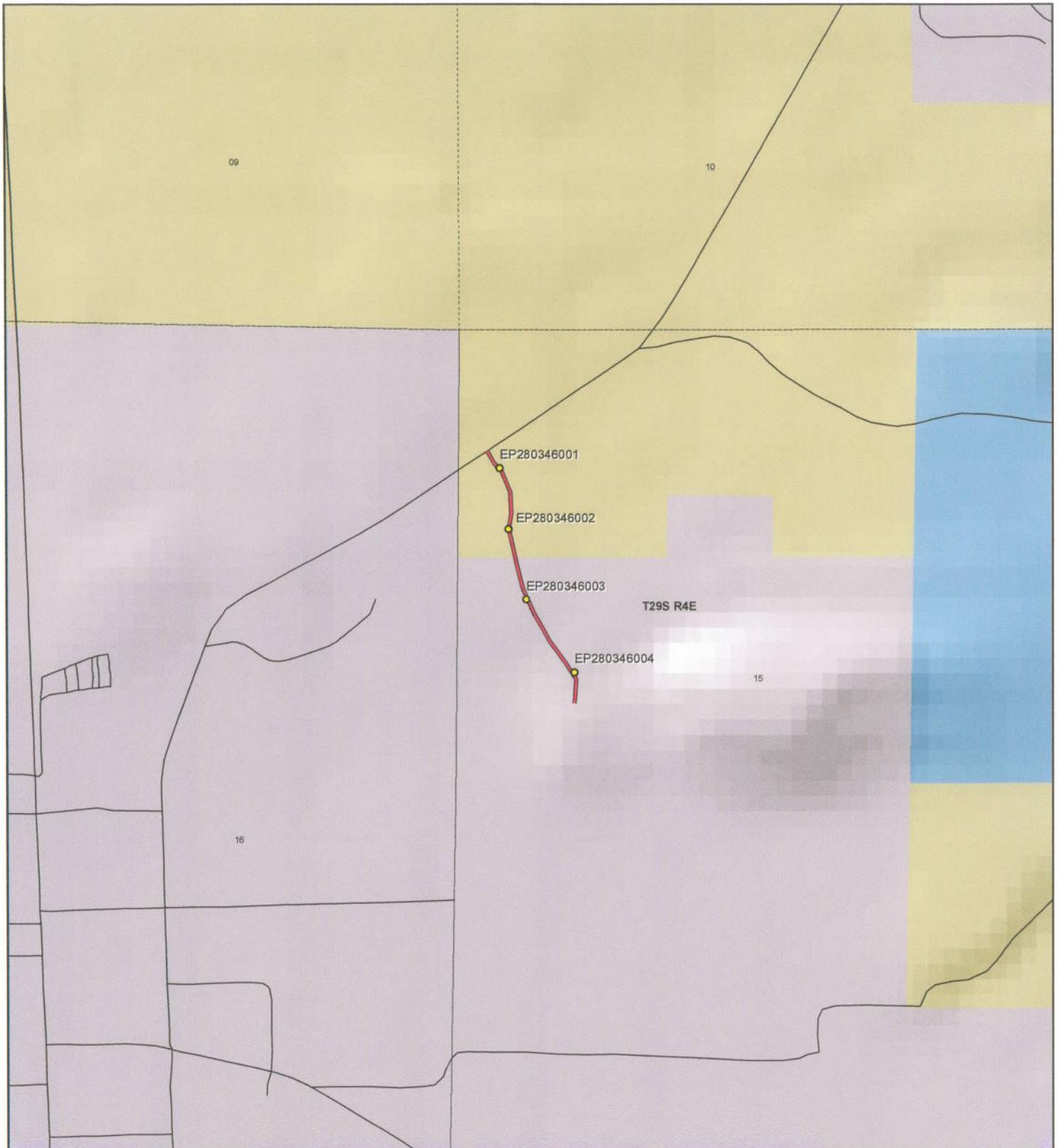
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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



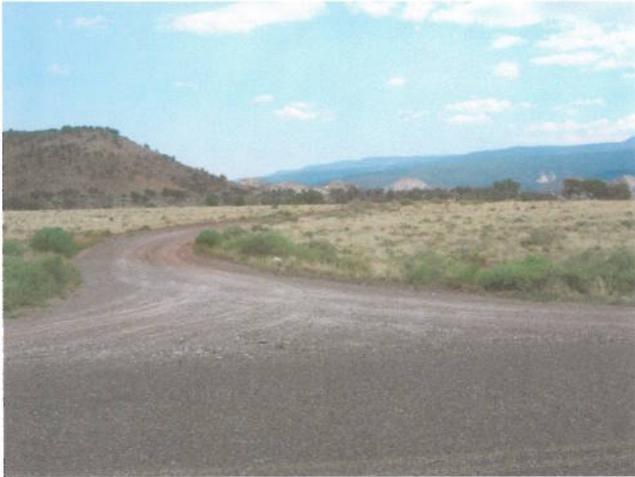


Notary Public



<p>1:9,177 1 inch equals 0.1 miles</p>		<p align="center">DICK PACE ROAD - Wayne County SGID RD_ID RD280346</p> <table border="0"> <tr> <td colspan="2">Land Ownership Categories</td> <td colspan="2">Transportation Network</td> </tr> <tr> <td> BLM</td> <td> Wilderness</td> <td> DICK PACE ROAD</td> <td> Title V: Issued Or Under Consideration By BLM Or County</td> </tr> <tr> <td> Private</td> <td> UDWR Wildlife Reserve</td> <td> Other Roads</td> <td> Photo Event Point</td> </tr> <tr> <td> SITLA, State Trust Land</td> <td> DOD, Military</td> <td> Section = 1 Mile</td> <td></td> </tr> <tr> <td> USFS, National Forest</td> <td> State Sovereign Land</td> <td></td> <td></td> </tr> <tr> <td> State Parks and Recreation</td> <td> National Recreation Area</td> <td></td> <td></td> </tr> <tr> <td> Tribal, Indian Reservation</td> <td> USFWS, Natl. Wildlife Refuge</td> <td></td> <td></td> </tr> <tr> <td> NPS, National Park</td> <td></td> <td></td> <td></td> </tr> </table>	Land Ownership Categories		Transportation Network		BLM	Wilderness	DICK PACE ROAD	Title V: Issued Or Under Consideration By BLM Or County	Private	UDWR Wildlife Reserve	Other Roads	Photo Event Point	SITLA, State Trust Land	DOD, Military	Section = 1 Mile		USFS, National Forest	State Sovereign Land			State Parks and Recreation	National Recreation Area			Tribal, Indian Reservation	USFWS, Natl. Wildlife Refuge			NPS, National Park				<p>Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 Mar 17, 2008</p>
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Attachment 2



EP280346001



EP280346002



EP280346003



EP280346004

EP000000000

EP000000000

DICK PACE ROAD - Wayne County
SGID RD_ID RD280346

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: DICK PACE ROAD

County: Wayne

County Road Number: 71

State Geographic Information Database (SGID) Road Identification Number: RD280346.

Total Road Length: 0.31 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 17 minutes 21.33 seconds North Latitude and -111 degrees 27 minutes 059.5 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,650,023.7 feet and Y = 10,433,332.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 17 minutes 35.94 seconds North Latitude and -111 degrees 28 minutes 06.08 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,649,499.1 feet and Y = 10,434,810.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 29 South Range 4 East, Section(s) 15, 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: DICK PACE ROAD

County: Wayne

County Road Number: 71

State Geographic Information Database (SGID) Road Identification Number: RD280346.

Total Road Length: 0.31 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
RD280346	001	PVT	0.18 Miles	(not shown)
RD280346	002	BLM	0.13 Miles	A
		Total Road Length	0.31	_____

* 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

DICK PACE ROAD

WAYNE COUNTY, UTAH

ROAD NUMBER 71

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 Dick Pace 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 2007 when I last observed it. Attached is a Wayne County map showing Dick Pace 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 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, livestock operations 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: residential access and wood gathering.

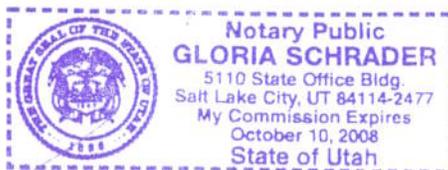
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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



T29S R4E

09

10

16

15



DICK PACE ROAD
County Unique - 71

Land Ownership Categories

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

Transportation Network

- DICK PACE ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities



1:9,027
1 inch equals 0.1 miles



Map prepared by the State of Utah
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 12, 2007



Ent: 147057 Bk 0209 Pg 1

AFFIDAVIT OF DWIGHT S. WILLIAMS

DICK PACE ROAD

WAYNE COUNTY, UTAH

ROAD NUMBER 71

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 Dick Pace 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 2007 when I last observed it. Attached is a Wayne County map showing Dick Pace 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 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 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 2007, I have used the road

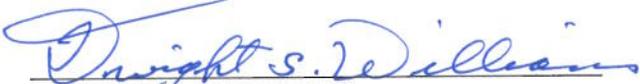
myself for the following uses: traveling through the area, hunting, recreation and livestock operations.

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: tourism and sight seeing.

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 graders performing maintenance and construction activities on the road.

DATED this 17 day of April, 2007.


DWIGHT S. WILLIAMS

SUBSCRIBED AND SWORN to before me this 17th day of April, 2007.




NOTARY PUBLIC



DICK PACE ROAD
County Unique - 71

Land Ownership Categories

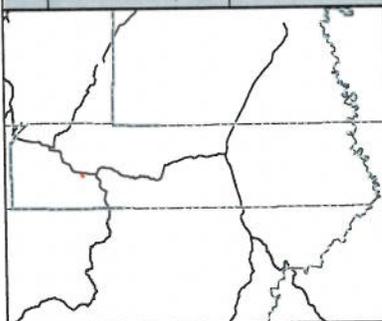
- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- National Park / Monument
- National Rec. Area

Transportation Network

- DICK PACE ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities



1:9,027

1 inch equals 0.1 miles



Map prepared by the State of Utah
 AGRC
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Apr 12, 2007



Ent 147057 Bk 0209 P4 GR 81

Appendix A to Attachment 4

Popular Name: DICK PACE ROAD

County: Wayne

County Road Number: 71

State Geographic Information Database (SGID) Road Identification Number: RD280346.

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 29 South Range 4 East, Section(s) 15, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (DICK PACE 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 38 degrees 17 minutes 29.82 seconds North Latitude and -111 degrees 28 minutes 4 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,649,664.9 feet and Y = 10,434,191.8 feet; thence the following courses along the said road center line:

thence North 12 Degrees 22 Minutes 14 Seconds West 69.2 feet
thence North 13 Degrees 05 Minutes 18 Seconds West 97.9 feet
thence North 08 Degrees 18 Minutes 00 Seconds East 94.3 feet
thence North 02 Degrees 57 Minutes 42 Seconds West 120.6 feet
thence North 21 Degrees 45 Minutes 26 Seconds West 128.4 feet
thence North 42 Degrees 43 Minutes 25 Seconds West 72 feet

thence North 29 Degrees 35 Minutes 27 Seconds West 80.5 feet more or less to **the ending point at:** 38 degrees 17 minutes 35.94 seconds North Latitude and -111 degrees 28 minutes 06.08 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,649,499.1 feet and Y = 10,434,810.6 feet.