

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

Ent 416110 Bk A571 Pg 342  
Date: 17-JUN-2009 10:16AM  
Fee: None  
Filed By: CC  
CAROLYNE MADSEN, Recorder  
DUCHEсне COUNTY CORPORATION  
For: 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Duchesne County as it pertains to the highway located in Duchesne County known as 505; County Road Number: 505; State Geographic Information Database (SGID) Road Identification Number: RD070019. Total road length is 0.97 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 10<sup>th</sup> day of June, 2009.

By the Governor's Designee

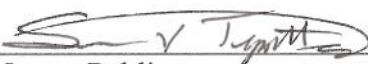
  
\_\_\_\_\_  
John Harja

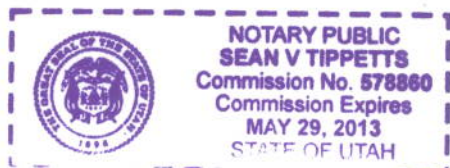
### CERTIFICATION

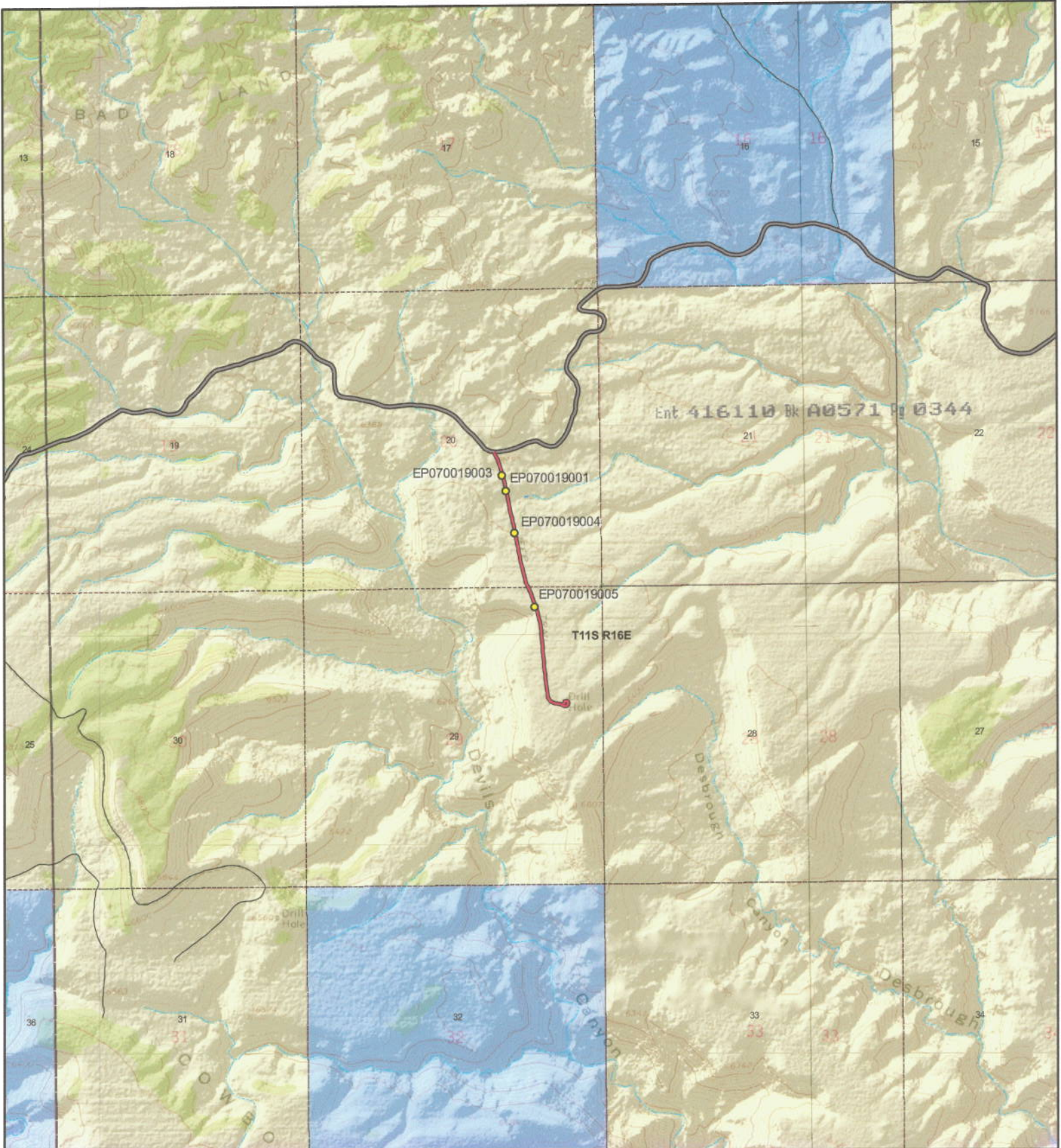
State of Utah                    )  
  : ss  
County of Salt Lake         )

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 10<sup>th</sup> day of JUNE, 2009.

  
\_\_\_\_\_  
Notary Public

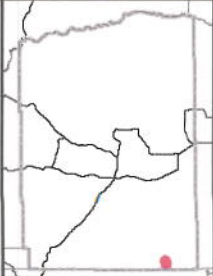




**505 - Duchesne County**  
**SGID RD\_ID RD070019 CO\_UNIQUE 505**

- |  |   |  |
|--|---|--|
| <b>Land Ownership Categories</b>   | <b>Misc</b>   | <b>Transportation Network</b>  |
| <ul style="list-style-type: none"> <li><span style="color: yellow;">■</span> BLM</li> <li><span style="color: lightblue;">■</span> Private</li> <li><span style="color: lightgreen;">■</span> SITLA, State Trust Land</li> <li><span style="color: green;">■</span> USFS, National Forest</li> <li><span style="color: blue;">■</span> State Parks and Recreation</li> <li><span style="color: purple;">■</span> UDWR Wildlife Reserve</li> <li><span style="color: orange;">■</span> Tribal</li> <li><span style="color: darkgreen;">■</span> Wilderness</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: yellow;">●</span> Photo Event Point</li> <li><span style="border: 1px dashed black; display: inline-block; width: 10px; height: 10px;"></span> Section = 1 Mile</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: red;">—</span> 505</li> <li><span style="color: red;">—</span> Title V: Issued Or Under Consideration By BLM Or County</li> <li><span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> County B Road</li> <li><span style="border-bottom: 4px solid black; width: 20px; display: inline-block;"></span> State / U.S. Highway</li> <li><span style="border-bottom: 1px solid black; width: 20px; display: inline-block;"></span> Other Roads</li> </ul> |

Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Dec 04, 2008



Scale  
 1:27,579  
 1 inch = 0.44 miles



EP070019001



EP070019003



EP070019005



EP070019004

EP000000000

Ent 416110 Bk A0571 Pg 0345

EP000000000

505 - Duchesne County  
SGID RD\_ID RD070019

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
January 28, 2009



### Attachment 3

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

**Popular Name: 505**

**County: Duchesne**

**County Road Number: 505**

**State Geographic Information Database (SGID) Road Identification Number: RD070019.**

**Total Road Length: 0.97 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 49 minutes 46.79 seconds North Latitude and -110 degrees 08 minutes 28.23 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,022,000.4 feet and Y = 7,109,578.4 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 50 minutes 31.31 seconds North Latitude and -110 degrees 08 minutes 43.31 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,020,755.6 feet and Y = 7,114,064.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 11 South Range 16 East, Section(s) 20,29, 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: 505**

**County: Duchesne**

**County Road Number: 505**

**State Geographic Information Database (SGID) Road Identification Number: RD070019.**

**Total Road Length: 0.97 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>RD070019</b>	<b>001</b>	<b>BLM</b>	<b>0.97 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>0.97</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

**AFFIDAVIT OF JAMES L. BROWN**

**505 ROAD**

**DUCHESNE COUNTY, UTAH**

**DUCHESNE COUNTY ROAD 505**

State of Utah            )  
                                  : ss.  
County of Duchesne    )

I, JAMES L. BROWN, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on May 10, 1942, in Evanston, Wyoming. I have lived in Duchesne County since 1970. I did seasonal work for the BLM and Forest Service in Duchesne County from 1965 to 1970.

2. I have traveled and am familiar with 505 Road, Duchesne County Road 505, and the land it traverses.

3. I took the following steps to verify that the Road I refer to in this affidavit and 505 Road (the "Road") are the same road:

a. I examined a large Duchesne County map depicting the Road in relation to other roads, intersections and landmarks. I observed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.

b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.

c. I examined ground photos depicting the road and surrounding area and verified that the Road is accurately depicted in the photos and is the Road I refer to herein.

4. I have personally traveled the Road from 1965 through 1976 and continuing until 1995 ("the Time Period of My Experience"). It is the reputation in the community that the Road has been traveled as early as the 1940s.



5. When I last traveled and observed the Road in 1995, it followed the same route as in 1965, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled monthly, weather permitting. Based upon my observation during the Time Period of My Experience, the Road was continuously used as a public thoroughfare by members of the public for public purposes whenever it was necessary and convenient for them to do so and I have never known the use of the road to have been interrupted by any means.

7. During the Time Period of My Experience I have personally traveled the Road by horseback, pick up truck and water truck and have observed others traveling the road in pick up trucks, ATVs, and rock hauling trucks.

8. During the Time Period of My Experience I have personally used the Road for neighboring livestock operations and hunting and have observed others use the Road for the same purposes, plus recreation.

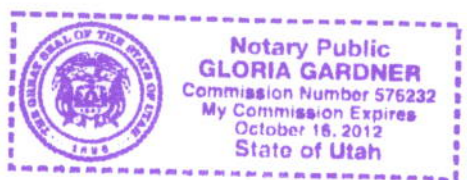
9. Prior to 1976, I observed evidence of road maintenance on portions of the road.

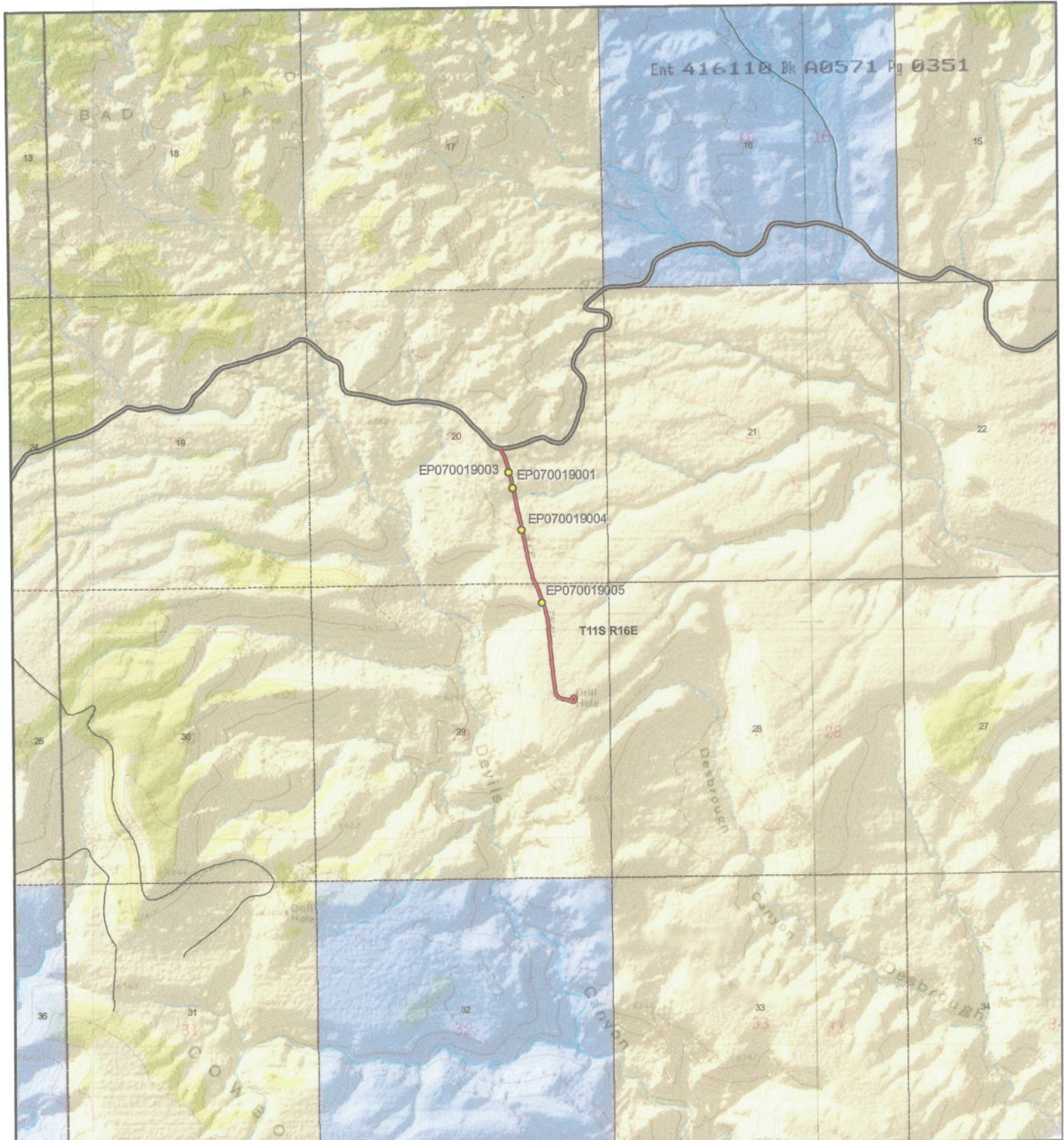
DATED this 19<sup>th</sup> day of December, 2008.

James L. Brown  
JAMES L. BROWN

SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of December, 2008.

Gloria Gardner  
NOTARY PUBLIC





**505 - Duchesne County**  
**SGID RD\_ID RD070019 CO\_UNIQUE 505**

- |   |  |  |
|---|--|--|
| <b>Land Ownership Categories</b>  | <b>Misc</b>  | <b>Transportation Network</b>  |
| <ul style="list-style-type: none"> <li><span style="color: yellow;">●</span> BLM</li> <li><span style="color: lightblue;">●</span> Private</li> <li><span style="color: blue;">●</span> SITLA, State Trust Land</li> <li><span style="color: green;">●</span> USFS, National Forest</li> <li><span style="color: purple;">●</span> State Parks and Recreation</li> <li><span style="color: brown;">●</span> UDWR Wildlife Reserve</li> <li><span style="color: orange;">●</span> Tribal</li> <li><span style="color: darkgreen;">●</span> Wilderness</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: red;">●</span> Photo Event Point</li> <li><span style="border: 1px dashed black; display: inline-block; width: 10px; height: 10px;"></span> Section = 1 Mile</li> </ul> | <ul style="list-style-type: none"> <li><span style="color: red;">—</span> 505</li> <li><span style="color: red;">—</span> Title V: Issued Or Under Consideration By BLM Or County</li> <li><span style="color: grey;">—</span> County B Road</li> <li><span style="color: black;">—</span> State / U.S. Highway</li> <li><span style="color: black;">—</span> Other Roads</li> </ul> |

Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Dec 04, 2008



**AFFIDAVIT OF LEON FILLINGIM**  
**505 ROAD**  
**DUCHESNE COUNTY, UTAH**  
**DUCHESNE COUNTY ROAD 505**

State of Utah            )  
                                  : ss.  
County of Duchesne    )

I, LEON FILLINGIM, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on May 21, 1938, in Vernal, Uintah County, Utah. I have lived in Duchesne County all of my life. I supervised the maintenance of Roads in Duchesne County as Superintendent of the County Road Department from 1988 to 1996. I was also a road grader operator from 1964 to 1988. During the time of my employment with Duchesne county I used heavy machinery to construct and grade roads in the summer and to open snowbound roads in the winter.

2. I have traveled and am familiar with 505 Road, Duchesne County Road 505 and the land it traverses.

3. I took the following steps to verify that the road I refer to in this affidavit and 505 Road (the " Road") are the same road:

a. I examined a large Duchesne County map depicting the Road in relation to other roads, intersections and landmarks. I observed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.

b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.

c. I examined ground photography depicting the Road and surrounding area and verified that the Road is accurately depicted in the ground photography.

4. I personally traveled the Road from the late 1950s through 1976 and continuing until 2005, (“the Time Period of My Experience”). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection.

5. When I last traveled and observed the Road in 2005, it followed the same route as in the late 1950s, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled monthly, weather permitting. Based upon my observation during the Time Period of My Experience, the road was continuously used as a public thoroughfare by members of the public for public purposes whenever it was necessary and convenient for them to do so and I have never known the use of the road to have been interrupted by any means.

7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and I have observed others from the general public use the Road by the same means.

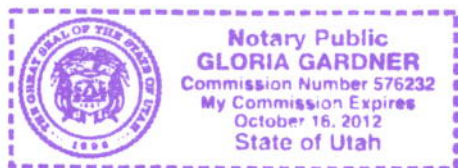
8. During the Time Period of My Experience I have personally used the Road for hunting and recreation and I have observed others from the general public using the Road for the same purposes, plus livestock operations.

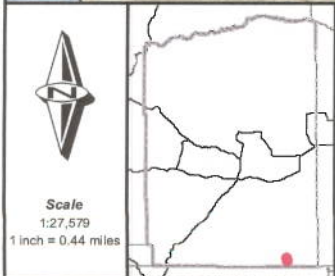
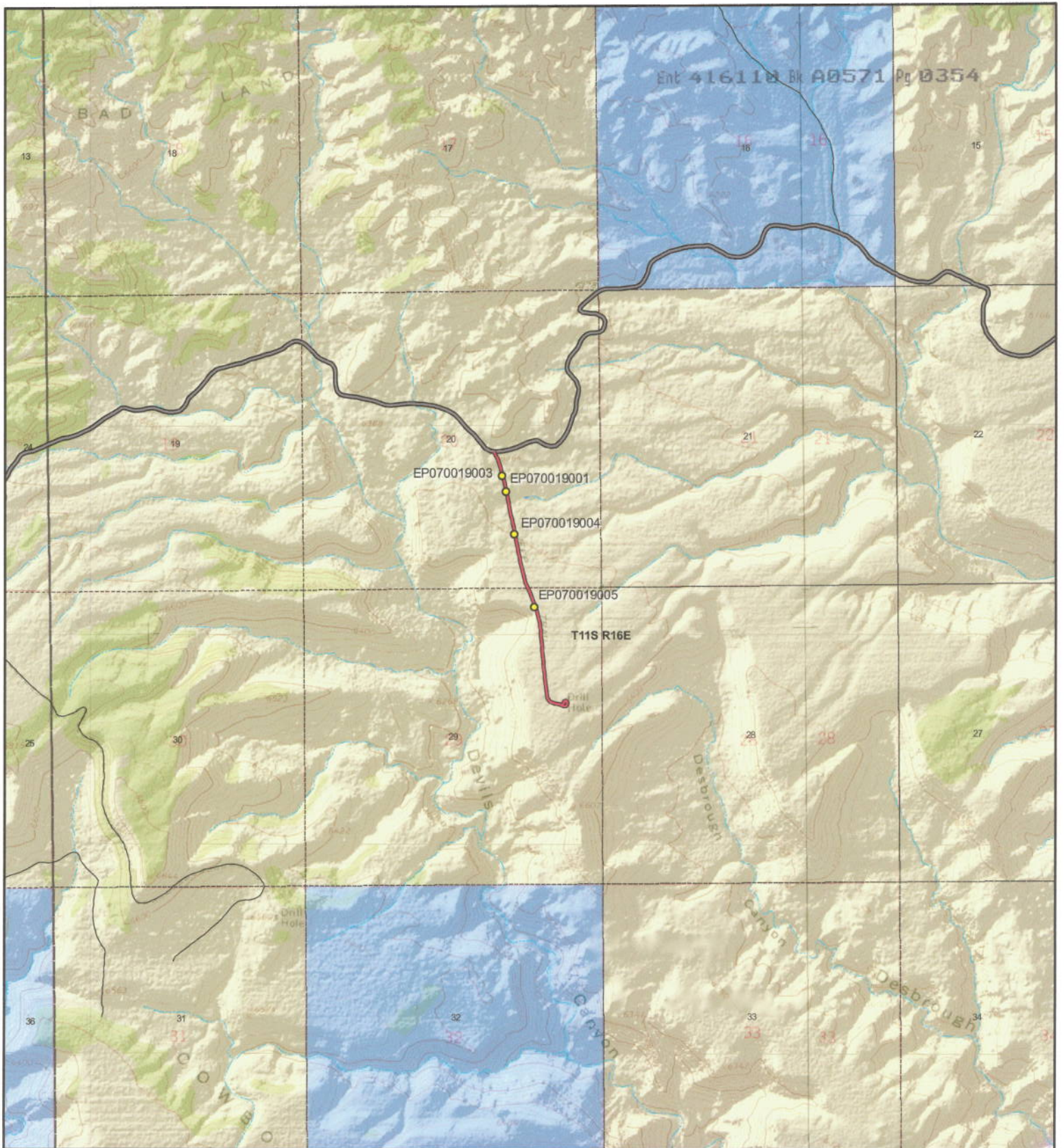
DATED this 9 day of December, 2008.

Leon Fillingim  
LEON FILLINGIM

SUBSCRIBED AND SWORN to before me this 9th day of December, 2008.

Gloria Gardner  
NOTARY PUBLIC







**505 - Duchesne County**  
**SGID RD\_ID RD070019 CO\_UNIQUE 505**

<b>Land Ownership Categories</b>	<b>Misc</b>	<b>Transportation Network</b>
<ul style="list-style-type: none"> <li><span style="color: yellow;">◆</span> BLM</li> <li><span style="color: pink;">◆</span> Private</li> <li><span style="color: lightblue;">◆</span> SITLA, State Trust Land</li> <li><span style="color: blue;">◆</span> USFS, National Forest</li> <li><span style="color: green;">◆</span> State Parks and Recreation</li> <li><span style="color: brown;">◆</span> UDWR Wildlife Reserve</li> <li><span style="color: grey;">◆</span> Tribal</li> <li><span style="color: darkgreen;">◆</span> Wilderness</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: yellow;">●</span> Photo Event Point</li> <li><span style="border: 1px dashed black; display: inline-block; width: 10px; height: 10px;"></span> Section = 1 Mile</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: red;">—</span> 505</li> <li><span style="color: red;">—</span> Title V: Issued Or Under Consideration By BLM Or County</li> <li><span style="color: black;">—</span> County B Road</li> <li><span style="color: black;">—</span> State / U.S. Highway</li> <li><span style="color: black;">—</span> Other Roads</li> </ul>

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Dec 04, 2008

## Appendix A to Attachment 4

**Popular Name: 505**

**County: Duchesne**

**County Road Number: 505**

**State Geographic Information Database (SGID) Road Identification Number: RD070019.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.97 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 11 South Range 16 East, Section(s) 20,29, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (505)--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 49 minutes 46.79 seconds North Latitude and -110 degrees 08 minutes 28.23 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,022,000.4 feet and Y = 7,109,578.4 feet; thence the following courses along the said road center line:

thence North 46 Degrees 53 Minutes 13 Seconds East 31.9 feet  
thence North 37 Degrees 45 Minutes 42 Seconds East 36.6 feet  
thence North 72 Degrees 38 Minutes 17 Seconds East 31.6 feet  
thence South 50 Degrees 02 Minutes 07 Seconds East 34.2 feet  
thence South 00 Degrees 59 Minutes 19 Seconds West 35.9 feet  
thence South 38 Degrees 22 Minutes 01 Seconds West 42.4 feet  
thence North 85 Degrees 52 Minutes 35 Seconds West 51.2 feet  
thence North 65 Degrees 52 Minutes 05 Seconds West 75.2 feet  
thence North 78 Degrees 27 Minutes 48 Seconds West 88.3 feet  
thence North 72 Degrees 28 Minutes 39 Seconds West 88.4 feet  
thence North 32 Degrees 14 Minutes 56 Seconds West 88.2 feet  
thence North 08 Degrees 31 Minutes 52 Seconds West 88.9 feet

thence North 05 Degrees 51 Minutes 44 Seconds West 86.6 feet  
thence North 06 Degrees 18 Minutes 00 Seconds West 87.6 feet  
thence North 06 Degrees 02 Minutes 57 Seconds West 81.2 feet  
thence North 06 Degrees 55 Minutes 42 Seconds West 68.2 feet  
thence North 07 Degrees 02 Minutes 09 Seconds West 56.4 feet  
thence North 05 Degrees 34 Minutes 30 Seconds West 87.4 feet  
thence North 06 Degrees 05 Minutes 09 Seconds West 88.5 feet  
thence North 05 Degrees 36 Minutes 20 Seconds West 88 feet  
thence North 05 Degrees 15 Minutes 45 Seconds West 95.2 feet  
thence North 05 Degrees 20 Minutes 48 Seconds West 90.3 feet  
thence North 06 Degrees 19 Minutes 45 Seconds West 82.8 feet  
thence North 05 Degrees 41 Minutes 24 Seconds West 78.5 feet  
thence North 05 Degrees 15 Minutes 46 Seconds West 89.9 feet  
thence North 06 Degrees 12 Minutes 06 Seconds West 91.9 feet  
thence North 08 Degrees 00 Minutes 56 Seconds West 85 feet  
thence North 14 Degrees 17 Minutes 28 Seconds West 83.7 feet  
thence North 16 Degrees 12 Minutes 58 Seconds West 99.6 feet  
thence North 17 Degrees 32 Minutes 08 Seconds West 114.1 feet  
thence North 19 Degrees 14 Minutes 25 Seconds West 115.2 feet  
thence North 22 Degrees 55 Minutes 02 Seconds West 114.5 feet  
thence North 23 Degrees 20 Minutes 00 Seconds West 113.2 feet  
thence North 23 Degrees 04 Minutes 44 Seconds West 7.3 feet  
thence North 23 Degrees 02 Minutes 07 Seconds West 100.1 feet  
thence North 17 Degrees 16 Minutes 08 Seconds West 99.6 feet  
thence North 10 Degrees 58 Minutes 30 Seconds West 98 feet  
thence North 12 Degrees 28 Minutes 01 Seconds West 100.9 feet  
thence North 13 Degrees 24 Minutes 18 Seconds West 92 feet  
thence North 12 Degrees 31 Minutes 00 Seconds West 86.5 feet  
thence North 11 Degrees 02 Minutes 00 Seconds West 90.2 feet  
thence North 11 Degrees 07 Minutes 49 Seconds West 91.5 feet  
thence North 11 Degrees 49 Minutes 36 Seconds West 88.2 feet  
thence North 12 Degrees 02 Minutes 26 Seconds West 88 feet  
thence North 12 Degrees 19 Minutes 57 Seconds West 92.4 feet  
thence North 11 Degrees 36 Minutes 18 Seconds West 88.5 feet  
thence North 12 Degrees 05 Minutes 15 Seconds West 84.6 feet  
thence North 13 Degrees 22 Minutes 47 Seconds West 73.8 feet  
thence North 12 Degrees 20 Minutes 41 Seconds West 71.2 feet  
thence North 12 Degrees 26 Minutes 06 Seconds West 65.5 feet  
thence North 12 Degrees 39 Minutes 39 Seconds West 66.2 feet  
thence North 10 Degrees 52 Minutes 39 Seconds West 72.5 feet  
thence North 10 Degrees 19 Minutes 58 Seconds West 69.1 feet  
thence North 11 Degrees 46 Minutes 40 Seconds West 54.8 feet  
thence North 11 Degrees 34 Minutes 52 Seconds West 52.9 feet  
thence North 12 Degrees 39 Minutes 23 Seconds West 21.2 feet  
thence North 12 Degrees 01 Minutes 05 Seconds West 79.8 feet  
thence North 13 Degrees 06 Minutes 43 Seconds West 80.6 feet  
thence North 13 Degrees 52 Minutes 14 Seconds West 78.9 feet  
thence North 13 Degrees 52 Minutes 42 Seconds West 67.7 feet  
thence North 14 Degrees 50 Minutes 17 Seconds West 57.7 feet

thence North 15 Degrees 11 Minutes 52 Seconds West 54.2 feet

thence North 16 Degrees 27 Minutes 18 Seconds West 45 feet

thence North 17 Degrees 56 Minutes 03 Seconds West 60.8 feet

thence North 20 Degrees 03 Minutes 12 Seconds West 79.7 feet

thence North 27 Degrees 11 Minutes 25 Seconds West 68.9 feet

thence North 33 Degrees 05 Minutes 04 Seconds West 54.1 feet

thence North 32 Degrees 44 Minutes 59 Seconds West 27.7 feet more or less to **the ending**

**point at:** 39 degrees 50 minutes 31.31 seconds North Latitude and -110 degrees 08 minutes 43.31 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,020,755.6 feet and Y = 7,114,064.2 feet.