

Ent 390327 Page 1 of 13
Date: 07-MAY-2000 9:45AM
Fee: None
Filed By: DKS
DIXIE SWASEY, Recorder
EMERY COUNTY CORPORATION
For: GOVERNOR/STATE OF UTAH

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

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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Emery County as it pertains to the highway located in Emery County known as TAYLOR FLAT CUTOFF; County Road Number: 1033; State Geographic Information Database (SGID) Road Identification Number: RD080038. Total road length is 2.63 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 17th 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.

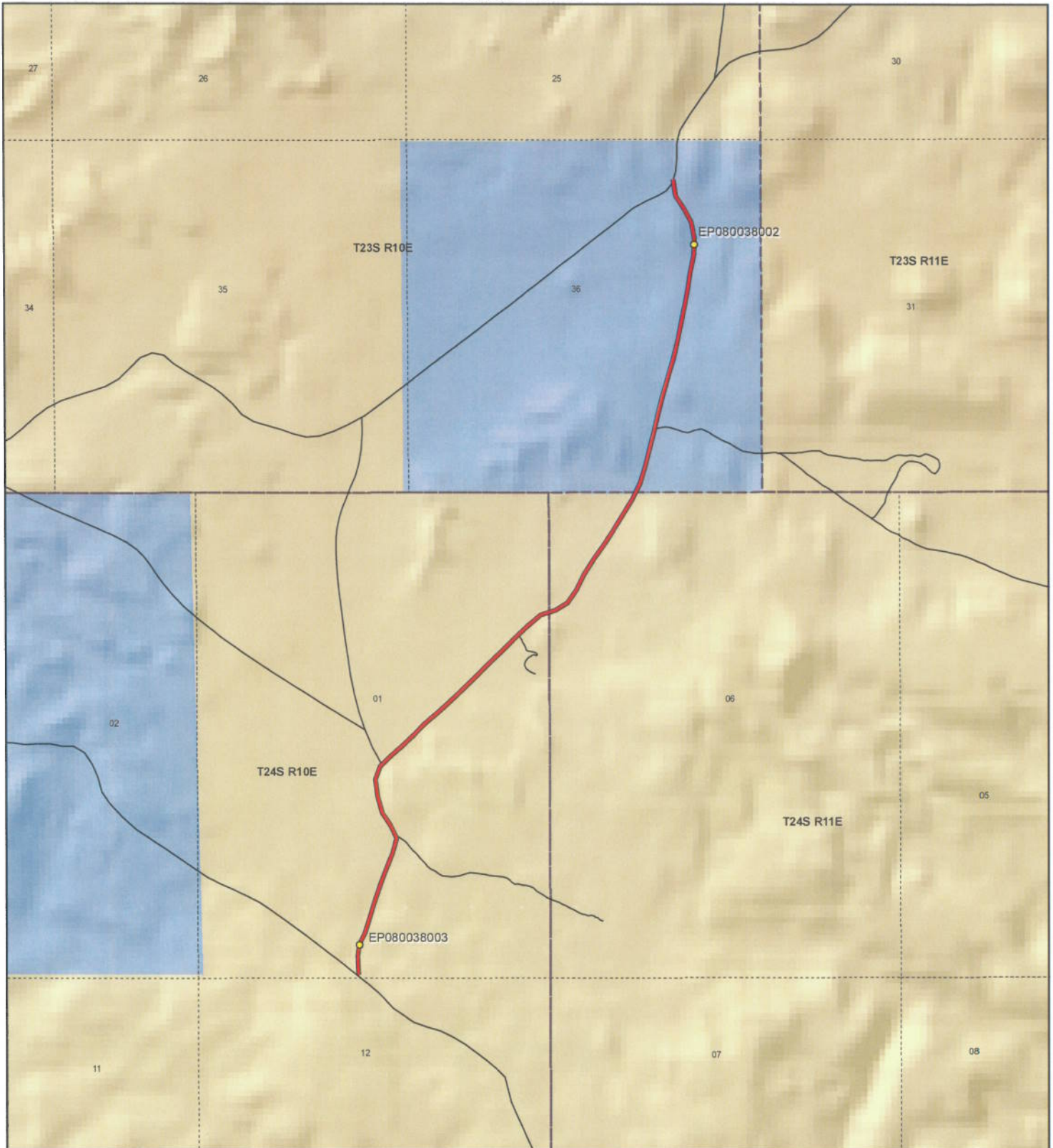
Dated this 17th day of April, 2008.





Notary Public

Attachment 1



 <p>1:23,401 1 inch equals 0.4 miles</p>		<p style="text-align: center;">TAYLOR FLAT CUTOFF - Emery County SGID RD_ID RD080038</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> TAYLOR FLAT CUTOFF</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	TAYLOR FLAT CUTOFF	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 Jan 29, 2008</p>  
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EP080038002



EP080038003

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TAYLOR FLAT CUTOFF - Emery County
SGID RD_ID RD080038

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
February 1, 2008



Attachment 3

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

Popular Name: TAYLOR FLAT CUTOFF

County: Emery

County Road Number: 1033

State Geographic Information Database (SGID) Road Identification Number: RD080038.

Total Road Length: 2.63 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 44 minutes 42.15 seconds North Latitude and -110 degrees 45 minutes 46.95 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,850,628.6 feet and Y = 6,712,497.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 46 minutes 39.51 seconds North Latitude and -110 degrees 44 minutes 46.74 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,855,299.4 feet and Y = 6,724,411.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 23 South Range 10 East, Section(s) 36, Salt Lake Base & Meridian

Township 24 South Range 10 East, Section(s) 1, Salt Lake Base & Meridian

Township 24 South Range 11 East, Section(s) 6, 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: TAYLOR FLAT CUTOFF

County: Emery

County Road Number: 1033

State Geographic Information Database (SGID) Road Identification Number: RD080038.

Total Road Length: 2.63 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
RD080038	001	BLM	1.7 Miles	A
RD080038	002	ST	0.92 Miles	(not shown)
		Total Road Length	2.63	_____

* 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 EKKER
TAYLOR FLAT CUTOFF ROAD
EMERY COUNTY, UTAH
ROAD NUMBER 1033

State of Utah)
 : ss.
County of Emery)

TED EKKER, 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 Green River, Emery County, Utah. I have lived in Emery County for the past 53 years.

2. I have traveled and am familiar with a road in Emery County known as Taylor Flat Cutoff Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s it followed the same route as in 2007 when I last observed it. Attached is a Emery County map showing the Taylor Flat Cutoff 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 1950s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, 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 1950s to 2007, I have used the road myself for the following uses: hunting, sight seeing 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: mining, gas and oil exploration, livestock operations and government access.

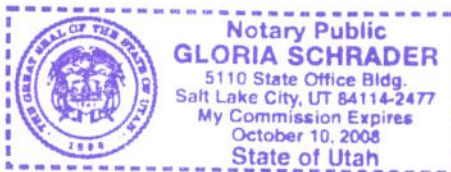
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally observed graders performing maintenance and construction activities on the road.

DATED this 8 day of March, 2007.


Ted Ekker
TED EKKER

SUBSCRIBED AND SWORN to before me this 8th day of March, 2007.



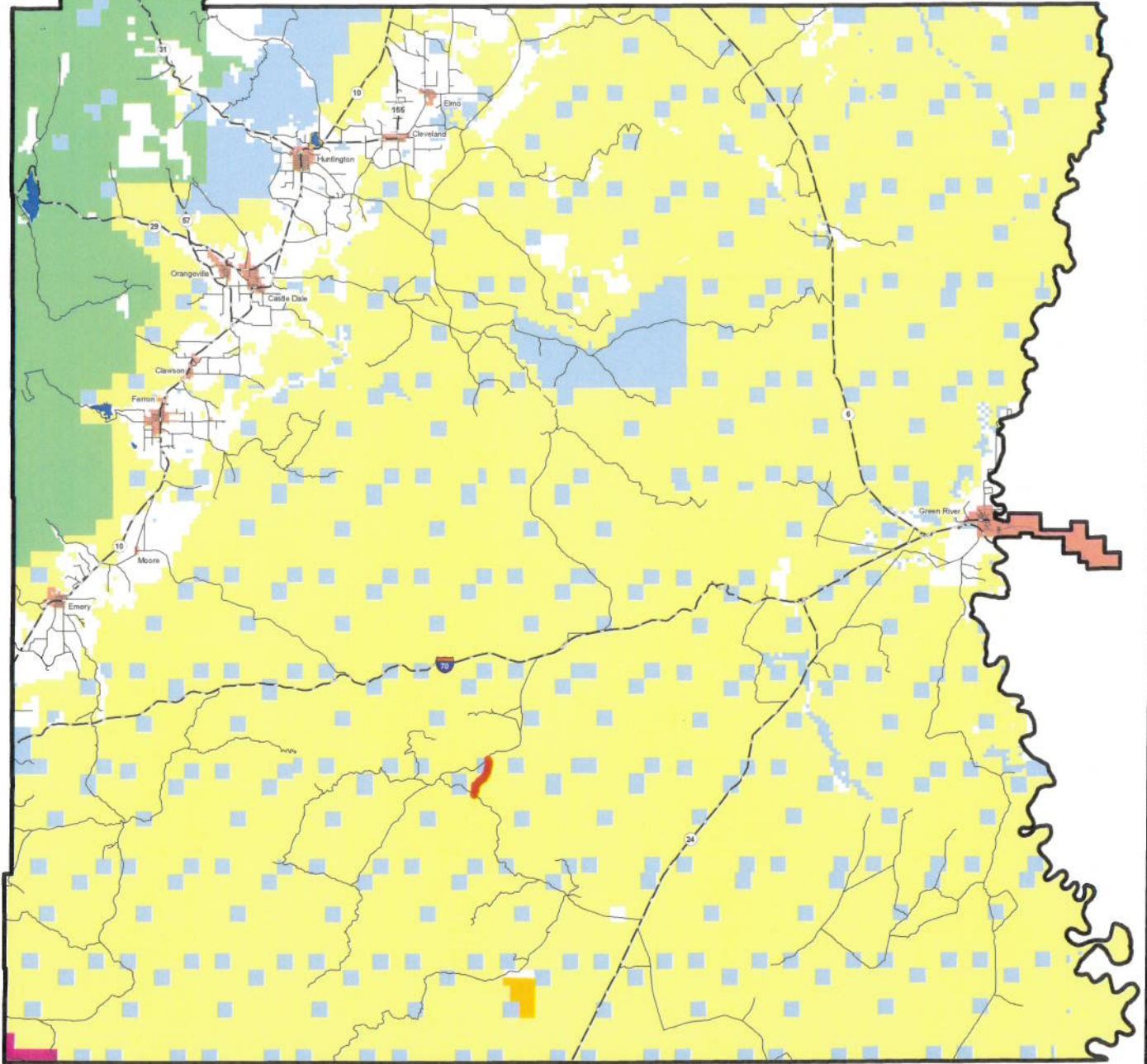
Gloria Schrader
NOTARY PUBLIC

Road #1033 Taylor Flat Cut-off

-  Taylor Flat Cut-off
-  Highway/Interstate
-  B Class Road



- | | | | |
|--|---|---|---|
|  BLM |  State |  NPS |  Water |
|  USFS |  Private |  USP |  City Boundary |



AFFIDAVIT OF VERNON LEAMASTER

TAYLOR FLAT CUTOFF ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 1033

State of Utah)
 : ss.
County of Emery)

VERNON LEAMASTER, 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 Huntington, Emery County, Utah. I have lived in Emery County for most of my life. I worked for the Emery County Road Department from May of 1965 until May of 1982.

2. I have traveled and am familiar with a road in Emery County known as Taylor Flat Cutoff Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1930s it followed the same route as in 2001 when I last observed it. Attached is a Emery County map showing the Taylor Flat Cutoff 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 1930s and continuing through 1976 to 2001. Throughout this time period I have observed travel on the road by various means, including cars, 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 early 1930s to 2001, I have used the road myself for county road maintenance 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: mining, tourism, hunting, recreation and livestock operations.

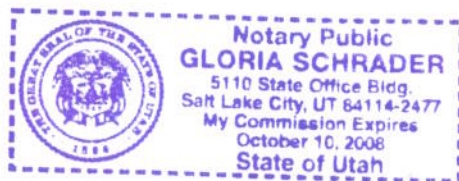
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally supervised the maintenance and construction activities on the road.

DATED this 6 day of March, 2007.

Vernon Leamaster
VERNON LEAMASTER


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



Gloria Schrader
NOTARY PUBLIC

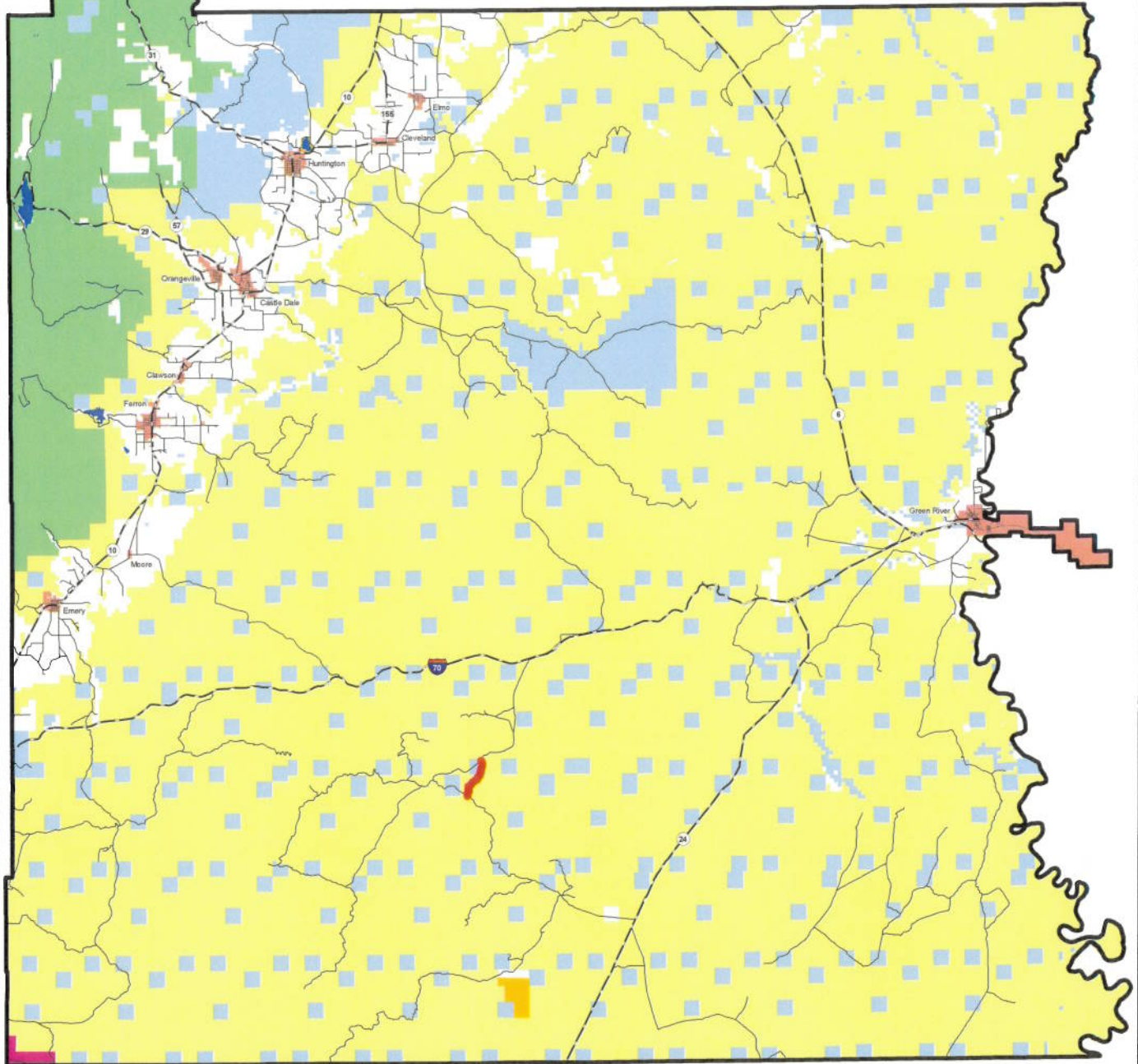
Road #1033

Taylor Flat Cut-off

-  Taylor Flat Cut-off
-  Highway/Interstate
-  B Class Road



-  BLM
-  State
-  NPS
-  Water
-  USFS
-  Private
-  USP
-  City Boundary



Appendix A to Attachment 4

Popular Name: TAYLOR FLAT CUTOFF

County: Emery

County Road Number: 1033

State Geographic Information Database (SGID) Road Identification Number: RD080038.

Road-Segment Number: 001

Road-Segment Length: 1.7 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 24 South Range 10 East, Section(s) 1, Salt Lake Base & Meridian

Township 24 South Range 11 East, Section(s) 6, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (TAYLOR FLAT CUTOFF)-- 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 44 minutes 42.15 seconds North Latitude and -110 degrees 45 minutes 46.95 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,850,628.6 feet and Y = 6,712,497.2 feet; thence the following courses along the said road center line:

thence North 09 Degrees 08 Minutes 18 Seconds East 4 feet
thence North 04 Degrees 09 Minutes 43 Seconds West 103 feet
thence North 02 Degrees 52 Minutes 44 Seconds West 162 feet
thence North 07 Degrees 51 Minutes 55 Seconds East 179.7 feet
thence North 24 Degrees 59 Minutes 38 Seconds East 188.8 feet
thence North 18 Degrees 39 Minutes 59 Seconds East 224.9 feet
thence North 16 Degrees 26 Minutes 54 Seconds East 246.8 feet
thence North 17 Degrees 11 Minutes 14 Seconds East 264 feet
thence North 21 Degrees 31 Minutes 45 Seconds East 269.8 feet
thence North 21 Degrees 00 Minutes 43 Seconds East 262.5 feet

thence North 15 Degrees 31 Minutes 17 Seconds East 232 feet
 thence North 26 Degrees 35 Minutes 37 Seconds West 199.5 feet
 thence North 33 Degrees 00 Minutes 38 Seconds West 234 feet
 thence North 17 Degrees 30 Minutes 49 Seconds West 253.2 feet
 thence North 06 Degrees 42 Minutes 41 Seconds West 262.6 feet
 thence North 20 Degrees 34 Minutes 59 Seconds East 207 feet
 thence North 45 Degrees 23 Minutes 48 Seconds East 221.4 feet
 thence North 48 Degrees 26 Minutes 30 Seconds East 219.1 feet
 thence North 46 Degrees 14 Minutes 33 Seconds East 237.8 feet
 thence North 45 Degrees 09 Minutes 17 Seconds East 250 feet
 thence North 48 Degrees 00 Minutes 19 Seconds East 251.8 feet
 thence North 48 Degrees 38 Minutes 42 Seconds East 251.5 feet
 thence North 44 Degrees 31 Minutes 18 Seconds East 258.3 feet
 thence North 44 Degrees 13 Minutes 27 Seconds East 264.8 feet
 thence North 45 Degrees 47 Minutes 58 Seconds East 272.3 feet
 thence North 45 Degrees 35 Minutes 35 Seconds East 275.5 feet
 thence North 44 Degrees 11 Minutes 14 Seconds East 272 feet
 thence North 45 Degrees 39 Minutes 50 Seconds East 269.3 feet
 thence North 50 Degrees 49 Minutes 21 Seconds East 258 feet
 thence North 71 Degrees 40 Minutes 42 Seconds East 136 feet
 thence North 71 Degrees 36 Minutes 00 Seconds East 99.4 feet
 thence North 57 Degrees 16 Minutes 29 Seconds East 206.4 feet
 thence North 34 Degrees 45 Minutes 53 Seconds East 238.7 feet
 thence North 25 Degrees 41 Minutes 26 Seconds East 259.7 feet
 thence North 32 Degrees 48 Minutes 36 Seconds East 272 feet
 thence North 34 Degrees 34 Minutes 38 Seconds East 271.3 feet
 thence North 32 Degrees 14 Minutes 48 Seconds East 261 feet
 thence North 32 Degrees 20 Minutes 13 Seconds East 273.7 feet
 thence North 32 Degrees 08 Minutes 11 Seconds East 271.5 feet
 thence North 26 Degrees 25 Minutes 21 Seconds East 92.6 feet more or less to **the ending**

point at: 38 degrees 45 minutes 53.18 seconds North Latitude and -110 degrees 44 minutes 54.21 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,854,747.3 feet and Y = 6,719,718.8 feet.