

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AIRPORT ROAD (CLEVELAND); County Road Number: 212; State Geographic Information Database (SGID) Road Identification Number: RD080095. Total road length is 3.48 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 21st 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.

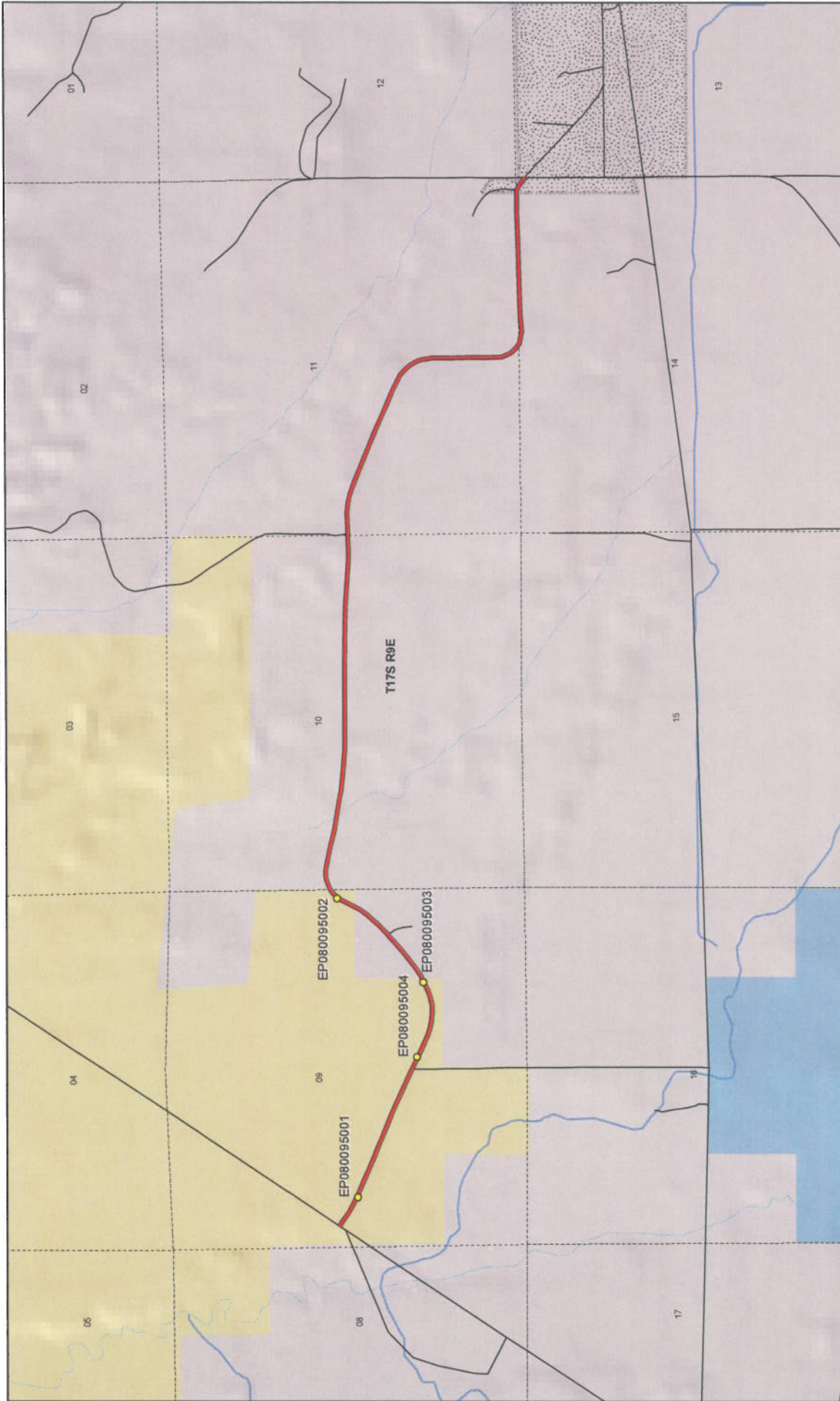
Dated this 21st day of April, 2008.





Notary Public

Attachment 1





1:23,921
1 inch equals 0.4 miles



AIRPORT ROAD (CLEVELAND) - Emery County

SGID RD_ID RD080095

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park

Transportation Network

- AIRPORT ROAD (CLEVELAND)
- 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
 Office of the State Engineer
 5130 State Office Building
 Salt Lake City, Utah 84114
 Jan 25, 2008



Attachment 2



EP080095004



EP080095001



EP080095002



EP080095003

EP000000000

EP000000000

AIRPORT ROAD (CLEVELAND) - Emery County
SGID RD_ID RD080095

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: AIRPORT ROAD (CLEVELAND)

County: Emery

County Road Number: 212

State Geographic Information Database (SGID) Road Identification Number: RD080095.

Total Road Length: 3.48 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 21 minutes 36.54 seconds North Latitude and -110 degrees 55 minutes 34.11 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,802,668.8 feet and Y = 6,936,189.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 21 minutes 08.56 seconds North Latitude and -110 degrees 52 minutes 14.44 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,818,371.0 feet and Y = 6,933,464.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 17 South Range 9 East, Section(s) 9,10,11,14, 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: AIRPORT ROAD (CLEVELAND)

County: Emery

County Road Number: 212

State Geographic Information Database (SGID) Road Identification Number: RD080095.

Total Road Length: 3.48 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
RD080095	001	BLM	0.77 Miles	A
RD080095	002	PVT	0.28 Miles	(not shown)
RD080095	003	BLM	0.09 Miles	B
RD080095	004	PVT	2.34 Miles	(not shown)
		Total Road Length	3.48	—————

* 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 VERNON LEAMASTER

AIRPORT ROAD (CLEVELAND)

EMERY COUNTY, UTAH

ROAD NUMBER 212

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 Airport Road (Cleveland). 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 2007 when I last observed it. Attached is a Emery County map showing the Airport Road (Cleveland). 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 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 early 1930s to 2007, 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: farming, residential access, travel to and from schools, hunting and livestock operations.

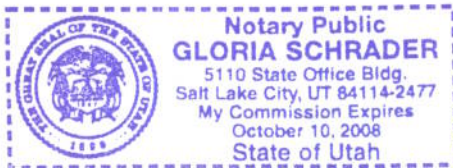
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

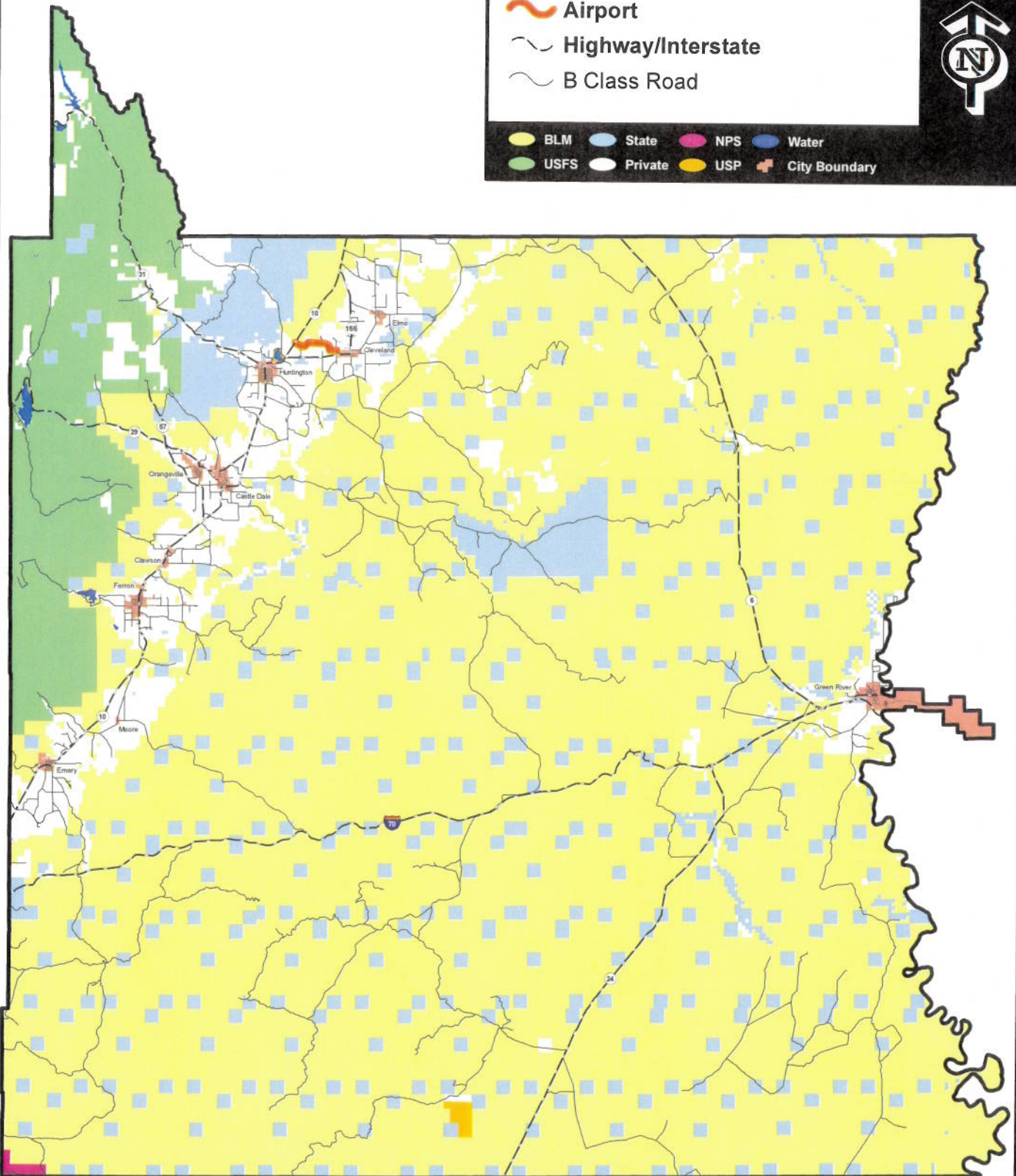
Road #212

Airport

-  Airport
-  Highway/Interstate
-  B Class Road



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



AFFIDAVIT OF CHRIS HANSEN
AIRPORT ROAD (CLEVELAND)
EMERY COUNTY, UTAH
ROAD NUMBER 212

State of Utah)
 : ss.
County of Emery)

CHRIS HANSEN, 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 Cleveland, Emery County, Utah. I have lived in Emery County for my entire life.

2. I have traveled and am familiar with a road in Emery County known as Airport Road (Cleveland). 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 Emery County map showing the Airport Road (Cleveland). 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 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 1960s to 2007, I have used the road myself for the following uses: hunting 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: farming, livestock operations and oil and gas exploration.

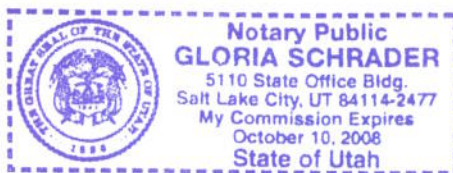
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally observed the graded surface of the road. The road is now paved.

DATED this 5 day of March, 2007.


CHRIS HANSEN

SUBSCRIBED AND SWORN to before me this 5th day of March, 2007.




NOTARY PUBLIC

Road #212

Airport

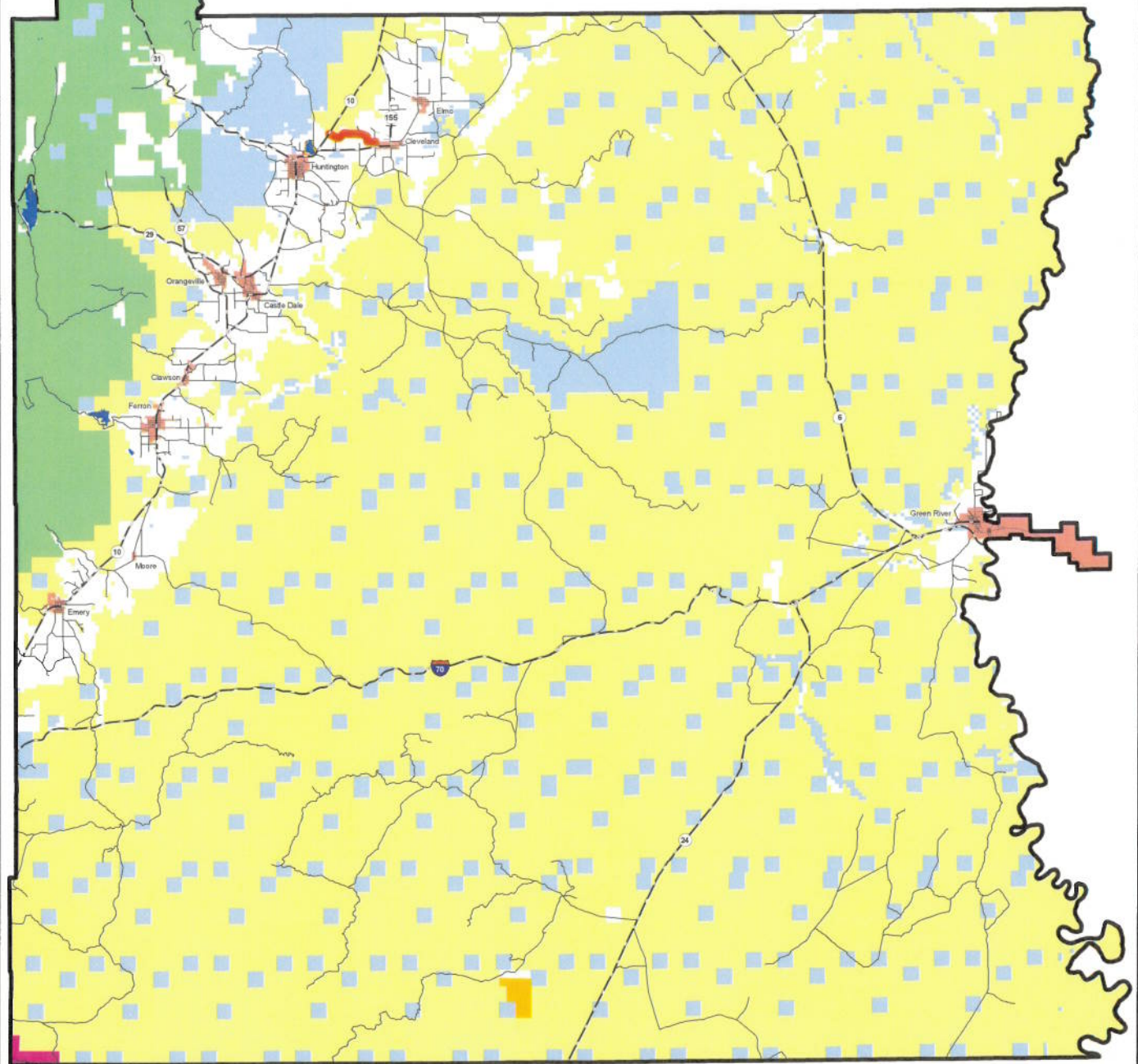
 Airport

 Highway/Interstate

 B Class Road

 BLM  State  NPS  Water

 USFS  Private  USP  City Boundary



Appendix A to Attachment 4

Popular Name: AIRPORT ROAD (CLEVELAND)

County: Emery

County Road Number: 212

State Geographic Information Database (SGID) Road Identification Number: RD080095.

Road-Segment Number: 001

Road-Segment Length: 0.77 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 17 South Range 9 East, Section(s) 9, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AIRPORT ROAD (CLEVELAND))-- 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 21 minutes 36.54 seconds North Latitude and -110 degrees 55 minutes 34.11 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,802,668.8 feet and Y = 6,936,189.9 feet; thence the following courses along the said road center line:

thence South 55 Degrees 45 Minutes 50 Seconds East	60.2 feet
thence South 56 Degrees 16 Minutes 29 Seconds East	87.9 feet
thence South 58 Degrees 26 Minutes 34 Seconds East	109.4 feet
thence South 60 Degrees 48 Minutes 26 Seconds East	151.2 feet
thence South 65 Degrees 44 Minutes 21 Seconds East	169.6 feet
thence South 65 Degrees 48 Minutes 04 Seconds East	185.1 feet
thence South 66 Degrees 40 Minutes 20 Seconds East	170.2 feet
thence South 66 Degrees 55 Minutes 39 Seconds East	177.7 feet
thence South 68 Degrees 24 Minutes 21 Seconds East	61.6 feet
thence South 70 Degrees 04 Minutes 17 Seconds East	114.7 feet
thence South 66 Degrees 33 Minutes 13 Seconds East	195.4 feet

thence South 67 Degrees 21 Minutes 25 Seconds East 189.3 feet
 thence South 68 Degrees 25 Minutes 52 Seconds East 198.1 feet
 thence South 66 Degrees 13 Minutes 22 Seconds East 211.4 feet
 thence South 64 Degrees 26 Minutes 14 Seconds East 209.8 feet
 thence South 65 Degrees 56 Minutes 35 Seconds East 211.5 feet
 thence South 66 Degrees 11 Minutes 59 Seconds East 96.4 feet
 thence South 65 Degrees 36 Minutes 41 Seconds East 99.7 feet
 thence South 64 Degrees 00 Minutes 49 Seconds East 228.1 feet
 thence South 66 Degrees 45 Minutes 25 Seconds East 229.9 feet
 thence South 73 Degrees 39 Minutes 14 Seconds East 111 feet
 thence South 79 Degrees 17 Minutes 58 Seconds East 115 feet
 thence South 82 Degrees 19 Minutes 24 Seconds East 40.1 feet
 thence South 87 Degrees 04 Minutes 52 Seconds East 52.3 feet
 thence North 89 Degrees 58 Minutes 44 Seconds East 62.7 feet
 thence South 89 Degrees 32 Minutes 09 Seconds East 71.9 feet
 thence North 76 Degrees 05 Minutes 23 Seconds East 132.7 feet
 thence North 68 Degrees 59 Minutes 15 Seconds East 97.5 feet
 thence North 65 Degrees 17 Minutes 21 Seconds East 201.1 feet
 thence North 59 Degrees 18 Minutes 00 Seconds East 11 feet more or less to **the ending point**

at: 39 degrees 21 minutes 24.25 seconds North Latitude and -110 degrees 54 minutes 046.8 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,806,392.5 feet and Y = 6,934,971.2 feet.

Appendix B to Attachment 4

Popular Name: AIRPORT ROAD (CLEVELAND)

County: Emery

County Road Number: 212

State Geographic Information Database (SGID) Road Identification Number: RD080095.

Road-Segment Number: 003

Road-Segment Length: 0.09 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 17 South Range 9 East, Section(s) 9,10, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AIRPORT ROAD (CLEVELAND))-- Segment 003 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 21 minutes 34.32 seconds North Latitude and -110 degrees 54 minutes 33.27 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,807,449.1 feet and Y = 6,935,996.8 feet; thence the following courses along the said road center line:

thence North 24 Degrees 55 Minutes 14 Seconds East 222.4 feet

thence North 35 Degrees 23 Minutes 31 Seconds East 74.8 feet

thence North 44 Degrees 30 Minutes 39 Seconds East 79.1 feet

thence North 56 Degrees 39 Minutes 18 Seconds East 47 feet

thence North 60 Degrees 12 Minutes 11 Seconds East 17.3 feet

thence North 58 Degrees 42 Minutes 55 Seconds East 11.5 feet more or less to **the ending**

point at: 39 degrees 21 minutes 37.86 seconds North Latitude and -110 degrees 54 minutes 29.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,807,705.7 feet and Y = 6,936,356.3 feet.