

Ent 390361 Page 1 of 13
Date: 07-MAY-2008 11:05AM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 LAWRENCE/CLEVELAND ROAD; County Road Number: 328; State Geographic Information Database (SGID) Road Identification Number: RD080154. Total road length is 4.58 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

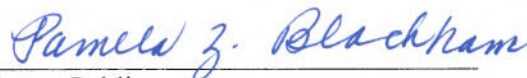
CERTIFICATION

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.

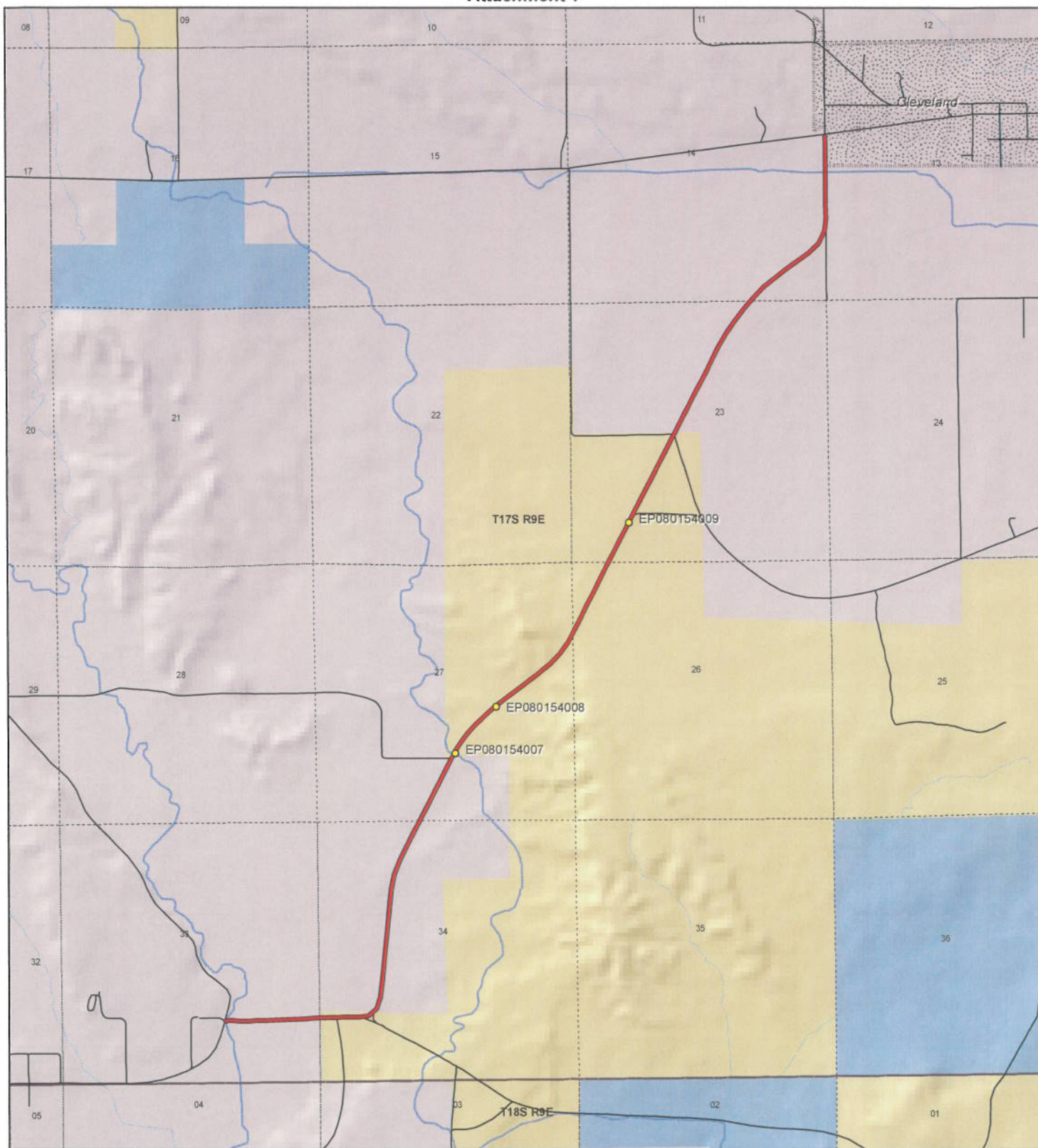
Dated this 21st day of April, 2008.





Notary Public

Attachment 1



 <p>1:32,068 1 inch equals 0.5 miles</p>		<p style="text-align: center;">LAWRENCE/CLEVELAND ROAD - Emery County SGID RD_ID RD080154</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> LAWRENCE/CLEVELAND 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	LAWRENCE/CLEVELAND 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 Jan 29, 2008</p>  
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Attachment 2



EP080154006



EP080154007



EP080154008



EP080154009

EP000000000

EP000000000

LAWRENCE/CLEVELAND ROAD - Emery County
SGID RD_ID RD080154

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: LAWRENCE/CLEVELAND ROAD

County: Emery

County Road Number: 328

State Geographic Information Database (SGID) Road Identification Number: RD080154.

Total Road Length: 4.58 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 17 minutes 050.8 seconds North Latitude and -110 degrees 54 minutes 52.74 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,806,067.8 feet and Y = 6,913,372.5 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 20 minutes 50.86 seconds North Latitude and -110 degrees 52 minutes 14.33 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,818,392.1 feet and Y = 6,931,674.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 17 South Range 9 East, Section(s) 13,14,23,26,27,33,34, 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: LAWRENCE/CLEVELAND ROAD

County: Emery

County Road Number: 328

State Geographic Information Database (SGID) Road Identification Number: RD080154.

Total Road Length: 4.58 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
RD080154	001	PVT	0.38 Miles	(not shown)
RD080154	002	BLM	0.21 Miles	A
RD080154	003	PVT	1.06 Miles	(not shown)
RD080154	004	BLM	1.57 Miles	B
RD080154	005	PVT	1.37 Miles	(not shown)
		Total Road Length	4.58	_____

* 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 HENRY E. JENSEN
LAWRENCE/CLEVELAND ROAD
EMERY COUNTY, UTAH
ROAD NUMBER 328

State of Utah)
 : ss.
County of Emery)

HENRY E. JENSEN, 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 my entire life. I was employed by the Emery County Road Department from approximately 1956 to 1993.
2. I have traveled and am familiar with a road in Emery County known as Lawrence/Cleveland Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1940s, it followed the same route as in 2007 when I last observed it. Attached is an Emery County map showing Lawrence/Cleveland 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 1940s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by means of pickup trucks, cars, horses and wagons and ATVs. Throughout the 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 1940s 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 have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus livestock operations, farming, recreation, tourism and hunting.

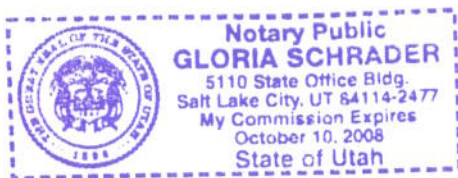
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally performed maintenance and construction activities on the road. The road is now oiled.

DATED this 7 day of March, 2007.


Henry E. Jensen
HENRY E. JENSEN


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








Gloria Schrader
NOTARY PUBLIC





Road #328 Lawrence/Cleveland

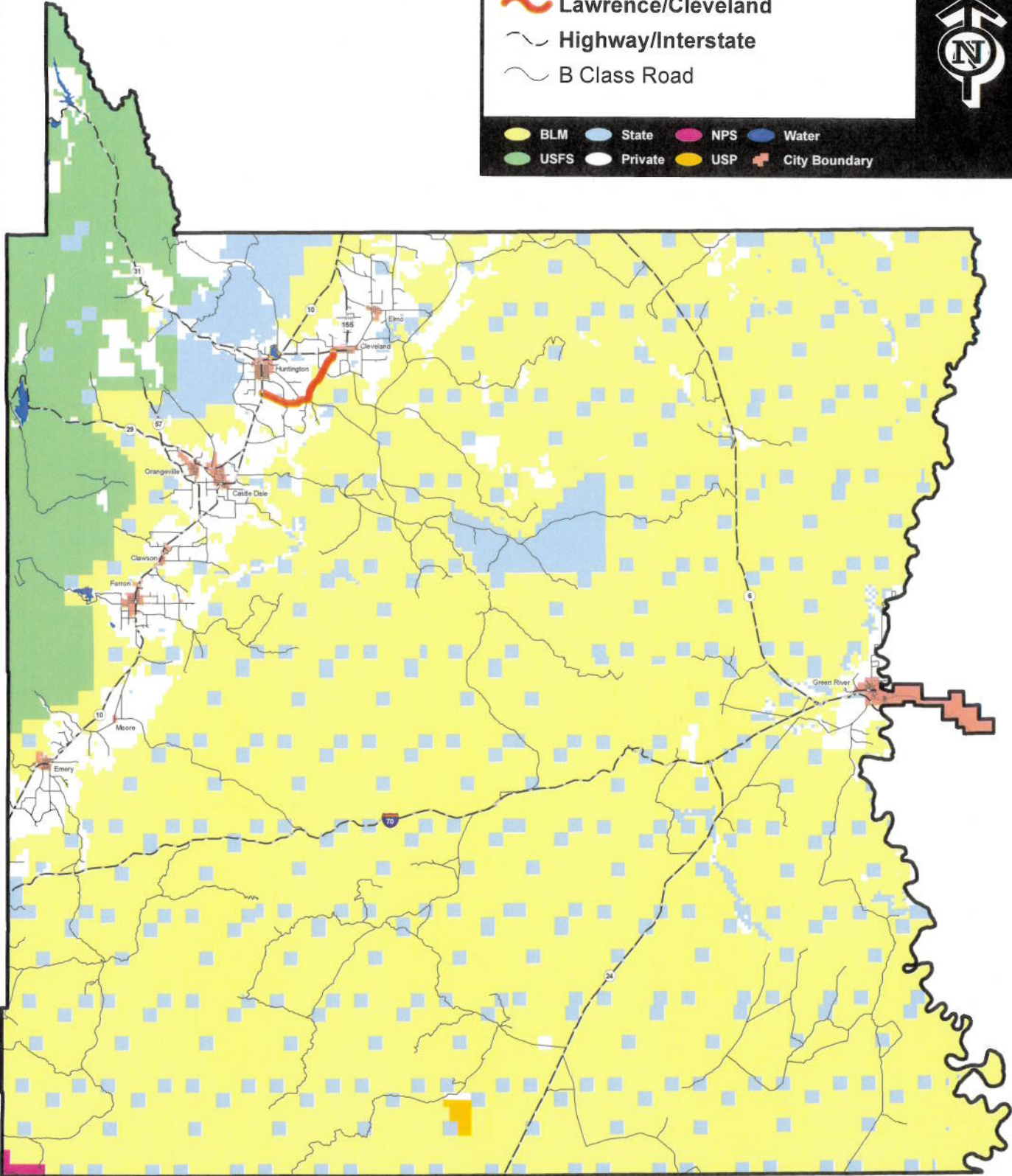
 Lawrence/Cleveland

 Highway/Interstate

 B Class Road

 BLM  State  NPS  Water

 USFS  Private  USP  City Boundary



AFFIDAVIT OF VERNON LEAMASTER

LAWRENCE/CLEVELAND ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 328

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 Lawrence/Cleveland 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 2007 when I last observed it. Attached is a Emery County map showing the Lawrence/Cleveland 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 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 1990, 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, hunting, travel to and from schools, recreation and livestock operations.

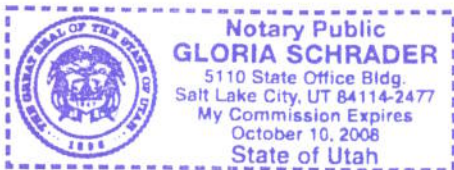
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

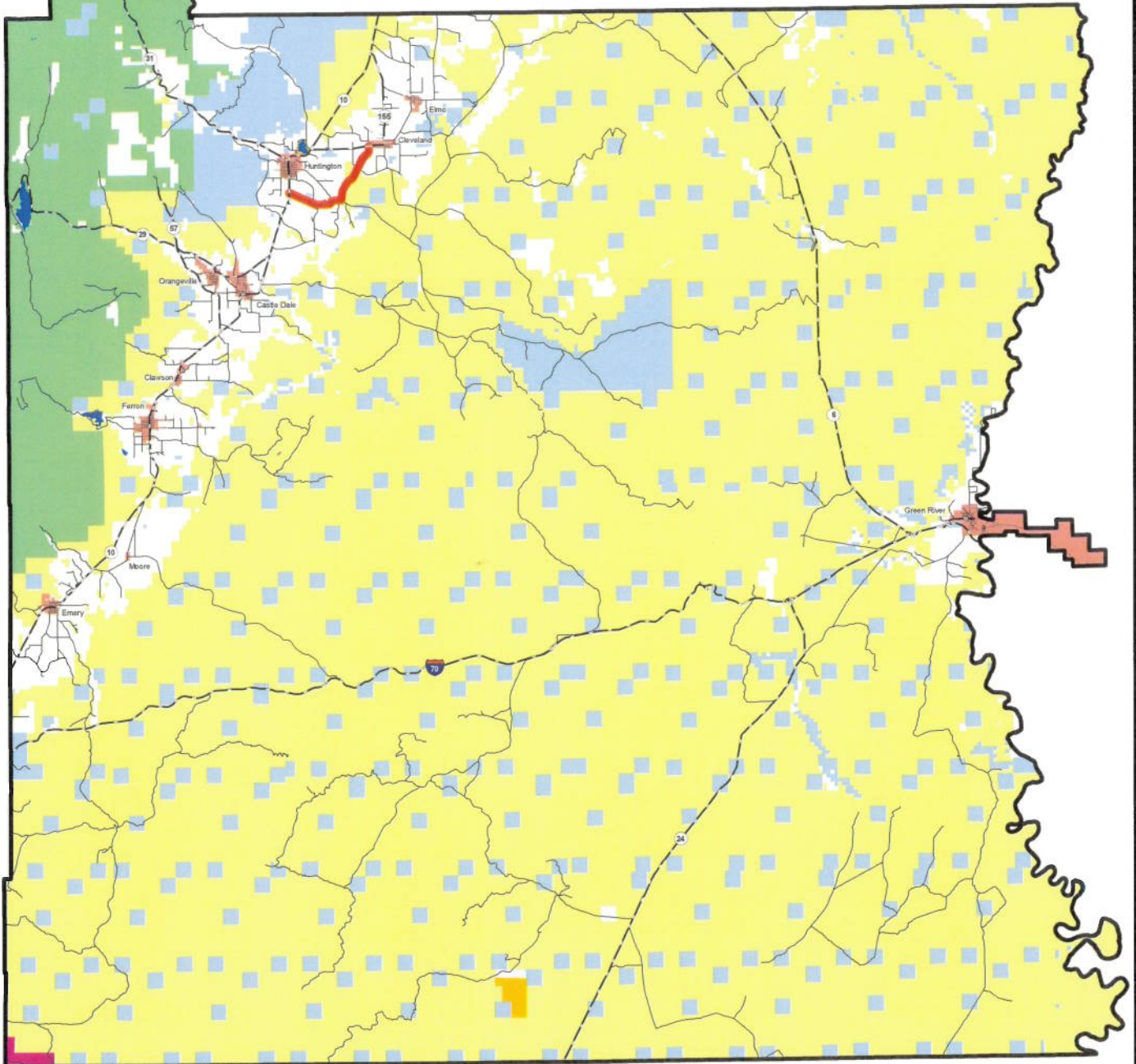
Road #328

Lawrence/Cleveland

-  Lawrence/Cleveland
-  Highway/Interstate
-  B Class Road



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



Appendix A to Attachment 4

Popular Name: LAWRENCE/CLEVELAND ROAD

County: Emery

County Road Number: 328

State Geographic Information Database (SGID) Road Identification Number: RD080154.

Road-Segment Number: 002

Road-Segment Length: 0.21 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) 34, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (LAWRENCE/CLEVELAND 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 39 degrees 17 minutes 51.55 seconds North Latitude and -110 degrees 54 minutes 027.3 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,808,067.0 feet and Y = 6,913,461.5 feet; thence the following courses along the said road center line:

thence North 86 Degrees 39 Minutes 17 Seconds East 174.2 feet

thence North 88 Degrees 09 Minutes 53 Seconds East 149.1 feet

thence North 88 Degrees 14 Minutes 36 Seconds East 131 feet

thence North 89 Degrees 28 Minutes 18 Seconds East 272.1 feet

thence North 83 Degrees 36 Minutes 50 Seconds East 52.8 feet

thence North 83 Degrees 41 Minutes 27 Seconds East 188.8 feet

thence North 48 Degrees 41 Minutes 17 Seconds East 136.1 feet more or less to **the ending**

point at: 39 degrees 17 minutes 52.84 seconds North Latitude and -110 degrees 54 minutes 013.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,809,135.2 feet and Y = 6,913,599.4 feet.

Appendix B to Attachment 4

Popular Name: LAWRENCE/CLEVELAND ROAD

County: Emery

County Road Number: 328

State Geographic Information Database (SGID) Road Identification Number: RD080154.

Road-Segment Number: 004

Road-Segment Length: 1.57 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) 23,26,27, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (LAWRENCE/CLEVELAND ROAD)-- Segment 004 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 18 minutes 44.64 seconds North Latitude and -110 degrees 53 minutes 53 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,810,727.1 feet and Y = 6,918,850.7 feet; thence the following courses along the said road center line:

thence North 28 Degrees 09 Minutes 11 Seconds East	44.1 feet
thence North 28 Degrees 48 Minutes 17 Seconds East	128.1 feet
thence North 32 Degrees 21 Minutes 01 Seconds East	194.6 feet
thence North 37 Degrees 05 Minutes 17 Seconds East	223.1 feet
thence North 42 Degrees 51 Minutes 38 Seconds East	234 feet
thence North 46 Degrees 01 Minutes 25 Seconds East	247.2 feet
thence North 48 Degrees 31 Minutes 10 Seconds East	266.8 feet
thence North 52 Degrees 14 Minutes 57 Seconds East	288.9 feet
thence North 52 Degrees 35 Minutes 57 Seconds East	304.8 feet
thence North 52 Degrees 32 Minutes 17 Seconds East	305.5 feet
thence North 52 Degrees 22 Minutes 47 Seconds East	297.9 feet

thence North 50 Degrees 49 Minutes 51 Seconds East 296.7 feet
 thence North 42 Degrees 34 Minutes 30 Seconds East 284.5 feet
 thence North 35 Degrees 22 Minutes 49 Seconds East 280.1 feet
 thence North 28 Degrees 10 Minutes 28 Seconds East 209.1 feet
 thence North 28 Degrees 22 Minutes 44 Seconds East 67 feet
 thence North 26 Degrees 23 Minutes 41 Seconds East 278.9 feet
 thence North 26 Degrees 35 Minutes 12 Seconds East 294.4 feet
 thence North 26 Degrees 48 Minutes 33 Seconds East 312.3 feet
 thence North 26 Degrees 51 Minutes 00 Seconds East 319.1 feet
 thence North 26 Degrees 51 Minutes 56 Seconds East 324.7 feet
 thence North 26 Degrees 49 Minutes 43 Seconds East 43.2 feet
 thence North 26 Degrees 53 Minutes 24 Seconds East 286.4 feet
 thence North 26 Degrees 39 Minutes 16 Seconds East 327.8 feet
 thence North 26 Degrees 31 Minutes 50 Seconds East 322.6 feet
 thence North 26 Degrees 51 Minutes 48 Seconds East 135.8 feet
 thence North 26 Degrees 54 Minutes 09 Seconds East 191.6 feet
 thence North 26 Degrees 43 Minutes 30 Seconds East 332 feet
 thence North 26 Degrees 42 Minutes 58 Seconds East 320.6 feet
 thence North 26 Degrees 50 Minutes 53 Seconds East 306.2 feet
 thence North 26 Degrees 47 Minutes 36 Seconds East 306 feet
 thence North 26 Degrees 43 Minutes 38 Seconds East 313.2 feet
 thence North 26 Degrees 43 Minutes 46 Seconds East 103.9 feet
 thence North 26 Degrees 40 Minutes 43 Seconds East 77.4 feet more or less to **the ending**

point at: 39 degrees 19 minutes 50.71 seconds North Latitude and -110 degrees 52 minutes 54.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,815,317.0 feet and Y = 6,925,566.8 feet.