

Ent 390375 Page 1 of 13
Date: 07-MAY-2000 11:35AM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 BOX FLAT ROAD; County Road Number: 410; State Geographic Information Database (SGID) Road Identification Number: RD080464. Total road length is 5.81 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.

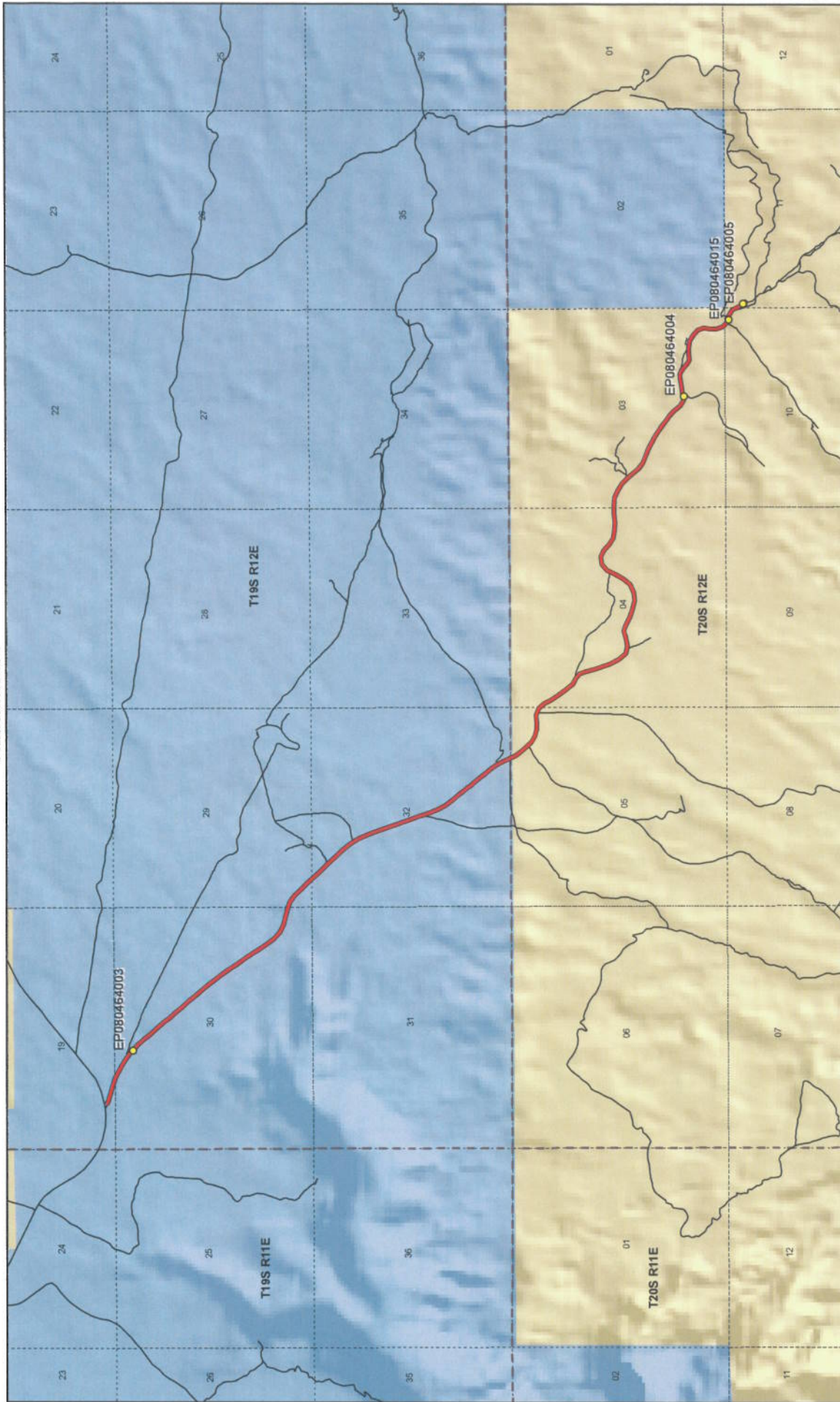
Dated this 21st day of April, 2008.





Notary Public

Attachment 1



BOX FLAT ROAD - Emery County
SGID RD_ID RD080464

Land Ownership Categories

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

Transportation Network

- BOX FLAT ROAD
- 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
Automated Geographic Reference Center
Road Centerline Digitizing
Salt Lake City, Utah 84114
Jan 28, 2008





1:42,316
1 inch equals 0.7 miles



Page 1 of 1

SGID Road Identification Number RD_ID: RD080464

Attachment 1



EP080464003



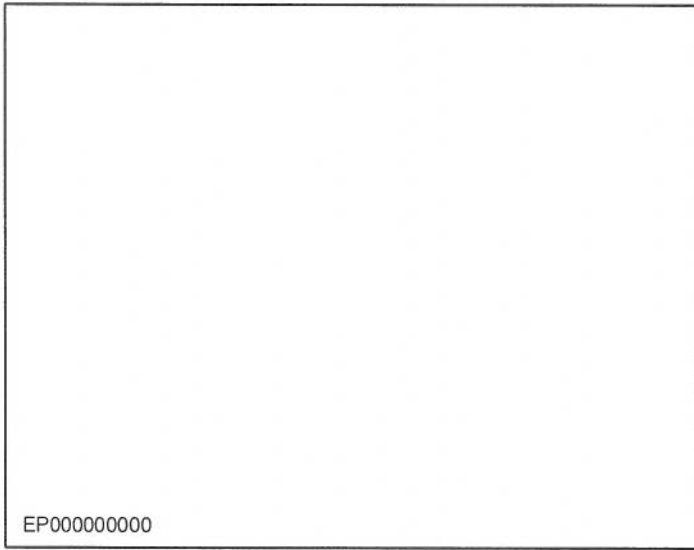
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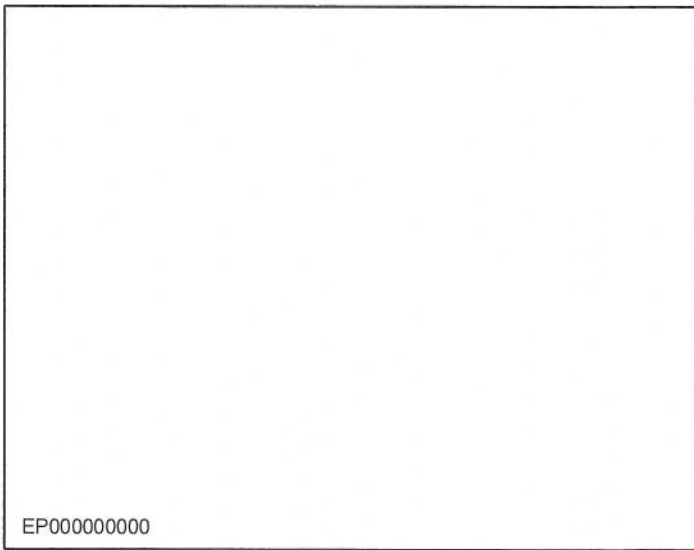
EP080464005



EP080464015



EP000000000



EP000000000

**BOX FLAT ROAD - Emery County
SGID RD_ID RD080464**

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: BOX FLAT ROAD

County: Emery

County Road Number: 410

State Geographic Information Database (SGID) Road Identification Number: RD080464.

Total Road Length: 5.81 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 08 minutes 055.1 seconds North Latitude and -110 degrees 37 minutes 24.57 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,888,993.0 feet and Y = 6,859,850.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 06 minutes 06.82 seconds North Latitude and -110 degrees 32 minutes 055.8 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,910,346.4 feet and Y = 6,843,042.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 19 South Range 12 East, Section(s) 19,29,30,32, Salt Lake Base & Meridian
Township 20 South Range 12 East, Section(s) 3,4,5,10,11, 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: BOX FLAT ROAD

County: Emery

County Road Number: 410

State Geographic Information Database (SGID) Road Identification Number: RD080464.

Total Road Length: 5.81 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
RD080464	001	ST	2.77 Miles	(not shown)
RD080464	002	BLM	3.04 Miles	A
		Total Road Length	5.81	_____

* 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 CRAIG JOHANSEN

BOX FLAT ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 410

State of Utah)
 : ss.
County of Emery)

CRAIG JOHANSEN, 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 Castle Dale, Emery County, Utah. I have lived in Emery County for my entire life. I have been employed by the Emery County Road Department as an engineering consultant since 1972.

2. I have traveled and am familiar with a road in Emery County known as Box Flat Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s, it followed the same route as in 2000 when I last observed it. Attached is an Emery County map showing Box Flat 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 1950s and continuing through 1976 to 2000. Throughout this time period I have observed travel on the road by means of pickup trucks, cars, recreational vehicles. Throughout the 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 1950s to 2000, I have used the road myself for livestock operations, county inspections, recreation 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 rock hounding, wood gathering, tourism, hunting and government access.

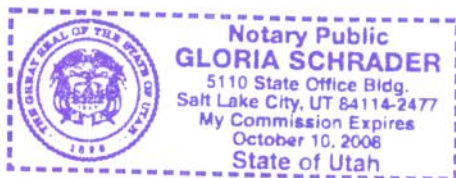
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally observed the graded surface of the road.

DATED this 9 day of March, 2007.


CRAIG JOHANSEN

SUBSCRIBED AND SWORN to before me this 9th day of March, 2007.




NOTARY PUBLIC

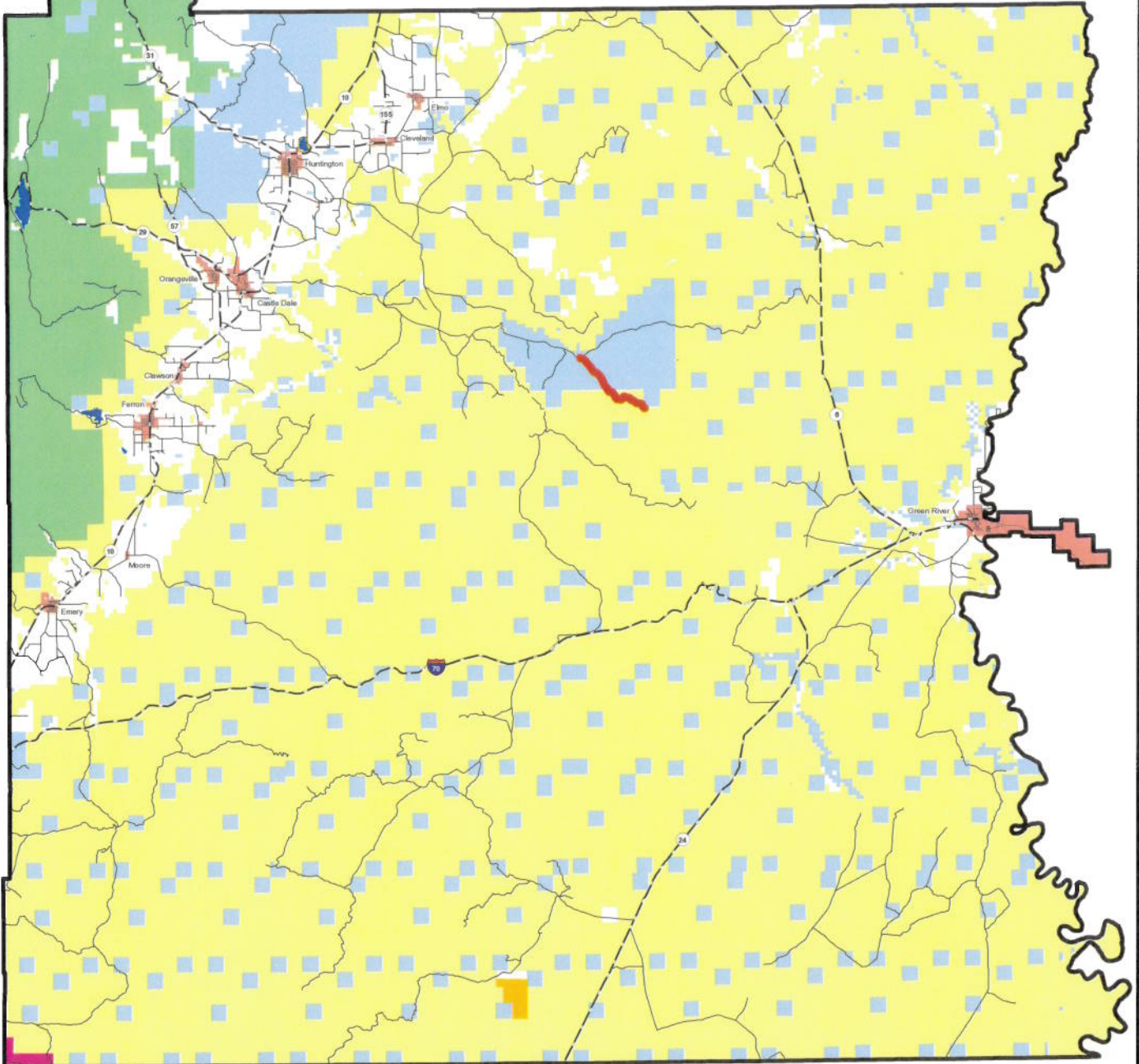
Road #410

Box Flat

-  Box Flat
-  Highway/Interstate
-  B Class Road



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



AFFIDAVIT OF LAMOND GARDNER

BOX FLAT ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 410

State of Utah)
 : ss.
County of Emery)

LAMOND GARDNER, 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 Box Flat 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 a Emery County map showing Box Flat 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 the present. Throughout this time period I have observed travel on the road by various means, including cars, trucks, recreational vehicle, 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 1940s to the present, I have used the

road myself for the following uses: recreation, mining, livestock operations, wood gathering, 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: mining exploration, oil and gas exploration, tourism, trapping, and government access.

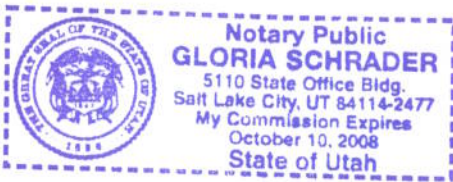
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road.

DATED this 5 day of March, 2007.

Lamond Gardner
LAMOND GARDNER

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



Gloria Schrader
NOTARY PUBLIC

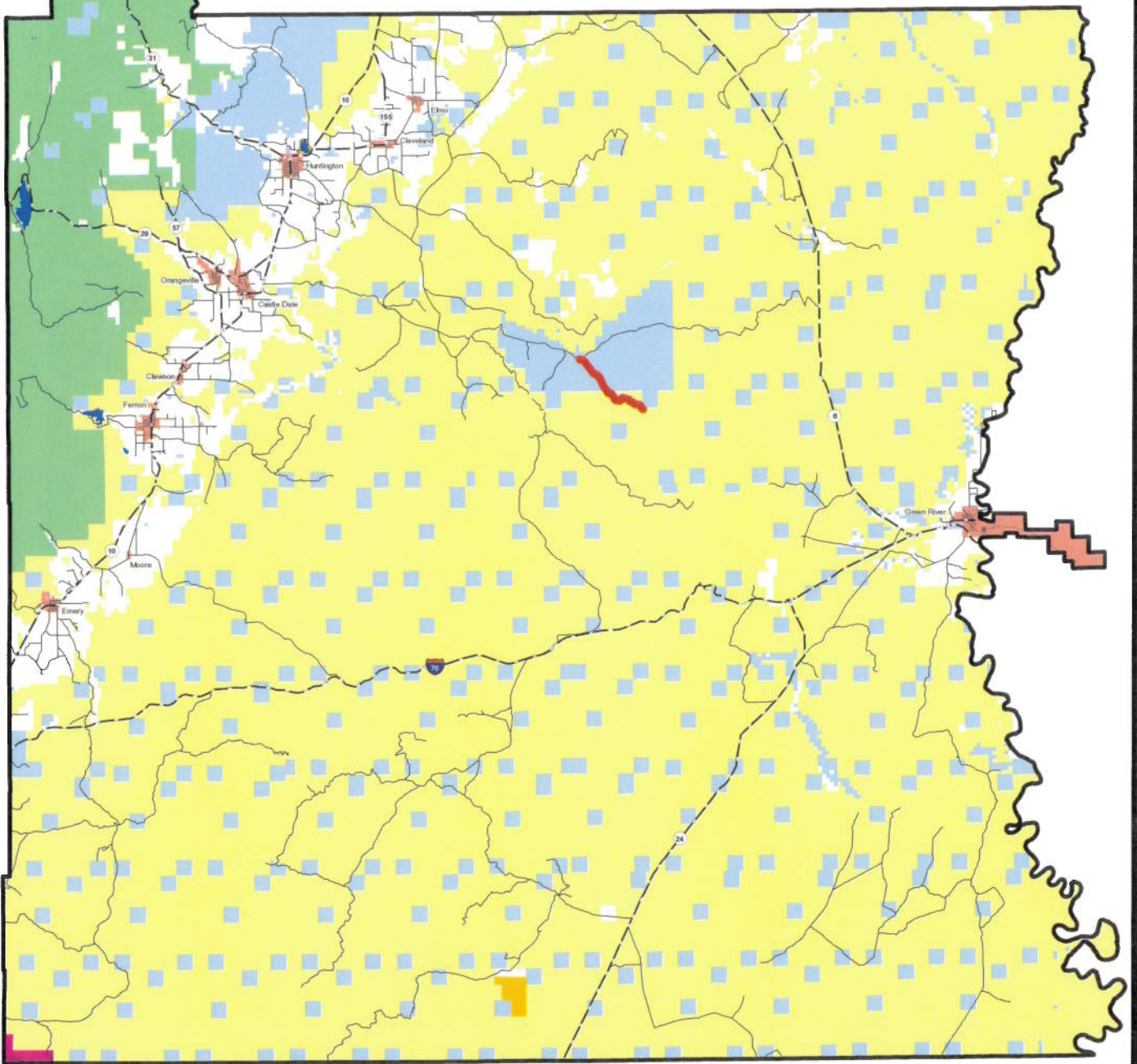
Road #410

Box Flat

-  Box Flat
-  Highway/Interstate
-  B Class Road



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



Appendix A to Attachment 4

Popular Name: BOX FLAT ROAD

County: Emery

County Road Number: 410

State Geographic Information Database (SGID) Road Identification Number: RD080464.

Road-Segment Number: 002

Road-Segment Length: 3.04 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 20 South Range 12 East, Section(s) 3,4,5,10,11, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (BOX FLAT 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 07 minutes 08.28 seconds North Latitude and -110 degrees 35 minutes 28.38 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,898,255.5 feet and Y = 6,849,135.0 feet; thence the following courses along the said road center line:

thence South 25 Degrees 31 Minutes 31 Seconds East	12.3 feet
thence South 29 Degrees 01 Minutes 13 Seconds East	122.3 feet
thence South 38 Degrees 38 Minutes 14 Seconds East	169.4 feet
thence South 41 Degrees 08 Minutes 46 Seconds East	184.8 feet
thence South 43 Degrees 46 Minutes 05 Seconds East	179.5 feet
thence South 58 Degrees 21 Minutes 38 Seconds East	190.3 feet
thence South 78 Degrees 46 Minutes 07 Seconds East	180.2 feet
thence South 89 Degrees 47 Minutes 34 Seconds East	176.9 feet
thence North 86 Degrees 06 Minutes 20 Seconds East	184.5 feet
thence South 68 Degrees 50 Minutes 40 Seconds East	195.4 feet
thence South 43 Degrees 43 Minutes 59 Seconds East	50.1 feet
thence South 43 Degrees 49 Minutes 58 Seconds East	151.6 feet

thence South 27 Degrees 07 Minutes 39 Seconds East 211.8 feet
 thence South 34 Degrees 55 Minutes 42 Seconds East 222.5 feet
 thence South 35 Degrees 22 Minutes 28 Seconds East 237.7 feet
 thence South 40 Degrees 58 Minutes 46 Seconds East 226.7 feet
 thence South 60 Degrees 42 Minutes 57 Seconds East 188 feet
 thence South 49 Degrees 50 Minutes 17 Seconds East 141.5 feet
 thence South 20 Degrees 31 Minutes 40 Seconds East 174.9 feet
 thence South 16 Degrees 00 Minutes 08 Seconds East 222.3 feet
 thence South 18 Degrees 15 Minutes 08 Seconds East 234.6 feet
 thence South 20 Degrees 18 Minutes 02 Seconds East 239.2 feet
 thence South 26 Degrees 14 Minutes 26 Seconds East 246.3 feet
 thence South 41 Degrees 27 Minutes 29 Seconds East 237.5 feet
 thence South 75 Degrees 58 Minutes 16 Seconds East 215.8 feet
 thence North 75 Degrees 37 Minutes 08 Seconds East 225.7 feet
 thence North 76 Degrees 53 Minutes 03 Seconds East 194.2 feet
 thence South 68 Degrees 18 Minutes 24 Seconds East 177.7 feet
 thence South 63 Degrees 29 Minutes 47 Seconds East 224 feet
 thence South 72 Degrees 10 Minutes 55 Seconds East 223.5 feet
 thence South 75 Degrees 47 Minutes 02 Seconds East 226.2 feet
 thence North 82 Degrees 46 Minutes 19 Seconds East 221.2 feet
 thence North 62 Degrees 57 Minutes 46 Seconds East 227.8 feet
 thence North 40 Degrees 00 Minutes 23 Seconds East 233.8 feet
 thence North 27 Degrees 03 Minutes 03 Seconds East 249.1 feet
 thence North 26 Degrees 44 Minutes 51 Seconds East 232.2 feet
 thence North 51 Degrees 33 Minutes 22 Seconds East 222.8 feet
 thence North 80 Degrees 23 Minutes 08 Seconds East 197.2 feet
 thence South 62 Degrees 43 Minutes 30 Seconds East 187 feet
 thence South 49 Degrees 49 Minutes 28 Seconds East 201.1 feet
 thence South 56 Degrees 51 Minutes 19 Seconds East 212.5 feet
 thence South 81 Degrees 06 Minutes 13 Seconds East 204.8 feet
 thence South 89 Degrees 13 Minutes 53 Seconds East 206.5 feet
 thence North 85 Degrees 54 Minutes 21 Seconds East 224.6 feet
 thence North 89 Degrees 27 Minutes 04 Seconds East 167.7 feet
 thence North 89 Degrees 40 Minutes 31 Seconds East 53.5 feet
 thence South 87 Degrees 47 Minutes 58 Seconds East 208.6 feet
 thence South 67 Degrees 25 Minutes 20 Seconds East 199.9 feet
 thence South 57 Degrees 54 Minutes 15 Seconds East 225.9 feet
 thence South 45 Degrees 23 Minutes 13 Seconds East 212.8 feet
 thence South 40 Degrees 11 Minutes 31 Seconds East 194.6 feet
 thence South 41 Degrees 46 Minutes 02 Seconds East 172.1 feet
 thence South 52 Degrees 06 Minutes 07 Seconds East 194.7 feet
 thence South 67 Degrees 35 Minutes 29 Seconds East 217.4 feet
 thence South 70 Degrees 05 Minutes 58 Seconds East 199.4 feet
 thence South 62 Degrees 27 Minutes 53 Seconds East 181.9 feet
 thence South 62 Degrees 07 Minutes 49 Seconds East 191 feet
 thence South 55 Degrees 32 Minutes 25 Seconds East 200.2 feet
 thence South 54 Degrees 46 Minutes 25 Seconds East 165.4 feet
 thence South 56 Degrees 10 Minutes 07 Seconds East 145.6 feet
 thence South 54 Degrees 27 Minutes 26 Seconds East 172.5 feet

thence South 44 Degrees 30 Minutes 56 Seconds East 180.8 feet
 thence South 40 Degrees 35 Minutes 44 Seconds East 191.4 feet
 thence South 60 Degrees 45 Minutes 25 Seconds East 170.9 feet
 thence North 83 Degrees 17 Minutes 20 Seconds East 180 feet
 thence North 79 Degrees 57 Minutes 53 Seconds East 186.8 feet
 thence North 80 Degrees 44 Minutes 46 Seconds East 179.7 feet
 thence North 80 Degrees 03 Minutes 00 Seconds East 113.8 feet
 thence South 79 Degrees 49 Minutes 59 Seconds East 27 feet
 thence South 73 Degrees 27 Minutes 58 Seconds East 34 feet
 thence South 60 Degrees 44 Minutes 06 Seconds East 75.1 feet
 thence South 55 Degrees 22 Minutes 21 Seconds East 115.7 feet
 thence South 48 Degrees 52 Minutes 03 Seconds East 123.9 feet
 thence South 63 Degrees 49 Minutes 44 Seconds East 121.4 feet
 thence North 88 Degrees 09 Minutes 28 Seconds East 148.7 feet
 thence North 86 Degrees 06 Minutes 44 Seconds East 174.3 feet
 thence South 77 Degrees 58 Minutes 33 Seconds East 181.1 feet
 thence South 61 Degrees 58 Minutes 57 Seconds East 184.6 feet
 thence South 47 Degrees 28 Minutes 47 Seconds East 172.8 feet
 thence South 17 Degrees 50 Minutes 40 Seconds East 162.4 feet
 thence South 07 Degrees 12 Minutes 18 Seconds West 172.8 feet
 thence South 00 Degrees 53 Minutes 39 Seconds East 165.1 feet
 thence South 18 Degrees 55 Minutes 39 Seconds East 177 feet
 thence South 42 Degrees 38 Minutes 46 Seconds East 79.5 feet
 thence South 42 Degrees 37 Minutes 36 Seconds East 88.8 feet
 thence South 76 Degrees 25 Minutes 27 Seconds East 168 feet
 thence South 62 Degrees 20 Minutes 42 Seconds East 166.5 feet
 thence South 29 Degrees 15 Minutes 04 Seconds East 42.7 feet
 thence South 29 Degrees 25 Minutes 30 Seconds East 119.4 feet
 thence South 30 Degrees 04 Minutes 10 Seconds East 7.9 feet
 thence South 29 Degrees 34 Minutes 40 Seconds East 147.1 feet
 thence South 20 Degrees 31 Minutes 16 Seconds East 97.9 feet
 thence North 85 Degrees 50 Minutes 08 Seconds East 49 feet
 thence North 29 Degrees 48 Minutes 49 Seconds West 54.7 feet more or less to **the ending**

point at: 39 degrees 06 minutes 06.82 seconds North Latitude and -110 degrees 32 minutes 05.8 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,910,346.4 feet and Y = 6,843,042.4 feet.