

Ent 390379 Page 1 of 13
Date: 07-MAY-2008 11:43AM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 DES BEE DOVE ROAD; County Road Number: 416; State Geographic Information Database (SGID) Road Identification Number: RD080470. Total road length is 6.62 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

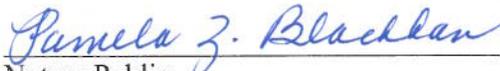
CERTIFICATION

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.

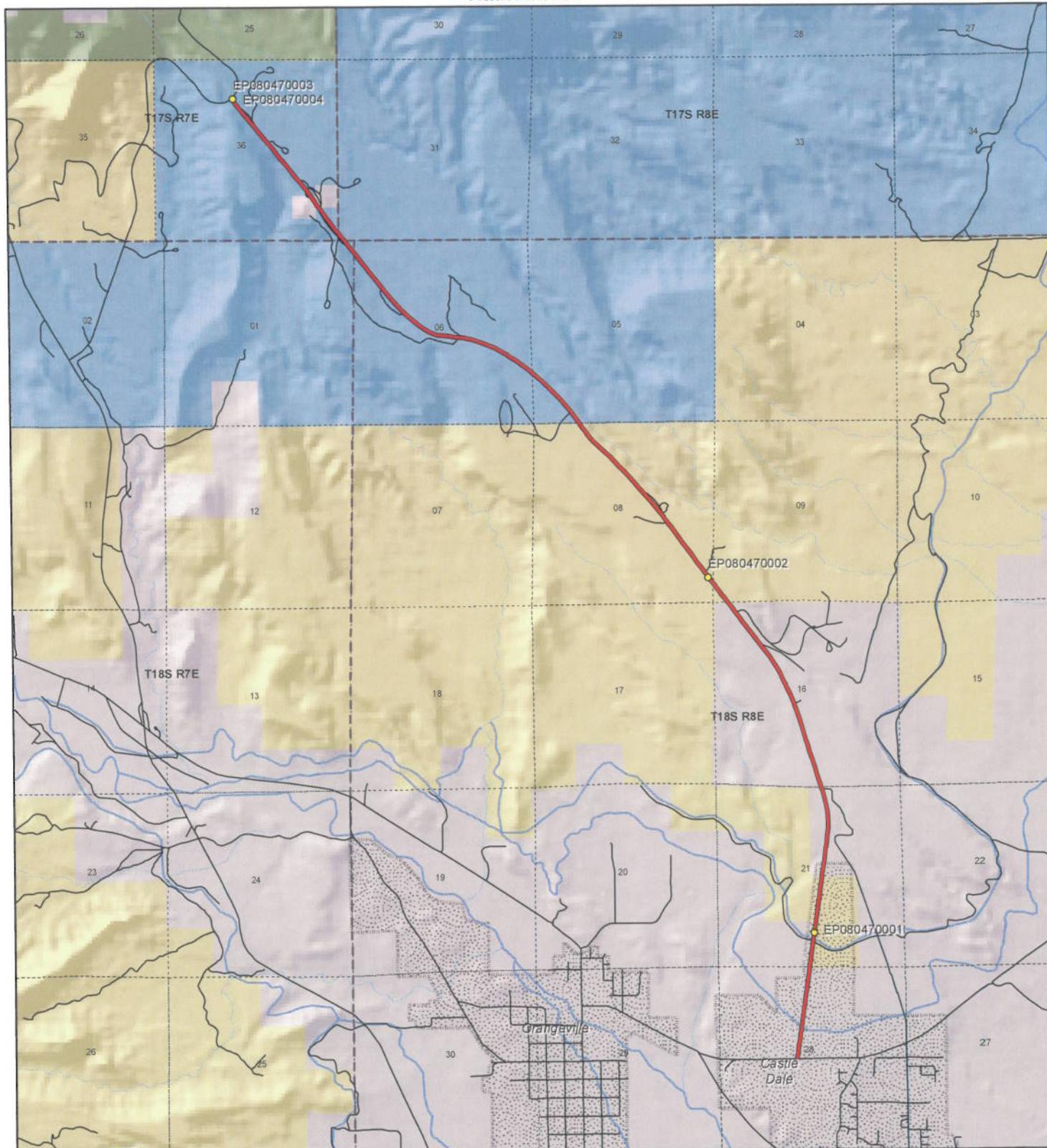
Dated this 21st day of April, 2008.





Notary Public

Attachment 1



1:45,335
1 inch equals 0.7 miles

DES BEE DOVE ROAD - Emery County
SGID RD_ID RD080470

Land Ownership Categories		Transportation Network	
BLM	Wilderness	DES BEE DOVE 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			

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Jan 29, 2008

Attachment 2



EP080470001



EP080470002



EP080470003



EP080470004

EP000000000

EP000000000

DES BEE DOVE ROAD - Emery County
SGID RD_ID RD080470

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: DES BEE DOVE ROAD

County: Emery

County Road Number: 416

State Geographic Information Database (SGID) Road Identification Number: RD080470.

Total Road Length: 6.62 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 13 minutes 40.46 seconds North Latitude and -111 degrees 01 minutes 52.15 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,773,231.4 feet and Y = 6,887,851.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 18 minutes 16.61 seconds North Latitude and -111 degrees 05 minutes 17.81 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,756,919.8 feet and Y = 6,915,709.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 17 South Range 7 East, Section(s) 36, Salt Lake Base & Meridian

Township 17 South Range 8 East, Section(s) 31, Salt Lake Base & Meridian

Township 18 South Range 7 East, Section(s) 1, Salt Lake Base & Meridian

Township 18 South Range 8 East, Section(s) 5,6,8,9,16,21,28, 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: DES BEE DOVE ROAD

County: Emery

County Road Number: 416

State Geographic Information Database (SGID) Road Identification Number: RD080470.

Total Road Length: 6.62 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
RD080470	001	PVT	0.58 Miles	(not shown)
RD080470	002	BLM	0.43 Miles	A
RD080470	003	PVT	1.65 Miles	(not shown)
RD080470	004	BLM	1.28 Miles	B
RD080470	005	ST	1.92 Miles	(not shown)
RD080470	006	PVT	0.08 Miles	(not shown)
RD080470	007	ST	0.68 Miles	(not shown)
		Total Road Length	6.62	_____

* 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 LAMOND GARDNER

DES BEE DOVE ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 416

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 Des Bee Dove Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1940s, it followed the same route as in 2003 when I last observed it. Attached is an Emery County map showing Des Bee Dove 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 1940s and continuing through 1976 to 2003. 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 daily for more than ten continuous years prior to 1976 and is presently used daily, weather permitting.

5. Throughout the time period from the early late 1940s to 2003, I have used the road myself for irrigation surveys, livestock operations 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, mining, oil and gas exploration, recreation, rock hounding, hunting and government access.

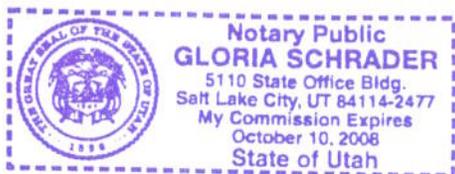
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 9 day of March, 2007.

Lamond Gardner
LAMOND GARDNER

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



Gloria Schrader
NOTARY PUBLIC

Road #416

Des Bee Dove Road

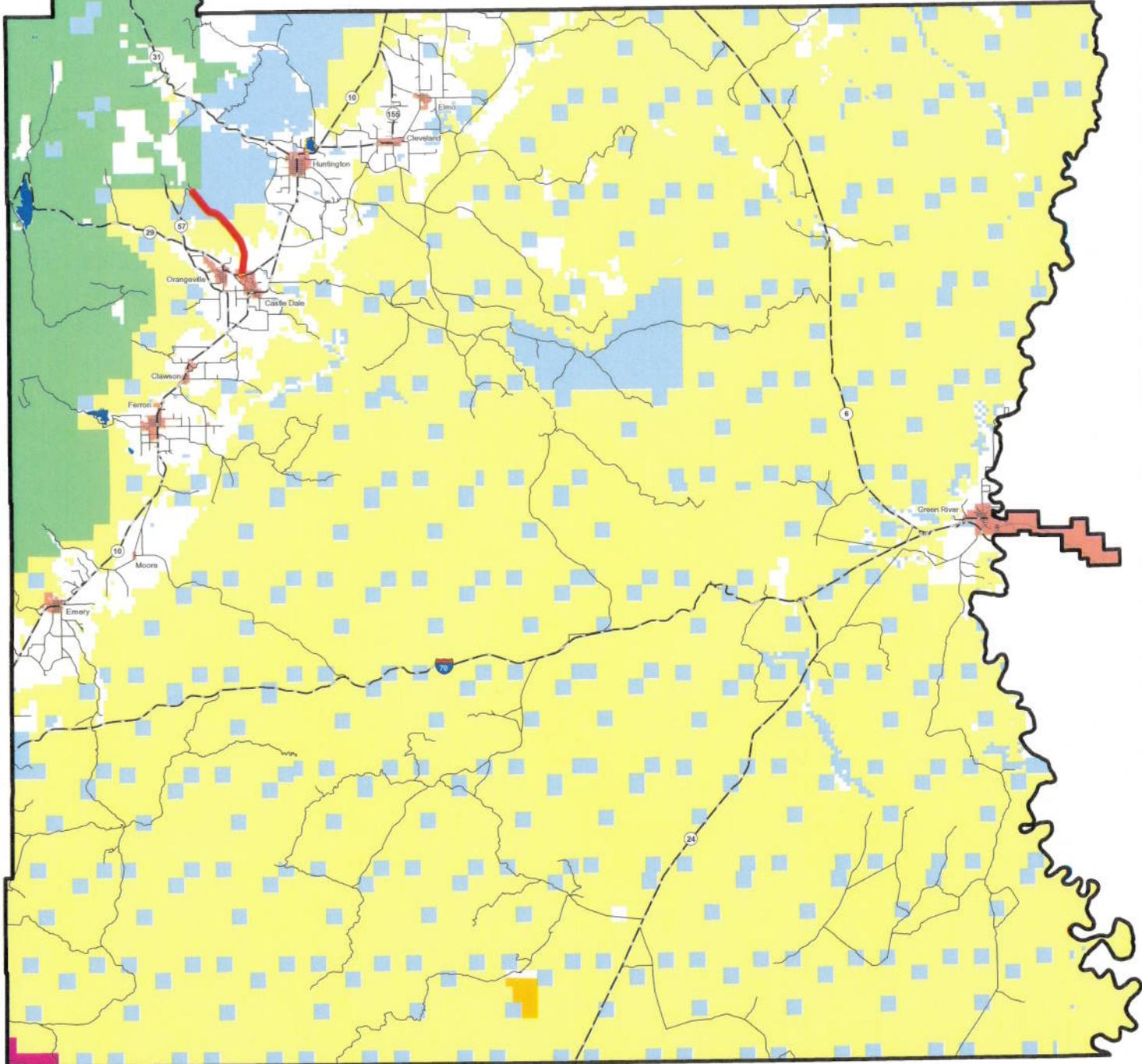
 Des Bee Dove Road

 Highway/Interstate

 B Class Road



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



AFFIDAVIT OF E. JAMES NIELSEN

DES BEE DOVE ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 416

State of Utah)
 : ss.
County of Emery)

E. JAMES NIELSEN, 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 Clawson, Emery County, Utah. I have lived in Emery County my entire life. I have been employed as the supervisor of the Emery County Weed and Mosquito Department since 1980.

2. I have traveled and am familiar with a road in Emery County known as Des Bee Dove 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 2007 when I last observed it. Attached is an Emery County map showing Des Bee Dove 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 2007. Throughout this time period I have observed travel on the road by means of pickup trucks, cars, horses, 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 1950s to 2007, I have used the road

myself for county weed and mosquito control, plant surveys, hunting, rock hounding 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, recreation, mining, access to landing strip, wood gathering and government access.

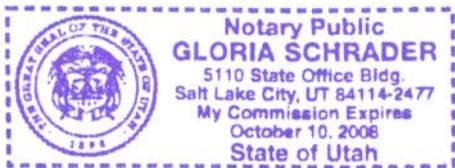
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 7 day of March, 2007.


E. JAMES NIELSEN

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




NOTARY PUBLIC

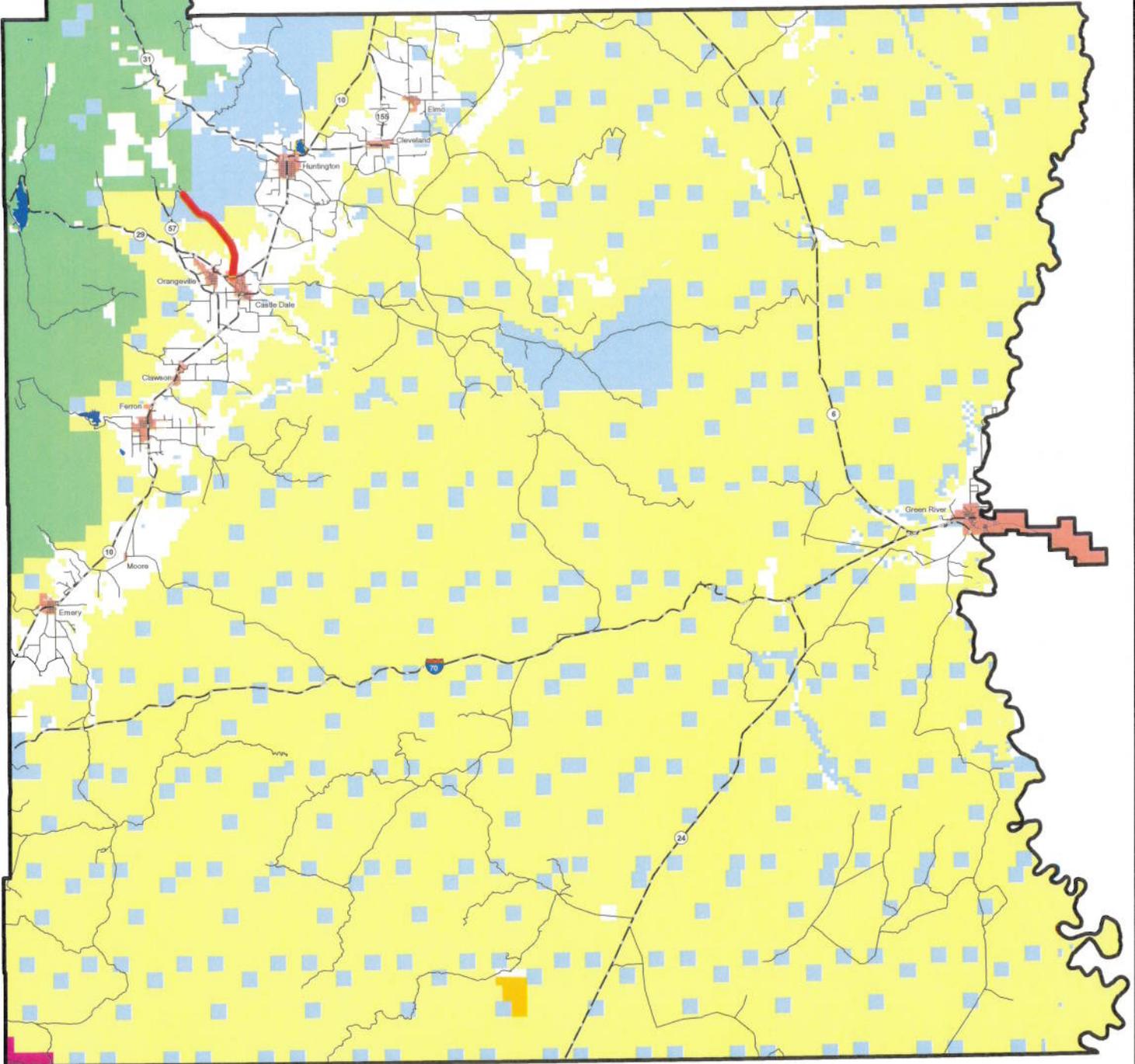
Road #416

Des Bee Dove Road

-  Des Bee Dove Road
-  Highway/Interstate
-  B Class Road



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



Appendix A to Attachment 4

Popular Name: DES BEE DOVE ROAD

County: Emery

County Road Number: 416

State Geographic Information Database (SGID) Road Identification Number: RD080470.

Road-Segment Number: 002

Road-Segment Length: 0.43 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 18 South Range 8 East, Section(s) 21, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (DES BEE DOVE 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 14 minutes 10.55 seconds North Latitude and -111 degrees 01 minutes 46.61 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,773,651.2 feet and Y = 6,890,897.7 feet; thence the following courses along the said road center line:

thence North 07 Degrees 13 Minutes 09 Seconds East	22.5 feet
thence North 08 Degrees 05 Minutes 03 Seconds East	213.3 feet
thence North 07 Degrees 44 Minutes 44 Seconds East	124 feet
thence North 07 Degrees 31 Minutes 59 Seconds East	38.4 feet
thence North 07 Degrees 04 Minutes 26 Seconds East	43.4 feet
thence North 09 Degrees 53 Minutes 02 Seconds East	16.7 feet
thence North 06 Degrees 35 Minutes 28 Seconds East	10.9 feet
thence North 09 Degrees 41 Minutes 16 Seconds East	17 feet
thence North 08 Degrees 50 Minutes 32 Seconds East	10.3 feet
thence North 10 Degrees 27 Minutes 51 Seconds East	7 feet
thence North 08 Degrees 31 Minutes 35 Seconds East	85.4 feet

thence North 07 Degrees 59 Minutes 24 Seconds East 147.6 feet
thence North 07 Degrees 41 Minutes 20 Seconds East 197.9 feet
thence North 07 Degrees 53 Minutes 13 Seconds East 34.5 feet
thence North 07 Degrees 51 Minutes 02 Seconds East 196.3 feet
thence North 07 Degrees 49 Minutes 14 Seconds East 248 feet
thence North 07 Degrees 52 Minutes 58 Seconds East 255.3 feet
thence North 07 Degrees 55 Minutes 56 Seconds East 260.7 feet
thence North 07 Degrees 48 Minutes 00 Seconds East 267.2 feet
thence North 08 Degrees 05 Minutes 46 Seconds East 65 feet more or less to **the ending point**

at: 39 degrees 14 minutes 32.67 seconds North Latitude and -111 degrees 01 minutes 042.5 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,773,962.3 feet and Y = 6,893,137.5 feet.

Appendix B to Attachment 4

Popular Name: DES BEE DOVE ROAD

County: Emery

County Road Number: 416

State Geographic Information Database (SGID) Road Identification Number: RD080470.

Road-Segment Number: 004

Road-Segment Length: 1.28 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 18 South Range 8 East, Section(s) 8,9,16, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (DES BEE DOVE 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 15 minutes 51.27 seconds North Latitude and -111 degrees 02 minutes 16.58 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,771,240.5 feet and Y = 6,901,075.6 feet; thence the following courses along the said road center line:

thence North 36 Degrees 38 Minutes 48 Seconds West 13.9 feet
thence North 38 Degrees 58 Minutes 47 Seconds West 2.1 feet
thence North 37 Degrees 11 Minutes 23 Seconds West 14.8 feet
thence North 37 Degrees 53 Minutes 18 Seconds West 16.1 feet
thence North 38 Degrees 44 Minutes 16 Seconds West 12.1 feet
thence North 36 Degrees 56 Minutes 59 Seconds West 94.1 feet
thence North 37 Degrees 03 Minutes 15 Seconds West 138.8 feet
thence North 36 Degrees 37 Minutes 15 Seconds West 85.9 feet
thence North 34 Degrees 00 Minutes 36 Seconds West 2.4 feet
thence North 35 Degrees 11 Minutes 43 Seconds West 13.2 feet
thence North 37 Degrees 15 Minutes 51 Seconds West 101 feet

thence North 37 Degrees 18 Minutes 27 Seconds West 159.8 feet
 thence North 37 Degrees 19 Minutes 07 Seconds West 58.4 feet
 thence North 37 Degrees 14 Minutes 45 Seconds West 133.8 feet
 thence North 37 Degrees 03 Minutes 37 Seconds West 203.5 feet
 thence North 37 Degrees 11 Minutes 23 Seconds West 45.9 feet
 thence North 37 Degrees 18 Minutes 14 Seconds West 164.8 feet
 thence North 36 Degrees 45 Minutes 39 Seconds West 210.5 feet
 thence North 36 Degrees 57 Minutes 59 Seconds West 218.8 feet
 thence North 36 Degrees 48 Minutes 34 Seconds West 227.4 feet
 thence North 36 Degrees 09 Minutes 01 Seconds West 231.5 feet
 thence North 36 Degrees 43 Minutes 19 Seconds West 225.1 feet
 thence North 36 Degrees 08 Minutes 44 Seconds West 212.5 feet
 thence North 36 Degrees 18 Minutes 37 Seconds West 149.7 feet
 thence North 36 Degrees 59 Minutes 39 Seconds West 57.7 feet
 thence North 35 Degrees 59 Minutes 25 Seconds West 65.9 feet
 thence North 36 Degrees 54 Minutes 18 Seconds West 79.3 feet
 thence North 37 Degrees 19 Minutes 50 Seconds West 26.7 feet
 thence North 36 Degrees 47 Minutes 21 Seconds West 37.5 feet
 thence North 36 Degrees 33 Minutes 28 Seconds West 190.4 feet
 thence North 38 Degrees 03 Minutes 13 Seconds West 222 feet
 thence North 39 Degrees 14 Minutes 17 Seconds West 238.8 feet
 thence North 41 Degrees 40 Minutes 11 Seconds West 247.9 feet
 thence North 41 Degrees 47 Minutes 02 Seconds West 184.4 feet
 thence North 41 Degrees 20 Minutes 19 Seconds West 63.5 feet
 thence North 41 Degrees 56 Minutes 25 Seconds West 240.1 feet
 thence North 41 Degrees 51 Minutes 50 Seconds West 227.1 feet
 thence North 42 Degrees 07 Minutes 26 Seconds West 228.9 feet
 thence North 43 Degrees 17 Minutes 44 Seconds West 223.4 feet
 thence North 43 Degrees 20 Minutes 24 Seconds West 188.1 feet
 thence North 43 Degrees 19 Minutes 36 Seconds West 100.1 feet
 thence North 42 Degrees 08 Minutes 24 Seconds West 16.7 feet
 thence North 44 Degrees 20 Minutes 11 Seconds West 108.2 feet
 thence North 46 Degrees 36 Minutes 47 Seconds West 174.8 feet
 thence North 48 Degrees 19 Minutes 57 Seconds West 211.9 feet
 thence North 48 Degrees 28 Minutes 25 Seconds West 227.8 feet
 thence North 38 Degrees 51 Minutes 08 Seconds West 230.8 feet
 thence North 37 Degrees 16 Minutes 15 Seconds West 139.2 feet
 thence North 36 Degrees 20 Minutes 50 Seconds West 4.5 feet
 thence North 37 Degrees 40 Minutes 09 Seconds West 15.7 feet
 thence North 36 Degrees 06 Minutes 53 Seconds West 119 feet
 thence North 35 Degrees 38 Minutes 37 Seconds West 153.3 feet more or less to **the ending**

point at: 39 degrees 16 minutes 42.94 seconds North Latitude and -111 degrees 03 minutes 010.8 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,766,949.7 feet and Y = 6,906,281.6 feet.