

Ent 390386 Page 1 of 13
Date: 07-MAY-2008 12:02PM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 CLAWSON/PARADISE ROAD; County Road Number: 605; State Geographic Information Database (SGID) Road Identification Number: RD080498. Total road length is 4.88 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, 200 8.

By the Governor's Designee



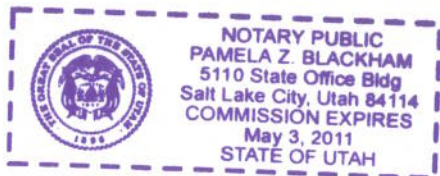
John Harja

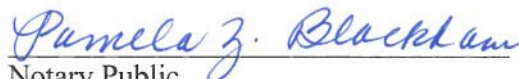
CERTIFICATION

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.

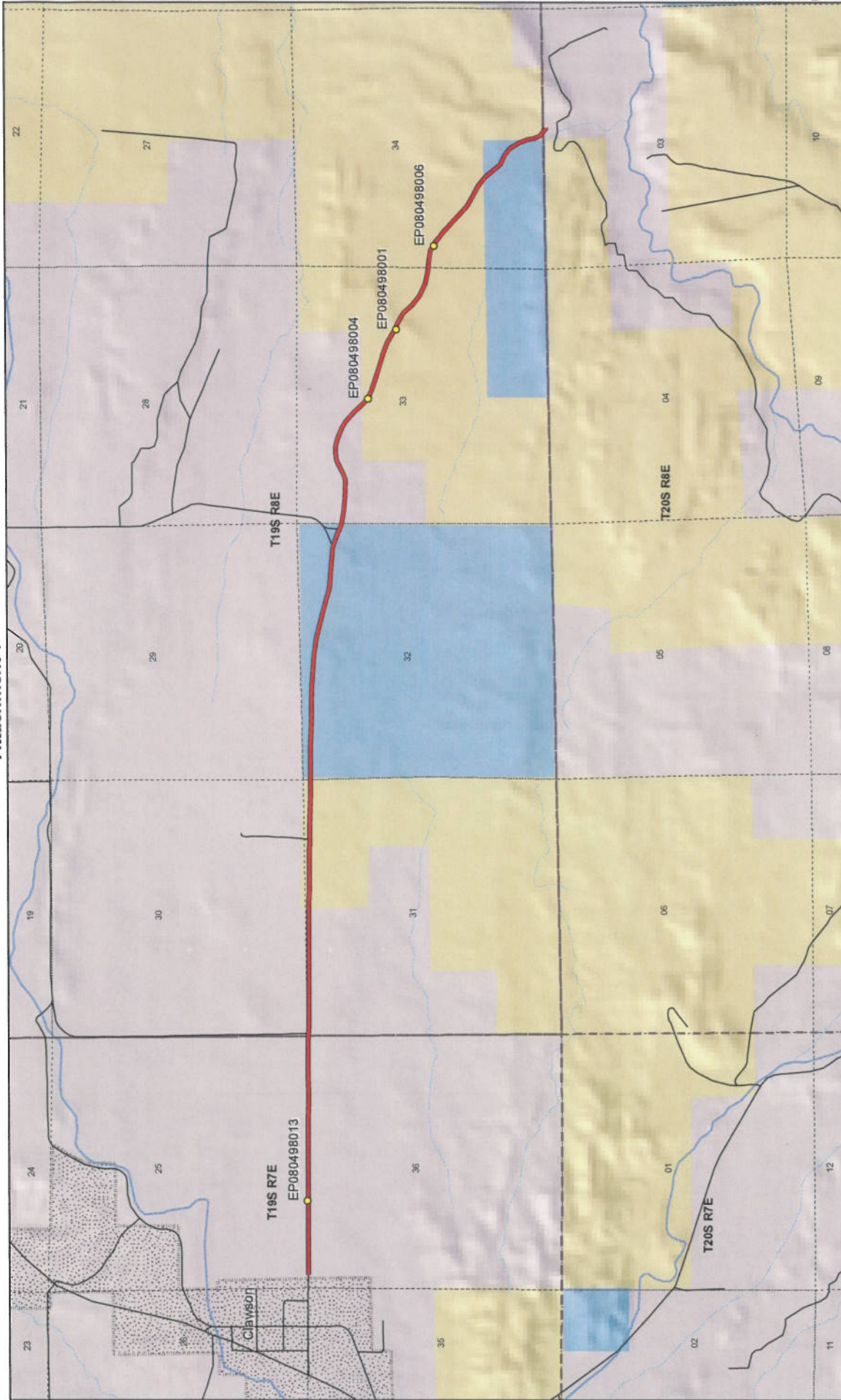
Dated this 21st day of April, 200 8.





Notary Public

Attachment 1



1:33,395
1 inch equals 0.5 miles

CLAWSON/PARADISE ROAD - Emery County
SGID RD_ID RD080498

Land Ownership Categories

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

Transportation Network

- CLAWSON/PARADISE 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
1640 East 1000 South
Salt Lake City, Utah 84114
Jan 28, 2008

Attachment 2



EP080498001



EP080498004



EP080498006



EP080498013

EP000000000

EP000000000

CLAWSON/PARADISE ROAD - Emery County
SGID RD_ID RD080498

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: CLAWSON/PARADISE ROAD

County: Emery

County Road Number: 605

State Geographic Information Database (SGID) Road Identification Number: RD080498.

Total Road Length: 4.88 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 07 minutes 55.87 seconds North Latitude and -111 degrees 05 minutes 35.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,755,839.1 feet and Y = 6,852,903.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 07 minutes 06.12 seconds North Latitude and -111 degrees 00 minutes 30.85 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,779,847.3 feet and Y = 6,847,990.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 19 South Range 7 East, Section(s) 36, Salt Lake Base & Meridian

Township 19 South Range 8 East, Section(s) 31,32,33,34, Salt Lake Base & Meridian

Township 20 South Range 8 East, Section(s) 3, 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: CLAWSON/PARADISE ROAD

County: Emery

County Road Number: 605

State Geographic Information Database (SGID) Road Identification Number: RD080498.

Total Road Length: 4.88 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 |
|--|---------------------------------|--|---|----------------------------------|
| RD080498 | 001 | PVT | 1.45 Miles | (not shown) |
| RD080498 | 002 | BLM | 0.52 Miles | A |
| RD080498 | 003 | ST | 1.02 Miles | (not shown) |
| RD080498 | 004 | PVT | 0.51 Miles | (not shown) |
| RD080498 | 005 | BLM | 1.04 Miles | B |
| RD080498 | 006 | ST | 0.26 Miles | (not shown) |
| RD080498 | 007 | BLM | 0.07 Miles | C |
| RD080498 | 008 | PVT | 0.01 Miles | (not shown) |
| | | Total Road Length | 4.88 | _____ |

* 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

CLAWSON/PARADISE ROAD

EMERY COUNTY, UTAH

ROAD NUMBER 605

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 Clawson/Paradise 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 Clawson/Paradise 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.

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

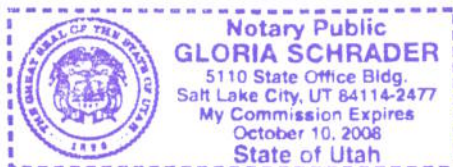
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

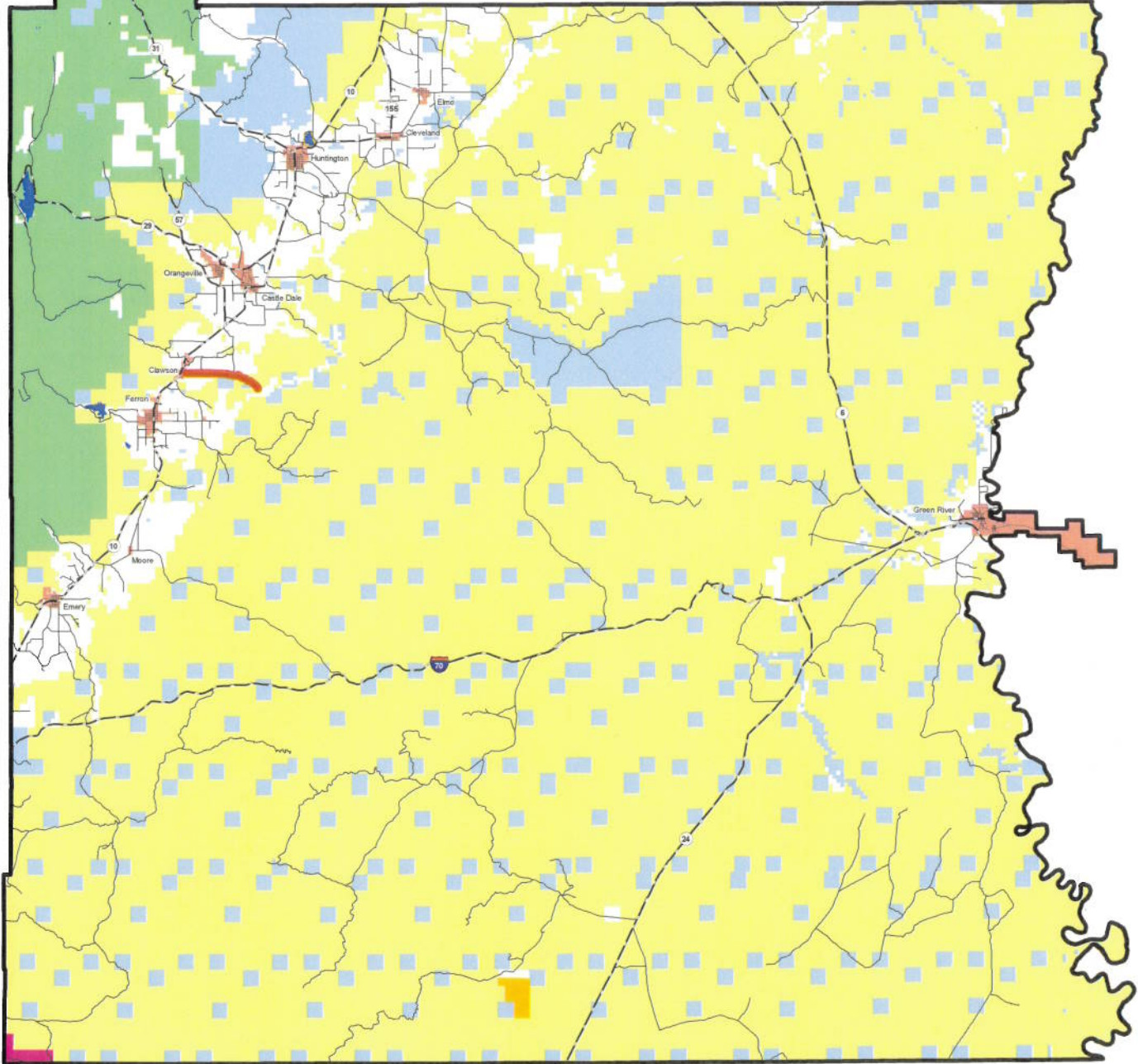
Road #605

Clawson/Paradise

-  Clawson/Paradise
-  Highway/Interstate
-  B Class Road



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



AFFIDAVIT OF E. JAMES NIELSEN
CLAWSON/PARADISE ROAD
EMERY COUNTY, UTAH
ROAD NUMBER 605

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 Clawson/Paradise 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 2007 when I last observed it. Attached is an Emery County map showing Clawson/Paradise 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 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 late 1940s to 2007, I have used the road

myself for county weed and mosquito control, fishing, 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, wood gathering and government access.

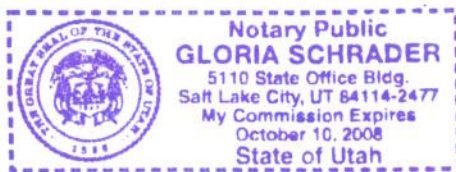
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 7 day of March, 2007.


E. JAMES NIELSEN

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




NOTARY PUBLIC

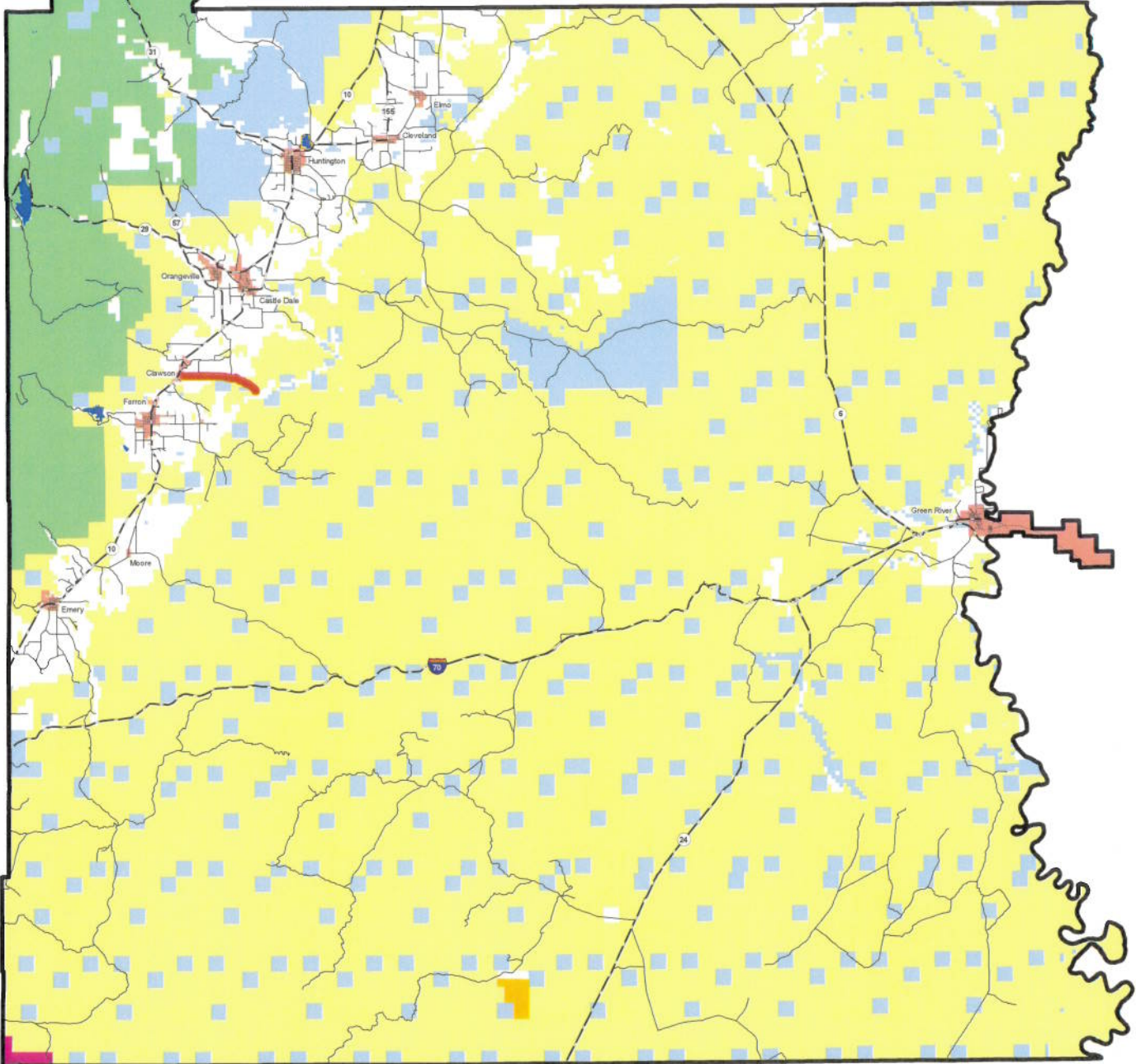
Road #605

Clawson/Paradise

-  Clawson/Paradise
-  Highway/Interstate
-  B Class Road



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



Appendix A to Attachment 4

Popular Name: CLAWSON/PARADISE ROAD

County: Emery

County Road Number: 605

State Geographic Information Database (SGID) Road Identification Number: RD080498.

Road-Segment Number: 002

Road-Segment Length: 0.52 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 19 South Range 8 East, Section(s) 31,32, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (CLAWSON/PARADISE 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 55.71 seconds North Latitude and -111 degrees 03 minutes 58.17 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,763,484.0 feet and Y = 6,852,922.5 feet; thence the following courses along the said road center line:

| | |
|--|------------|
| thence North 89 Degrees 58 Minutes 54 Seconds East | 124.7 feet |
| thence South 89 Degrees 13 Minutes 49 Seconds East | 259 feet |
| thence South 89 Degrees 12 Minutes 33 Seconds East | 254.1 feet |
| thence South 89 Degrees 59 Minutes 37 Seconds East | 230.7 feet |
| thence South 89 Degrees 58 Minutes 41 Seconds East | 220.2 feet |
| thence South 89 Degrees 27 Minutes 46 Seconds East | 175.6 feet |
| thence South 89 Degrees 11 Minutes 47 Seconds East | 50.2 feet |
| thence South 89 Degrees 06 Minutes 58 Seconds East | 78.1 feet |
| thence South 89 Degrees 59 Minutes 52 Seconds East | 58.4 feet |
| thence South 89 Degrees 54 Minutes 37 Seconds East | 45.9 feet |
| thence South 89 Degrees 13 Minutes 04 Seconds East | 221.9 feet |

thence South 89 Degrees 12 Minutes 03 Seconds East 319.4 feet

thence South 88 Degrees 30 Minutes 05 Seconds East 331 feet

thence North 89 Degrees 51 Minutes 13 Seconds East 324.9 feet

thence North 89 Degrees 40 Minutes 48 Seconds East 3.3 feet

thence South 89 Degrees 51 Minutes 00 Seconds East 40 feet more or less to **the ending point**

at: 39 degrees 07 minutes 55.32 seconds North Latitude and -111 degrees 03 minutes 23.43 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,766,221.4 feet and Y = 6,852,896.4 feet.

Appendix B to Attachment 4

Popular Name: CLAWSON/PARADISE ROAD

County: Emery

County Road Number: 605

State Geographic Information Database (SGID) Road Identification Number: RD080498.

Road-Segment Number: 005

Road-Segment Length: 1.04 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 19 South Range 8 East, Section(s) 33,34, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (CLAWSON/PARADISE ROAD)-- Segment 005 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 44.56 seconds North Latitude and -111 degrees 01 minutes 04.6 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,774,015.1 feet and Y = 6,851,847.3 feet; thence the following courses along the said road center line:

thence South 42 Degrees 07 Minutes 13 Seconds East 74.8 feet
thence South 49 Degrees 42 Minutes 02 Seconds East 112.4 feet
thence South 64 Degrees 20 Minutes 34 Seconds East 157.4 feet
thence South 71 Degrees 42 Minutes 56 Seconds East 280.9 feet
thence South 72 Degrees 42 Minutes 44 Seconds East 287.5 feet
thence South 72 Degrees 43 Minutes 45 Seconds East 274.8 feet
thence South 68 Degrees 32 Minutes 47 Seconds East 249.5 feet
thence South 60 Degrees 06 Minutes 49 Seconds East 242.7 feet
thence South 64 Degrees 49 Minutes 16 Seconds East 228.7 feet
thence South 60 Degrees 22 Minutes 56 Seconds East 242 feet
thence South 40 Degrees 32 Minutes 16 Seconds East 239.4 feet

thence South 52 Degrees 35 Minutes 23 Seconds East 262.3 feet
thence South 65 Degrees 30 Minutes 21 Seconds East 269 feet
thence South 76 Degrees 58 Minutes 56 Seconds East 254.7 feet
thence South 84 Degrees 50 Minutes 23 Seconds East 89.4 feet
thence South 84 Degrees 56 Minutes 52 Seconds East 143.7 feet
thence South 81 Degrees 39 Minutes 09 Seconds East 217.8 feet
thence South 59 Degrees 19 Minutes 30 Seconds East 207.1 feet
thence South 50 Degrees 53 Minutes 25 Seconds East 160.2 feet
thence South 49 Degrees 22 Minutes 33 Seconds East 95.2 feet
thence South 49 Degrees 00 Minutes 26 Seconds East 209.3 feet
thence South 47 Degrees 14 Minutes 08 Seconds East 277.7 feet
thence South 48 Degrees 46 Minutes 50 Seconds East 265.3 feet
thence South 59 Degrees 44 Minutes 59 Seconds East 245.9 feet
thence South 62 Degrees 25 Minutes 51 Seconds East 241.4 feet
thence South 50 Degrees 48 Minutes 18 Seconds East 140.8 feet more or less to **the ending**

point at: 39 degrees 07 minutes 19.23 seconds North Latitude and -111 degrees 00 minutes 44.91 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,778,732.5 feet and Y = 6,849,310.3 feet.

Appendix C to Attachment 4

Popular Name: CLAWSON/PARADISE ROAD

County: Emery

County Road Number: 605

State Geographic Information Database (SGID) Road Identification Number: RD080498.

Road-Segment Number: 007

Road-Segment Length: 0.07 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 19 South Range 8 East, Section(s) 34, Salt Lake Base & Meridian

Township 20 South Range 8 East, Section(s) 3, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (CLAWSON/PARADISE ROAD)-- Segment 007 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 09.46 seconds North Latitude and -111 degrees 00 minutes 33.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,779,599.6 feet and Y = 6,848,326.6 feet; thence the following courses along the said road center line:

thence South 10 Degrees 10 Minutes 09 Seconds East 95.9 feet

thence South 22 Degrees 39 Minutes 39 Seconds East 129.5 feet

thence South 56 Degrees 19 Minutes 57 Seconds East 122.7 feet

thence South 55 Degrees 19 Minutes 41 Seconds East 4 feet

thence South 55 Degrees 48 Minutes 42 Seconds East 25.5 feet more or less to **the ending**

point at: 39 degrees 07 minutes 6.5 seconds North Latitude and -111 degrees 00 minutes 31.54 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,779,792.9 feet and Y = 6,848,028.0 feet.