

**Acknowledgment and
Notice of Acknowledgment
of Acceptance of R.S. 2477
Right-of-Way Grant**

Ent 486351, Bk 729, Pg 327-339
Date: 27-MAY-2008 10:17AM
Fee: None
Filed By: PL
MERLENE MOSHER DALTON, Recorder
GRAND COUNTY CORPORATION
For: STATE OF UTAH

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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Grand County as it pertains to the highway located in Grand County known as SHORT CUT ROAD; County Road Number: 00139; State Geographic Information Database (SGID) Road Identification Number: RD100039. Total road length is 5.68 miles more or less.

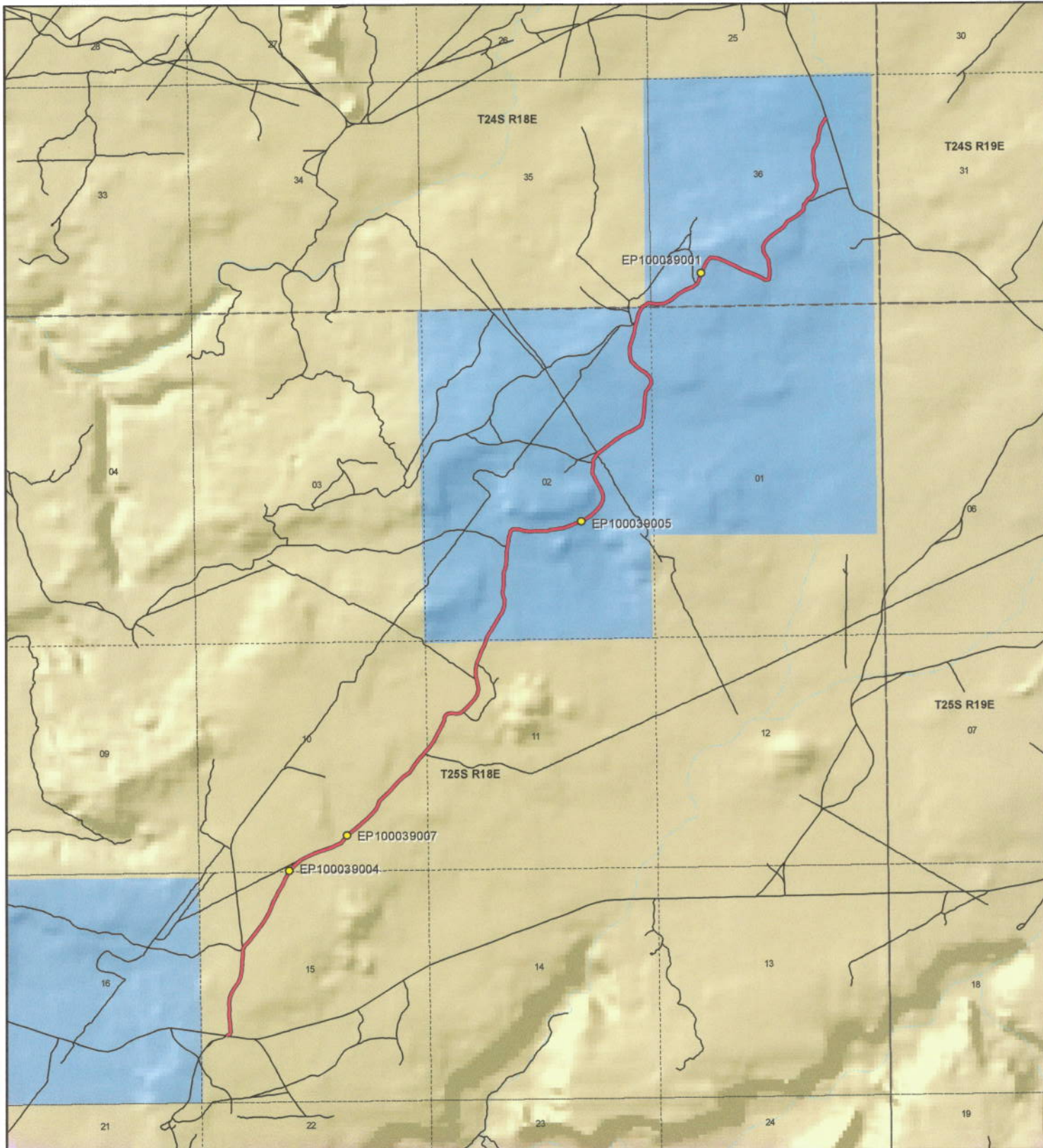
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) 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



Short Cut Road - Grand County
SGID RD_ID RD100039

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park
- ◆ Wilderness
- ◆ UDWR Wildlife Reserve
- ◆ DOD, Military
- ◆ State Sovereign Land
- ◆ National Recreation Area
- ◆ USFWS, Natl. Wildlife Refuge

Transportation Network

- Short Cut Road
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- Photo Event Point
- Section = 1 Mile



1:35,875

1 inch equals 0.6 miles



Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Apr 10, 2008



Attachment 2



EP100039001



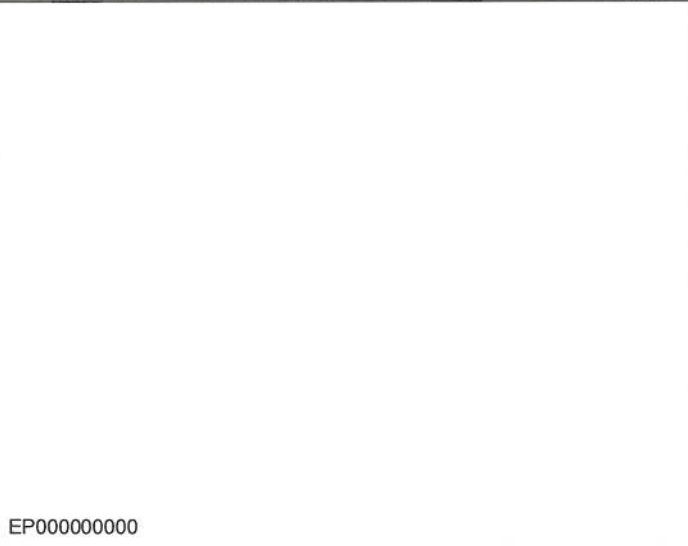
EP100039005



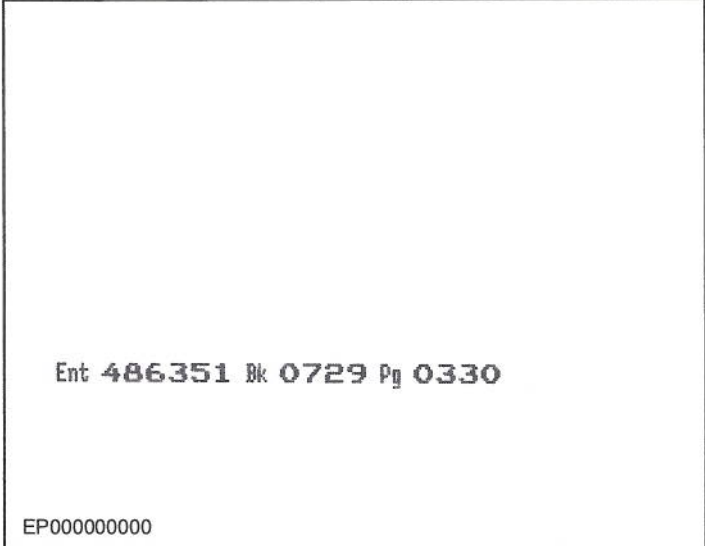
EP100039007



EP100039004



EP000000000



EP000000000

Short Cut Road - Grand County
SGID RD_ID RD100039

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
April 14, 2008



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: SHORT CUT ROAD

County: Grand

County Road Number: 00139

State Geographic Information Database (SGID) Road Identification Number: RD100039.

Total Road Length: 5.68 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 37 minutes 37.23 seconds North Latitude and -109 degrees 55 minutes 041.3 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,089,516.7 feet and Y = 6,672,585.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 41 minutes 03.89 seconds North Latitude and -109 degrees 52 minutes 43.84 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,103,219.9 feet and Y = 6,693,743.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 24 South Range 18 East, Section(s) 35,36, Salt Lake Base & Meridian

Township 25 South Range 18 East, Section(s) 2,10,11,15, Salt Lake Base & Meridian

See Attachment 1 above for a cartographic depiction of the course of this road.

Ent 486351 Bk 0729 Pg 0331

**Attachment 4
Road Centerline Description Cover Page(s)**

Popular Name: SHORT CUT ROAD

County: Grand

County Road Number: 00139

State Geographic Information Database (SGID) Road Identification Number: RD100039.

Total Road Length: 5.68 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
RD100039	001	BLM	2.2 Miles	A
RD100039	002	ST	1.98 Miles	(not shown)
RD100039	003	BLM	0.01 Miles	B
RD100039	004	ST	1.49 Miles	(not shown)
		Total Road Length	5.68	

* 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.

Ent 486351 Bk 0729 Pg 0332

Attachment 5

AFFIDAVIT OF NEAL SWISHER

SHORT CUT ROAD

GRAND COUNTY, UTAH

ROAD NUMBER 00139

State of Utah)
 : ss.
County of Grand)

NEAL SWISHER, 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 Moab, Grand County, Utah. I have lived in Grand County since 1960. I worked in the oil fields of Grand County until I retired in the early 1990s.

2. I have traveled and am familiar with a road in Grand County known as Short Cut Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s it followed the same route as in 2007 when I last observed it. Attached is a Grand County map showing Short Cut 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. The County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 2007. Throughout this time period I observed travel on the road by means of jeeps, pickup trucks and ATVs. During this time period, the road was used daily for more than ten continuous years prior to 1976 and was so used in 2007.


5. Throughout the time period from the early 1960s to 2007, I used the road myself for my employment in the oil fields, rock hounding and recreation.

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, oil and gas exploration and development, prospecting for minerals and sightseeing.

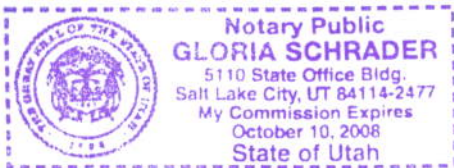
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed road graders and heavy equipment performing maintenance and construction activities on the road.

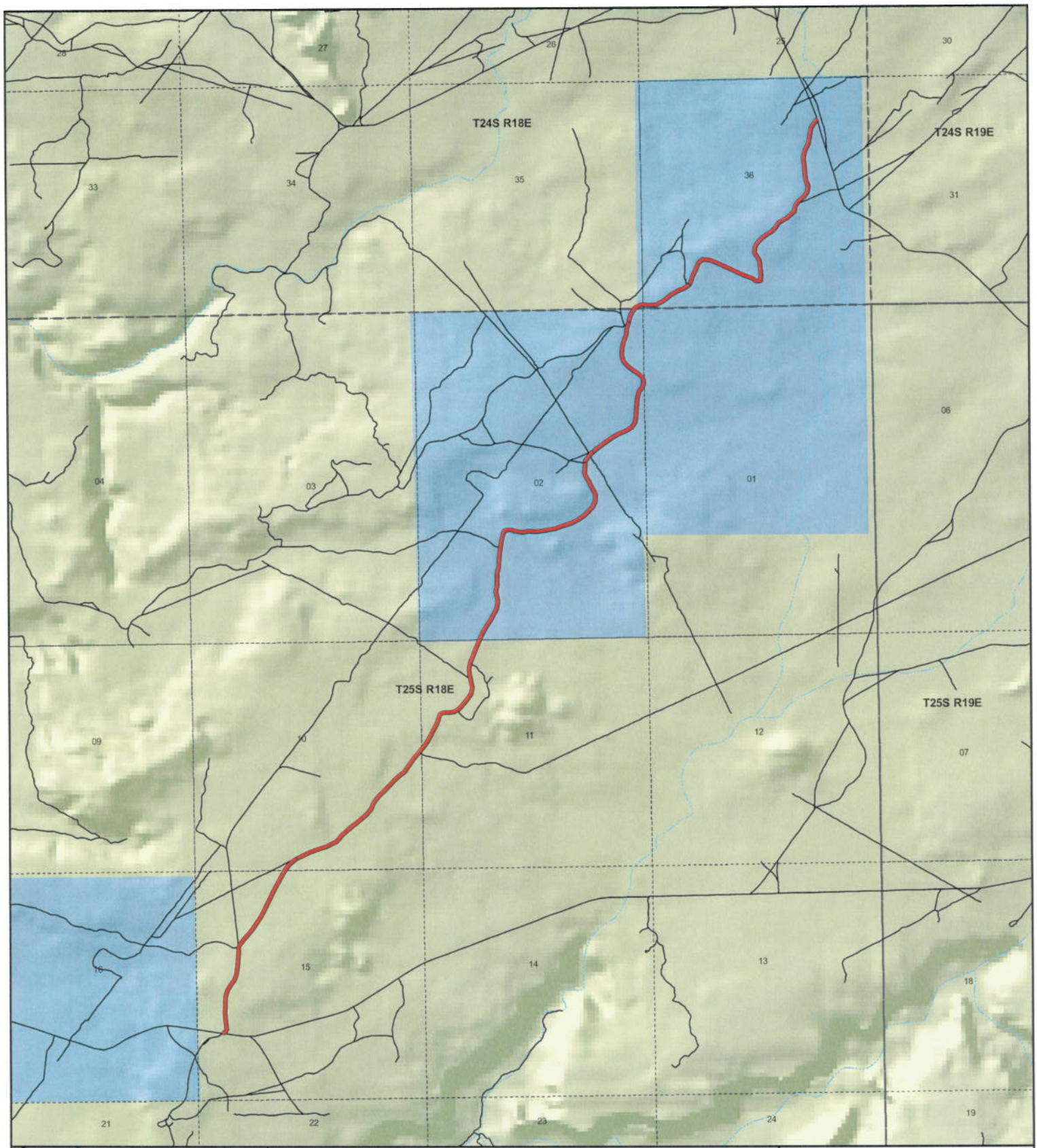
DATED this 1 day of August, 2007.


NEALSWISHER

SUBSCRIBED AND SWORN to before me this 1st day of August, 2007.




NOTARY PUBLIC



**Short Cut
County Unique - 00139**

- Land Ownership Categories**
- BLM
 - US Forest Service
 - Private
 - State Lands
 - National Parks (NPS)
 - Wilderness
 - National Recreation Area
 - State Parks
 - State Sovereign Land
 - Tribal Lands
 - Military
 - Wildlife Reserve

- Transportation Network**
- Short Cut
 - State / U.S. Highway
 - Local Roads

- Misc**
- City / Town
 - Municipalities
 - Section = 1 Mile



1:35,299
1 inch equals 0.6 miles



Map prepared by the State of Utah
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Jul 25, 2007



**AFFIDAVIT OF JERRY McNEELY
SHORT CUT ROAD
GRAND COUNTY, UTAH
COUNTY ROAD NUMBER B00139**

State of Utah)
 : ss
County of Grand)

JERRY McNEELY, 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 Grand County, Utah. I have lived in Grand County since 1945. My Great-Grandfather settled in the Moab Valley in the late 1800s. I have been a Grand County Council member since 2001.

2. I have traveled and am familiar with a road in San Juan County known as Short Cut Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s it followed the same route as in 2006, when I last observed it. Attached is a San Juan County map showing Short Cut 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 identifies this road according to the road number described above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 2006. Throughout this time period I have observed travel on the road by means of jeeps, mountain bikes, pickup trucks, oil field equipment and ATVs. During this time period, the road was used daily for more than ten continuous years prior to 1976 and was so used in 2006.

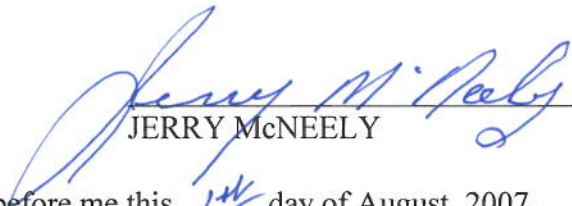
5. Throughout the time period from the early 1960s to 2006, I have used the road myself for my employment with a land surveyor, hunting and recreation.

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, wood gathering, prospecting for minerals, rock hounding, mining, oil and gas exploration and development and sightseeing.

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 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

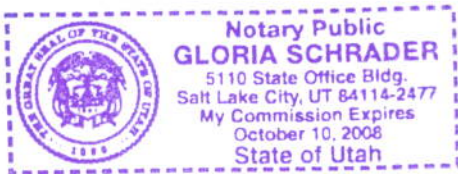
8. Prior to 1976, I observed the graded surface of the road and other evidence of maintenance and construction activities such as berms along the side of the road.

DATED this 1 day of August, 2007.



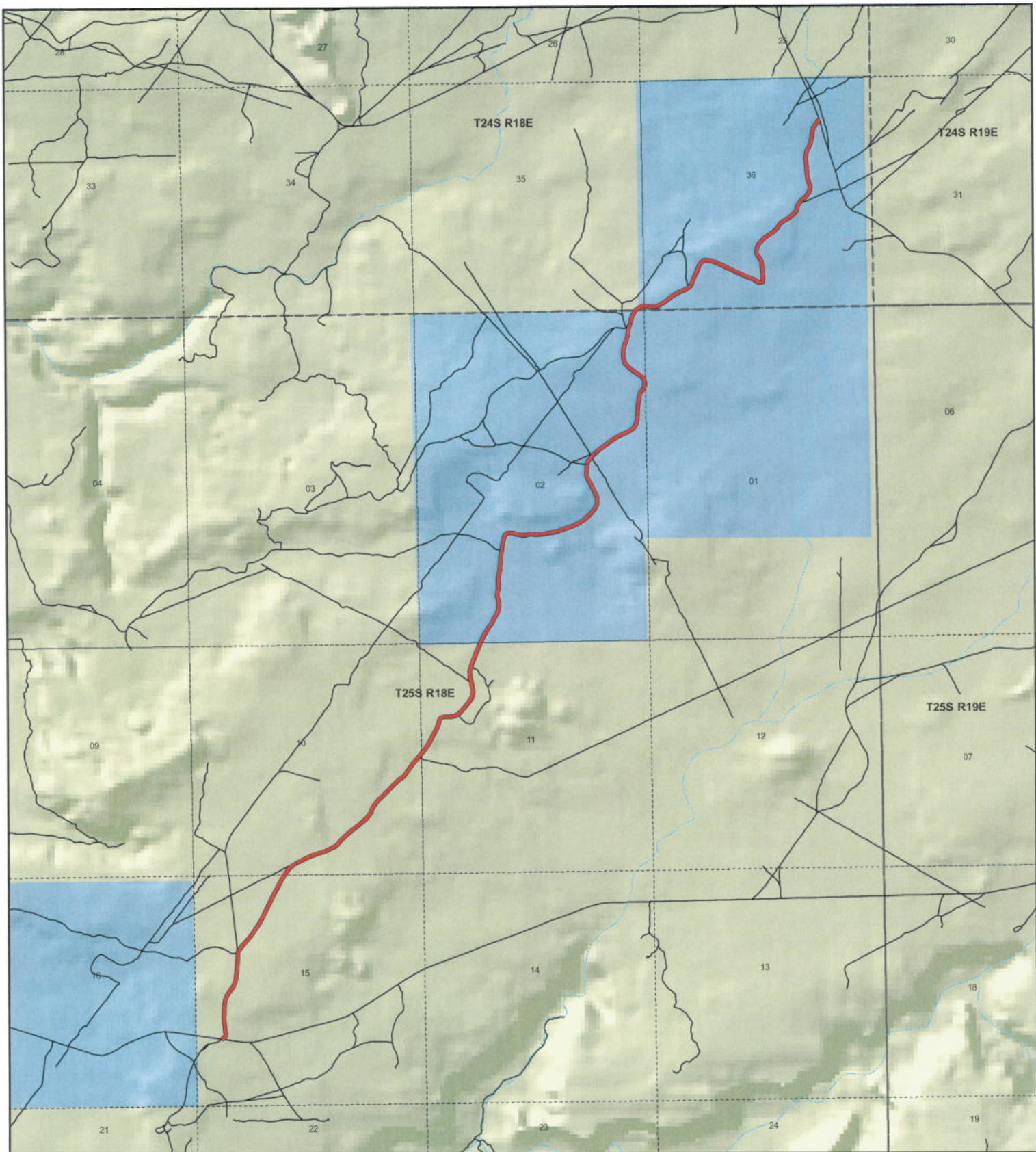
JERRY McNEELY

SUBSCRIBED AND SWORN to before me this 1st day of August, 2007.





NOTARY PUBLIC



**Short Cut
County Unique - 00139**

Land Ownership Categories

- BLM
- US Forest Service
- Private
- State Lands
- National Parks (NPS)
- Wilderness
- National Recreation Area
- State Parks
- State Sovereign Land
- Tribal Lands
- Military
- Wildlife Reserve

Transportation Network

- Short Cut
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:35,299
1 inch equals 0.6 miles



Map prepared by the State of Utah
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Jul 25, 2007



Appendix A to Attachment 4

Popular Name: SHORT CUT ROAD

County: Grand

County Road Number: 00139

State Geographic Information Database (SGID) Road Identification Number: RD100039.

Road-Segment Number: 001

Road-Segment Length: 2.2 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 25 South Range 18 East, Section(s) 10,11,15, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (SHORT CUT ROAD)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 37 minutes 37.23 seconds North Latitude and -109 degrees 55 minutes 041.3 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,089,516.7 feet and Y = 6,672,585.7 feet; thence the following courses along the said road center line:

thence North 60 Degrees 53 Minutes 17 Seconds East 71.6 feet
thence North 23 Degrees 54 Minutes 12 Seconds East 63 feet
thence North 03 Degrees 12 Minutes 46 Seconds West 73.9 feet
thence North 06 Degrees 38 Minutes 34 Seconds West 100.7 feet
thence North 06 Degrees 31 Minutes 19 Seconds West 110.6 feet
thence North 03 Degrees 29 Minutes 38 Seconds West 115.1 feet
thence North 02 Degrees 17 Minutes 56 Seconds East 124.9 feet
thence North 02 Degrees 30 Minutes 10 Seconds West 119.9 feet
thence North 04 Degrees 34 Minutes 34 Seconds East 126.8 feet
thence North 20 Degrees 42 Minutes 56 Seconds East 135.4 feet
thence North 29 Degrees 45 Minutes 13 Seconds East 146 feet

thence North 36 Degrees 11 Minutes 08 Seconds East 136.8 feet
 thence North 22 Degrees 04 Minutes 36 Seconds East 136.7 feet
 thence North 09 Degrees 14 Minutes 26 Seconds East 133.1 feet
 thence North 03 Degrees 39 Minutes 09 Seconds East 67.4 feet
 thence North 03 Degrees 01 Minutes 28 Seconds East 52.6 feet
 thence North 03 Degrees 23 Minutes 37 Seconds East 113.5 feet
 thence North 03 Degrees 28 Minutes 34 Seconds East 123.4 feet
 thence North 03 Degrees 00 Minutes 07 Seconds East 120 feet
 thence North 10 Degrees 59 Minutes 42 Seconds West 36.7 feet
 thence North 32 Degrees 29 Minutes 03 Seconds East 85.9 feet
 thence North 40 Degrees 06 Minutes 30 Seconds East 131.5 feet
 thence North 40 Degrees 36 Minutes 09 Seconds East 145.6 feet
 thence North 38 Degrees 10 Minutes 14 Seconds East 155.2 feet
 thence North 35 Degrees 02 Minutes 13 Seconds East 157 feet
 thence North 33 Degrees 21 Minutes 08 Seconds East 159.8 feet
 thence North 29 Degrees 46 Minutes 33 Seconds East 163.2 feet
 thence North 25 Degrees 34 Minutes 55 Seconds East 164.2 feet
 thence North 23 Degrees 34 Minutes 11 Seconds East 174.1 feet
 thence North 25 Degrees 13 Minutes 00 Seconds East 176.4 feet
 thence North 28 Degrees 23 Minutes 26 Seconds East 179.7 feet
 thence North 28 Degrees 42 Minutes 46 Seconds East 182.1 feet
 thence North 28 Degrees 26 Minutes 21 Seconds East 194.7 feet
 thence North 35 Degrees 56 Minutes 02 Seconds East 17 feet
 thence North 35 Degrees 59 Minutes 43 Seconds East 174.5 feet
 thence North 51 Degrees 07 Minutes 30 Seconds East 187 feet
 thence North 62 Degrees 19 Minutes 57 Seconds East 14.3 feet
 thence North 61 Degrees 23 Minutes 34 Seconds East 166.3 feet
 thence North 63 Degrees 35 Minutes 51 Seconds East 168.1 feet
 thence North 66 Degrees 30 Minutes 45 Seconds East 146.1 feet
 thence North 74 Degrees 11 Minutes 38 Seconds East 135.4 feet
 thence North 69 Degrees 43 Minutes 58 Seconds East 149.3 feet
 thence North 62 Degrees 16 Minutes 43 Seconds East 128.4 feet
 thence North 67 Degrees 46 Minutes 53 Seconds East 105.7 feet
 thence North 43 Degrees 19 Minutes 48 Seconds East 99.8 feet
 thence North 38 Degrees 32 Minutes 26 Seconds East 107.5 feet
 thence North 47 Degrees 13 Minutes 33 Seconds East 116.7 feet
 thence North 49 Degrees 56 Minutes 10 Seconds East 151.5 feet
 thence North 50 Degrees 54 Minutes 38 Seconds East 159.9 feet
 thence North 48 Degrees 15 Minutes 29 Seconds East 168.7 feet
 thence North 47 Degrees 25 Minutes 34 Seconds East 168.5 feet
 thence North 37 Degrees 58 Minutes 32 Seconds East 156.9 feet
 thence North 22 Degrees 04 Minutes 03 Seconds East 101.2 feet
 thence North 27 Degrees 23 Minutes 12 Seconds East 100.1 feet
 thence North 42 Degrees 50 Minutes 27 Seconds East 137.3 feet
 thence North 46 Degrees 04 Minutes 17 Seconds East 159.5 feet
 thence North 43 Degrees 46 Minutes 25 Seconds East 169.1 feet
 thence North 43 Degrees 13 Minutes 33 Seconds East 167.6 feet
 thence North 47 Degrees 07 Minutes 40 Seconds East 155.4 feet
 thence North 54 Degrees 08 Minutes 21 Seconds East 149.7 feet

thence North 37 Degrees 03 Minutes 51 Seconds East 107.4 feet
 thence North 32 Degrees 02 Minutes 30 Seconds East 132.1 feet
 thence North 37 Degrees 58 Minutes 31 Seconds East 169.4 feet
 thence North 41 Degrees 22 Minutes 22 Seconds East 151.7 feet
 thence North 40 Degrees 08 Minutes 14 Seconds East 25.9 feet
 thence North 40 Degrees 55 Minutes 11 Seconds East 74 feet
 thence North 40 Degrees 53 Minutes 33 Seconds East 87.5 feet
 thence North 34 Degrees 08 Minutes 18 Seconds East 161.2 feet
 thence North 28 Degrees 14 Minutes 05 Seconds East 162.6 feet
 thence North 28 Degrees 04 Minutes 47 Seconds East 136.2 feet
 thence North 27 Degrees 16 Minutes 44 Seconds East 70.4 feet
 thence North 26 Degrees 13 Minutes 38 Seconds East 38.5 feet
 thence North 24 Degrees 38 Minutes 36 Seconds East 79.7 feet
 thence North 19 Degrees 15 Minutes 09 Seconds East 67.9 feet
 thence North 09 Degrees 28 Minutes 53 Seconds East 43.3 feet
 thence North 13 Degrees 40 Minutes 22 Seconds East 35.5 feet
 thence North 29 Degrees 43 Minutes 20 Seconds East 30.3 feet
 thence North 45 Degrees 30 Minutes 32 Seconds East 28.3 feet
 thence North 59 Degrees 35 Minutes 37 Seconds East 36 feet
 thence North 80 Degrees 11 Minutes 59 Seconds East 49.9 feet
 thence North 89 Degrees 39 Minutes 44 Seconds East 61.8 feet
 thence South 89 Degrees 02 Minutes 46 Seconds East 72.8 feet
 thence North 82 Degrees 37 Minutes 00 Seconds East 93.7 feet
 thence North 58 Degrees 44 Minutes 34 Seconds East 79.8 feet
 thence North 60 Degrees 33 Minutes 30 Seconds East 37.1 feet
 thence North 41 Degrees 28 Minutes 37 Seconds East 154.1 feet
 thence North 42 Degrees 07 Minutes 07 Seconds East 166.8 feet
 thence North 34 Degrees 04 Minutes 33 Seconds East 149.2 feet
 thence North 11 Degrees 19 Minutes 50 Seconds East 149.1 feet
 thence North 10 Degrees 09 Minutes 05 Seconds West 156.6 feet
 thence North 14 Degrees 12 Minutes 12 Seconds West 64.2 feet
 thence North 14 Degrees 21 Minutes 49 Seconds West 89.6 feet
 thence North 03 Degrees 05 Minutes 36 Seconds West 149.5 feet
 thence North 13 Degrees 30 Minutes 49 Seconds East 123.4 feet
 thence North 13 Degrees 06 Minutes 31 Seconds East 37.1 feet
 thence North 22 Degrees 05 Minutes 57 Seconds East 145.6 feet
 thence North 21 Degrees 26 Minutes 27 Seconds East 153.7 feet
 thence North 23 Degrees 31 Minutes 58 Seconds East 156.1 feet
 thence North 20 Degrees 19 Minutes 57 Seconds East 55.9 feet

more or less to **the ending point at:** 38 degrees 39 minutes 6 seconds North Latitude and -109 degrees 54 minutes 24.81 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,095,426.2 feet and Y = 6,681,672.7 feet.

Appendix B to Attachment 4

Popular Name: SHORT CUT ROAD

County: Grand

County Road Number: 00139

State Geographic Information Database (SGID) Road Identification Number: RD100039.

Road-Segment Number: 003

Road-Segment Length: 0.01 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 24 South Range 18 East, Section(s) 35, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (SHORT CUT ROAD)-- Segment 003 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 40 minutes 21.52 seconds North Latitude and -109 degrees 53 minutes 37.64 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,099,031.0 feet and Y = 6,689,379.5 feet; thence the following courses along the said road center line:

thence North 60 Degrees 03 Minutes 14 Seconds East 37.6 feet more or less to **the ending point at:** 38 degrees 40 minutes 02.17 seconds North Latitude and -109 degrees 53 minutes 37.23 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,099,063.6 feet and Y = 6,689,398.2 feet.