

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

Ent 486420 Bk 731 Pg 14-26  
Date: 27-MAY-2008 1:27PM  
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 OLD DUMP ROAD; County Road Number: 00231; State Geographic Information Database (SGID) Road Identification Number: RD100114. Total road length is 1.03 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 23<sup>rd</sup> day of May, 2008.

By the Governor's Designee

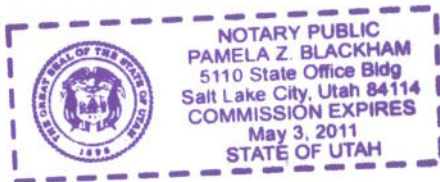
  
\_\_\_\_\_  
John Harja


**CERTIFICATION**

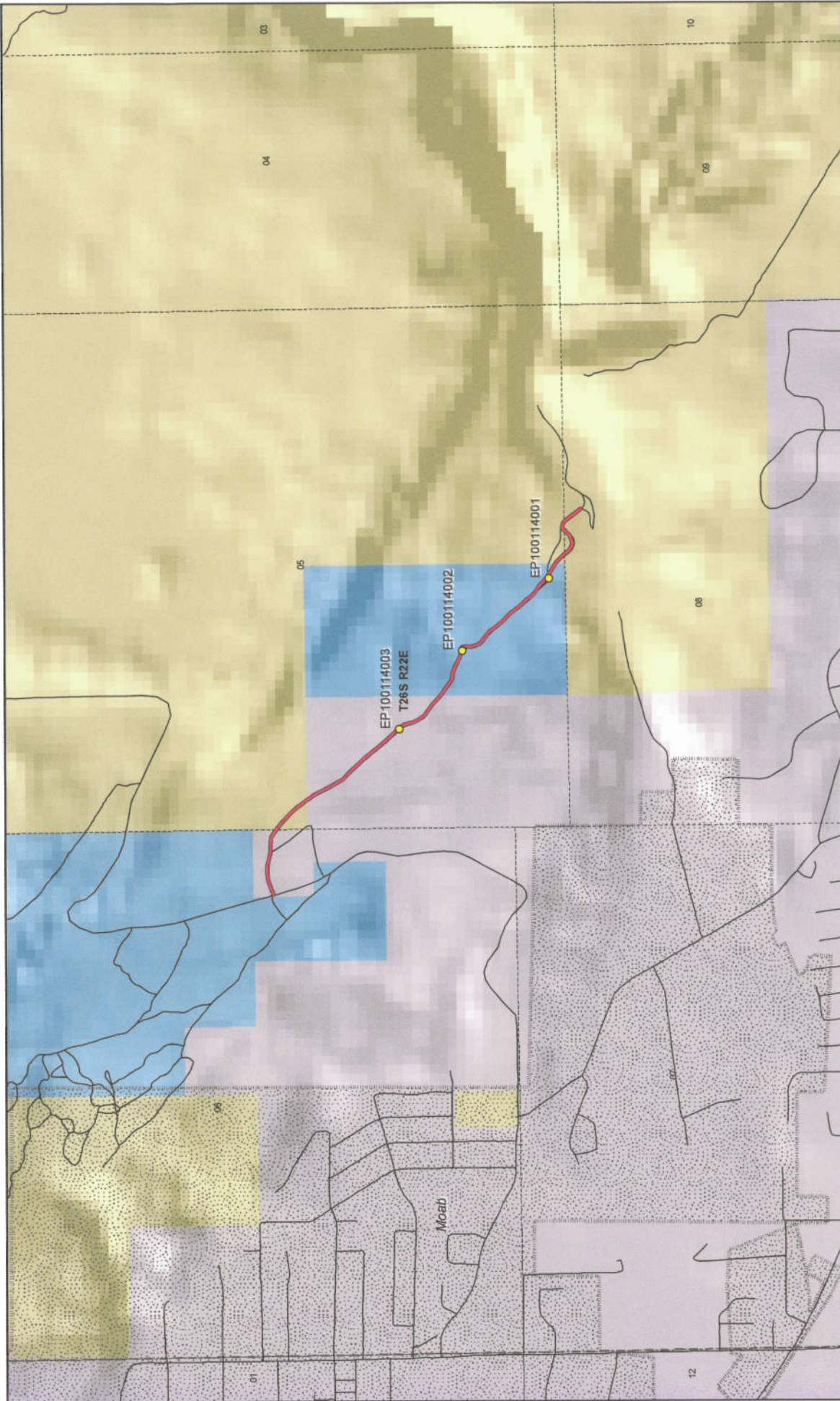
State of Utah                    )  
  : ss  
County of Salt Lake         )

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 23<sup>rd</sup> day of May, 2008.

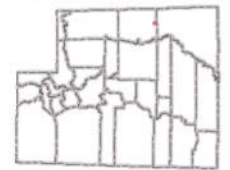


  
\_\_\_\_\_  
Notary Public



**Old Dump Road - Grand County  
SGID RD\_ID RD100114**

- 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**
- Old Dump Road
  - Other Roads
  - Title V. Issued Or Under Consideration By BLM Or County
  - Photo Event Point
  - Section = 1 Mile



1:16,016  
1 inch equals 0.3 miles

Map prepared by the State of Utah  
Agriculture Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
May 23, 2008




Attachment 2



EP100114003



EP100114002



EP100114001

EP000000000

EP000000000

EP000000000

Ent 486420 Bk 0731 Pg 0017

*Old Dump Road - Grand County*  
**SGID RD\_ID RD100114**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
May 23, 2008



## Attachment 3

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

**Popular Name: OLD DUMP ROAD**

**County: Grand**

**County Road Number: 00231**

**State Geographic Information Database (SGID) Road Identification Number: RD100114.**

**Total Road Length: 1.03 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 34 minutes 17.73 seconds North Latitude and -109 degrees 31 minutes 35.69 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,204,675.0 feet and Y = 6,654,678.9 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 33 minutes 46.53 seconds North Latitude and -109 degrees 30 minutes 47.59 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,208,565.4 feet and Y = 6,651,607.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 26 South Range 22 East, Section(s) 5,6,8, 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: OLD DUMP ROAD**

**County: Grand**

**County Road Number: 00231**

**State Geographic Information Database (SGID) Road Identification Number: RD100114.**

**Total Road Length: 1.03 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).**

<b>Road-Segments Listed by SGID Road Identification Number (RD_ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
<b>RD100114</b>	<b>001</b>	<b>PVT</b>	<b>0.13 Miles</b>	<b>(not shown)</b>
<b>RD100114</b>	<b>002</b>	<b>BLM</b>	<b>0.08 Miles</b>	<b>A</b>
<b>RD100114</b>	<b>003</b>	<b>PVT</b>	<b>0.32 Miles</b>	<b>(not shown)</b>
<b>RD100114</b>	<b>004</b>	<b>ST</b>	<b>0.35 Miles</b>	<b>(not shown)</b>
<b>RD100114</b>	<b>005</b>	<b>BLM</b>	<b>0.14 Miles</b>	<b>B</b>
		<b>Total Road Length</b>	<b>1.03</b>	<b>_____</b>

\* 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**

Ent 486420 Bk 0731 Pg 0020

**AFFIDAVIT OF RAYMOND M. TIBBETTS**

**OLD DUMP ROAD**

**COUNTY ROAD NUMBER 00231**

**GRAND COUNTY, UTAH**

State of Utah                    )  
  : ss.  
County of Grand                )

RAYMOND M. TIBBETTS, 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 have lived in Grand County for 68 years. I was a Grand County Commissioner for six years.

2. I have traveled and am familiar with a road in Grand County known as Old Dump Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1939, it followed the same route as in 2006 when I last observed it. Attached is a Grand County map showing Old Dump 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. The County also identifies this road according to the road number listed above.

3. 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 1939 and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including Grand County road equipment, ATVs, cars, trucks and jeeps.



Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and was used daily in 2006.

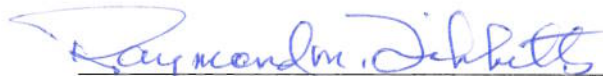
4. Throughout the time period from 1939 to 2006, I have used the road myself for hunting, arrow head hunting and recreation.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus farming, fishing, livestock operations, tourism, mining, prospecting for minerals, wood gathering, and residential access.

6. 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.

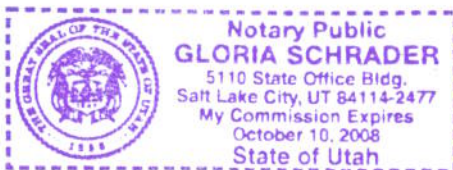
7. Prior to 1976, I observed maintenance equipment performing maintenance and construction activities on the road.

Dated this 1 day of August, 2007.

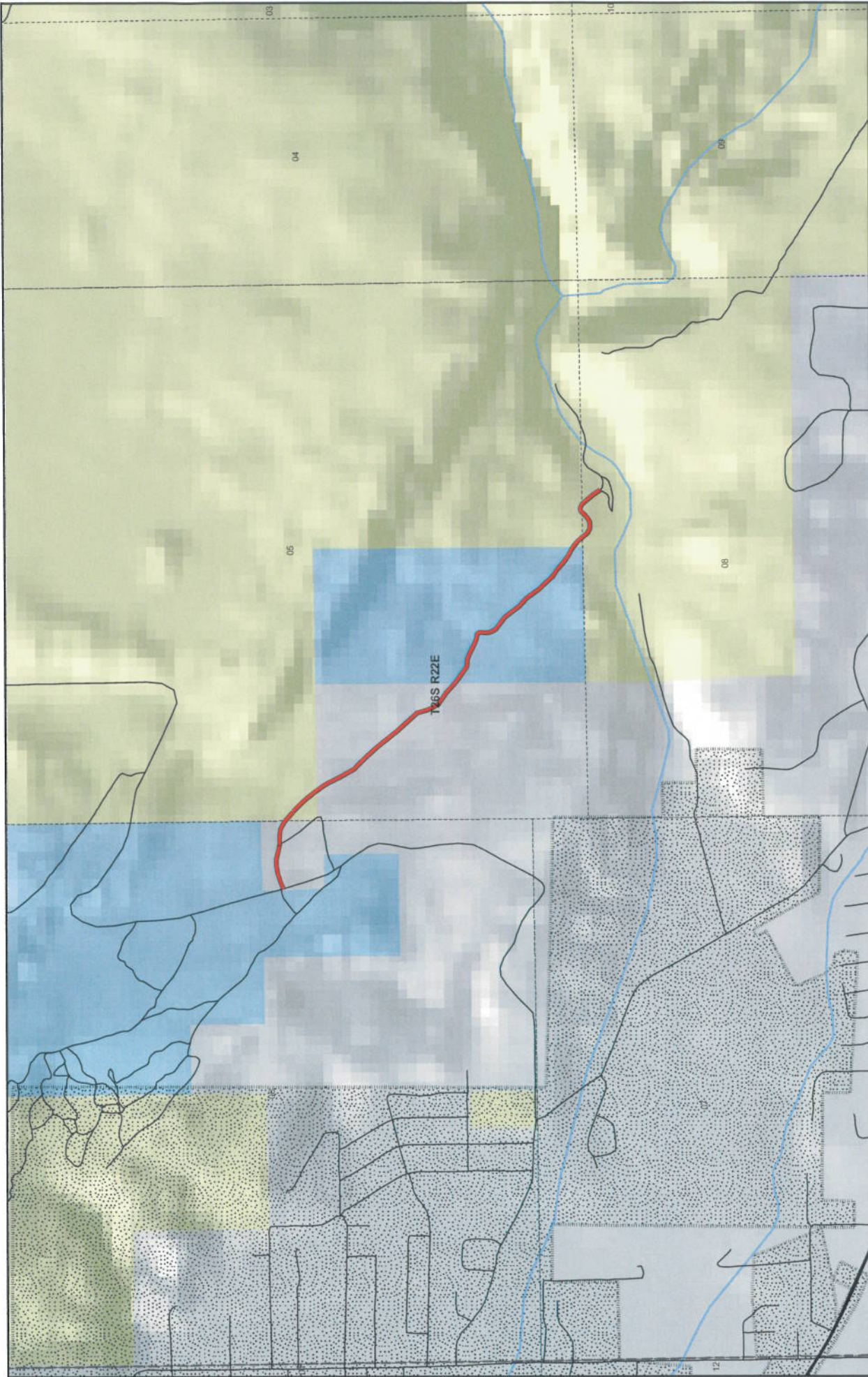



RAYMOND M. TIBBETTS

SUBSCRIBED AND SWORN to before me this 1<sup>st</sup> day of August, 2007.




NOTARY PUBLIC

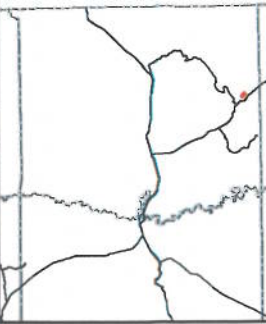
1:15,278  
1 inch equals 0.2 miles

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 9100 State Office Building  
Salt Lake City, Utah 84114  
Jul 24, 2007




**Old Dump  
County Unique - 00231**

- Land Ownership Categories**
- BLM
  - State Sovereign Land
  - SITLA, State Trust Land
  - USFS, National Forest
  - National Park (NPS)
  - Private
- Misc**
- Wildlife Reserve
  - Military
  - Wilderness
  - State Park
  - Tribal Lands
  - City / Town
  - Municipalities
  - Section = 1 Mile
- Transportation Network**
- Old Dump
  - State / U.S. Highway
  - Local Roads



**AFFIDAVIT OF JERRY McNEELY**

**OLD DUMP ROAD**

**GRAND COUNTY, UTAH**

**ROAD NUMBER 00231**

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 Moab, 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 Grand County known as Old Dump Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1950s it followed the same route as in 2007 when I last observed it. Attached is a Grand County map showing Old Dump 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 mid 1950s and continuing through 2007. Throughout this time period I observed travel on the road by means of trucks, 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 mid 1950s to 2007, I used the road myself for my employment with a land surveyor and with the USGS 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, dump access, Jeep safari Access, livestock operations, fishing, government access, and private property access.

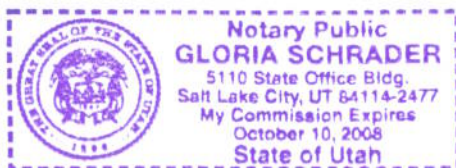
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the mid 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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.

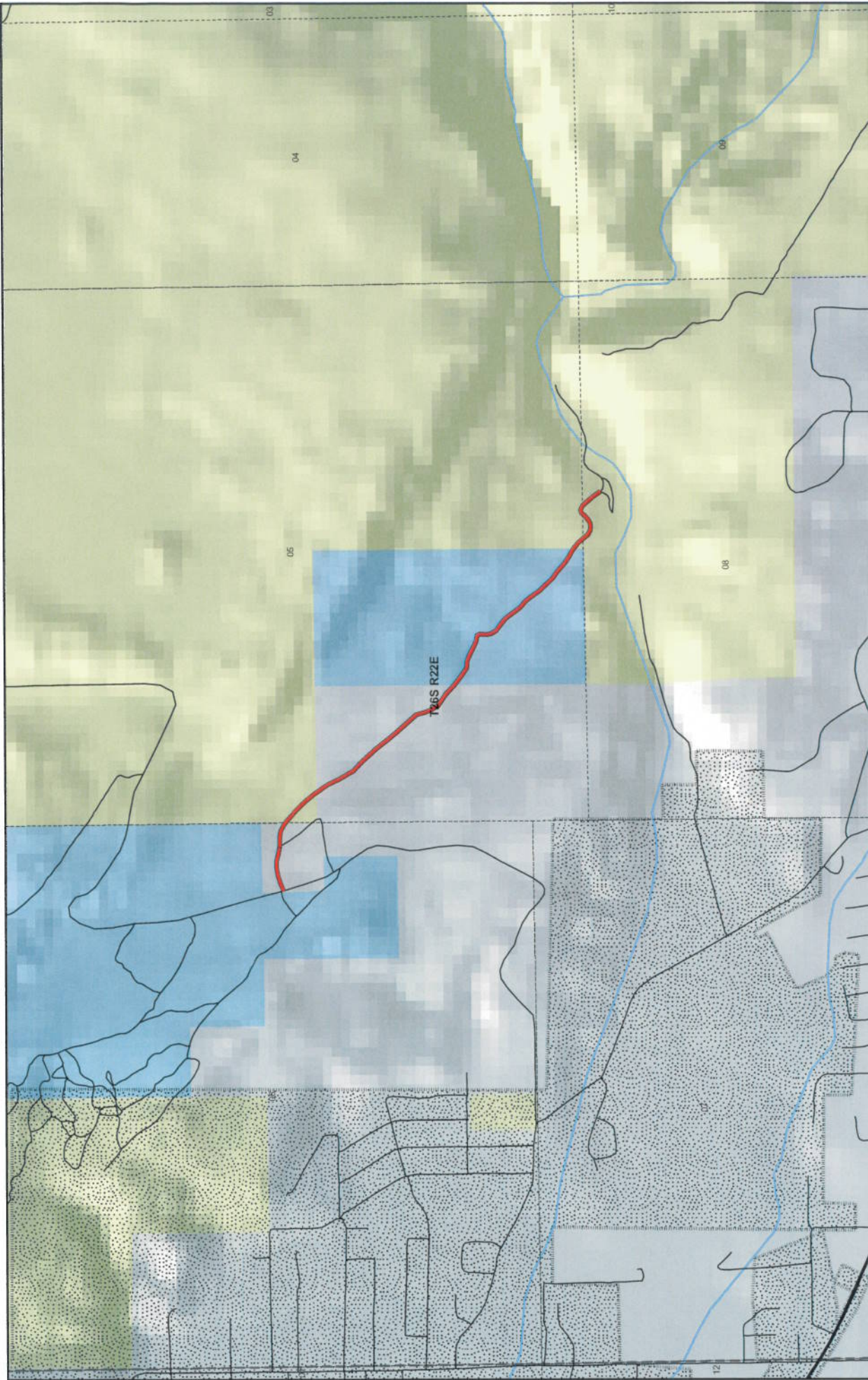
DATED this 1 day of August, 2007.

  
JERRY McNEELY

SUBSCRIBED AND SWORN to before me this 1<sup>st</sup> day of August, 2007.



  
NOTARY PUBLIC






1:15,278  
1 inch equals 0.2 miles

Map prepared by the State of Utah  
Automated Geographic Reference Center  
AGRC  
Route 6146, Suite 200  
Salt Lake City, Utah 84114  
Jul 24, 2007









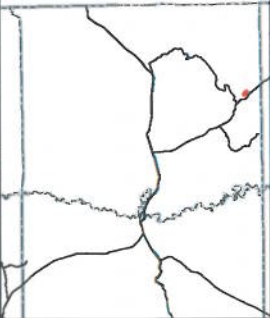
**Old Dump  
County Unique - 00231**

- Transportation Network**
-  Old Dump
  -  State / U.S. Highway
  -  Local Roads

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

-  Wildlife Reserve
-  Military
-  Wilderness
-  State Park
-  Tribal Lands

- Land Ownership Categories**
-  BLM
  -  State Sovereign Land
  -  SITLA, State Trust Land
  -  USFS, National Forest
  -  National Park (NPS)
  -  Private



## Appendix A to Attachment 4

**Popular Name: OLD DUMP ROAD**

**County: Grand**

**County Road Number: 00231**

**State Geographic Information Database (SGID) Road Identification Number: RD100114.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.08 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 26 South Range 22 East, Section(s) 5, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (OLD DUMP 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 38 degrees 34 minutes 17.38 seconds North Latitude and -109 degrees 31 minutes 27.41 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,205,333.6 feet and Y = 6,654,658.5 feet; thence the following courses along the said road center line:

thence South 55 Degrees 27 Minutes 31 Seconds East 20.5 feet

thence South 49 Degrees 46 Minutes 19 Seconds East 58 feet

thence South 47 Degrees 26 Minutes 31 Seconds East 36.2 feet

thence North 89 Degrees 39 Minutes 16 Seconds East 1.2 feet

thence South 46 Degrees 49 Minutes 45 Seconds East 112 feet

thence South 43 Degrees 03 Minutes 33 Seconds East 69.2 feet

thence South 37 Degrees 13 Minutes 25 Seconds East 88.2 feet

thence South 36 Degrees 57 Minutes 48 Seconds East 38.8 feet

thence South 34 Degrees 42 Minutes 38 Seconds East 5.4 feet more or less to **the ending point**

**at:** 38 degrees 34 minutes 14.29 seconds North Latitude and -109 degrees 31 minutes 23.75 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet

coordinates of X = 2,205,631.3 feet and Y = 6,654,352.0 feet.

**Appendix B to Attachment 4**

**Popular Name: OLD DUMP ROAD**

**County: Grand**

**County Road Number: 00231**

**State Geographic Information Database (SGID) Road Identification Number: RD100114.**

**Road-Segment Number: 005**

**Road-Segment Length: 0.14 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 26 South Range 22 East, Section(s) 5,8, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (OLD DUMP 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 38 degrees 33 minutes 49.22 seconds North Latitude and -109 degrees 30 minutes 054.5 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,208,010.5 feet and Y = 6,651,867.2 feet; thence the following courses along the said road center line:

thence South 58 Degrees 27 Minutes 45 Seconds East 22.8 feet  
thence South 48 Degrees 04 Minutes 19 Seconds East 12.2 feet  
thence South 50 Degrees 08 Minutes 21 Seconds East 33 feet  
thence South 40 Degrees 09 Minutes 04 Seconds East 57.7 feet  
thence South 40 Degrees 31 Minutes 55 Seconds East 8.8 feet  
thence South 40 Degrees 27 Minutes 06 Seconds East 57.7 feet  
thence South 57 Degrees 19 Minutes 36 Seconds East 48.2 feet  
thence South 82 Degrees 34 Minutes 49 Seconds East 36.4 feet  
thence North 78 Degrees 00 Minutes 31 Seconds East 40.6 feet  
thence North 58 Degrees 19 Minutes 32 Seconds East 44.2 feet  
thence North 49 Degrees 54 Minutes 26 Seconds East 41.1 feet



thence North 39 Degrees 49 Minutes 52 Seconds East 27.9 feet  
thence North 39 Degrees 56 Minutes 53 Seconds East 17.3 feet  
thence North 73 Degrees 22 Minutes 24 Seconds East 29.3 feet  
thence South 66 Degrees 16 Minutes 15 Seconds East 44.2 feet  
thence South 40 Degrees 39 Minutes 35 Seconds East 2.8 feet  
thence South 40 Degrees 35 Minutes 04 Seconds East 44.5 feet  
thence South 38 Degrees 55 Minutes 20 Seconds East 88.2 feet  
thence South 35 Degrees 38 Minutes 01 Seconds East 88.5 feet more or less to **the ending**

**point at:** 38 degrees 33 minutes 46.53 seconds North Latitude and -109 degrees 30 minutes 47.59 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,208,565.4 feet and Y = 6,651,607.4 feet.