

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

Ent 486441 Bk 731 Pg 280 - 292
Date: 27-MAY-2008 2:13PM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 CASTLETON CEMETERY ROAD; County Road Number: 00298; State Geographic Information Database (SGID) Road Identification Number: RD100145. Total road length is 0.44 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 22nd day of May, 2008.

By the Governor's Designee



John Harja


CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

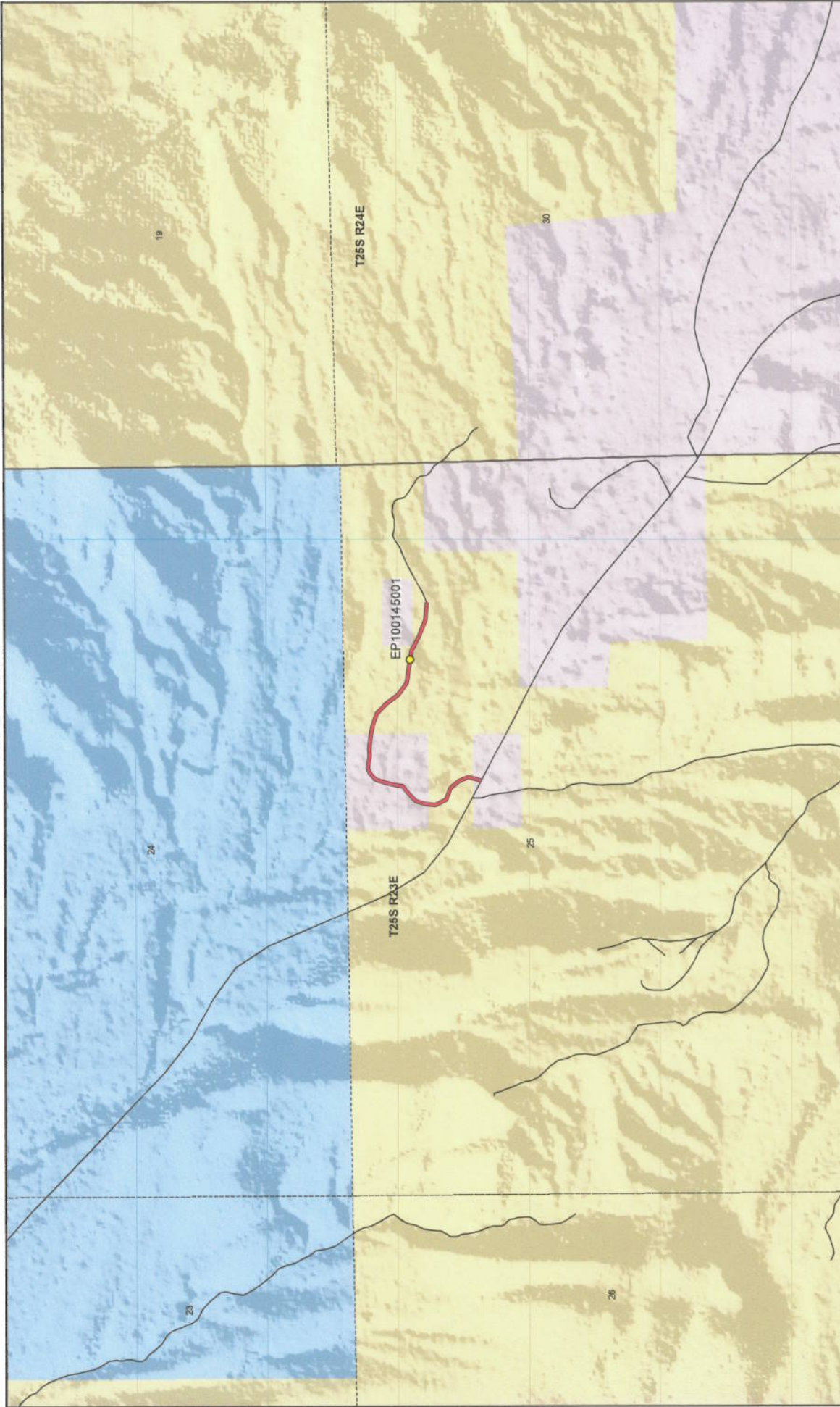
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.


Dated this 22nd day of May, 2008.






Notary Public





1:11,547
1 inch equals 0.2 miles

Castleton Cemetery Road - Grand County
SGID RD_ID RD100145



Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5730 State Office Building
Salt Lake City Utah 84114
Apr 17, 2008



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

- Castleton Cemetery Road
- Other Roads
- Title V, Issued Or Under Consideration By BLM Or County
- Photo Event Point
- Section = 1 Mile

Attachment 2



EP100145001

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Ent 486441 Bk 0731 Pg 0283

Castleton Cemetery Road - Grand County
SGID RD_ID RD100145



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: CASTLETON CEMETERY ROAD

County: Grand

County Road Number: 00298

State Geographic Information Database (SGID) Road Identification Number: RD100145.

Total Road Length: 0.44 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 36 minutes 21.19 seconds North Latitude and -109 degrees 19 minutes 29.43 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,262,043.9 feet and Y = 6,668,504.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 36 minutes 24.82 seconds North Latitude and -109 degrees 19 minutes 13.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,263,323.6 feet and Y = 6,668,903.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 25 South Range 23 East, Section(s) 25, 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: CASTLETON CEMETERY ROAD

County: Grand

County Road Number: 00298

State Geographic Information Database (SGID) Road Identification Number: RD100145.

Total Road Length: 0.44 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
RD100145	001	BLM	0 Miles	A
RD100145	002	PVT	0.07 Miles	(not shown)
RD100145	003	BLM	0.04 Miles	B
RD100145	004	PVT	0.09 Miles	(not shown)
RD100145	005	BLM	0.24 Miles	C
		Total Road Length	0.44	_____

* 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 JOHN CORTES
CASTLETON CEMETERY ROAD
COUNTY ROAD NUMBER 00298
GRAND COUNTY, UTAH

State of Utah)
 : ss.
County of Grand)

JOHN CORTES, 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 51 years. I was employed by the Grand County Road Department for 36 years from 1959 to 1995.

2. I have traveled and am familiar with a road in Grand County known as Castleton Cemetery Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1962, it followed the same route as in 1989 when I last observed it. Attached is a Grand County map showing Castleton Cemetery 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 1962 and continuing through 1976 to 1989. Throughout this time period I have observed travel on the road by various means, including Grand County road equipment, 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 1989.

4. Throughout the time period from 1962 to 1989, I have used the road myself for performing road maintenance and cemetery access.

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 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 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

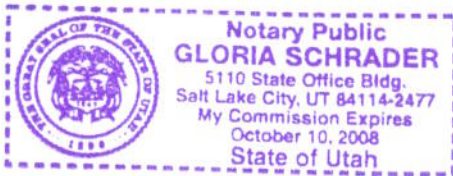
7. Prior to 1976, I personally maintained the road.

Dated this 1 day of August, 2007.



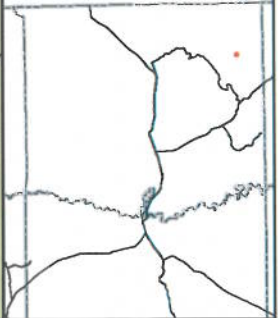
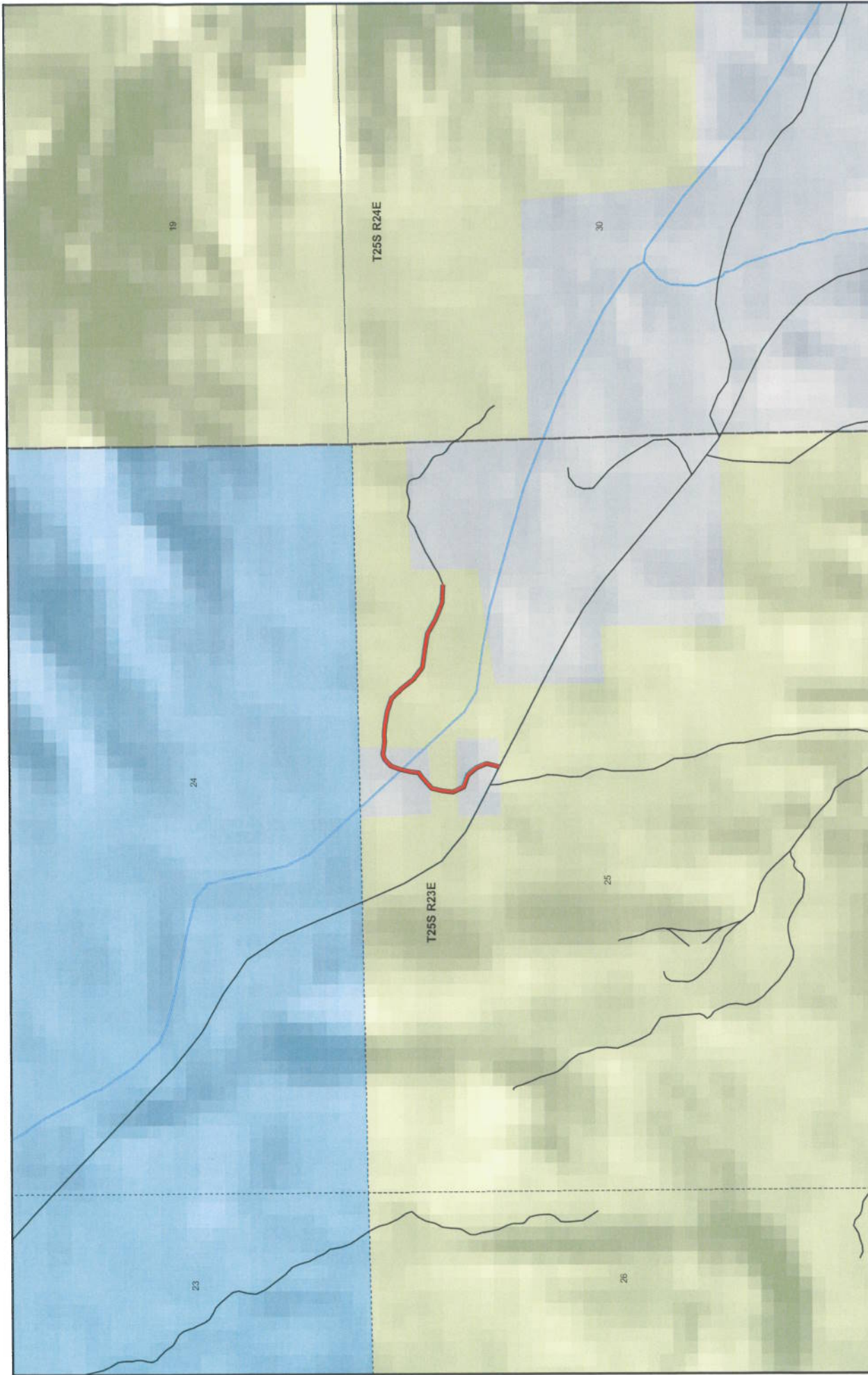
JOHN CORTES

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





NOTARY PUBLIC



Castleton Cemetery County Unique - 00298

- 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**
 - Castleton Cemetery
 - State / U.S. Highway
 - Local Roads



1:11,019
1 inch equals 0.2 miles

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5339 State Office Building
Salt Lake City, Utah 84114
Jul 24, 2007

AFFIDAVIT OF JERRY McNEELY
CASTLETON CEMETERY ROAD
GRAND COUNTY, UTAH
ROAD NUMBER 00298

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 Castleton Cemetery 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 Castleton Cemetery 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 cars, pickup trucks, cattle 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, 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 and cemetery access.

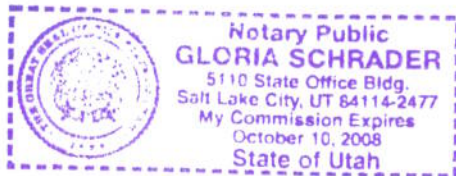
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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.

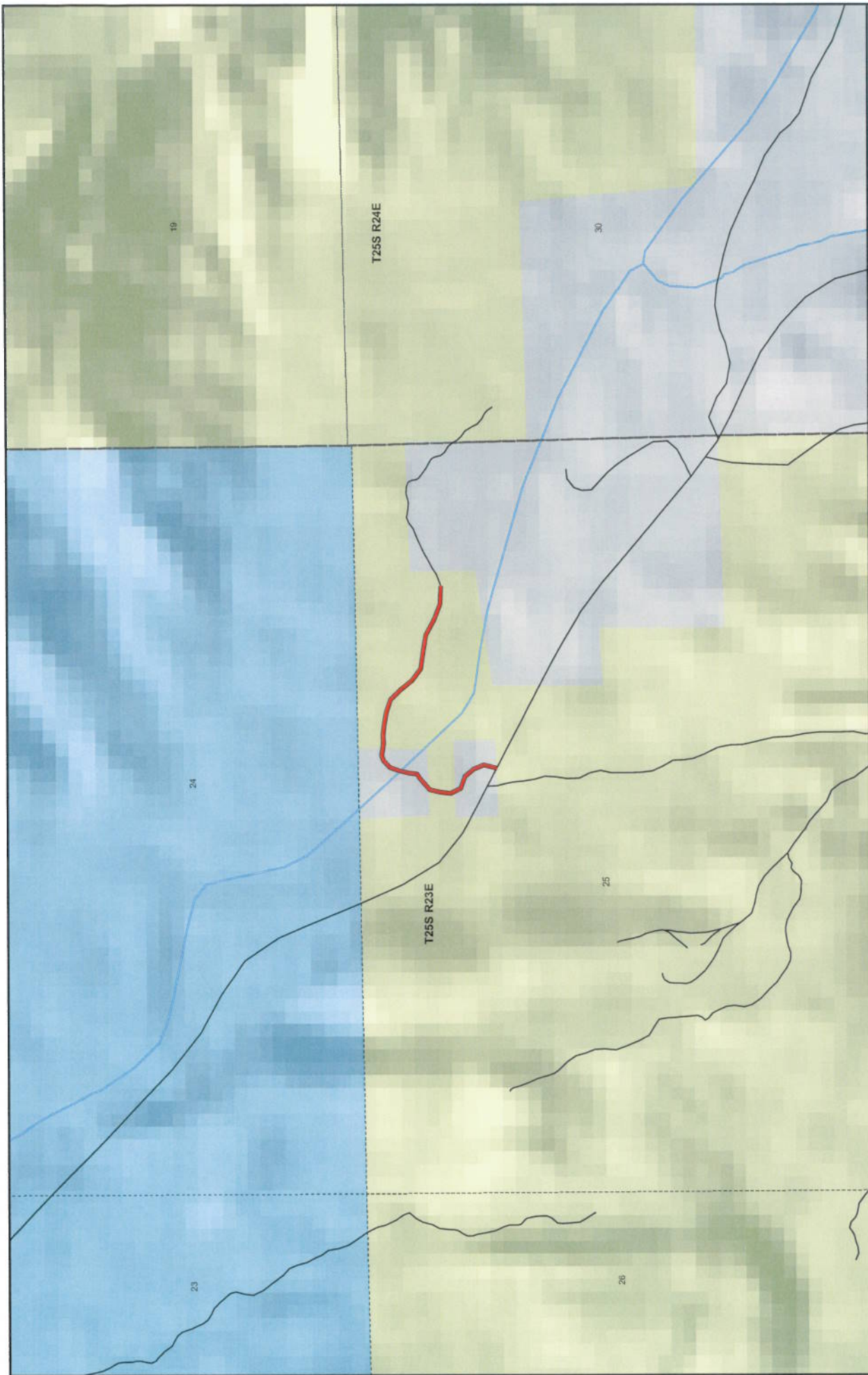
DATED this 1 day of August, 2007.


JERRY McNEELY

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




NOTARY PUBLIC



1:11,019
1 inch equals 0.2 miles

Map prepared by the State of Utah
Administration and Resource Center
AGRC
Room 530, State Office Building
Salt Lake City, Utah 84114
July 24, 2007

Castleton Cemetery County Unique - 00298

Land Ownership Categories

- BLM
- State Sovereign Land
- STLA, State Trust Land
- USFS, National Forest
- National Park (NPS)
- Private

Misc

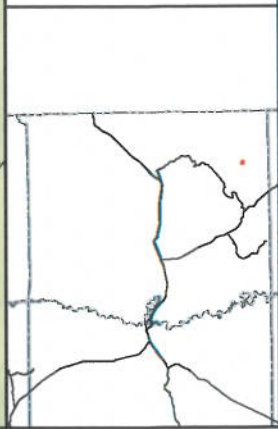
- City / Town
- Municipalities
- Section = 1 Mile

Wildlife Reserve

- Military
- Wilderness
- State Park
- Tribal Lands

Transportation Network

- Castleton Cemetery
- State / U.S. Highway
- Local Roads



Appendix A to Attachment 4

Popular Name: CASTLETON CEMETERY ROAD

County: Grand

County Road Number: 00298

State Geographic Information Database (SGID) Road Identification Number: RD100145.

Road-Segment Number: 001

Road-Segment Length: 0 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 23 East, Section(s) 25, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (CASTLETON CEMETERY 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 36 minutes 21.19 seconds North Latitude and -109 degrees 19 minutes 29.43 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,262,043.9 feet and Y = 6,668,504.7 feet; thence the following courses along the said road center line:

thence North 15 Degrees 57 Minutes 57 Seconds East 1.4 feet more or less to **the ending point at:** 38 degrees 36 minutes 021.2 seconds North Latitude and -109 degrees 19 minutes 29.42 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,262,044.3 feet and Y = 6,668,506.0 feet.

Appendix B to Attachment 4

Popular Name: CASTLETON CEMETERY ROAD

County: Grand

County Road Number: 00298

State Geographic Information Database (SGID) Road Identification Number: RD100145.

Road-Segment Number: 003

Road-Segment Length: 0.04 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 25 South Range 23 East, Section(s) 25, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (CASTLETON CEMETERY 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 36 minutes 24.16 seconds North Latitude and -109 degrees 19 minutes 31.38 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,261,881.2 feet and Y = 6,668,801.2 feet; thence the following courses along the said road center line:

thence North 25 Degrees 51 Minutes 59 Seconds West 32.1 feet

thence North 05 Degrees 18 Minutes 58 Seconds East 80.8 feet

thence North 14 Degrees 48 Minutes 45 Seconds East 71.4 feet

thence North 48 Degrees 08 Minutes 25 Seconds East 17.9 feet more or less to **the ending**

point at: 38 degrees 36 minutes 26.03 seconds North Latitude and -109 degrees 19 minutes 31.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,261,906.3 feet and Y = 6,668,991.6 feet.

Appendix C to Attachment 4

Popular Name: CASTLETON CEMETERY ROAD

County: Grand

County Road Number: 00298

State Geographic Information Database (SGID) Road Identification Number: RD100145.

Road-Segment Number: 005

Road-Segment Length: 0.24 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 23 East, Section(s) 25, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (CASTLETON CEMETERY 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 36 minutes 29.17 seconds North Latitude and -109 degrees 19 minutes 27.52 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,262,175.5 feet and Y = 6,669,315.5 feet; thence the following courses along the said road center line:

thence South 82 Degrees 28 Minutes 21 Seconds East 43.8 feet
thence North 85 Degrees 43 Minutes 23 Seconds East 47.9 feet
thence South 84 Degrees 06 Minutes 43 Seconds East 75.5 feet
thence South 80 Degrees 25 Minutes 03 Seconds East 95.2 feet
thence South 71 Degrees 40 Minutes 04 Seconds East 92.2 feet
thence South 45 Degrees 40 Minutes 17 Seconds East 102.7 feet
thence South 36 Degrees 45 Minutes 37 Seconds East 101.9 feet
thence South 53 Degrees 36 Minutes 54 Seconds East 107 feet
thence South 82 Degrees 31 Minutes 12 Seconds East 120.5 feet
thence South 81 Degrees 27 Minutes 53 Seconds East 116.9 feet
thence South 60 Degrees 51 Minutes 18 Seconds East 116.7 feet

thence South 69 Degrees 07 Minutes 46 Seconds East 126.9 feet
thence South 87 Degrees 19 Minutes 29 Seconds East 124.5 feet more or less to **the ending point at:** 38 degrees 36 minutes 24.82 seconds North Latitude and -109 degrees 19 minutes 13.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,263,323.6 feet and Y = 6,668,903.0 feet.