

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

Ent 486488 Bk 732 Pg 272-281  
Date: 27-MAY-2008 4:05PM  
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 POTATO HILL 6134 ROAD; County Road Number: 00402; State Geographic Information Database (SGID) Road Identification Number: RD100197. Total road length is 1.57 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 22<sup>nd</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.

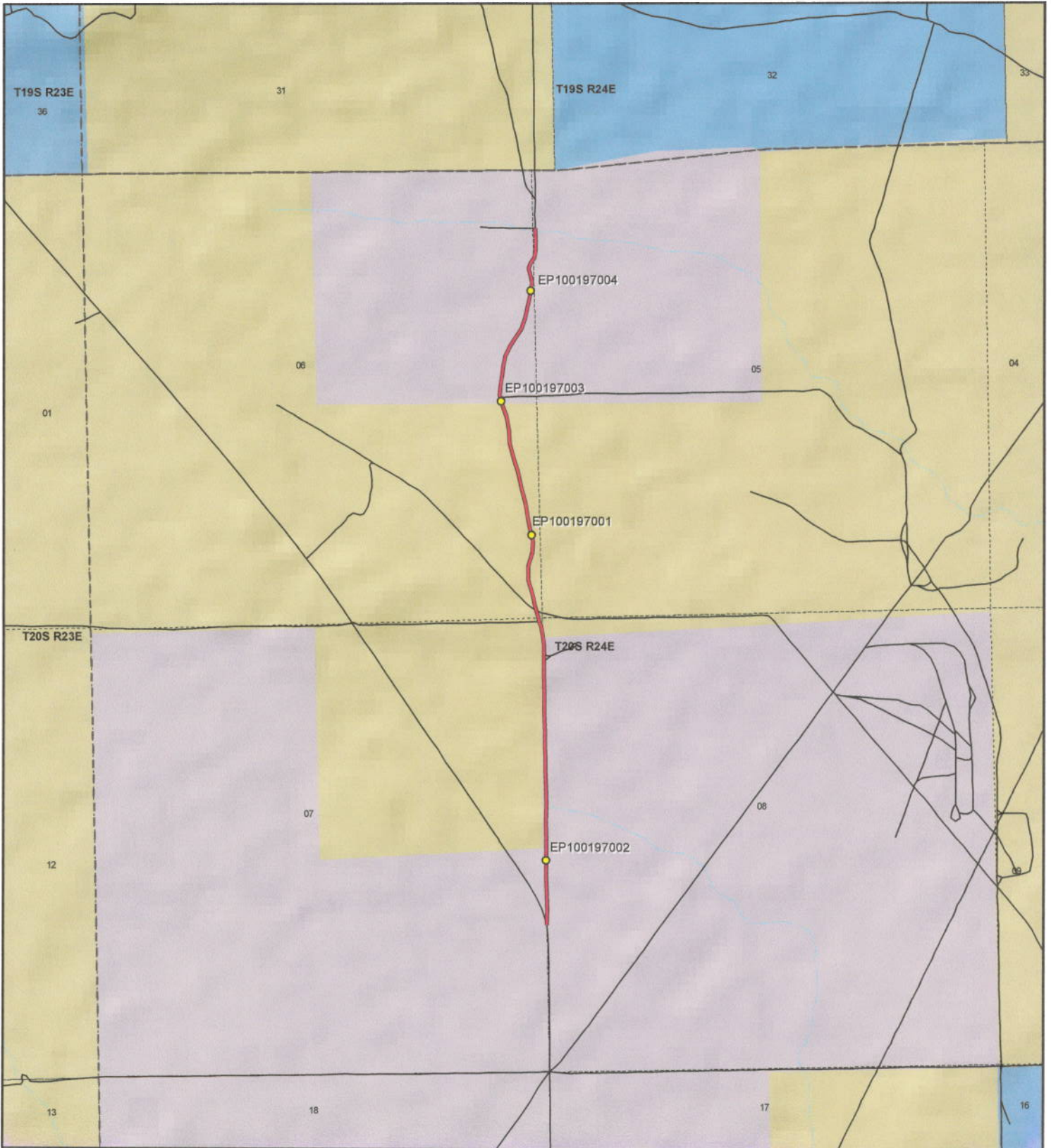
Dated this 22<sup>nd</sup> day of May, 2008.



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



Attachment 1



Potato Hill 6134 Road - Grand County  
SGID RD\_ID RD100197

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

- Potato Hill 6134 Road
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- Photo Event Point
- Section = 1 Mile

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



1:18,236

1 inch equals 0.3 miles



Attachment 2



EP100197002



EP100197003



EP100197004



EP100197001

EP000000000

Ent 486488 Bk 0732 Pg 0275

EP000000000

Potato Hill 6134 Road - Grand County  
SGID RD\_ID RD100197

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: POTATO HILL 6134 ROAD**

**County: Grand**

**County Road Number: 00402**

**State Geographic Information Database (SGID) Road Identification Number: RD100197.**

**Total Road Length: 1.57 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 04 minutes 43.51 seconds North Latitude and -109 degrees 17 minutes 41.63 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,266,354.2 feet and Y = 6,840,894.5 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 06 minutes 03.87 seconds North Latitude and -109 degrees 17 minutes 41.59 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,266,156.6 feet and Y = 6,849,022.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 20 South Range 24 East, Section(s) 5,6,7,8, 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: POTATO HILL 6134 ROAD**

**County: Grand**

**County Road Number: 00402**

**State Geographic Information Database (SGID) Road Identification Number: RD100197.**

**Total Road Length: 1.57 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>RD100197</b>	<b>001</b>	<b>PVT</b>	<b>0.64 Miles</b>	<b>(not shown)</b>
<b>RD100197</b>	<b>002</b>	<b>BLM</b>	<b>0.53 Miles</b>	<b>A</b>
<b>RD100197</b>	<b>003</b>	<b>PVT</b>	<b>0.41 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>1.57</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**

**AFFIDAVIT OF JAMES ROBERT WESTWOOD**

**POTATO HILL 6134 ROAD**

**GRAND COUNTY, UTAH**

**ROAD NUMBER 00402**

State of Utah                    )  
  : ss.  
County of Grand                )

JAMES ROBERT WESTWOOD, 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 for 64 years. I worked for the Grand County Road Department from 1961 to 1980.

2. I have traveled and am familiar with a road in Grand County known as Potato Hill 6134 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 1980 when I last observed it. Attached is a Grand County map showing Potato Hill 6134 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 Grand 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 1980. Throughout this time period I observed travel on the road by means of road maintenance vehicles, jeeps and pickup trucks. During this time period, the road was used weekly, for more than ten continuous years prior to 1976 and was so used in 1980.

5. Throughout the time period from the early 1960s to 1980, I used the road myself for county road maintenance.



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 traveling in and through the area, livestock operations and sightseeing.

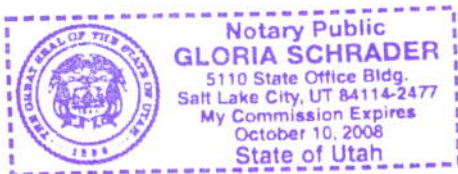
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally graded the road.

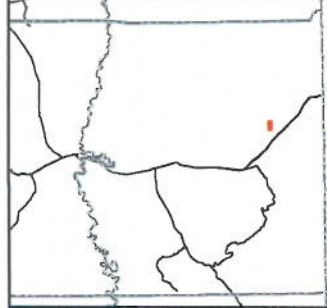
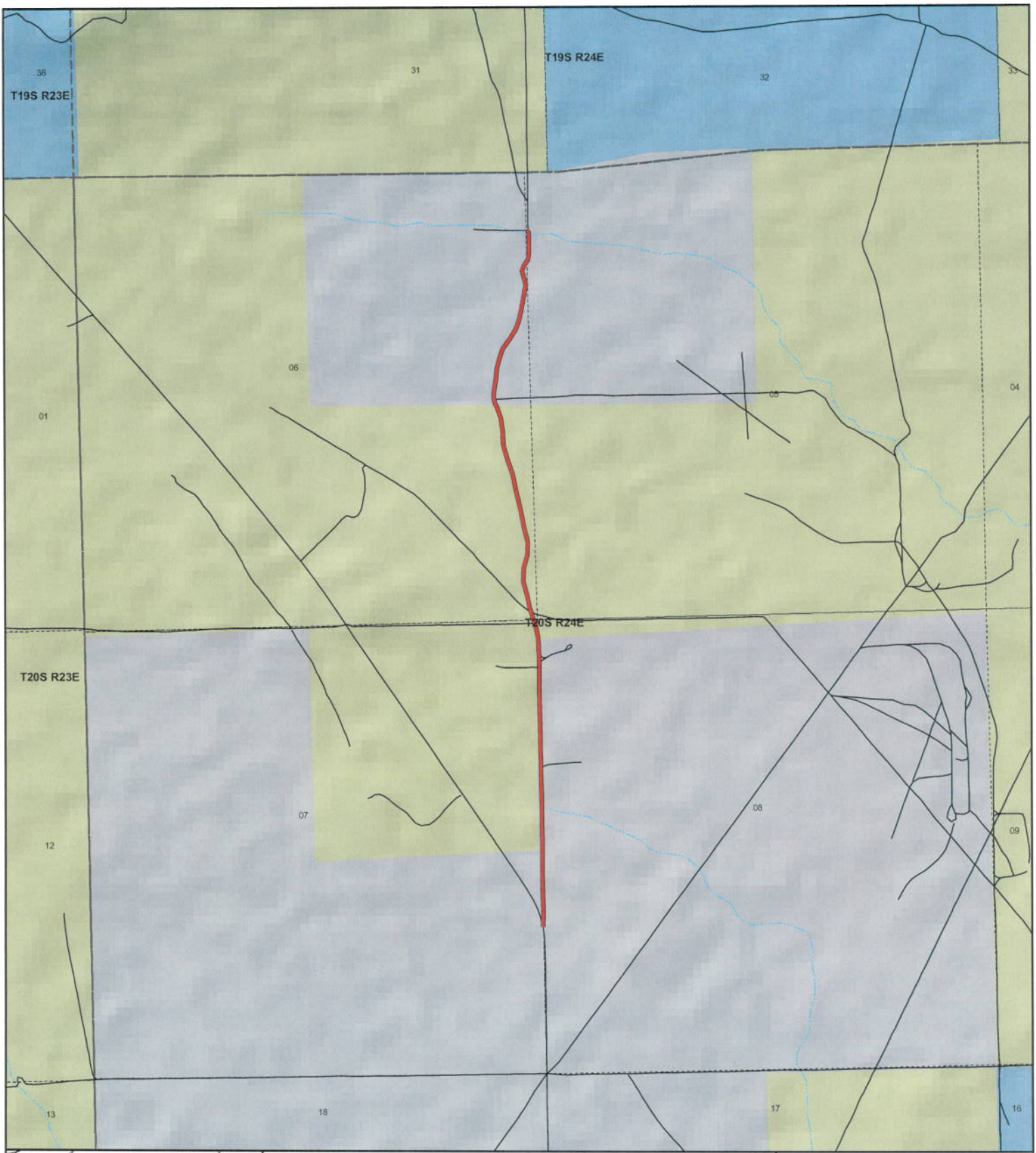
DATED this 8 day of September, 2007.

  
JAMES ROBERT WESTWOOD

SUBSCRIBED AND SWORN to before me this 8th day of September, 2007.



  
NOTARY PUBLIC



**Potato Hill 6134  
County Unique - 00402**

**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**

- Potato Hill 6134
- State / U.S. Highway
- Local Roads

**Misc**

- City / Town
- ⋯ Municipalities
- ⋯ Section = 1 Mile



1:17,943  
1 inch equals 0.3 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: POTATO HILL 6134 ROAD**

**County: Grand**

**County Road Number: 00402**

**State Geographic Information Database (SGID) Road Identification Number: RD100197.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.53 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 20 South Range 24 East, Section(s) 6,7,8, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (POTATO HILL 6134 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 05 minutes 016.7 seconds North Latitude and -109 degrees 17 minutes 041.5 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,266,281.4 feet and Y = 6,844,252.2 feet; thence the following courses along the said road center line:

thence North 04 Degrees 59 Minutes 13 Seconds West 31.6 feet  
thence North 14 Degrees 07 Minutes 51 Seconds West 11.3 feet  
thence North 14 Degrees 09 Minutes 17 Seconds West 91.8 feet  
thence North 18 Degrees 18 Minutes 45 Seconds West 46.6 feet  
thence North 18 Degrees 48 Minutes 03 Seconds West 41.1 feet  
thence North 18 Degrees 50 Minutes 21 Seconds West 17.7 feet  
thence North 16 Degrees 11 Minutes 47 Seconds West 75 feet  
thence North 16 Degrees 57 Minutes 20 Seconds West 44.5 feet  
thence North 12 Degrees 42 Minutes 35 Seconds West 157.9 feet  
thence North 16 Degrees 58 Minutes 56 Seconds West 166.1 feet  
thence North 01 Degrees 34 Minutes 33 Seconds East 159.2 feet



thence North 15 Degrees 34 Minutes 03 Seconds East 165.5 feet  
thence North 01 Degrees 50 Minutes 44 Seconds East 139.6 feet  
thence North 10 Degrees 41 Minutes 00 Seconds West 65 feet  
thence North 15 Degrees 46 Minutes 00 Seconds West 8.5 feet  
thence North 15 Degrees 02 Minutes 56 Seconds West 66.2 feet  
thence North 12 Degrees 31 Minutes 23 Seconds West 141 feet  
thence North 10 Degrees 33 Minutes 50 Seconds West 161.7 feet  
thence North 13 Degrees 38 Minutes 56 Seconds West 188.8 feet  
thence North 13 Degrees 08 Minutes 01 Seconds West 193.5 feet  
thence North 18 Degrees 44 Minutes 56 Seconds West 179.8 feet  
thence North 15 Degrees 43 Minutes 24 Seconds West 177 feet  
thence North 02 Degrees 40 Minutes 33 Seconds West 156 feet  
thence North 08 Degrees 52 Minutes 47 Seconds West 155.9 feet  
thence North 20 Degrees 29 Minutes 27 Seconds West 134.6 feet  
thence North 21 Degrees 48 Minutes 09 Seconds West 28.1 feet more or less to **the ending**

**point at:** 39 degrees 05 minutes 43.74 seconds North Latitude and -109 degrees 17 minutes 46.99 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,265,781.0 feet and Y = 6,846,976.2 feet.