

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

ENTRY NO. 00253784

06/18/2008 11:40:53 AM B: 0524 P: 1554

2477 Road Acceptance PAGE 1 / 13

CRAIG J. SPERRY, JUAB COUNTY RECORDER

FEE \$ 0.00 BY 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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Juab County as it pertains to the highway located in Juab County known as CHERRY CREEK CUT OFF ROAD; County Road Number: 5120801; State Geographic Information Database (SGID) Road Identification Number: RD121306. Total road length is 0.94 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

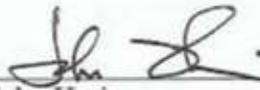
Internet at <http://recorded2477roads.utah.gov>.

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 17th day of June, 2008.

By the Governor's Designee



John Harja

CERTIFICATION

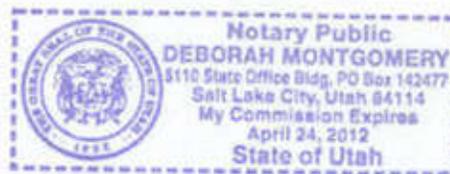
State of Utah)
 : ss
County of Salt Lake)

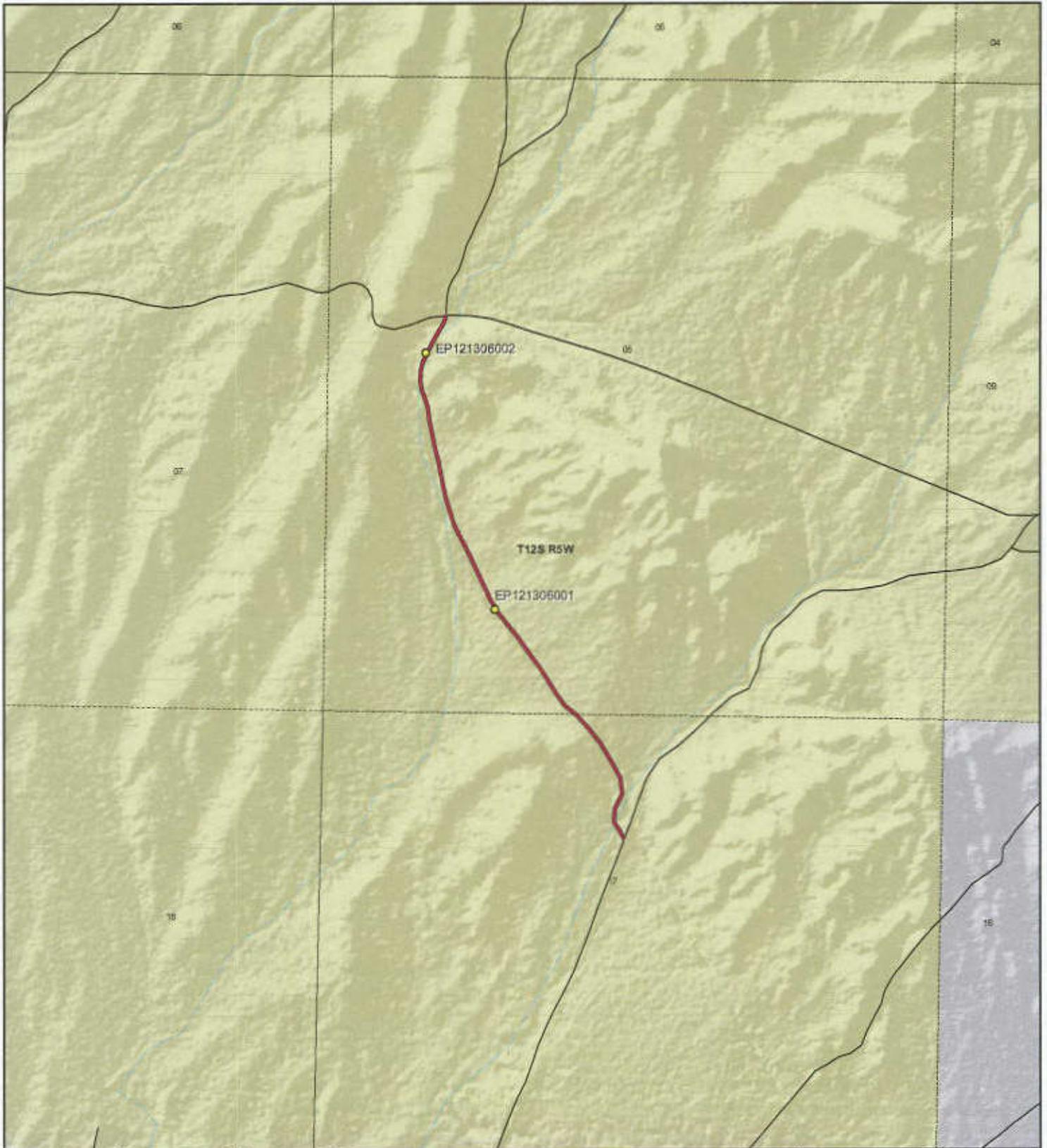
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 17 day of June, 2008.



Notary Public





 <p>1:13,187 1 inch equals 0.2 miles</p>		<p align="center">CHERRY CREEK CUT OFF ROAD - Juab County SGID RD_ID RD121306</p> <table border="0"> <tr> <td colspan="2">Land Ownership Categories</td> <td colspan="2">Transportation Network</td> </tr> <tr> <td> BLM</td> <td> Wilderness</td> <td> CHERRY CREEK CUT OFF RD</td> <td> Title V, Issued Or Under Consideration By BLM Or County</td> </tr> <tr> <td> Private</td> <td> UDWR Wildlife Reserve</td> <td> Other Roads</td> <td> Photo Event Point</td> </tr> <tr> <td> SITLA, State Trust Land</td> <td> DOD, Military</td> <td> Section = 1 Mile</td> <td></td> </tr> <tr> <td> USFS, National Forest</td> <td> State Sovereign Land</td> <td></td> <td></td> </tr> <tr> <td> State Parks and Recreation</td> <td> National Recreation Area</td> <td></td> <td></td> </tr> <tr> <td> Tribal, Indian Reservation</td> <td> USFWS, Natl. Wildlife Refuge</td> <td></td> <td></td> </tr> <tr> <td> NPS, National Park</td> <td></td> <td></td> <td></td> </tr> </table>	Land Ownership Categories		Transportation Network		BLM	Wilderness	CHERRY CREEK CUT OFF RD	Title V, Issued Or Under Consideration By BLM Or County	Private	UDWR Wildlife Reserve	Other Roads	Photo Event Point	SITLA, State Trust Land	DOD, Military	Section = 1 Mile		USFS, National Forest	State Sovereign Land			State Parks and Recreation	National Recreation Area			Tribal, Indian Reservation	USFWS, Natl. Wildlife Refuge			NPS, National Park				<p>Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 May 27, 2006</p> 
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Attachment 2



EP121306001



EP121306002

EP000000000

EP000000000

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EP000000000

CHERRY CREEK CUT OFF ROAD - Juab County
SGID RD_ID RD121306

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
May 26, 2008



Attachment 3

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

Popular Name: CHERRY CREEK CUT OFF ROAD

County: Juab

County Road Number: 5120801

State Geographic Information Database (SGID) Road Identification Number: RD121306.

Total Road Length: 0.94 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 47 minutes 3.4 seconds North Latitude and -112 degrees 25 minutes 056.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,378,398.6 feet and Y = 7,091,513.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 47 minutes 46.82 seconds North Latitude and -112 degrees 26 minutes 16.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,376,863.0 feet and Y = 7,095,924.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 12 South Range 5 West, Section(s) 8,17, 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: CHERRY CREEK CUT OFF ROAD

County: Juab

County Road Number: 5120801

State Geographic Information Database (SGID) Road Identification Number: RD121306.

Total Road Length: 0.94 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
RD121306	001	BLM	0.94 Miles	A
		Total Road Length	0.94	_____

* 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 ROBERT STEELE
CHERRY CREEK CUT OFF ROAD
COUNTY ROAD NUMBER 5120801**

JUAB COUNTY, UTAH

State of Utah)
 : ss.
County of Juab)

ROBERT STEELE, 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 Juab County for 71 years. I was a Juab County Commissioner from 1999-2006.

2. I have traveled and am familiar with a road in Juab County known as Cherry Creek Cut Off Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1942, it followed the same route as in 2007 when I last observed it. Attached is a Juab County map showing Cherry Creek Cut Off 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 1942 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, trucks, maintenance vehicles, jeeps and ATV's. Throughout this

time period, the road has been used daily for more than ten continuous years prior to 1976, and was used daily in 2007.

4. Throughout the time period from 1942 to 2007, I have used the road myself for hunting, mining, trapping and traveling in and through the area and prospecting for minerals.

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 livestock operations, camping, wood gathering, oil and gas exploration, rock hounding and government 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 late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

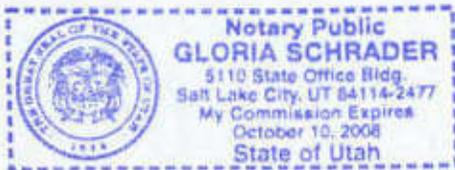
7. Prior to 1976, I observed the graded surface of the road.

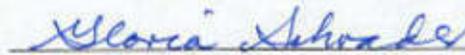
Dated this 5 day of June, 2007.



ROBERT STEELE

SUBSCRIBED AND SWORN to before me this 5th day of June, 2007.

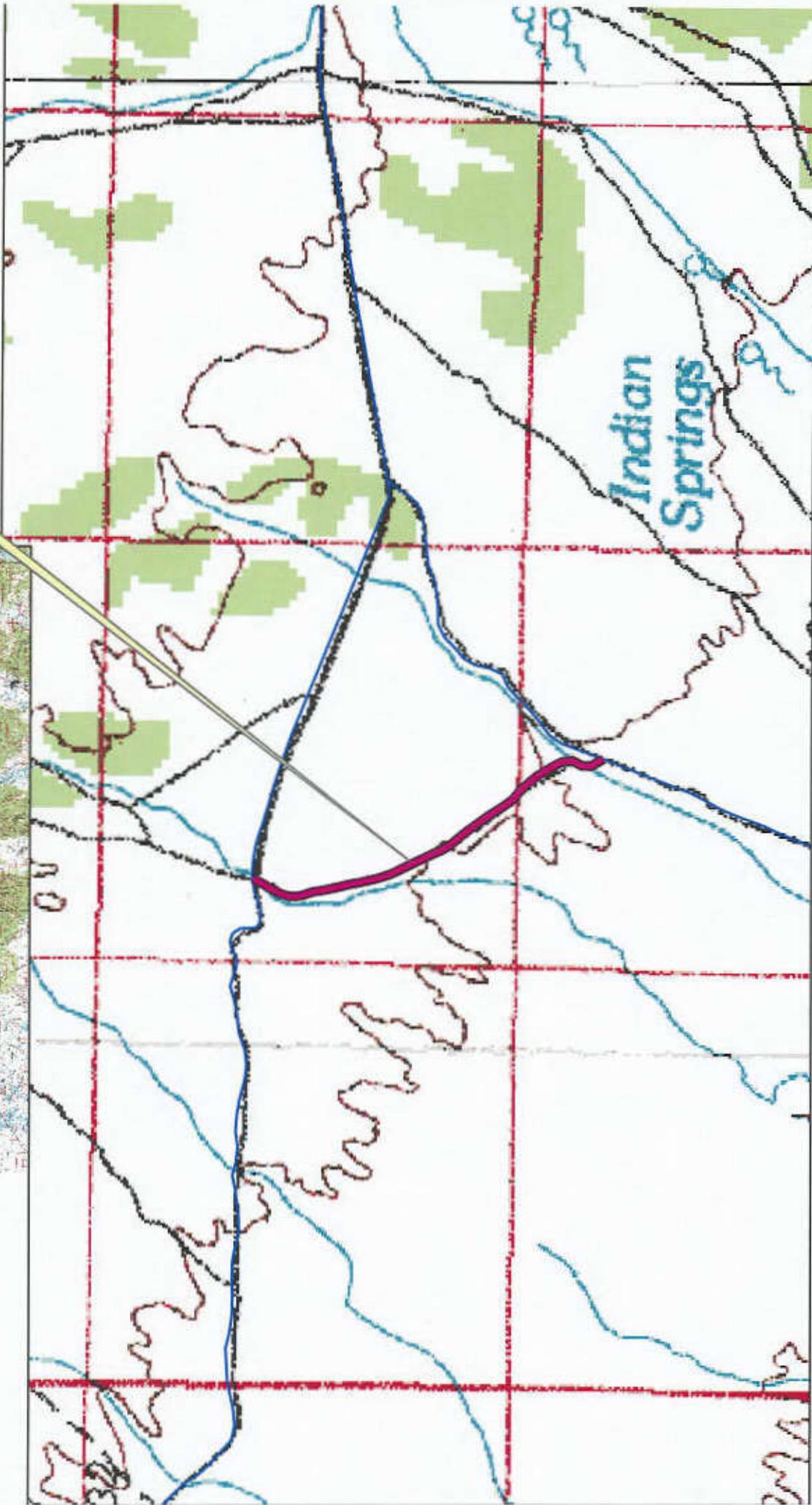
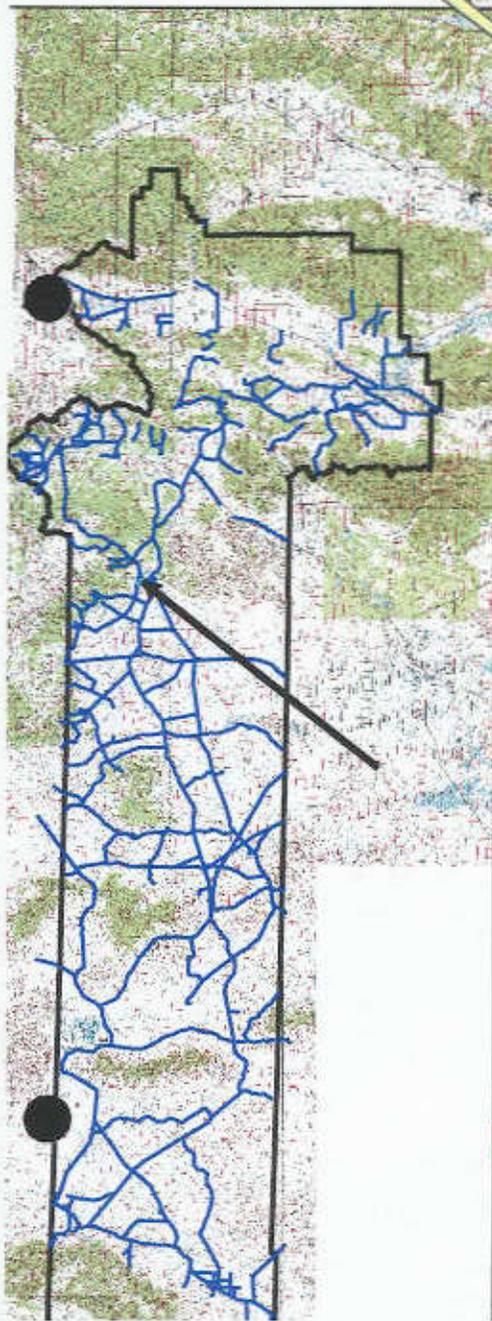




NOTARY PUBLIC

Juab County
RS2477 Assertions
June 2006

Cherry Creek Cut Off Rd



AFFIDAVIT OF RON JONES
CHERRY CREEK CUT OFF ROAD
JUAB COUNTY, UTAH
ROAD NUMBER 5120801

State of Utah)
 : ss.
County of Juab)

RON JONES, 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 Nephi, Juab County, Utah. I have lived in Juab County for 85 years. I was an employee of the Juab County Road Department for 38 years from 1947 to 1987 and have participated in maintenance of county B roads during that time.

2. I have traveled and am familiar with a road in Juab County known as Cherry Creek Cut Off Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1930s it followed the same route as in 2006 when I last observed it. Attached is a Juab County map showing Cherry Creek Cut Off 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 1930s and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by means of cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road as been used daily for more than ten continuous years prior to 1976, and was so used in 2006.

5. Throughout the time period from the late 1930s to 2006, I have used the road myself for county road maintenance, sight-seeing and travel 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, wood gathering, cedar post cutting, hunting, rock hounding, mining, trapping and recreation.

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 participated in grading and maintenance and construction activities on the road as a county road employee.

DATED this 5 day of June, 2007.

Ron Jones
RON JONES

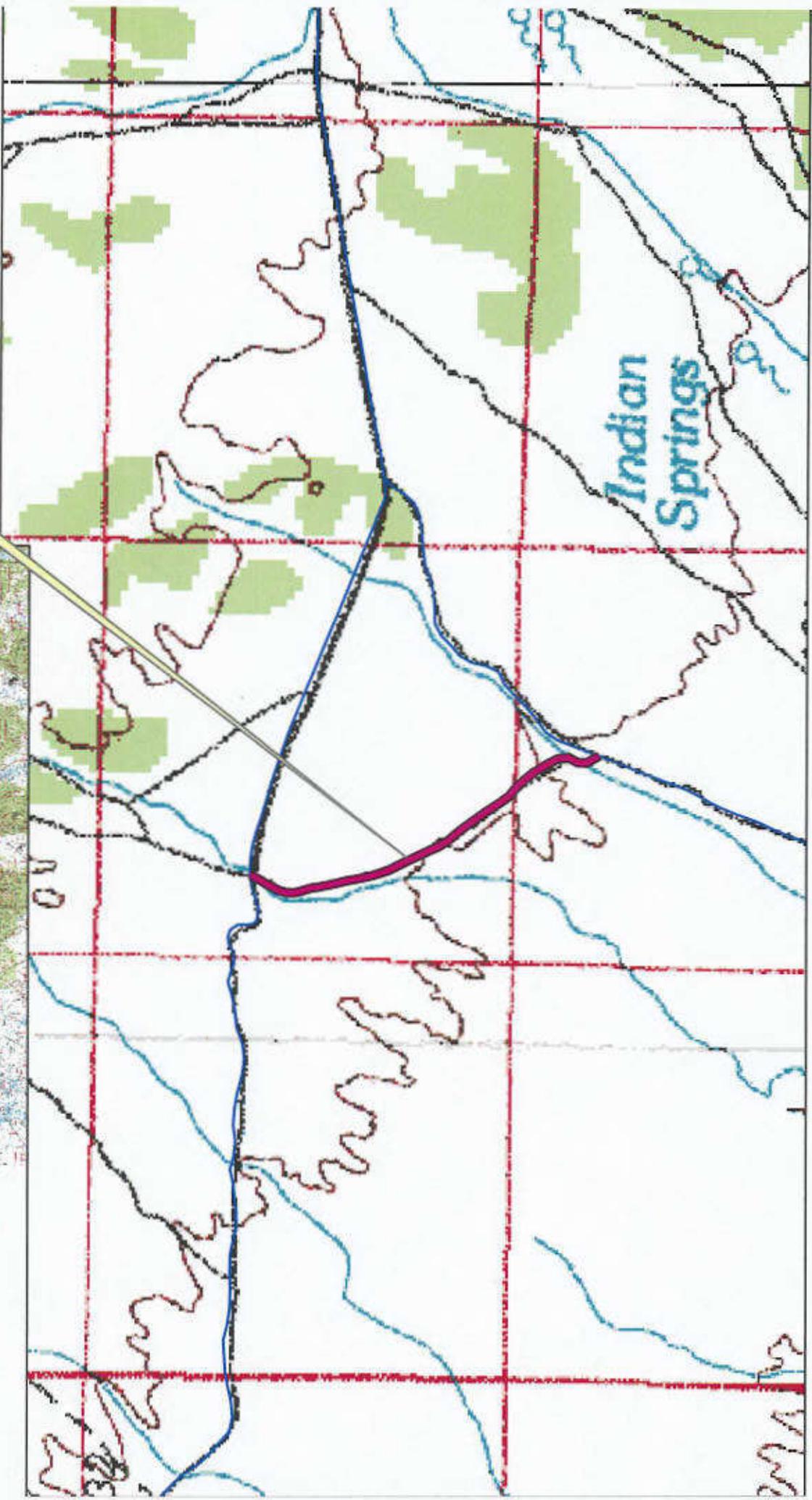
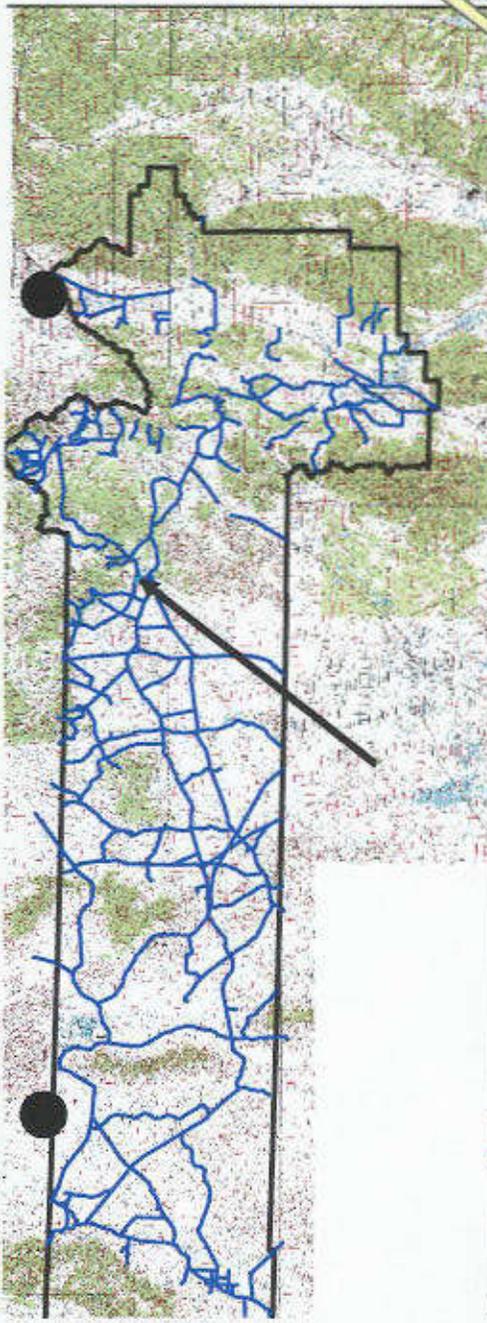
SUBSCRIBED AND SWORN to before me this 5th day of June, 2007.



Gloria Schrader
NOTARY PUBLIC

Juab County
RS2477 Assertions
June 2006

Cherry Creek Cut Off Rd



Appendix A to Attachment 4

Popular Name: CHERRY CREEK CUT OFF ROAD

County: Juab

County Road Number: 5120801

State Geographic Information Database (SGID) Road Identification Number: RD121306.

Road-Segment Number: 001

Road-Segment Length: 0.94 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 12 South Range 5 West, Section(s) 8,17, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (CHERRY CREEK CUT OFF 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 39 degrees 47 minutes 3.4 seconds North Latitude and -112 degrees 25 minutes 056.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,378,398.6 feet and Y = 7,091,513.7 feet; thence the following courses along the said road center line:

thence North 27 Degrees 32 Minutes 41 Seconds West 101.8 feet
thence North 33 Degrees 46 Minutes 21 Seconds West 66.1 feet
thence North 00 Degrees 20 Minutes 13 Seconds East 114.5 feet
thence North 26 Degrees 57 Minutes 39 Seconds East 141 feet
thence North 06 Degrees 16 Minutes 09 Seconds West 132.9 feet
thence North 28 Degrees 28 Minutes 51 Seconds West 173.8 feet
thence North 31 Degrees 15 Minutes 52 Seconds West 172.9 feet
thence North 39 Degrees 50 Minutes 23 Seconds West 160.4 feet
thence North 42 Degrees 27 Minutes 08 Seconds West 143.8 feet
thence North 51 Degrees 21 Minutes 55 Seconds West 17 feet
thence North 51 Degrees 20 Minutes 49 Seconds West 115.6 feet

thence North 35 Degrees 25 Minutes 18 Seconds West 125.5 feet
thence North 33 Degrees 02 Minutes 45 Seconds West 129.9 feet
thence North 33 Degrees 23 Minutes 24 Seconds West 134.7 feet
thence North 36 Degrees 11 Minutes 10 Seconds West 146.2 feet
thence North 36 Degrees 18 Minutes 35 Seconds West 149.6 feet
thence North 39 Degrees 41 Minutes 56 Seconds West 146.9 feet
thence North 40 Degrees 10 Minutes 47 Seconds West 132.1 feet
thence North 31 Degrees 19 Minutes 52 Seconds West 134.4 feet
thence North 23 Degrees 41 Minutes 25 Seconds West 129 feet
thence North 27 Degrees 09 Minutes 07 Seconds West 125.8 feet
thence North 25 Degrees 00 Minutes 12 Seconds West 129.6 feet
thence North 25 Degrees 07 Minutes 00 Seconds West 118.9 feet
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thence North 26 Degrees 48 Minutes 02 Seconds West 100.1 feet
thence North 17 Degrees 33 Minutes 18 Seconds West 104.1 feet
thence North 17 Degrees 06 Minutes 53 Seconds West 112.4 feet
thence North 15 Degrees 00 Minutes 41 Seconds West 111.3 feet
thence North 10 Degrees 41 Minutes 25 Seconds West 102.1 feet
thence North 09 Degrees 48 Minutes 38 Seconds West 107.5 feet
thence North 14 Degrees 52 Minutes 17 Seconds West 114.9 feet
thence North 13 Degrees 13 Minutes 59 Seconds West 121.9 feet
thence North 11 Degrees 37 Minutes 46 Seconds West 120.5 feet
thence North 08 Degrees 28 Minutes 23 Seconds West 113.4 feet
thence North 16 Degrees 53 Minutes 12 Seconds West 95.5 feet
thence North 21 Degrees 51 Minutes 06 Seconds West 51.9 feet
thence North 11 Degrees 35 Minutes 05 Seconds West 82.3 feet
thence North 02 Degrees 24 Minutes 24 Seconds East 89.7 feet
thence North 14 Degrees 38 Minutes 33 Seconds East 78.8 feet
thence North 25 Degrees 49 Minutes 09 Seconds East 78.9 feet
thence North 28 Degrees 25 Minutes 37 Seconds East 77.1 feet
thence North 28 Degrees 07 Minutes 23 Seconds East 71.6 feet
thence North 30 Degrees 32 Minutes 49 Seconds East 66.5 feet
thence North 31 Degrees 22 Minutes 16 Seconds East 44.3 feet
thence North 22 Degrees 58 Minutes 47 Seconds East 48.9 feet
thence North 19 Degrees 03 Minutes 16 Seconds East 31.7 feet
thence North 10 Degrees 07 Minutes 04 Seconds East 12.7 feet more or less to **the ending**

point at: 39 degrees 47 minutes 46.82 seconds North Latitude and -112 degrees 26 minutes 16.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,376,863.0 feet and Y = 7,095,924.0 feet.