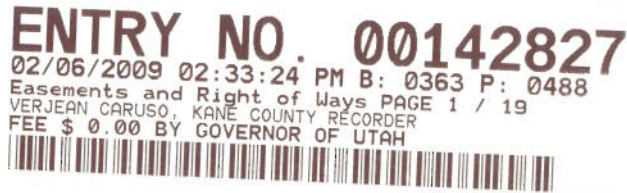


**Acknowledgment and  
Notice of Acknowledgment  
of Acceptance of R.S. 2477  
Right-of-Way Grant**



**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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Kane County as it pertains to the highway located in Kane County known as K8001; County Road Number: K8001; State Geographic Information Database (SGID) Road Identification Number: RD131172. Total road length is 0.48 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 7<sup>th</sup> day of JANUARY, 2009.

By the Governor's Designee

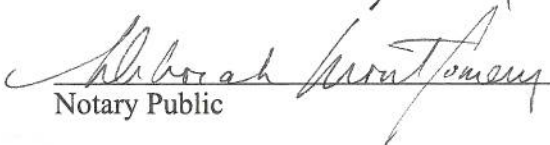
  
John Harja

### CERTIFICATION

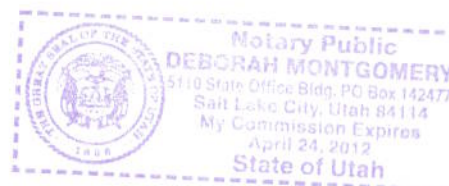
State of Utah                    )  
  : ss  
County of Salt Lake         )

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 7<sup>th</sup> day of January, 2009.

  
Notary Public

**ENTRY NO. 00142827**  
02/06/2009 02:33:24 PM B: 0363 P: 0489  
Easements and Right of Ways PAGE 2 / 19  
VERJEAN CARUSO, KANE COUNTY RECORDER  
FEE \$ 0.00 BY GOVERNOR OF UTAH







**ENTRY NO. 00142827**

02/06/2009 02:33:24 PM B: 0363 P: 0490

Easements and Right of Ways PAGE 3 / 19

VERJEAN CARUSO, KANE COUNTY RECORDER

FEE \$ 0.00 BY GOVERNOR OF UTAH



1:9,514

1 inch equals 0.2 miles



**K8001 - Kane County  
SGID RD\_ID RD131172**

**Land Ownership Categories**

- |   |  |
|---|--|
| Yellow diamond: BLM                           | Green diamond: Wilderness                        |
| Pink diamond: Private                         | Brown diamond: UDWR Wildlife Reserve             |
| Blue diamond: SITLA, State Trust Land         | Dark blue diamond: DOD, Military                 |
| Light green diamond: USFS, National Forest    | Light blue diamond: State Sovereign Land         |
| Dark blue diamond: State Parks and Recreation | Pink diamond: National Recreation Area           |
| Orange diamond: Tribal, Indian Reservation    | Dark green diamond: USFWS, Natl. Wildlife Refuge |
| Light blue diamond: NPS, National Park        |  |

**Transportation Network**

- |  |
|--|
| Red line: K8001  |
| Orange line: Title V: Issued Or Under Consideration By BLM Or County |
| Black line: Other Roads  |
| Yellow circle: Photo Event Point                                     |
| Black dashed line: Section = 1 Mile                                  |

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





EP131172001



EP131172002



EP131172003



EP131172004

**ENTRY NO. 00142827**

02/06/2009 02:33:24 PM B: 0363 P: 0491  
Easements and Right of Ways PAGE 4 / 19  
VERJEAN CARUSO, KANE COUNTY RECORDER  
FEE \$ 0.00 BY GOVERNOR OF UTAH



EP000000000

EP000000000



**K8001 - Kane County**  
**SGID RD\_ID RD131172**

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



### Attachment 3

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

**Popular Name: K8001**

**County: Kane**

**County Road Number: K8001**

**State Geographic Information Database (SGID) Road Identification Number: RD131172.**

**Total Road Length: 0.48 miles more or less.**


**Beginning at a point** on the road centerline located at 37 degrees 14 minutes 37.11 seconds North Latitude and -111 degrees 29 minutes 17.59 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,643,846.0 feet and Y = 10,052,587.0 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 37 degrees 14 minutes 54.13 seconds North Latitude and -111 degrees 29 minutes 029.6 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,642,874.4 feet and Y = 10,054,308.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 41 South Range 4 East, Section(s) 16,17, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

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

**Popular Name: K8001**

**County: Kane**

**County Road Number: K8001**

**State Geographic Information Database (SGID) Road Identification Number: RD131172.**

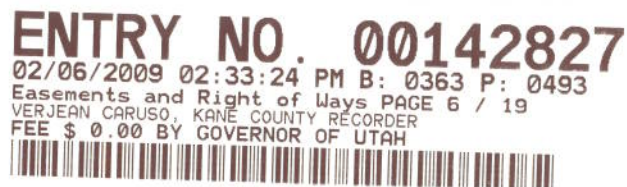
**Total Road Length: 0.48 miles more or less.**

**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>RD131172</b>	<b>001</b>	<b>BLM</b>	<b>0.48 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>0.48</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

**ENTRY NO. 00142827**

02/06/2009 02:33:24 PM B: 0363 P: 0494

Easements and Right of Ways PAGE 7 / 19

VERJEAN CARUSO, KANE COUNTY RECORDER

FEE \$ 0.00 BY GOVERNOR OF UTAH



**AFFIDAVIT OF VANE CAMPBELL**  
**COUNTY ROAD NUMBER K8001**  
**KANE COUNTY, UTAH**


State of Utah                     )  
  :SS  
County of Kane                 )

Vane Campbell, 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 was born January 4, 1930, in Circleville, Utah and moved to Alton, Kane County, Utah when I was two years old and have lived in Alton for the past 76 years. I started to work for the Kane County Road Department in 1967. I left the county in 1970 for other employment and returned to the Kane County road department in 1972 and was made Superintendent of the Kane County Road Department in 1974. I worked for the road department until I retired in 1992.

2. I have traveled and am familiar with the road Kane County has designated as K8001. I am also familiar with the land the road traverses. When I first used and personally observed the road in 1967 it followed the same route as in 1992 when I last drove on and observed the road. "Attachment A" is a Kane County map showing K8001, which I have signed and dated. 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 map. The road begins in Section 16, goes around the end of the landing strip and ends in Section 17, T41S R4E.

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4. Whenever I was on that road it was open to the public for all to use, to come and go as they pleased, since at least as early as 1967 and continuing through 1976 to 1992 when I last drove on and observed the road. During that time period and prior to 1976, I have personally observed travel on the road by various means, including pickup trucks, four-wheel drive vehicles, cattle trucks, a drilling rig, and county road maintenance vehicles.

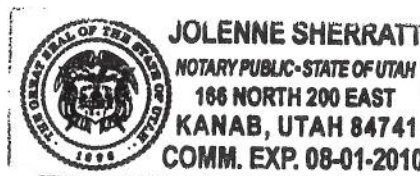
5. Prior to 1976, I personally observed evidence of maintenance and construction activities on this Kane County Class B road. I know the road was graded before I started to work for the County and I bladed it myself at least as early as 1967 when I helped maintain this road as a member of the Kane County road crew. There were berms along the road and the road was bladed at least twice a year.


DATED THIS 3<sup>rd</sup> DAY OF September, 2008.

Vane L. Campbell  
VANE CAMPBELL

SUBSCRIBED AND SWORN to before me this 3<sup>rd</sup> day of Sept., 2008.

Jolenne Sherratt  
NOTARY PUBLIC



**ENTRY NO. 00142827**  
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VERJEAN CARUSO, KANE COUNTY RECORDER  
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7.5 TOPO Map Background  
Covering Kane County

Overall View

TRAIL K8001

Section lines added

JEEP 5200

5480

5418

18

17

17

JEEP TR

K7200  
5543

8

M O C K I N

JEEP

X 5490

5480

9

JEEP

5400

8

5440

16

5360

15

15

N

5200

5188

Right

5087

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02/06/2009 02:33:24 PM B: 0363 P: 0498  
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M O U N T A I N

18

18

17

17

15

X 5533

T41S R4E

K8001

5517

LANDING STRIP

5462

5645

5385

5400

K8001

"Attachment A"

Signed Lane & Campbell

Date Sept 3 - 08

ENTRY NO. 00142827

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VERJEAN CARUSO, KANE COUNTY RECORDER  
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Left Fork Water Canyon

Canyon

02/06/2009 02:33:24 PM B: 0363 P: 0498  
Easements and Right of Ways PAGE 11 / 19  
VERJEAN CARUSO, KANE COUNTY RECORDER  
FEE \$ 0.00 BY GOVERNOR OF UTAH



**AFFIDAVIT OF FRELAND ALVEY**

**COUNTY ROAD NUMBER K8001**

**KANE COUNTY, UTAH**

State of Utah                     )  
  :SS  
County of Garfield             )

FRELAND ALVEY, 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 was born in Escalante, Garfield County, Utah. I am currently a resident of Escalante, Utah where I have resided for 77 years. I worked for the road department in Garfield County for about 12 years and then I was employed by the Utah Department of Transportation for about 20 years.

2.     I have traveled and am familiar with the road Kane County has designated as K8001. I am also familiar with the land the road traverses. My father, Forest Alvey, worked for Don Kelly and he helped build the "Kelly Grade" which is on the Smoky Mountain road.

When I first used and personally observed the road in the 1970s it followed the same route as in 2006 when I last drove on and observed the road. "Attachment A" is a Kane County map showing K8001, which I have signed and dated. 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 map. The road begins in Section 16, goes around the end of the landing strip and ends in Section 17, T41S R4E.

3.     Whenever I was on this road (K8001) it was open to the public for all to use, to come and go as they pleased, since at least as early as the 1970s and continuing through

**ENTRY NO. 00142827**

02/06/2009 02:33:24 PM B: 0363 P: 0499  
Easements and Right of Ways PAGE 12 / 19  
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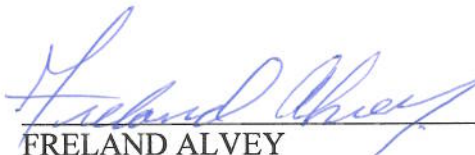


1976 to 2006 when I last drove on and observed the road. During that time period and prior to 1976, I have personally observed travel on the road by various means, including touring cars, four wheel drive vehicles, drilling rigs, and I also met the Kane County road graders while the crew was working to maintain the road.


4. From the 1970s to 2006, I personally have used the road myself for deer hunting, camping, trapping and family outings.

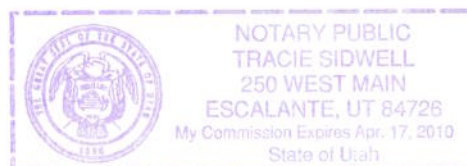
5. Prior to 1976, I personally observed evidence of maintenance and construction activities on this Kane County Class B road. I know the road was graded because I saw the Kane County grader grading the road and I have also observed berms on the side of the road.


DATED THIS 28 day of January, 2008.9

  
FRELAND ALVEY

SUBSCRIBED AND SWORN to before me this 28<sup>th</sup> day of January, 2008.9

  
NOTARY PUBLIC



**ENTRY NO. 00142827**  
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VERJEAN CARUSO, KANE COUNTY RECORDER  
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**AFFIDAVIT OF ROGER FRANK HOLLAND**

**COUNTY ROAD NUMBER K8001**

**KANE COUNTY, UTAH**

State of Utah )

:SS

County of Kane )

ROGER FRANK HOLLAND, 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 Kane County, Utah. I have been a resident of Kane County for about 44 years. However, even when I was not living in Kane County I frequently visited here.
2. From the time I was a youth until 2008 I have traveled extensively on most of the roads in Kane County. I am a geologist and have worked for the State of Utah and Kane County in jobs that necessitated my using the county roads. From about 1966 through 1970 I worked for the Utah State Geological Survey in the Kaiparowits Plateau area.
3. I have traveled and am familiar with the road which Kane County has designated as K8001. I am also familiar with the land the road traverses. When I first used and personally observed the road in 1961 or 1962, it followed the same route as in 1996 when I last observed it. Attached is a Kane County map showing K8001, "Attachment A, which I have signed and dated. 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 map on "Attachment A". The road begins in Section 16, goes around the end of the landing strip and ends in Section 17, T41S R4E.
4. Whenever I was on that road it was open to the public for all to use, to come and go as they pleased, since at least as early as 1961 or 1962 and continuing through 1976 to

**ENTRY NO. 00142827**

02/06/2009 02:33:24 PM B: 0363 P: 0503

Easements and Right of Ways PAGE 16 / 19

VERJEAN CARUSO, KANE COUNTY RECORDER

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1996 when I last drove and observed the road. During that time period and prior to 1976, I have personally observed travel on the road by various means, including pickup trucks, cattle trucks, a drilling rig, and sundry vehicles.

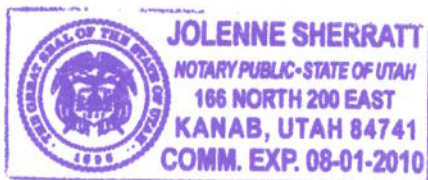
5. During this time period from 1961 to 1996 I have personally used the road myself for family outings, job related travel and rock hounding. The first time I drove on this road was in my Uncle Kelvert's 1960, green four-wheel drive, Dodge Power Wagon. I was with my grandfather and my cousin and we were traveling to Hole-in-the-Rock road via the Smokey Mountain road. In my experience K8001 is a short segment of road which skirts the end of the landing strip and has always been the main traveled route of the Smokey Mountain Road. My co-workers and I always called this landing strip the "Smokey Mountain International Airport" because it was used extensively by aircraft to fly parts, personnel and other items needed for the exploration crews who were working in the area.

6. Prior to 1976, I personally observed evidence of maintenance and construction activities on this road such as dozer tracks, blade berms and dozer push piles.

DATED THIS 1<sup>ST</sup> DAY OF July, 2008.

Roger F Holland  
ROGER FRANK HOLLAND

SUBSCRIBED AND SWORN to before me this 1<sup>ST</sup> day of July, 2008.



Jolenne Sherratt  
NOTARY PUBLIC

**ENTRY NO. 00142827**

02/06/2009 02:33:24 PM B: 0363 P: 0504

Easements and Right of Ways PAGE 17 / 19

VERJEAN CARUSO, KANE COUNTY RECORDER

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7.5 TOPO Map Background  
Covering Kane County

Overall View

Section lines added

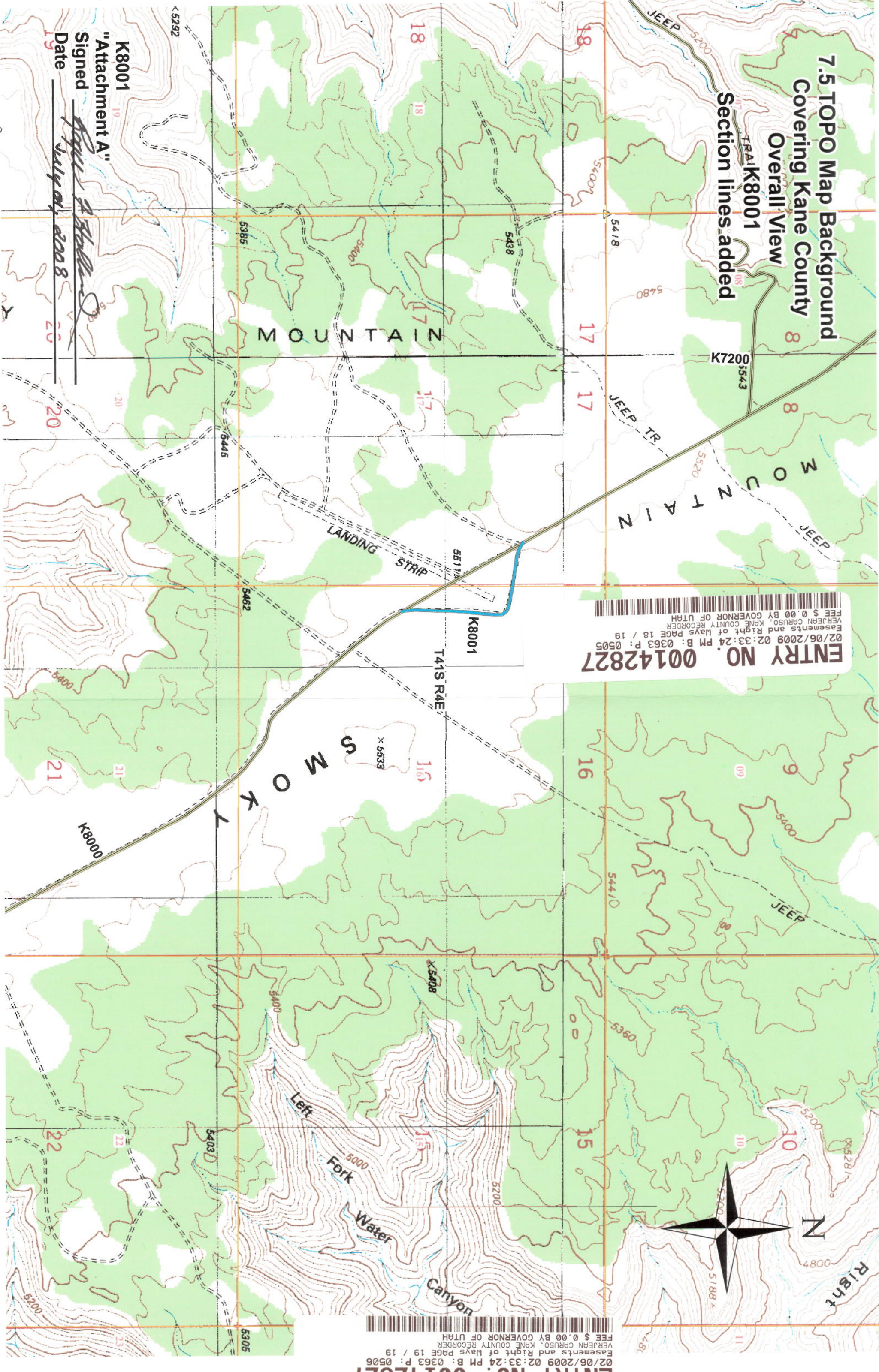
TRAIL K8001

K7200

ENTRY NO. 00142827  
02/06/2009 02:33:24 PM B: 0363 P: 0505  
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02/06/2009 02:33:24 PM B: 0363 P: 0506  
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FEE \$ 0.00 BY GOVERNOR OF UTAH



K8001

"Attachment A"

Signed

Date

*Paul A. Holland*  
July 01, 2008



## Appendix A to Attachment 4

**Popular Name: K8001**

**County: Kane**

**County Road Number: K8001**

**State Geographic Information Database (SGID) Road Identification Number: RD131172.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.48 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 41 South Range 4 East, Section(s) 16,17, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (K8001)-- 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 37 degrees 14 minutes 37.11 seconds North Latitude and -111 degrees 29 minutes 17.59 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,643,846.0 feet and Y = 10,052,587.0 feet; thence the following courses along the said road center line:

thence North 13 Degrees 05 Minutes 30 Seconds West 21.9 feet  
thence North 09 Degrees 06 Minutes 50 Seconds West 28.5 feet  
thence North 08 Degrees 13 Minutes 15 Seconds West 18.8 feet  
thence North 05 Degrees 39 Minutes 48 Seconds West 46 feet  
thence North 02 Degrees 08 Minutes 48 Seconds West 53 feet  
thence North 00 Degrees 52 Minutes 42 Seconds East 57.3 feet  
thence North 01 Degrees 23 Minutes 18 Seconds East 60.1 feet  
thence North 01 Degrees 45 Minutes 28 Seconds East 62.1 feet  
thence North 02 Degrees 27 Minutes 59 Seconds East 62.5 feet  
thence North 02 Degrees 14 Minutes 34 Seconds East 59.9 feet  
thence North 01 Degrees 49 Minutes 19 Seconds East 55.8 feet  
thence North 01 Degrees 24 Minutes 44 Seconds East 52.6 feet



thence North 01 Degrees 30 Minutes 00 Seconds East 50.1 feet  
 thence North 02 Degrees 01 Minutes 36 Seconds East 100.1 feet  
 thence North 00 Degrees 17 Minutes 38 Seconds East 12.6 feet  
 thence North 02 Degrees 40 Minutes 18 Seconds East 36.1 feet  
 thence North 02 Degrees 23 Minutes 10 Seconds East 45.5 feet  
 thence North 03 Degrees 07 Minutes 03 Seconds East 51.2 feet  
 thence North 05 Degrees 02 Minutes 32 Seconds East 54.3 feet  
 thence North 06 Degrees 48 Minutes 18 Seconds East 54.6 feet  
 thence North 06 Degrees 17 Minutes 50 Seconds East 55.1 feet  
 thence North 06 Degrees 11 Minutes 49 Seconds East 56 feet  
 thence North 06 Degrees 32 Minutes 43 Seconds East 55.6 feet  
 thence North 06 Degrees 06 Minutes 44 Seconds East 55.5 feet  
 thence North 04 Degrees 26 Minutes 00 Seconds East 56.8 feet  
 thence North 03 Degrees 40 Minutes 11 Seconds East 59.2 feet  
 thence North 01 Degrees 50 Minutes 49 Seconds East 60.4 feet  
 thence North 06 Degrees 44 Minutes 35 Seconds West 51.8 feet  
 thence North 24 Degrees 26 Minutes 00 Seconds West 39.7 feet  
 thence North 44 Degrees 55 Minutes 14 Seconds West 41.8 feet  
 thence North 58 Degrees 41 Minutes 42 Seconds West 7.5 feet  
 thence North 64 Degrees 17 Minutes 37 Seconds West 28.7 feet  
 thence North 71 Degrees 52 Minutes 54 Seconds West 42.1 feet  
 thence North 75 Degrees 40 Minutes 48 Seconds West 49.8 feet  
 thence North 79 Degrees 21 Minutes 23 Seconds West 53.8 feet  
 thence North 82 Degrees 08 Minutes 31 Seconds West 52.5 feet  
 thence North 79 Degrees 35 Minutes 01 Seconds West 51.2 feet  
 thence North 79 Degrees 16 Minutes 06 Seconds West 53.5 feet  
 thence North 79 Degrees 56 Minutes 06 Seconds West 18.8 feet  
 thence North 79 Degrees 55 Minutes 21 Seconds West 38.1 feet  
 thence North 80 Degrees 49 Minutes 28 Seconds West 59 feet  
 thence North 82 Degrees 13 Minutes 00 Seconds West 60.2 feet  
 thence North 82 Degrees 09 Minutes 33 Seconds West 60.2 feet  
 thence North 82 Degrees 27 Minutes 36 Seconds West 59.2 feet  
 thence North 82 Degrees 30 Minutes 29 Seconds West 57.8 feet  
 thence North 82 Degrees 13 Minutes 47 Seconds West 55.6 feet  
 thence North 81 Degrees 37 Minutes 23 Seconds West 53.7 feet  
 thence North 71 Degrees 16 Minutes 08 Seconds West 92.4 feet  
 thence North 64 Degrees 54 Minutes 24 Seconds West 68.3 feet  
 thence North 55 Degrees 54 Minutes 11 Seconds West 25.7 feet

thence North 54 Degrees 19 Minutes 01 Seconds West 16.6 feet more or less to **the ending point at:** 37 degrees 14 minutes 54.13 seconds North Latitude and -111 degrees 29 minutes 029.6 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,642,874.4 feet and Y = 10,054,308.8 feet.