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

Ent 106940 Bk 128 Pg 66
Date: 16-JUN-2008 1:37PM
Fee: None
Filed By: RC
SHANE A. MILLETT, Recorder
PIUTE COUNTY CORPORATION
For: GOVERNOR OF THE 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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Piute County as it pertains to the highway located in Piute County known as IRON CAP MINE ROAD; County Road Number: PCRD99; State Geographic Information Database (SGID) Road Identification Number: RD160099. Total road length is 0.91 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 12 the day of June , 200 8.

By the Governor's Designee

John Harja

CERTIFICATION

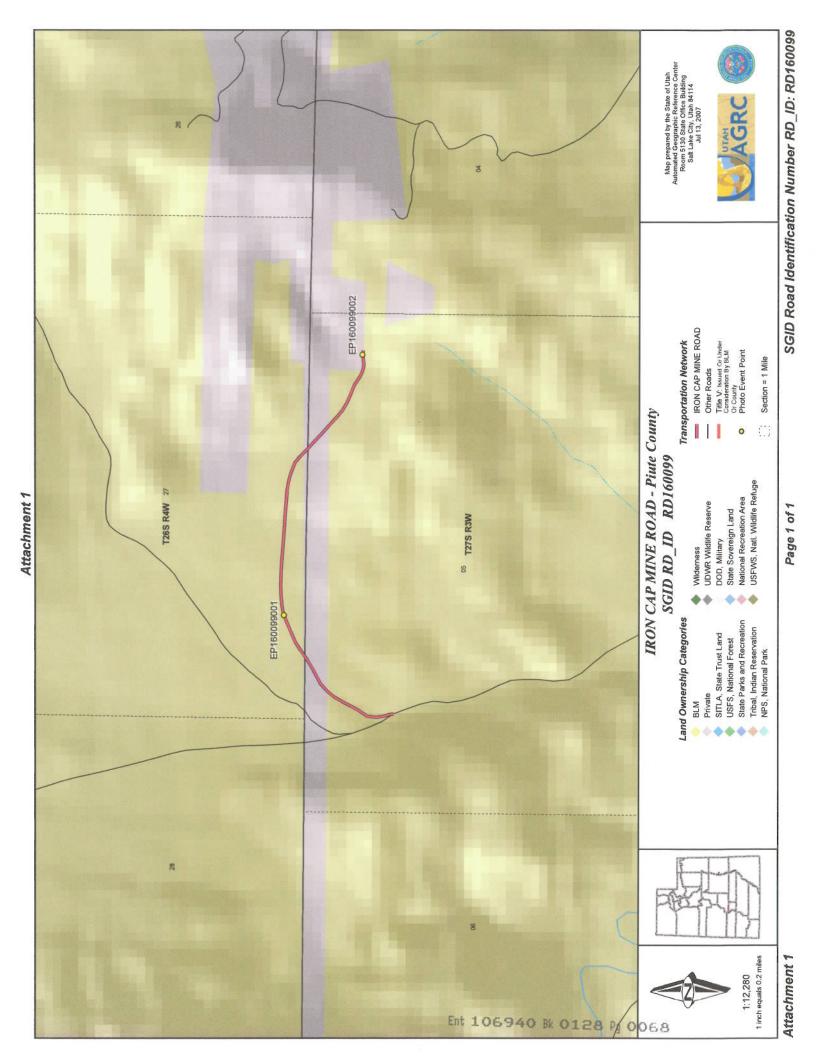
State of Utah) : ss County of Salt Lake)

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 / day of

Notary Public

Notary Public
DEBORAH MONTGOMERY
5110 State Office Bidg, PO Box 142477
Salt Lake City, Utah 84114
My Commission Expires
April 24, 2012
State of Utah







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IRON CAPMINE ROAD - Piute County
SGID RD_ID RD160099

Map prepared by the State of Utah

Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 July 31, 2007



Attachment 3

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

Popular Name: IRON CAP MINE ROAD

County: Piute

County Road Number: PCRD99

State Geographic Information Database (SGID) Road Identification Number: RD160099.

Total Road Length: 0.91 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 29 minutes 52.88 seconds North Latitude and -112 degrees 13 minutes 59.52 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,430,568.1 feet and Y = 10,510,183.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 29 minutes 56.55 seconds North Latitude and -112 degrees 13 minutes 10.78 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,434,445.7 feet and Y = 10,510,524.5 feet based on the US Survey Foot conversion.

This road may traverse:

Township 26 South Range 4 West, Section(s) 27, Salt Lake Base & Meridian Township 27 South Range 3 West, Section(s) 5, 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: IRON CAP MINE ROAD

County: Piute

County Road Number: PCRD99

State Geographic Information Database (SGID) Road Identification Number: RD160099.

Total Road Length: 0.91 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	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
Number (RD ID)			Length	
RD160099	001	BLM	0.15 Miles	A
RD160099	002	PVT	0.09 Miles	(not shown)
RD160099	003	BLM	0.42 Miles	В
RD160099	004	PVT	0.08 Miles	(not shown)
RD160099	005	BLM	0.13 Miles	C
RD160099	006	PVT	0 Miles	(not shown)
RD160099	007	BLM	0.03 Miles	D
RD160099	008	PVT	0.02 Miles	(not shown)
		Total Road Length	0.91	

^{*} 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 MICHAEL L. GIBBS

IRON CAP MINE ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD99

State of Utah)
	: ss
County of Piute)

MICHAEL L. GIBBS, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon
 my personal knowledge. I currently reside in Piute County, Utah. I have lived in Piute County
 for 65 years.
- 2. I have traveled and am familiar with a road in Piute County known as Iron Cap Mine Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s, it followed the same route as in 2007 when I last observed it. Attached is a Piute County map showing Iron Cap Mine 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.
- 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 1950s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used weekly for more than ten continuous years prior to 1976, and is presently used weekly.
 - 5. Throughout the time period from the late 1950s to 2007, I have used the road

myself for the following uses: hunting, wood gathering, prospecting for minerals and recreation.

- 6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: mining, tourism, traveling in and through the area, livestock operations and government 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 early 1900s 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.

DATED this _____ day of April, 2007.

MICHAEL L. GIBBS

SUBSCRIBED AND SWORN to before me this A day of April, 2007.

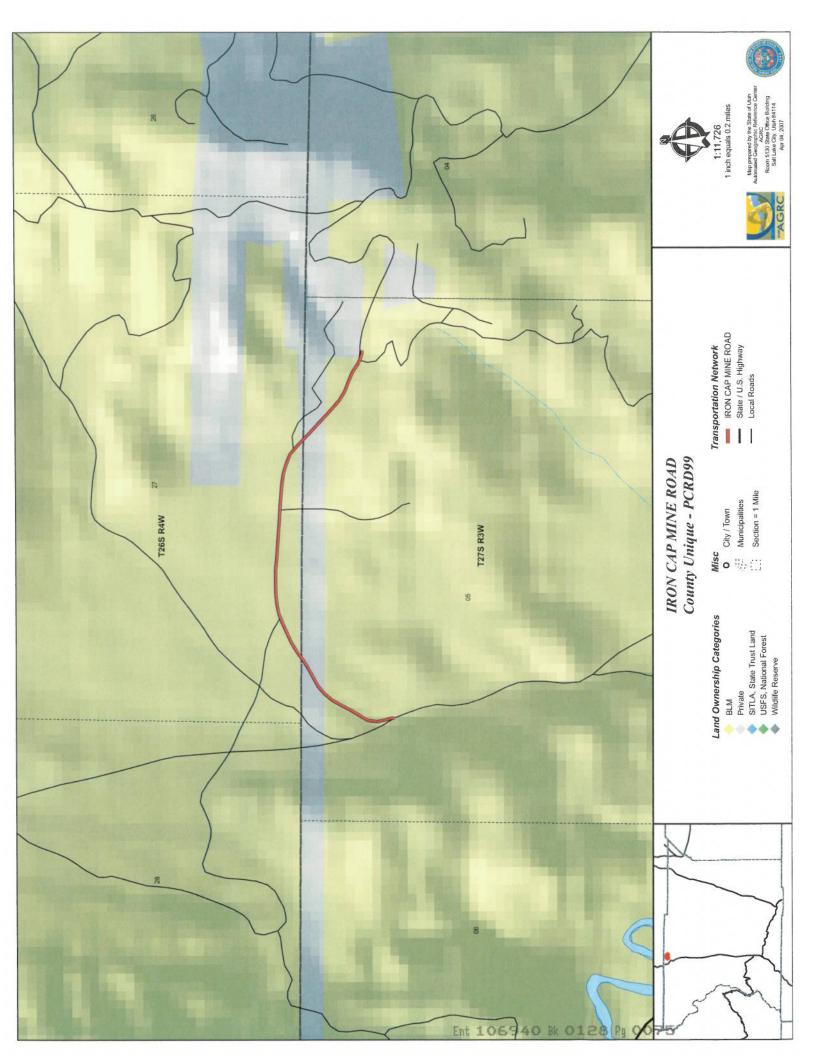
NOTARY PUBLIC

RICKI CANNON

NOTARY PUBLIC • STATE of UTAH

235 East Main
Circleville, UT 84723

COMM. EXP. 01-30-2010



AFFIDAVIT OF CLARK ELDER

IRON CAP MINE ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD99

State of Utah)
	: ss.
County of Piute)

CLARK ELDER, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon
 my personal knowledge. I currently reside in Piute County, Utah. I have lived in Piute County
 for 72 years.
- 2. I have traveled and am familiar with a road in Piute County known as Iron Cap Mine Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s, it followed the same route as in 2007 when I last observed it.

 Attached is a Piute County map showing Iron Cap Mine 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.
- 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 early 1950s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily, weather permitting for more than ten continuous years prior to 1976, and was used daily, weather permitting in 2007.
 - 5. Throughout the time period from the early 1950s to 2007, I have used the road

myself for the following uses: mining, prospecting for minerals, recreation, wood gathering, hunting and traveling in and through the area.

- 6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: livestock operations and government 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.

DATED this _//_ day of April, 2007.

CLARK ELDER

SUBSCRIBED AND SWORN to before me this __// day of April, 2007.

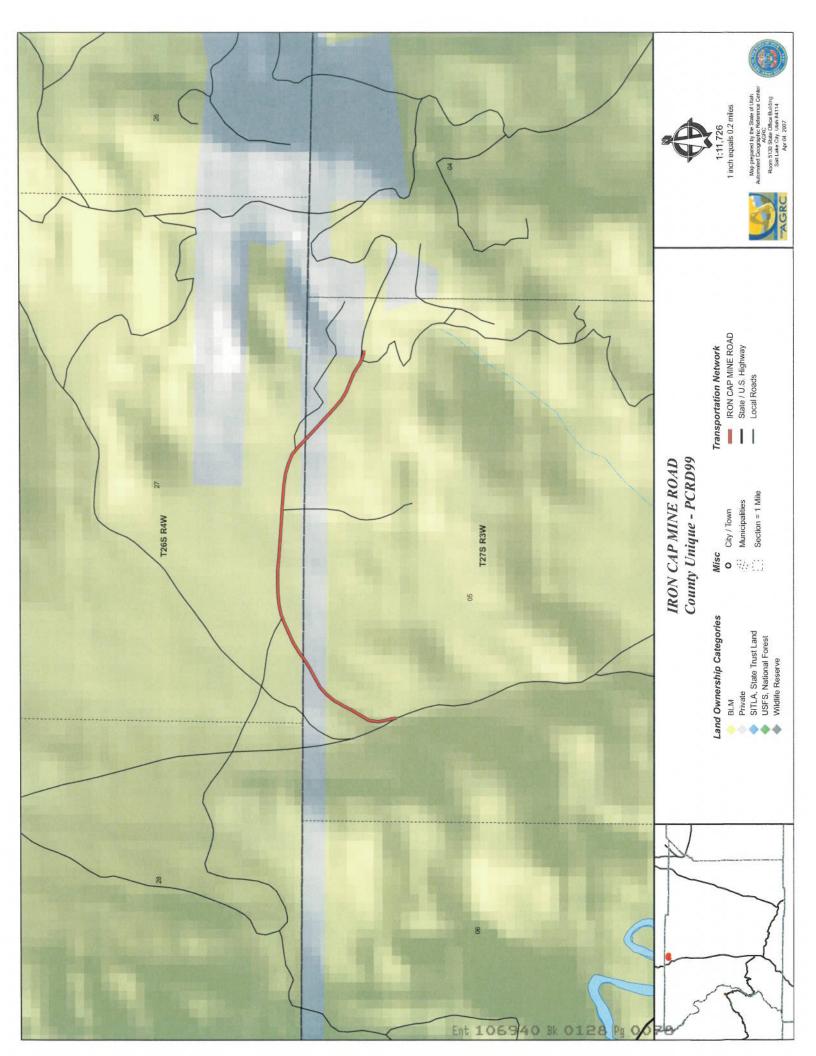
NOTARY PUBLIC

RICKI CANNON

NOTARY PUBLIC • STATE of UTAH

235 East Main
Circleville, UT 84723

COMM. EXP. 01-30-2010



Appendix A to Attachment 4

Popular Name: IRON CAP MINE ROAD

County: Piute

County Road Number: PCRD99

State Geographic Information Database (SGID) Road Identification Number: RD160099.

Road-Segment Number: 001

Road-Segment Length: 0.15 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 27 South Range 3 West, Section(s) 5, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (IRON CAP MINE 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 29 minutes 52.88 seconds North Latitude and -112 degrees 13 minutes 59.52 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,430,568.1 feet and Y = 10,510,183.3 feet; thence the following courses along the said road center line:

```
thence North 06 Degrees 01 Minutes 44 Seconds West 29.7 feet thence North 14 Degrees 49 Minutes 57 Seconds West 66.8 feet thence North 11 Degrees 37 Minutes 42 Seconds West 88.7 feet thence North 06 Degrees 49 Minutes 54 Seconds East 92.3 feet thence North 32 Degrees 26 Minutes 59 Seconds East 101.9 feet thence North 30 Degrees 38 Minutes 42 Seconds East 105.2 feet thence North 30 Degrees 47 Minutes 56 Seconds East 106.6 feet thence North 30 Degrees 05 Minutes 20 Seconds East 98.6 feet thence North 38 Degrees 36 Minutes 53 Seconds East 96.6 feet
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thence North 49 Degrees 04 Minutes 48 Seconds East 3 feet more or less to **the ending point** at: 38 degrees 29 minutes 59.89 seconds North Latitude and -112 degrees 13 minutes 56.55 seconds West

Longitude, which car coordinates of $X = 1,430$	be converted 0,809.4 feet and	to mapping Y = 10,510,8	accuracy 390.2 feet.	State	Plane	Utah	South	Zone	NAD	83	feet

Appendix B to Attachment 4

Popular Name: IRON CAP MINE ROAD

County: Piute

County Road Number: PCRD99

State Geographic Information Database (SGID) Road Identification Number: RD160099.

Road-Segment Number: 003

Road-Segment Length: 0.42 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 4 West, Section(s) 27, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (IRON CAP MINE 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 30 minutes 02.48 seconds North Latitude and -112 degrees 13 minutes 51.61 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,431,204.7 feet and Y = 10,511,150.1 feet; thence the following courses along the said road center line:

```
thence North 53 Degrees 46 Minutes 18 Seconds East thence North 57 Degrees 40 Minutes 33 Seconds East 117.6 feet thence North 64 Degrees 57 Minutes 59 Seconds East 109.1 feet thence North 66 Degrees 28 Minutes 58 Seconds East 101.1 feet thence North 69 Degrees 21 Minutes 53 Seconds East 101.1 feet thence North 78 Degrees 04 Minutes 11 Seconds East 101.1 feet thence North 83 Degrees 37 Minutes 28 Seconds East 102.6 feet thence North 87 Degrees 30 Minutes 39 Seconds East 112.6 feet thence South 89 Degrees 14 Minutes 36 Seconds East 122.4 feet thence South 85 Degrees 46 Minutes 42 Seconds East 132.7 feet thence South 85 Degrees 57 Minutes 04 Seconds East 137.9 feet
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thence South 85 Degrees 49 Minutes 22 Seconds East 134 feet thence South 86 Degrees 18 Minutes 24 Seconds East 126.7 feet thence South 86 Degrees 54 Minutes 23 Seconds East 121.3 feet thence South 85 Degrees 26 Minutes 49 Seconds East 115.9 feet thence South 85 Degrees 45 Minutes 27 Seconds East 115.6 feet thence South 82 Degrees 15 Minutes 39 Seconds East 110 feet thence South 73 Degrees 42 Minutes 19 Seconds East 104.5 feet thence South 68 Degrees 18 Minutes 51 Seconds East 103.4 feet thence South 49 Degrees 03 Minutes 49 Seconds East 103 feet
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thence South 45 Degrees 50 Minutes 38 Seconds East 25.3 feet more or less to **the ending point at:** 38 degrees 30 minutes 02.78 seconds North Latitude and -112 degrees 13 minutes 24.77 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,433,338.1 feet and Y = 10,511,163.2 feet.

Appendix C to Attachment 4

Popular Name: IRON CAP MINE ROAD

County: Piute

County Road Number: PCRD99

State Geographic Information Database (SGID) Road Identification Number: RD160099.

Road-Segment Number: 005

Road-Segment Length: 0.13 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 27 South Range 3 West, Section(s) 5, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (IRON CAP MINE 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 30 minutes 00.06 seconds North Latitude and -112 degrees 13 minutes 21 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,433,635.7 feet and Y = 10,510,885.9 feet; thence the following courses along the said road center line:

```
thence South 46 Degrees 54 Minutes 34 Seconds East 16.7 feet thence South 48 Degrees 13 Minutes 01 Seconds East 110.1 feet thence South 50 Degrees 29 Minutes 10 Seconds East 90.2 feet thence South 59 Degrees 00 Minutes 43 Seconds East 94.1 feet thence South 68 Degrees 31 Minutes 01 Seconds East 114.9 feet thence South 67 Degrees 58 Minutes 20 Seconds East 89.8 feet thence South 57 Degrees 43 Minutes 05 Seconds East 67 feet thence South 57 Degrees 41 Minutes 56 Seconds East 48.7 feet thence South 65 Degrees 57 Minutes 43 Seconds East 53.3 feet
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thence South 75 Degrees 14 Minutes 59 Seconds East 8.8 feet more or less to the ending point at: 38 degrees 29 minutes 56.62 seconds North Latitude and -112 degrees 13 minutes 13.55 seconds West

Longitude, coordinates	which of $X = 1$,	can be 434,22	convei 5.4 feet	ted to and Y	r = 10,	ping a 510,53	ccuracy 3.8 feet.	State	Plane	Utah	South	Zone	NAD	83	feet

Appendix D to Attachment 4

Popular Name: IRON CAP MINE ROAD

County: Piute

County Road Number: PCRD99

State Geographic Information Database (SGID) Road Identification Number: RD160099.

Road-Segment Number: 007

Road-Segment Length: 0.03 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 27 South Range 3 West, Section(s) 5, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (IRON CAP MINE ROAD)-- Segment 007 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 29 minutes 56.61 seconds North Latitude and -112 degrees 13 minutes 13.47 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,434,232.0 feet and Y = 10,510,531.9 feet; thence the following courses along the said road center line:

thence South 74 Degrees 50 Minutes 49 Seconds East thence South 86 Degrees 38 Minutes 38 Seconds East 35.8 feet thence North 82 Degrees 42 Minutes 01 Seconds East 48.6 feet

thence North 84 Degrees 55 Minutes 04 Seconds East 11.9 feet more or less to **the ending point at:** 38 degrees 29 minutes 56.57 seconds North Latitude and -112 degrees 13 minutes 011.8 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,434,364.6 feet and Y = 10,510,527.0 feet.