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

Recorded V 1 3 2008 Filling No. 76047	y
At 9:15 AM/ In Book S/O Page 5/6	1
Fee No Fee Debra L. Ames Rich County Recorde	r
Requested 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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Rich County as it pertains to the highway located in Rich County known as AR12; County Road Number: AR12; State Geographic Information Database (SGID) Road Identification Number: RD170376. Total road length is 0.87 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 of day of virging, 200 8.

By the Governor's Designee

John Haria

## **CERTIFICATION**

State of Utah ) : ss County of Salt Lake )

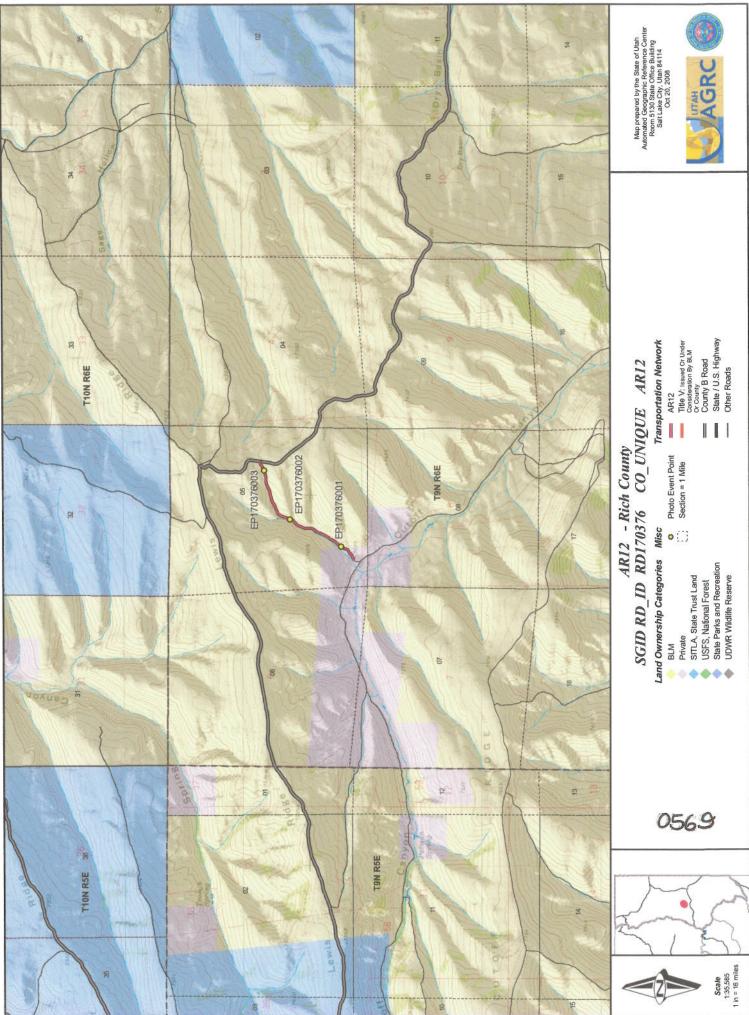
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 10th day of November, 2008.

Moria Werdie/ Notary Public

GLORIA GARDNER Commission Number 576232 My Commission Expires October 16, 2012 State of Utah

**Notary Public** 









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AR12 - Rich County SGID RD\_ID RD170376

Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 October 27, 2008

0570



### Attachment 3

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

Popular Name: AR12

County: Rich

County Road Number: AR12

State Geographic Information Database (SGID) Road Identification Number: RD170376.

Total Road Length: 0.87 miles more or less.

**Beginning at a point** on the road centerline located at 41 degrees 32 minutes 016.3 seconds North Latitude and -111 degrees 17 minutes 59.09 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,695,239.9 feet and Y = 3,719,755.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 32 minutes 45.12 seconds North Latitude and -111 degrees 17 minutes 18.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,698,285.5 feet and Y = 3,722,680.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 9 North Range 6 East, 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: AR12

County: Rich

County Road Number: AR12

State Geographic Information Database (SGID) Road Identification Number: RD170376.

Total Road Length: 0.87 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
RD170376	001	PVT	0.11 Miles	(not shown)
RD170376	002	BLM	0.77 Miles	A
		Total Road Length	0.87	

<sup>\*</sup> Indicates that a Title V permit will be requested, is in process, or has been issued.

<sup>†</sup> 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

0573

# AFFIDAVIT OF GEORGE O. FRAZIER RICH COUNTY, UTAH RICH COUNTY D ROAD NO. AR12

State of Utah	)
	: ss.
County of Rich	)

I, GEORGE O. FRAZIER, testify and declare under oath as follows:

- 1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on February 1, 1944 in Evanston, Wyoming. I have lived in Rich County for 65 years. I have been a cattle and sheep rancher for the past 54 years.
- I have traveled and am familiar with Rich County Road No. AR12 and the land it traverses.
- 3. I took the following steps to verify that the road I refer to in this affidavit and Rich County Road No. AR 12 (the "Road") are the same road:
- a. I examined a large Rich County map depicting the Road in relation to other roads, intersections and landmarks. I initialed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.
- b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.
- c. I viewed aerial photography of the Road, as well as ground photography, and verified that the aerial and ground photography accurately depict the road I refer to in this affidavit.

4. I have personally traveled the Road from 1960 through 1976 and continuing until 2008, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection.

 When I last traveled and observed the Road in 2008, it appeared to follow the same route as in 1960 when I first traveled and observed it.

 During the Time Period of My Experience the Road has been traveled approximately weekly, weather permitting during grazing season, and monthly, weather permitting throughout the remainder of the year.

7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck, ATVs and horseback, and I have observed others from the general public traveling it by the same means and jeeps.

8. During the Time Period of My Experience I have personally used the Road for livestock operations, hunting, predator control traveling in and through the area and I have observed others from the general public using the Road for the same purposes and others including fire control, wildlife study, sightseeing and oil and gas development.

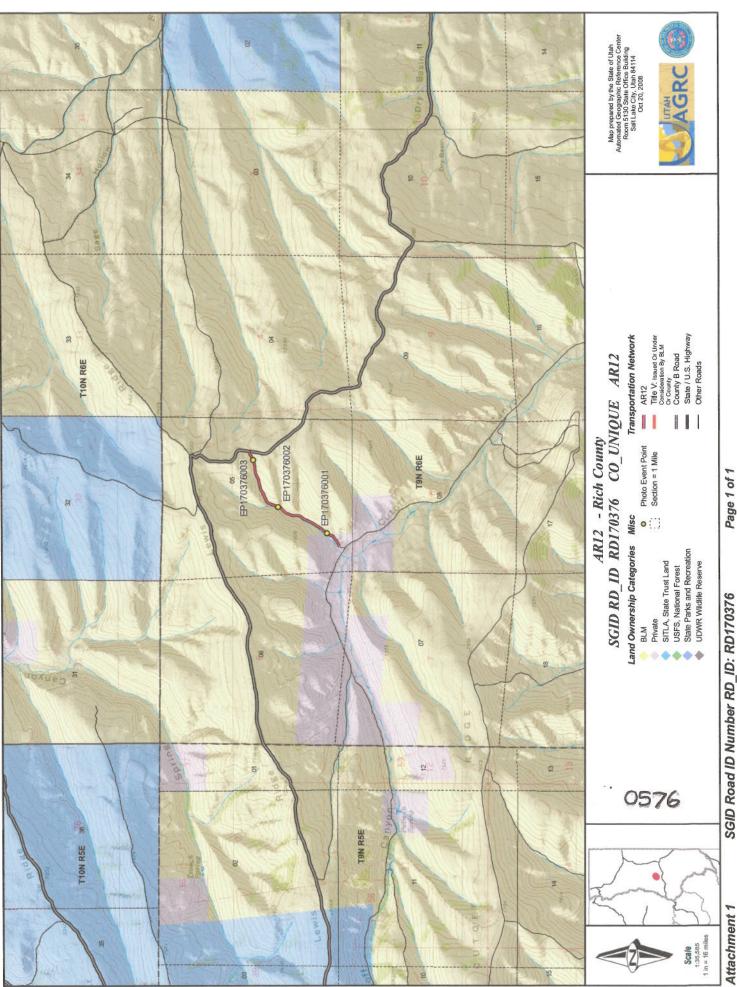
DATED this \_27 day of October, 2008.

GEORGE O. FRAZIER

SUBSCRIBED AND SWORN to before me this 27th day of October, 2008.

Notary Public GLORIA GARDNER
Commission Number 576232
My Commission Expires
October 16, 2012
State of Utah

NOTARY PUBLIC



SGID Road ID Number RD\_ID: RD170376

Page 1 of 1

# AFFIDAVIT OF LOUIS M. STUART RICH COUNTY, UTAH RICH COUNTY D ROAD NO. AR12

State of Utah	)
	: SS.
County of Rich	)

I, LOUIS M. STUART, testify and declare under oath as follows:

- 1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on December 12, 1912, in Woodruff, Rich County, Utah, have lived in Rich County, Utah, all of my life and have been involved in livestock operations all of my life. I am a second generation rancher.
- 2. I have traveled and am familiar with Rich County Road No. AR12 and the land it traverses.
- 3. I took the following steps to verify that the road I refer to in this affidavit and Rich County Road No. AR12 (the "Road") are the same road:
- a. I examined a large Rich County map depicting the Road in relation to other roads, intersections and landmarks. I initialed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.
- b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.
- c. I viewed aerial photography of the Road, as well as ground photography, and verified that the aerial and ground photography accurately depict the road I refer to in this affidavit.

4. I have personally traveled the Road from the early 1920s through 1976 and continuing until the 2008, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the late 1800s, prior to my earliest recollection.

5. When I last traveled and observed the Road in 2008, it appeared to follow the same route as in the early 1920s, when I first traveled and observed it.

 During the Time Period of My Experience the Road was traveled weekly, weather permitting.

7. During the Time Period of My Experience I personally traveled the Road on horseback, pickup truck and I have observed others from the general public traveling it by the same means, plus ATVs.

8. During the Time Period of My Experience I have personally used the Road for hunting and livestock operations, and I have observed others from the general public using the Road for the same purposes.

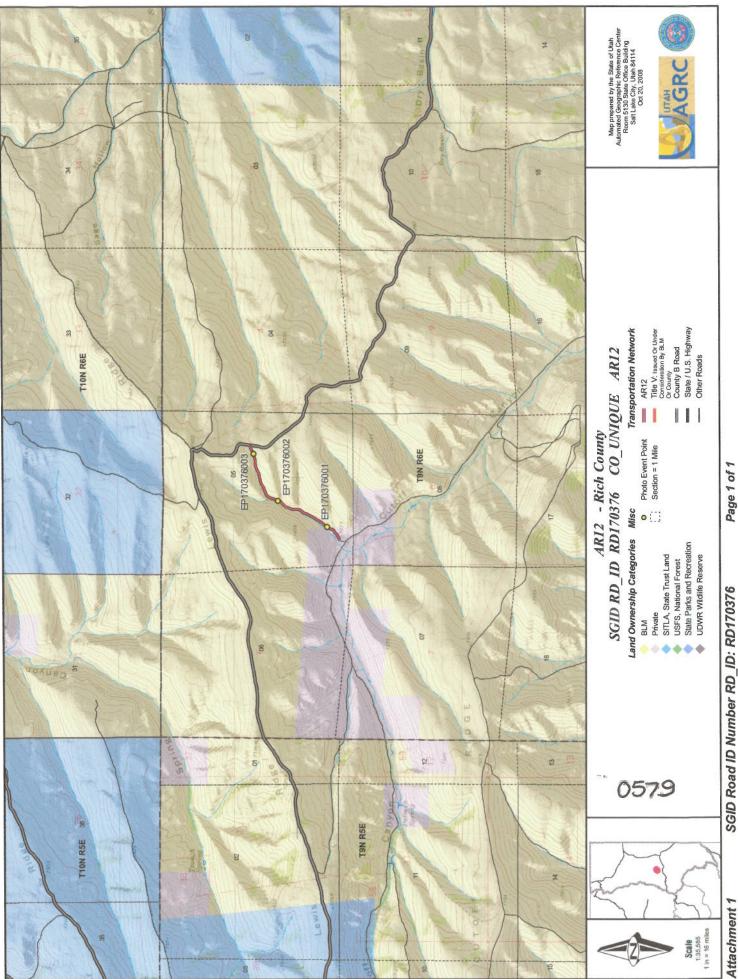
DATED this <u>33</u> day of October, 2008.

LOUIS M. STUART

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_\_ day of October, 2008.

Notary Public GLORIA GARDNER
Commission Number 576232
My Commission Expires
October 16, 2012
State of Utah

NOTARY PUBLIC



SGID Road ID Number RD\_ID: RD170376

### Appendix A to Attachment 4

Popular Name: AR12

County: Rich

County Road Number: AR12

State Geographic Information Database (SGID) Road Identification Number: RD170376.

Road-Segment Number: 002

Road-Segment Length: 0.77 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 9 North Range 6 East, Section(s) 5, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR12)-- 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 41 degrees 32 minutes 19.85 seconds North Latitude and -111 degrees 17 minutes 53.92 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,695,632.3 feet and Y = 3,720,116.2 feet; thence the following courses along the said road center line:

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thence North 37 Degrees 21 Minutes 48 Seconds East 9.1 feet thence North 37 Degrees 32 Minutes 39 Seconds East 15 feet thence North 36 Degrees 32 Minutes 20 Seconds East 19.7 feet thence North 32 Degrees 24 Minutes 15 Seconds East 16.4 feet thence North 33 Degrees 39 Minutes 56 Seconds East 17 feet thence North 35 Degrees 28 Minutes 21 Seconds East 24.7 feet thence North 35 Degrees 55 Minutes 22 Seconds East 36.6 feet thence North 34 Degrees 55 Minutes 55 Seconds East 39.8 feet thence North 35 Degrees 39 Minutes 38 Seconds East 38.5 feet thence North 43 Degrees 56 Minutes 38 Seconds East 36.7 feet thence North 44 Degrees 59 Minutes 21 Seconds East 41.5 feet thence North 34 Degrees 31 Minutes 25 Seconds East 44.8 feet
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thence North 27 Degrees 33 Minutes 59 Seconds East 44.2 feet
thence North 35 Degrees 08 Minutes 57 Seconds East 37.9 feet
thence North 26 Degrees 37 Minutes 16 Seconds East 65.2 feet
thence North 35 Degrees 45 Minutes 15 Seconds East 24 feet
thence North 33 Degrees 45 Minutes 29 Seconds East 39.2 feet
thence North 32 Degrees 10 Minutes 12 Seconds East 48.3 feet
thence North 31 Degrees 34 Minutes 09 Seconds East 37.9 feet
thence North 33 Degrees 08 Minutes 24 Seconds East 47.6 feet
thence North 31 Degrees 01 Minutes 34 Seconds East 49.2 feet
thence North 23 Degrees 52 Minutes 42 Seconds East 46.4 feet
thence North 21 Degrees 47 Minutes 28 Seconds East 43.6 feet
thence North 21 Degrees 59 Minutes 19 Seconds East 33.7 feet
thence North 21 Degrees 39 Minutes 05 Seconds East 38.6 feet
thence North 09 Degrees 50 Minutes 40 Seconds East 52 feet
thence North 81 Degrees 43 Minutes 32 Seconds East 28.5 feet
thence North 33 Degrees 04 Minutes 37 Seconds East 37 feet
thence North 34 Degrees 09 Minutes 11 Seconds East 39.4 feet
thence North 29 Degrees 59 Minutes 34 Seconds East 40.3 feet
thence North 26 Degrees 27 Minutes 54 Seconds East 36.4 feet
thence North 13 Degrees 42 Minutes 19 Seconds East 33.8 feet
thence North 02 Degrees 25 Minutes 18 Seconds East 34.2 feet
thence North 01 Degrees 40 Minutes 43 Seconds East 37.4 feet
thence North 02 Degrees 16 Minutes 20 Seconds West 38.8 feet
thence North 01 Degrees 13 Minutes 58 Seconds West 41.7 feet
thence North 04 Degrees 32 Minutes 35 Seconds East 42.5 feet
thence North 14 Degrees 41 Minutes 15 Seconds East 41.8 feet
thence North 25 Degrees 20 Minutes 45 Seconds East 37.9 feet
thence North 21 Degrees 22 Minutes 28 Seconds East 36.4 feet
thence North 22 Degrees 28 Minutes 44 Seconds East 38.1 feet
thence North 22 Degrees 55 Minutes 56 Seconds East 38.2 feet
thence North 32 Degrees 41 Minutes 35 Seconds East 39.1 feet
thence North 37 Degrees 32 Minutes 39 Seconds East 37.4 feet
thence North 35 Degrees 34 Minutes 44 Seconds East 35.3 feet
thence North 42 Degrees 32 Minutes 53 Seconds East 31.4 feet
thence North 53 Degrees 20 Minutes 32 Seconds East 27.7 feet
thence North 44 Degrees 40 Minutes 09 Seconds East 24.6 feet
thence North 50 Degrees 38 Minutes 59 Seconds East 24.5 feet
thence North 55 Degrees 12 Minutes 30 Seconds East 20.3 feet
thence North 48 Degrees 10 Minutes 21 Seconds East 22.8 feet
thence North 38 Degrees 28 Minutes 50 Seconds East 19.4 feet
thence North 44 Degrees 40 Minutes 09 Seconds East 14.4 feet
thence North 25 Degrees 32 Minutes 07 Seconds East 12 feet
thence North 04 Degrees 29 Minutes 58 Seconds East 23.4 feet
thence North 09 Degrees 19 Minutes 02 Seconds East 33.3 feet
thence North 19 Degrees 39 Minutes 08 Seconds East 38.4 feet
thence North 20 Degrees 06 Minutes 07 Seconds East 35.7 feet
thence North 19 Degrees 36 Minutes 06 Seconds East 31.8 feet
thence North 18 Degrees 52 Minutes 23 Seconds East 30.9 feet
thence North 18 Degrees 19 Minutes 07 Seconds East 27.7 feet
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thence North 18 Degrees 41 Minutes 41 Seconds East 30.2 feet
thence North 18 Degrees 06 Minutes 14 Seconds East 25.9 feet
thence North 19 Degrees 26 Minutes 10 Seconds East 22.3 feet
thence North 19 Degrees 06 Minutes 33 Seconds East 29.6 feet
thence North 20 Degrees 55 Minutes 10 Seconds East 25.4 feet
thence North 26 Degrees 37 Minutes 16 Seconds East 21.7 feet
thence North 35 Degrees 17 Minutes 49 Seconds East 24.2 feet
thence North 36 Degrees 32 Minutes 20 Seconds East 27.9 feet
thence North 48 Degrees 32 Minutes 25 Seconds East 30.9 feet
thence North 71 Degrees 02 Minutes 04 Seconds East 29.8 feet
thence North 75 Degrees 02 Minutes 53 Seconds East 23.4 feet
thence North 67 Degrees 02 Minutes 57 Seconds East 21.3 feet
thence North 69 Degrees 06 Minutes 47 Seconds East 22.4 feet
thence North 67 Degrees 20 Minutes 25 Seconds East 19.9 feet
thence North 68 Degrees 25 Minutes 07 Seconds East 25.4 feet
thence North 71 Degrees 14 Minutes 03 Seconds East 31.1 feet
thence North 61 Degrees 58 Minutes 10 Seconds East 29.7 feet
thence North 60 Degrees 44 Minutes 33 Seconds East 28.5 feet
thence North 73 Degrees 03 Minutes 43 Seconds East 19.5 feet
thence North 65 Degrees 28 Minutes 33 Seconds East 24.8 feet
thence North 64 Degrees 10 Minutes 47 Seconds East 31.3 feet
thence North 56 Degrees 21 Minutes 30 Seconds East 27.5 feet
thence North 52 Degrees 30 Minutes 16 Seconds East 25.5 feet
thence North 62 Degrees 48 Minutes 53 Seconds East 29.1 feet
thence North 69 Degrees 01 Minutes 19 Seconds East 24.2 feet
thence North 69 Degrees 23 Minutes 11 Seconds East 16.1 feet
thence North 67 Degrees 08 Minutes 55 Seconds East 29.1 feet
thence North 66 Degrees 11 Minutes 53 Seconds East 27.2 feet
thence North 75 Degrees 10 Minutes 45 Seconds East 30.2 feet
thence North 79 Degrees 13 Minutes 03 Seconds East 34.4 feet
thence North 77 Degrees 19 Minutes 48 Seconds East 32.3 feet
thence North 76 Degrees 20 Minutes 40 Seconds East 25.6 feet
thence North 79 Degrees 18 Minutes 36 Seconds East 31 feet
thence North 79 Degrees 18 Minutes 57 Seconds East 34.7 feet
thence North 73 Degrees 25 Minutes 49 Seconds East 35.2 feet
thence North 73 Degrees 51 Minutes 28 Seconds East 38.5 feet
thence North 68 Degrees 51 Minutes 44 Seconds East 35.1 feet
thence North 68 Degrees 12 Minutes 05 Seconds East 31.4 feet
thence North 65 Degrees 23 Minutes 00 Seconds East 29.5 feet
thence North 67 Degrees 12 Minutes 21 Seconds East 36.9 feet
thence North 67 Degrees 25 Minutes 12 Seconds East 39 feet
thence North 66 Degrees 24 Minutes 21 Seconds East 38.2 feet
thence North 69 Degrees 47 Minutes 02 Seconds East 32.8 feet
thence North 70 Degrees 13 Minutes 44 Seconds East 23.7 feet
thence North 83 Degrees 19 Minutes 44 Seconds East 23.8 feet
thence North 78 Degrees 13 Minutes 41 Seconds East 28.1 feet
thence North 84 Degrees 28 Minutes 29 Seconds East 32.6 feet
thence North 86 Degrees 33 Minutes 30 Seconds East 30.2 feet
thence North 86 Degrees 48 Minutes 24 Seconds East 26.3 feet
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thence North 75 Degrees 37 Minutes 58 Seconds East 24.4 feet
thence North 88 Degrees 31 Minutes 24 Seconds East 32.8 feet
thence North 79 Degrees 15 Minutes 41 Seconds East 32.7 feet
thence North 74 Degrees 12 Minutes 28 Seconds East 32 feet
thence North 80 Degrees 55 Minutes 22 Seconds East 30.2 feet
thence North 88 Degrees 22 Minutes 54 Seconds East 29.2 feet
thence North 82 Degrees 12 Minutes 53 Seconds East 35.4 feet
thence North 70 Degrees 19 Minutes 29 Seconds East 32.7 feet
thence North 70 Degrees 22 Minutes 44 Seconds East 20.9 feet
thence North 58 Degrees 49 Minutes 52 Seconds East 25.6 feet
thence North 64 Degrees 41 Minutes 16 Seconds East 31.9 feet
thence North 55 Degrees 02 Minutes 07 Seconds East 38.7 feet
thence North 52 Degrees 12 Minutes 15 Seconds East 44.2 feet
thence North 56 Degrees 51 Minutes 10 Seconds East 41.8 feet
thence North 63 Degrees 45 Minutes 45 Seconds East 38.3 feet
thence North 78 Degrees 35 Minutes 11 Seconds East 32.4 feet
thence North 62 Degrees 44 Minutes 29 Seconds East 23.2 feet
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thence North 59 Degrees 45 Minutes 20 Seconds East 27.6 feet more or less to **the ending point at:** 41 degrees 32 minutes 45.12 seconds North Latitude and -111 degrees 17 minutes 18.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,698,285.5 feet and Y = 3,722,680.0 feet.