

Recorded NOV 13 2008 Filing No. 76051  
At 9:15 AM/PM in Book 510 Page 619  
Fee No Fee Debra L. Ames Rich County Recorder  
Requested by State of Utah

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Rich County as it pertains to the highway located in Rich County known as AR122; County Road Number: AR122; State Geographic Information Database (SGID) Road Identification Number: RD170383. Total road length is 0.53 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 10<sup>th</sup> day of November, 2008.

By the Governor's Designee

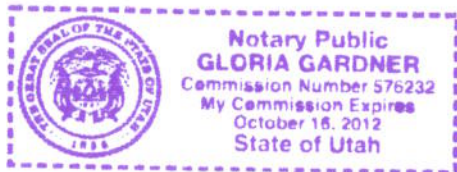
  
\_\_\_\_\_  
John Harja

**CERTIFICATION**

State of Utah                             )  
   : ss  
County of Salt Lake                 )

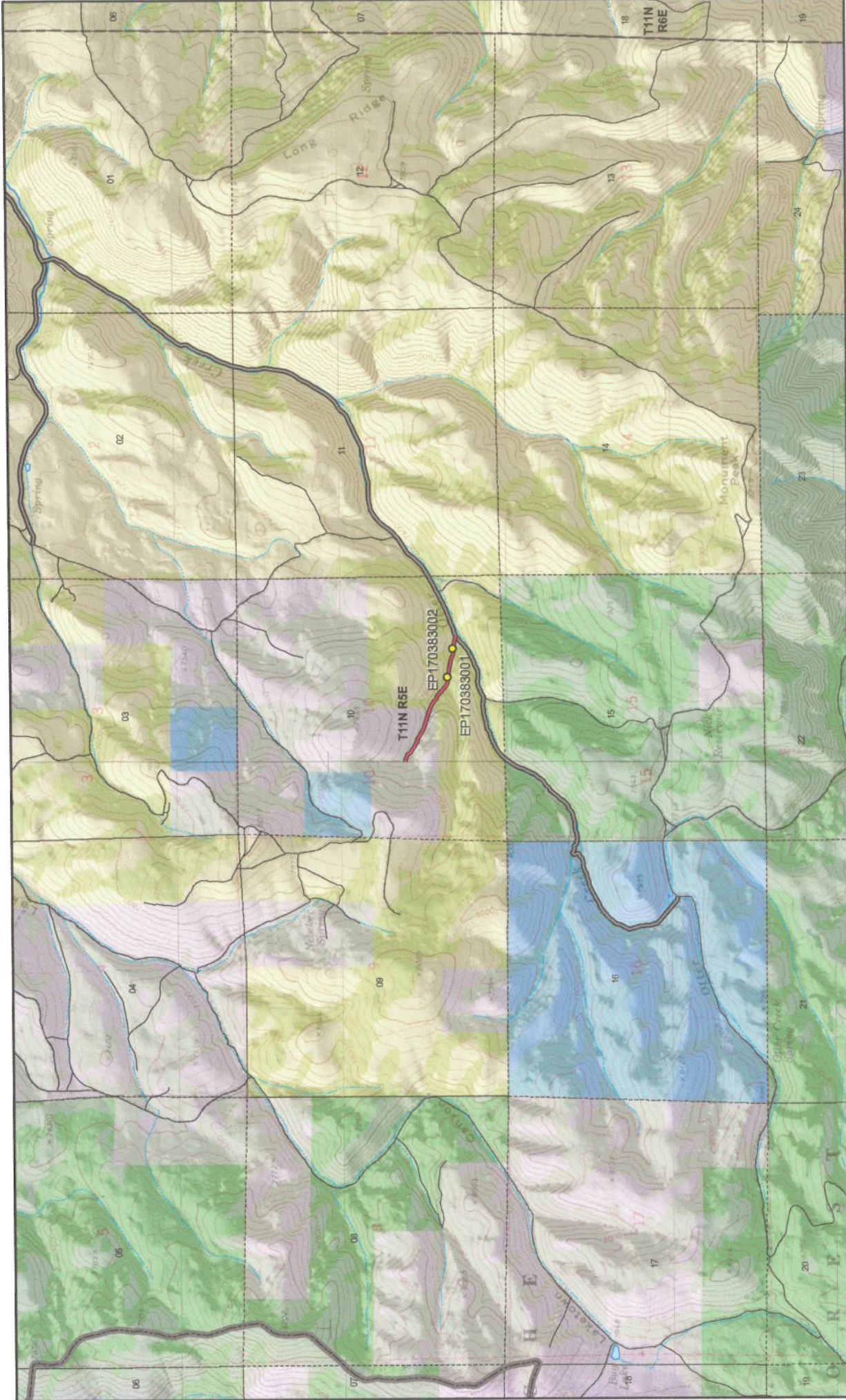
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 10<sup>th</sup> day of November, 2008.



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

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**Map prepared by the State of Utah**  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Oct 16, 2008

**ARI22 - Rich County**  
**SGID RD\_ID RD170383 CO\_UNIQUE ARI22**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- UDWR Wildlife Reserve

**Transportation Network**

- ARI22
- Title V, Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads

**Misc**

- Photo Event Point
- Section = 1 Mile

Scale  
1:31,991  
1 in = 43 miles

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**Attachment 1**

**SGID Road ID Number RD\_ID: RD170383**

**Page 1 of 1**



EP170383001



EP170383002

EP000000000

EP000000000

EP000000000

EP000000000

**AR122 - Rich County**  
**SGID RD\_ID RD170383**

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

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## Attachment 3

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

**Popular Name:** AR122

**County:** Rich

**County Road Number:** AR122

**State Geographic Information Database (SGID) Road Identification Number:** RD170383.

**Total Road Length:** 0.53 miles more or less.

**Beginning at a point** on the road centerline located at 41 degrees 42 minutes 14.56 seconds North Latitude and -111 degrees 22 minutes 32.84 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,674,335.1 feet and Y = 3,780,271.7 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 41 degrees 42 minutes 04.58 seconds North Latitude and -111 degrees 21 minutes 59.36 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,676,876.4 feet and Y = 3,779,264.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 11 North Range 5 East, Section(s) 10, 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: AR122**

**County: Rich**

**County Road Number: AR122**

**State Geographic Information Database (SGID) Road Identification Number: RD170383.**

**Total Road Length: 0.53 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>RD170383</b>	<b>001</b>	<b>PVT</b>	<b>0.23 Miles</b>	<b>(not shown)</b>
<b>RD170383</b>	<b>002</b>	<b>BLM</b>	<b>0.3 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>0.53</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.

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## Attachment 5

**AFFIDAVIT OF WILLIAM S. REX**  
**RICH COUNTY, UTAH**  
**RICH COUNTY D ROAD NO. AR122**

State of Utah     )  
                          : ss.  
County of Rich    )

I, WILLIAM S. REX, 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 March 27, 1934 in Salt Lake City, Utah. I have lived in Rich County for 74 years. I have been a cattle rancher for the past 55 years.

2. I have traveled and am familiar with Rich County Road No. AR 122 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 122 (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 1940s through 1976 and continuing until 2007, ("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.

5. When I last traveled and observed the Road in 2007, it appeared to follow the same route as in the 1940s when I first traveled and observed it.

6. 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.

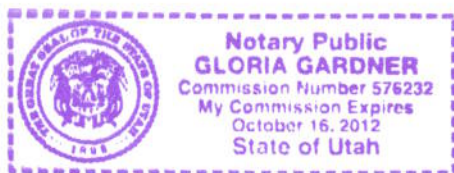
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and horseback, and I have observed others from the general public traveling it by the same means and ATVs and jeeps.

8. During the Time Period of My Experience I have personally used the Road for livestock operations, fence maintenance and 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 hunting and recreation.

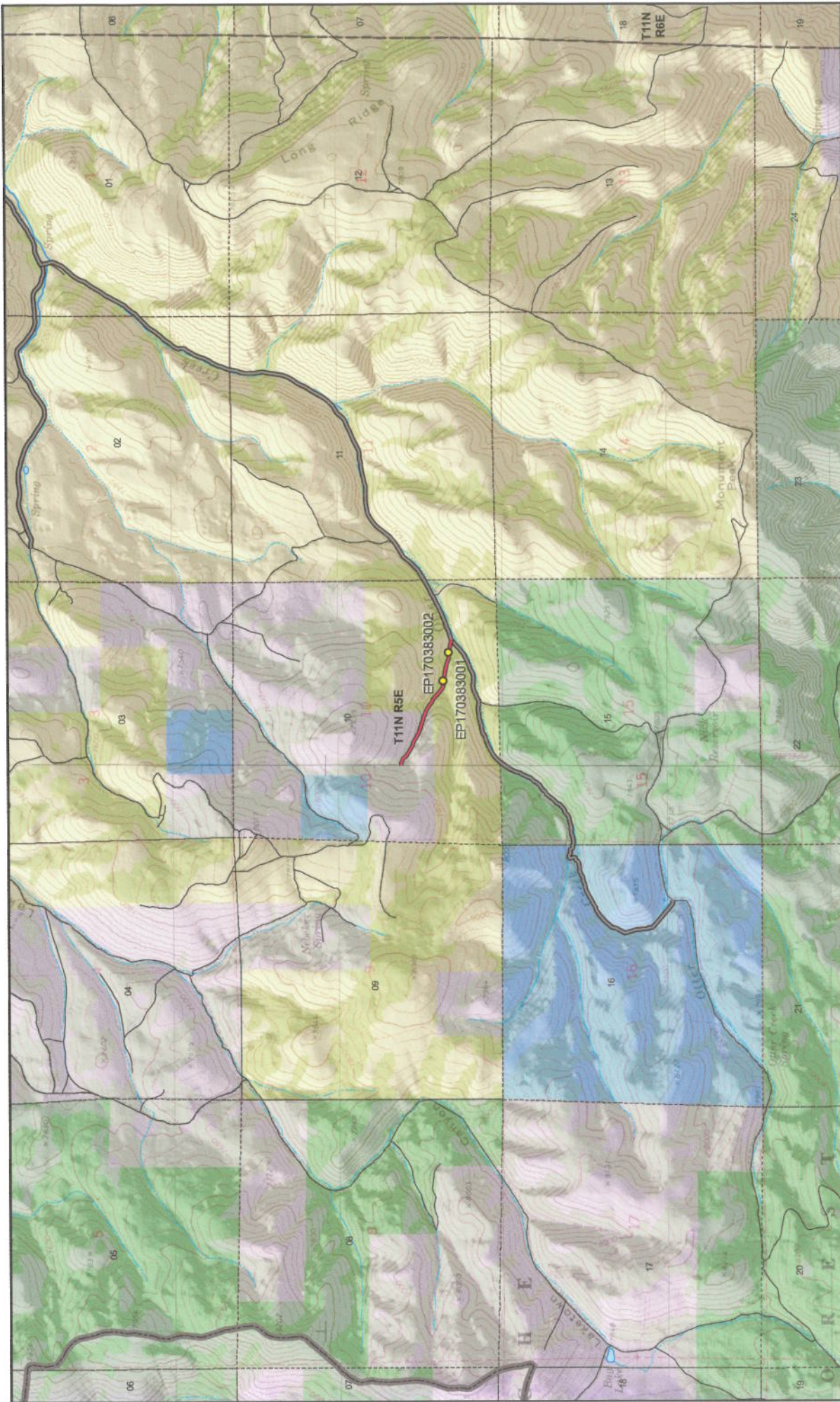
DATED this 29 day of October, 2008.

William S. Rex  
WILLIAM S. REX

SUBSCRIBED AND SWORN to before me this 29th day of October, 2008.



Gloria Gardner  
NOTARY PUBLIC



**AR122 - Rich County**  
**SGID RD\_ID RD170383 CO\_UNIQUE AR122**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- UDWR Wildlife Reserve

**Misc**

- Photo Event Point
- Section = 1 Mile

**Transportation Network**

- AR122
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads

Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Oct 16, 2008

Scale  
1:31,991  
1 in = 4.3 miles

0628

**Attachment 1**

**SGID Road ID Number RD\_ID: RD170383**

**Page 1 of 1**

**AFFIDAVIT OF CLAYTON WAMSLEY**  
**RICH COUNTY, UTAH**  
**RICH COUNTY D ROAD NO. AR122**

State of Utah     )  
                      : ss.  
County of Rich    )

I, CLAYTON WAMSLEY, 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 25, 1928, in Garden City, Rich County, Utah. I have lived in Rich County all of my life and have been involved in ranching, on and off, in Rich County all of my life. From 1955 to 1992 I worked for the State of Utah for the Department of Transportation and provided assistance to the Game Warden.

2. I have traveled and am familiar with Rich County Road No. AR122 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. AR122 (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 1960s through 1976 and continuing until the late 1990s, (“the Time Period of My Experience”). It is the reputation in the community that the Road was traveled as early as the early 1960s, prior to my earliest recollection.

5. When I last traveled and observed the Road in the late 1990s, it appeared to follow the same route as in the early 1960s, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled weekly, weather permitting.

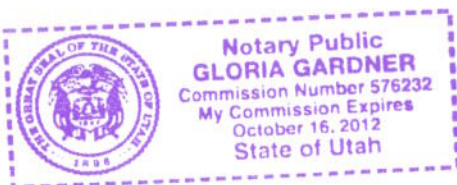
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck, and I have observed others from the general public traveling it by the same means, plus ATVs.

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

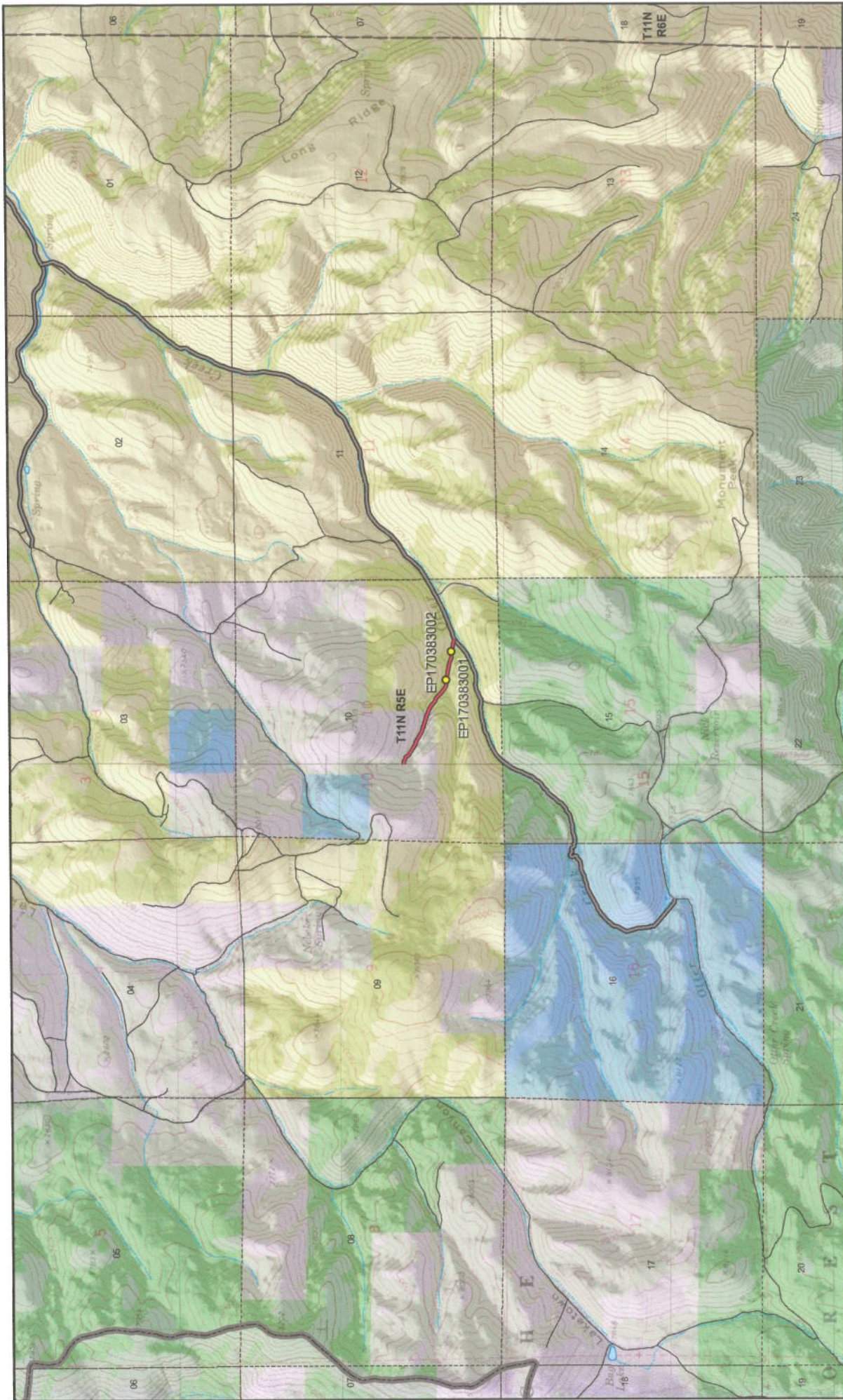
DATED this 29 day of October, 2008.

Clayton Wamsley  
CLAYTON WAMSLEY

SUBSCRIBED AND SWORN to before me this 29<sup>th</sup> day of October, 2008.



Gloria Gardner  
NOTARY PUBLIC



**Map prepared by the State of Utah**  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Oct 16, 2008



**AR122 - Rich County**  
**SGID RD\_ID RD170383 CO\_UNIQUE AR122**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- UDWR Wildlife Reserve

**Misc**

- Photo Event Point
- Section = 1 Mile

**Transportation Network**

- AR122
- Title V: Issued Or Under Construction by BLM
- County A Road
- County B Road
- Slate / U.S. Highway
- Other Roads



Scale  
1:31,991  
1 in = 43 miles



0631

**Attachment 1**

**SGID Road ID Number RD\_ID: RD170383**

**Page 1 of 1**

## Appendix A to Attachment 4

**Popular Name: AR122**

**County: Rich**

**County Road Number: AR122**

**State Geographic Information Database (SGID) Road Identification Number: RD170383.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.3 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 11 North Range 5 East, Section(s) 10, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR122)-- 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 42 minutes 09.56 seconds North Latitude and -111 degrees 22 minutes 18.51 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,675,423.1 feet and Y = 3,779,767.3 feet; thence the following courses along the said road center line:

thence South 69 Degrees 18 Minutes 44 Seconds East	60.3 feet
thence South 58 Degrees 03 Minutes 22 Seconds East	40.6 feet
thence South 57 Degrees 41 Minutes 39 Seconds East	34.7 feet
thence South 57 Degrees 45 Minutes 28 Seconds East	14 feet
thence South 47 Degrees 41 Minutes 06 Seconds East	17 feet
thence South 37 Degrees 44 Minutes 14 Seconds East	21.1 feet
thence South 46 Degrees 11 Minutes 13 Seconds East	15.6 feet
thence South 71 Degrees 21 Minutes 41 Seconds East	22.2 feet
thence South 69 Degrees 23 Minutes 21 Seconds East	56.9 feet
thence South 47 Degrees 16 Minutes 24 Seconds East	82.2 feet
thence South 45 Degrees 19 Minutes 54 Seconds East	29.2 feet
thence South 46 Degrees 08 Minutes 19 Seconds East	16.5 feet

thence South 53 Degrees 27 Minutes 43 Seconds East 4.9 feet  
 thence South 45 Degrees 50 Minutes 52 Seconds East 25.8 feet  
 thence South 51 Degrees 40 Minutes 19 Seconds East 16.8 feet  
 thence South 50 Degrees 31 Minutes 34 Seconds East 17.9 feet  
 thence South 49 Degrees 16 Minutes 37 Seconds East 13.5 feet  
 thence South 60 Degrees 25 Minutes 58 Seconds East 15.1 feet  
 thence South 57 Degrees 13 Minutes 13 Seconds East 18 feet  
 thence South 50 Degrees 02 Minutes 22 Seconds East 19.8 feet  
 thence South 46 Degrees 24 Minutes 46 Seconds East 12.3 feet  
 thence South 37 Degrees 54 Minutes 01 Seconds East 5.4 feet  
 thence South 65 Degrees 31 Minutes 54 Seconds East 78.6 feet  
 thence South 89 Degrees 55 Minutes 06 Seconds East 113.7 feet  
 thence South 89 Degrees 11 Minutes 09 Seconds East 16.4 feet  
 thence South 83 Degrees 29 Minutes 20 Seconds East 8.3 feet  
 thence North 89 Degrees 40 Minutes 05 Seconds East 6.6 feet  
 thence South 79 Degrees 01 Minutes 18 Seconds East 28.5 feet  
 thence South 62 Degrees 01 Minutes 51 Seconds East 4.8 feet  
 thence South 71 Degrees 53 Minutes 48 Seconds East 35.3 feet  
 thence South 71 Degrees 14 Minutes 18 Seconds East 9 feet  
 thence South 74 Degrees 48 Minutes 27 Seconds East 6.1 feet  
 thence South 89 Degrees 38 Minutes 14 Seconds East 54.2 feet  
 thence South 82 Degrees 47 Minutes 32 Seconds East 11.3 feet  
 thence South 79 Degrees 31 Minutes 25 Seconds East 55.1 feet  
 thence South 57 Degrees 30 Minutes 11 Seconds East 12.1 feet  
 thence South 77 Degrees 51 Minutes 53 Seconds East 98.8 feet  
 thence South 69 Degrees 14 Minutes 53 Seconds East 29.2 feet  
 thence South 70 Degrees 34 Minutes 20 Seconds East 35.9 feet  
 thence South 76 Degrees 02 Minutes 29 Seconds East 35.9 feet  
 thence North 84 Degrees 04 Minutes 07 Seconds East 33.6 feet  
 thence South 75 Degrees 29 Minutes 30 Seconds East 39.7 feet  
 thence North 88 Degrees 01 Minutes 53 Seconds East 34.5 feet  
 thence South 85 Degrees 00 Minutes 21 Seconds East 38.9 feet  
 thence South 81 Degrees 06 Minutes 28 Seconds East 38.9 feet  
 thence South 80 Degrees 25 Minutes 39 Seconds East 42 feet  
 thence South 76 Degrees 11 Minutes 09 Seconds East 41.6 feet  
 thence South 75 Degrees 09 Minutes 32 Seconds East 40.1 feet  
 thence South 77 Degrees 34 Minutes 27 Seconds East 35.7 feet  
 thence South 80 Degrees 24 Minutes 20 Seconds East 26.7 feet  
 thence South 76 Degrees 17 Minutes 44 Seconds East 8.1 feet  
 thence South 73 Degrees 05 Minutes 25 Seconds East 10 feet more or less to **the ending point**

**at:** 41 degrees 42 minutes 04.58 seconds North Latitude and -111 degrees 21 minutes 59.36 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 foot coordinates of X = 1,676,876.4 feet and Y = 3,779,264.7 feet.