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

Recorded NOV 13 2008 Filing No. 76073
At 9:15 AM/PM in Book 510 Page 905
Fee No Fee Debra L. Ames Rich County Recorder
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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AR142B; County Road Number: AR142B; State Geographic Information Database (SGID) Road Identification Number: RD170412. Total road length is 0.47 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 10th day of NOVEMBER, 2008.

By the Governor's Designee

John Harja

CERTIFICATION

State of Utah)
: ss
County of Salt Lake)

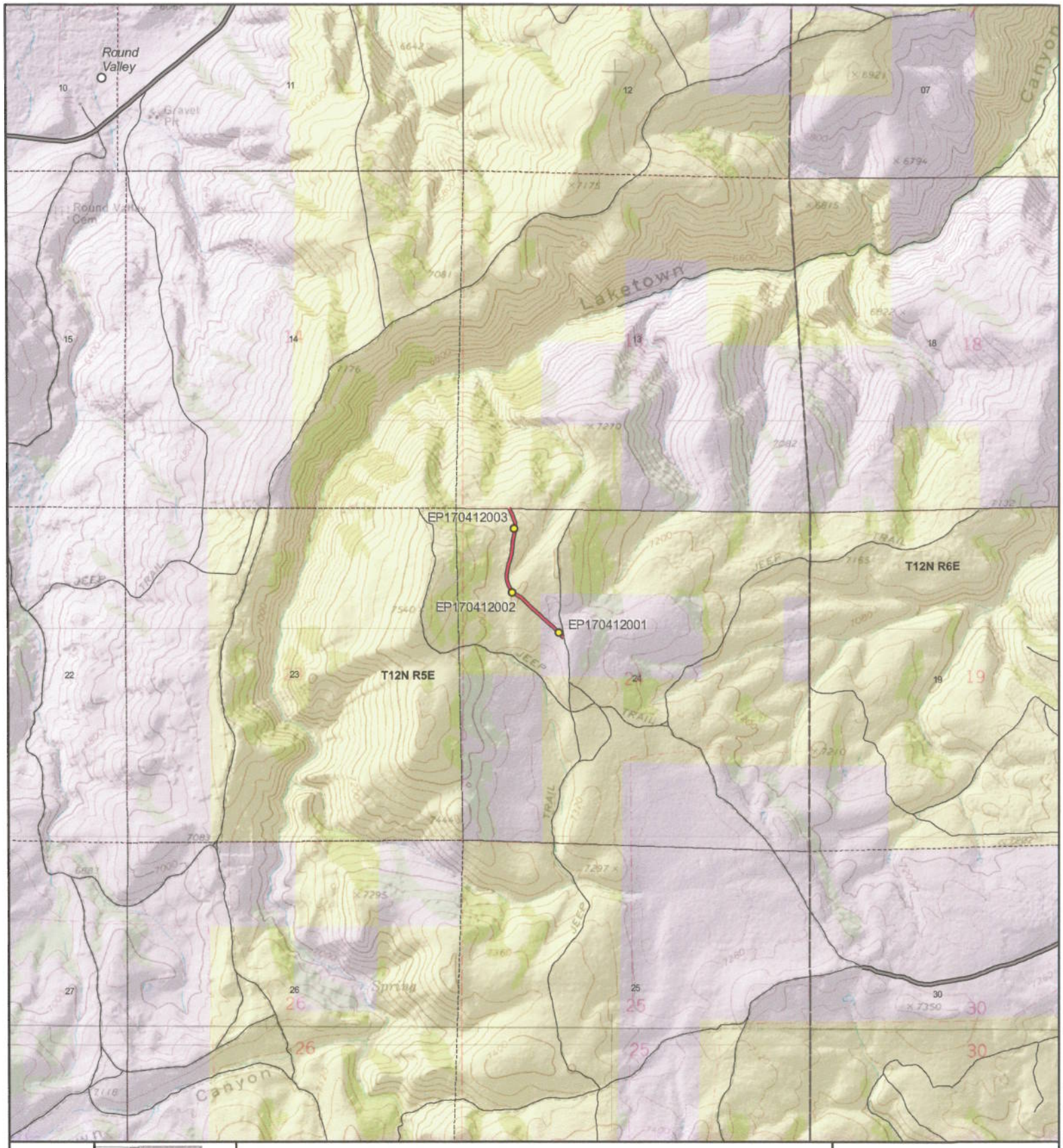
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

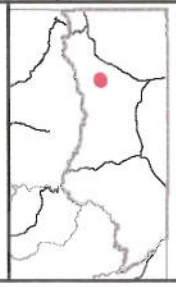
NOTARY PUBLIC
PAMELA Z. BLACKHAM
5110 State Office Bldg
Salt Lake City, Utah 84114
COMMISSION EXPIRES
May 3, 2011
STATE OF UTAH

Dated this 10th day of November, 2008.

Pamela Z. Blackham
Notary Public

0906





Scale
1:24,615
1 in = 0 miles

AR142B - Rich County
SGID RD_ID RD170412 CO_UNIQUE AR142B

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

0907

Transportation Network
- AR142B
- 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 15, 2008

Attachment 1 SGID Road ID Number RD_ID: RD170412 Page 1 of 1

EP170412001

EP170412002

EP170412003

EP000000000

EP000000000

EP000000000

AR142B - Rich County
SGID RD_ID RD170412

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

0908

Attachment 3

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

Popular Name: AR142B
County: Rich
County Road Number: AR142B
State Geographic Information Database (SGID) Road Identification Number: RD170412.
Total Road Length: 0.47 miles more or less.

Beginning at a point on the road centerline located at 41 degrees 46 minutes 0.9 seconds North Latitude and -111 degrees 20 minutes 13.08 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,684,893.9 feet and Y = 3,803,199.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 41 degrees 46 minutes 21.19 seconds North Latitude and -111 degrees 20 minutes 24.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,684,020.4 feet and Y = 3,805,251.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 12 North Range 5 East, Section(s) 13,24, 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: AR142B
County: Rich
County Road Number: AR142B
State Geographic Information Database (SGID) Road Identification Number: RD170412.
Total Road Length: 0.47 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
RD170412	001	PVT	0.1 Miles	(not shown)
RD170412	002	BLM	0.37 Miles	A
		Total Road Length	0.47	————

*** 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.

0910

Attachment 5

AFFIDAVIT OF WILLIAM S. REX

RICH COUNTY, UTAH

RICH COUNTY D ROAD NO. AR142B

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 142B 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 142B (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 2006, ("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 2006, 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 jeeps and ATVs.

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

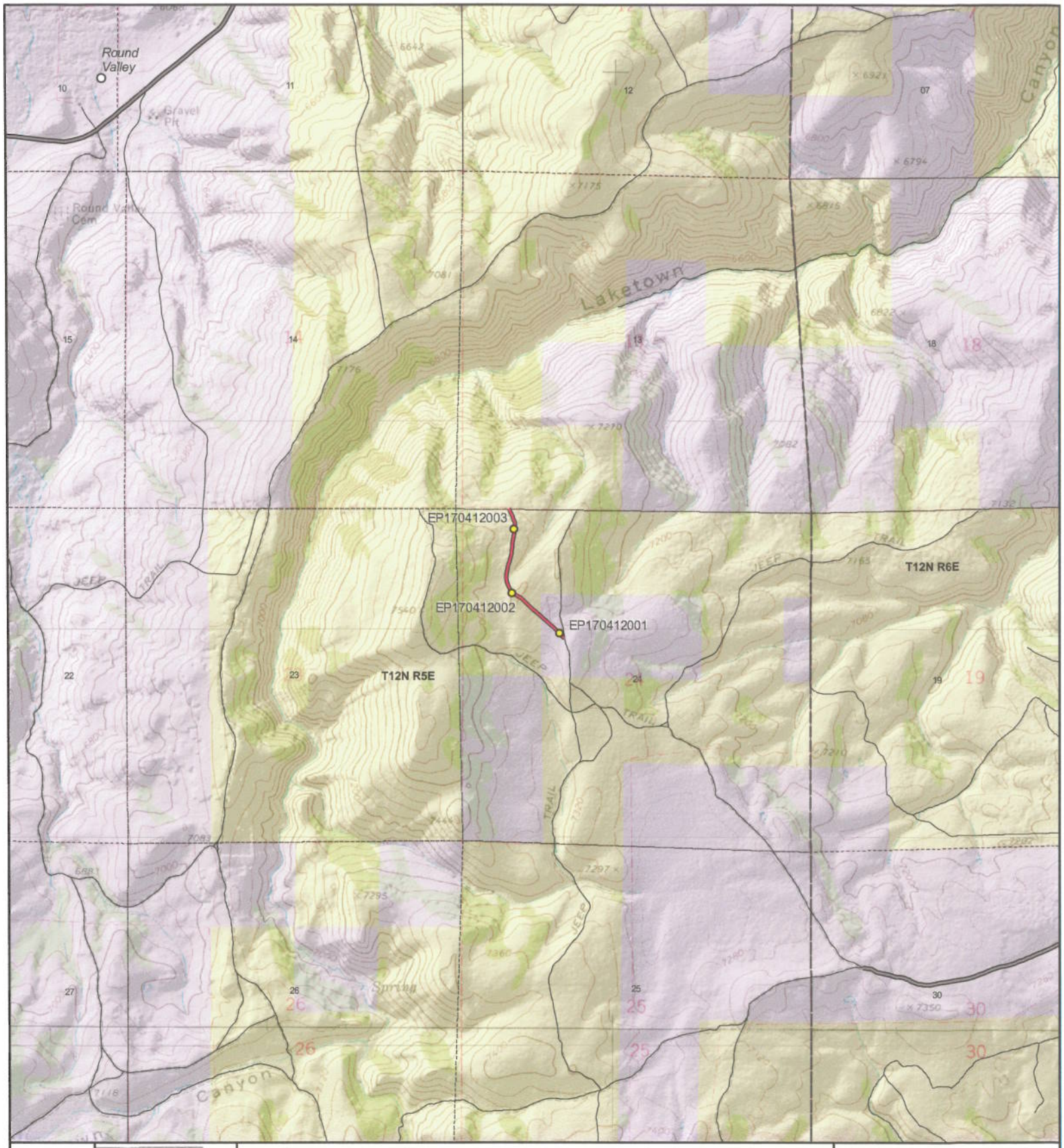
DATED this 28 day of October, 2008.

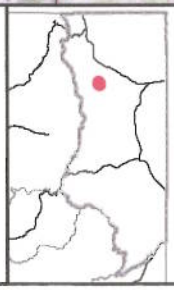
William S. Rex
WILLIAM S. REX

SUBSCRIBED AND SWORN to before me this 28th day of October, 2008.

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

Gloria Gardner
NOTARY PUBLIC





Scale
1:24,615
1 in = 0 miles

AR142B - Rich County
SGID RD_ID RD170412 CO_UNIQUE AR142B

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

0914

Transportation Network
- AR142B
- 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
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Oct 15, 2008

Attachment 1 SGID Road ID Number RD_ID: RD170412 Page 1 of 1

AFFIDAVIT OF HOWARD J. LAMBORN

RICH COUNTY, UTAH

RICH COUNTY D ROAD NO. AR142B

State of Utah)
: ss.
County of Rich)

I, HOWARD J. LAMBORN, 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 June 16, 1923 in Laketown, Utah. I have lived in Rich County for 80 years. I have been a cattle rancher for the past 55 years. I was also employed by the Rich County School District for 34 years.

2. I have traveled and am familiar with Rich County Road No. AR 142B 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 142B (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 1940s through 1976 and continuing until 1998, ("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 1998, it appeared to follow the same route as in the early 1940s when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled approximately monthly, 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 horseback and pickup truck, and I have observed others from the general public traveling it by the same means and ATVs.

8. During the Time Period of My Experience I have personally used the Road for livestock operations, hunting, traveling in and through the area and sight seeing and I have observed others from the general public using the Road for the same purposes and others including recreation.

DATED this 27 day of October, 2008.

Howard J. Lamborn

HOWARD J. LAMBORN

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

Gloria Gardner

NOTARY PUBLIC

Notary Public
GLORIA GARDNER
Commission Number 576232
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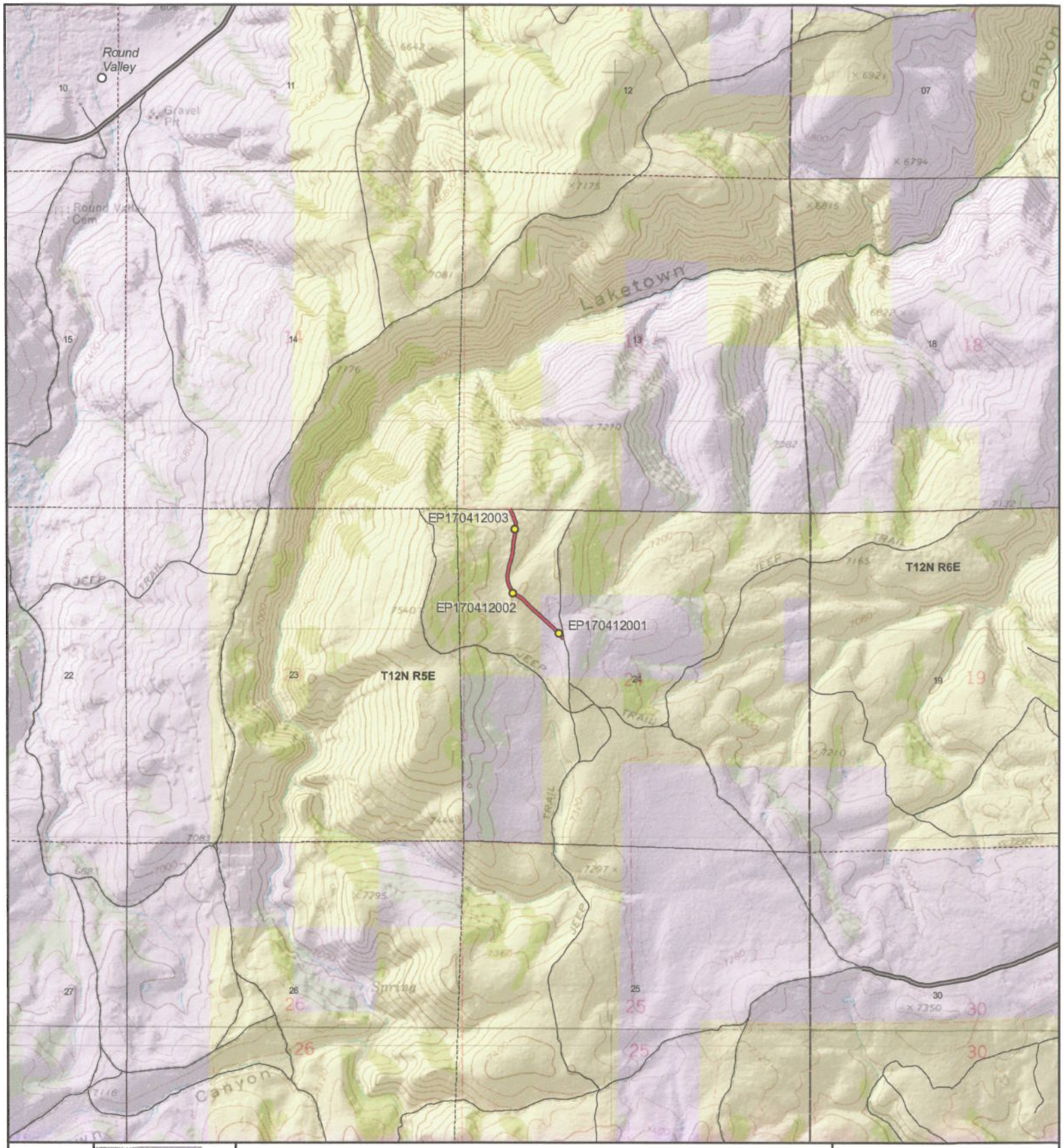

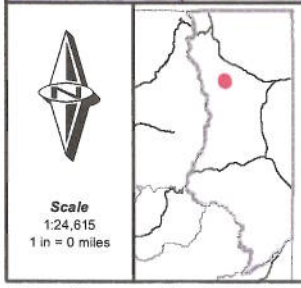

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AR142B - Rich County
SGID RD_ID RD170412 CO_UNIQUE AR142B

Land Ownership Categories
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Misc
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0917

Transportation Network
- AR142B
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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 15, 2008

AGRC

Attachment 1 SGID Road ID Number RD_ID: RD170412 **Page 1 of 1**

Appendix A to Attachment 4

Popular Name: AR142B
County: Rich
County Road Number: AR142B
State Geographic Information Database (SGID) Road Identification Number: RD170412.
Road-Segment Number: 002
Road-Segment Length: 0.37 miles more or less.
Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:
Township 12 North Range 5 East, Section(s) 13,24, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR142B)-- 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 46 minutes 04.44 seconds North Latitude and -111 degrees 20 minutes 18.08 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,684,514.2 feet and Y = 3,803,557.0 feet; thence the following courses along the said road center line:

thence North 47 Degrees 29 Minutes 34 Seconds West 7.4 feet
thence North 48 Degrees 59 Minutes 46 Seconds West 47.2 feet
thence North 49 Degrees 51 Minutes 38 Seconds West 47 feet
thence North 50 Degrees 04 Minutes 20 Seconds West 47.7 feet
thence North 48 Degrees 45 Minutes 56 Seconds West 46.5 feet
thence North 51 Degrees 28 Minutes 09 Seconds West 43.4 feet
thence North 49 Degrees 23 Minutes 43 Seconds West 42.6 feet
thence North 46 Degrees 32 Minutes 16 Seconds West 44.1 feet
thence North 40 Degrees 14 Minutes 44 Seconds West 44.5 feet
thence North 45 Degrees 59 Minutes 25 Seconds West 40.4 feet
thence North 61 Degrees 19 Minutes 17 Seconds West 41.3 feet
thence North 62 Degrees 12 Minutes 29 Seconds West 43.2 feet

thence North 60 Degrees 53 Minutes 36 Seconds West 38.1 feet
thence North 53 Degrees 27 Minutes 43 Seconds West 36.1 feet
thence North 31 Degrees 32 Minutes 17 Seconds West 39.9 feet
thence North 21 Degrees 16 Minutes 46 Seconds West 45 feet
thence North 23 Degrees 25 Minutes 01 Seconds West 43.5 feet
thence North 26 Degrees 06 Minutes 04 Seconds West 31.7 feet
thence North 18 Degrees 54 Minutes 53 Seconds West 40.2 feet
thence North 08 Degrees 14 Minutes 58 Seconds West 50 feet
thence North 05 Degrees 00 Minutes 22 Seconds West 52.4 feet
thence North 10 Degrees 12 Minutes 57 Seconds East 48.4 feet
thence North 13 Degrees 57 Minutes 18 Seconds East 54.5 feet
thence North 14 Degrees 15 Minutes 40 Seconds East 57.3 feet
thence North 13 Degrees 32 Minutes 15 Seconds East 54.8 feet
thence North 17 Degrees 50 Minutes 45 Seconds East 46.3 feet
thence North 15 Degrees 40 Minutes 31 Seconds East 41.7 feet
thence North 09 Degrees 44 Minutes 54 Seconds East 45 feet
thence North 05 Degrees 52 Minutes 17 Seconds East 45.6 feet
thence North 03 Degrees 51 Minutes 43 Seconds East 49.4 feet
thence North 07 Degrees 39 Minutes 04 Seconds East 54.4 feet
thence North 09 Degrees 33 Minutes 42 Seconds East 57.3 feet
thence North 06 Degrees 54 Minutes 35 Seconds East 59.9 feet
thence North 05 Degrees 47 Minutes 41 Seconds East 58.4 feet
thence North 07 Degrees 18 Minutes 46 Seconds East 49.3 feet
thence North 02 Degrees 40 Minutes 50 Seconds East 43.7 feet
thence North 02 Degrees 42 Minutes 12 Seconds East 43.4 feet
thence North 04 Degrees 21 Minutes 14 Seconds West 42.1 feet
thence North 16 Degrees 09 Minutes 04 Seconds West 40.9 feet
thence North 22 Degrees 08 Minutes 00 Seconds West 40.7 feet
thence North 21 Degrees 22 Minutes 10 Seconds West 41.1 feet
thence North 24 Degrees 51 Minutes 34 Seconds West 37.2 feet
thence North 26 Degrees 36 Minutes 22 Seconds West 28.9 feet
thence North 25 Degrees 56 Minutes 03 Seconds West 17.5 feet
thence North 16 Degrees 34 Minutes 46 Seconds West 12 feet
thence North 16 Degrees 41 Minutes 42 Seconds West 16.1 feet more or less to **the ending point at:** 41 degrees 46 minutes 21.19 seconds North Latitude and -111 degrees 20 minutes 24.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,684,020.4 feet and Y = 3,805,251.4 feet.