

77193

Recorded APR 20 2009 Filing No. 77193  
At 11:15 AM/~~PM~~ in Book 110 Page 1347  
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AR27; County Road Number: AR27; State Geographic Information Database (SGID) Road Identification Number: RD170467. Total road length is 1.7 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 1<sup>st</sup> day of April, 2009.

By the Governor's Designee

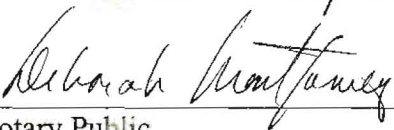
  
\_\_\_\_\_  
John Harja

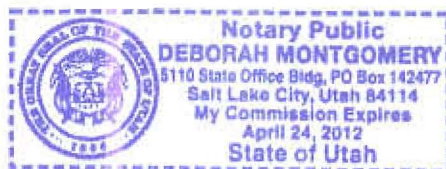
**CERTIFICATION**

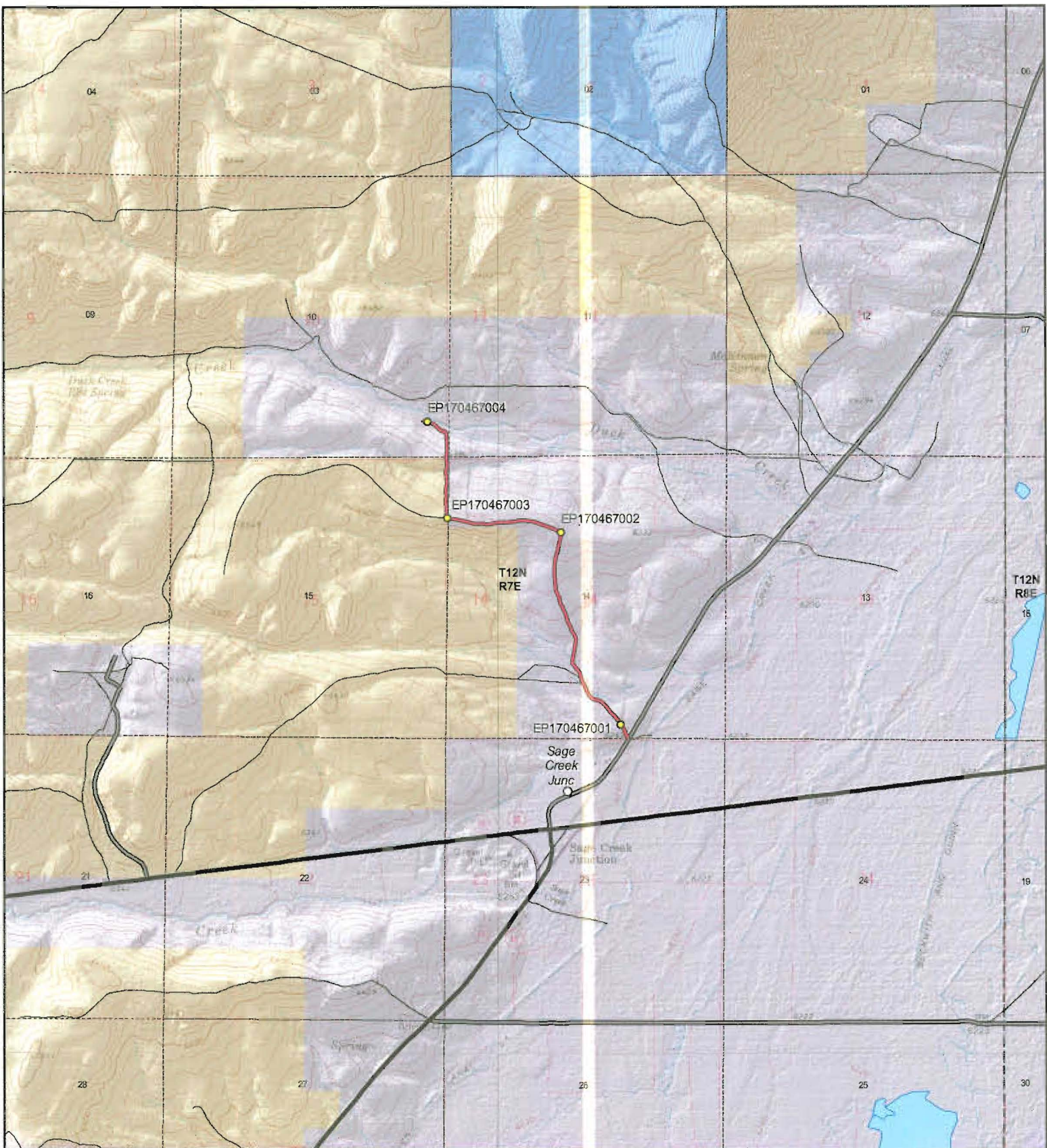
State of Utah                    )  
  : ss  
County of Salt Lake         )

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

Dated this 1<sup>st</sup> day of April, 2009.

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





Scale  
1:29,749  
1 in = 0 miles

**AR27 - Rich County**  
**SGID RD\_ID RD170467 CO\_UNIQUE AR27**

<b>Land Ownership Categories</b>	<b>Misc</b>	<b>Transportation Network</b>
<ul style="list-style-type: none"> <li><span style="color: yellow;">●</span> BLM</li> <li><span style="color: blue;">●</span> Private</li> <li><span style="color: cyan;">●</span> SITLA, State Trust Land</li> <li><span style="color: green;">●</span> USFS, National Forest</li> <li><span style="color: lightblue;">●</span> State Parks and Recreation</li> <li><span style="color: grey;">●</span> UDWR Wildlife Reserve</li> </ul>	<ul style="list-style-type: none"> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">○</span> Photo Event Point</li> <li><span style="border: 1px dashed black; border-radius: 50%; padding: 2px;">○</span> Section = 1 Mile</li> </ul>	<ul style="list-style-type: none"> <li><span style="border-bottom: 2px solid red; width: 20px; display: inline-block;"></span> AR27</li> <li><span style="border-bottom: 2px solid red; width: 20px; display: inline-block;"></span> Title V Issued Or Under Consideration By BLM Or County</li> <li><span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> County B Road</li> <li><span style="border-bottom: 2px solid green; width: 20px; display: inline-block;"></span> State / U.S. Highway</li> <li><span style="border-bottom: 2px solid blue; width: 20px; display: inline-block;"></span> Other Roads</li> </ul>

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



EP170467001



EP170467002



EP170467003



EP170467004

EP000000000

EP000000000

**AR27 - Rich County**  
**SGID RD\_ID RD170467**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
October 27, 2006



### Attachment 3

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

**Popular Name:** AR27

**County:** Rich

**County Road Number:** AR27

**State Geographic Information Database (SGID) Road Identification Number:** RD170467.

**Total Road Length:** 1.7 miles more or less.

**Beginning at a point** on the road centerline located at 41 degrees 46 minutes 38.19 seconds North Latitude and -111 degrees 06 minutes 59.08 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,745,045.8 feet and Y = 3,807,163.2 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 41 degrees 47 minutes 38.57 seconds North Latitude and -111 degrees 07 minutes 52.08 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,741,004.0 feet and Y = 3,813,257.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 12 North Range 7 East, Section(s) 10,14,15,23, 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: AR27**

**County: Rich**

**County Road Number: AR27**

**State Geographic Information Database (SGID) Road Identification Number: RD170467.**

**Total Road Length: 1.7 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>RD170467</b>	<b>001</b>	<b>PVT</b>	<b>1.28 Miles</b>	<b>(not shown)</b>
<b>RD170467</b>	<b>002</b>	<b>BLM</b>	<b>0.23 Miles</b>	<b>A</b>
<b>RD170467</b>	<b>003</b>	<b>PVT</b>	<b>0.19 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>1.7</b>	<b>_____</b>

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

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

## Attachment 5

**AFFIDAVIT OF FRED ALLEN FELLER**  
**RICH COUNTY, UTAH**  
**RICH COUNTY D ROAD NO. AR27**

State of Utah     )  
                          : ss.  
County of Rich    )

I, FRED ALLEN FELLER, 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 5, 1931 in Randolph, Utah. I have lived in Rich County for 70 years. I have been a cattle rancher for the past 50 years.

2. I have traveled and am familiar with Rich County Road No. AR 27 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 27 (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 1940 through 1976 and continuing until 2003, ("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 2003, it appeared to follow the same route as in 1940 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.

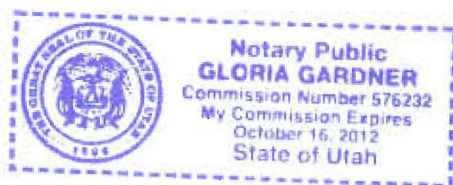
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and horseback, and I have observed others from the general public traveling it by the same means and others, including jeeps and ATVs.

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

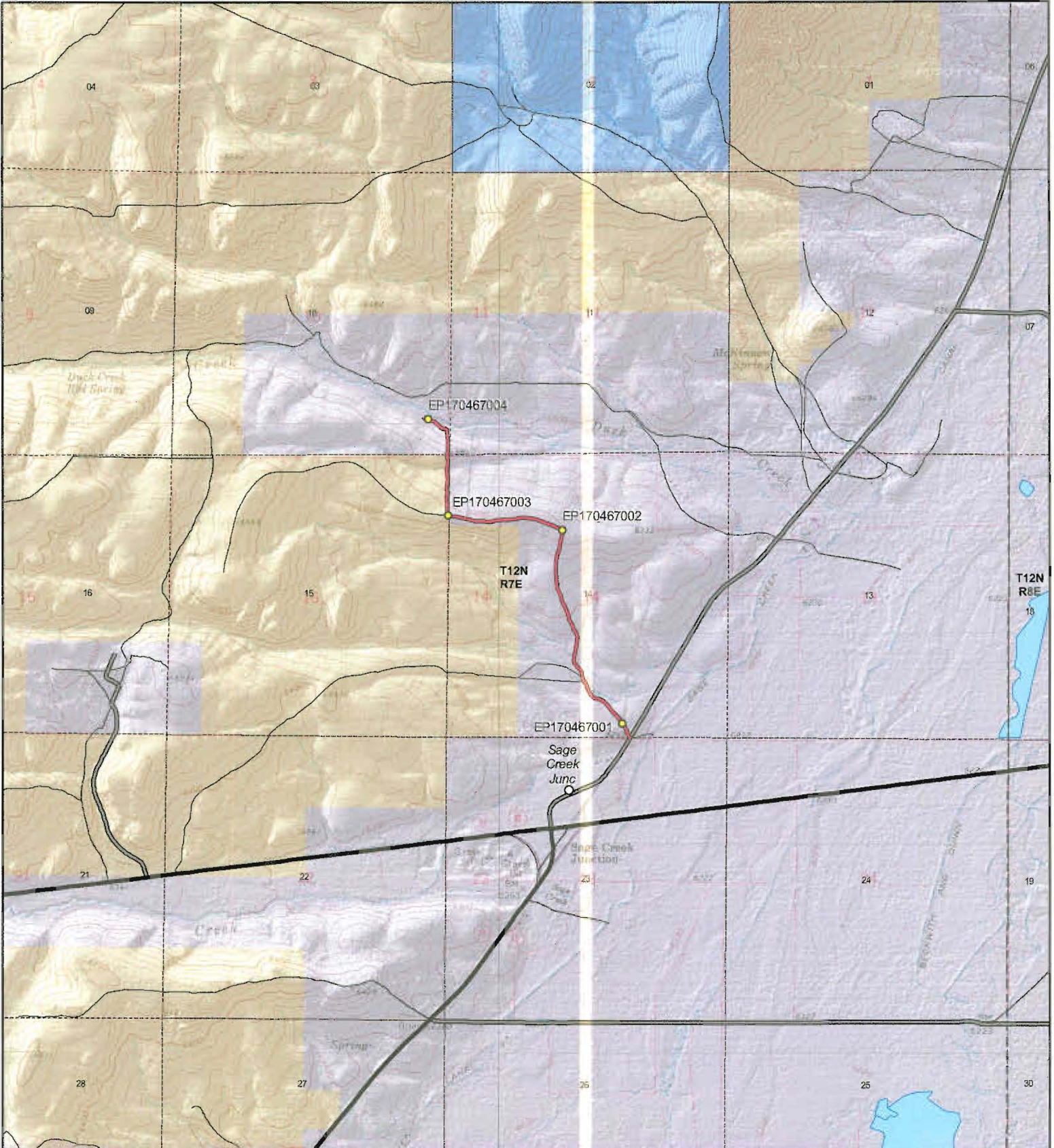
DATED this 21 day of October, 2008.

  
FRED ALLEN FELLER

SUBSCRIBED AND SWORN to before me this 21st day of October, 2008.



  
NOTARY PUBLIC



Scale  
1:29,749  
1 in = 0 miles

**AR27 - Rich County**  
**SGID RD\_ID RD170467 CO\_UNIQUE AR27**

<b>Land Ownership Categories</b>	<b>Misc</b>	<b>Transportation Network</b>
<ul style="list-style-type: none"> <li><span style="color: yellow;">●</span> BLM</li> <li><span style="color: lightblue;">●</span> Private</li> <li><span style="color: cyan;">●</span> SITLA, State Trust Land</li> <li><span style="color: green;">●</span> USFS, National Forest</li> <li><span style="color: blue;">●</span> State Parks and Recreation</li> <li><span style="color: grey;">●</span> UDWR Wildlife Reserve</li> </ul>	<ul style="list-style-type: none"> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">o</span> Photo Event Point</li> <li><span style="border: 1px dashed black; width: 10px; height: 10px; display: inline-block;"></span> Section = 1 Mile</li> </ul>	<ul style="list-style-type: none"> <li><span style="border-bottom: 2px solid red; width: 20px; display: inline-block;"></span> AR27</li> <li><span style="border-bottom: 2px solid red; width: 20px; display: inline-block;"></span> Title V: Issued Or Under Consideration By BLM Or County</li> <li><span style="border-bottom: 2px solid black; width: 20px; display: inline-block;"></span> County B Road</li> <li><span style="border-bottom: 4px solid black; width: 20px; display: inline-block;"></span> State / U S Highway</li> <li><span style="border-bottom: 1px solid black; width: 20px; display: inline-block;"></span> Other Roads</li> </ul>

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

**AFFIDAVIT OF WILLIAM D. KENNEDY**  
**RICH COUNTY, UTAH**  
**RICH COUNTY D ROAD NO. AR27**

State of Utah     )  
                      : ss.  
County of Rich    )

I, WILLIAM D. KENNEDY, 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 September 14, 1948, in Ogden, Utah. I have lived in Rich County and have been involved in ranching in Rich County all of my life.

2. I have traveled and am familiar with Rich County Road No. AR27 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. AR27 (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 mid 1990s, (“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 mid 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 during grazing season and monthly, weather permitting during other periods.

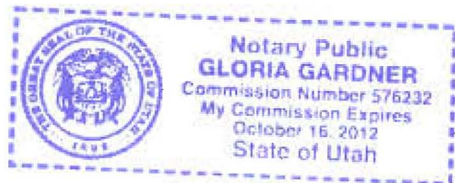
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and I have observed others from the general public traveling it by the same means.

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

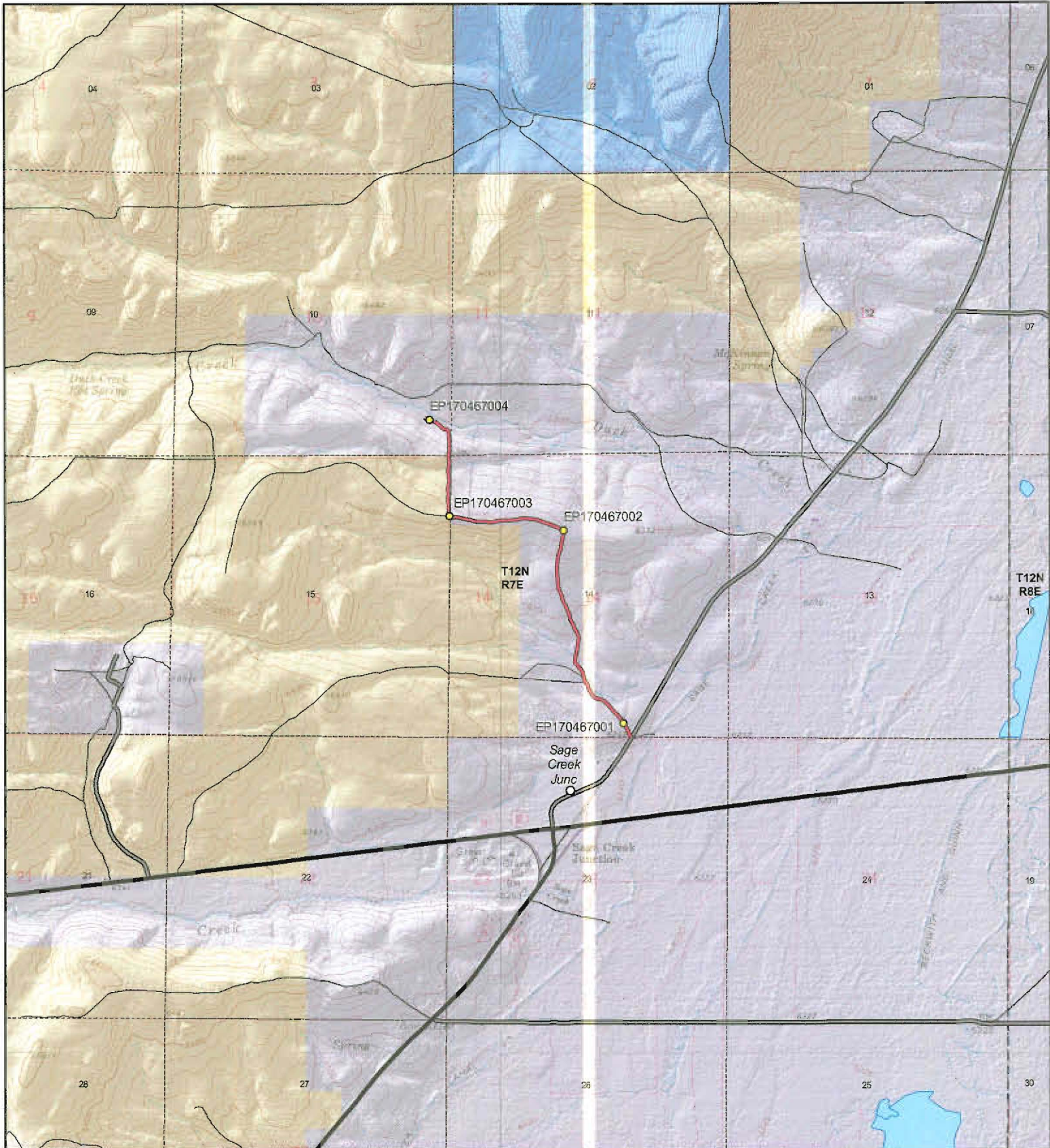
DATED this 21 day of October, 2008.

William D Kennedy  
WILLIAM D. KENNEDY

SUBSCRIBED AND SWORN to before me this 21<sup>st</sup> day of October, 2008.



Gloria Gardner  
NOTARY PUBLIC



Scale  
1:29,749  
1 in = 0 miles

**AR27 - Rich County**  
**SGID RD\_ID RD170467 CO\_UNIQUE AR27**

<b>Land Ownership Categories</b>	<b>Misc</b>	<b>Transportation Network</b>
<ul style="list-style-type: none"> <li><span style="color: yellow;">●</span> BLM</li> <li><span style="color: lightblue;">●</span> Private</li> <li><span style="color: blue;">●</span> SITLA, State Trust Land</li> <li><span style="color: green;">●</span> USFS, National Forest</li> <li><span style="color: darkblue;">●</span> State Parks and Recreation</li> <li><span style="color: grey;">●</span> UDWR Wildlife Reserve</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: black;">○</span> Photo Event Point</li> <li><span style="border: 1px dashed black; display: inline-block; width: 10px; height: 10px;"></span> Section = 1 Mile</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: red;">—</span> AR27</li> <li><span style="color: red;">—</span> Title V Issued Or Under Consideration By BLM Or County</li> <li><span style="color: black;">—</span> County B Road</li> <li><span style="color: black;">—</span> State / U S Highway</li> <li><span style="color: black;">—</span> Other Roads</li> </ul>

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

## Appendix A to Attachment 4

**Popular Name: AR27**

**County: Rich**

**County Road Number: AR27**

**State Geographic Information Database (SGID) Road Identification Number: RD170467.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.23 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 7 East, Section(s) 15, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR27)-- 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 47 minutes 19.87 seconds North Latitude and -111 degrees 07 minutes 45.44 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,741,515.4 feet and Y = 3,811,366.4 feet; thence the following courses along the said road center line:

thence North 53 Degrees 16 Minutes 33 Seconds West 16.3 feet  
thence North 35 Degrees 52 Minutes 05 Seconds West 19.8 feet  
thence North 21 Degrees 34 Minutes 51 Seconds West 19 feet  
thence North 29 Degrees 37 Minutes 19 Seconds West 15.4 feet  
thence North 07 Degrees 42 Minutes 59 Seconds West 17.9 feet  
thence North 01 Degrees 22 Minutes 45 Seconds East 22 feet  
thence North 01 Degrees 44 Minutes 21 Seconds East 27.3 feet  
thence North 04 Degrees 54 Minutes 59 Seconds East 32.3 feet  
thence North 05 Degrees 36 Minutes 58 Seconds East 31.7 feet  
thence North 03 Degrees 13 Minutes 44 Seconds West 26 feet  
thence North 11 Degrees 38 Minutes 25 Seconds West 23.4 feet  
thence North 12 Degrees 21 Minutes 40 Seconds West 20.5 feet

thence North 03 Degrees 41 Minutes 49 Seconds West 22.4 feet  
thence North 01 Degrees 03 Minutes 20 Seconds West 25.9 feet  
thence North 00 Degrees 19 Minutes 50 Seconds West 31.2 feet  
thence North 01 Degrees 55 Minutes 18 Seconds West 35.5 feet  
thence North 03 Degrees 00 Minutes 11 Seconds East 33.9 feet  
thence North 00 Degrees 55 Minutes 42 Seconds East 29.9 feet  
thence North 00 Degrees 57 Minutes 36 Seconds West 29.9 feet  
thence North 02 Degrees 50 Minutes 50 Seconds West 29.9 feet  
thence North 01 Degrees 27 Minutes 14 Seconds West 33.5 feet  
thence North 00 Degrees 11 Minutes 42 Seconds East 35.8 feet  
thence North 02 Degrees 20 Minutes 41 Seconds East 35.2 feet  
thence North 13 Degrees 42 Minutes 20 Seconds East 31.1 feet  
thence North 13 Degrees 24 Minutes 20 Seconds East 30.4 feet  
thence North 00 Degrees 19 Minutes 13 Seconds East 28.9 feet  
thence North 06 Degrees 02 Minutes 28 Seconds West 29.7 feet  
thence North 00 Degrees 53 Minutes 52 Seconds West 33.2 feet  
thence North 02 Degrees 16 Minutes 59 Seconds West 28.9 feet  
thence North 09 Degrees 04 Minutes 36 Seconds West 21.6 feet  
thence North 14 Degrees 22 Minutes 00 Seconds West 20.3 feet  
thence North 09 Degrees 41 Minutes 00 Seconds West 28.3 feet  
thence North 01 Degrees 33 Minutes 45 Seconds West 30.5 feet  
thence North 05 Degrees 44 Minutes 30 Seconds East 15.5 feet  
thence North 08 Degrees 35 Minutes 59 Seconds East 23.3 feet  
thence North 04 Degrees 25 Minutes 58 Seconds East 11.9 feet  
thence North 14 Degrees 08 Minutes 22 Seconds East 21 feet  
thence North 10 Degrees 02 Minutes 42 Seconds East 23.7 feet  
thence North 05 Degrees 00 Minutes 05 Seconds East 24.7 feet  
thence North 01 Degrees 03 Minutes 59 Seconds East 26.9 feet  
thence North 00 Degrees 19 Minutes 50 Seconds West 27.2 feet  
thence North 03 Degrees 09 Minutes 27 Seconds West 26.6 feet  
thence North 09 Degrees 26 Minutes 54 Seconds West 26.9 feet  
thence North 11 Degrees 06 Minutes 53 Seconds West 28.1 feet  
thence North 09 Degrees 40 Minutes 30 Seconds West 26.3 feet  
thence North 04 Degrees 14 Minutes 17 Seconds West 12 feet more or less to **the ending point**

**at:** 41 degrees 47 minutes 31.43 seconds North Latitude and -111 degrees 07 minutes 46.04 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,741,464.9 feet and Y = 3,812,536.4 feet.