

15
**Acknowledgment and
Notice of Acknowledgment
of Acceptance of R.S. 2477
Right-of-Way Grant**

DOC # 20080019330

Right of Way Page 1 of 15
Russell Shirts Washington County Recorder
05/12/2008 09:13:30 AM Fee \$ 0.00
By GOVERNOR OF 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Washington County as it pertains to the highway located in Washington County known as BROOKSIDE ROAD; County Road Number: 0230, 0231; State Geographic Information Database (SGID) Road Identification Number: RD270230. Total road length is 1.61 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 23rd day of April, 2008.

By the Governor's Designee



John Harja

CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

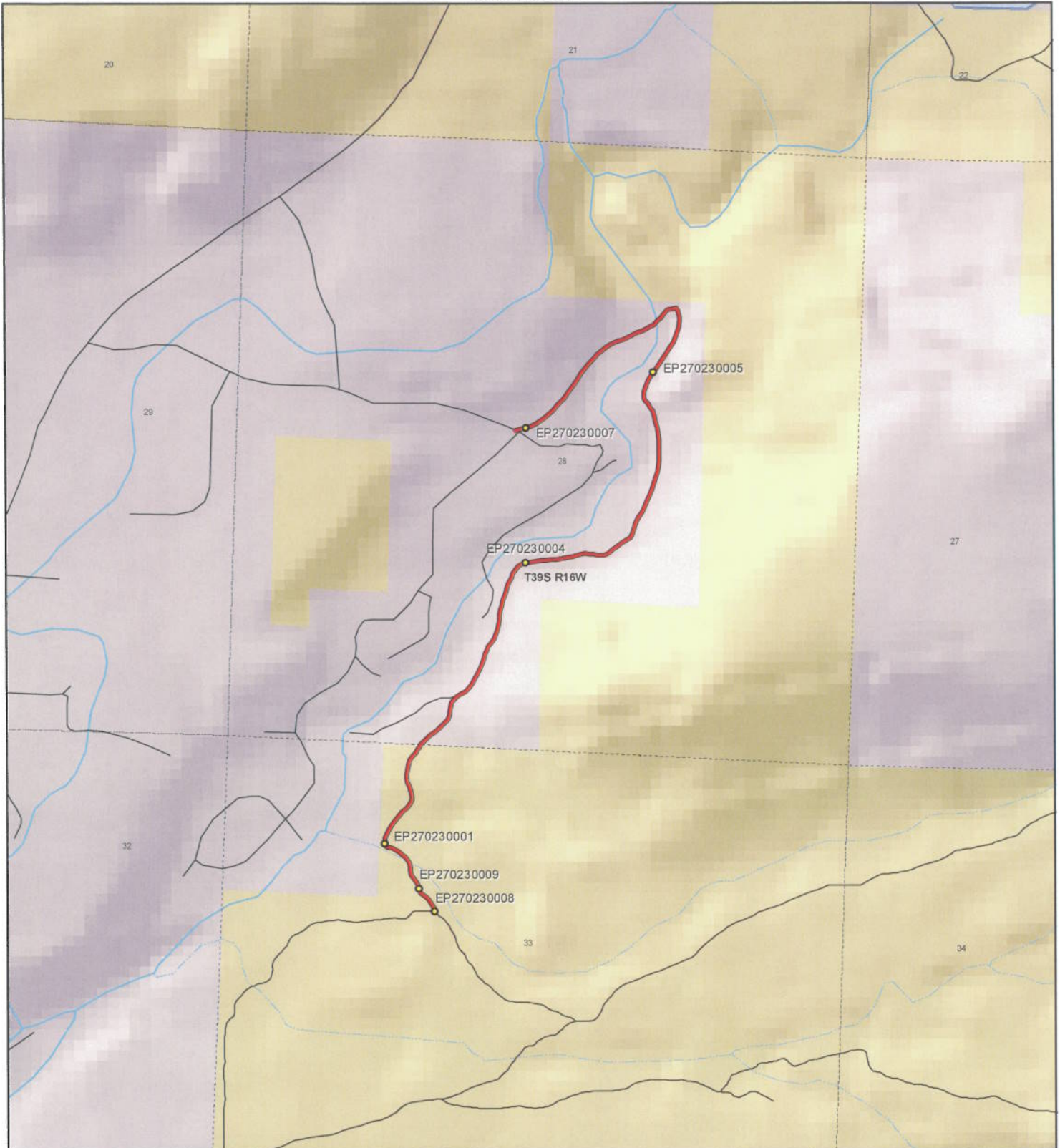
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 23rd day of April, 2008.





Notary Public



 <p>1:13,450 1 inch equals 0.2 miles</p>		<p align="center">BROOKSIDE ROAD - Washington County SGID RD_ID RD270230</p> <table border="0"> <tr> <td colspan="2">Land Ownership Categories</td> <td colspan="2">Transportation Network</td> </tr> <tr> <td> BLM</td> <td> Wilderness</td> <td> BROOKSIDE ROAD</td> <td> Title V: Issued Or Under Consideration By BLM Or County</td> </tr> <tr> <td> Private</td> <td> UDWR Wildlife Reserve</td> <td> Other Roads</td> <td> Photo Event Point</td> </tr> <tr> <td> SITLA, State Trust Land</td> <td> DOD, Military</td> <td> Section = 1 Mile</td> <td></td> </tr> <tr> <td> USFS, National Forest</td> <td> State Sovereign Land</td> <td></td> <td></td> </tr> <tr> <td> State Parks and Recreation</td> <td> National Recreation Area</td> <td></td> <td></td> </tr> <tr> <td> Tribal, Indian Reservation</td> <td> USFWS, Natl. Wildlife Refuge</td> <td></td> <td></td> </tr> <tr> <td> NPS, National Park</td> <td></td> <td></td> <td></td> </tr> </table>	Land Ownership Categories		Transportation Network		BLM	Wilderness	BROOKSIDE ROAD	Title V: Issued Or Under Consideration By BLM Or County	Private	UDWR Wildlife Reserve	Other Roads	Photo Event Point	SITLA, State Trust Land	DOD, Military	Section = 1 Mile		USFS, National Forest	State Sovereign Land			State Parks and Recreation	National Recreation Area			Tribal, Indian Reservation	USFWS, Natl. Wildlife Refuge			NPS, National Park				<p>Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 Feb 22, 2008</p> 
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Attachment 2



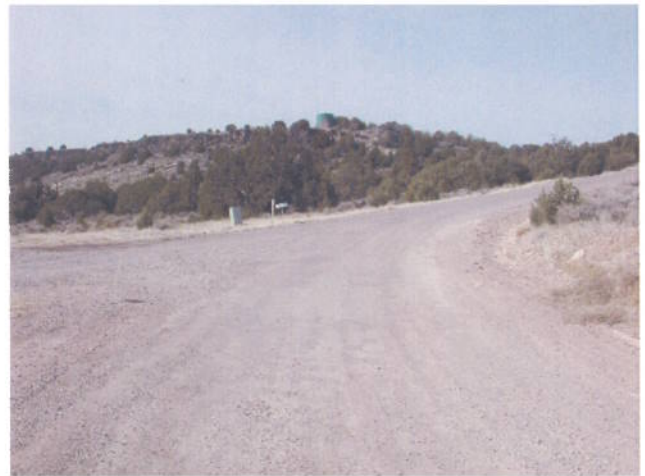
EP270230001



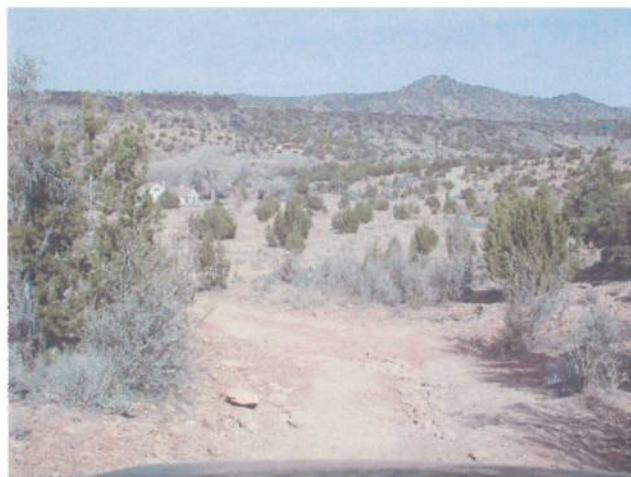
EP270230004



EP270230005



EP270230007



EP270230008



EP270230009

BROOKSIDE ROAD - Washington County
SGID RD_ID RD270230



Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
February 14, 2008



Attachment 3

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

Popular Name: BROOKSIDE ROAD

County: Washington

County Road Number: 0230, 0231

State Geographic Information Database (SGID) Road Identification Number: RD270230.

Total Road Length: 1.61 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 21 minutes 20.22 seconds North Latitude and -113 degrees 39 minutes 18.23 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,014,079.4 feet and Y = 10,100,576.0 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 22 minutes 01.23 seconds North Latitude and -113 degrees 39 minutes 10.99 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,014,759.6 feet and Y = 10,104,709.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 39 South Range 16 West, Section(s) 28,33, 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: BROOKSIDE ROAD

County: Washington

County Road Number: 0230, 0231

State Geographic Information Database (SGID) Road Identification Number: RD270230.

Total Road Length: 1.61 miles more or less.

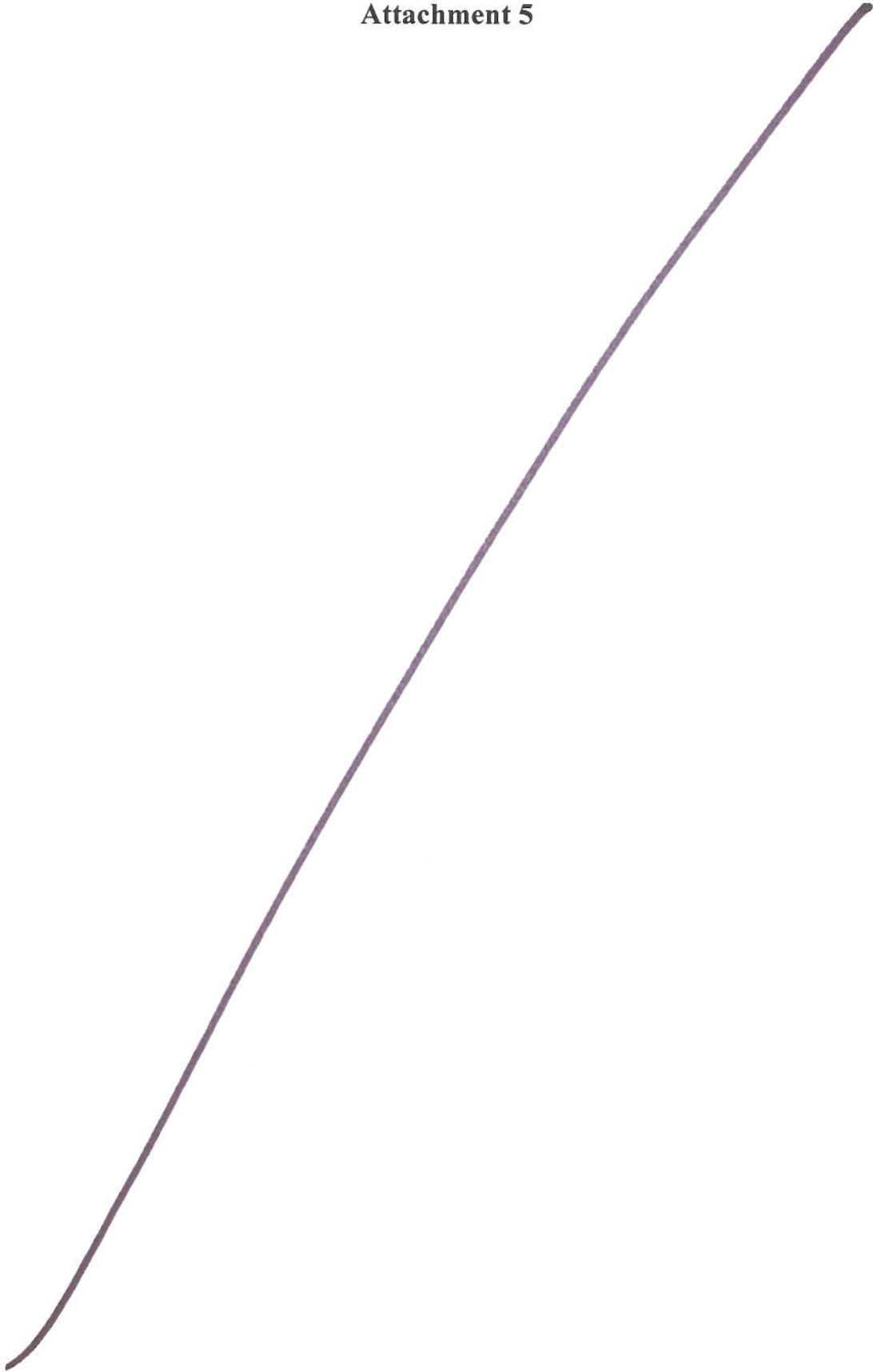
Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (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
RD270230	001	BLM	0.33 Miles	A
RD270230	002	PVT	1.29 Miles	(not shown)
		Total Road Length	1.61	_____

* 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



on the attached map. The County also identifies this road according to the road number listed above.

3. 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 1940, and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by private pickup trucks, jeeps, stock trucks, motorcycles other motor vehicles, and also by horse and wagon. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and it is presently used daily.

4. Throughout the time period from 1940 to 2006, I have used the road myself at least weekly, weather permitting, for livestock operations, wood gathering, sight seeing, prospecting, trapping, and hunting.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus government access, mining and prospecting, tourism, recreation such as camping, picnicking, hiking, and traveling in and through the general areas.

6. It is also my understanding that it is 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 as early as 1940 and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed general repairs, maintenance and/or construction activities of the road by Washington County. I observed cattle guards, berms, gravel,

culverts, graded and raised surfaces, cuts and fills, grader marks, and flood and repair work on the road on an as-needed-basis.

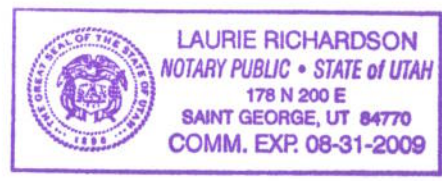
DATED this 21st of Feb, 2007


HOWARD T. DRAKE

SUBSCRIBED AND SWORN to before me this 21st day of Feb, 2007.


NOTARY PUBLIC

END OF DOCUMENT

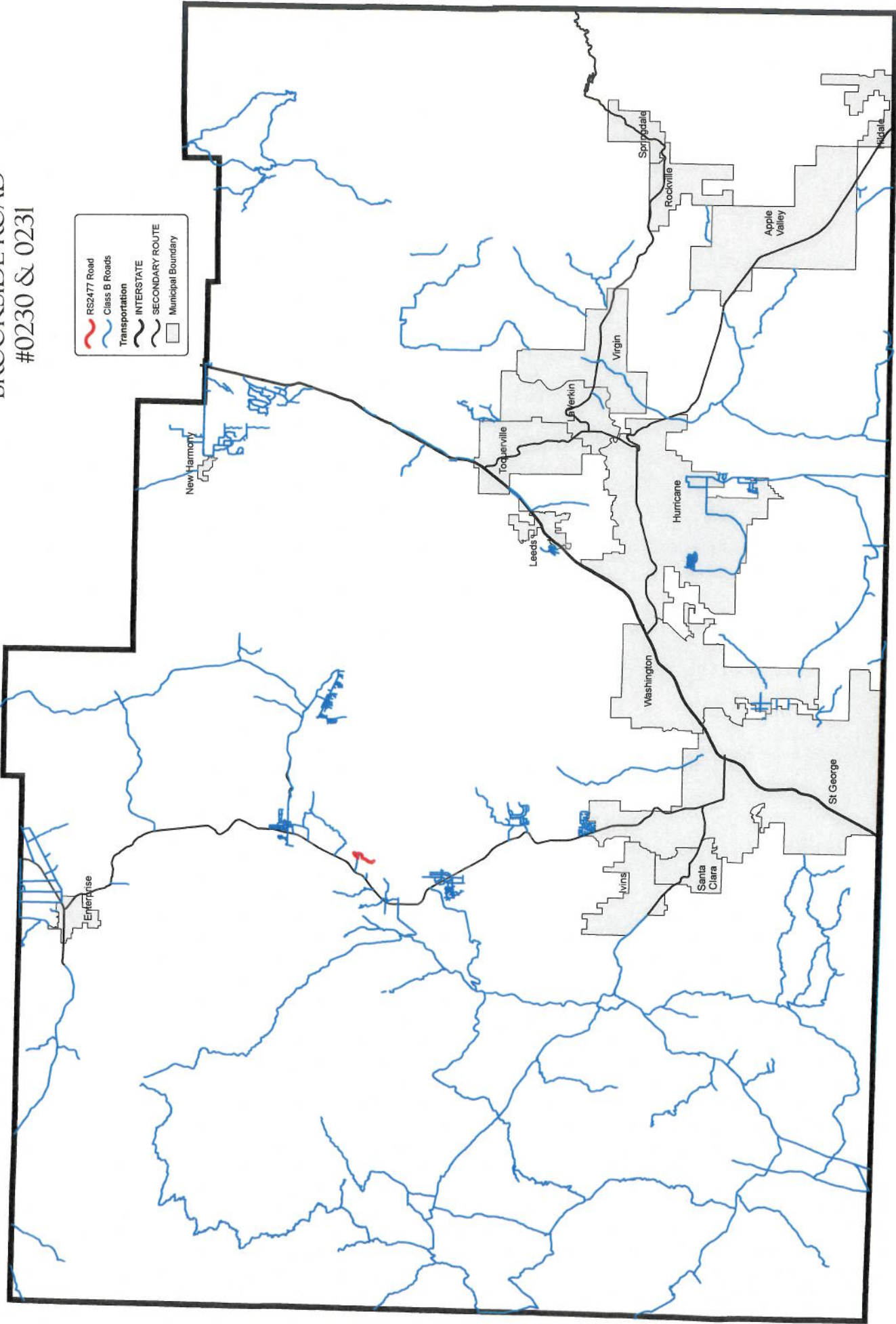


WASHINGTON COUNTY

BROOKSIDE ROAD

#0230 & 0231

- RS2477 Road
- Class B Roads
- Transportation
- INTERSTATE
- SECONDARY ROUTE
- Municipal Boundary



for some diversion due to flooding. The County also identifies this road according to the road number listed above.

3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since the 1940s, and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by trucks, jeeps, stock trucks, and other motor vehicles, including more recently, ATVs. Throughout this time period, the road has been used regularly for more than ten continuous years prior to 1976, and it is presently used on a regular basis, weather permitting. The road is used more on weekends, holidays and during hunting seasons.

4. Throughout the time period from the early 1940s to the present, I have used the road myself for hunting, and recreation such as camping, hiking, and sight seeing.

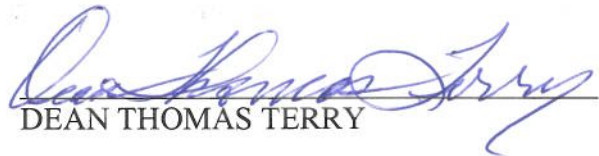
5. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus homesteading, farming, commerce, mining and prospecting, wood gathering, general recreation and tourism, government access, and travel in and through the general areas.

6. 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 before 1915, and continuing through 1976 to the present, for the uses described in the previous paragraphs. My father told me on several occasions that the road was open before his 1915 homestead was established.

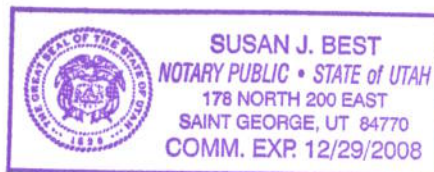
7. Prior to 1976, I occasionally observed Washington County and private graders on the road. I observed general repairs and maintenance of the road. I observed cattle guards,

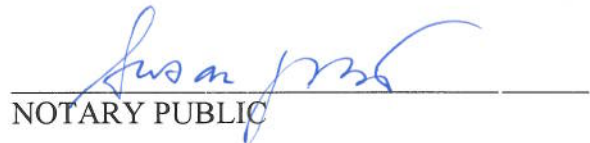
where needed, cuts and fills, grader marks, culverts, and flood repair work, on an as-needed-basis.

DATED this 6th of June, 2007.


DEAN THOMAS TERRY

SUBSCRIBED AND SWORN to before me this 6th day of June 2007, 2007.









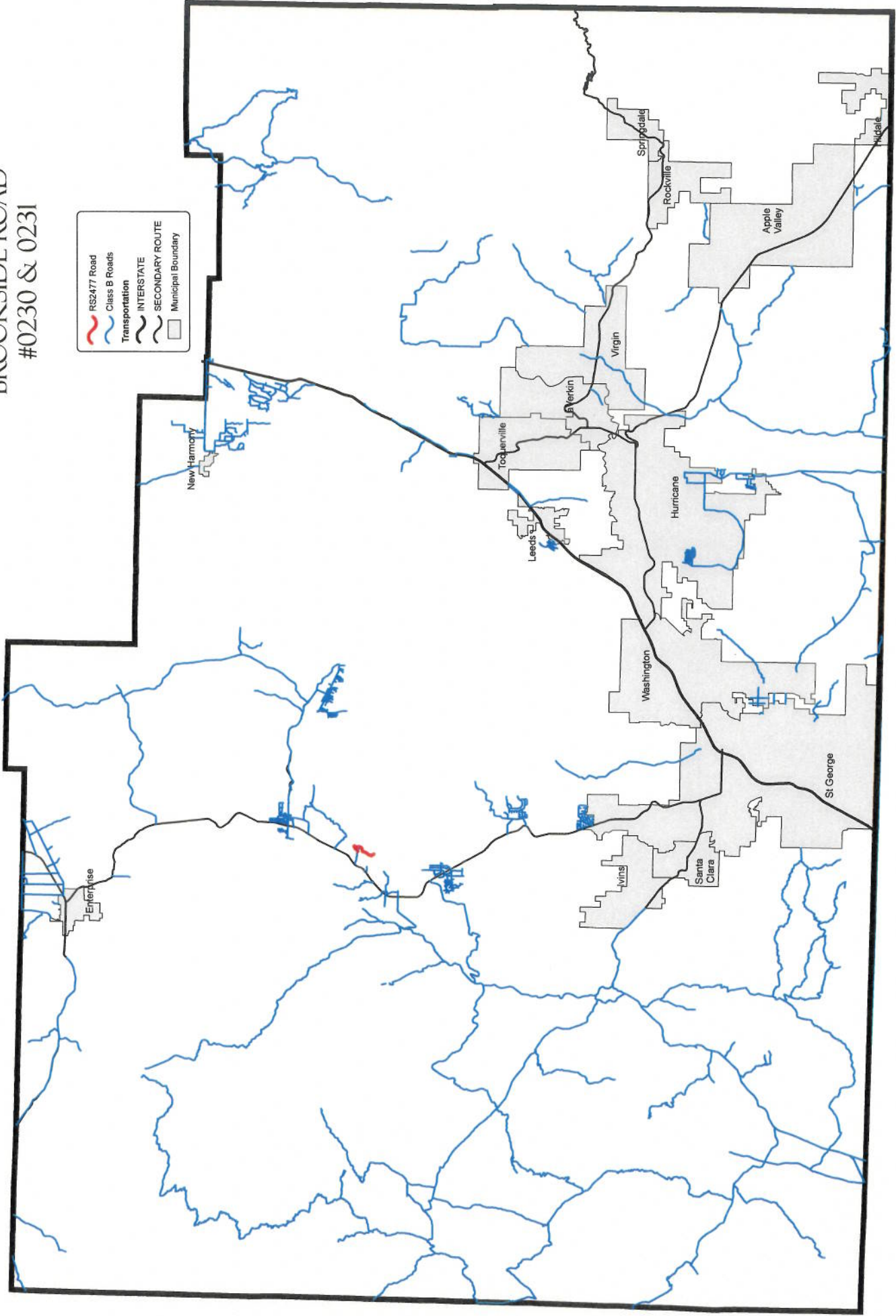

NOTARY PUBLIC

WASHINGTON COUNTY

BROOKSIDE ROAD

#0230 & 0231

-  RS2477 Road
-  Class B Roads
-  Transportation
-  INTERSTATE
-  SECONDARY ROUTE
-  Municipal Boundary



Appendix A to Attachment 4

Popular Name: BROOKSIDE ROAD

County: Washington

County Road Number: 0230, 0231

State Geographic Information Database (SGID) Road Identification Number: RD270230.

Road-Segment Number: 001

Road-Segment Length: 0.33 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 39 South Range 16 West, Section(s) 33, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (BROOKSIDE 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 37 degrees 21 minutes 20.22 seconds North Latitude and -113 degrees 39 minutes 18.23 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,014,079.4 feet and Y = 10,100,576.0 feet; thence the following courses along the said road center line:

thence North 04 Degrees 22 Minutes 37 Seconds West 13.8 feet
thence North 17 Degrees 29 Minutes 23 Seconds West 14.4 feet
thence North 21 Degrees 02 Minutes 14 Seconds West 23.1 feet
thence North 34 Degrees 34 Minutes 41 Seconds West 26.2 feet
thence North 37 Degrees 51 Minutes 35 Seconds West 21.5 feet
thence North 38 Degrees 09 Minutes 58 Seconds West 18.7 feet
thence North 42 Degrees 13 Minutes 29 Seconds West 26 feet
thence North 54 Degrees 33 Minutes 21 Seconds West 33.1 feet
thence North 55 Degrees 35 Minutes 46 Seconds West 25.9 feet
thence North 22 Degrees 25 Minutes 36 Seconds West 20.9 feet
thence North 11 Degrees 06 Minutes 51 Seconds West 22.7 feet

thence North 20 Degrees 55 Minutes 44 Seconds West 27 feet
 thence North 28 Degrees 31 Minutes 12 Seconds West 35.4 feet
 thence North 35 Degrees 46 Minutes 31 Seconds West 40.7 feet
 thence North 30 Degrees 25 Minutes 57 Seconds West 35.3 feet
 thence North 13 Degrees 31 Minutes 54 Seconds West 34.4 feet
 thence North 03 Degrees 12 Minutes 43 Seconds West 32.2 feet
 thence North 11 Degrees 36 Minutes 04 Seconds West 30.1 feet
 thence North 30 Degrees 17 Minutes 24 Seconds West 36.7 feet
 thence North 44 Degrees 10 Minutes 05 Seconds West 35.5 feet
 thence North 47 Degrees 05 Minutes 33 Seconds West 36.9 feet
 thence North 52 Degrees 31 Minutes 41 Seconds West 29.5 feet
 thence North 51 Degrees 21 Minutes 49 Seconds West 32.9 feet
 thence North 62 Degrees 35 Minutes 30 Seconds West 29.6 feet
 thence North 75 Degrees 35 Minutes 38 Seconds West 20.7 feet
 thence North 82 Degrees 53 Minutes 30 Seconds West 25.5 feet
 thence North 55 Degrees 32 Minutes 53 Seconds West 24.7 feet
 thence North 05 Degrees 20 Minutes 01 Seconds West 22.4 feet
 thence North 06 Degrees 25 Minutes 06 Seconds East 39.3 feet
 thence North 14 Degrees 06 Minutes 55 Seconds East 36.9 feet
 thence North 27 Degrees 11 Minutes 51 Seconds East 45.5 feet
 thence North 34 Degrees 22 Minutes 44 Seconds East 47.9 feet
 thence North 36 Degrees 44 Minutes 20 Seconds East 46.8 feet
 thence North 36 Degrees 15 Minutes 39 Seconds East 47.4 feet
 thence North 42 Degrees 44 Minutes 01 Seconds East 47.1 feet
 thence North 47 Degrees 34 Minutes 15 Seconds East 46.4 feet
 thence North 43 Degrees 06 Minutes 30 Seconds East 41.5 feet
 thence North 23 Degrees 34 Minutes 36 Seconds East 40.5 feet
 thence North 03 Degrees 02 Minutes 49 Seconds East 39.4 feet
 thence North 07 Degrees 24 Minutes 59 Seconds West 39.7 feet
 thence North 20 Degrees 07 Minutes 24 Seconds West 42.5 feet
 thence North 24 Degrees 31 Minutes 09 Seconds West 36 feet
 thence North 12 Degrees 41 Minutes 55 Seconds West 33.6 feet
 thence North 05 Degrees 15 Minutes 40 Seconds West 37.9 feet
 thence North 13 Degrees 51 Minutes 15 Seconds East 41.6 feet
 thence North 02 Degrees 31 Minutes 50 Seconds East 46.6 feet
 thence North 19 Degrees 15 Minutes 25 Seconds East 48 feet
 thence North 41 Degrees 50 Minutes 46 Seconds East 46.4 feet
 thence North 41 Degrees 58 Minutes 55 Seconds East 34.1 feet
 thence North 33 Degrees 13 Minutes 58 Seconds East 31.5 feet
 thence North 33 Degrees 07 Minutes 59 Seconds East 19.6 feet
 thence North 29 Degrees 57 Minutes 53 Seconds East 22.8 feet
 thence North 28 Degrees 26 Minutes 47 Seconds East 3.3 feet

more or less to **the ending point**
at: 37 degrees 21 minutes 34.37 seconds North Latitude and -113 degrees 39 minutes 20.15 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,013,957.6 feet and Y = 10,102,010.2 feet.