

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

**DOC # 20080019351**

Right of Way Page 1 of 14  
Russell Shirts Washington County Recorder  
05/12/2008 09:23:59 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 OLD 91 BLACK RIDGE ROAD; County Road Number: 0614; State Geographic Information Database (SGID) Road Identification Number: RD270614. Total road length is 4.08 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 23<sup>rd</sup> day of April, 2008.

By the Governor's Designee

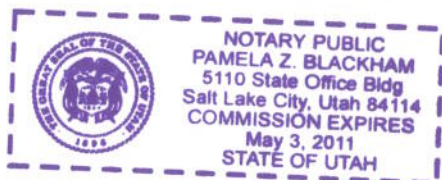
  
\_\_\_\_\_   
John Harja

**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 23<sup>rd</sup> day of April, 2008.



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

Attachment 2



EP270614003



EP270614005



EP270614006



EP270614029

EP000000000

EP000000000

**OLD 91 BLACK RIDGE ROAD - Washington County**  
**SGID RD\_ID RD270614**



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: OLD 91 BLACK RIDGE ROAD**

**County: Washington**

**County Road Number: 0614**

**State Geographic Information Database (SGID) Road Identification Number: RD270614.**

**Total Road Length: 4.08 miles more or less.**

**Beginning at a point** on the road centerline located at 37 degrees 24 minutes 19.67 seconds North Latitude and -113 degrees 14 minutes 18.73 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,135,458.6 feet and Y = 10,116,202.8 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 37 degrees 27 minutes 16.88 seconds North Latitude and -113 degrees 13 minutes 44.37 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,138,562.6 feet and Y = 10,134,071.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 38 South Range 12 West, Section(s) 29,31,32, Salt Lake Base & Meridian

Township 39 South Range 12 West, Section(s) 6,7, 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: OLD 91 BLACK RIDGE ROAD**

**County: Washington**

**County Road Number: 0614**

**State Geographic Information Database (SGID) Road Identification Number: RD270614.**

**Total Road Length: 4.08 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>RD270614</b>	<b>001</b>	<b>BLM</b>	<b>0.04 Miles</b>	<b>A</b>
<b>RD270614</b>	<b>002</b>	<b>PVT</b>	<b>4.04 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>4.08</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**



Attachment5

AFFIDAVIT OF RYMAL J. HINTON  
OLD 91 BLACK RIDGE ROAD  
COUNTY ROAD NUMBER 0614  
WASHINGTON COUNTY, UTAH

State of Utah                                     )  
  :ss  
County of Washington                         )

RYMAL J. HINTON, being first duly sworn, deposes and states as follows:

1.       I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I am 56 years old. I currently reside in Hurricane, Washington County, Utah. I have lived in Washington County my entire life. I have been employed as a Deputy Sheriff for Washington County for about 28 years, and a member of the Search and Rescue Team for 37 years.

2.       I have traveled and am familiar with a road in Washington County known as OLD 91 BLACK RIDGE ROAD. I am also familiar with the land the road traverses. I traveled the road with my father as early as 1960, before I could drive, for recreation and on search and rescue operations. When I first used and observed the road in 1960, it followed the same route as in 2006 when I last observed it. Attached is a Washington County map showing OLD 91 BLACK RIDGE ROAD. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the

road are correctly illustrated 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 1960, 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. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and it is presently used on a daily basis, weather permitting.

4. Throughout the time period from 1960 to the present, I have used the road myself for hunting, camping, hiking, sight seeing, wood gathering, government access for my job, and trapping.

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 livestock operations, commerce, mining and prospecting, recreation and tourism, 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 as early as 1900, when pioneers traveled the road, and continuing through 1976 to the present, for the uses described in the previous paragraphs.

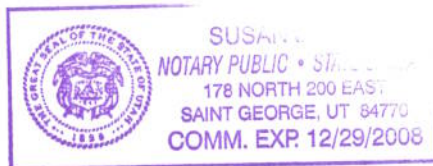


7. Prior to 1976, I occasionally observed graders and road crews from Washington County on the road. I observed general repairs and maintenance of the road. I observed cattle guards, berms, cuts and fills, grader marks, culverts, flood repair work, and gated areas, where necessary.

DATED this 25 of June, 2007.

  
RYMAL J. HINTON

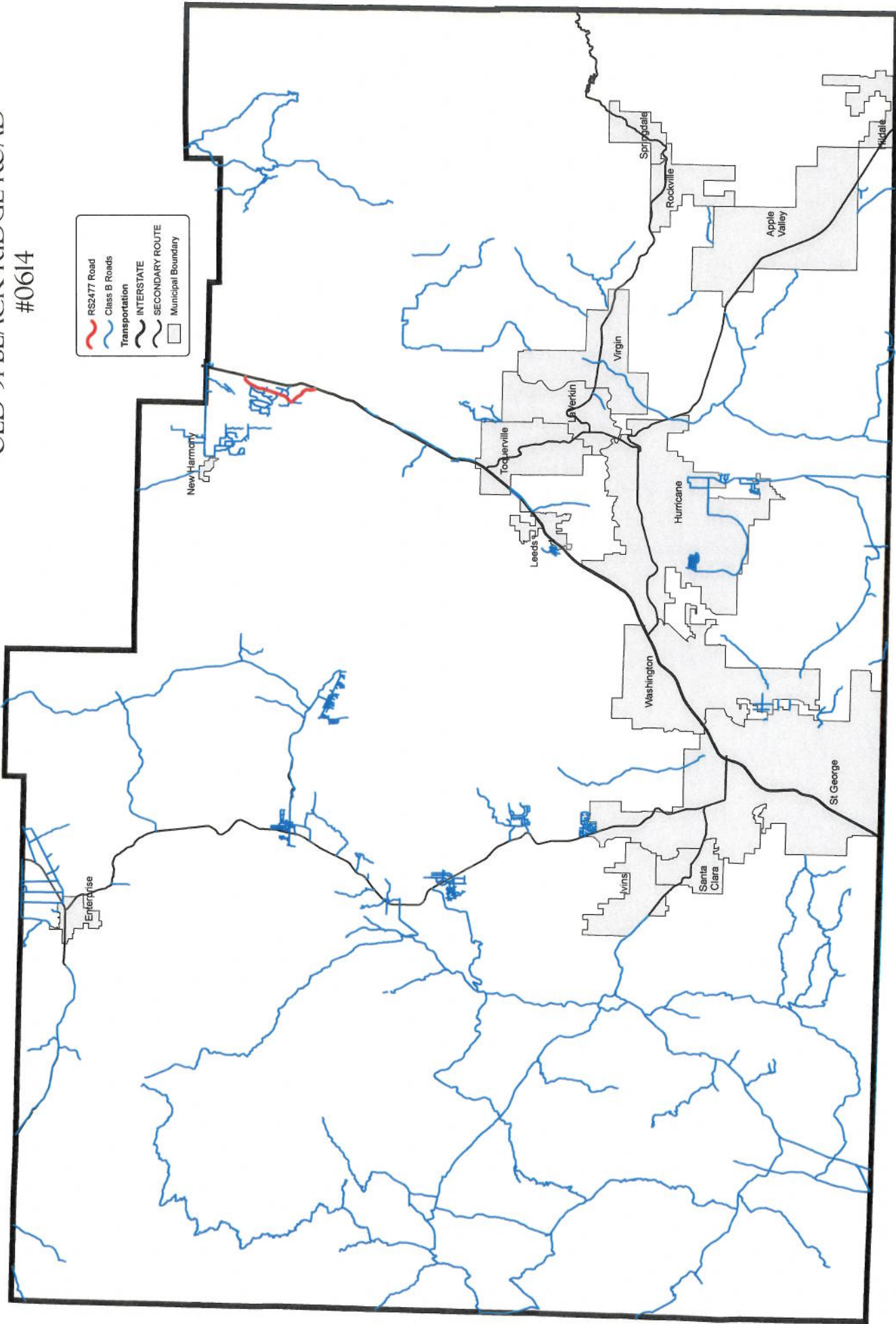
SUBSCRIBED AND SWORN to before me this 25 day of June, 2007.



  
NOTARY PUBLIC

# WASHINGTON COUNTY OLD 91 BLACK RIDGE ROAD #0614

RS2477 Road  
Class B Roads  
Transportation  
INTERSTATE  
SECONDARY ROUTE  
Municipal Boundary



AFFIDAVIT OF GEORGE EDWARD WRIGHT  
OLD 91 BLACK RIDGE ROAD  
COUNTY ROAD NUMBER 0614  
WASHINGTON COUNTY, UTAH

State of Utah )  
 )  
 )  
County of Washington )

GEORGE EDWARD WRIGHT, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I am 66 years old. I currently reside in Virgin, Washington County, Utah. I have lived in Washington County since 1964. I am a retired Maintenance Supervisor for the State of Utah Department of Transportation, District 5, which covers Southern Utah. I retired in 1987, after 26 plus years of service with the State of Utah.

2. I have traveled and am familiar with a road in Washington County known as OLD 91 BLACK RIDGE ROAD. I am also familiar with the land the road traverses. When I first used and observed the road in 1964, it followed the same route as in 2006, when I last observed it. Attached is a Washington County map showing OLD 91 BLACK RIDGE ROAD. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated 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 1964, 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, and other motor vehicles. Through out 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 1964 to 2006, I have used the road myself, occasionally, weather permitting, for wood gathering, sight seeing and hunting.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for uses described in the previous paragraph, plus government access; trapping; livestock operations; mining; prospecting; tourism; and 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 since the early pioneer settlers arrived, 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 parked graders, 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. I occasionally observed Washington County graders on the road.

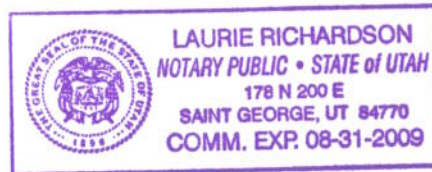
DATED this 2nd of March, 2007

George E. Wright  
GEORGE EDWARD WRIGHT

SUBSCRIBED AND SWORN to before me this 2nd day of March, 2007.

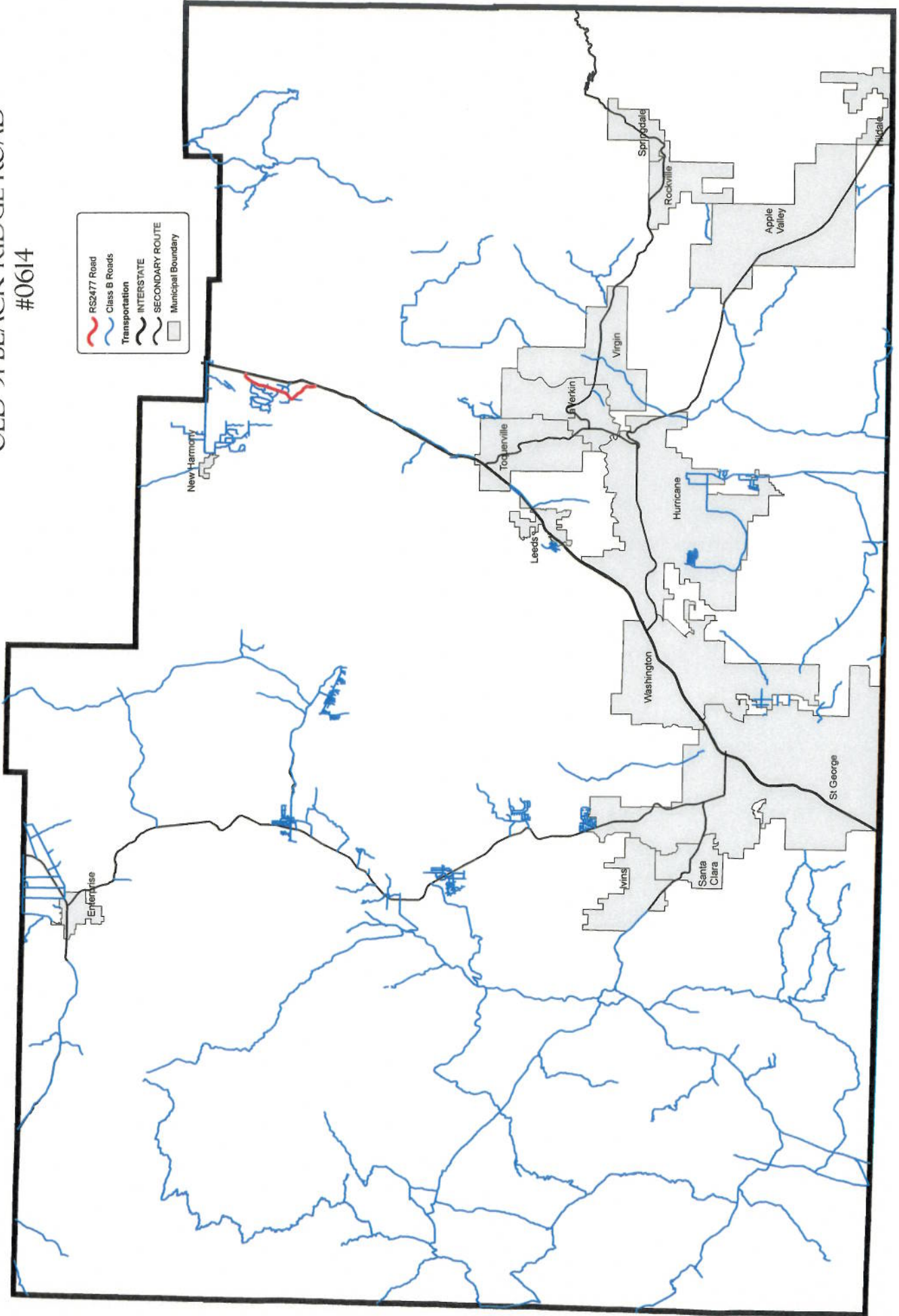
Laurie Richardson  
NOTARY PUBLIC

END OF DOCUMENT



# WASHINGTON COUNTY OLD 91 BLACK RIDGE ROAD #0614

RS2477 Road  
Class B Roads  
Transportation  
INTERSTATE  
SECONDARY ROUTE  
Municipal Boundary



## Appendix A to Attachment 4

**Popular Name: OLD 91 BLACK RIDGE ROAD**

**County: Washington**

**County Road Number: 0614**

**State Geographic Information Database (SGID) Road Identification Number: RD270614.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.04 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 12 West, Section(s) 7, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (OLD 91 BLACK RIDGE 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 24 minutes 19.67 seconds North Latitude and -113 degrees 14 minutes 18.73 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,135,458.6 feet and Y = 10,116,202.8 feet; thence the following courses along the said road center line:

thence North 60 Degrees 13 Minutes 35 Seconds West 36 feet

thence North 31 Degrees 51 Minutes 50 Seconds West 32 feet

thence North 09 Degrees 35 Minutes 18 Seconds West 36.6 feet

thence North 05 Degrees 39 Minutes 57 Seconds West 38.6 feet

thence North 04 Degrees 39 Minutes 23 Seconds West 38.8 feet

thence North 03 Degrees 53 Minutes 46 Seconds West 47 feet

thence North 05 Degrees 24 Minutes 36 Seconds West 2.5 feet more or less to **the ending point**

**at:** 37 degrees 24 minutes 21.71 seconds North Latitude and -113 degrees 14 minutes 19.58 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,135,394.0 feet and Y = 10,116,410.3 feet.