

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

DOC # 20080019357

Right of Way Page 1 of 15
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 SPANISH TRAIL ROAD; County Road Number: 0232; State Geographic Information Database (SGID) Road Identification Number: RD270861. Total road length is 0.9 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)

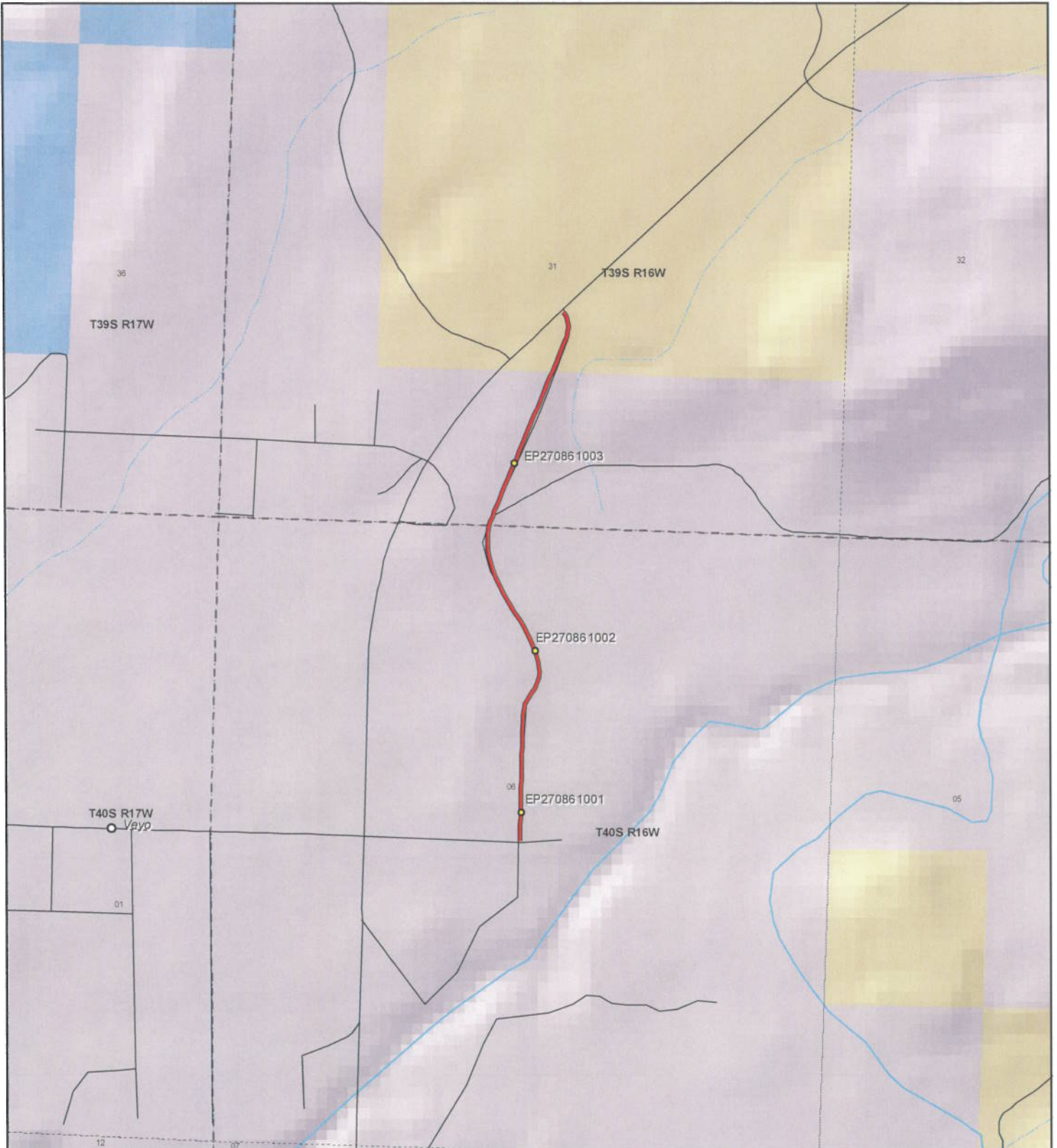
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to 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>1:13,261 1 inch equals 0.2 miles</p>		<p style="text-align: center;">SPANISH TRAIL ROAD - Washington County SGID RD_ID RD270861</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> SPANISH TRAIL ROAD</td> <td> Photo Event Point</td> </tr> <tr> <td> Private</td> <td> UDWR Wildlife Reserve</td> <td> Title V: Issued Or Under Consideration By BLM Or County</td> <td> Other Roads</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	SPANISH TRAIL ROAD	Photo Event Point	Private	UDWR Wildlife Reserve	Title V: Issued Or Under Consideration By BLM Or County	Other Roads	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 15, 2008</p> 
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Attachment 2



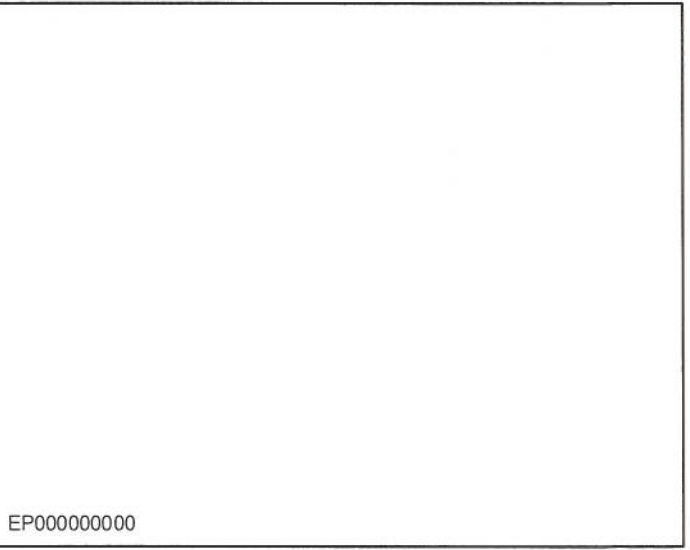
EP270861001



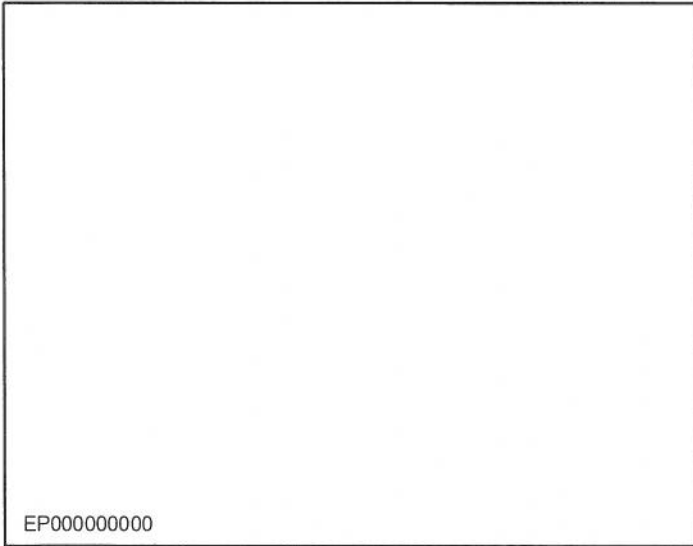
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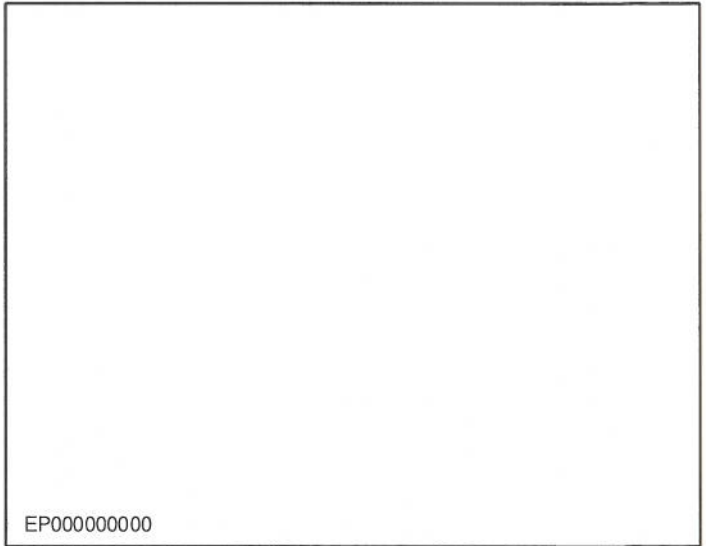
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SPANISH TRAIL ROAD - Washington County
SGID RD_ID RD270861



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: SPANISH TRAIL ROAD

County: Washington

County Road Number: 0232

State Geographic Information Database (SGID) Road Identification Number: RD270861.

Total Road Length: 0.9 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 20 minutes 16.35 seconds North Latitude and -113 degrees 41 minutes 19.25 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,004,160.2 feet and Y = 10,094,344.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 21 minutes 00.66 seconds North Latitude and -113 degrees 41 minutes 15.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,004,532.1 feet and Y = 10,098,819.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 39 South Range 16 West, Section(s) 31, Salt Lake Base & Meridian

Township 40 South Range 16 West, Section(s) 6, 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: SPANISH TRAIL ROAD

County: Washington

County Road Number: 0232

State Geographic Information Database (SGID) Road Identification Number: RD270861.

Total Road Length: 0.9 miles more or less.

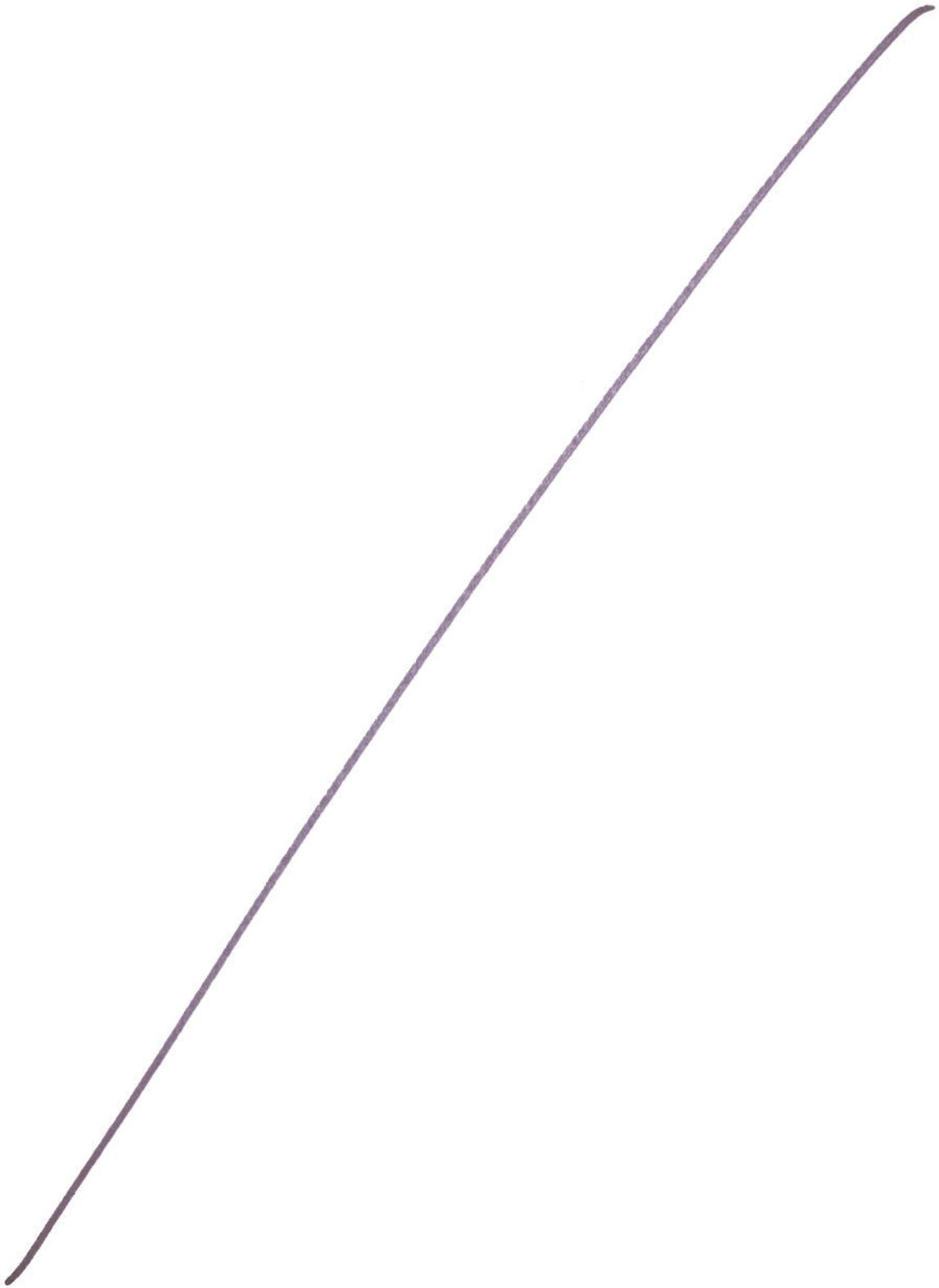
Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (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
RD270861	001	PVT	0.8 Miles	(not shown)
RD270861	002	BLM	0.1 Miles	A
		Total Road Length	0.9	_____

* 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 KEVIN EDWARD BROOKS
SPANISH TRAIL ROAD
COUNTY ROAD NUMBER 0232
WASHINGTON COUNTY, UTAH

State of Utah)
 :ss
County of Washington)

KEVIN EDWARD BROOKS, 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 52 years old. I currently reside in St. George, Washington County, Utah. I have lived in Washington County my entire life, except for 8 months, when at the age of 20, I lived in Baker, California. I have been employed as a Deputy Sheriff for Washington County for about 28 years.

2. I have traveled and am familiar with a road in Washington County known as SPANISH TRAIL ROAD. I am also familiar with the land the road traverses. I have traveled the road with my father for hunting and recreation, at various times since at least 1960. 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 SPANISH TRAIL 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 as early as 1960, and continuing through 1976

to the present. Throughout this time period I have observed travel on the road by trucks, jeeps, stock trucks, ATVs, and other motor vehicles. Throughout this time period, the road has been used at least weekly, weather permitting, for more than ten continuous years prior to 1976, and it is presently used on at least a weekly basis, as the weather permits.


4. Throughout the time period from 1970 to the present, I have used the road myself for livestock operations, recreation, wood gathering, hunting, and government access for my job, including search and rescue operations.

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 prospecting; trapping; government access; and recreation, such as camping, picnicking, hiking, sight seeing, and traveling 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 at least 1950 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

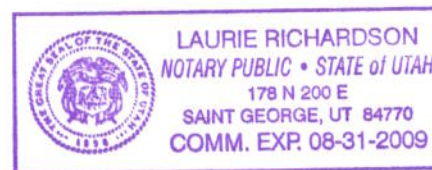
7. Prior to 1976, I occasionally observed county graders on the road. I personally observed and have been involved in calling Washington County road crews to the road due to floods and inclement weather. I observed general repairs and/or maintenance and construction of the road by Washington County. I observed cattle guards, berms, culverts, graded and raised surfaces, cuts and fills and flood repair work, as necessary.

DATED this 01 of May, 2007


KEVIN BROOKS

SUBSCRIBED AND SWORN to before me this 1st day of
May, 2007.


NOTARY PUBLIC

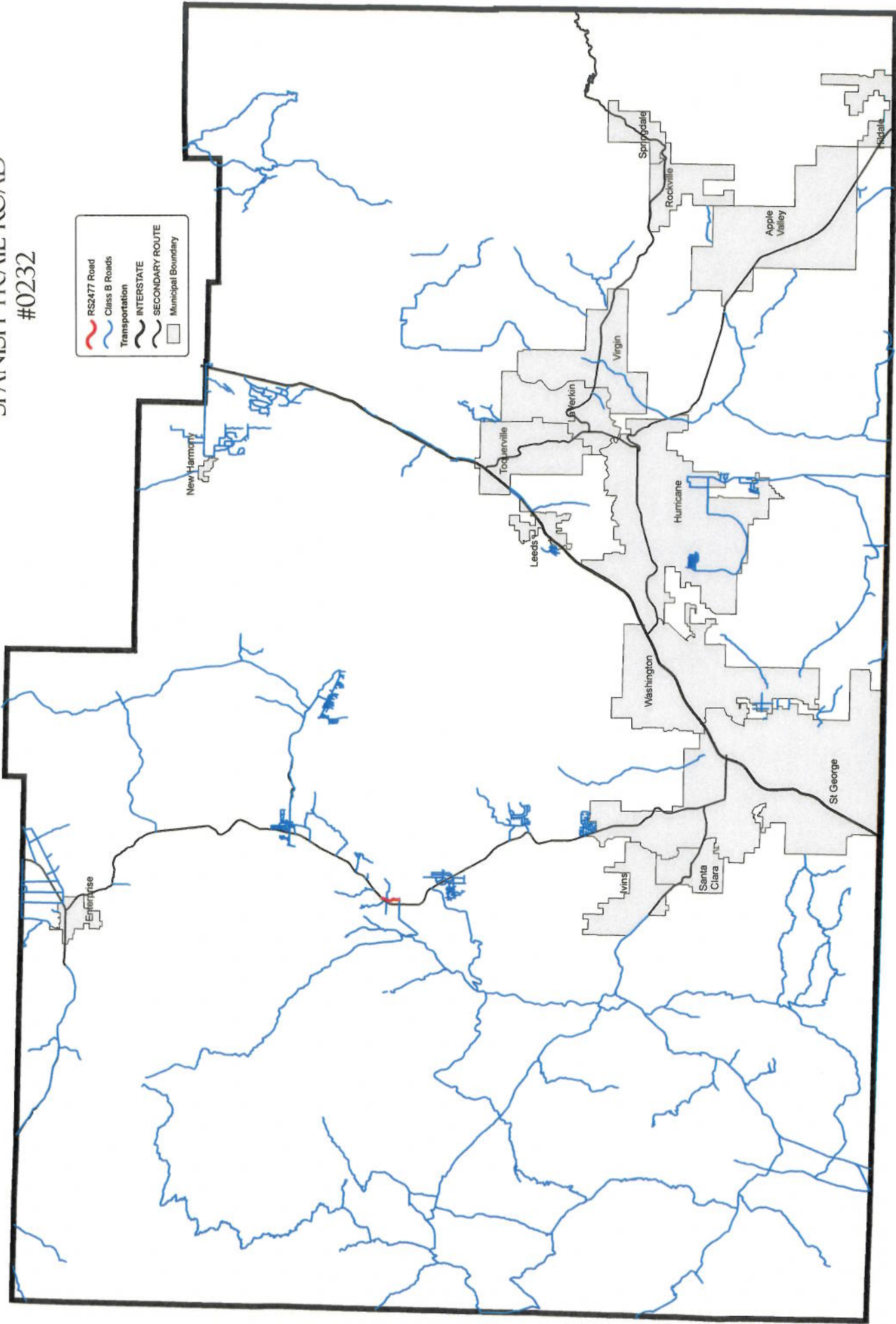


WASHINGTON COUNTY

SPANISH TRAIL ROAD

#0232

RS2477 Road
Class B Roads
Transportation
INTERSTATE
SECONDARY ROUTE
Municipal Boundary



AFFIDAVIT OF RYMAL J. HINTON
SPANISH TRAIL ROAD
COUNTY ROAD NUMBER 0232
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 SPANISH TRAIL 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 SPANISH TRAIL 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.

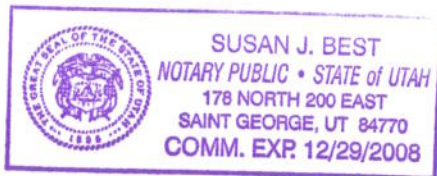
7. Prior to 1976, I occasionally observed graders and road crews from Washington County on the road. I observed general repairs and maintenance of the road.

I observed cattle guards, berms, cuts and fills, grader marks, culverts, flood repair work,
and gated areas, where necessary.

DATED this 12 of April, 2007.


RYMAL J. HINTON

SUBSCRIBED AND SWORN to before me this 12 day of
April, 2007.









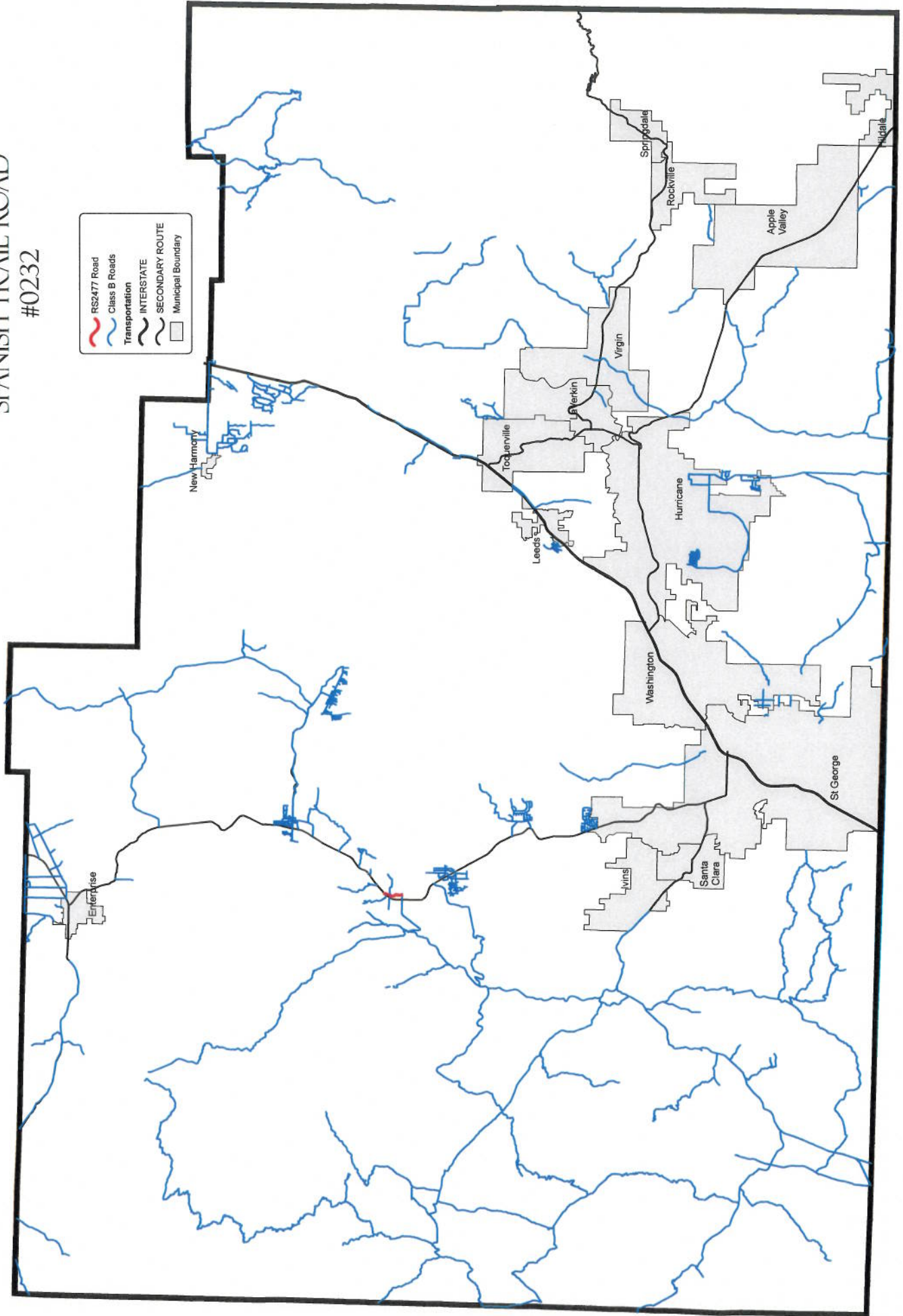

NOTARY PUBLIC

WASHINGTON COUNTY

SPANISH TRAIL ROAD

#0232

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



Appendix A to Attachment 4

Popular Name: SPANISH TRAIL ROAD

County: Washington

County Road Number: 0232

State Geographic Information Database (SGID) Road Identification Number: RD270861.

Road-Segment Number: 002

Road-Segment Length: 0.1 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) 31, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (SPANISH TRAIL ROAD)-- 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 37 degrees 20 minutes 55.76 seconds North Latitude and -113 degrees 41 minutes 16.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,004,439.5 feet and Y = 10,098,325.2 feet; thence the following courses along the said road center line:

thence North 22 Degrees 21 Minutes 50 Seconds East 28.1 feet
thence North 22 Degrees 16 Minutes 33 Seconds East 54.7 feet
thence North 22 Degrees 47 Minutes 22 Seconds East 62.7 feet
thence North 23 Degrees 31 Minutes 22 Seconds East 64.2 feet
thence North 21 Degrees 19 Minutes 25 Seconds East 56.1 feet
thence North 19 Degrees 18 Minutes 47 Seconds East 50.8 feet
thence North 16 Degrees 17 Minutes 46 Seconds East 48.3 feet
thence North 06 Degrees 26 Minutes 42 Seconds East 41.9 feet
thence North 09 Degrees 45 Minutes 11 Seconds West 35.9 feet
thence North 18 Degrees 25 Minutes 16 Seconds West 39 feet
thence North 27 Degrees 28 Minutes 19 Seconds West 27.3 feet

thence North 40 Degrees 05 Minutes 47 Seconds West 20.5 feet more or less to **the ending point at:** 37 degrees 21 minutes 00.66 seconds North Latitude and -113 degrees 41 minutes 15.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,004,532.1 feet and Y = 10,098,819.0 feet.