

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

Ent 147047 Bk 209 Pg 639
Date: 08-MAY-2008 1:25PM
Fee: None
Filed By: CB
COLLEEN BRINKERHOFF, Recorder
WAYNE COUNTY
For: 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Wayne County as it pertains to the highway located in Wayne County known as BICKNELL POND ROAD; County Road Number: 59; State Geographic Information Database (SGID) Road Identification Number: RD280335. Total road length is 0.36 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



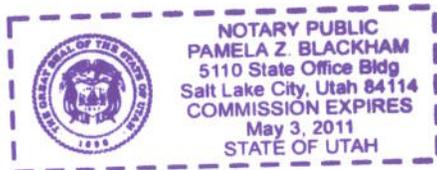
John Harja

CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

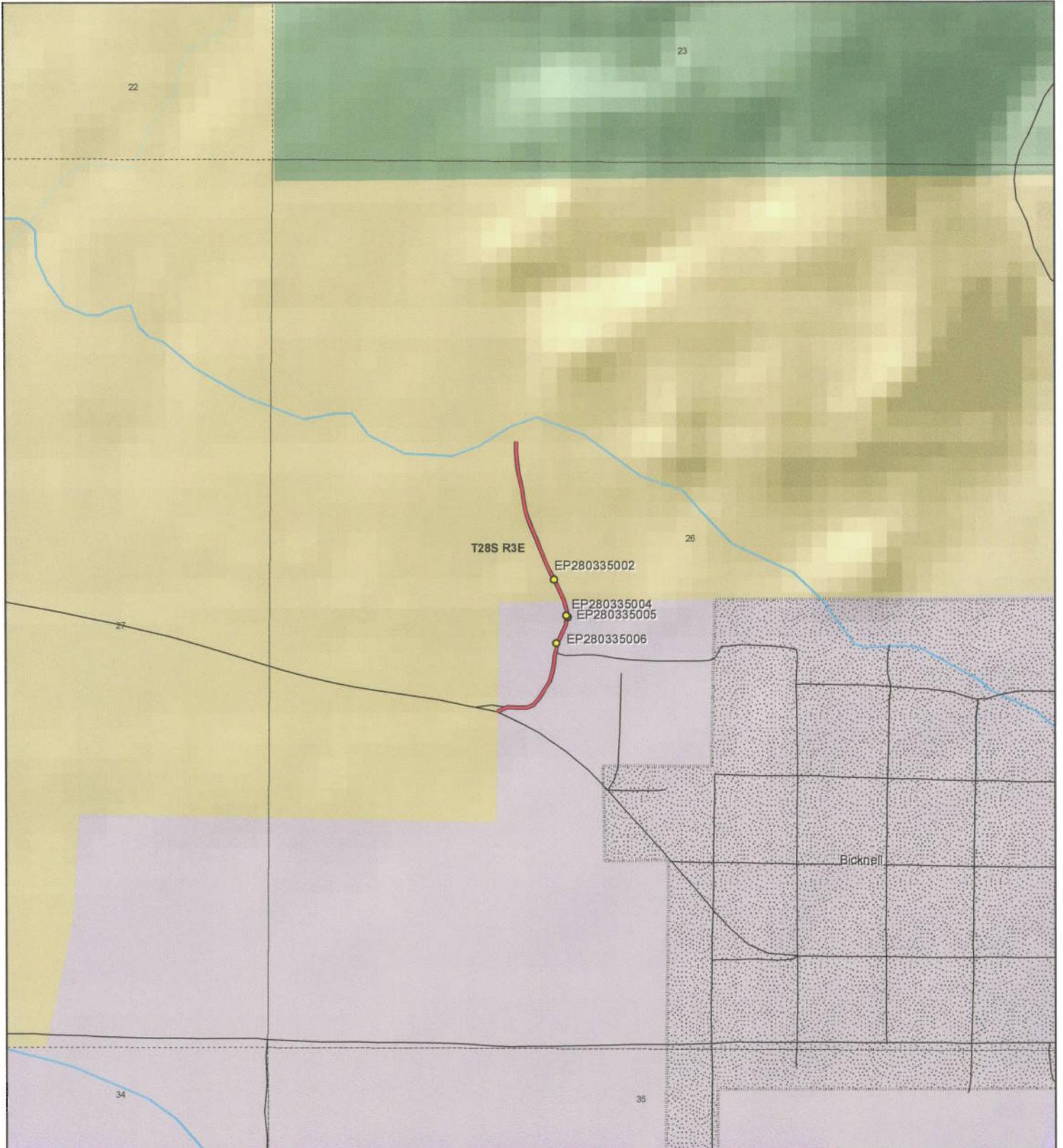
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to 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>1:9,367 1 inch equals 0.1 miles</p>		<p align="center">BICKNELL POND ROAD - Wayne County SGID RD_ID RD280335</p> <table border="0"> <tr> <th colspan="2">Land Ownership Categories</th> <th>Transportation Network</th> </tr> <tr> <td>● BLM</td> <td>◆ Wilderness</td> <td>— BICKNELL POND ROAD</td> </tr> <tr> <td>● Private</td> <td>◆ UDWR Wildlife Reserve</td> <td>— Title V, Issued Or Under Consideration By BLM Or County</td> </tr> <tr> <td>● SITLA, State Trust Land</td> <td>◆ DOD, Military</td> <td>— Other Roads</td> </tr> <tr> <td>● USFS, National Forest</td> <td>◆ State Sovereign Land</td> <td>● Photo Event Point</td> </tr> <tr> <td>● State Parks and Recreation</td> <td>◆ National Recreation Area</td> <td>□ Section = 1 Mile</td> </tr> <tr> <td>● Tribal, Indian Reservation</td> <td>◆ USFWS, Natl. Wildlife Refuge</td> <td></td> </tr> <tr> <td>● NPS, National Park</td> <td></td> <td></td> </tr> </table>	Land Ownership Categories		Transportation Network	● BLM	◆ Wilderness	— BICKNELL POND ROAD	● Private	◆ UDWR Wildlife Reserve	— Title V, Issued Or Under Consideration By BLM Or County	● SITLA, State Trust Land	◆ DOD, Military	— Other Roads	● USFS, National Forest	◆ State Sovereign Land	● Photo Event Point	● State Parks and Recreation	◆ National Recreation Area	□ Section = 1 Mile	● 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 Mar 17, 2008</p> 
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● NPS, National Park																											

Attachment 2



EP280335002



EP280335004



EP280335005



EP280335006

EP000000000

EP000000000

BICKNELL POND ROAD - Wayne County
SGID RD_ID RD280335

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
March 19, 2008



Attachment 3

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

Popular Name: BICKNELL POND ROAD

County: Wayne

County Road Number: 59

State Geographic Information Database (SGID) Road Identification Number: RD280335.

Total Road Length: 0.36 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 20 minutes 040.5 seconds North Latitude and -111 degrees 33 minutes 21.67 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,624,350.0 feet and Y = 10,453,484.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 20 minutes 56.51 seconds North Latitude and -111 degrees 33 minutes 20.38 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,624,453.8 feet and Y = 10,455,103.5 feet based on the US Survey Foot conversion.

This road may traverse:

Township 28 South Range 3 East, Section(s) 26, 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: BICKNELL POND ROAD

County: Wayne

County Road Number: 59

State Geographic Information Database (SGID) Road Identification Number: RD280335.

Total Road Length: 0.36 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
RD280335	001	PVT	0.17 Miles	(not shown)
RD280335	002	BLM	0.19 Miles	A
		Total Road Length	0.36	_____

* 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 JOHN D. JACKSON

BICKNELL POND ROAD

WAYNE COUNTY, UTAH

ROAD NUMBER 59

State of Utah)
 : ss.
County of Wayne)

JOHN D. JACKSON, 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 currently reside in Wayne County, Utah. I have lived in Wayne County for 58 years.

2. I have traveled and am familiar with a road in Wayne County known as Bicknell Pond Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 1997 when I last observed it. Attached is a Wayne County map showing Bicknell Pond 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.

3. I am informed that the County also identifies this road according to the road number listed above.

4. 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 the early 1950s and continuing through 1976 to 1997. Throughout this time period I have observed travel on the road by various means, including trucks, cars, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and was used daily in 1997.

5. Throughout the time period from the early 1950s to 1997, I have used the road myself for recreation.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: water diversion access, livestock operations.

7. 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 as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

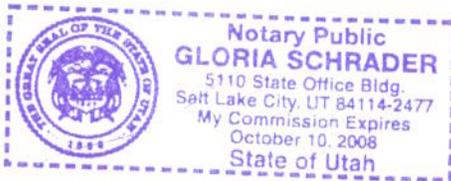
8. Prior to 1976, I observed the graded surface of the road.

DATED this 19 day of April, 2007.



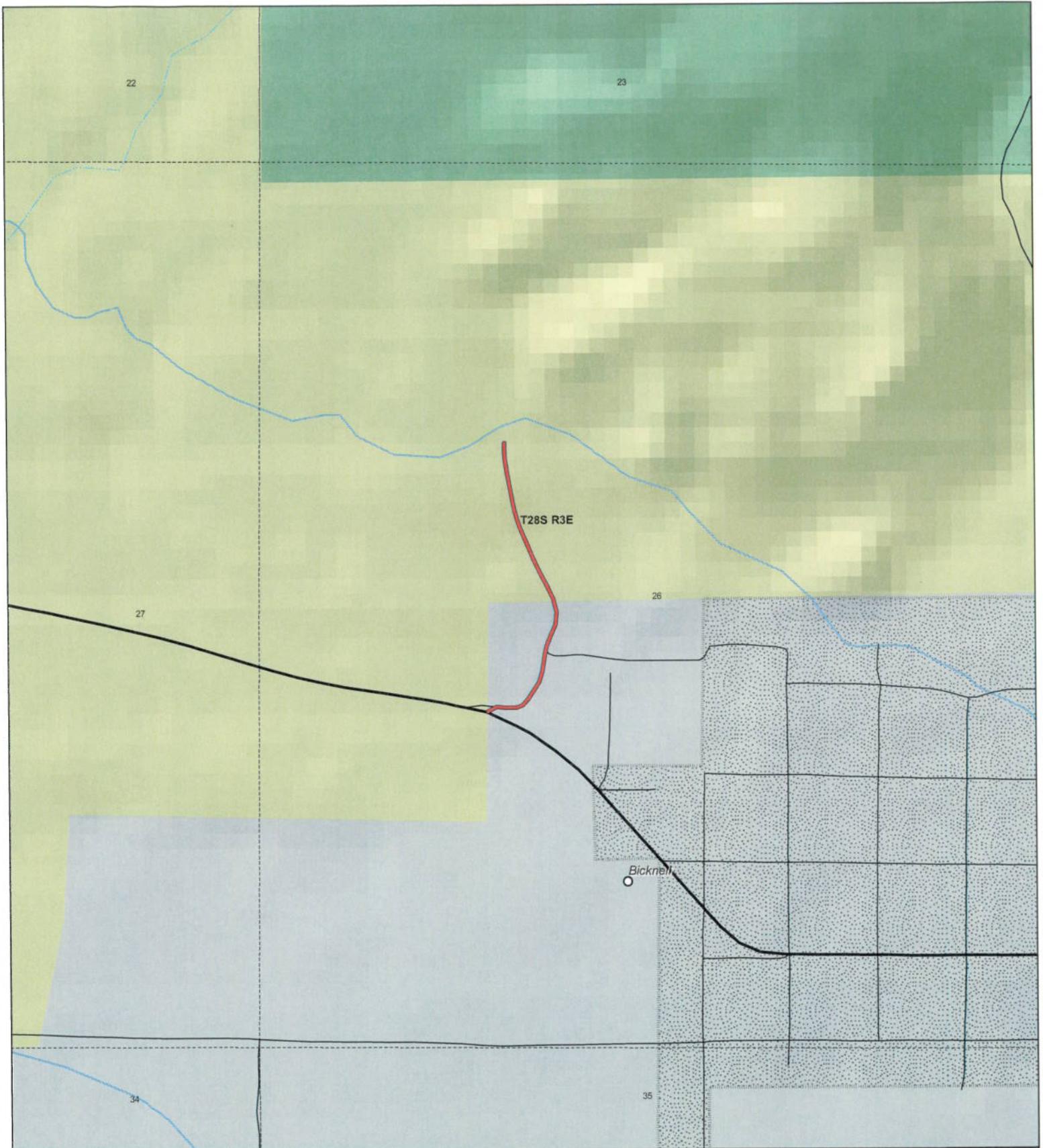
JOHN D. JACKSON

SUBSCRIBED AND SWORN to before me this 19th day of April, 2007.





NOTARY PUBLIC



T28S R3E

Bicknell

BICKNELL POND ROAD
County Unique - 59

Land Ownership Categories

- ◆ BLM
- ◆ Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ Wildlife Reserve
- ◆ National Park / Monument
- ◆ National Rec. Area

Transportation Network

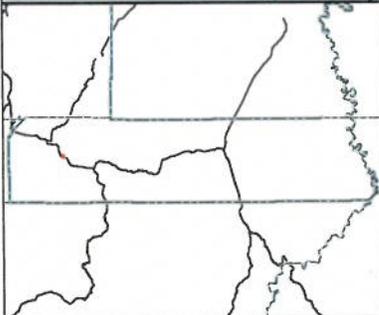
- BICKNELL POND ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities



1:9,214
1 inch equals 0.1 miles



Map prepared by the State of Utah
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 12, 2007



AFFIDAVIT OF TED R. TAYLOR

BICKNELL POND ROAD

WAYNE COUNTY, UTAH

ROAD NUMBER 59

State of Utah)
 : ss.
County of Wayne)

TED R. TAYLOR, 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 currently reside in Wayne County, Utah. I have lived in Wayne County for most of the past 55years. I have been employed by the Wayne County Road Department since 1982.

2. I have traveled and am familiar with a road in Wayne County known as Bicknell Pond Road. I am also familiar with the land the road traverses. When I first used and observed the road in the 1950s, it followed the same route as in 2007 when I last observed it. Attached is a Wayne County map showing Bicknell Pond 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.

3. I am informed that the County also identifies this road according to the road number listed above.

4. 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 the 1950s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for ten continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from the 1950s to 2007, I have used the road myself

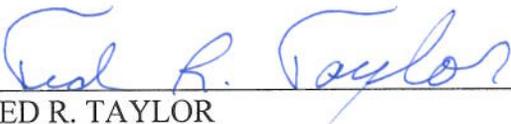
for the following uses: county road maintenance and traveling in and through the area.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: water access, livestock operations, hunting and wood gathering.

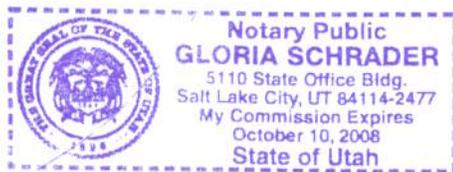
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally participated in maintenance and construction activities to upgrade and improve the road.

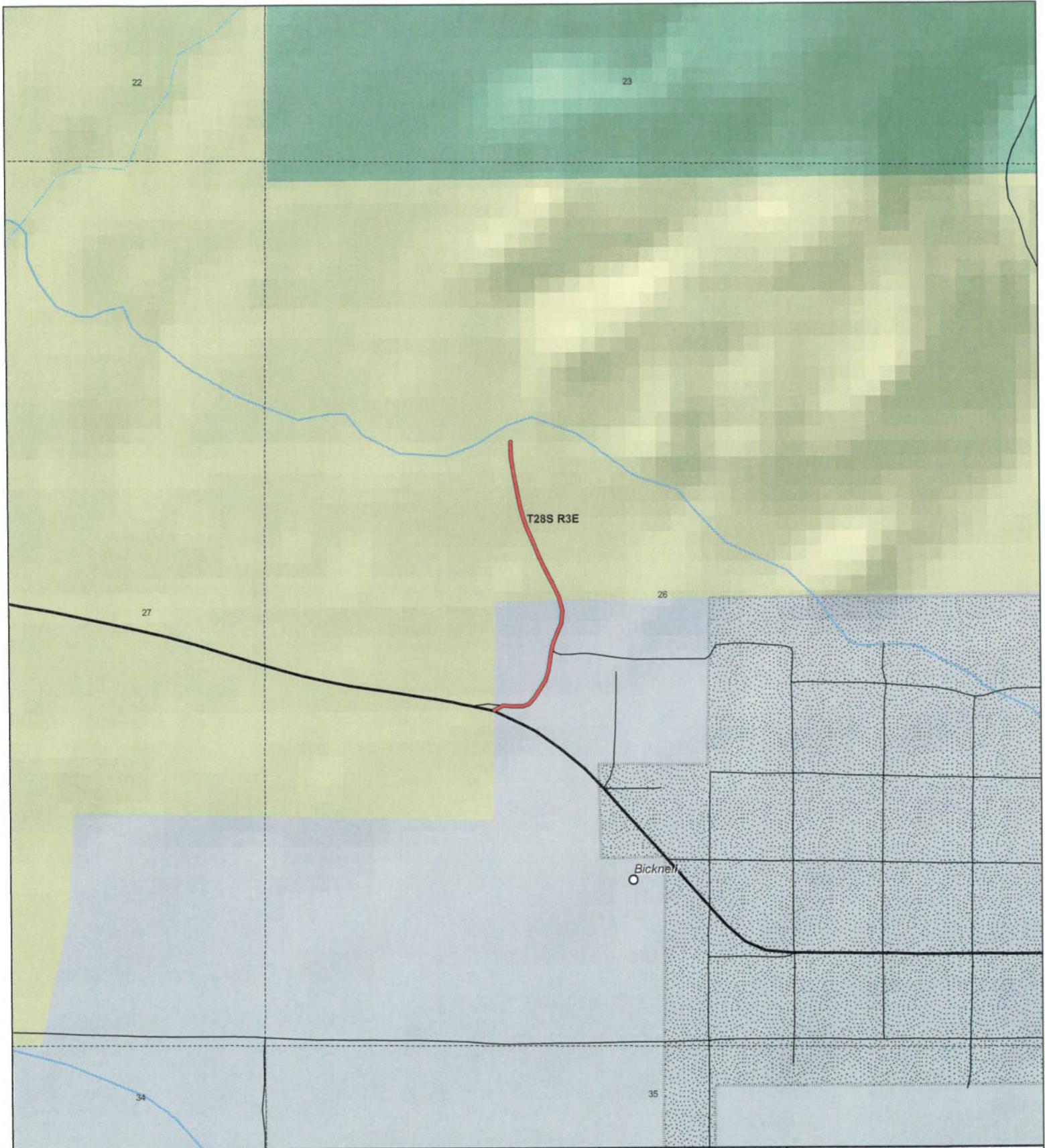
DATED this 18 day of April, 2007.


TED R. TAYLOR

SUBSCRIBED AND SWORN to before me this 18th day of April, 2007.




NOTARY PUBLIC



BICKNELL POND ROAD
County Unique - 59

Land Ownership Categories

- ◆ BLM
- ◆ Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ Wildlife Reserve
- ◆ National Park / Monument
- ◆ National Rec. Area

Transportation Network

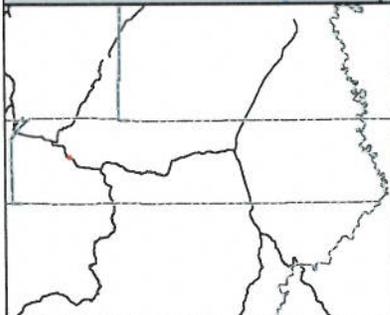
- BICKNELL POND ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section 1 Mile



1:9,214
1 inch equals 0.1 miles



Map prepared by the State of Utah
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 12, 2007



Ent 147047 Bk 0209 PGCS1

Appendix A to Attachment 4

Popular Name: BICKNELL POND ROAD

County: Wayne

County Road Number: 59

State Geographic Information Database (SGID) Road Identification Number: RD280335.

Road-Segment Number: 002

Road-Segment Length: 0.19 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 28 South Range 3 East, Section(s) 26, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (BICKNELL POND 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 38 degrees 20 minutes 47.07 seconds North Latitude and -111 degrees 33 minutes 016.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,624,746.2 feet and Y = 10,454,148.8 feet; thence the following courses along the said road center line:

thence North 15 Degrees 41 Minutes 14 Seconds West 14.8 feet
thence North 25 Degrees 00 Minutes 47 Seconds West 90.3 feet
thence North 27 Degrees 20 Minutes 15 Seconds West 91 feet
thence North 25 Degrees 43 Minutes 06 Seconds West 87.2 feet
thence North 22 Degrees 12 Minutes 23 Seconds West 73.9 feet
thence North 23 Degrees 02 Minutes 12 Seconds West 68 feet
thence North 23 Degrees 15 Minutes 15 Seconds West 58.1 feet
thence North 20 Degrees 22 Minutes 34 Seconds West 58.4 feet
thence North 15 Degrees 53 Minutes 18 Seconds West 56.2 feet
thence North 10 Degrees 27 Minutes 35 Seconds West 54 feet
thence North 09 Degrees 42 Minutes 57 Seconds West 54.2 feet

thence North 11 Degrees 44 Minutes 52 Seconds West 57.9 feet
thence North 12 Degrees 09 Minutes 49 Seconds West 54.3 feet
thence North 07 Degrees 57 Minutes 52 Seconds West 83.8 feet
thence North 03 Degrees 03 Minutes 31 Seconds West 41.1 feet
thence North 01 Degrees 37 Minutes 39 Seconds West 28.6 feet
thence North 00 Degrees 54 Minutes 29 Seconds East 15.4 feet
thence North 03 Degrees 10 Minutes 23 Seconds West 6.6 feet
thence North 00 Degrees 18 Minutes 38 Seconds West 10.2 feet
thence North 04 Degrees 07 Minutes 29 Seconds West 4.9 feet more or less to **the ending point**
at: 38 degrees 20 minutes 56.51 seconds North Latitude and -111 degrees 33 minutes 20.38 seconds West
Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet
coordinates of X = 1,624,453.8 feet and Y = 10,455,103.5 feet.