

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

Ent 147081 Bk 210 Pg 79  
Date: 08-MAY-2008 3:33PM  
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 CAINEVILLE GRAVEL PIT ROAD; County Road Number: 91\_4; State Geographic Information Database (SGID) Road Identification Number: RD280371. Total road length is 0.39 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

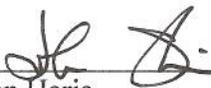
Internet at <http://recorded2477roads.utah.gov>.

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

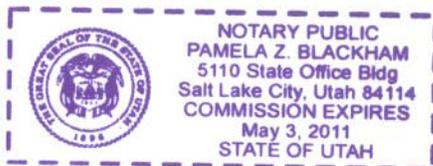
  
\_\_\_\_\_  
John Harja

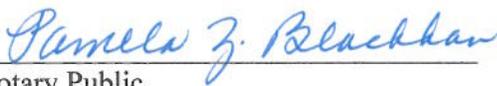
**CERTIFICATION**

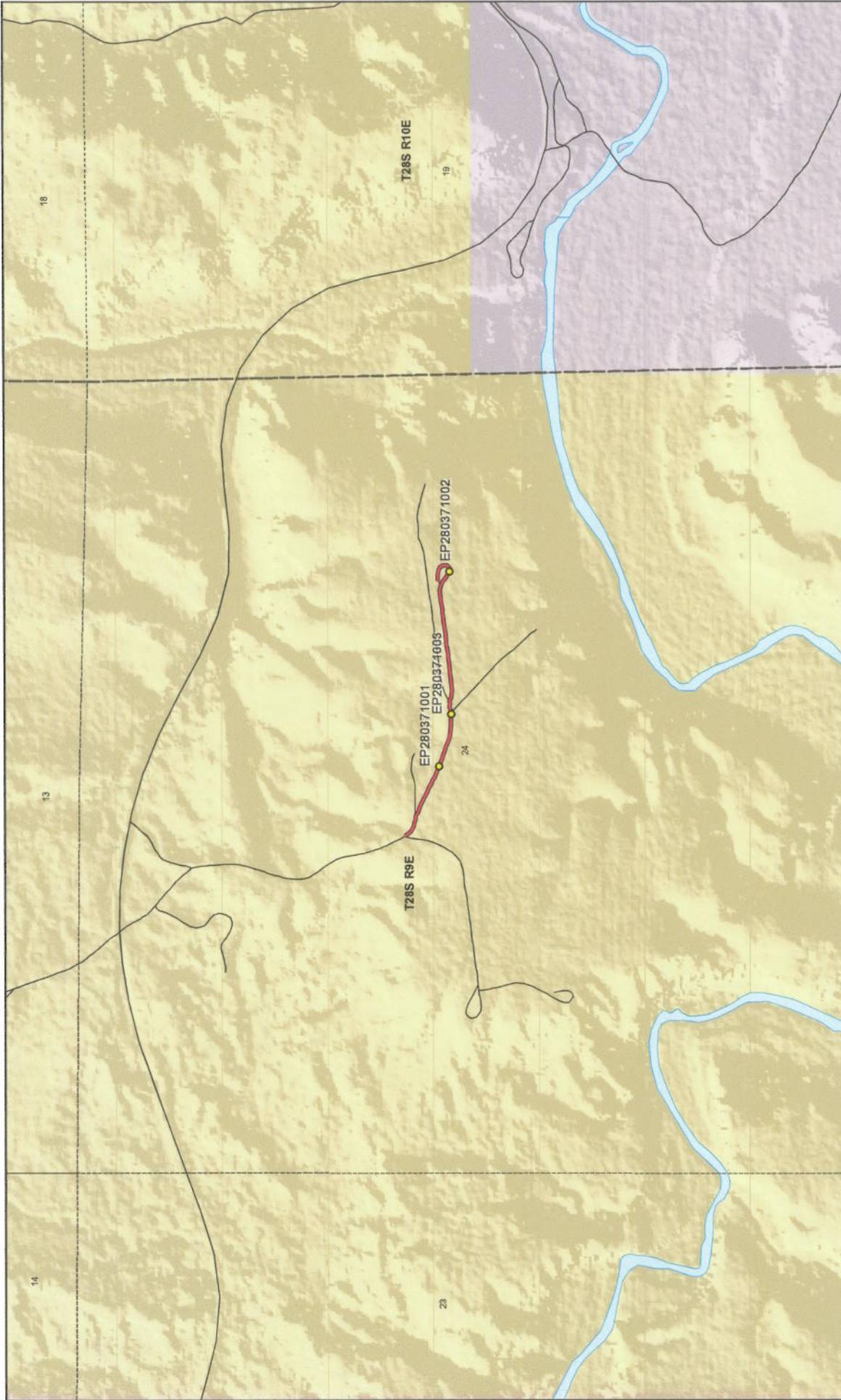
State of Utah                    )  
  : ss  
County of Salt Lake         )

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





1":10,592  
1 inch equals 0.2 miles



### Caineville Gravel Pit Road - Wayne County

#### SGID RD\_ID RD280371

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Mar 24, 2008



**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park

**Transportation Network**

- CAINEVILLE GRAVEL PIT ROAD
- Other Roads
- Title V: Issued Or Under Consideration By BLM Or County
- Photo Event Point
- Section = 1 Mile

**Wilderness**

- UDWR Wildlife Reserve
- DOD, Military
- State Sovereign Land
- National Recreation Area
- USFWS, Natl. Wildlife Refuge

Attachment 2



EP280371001



EP280371002



EP280371003

EP000000000

EP000000000

EP000000000

**CAINEVILLE GRAVEL PIT ROAD - Wayne County**  
**SGID RD\_ID RD280371**

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: CAINEVILLE GRAVEL PIT ROAD**

**County: Wayne**

**County Road Number: 91\_4**

**State Geographic Information Database (SGID) Road Identification Number: RD280371.**

**Total Road Length: 0.39 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 21 minutes 42.38 seconds North Latitude and -110 degrees 53 minutes 24.05 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,815,324.4 feet and Y = 10,460,310.0 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 21 minutes 40.19 seconds North Latitude and -110 degrees 53 minutes 02.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,817,017.2 feet and Y = 10,460,099.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 28 South Range 9 East, Section(s) 24, 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: CAINEVILLE GRAVEL PIT ROAD**

**County: Wayne**

**County Road Number: 91\_4**

**State Geographic Information Database (SGID) Road Identification Number: RD280371.**

**Total Road Length: 0.39 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>RD280371</b>	<b>001</b>	<b>BLM</b>	<b>0.39 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>0.39</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 JOHN D. JACKSON**  
**CAINEVILLE GRAVEL PIT ROAD**  
**WAYNE COUNTY, UTAH**  
**ROAD NUMBER 91\_4**

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 Caineville Gravel Pit 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 2007 when I last observed it. Attached is a Wayne County map showing Caineville Gravel Pit 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 1960s 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 more than ten continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from the early 1960s to 2007, I have used the road myself for livestock operations, hunting and trapping.

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: gravel pit access, rock hounding, recreation and traveling in and through the area.

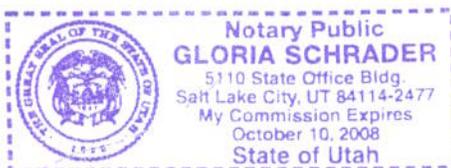
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

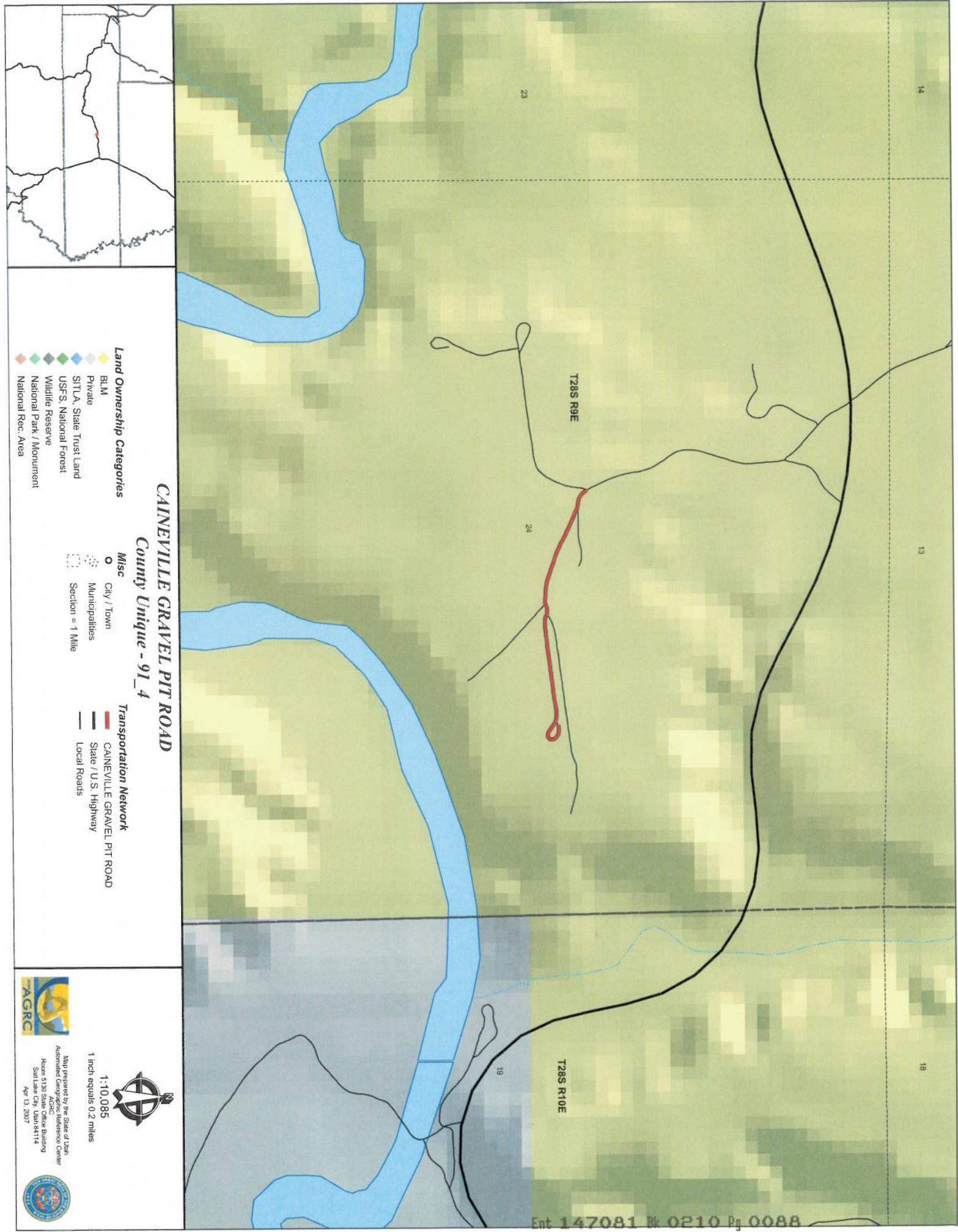
DATED this 19 day of April, 2007.

  
\_\_\_\_\_  
JOHN D. JACKSON

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



  
\_\_\_\_\_  
NOTARY PUBLIC



**Caineville Gravel Pit Road**  
**County Unique - 91\_4**

**Land Ownership Categories**

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

**Misc**

- City / Town
- Municipalities
- Section = 1 Mile

**Transportation Network**

- Caineville Gravel Pit Road
- State / U.S. Highway
- Local Roads

1:10,085

1 inch equals 0.2 miles



Map prepared by the State of Utah  
 Authorized Geog. ACIC  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Apr 13, 2007



**AFFIDAVIT OF DENNIS EKKER**  
**CAINEVILLE GRAVEL PIT ROAD**  
**WAYNE COUNTY, UTAH**  
**ROAD NUMBER 91\_4**

State of Utah                    )  
  : ss.  
County of Wayne                )

DENNIS EKKER, 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 almost 73 years.

2. I have traveled and am familiar with a road in Wayne County known Caineville Gravel Pit Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s, it followed the same route as in 2003 when I last observed it. Attached is a Wayne County map showing Caineville Gravel Pit 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 2003. 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 weekly for more than ten continuous years prior to 1976, and was used weekly.

5. Throughout the time period from the early 1950s to 2003, I have used the road myself for hunting.

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: gravel pit access, tourism, recreation.

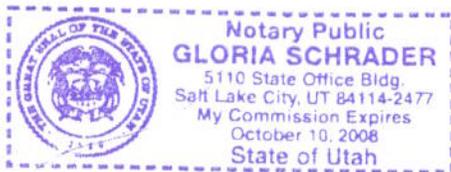
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed graders performing maintenance and construction activities on the road.

DATED this 19 day of April, 2007.

  
DENNIS EKKER

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



  
NOTARY PUBLIC



**CAINEVILLE GRAVEL PIT ROAD**

**County Unique - 91\_4**

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

- Misc**
- City / Town
  - Municipalities
  - Section = 1 Mile

- Transportation Network**
- CAINEVILLE GRAVEL PIT ROAD
  - State / U.S. Highway
  - Local Roads



1:10,085

1 inch equals 0.2 miles

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Apr 13, 2007



## Appendix A to Attachment 4

**Popular Name: CAINEVILLE GRAVEL PIT ROAD**

**County: Wayne**

**County Road Number: 91\_4**

**State Geographic Information Database (SGID) Road Identification Number: RD280371.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.39 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 9 East, Section(s) 24, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (CAINEVILLE GRAVEL PIT 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 38 degrees 21 minutes 42.38 seconds North Latitude and -110 degrees 53 minutes 24.05 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,815,324.4 feet and Y = 10,460,310.0 feet; thence the following courses along the said road center line:

thence South 34 Degrees 56 Minutes 47 Seconds East 21.9 feet  
thence South 42 Degrees 51 Minutes 30 Seconds East 27.2 feet  
thence South 53 Degrees 13 Minutes 56 Seconds East 18.5 feet  
thence South 63 Degrees 18 Minutes 34 Seconds East 19.5 feet  
thence South 76 Degrees 48 Minutes 35 Seconds East 25.3 feet  
thence South 79 Degrees 41 Minutes 08 Seconds East 21.4 feet  
thence South 80 Degrees 26 Minutes 22 Seconds East 15.3 feet  
thence South 81 Degrees 50 Minutes 03 Seconds East 15.6 feet  
thence South 55 Degrees 14 Minutes 45 Seconds East 22.9 feet  
thence South 69 Degrees 06 Minutes 41 Seconds East 34.5 feet  
thence South 66 Degrees 08 Minutes 19 Seconds East 28.1 feet

thence South 66 Degrees 14 Minutes 53 Seconds East 20.1 feet  
 thence South 66 Degrees 59 Minutes 15 Seconds East 20.7 feet  
 thence South 63 Degrees 21 Minutes 11 Seconds East 21.7 feet  
 thence South 63 Degrees 21 Minutes 11 Seconds East 21.7 feet  
 thence South 67 Degrees 20 Minutes 30 Seconds East 21 feet  
 thence South 62 Degrees 57 Minutes 20 Seconds East 21.4 feet  
 thence South 63 Degrees 21 Minutes 11 Seconds East 21.7 feet  
 thence South 63 Degrees 21 Minutes 11 Seconds East 21.7 feet  
 thence South 59 Degrees 11 Minutes 47 Seconds East 22.2 feet  
 thence South 66 Degrees 14 Minutes 53 Seconds East 20.1 feet  
 thence South 66 Degrees 08 Minutes 19 Seconds East 28.1 feet  
 thence South 68 Degrees 36 Minutes 59 Seconds East 31.1 feet  
 thence South 69 Degrees 16 Minutes 04 Seconds East 22.9 feet  
 thence South 70 Degrees 58 Minutes 14 Seconds East 19.8 feet  
 thence South 71 Degrees 20 Minutes 06 Seconds East 22.2 feet  
 thence South 70 Degrees 14 Minutes 57 Seconds East 22 feet  
 thence South 71 Degrees 03 Minutes 21 Seconds East 21.9 feet  
 thence South 72 Degrees 19 Minutes 05 Seconds East 26.6 feet  
 thence South 68 Degrees 30 Minutes 14 Seconds East 26.5 feet  
 thence South 70 Degrees 47 Minutes 22 Seconds East 27.5 feet  
 thence South 76 Degrees 25 Minutes 14 Seconds East 30.1 feet  
 thence South 81 Degrees 25 Minutes 29 Seconds East 31.9 feet  
 thence South 84 Degrees 25 Minutes 10 Seconds East 32 feet  
 thence South 88 Degrees 02 Minutes 41 Seconds East 25 feet  
 thence South 88 Degrees 35 Minutes 44 Seconds East 22 feet  
 thence South 84 Degrees 39 Minutes 25 Seconds East 30 feet  
 thence North 81 Degrees 50 Minutes 28 Seconds East 9.6 feet  
 thence North 68 Degrees 37 Minutes 32 Seconds East 42.9 feet  
 thence South 76 Degrees 48 Minutes 34 Seconds East 16.9 feet  
 thence North 78 Degrees 23 Minutes 04 Seconds East 20.1 feet  
 thence South 58 Degrees 13 Minutes 23 Seconds East 26 feet  
 thence South 80 Degrees 41 Minutes 08 Seconds East 19.6 feet  
 thence South 88 Degrees 14 Minutes 07 Seconds East 27.3 feet  
 thence North 88 Degrees 04 Minutes 24 Seconds East 34.8 feet  
 thence North 81 Degrees 39 Minutes 31 Seconds East 28.2 feet  
 thence North 84 Degrees 40 Minutes 53 Seconds East 18.8 feet  
 thence North 79 Degrees 54 Minutes 43 Seconds East 19.3 feet  
 thence North 84 Degrees 51 Minutes 02 Seconds East 19.4 feet  
 thence North 84 Degrees 51 Minutes 02 Seconds East 19.4 feet  
 thence North 85 Degrees 00 Minutes 31 Seconds East 20.1 feet  
 thence North 80 Degrees 23 Minutes 04 Seconds East 20.3 feet  
 thence North 85 Degrees 00 Minutes 31 Seconds East 20.1 feet  
 thence North 80 Degrees 23 Minutes 04 Seconds East 20.3 feet  
 thence North 85 Degrees 05 Minutes 02 Seconds East 20.4 feet  
 thence North 80 Degrees 31 Minutes 55 Seconds East 20.6 feet  
 thence North 80 Degrees 31 Minutes 55 Seconds East 20.6 feet  
 thence North 85 Degrees 05 Minutes 02 Seconds East 20.4 feet  
 thence North 80 Degrees 23 Minutes 04 Seconds East 20.3 feet  
 thence North 84 Degrees 55 Minutes 51 Seconds East 19.8 feet

thence North 80 Degrees 04 Minutes 29 Seconds East 19.6 feet  
 thence North 84 Degrees 55 Minutes 51 Seconds East 19.8 feet  
 thence North 80 Degrees 13 Minutes 56 Seconds East 20 feet  
 thence North 85 Degrees 00 Minutes 31 Seconds East 20.1 feet  
 thence North 80 Degrees 23 Minutes 04 Seconds East 20.3 feet  
 thence North 79 Degrees 18 Minutes 20 Seconds East 20 feet  
 thence North 85 Degrees 56 Minutes 34 Seconds East 20.1 feet  
 thence North 84 Degrees 55 Minutes 51 Seconds East 19.8 feet  
 thence North 80 Degrees 04 Minutes 29 Seconds East 19.6 feet  
 thence North 84 Degrees 51 Minutes 02 Seconds East 19.4 feet  
 thence North 79 Degrees 34 Minutes 11 Seconds East 28 feet  
 thence North 79 Degrees 00 Minutes 34 Seconds East 35.4 feet  
 thence North 82 Degrees 42 Minutes 48 Seconds East 32.4 feet  
 thence North 86 Degrees 25 Minutes 26 Seconds East 34.5 feet  
 thence South 78 Degrees 59 Minutes 43 Seconds East 31.8 feet  
 thence South 62 Degrees 26 Minutes 18 Seconds East 32.3 feet  
 thence South 55 Degrees 31 Minutes 39 Seconds East 28.8 feet  
 thence South 52 Degrees 29 Minutes 56 Seconds East 24.1 feet  
 thence South 60 Degrees 14 Minutes 12 Seconds East 21.6 feet  
 thence South 85 Degrees 14 Minutes 30 Seconds East 26 feet  
 thence North 52 Degrees 31 Minutes 48 Seconds East 25.5 feet  
 thence North 00 Degrees 18 Minutes 19 Seconds West 28.9 feet  
 thence North 38 Degrees 57 Minutes 54 Seconds West 21 feet  
 thence North 57 Degrees 01 Minutes 49 Seconds West 25.1 feet  
 thence North 79 Degrees 06 Minutes 16 Seconds West 33.8 feet  
 thence South 85 Degrees 25 Minutes 36 Seconds West 22.1 feet  
 thence South 83 Degrees 37 Minutes 19 Seconds West 15.5 feet more or less to **the ending**

**point at:** 38 degrees 21 minutes 40.19 seconds North Latitude and -110 degrees 53 minutes 02.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,817,017.2 feet and Y = 10,460,099.1 feet.