

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

Ent 129732 Bk 675 Pg 486  
Date: 23-JUN-2008 12:37PM  
Fee: None  
Filed By: KR  
VIKKI BARNETT, Recorder  
CARBON COUNTY CORPORATION  
For: UTAH STATE

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Carbon County as it pertains to the highway located in Carbon County known as GORDON CREEK ROAD; County Road Number: 358; State Geographic Information Database (SGID) Road Identification Number: RD040012. Total road length is 4.05 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 17<sup>th</sup> day of June, 2008.

By the Governor's Designee

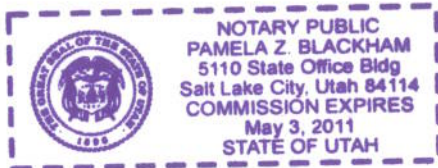
  
\_\_\_\_\_  
John Harja


**CERTIFICATION**

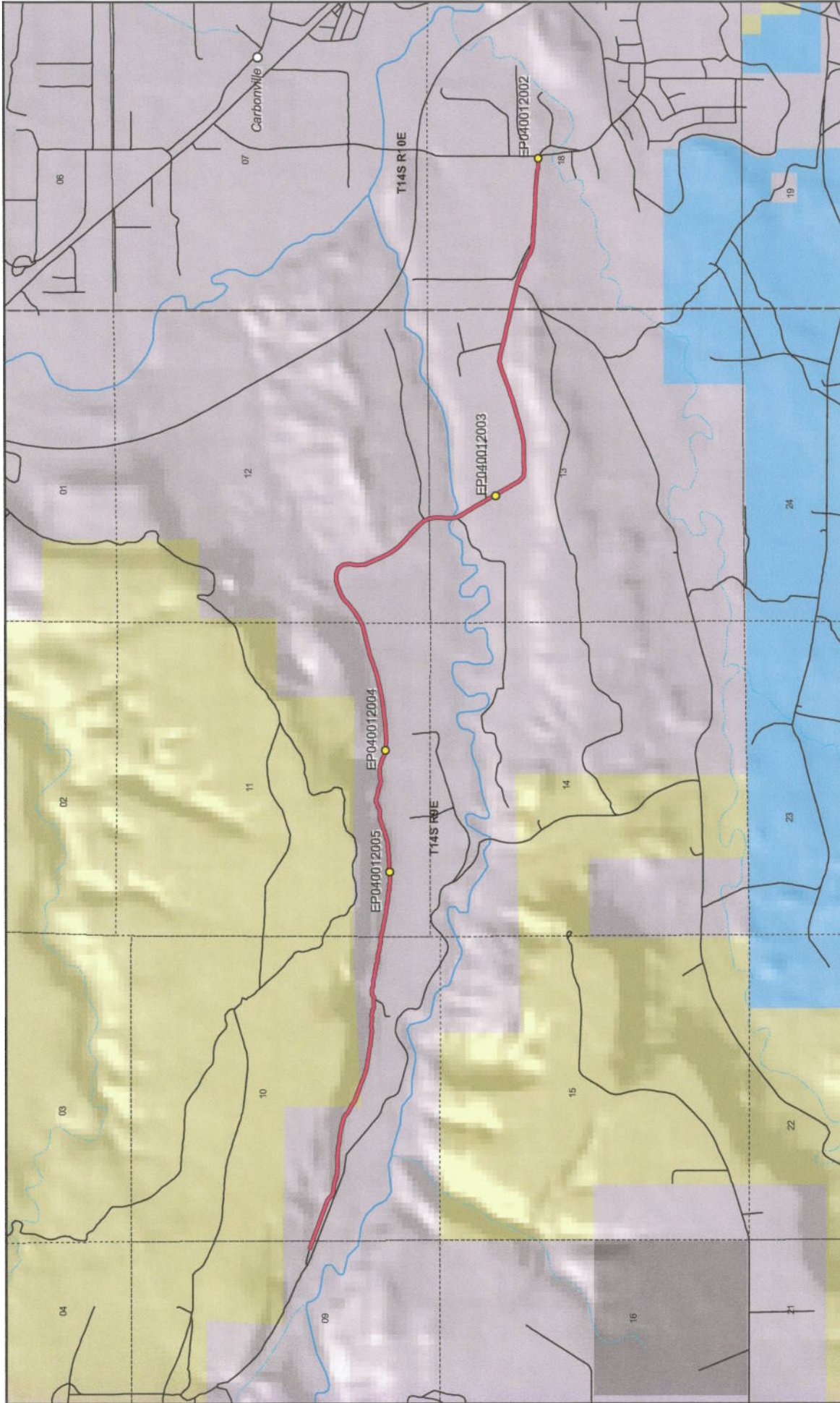
State of Utah                    )  
  : ss  
County of Salt Lake         )

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 17<sup>th</sup> day of June, 2008.



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





1:27,242  
1 inch equals 0.4 miles



### GORDON CREEK ROAD - Carbon County

#### SGID RD\_ID RD040012

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City 84114  
Jun 12, 2008



**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park
- Wilderness
- UDWR Wildlife Reserve
- DOD, Military
- State Sovereign Land
- National Recreation Area
- USFWS, Natl. Wildlife Refuge

**Transportation Network**

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

Attachment 2



EP040012002



EP040012003



EP040012004



EP040012005

EP000000000

EP000000000

**GORDON CREEK ROAD - Carbon County**  
**SGID RD\_ID RD040012**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
June 13, 2008



## Attachment 3

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

**Popular Name: GORDON CREEK ROAD**

**County: Carbon**

**County Road Number: 358**

**State Geographic Information Database (SGID) Road Identification Number: RD040012.**

**Total Road Length: 4.05 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 37 minutes 16.07 seconds North Latitude and -110 degrees 54 minutes 37.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,806,458.6 feet and Y = 7,031,272.0 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 36 minutes 36.75 seconds North Latitude and -110 degrees 50 minutes 40.34 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,825,073.4 feet and Y = 7,027,423.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 14 South Range 10 East, Section(s) 18, Salt Lake Base & Meridian

Township 14 South Range 9 East, Section(s) 9,10,11,12,13, 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: GORDON CREEK ROAD**

**County: Carbon**

**County Road Number: 358**

**State Geographic Information Database (SGID) Road Identification Number: RD040012.**

**Total Road Length: 4.05 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>RD040012</b>	<b>001</b>	<b>PVT</b>	<b>0.49 Miles</b>	<b>(not shown)</b>
<b>RD040012</b>	<b>002</b>	<b>BLM</b>	<b>0.07 Miles</b>	<b>A</b>
<b>RD040012</b>	<b>003</b>	<b>PVT</b>	<b>3.49 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>4.05</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 RAYMOND B. HANSON**

**GORDON CREEK ROAD**

**CARBON COUNTY, UTAH**

**COUNTY ROAD NUMBER 358**

State of Utah                    )  
  : ss  
County of Carbon                )

Raymond B. Hanson, 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 Carbon County, Utah. I have lived in Carbon County for 63 years. I was employed by the Carbon County Road Department from 1971 to 1976 and have been employed by the Carbon County Road Department since 1987 to the present. I have been the Carbon County Road Supervisor since January of 1991.

2. I have traveled and am familiar with a road in Carbon County known as Gordon Creek Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1955, it followed the same route as in 2007, when I last observed it. Attached is a Carbon County map showing Gordon Creek 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 identifies this road according to the road number described 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 1955 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including:



ATV, pickup, jeeps, automobile, gravel truck, loader and road grader. Throughout this time period, the road has been used daily for more than 10 continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from 1955 to 2007, I have used the road myself for the following uses: road maintenance, tourism, recreation, traveling in and through the area and hunting.

6. 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 the following uses: mining, farming, livestock operations, prospecting for minerals, oil and gas exploration, school bus travel and residential access.

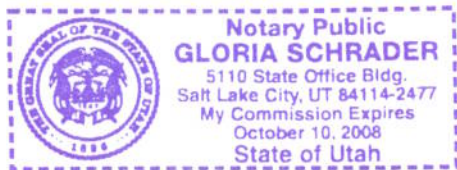
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I personally performed maintenance and construction activities on the road.

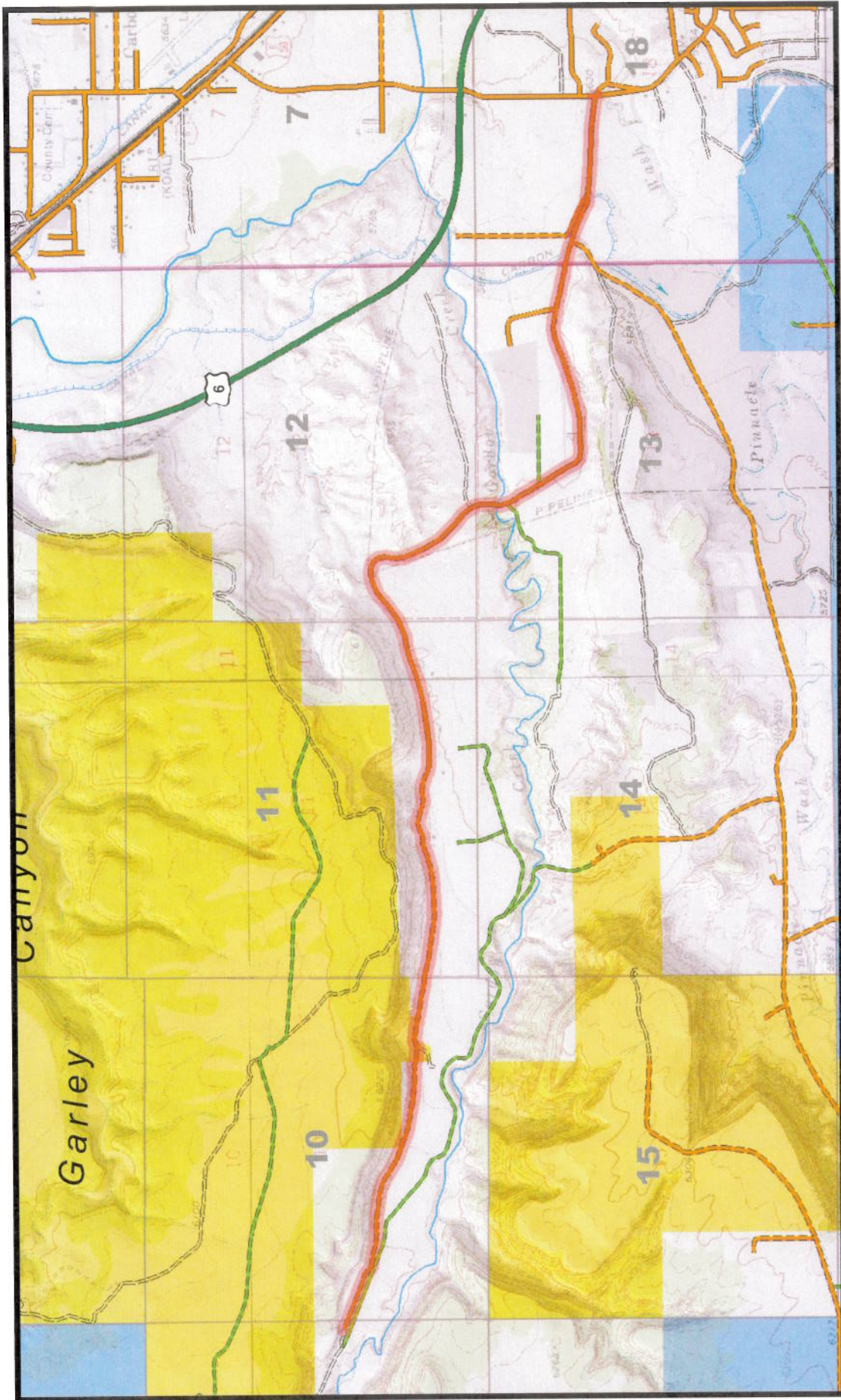
Dated this 6 day of November, 2007.

  
RAYMOND B. HANSON

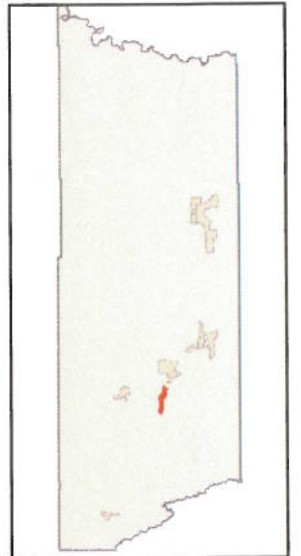
SUBSCRIBED AND SWORN TO before me this 6<sup>th</sup> day of November, 2007.



  
Notary Public



**358  
GORDON CREEK RD**



**AFFIDAVIT OF CLAYTON A. CAMPBELL**

**GORDON CREEK ROAD**

**CARBON COUNTY, UTAH**

**COUNTY ROAD NUMBER 358**

State of Utah                    )  
  : ss  
County of Carbon                )

Clayton A. Campbell, 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 Wellington, Carbon County, Utah. I have lived in Carbon County almost all of my life since 1944.

2. I have traveled and am familiar with a road in Carbon County known as Gordon Creek 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 2007, when I last observed it. Attached is a Carbon County map showing Gordon Creek 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 identifies this road according to the road number described 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 2007. Throughout this time period I have observed travel on the road by various means, including pickups, cars, oil field vehicles, jeeps and ATVs. 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 1950s to 2007, I have used the road myself for recreation and hunting.

6. 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 livestock operations, oil and gas exploration and development, farming and government access.

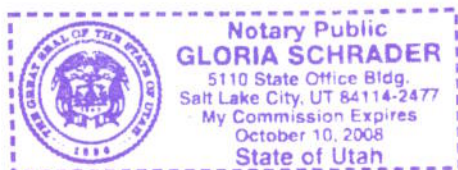
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to 2007, for the uses described in the previous paragraphs.

8. Prior to 1976 I observed the graded surface of the road and other evidence of construction and maintenance such as berms along the road.

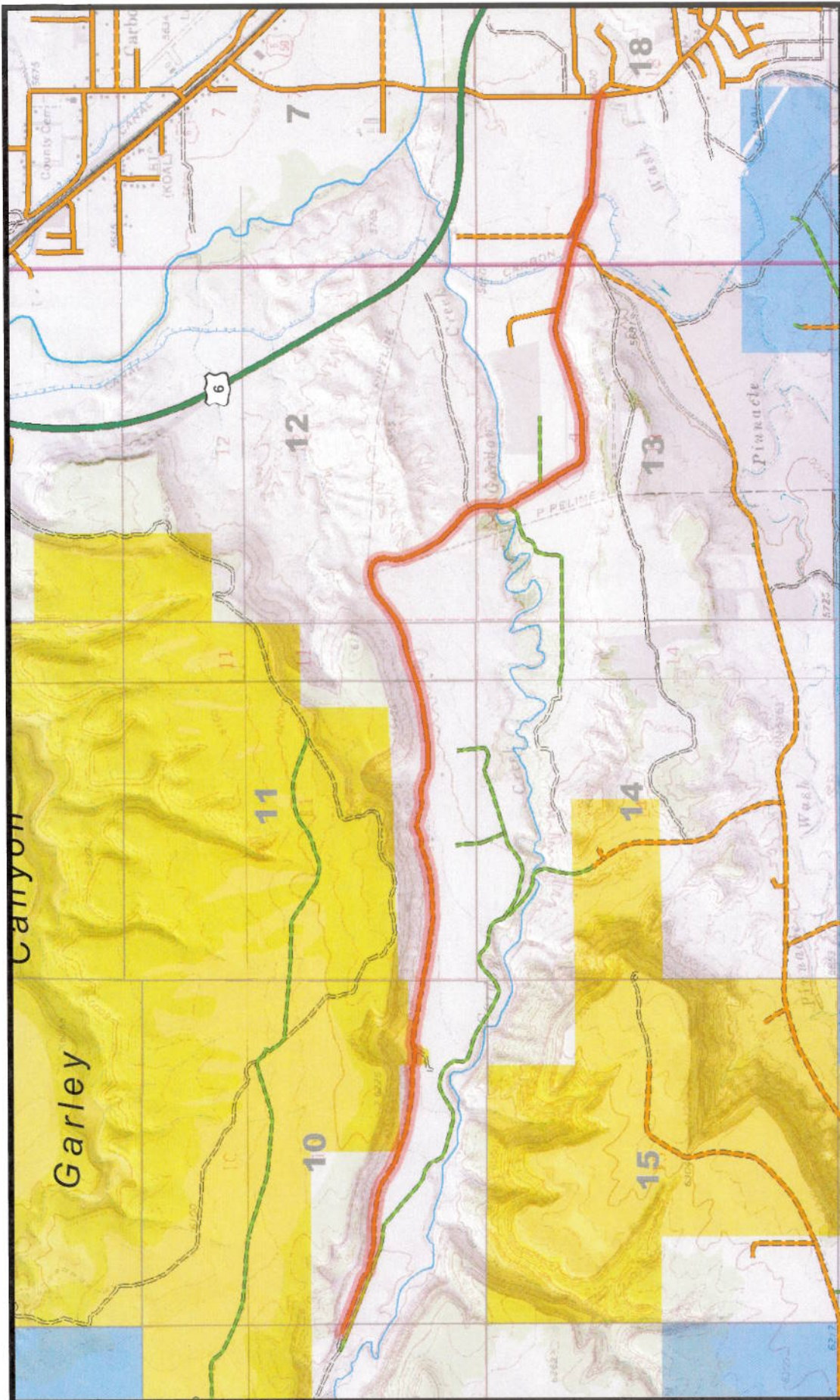
Dated this 5 day of November, 2007.

  
CLAYTON A. CAMPBELL

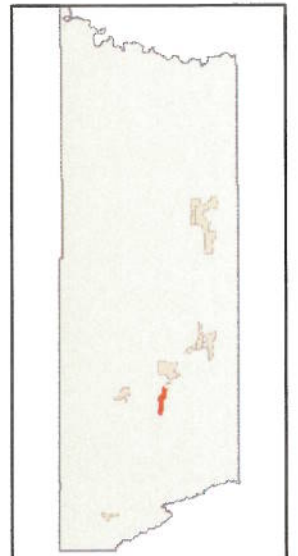
SUBSCRIBED AND SWORN TO before me this 5<sup>th</sup> day of November, 2007.



  
Notary Public



**358  
GORDON CREEK RD**



## Appendix A to Attachment 4

**Popular Name: GORDON CREEK ROAD**

**County: Carbon**

**County Road Number: 358**

**State Geographic Information Database (SGID) Road Identification Number: RD040012.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.07 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 14 South Range 9 East, Section(s) 10, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (GORDON CREEK 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 39 degrees 37 minutes 08.94 seconds North Latitude and -110 degrees 54 minutes 06.86 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,808,890.3 feet and Y = 7,030,567.4 feet; thence the following courses along the said road center line:

thence South 61 Degrees 22 Minutes 27 Seconds East 15.2 feet

thence South 52 Degrees 06 Minutes 35 Seconds East 94.8 feet

thence South 69 Degrees 36 Minutes 35 Seconds East 259 feet

thence South 74 Degrees 50 Minutes 57 Seconds East 3.8 feet more or less to **the ending point**

**at:** 39 degrees 37 minutes 07.37 seconds North Latitude and -110 degrees 54 minutes 2.6 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,809,224.9 feet and Y = 7,030,410.6 feet.