

Ent 129744 Bk 675 Pg 642
Date: 23-JUN-2008 12:59PM
Fee: None
Filed By: KR
VIKKI BARNETT, Recorder
CARBON COUNTY CORPORATION
For: UTAH STATE

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

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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 EAST COAL CREEK ROAD; County Road Number: 472A; State Geographic Information Database (SGID) Road Identification Number: RD040024. Total road length is 3.17 miles more or less.

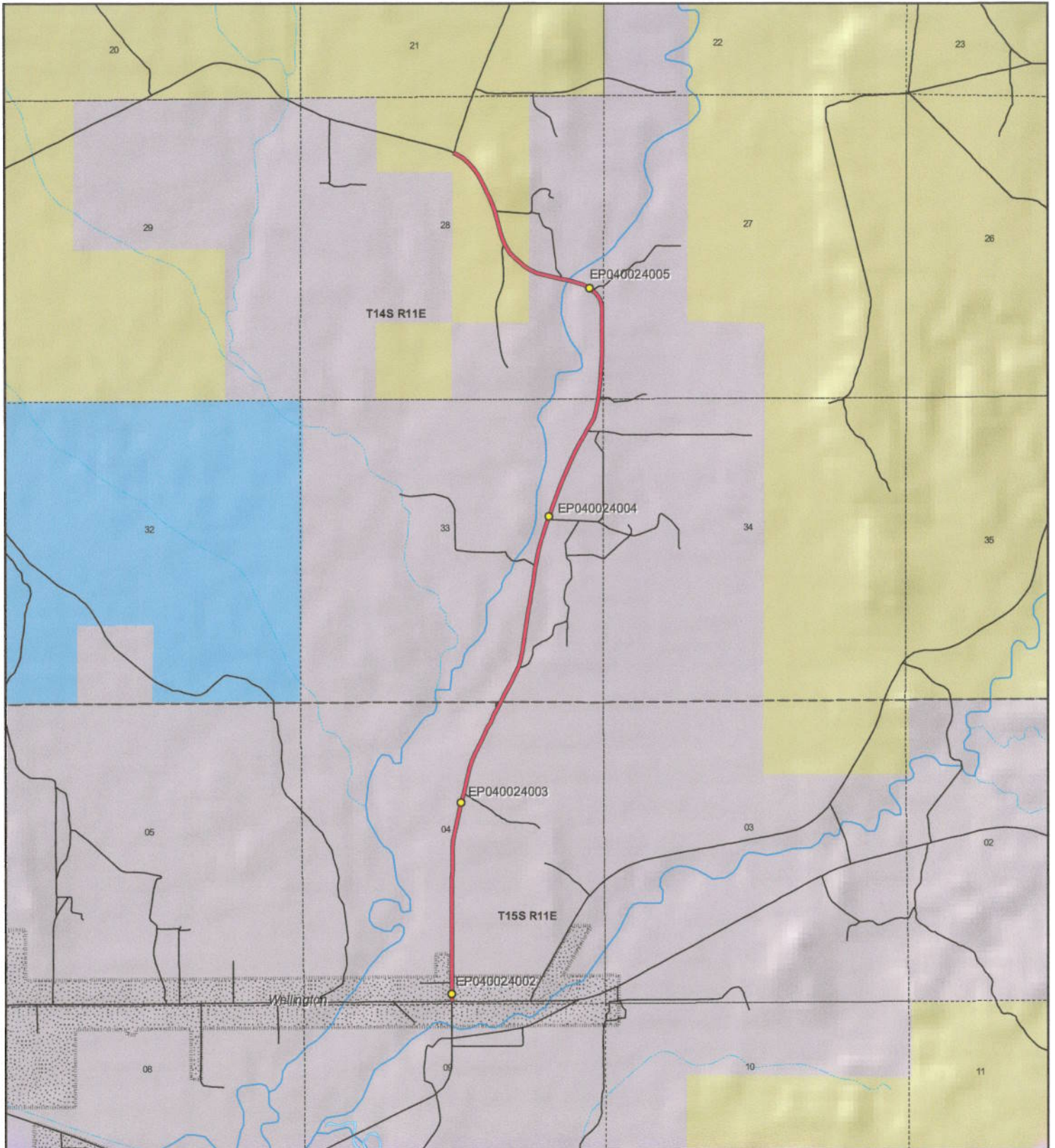
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) 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



EAST COAL CREEK ROAD - Carbon County
SGID RD_ID RD040024

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

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

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



1:27,500
 1 inch equals 0.4 miles



Attachment 2



EP040024002



EP040024003



EP040024004



EP040024005

EP000000000

EP000000000

EAST COAL CREEK ROAD - Carbon County
SGID RD_ID RD040024



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: EAST COAL CREEK ROAD

County: Carbon

County Road Number: 472A

State Geographic Information Database (SGID) Road Identification Number: RD040024.

Total Road Length: 3.17 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 32 minutes 33.25 seconds North Latitude and -110 degrees 41 minutes 35.35 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,867,943.1 feet and Y = 7,003,137.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 35 minutes 0.7 seconds North Latitude and -110 degrees 41 minutes 34.14 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,867,903.5 feet and Y = 7,018,055.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 14 South Range 11 East, Section(s) 28,33, Salt Lake Base & Meridian

Township 15 South Range 11 East, Section(s) 4, 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: EAST COAL CREEK ROAD

County: Carbon

County Road Number: 472A

State Geographic Information Database (SGID) Road Identification Number: RD040024.

Total Road Length: 3.17 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
RD040024	001	PVT	2.7 Miles	(not shown)
RD040024	002	BLM	0.47 Miles	A
		Total Road Length	3.17	_____

* 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

EAST COAL CREEK ROAD

CARBON COUNTY, UTAH

COUNTY ROAD NUMBER 472A

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 East Coal 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 East Coal 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, jeeps, pickup, 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, ranching, farming, prospecting for minerals, oil and gas exploration, wood gathering, logging and residential access.

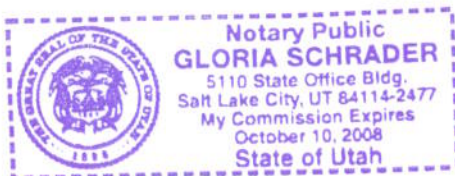
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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.

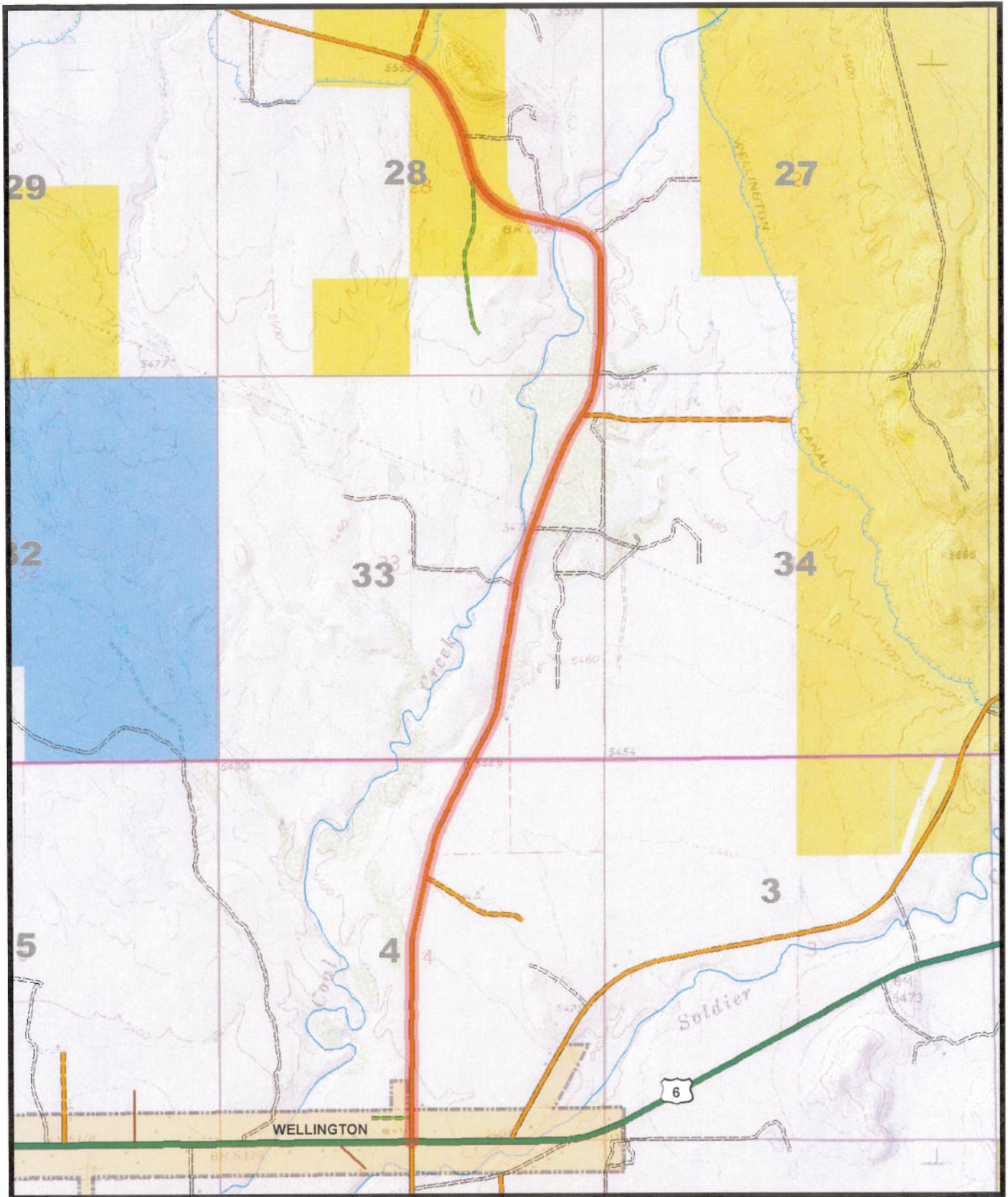
Dated this 6 day of November, 2007.


RAYMOND B. HANSON

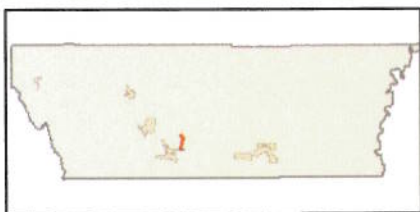
SUBSCRIBED AND SWORN TO before me this 6th day of November, 2007.




Notary Public



**472A
EAST COAL CREEK**



AFFIDAVIT OF CLAYTON A. CAMPBELL

EAST COAL CREEK ROAD

CARBON COUNTY, UTAH

COUNTY ROAD NUMBER 472A

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 East Coal 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 East Coal 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, oil field equipment, cars, 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 livestock operations, recreation and residential access.

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 oil and gas exploration and development, farming, government access and residential access and access to private property.

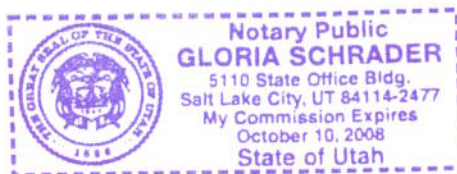
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to 2007, for the uses described in the previous paragraphs.

8. Prior to 1976 the road was paved.

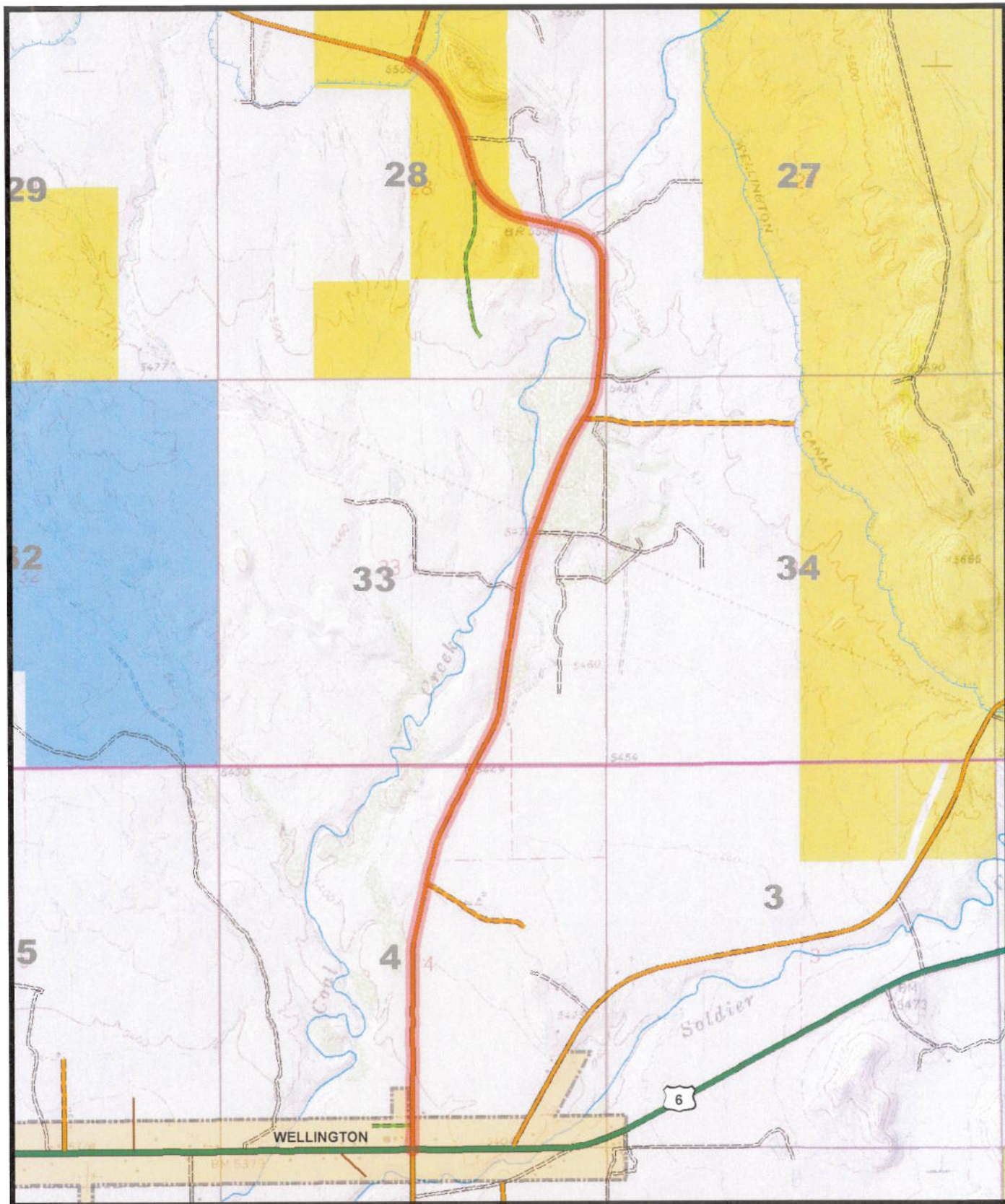
Dated this 5 day of November, 2007.


CLAYTON A. CAMPBELL

SUBSCRIBED AND SWORN TO before me this 5th day of November, 2007.




Notary Public



**472A
EAST COAL CREEK**

Appendix A to Attachment 4

Popular Name: EAST COAL CREEK ROAD

County: Carbon

County Road Number: 472A

State Geographic Information Database (SGID) Road Identification Number: RD040024.

Road-Segment Number: 002

Road-Segment Length: 0.47 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 11 East, Section(s) 28, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (EAST COAL 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 34 minutes 40.44 seconds North Latitude and -110 degrees 41 minutes 017.6 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,869,217.2 feet and Y = 7,016,017.4 feet; thence the following courses along the said road center line:

thence North 58 Degrees 39 Minutes 38 Seconds West 71.7 feet
thence North 51 Degrees 42 Minutes 43 Seconds West 121.8 feet
thence North 48 Degrees 19 Minutes 38 Seconds West 122.1 feet
thence North 42 Degrees 00 Minutes 26 Seconds West 119.2 feet
thence North 34 Degrees 09 Minutes 39 Seconds West 115 feet
thence North 26 Degrees 44 Minutes 51 Seconds West 60.6 feet
thence North 26 Degrees 45 Minutes 51 Seconds West 55.1 feet
thence North 19 Degrees 12 Minutes 04 Seconds West 121.6 feet
thence North 14 Degrees 46 Minutes 44 Seconds West 443.6 feet
thence North 20 Degrees 07 Minutes 03 Seconds West 112.7 feet
thence North 22 Degrees 54 Minutes 48 Seconds West 109.5 feet

thence North 24 Degrees 45 Minutes 50 Seconds West 116.5 feet
thence North 24 Degrees 53 Minutes 06 Seconds West 119.4 feet
thence North 27 Degrees 15 Minutes 33 Seconds West 121.8 feet
thence North 31 Degrees 36 Minutes 14 Seconds West 121.3 feet
thence North 34 Degrees 04 Minutes 56 Seconds West 124.8 feet
thence North 40 Degrees 06 Minutes 15 Seconds West 127.6 feet
thence North 50 Degrees 14 Minutes 54 Seconds West 127 feet
thence North 56 Degrees 21 Minutes 27 Seconds West 125.8 feet
thence North 65 Degrees 02 Minutes 26 Seconds West 68.1 feet more or less to **the ending**

point at: 39 degrees 35 minutes 0.7 seconds North Latitude and -110 degrees 41 minutes 34.14 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,867,903.5 feet and Y = 7,018,055.2 feet.