

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

Ent 129753 Bk 675 Pg 759
Date: 23-JUN-2008 1:18PM
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 PACE CANYON ROAD; County Road Number: 644; State Geographic Information Database (SGID) Road Identification Number: RD040034. Total road length is 1.65 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 17th day of June, 2008.

By the Governor's Designee



John Harja

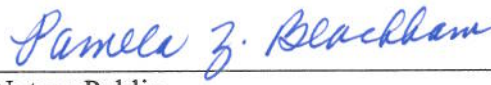
CERTIFICATION

State of Utah)
 : ss
County of Salt Lake)

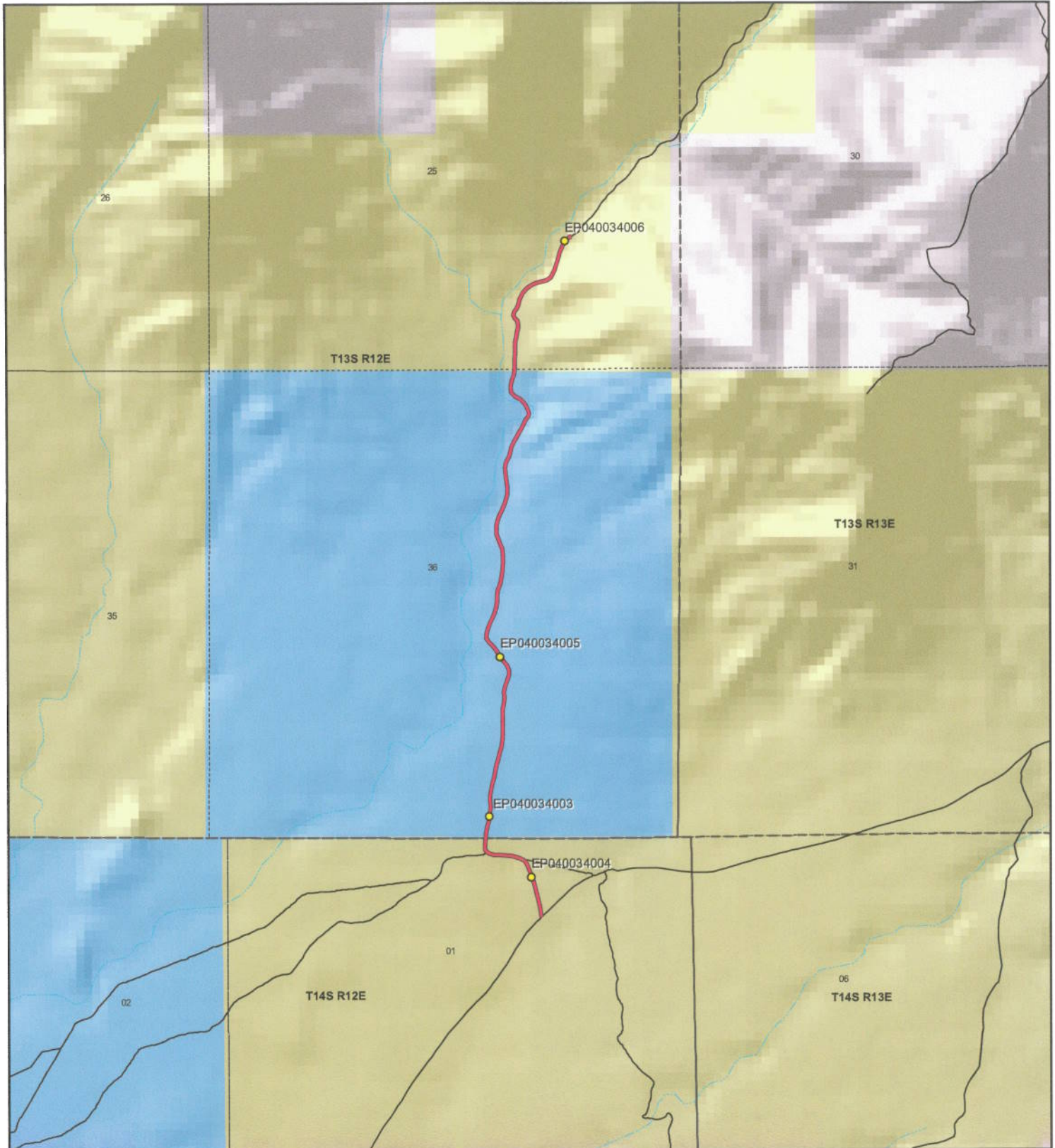
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 17th day of June, 2008.





Notary Public



1:17,597
1 inch equals 0.3 miles



PACE CANYON ROAD - Carbon County
SGID RD_ID RD040034

Land Ownership Categories		Transportation Network
● BLM	◆ Wilderness	— PACE CANYON 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		

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

Attachment 2



EP040034003



EP040034004



EP040034005



EP040034006

EP000000000

EP000000000

PACE CANYON ROAD - Carbon County
SGID RD_ID RD040034



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: PACE CANYON ROAD

County: Carbon

County Road Number: 644

State Geographic Information Database (SGID) Road Identification Number: RD040034.

Total Road Length: 1.65 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 38 minutes 29.53 seconds North Latitude and -110 degrees 31 minutes 11.63 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,916,403.6 feet and Y = 7,039,669.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 39 minutes 45.17 seconds North Latitude and -110 degrees 31 minutes 06.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,916,716.8 feet and Y = 7,047,326.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 13 South Range 12 East, Section(s) 25,36, Salt Lake Base & Meridian

Township 14 South Range 12 East, Section(s) 1, 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: PACE CANYON ROAD

County: Carbon

County Road Number: 644

State Geographic Information Database (SGID) Road Identification Number: RD040034.

Total Road Length: 1.65 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
RD040034	001	BLM	0.24 Miles	A
RD040034	002	ST	1.06 Miles	(not shown)
RD040034	003	BLM	0.35 Miles	B
		Total Road Length	1.65	_____

* 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 CARL C. BOTT

PACE CANYON ROAD

CARBON COUNTY, UTAH

COUNTY ROAD NUMBER 644

State of Utah)
 : ss
County of Carbon)

Carl C. Bott, 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 Castle Dale, Emery County, Utah. I have lived in Emery and Carbon Counties almost all of my life since 1945.

2. I have traveled and am familiar with a road in Carbon County known as Pace Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1950s, it followed the same route as in 2005, when I last observed it. Attached is a Carbon County map showing Pace Canyon 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 mid 1950s and continuing through 1976 to 2005. Throughout this time period I have observed travel on the road by various means, including pickups, cars, oil field equipment, jeeps and ATVs. Throughout this time period, the

road has been used daily, weather permitting, for more than ten continuous years prior to 1976 and was so used, weather permitting, in 2005.

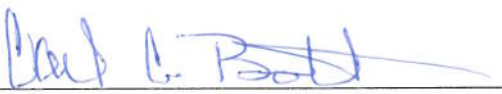
5. Throughout the time period from the mid 1950s to 2005, I have used the road myself for recreation, hunting and travel in and through the area.

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, livestock operations, government 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 the present, for the uses described in the previous paragraphs.

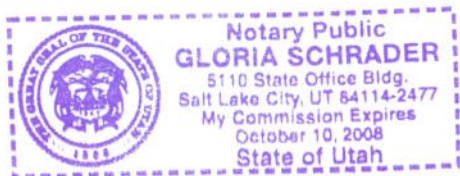
8. Prior to 1976 I observed county road equipment performing maintenance and construction activities on the road.

Dated this 6 day of November, 2007.



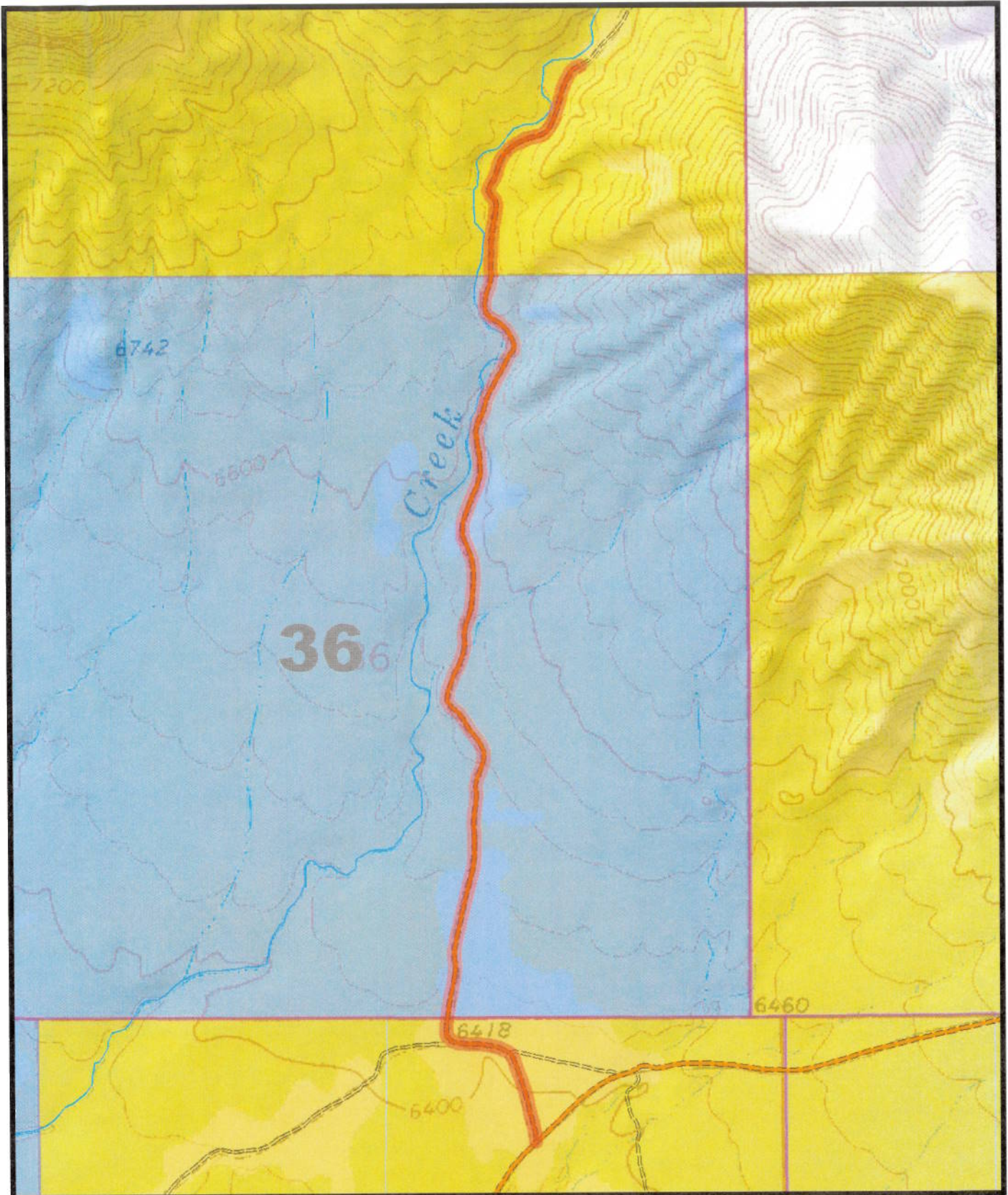
CARL C. BOTT

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



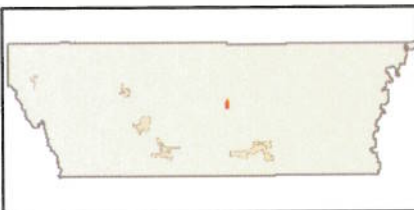


Notary Public



644

PACE CANYON RD



AFFIDAVIT OF RAYMOND B. HANSON

PACE CANYON ROAD

CARBON COUNTY, UTAH

COUNTY ROAD NUMBER 644

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 Pace Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1970s, it followed the same route as in 2007, when I last observed it. Attached is a Carbon County map showing Pace Canyon 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 1970s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means,

including: ATV, jeeps, pickup, gravel truck, loader and road grader. Throughout this time period, the road has been used daily prior to 1976, and is presently used daily.

5. Throughout the time period from the early 1970s to 2007, I have used the road myself for the following uses: road maintenance.

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, prospecting for minerals, wood gathering, logging and residential access.

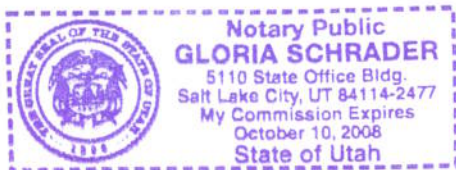
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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.

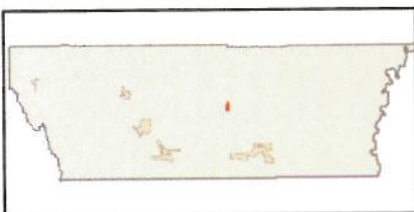
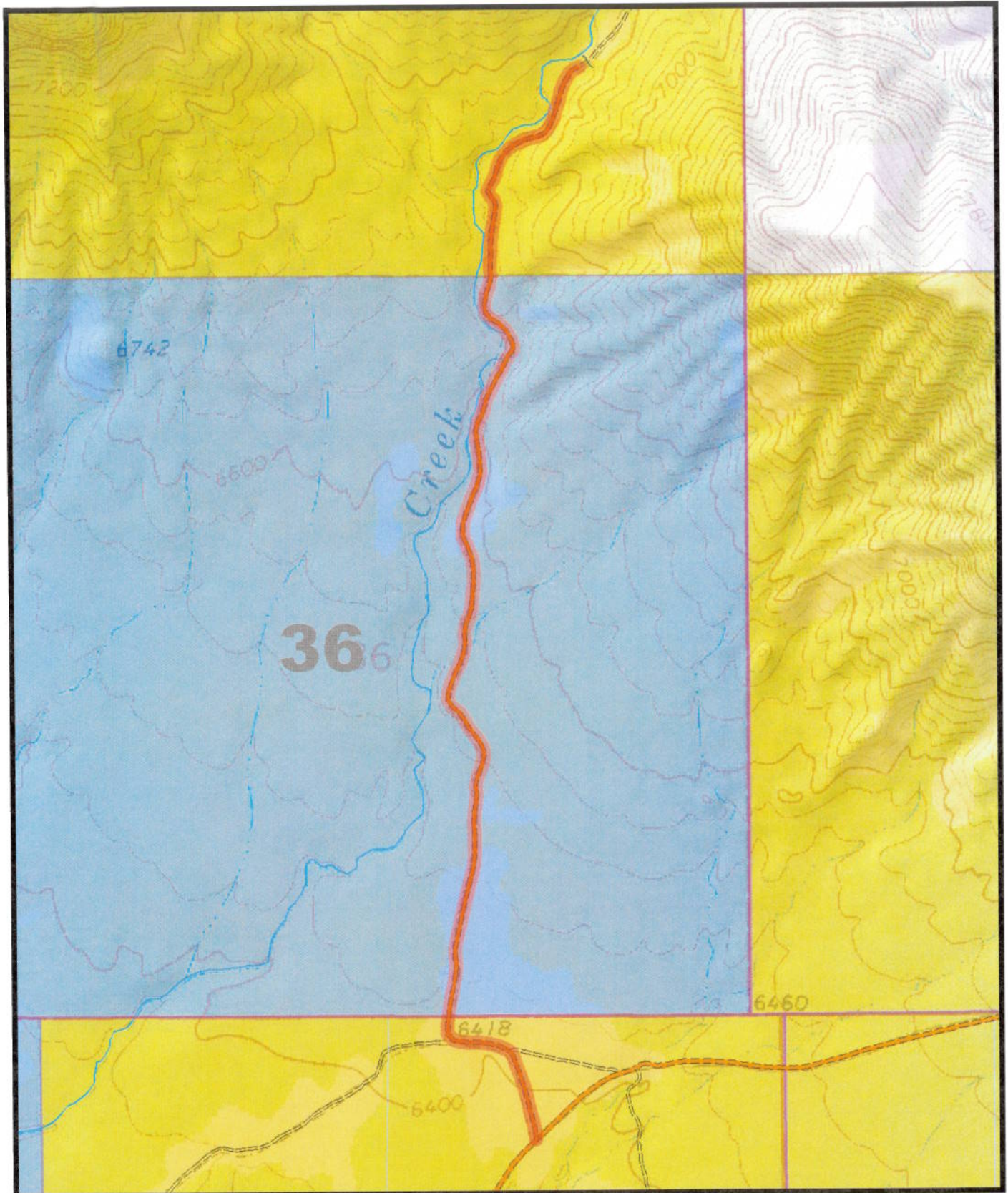
Dated this 6 day of November, 2007.


RAYMOND B. HANSON

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




Notary Public



644
PACE CANYON RD

Appendix A to Attachment 4

Popular Name: PACE CANYON ROAD

County: Carbon

County Road Number: 644

State Geographic Information Database (SGID) Road Identification Number: RD040034.

Road-Segment Number: 001

Road-Segment Length: 0.24 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 13 South Range 12 East, Section(s) 36, Salt Lake Base & Meridian

Township 14 South Range 12 East, Section(s) 1, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (PACE CANYON 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 39 degrees 38 minutes 29.53 seconds North Latitude and -110 degrees 31 minutes 11.63 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,916,403.6 feet and Y = 7,039,669.3 feet; thence the following courses along the said road center line:

thence North 07 Degrees 00 Minutes 49 Seconds West 62 feet
thence North 13 Degrees 43 Minutes 31 Seconds West 69.2 feet
thence North 14 Degrees 09 Minutes 53 Seconds West 80.4 feet
thence North 13 Degrees 53 Minutes 28 Seconds West 81.1 feet
thence North 15 Degrees 15 Minutes 26 Seconds West 84.2 feet
thence North 17 Degrees 59 Minutes 53 Seconds West 86.2 feet
thence North 21 Degrees 05 Minutes 45 Seconds West 82.6 feet
thence North 19 Degrees 57 Minutes 53 Seconds West 73.3 feet
thence North 39 Degrees 52 Minutes 38 Seconds West 49.2 feet
thence North 62 Degrees 42 Minutes 23 Seconds West 76.9 feet

thence North 77 Degrees 42 Minutes 05 Seconds West 69.2 feet
thence North 82 Degrees 02 Minutes 03 Seconds West 71 feet
thence North 89 Degrees 18 Minutes 41 Seconds West 68.9 feet
thence North 87 Degrees 56 Minutes 28 Seconds West 68.7 feet
thence North 74 Degrees 13 Minutes 01 Seconds West 63.3 feet
thence North 39 Degrees 46 Minutes 14 Seconds West 18.2 feet
thence North 40 Degrees 17 Minutes 07 Seconds West 36.5 feet
thence North 01 Degrees 32 Minutes 12 Seconds West 54.2 feet
thence North 06 Degrees 14 Minutes 42 Seconds East 66 feet
thence North 06 Degrees 01 Minutes 07 Seconds East 8 feet

thence North 06 Degrees 01 Minutes 07 Seconds East 19.6 feet more or less to **the ending point at:** 39 degrees 38 minutes 38.51 seconds North Latitude and -110 degrees 31 minutes 19.56 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,915,773.9 feet and Y = 7,040,571.2 feet.

Appendix B to Attachment 4

Popular Name: PACE CANYON ROAD

County: Carbon

County Road Number: 644

State Geographic Information Database (SGID) Road Identification Number: RD040034.

Road-Segment Number: 003

Road-Segment Length: 0.35 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 13 South Range 12 East, Section(s) 25, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (PACE CANYON ROAD)-- Segment 003 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 39 minutes 30.25 seconds North Latitude and -110 degrees 31 minutes 14.92 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,916,078.9 feet and Y = 7,045,809.1 feet; thence the following courses along the said road center line:

thence North 10 Degrees 47 Minutes 29 Seconds East 18.7 feet
thence North 11 Degrees 56 Minutes 36 Seconds East 0.8 feet
thence North 03 Degrees 11 Minutes 34 Seconds West 51.8 feet
thence North 00 Degrees 25 Minutes 37 Seconds West 53.3 feet
thence North 05 Degrees 01 Minutes 27 Seconds East 58.5 feet
thence North 01 Degrees 52 Minutes 37 Seconds West 68.9 feet
thence North 04 Degrees 41 Minutes 13 Seconds East 65 feet
thence North 09 Degrees 01 Minutes 12 Seconds East 61.5 feet
thence North 10 Degrees 03 Minutes 17 Seconds East 54.1 feet
thence North 10 Degrees 16 Minutes 19 Seconds East 48.4 feet
thence North 03 Degrees 18 Minutes 17 Seconds East 49.3 feet

thence North 14 Degrees 53 Minutes 00 Seconds West 39 feet
thence North 43 Degrees 44 Minutes 09 Seconds West 38.6 feet
thence North 25 Degrees 08 Minutes 29 Seconds West 38.1 feet
thence North 15 Degrees 29 Minutes 20 Seconds East 38.3 feet
thence North 32 Degrees 26 Minutes 05 Seconds East 48.6 feet
thence North 22 Degrees 14 Minutes 52 Seconds East 51.4 feet
thence North 13 Degrees 17 Minutes 16 Seconds East 59.8 feet
thence North 25 Degrees 57 Minutes 08 Seconds East 69.3 feet
thence North 40 Degrees 40 Minutes 27 Seconds East 59.5 feet
thence North 50 Degrees 56 Minutes 03 Seconds East 20.9 feet
thence North 53 Degrees 21 Minutes 53 Seconds East 43.9 feet
thence North 63 Degrees 01 Minutes 44 Seconds East 39.8 feet
thence North 66 Degrees 33 Minutes 35 Seconds East 37.1 feet
thence North 70 Degrees 46 Minutes 49 Seconds East 42.4 feet
thence North 76 Degrees 11 Minutes 33 Seconds East 44.8 feet
thence North 73 Degrees 49 Minutes 37 Seconds East 41.2 feet
thence North 54 Degrees 36 Minutes 50 Seconds East 42.5 feet
thence North 31 Degrees 15 Minutes 35 Seconds East 47 feet
thence North 25 Degrees 16 Minutes 16 Seconds East 56.2 feet
thence North 17 Degrees 25 Minutes 50 Seconds East 67.1 feet
thence North 18 Degrees 35 Minutes 12 Seconds East 40.2 feet
thence North 15 Degrees 14 Minutes 02 Seconds East 25.8 feet
thence North 15 Degrees 30 Minutes 07 Seconds East 21.2 feet
thence North 12 Degrees 44 Minutes 30 Seconds East 47.3 feet
thence North 21 Degrees 35 Minutes 45 Seconds East 33.1 feet
thence North 19 Degrees 02 Minutes 15 Seconds East 34.7 feet
thence North 29 Degrees 50 Minutes 57 Seconds East 26.8 feet
thence North 29 Degrees 08 Minutes 13 Seconds East 24.4 feet
thence North 30 Degrees 28 Minutes 23 Seconds East 13.3 feet
thence North 26 Degrees 34 Minutes 38 Seconds East 10.1 feet
thence North 43 Degrees 16 Minutes 23 Seconds East 23.7 feet
thence North 44 Degrees 23 Minutes 19 Seconds East 13.8 feet
thence North 62 Degrees 33 Minutes 40 Seconds East 10.7 feet
thence North 60 Degrees 29 Minutes 56 Seconds East 19 feet

thence North 58 Degrees 38 Minutes 22 Seconds East 21.4 feet more or less to **the ending point at:** 39 degrees 39 minutes 45.17 seconds North Latitude and -110 degrees 31 minutes 06.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,916,716.8 feet and Y = 7,047,326.0 feet.