

Ent 129760 Bk 676 Pg 41
Date: 23-JUN-2008 1:42PM
Fee: None
Filed By: VB
VIKKI BARNETT, Recorder
CARBON COUNTY CORPORATION
For: STATE OF UTAH

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 MICROWAVE TOWER ROAD; County Road Number: 7461; State Geographic Information Database (SGID) Road Identification Number: RD040043. Total road length is 0.42 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)

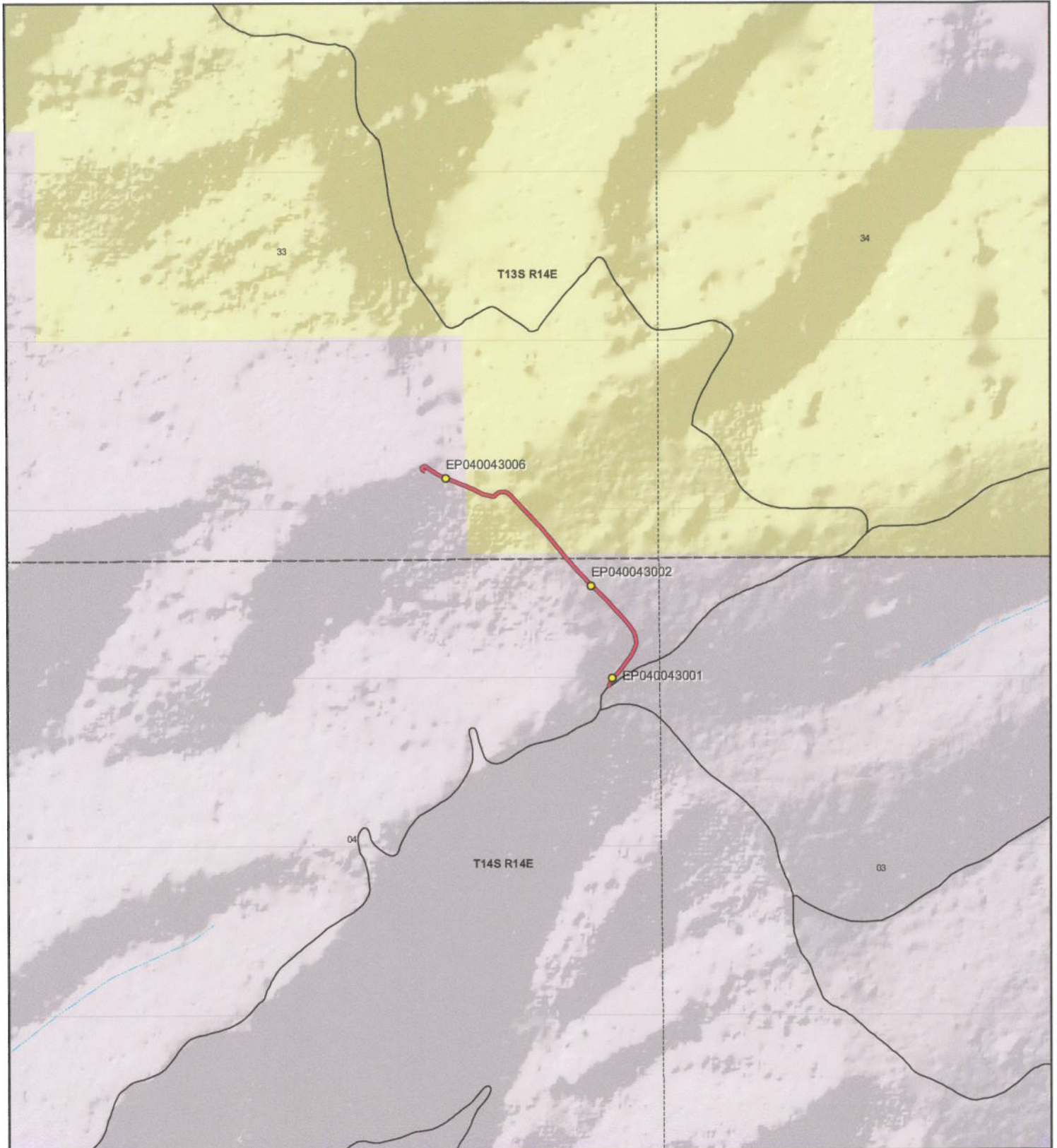
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to 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



 <p>1:9,906 1 inch equals 0.2 miles</p>		<p align="center">MICROWAVE TOWER ROAD - Carbon County SGID RD_ID RD040043</p> <table border="0"> <tr> <td colspan="2">Land Ownership Categories</td> <td colspan="2">Transportation Network</td> </tr> <tr> <td> BLM</td> <td> Wilderness</td> <td> MICROWAVE TOWER ROAD</td> <td> Title V: Issued Or Under Consideration By BLM Or County</td> </tr> <tr> <td> Private</td> <td> UDWR Wildlife Reserve</td> <td> Other Roads</td> <td> Photo Event Point</td> </tr> <tr> <td> SITLA, State Trust Land</td> <td> DOD, Military</td> <td> Section = 1 Mile</td> <td></td> </tr> <tr> <td> USFS, National Forest</td> <td> State Sovereign Land</td> <td></td> <td></td> </tr> <tr> <td> State Parks and Recreation</td> <td> National Recreation Area</td> <td></td> <td></td> </tr> <tr> <td> Tribal, Indian Reservation</td> <td> USFWS, Natl. Wildlife Refuge</td> <td></td> <td></td> </tr> <tr> <td> NPS, National Park</td> <td></td> <td></td> <td></td> </tr> </table>	Land Ownership Categories		Transportation Network		BLM	Wilderness	MICROWAVE TOWER ROAD	Title V: Issued Or Under Consideration By BLM Or County	Private	UDWR Wildlife Reserve	Other Roads	Photo Event Point	SITLA, State Trust Land	DOD, Military	Section = 1 Mile		USFS, National Forest	State Sovereign Land			State Parks and Recreation	National Recreation Area			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 Jun 13, 2008</p>  
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Attachment 2



EP040043001



EP040043002



EP040043006

EP000000000

EP000000000

EP000000000

MICROWAVE TOWER ROAD - Carbon County
SGID RD_ID RD040043

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: MICROWAVE TOWER ROAD

County: Carbon

County Road Number: 7461

State Geographic Information Database (SGID) Road Identification Number: RD040043.

Total Road Length: 0.42 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 38 minutes 27.72 seconds North Latitude and -110 degrees 20 minutes 45.36 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,965,390.0 feet and Y = 7,040,070.4 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 38 minutes 41.31 seconds North Latitude and -110 degrees 21 minutes 00.08 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,964,221.0 feet and Y = 7,041,431.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 13 South Range 14 East, Section(s) 33, Salt Lake Base & Meridian

Township 14 South Range 14 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: MICROWAVE TOWER ROAD

County: Carbon

County Road Number: 7461

State Geographic Information Database (SGID) Road Identification Number: RD040043.

Total Road Length: 0.42 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
RD040043	001	PVT	0.2 Miles	(not shown)
RD040043	002	BLM	0.15 Miles	A
RD040043	003	PVT	0.06 Miles	(not shown)
		Total Road Length	0.42	_____

* 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

MICROWAVE TOWER ROAD

CARBON COUNTY, UTAH

COUNTY ROAD NUMBER 7461

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 Microwave Tower 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 Microwave Tower 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 1976, and is presently used daily.

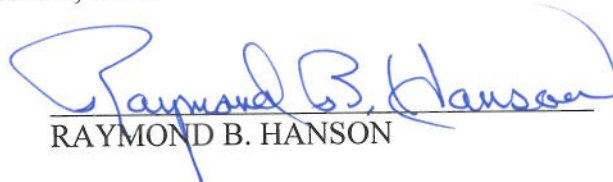
5. Throughout the time period from the early 1970s to 2007, I have used the road myself for the following uses: road maintenance.

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: communication access.

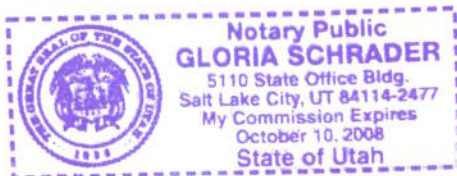
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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.

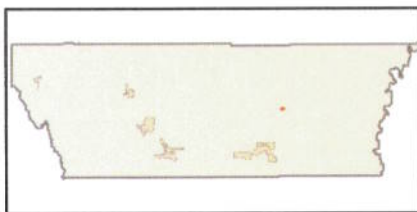
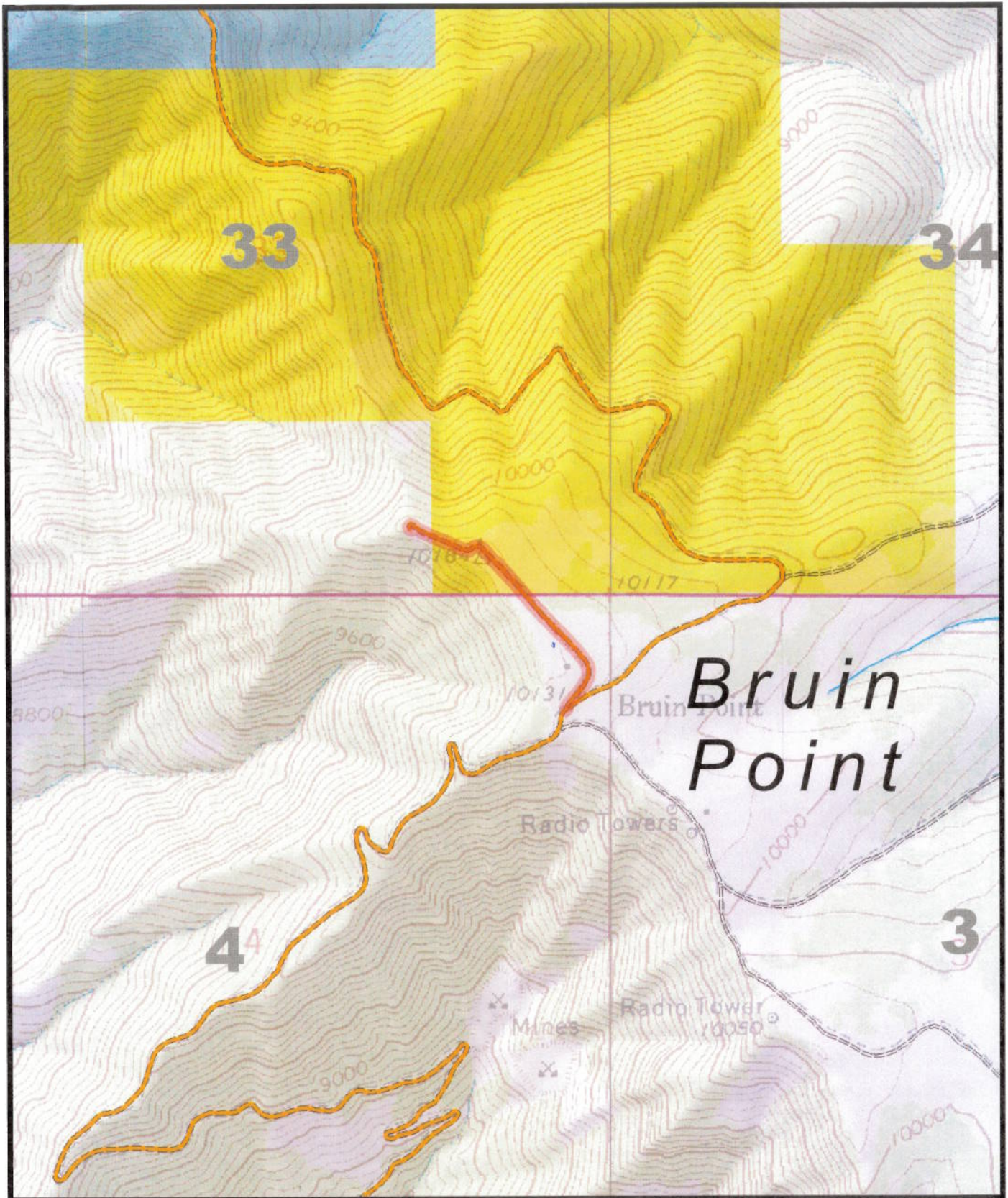
Dated this 6 day of November, 2007.


RAYMOND B. HANSON

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




Notary Public



7461
MICROWAVE TOWER RD

AFFIDAVIT OF CLAYTON A. CAMPBELL

MICROWAVE TOWER ROAD

CARBON COUNTY, UTAH

COUNTY ROAD NUMBER 7461

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 Microwave Tower Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s, it followed the same route as in 2006, when I last observed it. Attached is a Carbon County map showing Microwave Tower 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 2006. Throughout this time period I have observed travel on the road by various means, including pickups, jeeps and ATVs. Throughout this time period, the road has been used weekly for more than ten continuous years prior to 1976 and was so used in 2006.

5. Throughout the time period from the early 1950s to 2006, I have used the road myself for recreation.

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, communication facility access government access and access to private property.

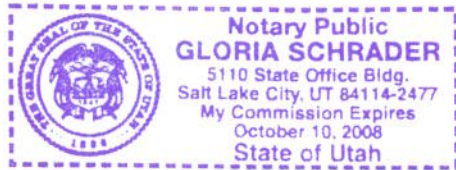
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

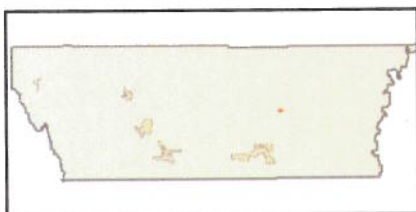
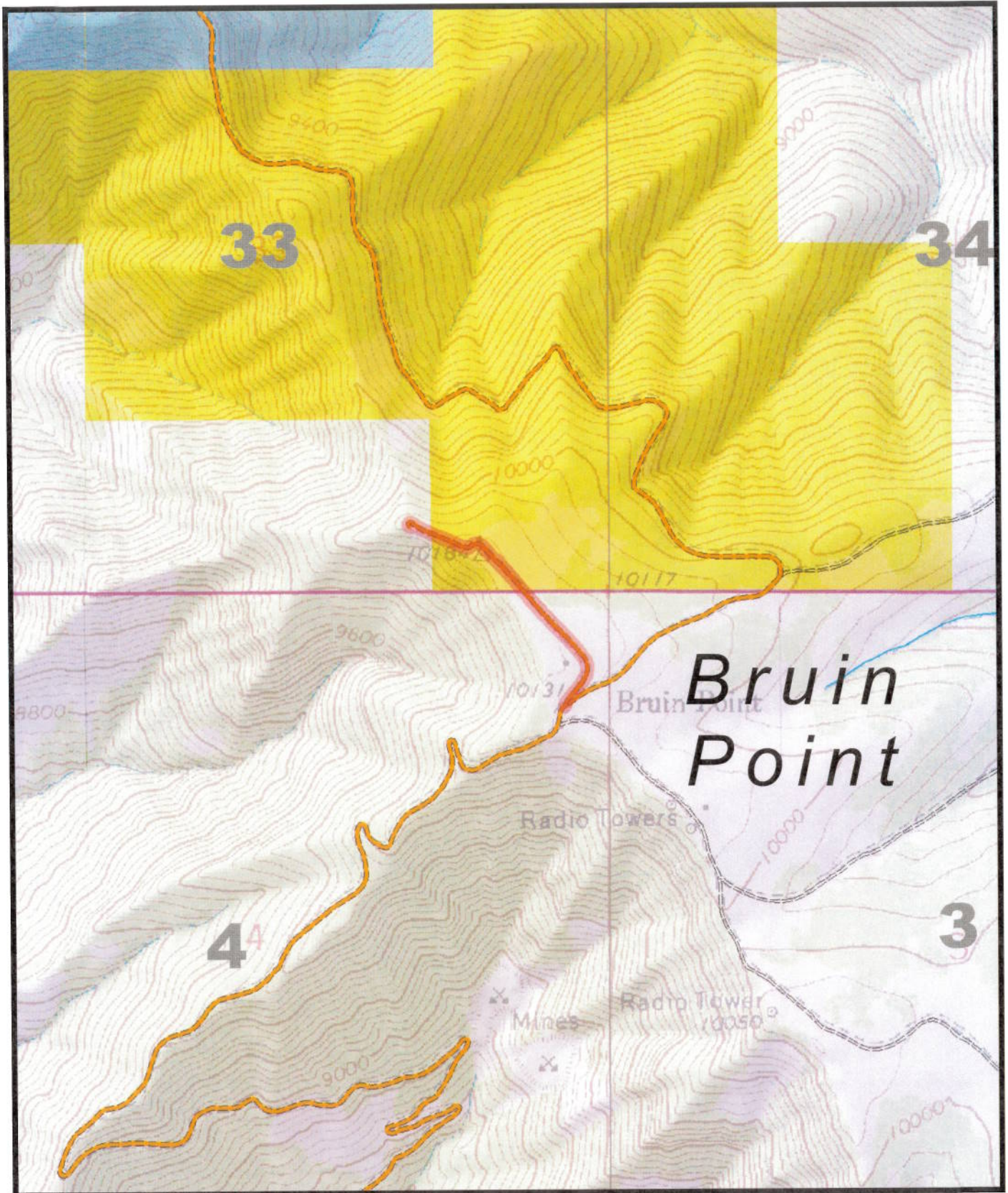
Dated this 5 day of November, 2007.

Clayton A Campbell
CLAYTON A. CAMPBELL

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



Gloria Schrader
Notary Public



7461
MICROWAVE TOWER RD

Appendix A to Attachment 4

Popular Name: MICROWAVE TOWER ROAD

County: Carbon

County Road Number: 7461

State Geographic Information Database (SGID) Road Identification Number: RD040043.

Road-Segment Number: 002

Road-Segment Length: 0.15 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 14 East, Section(s) 33, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (MICROWAVE TOWER 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 38 minutes 36.11 seconds North Latitude and -110 degrees 20 minutes 48.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,965,096.5 feet and Y = 7,040,916.0 feet; thence the following courses along the said road center line:

thence North 39 Degrees 29 Minutes 30 Seconds West 27.6 feet
thence North 39 Degrees 29 Minutes 49 Seconds West 39.3 feet
thence North 40 Degrees 31 Minutes 14 Seconds West 41 feet
thence North 39 Degrees 48 Minutes 51 Seconds West 38.4 feet
thence North 41 Degrees 57 Minutes 51 Seconds West 35.3 feet
thence North 42 Degrees 02 Minutes 12 Seconds West 36.4 feet
thence North 43 Degrees 24 Minutes 28 Seconds West 36.1 feet
thence North 44 Degrees 42 Minutes 56 Seconds West 87.7 feet
thence North 41 Degrees 30 Minutes 54 Seconds West 24.1 feet
thence North 46 Degrees 37 Minutes 58 Seconds West 20.3 feet
thence North 43 Degrees 33 Minutes 34 Seconds West 45.3 feet

thence North 43 Degrees 03 Minutes 21 Seconds West 25.8 feet
thence North 39 Degrees 13 Minutes 37 Seconds West 27.5 feet
thence North 46 Degrees 01 Minutes 07 Seconds West 24.8 feet
thence North 66 Degrees 36 Minutes 09 Seconds West 22.8 feet
thence North 85 Degrees 59 Minutes 27 Seconds West 23.5 feet
thence South 72 Degrees 01 Minutes 26 Seconds West 21.3 feet
thence South 50 Degrees 28 Minutes 31 Seconds West 16.8 feet
thence South 43 Degrees 37 Minutes 09 Seconds West 11.3 feet
thence South 71 Degrees 28 Minutes 21 Seconds West 15.5 feet
thence North 79 Degrees 20 Minutes 36 Seconds West 26.7 feet
thence North 77 Degrees 33 Minutes 40 Seconds West 22.9 feet
thence North 70 Degrees 57 Minutes 54 Seconds West 22.6 feet
thence North 63 Degrees 49 Minutes 17 Seconds West 26 feet
thence North 63 Degrees 05 Minutes 21 Seconds West 29 feet
thence North 66 Degrees 11 Minutes 02 Seconds West 30.5 feet
thence North 67 Degrees 38 Minutes 28 Seconds West 31 feet more or less to **the ending point**

at: 39 degrees 38 minutes 40.37 seconds North Latitude and -110 degrees 20 minutes 56.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,964,477.5 feet and Y = 7,041,338.7 feet.