

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

Ent 251342 Bk 429 Pg 489
Date: 09-MAY-2008 1:32PM
Fee: None
Filed By: CT
LES BARKER, Recorder
GARFIELD COUNTY CORPORATION
For: GOVERNOR/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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Garfield County as it pertains to the highway located in Garfield County known as EAST CIRCLE VALLEY ROAD; County Road Number: 0039; State Geographic Information Database (SGID) Road Identification Number: RD090015. Total road length is 1.13 miles more or less.

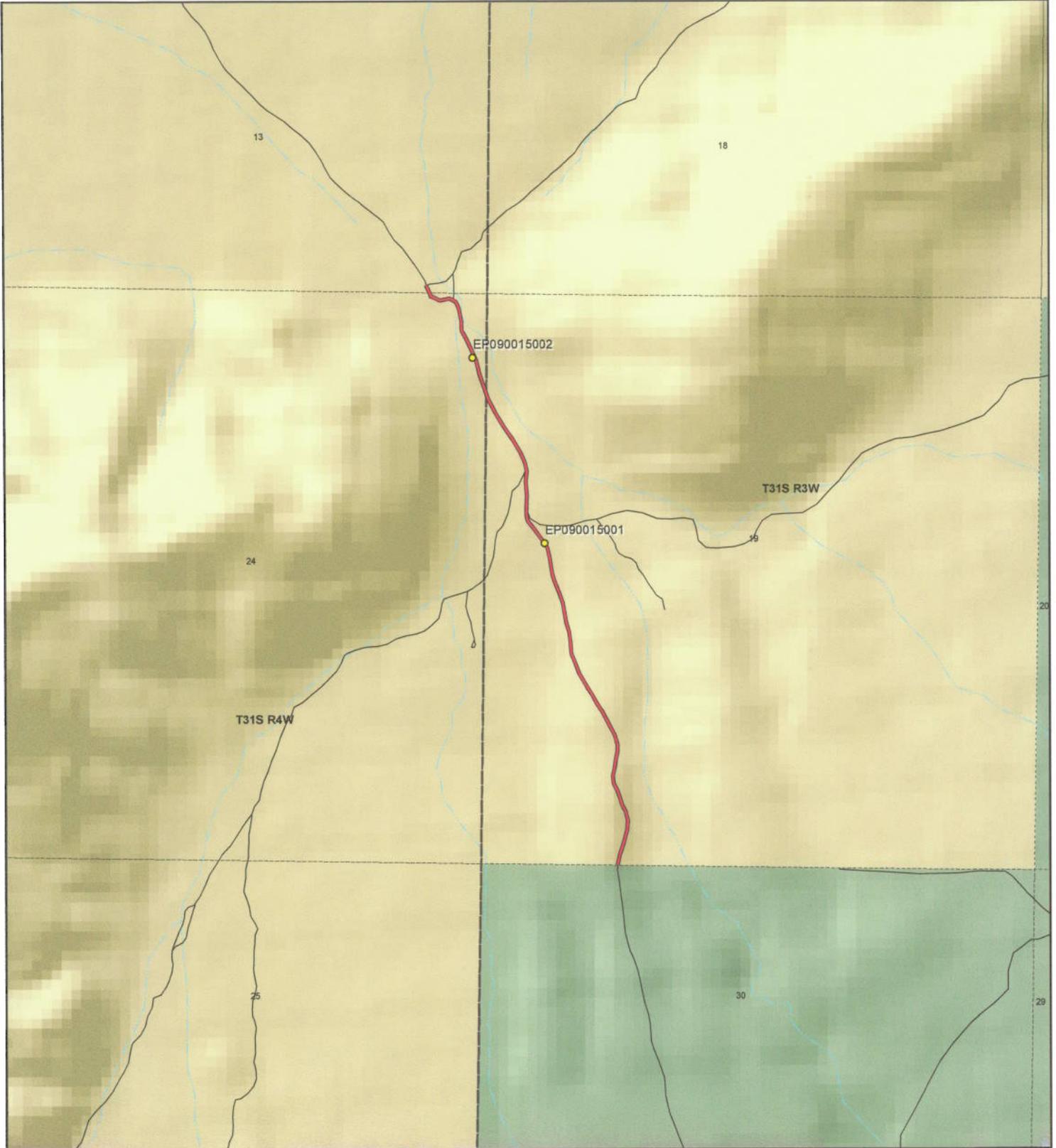
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) 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 CIRCLE VALLEY ROAD - Garfield County
SGID RD_ID RD090015

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



1:14,457
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
 Mar 19, 2008



Attachment 2



EP090015001



EP090015002

EP000000000

EP000000000

EP000000000

EP000000000

EAST CIRCLE VALLEY ROAD - Garfield County
SGID RD_ID RD090015

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
February 23, 2008



Attachment 3

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

Popular Name: EAST CIRCLE VALLEY ROAD

County: Garfield

County Road Number: 0039

State Geographic Information Database (SGID) Road Identification Number: RD090015.

Total Road Length: 1.13 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 05 minutes 41.76 seconds North Latitude and -112 degrees 14 minutes 35.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,426,576.2 feet and Y = 10,363,414.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 06 minutes 34.53 seconds North Latitude and -112 degrees 14 minutes 57.99 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,424,785.5 feet and Y = 10,368,767.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 31 South Range 3 West, Section(s) 19, Salt Lake Base & Meridian
Township 31 South Range 4 West, Section(s) 13,24, 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: EAST CIRCLE VALLEY ROAD

County: Garfield

County Road Number: 0039

State Geographic Information Database (SGID) Road Identification Number: RD090015.

Total Road Length: 1.13 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
RD090015	001	BLM	1.13 Miles	A
		Total Road Length	1.13	_____

* 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 RUSSELL BULKLEY

EAST CIRCLE VALLEY ROAD

GARFIELD COUNTY, UTAH

ROAD NUMBER 0039

State of Utah)
 : ss.
County of Garfield)

RUSSELL BULKLEY, 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 Panguitch, Garfield County, Utah. I have lived in Garfield County since 1959. In 1971 and 1972 I worked for the Utah Department of Transportation on roads and from 1973 to 1975 I worked for the Utah Division of Wildlife Resources.

2. I have traveled and am familiar with a road in Garfield County known as East Circle Valley 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 2005 when I last observed it. Attached is a Garfield County map showing East Circle Valley 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. 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 2005. Throughout this time period I observed travel on the road by means of cars, trucks, pickup trucks and ATVs. During this time period, the road was used weekly, weather permitting, for more than ten continuous years prior to 1976 and was so used in 2005.

5. Throughout the time period from the early 1960s to 2005, I used the road myself for hunting, sightseeing and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus livestock operations and 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 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

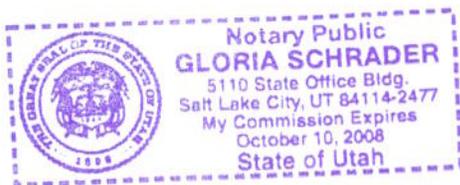
8. Prior to 1976, I observed the graded surface of the road and other evidence of maintenance and construction activities such as berms along the side of the road.

DATED this 12 day of July, 2007.



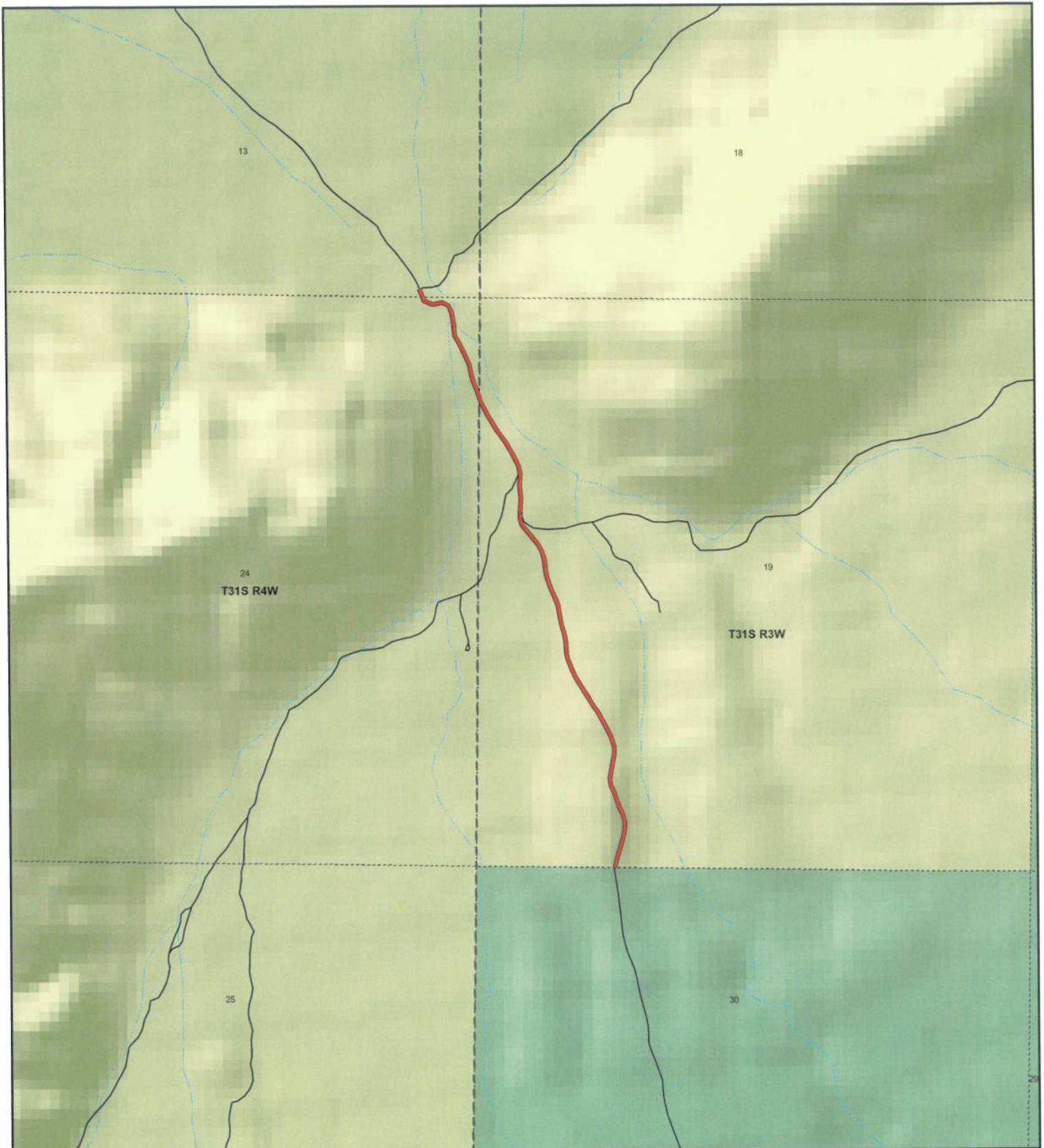
RUSSELL BULKLEY

SUBSCRIBED AND SWORN to before me this 12th day of July, 2007.





NOTARY PUBLIC



EAST CIRCLE VALLEY RD
County Unique - 0039

Land Ownership Categories

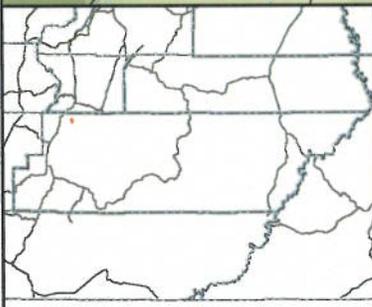
- ◆ BLM
- ◆ Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ Wildlife Reserve
- ◆ National Park/Monument (NPS)
- ◆ National Rec. Area
- ◆ Wilderness
- ◆ State Park

Transportation Network

- EAST CIRCLE VALLEY RD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile
- Monument Boundary



1:14,255
 1 inch equals 0.2 miles



Map prepared by the State of Utah
 AGRC
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Jul 05, 2007



AFFIDAVIT OF D. MALOY DODDS

EAST CIRCLE VALLEY ROAD

GARFIELD COUNTY, UTAH

ROAD NUMBER 0039

State of Utah)
 : ss.
County of Garfield)

D. MALOY DODDS, 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 Panguitch, Garfield County, Utah. I have lived in Garfield County for 76 years. I have been a Garfield County Commissioner for 12 years.

2. I have traveled and am familiar with a road in Garfield County known as East Circle Valley 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 1990 when I last observed it. Attached is a Garfield County map showing East Circle Valley 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 1990. Throughout this time period I have observed travel on the road by means of cars, trucks, ATVs and pickup trucks. Throughout this time period, the road has been used weekly, for more than ten continuous years prior to 1976, and was so used in 1990.

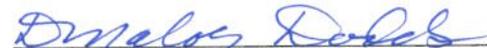
5. Throughout the time period from the early 1960s to 1990, I have used the road myself for hunting, recreation and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus livestock operations.

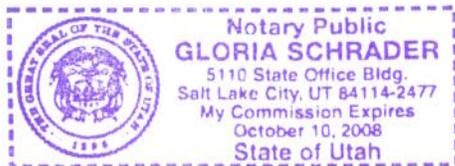
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

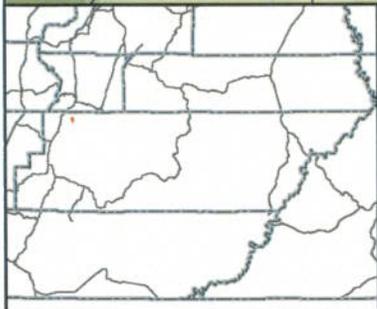
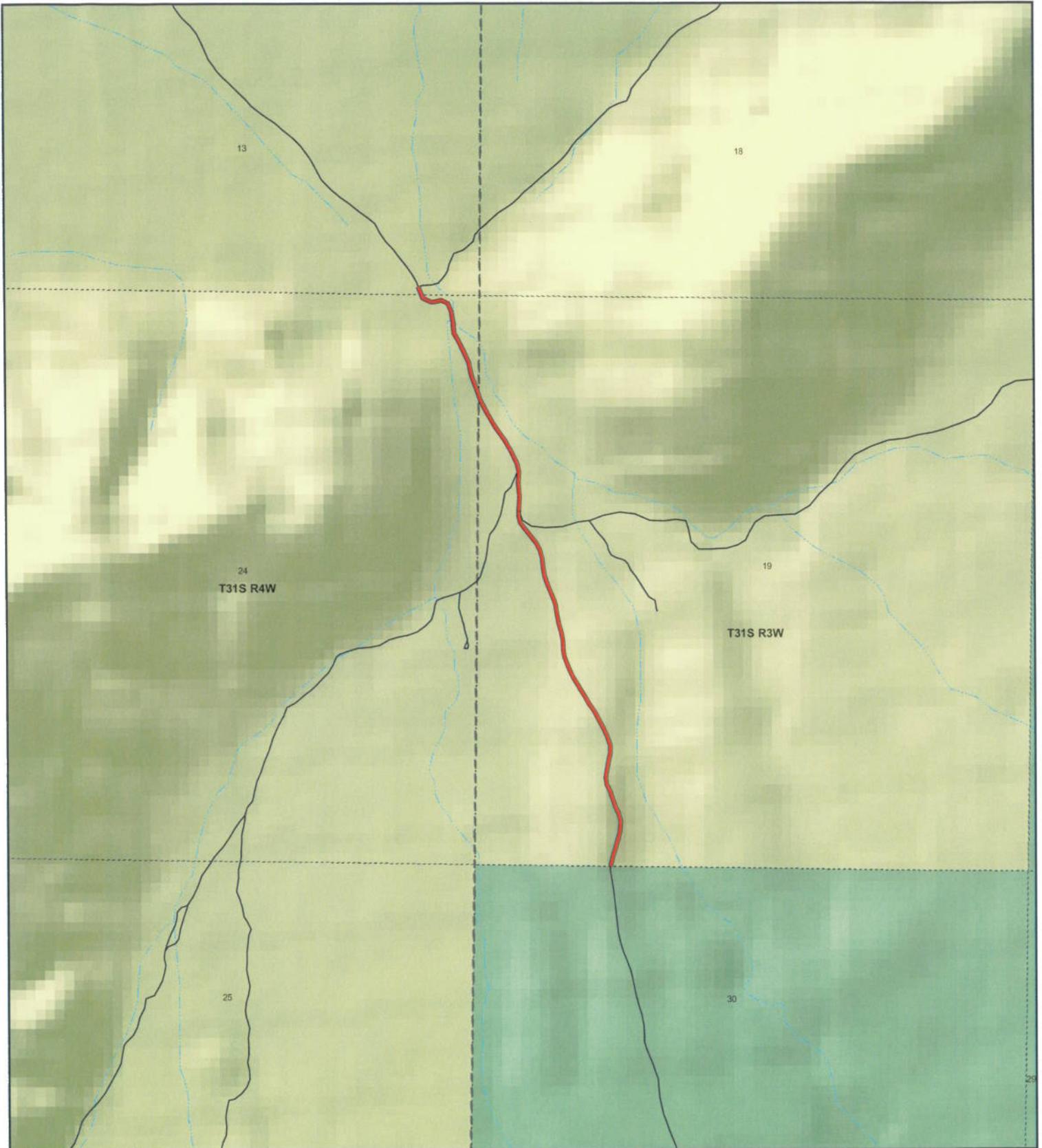
DATED this 9 day of July, 2007.


D. MALOY DODDS

SUBSCRIBED AND SWORN to before me this 9th day of July, 2007.




NOTARY PUBLIC



EAST CIRCLE VALLEY RD
County Unique - 0039

Land Ownership Categories

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

Transportation Network

- EAST CIRCLE VALLEY RD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile
- Monument Boundary



1:14,255
 1 inch equals 0.2 miles



Map prepared by the State of Utah
 AGRC
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Jul 05, 2007



Appendix A to Attachment 4

Popular Name: EAST CIRCLE VALLEY ROAD

County: Garfield

County Road Number: 0039

State Geographic Information Database (SGID) Road Identification Number: RD090015.

Road-Segment Number: 001

Road-Segment Length: 1.13 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 31 South Range 3 West, Section(s) 19, Salt Lake Base & Meridian

Township 31 South Range 4 West, Section(s) 13,24, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (EAST CIRCLE VALLEY 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 05 minutes 41.76 seconds North Latitude and -112 degrees 14 minutes 35.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,426,576.2 feet and Y = 10,363,414.2 feet; thence the following courses along the said road center line:

thence North 12 Degrees 03 Minutes 51 Seconds East 93.4 feet
thence North 17 Degrees 06 Minutes 00 Seconds East 116.2 feet
thence North 15 Degrees 25 Minutes 52 Seconds East 114.9 feet
thence North 03 Degrees 58 Minutes 21 Seconds East 101 feet
thence North 15 Degrees 08 Minutes 17 Seconds West 80.8 feet
thence North 26 Degrees 37 Minutes 47 Seconds West 68.1 feet
thence North 19 Degrees 43 Minutes 03 Seconds West 30.6 feet
thence North 16 Degrees 15 Minutes 25 Seconds West 35.8 feet
thence North 19 Degrees 34 Minutes 37 Seconds West 71.6 feet
thence North 28 Degrees 10 Minutes 17 Seconds West 77.9 feet

thence North 06 Degrees 18 Minutes 21 Seconds West 66 feet
thence North 09 Degrees 29 Minutes 17 Seconds East 73.3 feet
thence North 09 Degrees 59 Minutes 35 Seconds East 77 feet
thence North 11 Degrees 28 Minutes 35 Seconds East 77.1 feet
thence North 00 Degrees 10 Minutes 55 Seconds East 76.1 feet
thence North 17 Degrees 19 Minutes 39 Seconds West 79.6 feet
thence North 26 Degrees 58 Minutes 05 Seconds West 92.2 feet
thence North 28 Degrees 31 Minutes 44 Seconds West 91.6 feet
thence North 28 Degrees 09 Minutes 07 Seconds West 85.7 feet
thence North 33 Degrees 28 Minutes 11 Seconds West 88.2 feet
thence North 30 Degrees 14 Minutes 35 Seconds West 87.5 feet
thence North 33 Degrees 17 Minutes 34 Seconds West 73.5 feet
thence North 36 Degrees 20 Minutes 21 Seconds West 17.9 feet
thence North 30 Degrees 15 Minutes 38 Seconds West 57.2 feet
thence North 30 Degrees 13 Minutes 20 Seconds West 70.4 feet
thence North 22 Degrees 31 Minutes 25 Seconds West 85.1 feet
thence North 21 Degrees 31 Minutes 15 Seconds West 94.3 feet
thence North 13 Degrees 26 Minutes 45 Seconds West 50.5 feet
thence North 03 Degrees 41 Minutes 26 Seconds West 89.1 feet
thence North 08 Degrees 30 Minutes 15 Seconds West 85.2 feet
thence North 15 Degrees 57 Minutes 44 Seconds West 87.6 feet
thence North 10 Degrees 55 Minutes 53 Seconds West 90.8 feet
thence North 10 Degrees 31 Minutes 39 Seconds West 94.4 feet
thence North 20 Degrees 05 Minutes 08 Seconds West 84.4 feet
thence North 22 Degrees 36 Minutes 27 Seconds West 84.8 feet
thence North 20 Degrees 52 Minutes 04 Seconds West 67.3 feet
thence North 19 Degrees 48 Minutes 51 Seconds West 16.7 feet
thence North 15 Degrees 55 Minutes 22 Seconds West 23.2 feet
thence North 09 Degrees 25 Minutes 15 Seconds West 78.8 feet
thence North 08 Degrees 04 Minutes 01 Seconds West 85.1 feet
thence North 14 Degrees 59 Minutes 54 Seconds West 84.1 feet
thence North 29 Degrees 53 Minutes 23 Seconds West 69.8 feet
thence North 37 Degrees 26 Minutes 34 Seconds West 86.4 feet
thence North 38 Degrees 49 Minutes 16 Seconds West 78 feet
thence North 37 Degrees 16 Minutes 34 Seconds West 79.7 feet
thence North 15 Degrees 28 Minutes 23 Seconds West 52.7 feet
thence North 00 Degrees 18 Minutes 42 Seconds West 63.3 feet
thence North 02 Degrees 35 Minutes 46 Seconds East 122.9 feet
thence North 05 Degrees 50 Minutes 05 Seconds West 129.6 feet
thence North 04 Degrees 47 Minutes 59 Seconds East 103.1 feet
thence North 14 Degrees 20 Minutes 53 Seconds West 14.9 feet
thence North 13 Degrees 35 Minutes 17 Seconds West 60 feet
thence North 24 Degrees 21 Minutes 39 Seconds West 110.3 feet
thence North 30 Degrees 58 Minutes 46 Seconds West 141.5 feet
thence North 35 Degrees 26 Minutes 31 Seconds West 144.8 feet
thence North 31 Degrees 04 Minutes 28 Seconds West 144.4 feet
thence North 27 Degrees 34 Minutes 57 Seconds West 131.1 feet
thence North 19 Degrees 21 Minutes 36 Seconds West 61.8 feet
thence North 19 Degrees 21 Minutes 36 Seconds West 73.9 feet

thence North 21 Degrees 06 Minutes 44 Seconds West 108.1 feet
thence North 11 Degrees 30 Minutes 30 Seconds West 130.1 feet
thence North 25 Degrees 56 Minutes 07 Seconds West 116.1 feet
thence North 24 Degrees 11 Minutes 54 Seconds West 100.5 feet
thence North 29 Degrees 17 Minutes 10 Seconds West 90.8 feet
thence North 03 Degrees 26 Minutes 54 Seconds West 24 feet
thence North 04 Degrees 07 Minutes 33 Seconds West 29.6 feet
thence North 00 Degrees 50 Minutes 15 Seconds West 35.8 feet
thence North 12 Degrees 14 Minutes 28 Seconds West 23.8 feet
thence North 09 Degrees 06 Minutes 24 Seconds West 88 feet
thence North 23 Degrees 43 Minutes 34 Seconds West 80.1 feet
thence North 64 Degrees 38 Minutes 24 Seconds West 65.9 feet
thence South 77 Degrees 47 Minutes 57 Seconds West 57.3 feet
thence South 82 Degrees 21 Minutes 13 Seconds West 33.4 feet
thence North 66 Degrees 28 Minutes 43 Seconds West 73.9 feet
thence North 65 Degrees 13 Minutes 42 Seconds West 17 feet
thence North 16 Degrees 34 Minutes 19 Seconds West 16.4 feet
thence North 21 Degrees 54 Minutes 45 Seconds West 16.7 feet
thence North 21 Degrees 54 Minutes 45 Seconds West 52.8 feet
thence North 19 Degrees 45 Minutes 07 Seconds West 23.7 feet more or less to **the ending**

point at: 38 degrees 06 minutes 34.53 seconds North Latitude and -112 degrees 14 minutes 57.99 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,424,785.5 feet and Y = 10,368,767.3 feet.