

ENTRY NO. 00253828

06/18/2008 11:40:53 AM B: 0524 P: 2130

2477 Road Acceptance PAGE 1 / 13

CRAIG J. SPERRY, JUAB COUNTY RECORDER

FEE \$ 0.00 BY 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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Juab County as it pertains to the highway located in Juab County known as EKKERS CUT-OFF NORTH 1 ROAD; County Road Number: 6111302; State Geographic Information Database (SGID) Road Identification Number: RD121584. Total road length is 1.09 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

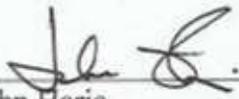
Internet at <http://recorded2477roads.utah.gov>.

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

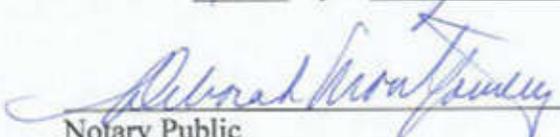
  
\_\_\_\_\_  
John Harja

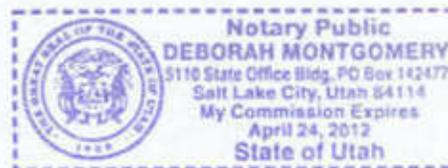
### CERTIFICATION

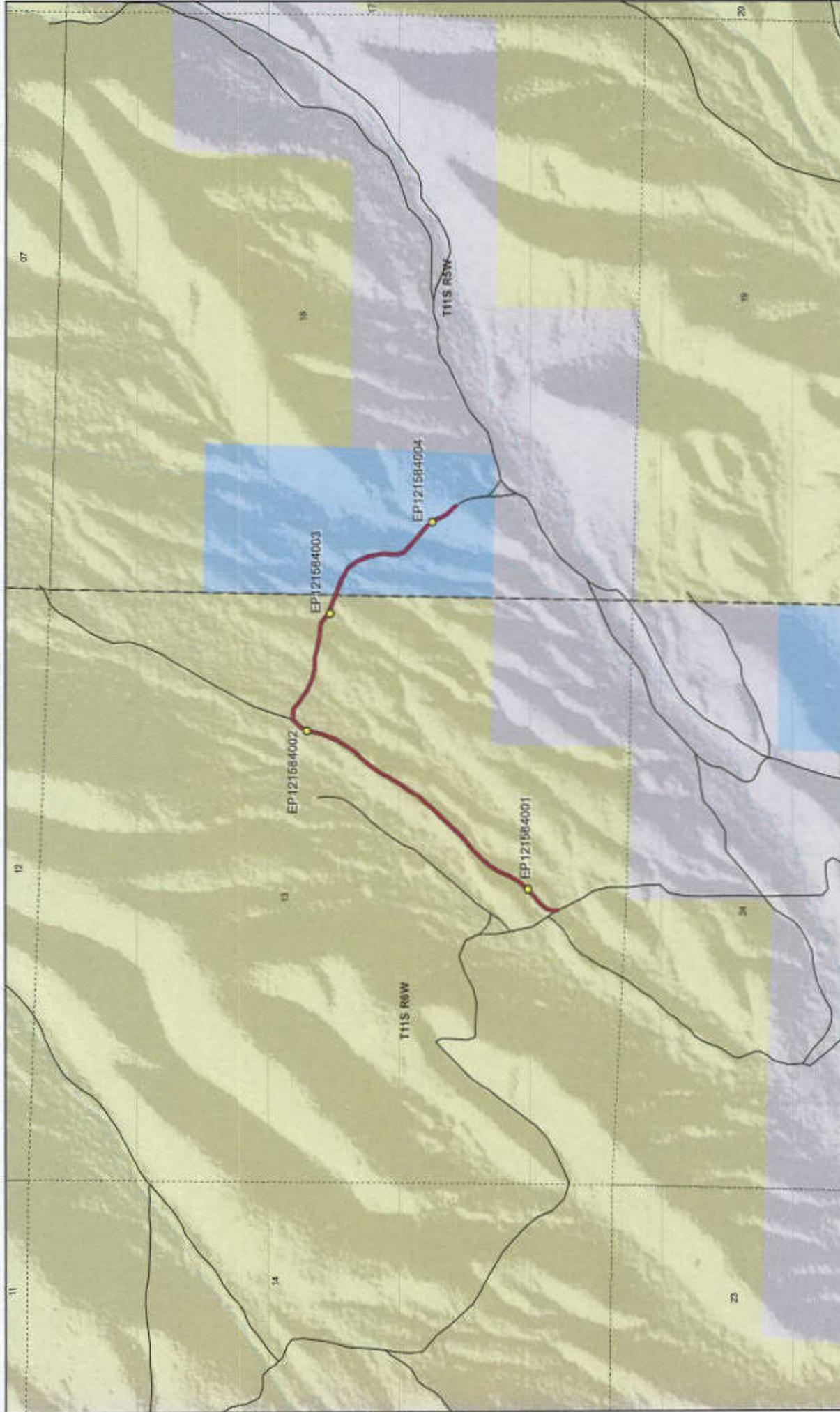
State of Utah                    )  
  : ss  
County of Salt Lake         )

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 day of June, 2008.

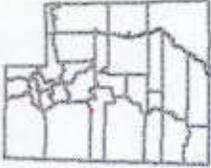
  
\_\_\_\_\_  
Notary Public







1:14,620  
1 inch equals 0.2 miles



### EKKERS CUT-OFF NORTH 1 ROAD - Juab County SGID RD\_ID RD121584

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park

**Transportation Network**

- EKKERS CUT-OFF NORTH 1 ROAD
- Other Roads
- Title V, Issued On Under Construction by BLM or County
- 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 17, 2008






EP121584002



EP121584004



EP121584001



EP121584003

EP000000000

EP000000000

**EKKERS CUT-OFF NORTH 1 ROAD - Juab County**  
**SGID RD\_ID RD121584**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
May 28, 2008



### Attachment 3

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

**Popular Name: EKKERS CUT-OFF NORTH 1 ROAD**

**County: Juab**

**County Road Number: 6111302**

**State Geographic Information Database (SGID) Road Identification Number: RD121584.**

**Total Road Length: 1.09 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 51 minutes 42.48 seconds North Latitude and -112 degrees 28 minutes 12.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,368,075.6 feet and Y = 7,119,862.3 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 51 minutes 52.24 seconds North Latitude and -112 degrees 27 minutes 25.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,371,751.5 feet and Y = 7,120,809.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 11 South Range 5 West, Section(s) 18, Salt Lake Base & Meridian

Township 11 South Range 6 West, Section(s) 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: EKKERS CUT-OFF NORTH 1 ROAD**

**County: Juab**

**County Road Number: 6111302**

**State Geographic Information Database (SGID) Road Identification Number: RD121584.**

**Total Road Length: 1.09 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>RD121584</b>	<b>001</b>	<b>BLM</b>	<b>0.81 Miles</b>	<b>A</b>
<b>RD121584</b>	<b>002</b>	<b>ST</b>	<b>0.28 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>1.09</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 ROBERT STEELE**

**EKKERS CUTOFF NORTH 1 ROAD**

**COUNTY ROAD NUMBER 6111302**

**JUAB COUNTY, UTAH**

State of Utah                    )  
  : ss.  
County of Juab                 )

ROBERT STEELE, 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 have lived in Juab County for 71 years. I was a Juab County Commissioner from 1999-2006.

2. I have traveled and am familiar with a road in Juab County known as Ekkers Cutoff North 1 Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1942, it followed the same route as in 2007 when I last observed it. Attached is a Juab County map showing Ekkers Cutoff North 1 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. The County also identifies this road according to the road number listed above.

3. 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 1942 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, trucks, maintenance vehicles, jeeps and ATV's. Throughout this

time period, the road has been used daily for more than ten continuous years prior to 1976, and was used daily in 2007.

4. Throughout the time period from 1942 to 2007, I have used the road myself for hunting, wood gathering, trapping and traveling in and through the area and prospecting for minerals.

5. 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, camping, wood gathering, mining, oil and gas exploration, rock hounding and government access.

6. 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.

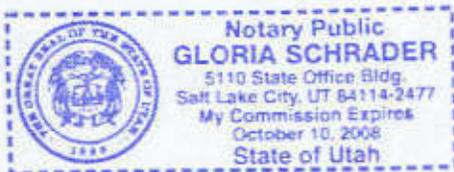
7. Prior to 1976, I observed graders performing maintenance and construction activities on the road.

Dated this 5 day of June, 2007.



ROBERT STEELE

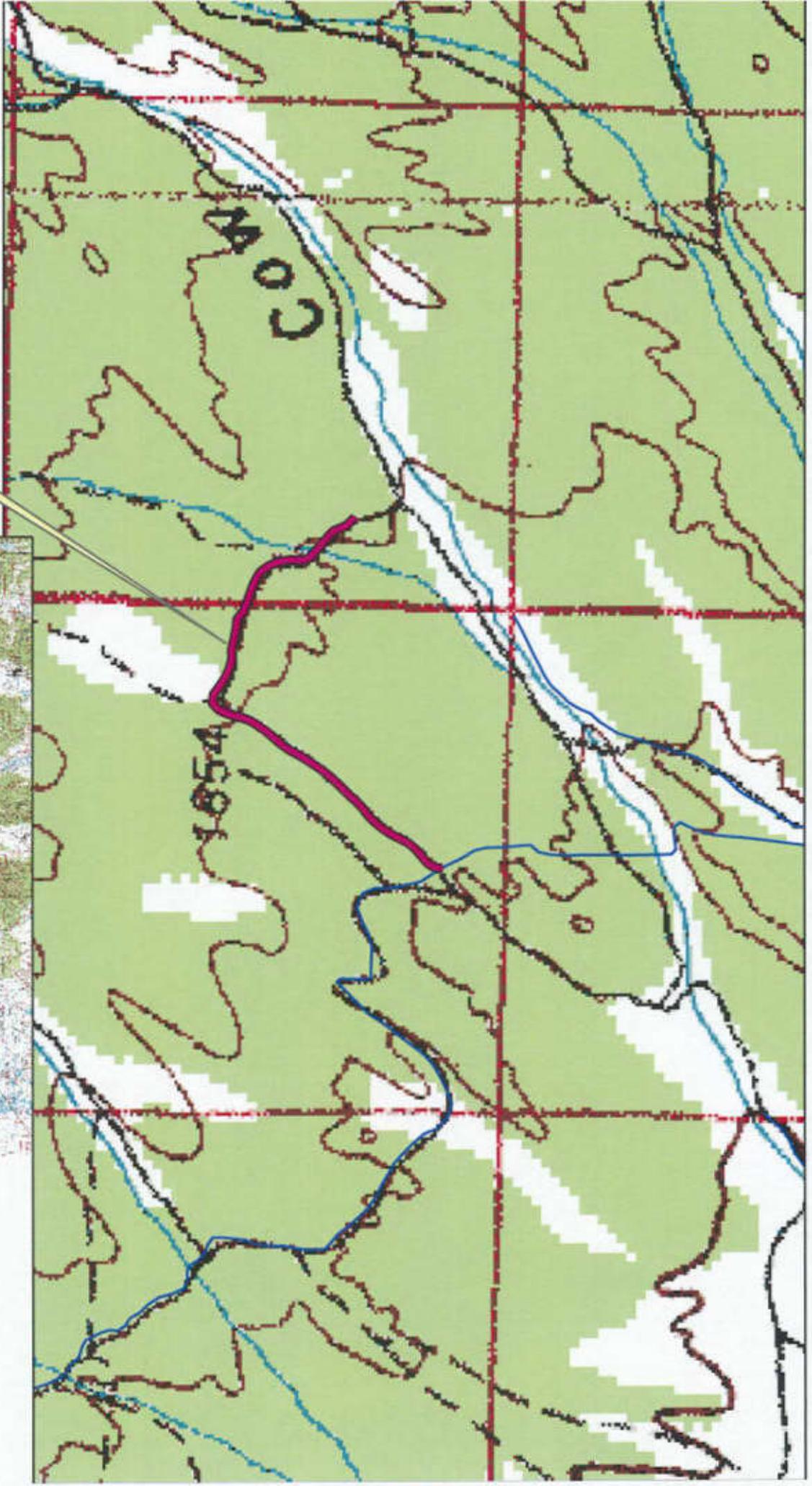
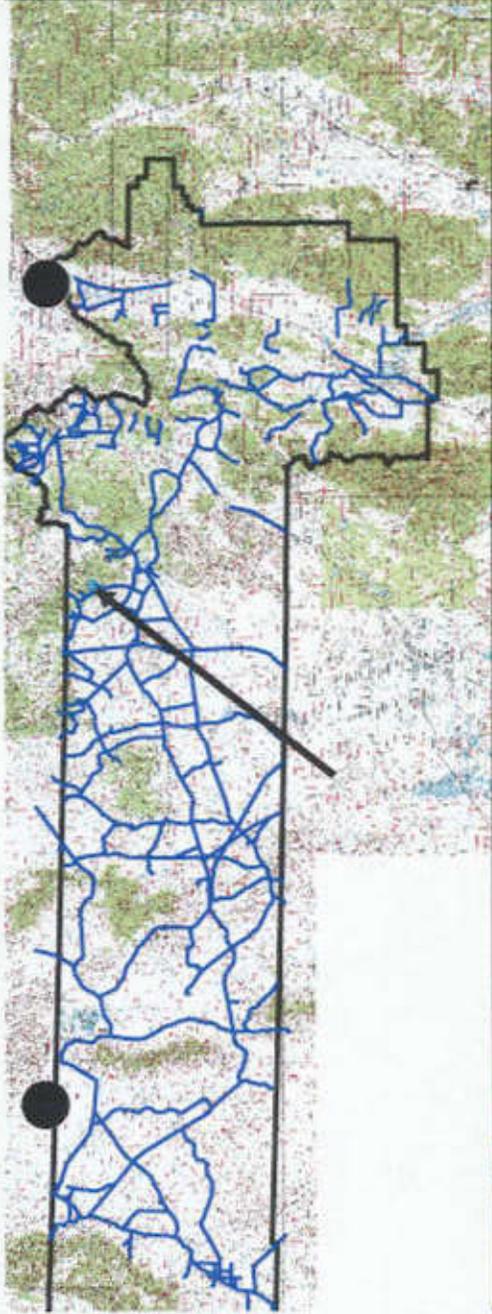
SUBSCRIBED AND SWORN to before me this 5th day of June, 2007.



NOTARY PUBLIC

Juab County  
RS2477 Assertions  
June 2006

Ekkers Cutoff North 1



**AFFIDAVIT OF RON JONES**  
**EKKERS CUT OFF NORTH 1 ROAD**  
**JUAB COUNTY, UTAH**  
**ROAD NUMBER 6111302**

State of Utah                    )  
  : ss.  
County of Juab                 )

RON JONES, 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 Nephi, Juab County, Utah. I have lived in Juab County for 85 years. I was an employee of the Juab County Road Department for 38 years from 1947 to 1987 and have participated in maintenance of county B roads during that time.

2. I have traveled and am familiar with a road in Juab County known as Ekkers Cut Off North 1 Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1930s it followed the same route as in 1997 when I last observed it. Attached is a Juab County map showing Ekkers Cut Off North 1 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 late 1930s and continuing through 1976 to 1997. Throughout this time period I have observed travel on the road by means of cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road as been used daily for more than ten continuous years prior to 1976, and was so used in 1997.

5. Throughout the time period from the late 1930s to 1997, I have used the road myself for county road maintenance, sight-seeing 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, hunting, prospecting for minerals, wood gathering, mining, oil and gas exploration, rock hounding, trapping and recreation.

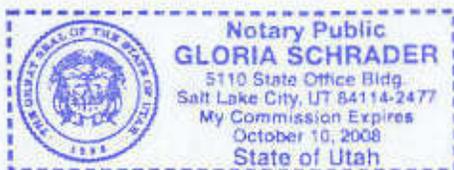
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976 I participated in grading and maintenance and construction activities on the road as a county road employee.

DATED this 5 day of June, 2007.

Ron Jones  
RON JONES

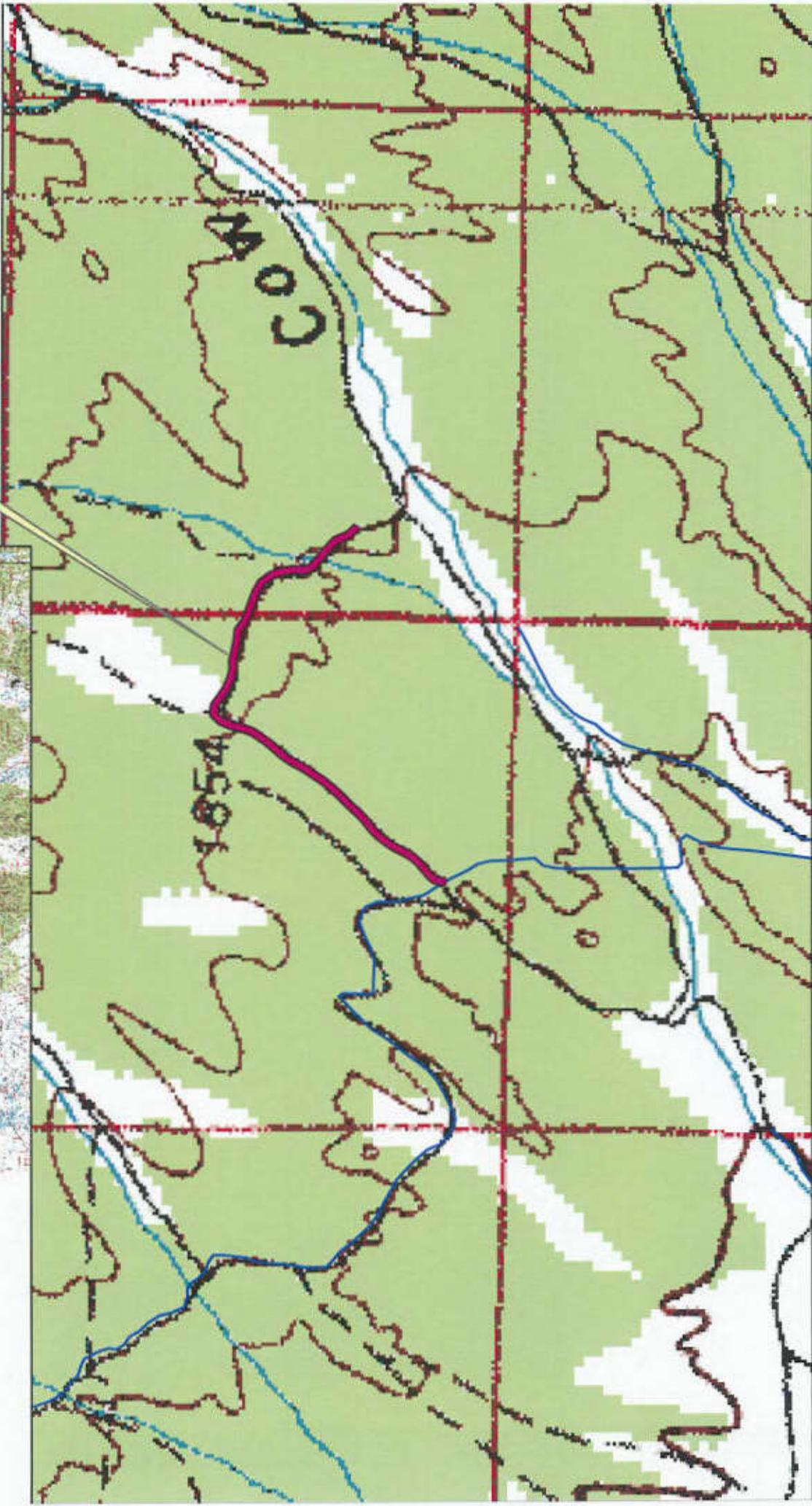
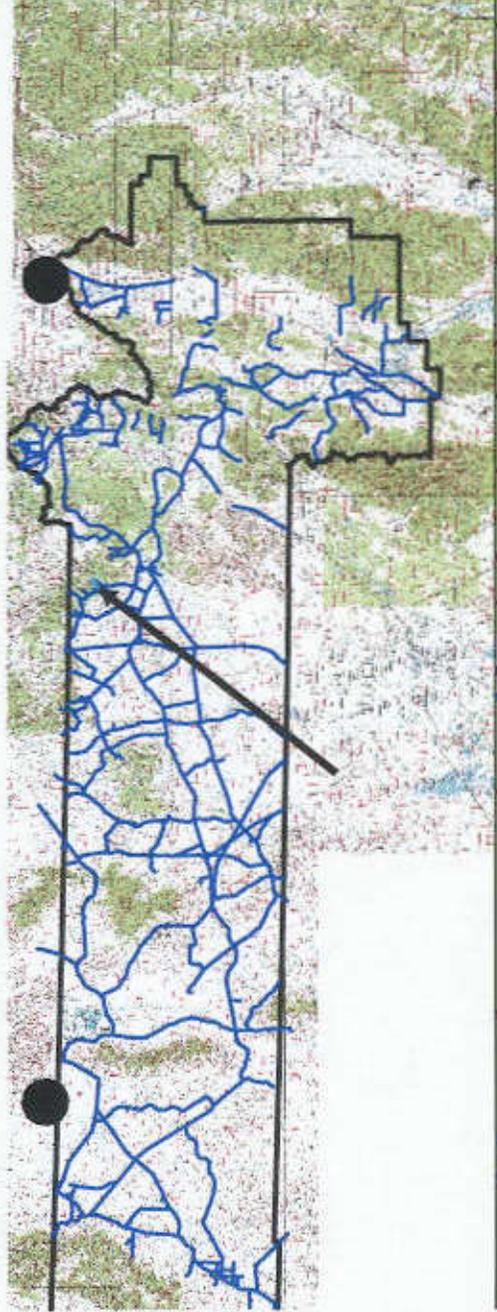
SUBSCRIBED AND SWORN to before me this 5<sup>th</sup> day of June, 2007.



Gloria Schrader  
NOTARY PUBLIC

Juab County  
RS2477 Assertions  
June 2006

Ekkers Cutoff North 1



## Appendix A to Attachment 4

**Popular Name: EKKERS CUT-OFF NORTH 1 ROAD**

**County: Juab**

**County Road Number: 6111302**

**State Geographic Information Database (SGID) Road Identification Number: RD121584.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.81 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 11 South Range 6 West, Section(s) 13, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (EKKERS CUT-OFF NORTH 1 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 51 minutes 42.48 seconds North Latitude and -112 degrees 28 minutes 12.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,368,075.6 feet and Y = 7,119,862.3 feet; thence the following courses along the said road center line:

thence North 02 Degrees 09 Minutes 13 Seconds West 41 feet  
thence North 12 Degrees 54 Minutes 12 Seconds East 67.4 feet  
thence North 36 Degrees 12 Minutes 01 Seconds East 75.5 feet  
thence North 50 Degrees 26 Minutes 09 Seconds East 85.6 feet  
thence North 49 Degrees 36 Minutes 12 Seconds East 89.2 feet  
thence North 40 Degrees 56 Minutes 19 Seconds East 96 feet  
thence North 28 Degrees 48 Minutes 11 Seconds East 105.2 feet  
thence North 25 Degrees 37 Minutes 46 Seconds East 109.5 feet  
thence North 33 Degrees 37 Minutes 00 Seconds East 105.2 feet  
thence North 37 Degrees 17 Minutes 34 Seconds East 101.1 feet  
thence North 45 Degrees 58 Minutes 51 Seconds East 102.1 feet

thence North 52 Degrees 19 Minutes 20 Seconds East 108.2 feet  
 thence North 45 Degrees 39 Minutes 51 Seconds East 94.4 feet  
 thence North 40 Degrees 45 Minutes 38 Seconds East 84.9 feet  
 thence North 43 Degrees 58 Minutes 18 Seconds East 94 feet  
 thence North 44 Degrees 17 Minutes 46 Seconds East 104.2 feet  
 thence North 41 Degrees 07 Minutes 06 Seconds East 104.6 feet  
 thence North 38 Degrees 34 Minutes 18 Seconds East 113.4 feet  
 thence North 33 Degrees 16 Minutes 16 Seconds East 106.7 feet  
 thence North 33 Degrees 58 Minutes 23 Seconds East 94.9 feet  
 thence North 30 Degrees 32 Minutes 23 Seconds East 94 feet  
 thence North 25 Degrees 59 Minutes 02 Seconds East 97 feet  
 thence North 35 Degrees 24 Minutes 13 Seconds East 105.1 feet  
 thence North 40 Degrees 31 Minutes 50 Seconds East 105.8 feet  
 thence North 39 Degrees 45 Minutes 50 Seconds East 94.8 feet  
 thence North 35 Degrees 46 Minutes 38 Seconds East 97.5 feet  
 thence North 31 Degrees 39 Minutes 58 Seconds East 110.3 feet  
 thence North 19 Degrees 53 Minutes 18 Seconds East 120.6 feet  
 thence North 13 Degrees 04 Minutes 44 Seconds East 114.7 feet  
 thence North 22 Degrees 06 Minutes 17 Seconds East 111.8 feet  
 thence North 45 Degrees 58 Minutes 51 Seconds East 102.1 feet  
 thence South 84 Degrees 02 Minutes 59 Seconds East 90.1 feet  
 thence South 54 Degrees 02 Minutes 15 Seconds East 102.6 feet  
 thence South 56 Degrees 23 Minutes 28 Seconds East 108.8 feet  
 thence South 64 Degrees 55 Minutes 59 Seconds East 107.1 feet  
 thence South 75 Degrees 54 Minutes 01 Seconds East 106.7 feet  
 thence North 88 Degrees 32 Minutes 26 Seconds East 99.1 feet  
 thence South 77 Degrees 04 Minutes 08 Seconds East 93 feet  
 thence South 77 Degrees 47 Minutes 32 Seconds East 105.9 feet  
 thence South 84 Degrees 38 Minutes 33 Seconds East 116.1 feet  
 thence South 52 Degrees 36 Minutes 12 Seconds East 115.3 feet  
 thence South 69 Degrees 02 Minutes 04 Seconds East 108.5 feet  
 thence South 70 Degrees 53 Minutes 40 Seconds East 69.6 feet more or less to **the ending**

**point at:** 39 degrees 52 minutes 03.07 seconds North Latitude and -112 degrees 27 minutes 36.58 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,370,928.2 feet and Y = 7,121,914.2 feet.