

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

ENTRY NO. 00139792

06/18/2008 02:09:21 PM B: 0351 P: 0106
Easements and Right of Ways PAGE 1 / 13
VERJEAN CARUSO, KANE COUNTY RECORDER
FEE \$ 0.00 BY GOVERNOR 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Kane County as it pertains to the highway located in Kane County known as Stout Canyon Road; County Road Number: K2350; State Geographic Information Database (SGID) Road Identification Number: RD130191. Total road length is 8.79 miles more or less.

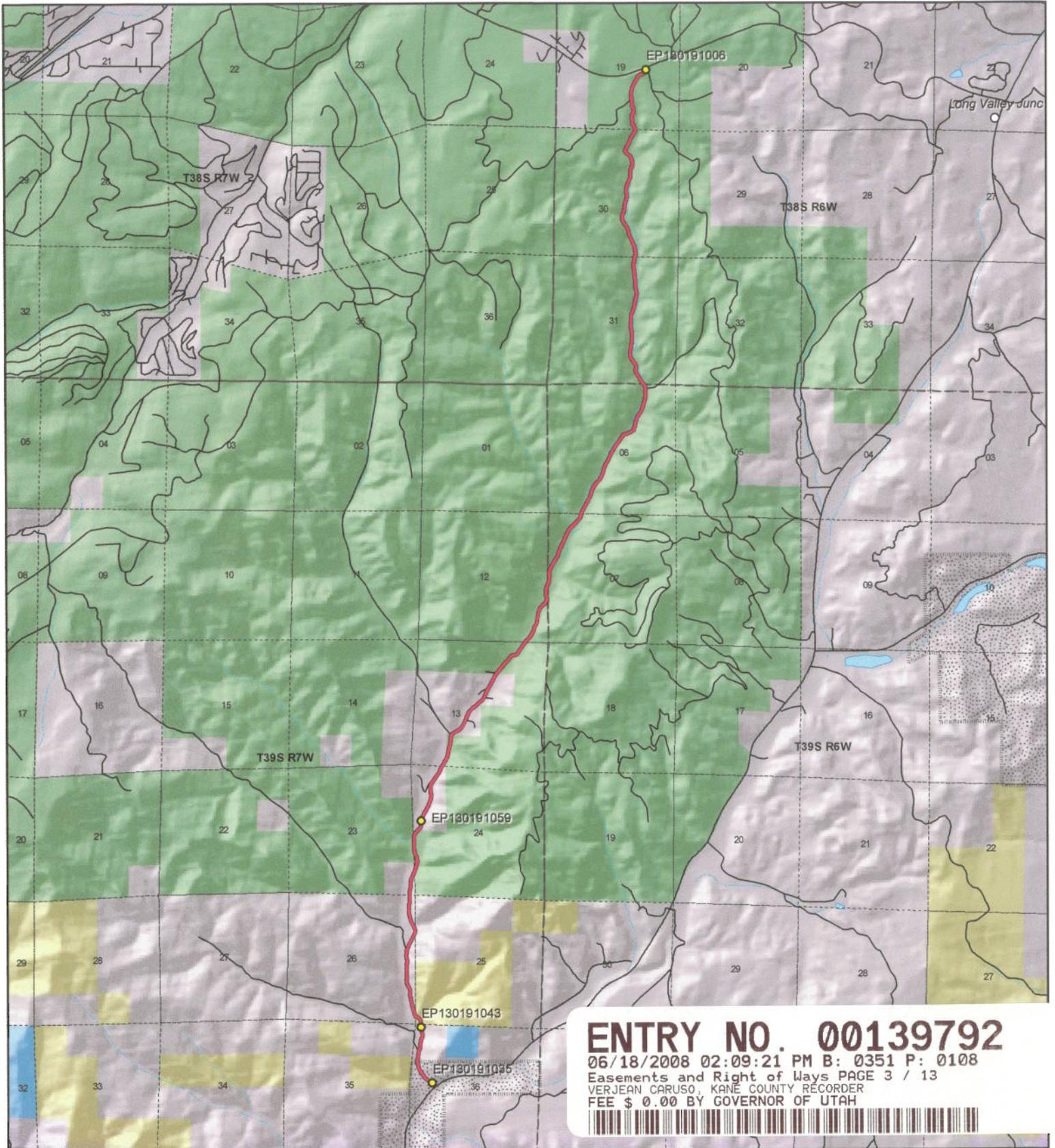
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a)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



ENTRY NO. 00139792
 06/18/2008 02:09:21 PM B: 0351 P: 0108
 Easements and Right of Ways PAGE 3 / 13
 VERJEAN CARUSO, KANE COUNTY RECORDER
 FEE \$ 0.00 BY GOVERNOR OF UTAH

Stout Canyon Road - Kane County
SGID RD_ID RD130191

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

- Stout Canyon Road
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- Photo Event Point
- Section = 1 Mile



1:63,614
 1 inch equals 1 miles



Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Jun 10, 2008





EP130191006



EP130191035



EP130191043



EP130191059

ENTRY NO. 00139792

06/18/2008 02:09:21 PM B: 0351 P: 0109

Easements and Right of Ways PAGE 4 / 13

VERJEAN CARUSO, KANE COUNTY RECORDER

FEE \$ 0.00 BY GOVERNOR OF UTAH



EP000000000

EP000000000

Stout Canyon Road - Kane County

SGID RD_ID RD130191

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
June 10, 2008



Attachment 3

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

Popular Name: Stout Canyon Road

County: Kane

County Road Number: K2350

State Geographic Information Database (SGID) Road Identification Number: RD130191.

Total Road Length: 8.79 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 22 minutes 39.99 seconds North Latitude and -112 degrees 35 minutes 26.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,323,457.8 feet and Y = 10,103,275.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 29 minutes 30.67 seconds North Latitude and -112 degrees 33 minutes 47.62 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,331,949.1 feet and Y = 10,144,718.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 38 South Range 6 West, Section(s) 19,30,31, Salt Lake Base & Meridian

Township 39 South Range 6 West, Section(s) 6,7, Salt Lake Base & Meridian

Township 39 South Range 7 West, Section(s) 12,13,23,24,25,26,36, Salt Lake Base & Meridian

See Attachment 1 above for a cartographic depiction of the course of this road.

ENTRY NO. 00139792

06/18/2008 02:09:21 PM B: 0351 P: 0110
Easements and Right of Ways PAGE 5 / 13
VERJEAN CARUSO, KANE COUNTY RECORDER
FEE \$ 0.00 BY GOVERNOR OF UTAH



**Attachment 4
Road Centerline Description Cover Page(s)**

Popular Name: Stout Canyon Road

County: Kane

County Road Number: K2350

State Geographic Information Database (SGID) Road Identification Number: RD130191.

Total Road Length: 8.79 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
RD130191	001	PVT	0.53 Miles	(not shown)
RD130191	002	BLM	0.09 Miles	A
RD130191	003	PVT	1.16 Miles	(not shown)
RD130191	004	FS	0.34 Miles	†(pending)
RD130191	005	PVT	0.58 Miles	(not shown)
RD130191	006	FS	0.21 Miles	†(pending)
RD130191	007	PVT	0.61 Miles	(not shown)
RD130191	008	FS	5.27 Miles	†(pending)
		Total Road Length	8.79	

* 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.

ENTRY NO. 00139792

06/18/2008 02:09:21 PM B: 0351 P: 0111
Easements and Right of Ways PAGE 6 / 13
VERJEAN CARUSO, KANE COUNTY RECORDER
FEE \$ 0.00 BY GOVERNOR OF UTAH



Attachment 5

ENTRY NO. 00139792
06/18/2008 02:09:21 PM B: 0351 P: 0112
Easements and Right of Ways PAGE 7 / 13
VERJEAN CARUSO, KANE COUNTY RECORDER
FEE \$ 0.00 BY GOVERNOR OF UTAH



AFFIDAVIT OF THOMAS H. HAYCOCK

STOUT CANYON ROAD

COUNTY ROAD NUMBER K2350

KANE COUNTY, UTAH

State of Utah)
 :SS
County of Kane)

THOMAS H. HAYCOCK, 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 Kanab, Kane County. I was born and raised in Kane County and have lived in the county all of my life, for 77 years.

2. I have traveled and am familiar with a road in Kane County known as Stout Canyon Road. I am also familiar with the land the road traverses. I have owned 340 acres of land on the east side of the ridge above Stout Canyon since 1968. When I first used and observed the road in the late 1930s, it followed the same route as in 2007 when last observed it. Attached is a Kane County map showing Stout 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. 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 the late 1930s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by various means including, automobiles, horses, pickup trucks, ATVs and cattle trucks. Throughout this time period, the road has been used at least daily, weather

ENTRY NO. 00139792

06/18/2008 02:09:21 PM B: 0351 P: 0113

Easements and Right of Ways PAGE 8 / 13

VERJEAN CARUSO, KANE COUNTY RECORDER

FEE \$ 0.00 BY GOVERNOR OF UTAH



permitting, for more than ten continuous years prior to 1976, and is presently used daily, weather permitting.

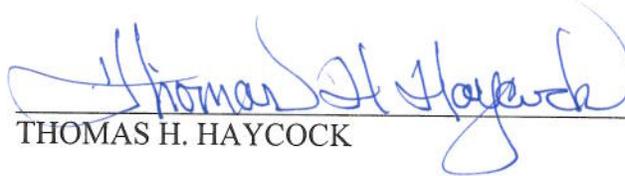
4. Throughout the time period from the late 1930s to the present, I have used the road myself for travel in and through the area, fishing, wood gathering, livestock operations, hunting, sight seeing and recreation.

5. Throughout the time period described in the previous paragraph, I have observed vehicles using the road at various times for the uses described in the previous paragraph, plus logging, saw mill operations and prospecting for minerals.

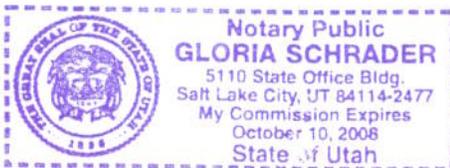
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed county graders and equipment performing maintenance and construction work on the road. I have also observed the graded surface of the road and other evidence of construction and maintenance such as berms.

Dated this 16 day of May, 2007.


THOMAS H. HAYCOCK

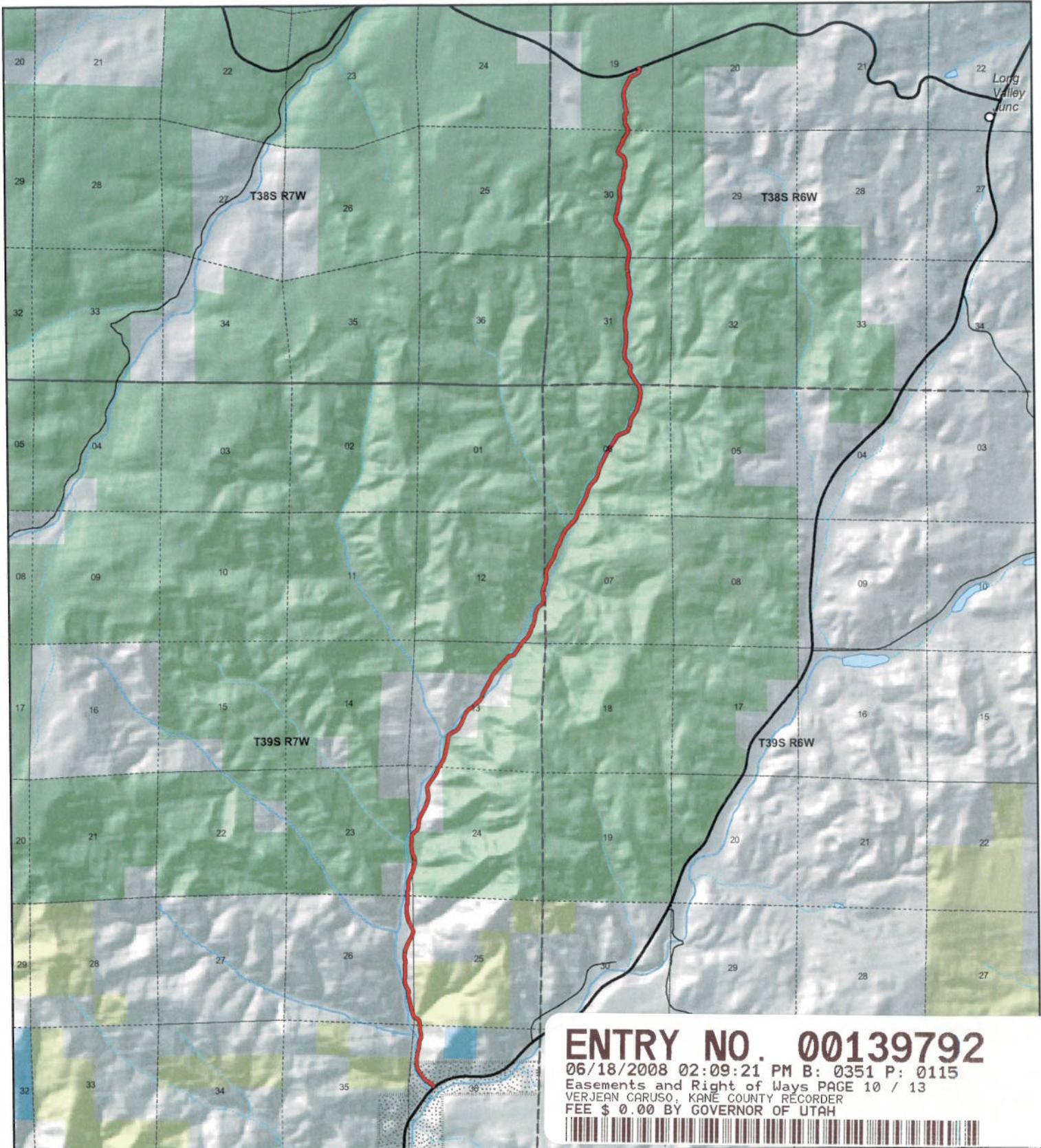
SUBSCRIBED AND SWORN to before me this 16th day of May, 2007.




NOTARY PUBLIC

ENTRY NO. 00139792
06/18/2008 02:09:21 PM B: 0351 P: 0114
Easements and Right of Ways PAGE 9 / 13
VERJEAN CARUSO, KANE COUNTY RECORDER
FEE \$ 0.00 BY GOVERNOR OF UTAH





ENTRY NO. 00139792

06/18/2008 02:09:21 PM B: 0351 P: 0115

Easements and Right of Ways PAGE 10 / 13

VERJEAN CARUSO, KANE COUNTY RECORDER

FEE \$ 0.00 BY GOVERNOR OF UTAH



**Stout Canyon
County Unique - K2350**

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

- Stout Canyon
- State / U.S. Highway
- Local Roads

Misc

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



1:62,507

1 inch equals 1 miles



Map prepared by the State of Utah
AGRC
Room S130 State Office Building
Salt Lake City, Utah 84114
May 07, 2007



AFFIDAVIT OF KURT BRINKERHOFF

STOUT CANYON ROAD

COUNTY ROAD NUMBER K2350

KANE COUNTY, UTAH

State of Utah)
 : ss.
County of Kane)

KURT BRINKERHOFF, 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 Kane County for 68 years. I was born July 6, 1939.

2. I have traveled and am familiar with a road in Kane County known as the Stout Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1945, it followed the same route as in 2007 when I last observed it. Attached is a Kane County map showing Stout 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. 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 1945 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including motor homes, cars, commercial trucks, maintenance vehicles, trucks, jeeps and ATV's. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and continuing through 2007.

ENTRY NO. 00139792

06/18/2008 02:09:21 PM B: 0351 P: 0116

Easements and Right of Ways PAGE 11 / 13

VERJEAN CARUSO, KANE COUNTY RECORDER

FEE \$ 0.00 BY GOVERNOR OF UTAH



4. Throughout the time period from 1945 to 2007, I have used the road myself for recreation, wood gathering, logging, hunting, fishing, sight seeing and traveling in and through the area.

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, tourism and government access.

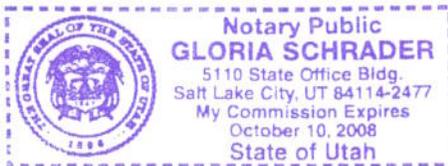
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

Dated this 15 day of May, 2007.


KURT BRINKERHOFF

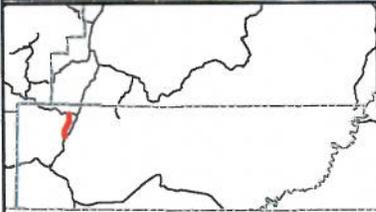
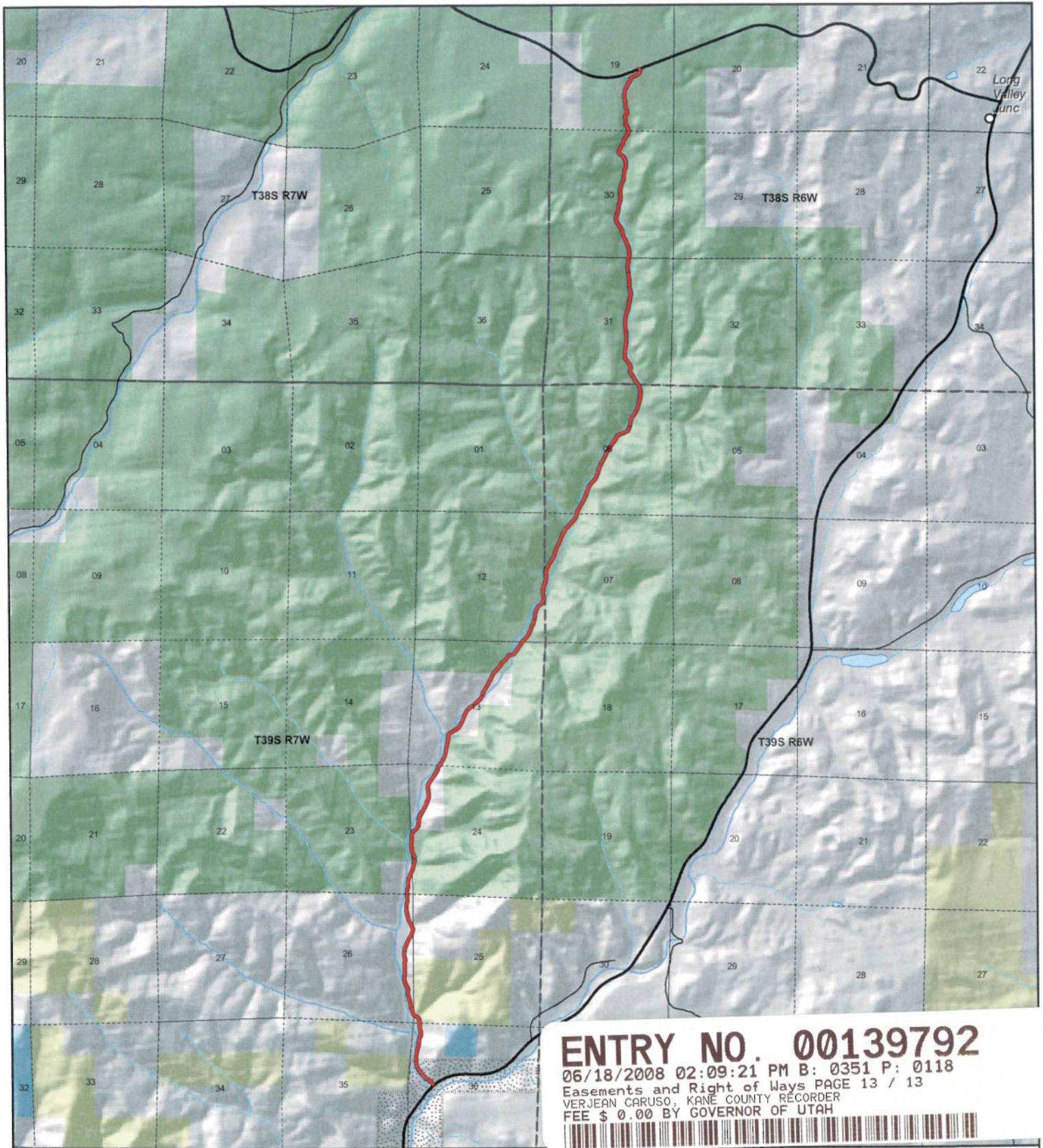
SUBSCRIBED AND SWORN to before me this 15th day of May, 2007.




NOTARY PUBLIC

ENTRY NO. 00139792
06/18/2008 02:09:21 PM B: 0351 P: 0117
Easements and Right of Ways PAGE 12 / 13
VERJEAN CARUSO, KANE COUNTY RECORDER
FEE \$ 0.00 BY GOVERNOR OF UTAH





**Stout Canyon
County Unique - K2350**

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

- Stout Canyon
- State / U.S. Highway
- Local Roads

Misc

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



1:62,507

1 inch equals 1 miles



Map prepared by the State of Utah
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
May 07, 2007



Appendix A to Attachment 4

Popular Name: Stout Canyon Road

County: Kane

County Road Number: K2350

State Geographic Information Database (SGID) Road Identification Number: RD130191.

Road-Segment Number: 002

Road-Segment Length: 0.09 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 39 South Range 7 West, Section(s) 25, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Stout Canyon 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 37 degrees 23 minutes 04.63 seconds North Latitude and -112 degrees 35 minutes 34.24 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,322,900.4 feet and Y = 10,105,773.8 feet; thence the following courses along the said road center line:

thence North 07 Degrees 20 Minutes 36 Seconds West 5.9 feet
thence North 07 Degrees 42 Minutes 58 Seconds West 19.1 feet
thence North 08 Degrees 12 Minutes 17 Seconds West 19.1 feet
thence North 10 Degrees 06 Minutes 54 Seconds West 18.3 feet
thence North 03 Degrees 20 Minutes 43 Seconds West 19.7 feet
thence North 05 Degrees 34 Minutes 23 Seconds West 18.9 feet
thence North 09 Degrees 34 Minutes 55 Seconds West 19.1 feet
thence North 12 Degrees 10 Minutes 52 Seconds West 19.3 feet
thence North 18 Degrees 19 Minutes 31 Seconds West 19 feet
thence North 23 Degrees 07 Minutes 35 Seconds West 18.7 feet
thence North 27 Degrees 25 Minutes 38 Seconds West 19.4 feet
thence North 34 Degrees 30 Minutes 48 Seconds West 17.9 feet

thence North 37 Degrees 11 Minutes 21 Seconds West 17.4 feet
thence North 39 Degrees 54 Minutes 19 Seconds West 17 feet
thence North 46 Degrees 14 Minutes 12 Seconds West 14.2 feet
thence North 53 Degrees 15 Minutes 18 Seconds West 10.9 feet
thence North 60 Degrees 07 Minutes 27 Seconds West 6.5 feet
thence North 52 Degrees 16 Minutes 36 Seconds West 14.7 feet
thence North 59 Degrees 32 Minutes 05 Seconds West 11.2 feet
thence North 64 Degrees 37 Minutes 51 Seconds West 13.1 feet
thence North 62 Degrees 17 Minutes 42 Seconds West 15.8 feet
thence North 62 Degrees 20 Minutes 20 Seconds West 17.5 feet
thence North 61 Degrees 55 Minutes 50 Seconds West 17.3 feet
thence North 57 Degrees 18 Minutes 00 Seconds West 18.1 feet
thence North 55 Degrees 13 Minutes 51 Seconds West 18.6 feet
thence North 54 Degrees 05 Minutes 39 Seconds West 18.1 feet
thence North 46 Degrees 49 Minutes 50 Seconds West 19.1 feet
thence North 39 Degrees 47 Minutes 19 Seconds West 9.2 feet more or less to **the ending point**

at: 37 degrees 23 minutes 08.02 seconds North Latitude and -112 degrees 35 minutes 37.27 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,322,659.7 feet and Y = 10,106,120.2 feet.