


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

ENTRY NO. 00139829
06/18/2008 03:00:36 PM B: 0351 P: 0588
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Oak Canyon Road; County Road Number: K4405; State Geographic Information Database (SGID) Road Identification Number: RD130639. Total road length is 0.67 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 12th 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 12th day of June, 2008.



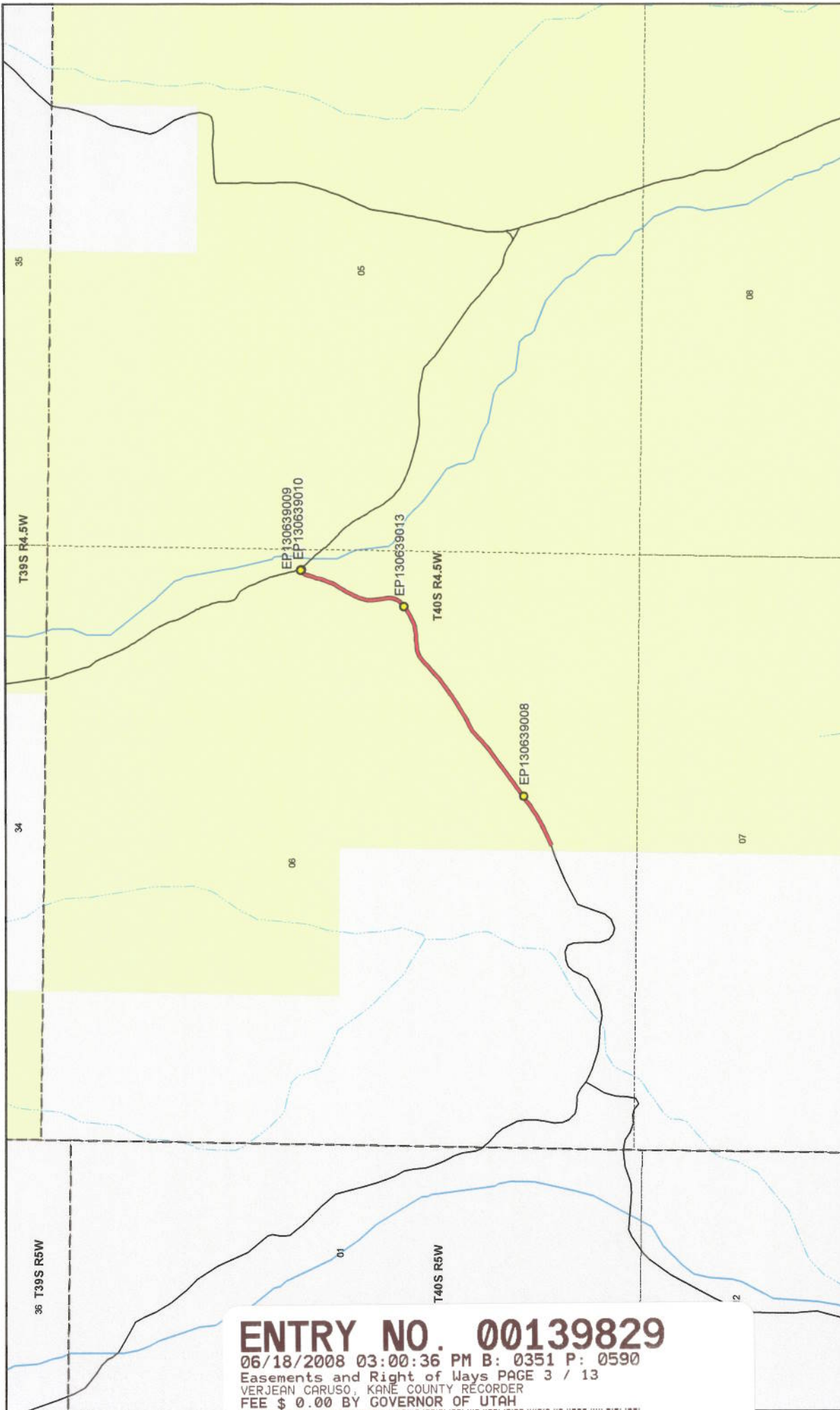


Notary Public

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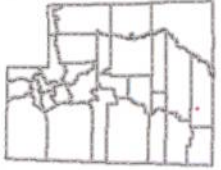




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1:14,249
 1 inch equals 0.2 miles



**Oak Canyon Road - Kane County
 SGID RD_ID RD130639**

- | | |
|--|--|
| Land Ownership Categories | Transportation Network |
| <ul style="list-style-type: none"> BLM Private SITLA, State Trust Land USFS, National Forest State Parks and Recreation Tribal, Indian Reservation NPS, National Park | <ul style="list-style-type: none"> Oak Canyon Road Other Roads Title V: Issued Or Under Consideration By BLM Or County Photo Event Point Section = 1 Mile |
| <ul style="list-style-type: none"> Wilderness UDWR Wildlife Reserve DOD, Military State Sovereign Land National Recreation Area USFWS, Natl. Wildlife Refuge | |

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



EP130639008



EP130639009



EP130639010



EP130639013

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VERJEAN CARUSO, KANE COUNTY RECORDER

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**Oak Canyon Road - Kane County
SGID RD_ID RD130639**

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: Oak Canyon Road

County: Kane

County Road Number: K4405

State Geographic Information Database (SGID) Road Identification Number: RD130639.

Total Road Length: 0.67 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 21 minutes 25.76 seconds North Latitude and -112 degrees 21 minutes 4.1 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,393,032.1 feet and Y = 10,095,045.1 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 21 minutes 48.15 seconds North Latitude and -112 degrees 20 minutes 34.14 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,395,471.6 feet and Y = 10,097,286.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 40 South Range 4.5 West, Section(s) 6, Salt Lake Base & Meridian
See Attachment 1 above for a cartographic depiction of the course of this road.

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VERJEAN CARUSO, KANE COUNTY RECORDER

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

Popular Name: Oak Canyon Road

County: Kane

County Road Number: K4405

State Geographic Information Database (SGID) Road Identification Number: RD130639.

Total Road Length: 0.67 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
RD130639	001	BLM	0.67 Miles	A
		Total Road Length	0.67	_____

* 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.


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Attachment 5

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VERJEAN CARUSO, KANE COUNTY RECORDER
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AFFIDAVIT OF VANE CAMPBELL

OAK CANYON ROAD

COUNTY ROAD NUMBER K4405

KANE COUNTY, UTAH

State of Utah)
 : ss.
County of Kane)

Vane 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 was born January 4, 1930, in Circleville, UT and moved to Alton, Kane County, Utah when I was two years old and have lived in Alton for the past 74 years. I started to work for the Kane County Road Department in 1967. I left the county in 1970 for other employment and returned to the county road department in 1972 and was made Superintendent of the Kane County Road Department in 1974. I worked for the road department until I retired in 1992.

2. I have traveled and am familiar with a road in Kane County known as the Oak Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1956, it followed the same route as in 1992 when I last observed it. Attached is a Kane County map showing the Oak 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 1956 and continuing through 1976 to 2002. Throughout this time period I have observed travel on the road by various

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means, including Kane County road maintenance vehicles, cars, four wheel drive vehicles, ATVs and trucks. Throughout this time period, the road has been used daily, weather permitting for more than ten continuous years prior to 1976.

4. Throughout the time period from the early 1956 to 1992, I have used the road myself for performing maintenance on the roads, logging, and/or 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 ranching, cedar post cutting, recreation, hiking, rock hounding, livestock operations.

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.

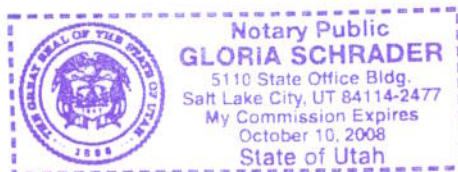
7. Prior to 1976, I personally performed maintenance and construction activities on the road.

Dated this 15 day of May, 2007.

Vane Campbell
VANE CAMPBELL

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

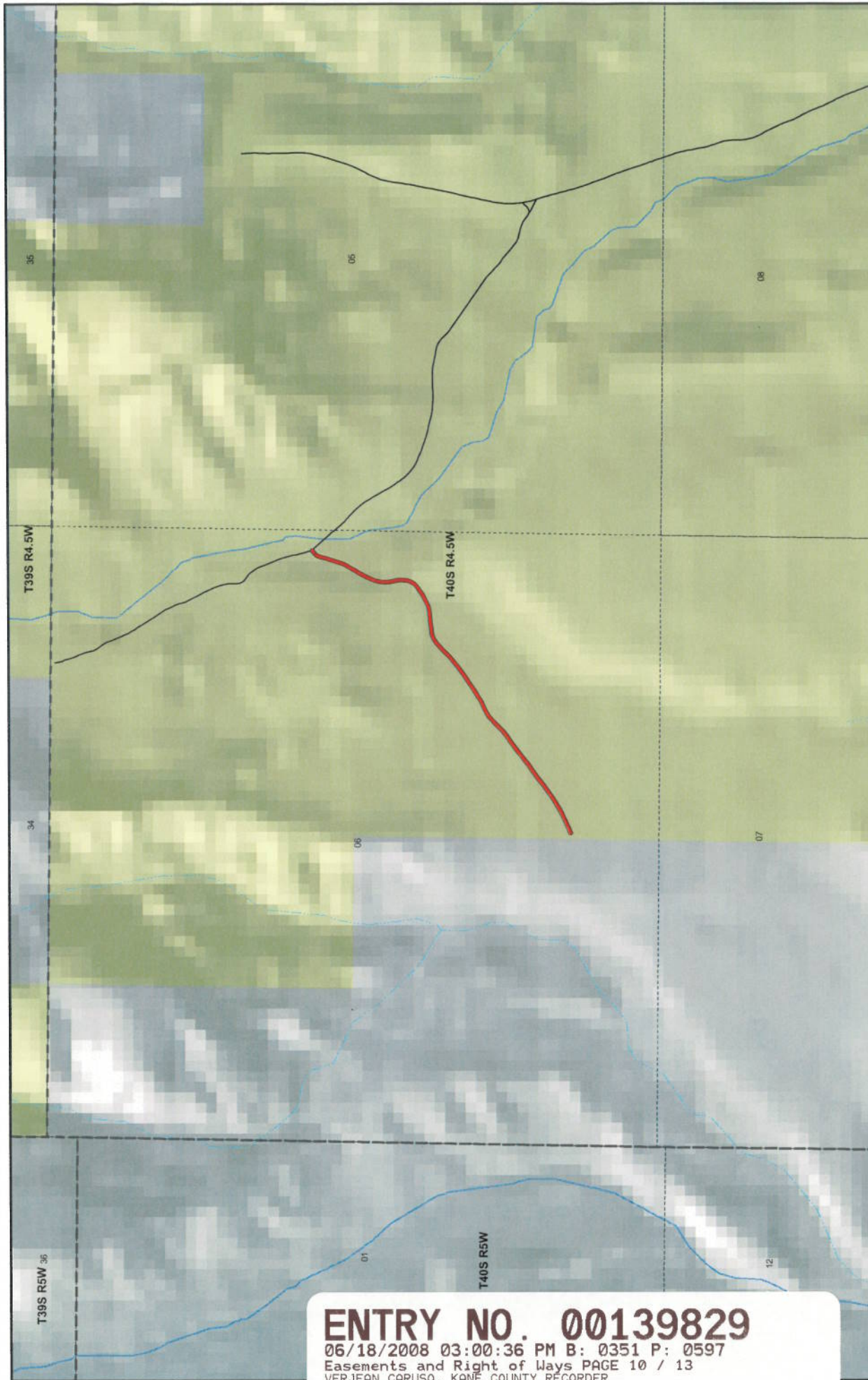
Gloria Schrader
NOTARY PUBLIC



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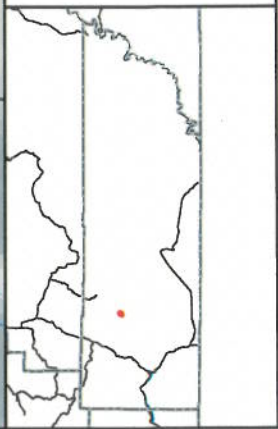

1:13,585
1 inch equals 0.2 miles

Map prepared by the State of Utah
Automated Geographic Reference Center
AGRC
Room 5130, State Capitol Building
Salt Lake City, Utah 84114
May 07, 2007





Oak Canyon County Unique - K4405

<p>Land Ownership Categories</p> <ul style="list-style-type: none"> BLM Private SITLA, State Trust Land USFS, National Forest National Park/Monument (NPS) 	<p>Misc</p> <ul style="list-style-type: none"> Wildlife Reserve National Rec. Area Wilderness State Park 	<p>City / Town</p> <p>Municipalities</p> <p>Section = 1 Mile</p> <p>Monument Boundary</p>	<p>Transportation Network</p> <ul style="list-style-type: none"> Oak Canyon State / U.S. Highway Local Roads
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monthly in the winter months, for more than ten continuous years prior to 1976, and continuing through 2007.

4. Throughout the time period from 1945 to 2007, I have used the road myself for livestock operations, wood gathering, hunting 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 farming, camping and government access.

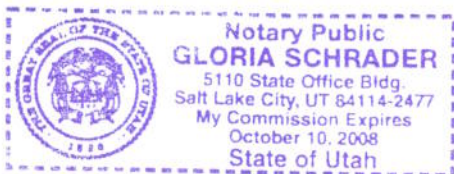
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

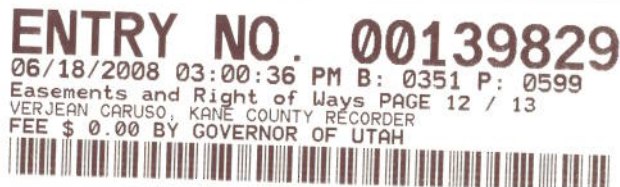
Dated this 15 day of May, 2007.

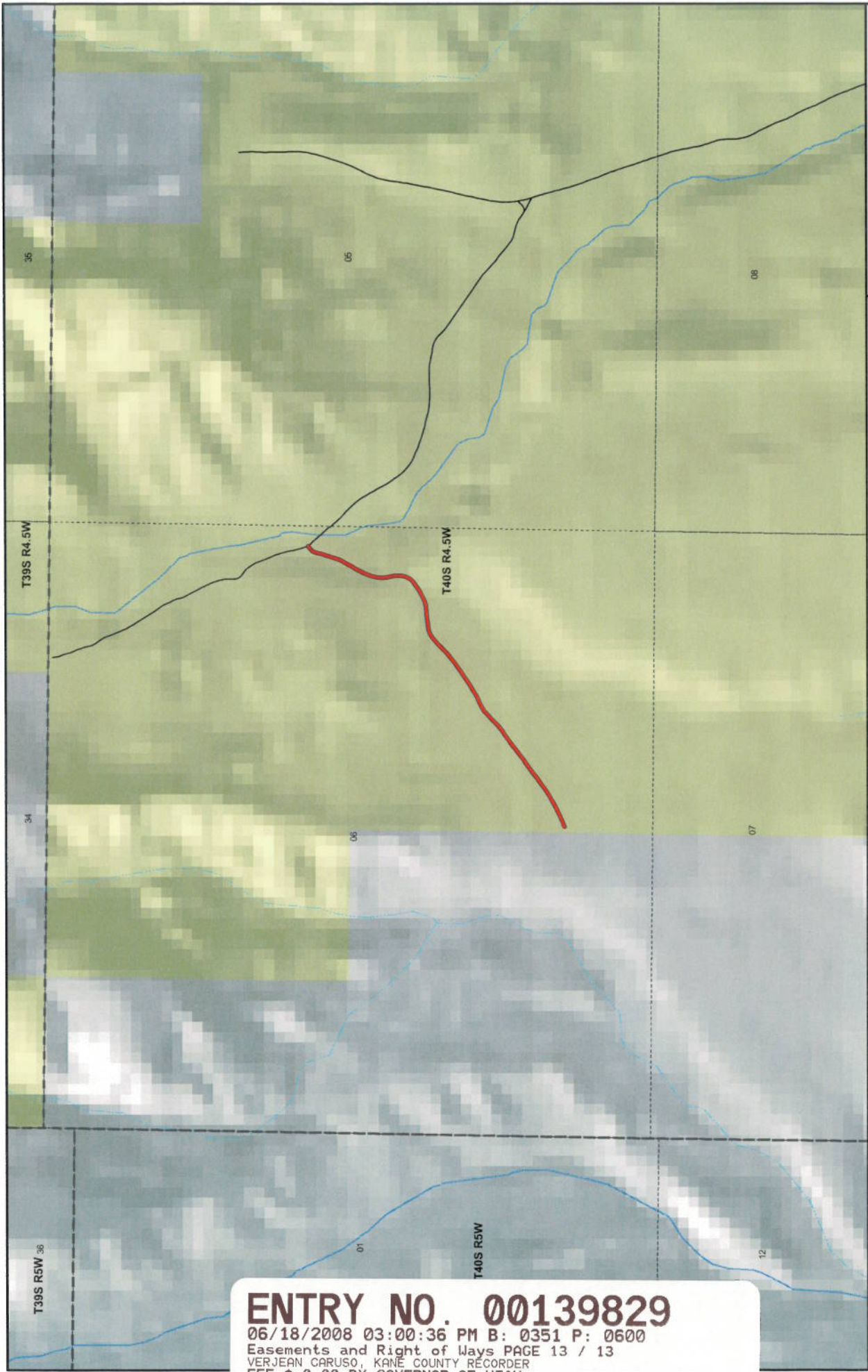

KURT BRINKERHOFF

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




NOTARY PUBLIC





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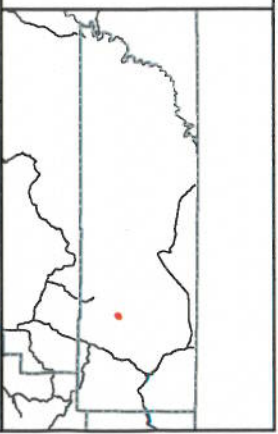

1:13,585
 1 inch equals 0.2 miles

Map prepared by the State of Utah
 AGRC
 Automated Geographic Reference Center
 Room 5300, Agriculture Building
 Salt Lake City, Utah 84114
 May 07, 2007



Oak Canyon County Unique - K4405

Land Ownership Categories BLM Private SITLA, State Trust Land USFS, National Forest National Park/Monument (NPS)	Misc Wildlife Reserve National Rec. Area Wilderness State Park	City / Town Municipalities Section = 1 Mile Monument Boundary	Transportation Network Oak Canyon State / U.S. Highway Local Roads
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Appendix A to Attachment 4

Popular Name: Oak Canyon Road

County: Kane

County Road Number: K4405

State Geographic Information Database (SGID) Road Identification Number: RD130639.

Road-Segment Number: 001

Road-Segment Length: 0.67 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 40 South Range 4.5 West, Section(s) 6, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Oak 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 37 degrees 21 minutes 25.76 seconds North Latitude and -112 degrees 21 minutes 4.1 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,393,032.1 feet and Y = 10,095,045.1 feet; thence the following courses along the said road center line:

thence North 66 Degrees 54 Minutes 39 Seconds East	8.5 feet
thence North 70 Degrees 47 Minutes 49 Seconds East	7.6 feet
thence North 64 Degrees 26 Minutes 54 Seconds East	9.6 feet
thence North 65 Degrees 42 Minutes 47 Seconds East	22.2 feet
thence North 63 Degrees 33 Minutes 28 Seconds East	27.9 feet
thence North 64 Degrees 33 Minutes 49 Seconds East	34.8 feet
thence North 64 Degrees 51 Minutes 44 Seconds East	40.9 feet
thence North 63 Degrees 36 Minutes 16 Seconds East	46.7 feet
thence North 62 Degrees 02 Minutes 51 Seconds East	49.4 feet
thence North 59 Degrees 10 Minutes 30 Seconds East	50.1 feet
thence North 57 Degrees 06 Minutes 04 Seconds East	50.2 feet
thence North 53 Degrees 28 Minutes 59 Seconds East	51.4 feet

thence North 53 Degrees 58 Minutes 09 Seconds East 50.6 feet
thence North 52 Degrees 57 Minutes 27 Seconds East 50.7 feet
thence North 53 Degrees 41 Minutes 06 Seconds East 50.2 feet
thence North 54 Degrees 26 Minutes 57 Seconds East 49.7 feet
thence North 52 Degrees 58 Minutes 47 Seconds East 50.8 feet
thence North 53 Degrees 31 Minutes 20 Seconds East 50.1 feet
thence North 52 Degrees 19 Minutes 28 Seconds East 52.7 feet
thence North 52 Degrees 08 Minutes 37 Seconds East 52.5 feet
thence North 52 Degrees 02 Minutes 03 Seconds East 52.4 feet
thence North 54 Degrees 03 Minutes 32 Seconds East 52.1 feet
thence North 55 Degrees 09 Minutes 00 Seconds East 52.1 feet
thence North 54 Degrees 09 Minutes 49 Seconds East 49.4 feet
thence North 50 Degrees 07 Minutes 23 Seconds East 47.6 feet
thence North 46 Degrees 37 Minutes 53 Seconds East 46.9 feet
thence North 46 Degrees 40 Minutes 27 Seconds East 44.5 feet
thence North 44 Degrees 01 Minutes 49 Seconds East 43.6 feet
thence North 47 Degrees 08 Minutes 41 Seconds East 42.5 feet
thence North 58 Degrees 46 Minutes 21 Seconds East 46.3 feet
thence North 65 Degrees 05 Minutes 58 Seconds East 49.3 feet
thence North 63 Degrees 24 Minutes 19 Seconds East 50 feet
thence North 58 Degrees 16 Minutes 18 Seconds East 51.9 feet
thence North 56 Degrees 38 Minutes 08 Seconds East 52.6 feet
thence North 57 Degrees 58 Minutes 31 Seconds East 49.9 feet
thence North 55 Degrees 56 Minutes 56 Seconds East 50.2 feet
thence North 55 Degrees 36 Minutes 47 Seconds East 49.8 feet
thence North 54 Degrees 38 Minutes 41 Seconds East 50 feet
thence North 53 Degrees 43 Minutes 44 Seconds East 50.3 feet
thence North 50 Degrees 29 Minutes 44 Seconds East 50.6 feet
thence North 48 Degrees 20 Minutes 52 Seconds East 48.5 feet
thence North 46 Degrees 59 Minutes 07 Seconds East 48.3 feet
thence North 46 Degrees 39 Minutes 53 Seconds East 48.1 feet
thence North 46 Degrees 47 Minutes 32 Seconds East 45.8 feet
thence North 48 Degrees 25 Minutes 00 Seconds East 44.8 feet
thence North 54 Degrees 56 Minutes 54 Seconds East 43.2 feet
thence North 71 Degrees 06 Minutes 12 Seconds East 43.7 feet
thence North 83 Degrees 29 Minutes 52 Seconds East 45.6 feet
thence North 84 Degrees 22 Minutes 23 Seconds East 44.5 feet
thence North 84 Degrees 08 Minutes 47 Seconds East 42 feet
thence North 83 Degrees 54 Minutes 11 Seconds East 40.6 feet
thence North 80 Degrees 05 Minutes 22 Seconds East 39.3 feet
thence North 74 Degrees 12 Minutes 16 Seconds East 36.8 feet
thence North 67 Degrees 34 Minutes 46 Seconds East 34.9 feet
thence North 62 Degrees 22 Minutes 06 Seconds East 33.9 feet
thence North 59 Degrees 08 Minutes 50 Seconds East 32.3 feet
thence North 56 Degrees 11 Minutes 12 Seconds East 29.7 feet
thence North 55 Degrees 12 Minutes 04 Seconds East 23.2 feet
thence North 54 Degrees 55 Minutes 24 Seconds East 17.3 feet
thence North 54 Degrees 25 Minutes 12 Seconds East 8.5 feet
thence North 53 Degrees 09 Minutes 32 Seconds East 20.7 feet

thence North 44 Degrees 33 Minutes 28 Seconds East 27.8 feet
 thence North 28 Degrees 37 Minutes 55 Seconds East 30.9 feet
 thence North 18 Degrees 23 Minutes 46 Seconds East 32 feet
 thence North 06 Degrees 39 Minutes 06 Seconds East 34.7 feet
 thence North 02 Degrees 38 Minutes 20 Seconds West 37.8 feet
 thence North 08 Degrees 37 Minutes 35 Seconds West 39 feet
 thence North 11 Degrees 55 Minutes 12 Seconds West 40.2 feet
 thence North 06 Degrees 57 Minutes 16 Seconds West 38.8 feet
 thence North 03 Degrees 29 Minutes 57 Seconds East 38.6 feet
 thence North 10 Degrees 51 Minutes 51 Seconds East 37.6 feet
 thence North 19 Degrees 21 Minutes 30 Seconds East 37.5 feet
 thence North 24 Degrees 09 Minutes 53 Seconds East 39.6 feet
 thence North 25 Degrees 59 Minutes 42 Seconds East 40.3 feet
 thence North 27 Degrees 39 Minutes 17 Seconds East 41.8 feet
 thence North 30 Degrees 35 Minutes 12 Seconds East 41.1 feet
 thence North 30 Degrees 59 Minutes 06 Seconds East 40.3 feet
 thence North 30 Degrees 06 Minutes 00 Seconds East 37.1 feet
 thence North 26 Degrees 25 Minutes 50 Seconds East 35.8 feet
 thence North 22 Degrees 14 Minutes 23 Seconds East 35.5 feet
 thence North 18 Degrees 54 Minutes 15 Seconds East 35.6 feet
 thence North 16 Degrees 42 Minutes 55 Seconds East 34.3 feet
 thence North 17 Degrees 22 Minutes 58 Seconds East 28.4 feet
 thence North 15 Degrees 59 Minutes 43 Seconds East 22.2 feet
 thence North 15 Degrees 51 Minutes 19 Seconds East 24.8 feet
 thence North 15 Degrees 20 Minutes 37 Seconds East 21.3 feet
 thence North 14 Degrees 32 Minutes 36 Seconds East 13.6 feet
 thence North 12 Degrees 06 Minutes 31 Seconds East 3.4 feet
 thence North 16 Degrees 53 Minutes 50 Seconds East 16.3 feet
 thence North 27 Degrees 53 Minutes 33 Seconds East 18.6 feet
 thence North 43 Degrees 11 Minutes 22 Seconds East 15.8 feet
 thence North 48 Degrees 56 Minutes 15 Seconds East 3.8 feet
 thence North 55 Degrees 12 Minutes 04 Seconds East 11.6 feet
 thence North 50 Degrees 56 Minutes 43 Seconds East 9.2 feet
 thence North 59 Degrees 31 Minutes 40 Seconds East 6.5 feet
 thence North 54 Degrees 47 Minutes 55 Seconds East 8.6 feet
 thence North 29 Degrees 23 Minutes 04 Seconds East 3.8 feet

more or less to **the ending point**
at: 37 degrees 21 minutes 48.15 seconds North Latitude and -112 degrees 20 minutes 34.14 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,395,471.6 feet and Y = 10,097,286.8 feet.