

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

00165739

B: 485 P: 066 Fee \$0.00
Connie Hansen, Millard Recorder Page 1 of 13
05/14/2008 09:42:20 AM By UT STATE GOVERNOR



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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Millard County as it pertains to the highway located in Millard County known as Nevada Road; County Road Number: MC1383; State Geographic Information Database (SGID) Road Identification Number: RD140436. Total road length is 0.62 miles more or less.

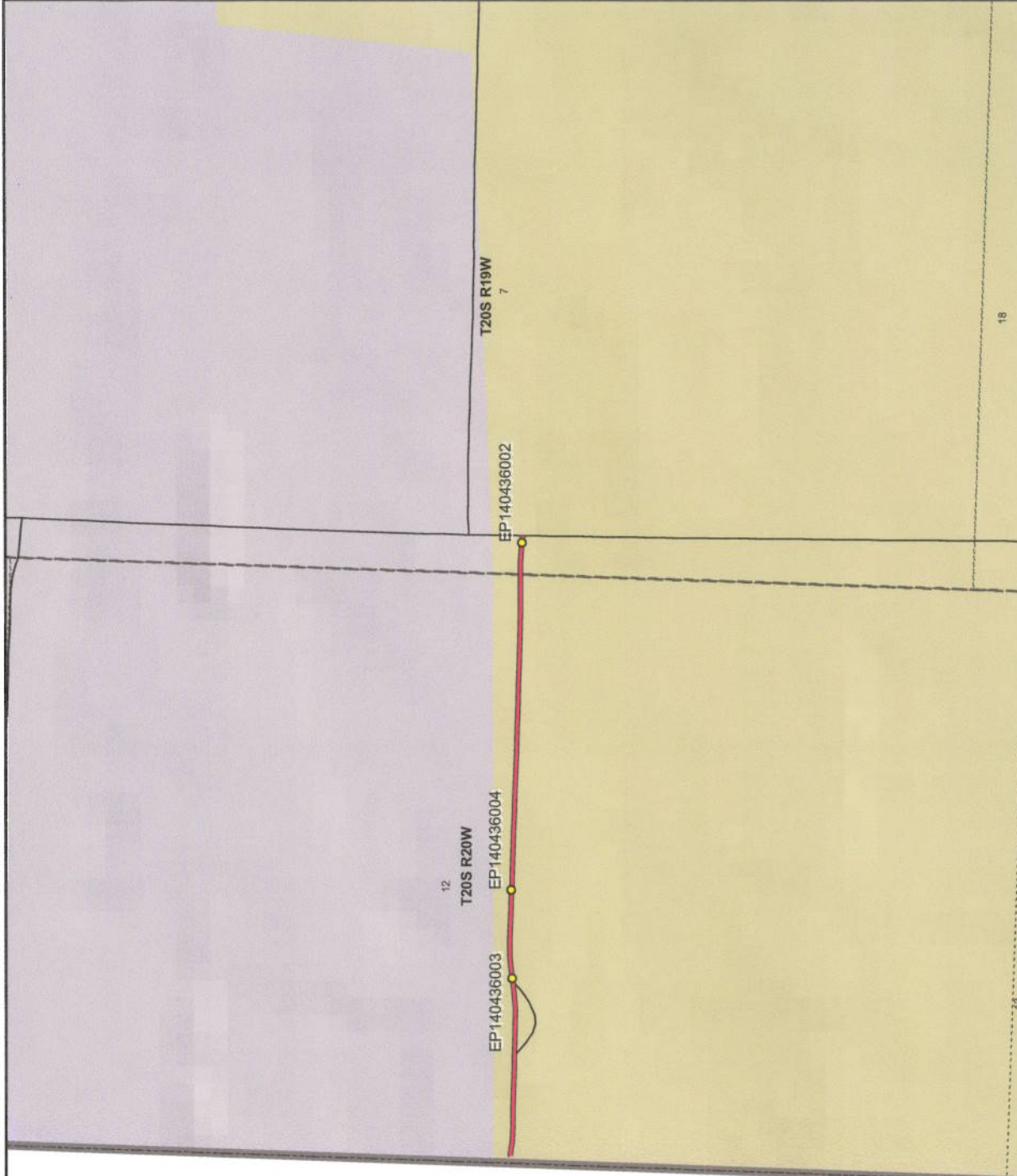
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a)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

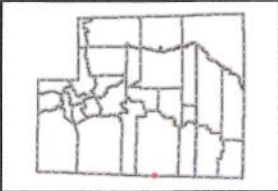
A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

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



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1:10,134
 1 inch equals 0.2 miles

Nevada Road - Millard County
 SGID RD_ID RD140436

- 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**
- Nevada Road
 - Other Roads
 - Title V, Issued Or Under Consideration 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
 Nov 23, 2006





EP140436002



EP140436004



EP140436003

EP000000000

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Nevada Road - Millard County
SGID RD_ID RD140436

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
November 22, 2006



Attachment 3

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

Popular Name: Nevada Road

County: Millard

County Road Number: MC1383

State Geographic Information Database (SGID) Road Identification Number: RD140436.

Total Road Length: 0.62 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 04 minutes 49.32 seconds North Latitude and -114 degrees 02 minutes 055.6 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 916,965.4 feet and Y = 6,844,075.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 04 minutes 49.75 seconds North Latitude and -114 degrees 02 minutes 14.38 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 920,215.8 feet and Y = 6,844,025.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 20 South Range 19 West, Section(s) 7, Salt Lake Base & Meridian
Township 20 South Range 20 West, Section(s) 12, Salt Lake Base & Meridian
See Attachment 1 above for a cartographic depiction of the course of this road.

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

Popular Name: Nevada Road
County: Millard
County Road Number: MC1383
State Geographic Information Database (SGID) Road Identification Number: RD140436.
Total Road Length: 0.62 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
RD140436	001	BLM	0.62 Miles	A
		Total Road Length	0.62	_____

* 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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AFFIDAVIT OF JAY ATKINSON
NEVADA ROAD
MILLARD COUNTY, UTAH
ROAD NUMBER MC 1383

State of Utah)
 : ss.
County of Millard)

JAY ATKINSON, 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 Millard County, Utah. I have lived in Millard County for sixty-eight years. I was an employee of the Millard County Road Department from February of 1970 to April of 2000, and participated in maintenance of the road during that time.

2. I have traveled and am familiar with a road in Millard County known as Nevada Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s, it followed the same route as in 2000 when I last observed it. Attached is a Millard County map showing Nevada 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 1950s and continuing through 1976 to 2000. Throughout this time period I have observed travel on the road by various means, including cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for ten continuous years prior to 1976, and was so used through 2000.

5. Throughout the time period from the early 1950s to 2000, I have used the road

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myself for the following uses: hunting, county road work and recreation.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: livestock operations, trapping, government access and sightseeing.

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 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

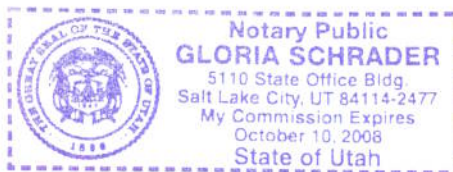
8. Prior to 1976, I participated in maintenance and construction activities on the road. Construction and maintenance have been performed since the early 1950s by Millard County Road Department.

DATED this 6 day of December, 2006.



JAY ATKINSON

SUBSCRIBED AND SWORN to before me this 6th day of December, 2006.





NOTARY PUBLIC

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ROAD = MC1383
NEVADA ROAD

Eskdale

00165739

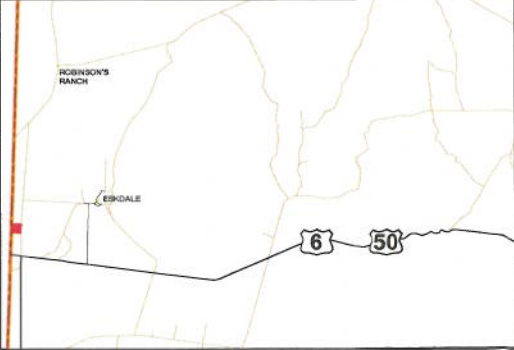
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MILLARD COUNTY

— B Class Road of Interest

- Interstate
- Highway Major
- Highway Minor
- B Class Road
- Unimproved Road
- County Border
- River
- Cities / Towns
- Lakes
- Lakes - Intermittent
- Township & Range Line
- Forest Service Lands
- BLM Lands
- State Trust Lands
- Private Lands



AFFIDAVIT OF WILLIAM THAYNE HENRIE

NEVADA ROAD

MILLARD COUNTY, UTAH

ROAD NUMBER MC1383

State of Utah)
 : ss.
County of Millard)

WILLIAM THAYNE HENRIE, 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 Millard County, Utah. I have lived in Millard County for fifty-eight years. I have been an employee of the Millard County Road Department since June of 1990, have been the Road Department Supervisor from January 1993 to the present and have participated in maintenance of the road during that time.

2. I have traveled and am familiar with a road in Millard County known as Nevada Road. I am also familiar with the land the road traverses. When I first used and observed the road in the 1950s, it followed the same route as in 2006 when I last observed it. Attached is a Millard County map showing Nevada 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 1950s and continuing through 1976 to the present. 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 has been used daily for more than ten continuous years prior to 1976, and is presently used daily.

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5. Throughout the time period from the 1950s to the present, I have used the road myself for camping, rock hounding, participating in search and rescue efforts and recreation.

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 mining, prospecting for minerals, livestock operations, farming, trapping, tourism, government access, picnicking, hiking and sightseeing.

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.

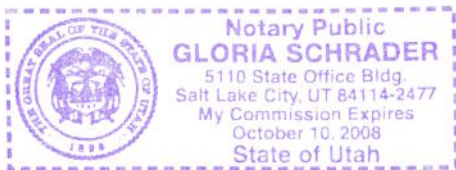
8. Prior to 1976 I observed graders and other maintenance equipment performing maintenance and construction activities on the road. Maintenance on the road has been performed since 1955 by the Millard County Road Department.

DATED this 5 day of December, 2006.



WILLIAM THAYNE HENRIE

SUBSCRIBED AND SWORN to before me this 5th day of December, 2006.





NOTARY PUBLIC

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ROAD = MC1383
NEVADA ROAD

Eskdale

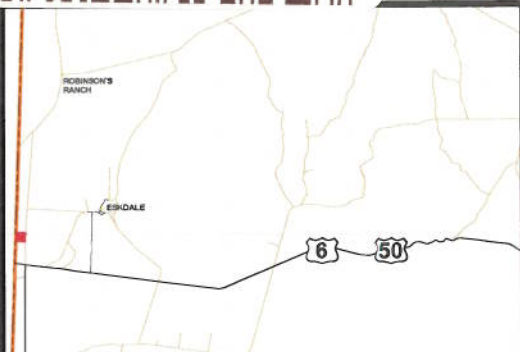
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MILLARD COUNTY

 B Class Road of Interest

- | | | |
|---|--|---|
|  Interstate |  County Border |  Township & Range Line |
|  Highway Major |  River |  Forest Service Lands |
|  Highway Minor |  Cities / Towns |  BLM Lands |
|  B Class Road |  Lakes |  State Trust Lands |
|  Unimproved Road |  Lakes - Intermittent |  Private Lands |

0.2 0.1 0 0.2
Miles



Appendix A to Attachment 4

Popular Name: Nevada Road

County: Millard

County Road Number: MC1383

State Geographic Information Database (SGID) Road Identification Number: RD140436.

Road-Segment Number: 001

Road-Segment Length: 0.62 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 20 South Range 19 West, Section(s) 7, Salt Lake Base & Meridian

Township 20 South Range 20 West, Section(s) 12, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Nevada 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 04 minutes 49.32 seconds North Latitude and -114 degrees 02 minutes 055.6 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 916,965.4 feet and Y = 6,844,075.3 feet; thence the following courses along the said road center line:

thence North 78 Degrees 49 Minutes 26 Seconds East 8.7 feet
thence South 83 Degrees 26 Minutes 51 Seconds East 16.5 feet
thence South 81 Degrees 24 Minutes 35 Seconds East 21.2 feet
thence South 82 Degrees 53 Minutes 26 Seconds East 25.5 feet
thence South 84 Degrees 45 Minutes 46 Seconds East 40.9 feet
thence South 89 Degrees 19 Minutes 09 Seconds East 58.1 feet
thence South 89 Degrees 41 Minutes 02 Seconds East 62 feet
thence North 89 Degrees 42 Minutes 34 Seconds East 5.2 feet
thence South 88 Degrees 55 Minutes 35 Seconds East 27.6 feet
thence South 89 Degrees 14 Minutes 41 Seconds East 89.9 feet

thence South 87 Degrees 56 Minutes 59 Seconds East 120.5 feet
 thence South 89 Degrees 34 Minutes 27 Seconds East 52.5 feet
 thence South 89 Degrees 26 Minutes 07 Seconds East 87.9 feet
 thence South 89 Degrees 14 Minutes 55 Seconds East 162.4 feet
 thence North 84 Degrees 38 Minutes 20 Seconds East 137.3 feet
 thence North 79 Degrees 24 Minutes 17 Seconds East 3.7 feet
 thence North 81 Degrees 07 Minutes 33 Seconds East 17.6 feet
 thence North 80 Degrees 09 Minutes 37 Seconds East 35.6 feet
 thence North 83 Degrees 42 Minutes 47 Seconds East 78.5 feet
 thence North 89 Degrees 42 Minutes 34 Seconds East 98.1 feet
 thence South 87 Degrees 38 Minutes 06 Seconds East 113.3 feet
 thence South 88 Degrees 13 Minutes 22 Seconds East 90.9 feet
 thence South 88 Degrees 04 Minutes 14 Seconds East 42.3 feet
 thence South 86 Degrees 19 Minutes 04 Seconds East 23.7 feet
 thence South 89 Degrees 27 Minutes 14 Seconds East 44.9 feet
 thence South 87 Degrees 39 Minutes 50 Seconds East 71.6 feet
 thence South 88 Degrees 39 Minutes 13 Seconds East 80.4 feet
 thence South 88 Degrees 56 Minutes 14 Seconds East 83.3 feet
 thence South 87 Degrees 51 Minutes 40 Seconds East 54.2 feet
 thence South 87 Degrees 59 Minutes 59 Seconds East 57.4 feet
 thence South 88 Degrees 37 Minutes 48 Seconds East 90.5 feet
 thence South 88 Degrees 08 Minutes 19 Seconds East 113.5 feet
 thence South 87 Degrees 28 Minutes 39 Seconds East 113.6 feet
 thence South 88 Degrees 51 Minutes 46 Seconds East 105.3 feet
 thence South 88 Degrees 38 Minutes 57 Seconds East 114.5 feet
 thence South 88 Degrees 54 Minutes 02 Seconds East 121.7 feet
 thence South 87 Degrees 54 Minutes 16 Seconds East 118.2 feet
 thence South 88 Degrees 41 Minutes 37 Seconds East 188.3 feet
 thence South 89 Degrees 29 Minutes 00 Seconds East 93.1 feet
 thence North 89 Degrees 42 Minutes 34 Seconds East 98.7 feet
 thence South 89 Degrees 12 Minutes 19 Seconds East 86.6 feet
 thence North 86 Degrees 07 Minutes 59 Seconds East 5.3 feet
 thence North 87 Degrees 04 Minutes 01 Seconds East 21.3 feet
 thence North 89 Degrees 42 Minutes 34 Seconds East 36.1 feet
 thence South 85 Degrees 05 Minutes 45 Seconds East 72.4 feet
 thence South 84 Degrees 26 Minutes 04 Seconds East 64.3 feet more or less to **the ending**

point at: 39 degrees 04 minutes 49.75 seconds North Latitude and -114 degrees 02 minutes 14.38 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 920,215.8 feet and Y = 6,844,025.9 feet.