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B: 485 P: 209 Fee \$0.00
Connie Hansen, Millard Recorder
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**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Millard County as it pertains to the highway located in Millard County known as Hardpan Road; County Road Number: MC1701; State Geographic Information Database (SGID) Road Identification Number: RD140757. Total road length is 0.95 miles more or less.

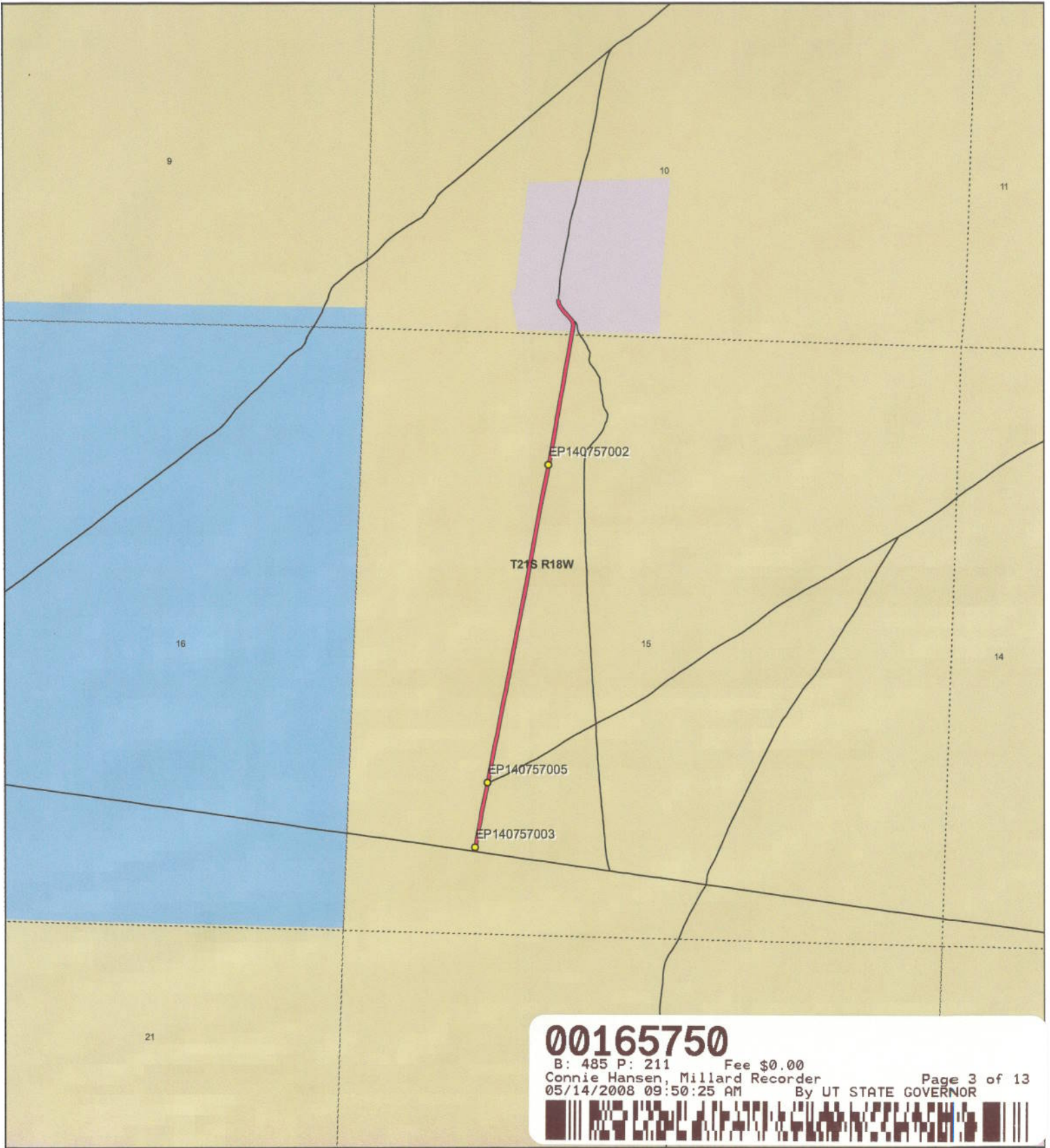
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) 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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1:13,802
 1 inch equals 0.2 miles

Hardpan Road - Millard County
SGID RD_ID RD140757

Land Ownership Categories		Transportation Network
● BLM	◆ Wilderness	— Hardpan Road
● Private	◆ UDWR Wildlife Reserve	— Title V: Issued Or Under Consideration By BLM Or County
◆ SITLA, State Trust Land	◆ DOD, Military	— Other Roads
◆ USFS, National Forest	◆ State Sovereign Land	● Photo Event Point
◆ State Parks and Recreation	◆ National Recreation Area	 Section = 1 Mile
◆ Tribal, Indian Reservation	◆ USFWS, Natl. Wildlife Refuge	
◆ NPS, National Park		

Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Nov 26, 2006



EP140757002



EP140757003



EP140757005

EP000000000

EP000000000

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Hardpan Road - Millard County
SGID RD_ID RD140757

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: Hardpan Road

County: Millard

County Road Number: MC1701

State Geographic Information Database (SGID) Road Identification Number: RD140757.

Total Road Length: 0.95 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 59 minutes 10.17 seconds North Latitude and -113 degrees 51 minutes 43.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 969,077.7 feet and Y = 6,808,318.1 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 59 minutes 58.59 seconds North Latitude and -113 degrees 51 minutes 35.49 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 969,800.2 feet and Y = 6,813,199.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 21 South Range 18 West, Section(s) 10,15, 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: Hardpan Road
County: Millard
County Road Number: MC1701
State Geographic Information Database (SGID) Road Identification Number: RD140757.
Total Road Length: 0.95 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
RD140757	001	BLM	0.89 Miles	A
RD140757	002	PVT	0.06 Miles	(not shown)
		Total Road Length	0.95	_____

* 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

HARDPAN ROAD

MILLARD COUNTY, UTAH

ROAD NUMBER MC 1701

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 Hardpan Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1940s, it followed the same route as in 2000 when I last observed it. Attached is a Millard County map showing Hardpan 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 1940s 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 weekly for more than ten continuous years prior to 1976, and was so used through 2000.

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5. Throughout the time period from the early 1940s to 2000, I have used the road 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, traveling in and through the area, trapping, government access, picnicking, hiking and sightseeing.

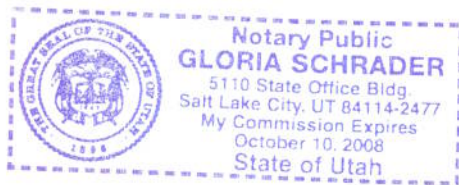
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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
JAY ATKINSON

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



Gloria Schrader
NOTARY PUBLIC

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ROAD = MC1701
HARDPAN ROAD

50

6

10

Desert

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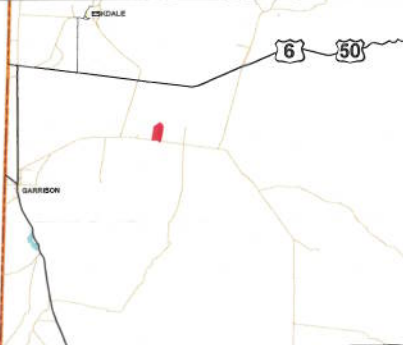


MILLARD COUNTY

- 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

— B Class Road of Interest

0.0 0.05 0.1
Miles



**AFFIDAVIT OF LELAND J. ROPER
HARDPAN ROAD
MILLARD COUNTY, UTAH
ROAD NUMBER MC1701**

State of Utah)
 : ss.
County of Millard)

LELAND J. ROPER, 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 Delta, Millard County, Utah. I have lived in Millard County for seventy-four years. I was an employee of the Road Department in the position of Road Superintendent from 1982 through 1993, 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 the Hardpan Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1950, it followed the same route as in 2000 when I last observed it. Attached is a Millard County map showing the Hardpan 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 use, to come and go as they pleased, since at least as early as 1950 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 weekly for more than ten continuous years prior to 1976, and was so used through 2000.

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5. Throughout the time period from 1950 to 2000, I have used the road myself for the following uses: sight seeing, wood gathering, county road maintenance and accessing other areas.

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: mining, prospecting for minerals, livestock operations, tourism, government access, wood gathering, recreation and hunting.

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

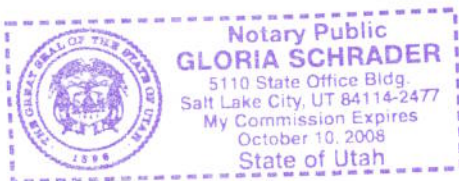
8. I observed the following evidence of maintenance/construction activities on the road prior to 1976: Construction and maintenance activities on the road and the presence of maintenance equipment including road graders and other road equipment in addition to the passing of motorized vehicles over the roadways. I have personally observed grading and graveling of the road since 1950.

DATED this 4 day of Dec., 2006.


LELAND J. ROPER

SUBSCRIBED AND SWORN to before me this 4th day of December, 2006.


NOTARY PUBLIC



ROAD = MC1701
HARDPAN ROAD

50 6

10

Desert

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MILLARD COUNTY

- 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

— B Class Road of Interest

0.00 0.1
Miles



Appendix A to Attachment 4

Popular Name: Hardpan Road

County: Millard

County Road Number: MC1701

State Geographic Information Database (SGID) Road Identification Number: RD140757.

Road-Segment Number: 001

Road-Segment Length: 0.89 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 21 South Range 18 West, Section(s) 10,15, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Hardpan 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 59 minutes 10.17 seconds North Latitude and -113 degrees 51 minutes 43.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 969,077.7 feet and Y = 6,808,318.1 feet; thence the following courses along the said road center line:

thence North 11 Degrees 19 Minutes 48 Seconds East	35.8 feet
thence North 09 Degrees 38 Minutes 16 Seconds East	53.3 feet
thence North 09 Degrees 58 Minutes 14 Seconds East	73.7 feet
thence North 10 Degrees 00 Minutes 58 Seconds East	11 feet
thence North 08 Degrees 35 Minutes 31 Seconds East	10.6 feet
thence North 11 Degrees 01 Minutes 17 Seconds East	76.9 feet
thence North 09 Degrees 38 Minutes 35 Seconds East	85.6 feet
thence North 08 Degrees 27 Minutes 27 Seconds East	21.6 feet
thence North 12 Degrees 30 Minutes 02 Seconds East	54.8 feet
thence North 11 Degrees 36 Minutes 00 Seconds East	95.5 feet
thence North 11 Degrees 45 Minutes 25 Seconds East	80.1 feet

thence North 10 Degrees 39 Minutes 55 Seconds East 10.4 feet
 thence North 08 Degrees 14 Minutes 32 Seconds East 6.6 feet
 thence North 10 Degrees 49 Minutes 06 Seconds East 54.5 feet
 thence North 09 Degrees 41 Minutes 56 Seconds East 52.9 feet
 thence North 09 Degrees 39 Minutes 43 Seconds East 19 feet
 thence North 12 Degrees 10 Minutes 10 Seconds East 28.9 feet
 thence North 10 Degrees 32 Minutes 04 Seconds East 90.8 feet
 thence North 10 Degrees 25 Minutes 47 Seconds East 93.5 feet
 thence North 11 Degrees 35 Minutes 24 Seconds East 97.2 feet
 thence North 10 Degrees 22 Minutes 02 Seconds East 95.8 feet
 thence North 10 Degrees 56 Minutes 54 Seconds East 101 feet
 thence North 10 Degrees 26 Minutes 18 Seconds East 107.5 feet
 thence North 11 Degrees 46 Minutes 05 Seconds East 103.6 feet
 thence North 10 Degrees 26 Minutes 33 Seconds East 82.8 feet
 thence North 11 Degrees 01 Minutes 16 Seconds East 25.1 feet
 thence North 11 Degrees 01 Minutes 16 Seconds East 51.8 feet
 thence North 10 Degrees 39 Minutes 07 Seconds East 89.9 feet
 thence North 10 Degrees 03 Minutes 05 Seconds East 95 feet
 thence North 10 Degrees 47 Minutes 29 Seconds East 80.2 feet
 thence North 10 Degrees 17 Minutes 05 Seconds East 25 feet
 thence North 09 Degrees 10 Minutes 25 Seconds East 16 feet
 thence North 11 Degrees 22 Minutes 14 Seconds East 84.4 feet
 thence North 10 Degrees 47 Minutes 08 Seconds East 93.9 feet
 thence North 10 Degrees 40 Minutes 35 Seconds East 106.9 feet
 thence North 10 Degrees 47 Minutes 31 Seconds East 112.6 feet
 thence North 10 Degrees 37 Minutes 53 Seconds East 122.9 feet
 thence North 10 Degrees 16 Minutes 45 Seconds East 134.1 feet
 thence North 10 Degrees 13 Minutes 01 Seconds East 142.1 feet
 thence North 10 Degrees 00 Minutes 12 Seconds East 134 feet
 thence North 10 Degrees 30 Minutes 10 Seconds East 120.9 feet
 thence North 09 Degrees 54 Minutes 33 Seconds East 126 feet
 thence North 10 Degrees 50 Minutes 17 Seconds East 141.1 feet
 thence North 10 Degrees 56 Minutes 01 Seconds East 126.4 feet
 thence North 10 Degrees 43 Minutes 54 Seconds East 89.2 feet
 thence North 07 Degrees 40 Minutes 50 Seconds East 16.6 feet
 thence North 09 Degrees 10 Minutes 24 Seconds East 6 feet
 thence North 10 Degrees 53 Minutes 59 Seconds East 60.8 feet
 thence North 09 Degrees 57 Minutes 08 Seconds East 79.3 feet
 thence North 09 Degrees 54 Minutes 09 Seconds East 89 feet
 thence North 09 Degrees 19 Minutes 51 Seconds East 98.1 feet
 thence North 09 Degrees 18 Minutes 58 Seconds East 43.2 feet
 thence North 10 Degrees 46 Minutes 20 Seconds East 44.4 feet
 thence North 09 Degrees 17 Minutes 07 Seconds East 82.8 feet
 thence North 09 Degrees 01 Minutes 41 Seconds East 85.1 feet
 thence North 10 Degrees 24 Minutes 44 Seconds East 84.8 feet
 thence North 10 Degrees 23 Minutes 32 Seconds East 93.8 feet
 thence North 09 Degrees 56 Minutes 12 Seconds East 85 feet
 thence North 08 Degrees 49 Minutes 06 Seconds East 87 feet
 thence North 09 Degrees 59 Minutes 50 Seconds East 90 feet

thence North 09 Degrees 29 Minutes 07 Seconds East 79.2 feet

thence North 10 Degrees 12 Minutes 09 Seconds East 18 feet

thence North 10 Degrees 13 Minutes 37 Seconds East 55.7 feet

thence North 09 Degrees 48 Minutes 30 Seconds East 24.3 feet more or less to **the ending**

point at: 38 degrees 59 minutes 055.9 seconds North Latitude and -113 degrees 51 minutes 33.82 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 969,924.6 feet and Y = 6,812,924.5 feet.