

00165906

B: 487 P: 417 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Scipio Tower Road; County Road Number: MC4146; State Geographic Information Database (SGID) Road Identification Number: RD142532. Total road length is 0.37 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 23rd day of April, 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 23rd day of April, 2008.



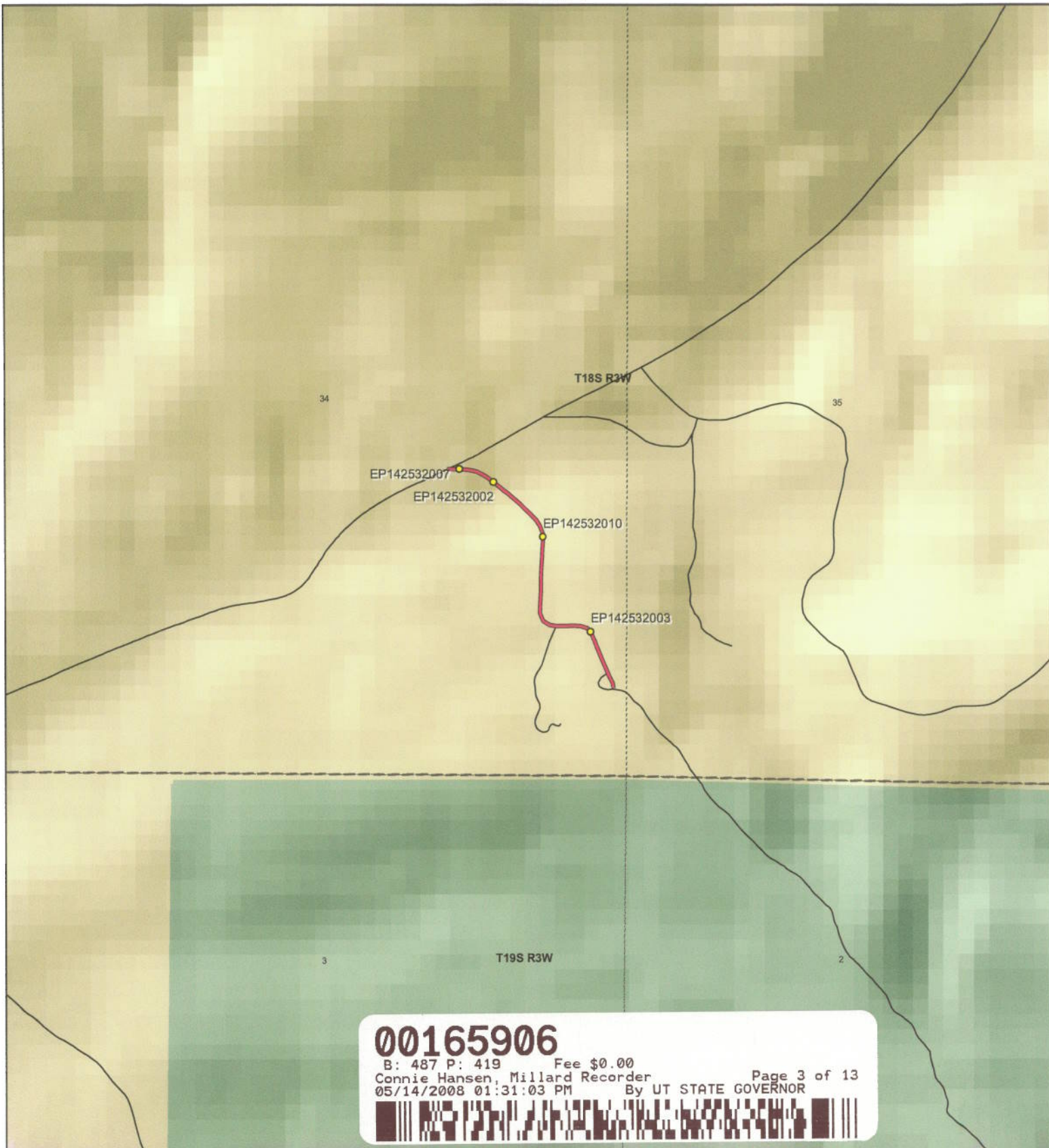


Notary Public

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1:9,376
 1 inch equals 0.1 miles

Scipio Tower Road - Millard County
SGID RD_ID RD142532

Land Ownership Categories		Transportation Network
BLM	Wilderness	Scipio Tower 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

Attachment 2



EP142532002



EP142532003



EP142532007



EP142532010

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Scipio Tower Road - Millard County
SGID RD_ID RD142532

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
November 24, 2006



Attachment 3

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

Popular Name: Scipio Tower Road

County: Millard

County Road Number: MC4146

State Geographic Information Database (SGID) Road Identification Number: RD142532.

Total Road Length: 0.37 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 12 minutes 0.1 seconds North Latitude and -112 degrees 09 minutes 57.09 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,451,718.4 feet and Y = 6,878,051.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 12 minutes 012.9 seconds North Latitude and -112 degrees 10 minutes 10.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,450,711.4 feet and Y = 6,879,354.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 18 South Range 3 West, Section(s) 34, 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: Scipio Tower Road
County: Millard
County Road Number: MC4146
State Geographic Information Database (SGID) Road Identification Number: RD142532.
Total Road Length: 0.37 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
RD142532	001	BLM	0.37 Miles	A
		Total Road Length	0.37	_____

* 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 JOHN LARSEN
SCIPIO TOWER ROAD
MILLARD COUNTY, UTAH
ROAD NUMBER MC4146**

State of Utah)
 : ss
County of Millard)

JOHN LARSEN, 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 forty-six years. I have been an employee of the Millard County Road Department since June 1980 to 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 the Scipio Tower Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 2006 when I last observed it. Attached is a Millard County map showing Scipio Tower 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 1960s and continuing through 1976 to the present. 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 more than ten continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from the early 1960s to the present, I have used the

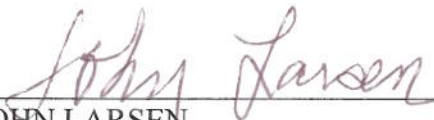
road myself for the following uses: hunting, camping, county road work, gathering fire wood, and recreation.

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: 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 late 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

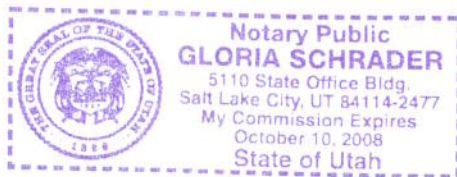
8. Prior to 1976, I observed the graded surface of the road and have personally graded the road since 1980.

DATED this 4 day of December, 2006.



JOHN LARSEN

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





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ROAD = MC4146
SCIPIO TOWER ROAD



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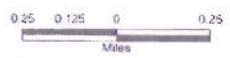
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MILLARD COUNTY

- 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



**AFFIDAVIT OF DEAN LARSEN
SCIPIO TOWER ROAD
MILLARD COUNTY, UTAH
ROAD NUMBER MC4146**

State of Utah)
 : ss.
County of Millard)

DEAN LARSEN, 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 Holden, Millard County, Utah. I have lived in Millard County for forty-six years.

2. I have traveled and am familiar with a road in Millard County known as the Scipio Tower Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 2000 when I last observed it. Attached is a Millard County map showing Scipio Tower 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 1960s 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 more than ten continuous years prior to 1976, and was so used through 2000.

5. Throughout the time period from the early 1960s to 2000, I have used the road myself for the following uses: hunting, camping, gathering fire wood, and recreation.

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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, farming, trapping, tourism, government access, picnicking, hiking and sightseeing.

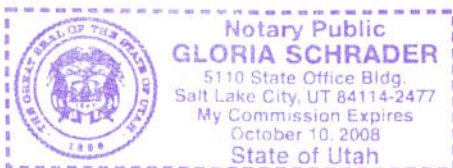
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of maintenance/construction activities on the road prior to 1976: I observed the graded surface of the road.

DATED this 4 day of December, 2006.


DEAN LARSEN

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




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**ROAD = MC4146
SCIPIO TOWER ROAD**



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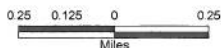
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M I L L A R D C O U N T Y

— 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 |



Appendix A to Attachment 4

Popular Name: Scipio Tower Road

County: Millard

County Road Number: MC4146

State Geographic Information Database (SGID) Road Identification Number: RD142532.

Road-Segment Number: 001

Road-Segment Length: 0.37 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 18 South Range 3 West, Section(s) 34, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Scipio Tower 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 12 minutes 0.1 seconds North Latitude and -112 degrees 09 minutes 57.09 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,451,718.4 feet and Y = 6,878,051.6 feet; thence the following courses along the said road center line:

thence North 18 Degrees 07 Minutes 28 Seconds East 6.2 feet
thence North 10 Degrees 41 Minutes 10 Seconds West 23.7 feet
thence North 28 Degrees 10 Minutes 56 Seconds West 38.6 feet
thence North 26 Degrees 52 Minutes 31 Seconds West 27.2 feet
thence North 26 Degrees 07 Minutes 52 Seconds West 11.3 feet
thence North 23 Degrees 22 Minutes 50 Seconds West 38.5 feet
thence North 23 Degrees 00 Minutes 15 Seconds West 39.1 feet
thence North 22 Degrees 57 Minutes 56 Seconds West 40.9 feet
thence North 22 Degrees 36 Minutes 59 Seconds West 41.5 feet
thence North 22 Degrees 12 Minutes 14 Seconds West 37.8 feet
thence North 23 Degrees 12 Minutes 03 Seconds West 32.1 feet
thence North 22 Degrees 41 Minutes 25 Seconds West 24.1 feet

thence North 31 Degrees 31 Minutes 43 Seconds West 12.7 feet
thence North 51 Degrees 01 Minutes 15 Seconds West 23.3 feet
thence North 74 Degrees 10 Minutes 39 Seconds West 41.3 feet
thence North 88 Degrees 17 Minutes 37 Seconds West 46.6 feet
thence South 87 Degrees 21 Minutes 42 Seconds West 40.4 feet
thence South 86 Degrees 30 Minutes 35 Seconds West 29.6 feet
thence South 88 Degrees 33 Minutes 58 Seconds West 16.7 feet
thence North 89 Degrees 09 Minutes 52 Seconds West 16.4 feet
thence North 79 Degrees 17 Minutes 35 Seconds West 37.8 feet
thence North 56 Degrees 50 Minutes 42 Seconds West 46.4 feet
thence North 24 Degrees 39 Minutes 35 Seconds West 49.3 feet
thence North 01 Degrees 28 Minutes 46 Seconds East 63 feet
thence North 02 Degrees 45 Minutes 21 Seconds East 73.6 feet
thence North 00 Degrees 02 Minutes 55 Seconds West 71.9 feet
thence North 01 Degrees 41 Minutes 38 Seconds East 65.7 feet
thence North 03 Degrees 05 Minutes 32 Seconds East 60.8 feet
thence North 03 Degrees 46 Minutes 30 Seconds East 55.3 feet
thence North 03 Degrees 51 Minutes 51 Seconds East 45.1 feet
thence North 00 Degrees 18 Minutes 37 Seconds West 19.7 feet
thence North 07 Degrees 20 Minutes 19 Seconds West 24.1 feet
thence North 19 Degrees 53 Minutes 00 Seconds West 47 feet
thence North 33 Degrees 33 Minutes 13 Seconds West 46.7 feet
thence North 45 Degrees 18 Minutes 37 Seconds West 40.4 feet
thence North 47 Degrees 43 Minutes 17 Seconds West 44.1 feet
thence North 47 Degrees 09 Minutes 28 Seconds West 43.2 feet
thence North 47 Degrees 30 Minutes 46 Seconds West 36.2 feet
thence North 48 Degrees 37 Minutes 41 Seconds West 32.1 feet
thence North 49 Degrees 25 Minutes 42 Seconds West 29.1 feet
thence North 51 Degrees 08 Minutes 12 Seconds West 22.9 feet
thence North 55 Degrees 29 Minutes 09 Seconds West 9.2 feet
thence North 50 Degrees 30 Minutes 17 Seconds West 28.2 feet
thence North 51 Degrees 39 Minutes 02 Seconds West 31.5 feet
thence North 53 Degrees 15 Minutes 13 Seconds West 20.1 feet
thence North 58 Degrees 42 Minutes 10 Seconds West 5 feet
thence North 51 Degrees 44 Minutes 01 Seconds West 35.3 feet
thence North 56 Degrees 37 Minutes 13 Seconds West 41.4 feet
thence North 64 Degrees 26 Minutes 38 Seconds West 36.1 feet
thence North 75 Degrees 29 Minutes 02 Seconds West 34.6 feet
thence North 81 Degrees 25 Minutes 47 Seconds West 31.9 feet
thence North 86 Degrees 44 Minutes 02 Seconds West 26.3 feet
thence South 89 Degrees 41 Minutes 22 Seconds West 11.8 feet
thence South 89 Degrees 41 Minutes 22 Seconds West 75.5 feet more or less to **the ending**

point at: 39 degrees 12 minutes 012.9 seconds North Latitude and -112 degrees 10 minutes 10.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,450,711.4 feet and Y = 6,879,354.9 feet.