

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

Ent 106943 Bk 128 Pg 105
Date: 16-JUN-2008 1:43PM
Fee: None
Filed By: RC
SHANE A. MILLETT, Recorder
PIUTE COUNTY CORPORATION
For: GOVERNOR OF THE STATE 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Piute County as it pertains to the highway located in Piute County known as 89 SHORTCUT ROAD; County Road Number: PCRD104; State Geographic Information Database (SGID) Road Identification Number: RD160104. Total road length is 0.48 miles more or less.

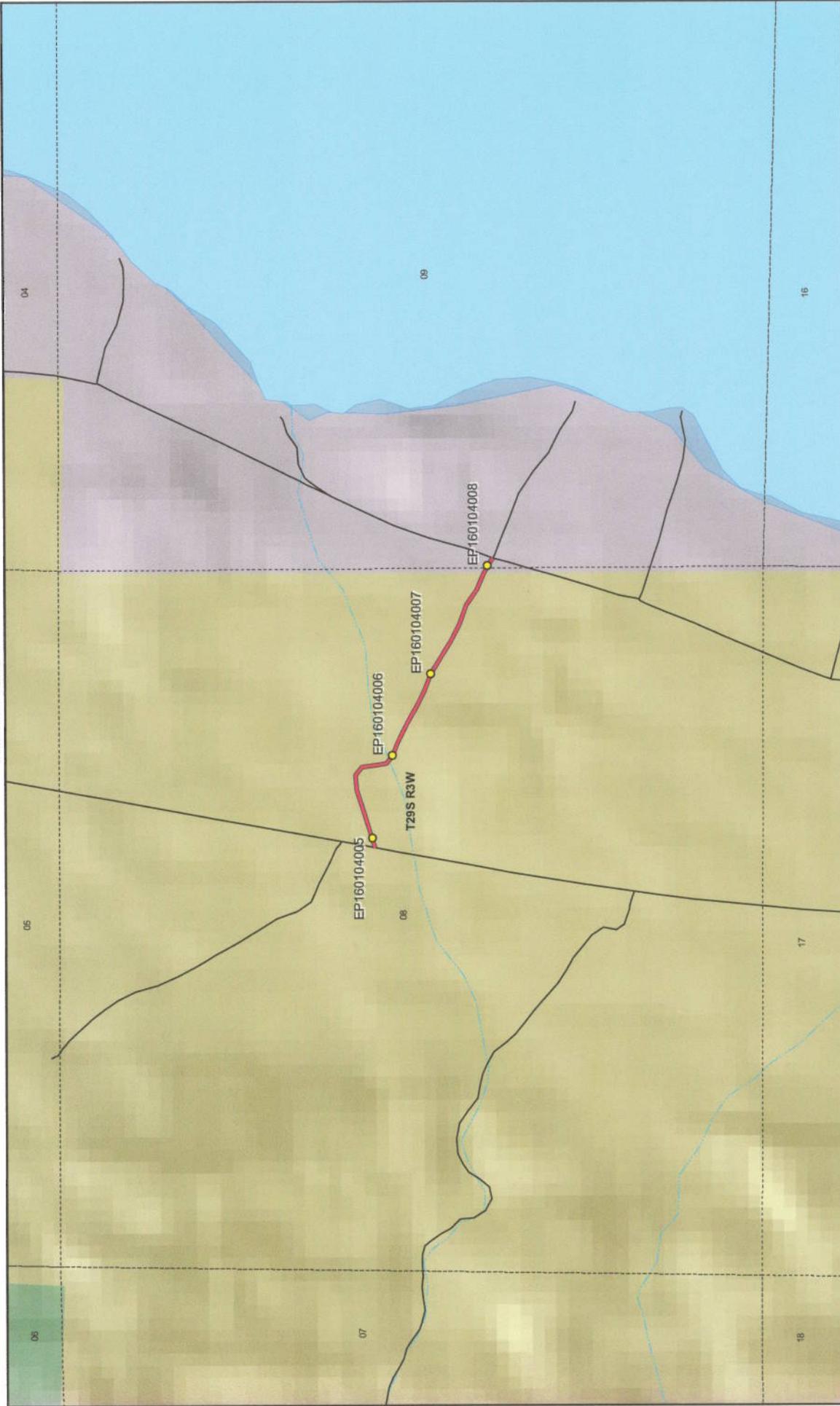
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a)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



89 SHORTCUT ROAD - Piute County
SGID RD_ID RD160104

- Transportation Network**
- 89 SHORTCUT ROAD
 - Other Roads
 - Title V: Issued Or Under Consideration By BLM Or County
 - Photo Event Point
 - Section = 1 Mile

- Land Ownership Categories**
- Wilderness
 - UDWR Wildlife Reserve
 - DOD, Military
 - State Sovereign Land
 - National Recreation Area
 - USFWS, Natl. Wildlife Refuge

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park



1:11,964
 1 inch equals 0.2 miles

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



Attachment 2



EP160104008



EP160104007



EP160104006



EP160104005

EP000000000

EP000000000

89 SHORTCUT ROAD - Piute County
SGID RD_ID RD160104

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: 89 SHORTCUT ROAD

County: Piute

County Road Number: PCRD104

State Geographic Information Database (SGID) Road Identification Number: RD160104.

Total Road Length: 0.48 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 18 minutes 14.48 seconds North Latitude and -112 degrees 13 minutes 25.03 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,432,763.6 feet and Y = 10,439,511.5 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 18 minutes 05.98 seconds North Latitude and -112 degrees 12 minutes 57.83 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,434,924.8 feet and Y = 10,438,635.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 29 South Range 3 West, Section(s) 8,9, Salt Lake Base & Meridian
See Attachment 1 above for a cartographic depiction of the course of this road.

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

Popular Name: 89 SHORTCUT ROAD

County: Piute

County Road Number: PCRD104

State Geographic Information Database (SGID) Road Identification Number: RD160104.

Total Road Length: 0.48 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
RD160104	001	BLM	0.46 Miles	A
RD160104	002	PVT	0.02 Miles	(not shown)
		Total Road Length	0.48	_____

* 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.

Attachment 5

AFFIDAVIT OF JOAN ANDERSON

89 SHORTCUT ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD 104

State of Utah)
 : ss.
County of Piute)

JOAN ANDERSON, 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 Piute County, Utah. I have lived in Piute County for 72 years.

2. I have traveled and am familiar with a road in Piute County known as 89 Shortcut 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 2007 when I last observed it. Attached is a Piute County map showing 89 Shortcut 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 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, jeeps, 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 used daily in 2007.

5. Throughout the time period from the early 1950s to 2007, I have used the road myself for the following uses: rock hounding, hunting, photography, search and rescue 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, residential access, fishing, water control access and prospecting for minerals.

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 1950s or early 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

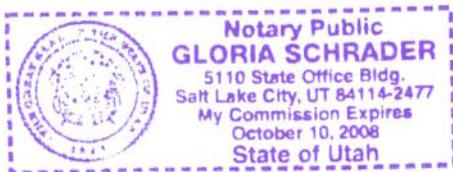
8. Prior to 1976, I observed the graded surface of the road.

DATED this 20 day of May, 2008.



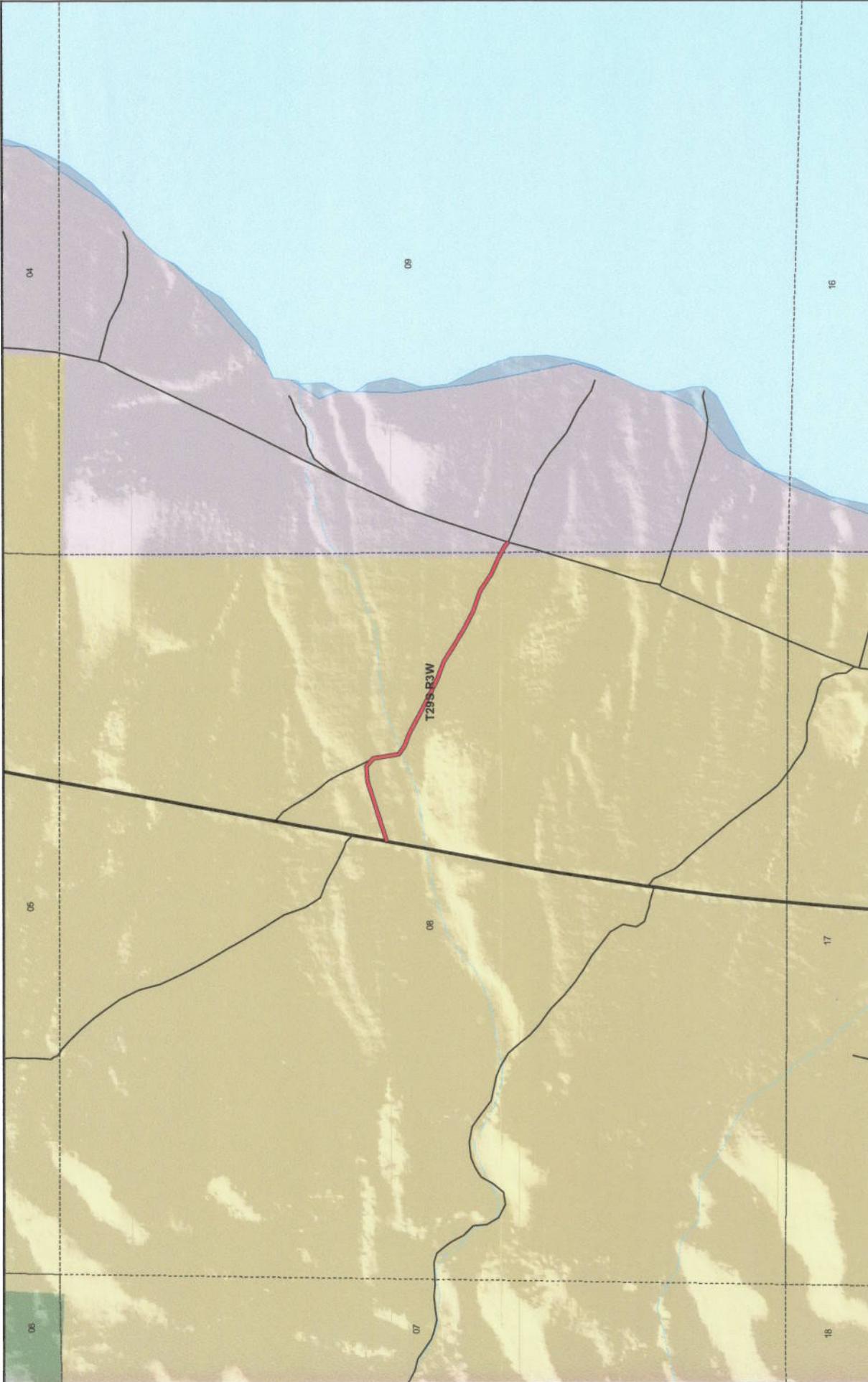
JOAN ANDERSON

SUBSCRIBED AND SWORN to before me this 20th day of May, 2008.





NOTARY PUBLIC



Piute County
89 SHORCUT ROAD
County Unique - PCRD104

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve

Misc

- City / Town
- Municipalities
- Section = 1 Mile

Transportation Network

- 89 SHORCUT ROAD
- State / U.S. Highway
- Local Roads

Scale

1:11,422
1 inch equals 0.2 miles

Map prepared by the State of Utah
AGRC
Automated Geographic Reference Center
Room 5110, Office Building
Salt Lake City, Utah 84114
May 07, 2008

AFFIDAVIT OF DELL NIELSEN

89 SHORTCUT ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD104

State of Utah)
 : ss.
County of Piute)

DELL NIELSEN, 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 Piute County, Utah. I have lived in Piute County for 53 years.
2. I have traveled and am familiar with a road in Piute County known as 89 Shortcut Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s, it followed the same route as in 2008 when I last observed it. Attached is a Piute County map showing 89 Shortcut 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 late 1950s and continuing through 1976 to 2008. Throughout this time period I have observed travel on the road by various means, including 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 used daily in 2008.
5. Throughout the time period from the late 1950s to 2008, I have used the road myself for the following uses: fishing, recreation, hunting and traveling in and through the area.

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 and government access.

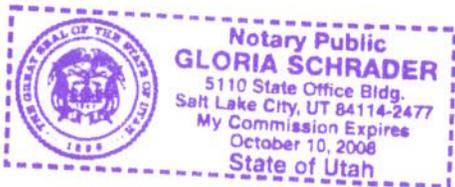
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road.

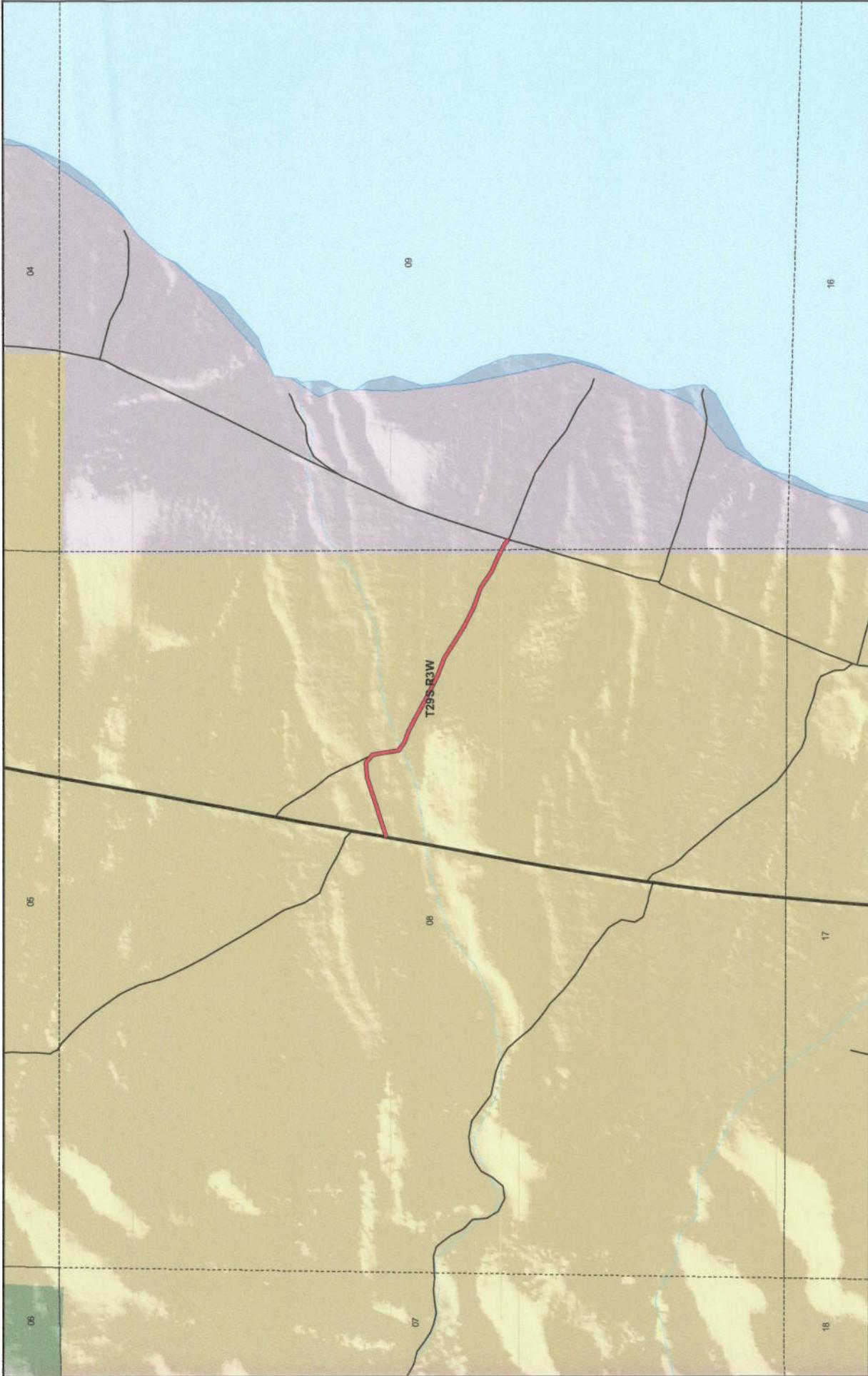
DATED this 20th day of May, 2008.


DELL NIELSEN

SUBSCRIBED AND SWORN to before me this 20th day of May, 2008.




NOTARY PUBLIC



Piute County
89 SHORCUT ROAD
County Unique - PCRD104

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve

Misc

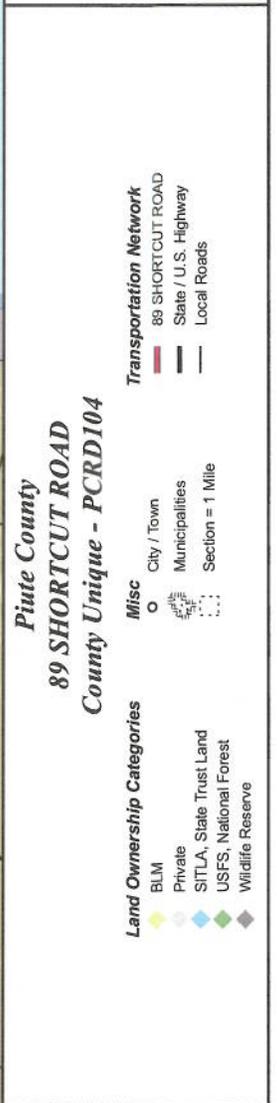
- City / Town
- Municipalities
- Section = 1 Mile

Transportation Network

- 89 SHORCUT ROAD
- State / U.S. Highway
- Local Roads

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130, State Office Building
Salt Lake City, Utah 84114
May 07, 2008

1:11,422
1 inch equals 0.2 miles



Appendix A to Attachment 4

Popular Name: 89 SHORTCUT ROAD

County: Piute

County Road Number: PCRD104

State Geographic Information Database (SGID) Road Identification Number: RD160104.

Road-Segment Number: 001

Road-Segment Length: 0.46 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 29 South Range 3 West, Section(s) 8, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (89 SHORTCUT 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 18 minutes 14.48 seconds North Latitude and -112 degrees 13 minutes 25.03 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,432,763.6 feet and Y = 10,439,511.5 feet; thence the following courses along the said road center line:

thence North 72 Degrees 00 Minutes 22 Seconds East 456 feet
thence North 85 Degrees 47 Minutes 18 Seconds East 106.2 feet
thence South 50 Degrees 26 Minutes 51 Seconds East 77.8 feet
thence South 08 Degrees 07 Minutes 12 Seconds East 106.3 feet
thence South 09 Degrees 48 Minutes 52 Seconds East 83.5 feet
thence South 55 Degrees 10 Minutes 22 Seconds East 71.8 feet
thence South 69 Degrees 27 Minutes 03 Seconds East 85.7 feet
thence South 64 Degrees 00 Minutes 02 Seconds East 100.7 feet
thence South 61 Degrees 18 Minutes 42 Seconds East 106.9 feet
thence South 62 Degrees 48 Minutes 43 Seconds East 116.5 feet
thence South 62 Degrees 43 Minutes 45 Seconds East 131.8 feet

thence South 70 Degrees 22 Minutes 46 Seconds East 134.7 feet
thence South 58 Degrees 04 Minutes 34 Seconds East 136.6 feet
thence South 58 Degrees 33 Minutes 59 Seconds East 139.7 feet
thence South 62 Degrees 39 Minutes 49 Seconds East 147.1 feet
thence South 70 Degrees 33 Minutes 12 Seconds East 152.4 feet
thence South 56 Degrees 22 Minutes 09 Seconds East 142.8 feet
thence South 66 Degrees 12 Minutes 07 Seconds East 126.9 feet
thence South 62 Degrees 29 Minutes 27 Seconds East 13.4 feet more or less to **the ending**

point at: 38 degrees 18 minutes 06.59 seconds North Latitude and -112 degrees 12 minutes 59.15 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,434,820.1 feet and Y = 10,438,697.8 feet.