

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

Ent 103170 Bk 894 Pg 417 -429  
Date: 29-MAY-2008 4:07PM  
Fee: None  
Filed By: LCJ  
LOUISE JONES, Recorder  
SAN JUAN COUNTY CORPORATION  
For: GOVERNOR 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 San Juan County as it pertains to the highway located in San Juan County known as CHIMNEY PARK OVERLOOK ROAD; County Road Number: B248; State Geographic Information Database (SGID) Road Identification Number: RD190248. Total road length is 1.36 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 22<sup>nd</sup> day of MAY, 2008.

By the Governor's Designee

  
\_\_\_\_\_  
John Harja

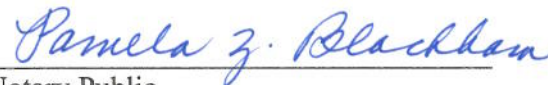
**CERTIFICATION**

State of Utah                    )  
  : ss  
County of Salt Lake         )

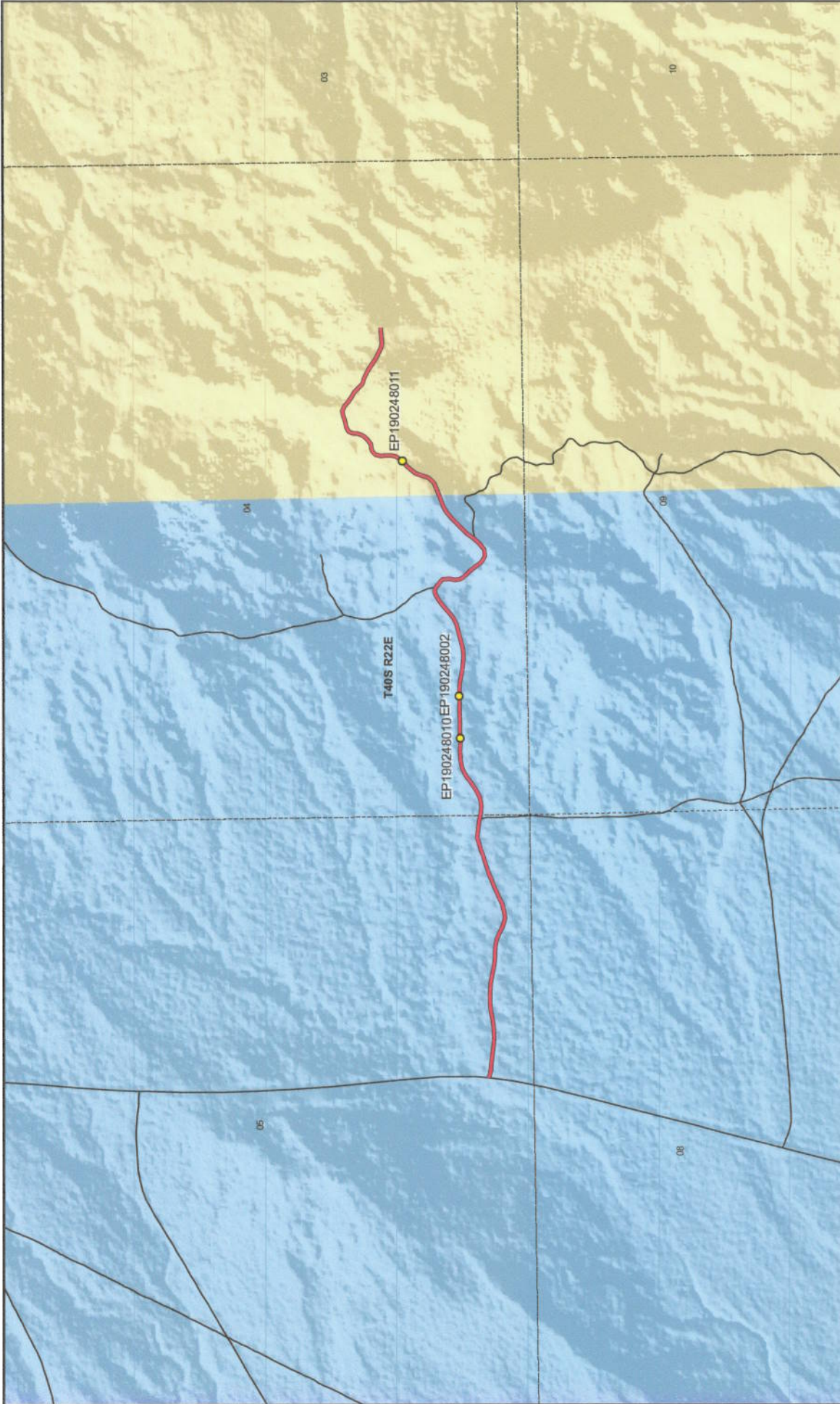
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 22<sup>nd</sup> day of May, 2008.



  
\_\_\_\_\_  
Notary Public





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

**CHIMNEY PARK OVERLOOK ROAD - San Juan County**  
**SGID RD\_ID RD190248**

<p><b>Land Ownership Categories</b></p> <ul style="list-style-type: none"> <li>BLM</li> <li>Private</li> <li>SITLA, State Trust Land</li> <li>USFS, National Forest</li> <li>State Parks and Recreation</li> <li>Tribal, Indian Reservation</li> <li>NPS, National Park</li> </ul>	<p><b>Wilderness</b></p> <ul style="list-style-type: none"> <li>UDWR Wildlife Reserve</li> <li>DOD, Military</li> <li>State Sovereign Land</li> <li>National Recreation Area</li> <li>USFWS, Natl. Wildlife Refuge</li> </ul>	<p><b>Transportation Network</b></p> <ul style="list-style-type: none"> <li>CHIMNEY PARK OVERLOOK ROAD</li> <li>Other Roads</li> <li>Title V, Issued Or Under Consideration By BLM Or County</li> <li>Photo Event Point</li> <li>Section = 1 Mile</li> </ul>
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1:12,898  
 1 inch equals 0.2 miles



Attachment 2



EP190248002



EP190248010



EP190248011

EP000000000

EP000000000

EP000000000

**CHIMNEY PARK OVERLOOK ROAD - San Juan County**  
**SGID RD\_ID RD190248**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
April 11, 2008



## Attachment 3

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

**Popular Name: CHIMNEY PARK OVERLOOK ROAD**

**County: San Juan**

**County Road Number: B248**

**State Geographic Information Database (SGID) Road Identification Number: RD190248.**

**Total Road Length: 1.36 miles more or less.**

**Beginning at a point** on the road centerline located at 37 degrees 19 minutes 055.6 seconds North Latitude and -109 degrees 31 minutes 10.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,216,153.3 feet and Y = 10,090,896.2 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 37 degrees 20 minutes 03.19 seconds North Latitude and -109 degrees 29 minutes 55.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,222,185.5 feet and Y = 10,091,792.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 40 South Range 22 East, Section(s) 4,5, 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: CHIMNEY PARK OVERLOOK ROAD**

**County: San Juan**

**County Road Number: B248**

**State Geographic Information Database (SGID) Road Identification Number: RD190248.**

**Total Road Length: 1.36 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).**

<b>Road-Segments Listed by SGID Road Identification Number (RD_ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
<b>RD190248</b>	<b>001</b>	<b>ST</b>	<b>0.99 Miles</b>	<b>(not shown)</b>
<b>RD190248</b>	<b>002</b>	<b>BLM</b>	<b>0.36 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>1.36</b>	<b>_____</b>

\* 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**







5. Throughout the time period from 1960 to 2001, I have used the road myself for the following uses: recreation and Utah Department of Transportation work.

6. 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 the following uses: oil and gas exploration, mining, livestock operations and government access.

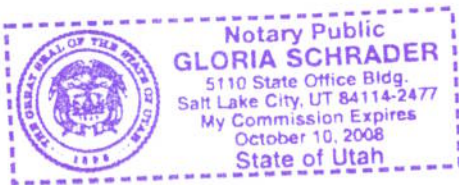
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I observed graders performing maintenance and construction activities on the road.

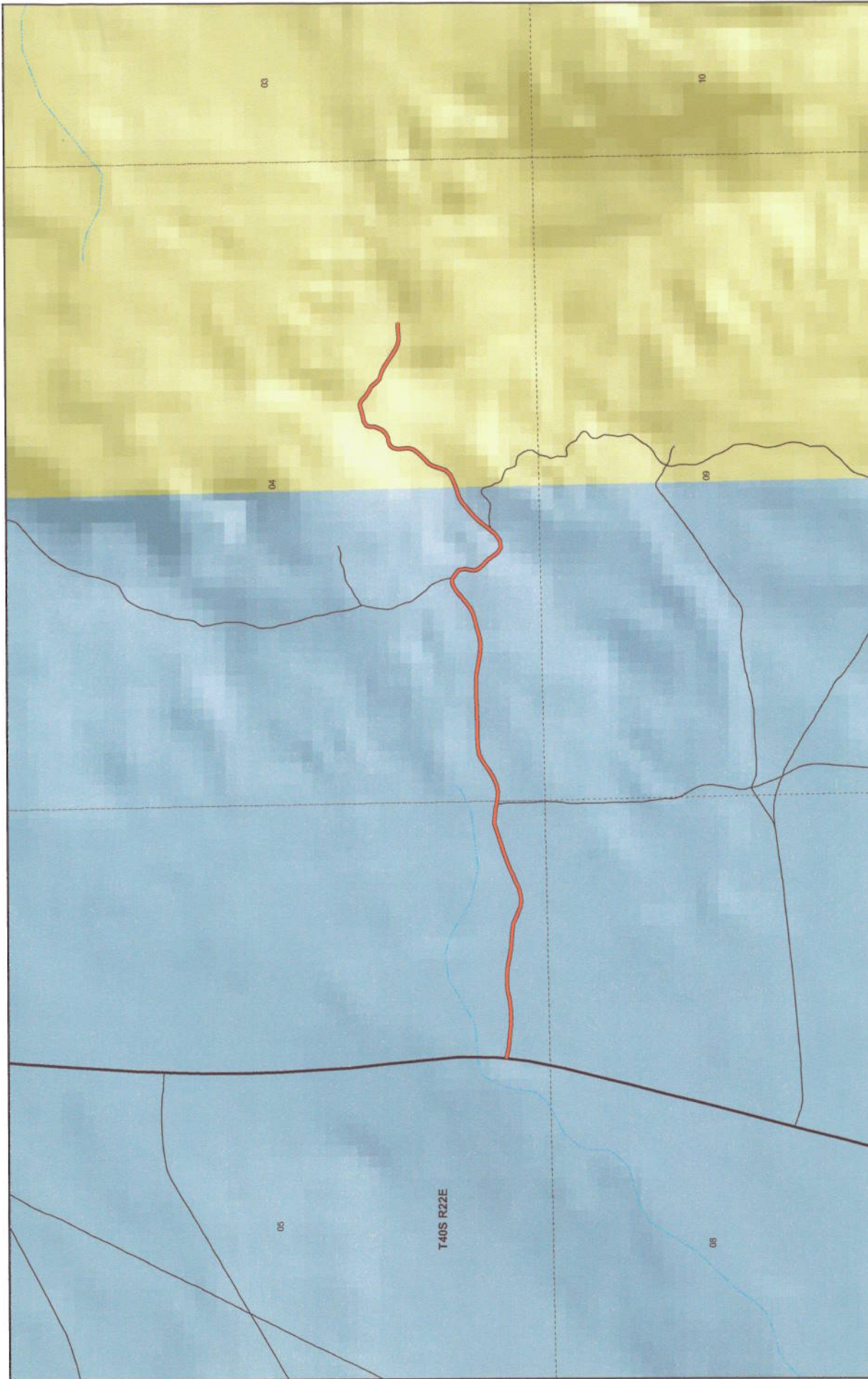
Dated this 19 day of September, 2007.

Ferd E. Johnson  
Ferd E. Johnson

SUBSCRIBED AND SWORN TO before me this 19<sup>th</sup> day of September, 2007.



Gloria Schrader  
Notary Public



### CHIMNEY PARK OVERLOOK County Unique - B248

**Land Ownership Categories**


- BLM
- National Recreation Area
- SITLA, State Trust Land
- USFS, National Forest
- National Parks & Monuments (NPS)

**Misc**

- City / Town
- Municipalities
- Section = 1 Mile

**Transportation Network**

- CHIMNEY PARK OVERLOOK
- State / U.S. Highway
- Local Roads



1:12,898  
1 inch equals 0.2 miles  
Jul 26, 2007



**AFFIDAVIT OF ALBERT E. STEELE**  
**CHIMNEY PARK OVERLOOK ROAD**  
**SAN JUAN COUNTY, UTAH**  
**COUNTY ROAD NUMBER B248**

State of Utah                    )  
  : ss  
County of San Juan            )

Albert E. Steele, 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 San Juan County, Utah. I have lived in San Juan County for 60 years.

2. I have traveled and am familiar with a road in San Juan County known as Chimney Park Overlook Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1960, it followed the same route as in 1976, when I last observed it. Attached is a San Juan County map showing Chimney Park Overlook 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 identifies this road according to the road number described 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 1960 and continuing to 1976. Throughout this time period I have observed travel on the road by various means, including: pickup, automobile, other truck, camper, jeep and oil equipment. Throughout this time period, the road was used weekly for more than 10 continuous years prior to 1976.




5. Throughout the time period from 1960 to 1976, I have used the road myself for the following uses: predator control and recreation.

6. 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 the following uses: livestock operations, tourism, hunting, oil and gas exploration, mineral prospecting, and traveling in and through the area.

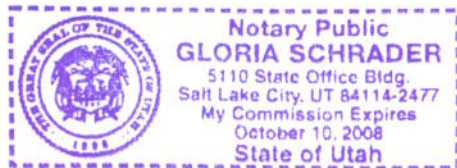
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930's and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the graded surface prior to 1976.

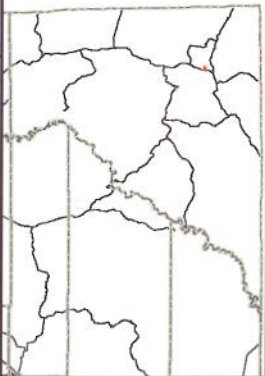
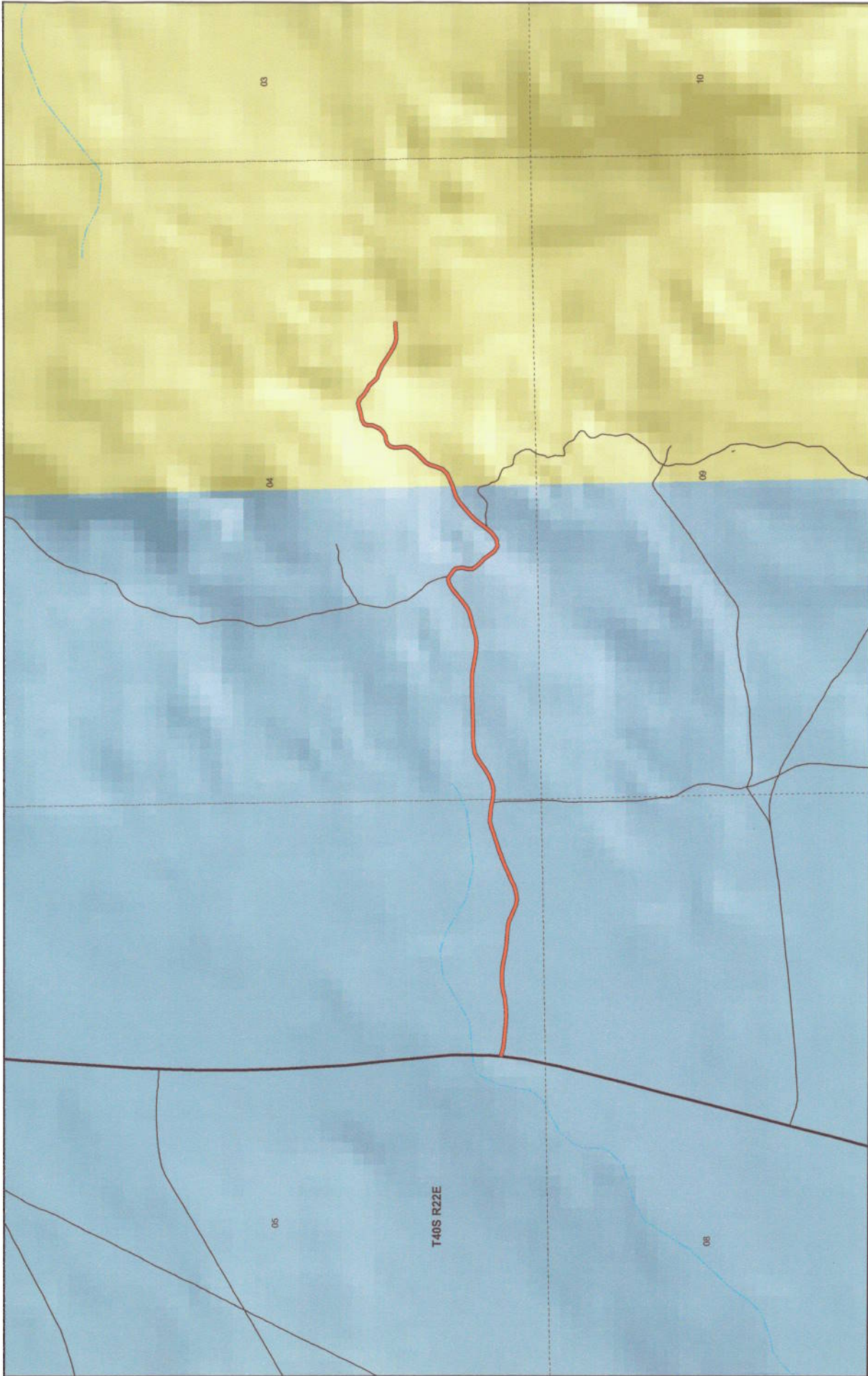
Dated this 18<sup>th</sup> day of September, 2007.

  
\_\_\_\_\_  
Albert E. Steele

SUBSCRIBED AND SWORN TO before me this 18<sup>th</sup> day of September, 2007.



  
\_\_\_\_\_  
Notary Public



**CHIMNEY PARK OVERLOOK**  
**County Unique - B248**

- Land Ownership Categories**
- BLM
  - National Recreation Area
  - SITLA, State Trust Land
  - USFS, National Forest
  - National Parks & Monuments (NPS)
- Misc**
- Private
  - Wilderness
  - State Park
  - Tribal Lands
  - City / Town
  - Municipalities
  - Section = 1 Mile
- Transportation Network**
- CHIMNEY PARK OVERLOOK
  - State / U.S. Highway
  - Local Roads



1:12,898  
 1 Inch equals 0.2 miles  
 Jul 26, 2007



## Appendix A to Attachment 4

**Popular Name: CHIMNEY PARK OVERLOOK ROAD**

**County: San Juan**

**County Road Number: B248**

**State Geographic Information Database (SGID) Road Identification Number: RD190248.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.36 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 22 East, Section(s) 4, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (CHIMNEY PARK OVERLOOK ROAD)-- Segment 002 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 19 minutes 58.81 seconds North Latitude and -109 degrees 30 minutes 12.79 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,220,836.8 feet and Y = 10,091,320.5 feet; thence the following courses along the said road center line:

thence North 71 Degrees 28 Minutes 02 Seconds East	2.7 feet
thence North 69 Degrees 53 Minutes 08 Seconds East	52.3 feet
thence North 63 Degrees 35 Minutes 20 Seconds East	53.7 feet
thence North 43 Degrees 16 Minutes 32 Seconds East	56.6 feet
thence North 20 Degrees 25 Minutes 33 Seconds East	59.3 feet
thence North 18 Degrees 22 Minutes 38 Seconds East	46.1 feet
thence North 31 Degrees 38 Minutes 33 Seconds East	42.2 feet
thence North 44 Degrees 02 Minutes 52 Seconds East	41.8 feet
thence North 46 Degrees 31 Minutes 55 Seconds East	28.8 feet
thence North 47 Degrees 14 Minutes 53 Seconds East	31.1 feet
thence North 41 Degrees 03 Minutes 46 Seconds East	36.7 feet



thence North 29 Degrees 13 Minutes 23 Seconds East 33.9 feet  
 thence North 16 Degrees 28 Minutes 27 Seconds East 39.8 feet  
 thence North 00 Degrees 45 Minutes 34 Seconds West 42.3 feet  
 thence North 09 Degrees 12 Minutes 41 Seconds West 38.2 feet  
 thence North 12 Degrees 15 Minutes 35 Seconds East 43.7 feet  
 thence North 39 Degrees 49 Minutes 40 Seconds East 35.6 feet  
 thence North 72 Degrees 43 Minutes 44 Seconds East 28.1 feet  
 thence North 80 Degrees 08 Minutes 07 Seconds East 35.6 feet  
 thence North 59 Degrees 11 Minutes 43 Seconds East 40.7 feet  
 thence North 42 Degrees 33 Minutes 48 Seconds East 37.6 feet  
 thence North 31 Degrees 06 Minutes 50 Seconds East 27.7 feet  
 thence North 19 Degrees 34 Minutes 47 Seconds East 36.6 feet  
 thence North 00 Degrees 11 Minutes 13 Seconds East 37.4 feet  
 thence North 21 Degrees 05 Minutes 50 Seconds East 36 feet  
 thence North 63 Degrees 57 Minutes 31 Seconds East 40.1 feet  
 thence North 80 Degrees 29 Minutes 44 Seconds East 45.2 feet  
 thence North 71 Degrees 52 Minutes 44 Seconds East 47.2 feet  
 thence North 75 Degrees 51 Minutes 20 Seconds East 43.9 feet  
 thence South 67 Degrees 31 Minutes 29 Seconds East 42.4 feet  
 thence South 45 Degrees 55 Minutes 30 Seconds East 43.6 feet  
 thence South 56 Degrees 02 Minutes 39 Seconds East 44.9 feet  
 thence South 61 Degrees 20 Minutes 08 Seconds East 48.8 feet  
 thence South 43 Degrees 27 Minutes 02 Seconds East 49.9 feet  
 thence South 45 Degrees 58 Minutes 26 Seconds East 40.4 feet  
 thence South 71 Degrees 52 Minutes 50 Seconds East 54 feet  
 thence South 66 Degrees 33 Minutes 57 Seconds East 62.7 feet  
 thence South 57 Degrees 27 Minutes 35 Seconds East 56.2 feet  
 thence South 55 Degrees 52 Minutes 35 Seconds East 55.7 feet  
 thence South 59 Degrees 49 Minutes 56 Seconds East 53.7 feet  
 thence South 68 Degrees 11 Minutes 36 Seconds East 43.6 feet  
 thence South 76 Degrees 51 Minutes 24 Seconds East 39.5 feet  
 thence North 85 Degrees 20 Minutes 28 Seconds East 52 feet  
 thence North 85 Degrees 26 Minutes 01 Seconds East 48.7 feet  
 thence North 89 Degrees 41 Minutes 04 Seconds East 30.5 feet more or less to **the ending**

**point at:** 37 degrees 20 minutes 03.19 seconds North Latitude and -109 degrees 29 minutes 55.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,222,185.5 feet and Y = 10,091,792.4 feet.