

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Tooele County as it pertains to the highway located in Tooele County known as Westlake Way; County Road Number: tc02276; State Geographic Information Database (SGID) Road Identification Number: RD230052. Total road length is 1.91 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 2th day of June, 2008.

By the Governor's Designee


John Harja

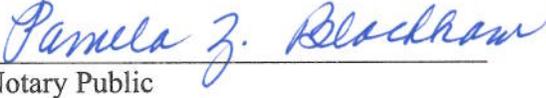
CERTIFICATION

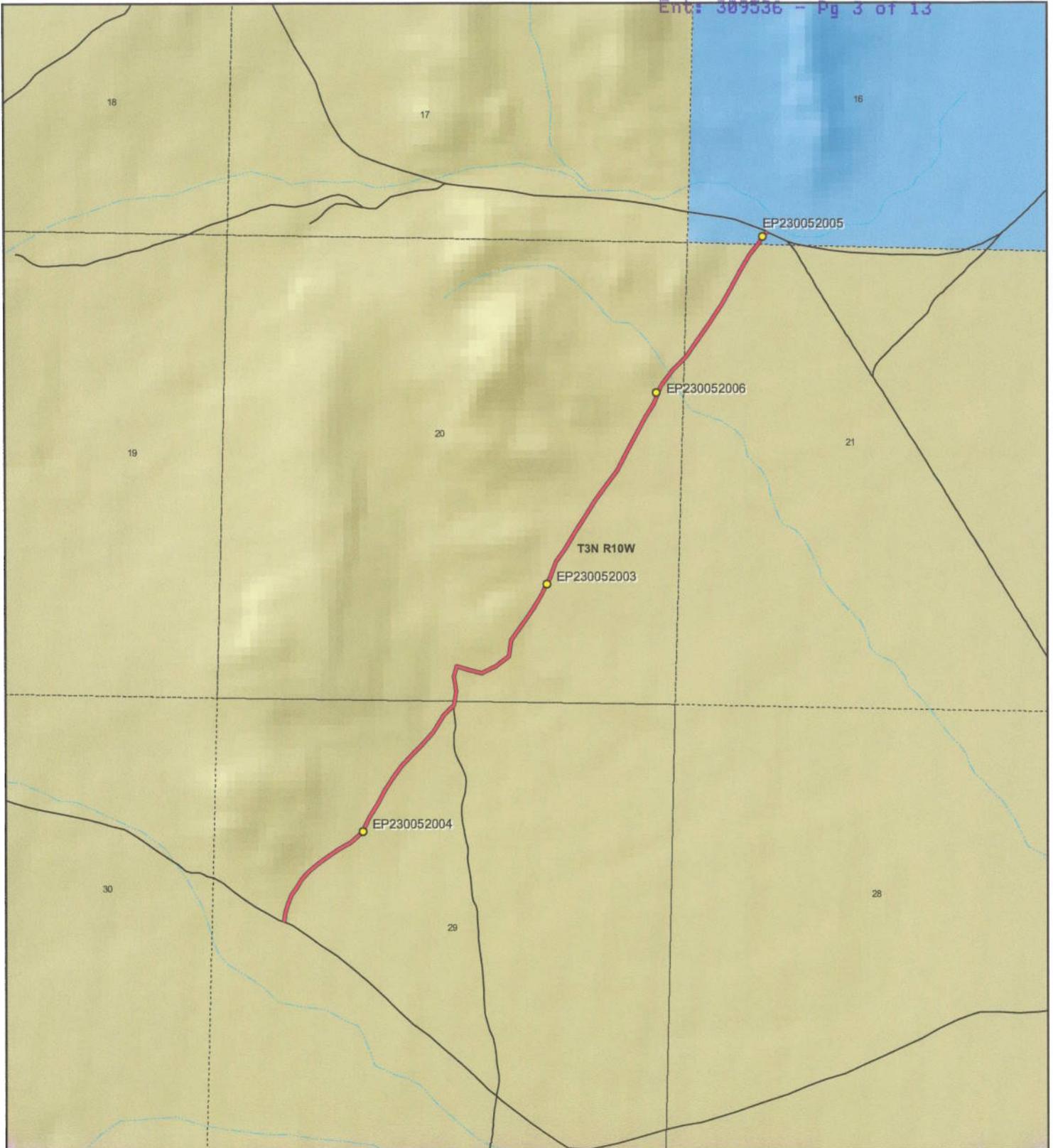
State of Utah)
 : ss
County of Salt Lake)

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 20th day of June, 2008.




Notary Public



Westlake Way - Tooele County
SGID RD_ID RD230052

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

- Westlake Way
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- Photo Event Point
- Section = 1 Mile



1:17,900
1 inch equals 0.3 miles



Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Jun 17, 2008





EP230052003



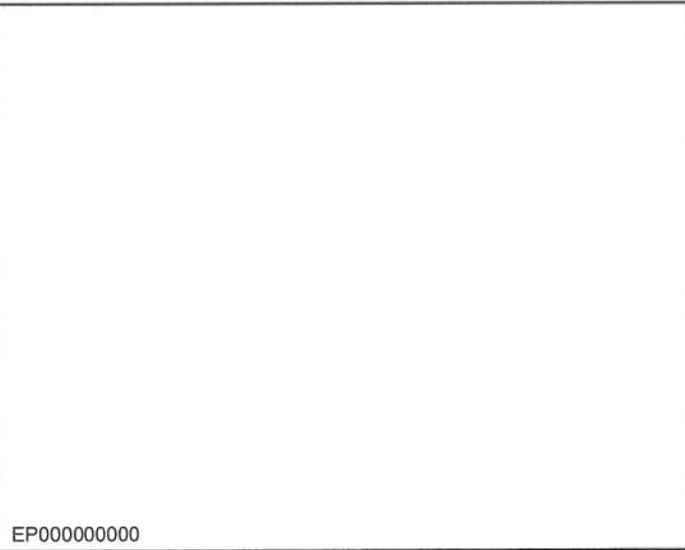
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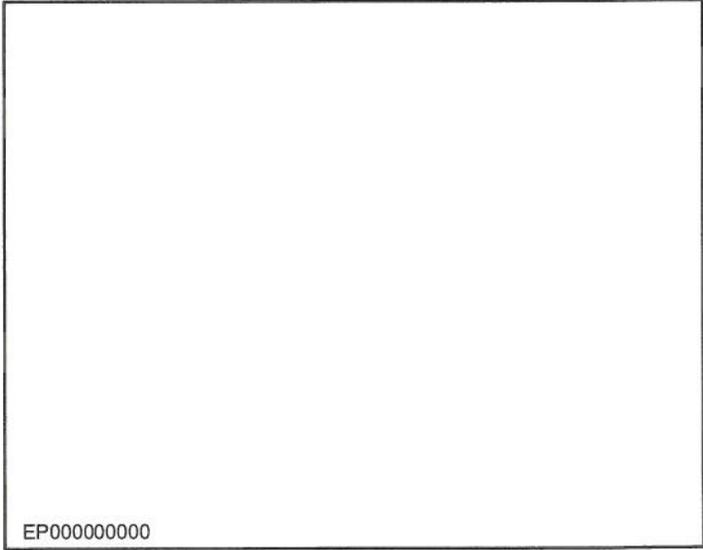
EP230052005



EP230052006



EP000000000



EP000000000



Westlake Way - Tooele County
SGID RD_ID RD230052

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
June 18, 2008



Attachment 3

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

Popular Name: Westlake Way

County: Tooele

County Road Number: tc02276

State Geographic Information Database (SGID) Road Identification Number: RD230052.

Total Road Length: 1.91 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 57 minutes 54.03 seconds North Latitude and -113 degrees 00 minutes 21.37 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,224,488.7 feet and Y = 7,523,785.3 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 59 minutes 13.12 seconds North Latitude and -112 degrees 59 minutes 11.28 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,229,999.0 feet and Y = 7,531,699.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 3 North Range 10 West, Section(s) 16,20,21,29, 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: Westlake Way

County: Tooele

County Road Number: tc02276

State Geographic Information Database (SGID) Road Identification Number: RD230052.

Total Road Length: 1.91 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
RD230052	001	BLM	1.87 Miles	A
RD230052	002	ST	0.03 Miles	(not shown)
		Total Road Length	1.91	_____

* 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 LEE F. NIX

WESTLAKE WAY

TOOELE COUNTY, UTAH

ROAD NUMBER tc02276

State of Utah)
 : ss.
County of Tooele)

LEE F. NIX, 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 Tooele, Tooele County, Utah. I was born and raised in Tooele County and have lived here all of my life for 80 years. I have ranched, rock hounded, hunted and trapped extensively throughout Tooele County.

2. I have traveled and am familiar with a road in Tooele County known as Westlake Way. 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 the early 1990s when I last observed it. Attached is a Tooele County map showing Westlake Way. 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 the early 1990s. During this time period I have observed travel on the road by means of pickup trucks and ATVs. During this time period, the road was used at least monthly, weather permitting, for more than ten continuous years prior to 1976 and was so used in the early 1990s.

5. During the time period from the early 1960s to the early 1990s, I have used the road myself for hunting, rock hounding and travel in and through the area.

6. During 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 livestock operations and well access.

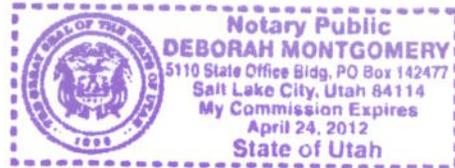
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

DATED this 6 day of June, 2008.


LEE F. NIX

SUBSCRIBED AND SWORN to before me this 6 day of June, 2008.


NOTARY PUBLIC





**Tooele County
Westlake Way
County Unique - tc02276**

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- Military
- Tribal
- Wilderness
- State Park

Transportation Network

- Westlake Way
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:17,622
1 inch equals 0.3 miles



Map prepared by the State of Utah
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 21, 2008



AFFIDAVIT OF GERALD E. BERTAGNOLE

WESTLAKE WAY

COUNTY ROAD NUMBER tc02276

TOOELE COUNTY, UTAH

State of Utah)
 : ss.
County of Tooele)

GERALD E. BERTAGNOLE, 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. My family has owned property in Tooele County since 1933. I have had grazing allotments in various parts of Tooele County since 1936 and continuing to the present.

2. I have traveled and am familiar with a road in Tooele County known as Westlake Way. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1930s it followed the same route as in 2006 when I last observed it. Attached is a Tooele County map showing Westlake Way. 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. The County also identifies this road according to the road number listed above.

3. 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 1930s and continuing through 1976 to 2006. Throughout this time period I have observed travel on the road by various means, including cars, pickups, ATVs and jeeps. Throughout this time period, the

road has been used weekly for more than ten continuous years prior to 1976, and was so used in 2006.

4. Throughout the time period from the late 1930s to 2006, I have used the road myself for livestock operations and travel in and through the area.

5. 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 hunting, recreation and government access.

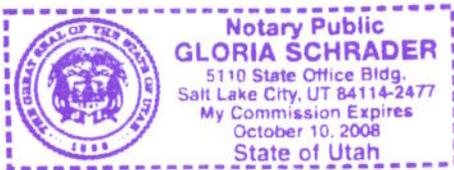
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s.

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

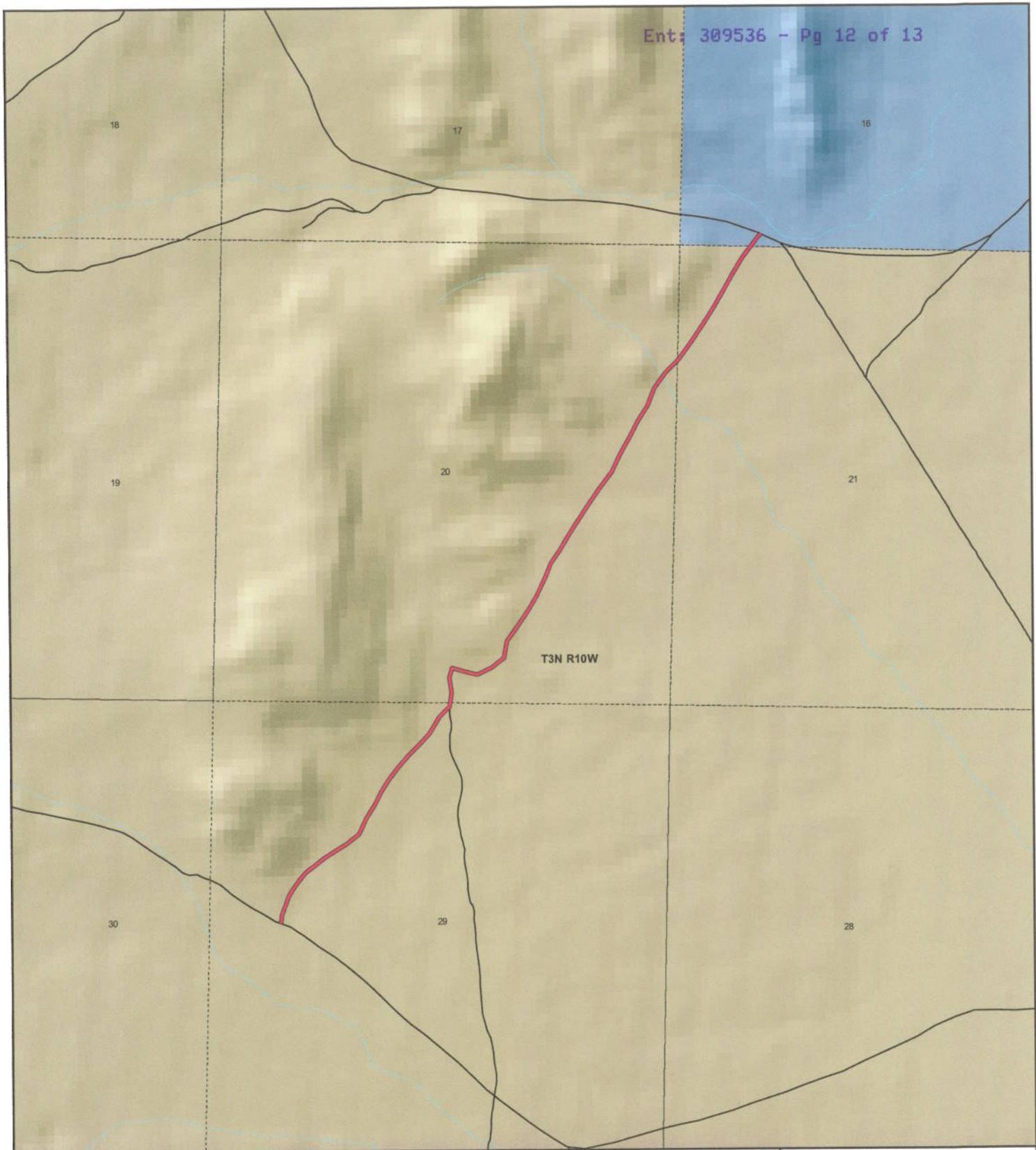
Dated this 3 day of June, 2008.

Gerald E. Bertagnole
GERALD E. BERTAGNOLE

SUBSCRIBED AND SWORN to before me this 3rd day of June, 2008.



Gloria Schrader
NOTARY PUBLIC



**Tooele County
Westlake Way
County Unique - tc02276**

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- Military
- Tribal
- Wilderness
- State Park

Transportation Network

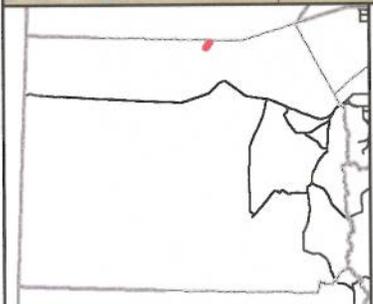
- Westlake Way
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:17,622
1 inch equals 0.3 miles



Map prepared by the State of Utah
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 21, 2008



Appendix A to Attachment 4

Popular Name: Westlake Way

County: Tooele

County Road Number: tc02276

State Geographic Information Database (SGID) Road Identification Number: RD230052.

Road-Segment Number: 001

Road-Segment Length: 1.87 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 3 North Range 10 West, Section(s) 20,21,29, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Westlake Way)-- 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 40 degrees 57 minutes 54.03 seconds North Latitude and -113 degrees 00 minutes 21.37 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,224,488.7 feet and Y = 7,523,785.3 feet; thence the following courses along the said road center line:

thence North 07 Degrees 07 Minutes 14 Seconds East	100.9 feet
thence North 17 Degrees 29 Minutes 28 Seconds East	110.3 feet
thence North 22 Degrees 34 Minutes 30 Seconds East	108.7 feet
thence North 31 Degrees 40 Minutes 35 Seconds East	91 feet
thence North 32 Degrees 50 Minutes 36 Seconds East	115.7 feet
thence North 39 Degrees 25 Minutes 06 Seconds East	132.3 feet
thence North 51 Degrees 40 Minutes 01 Seconds East	138.6 feet
thence North 52 Degrees 48 Minutes 20 Seconds East	142.3 feet
thence North 57 Degrees 14 Minutes 12 Seconds East	146.9 feet
thence North 59 Degrees 34 Minutes 11 Seconds East	160.4 feet
thence North 48 Degrees 46 Minutes 07 Seconds East	168 feet

thence North 25 Degrees 15 Minutes 12 Seconds East 183.8 feet
 thence North 31 Degrees 28 Minutes 25 Seconds East 187.3 feet
 thence North 26 Degrees 27 Minutes 36 Seconds East 171 feet
 thence North 32 Degrees 43 Minutes 11 Seconds East 168.4 feet
 thence North 37 Degrees 01 Minutes 25 Seconds East 171.4 feet
 thence North 41 Degrees 40 Minutes 35 Seconds East 174.5 feet
 thence North 44 Degrees 30 Minutes 06 Seconds East 180.5 feet
 thence North 42 Degrees 35 Minutes 33 Seconds East 168.1 feet
 thence North 36 Degrees 31 Minutes 08 Seconds East 32.8 feet
 thence North 30 Degrees 03 Minutes 30 Seconds East 203.6 feet
 thence North 45 Degrees 32 Minutes 08 Seconds East 165 feet
 thence North 09 Degrees 15 Minutes 04 Seconds East 46.4 feet
 thence North 09 Degrees 14 Minutes 35 Seconds East 115 feet
 thence North 09 Degrees 21 Minutes 24 Seconds West 176.1 feet
 thence North 15 Degrees 17 Minutes 29 Seconds East 119.3 feet
 thence South 73 Degrees 57 Minutes 40 Seconds East 139.5 feet
 thence South 75 Degrees 54 Minutes 36 Seconds East 157.9 feet
 thence North 64 Degrees 56 Minutes 48 Seconds East 180.6 feet
 thence North 51 Degrees 27 Minutes 48 Seconds East 185.8 feet
 thence North 09 Degrees 18 Minutes 25 Seconds East 189.7 feet
 thence North 35 Degrees 31 Minutes 29 Seconds East 200.5 feet
 thence North 34 Degrees 23 Minutes 52 Seconds East 221.6 feet
 thence North 30 Degrees 01 Minutes 04 Seconds East 216.8 feet
 thence North 26 Degrees 15 Minutes 17 Seconds East 207.4 feet
 thence North 20 Degrees 15 Minutes 45 Seconds East 191.1 feet
 thence North 35 Degrees 47 Minutes 28 Seconds East 180.8 feet
 thence North 30 Degrees 17 Minutes 59 Seconds East 206 feet
 thence North 32 Degrees 37 Minutes 06 Seconds East 217.1 feet
 thence North 32 Degrees 03 Minutes 32 Seconds East 211.8 feet
 thence North 34 Degrees 58 Minutes 09 Seconds East 211.1 feet
 thence North 37 Degrees 10 Minutes 05 Seconds East 231.7 feet
 thence North 26 Degrees 01 Minutes 49 Seconds East 228.9 feet
 thence North 28 Degrees 37 Minutes 23 Seconds East 226.9 feet
 thence North 26 Degrees 32 Minutes 05 Seconds East 209.7 feet
 thence North 32 Degrees 17 Minutes 02 Seconds East 202.6 feet
 thence North 20 Degrees 57 Minutes 46 Seconds East 214.9 feet
 thence North 35 Degrees 32 Minutes 23 Seconds East 222.8 feet
 thence North 45 Degrees 18 Minutes 21 Seconds East 202.3 feet
 thence North 45 Degrees 17 Minutes 34 Seconds East 20.7 feet
 thence North 35 Degrees 46 Minutes 42 Seconds East 243.8 feet
 thence North 34 Degrees 44 Minutes 10 Seconds East 242.6 feet
 thence North 32 Degrees 22 Minutes 29 Seconds East 237.9 feet
 thence North 29 Degrees 21 Minutes 12 Seconds East 230.4 feet
 thence North 28 Degrees 43 Minutes 12 Seconds East 221.5 feet
 thence North 30 Degrees 03 Minutes 30 Seconds East 203.6 feet
 thence North 37 Degrees 53 Minutes 26 Seconds East 155.2 feet more or less to **the ending**

point at: 40 degrees 59 minutes 11.71 seconds North Latitude and -112 degrees 59 minutes 012.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,229,887.5 feet and Y = 7,531,557.9 feet.