

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

Ent: 309542 - Pg 1 of 13
Date: 6/23/2008 12:34 PM
Fee: \$0.00 NO CHARGE
Filed By: RGL
CALLEEN B PESHELL, Recorder
Tooele County Corporation
For: STATE OF UT GOVERNORS OFF

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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Frontage Road I-80; County Road Number: tc02376; State Geographic Information Database (SGID) Road Identification Number: RD230060. Total road length is 3.42 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 20th 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



Ent: 309542 - Pg 3 of 13

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 3130 State Office Building
Salt Lake City, Utah 84114
Jun 16, 2008

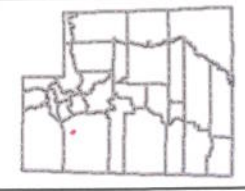


Frontage Road I-80 - Tooele County
SGID RD_ID RD230060

- 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**

 - Frontage Road I-80
 - Other Roads
 - Title V, Issued Or Under Consideration By BLM Or County
 - Photo Event Point
 - Section = 1 Mile



1:29,968
1 inch equals 0.5 miles

Ent: 309542 - Pg 4 of 13



EP230060009



EP230060010



EP230060012



EP230060011

EP000000000

EP000000000

Frontage Road I-80 - Tooele County
SGID RD_ID RD230060

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: Frontage Road I-80

County: Tooele

County Road Number: tc02376

State Geographic Information Database (SGID) Road Identification Number: RD230060.

Total Road Length: 3.42 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 47 minutes 18.51 seconds North Latitude and -112 degrees 49 minutes 35.84 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,273,055.9 feet and Y = 7,458,685.2 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 45 minutes 37.73 seconds North Latitude and -112 degrees 46 minutes 33.63 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,286,925.3 feet and Y = 7,448,282.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 1 North Range 8 West, Section(s) 31, Salt Lake Base & Meridian

Township 1 North Range 9 West, Section(s) 25,26,36, Salt Lake Base & Meridian

Township 1 South Range 8 West, Section(s) 5,6, 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: Frontage Road I-80

County: Tooele

County Road Number: tc02376

State Geographic Information Database (SGID) Road Identification Number: RD230060.

Total Road Length: 3.42 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
RD230060	001	BLM	0.72 Miles	A
RD230060	002	ST	1.03 Miles	(not shown)
RD230060	003	PVT	1.26 Miles	(not shown)
RD230060	004	ST	0.14 Miles	(not shown)
RD230060	005	PVT	0.28 Miles	(not shown)
		Total Road Length	3.42	_____

* 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 JAMES S. MCKENDRICK

FRONTAGE ROAD I-80

TOOELE COUNTY, UTAH

ROAD NUMBER tc02376

State of Utah)
 : ss.
County of Tooele)

JAMES S. MCKENDRICK, 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 have lived in Tooele County for most of the past 76 years. I was employed by the Tooele County Road Department from 1963 to 1993.

2. I have traveled and am familiar with a road in Tooele County known as Frontage Road I-80. 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 Frontage Road I-80. 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. 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. Throughout this time period I observed travel on the road by means of livestock trucks and pickup trucks. During this time period, the road was used daily, for more than ten continuous years prior to 1976 and was so used in the early 1990s.

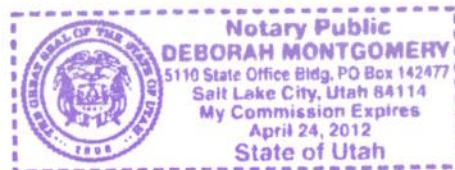
5. Throughout the time period from the early 1960s to the early 1990s, I have used the road myself for county road maintenance and travel through the area.
6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus livestock operations, government access 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 the early 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
8. Prior to 1976, I graded and performed maintenance and construction activities on the road.

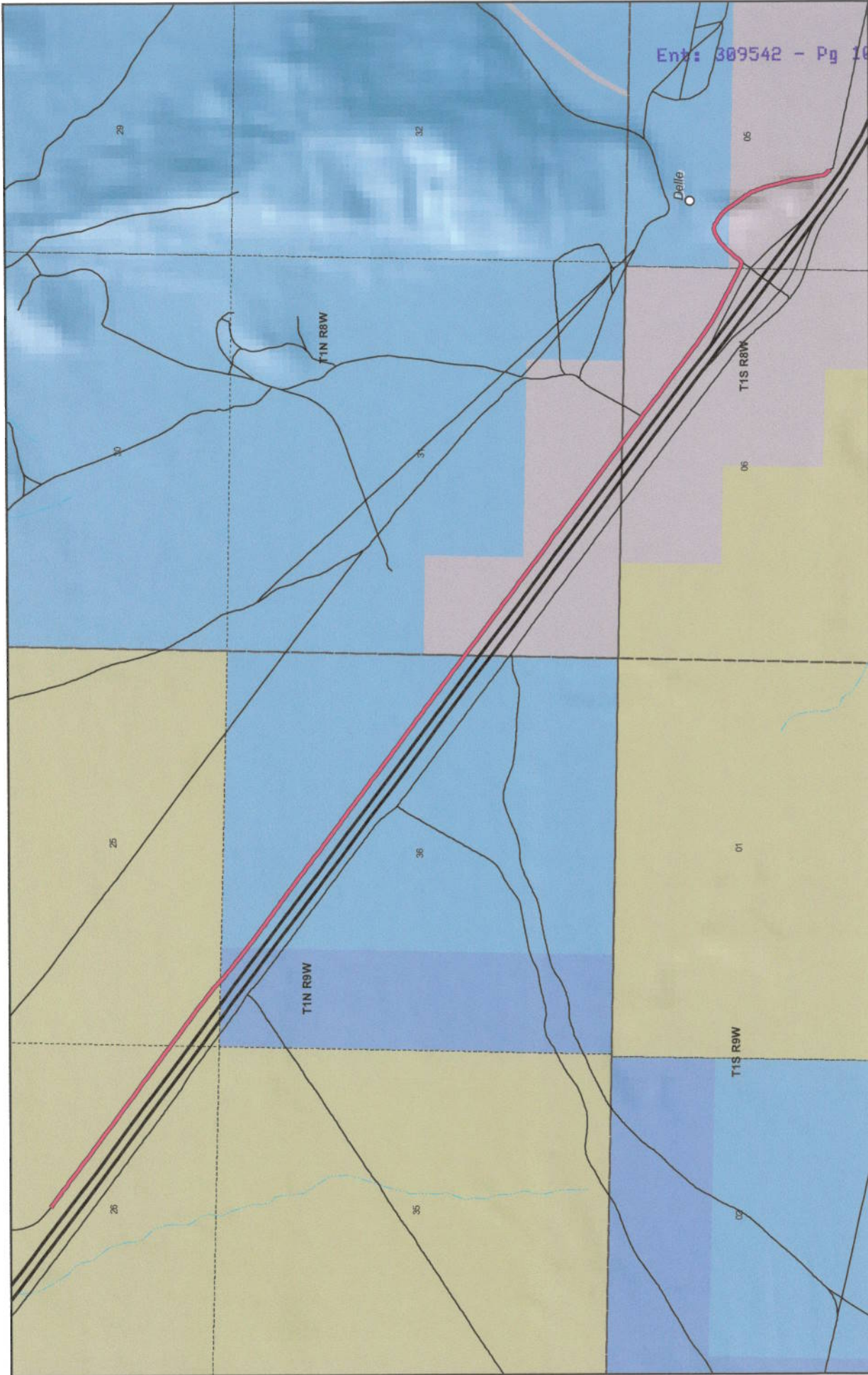
DATED this 6 day of June, 2008.


JAMES S. MCKENDRICK

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


NOTARY PUBLIC





Ent: 309542 - Pg 10 of 13



1:20,964
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
June 03, 2008



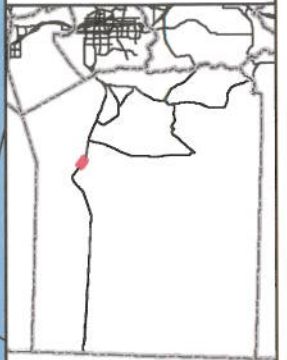
Tooele County Frontage Road I-80 County Unique - tc02376

Transportation Network
 Frontage Road I-80
 State / U.S. Highway
 Local Roads

Misc
 City / Town
 Municipalities
 Section = 1 Mile

Land Ownership Categories
 BLM
 Private
 SITLA, State Trust Land
 USFS, National Forest
 State Park

Misc
 Wildlife Reserve
 Military
 Wilderness
 Tribal



AFFIDAVIT OF GERALD E. BERTAGNOLE

FRONTAGE ROAD I-80

COUNTY ROAD NUMBER tc02376

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 Frontage Road I-80. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1950s it followed the same route as in approximately 1993 when I last observed it. Attached is a Tooele County map showing Frontage Road I-80. 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 mid 1950s and continuing through 1976 to approximately 1993. Throughout this time period I have observed travel

on the road by various means, including cars, pickups, livestock trucks, ATVs and jeeps. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and was so used in approximately 1993.

4. Throughout the time period from the mid 1950s to approximately 1993, 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 commerce, hunting and recreation.

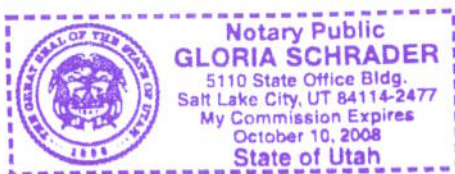
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s.

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

Dated this 3 day of June, 2008.


GERALD E. BERTAGNOLE

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




NOTARY PUBLIC



1:20,964
1 inch equals 0.3 miles

Map prepared by the State of Utah
Automated Geographic Reference Center
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
June 03, 2008



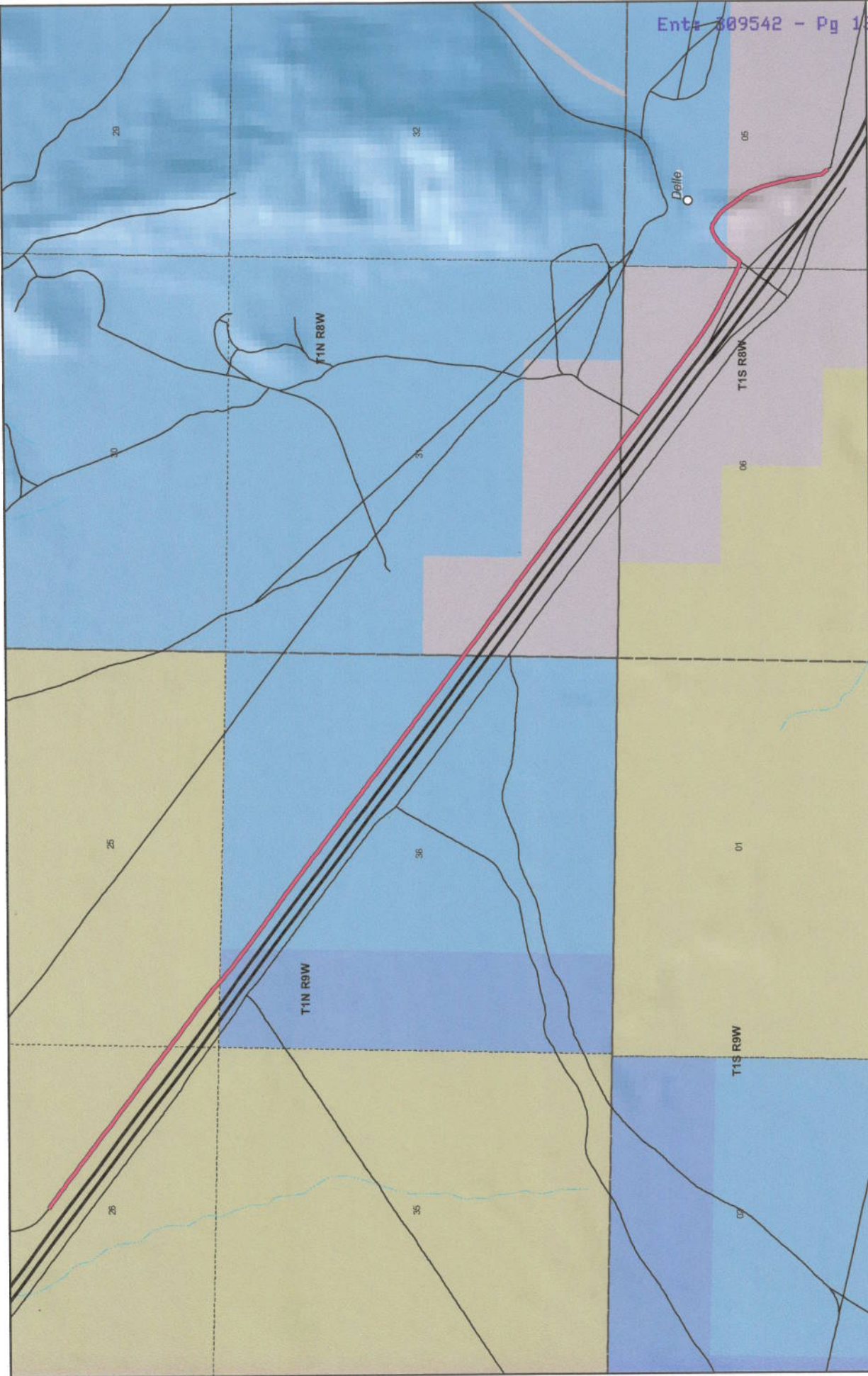
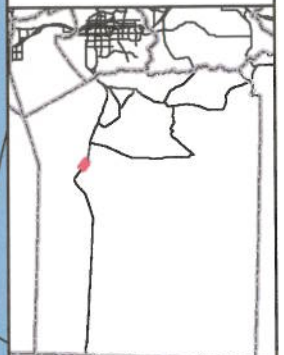
Tooele County
Frontage Road I-80
County Unique - tc02376

Transportation Network
Frontage Road I-80
State / U.S. Highway
Local Roads

Misc
City / Town
Municipalities
Section = 1 Mile

Land Ownership Categories
BLM
Private
SITLA, State Trust Land
USFS, National Forest
State Park

Wildlife Reserve
Military
Wilderness
Tribal



Appendix A to Attachment 4

Popular Name: Frontage Road I-80

County: Tooele

County Road Number: tc02376

State Geographic Information Database (SGID) Road Identification Number: RD230060.

Road-Segment Number: 001

Road-Segment Length: 0.72 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 1 North Range 9 West, Section(s) 25,26, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Frontage Road I-80)-- 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 47 minutes 18.51 seconds North Latitude and -112 degrees 49 minutes 35.84 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,273,055.9 feet and Y = 7,458,685.2 feet; thence the following courses along the said road center line:

thence South 54 Degrees 01 Minutes 00 Seconds East	41.5 feet
thence South 54 Degrees 01 Minutes 00 Seconds East	41.5 feet
thence South 53 Degrees 44 Minutes 49 Seconds East	41.3 feet
thence South 50 Degrees 15 Minutes 36 Seconds East	43.3 feet
thence South 53 Degrees 48 Minutes 53 Seconds East	44.1 feet
thence South 53 Degrees 48 Minutes 53 Seconds East	44.1 feet
thence South 52 Degrees 03 Minutes 12 Seconds East	47.7 feet
thence South 53 Degrees 38 Minutes 05 Seconds East	46.7 feet
thence South 55 Degrees 01 Minutes 56 Seconds East	48.3 feet
thence South 52 Degrees 12 Minutes 26 Seconds East	50.5 feet
thence South 53 Degrees 28 Minutes 25 Seconds East	49.2 feet

thence South 55 Degrees 00 Minutes 31 Seconds East	53.9 feet
thence South 53 Degrees 24 Minutes 17 Seconds East	54.6 feet
thence South 52 Degrees 03 Minutes 12 Seconds East	55.6 feet
thence South 54 Degrees 37 Minutes 14 Seconds East	59 feet
thence South 53 Degrees 20 Minutes 54 Seconds East	60 feet
thence South 53 Degrees 20 Minutes 54 Seconds East	60 feet
thence South 53 Degrees 13 Minutes 59 Seconds East	62.5 feet
thence South 53 Degrees 13 Minutes 59 Seconds East	62.5 feet
thence South 53 Degrees 13 Minutes 59 Seconds East	62.5 feet
thence South 54 Degrees 27 Minutes 59 Seconds East	64.4 feet
thence South 53 Degrees 07 Minutes 37 Seconds East	65.1 feet
thence South 53 Degrees 18 Minutes 04 Seconds East	65.4 feet
thence South 53 Degrees 07 Minutes 37 Seconds East	65.1 feet
thence South 53 Degrees 11 Minutes 48 Seconds East	67.9 feet
thence South 55 Degrees 28 Minutes 05 Seconds East	66 feet
thence South 52 Degrees 10 Minutes 13 Seconds East	66.4 feet
thence South 55 Degrees 28 Minutes 05 Seconds East	66 feet
thence South 51 Degrees 59 Minutes 40 Seconds East	66.1 feet
thence South 53 Degrees 18 Minutes 03 Seconds East	65.4 feet
thence South 51 Degrees 59 Minutes 40 Seconds East	66.1 feet
thence South 51 Degrees 59 Minutes 40 Seconds East	66.1 feet
thence South 54 Degrees 18 Minutes 58 Seconds East	66.9 feet
thence South 54 Degrees 18 Minutes 58 Seconds East	66.9 feet
thence South 53 Degrees 11 Minutes 48 Seconds East	67.9 feet
thence South 53 Degrees 11 Minutes 48 Seconds East	67.9 feet
thence South 53 Degrees 11 Minutes 48 Seconds East	67.9 feet
thence South 53 Degrees 11 Minutes 48 Seconds East	67.9 feet
thence South 54 Degrees 18 Minutes 58 Seconds East	66.9 feet
thence South 54 Degrees 10 Minutes 36 Seconds East	69.5 feet
thence South 53 Degrees 11 Minutes 48 Seconds East	67.9 feet
thence South 54 Degrees 10 Minutes 36 Seconds East	69.5 feet
thence South 53 Degrees 11 Minutes 48 Seconds East	67.9 feet
thence South 52 Degrees 06 Minutes 34 Seconds East	68.9 feet
thence South 53 Degrees 06 Minutes 02 Seconds East	53.5 feet
thence South 53 Degrees 05 Minutes 53 Seconds East	17 feet
thence South 53 Degrees 11 Minutes 48 Seconds East	67.9 feet
thence South 54 Degrees 18 Minutes 58 Seconds East	66.9 feet
thence South 52 Degrees 06 Minutes 34 Seconds East	68.9 feet
thence South 54 Degrees 18 Minutes 57 Seconds East	66.9 feet
thence South 53 Degrees 01 Minutes 44 Seconds East	67.7 feet
thence South 53 Degrees 11 Minutes 48 Seconds East	67.9 feet
thence South 54 Degrees 18 Minutes 57 Seconds East	66.9 feet
thence South 53 Degrees 11 Minutes 48 Seconds East	67.9 feet
thence South 51 Degrees 59 Minutes 40 Seconds East	66.1 feet
thence South 53 Degrees 11 Minutes 48 Seconds East	67.9 feet
thence South 53 Degrees 18 Minutes 03 Seconds East	65.4 feet
thence South 51 Degrees 03 Minutes 14 Seconds East	70 feet
thence South 50 Degrees 53 Minutes 47 Seconds East	67.1 feet
thence South 49 Degrees 48 Minutes 15 Seconds East	65.6 feet

thence South 49 Degrees 49 Minutes 54 Seconds East 68.2 feet
thence South 49 Degrees 49 Minutes 54 Seconds East 68.2 feet more or less to **the ending**
point at: 40 degrees 46 minutes 056.5 seconds North Latitude and -112 degrees 48 minutes 56.07 seconds
West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet
coordinates of X = 1,276,082.2 feet and Y = 7,456,412.9 feet.