

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

Ent: 309560 - Pg 1 of 13
Date: 6/23/2008 12:52 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Lincoln Highway 12000 S; County Road Number: tc02471; State Geographic Information Database (SGID) Road Identification Number: RD230078. Total road length is 5.6 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

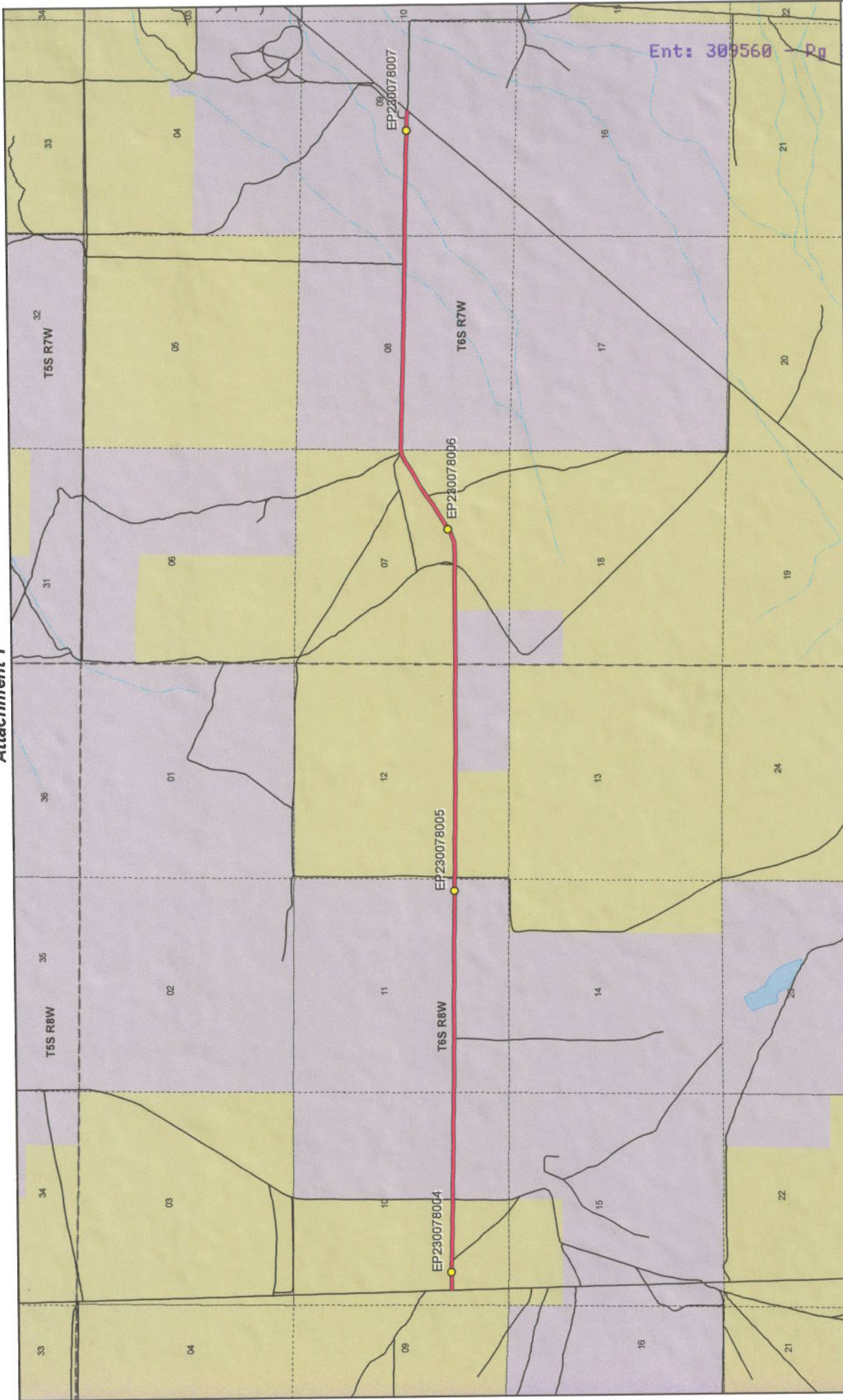
State of Utah)
 : ss
County of Salt Lake)

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: 309560 Pg 3 of 13

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Jun 16, 2008

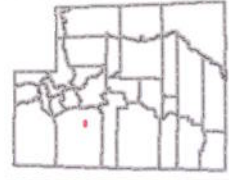


Lincoln Highway 12000 S - Tooele County SGID RD_ID RD230078

- 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**

 - Lincoln Highway 12000 S
 - Other Roads
 - Title V: Issued Or Under Consideration By BLM Or County
 - Photo Event Point
 - Section = 1 Mile



1:39,399
1 inch equals 0.6 miles

Ent: 309560 - Pg 4 of 13



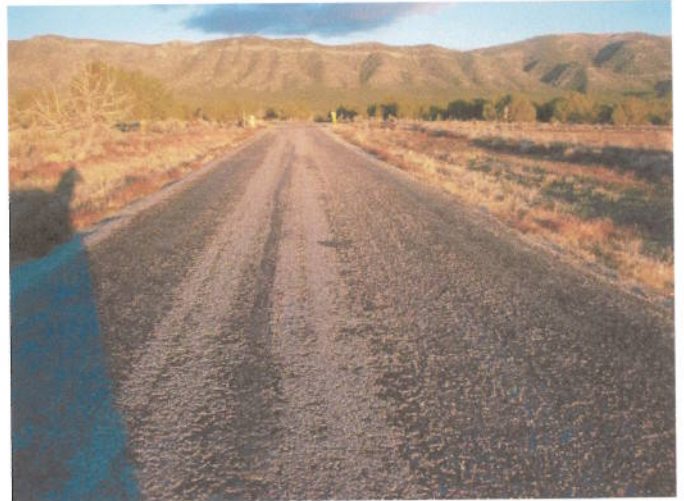
EP230078004



EP230078005



EP230078006



EP230078007

EP000000000

EP000000000

Lincoln Highway 12000 S - Tooele County
SGID RD_ID RD230078

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: Lincoln Highway 12000 S

County: Tooele

County Road Number: tc02471

State Geographic Information Database (SGID) Road Identification Number: RD230078.

Total Road Length: 5.6 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 18 minutes 23.27 seconds North Latitude and -112 degrees 44 minutes 35.17 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,293,741.7 feet and Y = 7,282,766.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 18 minutes 36.54 seconds North Latitude and -112 degrees 38 minutes 18.15 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,322,963.7 feet and Y = 7,283,720.2 feet based on the US Survey Foot conversion.

This road may traverse:

Township 6 South Range 7 West, Section(s) 7,8,9, Salt Lake Base & Meridian

Township 6 South Range 8 West, Section(s) 10,11,12, 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: Lincoln Highway 12000 S

County: Tooele

County Road Number: tc02471

State Geographic Information Database (SGID) Road Identification Number: RD230078.

Total Road Length: 5.6 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
RD230078	001	BLM	0.43 Miles	A
RD230078	002	PVT	1.5 Miles	(not shown)
RD230078	003	BLM	0.5 Miles	B
RD230078	004	PVT	0.5 Miles	(not shown)
RD230078	005	BLM	1.07 Miles	C
RD230078	006	PVT	1.59 Miles	(not shown)
		Total Road Length	5.6	_____

* 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

LINCOLN HIGHWAY 12000 SOUTH

TOOELE COUNTY, UTAH

ROAD NUMBER tc02471

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 Lincoln Highway 12000 South. 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 Lincoln Highway 12000 South. 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 cars, 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, mining, mail delivery, residential access, government access, prospecting for minerals 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.

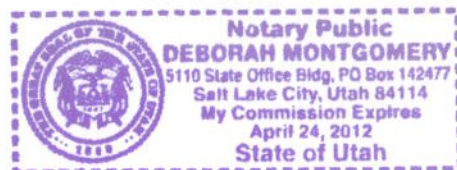
8. Prior to 1976, I graded and performed maintenance and construction activities on the road.

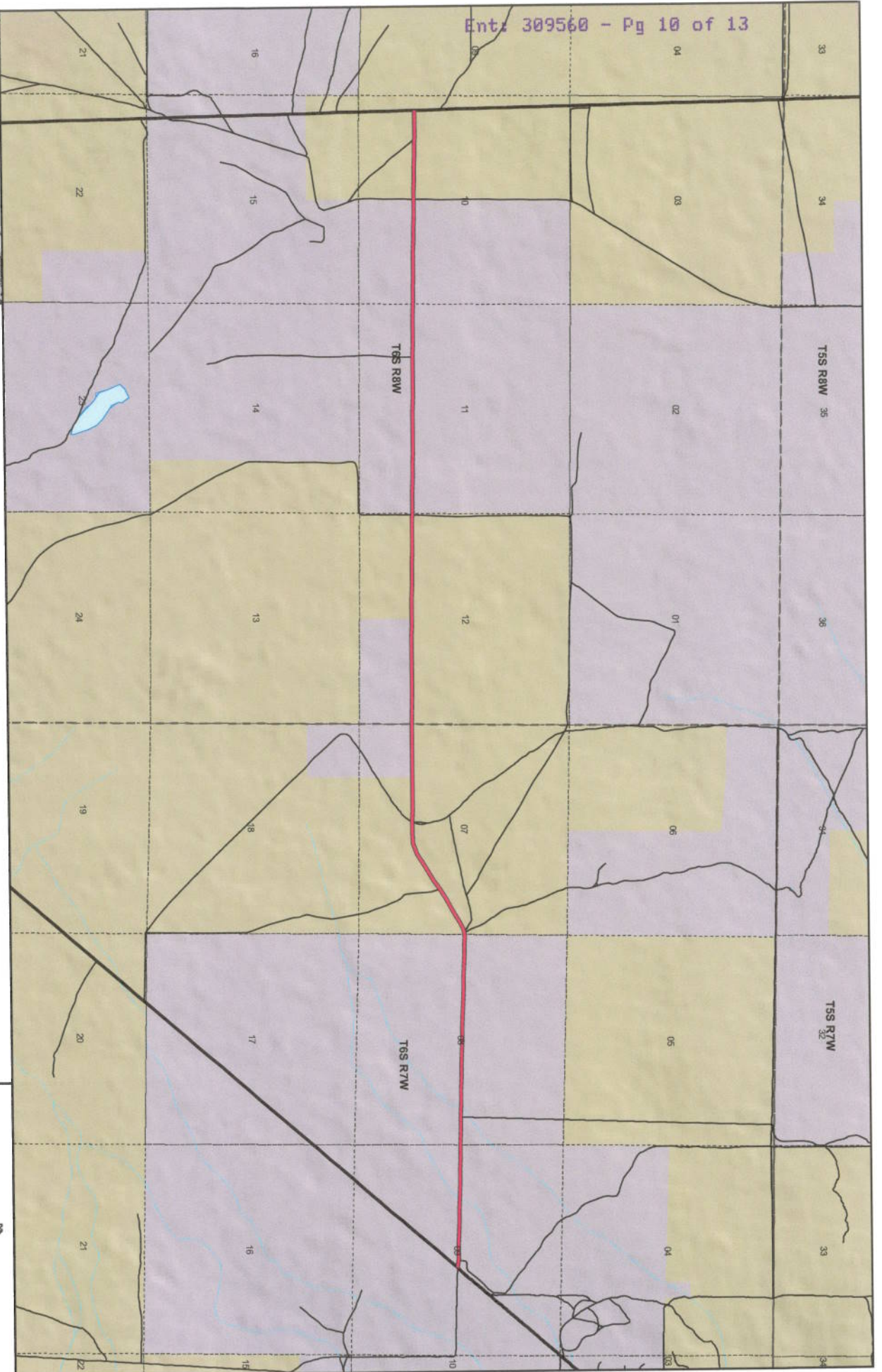
DATED this 6 day of June, 2008.


JAMES S. MCKENDRICK

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


NOTARY PUBLIC





Tooele County
Lincoln Highway 12000 S
County Unique - tc02471

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Park

Wildlife Reserve

- Military
- Wilderness
- Tribal

Misc

- City / Town
- Municipalities
- Section = 1 Mile

Transportation Network

- Lincoln Highway 12000 S
- State / U.S. Highway
- Local Roads

1:39,399
1 inch equals 0.6 miles



Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130, 500 East Capitol Building
Salt Lake City, Utah 84114
Apr 18, 2008



AFFIDAVIT OF WAYNE BOYER

LINCOLN HIGHWAY 12000 S

TOOELE COUNTY, UTAH

ROAD NUMBER tc02471

State of Utah)
 : ss.
County of Tooele)

WAYNE BOYER, 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 Grantsville, Tooele County, Utah. I was born and raised in Tooele County and have lived here all of my life for 64 years.

2. I have traveled and am familiar with a road in Tooele County known as Lincoln Highway 12000 S. 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 Tooele County map showing Lincoln Highway 12000 S. 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 2006. During this time period I have observed travel on the road by means of cars, pickup trucks and ATVs. During this time period, the road was used daily for more than ten continuous years prior to 1976 and was so used in 2006.

5. During the time period from the early 1960s to 2006, I have used the road myself for travel in and through the area to and from work.

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, hunting and recreation.

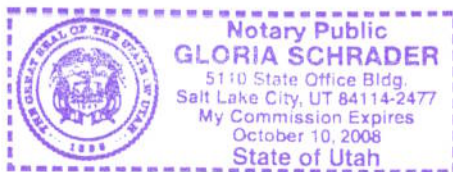
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed graders and equipment performing maintenance and construction activities on the road.

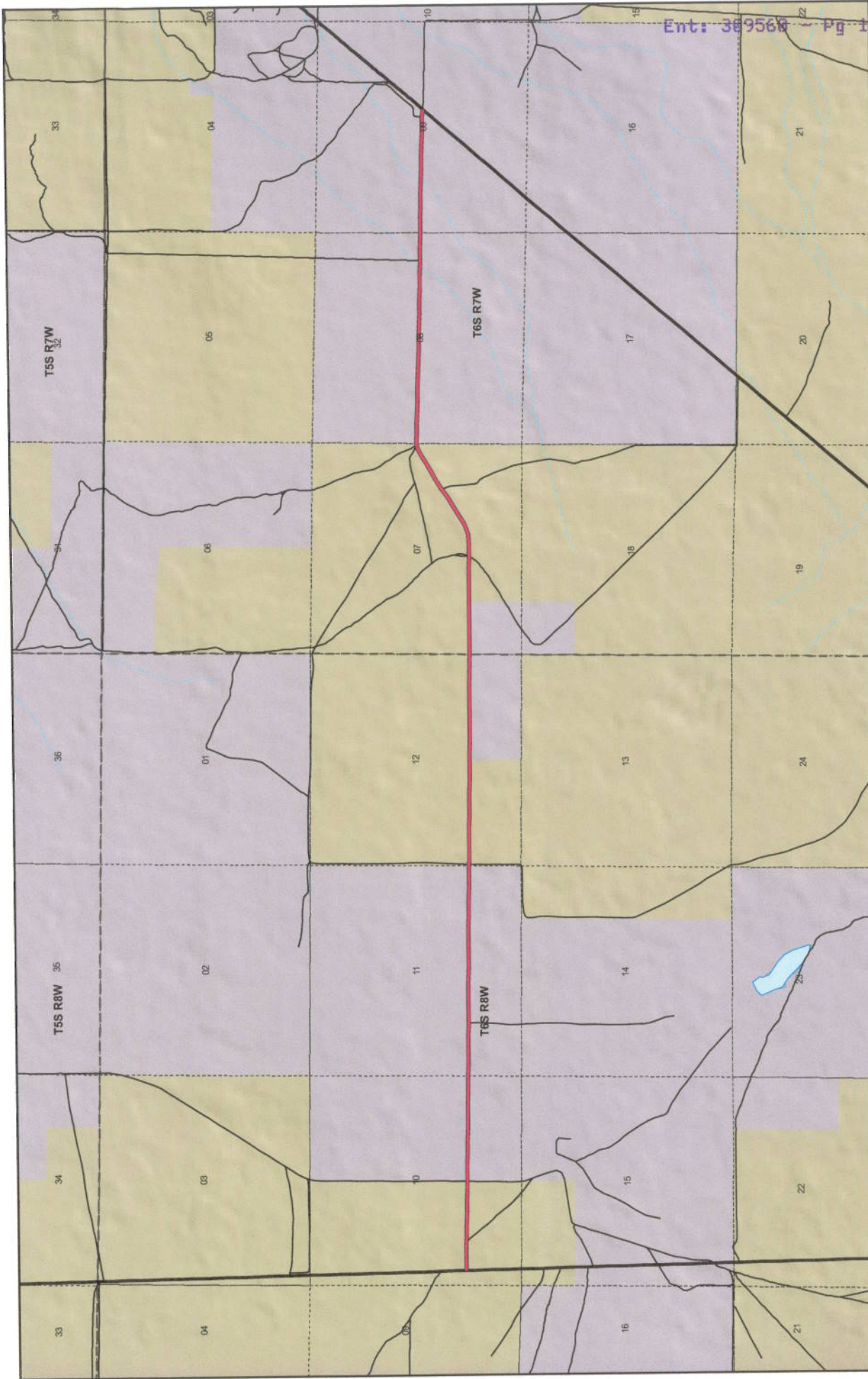
DATED this 1 day of May, 2008.


WAYNE BOYER

SUBSCRIBED AND SWORN to before me this 1st day of May, 2008.




NOTARY PUBLIC



Ent: 389560 Pg 13 of 13



1:39,399
1 inch equals 0.6 miles



Map prepared by the State of Utah
Automated Geographic Reference Center
AGRC
Room 5338 Capitol Building
Salt Lake City, Utah 84114
Apr 18, 2008



Tooele County Lincoln Highway 12000 S County Unique - 1c02471

Transportation Network

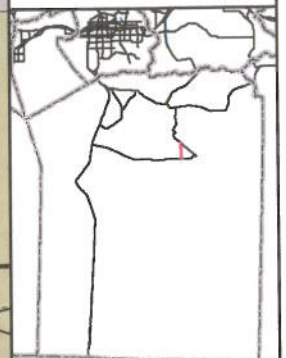
- Lincoln Highway 12000 S
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities
- Section = 1 Mile
- Wildlife Reserve
- Military
- Wilderness
- Tribal

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Park



Appendix A to Attachment 4

Popular Name: Lincoln Highway 12000 S

County: Tooele

County Road Number: tc02471

State Geographic Information Database (SGID) Road Identification Number: RD230078.

Road-Segment Number: 001

Road-Segment Length: 0.43 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 6 South Range 8 West, Section(s) 10, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Lincoln Highway 12000 S)-- 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 18 minutes 23.27 seconds North Latitude and -112 degrees 44 minutes 35.17 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,293,741.7 feet and Y = 7,282,766.8 feet; thence the following courses along the said road center line:

thence North 89 Degrees 40 Minutes 06 Seconds East	80.7 feet
thence South 89 Degrees 35 Minutes 42 Seconds East	127.6 feet
thence South 88 Degrees 49 Minutes 35 Seconds East	187.4 feet
thence South 89 Degrees 30 Minutes 21 Seconds East	227.7 feet
thence South 88 Degrees 53 Minutes 38 Seconds East	261.6 feet
thence South 88 Degrees 58 Minutes 55 Seconds East	278.6 feet
thence South 89 Degrees 01 Minutes 19 Seconds East	287.2 feet
thence South 89 Degrees 04 Minutes 45 Seconds East	300.3 feet
thence South 89 Degrees 01 Minutes 51 Seconds East	289.1 feet
thence South 89 Degrees 24 Minutes 42 Seconds East	204.4 feet
thence South 89 Degrees 26 Minutes 17 Seconds East	14.7 feet more or less to the ending

point at: 40 degrees 18 minutes 23.25 seconds North Latitude and -112 degrees 44 minutes 6 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,296,000.9 feet and Y = 7,282,733.7 feet.

Appendix B to Attachment 4

Popular Name: Lincoln Highway 12000 S

County: Tooele

County Road Number: tc02471

State Geographic Information Database (SGID) Road Identification Number: RD230078.

Road-Segment Number: 003

Road-Segment Length: 0.5 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 6 South Range 8 West, Section(s) 12, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Lincoln Highway 12000 S)-- Segment 003 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 18 minutes 23.56 seconds North Latitude and -112 degrees 42 minutes 23.74 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,303,922.6 feet and Y = 7,282,656.4 feet; thence the following courses along the said road center line:

thence South 89 Degrees 23 Minutes 14 Seconds East	65.7 feet
thence South 85 Degrees 55 Minutes 57 Seconds East	21.4 feet
thence South 89 Degrees 05 Minutes 09 Seconds East	151 feet
thence South 89 Degrees 54 Minutes 37 Seconds East	223.4 feet
thence South 89 Degrees 16 Minutes 45 Seconds East	268.1 feet
thence South 89 Degrees 37 Minutes 07 Seconds East	263.8 feet
thence South 88 Degrees 49 Minutes 18 Seconds East	249.1 feet
thence South 88 Degrees 52 Minutes 51 Seconds East	259.3 feet
thence North 89 Degrees 59 Minutes 03 Seconds East	297.9 feet
thence South 89 Degrees 44 Minutes 19 Seconds East	317.3 feet
thence South 89 Degrees 10 Minutes 59 Seconds East	327.5 feet

thence North 89 Degrees 56 Minutes 49 Seconds East 216.3 feet more or less to **the ending point at:** 40 degrees 18 minutes 23.65 seconds North Latitude and -112 degrees 41 minutes 049.4 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,306,583.2 feet and Y = 7,282,630.3 feet.

Appendix C to Attachment 4

Popular Name: Lincoln Highway 12000 S

County: Tooele

County Road Number: tc02471

State Geographic Information Database (SGID) Road Identification Number: RD230078.

Road-Segment Number: 005

Road-Segment Length: 1.07 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 6 South Range 7 West, Section(s) 7, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Lincoln Highway 12000 S)-- Segment 005 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 18 minutes 23.92 seconds North Latitude and -112 degrees 41 minutes 15.05 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,309,244.2 feet and Y = 7,282,622.3 feet; thence the following courses along the said road center line:

thence North 88 Degrees 44 Minutes 20 Seconds East	89 feet
thence South 89 Degrees 57 Minutes 13 Seconds East	249 feet
thence North 89 Degrees 40 Minutes 08 Seconds East	276.6 feet
thence South 89 Degrees 41 Minutes 45 Seconds East	296 feet
thence North 89 Degrees 58 Minutes 40 Seconds East	304.2 feet
thence North 89 Degrees 40 Minutes 08 Seconds East	313 feet
thence North 89 Degrees 58 Minutes 33 Seconds East	306.1 feet
thence South 89 Degrees 42 Minutes 17 Seconds East	300.2 feet
thence South 89 Degrees 41 Minutes 09 Seconds East	291.4 feet
thence North 89 Degrees 40 Minutes 08 Seconds East	15.7 feet
thence North 89 Degrees 40 Minutes 08 Seconds East	33.2 feet

thence South 89 Degrees 33 Minutes 46 Seconds East 244.8 feet
 thence North 86 Degrees 13 Minutes 58 Seconds East 301.1 feet
 thence North 70 Degrees 06 Minutes 14 Seconds East 284.1 feet
 thence North 57 Degrees 54 Minutes 34 Seconds East 243.1 feet
 thence North 58 Degrees 18 Minutes 12 Seconds East 264.8 feet
 thence North 57 Degrees 27 Minutes 00 Seconds East 280 feet
 thence North 56 Degrees 11 Minutes 10 Seconds East 276.6 feet
 thence North 57 Degrees 06 Minutes 22 Seconds East 268.2 feet
 thence North 59 Degrees 54 Minutes 52 Seconds East 247.9 feet
 thence North 59 Degrees 28 Minutes 47 Seconds East 241.4 feet
 thence North 58 Degrees 38 Minutes 01 Seconds East 225.9 feet
 thence North 62 Degrees 42 Minutes 05 Seconds East 188.1 feet
 thence North 80 Degrees 12 Minutes 23 Seconds East 79.8 feet
 thence North 82 Degrees 24 Minutes 33 Seconds East 5.2 feet
 thence North 82 Degrees 32 Minutes 38 Seconds East 40.5 feet more or less to **the ending**

point at: 40 degrees 18 minutes 037.5 seconds North Latitude and -112 degrees 40 minutes 06.66 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,314,559.7 feet and Y = 7,283,926.7 feet.