

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

Ent: 309569 - Pg 1 of 10
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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Threesouth Road; County Road Number: tc02671; State Geographic Information Database (SGID) Road Identification Number: RD230089. Total road length is 2.57 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

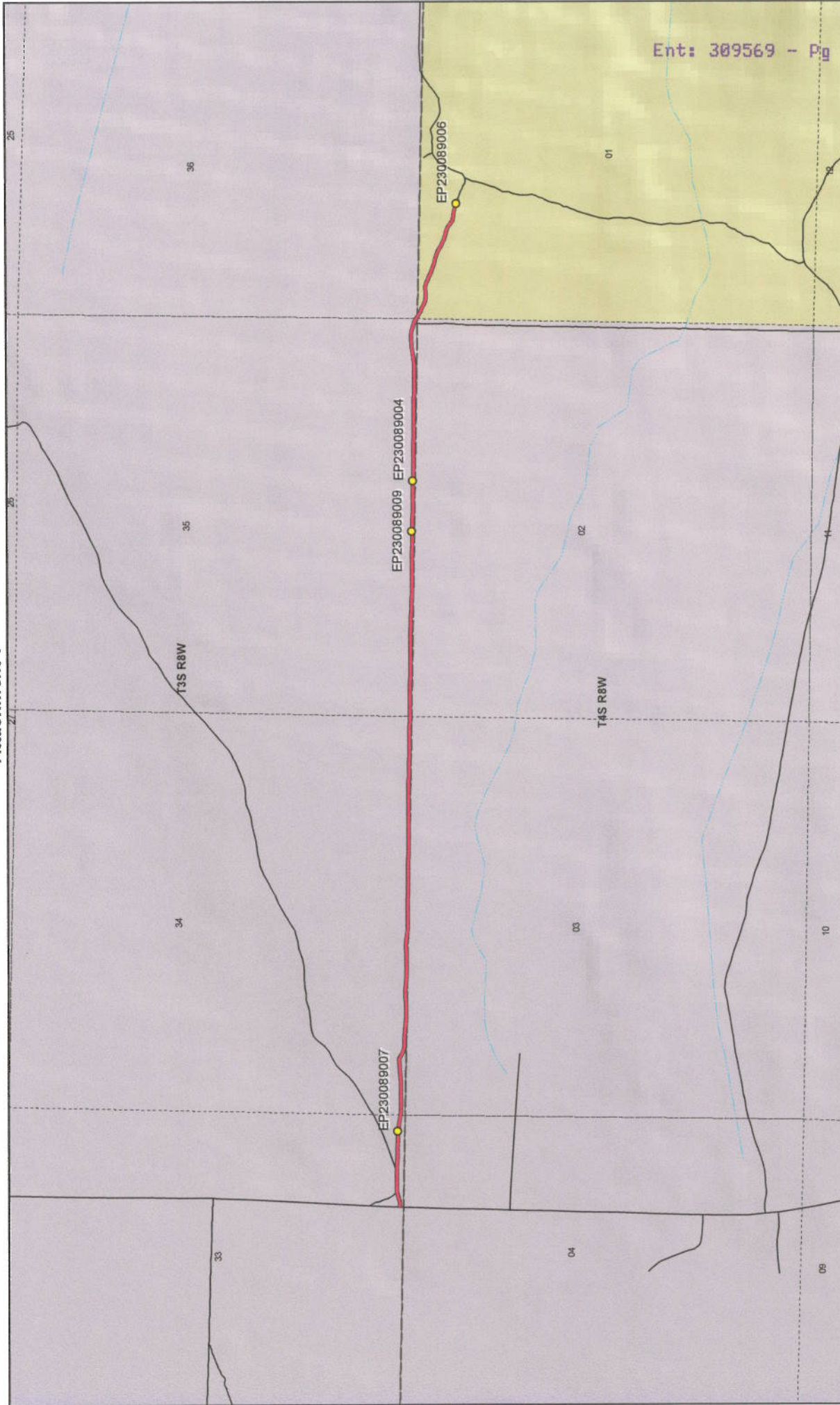
State of Utah)
 : ss
County of Salt Lake)

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



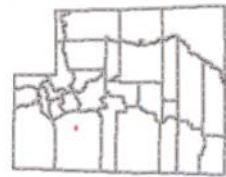
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Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
Jun 16, 2008



Threesouth Road - Tooele County SGID RD_ID RD230089

- | | |
|--|--|
| Land Ownership Categories
<ul style="list-style-type: none"> BLM Private SITLA, State Trust Land USFS, National Forest State Parks and Recreation Tribal, Indian Reservation NPS, National Park | Transportation Network
<ul style="list-style-type: none"> Threesouth Road Other Roads Title V: Issued Or Under Consideration By BLM OK County Photo Event Point Section = 1 Mile |
|--|--|



1:21,299
1 inch equals 0.3 miles



EP230089004

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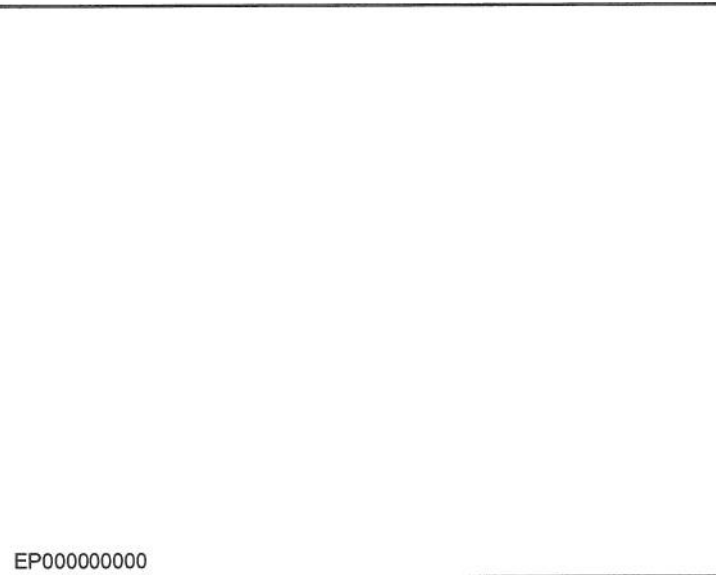
EP230089006



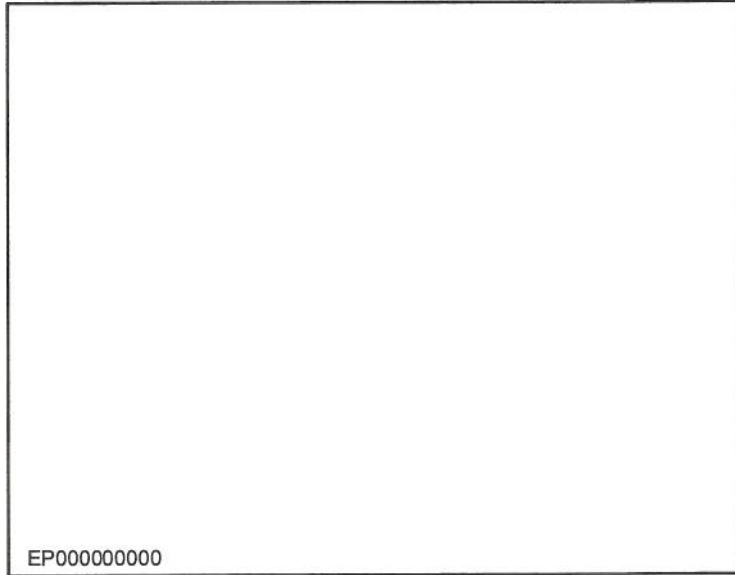
EP230089007



EP230089009



EP000000000



EP000000000

Threesouth Road - Tooele County
SGID RD_ID RD230089

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: Threesouth Road

County: Tooele

County Road Number: tc02671

State Geographic Information Database (SGID) Road Identification Number: RD230089.

Total Road Length: 2.57 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 30 minutes 24 seconds North Latitude and -112 degrees 44 minutes 52.61 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,293,408.3 feet and Y = 7,355,710.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 30 minutes 18.64 seconds North Latitude and -112 degrees 41 minutes 59.11 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,306,801.3 feet and Y = 7,354,985.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 3 South Range 8 West, Section(s) 33,34,35,36, Salt Lake Base & Meridian

Township 4 South Range 8 West, Section(s) 1, 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: Threesouth Road

County: Tooele

County Road Number: tc02671

State Geographic Information Database (SGID) Road Identification Number: RD230089.

Total Road Length: 2.57 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
RD230089	001	PVT	2.25 Miles	(not shown)
RD230089	002	BLM	0.32 Miles	A
		Total Road Length	2.57	_____

* 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

THREESOUTH ROAD

TOOELE COUNTY, UTAH

ROAD NUMBER tc02671

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 Threesouth Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1960s it followed the same route as in the early 1990s when I last observed it. Attached is a Tooele County map showing Threesouth 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. 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 1960s and continuing through the early 1990s. Throughout this time period I observed travel on the road by means of cars, pickup trucks and ATVs. During this time period, the road was used weekly, for more than ten continuous years prior to 1976 and was so used in the early 1990s.

5. Throughout the time period from the late 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, 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.

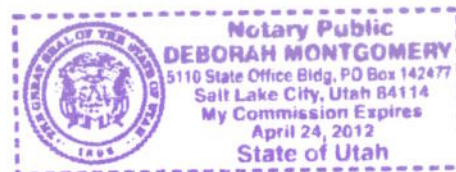
8. Prior to 1976, I graded and performed maintenance and construction activities on the road.

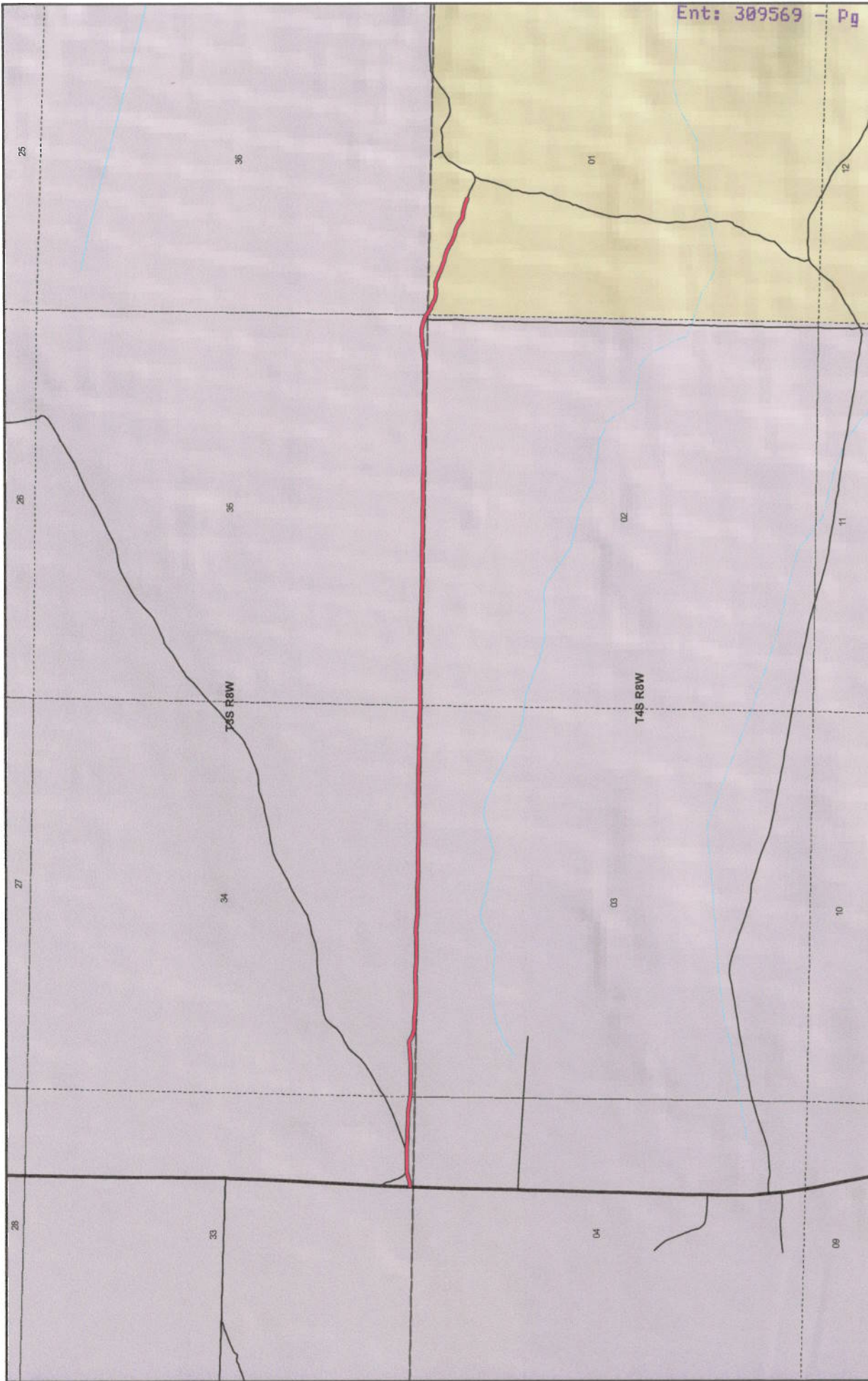
DATED this 6 day of June, 2008.


JAMES S. MCKENDRICK

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


NOTARY PUBLIC





Land Ownership Categories

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

Transportation Network

- Threesouth Road
- State / U.S. Highway
- Local Roads

Misc

- Wildlife Reserve
- Military
- Wilderness
- Tribal

City / Town

- Municipalities
- Section = 1 Mile

Tooele County
Threesouth Road
County Unique - tc02671

1:21,299

1 inch equals 0.3 miles

Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 6130 State Office Building
 Salt Lake City, Utah 84114
 Apr 18, 2009

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Appendix A to Attachment 4

Popular Name: Threesouth Road

County: Tooele

County Road Number: tc02671

State Geographic Information Database (SGID) Road Identification Number: RD230089.

Road-Segment Number: 002

Road-Segment Length: 0.32 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 4 South Range 8 West, Section(s) 1, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Threesouth 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 40 degrees 30 minutes 023.7 seconds North Latitude and -112 degrees 42 minutes 19.53 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,305,231.3 feet and Y = 7,355,518.2 feet; thence the following courses along the said road center line:

thence South 52 Degrees 35 Minutes 20 Seconds East	3.9 feet
thence South 58 Degrees 03 Minutes 36 Seconds East	36.9 feet
thence South 62 Degrees 14 Minutes 03 Seconds East	38.3 feet
thence South 70 Degrees 18 Minutes 17 Seconds East	33.5 feet
thence South 63 Degrees 46 Minutes 14 Seconds East	33 feet
thence South 58 Degrees 32 Minutes 37 Seconds East	46.7 feet
thence South 73 Degrees 25 Minutes 25 Seconds East	50.8 feet
thence South 83 Degrees 32 Minutes 48 Seconds East	55.5 feet
thence North 87 Degrees 44 Minutes 32 Seconds East	48.9 feet
thence North 87 Degrees 43 Minutes 45 Seconds East	48.6 feet
thence North 89 Degrees 39 Minutes 51 Seconds East	46.9 feet

thence South 74 Degrees 56 Minutes 50 Seconds East 37.1 feet
 thence South 67 Degrees 54 Minutes 09 Seconds East 38.7 feet
 thence South 64 Degrees 37 Minutes 32 Seconds East 49.2 feet
 thence South 65 Degrees 45 Minutes 03 Seconds East 55.2 feet
 thence South 71 Degrees 18 Minutes 36 Seconds East 60.4 feet
 thence South 69 Degrees 41 Minutes 06 Seconds East 69.8 feet
 thence South 75 Degrees 00 Minutes 51 Seconds East 74.5 feet
 thence South 73 Degrees 43 Minutes 58 Seconds East 74.6 feet
 thence South 65 Degrees 03 Minutes 28 Seconds East 65.3 feet
 thence South 56 Degrees 53 Minutes 45 Seconds East 62.5 feet
 thence South 64 Degrees 44 Minutes 21 Seconds East 60.8 feet
 thence South 69 Degrees 05 Minutes 06 Seconds East 63.4 feet
 thence South 79 Degrees 18 Minutes 44 Seconds East 51.5 feet
 thence South 68 Degrees 03 Minutes 00 Seconds East 43.3 feet
 thence South 65 Degrees 35 Minutes 10 Seconds East 50.9 feet
 thence South 54 Degrees 29 Minutes 52 Seconds East 36.4 feet
 thence South 54 Degrees 08 Minutes 32 Seconds East 33.3 feet
 thence South 67 Degrees 25 Minutes 47 Seconds East 25.3 feet
 thence South 79 Degrees 18 Minutes 44 Seconds East 25.7 feet
 thence South 83 Degrees 32 Minutes 48 Seconds East 27.8 feet
 thence South 80 Degrees 12 Minutes 39 Seconds East 28 feet
 thence South 78 Degrees 41 Minutes 07 Seconds East 32.5 feet
 thence South 76 Degrees 47 Minutes 15 Seconds East 28 feet
 thence South 71 Degrees 54 Minutes 02 Seconds East 31.1 feet
 thence South 75 Degrees 04 Minutes 50 Seconds East 37.4 feet
 thence South 70 Degrees 18 Minutes 16 Seconds East 33.5 feet
 thence South 79 Degrees 27 Minutes 00 Seconds East 8.7 feet
 thence South 68 Degrees 55 Minutes 21 Seconds East 18 feet

thence South 77 Degrees 48 Minutes 24 Seconds East 15.1 feet more or less to **the ending point at:** 40 degrees 30 minutes 18.64 seconds North Latitude and -112 degrees 41 minutes 59.11 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,306,801.3 feet and Y = 7,354,985.3 feet.