Ent: 309588 - 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

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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 tc02873; County Road Number: tc02873; State Geographic Information Database (SGID) Road Identification Number: RD230104. Total road length is 0.26 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.

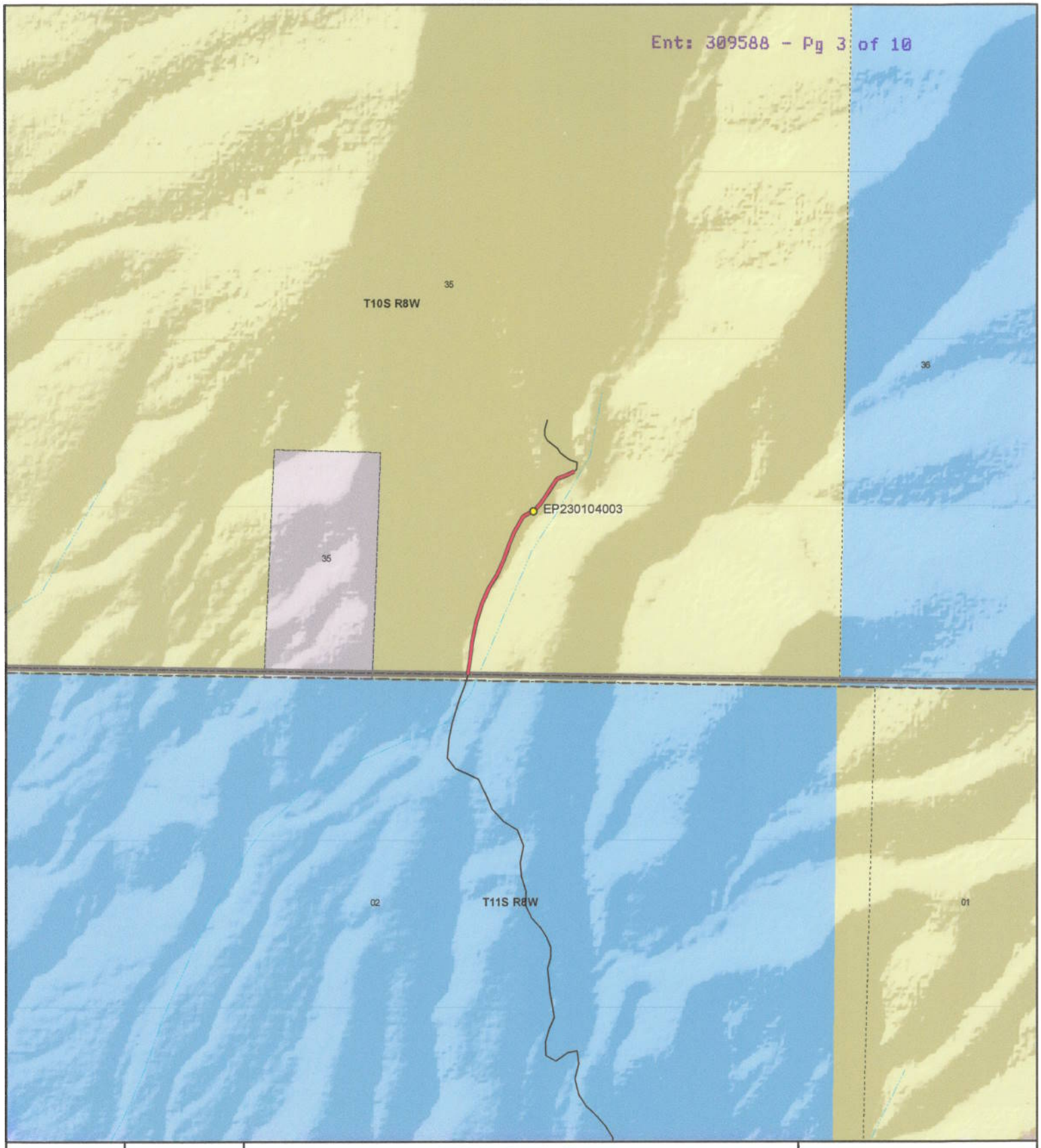
Dated this 20th day of June, 2008.

NOTARY PUBLIC
PAMELA Z. BLACKHAM
5110 State Office Bldg
Salt Lake City, Utah 84114
COMMISSION EXPIRES
May 3, 2011
STATE OF UTAH

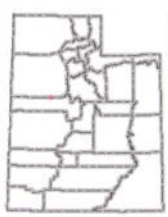
Pamela Z. Blackham

Notary Public

Ent: 309588 - Pg 3 of 10



1:8,783
1 inch equals 0.1 miles



tc02873 - Tooele County
SGID RD_ID RD230104

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

- tc02873
- Title V: Issued Or Under Consideration By BLM Or County
- Other Roads
- Photo Event Point
- Section = 1 Mile

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

UTAH AGRC

EP230104003

EP000000000

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tc02873 - Tooele County
SGID RD_ID RD230104

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: tc02873
County: Tooele
County Road Number: tc02873
State Geographic Information Database (SGID) Road Identification Number: RD230104.
Total Road Length: 0.26 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 54 minutes 13.17 seconds North Latitude and -112 degrees 42 minutes 49.56 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,299,931.1 feet and Y = 7,135,941.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 54 minutes 24.66 seconds North Latitude and -112 degrees 42 minutes 42.07 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,300,530.9 feet and Y = 7,137,096.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 South Range 8 West, Section(s) 35, 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: tc02873
County: Tooele
County Road Number: tc02873
State Geographic Information Database (SGID) Road Identification Number: RD230104.
Total Road Length: 0.26 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
RD230104	001	BLM	0.26 Miles	A
		Total Road Length	0.26	———

*** 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

TC02873

TOOELE COUNTY, UTAH

ROAD NUMBER tc02873

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 TC02873. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1940s it followed the same route as in 1998 when I last observed it. Attached is a Tooele County map showing TC02873. 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 late 1940s and continuing through 1998. During this time period I have observed travel on the road by means of pickup trucks and cars. During this time period, the road was used at least weekly, weather permitting for more than ten continuous years prior to 1976 and was so used in 1998.

5. During the time period from the late 1940s to 1998, I have used the road myself for rock hounding, hunting 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 previous paragraph, plus livestock operations and mining, prospecting for minerals 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 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

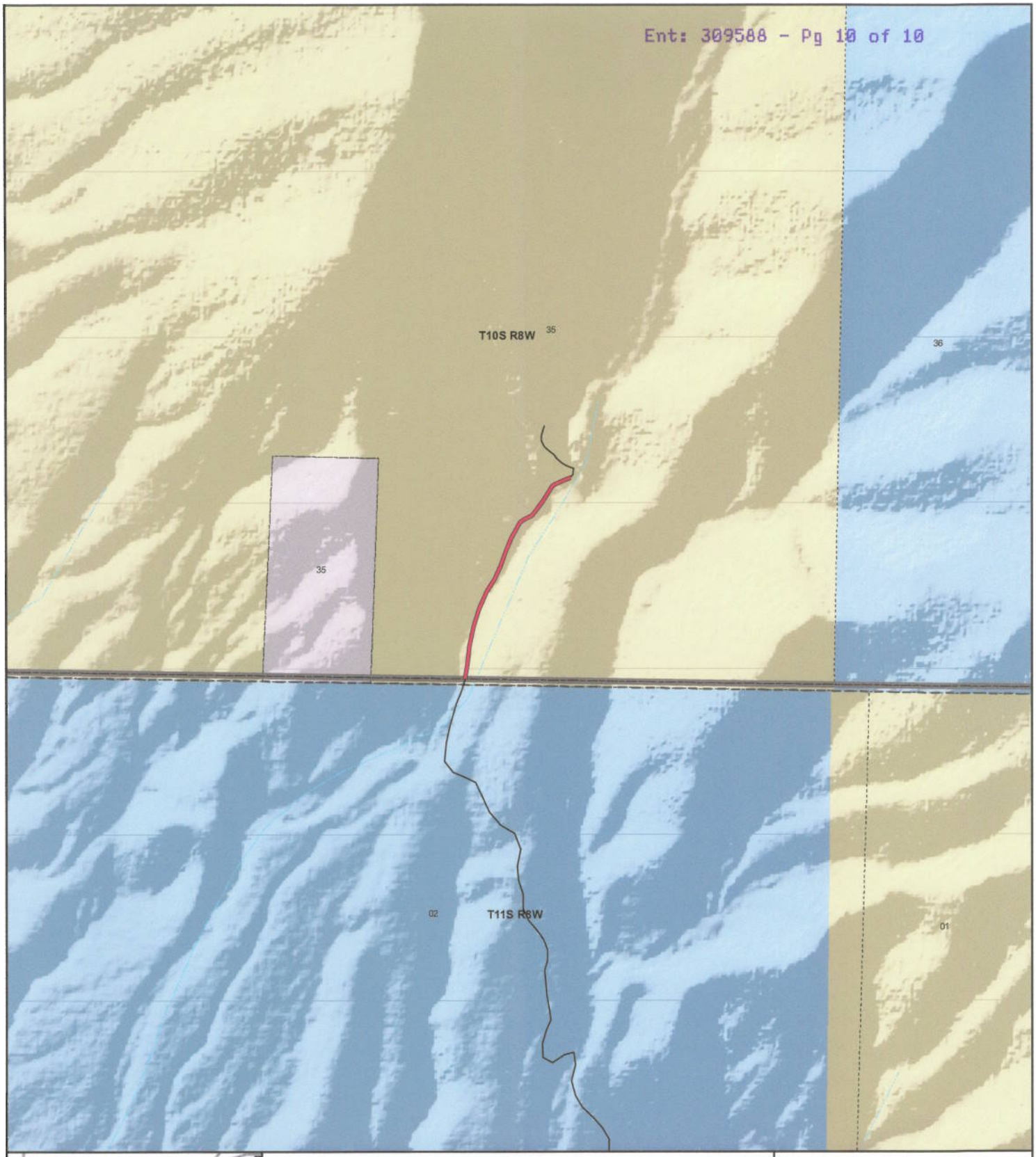
DATED this 6 day of June, 2008.

LEE F. NIX

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

NOTARY PUBLIC

Notary Public
DEBORAH MONTGOMERY
5110 State Office Bldg. PO Box 142477
Salt Lake City, Utah 84114
My Commission Expires
April 24, 2012
State of Utah



Tooele County
tc02873
County Unique - tc02873

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

Transportation Network
- tc02873
- State / U.S. Highway
- Local Roads

Misc
- City / Town
- Municipalities
- Section = 1 Mile

1:8,783
1 inch equals 0.1 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: tc02873
County: Tooele
County Road Number: tc02873
State Geographic Information Database (SGID) Road Identification Number: RD230104.
Road-Segment Number: 001
Road-Segment Length: 0.26 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 10 South Range 8 West, Section(s) 35, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (tc02873)-- 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 39 degrees 54 minutes 13.17 seconds North Latitude and -112 degrees 42 minutes 49.56 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,299,931.1 feet and Y = 7,135,941.7 feet; thence the following courses along the said road center line:

thence North 09 Degrees 00 Minutes 58 Seconds East 74.8 feet
thence North 07 Degrees 16 Minutes 21 Seconds East 114.2 feet
thence North 10 Degrees 49 Minutes 14 Seconds East 110.4 feet
thence North 18 Degrees 03 Minutes 26 Seconds East 107.2 feet
thence North 22 Degrees 08 Minutes 05 Seconds East 106.5 feet
thence North 32 Degrees 20 Minutes 02 Seconds East 85.7 feet
thence North 25 Degrees 16 Minutes 48 Seconds East 87.3 feet
thence North 18 Degrees 02 Minutes 38 Seconds East 86.4 feet
thence North 21 Degrees 53 Minutes 54 Seconds East 83.3 feet
thence North 28 Degrees 34 Minutes 12 Seconds East 101.2 feet
thence North 57 Degrees 04 Minutes 39 Seconds East 33.5 feet
thence North 62 Degrees 12 Minutes 12 Seconds East 46.2 feet

thence North 42 Degrees 36 Minutes 02 Seconds East 44.8 feet
thence North 35 Degrees 29 Minutes 08 Seconds East 56.6 feet
thence North 30 Degrees 38 Minutes 29 Seconds East 103.3 feet
thence North 52 Degrees 24 Minutes 41 Seconds East 19 feet
thence North 66 Degrees 23 Minutes 15 Seconds East 53.9 feet
thence North 65 Degrees 55 Minutes 42 Seconds East 44.8 feet more or less to **the ending point at:** 39 degrees 54 minutes 24.66 seconds North Latitude and -112 degrees 42 minutes 42.07 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,300,530.9 feet and Y = 7,137,096.7 feet.