

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

Ent: 309589 - 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 tc02930; County Road Number: tc02930; State Geographic Information Database (SGID) Road Identification Number: RD230105. Total road length is 0.4 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 20<sup>th</sup> day of June, 2008.

By the Governor's Designee

  
John Harja

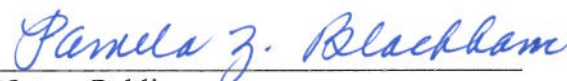
### CERTIFICATION

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.

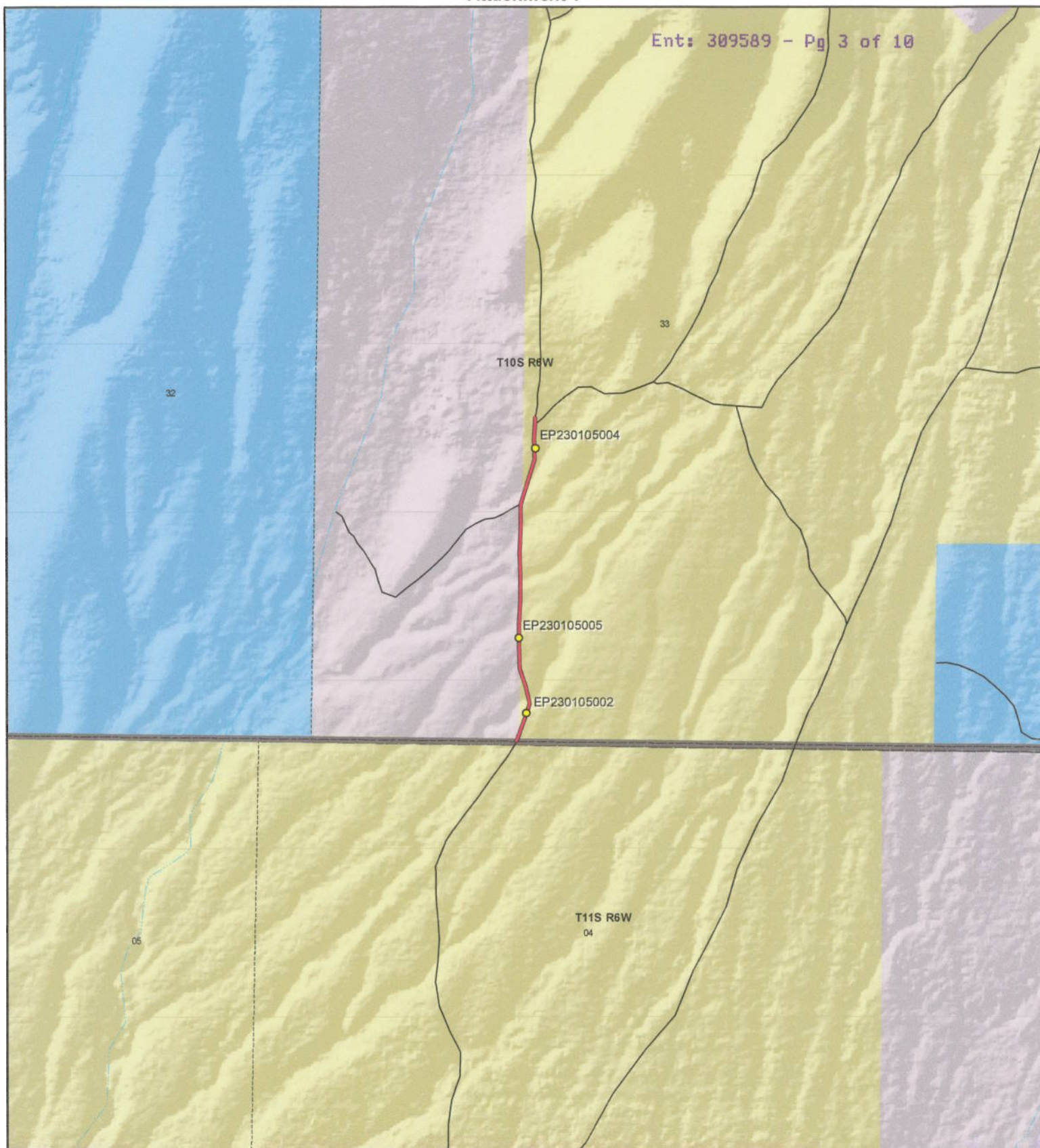


Dated this 20<sup>th</sup> day of June, 2008.

  
Notary Public



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1:10,007  
1 inch equals 0.2 miles



**tc02930 - Tooele County**  
**SGID RD\_ID RD230105**

**Land Ownership Categories**

- |                            |                              |
|----------------------------|------------------------------|
| BLM                        | Wilderness                   |
| Private                    | UDWR Wildlife Reserve        |
| SITLA, State Trust Land    | DOD, Military                |
| USFS, National Forest      | State Sovereign Land         |
| State Parks and Recreation | National Recreation Area     |
| Tribal, Indian Reservation | USFWS, Natl. Wildlife Refuge |
| NPS, National Park         |                              |

**Transportation Network**

- |   |
|---|
| tc02930   |
| 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







EP230105002

Ent: 309589 - Pg 4 of 10



EP230105004



EP230105005

EP000000000

EP000000000

EP000000000

**tc02930- Tooele County**  
**SGID RD\_ID RD230105**

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:** tc02930

**County:** Tooele

**County Road Number:** tc02930

**State Geographic Information Database (SGID) Road Identification Number:** RD230105.

**Total Road Length:** 0.4 miles more or less.

**Beginning at a point** on the road centerline located at 39 degrees 54 minutes 13.76 seconds North Latitude and -112 degrees 31 minutes 49.33 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,351,376.3 feet and Y = 7,135,356.4 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 54 minutes 34.31 seconds North Latitude and -112 degrees 31 minutes 48.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,351,489.0 feet and Y = 7,137,434.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 10 South Range 6 West, Section(s) 33, 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:** tc02930

**County:** Tooele

**County Road Number:** tc02930

**State Geographic Information Database (SGID) Road Identification Number:** RD230105.

**Total Road Length:** 0.4 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).**

<b>Road-Segments Listed by SGID Road Identification Number (RD_ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
<b>RD230105</b>	<b>001</b>	<b>PVT</b>	<b>0.01 Miles</b>	<b>(not shown)</b>
<b>RD230105</b>	<b>002</b>	<b>BLM</b>	<b>0.1 Miles</b>	<b>A</b>
<b>RD230105</b>	<b>003</b>	<b>PVT</b>	<b>0.05 Miles</b>	<b>(not shown)</b>
<b>RD230105</b>	<b>004</b>	<b>BLM</b>	<b>0.05 Miles</b>	<b>B</b>
<b>RD230105</b>	<b>005</b>	<b>PVT</b>	<b>0.09 Miles</b>	<b>(not shown)</b>
<b>RD230105</b>	<b>006</b>	<b>BLM</b>	<b>0.11 Miles</b>	<b>C</b>
		<b>Total Road Length</b>	<b>0.4</b>	<b>_____</b>

\* 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**

**TC09230 ROAD**

**TOOELE COUNTY, UTAH**

**ROAD NUMBER tc02930**

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 TC09230 Road. 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 TC09230 Road. The road is a continuation of Erickson Cutoff Road after it loops down into Juab County and travels back up into Tooele County. 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, 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 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, hunting and recreation.

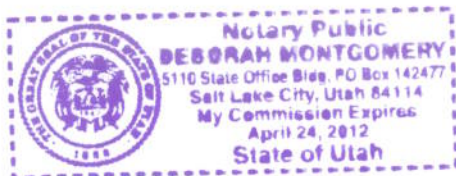
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

DATED this 22 day of May, 2008.

  
JAMES S. MCKENDRICK

SUBSCRIBED AND SWORN to before me this 22 day of May, 2008.



  
NOTARY PUBLIC

T10S R6W

T11S R6W

# Tooele County

tc02930

## County Unique - tc02930

### Land Ownership Categories

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

### Transportation Network

- tc02930
- State / U.S. Highway
- Local Roads

### Misc

- City / Town
- Municipalities
- Section = 1 Mile



1:9,834

1 inch equals 0.2 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: tc02930**

**County: Tooele**

**County Road Number: tc02930**

**State Geographic Information Database (SGID) Road Identification Number: RD230105.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.1 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 6 West, Section(s) 33, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (tc02930)-- 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 39 degrees 54 minutes 14 seconds North Latitude and -112 degrees 31 minutes 49.15 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,351,390.2 feet and Y = 7,135,379.9 feet; thence the following courses along the said road center line:

thence North 19 Degrees 12 Minutes 25 Seconds East 102.2 feet

thence North 18 Degrees 06 Minutes 47 Seconds East 20.8 feet

thence North 16 Degrees 47 Minutes 37 Seconds East 108.1 feet

thence North 13 Degrees 35 Minutes 27 Seconds West 112.9 feet

thence North 18 Degrees 18 Minutes 26 Seconds West 119 feet

thence North 01 Degrees 52 Minutes 03 Seconds West 82.7 feet more or less to **the ending**

**point at:** 39 degrees 54 minutes 19.19 seconds North Latitude and -112 degrees 31 minutes 49.17 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,351,394.9 feet and Y = 7,135,905.1 feet.



## Appendix B to Attachment 4

**Popular Name: tc02930**

**County: Tooele**

**County Road Number: tc02930**

**State Geographic Information Database (SGID) Road Identification Number: RD230105.**

**Road-Segment Number: 004**

**Road-Segment Length: 0.05 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 6 West, Section(s) 33, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (tc02930)-- Segment 004 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 21.74 seconds North Latitude and -112 degrees 31 minutes 49.18 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,351,397.0 feet and Y = 7,136,163.5 feet; thence the following courses along the said road center line:

thence North 02 Degrees 09 Minutes 18 Seconds East 98.7 feet

thence North 00 Degrees 11 Minutes 55 Seconds West 152.6 feet

thence North 02 Degrees 29 Minutes 28 Seconds West 13 feet more or less to **the ending point**

**at:** 39 degrees 54 minutes 24.35 seconds North Latitude and -112 degrees 31 minutes 49.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,351,399.6 feet and Y = 7,136,427.7 feet.

## Appendix C to Attachment 4

**Popular Name: tc02930**

**County: Tooele**

**County Road Number: tc02930**

**State Geographic Information Database (SGID) Road Identification Number: RD230105.**

**Road-Segment Number: 006**

**Road-Segment Length: 0.11 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 6 West, Section(s) 33, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (tc02930)-- Segment 006 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 28.86 seconds North Latitude and -112 degrees 31 minutes 049.2 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,351,403.7 feet and Y = 7,136,884.1 feet; thence the following courses along the said road center line:

thence North 16 Degrees 38 Minutes 02 Seconds East 131.9 feet

thence North 16 Degrees 39 Minutes 12 Seconds East 163 feet

thence North 02 Degrees 13 Minutes 51 Seconds West 128 feet

thence North 03 Degrees 21 Minutes 22 Seconds East 92.1 feet

thence North 00 Degrees 28 Minutes 05 Seconds East 47.6 feet more or less to **the ending**

**point at:** 39 degrees 54 minutes 34.31 seconds North Latitude and -112 degrees 31 minutes 48.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,351,489.0 feet and Y = 7,137,434.0 feet.