

179  
**Acknowledgment and  
Notice of Acknowledgment  
of Acceptance of R.S. 2477  
Right-of-Way Grant**

**DOC # 20080019314**

Right of Way Page 1 of 19  
Russell Shirts Washington County Recorder  
05/12/2008 08:51:38 AM Fee \$ 0.00  
By GOVERNOR OF STATE OF UTAH



**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Washington County as it pertains to the highway located in Washington County known as SCHOOL SECTION ROAD; County Road Number: 0096; State Geographic Information Database (SGID) Road Identification Number: RD270096. Total road length is 1.51 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 23<sup>rd</sup> day of April, 2008.

By the Governor's Designee

  
\_\_\_\_\_  
John Harja

**CERTIFICATION**

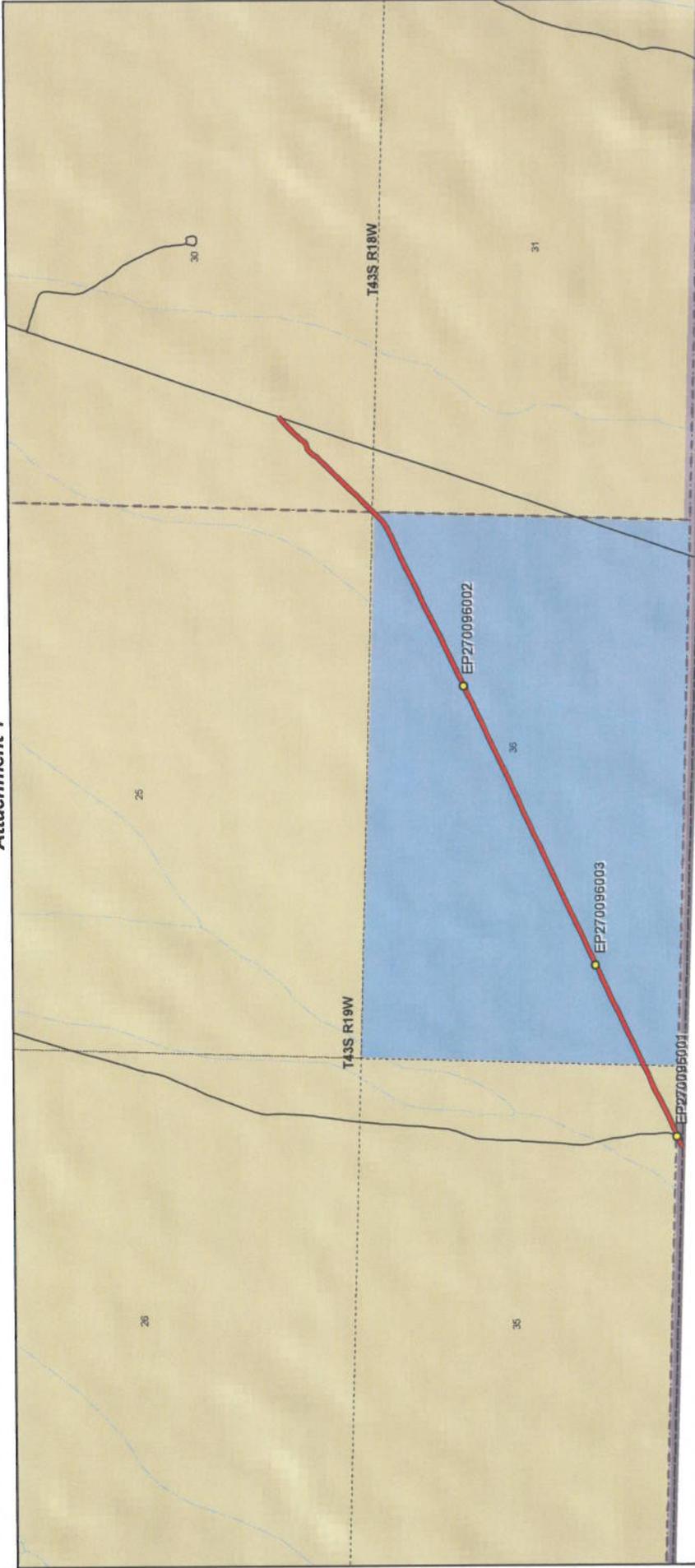
State of Utah                    )  
  : ss  
County of Salt Lake         )

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.

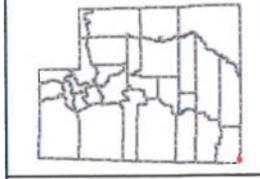
Dated this 23<sup>rd</sup> day of April, 2008.



  
\_\_\_\_\_  
Notary Public



Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Feb 12, 2008



- 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**
- SCHOOL SECTION ROAD
  - Other Roads
  - Title V, Issued Or Under Consideration By BLM Or County
  - Photo Event Point
  - Section = 1 Mile

**SCHOOL SECTION ROAD - Washington County**  
**SGID RD\_ID RD270096**

Attachment 2



EP270096001



EP270096002



EP270096003

EP000000000

EP000000000

EP000000000

**SCHOOL SECTION ROAD - Washington County**  
**SGID RD\_ID RD270096**



Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
February 14, 2008



### Attachment 3

#### Beginning & Ending Points and Township, Range, and Section References For:

**Popular Name: SCHOOL SECTION ROAD**

**County: Washington**

**County Road Number: 0096**

**State Geographic Information Database (SGID) Road Identification Number: RD270096.**

**Total Road Length: 1.51 miles more or less.**

**Beginning at a point** on the road centerline located at 37 degrees 00 minutes 00.69 seconds North Latitude and -113 degrees 56 minutes 06.15 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 929,356.3 feet and Y = 9,973,202.2 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 37 degrees 00 minutes 40.14 seconds North Latitude and -113 degrees 54 minutes 41.98 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 936,285.2 feet and Y = 9,977,013.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 43 South Range 18 West, Section(s) 30,31, Salt Lake Base & Meridian  
Township 43 South Range 19 West, Section(s) 35,36, 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: SCHOOL SECTION ROAD**

**County: Washington**

**County Road Number: 0096**

**State Geographic Information Database (SGID) Road Identification Number: RD270096.**

**Total Road Length: 1.51 miles more or less.**

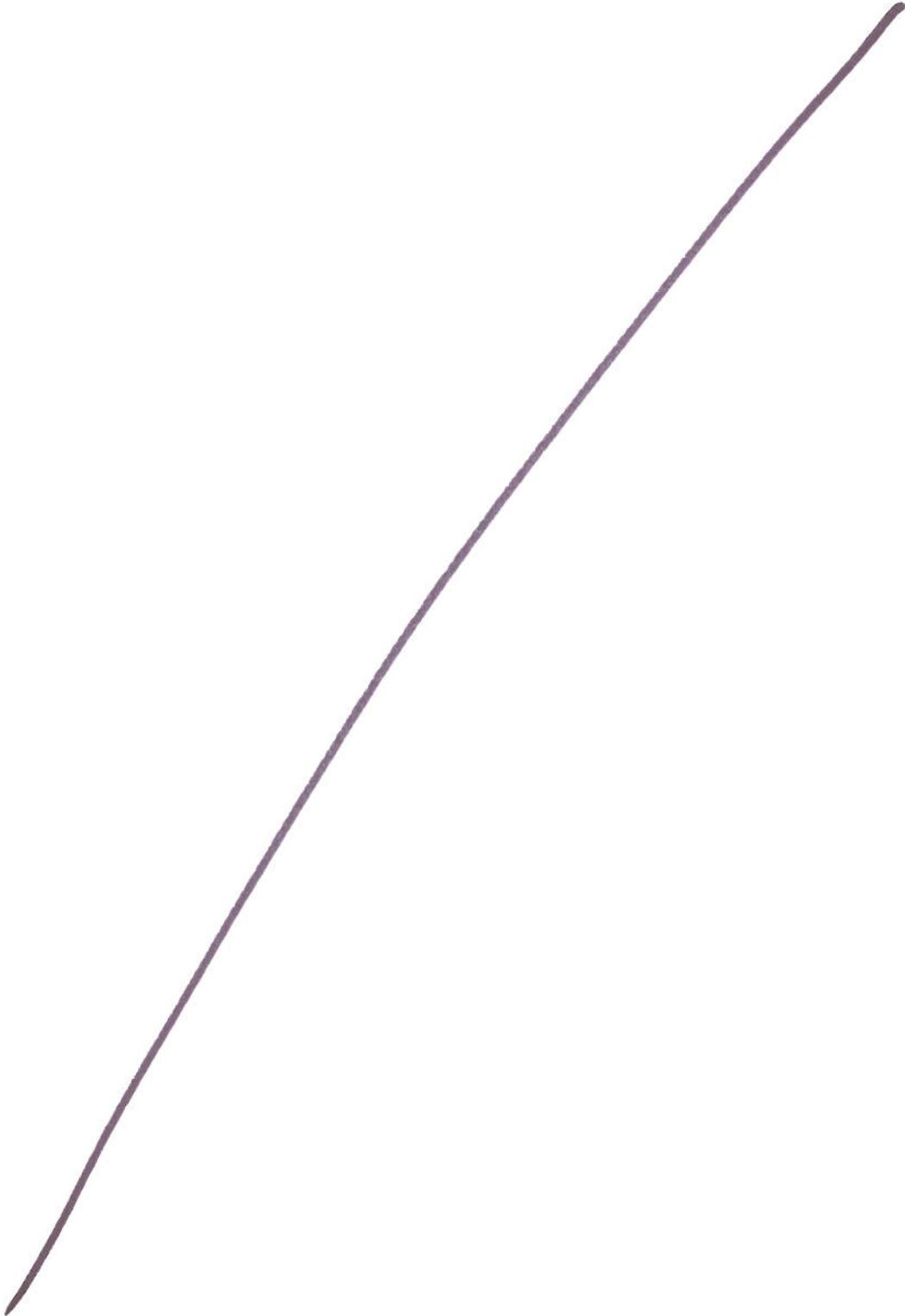
**Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (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>RD270096</b>	<b>001</b>	<b>BLM</b>	<b>0.14 Miles</b>	<b>A</b>
<b>RD270096</b>	<b>002</b>	<b>ST</b>	<b>1.13 Miles</b>	<b>(not shown)</b>
<b>RD270096</b>	<b>003</b>	<b>BLM</b>	<b>0.25 Miles</b>	<b>B</b>
		<b>Total Road Length</b>	<b>1.51</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





to the present. Throughout this time period I have observed travel on the road by trucks, jeeps, stock trucks, ATVs, and other motor vehicles. Throughout this time period, the road has been used at least weekly, weather permitting, for more than ten continuous years prior to 1976, and it is presently used on at least a weekly basis, as the weather permits.

4. Throughout the time period from 1970 to the present, I have used the road myself for livestock operations, recreation, wood gathering, hunting, and government access for my job, including search and rescue operations.

5. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus prospecting; trapping; government access; and recreation, such as camping, picnicking, hiking, sight seeing, and traveling in and through the general areas.

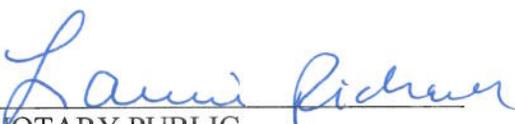
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least 1950 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

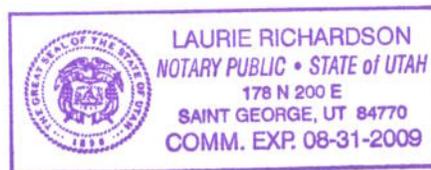
7. Prior to 1976, I occasionally observed county graders on the road. I personally observed and have been involved in calling Washington County road crews to the road due to floods and inclement weather. I observed general repairs and/or maintenance and construction of the road by Washington County. I observed cattle guards, berms, culverts, graded and raised surfaces, cuts and fills and flood repair work, as necessary.

DATED this 01 of May, 2007

  
\_\_\_\_\_  
KEVIN BROOKS

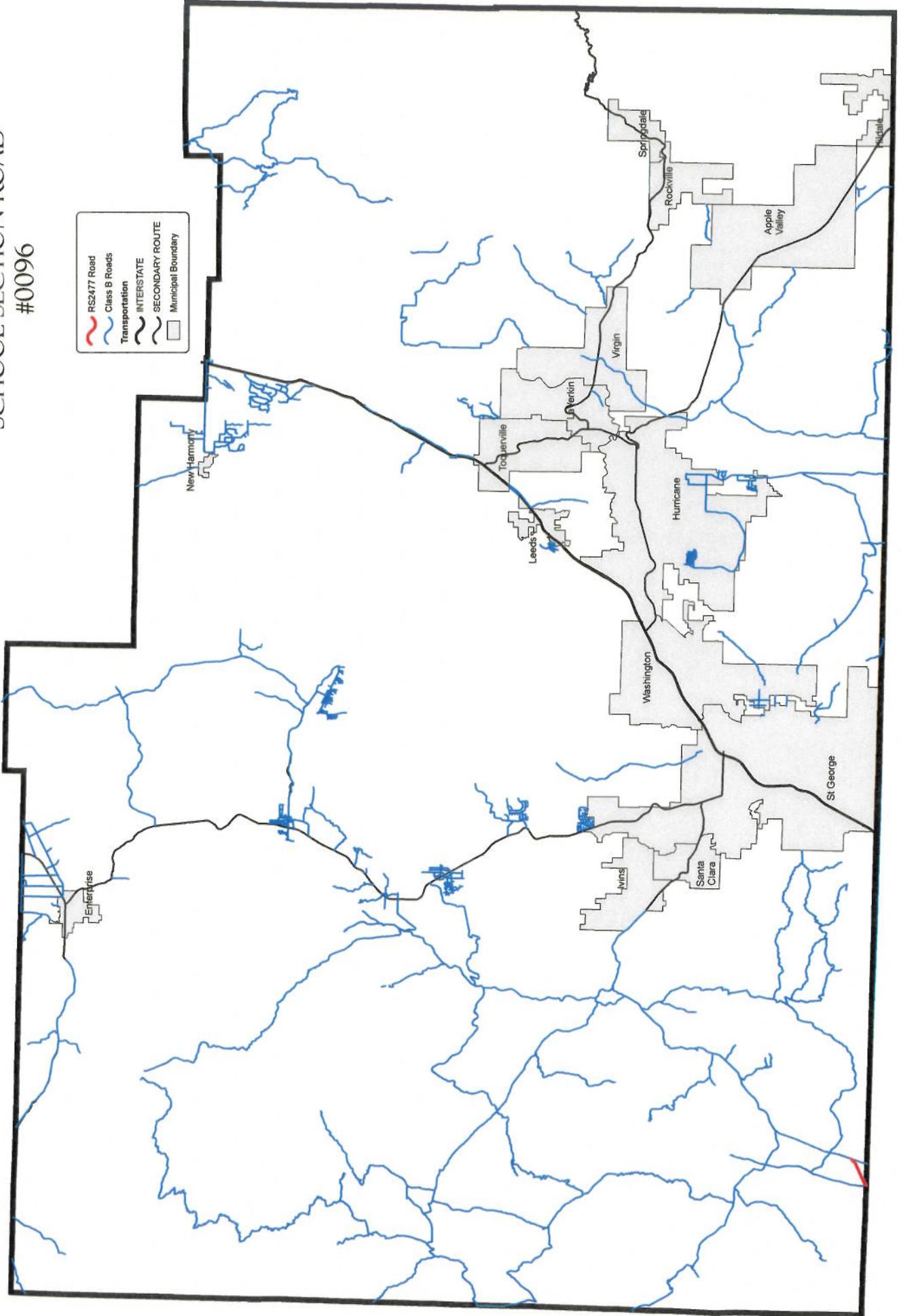
SUBSCRIBED AND SWORN to before me this 18<sup>th</sup> day of  
May, 2007.

  
\_\_\_\_\_  
NOTARY PUBLIC



# WASHINGTON COUNTY SCHOOL SECTION ROAD #0096

-  RS2477 Road
-  Class B Roads
-  Transportation
-  INTERSTATE
-  SECONDARY ROUTE
-  Municipal Boundary





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 1960, and continuing through 1976 to the present.

Throughout this time period I have observed travel on the road by trucks, jeeps, stock trucks and other motor vehicles. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and it is presently used on a daily basis, weather permitting.

4. Throughout the time period from 1960 to the present, I have used the road myself for hunting, camping, hiking, sight seeing, wood gathering, government access for my job, and trapping.

5. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus livestock operations, commerce, mining and prospecting, recreation and tourism, and travel in and through the general areas.

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 as early as 1900, when pioneers traveled the road, and continuing through 1976 to the present, for the uses described in the previous paragraphs.

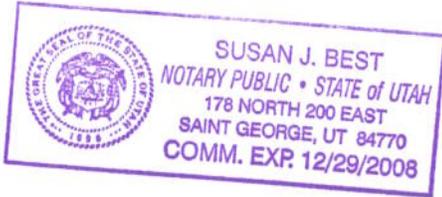
7. Prior to 1976, I occasionally observed graders and road crews from Washington County on the road. I observed general repairs and maintenance of the road. I observed cattle guards, berms, cuts and fills, grader marks, culverts, flood repair work, and gated areas, where necessary.

DATED this 12 of April, 2007.

Rymal J. Hinton  
RYMAL J. HINTON

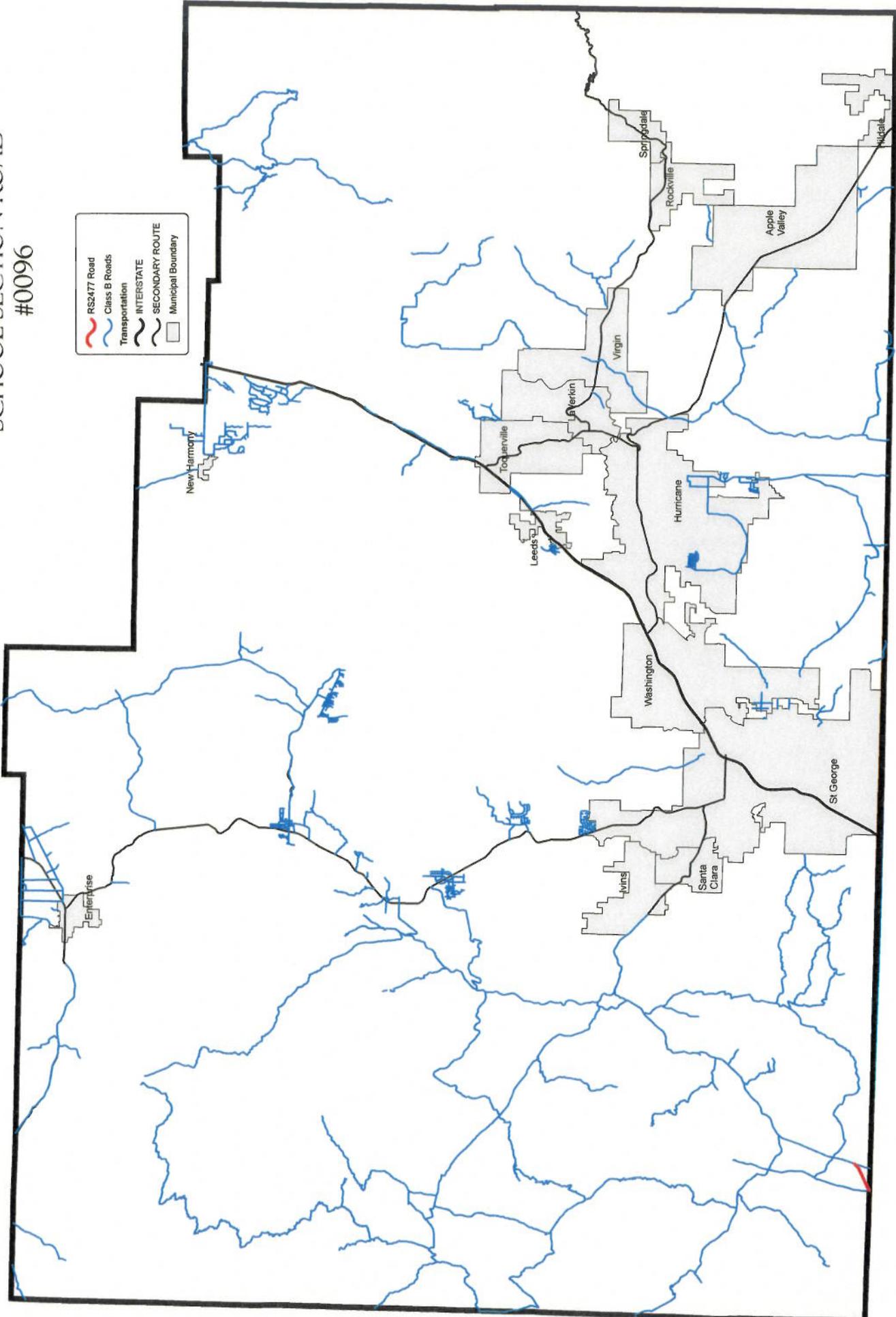
SUBSCRIBED AND SWORN to before me this 12 day of  
April, 2007.

Susan J. Best  
NOTARY PUBLIC



# WASHINGTON COUNTY SCHOOL SECTION ROAD #0096

RS2477 Road  
Class B Roads  
Transportation  
INTERSTATE  
SECONDARY ROUTE  
Municipal Boundary





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 1964, and continuing through 1976 to 2006.

Throughout this time period I have observed travel on the road by private pickup trucks, jeeps, stock trucks, motorcycles, and other motor vehicles. Through out this time period, the road has been used daily for more than ten continuous years prior to 1976, and it is presently used daily.

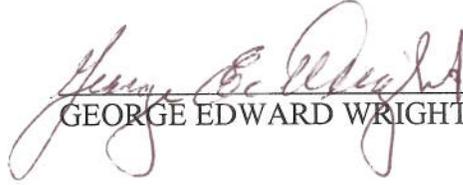
4. Throughout the time period from 1964 to 2006, I have used the road myself, occasionally, weather permitting, for wood gathering, sight seeing and hunting.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for uses described in the previous paragraph, plus government access; trapping; livestock operations; mining; prospecting; tourism; and recreation, such as camping, picnicking, hiking, and traveling in and through the general areas.

6. It is also my understanding that it is 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 the early pioneer settlers arrived, and continuing through 1976 to 2006, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed general repairs, maintenance and/or construction activities of the road by Washington County. I observed parked graders, cattle guards, berms, gravel, culverts, graded and raised surfaces, cuts and fills, grader marks, and flood and repair work on the road on an as-needed-basis. I occasionally observed Washington County graders on the road.

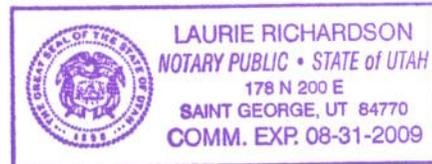
DATED this 2nd of March, 2007

  
\_\_\_\_\_  
GEORGE EDWARD WRIGHT

SUBSCRIBED AND SWORN to before me this 2nd day of March,  
2007.

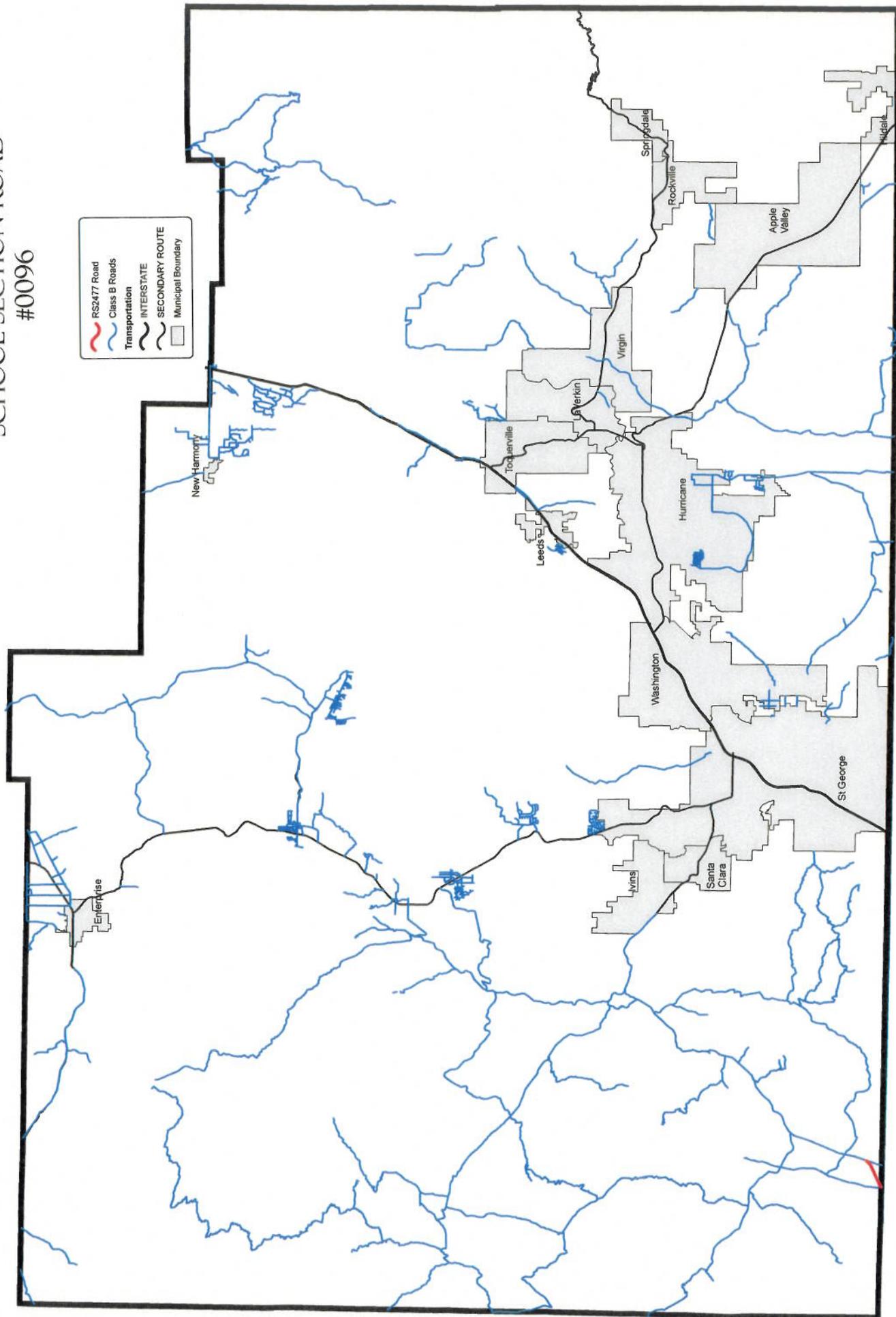
  
\_\_\_\_\_  
NOTARY PUBLIC

END OF DOCUMENT



# WASHINGTON COUNTY SCHOOL SECTION ROAD #0096

 RS2477 Road  
 Class B Roads  
 Transportation  
 INTERSTATE  
 SECONDARY ROUTE  
 Municipal Boundary



## Appendix A to Attachment 4

**Popular Name: SCHOOL SECTION ROAD**

**County: Washington**

**County Road Number: 0096**

**State Geographic Information Database (SGID) Road Identification Number: RD270096.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.14 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 43 South Range 19 West, Section(s) 35,36, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (SCHOOL SECTION ROAD)-- 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 37 degrees 00 minutes 00.69 seconds North Latitude and -113 degrees 56 minutes 06.15 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 929,356.3 feet and Y = 9,973,202.2 feet; thence the following courses along the said road center line:

thence North 66 Degrees 37 Minutes 05 Seconds East	58.3 feet
thence North 67 Degrees 06 Minutes 16 Seconds East	59.7 feet
thence North 65 Degrees 04 Minutes 58 Seconds East	78.7 feet
thence North 62 Degrees 38 Minutes 35 Seconds East	81.4 feet
thence North 63 Degrees 38 Minutes 27 Seconds East	87.3 feet
thence North 63 Degrees 58 Minutes 09 Seconds East	83 feet
thence North 64 Degrees 05 Minutes 55 Seconds East	89.5 feet
thence North 67 Degrees 41 Minutes 17 Seconds East	89.2 feet
thence North 65 Degrees 05 Minutes 13 Seconds East	98.1 feet
thence North 65 Degrees 05 Minutes 25 Seconds East	6.6 feet
thence North 64 Degrees 45 Minutes 12 Seconds East	0.8 feet more or less to <b>the ending point</b>

**at:** 37 degrees 00 minutes 03.92 seconds North Latitude and -113 degrees 55 minutes 58.07 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 930,019.8 feet and Y = 9,973,511.6 feet.

## Appendix B to Attachment 4

**Popular Name: SCHOOL SECTION ROAD**

**County: Washington**

**County Road Number: 0096**

**State Geographic Information Database (SGID) Road Identification Number: RD270096.**

**Road-Segment Number: 003**

**Road-Segment Length: 0.25 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 43 South Range 18 West, Section(s) 30,31, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (SCHOOL SECTION ROAD)-- 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 37 degrees 00 minutes 30.87 seconds North Latitude and -113 degrees 54 minutes 53.09 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 935,359.7 feet and Y = 9,976,099.3 feet; thence the following courses along the said road center line:

thence North 43 Degrees 33 Minutes 35 Seconds East 8.8 feet  
thence North 43 Degrees 33 Minutes 49 Seconds East 14.4 feet  
thence North 43 Degrees 33 Minutes 46 Seconds East 40.5 feet  
thence North 45 Degrees 14 Minutes 02 Seconds East 78.2 feet  
thence North 45 Degrees 38 Minutes 17 Seconds East 87.2 feet  
thence North 44 Degrees 14 Minutes 52 Seconds East 83.7 feet  
thence North 44 Degrees 14 Minutes 33 Seconds East 82.8 feet  
thence North 44 Degrees 43 Minutes 26 Seconds East 84.9 feet  
thence North 44 Degrees 00 Minutes 59 Seconds East 93.9 feet  
thence North 43 Degrees 55 Minutes 54 Seconds East 100.7 feet  
thence North 44 Degrees 43 Minutes 26 Seconds East 55.7 feet

thence North 41 Degrees 55 Minutes 17 Seconds East 33.2 feet  
thence North 38 Degrees 34 Minutes 38 Seconds East 30.3 feet  
thence North 37 Degrees 50 Minutes 31 Seconds East 54.2 feet  
thence North 52 Degrees 57 Minutes 34 Seconds East 35.6 feet  
thence North 79 Degrees 55 Minutes 26 Seconds East 36.6 feet  
thence North 54 Degrees 22 Minutes 32 Seconds East 34.6 feet  
thence North 37 Degrees 06 Minutes 50 Seconds East 57.8 feet  
thence North 40 Degrees 14 Minutes 21 Seconds East 23.7 feet  
thence North 42 Degrees 15 Minutes 53 Seconds East 37.8 feet  
thence North 45 Degrees 07 Minutes 48 Seconds East 65.4 feet  
thence North 43 Degrees 50 Minutes 32 Seconds East 75.4 feet  
thence North 49 Degrees 55 Minutes 05 Seconds East 94.8 feet more or less to **the ending**

**point at:** 37 degrees 00 minutes 40.14 seconds North Latitude and -113 degrees 54 minutes 41.98 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 936,285.2 feet and Y = 9,977,013.6 feet.