

P13

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

DOC # 20080019341

Right of Way Page 1 of 15
Russell Shirts Washington County Recorder
05/12/2008 09:13:30 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 LOWER TOQUERVILLE FALLS ROAD; County Road Number: 0347; State Geographic Information Database (SGID) Road Identification Number: RD270347. Total road length is 0.59 miles more or less.

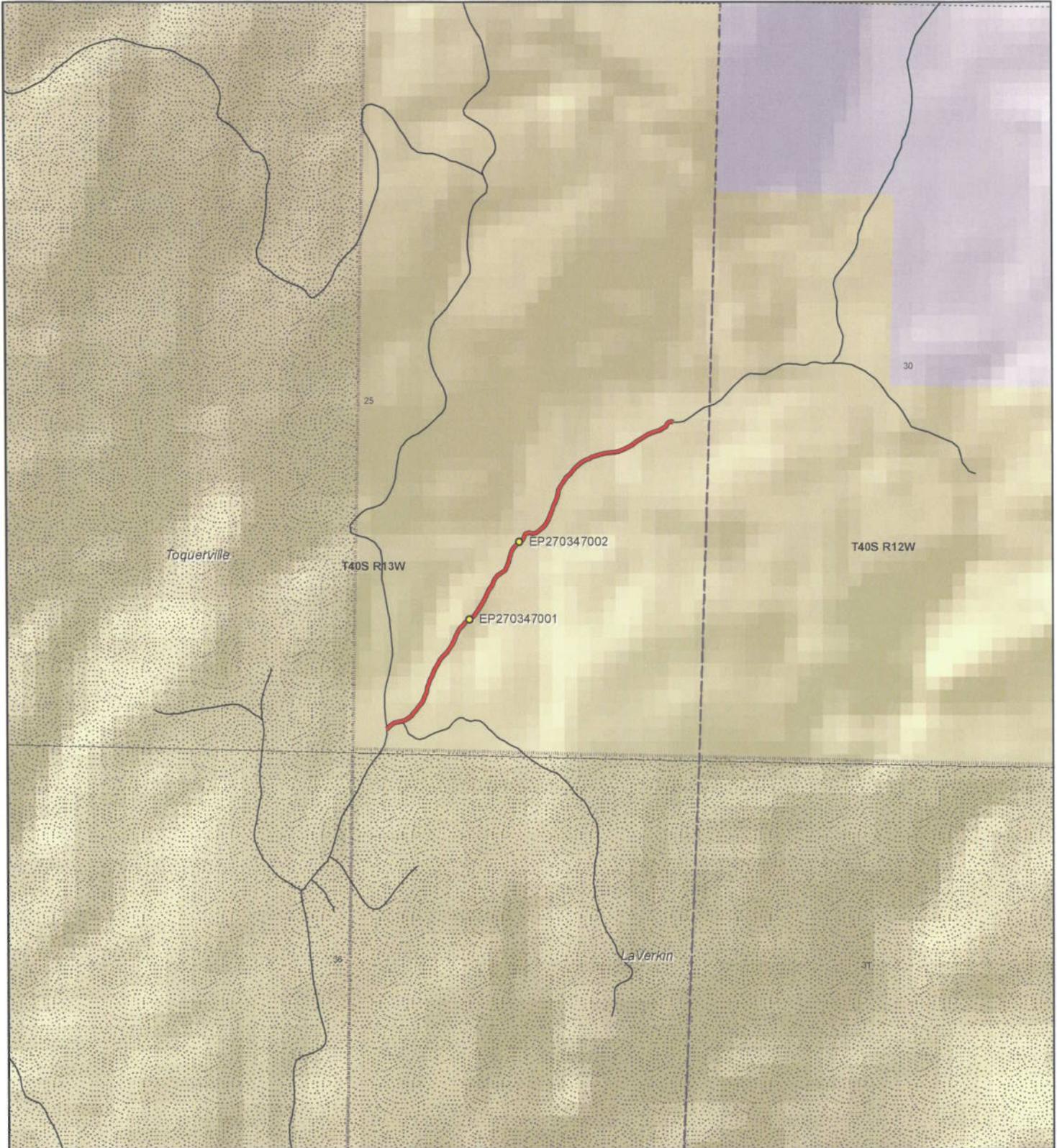
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) 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



1:10,881
1 inch equals 0.2 miles



LOWER TOQUERVILLE FALLS ROAD - Washington County
SGID RD_ID RD270347

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

- LOWER TOQUERVILLE FALLS RD
- 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
 Feb 13, 2008

Attachment 2



EP270347001



EP270347002

EP000000000

EP000000000

EP000000000

EP000000000

LOWER TOQUERVILLE FALLS ROAD - Washington County
SGID RD_ID RD270347



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: LOWER TOQUERVILLE FALLS ROAD

County: Washington

County Road Number: 0347

State Geographic Information Database (SGID) Road Identification Number: RD270347.

Total Road Length: 0.59 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 16 minutes 25.42 seconds North Latitude and -113 degrees 15 minutes 48.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of $X = 1,127,283.0$ feet and $Y = 10,068,380.3$ feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 16 minutes 47.01 seconds North Latitude and -113 degrees 15 minutes 24.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of $X = 1,129,276.5$ feet and $Y = 10,070,527.0$ feet based on the US Survey Foot conversion.

This road may traverse:

Township 40 South Range 13 West, Section(s) 25, 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: LOWER TOQUERVILLE FALLS ROAD

County: Washington

County Road Number: 0347

State Geographic Information Database (SGID) Road Identification Number: RD270347.

Total Road Length: 0.59 miles more or less.

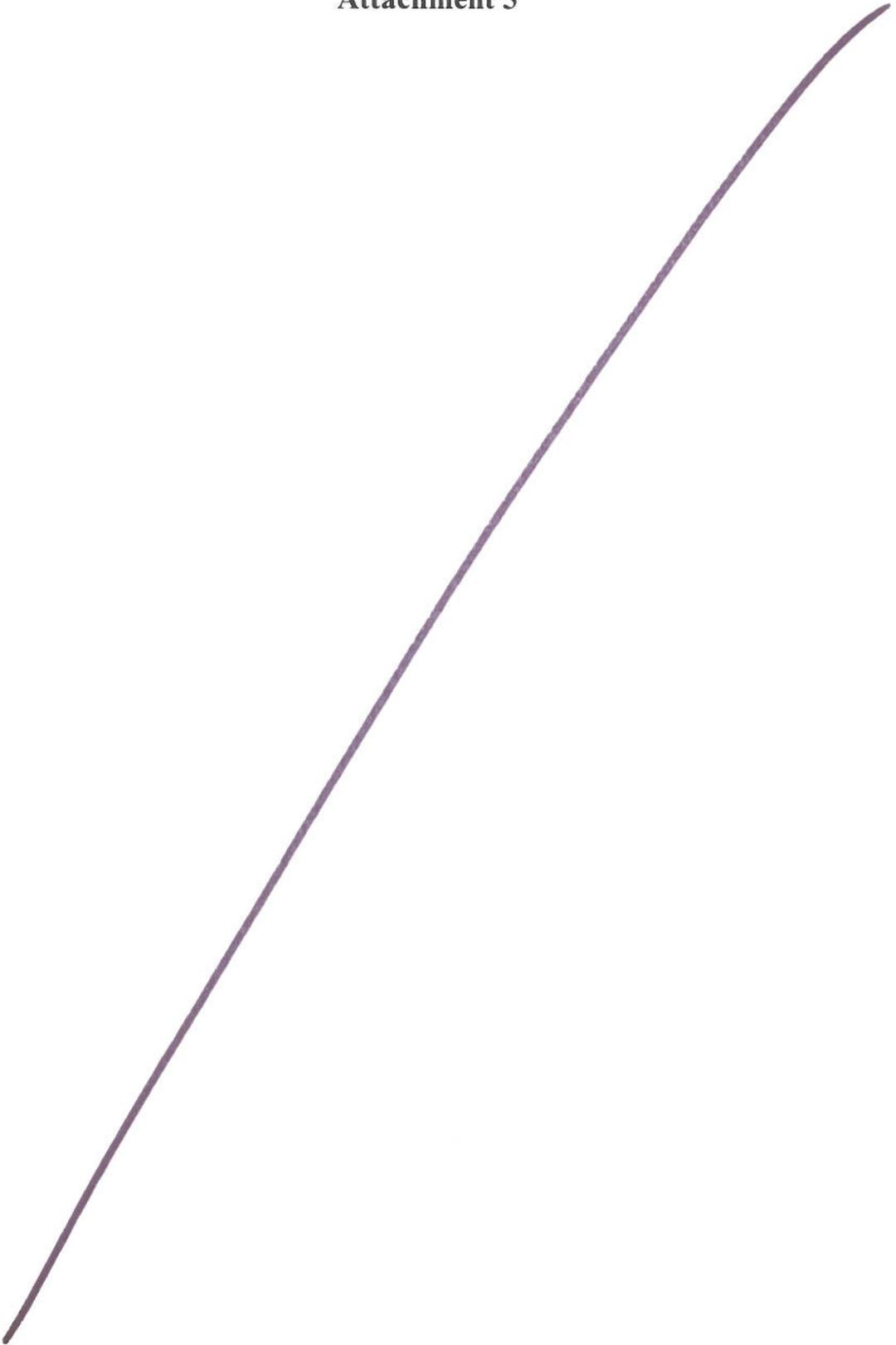
Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (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
RD270347	001	BLM	0.59 Miles	A
		Total Road Length	0.59	_____

* 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



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.

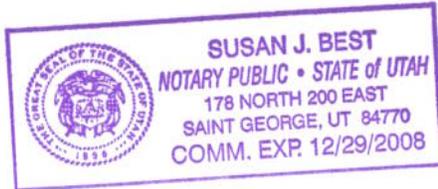
7. Prior to 1976, I occasionally observed graders and road crews from Washington County on the road. I observed general repairs and maintenance of the road.

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.

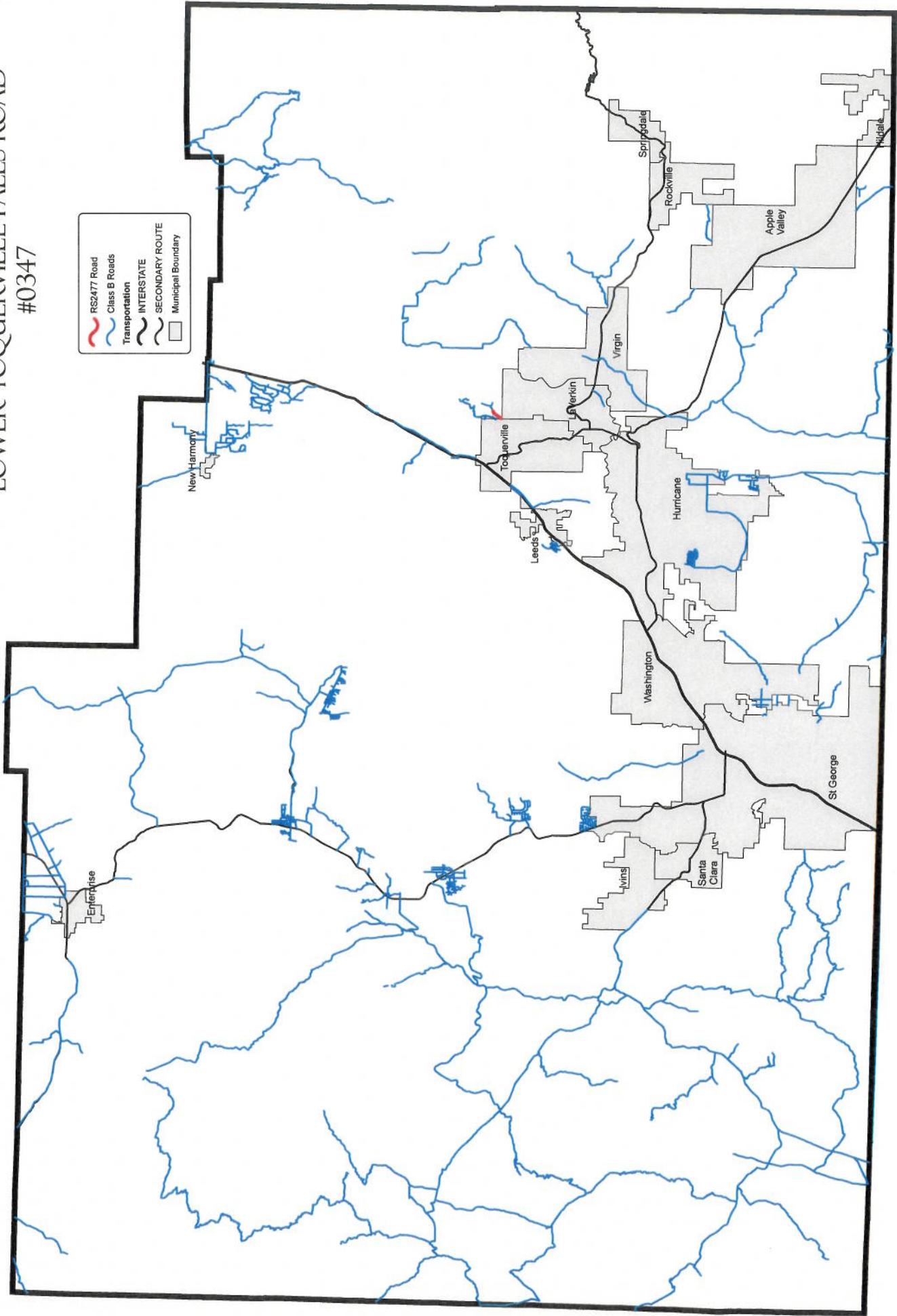


Susan J. Best
NOTARY PUBLIC

WASHINGTON COUNTY LOWER TOQUERVILLE FALLS ROAD

#0347

- 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.

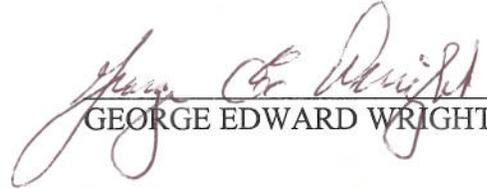
4. Throughout the time period from 1964 to 2006, I have used the road myself, occasionally, weather permitting, for wood gathering, sight seeing and hunting.

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



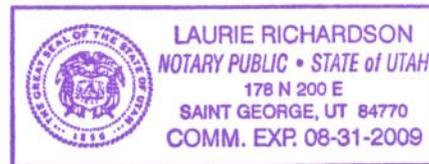
GEORGE EDWARD WRIGHT

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



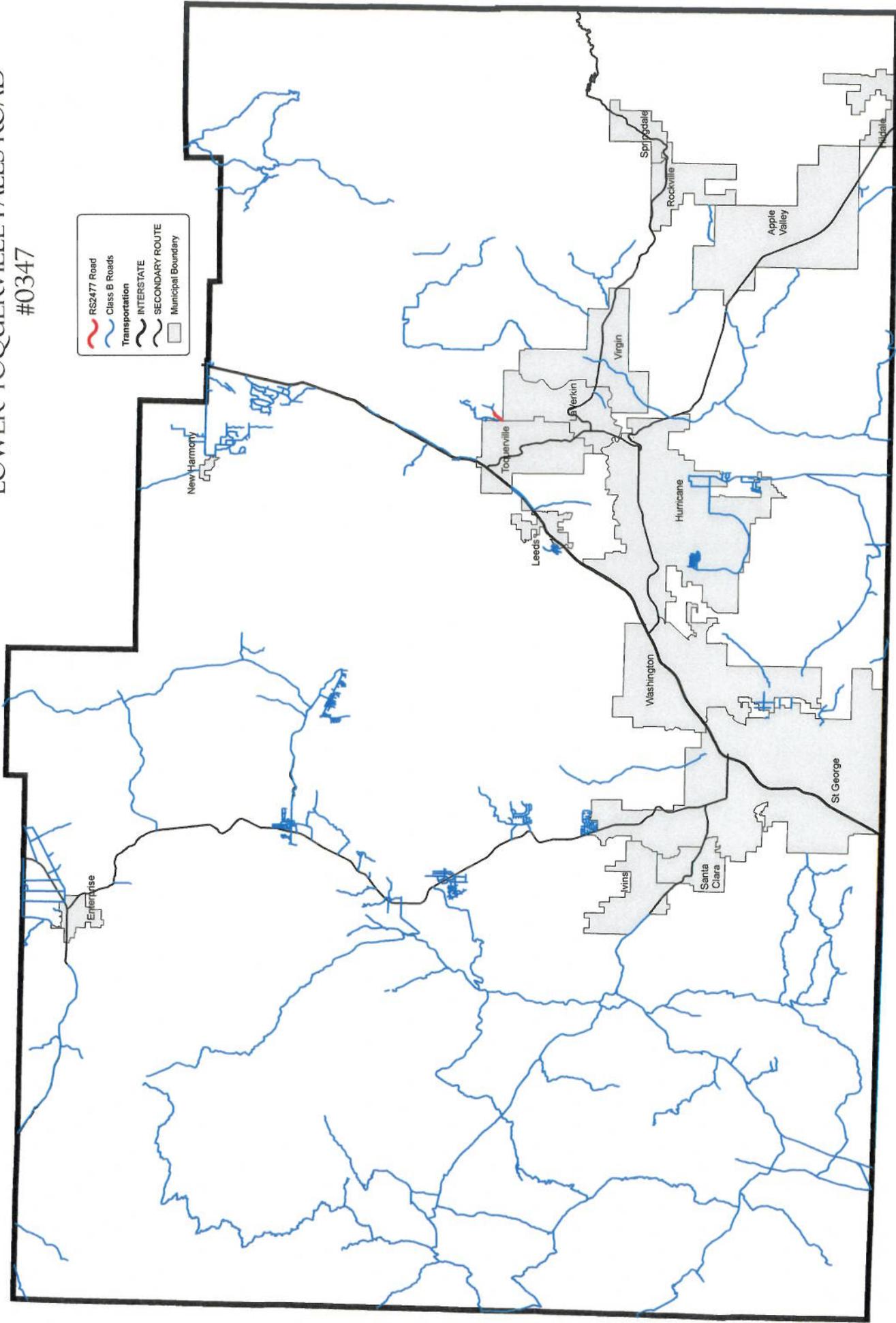
NOTARY PUBLIC

END OF DOCUMENT



WASHINGTON COUNTY LOWER TOQUERVILLE FALLS ROAD #0347

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



Appendix A to Attachment 4

Popular Name: LOWER TOQUERVILLE FALLS ROAD

County: Washington

County Road Number: 0347

State Geographic Information Database (SGID) Road Identification Number: RD270347.

Road-Segment Number: 001

Road-Segment Length: 0.59 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 40 South Range 13 West, Section(s) 25, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (LOWER TOQUERVILLE FALLS 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 16 minutes 25.42 seconds North Latitude and -113 degrees 15 minutes 48.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,127,283.0 feet and Y = 10,068,380.3 feet; thence the following courses along the said road center line:

thence North 48 Degrees 14 Minutes 29 Seconds East 37.6 feet
thence North 53 Degrees 06 Minutes 07 Seconds East 28.6 feet
thence North 72 Degrees 46 Minutes 54 Seconds East 31.5 feet
thence North 80 Degrees 06 Minutes 57 Seconds East 23.6 feet
thence North 80 Degrees 14 Minutes 48 Seconds East 10 feet
thence North 66 Degrees 44 Minutes 43 Seconds East 21 feet
thence North 61 Degrees 12 Minutes 48 Seconds East 26.1 feet
thence North 48 Degrees 56 Minutes 44 Seconds East 25.1 feet
thence North 36 Degrees 52 Minutes 25 Seconds East 25.5 feet
thence North 38 Degrees 22 Minutes 08 Seconds East 25.2 feet
thence North 36 Degrees 09 Minutes 13 Seconds East 26.5 feet

thence North 38 Degrees 56 Minutes 47 Seconds East	25.4 feet
thence North 32 Degrees 23 Minutes 22 Seconds East	20.7 feet
thence North 26 Degrees 16 Minutes 27 Seconds East	19.1 feet
thence North 22 Degrees 54 Minutes 27 Seconds East	22.5 feet
thence North 19 Degrees 58 Minutes 29 Seconds East	22.7 feet
thence North 15 Degrees 02 Minutes 32 Seconds East	21.1 feet
thence North 12 Degrees 14 Minutes 16 Seconds East	21.2 feet
thence North 13 Degrees 44 Minutes 43 Seconds East	20.3 feet
thence North 20 Degrees 52 Minutes 13 Seconds East	21.8 feet
thence North 24 Degrees 09 Minutes 11 Seconds East	19.8 feet
thence North 24 Degrees 40 Minutes 18 Seconds East	21 feet
thence North 22 Degrees 40 Minutes 22 Seconds East	21 feet
thence North 24 Degrees 21 Minutes 54 Seconds East	22 feet
thence North 26 Degrees 54 Minutes 26 Seconds East	26.6 feet
thence North 30 Degrees 14 Minutes 19 Seconds East	29.7 feet
thence North 29 Degrees 27 Minutes 14 Seconds East	29.1 feet
thence North 38 Degrees 48 Minutes 10 Seconds East	33.8 feet
thence North 42 Degrees 55 Minutes 49 Seconds East	37.4 feet
thence North 36 Degrees 28 Minutes 56 Seconds East	38.9 feet
thence North 29 Degrees 44 Minutes 10 Seconds East	41.3 feet
thence North 19 Degrees 58 Minutes 54 Seconds East	38.8 feet
thence North 23 Degrees 49 Minutes 23 Seconds East	37.7 feet
thence North 34 Degrees 44 Minutes 43 Seconds East	34.9 feet
thence North 41 Degrees 41 Minutes 46 Seconds East	30.9 feet
thence North 43 Degrees 26 Minutes 09 Seconds East	20.9 feet
thence North 55 Degrees 37 Minutes 54 Seconds East	26.9 feet
thence North 49 Degrees 17 Minutes 58 Seconds East	31.9 feet
thence North 43 Degrees 36 Minutes 26 Seconds East	24.1 feet
thence North 38 Degrees 22 Minutes 08 Seconds East	25.2 feet
thence North 34 Degrees 27 Minutes 08 Seconds East	24.8 feet
thence North 32 Degrees 03 Minutes 23 Seconds East	23.3 feet
thence North 32 Degrees 10 Minutes 49 Seconds East	21.4 feet
thence North 27 Degrees 46 Minutes 53 Seconds East	22.3 feet
thence North 23 Degrees 00 Minutes 50 Seconds East	23.2 feet
thence North 26 Degrees 16 Minutes 26 Seconds East	25.7 feet
thence North 27 Degrees 12 Minutes 29 Seconds East	27 feet
thence North 30 Degrees 32 Minutes 48 Seconds East	25.6 feet
thence North 29 Degrees 32 Minutes 40 Seconds East	25.7 feet
thence North 20 Degrees 10 Minutes 16 Seconds East	23.5 feet
thence North 27 Degrees 36 Minutes 22 Seconds East	25.2 feet
thence North 43 Degrees 44 Minutes 17 Seconds East	27.4 feet
thence North 57 Degrees 38 Minutes 30 Seconds East	32.1 feet
thence North 50 Degrees 57 Minutes 47 Seconds East	34.1 feet
thence North 26 Degrees 46 Minutes 52 Seconds East	33.2 feet
thence North 14 Degrees 01 Minutes 12 Seconds East	33.2 feet
thence North 13 Degrees 26 Minutes 43 Seconds East	30.4 feet
thence North 15 Degrees 28 Minutes 34 Seconds East	29 feet
thence North 27 Degrees 31 Minutes 59 Seconds East	26.7 feet
thence North 34 Degrees 18 Minutes 04 Seconds East	23.1 feet

thence North 43 Degrees 47 Minutes 06 Seconds East 28.8 feet
 thence North 52 Degrees 33 Minutes 44 Seconds East 27.2 feet
 thence North 53 Degrees 44 Minutes 54 Seconds East 20.7 feet
 thence North 21 Degrees 52 Minutes 31 Seconds East 19.1 feet
 thence North 28 Degrees 33 Minutes 06 Seconds East 25.8 feet
 thence North 76 Degrees 25 Minutes 57 Seconds East 30 feet
 thence South 67 Degrees 13 Minutes 13 Seconds East 19.3 feet
 thence North 76 Degrees 50 Minutes 02 Seconds East 23.6 feet
 thence North 56 Degrees 11 Minutes 04 Seconds East 31.5 feet
 thence North 53 Degrees 20 Minutes 46 Seconds East 37.1 feet
 thence North 39 Degrees 26 Minutes 47 Seconds East 35.4 feet
 thence North 24 Degrees 21 Minutes 20 Seconds East 30.7 feet
 thence North 24 Degrees 34 Minutes 21 Seconds East 29.6 feet
 thence North 24 Degrees 54 Minutes 36 Seconds East 24.7 feet
 thence North 18 Degrees 53 Minutes 16 Seconds East 24 feet
 thence North 19 Degrees 41 Minutes 31 Seconds East 23 feet
 thence North 20 Degrees 48 Minutes 04 Seconds East 24.6 feet
 thence North 20 Degrees 20 Minutes 47 Seconds East 27 feet
 thence North 14 Degrees 13 Minutes 12 Seconds East 28.8 feet
 thence North 15 Degrees 07 Minutes 52 Seconds East 39.5 feet
 thence North 26 Degrees 16 Minutes 26 Seconds East 34.5 feet
 thence North 33 Degrees 05 Minutes 12 Seconds East 33.4 feet
 thence North 37 Degrees 16 Minutes 39 Seconds East 32.3 feet
 thence North 43 Degrees 32 Minutes 23 Seconds East 34.1 feet
 thence North 45 Degrees 07 Minutes 16 Seconds East 32.2 feet
 thence North 41 Degrees 30 Minutes 13 Seconds East 29 feet
 thence North 45 Degrees 10 Minutes 02 Seconds East 29 feet
 thence North 50 Degrees 10 Minutes 22 Seconds East 26.8 feet
 thence North 60 Degrees 44 Minutes 28 Seconds East 21 feet
 thence North 68 Degrees 56 Minutes 12 Seconds East 20.3 feet
 thence North 58 Degrees 54 Minutes 27 Seconds East 19.9 feet
 thence North 60 Degrees 05 Minutes 06 Seconds East 19.2 feet
 thence North 71 Degrees 16 Minutes 26 Seconds East 25.9 feet
 thence North 73 Degrees 17 Minutes 12 Seconds East 32.5 feet
 thence North 78 Degrees 30 Minutes 29 Seconds East 33.8 feet
 thence North 79 Degrees 00 Minutes 44 Seconds East 30 feet
 thence North 84 Degrees 50 Minutes 40 Seconds East 30.9 feet
 thence North 78 Degrees 46 Minutes 30 Seconds East 29.4 feet
 thence North 71 Degrees 56 Minutes 15 Seconds East 26.9 feet
 thence North 66 Degrees 46 Minutes 36 Seconds East 27.8 feet
 thence North 65 Degrees 44 Minutes 47 Seconds East 25.8 feet
 thence North 57 Degrees 17 Minutes 48 Seconds East 24.5 feet
 thence North 53 Degrees 10 Minutes 48 Seconds East 22 feet
 thence North 55 Degrees 12 Minutes 01 Seconds East 19.1 feet
 thence North 55 Degrees 49 Minutes 49 Seconds East 27.7 feet
 thence North 56 Degrees 22 Minutes 57 Seconds East 28.7 feet
 thence North 58 Degrees 29 Minutes 26 Seconds East 25.3 feet
 thence North 64 Degrees 14 Minutes 44 Seconds East 22.9 feet
 thence North 70 Degrees 27 Minutes 33 Seconds East 21.9 feet

thence North 68 Degrees 02 Minutes 03 Seconds East 27.5 feet
thence North 68 Degrees 51 Minutes 16 Seconds East 29.5 feet
thence North 61 Degrees 50 Minutes 57 Seconds East 26 feet
thence North 60 Degrees 34 Minutes 28 Seconds East 22.9 feet
thence North 26 Degrees 16 Minutes 26 Seconds East 19.8 feet
thence North 44 Degrees 03 Minutes 54 Seconds East 20.6 feet
thence North 79 Degrees 35 Minutes 03 Seconds East 18.7 feet
thence South 85 Degrees 05 Minutes 47 Seconds East 10.9 feet more or less to **the ending**

point at: 37 degrees 16 minutes 47.01 seconds North Latitude and -113 degrees 15 minutes 24.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,129,276.5 feet and Y = 10,070,527.0 feet.