

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

Ent 147031 Bk 209 Pg 430
Date: 08-MAY-2008 12:27PM
Fee: None
Filed By: CB
COLLEEN BRINKERHOFF, Recorder
WAYNE COUNTY
For: 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Wayne County as it pertains to the highway located in Wayne County known as FREMONT ROAD; County Road Number: 35; State Geographic Information Database (SGID) Road Identification Number: RD280316. Total road length is 4.25 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 23rd day of April, 2008.

By the Governor's Designee



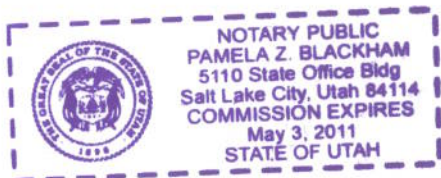
John Harja

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.

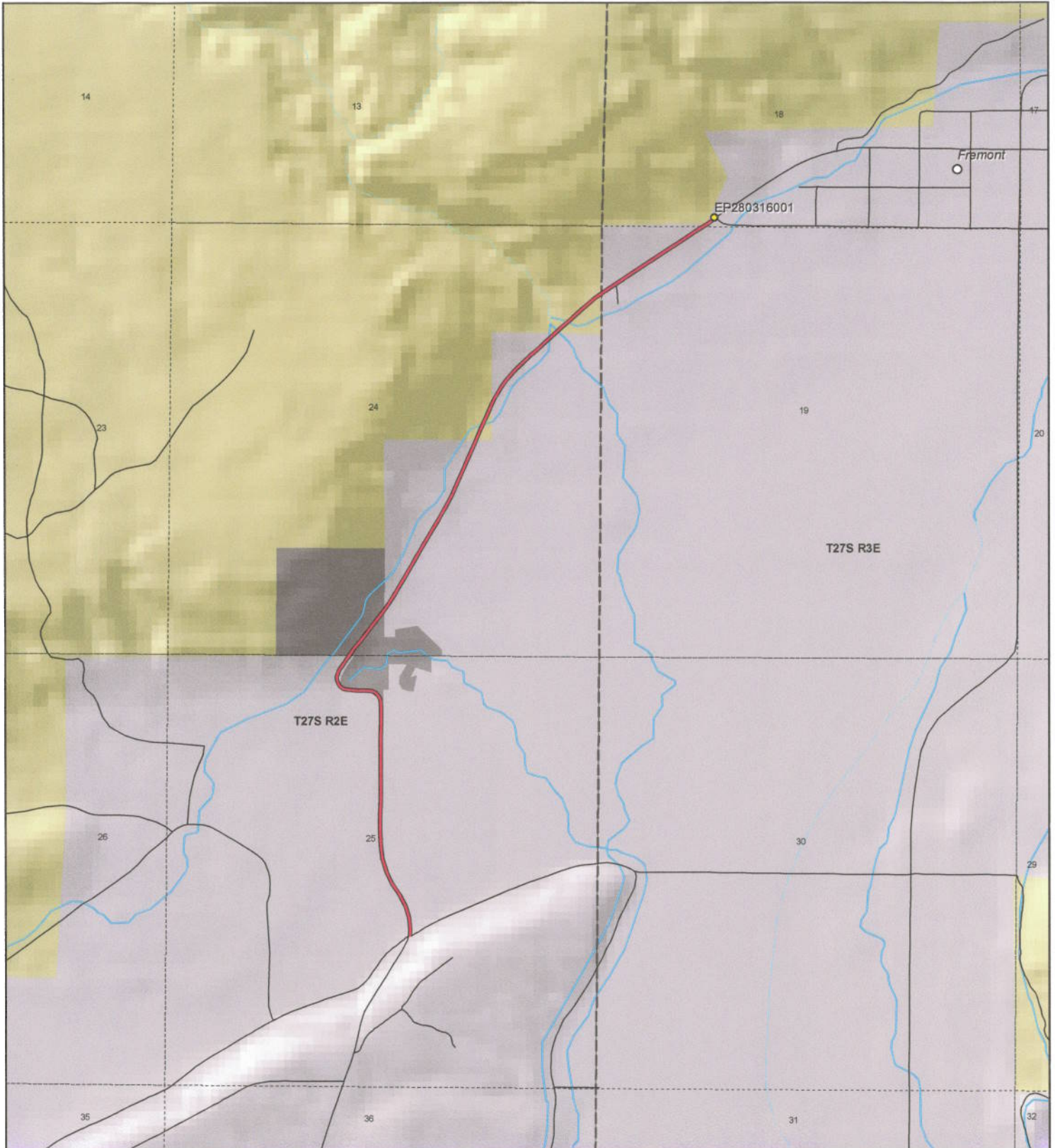
Dated this 23rd day of April, 2008.





Notary Public

Attachment 1



 1:19,093 1 inch equals 0.3 miles		FREMONT ROAD - Wayne County SGID RD_ID RD280316 <table border="0"> <tr> <td data-bbox="462 1806 706 1984"> Land Ownership Categories - BLM - Private - SITLA, State Trust Land - USFS, National Forest - State Parks and Recreation - Tribal, Indian Reservation - NPS, National Park </td> <td data-bbox="722 1827 950 1974"> - Wilderness - UDWR Wildlife Reserve - DOD, Military - State Sovereign Land - National Recreation Area - USFWS, Natl. Wildlife Refuge </td> <td data-bbox="966 1806 1161 1984"> Transportation Network - FREMONT ROAD - Title V: Issued Or Under Consideration By BLM Or County - Other Roads - Photo Event Point - Section = 1 Mile </td> </tr> </table>	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 - FREMONT ROAD - 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 Mar 14, 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 - FREMONT ROAD - Title V: Issued Or Under Consideration By BLM Or County - Other Roads - Photo Event Point - Section = 1 Mile				

Attachment 2



EP280316001

EP000000000

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FREMONT ROAD - Wayne County
SGID RD_ID RD280316

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
March 19, 2008



Attachment 3

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

Popular Name: FREMONT ROAD

County: Wayne

County Road Number: 35

State Geographic Information Database (SGID) Road Identification Number: RD280316.

Total Road Length: 4.25 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 24 minutes 40.96 seconds North Latitude and -111 degrees 38 minutes 33.98 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,599,505.5 feet and Y = 10,477,836.0 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 27 minutes 27.05 seconds North Latitude and -111 degrees 36 minutes 057.1 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,607,237.4 feet and Y = 10,494,627.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 27 South Range 2 East, Section(s) 24,25,36, Salt Lake Base & Meridian

Township 27 South Range 3 East, Section(s) 18,19, Salt Lake Base & Meridian

Township 28 South Range 2 East, 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: FREMONT ROAD

County: Wayne

County Road Number: 35

State Geographic Information Database (SGID) Road Identification Number: RD280316.

Total Road Length: 4.25 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
RD280316	001	PVT	2 Miles	(not shown)
RD280316	002	ST	0.07 Miles	(not shown)
RD280316	003	PVT	0.09 Miles	(not shown)
RD280316	004	ST	0.13 Miles	(not shown)
RD280316	005	PVT	0.45 Miles	(not shown)
RD280316	006	BLM	0.09 Miles	A
RD280316	007	PVT	0.22 Miles	(not shown)
RD280316	008	BLM	0.13 Miles	B
RD280316	009	PVT	1.06 Miles	(not shown)
Total Road Length			4.25	_____

* 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 PHILIP A. TAYLOR

FREMONT ROAD

WAYNE COUNTY, UTAH

ROAD NUMBER 35

State of Utah)
 : ss.
County of Wayne)

PHILIP A. TAYLOR, 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 Wayne County, Utah. I have lived in Wayne County for almost 70 years. I was employed by the Utah USDA APHIS Wildlife Services Program as a predatory animal hunter.

2. I have traveled and am familiar with a road in Wayne County known as Fremont Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1940s, it followed the same route as in 2007 when I last observed it. Attached is a Wayne County map showing Fremont 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. 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 mid 1940s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and is presently used daily.

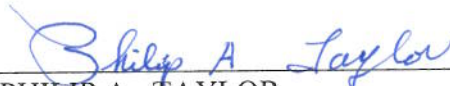
5. Throughout the time period from the mid 1940s to 2007, I have used the road myself for predatory animal control, residential access, livestock operations and hunting.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: farming, tourism, recreation, traveling in and through the area.

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 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

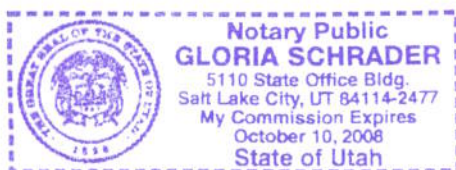
8. Prior to 1976, I observed the paved surface of the road.

DATED this 18 day of April, 2007.



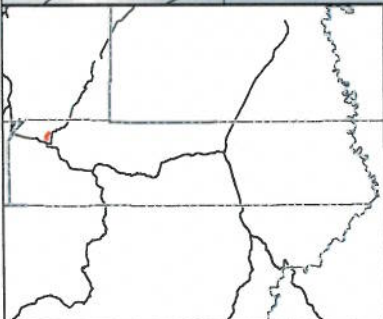
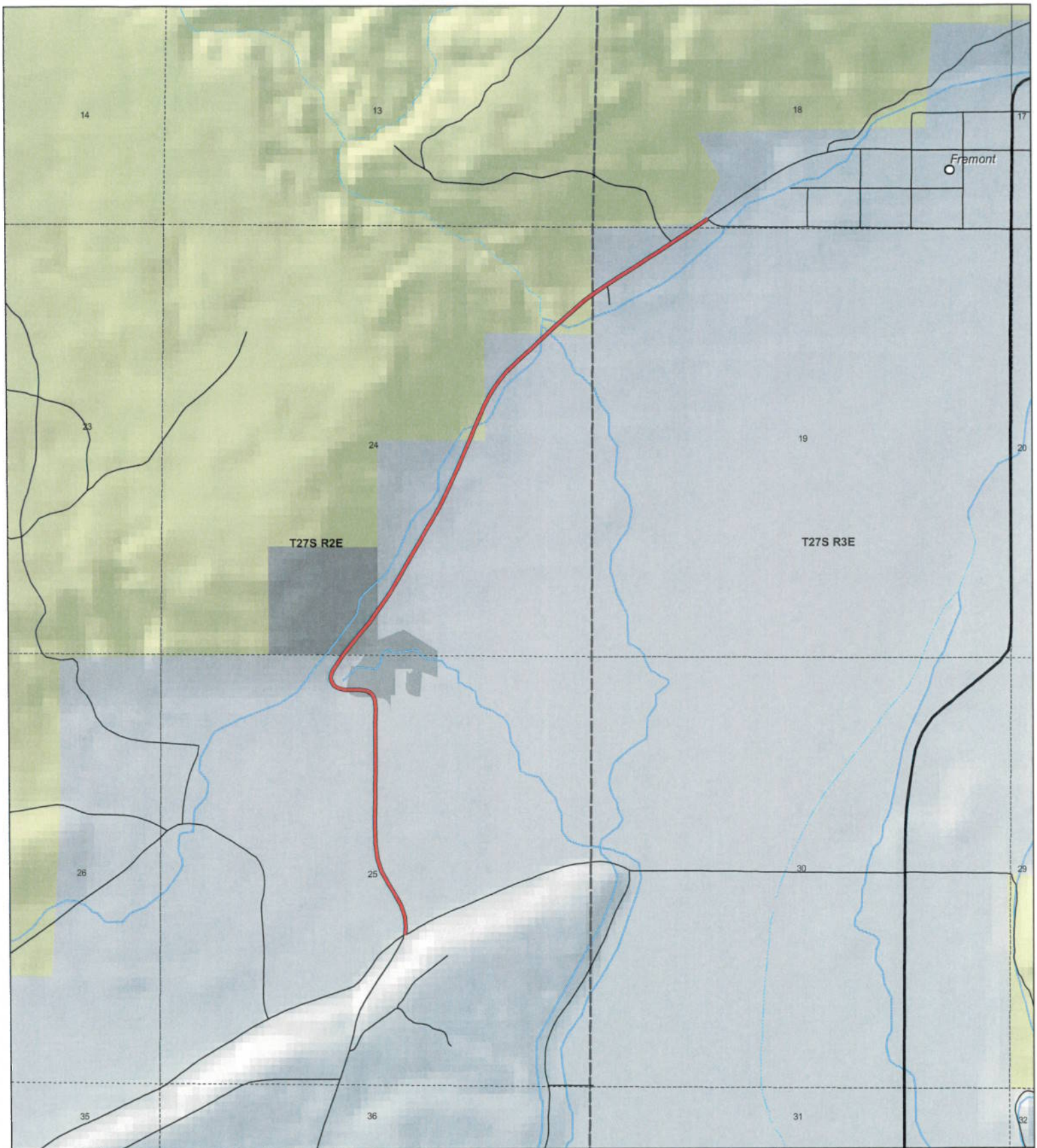
PHILIP A. TAYLOR

SUBSCRIBED AND SWORN to before me this 18th day of April, 2007.





NOTARY PUBLIC



FREMONT ROAD County Unique - 35

Land Ownership Categories

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- Wildlife Reserve
- National Park / Monument
- National Rec. Area

Transportation Network

- FREMONT ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- Municipalities



1:18,780
1 inch equals 0.3 miles



Map prepared by the State of Utah
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114



AFFIDAVIT OF DENZEL TAYLOR

FREMONT ROAD

WAYNE COUNTY, UTAH

ROAD NUMBER 35

State of Utah)
 : ss.
County of Wayne)

DENZEL TAYLOR, 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 Wayne County, Utah. I have lived in Wayne County for most of the past 87 years. I was employed by the Wayne County Road Department for approximately 20 years, from the early 1960s to the early 1980s.

2. I have traveled and am familiar with a road in Wayne County known as Fremont Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1930s, it followed the same route as in 2007 when I last observed it. Attached is a Wayne County map showing Fremont 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. 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 early 1930s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from the early 1930s to 2007, I have used the road myself for the following uses: livestock operations, recreation, sight seeing and traveling in and through the area.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: residential access, government access, travel to and from schools, mail delivery and farming.

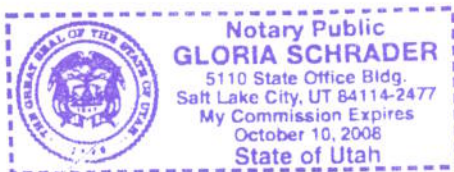
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I personally graded and paved the surface of the road.

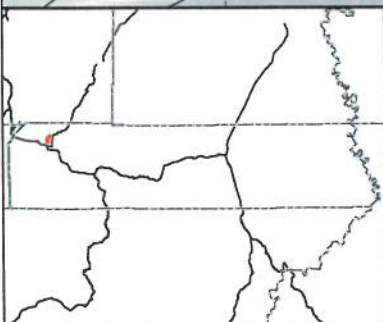
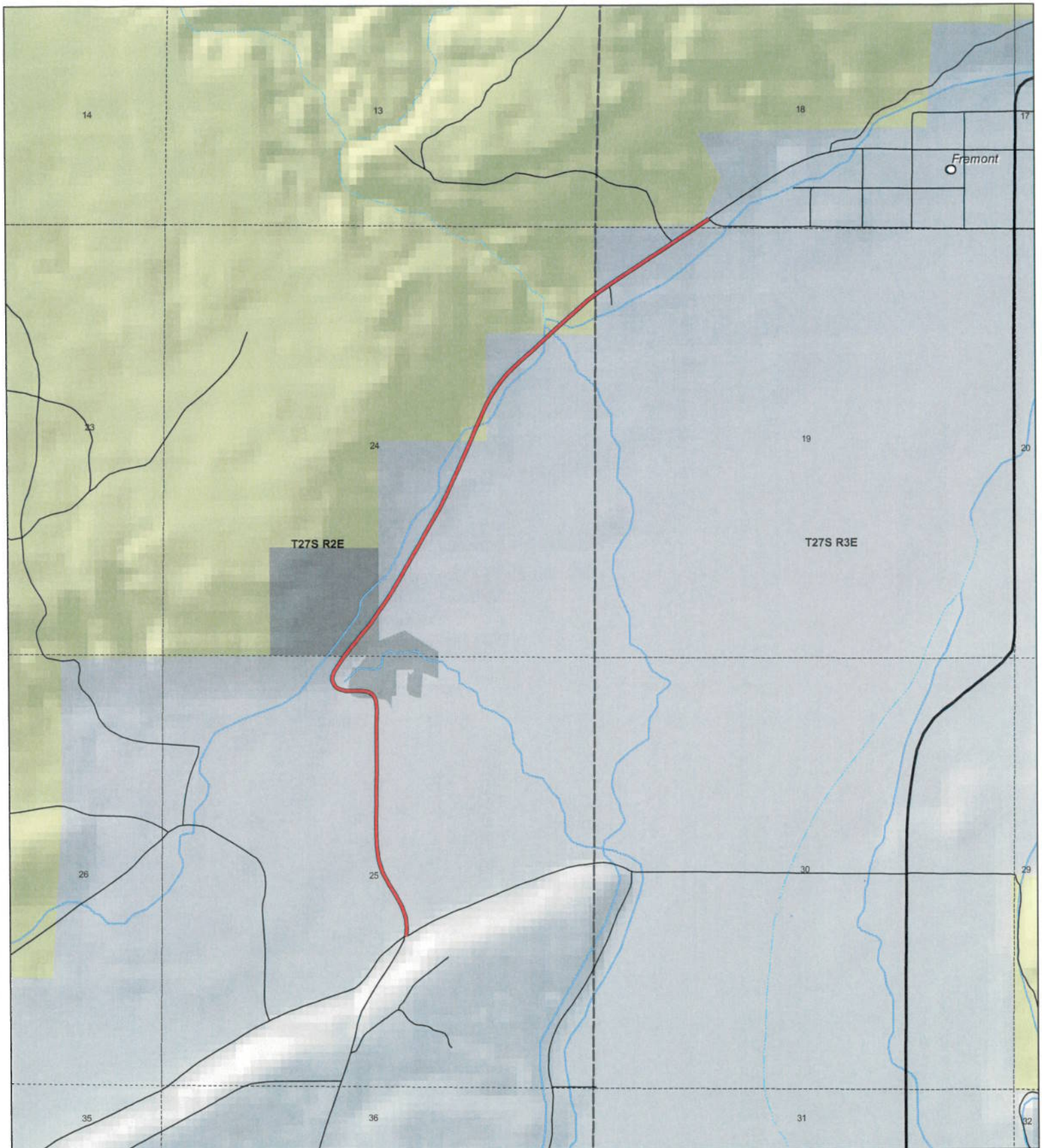
DATED this 18 day of April, 2007.


DENZEL TAYLOR

SUBSCRIBED AND SWORN to before me this 18th day of April, 2007.




NOTARY PUBLIC



FREMONT ROAD County Unique - 35

Land Ownership Categories

- ◆ BLM
- ◆ Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ Wildlife Reserve
- ◆ National Park / Monument
- ◆ National Rec. Area

Transportation Network

- FREMONT ROAD
- State / U.S. Highway
- Local Roads

Misc

- City / Town
- ⋯ Municipalities



1:18,780
1 inch equals 0.3 miles



Map prepared by the State of Utah
AGRC
Room 5130 State Office Building
Salt Lake City, Utah 84114
Apr 12, 2007



Ent 147081 Bk 0209 P. 42

Appendix A to Attachment 4

Popular Name: FREMONT ROAD

County: Wayne

County Road Number: 35

State Geographic Information Database (SGID) Road Identification Number: RD280316.

Road-Segment Number: 006

Road-Segment Length: 0.09 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 27 South Range 2 East, Section(s) 24, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (FREMONT ROAD)-- 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 38 degrees 26 minutes 51.76 seconds North Latitude and -111 degrees 38 minutes 19.93 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,600,643.5 feet and Y = 10,491,067.5 feet; thence the following courses along the said road center line:

thence North 23 Degrees 23 Minutes 44 Seconds East 148.7 feet

thence North 23 Degrees 14 Minutes 14 Seconds East 161.8 feet

thence North 24 Degrees 22 Minutes 14 Seconds East 156.4 feet

thence North 27 Degrees 18 Minutes 51 Seconds East 5.3 feet more or less to **the ending point**

at: 38 degrees 26 minutes 56.04 seconds North Latitude and -111 degrees 38 minutes 17.55 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,600,833.4 feet and Y = 10,491,499.9 feet.

Appendix B to Attachment 4

Popular Name: FREMONT ROAD

County: Wayne

County Road Number: 35

State Geographic Information Database (SGID) Road Identification Number: RD280316.

Road-Segment Number: 008

Road-Segment Length: 0.13 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 27 South Range 2 East, Section(s) 24, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (FREMONT ROAD)-- Segment 008 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 27 minutes 04.71 seconds North Latitude and -111 degrees 38 minutes 07.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,601,617.7 feet and Y = 10,492,375.4 feet; thence the following courses along the said road center line:

thence North 47 Degrees 38 Minutes 40 Seconds East 85.4 feet

thence North 47 Degrees 47 Minutes 46 Seconds East 175.5 feet

thence North 47 Degrees 49 Minutes 45 Seconds East 173.6 feet

thence North 48 Degrees 25 Minutes 50 Seconds East 174.2 feet

thence North 53 Degrees 47 Minutes 35 Seconds East 101.1 feet more or less to **the ending**

point at: 38 degrees 27 minutes 09.33 seconds North Latitude and -111 degrees 38 minutes 01.01 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,602,151.4 feet and Y = 10,492,842.7 feet.