

DOC # 20110021008

Notice Page 1 of 10
Russell Shirts Washington County Recorder
07/12/2011 03:28:19 PM Fee \$ 0.00
By STATE OF UTAH



**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over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Washington County as it pertains to the highway located in Washington County known as 0421; County Road Number: 0421; State Geographic Information Database (SGID) Road Identification Number: RD270421. Total road length is 5.21 miles more or less.

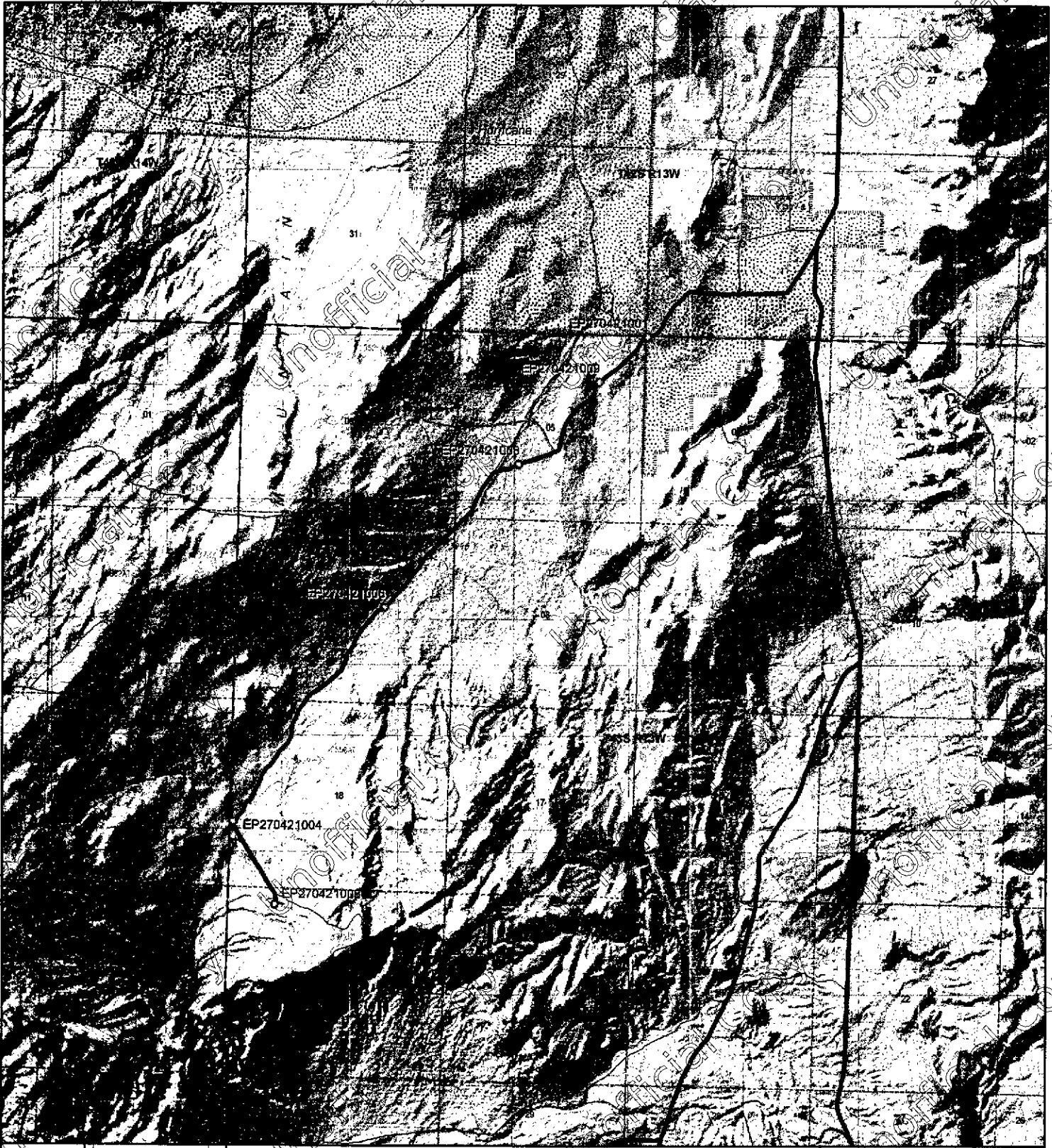
The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a)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

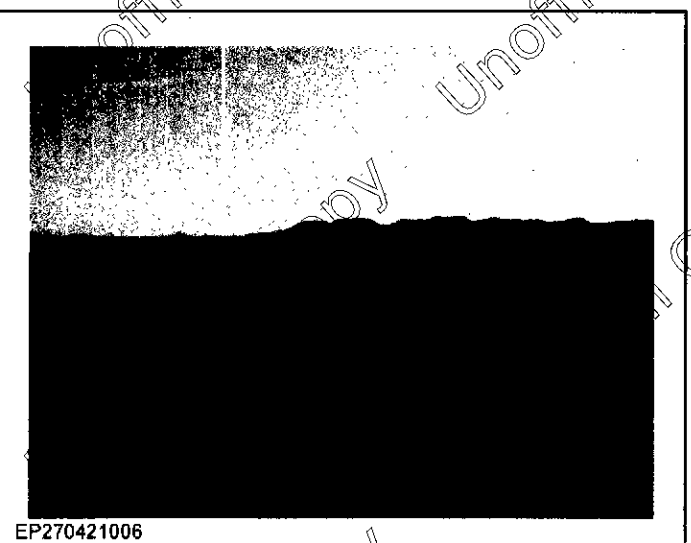
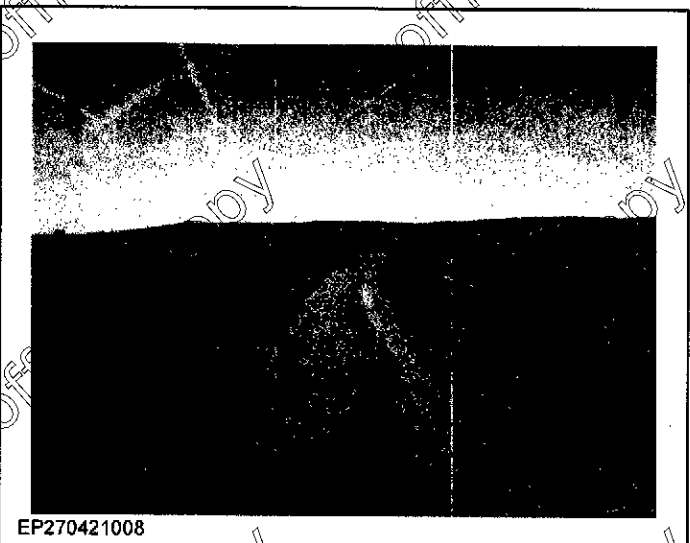
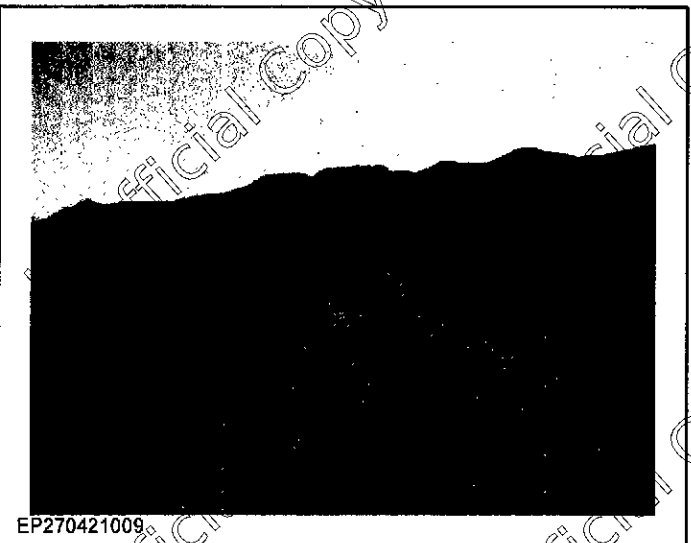
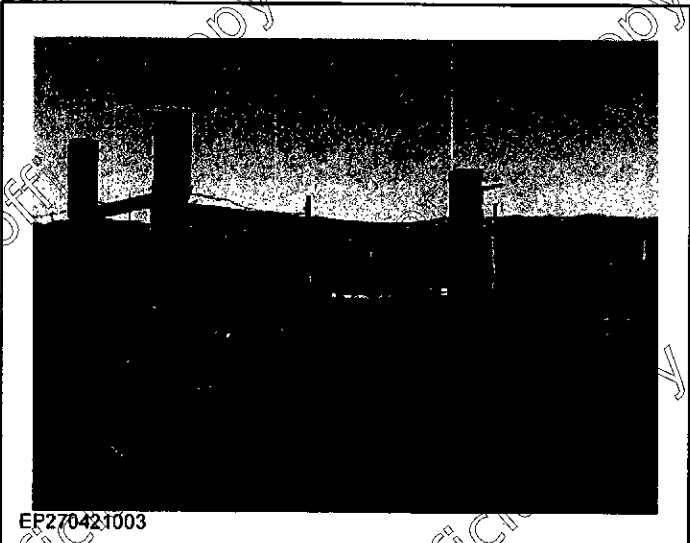
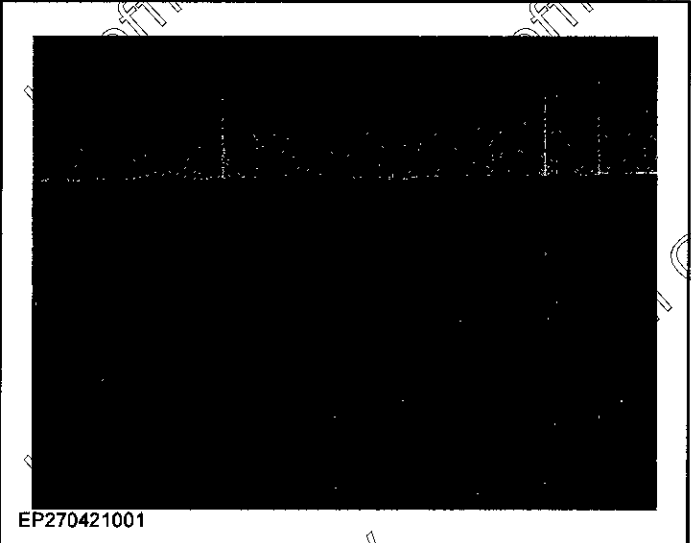
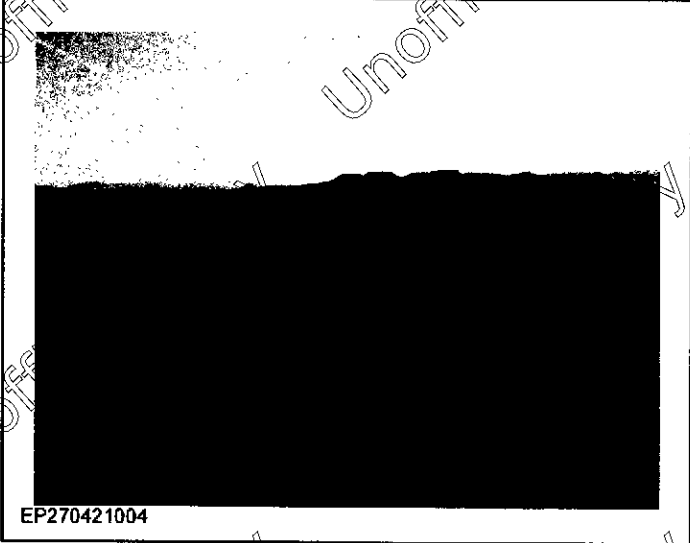
An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the



0421 - Washington County SGID RD_ID RD270421 CO_UNIQUE 0421		Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 Dec 21, 2009	
 Scale 1:43,813 1 inch = 0.69 miles		Land Ownership Categories BLM ♦ National Forest ♦ SITLA, State Trust Land ♦ State Parks and Recreation ♦ UDWR Wildlife Reserve ♦ Wilderness ♦ National Parks & Monuments Tribal Private Misc ○ Photo Event Point □ Section = 1 Mile	Transportation Network 0421 Title V, Issued Or Under Consideration By BLM Or County County B Road State / U.S. Highway Other Roads

Attachment 1 SGID Road ID Number RD_ID: RD270421

Attachment 2



0421 - Washington County
SGID RD ID RD270421

Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
June 13, 2011



Attachment 3

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

Popular Name: 0421

County: Washington

County Road Number: 0421

State Geographic Information Database (SGID) Road Identification Number: RD270421.

Total Road Length: 5.21 miles more or less.

Beginning at a point on the road centerline located at 37 degrees 02 minutes 18.31 seconds North Latitude and -113 degrees 21 minutes 45.22 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,096,778.5 feet and Y = 9,983,276.6 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 37 degrees 05 minutes 25.65 seconds North Latitude and -113 degrees 18 minutes 41.88 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,112,009.1 feet and Y = 10,001,929.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 42 South Range 13 West, Section(s) 33, Salt Lake Base & Meridian

Township 43 South Range 13 West, Section(s) 4,5,7,8,18,19, 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: 0421

County: Washington

County Road Number: 0421

State Geographic Information Database (SGID) Road Identification Number: RD270421.

Total Road Length: 5.21 miles more or less.

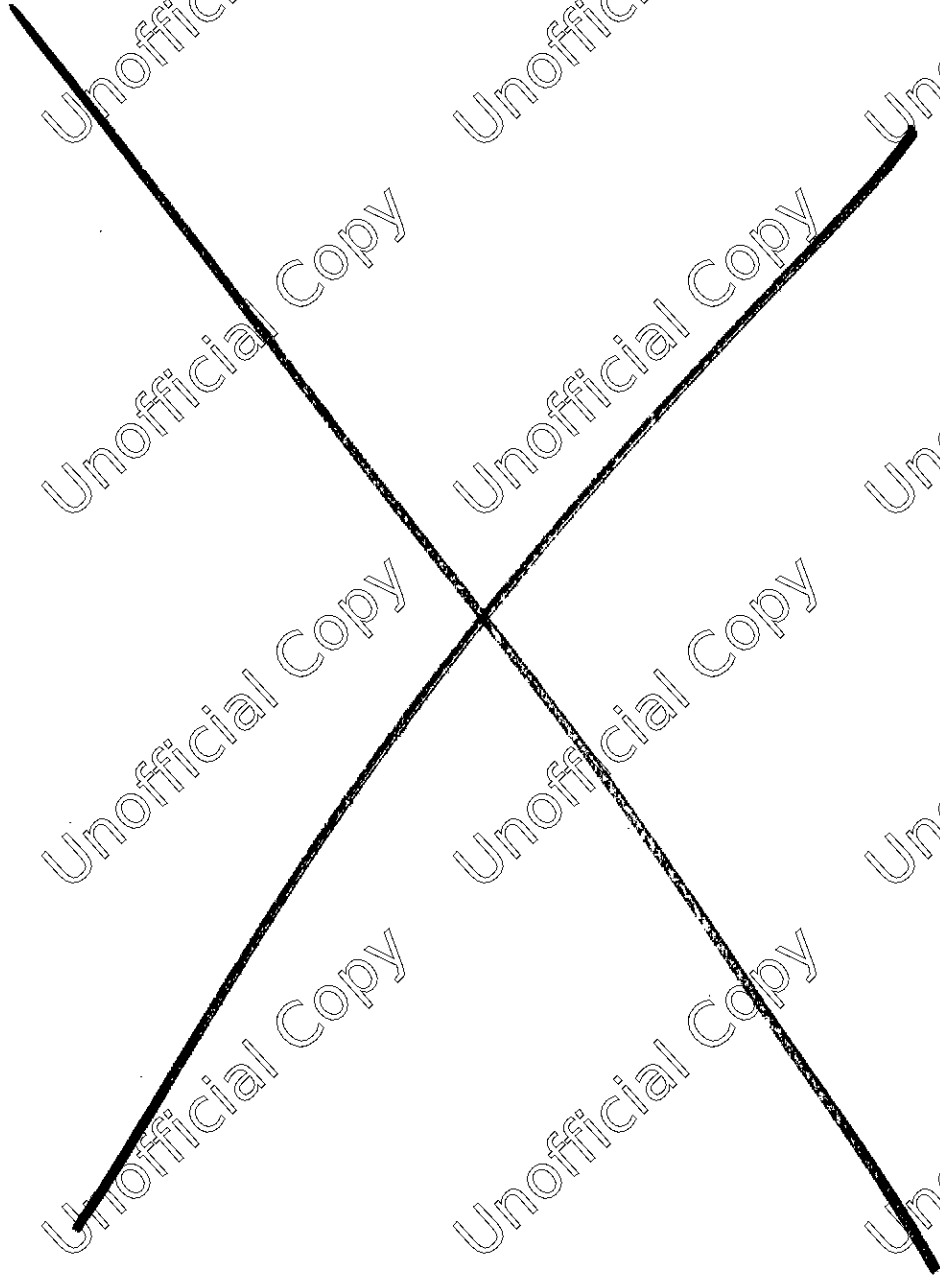
Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (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
RD270421	001	BLM	4.05 Miles	A
RD270421	002	PVT	1.17 Miles	(not shown)
		Total Road Length	5.21	

* 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 RYMAL J. HINTON

0421 ROAD

WASHINGTON COUNTY, UTAH

COUNTY ROAD NUMBER 0421

State of Utah

: ss.

County of Washington)

I, Rymal J. Hinton, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I currently reside in Hurricane, Washington County, Utah. I was born on April 22, 1950, in Cedar City, Iron County, Utah. I have lived in Washington County since I was born. I served as a Washington County Deputy Sheriff from 1978 to 2009. I currently work part-time for the Washington County Sheriff and Hurricane City Police Department. I have also been a member of the Washington County Search and Rescue Team from 1973 to 1978. I have been traveling rural roads in all areas of Washington County since the early 60s.

2. I have traveled and am familiar with 0421 Road, Washington County Road No. 0421 and the land it traverses. I refer to this general area as the winter range for the Spillsbury Livestock Company.

3. I took the following steps to verify that the road I refer to in this affidavit as 0421 Road and Washington County Road No. 0421 (the "Road") are the same road:

a. I examined a large Washington County map depicting the Road in relation to other roads, intersections and landmarks. I observed the Road on the large map verifying that it is accurately depicted on the map and it is the Road I refer to herein.

b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the Road I refer to herein.

c. I examined ground photos depicting the Road and surrounding area and verified that the Road is accurately depicted in the photos and is the Road I refer to herein.

4. I personally traveled the Road from the early 60s, through 1976 and continuing until late summer of 2009, ("the Time Period of My Experience").


5. When I last observed the Road in 2009, it followed the same route as in the early 60s, when I first traveled and observed it.

6. Prior to 1976 the Road was traveled monthly, weather permitting and after 1976 the Road was traveled monthly, weather permitting. Based on my observations during the Time Period of My Experience, the Road was continuously used as a public thoroughfare by members of the public for public purposes whenever it was necessary or convenient for them to do so and I have never known the use of the Road to have been interrupted by any means.

7. During the Time Period of My Experience, prior to 1976 I personally traveled the Road by four-wheel drive vehicles, and observed others from the general public travel the Road by the same means. During the Time Period of My Experience after 1976 I personally traveled the Road by four-wheel drive vehicles, and observed others from the general public traveling the Road by the same means and ATVs.

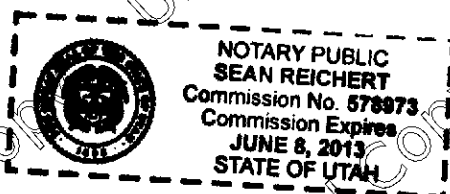
8. During the Time Period of My Experience prior to 1976 I personally used the Road for rabbit hunting, jeep patrolling with my father, recreation, and sightseeing and observed others from the general public using the Road for similar purposes and livestock operations. During the Time Period of My Experience after 1976 I personally used the Road for law enforcement, Search and Rescue, recreation, coyote calling and hunting and sightseeing and observed others from the general public use the Road for similar purposes and livestock operations.

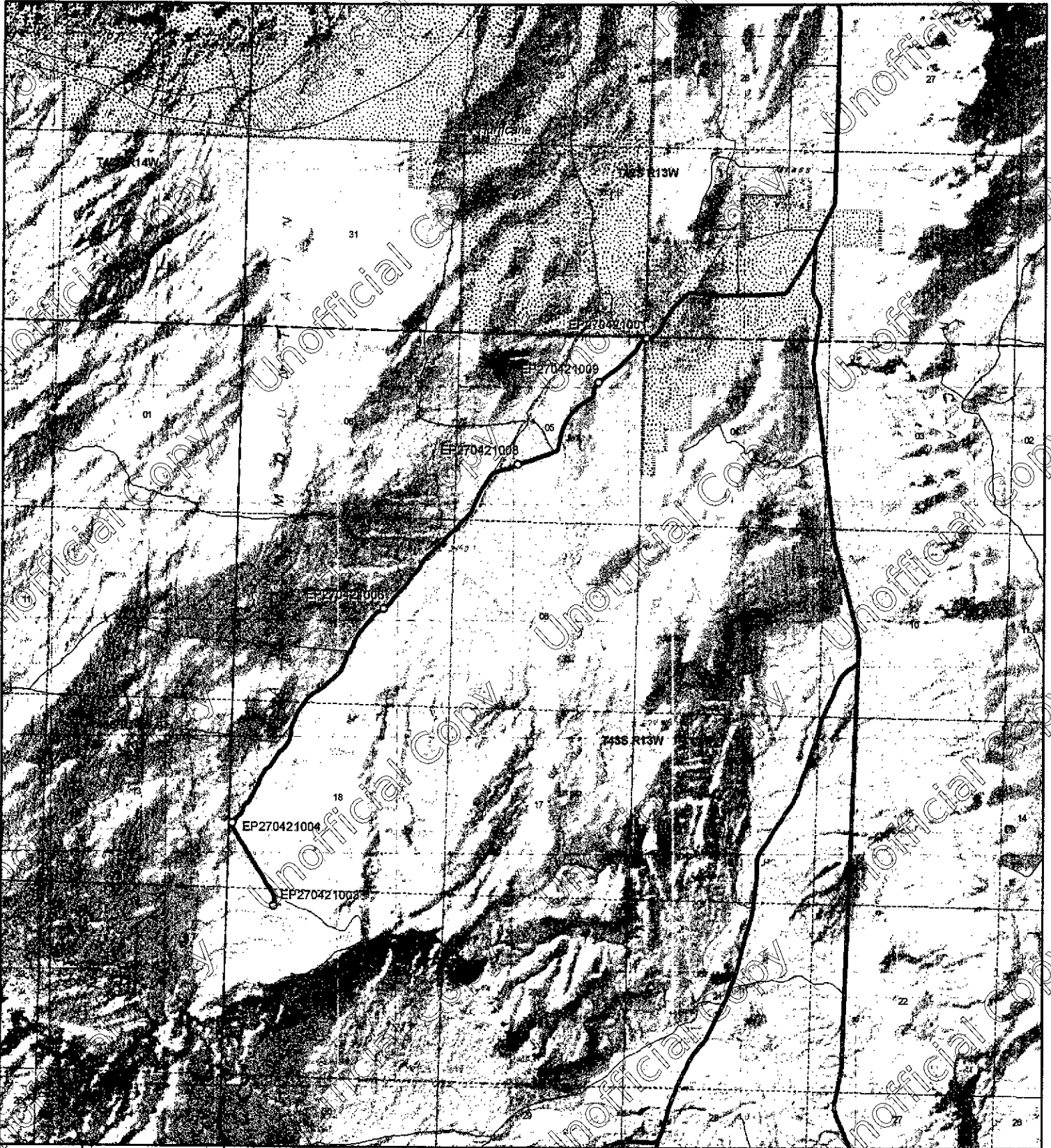
DATED this 7 day of April, 2010.


RYMAL J. HINTON

SUBSCRIBED AND SWORN to before me this 7th day of April, 2010.


NOTARY PUBLIC





0421 - Washington County

SGID RD_ID RD270421 CO_UNIQUE 0421

Land Ownership Categories

- BLM
- National Forest
- SITLA, State Trust Land
- State Parks and Recreation
- UDWAR Wildlife Reserve
- Wilderness
- National Parks & Monuments

- Tribal
- Private

Misc

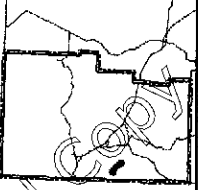
- Photo Event Point
- Section = 1 Mile

Transportation Network

- 0421
- Title V, Issued Or Under Consideration By BLM, Or County
- County B Road
- State U.S. Highway
- Other Roads



Scale
 1:43,813
 1 inch = 0.69 miles



Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Dec 21, 2009

