

1st Sub. S.J.R. 1

ESCALANTE HERITAGE HOLE-IN-THE-ROCK CENTER JOINT RESOLUTION

HOUSE FLOOR AMENDMENTS

AMENDMENT 5

FEBRUARY 17, 2010 10:06 AM

Representative **Michael E. Noel** proposes the following amendments:

1. *Page 3, Lines 65 through 68:*

65 WHEREAS, the state transportation improvement program includes \$200,000 for
66 preliminary engineering to improve Hole-in-the-Rock Road;

Whereas, the Bureau of Land Management (BLM) has expressly recognized in an administrative determination in 1988 that Garfield County owns an R.S. 2477 right-of-way for the Hole-in-the-Rock Road;

Whereas, Garfield County, Kane County, and the state of Utah have valid documentation that this road has been in existence since 1879 and has been in continuous use for over 131 years;

Whereas, Garfield County, Kane County, and the state of Utah have expended public tax monies to improve and maintain this road and other R.S. 2477 roads in their respective counties for access to BLM and National Park Service-managed lands;

Whereas, Kane County has filed a Quiet Title Action to secure forever the property right to this road and other roads in the county;

Whereas, this case, called the Hole-in-the-Rock Quiet Title Action, will be heard in federal court in the near future;

67 WHEREAS, the Garfield County Commission fully supports this endeavor and is the
68 government sponsor of the project;