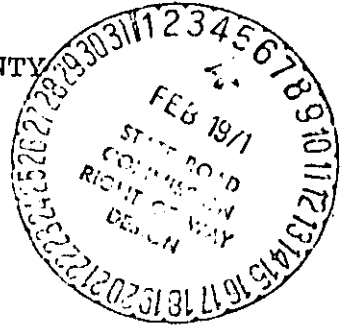


2108

IN THE FOURTH DISTRICT COURT IN AND FOR UTAH COUNTY

STATE OF UTAH



STATE OF UTAH, by and through its ROAD COMMISSION,	:	FINAL ORDER OF CONDEMNATION
Plaintiff,	:	
GEORGE TANNER and HELEN TANNER, his wife, & IDA HAMBLIN, a woman,	:	Civil No. 32,550
ser no	:	Project No. F-001-6(13)
E 873	:	Parcel Nos. 33, 33:A, 33:E,
E 821	:	33 B:E and 33D:E
Defendants :	:	Total Payment: \$79,337.38

It appearing to the court and the court now finds that heretofore, on the 21st day of October, 1970, this court made and entered its judgment in the above entitled proceeding, and said judgment is hereby referred to; and

It appearing to the court and the court now finds that pursuant to the law and the said judgment, the plaintiff did pay said judgment to the defendants George Tanner and Helen Tanner, his wife, & Ida Hamblin, a woman, together with all interest required by said judgment to be paid; and

It further appearing to the court that the plaintiff has made all payments as required by law and order of this court, and that this is not a case where any bond was required to be given, and all and singular the law in the premises being given by the court understood and fully considered,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the parcels of land hereinafter described are hereby taken and condemned in fee simple title, as to Parcel Nos. 33, 33:A and for easement rights as to Parcel Nos. 33:E, 33B:E and 33D:E for the purpose described and set forth in the plaintiff's complaint, i.e., for the use of the plaintiff, the State of Utah, for highway purposes.

THIS INSTRUMENT CHECKED WITH

JUDGMENT

REGULATIONS

RESOLUTIONS

MAPS

DATE 1-22-71
BY A H A

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said use is a public use and a use authorized by law.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that copy of this final order of condemnation be filed with the county recorder of Utah County, State of Utah, and thereupon the property interests hereinafter referred to and set forth shall vest in fee simple title as to Parcel No. 33, 33:A and for easement rights as to Parcel Nos. 33:E, 33B:E and 33D:E in the plaintiff. The following is a description of the property so ordered and condemned as hereinabove provided, which is hereby vested in fee simple title as to Parcel No. 33, 33:A and for easement rights as to Parcel Nos. 33:E, 33B:E and 33D:E in the plaintiff, all of such property being situated in Utah County, State of Utah, and is more particularly described as follows:

? Parcel No. 001-6:33 (OK with map)

A parcel of land in fee for the realignment of a portion of Carterville Road incident to the construction of an expressway known as Project No. 001-6, being part of an entire tract of property, in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, T. 6 S., R. 2 E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning on a west boundary line of said entire tract at a point 13.81 ft. radially distant easterly from the center line of said Carterville Road Realignment at Engineer Station 33+25.53, which point is 1320.37 ft. west along Section line and 636.69 ft. north from the S $\frac{1}{4}$ corner of said Section 25; thence North 330 ft., more or less, along said west boundary line to a NW. corner of said entire tract; thence East 60 ft., more or less, to a point on an existing highway right of way line, said point being 50 ft. perpendicularly distant easterly from said center line at Engineer Station 29+99.67; thence Southerly 338 ft., more or less, along said existing right of way line to the point of beginning. The above described parcel of land contains 0.26 acre, more or less, all of which is occupied by an existing highway. Balance 0.00 acre.

Parcel No. 001-6:33:A

Two parcels of land in fee for an expressway known as Project No. 001-6, being part of an entire tract of property, in the E $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T. 6 S., R. 2 E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning on a south boundary line of said entire tract at a point 80 ft. radially distant northeasterly from the center line of the northbound traffic lanes of said project at Engineer Station 192+83.13, which point is approximately 647 ft. north and 46 ft. east from the S $\frac{1}{4}$ corner of said Section 25; thence Northwesterly 1236.65 ft. along the arc of an 11,539.16-foot radius curve to the left (Note: Tangent to said curve at its point of beginning bears N. 48°32'30" W.); thence Northwesterly 200.70 ft. along the arc of a spiral which is concentric with and 80 ft. radially distant northeasterly from a 200-foot ten-chord spiral for a 0°30' curve to the left; thence N. 42°19'30" W. 363.10 ft. to a point on the north boundary line of said entire tract; thence West 98.66 ft. along said north boundary line to the NW. corner of said entire tract; thence south 250.29 ft. along the west boundary line of said entire tract; thence S. 41°12'45" E. 187.91 ft.; thence S. 70°00'45" E. 128.78 ft.; thence Southeasterly 199.53 ft. along the arc of a spiral which is concentric with and 80 ft. radially distant southwesterly from a 200-foot ten-chord spiral for a 0°20' curve to the right (Note: Tangent to said spiral at its point of beginning bears S. 47°10'00" E.); thence Southeasterly 996.59 ft. along the arc of a 17,108.73-foot radius curve to the right to a point on a southeasterly boundary line of said entire tract; thence N. 29° E. 33.14 ft. to a southeasterly corner of said entire tract; thence East 279.30 ft. along a south boundary line to the point of beginning.

2293-49
NE-SW-SE

ALSO:

Beginning on a west boundary line of said entire tract at a point 80 ft. radially distant northeasterly from the center line of the northbound traffic lanes of said project at Engineer Station 193+58.54, said point also being approximately 591 ft. north and 101 ft. east from the S $\frac{1}{4}$ corner of said Section 25; thence Southeasterly 350.68 ft. along the arc of an 11,539.16-foot radius curve to the right (Note: Tangent to said curve at its point of beginning bears S. 43°10'00" E.) to a south boundary line of said entire tract; thence West 139.07 ft. to a SW. corner of said entire tract; thence Northwesterly 230.11 ft. along a westerly boundary line to the southwesterly corner of said entire tract; thence Northerly 50.75 ft. along said west boundary line to the point of beginning. The two above described parcels of land contain 8.98 acres, more or less, of which 0.25 acre, more or less, is now occupied by the existing highway. Balance 8.73 acres, more or less.

2293-49
SW-SE

Together with any and all abutters rights of underlying fee to the center of existing rights of way appurtenant to this conveyance.

Together with any and all rights or easements appurtenant to the remaining portion of said entire tract of property by reason of the location thereof with reference to said expressway, and with all abutters rights of access in and to the inner through traffic lanes of said expressway, PROVIDED, however, that such remaining property shall abut upon and have access to a service road to the remaining northeasterly portion and realigned Carterville Road for the remaining southwesterly portion of said entire tract.

Parcel No. 001-6:33:E

An easement upon part of an entire tract of property in the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 25, T. 6 S., R. 2 E., S.L.B.&M. in Utah County, for the purpose of constructing thereon an irrigation facility and appurtenant parts thereof incident to the construction of an expressway known as Project No. 001-6.

Said part of an entire tract is a strip of land 10.00 ft. wide, adjoining southwesterly the following described portion of the southwesterly right of way and limited-access line of said project:

2293-49
SE-SW

Beginning at a point 80.00 ft. radially distant southwesterly from the southbound center line of said project at Engineer Station 191+15.04, which point is 621.03 ft. north along the $\frac{1}{4}$ Section line and 244.35 ft. west from the S $\frac{1}{4}$ corner of said Section 25; thence Northwesterly 996.59 ft. along the arc of a 17108.73-foot radius curve to the left (Note: Tangent to said curve at its point of beginning bears N. 43°31'30" W.); thence Northwesterly 199.53 ft. along the arc of a spiral which is concentric with and 80.00 ft. radially distant southwesterly from a 200.00-foot ten-chord spiral for a 0°20' curve to the left; thence N. 70°00'45" W. 128.78 ft. to a point 130.00 ft. perpendicularly distant southwesterly from said center line at Engineer Station 177+95.03, containing 0.30 acre, more or less.

ALSO:

A temporary construction easement to facilitate the construction of said irrigation facility and appurtenant parts thereof being a strip of land 10.00 ft. wide, approximately 1318 ft. long, and adjoining southwesterly the southwesterly side line of the above described easement, containing 0.30 acre, more or less.

2293-49
SE-SW

The above described temporary construction easement shall expire upon completion of said construction.

Parcel No. 001-6:33B:E

An easement upon part of an entire tract of property in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, T. 6 S., R. 2 E., S.L.B.&M. in Utah County, Utah, for the purpose of constructing thereon an irrigation and drainage facility and appurtenant parts thereof incident to the construction of an expressway known as Project No. 001-6.

2293-49
SE-SW

Said part of an entire tract is a strip of land 100.00ft. wide, adjoining northeasterly the northeasterly right of way and limited-access line of said project between Stations 190+80 and 190+00 northbound center line 15.00 ft. wide between Stations 190+00 and 187+80 northbound center line and 10.00 ft. wide between Stations 187+80 and 177+00 northbound center line. Said portion of the northeasterly right of way and limited-access line is described as follows:

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Beginning at a point 80.00 ft. radially distant north-easterly from the northbound center line of said project at Engineer Station 190+80, which point is 796.11 ft. north along $\frac{1}{4}$ Section line and 89.66 ft. west from the $S\frac{1}{4}$ corner of said Section 25; thence Northwesterly 1,032.11 ft. along the arc of an 11,539.16-foot radius curve to the left; (Note: Tangent to said curve at its point of beginning bears N. 44°33'30" W.); thence Northwesterly 200.70 ft. along the arc of a spiral which is concentric with and 80.00 ft. radially distant northeasterly from a 200.00-foot ten-chord spiral for a 0°30' curve to the left; thence N. 42°19'30" W. 155 ft., more or less, to a point approximately 98 ft. radially distant northeasterly from said northbound center line at Engineer Station 177+00. The above described strip of land contains 0.51 acre, more or less.

ALSO:

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A temporary construction easement to facilitate the construction of said irrigation and drainage facility and appurtenant parts thereof being a strip of land 5.00 ft. wide, between Engineer Stations 190+00 and 177+00 northbound center line, approximately 1,307 ft. long and adjoining northeasterly the northeasterly side line of the above described easement, containing 0.15 acre, more or less.

The above described temporary construction easement shall expire upon completion of said construction.

Parcel No. 001-6:33D:E

An easement upon part of an entire tract of property in the $SW\frac{1}{4}SE\frac{1}{4}$ of Section 25, T. 6 S., R. 2 E., S.L.B.&M. in Utah County, Utah, for the purpose of constructing thereon a drainage facility and appurtenant parts thereof incident to the construction of an expressway known as Project No. 001-6.

Said part of an entire tract is a strip of land 20 ft. wide and adjoining northeasterly the following described portion of the northeasterly right of way and limited-access line of said project;

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Beginning at the intersection of the west boundary line of said entire tract and said northeasterly limited-access line at a point 80 ft. radially distant northeasterly from the center line of the northbound traffic lanes of said project at Engineer Station 193+58.54 said point also being approximately 591 ft. north and 101 ft. east from the $S\frac{1}{4}$ corner of said Section 25; thence South-easterly 350.68 ft. along the arc of an 11,539.16-foot radius curve to the right (Note: Tangent to said curve at its point of beginning bears S. 43°10'00" E.) to a south boundary line of said entire tract, containing 0.09 acre, more or less.

ALSO:

2293-49
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A temporary construction easement to facilitate the construction of said drainage facility and appurtenant parts thereof, being a strip of land 20 ft. wide and adjoining northeasterly the northeasterly side line of the above described easement, containing

0.10 acre, more or less.

The above described temporary construction easement shall expire upon completion of said construction.

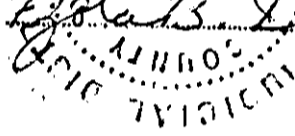
Dated this 28th day of Jan, 1971.

Joseph E. Nelson
DISTRICT JUDGE

STATE OF UTAH) SS
COUNTY OF UTAH)
I, THE UNDERSIGNED, CLERK OF THE DISTRICT COURT OF UTAH COUNTY, UTAH, DO HEREBY CERTIFY THAT THE ANNEXED AND FOREGOING IS A TRUE AND FULL COPY OF AN ORIGINAL DOCUMENT ON FILE IN MY OFFICE AS SUCH CLERK.

WITNESS MY HAND AND SEAL OF SAID COURT THIS 28th DAY OF January, 1971
WILLIAM F. HUISH, CLERK

BY: Glenn B. Dugan DEPUTY



2108

RECORDED AT THE REQUEST OF
UTAH STATE ROAD COM.

BOOK _____ PAGE _____

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UTAH COUNTY RECORDER
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Dugan

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