

311038 NW 13-41-1W

IN THE SECOND DISTRICT COURT IN AND FOR DAVIS COUNTY

STATE OF UTAH

STATE OF UTAH, by and through  
its ROAD COMMISSION,  
Plaintiff,  
-vs-  
ROBERT DALE HOHMAN, et al.  
\* \* \*  
RALPH H. WHEELWRIGHT and MARY  
H. WHEELWRIGHT, his wife,  
Defendants.  
: FINAL ORDER OF CONDEMNATION  
: Civil No. 11,284  
: Project No. F-030-1(2)  
: Parcel No. 108:A  
: Total Payment: \$1,139.52

Abstracted  
 Indexed  
 Entered  
 Platted  
 On Margin  
 Compared

It appearing to the court and the court now finds that heretofore, on the 13th day of March, 1967, 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, Ralph H. Wheelwright and Mary H. Wheelwright, his wife, 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 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.

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 a copy of this Final Order of Condemnation be filed with the county recorder of Davis County, State of Utah, and thereupon the property interests hereinafter referred to and set forth shall vest in fee simple title 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 in the plaintiff, all of such property being situated in Davis County, State of Utah, and is more particularly described as follows:

Parcel No. 030-1:108:A

A parcel of land in fee for an expressway known as Project No. 030-1, being part of an entire tract of property, in the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 13, T. 4 N., R. 1 W., S. L. B. & M. The boundaries of said parcel of land are described as follows:

Beginning on the northerly boundary line of said entire tract at a point 130.0 ft. perpendicularly distant easterly from the center line of said project, which point is approximately 214 ft. east and 140 ft. south from the NW. corner of said Section 13; thence S. 1° 29' W. 108 ft., more or less, to the southerly boundary line of said entire tract; thence Westerly 92 ft., more or less, along said southerly boundary line to the easterly right of way line of the existing highway; thence N. 1° 29' E. 107.90 ft. along said right of way line to said northerly boundary line; thence Easterly 92 ft., more or less, along said northerly boundary line to the point of beginning. The above described parcel of land contains 0.23 acre, more or less.

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, exclusive of access, appurtenant to the remaining portion of said entire



tract of property by reason of the location thereof with refer-  
ence to said expressway. Such remaining property shall abut  
upon and have access to and from a frontage road.

Dated this 26th day of June, 1967.

Charles H. Lowley  
DISTRICT JUDGE

This pleading was prepared by the Office of the Attorney  
General of the State of Utah.

Charles M. Pickett  
CHARLES M. PICKETT  
Assistant Attorney General  
236 State Capitol  
Salt Lake City, Utah 84114

Plaintiff's Address:  
603 State Office Building  
Salt Lake City, Utah 84114

STATE OF UTAH } ss  
County of Davis }

I, JOHN M. PARK, County Clerk and Ex-officio Clerk of the District  
Court of the Second Judicial District of the State of Utah, in and for the County  
of Davis, Court of record, do hereby certify that the foregoing copy of  
Final Order of Condemnation  
has been by me compared with the original thereof now of record in this office  
and that the same is a full, true and correct copy therefrom and of the whole  
of said original as the same appears of record in my office and in my custody.

IN WITNESS WHEREOF, I have hereunto set my hand  
and official seal this 27th day of June  
A.D. 19 67

File No. 11284 JOHN M. PARK  
Clerk  
By Barbara B. Snow  
Deputy Clerk

Original Filed June 25 1967