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FILED DISTRICT COURT
Third Judicial District

MAR 18 1997

By Becky Young

6612531
04/07/97 09:28 AM**NO FEE**
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
UTAH ST-DEPT OF TRANSPORTATION
REC BY:B ROME DEPUTY - MP

IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH

UTAH DEPARTMENT OF TRANSPORTATION,)	FINAL ORDER OF CONDEMNATION
)	
Plaintiff,)	Project No. STP-0071(1)7
)	Parcel Nos. 0071:37, 37:E,
vs.)	37:2E
)	
N U INVESTMENT, INC., a Utah Cor _p ,)	Civil No. 950900391 CD
)	
Defendants.)	Judge Pat B. Brian

It appearing to the Court and the Court now finds that heretofore, on the 6th day of November, 1996, this Court made and entered its Judgment on Stipulation in the above-entitled proceeding; 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

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Judgment to the Defendant, 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 identified as Parcel No. 37, and easement interests as described in Parcel Nos. 37:E and 37:2E for the purpose described and set forth in the Plaintiff's Complaint, i.e., for the use of the Plaintiff, Utah Department of Transportation, 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 Salt Lake County, State of Utah, and thereupon the property

interests hereinafter referred to and set forth shall vest in the Plaintiff, Utah Department of Transportation, 4501 South 2700 West, Salt Lake City, Utah 84119. The following is a description of the property condemned as hereinabove provided, which is hereby vested in the Plaintiff, all of such property being situated in Salt Lake County, State of Utah, and is more particularly described as follows:

PARCEL NO. 071:37

A parcel of land in fee for the widening of a highway known as Project No. 0071, being part of an entire tract of property situate in the ~~SE¹/₄NE¹/₄~~ and Lot 1 of Section 6, T. 3 S., R. 1 E., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at the Southeast Corner of said entire tract of property, which point is 1317.30 feet East and 254.00 feet South from the Center of the Northeast Quarter of said Section 6, which point is also 282.50 feet S.0°07'00"W. (highway distance and bearing 281.55 feet S.0°22'22"W.) along the 700 East Street monument line from the Salt Lake County Monument in the intersection of said 700 East Street and 8800 South Street; thence West (highway bearing N.89°44'47"W.) 53.06 feet along the south boundary line of said entire tract to a point 53.00 feet perpendicular distant westerly from the center line of said project; thence N.0°07'00"E. (highway bearing N.0°22'22"E.) 92.24 feet along a line parallel to said center line to a northerly boundary line of said entire tract; thence S.77°01'43"E. (highway bearing S.76°45'12"E.) 54.43 feet along said northerly boundary line to a northeast corner of said entire tract; thence S.0°07'00"W. (highway bearing S.0°22'13"W.) 80.00 feet along the easterly boundary line of said entire tract to the point of beginning.

The above described parcel of land contains 0.105 acre of which 0.068 acre is now occupied by the existing highway. Balance 1597 square feet in area, or 0.037 acre.

PARCEL NO. 0071:37:E

A perpetual easement, upon part of an entire tract of property, in the SE~~X~~NE~~X~~ and Lot 1 of Section 6, T. 3 S., R. 1 E., S.L.B. & M, in Salt Lake County, Utah, for the purpose of constructing thereon an irrigation facility and appurtenant parts thereof to facilitate the widening of a highway known as Project No. 0071.

The boundaries of said part of an entire tract are described as follows:

Beginning at the intersection of a northerly boundary line of said entire tract of property and the westerly right of way line of said project, which point is 201.55 feet S.0°07'00"W. (highway bearing S.0°22'13"W.) and 54.43 feet N.77°01'43"W. (highway bearing N.76°45'12"W.) from the Salt Lake County Monument in the intersection of said 700 East Street and 8800 South Street; thence S.0°07'00"W. (highway bearing S.0°22'22"W.) 92.24 feet along said westerly right of way line to the south boundary line of said entire tract; thence West (highway bearing N.89°44'47"W.) 10.00 feet; thence N.0°07'00"E. (highway bearing N.0°22'22"E.) 94.52 feet along a line parallel to said westerly right of way line to a northerly boundary line of said entire tract; thence; S.77°01'43"E. (highway bearing S.76°45'12"E.) 10.27 feet along said northerly boundary line to the point of beginning.

The above described part of an entire tract of land contains 934 square feet in area or 0.021 acre.

After said irrigation facility and appurtenant parts thereof are constructed on the above described part of an entire tract at the expense of said Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further

claim or demand for costs, damages or maintenance charges which may accrue against said irrigation facility and appurtenant parts thereof.

PARCEL NO. 0071:37:2E

A temporary easement, upon part of an entire tract of property, in the SE~~W~~NE~~W~~ of Section 6, T. 3 S., R. 1 E., S.L.B. & M, in Salt Lake County, Utah, for the purpose of constructing thereon a post office access to facilitate the widening of a highway known as Project No. 0071.

The boundaries of said part of an entire tract are described as follows:

Beginning at a point in the southerly boundary line of said entire tract of property, which point is 282.50 feet S.0°07'00"W. (highway bearing S.0°22'13"W.) and 63.06 feet west (highway bearing N.89°44'47"W.) from the Salt Lake County Monument in the intersection of 700 East Street and 8800 South Street; thence West (highway bearing N.89°44'47"W.) 23.00 feet along said southerly boundary line; thence Northeasterly along the arc of a 47.58-foot radius curve to the right 38.16 feet (long chord bears highway bearing N.38°38'14"E. 37.14 feet) to a point 63.00 feet perpendicularly distant westerly from the center line of said project; thence S.0°07'00"W. (highway bearing S.0°22'22"W.) 29.27 feet along a line parallel to said center line to the point of beginning.

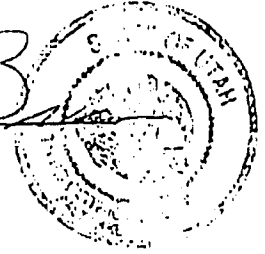
The above described part of an entire tract of land contains 431 square feet in area or 0.010 acre.

This easement shall expire upon the completion of the construction of said project or 5 years after the date of the execution of the within instrument, whichever first occurs.

DATED this 18 day of March 1997.

BY THE COURT:

PAT B. BRIAN
District Court Judge

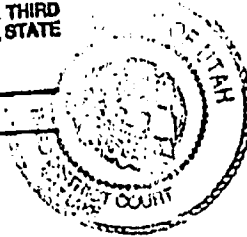


I CERTIFY THAT THIS IS A TRUE COPY OF AN ORIGINAL DOCUMENT ON FILE IN THE THIRD DISTRICT COURT, SALT LAKE COUNTY, STATE OF UTAH.

DATE: 3/20/97

Marki Young
COURT CLERK

Case # 950901391



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing FINAL ORDER OF CONDEMNATION was served by mailing the same, first-class postage prepaid, this 10th day of March, 1997, to:

N U Investment, Inc.
7508 South 2300 East
Salt Lake City, UT 84121

Amy Costerline

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