

FILED DISTRICT COURT
Third Judicial District

JUN 29 1998

By H. NOBLE
SALT LAKE COUNTY
Deputy Clerk

7065279

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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. SP-0154(3)6
vs.)	Parcel Nos. 7, 7:A, 7:E,
)	7:2E, and 7:S
ELK MEADOWS, L.L.C.; and)	
SERENGETI, L.L.C,)	Civil No. 960902821 CV
)	
Defendants.)	Judge Steven Henriod

It appearing to the Court and the Court now finds that heretofore, on the 10th day of May, 1998, 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 Judgment to the Defendants, 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.



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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 Nos. 7, 7:A, 7:S and easement interests as described in Parcel Nos. 7:E and 7:2E, 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, 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. 0154:7

A parcel of land in fee for the purpose of widening 9800 Street, incident to the construction of an expressway Project No. 0154, being part of an entire tract of property in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 8, T.3S., R.1W., S.L.B.&M.

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The boundaries of said parcel of land are described as follows:

Beginning at a point in the southerly boundary line of said entire tract and the northerly right of way line of 9800 South Street, which point is 190.241 meters N. 89°37'42" W. along the Quarter Section line and 10.058 meters N. 0°25'15" E. from the monumented Center of said Section 8; thence along said northerly right of way line the following two (2) courses and distances: (1) S. 89°37'42" E. 83.545 meters; thence (2) N. 86°21'27" E. 11.562 meters; thence N. 0°25'15" E. 4.014 meters; thence N. 89°34'45" W. 95.077 meters along a line parallel to the center line of said 9800 South Street; thence S. 0°25'15" W. 4.906 meters to the point of beginning.

The above described parcel of land contains 457.9 square meters in area.

(Note: To obtain distances in feet, divide above distances by 0.3048. Multiply above area by 10.764 to obtain square feet.)

PARCEL NO. 0154:7:A

A parcel of land in fee for the purpose of constructing thereon an expressway known as Project No. 0154, being part of an entire tract of property situate in the SE¼NW¼ of Section 8, T.3S., R.1W., S.L.B.&M.

The boundaries of said parcel of land are described as follows:

Beginning at the Southeast corner of said entire tract, which point is 12.192 meters N. 0°01'10" W. along the Quarter of Section line from the monumented Center of said Section 8; thence N. 0°01'10" W. 10.058 meters along said Quarter Section line; thence N. 34°15'22" W. 7.885 meters to a point 22.860 meters perpendicularly distant easterly from the center line of said project; thence N. 0°00'14" W. 21.662 meters along a line parallel to said center line; thence S. 89°59'46" W. 1.860 meters to a point 21.000 meters perpendicularly distant easterly from said center line; thence N. 0°00'14" W. 258.718 meters along a line parallel to said center line to the point of tangency with a 3569.001-meter radius curve to the right; thence Northerly 87.00 meters along an arc of said curve along a line concentric with said center line; thence N. 1°23'34" E. 8.480 meters along a line parallel to said center line to the northerly boundary line of said entire tract.



thence N. 89°33'28" W. 43.866 meters along said northerly boundary line to a point 22.860 meters perpendicularly distant westerly from said center line; thence S. 1°23'34" W. 7.753 meters along a line parallel to said center line to the point of tangency with a 3612.861-meter radius curve to the left; thence Southerly 88.069 meters along the arc of said curve along a line concentric with said center line; thence S. 0°00'14" E. 279.872 meters along a line parallel to said center line to a point 22.860 meters perpendicularly distant westerly from said center line; thence S. 43°36'43" W. 19.344 meters to a point 12.495 meters perpendicularly distant northerly from the center line of 9800 South Street; thence N. 89°34'45" W. 31.545 meters; thence S. 0°25'15" W. 4.014 meters to the southerly boundary line of said entire tract and the northerly right of way line of said 9800 South Street; thence along said northerly right of way line the following two (2) courses and distances: (1) N. 86°21'27" E. 18.918 meters; thence (2) S. 89°37'42" E. 76.200 to the point of beginning.

The above described parcel of land contains 17568.2 square meters in area.

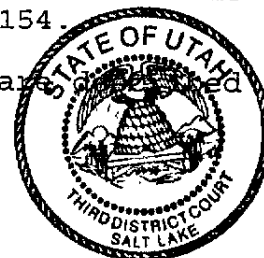
(Note: To obtain distances in feet, divide above distances by 0.3048. Multiply above area by 10.764 to obtain square feet.)

To enable the Utah Department of Transportation to construct and maintain a public highway as an expressway, as contemplated by Title 27, Chapter 12, Section 96, Utah Code Annotated, 1953, as amended, the Owners of said entire tract of property hereby release and relinquish to said Utah Department of Transportation any and all rights or easements appurtenant to the remaining property of said Owners by reason of the location thereof with reference to said highway, including, without limiting the foregoing, all rights of ingress to or egress from said Owner's remaining property contiguous to the lands hereby conveyed to or from said highway.

PARCEL NO. 0154:7:E

A perpetual easement, upon part of an entire tract of property in SE¼NW¼ of Section 8, T.3S., R.1W., 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 construction of an expressway known as Project No. 0154.

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



Beginning at a point in the northerly right of way line of said project, which point is 63.607 meters N. 89°37'42" W. along the Quarter Section line and 14.855 meters N. 0°22'18" E. from the monumented Center of said Section 8; thence N. 89°34'45" W. 97.482 meters along a line parallel to said center line; thence N. 0°25'15" E. 5.000 meters; thence S. 89°34'45" E. 102.176 meters; thence S. 43°36'43" W. 6.858 meters to the point of beginning.

The above described part of an entire tract contains 499.1 square meters in area.

(Note: To obtain distances in feet, divide above distances by 0.3048. Multiply above area by 10.764 to obtain square feet.)

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. 0154:7:2E

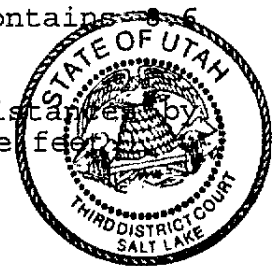
A perpetual easement, upon part of an entire tract of property in SE¼NW¼ of Section 8, T.3S., R.1W., S.L.B.&M, in Salt Lake County, Utah, for the purpose of constructing thereon an irrigation facility, and appurtenant parts thereof, to facilitate the construction of an expressway known as Project No. 0154.

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

Beginning at a point in the easterly boundary line of said entire tract, which point is 22.250 meters N. 0°01'10" W. along the Quarter Section line from the monumented Center of said Section 8; thence N. 0°01'10" W. 3.897 meters along said easterly boundary line; thence N. 59°26'16" W. 5.153 meters to the easterly right of way line of said project; thence S. 34°15'22" E. 7.885 meters to the point of beginning.

The above described part of an entire tract contains 8.6 square meters in area.

(Note: To obtain distances in feet, divide above distances by 0.3048. Multiply above area by 10.764 to obtain square feet.)



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. 0154:7:S

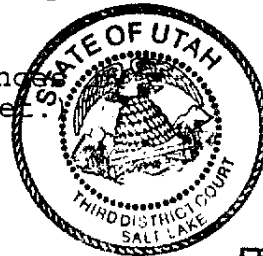
A tract of land in fee, situate in the SE~~1~~NW~~4~~ of Section 8, T.3S., R.1W., S.L.B.&M.

The boundaries of said tract of land are described as follows:

Beginning at a point in the easterly boundary line of an entire tract, which point is 26.147 meters N. 0°01'10" W. along the Quarter Section line from the monumented Center of said Section 8; thence N. 0°01'10" W. 378.431 meters along said easterly boundary line to the northerly boundary line of said entire tract; thence N. 89°33'28" W. 4.928 meters along said northerly boundary line to the easterly right of way line of said project; thence S. 1°23'34" W. 8.480 meters along said easterly right of way line to the point of tangency with a 3569.001-meter radius curve to the left; thence Southerly 87.000 meters along the arc of said curve along a line concentric with the center line of said project thence S. 0°00'14" E. 258.718 meters along a line parallel to said center line to a point 21.000 meters perpendicularly distant easterly from said center line; thence N. 89°59'46" E. 1.860 meters; thence S. 0°00'14" E. 21.662 meters along a line parallel to said center line to a point 22.860 meters perpendicularly distant easterly from said center line; thence S. 59°26'16" E. 5.153 meters to the point of beginning.

The above described tract of land contains 2272.3 square meters in area.

(Note: To obtain distances in feet, divide above distances by 0.3048. Multiply above area by 10.764 to obtain square feet.)



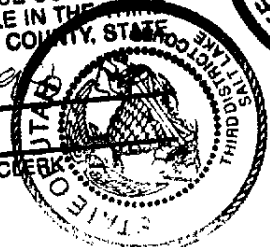
DATED this 29 day of June, 1998.

BY THE COURT:

Stephen L. Henriod
STEPHEN L. HENRIOD

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

DATE: 8-14-98
M.L.
DEPUTY COURT CLERK



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 19th day of June, 1998, to:

Kevin E. Anderson, Esq.
60 East South Temple, #1270
Salt Lake City, UT 84111

Amy Casterline

08/21/98 7065279 3:54 PM**NO FEE**
NANCY WORKMAN
RECORDER, SALT LAKE COUNTY, UTAH
UTAH ST-DEPT OF TRANSPORTATION
BOX 148448 ATT: J.R. PLUMHOF
SLC, UT 84114-8440
REC BY: A GARAY DEPUTY - MP

Final Order of Condemnation
Civil No. 960902821 CD