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Steven F. Alder (#0033)
Assistant Attorneys General
Mark L. Shurtleff (#4666)
Attorney General
Attorneys For Plaintiff
160 East 300 South, 5th Floor
P.O. Box 140857
Salt Lake City, Utah 84114-0857
Telephone: (801) 366-0216

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RECORDER, SALI LAKE COUNTY, UTAH
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IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR

SALT LAKE COUNTY, STATE OF UTAH

UTAH DEPARTMENT OF TRANSPORTATION,

Plaintiffs,

VS.

BOWLING CENTER ASSOCIATES; ASSOCIATED TITLE COMPANY, Trustee; THE GILBERT T. LISONBEE FAMILY PARTNERSHIP, Beneficiary; FIRST SECURITY BANK OF UTAH, N.A., Beneficiary; REAGAN OUTDOOR ADVERTISING,

Defendants.

FINAL ORDER OF CONDEMNATION

Project *ISTP-15-7(198)296 Ref. SP-15-7(116)304 Parcel Nos. 160:A, 160:E

TAX ID: 08-36-353-017 08-36-353-003

Case No. 970901480

Judge Tyrone E. Medley

It appearing to the Court and the Court now finds that on the 30th day of July, 2001, this Court 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 Judgment, the Plaintiff did pay Judgment to the Defendants, together with all interest required by

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Judgment to be paid. Further, the sum of \$47,300.00, representing the remaining amount of the Judgment, is released to the Defendant; and

It further appearing to the Court that the Plaintiff has made all payments as required by law and order of this Court, no bond was required, and being fully advised,

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the parcels of land hereby taken and condemned in fee simple title identified as Parcel No. 160:A and easement interests identified as Parcel No. 160:E 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.

Parcel No. 15-7:160:A

A parcel of land in fee for the reconstruction of a freeway known as Project No. 15-7, being part of an entire tract of property situate in Lots 3, 4, and 5, Block 60, Plat "C", Salt Lake City Survey. The boundaries of said parcel of land are described as follows:

Beginning at the Northwest Corner of said entire tract at a point which is 142.207 meters S. 89*58'06" W. along the northerly boundary line of said Block 60 from the Northeast Corner of said Block 60; and running thence S. 16*16'45" W. 78.623 meters along the westerly boundary line of said entire tract; thence S. 89*58'06" W. 2.948 meters along a northerly boundary line of said entire tract; thence Southerly 14.408 meters along the arc of a 1044.700-meter radius curve to the right (Note: Chord to said curve bears S. 17*54'11" W. for a distance of 14.408 meters) to the point of tangency; thence S. 18*17'53" W. 25.307 meters to the southerly boundary line of said entire tract; thence S. 89*58'06" W. 1.985 meters along said southerly boundary line to the southwest corner of said entire tract; thence N. 16*11'23" E. 39.295 meters along the westerly boundary line of said entire tract; thence N. 89*58'06" E. 6.352 meters along a northerly boundary line of said entire tract; thence N. 16*16'45" E. 78.623 meters along the westerly boundary line of said entire tract to the point of beginning. The above described parcel of land contains 103.2 square meters.

(Note: Rotate above bearings 00°15'13" clockwise to equal highway bearings)

Final Order of Condemnation Salt Lake County Civil No. 970901480 Page 2 (Note: To obtain distance in feet, divide above distances by 0.3048. Multiply above area by 10.7639 to obtain square feet)

To enable the Utah Department of Transportation to construct and maintain a public highway as a freeway, 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 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.15-7:160:E

A perpetual easement, upon part of an entire tract of property situate in Lots 3, 4, and 5, Block 60, Plat "C", Salt Lake City Survey, in Salt Lake County, Utah, for the purpose of constructing and maintaining thereon public utilities and appurtenant parts thereof incident to the reconstruction of a freeway known as Project No. 15-7. The boundaries of said part of an entire tract are described as follows:

Beginning at the Northwest Corner of said entire tract at a point which is 142.207 meters S. 89.58'06" W. along the northerly boundary line of said Block 60 from the Northeast Corner of said Block 60; and running thence N. 89.58'06" E. 4.989 meters along said northerly boundary line; thence Southerly 95.609 meters along the arc of a 1053.700-meter radius curve to the right (Note: Chord to said curve bears S. 15.41'55" W. for a distance of 95.576 meters) to a point of tangency; thence S. 18.17'53" W. 22.326 meters to the southerly boundary line of said entire tract; thence S. 89.58'06" W. 9.481 meters along said southerly boundary line; thence N. 18.17'53" E. 25.307 to a point of curvature with a 1044.700-meter radius curve to the left; thence Northerly 14.408 meters along the arc of said curve (Note: Chord to said curve bears N. 17.54'11" E. for a distance of 14.408 meters) to a northerly boundary line of said entire tract; thence N. 89.58'06" E. 2.948 meters along said northerly boundary line; thence N. 16.16'45" E. 78.623 meters along the westerly boundary line of said entire tract to the point of beginning. The above described part of an entire tract of property contains 828.2 square meters.

(Note: Rotate above bearings 00°15'13" clockwise to equal highway bearings)

(Note: To obtain distance in feet, divide above distances by 0.3048. Multiply above area by 10.7639 to obtain square feet)

After said public utilities are constructed on the above described part of an entire tract at the expense of the 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 public utilities and appurtenant parts thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said use is a public

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 referred to and set forth, shall vest in the Plaintiff, Utah Department of Transportation, 4501 South 2700 West, Salt Lake City, Utah 84119.

DATED this 22 day of ____

2001.

BY THE COURT:

Court Judge

APPROVED AS TO FORM:

DENNIS K. POOLE

Attorney for Defendants

Bowling Center Associates,

Associated Title Company

The Gilbert T. Lisonbee Family Partnership

First Security Bank of Utah

Final Order of Condemnation Salt Lake County Civil No. 970901480 Page 4 BK8500PG0681

CERTIFICATE OF MAILING

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 <u>f5</u> day of

August, 2001, to the following:

Dennis K. Poole POOLE, SULLIVAN & ADAMS Attorneys for Defendants 4543 South 700 East #200 Salt Lake City, UT 84107

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