

BOOK 327

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2-30-19

RECORDED AT REQUEST

M. Dan Young

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1992 FEB -7 PM 4:45 CLERK OF THE COURT

DONNA S. MCKENDRICK 1990 MAR 19 AM 8:46
TOOELE COUNTY RECORDER

DEPUTY KJ FEE \$15.50 3RD DISTRICT COURT

ALAN K. JEPPESEN
Attorney for Plaintiff
85 North Main Street
Tooele, Utah 84074
Telephone: 882-2444

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

BELLA MAGUIRE MANGOLD,

Plaintiff,

vs.

JOHN MAGUIRE TANEY, SARAH
TANEY PATRICIA ANN SACHEN
and GEORGE SACHEN, and
all other persons unknown,
claiming any right, title,
estate, interest, or lien
upon the property des-
cribed in the pleading
adverse or hostile to
the plaintiff's ownership,
or clouding plaintiff's
title thereto, designated
as JOHN and JANE DOES
1 through 10,

Defendants.

DECREE QUIETING TITLE

Civil No. 900300020

1 THIS MATTER coming regularly before the Court on Friday, March 16,
2 1990, at the hour of 8:30 a.m., pursuant to Notice, the plaintiff not being present but
3 having previously filed her affidavit supporting judgment, and her attorney, Alan K.
4 Jeppesen being present, and the Court having reviewed the pleadings and other

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documents on file, and it appearing that all known persons having or claiming an interest in the subject premises having heretofore quite claimed their interest to the plaintiff, and Process having been accomplished upon all other persons known and unknown who may claim some interest in and to the subject premises by publication of summons, and the time for responding to said summons having expired, and it appearing that there are no other persons who have appeared herein, and good cause existing;

NOW, THEREFORE, it is hereby Ordered, adjudged and decreed as follows:

1. Plaintiff is the owner and entitled to the possession of a parcel of real property located in Tooele County, State of Utah more particularly described as follows:

COMMENCING at the Northwest corner of Lot 10, Block 7, Plat "A" Tooele City Survey, Tooele City, and extending thence South three rods one foot (50.5 feet), thence East fifty-six feet; thence North one foot, thence East sixteen and 20/33 rods (264.99 feet) more or less to the East end of said Lot 10, thence North 3 rods (49.5 feet); thence West 20 rods (330 feet) more or less to the place of beginning. Together with improvements and appurtenances.

2. That all adverse and hostile claims of whatsoever nature are invalid and without merit.

3. That all defendants both known and unknown have no right, title, interest or estate, use or possession whatsoever in and to the aforesaid premises.

4. That the title of the plaintiff is good and valid and quieted in her and against each and all of said defendants.

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CLERK OF THE COURT

1990 MAR -7 PM 3:19

3RD DISTRICT COURT

1 IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR TOOELE COUNTY,
2 STATE OF UTAH

3
4
5 BELLA MAGUIRE MANGOLD,
6
7 Plaintiff,

8
9 vs.

10
11 JOHN MAGUIRE TANEY, SARAH
12 TANEY PATRICIA ANN SACHEN
13 and GEORGE SACHEN, and
14 all other persons unknown,
15 claiming any right, title,
16 estate, interest, or lien
17 upon the property described
18 in the pleading adverse or
19 hostile to the plaintiff's
20 ownership, or clouding
21 plaintiff's title thereto,
22 designated as JOHN and
23 JANE DOES 1 through 10,
24

25 Defendant.
26
27

PLAINTIFF'S AFFIDAVIT
SUPPORTING DECREE OF
QUIET TITLE

Civil No. 900300120

28 STATE OF WISCONSIN)
29) ss
30 County of Lincoln)

31 Bella Maguire Mangold, being first duly sworn, deposes and
32 says upon her oath as follows:

33 1. That she is the sole owner and entitled to the
34 possession of a parcel of real property located in Tooele County,
35 State of Utah, more particularly described as follow:

36 Commencing at the Northwest Corner of Lot 10, Block
37 7, Plat "A" Tooele City Survey, Tooele City, and
38 extending thence South three rods one foot (50.5
39 feet), and running thence East 56 feet; thence North

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40 1 foot; thence East 16 and 20/33 rods (273.99 feet)
41 more or less to the east end of said Lot 10, thence
42 North 3 rods (49.5 feet); thence West 20 rods (330
43 feet) more or less to the point of beginning.
44 Together with improvements and appurtenances.

45 2. That Bella Maguire Mangold and her sister Margaret
46 Maguire Taney were sisters of Frank C. Maguire.

47 3. That the said Frank C. Maguire and Emma D. Maguire, his
48 wife, did convey the subject premises described above to the said
49 Bella Maguire who is the Plaintiff herein and Margaret Maguire
50 Taney by Warranty Deed as tenants in common; said deed was dated
51 September 23, 1948 and recorded November 12, 1965 in Book 63 at
52 Page 242 as entry 276570 of the records of the Tooele County
53 Recorder as evidenced by the copy of said deed attached hereto
54 and by this reference made a part hereof.

55 4. That Plaintiff's sister, Margaret Maguire Taney, who
56 was a co-tenant in common with Plaintiff to the subject premises,
57 had two children, to wit: John Maguire Taney and Patricia Ann
58 Sachen.

59 5. That Margaret Maguire Taney died intestate on January
60 24, 1957.

61 6. That the children of Margaret Maguire Taney and her
62 husband, Thomas Taney, were her only heirs at the time of her
63 death. Thomas Taney died May 13, 1987 in Elko, Nevada. The said
64 children were his only issue. It is unknown whether he left a
65 will.

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66 7. That said children did, by Quit Claim Deeds, convey
67 their interest in the subject premises unto the said Bella
68 Maguire Mangold, the Plaintiff herein, as evidenced by the deeds
69 attached hereto as follows, to wit:

70 a) John Maguire Taney and his wife Sarah Taney
71 conveyed their interest in and to the subject premises to the
72 Plaintiff by Quit Claim Deed dated August 31, 1981 and recorded
73 September 21, 1981 in Book 196 Page 937 as Entry 34872 of the
74 records of the Tooele County Recorder.

75 b) That Patricia Ann Sachen and George Sachen,
76 husband and wife, conveyed their interest in and to the subject
77 premises unto the Plaintiff by Quit Claim Deed dated August 24,
78 1982 and recorded September 20, 1982 in Book 205 at Page 457 as
79 Entry 353202 of the records of the Tooele County Recorder.

80 8. That Affiant's Attorney did incorrectly state in
81 paragraph 2 of his First Amended Plaintiff's Affidavit Supporting
82 Alternative Service by Publication; that Affiant's sister's name
83 was Sarah Maguire Taney and that the Plaintiff and her sister
84 were the only heirs of Frank C. Maguire and Emma D. Maguire,
85 their parents. As stated above, Frank C. Maguire was Affiant's
86 brother and Affiant's sister's correct name is Margaret Maguire
87 Taney.

88 9. That Plaintiff was advised and did believe that the
89 deeds acquired from her sister's children as described above,

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90 would convey all of the interest of her deceased sister unto the
91 Plaintiff and that Plaintiff would own the property in fee simple
92 absolute.

93 10. Unfortunately, there is no record of a determination of
94 heirship or probate of the estate of the said Margaret Maguire
95 Taney or Thomas TANEY and consequently title to the subject
96 premises has been clouded by the Plaintiff's deceased sister's
97 interest.

98 11. Plaintiff was constrained to bring this action to
99 clear the title of Plaintiff's sister's interest.

100 12. That there are no known persons claiming an right,
101 title, interest, or lien to the subject premises and any person
102 making such a claim is doing so without any merit whatsoever.

103 13. Affiant is entitled, as a matter of law, to have the
104 title to the subject premises quieted in her alone as prayed for
105 in her Complaint.

106 FURTHER AFFIANT SAYETH NAUGHT:

107 Dated this 2 day of ^{March}~~February~~, 1990.

108 Bella Maguire Mangold
109 Bella Maguire Mangold
110 Affiant and Plaintiff

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111 On the 2nd day of ~~February~~ ^{MARCH}, 1990, personally appeared
112 before me Bella Maguire Mangold, a person known to me and the
113 signer of the within instrument, who duly acknowledged to me that
114 she executed the same.

115 *Jane Ann Swastle*
116 Notary Public
117 Residing in Lincoln County,
118 State of Wisconsin
119 My commission expires: 7-7-91
120
121

STATE OF UTAH) ss
County of Tooele)
SHARON CALLISTER, Clerk of the District Court of the Third Judicial District of the
State of Utah and for the County of Tooele, a Court of record, do hereby certify
that the foregoing is a true and correct copy of the Plt's Affidavit
supporting Decree of Quiet Title
as the same appears on the original thereof now of record in my office and
that a true and correct transcript therefrom and of the whole of said
instrument 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 7 day of Feb A.D. 19 90
SHARON CALLISTER
Clerk
900300020
By *Julie Krogg*
Deputy Clerk
March 7 1990

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