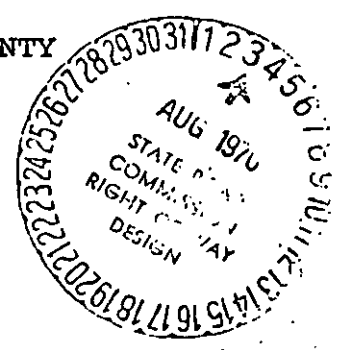


8406

IN THE FOURTH DISTRICT COURT IN AND FOR UTAH COUNTY

STATE OF UTAH



STATE OF UTAH, by and through
its ROAD COMMISSION,

Plaintiff, : FINAL ORDER OF CONDEMNATION

-v-

Civil No. 32547

BEULAH M. LICHFIELD COX, a
woman,

Project No. F-001-6(13)
Parcel Nos. 40:A and 40:E
Total Payment: \$76,184.27

Defendant. :

It appearing to the court and the court now finds that heretofore, on the 4th day of May, 1970, 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 defendant, Beulah M. Lichfield Cox, a woman, 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, as to Parcel No. 40:A and for easement rights as to Parcel No. 40:E, 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.

THIS INSTRUMENT CHECKED WITH

- JUDGMENT
- STIPULATIONS
- RESOLUTIONS
- MAPS

DATE 7-16-70
BY *[Signature]* CMP

AGREES YES

BOOK 1190 PAGE 01

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 Utah County, State of Utah, and thereupon the property interests hereinafter referred to and set forth shall vest in fee simple title as to Parcel No. 40:A and for easement rights as to Parcel No. 40:E 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 as to Parcel No. 40:A and for easement rights as to Parcel No. 40:E in the plaintiff, all of such property being situated in Utah County, State of Utah, and is more particularly described as follows:

Parcel No. 001-6:40:A

A parcel of land in fee for an expressway known as Project No. 001-6, being part of an entire tract of property, in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, T. 6 S., R. 2 E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning on the westerly right-of-way line of the Denver & Rio Grande Western Railroad at a point 120 ft. perpendicularly distant southwesterly from the center line of the northbound traffic lanes of said project approximately at Engineer Station 214+40, which point is approximately 1457 ft. west and 1271 ft. south from the NE. corner of said Section 26; thence N. 4°08'E. 307.1 ft. along said westerly right-of-way line to a point 80 ft. perpendicularly distant northeasterly from the center line of said northbound traffic lanes; thence N. 36°30' W. 416 ft., more or less, to a point of tangency with a spiral to the left at a point 80 ft. perpendicularly distant northeasterly from the center line of said northbound traffic lanes at Engineer Station 207+91.72; thence Northwesterly 200.70 ft. along the arc of said spiral which is concentric with and 80 ft. radially distant northeasterly from a 200 foot ten-chord spiral for a 0°30' curve; thence Northwesterly 326 ft., more or less, along the arc of an 11,539.16-foot radius curve to a northwesterly boundary line of said entire tract; thence S. 20° W. 194 ft., more or less, along said northwesterly boundary line to a westerly corner of said entire tract; thence S. 22°30' E. 233 ft., more or less, along a southwesterly boundary line of said entire tract to a point 80 ft. radially distant southwesterly from the center line of said project approximately at Engineer Station 205+95; thence Southeasterly 168 ft., more or less, along the arc of a spiral which is parallel and concentric with and 80 ft. radially distant southwesterly from a 200 foot ten-chord spiral for a 0°20' curve to the right (Note: Tangent to said curve at its point of beginning bears S. 38°34' E.) to a point 80 ft. perpendicularly distant southwesterly from the center line of the southbound traffic lanes at Engineer Station 207+63.71; thence S. 38°20' E. 336.29 ft.; thence S. 39°02'27" E. 201.64 ft.; thence S. 36°30' E. 140 ft., more or less,

F 149512-A-A
NW-2E
3433-56, 6436-67

BOOK 1190 PAGE 02

to the point of beginning. The above described parcel of land contains 4.796 acres, more or less.

Together with any and all rights or easements appurtenant to the remaining portion of said entire tract of property by reason of the location thereof with reference to said expressway, including without limiting the foregoing, all rights of ingress to or egress from said remaining portion contiguous to the lands hereby conveyed, to or from said expressway.

Parcel No. 001-6:40:E

An easement upon part of an entire tract of property in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, T. 6 S., R. 2 E., S.L.B.&M., in Utah County, Utah, for the purpose of constructing and maintaining thereon the Provo River Channel Change and appurtenant parts thereof incident to the construction of an expressway known as Project No. 001-6.

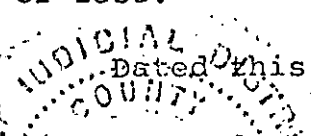
Said part of an entire tract is described as follows:

Beginning at the NE. corner of said entire tract, said NE. corner being 733.92 ft. east from the N $\frac{1}{4}$ corner of said Section 36; thence East 42 ft., more or less, along the north boundary line of said entire tract to a point 50 ft. perpendicularly distant easterly from the center line of said Provo River Channel Change approximately at Engineer Station 0+16; thence S. 04°02'30" W. 216 ft., more or less, to the northwesterly right-of-way and limited-access line of said project; thence Northwesterly 115 ft., more or less, along the arc of an 11,539.16-foot radius curve to the left (Note: Tangent to said curve at its point of beginning bears S. 38°02'19" E.) to a northwesterly boundary line of said entire tract; thence N. 20°E. 129 ft. along said northwesterly boundary line to the point of beginning, containing 0.249 acre, more or less.

Also:

Beginning on the southwesterly right-of-way and limited-access line of said project at a point 50 ft. perpendicularly distant easterly from the center line of said Provo River Channel Change approximately at Engineer Station 5+81, said point also being approximately 736 ft. east and 557 ft. south from the N $\frac{1}{4}$ corner of said Section 36; thence S. 04°02'30" W. 27 ft., more or less, to the southwesterly boundary line of said entire tract; thence N. 22°30' W. 70 ft. along said southwesterly boundary line to the southwesterly right-of-way and limited-access line of said project; thence South-easterly 47 ft., more or less, along the arc of a spiral which is parallel and concentric with and 80 ft. radially distant southwesterly from a 200 foot ten-chord spiral for a 0°20' curve to the right (Note: Tangent to said spiral at its point of beginning bears S. 38°34' E.) to the point of beginning, containing 0.009 acre, more or less.

The two above described easements have a total of 0.258 acre, more or less.



Dated this 4th day of July, 1970.

STATE OF UTAH) SS
COUNTY OF UTAH)
I, THE UNDERSIGNED, CLERK OF THE DISTRICT COURT OF UTAH COUNTY, UTAH, DO HEREBY CERTIFY THAT THE ANNEXED AND FOREGOING IS A TRUE AND FULL COPY OF AN ORIGINAL DOCUMENT ON FILE IN MY OFFICE AS SUCH CLERK.
WITNESS MY HAND AND SEAL OF SAID COURT THIS 17th

15/ Macarion, Sherling
DISTRICT JUDGE

DAY OF July
MARK E. BOYACKI, CLERK
DEPUTY

F 1495-18-A-A
NW-NE
3433-55 6466-67

F 1495-18-A-A
NW-NE
3433-55 6466-67

BOOK 1190 PAGE 03

8406

RECORDED AT THE REQUEST OF

Utah State Dept of Highways

BOOK 1190 PAGE 4

1970 AUG 17 AM 8:32

NINA B. BEED
UTAH COUNTY RECORDER
DEPUTY *W. B. [unclear]*
PR. H. ASS. *John [unclear]*
AL SLH S. 257 [unclear]

R/W Instruments

Section

Room 404 State Office Bldg.

Salt Lake City

Utah

84114

(2)