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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
SL CO COUNCIL CLERK
ROOM N 2100A
BY: ZJM, DEPUTY - WI 5 P.

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CONDEMNATION RESOLUTION NO. 3192
HIGHLAND DRIVE WIDENING/4500-3300 SOUTH PROJECT
PARCEL NO. 75:C and 75:EC (PT. SIDWELL NO. 16-33-326-008)
OWNER: EDNA P. AND THOMAS P. NEILSON

RESOLVED by the County Council of Salt Lake County that it finds, determines, and declares that:

1. The public interest and necessity require the construction by Salt Lake County of a public improvement; namely, the Highland Drive Widening/4500-3300 South project, designated as County Project No. CJ-94-0101 ("Project"), for the purpose of providing improved county highway access and circulation for the safety and benefit of the inhabitants of Salt Lake County.
2. The construction and use of said public improvement necessitates the acquisition and immediate occupancy of the real property, or interests in real property, hereinafter described.
3. The District Attorney of Salt Lake County is instructed and requested to acquire, in the name of Salt Lake County, the needed real property, or interests in real property, hereinafter described, by condemnation in accordance with the provisions of the laws, statutes, and Constitution of the State of Utah relating to eminent domain; to prepare and prosecute such proceeding in the proper court having jurisdiction thereof as may be necessary for such acquisition; and to obtain from said court an order permitting Salt Lake County to take immediate occupancy and use of said real property, or interests in real property, needed for the construction and use of said public improvement.

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4. The County Real Estate Section is instructed on behalf of the County, to request a warrant from the Utah Department of Transportation in a sum equal to 100 percent of the approved appraisal of said real property, or interests in real property, which sum is FORTY THOUSAND EIGHT FIFTY AND NO/100 DOLLARS (\$40,850.00), payee to be the Clerk of the District Court of Salt Lake County, for the use and benefit of the landowners and/or lienholders as hereinafter described.

5. A tender to the landowners and/or lienholders of said sum equal to the approved appraisal of the real property, or interests in real property, to be acquired for said public improvement shall be made prior to the issuance of an Order to Occupy Property.

6. The real property, or interests in real property, which Salt Lake County is by this resolution authorized to acquire for said public improvement and use is situated at 3804 South Highland Drive, Salt Lake City, Salt Lake County, State of Utah, in the NE 1/4 SW 1/4 of Section 33, Township 1 South, Range 1 East, Salt Lake Base and Meridian, and is more particularly described as follows:

PARCEL NO. 1 (PROJECT PARCEL NO. 75:C) FEE SIMPLE INTEREST:

Beginning at the northeast corner of said entire tract, said point being 11.886 m (39.00 feet) West from a Salt Lake County monument near the intersection of said Highland Drive and Forest Hills Drive (by deed, said county monument being 220.455 m [723.27 feet] West and 113.417 m [372.10 feet] S. 24°48'32.4" E. from the center of said Section 33), and running thence West 1.845 m (6.05 feet) to a point 11.250 m (36.91 feet) perpendicularly distant westerly from the centerline of said project; thence Southerly 32.254 m (105.82 feet) along the arc of a 425.349-m

(1395.48-foot) radius curve to the right, concentric with said centerline (Chord bears S. 18°18'45" E. 32.246 m [105.79 feet]) to the southerly boundary line of said entire tract; thence S. 89°23'00" E. 1.340 m (4.40 feet); thence N. 14°54'01" W. 3.783 m (12.41 feet); thence Northerly 28.338 m (92.97 feet) along the arc of a 281.029-m (922.00-foot) radius curve to the left (Chord bears N. 17°47'21" W. 28.326 m [92.93 feet]) to the point of beginning.

The above described parcel of land contains 51.6 square meters (555 square feet) in area, more or less.

PARCEL NO. 2 (PROJECT PARCEL NO. 75:EC) TEMPORARY CONSTRUCTION EASEMENT:

Said part of an entire tract is a strip of land 1.5 m (4.92 feet) wide, adjoining westerly the following described westerly right-of-way line of said project:

Beginning at a point on the northerly boundary line of said entire tract, said point being 13.731 m (45.05 feet) West from a Salt Lake County monument near the intersection of said Highland Drive and Forest Hills Drive, and running thence Southerly 32.254 m (105.82 feet) along the arc of a 425.349-m (1395.48-foot) radius curve to the right (Chord bears S. 18°18'45" E. 32.246 m [105.79 feet]) , more or less, to the southerly boundary line of said entire tract.

The above described strip of land contains 48.4 square meters (521 square feet) in area, more or less.

The boundary lines of said easement shall be prolonged and /or shortened to begin and end on, and conform to, the Grantor's property lines.

7. Title to the estate or interest referred to herein is presently vested in Edna P. and Thomas P. Neilson[owner's].

8. Additional persons and entities claiming a legal or equitable interest in the property are:

- A. Salt Lake County Treasurer.
- B. Salt Lake City Suburban Sanitary District No. 1.
- C. Great Western Thrift and Loan.

9. Construction of the Highland Drive Widening/4500-3300 South Project should be completed within 18 months after the start of construction. Salt Lake County is seeking to obtain present possession of the property.

APPROVED and ADOPTED this 2nd day of October, 2001.

SALT LAKE COUNTY COUNCIL

By *W. Kenneth*
Chairman



CHIEF DEPUTY COUNTY CLERK

Salt Lake County Clerk

Approved as to form and legality:

[Signature]
Deputy District Attorney
Date: 10/2/01

Voting:

Councilman Bradley	<u>"Aye"</u>
Councilman Harmsen	<u>"Aye"</u>
Councilman Hatch	<u>"Aye"</u>
Councilman Hendrickson	<u>"Aye"</u>
Councilman Horiuchi	<u>Absent</u>
Councilman Jensen	<u>"Aye"</u>
Councilman Skousen	<u>Absent</u>
Councilman Wilde	<u>"Aye"</u>
Councilman Wilkinson	<u>"Aye"</u>

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