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MAY 4 - 1964

Recorded at Request of Magle & Magle

at 8:38 AM Fee Paid 5.00 HAZEL TAGGART CHASE, Recorder Salt Lake County, Utah

By Lee Goddard Dep. Date

Deseret Bldg, 79 South Main St.

IN THE DISTRICT COURT OF SALT LAKE COUNTY, STATE OF UTAH

LYMAN M. HORNE and)
 MYRTLE S. HORNE, his wife,)
)
 Plaintiffs,)
)
 vs.)
)
 GEORGE LAMONT RICHARDS and)
 EDNA FAE RICHARDS,)
)
 Defendants.)

JUDGMENT AND DECREE
 Civil No. 134714

The above entitled matter came on before the Hon. A. H. Ellett, one of the judges of the above entitled court, for hearing on the 15th day of January, 1964, each of the parties having been represented by counsel, and the matter having been argued and evidence submitted and thereafter the parties having entered into a stipulation of compromise and settlement, and the Court being fully advised in the premises, and based upon the arguments of counsel and stipulation of compromise and settlement agreement entered into by and between them, does hereby ORDER, ADJUDGE and DECREE as follows:

1. That for purposes of this action and as between the parties hereto Lot 17, Block 1, Valley Vista Subdivision, a subdivision of part of Lots 1, 3, 4, 19 and 20, Block 26, Five Acre Plat "C", Big Field Survey, and part of the Southeast Quarter of the Southwest Quarter of Section 10, Township 1 South, Range 1 East, Salt Lake Base and Meridian, does include and incorporate the following described property located in Salt Lake County, State of Utah:

Commencing at the Southwesterly corner of Lot 6 in Block 1, Valley Vista, a subdivision, as above

described, and running thence North 55°30' East 250 feet, thence South 32°54'27" East 19.94 feet, more or less, to the North corner of Lot 5 in aforesaid Block 1, Valley Vista; thence South 55°30' West 251.01 feet, more or less, to Laird Way; thence Northwesterly along the East line of Laird Way 20 feet, more or less, to place of beginning.

2. Title to the property described in paragraph 1 is hereby and herewith quieted in defendants, George Lamont Richards and Edna Fae Richards, his wife, as joint tenants, with full rights of survivorship, subject to a slight encroachment along the foregoing portion of Lot 17 specifically described by metes and bounds in paragraph 1 and hereinafter referred to as "the 20 foot strip." Said encroachment consists of an existing retaining wall along the north side of said strip at a point near the front of the house located on Lot 6.

3. The 20 foot strip is further subject to a right of way in favor of plaintiffs over that portion of the said 20 foot strip extending from Laird Way to a point approximately 25 feet East of the East pillar of the double gate through a boundary wall leading to the back yard of said Lot 6, which point is marked by the second pillar in said wall East of said double gate, and which right of way is subject to the following conditions:

(a) The right of way shall pertain only to Lyman N. Horne and Myrtle S. Horne, his wife, their immediate family and guests and visitors of said parties.

(b) Parking on said right of way shall be limited to stops for temporary and expeditious loading and unloading of vehicles and in no case shall parking thereon block the rights

of ingress and egress of any other party entitled to use said 20 foot strip.

(c) The plaintiffs, their immediate family and their guests and visitors shall only park in the backyard of Lot 6 for temporary and expeditious loading and unloading. Plaintiffs agree not to construct or permit the construction of any garage or carport in said rear yard of Lot 6.

(d) The plaintiffs shall bear proportionately, with defendants and the owners of Lot 5, the cost of maintenance and upkeep of the said right of way described herein.

(e) At such time as both Lyman M. Horne and Myrtle S. Horne cease to reside in the residence located in Lot 6, the right of way granted herein shall automatically terminate. The right to use said 20 foot strip discussed herein are personal rights of plaintiffs and are not and shall not be considered appurtenant to the land or the said Lot 6.

4. The defendants have erected two small walls upon the 20 foot strip which block the entrance in the wall constructed by plaintiffs along the property line between Lot 6 and the 20 foot strip. The plaintiffs may, at their own expense, remove the two walls constructed by defendants as aforesaid. All other portions of the presently existing boundary wall extending from Laird Way to the rear property line of Lot 6 along the said boundary shall remain as presently constructed.

5. The parties hereto shall bear their own costs and attorneys' fees

Dated this 7th day of February, 1964.

ATTEST: Alvin Keddington,
Clerk
(SEAL) by Daniel G. Dix,
Deputy Clerk
FILED APR 7 1964

A. H. ELLETT

JUDGE

STATE OF UTAH
COUNTY OF SALT LAKE

ss.

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I, Alvin Keddington, Clerk in and for the County of Salt Lake and Ex-Officio Clerk of the District Court of the Third Judicial District in and for Salt Lake County, State of Utah, do hereby certify that the foregoing is a full, true and correct copy of the original. JUDGMENT AND DECREE

LYMAN M. HORNE and
MYRTLE S. HORNE, his wife,

Plaintiffs

-vs-

134714

GEORGE LAMONT RICHARDS and
EDNA FAE RICHARDS,

Defendants

as appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my official seal, this 29th
day of April, A. D. 19 64

ALVIN KEDDINGTON Clerk

By Jacob W. [Signature] Deputy Clerk