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**FILED**

AUG 26 2010

4TH DISTRICT  
STATE OF UTAH  
UTAH COUNTY

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Attorneys for Plaintiff

ENT 93113:2010 PG 1 of 5  
RODNEY D. CAMPBELL  
UTAH COUNTY RECORDER  
2010 Oct 28 9:25 am FEE 18.00 BY ED  
RECORDED FOR VAN COTT BAGLEY CORNWAL

IN THE FOURTH DISTRICT COURT IN AND FOR  
UTAH COUNTY, STATE OF UTAH

UTAH DEPARTMENT OF  
TRANSPORTATION,

Plaintiff,

vs.

MCDONALD'S REAL ESTATE COMPANY,  
a Delaware corporation; ROSSCO, INC., a Utah  
corporation; STATIONS WEST - SARATOGA,  
LLC, an Ohio limited liability company,

Defendants.

**FINAL JUDGMENT OF  
CONDEMNATION  
(entered upon stipulation)**

Project No. F-0068(45)33  
Parcel No. 52  
Affecting Tax Id. No. 66-170-0003

Civil No. 100400835

Judge Lynn W. Davis

The Court, having reviewed the Stipulation and Motion for Final Judgment of  
Condemnation executed by Plaintiff Utah Department of Transportation ("UDOT") and  
Defendant McDonald's Real Estate Company ("McDonald's"), and being fully advised in the  
premises and for good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the parcels of land hereinafter described at Paragraph 5 ("Subject Property") are hereby condemned and acquired by UDOT for highway purposes.
2. That the purpose of said condemnation is a public use authorized by law.
3. That the full amount of just compensation owed to Defendant McDonald's for the Property acquired, for any and all damages as may be recoverable by law by reason of UDOT's acquisition of the Property, including all claims existing prior to the date hereof for damages of any nature arising out of the construction of the highway project for which the Property is being acquired, and for any and all other claims arising out of this action, including interest, attorney fees and costs, is \$10,694. Said amount includes \$2,756 for landscaping impacts resulting from the highway project described in UDOT's Complaint.
4. That the interests of Defendants Stations West - Saratoga Springs, LLC and Rossco, Inc. in the Property are nominal, no just compensation is due Stations West - Saratoga Springs, LLC or Rossco, Inc. and their rights and interests in the Subject Property, if any, shall vest in Plaintiff, Utah Department of Transportation.
5. That a copy of this Final Judgment of Condemnation shall be filed with the County Recorder of Utah County, State of Utah, and thereupon the rights and interests of Defendant Bank of American Fork in and to the following described property, situated in Utah County, State of Utah, shall vest in the Plaintiff, Utah Department of Transportation, 4501 South 2700

West, Salt Lake City, Utah 84119:

**Parcel No. 0068:52**

A parcel of land in fee for the purpose of constructing thereon a roadway known as Project No. 0068, being part of an entire tract of property situate in the NW1/4NE1/4 of Section 14, T. 5 S., R. 1 W., S.L.B. & M., in Utah County Utah. The boundaries of said parcel of land are described as follows:

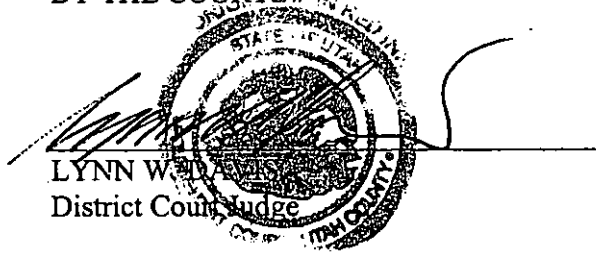
Beginning at a point on the south line of Lot 3, as shown on the Plat of Saratoga Town Center, File Number 11899, on file in the office of the Utah County Recorder, Utah, which point is 449.42 ft. perpendicularly distant easterly from the centerline of said Project No. 0068, opposite Engineer Station 607+31.98, said point also being 445.00 ft. N. 89°51'45" E. along the North line of said NE1/4 of Section 14 and 1,320.17 ft. S. 00°08'15" E. from the North Quarter corner of said Section 14; and running thence N. 00°32'14" E., 5.49 ft.; thence S. 89°27'46" E., 80.30 ft.; thence S. 00°32'14" W., 5.49 ft. to said south line of said Lot 3; which is 529.76 ft. perpendicularly distant easterly from the centerline of said project No. 0068, opposite Engineer Station 607+31.94; thence N. 89°27'46" W., along said south line, 80.30 ft. to the point of beginning.

The above described parcel of land contains 441 square feet in area or 0.010 acres, more or less.

(Note: All bearings and distances based upon the Utah State Plane Coordinate System of 1983 at ground, Utah Central Zone based upon Utah Department of Transportation Survey Control Sheets for Federal Aid Project STP-0068(42)26 SR-68 Redwood Road, Bangerter Hwy to Saratoga Springs Environmental Assessment Study dated February 8, 2008)

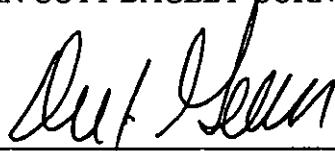
SO ORDERED this 26<sup>TH</sup> day of August, 2010.

BY THE COURT

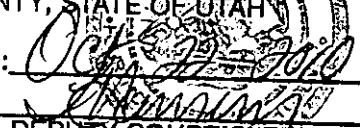
  
LYNN W. [unclear]  
District Court Judge

APPROVED AS TO FORM:

VAN COTT BAGLEY CORNWALL & McCARTHY DATE:



DALE F. GARDINER  
Attorneys for McDonald's Real Estate Co.

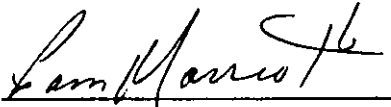
I CERTIFY THIS IS A TRUE COPY OF  
AN ORIGINAL DOCUMENT ON FILE IN THE  
FOURTH JUDICIAL DISTRICT COURT, UTAH  
COUNTY, STATE OF UTAH  
DATE: Oct 22 2010  
  
DEPUTY COURT CLERK

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing proposed FINAL  
JUDGMENT OF CONDEMNATION was mailed, first class postage prepaid, this 20<sup>th</sup>  
day of August, 2010, to:

Rosco, Inc.  
Robert C. Saparrar - Registered Agent  
8289 South 4300 West  
West Valley City, Utah 84088

Vincent C. Rampton  
Jones Waldo Holbrook & McDonough  
170 South Main Street, #1500  
Salt Lake City, Utah 84101  
*Attorneys for Defendant Station's West - Saratoga LLC*

  
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Legal Secretary