

IN THE THIRD DISTRICT COURT IN AND FOR SUMMIT COUNTY

STATE OF UTAH

STATE OF UTAH, by and through :
its ROAD COMMISSION, :
Plaintiff, : FINAL ORDER OF CONDEMNATION
Civil No. 3388
-vs- :
CHARLES M. WHEAT and EMMA E. : Project No. I-80-4(10)153
WHEAT, his wife, : Parcel No. 98B:E
Defendants. : Total Payment: \$58.68

It appearing to the court and the court now finds that heretofore, on the 20th day of December, 1966, 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 defendants, Charles M. Wheat and Emma E. Wheat, his wife, 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 parcel of land hereinafter described is hereby taken and condemned for easement rights 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.

BOOK M 10 PAGE 531

10-1990

Entry No.	Back M 10
RECORDED 4-17-67 at 11:00	Pages 531-532
REQUEST of Utah St. Dept. Hwys	
FEE \$ DH	WANDA Y. SPRIGGS SUMMIT CO. RECORDER
INDEXED	By Wanda Y. Spriggs
	ABSTRACT

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 Summit County, State of Utah, and thereupon the property interests hereinafter referred to and set forth shall vest for easement rights in the plaintiff. The following is a description of the property so ordered and condemned as hereinabove provided, which is hereby vested for easement rights in the plaintiff, all of such property being situated in Summit County, State of Utah, and is more particularly described as follows:

Parcel No. 80-4:98B:E

An easement upon part of an entire tract of property in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, T. 2 N., R. 5 E., S.L.M., in Summit County, Utah, for the purpose of constructing thereon an irrigation facility and appurtenant parts thereof incident to the construction of a freeway known as Project No. 80-4. Said part of entire tract of property is a parcel of land 10.0 ft. wide, 5.0 ft. on each side of the following described center line:

Beginning at a point 55.0 ft. perpendicularly distant easterly from the center line of the Park City Branch of the Union Pacific Railroad opposite Highway Engineers Station 886+70 of said project, which point of beginning is approximately 890 ft. north and 754 ft. west from the SE. corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence Northerly 285 ft., more or less, along a line parallel to said railroad center line to the southerly right of way line of an existing county road. The above described parcel of land contains 0.07 acre, more or less.

Dated this 21 day of March, 1967.

S/ Stewart M. Hanson
DISTRICT JUDGE

State of Utah, } This pleading was prepared by the Office of the Attorney
County of Summit }

General of the State of Utah,
I, Reed D. Pace, Clerk of the District Court in and for Summit
County, State of Utah, do hereby certify that the foregoing is a full,
true and correct copy of the Final Order of Condemnation
In the matter of the entitled # 3388 as the same appears
of record and upon file in my office.

Charles M. Pickett
CHARLES M. PICKETT
Assistant Attorney General

IN WITNESS WHEREOF I have here unto set my hand and affixed the seal of the State Capitol
of said Court this 27 day of March, 1967 Salt Lake City, Utah 84114

Reed D. Pace
Deputy Clerk
603 State Office Building
Salt Lake City, Utah

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