

3095372

RECORDED  
SALT LAKE COUNTY, UTAH  
FEB 20 1978

THIS INSTRUMENT CHECKED WITH

STEPHEN C. WARD  
Assistant Attorney General  
115 State Capitol  
Salt Lake City, Utah 84147  
Telephone: 533-6684

ADJUDGMENT   
SALARY   
BOND   
MORTGAGE   
LEASE   
POWER   
OTHER

DATE 2-8-78  
BY MLC

IN THE THIRD DISTRICT COURT IN AND FOR SALT LAKE COUNTY  
STATE OF UTAH

UTAH STATE ROAD COMMISSION,	:	
Plaintiff,	:	FINAL ORDER OF CONDEMNATION
-vs-	:	Civil No. 224820
LEON BROWN and LEONE BROWN,	:	Project No. I-80-3(5)116
his wife,	:	Parcels No. 7:A, 7:S,
Defendants.	:	7:2S and 7:R
	:	TOTAL PAYMENT: \$1,750,000.00
	:	528,500.00

It appearing to the Court and the Court now finds that heretofore, on the 21st day of February, 1978, this Court made and entered its Judgment on Stipulation 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, Leon Brown and Leone Brown, his wife, the defendant, Salt Lake Garfield and Western Railway Company having disclaimed any interest in the proceeds and settlement, 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 Parcels No. 7:A, 7:S, 7:2S

Recorded at Request of Utah Department of Transportation  
at 10:58 a.m. Fee Paid \$ 10.00  
Salt Lake County, Utah, By Wayne Maberry Recorder, APR 20 1978  
Date



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and 7:R 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.

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 Salt Lake County, State of Utah, and thereupon the property interests hereinafter referred to and set forth shall vest in fee simple title as to Parcels No. 7:A, 7:S, 7:2S and 7:R, 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 Parcels No. 7:A, 7:S, 7:2S and 7:R, in the plaintiff, all of such property being situated in Salt Lake County, State of Utah, and is more particularly described as follows:

Parcel No. 80-3:7:A

A parcel of land in fee for a freeway known as Project No. 80-3, being part of an entire tract of property, in Lots 2, 3 and 4 of Section 6, T. 1 S., R. 1 W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the NW corner of said Section 6; thence South 106.82 ft. along the west line of said Section 6; thence Southeasterly 2067.21 ft. along the arc of a 5759.58-foot radius curve to the right (Note: Tangent to said curve at its point of beginning bears S. 79°01'54" E.); thence S. 57°47'59" E. 200.79 ft.; thence S. 57°27'53" E. 328.82 ft.; thence S. 57°07'49" E. 100.52 ft.; thence Southeasterly 246.45 ft. along the arc of a 2894.79-foot radius curve to the right (Note: Tangent to said curve at its point of beginning bears S. 56°27'53" E.) to the south line of said Lot 2 of Section 6, which point is 5.32 ft. east from the SW corner of said Lot 2; thence East 1318.65 ft. along said south line to the SE corner of said Lot 2; thence North 154.02 ft. along the east line of said Lot 2 to a point on a 2774.79-foot radius curve to the right; thence northwesterly 1423.24 ft. along the arc of said curve (Note: Tangent to said curve at its point of beginning bears N. 89°34'56" W.); thence N. 63°29'56" W. 1276.14 ft.; thence N. 66°51'10" W. 612.94 ft. to the north line of said Section 6; thence West 902.32 ft. along said north line to the point of beginning. The above described parcel of land contains 28.29 acres, more or less.

ALSO:

A parcel of land being part of an entire tract of property, in Lots 3 and 4 of Section 5 and Lot 1 of Section 6, T. 1 S., R. 1 W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the NW corner of said Section 5; thence East 483.42 ft. along the north line of said Section 5; thence

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S. 28°00'58" E. 198.31 ft. to a point 90.0 ft. radially distant easterly from the centerline of L-Ramp of said project at Engineer Station 50+27.15; thence Southeasterly 1699.98 ft. along the arc of a 2201.83-foot radius curve to the left (Note: Tangent to said curve at its point of beginning bears S. 29°35'56" E.); thence S. 80°31'57" E. 686.68 ft. to the south line of said Lot 3; thence West 2565.47 ft. along the south line of Lots 3 and 4 to the SW corner of said Lot 4; thence S. 89°57'36" W. 334.00 ft.; thence N. 0°26'05" E. 663.82 ft.; thence N. 89°57'36" E. 334.00 ft. to the west line of said Section 5; thence North 653.01 ft. along said west line to the point of beginning. The above described parcel of land contains 37.93 acres.

ALSO:

A parcel of land, being part of an entire tract of property, in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 31 and in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 32, T. 1 N., R. 1 W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the SE corner of said Section 31; thence West 168.88 ft. along the south line of said Section 31; thence N. 5°42'20" E. 192.68 ft.; thence N. 0°11'12" W. 358.82 ft., more or less, to the southerly right of way line of the existing highway known as Project No. FI-120 (13); thence N. 89°58' E. 295.64 ft. along said southerly right of way line; thence N. 89°22' E. 138.35 ft. continuing along said southerly right of way line to a point 90.0 ft. radially distant easterly from the centerline of L-Ramp of said project; thence Southerly 590.50 ft., more or less, along the arc of a 2774.80-foot radius curve to the left to the south line of said Section 32 (Note: Tangent to said curve at its point of beginning bears S. 13°46'24" E.); thence West 483.42 ft. along said south line to the point of beginning. The above described parcel of land contains 6.66 acres, more or less. The above three parcels of land contains a total of 72.88 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 freeway, including, without limiting the foregoing, all rights of ingress to or egress from said remaining portion, contiguous to the land hereby conveyed, to or from said freeway.

Parcel No. 80-3:7:S

A parcel of land in fee, situate in Lots 2, 3 and 4 of Section 6, T. 1 S., R. 1 W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the intersection of the northeasterly right of way and no-access line of a highway known as Project No. 80-3 and the north line of said Section 6, which point is approximately 902.32 ft. east along said north line from the NW corner of said Section 6; thence S. 66°51'10" E. 612.94 ft.; thence S. 63°29'56" E. 1276.14 ft.; thence Southeasterly 1423.25 ft. along the arc of a 2774.79-foot radius curve to the left, to the east line of said Lot 2 (Note: Tangent to said curve at its point of beginning bears S. 60°11'39" E.); thence Northerly 1167.60 ft. along the east line of said Lot 2 to the north line of said Section 6; thence West 3072.56 ft., more or less, to the point of beginning. The above described parcel of land contains 48.07 acres, more or less.

ALSO:

A parcel of land in fee, situate in the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 31, T. 1 N., R. 1 W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

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Beginning in the south line of said Section 31 at a point 168.88 ft. west from the SE corner of said Section 31; thence West 2471.12 ft., more or less, along said section line to the west line of the SE $\frac{1}{4}$  of said Section 31; thence North 541.23 ft., more or less, to the south right of way line of the existing highway known as Project No. FI-120(13); thence N. 89°58' E. 1319.94 ft. to a point which is 1320 ft. west and 600.4 ft. N. 0°03' E. from the SE corner of said Section 31; thence N. 89°58' E. 1169.16 ft., more or less, to the westerly right of way and no-access line of a highway known as Project No. 80-3; thence S. 0°11'12" E. 358.82 ft.; thence S. 5°42'20" W. 192.68 ft. to the point of beginning. The above described parcel of land contains 31.16 acres, more or less.

ALSO:

A parcel of land in fee, situate in the S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 32, T. 1 N., R. 1 W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the intersection of the easterly right of way and no-access line of a highway known as Project No. 80-3 and the south line of said Section 32, which point is approximately 483.42 ft. east from the SW corner of said Section 32; thence East 1536.58 ft., more or less, along said south line; thence N. 10°09'04" W. 586.35 ft., more or less, to the southerly right of way line of the existing highway known as Project No. FI-120(13); thence S. 89°22' W. 1633.65 ft., more or less, along said southerly right of way line to the easterly right of way and no-access line of a highway known as Project No. 80-3; thence Southerly 590.50 ft., more or less, along the arc of a 2774.80-foot radius curve to the left to the point of beginning (Note: Tangent to said curve at its point of beginning bears S. 13°46'24" E.). The above described parcel of land contains 20.47 acres, more or less.

ALSO:

A parcel of land in fee, situate in Lots 2, 3 and 4 of Section 5, T. 1 S., R. 1 W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning in the north line of said Section 5 at a point approximately 483.42 ft. east from the NW corner of said Section 5; thence East 836.58 ft. along said north line to the east line of said Lot 4; thence South 66 ft. to the south right of way line of the Salt Lake Garfield and Western Railway; thence East 940 ft. more or less, along said south right of way line to the easterly boundary line of an entire tract of property; thence Southeasterly 1340.44 ft., more or less, along said easterly boundary line to the south line of said Lot 2; thence West 204.57 ft. along said south line; thence N. 80°31'57" W. 686.68 ft.; thence Northwesterly 1699.98 ft. along the arc of a 2201.83-foot radius curve to the right to the point of beginning (Note: Tangent to said curve at its point of beginning bears N. 73°54'08" W.). The above described parcel of land contains 41.16 acres, more or less.

The above four parcels of land contains a total of 140.86 acres, more or less.

Parcel No. 80-3:7:2S

A parcel of land in fee, being part of an entire tract of property, in the N $\frac{1}{2}$  of Lot 3 of Section 5, T. 1 S., R. 1 W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the NW corner of said Lot 3; thence Easterly 940 ft., more or less, along the north line of said Lot 3; thence

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South 66 ft. to a point on the south right of way line of the Salt Lake Garfield and Western Railway as described in that certain Warranty Deed recorded as Entry No. 1541729 in Book 1418 at Page 389 in the office of the Salt Lake County Recorder, Utah; thence Westerly 940 ft., more or less, along a straight line; thence North 66 ft. to the point of beginning. The above described parcel of land contains 1.42 acres, more or less.

Parcel No. 80-3:7:R

A perpetual right of way, upon part of an entire tract of property, in Lot 4, Lot 3 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 6, T. 1 S., R. 1 W., S.L.B.&M., in Salt Lake County, Utah, for the purpose of constructing thereon a Railroad and appurtenant parts thereof incident to the construction of a freeway known as Project No. 80-3.

Said part of an entire tract is described as follows:

Beginning in the west line of said Section 6 at a point approximately 106.82 ft. south from the NW corner of said Section 6; thence South 61.13 ft. along the west line of said Section 6 to a point on a 5699.58-foot radius curve to the right; thence Southeasterly 2034.02 ft. along the arc of said curve (Note: Tangent to said curve at its point of beginning bears S. 78°54'53" E.); thence S. 57°47'56" E. 199.74 ft.; thence S. 57°27'53" E. 328.82 ft.; thence S. 57°07'57" E. 99.48 ft. to a point on a 2834.79-foot radius curve to the right; thence Southeasterly 281.81 ft. along the arc of said curve to the east line of the NW $\frac{1}{4}$  of said Section 6 (Note: Tangent to said curve at its point of beginning bears S. 56°27'53" E.); thence North 72.38 ft. along said east line; thence East 5.33 ft. along the south line of Lot 2 of said Section 6; thence Northwesterly 246.45 ft. along the arc of a 2894.79-foot radius curve to the left. (Note: Tangent to said curve at its point of beginning bears N. 51°35'12" W.); thence N. 57°07'49" W. 100.52 ft.; thence N. 57°27'53" W. 328.82 ft.; thence N. 57°47'59" W. 200.79 ft.; thence Northwesterly 2067.21 ft. along the arc of a 5759.58-foot radius curve to the left, (Note: Tangent to said curve at its point of beginning bears N. 58°28'02" W.) to the point of beginning containing 4.05 acres, more or less.

After said railroad is constructed on the above described part of an entire tract at the expense of said Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said Railroad and appurtenant parts thereof.

Dated this 10 day of March, 1978.

BY THE COURT:

[Signature]  
DISTRICT JUDGE

ATTEST  
W. STERLING EVANS  
CLERK

BY [Signature]  
Deputy Clerk

COURT OF THE STATE OF UTAH  
SALT LAKE COUNTY  
I, W. STERLING EVANS, CLERK OF THE DISTRICT COURT OF SALT LAKE COUNTY, UTAH, DO HEREBY CERTIFY THAT THE ANNEXED AND FOREGOING IS A TRUE AND FAITHFUL COPY OF AN ORIGINAL DOCUMENT ON FILE IN MY OFFICE AS SUCH CLERK.  
WITNESS MY HAND AND SEAL OF SAID COURT  
THIS 10 DAY OF March, 19 78.  
W. STERLING EVANS, CLERK  
BY [Signature] DEPUTY

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