

8680447

FILED DISTRICT COURT  
Third Judicial District

MAY 27 2003

By *E. [Signature]*  
SALT LAKE COUNTY  
Deputy Clerk

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06/09/2003 11:05 AM NO FEE  
Book - 8913 Pg - 5293-5297  
GARY W. OTT  
RECORDER, SALT LAKE COUNTY, UTAH  
UT ST-DEPT OF TRANSPORTATION  
BOX 148440 ATT: J.R. PLUMHOF  
SLC UT 84114-8440  
BY: RDJ, DEPUTY - MA 5 p.

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

UTAH DEPARTMENT OF  
TRANSPORTATION,

Plaintiff,

vs.

HARRISON W. JUSTICE; NORA J. JUSTICE;  
and SPRINT SPECTRUM,

Defendants.

FINAL ORDER OF CONDEMNATION

Project No. SP-0067(1)0

Parcel Nos. 6D:A and 7B:A

Civil No. 020900623

Judge Timothy R. Hanson

It appearing to the Court and the Court now finds that pursuant to the law, the Plaintiff did pay the sum of \$10,500 to the Defendants Harrison W. Justice and Nora J. Justice; 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 cause 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,

I CERTIFY THAT THIS IS A TRUE COPY OF  
AN ORIGINAL DOCUMENT ON FILE IN THE  
THIRD DISTRICT COURT, SALT LAKE COUNTY,  
STATE OF UTAH.  
DATE: 5/27/2003  
*[Signature]*  
DEPUTY COURT CLERK

BK8813PG5293

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the parcels of land hereinafter described as hereby taken and condemned in fee simple title identified as Parcel Nos. 6D:A and 7B:A for the purpose described and set forth in the Plaintiff's Complaint, i.e., for the use of the Plaintiff, Utah Department of Transportation, 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 the Plaintiff, Utah Department of Transportation, 4501 South 2700 West, Salt Lake City, Utah 84119. The following is a description of the property condemned as hereinabove provided, which is hereby vested in the Plaintiff, all of such property being situated in Salt Lake County, State of Utah, and the interest acquired and property description is more particularly described as follows:

**Parcel No. 0067:6D:A**

A parcel of land in fee for a freeway known as Project No. 0067, being part of an entire tract of property, situate in Lot 8 of Section 10, T. 1 N., R. 1 W., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning in the westerly highway right of way and no-access line of the existing I-215 Freeway at a Northeast corner of said entire tract, which point is approximately 130.178 m (427.09 ft.) north (equals highway N 0°20'45" E) and 110.609 m (362.89 ft.) east (equals highway S 89°39'15" E) from the Southwest corner of said Section 10 as monumented with a county Brass Cap; and running thence Southerly 21.108 m (69.25 ft.) along said westerly

highway right of way and no-access line, along the arc of a 914.336 m (2,999.79 ft.) radius curve to the left (Note: Chord to said curve bears S 17°10'57" W (highway bearing) for a distance of 21.107 m (69.25 ft.)); thence S 16°31'18"W (highway bearing) 91.168 m (299.11 ft.) continuing along said westerly highway right of way and no-access line to a point opposite Engineer Station 6001+703.264; thence N 13°18'42" E (highway bearing) 115.848 m (380.08 ft.) to the northeasterly boundary line of said entire tract; thence S 46°43'45" E (highway bearing) 7.538 m (24.73 ft.), more or less, along said northeasterly boundary line to the point of beginning .

The above described parcel of land contains 366.3 square meters (0.091 acre), more or less.

Together with any and all water rights appurtenant to the above described parcel of land.

To enable the Utah Department of Transportation to construct and maintain a public highway as a freeway, as contemplated by Title 78, Chapter 34, Section 5, Utah Code Annotated, 1998, as amended, the Owners of said entire tract of property hereby release and relinquish to said Utah Department of Transportation any and all rights appurtenant to the remaining property of said Owners by reason of the location thereof with reference to said highway, including, without limiting the foregoing, all rights of ingress to or egress from said Owner's remaining property contiguous to the lands hereby conveyed to or from said highway.

**Parcel No. 0067:7B:A**

A parcel of land in fee for a freeway known as Project No. 0067, being part of an entire tract of property, situate in the Lot 8 of Section 10, T. 1 N., R. 1 W., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning in the westerly highway right of way and no-access line of the existing I-215 Freeway at the Northeast corner of said entire tract, which point is approximately 281.887 m (924.83 ft.) N 0°20'45" E (deed of record North) and 174.219 m (571.58 ft.) S 89°49'57" E (deed of record East) from the Southwest corner of said Section 10 as monumented with a county Brass Cap; and running thence Southerly 133.438 m (437.79 ft.) along said westerly highway right of way and no-access line, along the arc of a 914.347 m (2,999.83 ft.) radius curve to the left, to a point opposite Engineer Station 6001+845.027 (Note: Chord to said curve bears S 24°01'01" W for a distance of 133.319 m (437.40 ft.)); thence N 24°11'31" W 11.422 m (37.47 ft.); thence N 17°35'33" E 18.737 m (61.47 ft.); thence N 20°03'21" E 99.593 m (326.75 ft.), more or less, to the northerly boundary line of said entire tract; thence S 89°49'57" E (deed of record East)


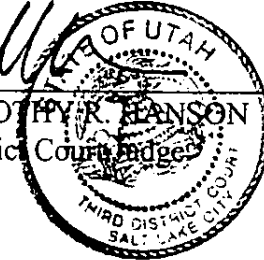
19.125 m (62.75 ft.), more or less, along said northerly boundary line to the point of beginning. The above described parcel of land contains 1,458.0 square meters (0.360 acre), more or less.

Together with any and all water rights appurtenant to the above described parcel of land.

To enable the Utah Department of Transportation to construct and maintain a public highway as a freeway, as contemplated by Title 27, Chapter 12, Section 96, Utah Code Annotated, 1953, as amended, the Owners of said entire tract of property hereby release and relinquish to said Utah Department of Transportation any and all rights appurtenant to the remaining property of said Owners by reason of the location thereof with reference to said highway, including, without limiting the foregoing, all rights of ingress to or egress from said Owner's remaining property contiguous to the lands hereby conveyed to or from said highway.

DATED this 27 day of May, 2003.

BY THE COURT:

  
TIMOTHY R. HANSON  
District Court Judge  


CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing FINAL ORDER OF CONDEMNATION was served by hand delivering the same this 16 day of May, 2003, to the following:

Harrison and Nora Justice  
2028 West 2670 North  
Salt Lake City, Utah 84116



Secretary