

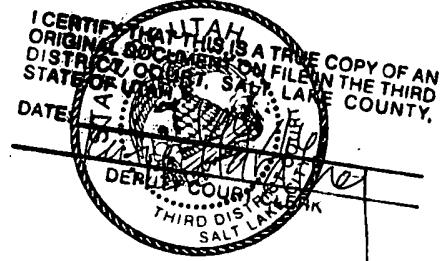
The Order of the Court is stated below:

Dated: January 11, 2016
08:55:51 AM

/s/ Ryan Harris
District Court Judge



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

UTAH DEPARTMENT OF TRANSPORTATION,
Plaintiff,

vs.

FRONTAGE 114TH, LLC, a Utah limited liability company; DRAPER CITY, a municipal corporation; SOUTH JORDAN CITY, a municipal corporation; SALT LAKE COUNTY, a political subdivision of the State of Utah,

Defendants.

FINAL JUDGMENT OF CONDEMNATION

Affecting Tax ID No.: 27-24-300-020

Civil No. 090920913

Judge Ryan Harris

The Court, having reviewed the Stipulation for Final Judgment of Condemnation entered into between UDOT and Frontage 114th, LLC, and being fully advised in the premises and for good cause appearing,

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GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
UTAH DEPARTMENT OF TRANSPORTAT
PO BOX 148420
SALT LAKE CITY UT 84114
BY: EEA, DEPUTY - WI 6 P.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. The interests of Frontage 114th, LLC, a Utah limited liability company, in the parcels of land hereinafter described in Paragraph No. 5 ("Subject Property") are hereby condemned and acquired by UDOT for highway purposes.

2. The purpose of said condemnation is a public use authorized by law and the Subject Property is necessary to that public use.

3. Pursuant to Utah Code § 78B-6-511, the Court finds that just compensation for the Subject Property for purposes of this condemnation proceeding is \$1,849,818.00.

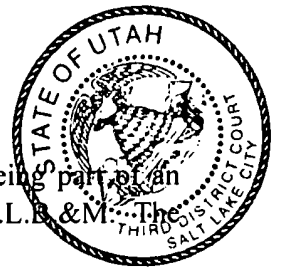
4. Pursuant to Utah Code § 78B-6-510(6)(d), since UDOT's deposit of \$3,278,210.10 was greater than the amount of just compensation finally awarded, UDOT is awarded judgment against Frontage 114th, LLC, in the sum of \$1,428,392.10, which amount shall not bear pre-judgment interest.

5. A copy of this Final Judgment of Condemnation shall be filed with the County Recorder of Salt Lake County, State of Utah, and thereupon the rights and interests of Defendant, Frontage 114th, LLC, in and to the following described property, situated in Salt Lake County, State of Utah, shall vest in the Plaintiff, Utah Department of Transportation, pursuant to Utah Code § 78B-6-516:

Tax ID No.: 27-24-300-020

Parcel No.15-7: 342

A parcel of land in fee for the construction of Project No. SP-15-7(156)293, being part of an entire tract of property situate in the NE1/4SW1/4 of Section 24, T.3S., R.1W., S.L.B. & M. The boundaries of said parcel of land are described as follows:



Beginning at the northeast corner of said entire tract, which point is 264.00 feet West along the quarter section line from the Center Quarter Corner of said Section 24 as monumented, said point also also 0.56 feet perpendicularly distant southerly from the design line of 11400 South Street of Project No. SP-15-7(156)293 opposite approximate engineer station 280+52.02; and running thence South 54.46 feet along the easterly boundary of said entire tract to a point 55.00 feet perpendicular distant southerly from said design line opposite approximate engineer station 280+53.59; thence N.88°20'53"W. 256.77 feet along a line parallel with said design line to a point on the easterly right of way line of the Union Pacific Railroad and the westerly boundary line of said entire tract, said point also being opposite approximate engineer station 277+96.82; thence N.5°19'06"E. 47.26 feet along said right of way line and westerly boundary line to the quarter section line and northwest corner of said entire tract; thence East 252.28 feet along said quarter section line and the northerly boundary line of said entire tract to the point of beginning. The above described parcel of land contains 12,925 square feet of which 8,376 square feet are now occupied by the existing highway. Balance is 4,549 square feet or 0.104 acre in area, more or less.

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

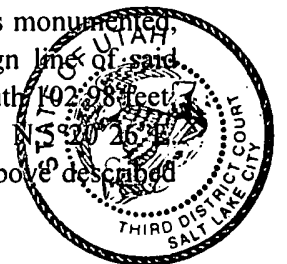
(Note: Rotate all bearings in the above description 00°13'49" clockwise to obtain highway bearings.)

Parcel No.15-7: 342:E

A perpetual slope and drainage easement upon part of an entire tract of property situate in the NE1/4SW1/4 of Section 24, T.3S., R.1W., S.L.B.&M. in Salt Lake County, for the purpose of constructing cut and/or fill slopes, drainage facilities, and appurtenant parts thereof incident to the construction of Project No. SP-15-7(156)293.

The easement includes the right to maintain and continue the existence of said cut and/or fill slopes in the same grade and slope ratio as constructed by UDOT. The easement includes and conveys all rights of the servient estate owner to change the vertical distance or grade of said cut and/or fill slopes. The boundaries of said part of an entire tract are described as follows:

Beginning at a point on easterly boundary line of said entire tract, which point is 264.00 feet West and 54.46 feet South from the Center Quarter Corner of said Section 24, as monumented, which point is also 55.00 feet perpendicularly distant southerly from the design line of said project, opposite approximate engineer station 280+53.59; and running thence South 102.98 feet; thence S.88°11'45"W. 129.68 feet; thence N.86°54'03"W. 107.29 feet; thence N.5°20'26"E. 108.27 feet; thence S. 88°20'53" E. 226.77 feet to the point of beginning. The above described



part of an entire tract of land contains 25,036 square feet or 0.575 acre in area, more or less.

(Note: Rotate all bearings in the above description 00°13'49" clockwise to obtain highway bearings.)

After said roadway improvements, side treatments and appurtenant parts thereof and blending slopes are constructed on the above described part of an entire tract at the expense of the 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 facilities and appurtenant parts thereof.

After said drainage facility is constructed on the above described part of an entire tract at the expense of the 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 drainage facility and appurtenant parts thereof.

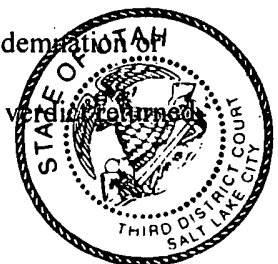
Parcel No.15-7: 342:Z

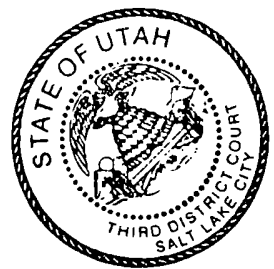
A parcel of land in fee for the purpose of reconstructing the Union Pacific Railroad and UTA FrontRunner in conjunction with Project No. SP-15-7-(156)293, being part of an entire tract of property situate in the NE1/4SW1/4 of Section 24, T. 3 S., R. 1 W., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at a point on the easterly right of way line of the Union Pacific Railroad, also being a point on the westerly boundary line of entire tract which point is 520.66 feet West and 47.06 feet South from the Center of said Section 24, Township 3 South, Range 1 West, Salt Lake Base and Meridian, said point is 55.00 feet perpendicularly distant southerly from the design line of 11400 South Street of Project No. SP-15-7(156)293 opposite approximate Engineer Station 277+96.82; and running thence S. 88°20'53" E. 30.00 feet; thence S. 5°20'26" W. 1111.91 feet to southerly boundary line of said entire tract; thence West 29.64 feet along said boundary line to the easterly right of way line of the Union Pacific Railroad; thence N. 5°19'06" E. along said easterly right of way line 1112.73 feet to the point of beginning. The above described parcel of land contains 33,063 square feet in area or 0.759 acres, more or less.

(Note: Rotate above bearings 00°13'49" clockwise to equal highway bearings)

6. Pursuant to the stipulation of the parties, this is a full and final resolution of this matter and the the parties have agreed to forgo an appeal of this Final Judgment of Condemnation of any other order or judgment entered herein, including but not limited to the jury verdict returned herein on December 18, 2015.





7. Each party is to bear their own attorney fees and costs herein.

**ENTERED BY THE COURT EFFECTIVE AS OF THE DATE THE
COURT'S STAMP IS AFFIXED TO THE FIRST PAGE OF THIS DOCUMENT**

APPROVED AS TO FORM:

/s/ Robert E. Mansfield
ROBERT E. MANSFIELD
STEVEN J. JOFFEE
ANDREW V. COLLINS
Attorneys for Frontage 114th, LLC
(Electronic signature added with
permission via telephone call.)

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: 1/11/2016
[Signature]
DEPUTY COURT CLERK
THIRD DISTRICT COURT
SALT LAKE CITY

