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FILED AND PRINTED IN THE  
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IN THE SECOND JUDICIAL DISTRICT COURT  
COUNTY OF WEBER  
STATE OF UTAH

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PARTNERSHIP EIGHT, a Utah  
Limited Partnership,

ORDER

Plaintiff,

v.

MURIEL O. CLARK, Trustee,  
COSEC & COMPANY, LEONARD W.  
BARKER, OLIVER J. LARSON,  
REBECCA RUSACK, GEOFFREY C.  
RUSACK, JANICE RUSACK,  
Trustees, L.W. BARKER FAMILY  
LIMITED PARTNERSHIP, FIRST  
SECURITY BANK, Trustee,  
JACK A. RICHARDS, GLEN S.  
and JANE V. JEPSON, JOHN  
DOES 1 through 5, and DOES  
CORPORATION 1 through 5,

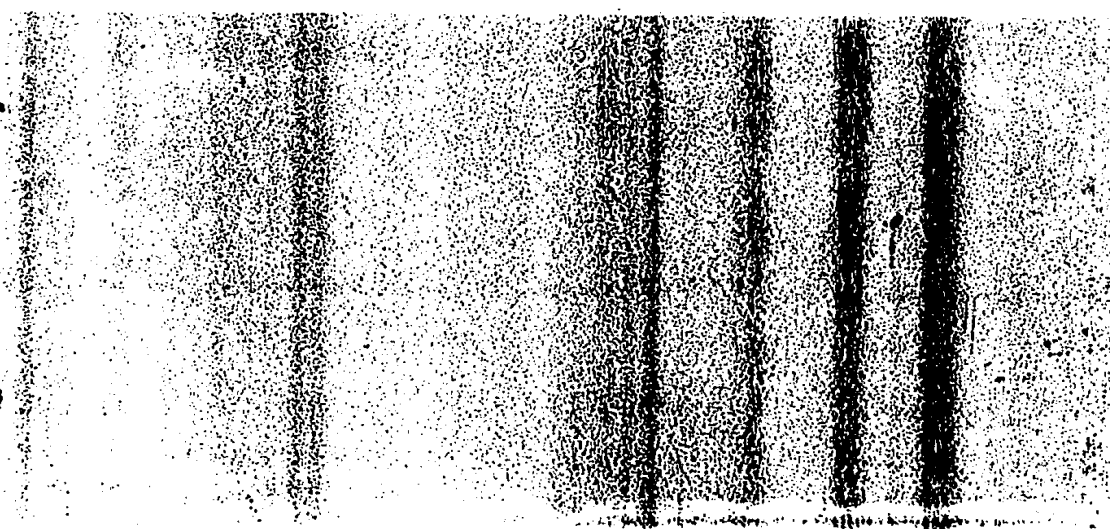
Civil No. 99211

Defendants.

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The Stipulation and settlement between Plaintiff,  
Partnership 8 and Defendant, Zions First National Bank  
having been presented to the Court, and the Court having  
reviewed and approved of the same, and the Court having  
heretofore entered its Default Judgment to Quiet Title to  
the property which is the subject of this Order as against

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Defendants Leonard W. Barker, Oliver J. Larson, L.W. Barker Family Limited Partnership, First Security Bank, Glen S. and Jane V. Jeppson; and also all other persons unknown, and the Court having reviewed the pleadings and papers on file herein, and being fully advised in the premises and for good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. Zions First National Bank has no interest, by way of easement or otherwise, in the following described property:

pt 01-010-0035-REF. ONLY  
Beginning at a point 95 feet South and 132 feet East from the Northwest corner of Lot 5, Block 12, Plat "A", Ogden City Survey, and running thence East 12 feet; thence North 85 feet; thence West 12 feet; thence South 85 feet to the place of beginning.

2. Zions First National Bank and its successors and assigns have and shall have a non-exclusive perpetual easement and right-of-way on, over, through, and across each of the properties described below in this paragraph for purposes of necessary and/or convenient access, ingress, egress and for all other purposes. These easements are more particularly described as follows:

- 01-010-0046~~8~~ SUBJECT TO AND TOGETHER  
- 01-010-0047~~8~~ WITH R-O-W  
- 01-010-0048~~8~~  
A part of Lots 8 and 9, Block 12, Plat "A" of Ogden City Survey, beginning at a point 6 feet East of the Northwest corner of said Lot 9 and running thence South 300 feet, thence East 6 feet, thence South 30 feet, to the South line of said Lot 9, thence West 18 feet, thence North 330 feet to the North line of said Lot 8, thence East 12 feet to the place of beginning.

- 01-010-0046 TOGETHER WITH R.O.W  
- 01-010-0045 TOGETHER WITH R.O.W  
- 01-010-0037 TOGETHER WITH R.O.W

01-010-0035X-ABS ONLY

Beginning at a point 10 feet South and 132 feet East from the Northwest corner of Lot 5, Block 12, Plat "A", Ogden City Survey and running thence East 252 feet, more or less, to a point 12 feet West of the East line of Lot 3, Block 12, thence South 85 feet; thence East 12 feet; thence North 95 feet; thence West 264 feet, more or less to a point North of the place of beginning; thence South 10 feet to the place of beginning.

01-010-0036X-ABS ONLY

Beginning at a point 95 feet South of the Northwest corner of Lot 5, Block 12, and running thence East 396 feet, more or less, to the East line of Lot 3, Block 12; thence South 15 feet; thence West 396 feet, more or less, to the East line of Washington Avenue; thence North 15 feet to the place of beginning.

All other express, implied and/or prescriptive easements and rights-of-way pertaining or relating to any or all of the properties described in paragraph 3 below.

3. Each of the foregoing easements in favor of Zions First National Bank and its successors and assigns shall be for the use, benefit and enjoyment of each of the following described parcels of real property and shall run with the land:

PARCEL 1

01-010-0037 - REF ONLY

Part of Lots 6 and 7, Block 12, Plat "A", OGDEN CITY SURVEY: Beginning at a point 4 rods North of the Southwest corner of Lot 6, Block 12, Plat "A", Ogden City Survey and running thence South 66 feet; thence East 264 feet; thence North 66 feet; thence West 264 feet to the point of beginning.

ALSO: Part of Lot 7, Block 12, Plat "A", OGDEN CITY SURVEY: Beginning at a point 4 rods North and 18 feet 3 inches East of the Southwest corner of said Lot 7, said point being on the East wall of J.E. Browning Building now located

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thereon and running thence East 113 feet 9 inches, more or less, to the East line of said Lot; thence North 4 feet; thence West 113 feet 9 inches, more or less, to the said wall; thence South along said wall 4 feet to the point of beginning.

PARCEL II

01-010-0045 X REF. ONLY

Part of Lot 8, Block 12, Plat "A", OGDEN CITY SURVEY: Beginning at a point 260 feet South from the Northwest corner of said Lot 8; running thence South 70 feet; thence East 70 feet; thence North 70 feet; thence West 70 feet to the point of beginning.

PARCEL III

01-010-0046 X REF ONLY

Part of Lot 8, Block 12, Plat "A", OGDEN CITY SURVEY: Beginning at a point 187 feet South from the Northeast corner of said Lot 8, running thence South 143 feet; thence West 62 feet; thence North 143 feet; thence East 62 feet to the place of beginning.

PARCEL IV

01-010-0020 X REF. ONLY

Part of Lot 3, Block 12, Plat "A", OGDEN CITY SURVEY: Beginning at a point 95 feet South and 264 feet East from the Northwest corner of Lot 5, Block 12, and running thence East 40 feet; thence North 85 feet; thence West 40 feet; thence South 85 feet to the place of beginning.

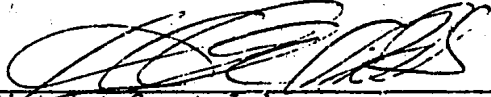
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4. The above-entitled action is hereby dismissed as to Zions First National Bank as it pertains to the properties described in paragraphs 1, 2 and 3 above, the claims of all parties having been fully satisfied and settled by virtue of this Order.

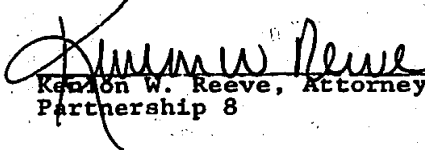
# 99211

DATED this 25 day of May, 1989.


BY THE COURT:

  
District Court Judge

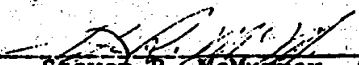
APPROVED AS TO FORM:

  
Kameron W. Reeve, Attorney for  
Partnership 8

STATE OF UTAH  
COUNTY OF WEBER

NOTARIAL PUBLIC  
I Herby Certify That This is a True Copy  
Of The Original On file in my Office  
DATED this 25 day of May 1989  
BRANDON A. GARDNER  
CLERK OF THE COUNTY CLERK  
BY  DEPUTY

McMURRAY, McMURRAY, DALE & PARKINSON

By   
Steven R. McMurray, Attorneys  
for Zions First National Bank

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