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SLC UT 84111-1536  
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**FILED DISTRICT COURT**  
Third Judicial District

AUG 27 2008  
SALT LAKE COUNTY  
By [Signature]  
Deputy Clerk

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

UTAH DEPARTMENT OF  
TRANSPORTATION;

Plaintiff,

vs.

MACERICH SOUTH TOWNE  
PARTNERSHIP, a California Limited  
Partnership; LEHMAN BROTHERS  
HOLDING, INC., Beneficiary; MERRILL  
TITLE HOLDING COMPANY, INC.,  
Trustee, MCGRATH'S PUBLICK FISH  
HOUSE, INC., an Oregon Corporation,  
MIMIS CAFÉ, INC., a California  
Corporation,; JOHN DOES 1 - 20,

Defendants.

**FINAL JUDGMENT OF  
CONDEMNATION**  
(Entered Upon Stipulation)

Project No. SP-0089(88)313  
Parcel Nos. 13, 13:2, 13:3, 13:C, 13:2C,  
13:3C, 13:4C, 13:5C, 13:6C, 13:7C, 13:8C,  
13:9C, 13:10C, 13:E, 13:2E, 13:3E, 13:4E,  
13:5E, 13:6E, 13:7E, 13:8E, 13:9E, 13:10E,  
13:11E  
Tax ID Nos. 27-13-227-013-4002 and  
27-13-227-013-4001

Civil No. 060919026

Judge Glenn K. Iwasaki

The Court, having reviewed the Stipulation and Joint Motion for Final Judgment of  
Condemnation entered into by Plaintiff Utah Department of Transportation ("UDOT") and

Defendant Macerich South Towne Limited Partnership ("Macerich South Towne") and being fully advised in the matter, make the following Order:

**ORDER**

1. Parcels of land herein described are hereby condemned and acquired by UDOT for highway purposes.
2. The purpose of said condemnation is of public use authorized by law.
3. The Defendants are awarded judgment in the total amount of \$378,000 as just compensation, which includes all recoverable damages and any applicable interest, for the taking described in the Complaint.
4. A copy of this Final Judgment of Condemnation shall be filed with the County Recorder of Salt Lake County, State of Utah, and upon the rights and interests of Defendant in and to the following described property, situated in Salt Lake County, State of Utah shall vest in the Plaintiff Utah Department of Transportation, 4501 South 2700 West, Salt Lake City, Utah 84119:

**Parcel No. 0089:13**

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point on the West line of State Street (50.00 feet from monument line) North 89°50'56" East 41.33 feet and South 00°01'50" East 583.17 feet and South 00°50'43"

East 70.31 feet and South 00°01'50" East 53.16 feet and S. 00°01'50" E. 36.74 feet and S. 89°58'10" W. 6.50 feet and S. 00°01'50" E. 1317.26 feet from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South 00°01'50" East 2599.11 feet along the State Street monument line between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Northeast Corner of Section 13 being South 89°53'20" West 92.33 feet from the monument marking the intersection of State Street and 10200 South, said point of beginning is 56.50 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 89+19.93, and running thence S. 00°01'50" E. 444.47 feet along the westerly right of way line of said highway parallel with and 56.50 feet perpendicularly distant westerly from the said control line; thence S. 89°58'10" W. 6.50 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence S. 00°01'43" E. 10.82 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence S. 45°11'14" W. 28.39 feet to the existing northerly right of way line of 10600 South Street at a point 62.50 feet perpendicularly distant northerly from the centerline of said 10600 South Street opposite engineer station 316+13.78, thence N. 89°35'00" W. 5.43 feet along said northerly right of way line to a point 62.50 feet radially distant northerly from said centerline, which point is the beginning of a 7610.00-foot radius tangent curve to the right; thence westerly 4.24 feet along the arc of said curve (Note: Chord to said curve bears N. 89°34'03" W. for a distance of 4.22 feet) to a point of non-tangency, which point is 62.50 feet radially distant northerly from said centerline; thence N. 45°11'14" E. 39.88 feet to a point 64.50 feet perpendicularly distant westerly from the control line of said highway opposite engineer station 84+72.81, thence N. 00°01'50" W. 409.52 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence N. 02°15'36" E. 37.53 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence N. 89°01'10" E. 6.50 feet to the point of beginning. The above described parcel of land contains 3775 square feet in area or 0.087 acres, more or less.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings.)

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

**Parcel No. 0089:13:2**

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property,

situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point on the West line of State Street (50.00 feet from monument line) North  $89^{\circ}50'56''$  East 41.33 feet and South  $00^{\circ}01'50''$  East 583.17 feet and South  $00^{\circ}50'43''$  East 70.31 feet and South  $00^{\circ}01'50''$  East 53.16 feet and S.  $00^{\circ}01'50''$  E. 36.74 feet and S.  $89^{\circ}58'10''$  W. 6.50 feet and S.  $00^{\circ}01'50''$  E. 647.23 feet from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South  $00^{\circ}01'50''$  East 2599.11 feet along the State Street monument line between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Northeast Corner of Section 13 being South  $89^{\circ}53'20''$  West 92.33 feet from the monument marking the intersection of State Street and 10200 South, said point of beginning is 56.50 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 95+90.03, and running thence S.  $00^{\circ}01'50''$  E. 595.75 feet along the westerly right of way line of said existing highway parallel with and 56.50 feet perpendicularly distant westerly from said control line; thence S.  $89^{\circ}30'10''$  W. 6.50 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence N.  $00^{\circ}01'50''$  W. 118.93 feet along a line parallel with and 63.00 feet perpendicularly distant westerly from said control line; thence West 6.50 feet to a point 69.50 feet perpendicularly distant westerly from said control line; thence N.  $00^{\circ}01'50''$  W. 113.38 feet along a line parallel with and 69.50 feet perpendicularly distant westerly from said control line; thence N.  $02^{\circ}40'57''$  E 147.89 feet to a point 62.50 feet perpendicularly distant westerly from said control line; thence N.  $00^{\circ}01'50''$  W. 202.48 feet along a line parallel with and 62.50 feet perpendicularly distant westerly from said control line; thence N.  $45^{\circ}00'25''$  W. 33.96 feet to a point 86.50 feet perpendicularly distant westerly from said control line; thence N  $00^{\circ}01'50''$  W. 7.34 feet along a line parallel with and 86.50 feet perpendicularly distant westerly from said control line; thence S.  $89^{\circ}59'00''$  E. 6.00 feet to the beginning of a 25.00-foot radius tangent curve to the right at a point 80.50 feet perpendicularly distant westerly from said control line; thence southeasterly 32.23 feet along the arc of said curve through a delta of  $73^{\circ}51'31''$  (Note: Chord to said curve bears S.  $53^{\circ}03'14''$  E. for a distance of 30.04 feet) to the point of beginning. The above described parcel of land contains 5402 square feet in area or 0.124 acres, more or less.

(Note: Rotate all bearings in the above description  $0^{\circ}14'33''$  clockwise to match highway bearings.)

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

**Parcel No. 0089:13:3**

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 and the NW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point on the West line of State Street (50.00 feet from monument line) North  $89^{\circ}50'56''$  East 41.33 feet and South  $00^{\circ}01'50''$  East 583.17 feet and South  $00^{\circ}50'43''$  East 70.31 feet and South  $00^{\circ}01'50''$  East 53.16 feet from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian (Basis of bearing being South  $00^{\circ}01'50''$  East 2599.11 feet along the State Street monument line between the monuments found marking the intersections of 10600 South and 10200 South Streets), said Northeast Corner of Section 13 being South  $89^{\circ}53'20''$  West 92.33 feet from the monument marking the intersection of State Street and 10200 South, said point of beginning is 50.00 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 102+73.82, and running thence S.  $00^{\circ}01'50''$  E. 36.63 feet along the westerly right of way line of said existing highway parallel with and 50.00 feet perpendicularly distant westerly from said control line; thence S.  $89^{\circ}58'10''$  W. 6.50 feet to a point 56.50 feet perpendicularly distant westerly from said control line; thence S.  $00^{\circ}01'50''$  E. 555.16 feet along said westerly right of way line parallel with and 56.50 feet perpendicularly distant westerly from said control line to the beginning of a 25.00-foot radius non-tangent curve to the right (Note: Radius bears N.  $73^{\circ}46'06''$  W.); thence southwesterly 32.19 feet along the arc of said curve through a delta of  $73^{\circ}47'06''$  (Note: Chord to said curve bears S.  $53^{\circ}07'27''$  W. for a distance of 30.02 feet) to a point of tangency, said point is 80.52 feet perpendicularly distant westerly from said control line; thence N.  $89^{\circ}59'00''$  W. 5.98 feet to a point 86.50 feet perpendicularly distant westerly from said control line; thence N.  $00^{\circ}01'50''$  W. 10.35 feet along a line parallel with and 86.50 feet perpendicularly distant westerly from said control line; thence N.  $44^{\circ}31'19''$  E. 34.21 feet to a point 62.50 feet perpendicularly distant westerly from said control line; thence N.  $00^{\circ}01'50''$  W. 538.43 feet along a line parallel with and 62.50 feet perpendicularly distant westerly from said control line; thence S.  $89^{\circ}58'10''$  W. 0.50 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence N.  $00^{\circ}01'50''$  W. 28.62 feet along a line parallel with and 63.00 feet perpendicularly distant westerly from said control line to the northerly boundary line of said entire tract at the beginning of a 25.00-foot radius non-tangent curve to the left (Note: Radius bears N.  $13^{\circ}52'57''$  W.); thence northeasterly 15.52 feet along the arc of said curve through a delta of  $35^{\circ}33'39''$  (Note: Chord to said curve bears N.  $58^{\circ}20'14''$  E. for a distance of

15.27 feet) to the point of beginning. The above described parcel of land contains 4278 square feet in area or 0.098 acres, more or less.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings.)

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

**Parcel No. 0089:13:C**

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point 68.59 feet radially distant northerly from the centerline of 10600 South Street opposite engineer station 316+02.65, which point is 2529.98 feet S. 00°54'28" E. along the section line and 39.60 feet East from the Northwest Corner of said Section 18, said point is also the beginning of a 7603.91-foot radius non-tangent curve to the left, and running thence easterly 5.64 feet along the arc of said curve through a delta of 00°02'33" (Note: Chord to said curve bears S. 89°33'43" E. for a distance of 5.64 feet) to a point 68.59 feet radially distant northerly from said centerline; thence S. 89°35'00" E. 1.82 feet to a point 68.59 feet perpendicularly distant northerly from said centerline; thence S. 45°11'14" W. 8.58 feet to the northerly right of way line of said 10600 South Street at the beginning of a 7610.00-foot radius non-tangent curve to the right, said point is 62.50 feet radially distant northerly from said centerline; thence westerly 2.51 feet along the arc of said curve through delta of 00°01'08" (Note: Chord to said curve bears N. 89°32'31" W. for a distance of 2.51 feet) to a point of non-tangency, said point is 62.50 feet radially distant northerly from said centerline; thence N. 10°31'51" E. 6.18 feet to the point of beginning. The above described parcel of land contains 30 square feet in area or 0.001 acres, more or less.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings.)

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

**Parcel No. 0089:13:2C**

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point 67.70 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 84+77.25, which point is 2503.53 feet S. 00°54'28" E. along the section line and 65.64 feet East from the Northwest Corner of said Section 18, and running thence N. 71°07'46" E. 3.39 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 5.54 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence S. 45°11'14" W. 4.51 feet to a point 67.70 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 7.62 feet along a line parallel with said control line to the point of beginning. The above described parcel of land contains 21 square feet in area, more or less.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings.)

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

**Parcel No. 0089:13:3C**

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point 66.69 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 85+83.55, which point is 2397.21 feet S. 00°54'28" E. along the section line and 64.92 feet East from the Northwest Corner of said Section 18, and running thence N. 15°28'24" E. 8.17 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 8.89 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence N. 65°12'28" W.

2.41 feet to the point of beginning. The above described parcel of land contains 10 square feet in area, more or less.

(Note: Rotate all bearings in the above description  $0^{\circ}14'33''$  clockwise to match highway bearings.)

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

**Parcel No. 0089:13:4C**

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point 66.69 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 86+17.52, which point is 2363.24 feet S.  $00^{\circ}54'28''$  E. along the section line and 64.06 feet East from the Northwest Corner of said Section 18, and running thence N.  $71^{\circ}14'13''$  E. 2.63 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence S.  $00^{\circ}01'50''$  E. 8.28 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence N.  $18^{\circ}33'24''$  W. 7.84 feet to the point of beginning. The above described parcel of land contains 10 square feet in area, more or less.

(Note: Rotate all bearings in the above description  $0^{\circ}14'33''$  clockwise to match highway bearings.)

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

**Parcel No. 0089:13:5C**

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:



Beginning at a point 69.71 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 88+79.16, which point is 2101.57 feet S. 00°54'28" E. along the section line and 57.06 feet East from the Northwest Corner of said Section 18, and running thence N. 18°19'01" E. 18.35 feet to a point 63.93 feet perpendicularly distant westerly from said control line; thence S. 02°15'36" W. 14.26 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 5.31 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence N. 67°38'09" W. 5.63 feet to the point of beginning. The above described parcel of land contains 50 square feet in area, more or less.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings.)

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

**Parcel No. 0089:13:6C**

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point 1946.74 feet S. 00°54'28" E. along the section line and 61.23 feet East from the Northwest Corner of said Section 18, said point is approximately 63.00 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 90+33.96, and running thence S. 89°58'10" W. 1.05 feet to the beginning of a 23.00-foot radius non-tangent curve to the left (Note: Radius bears S. 72°37'39" W.) at a point 64.05 feet perpendicularly distant westerly from said control line; thence northwesterly 27.26 feet along the arc of said curve through a delta of 67°54'13" (Note: Chord to said curve bears N. 51°19'27" W. for a distance of 25.69 feet) to a point 81.82 feet perpendicularly distant westerly from said control line; thence N. 84°46'58" W. 12.95 feet to a point 96.99 feet perpendicularly distant westerly from said control line; thence North 6.90 feet to a point 96.98 feet perpendicularly distant westerly from said control line; thence East 11.00 feet to the beginning of a 31.00-foot radius curve to the right at a point 85.98 feet perpendicularly distant westerly from said control line; thence southeasterly 25.90 feet along the arc of said curve through a delta of 47°51'58" (Note: Chord to said curve bears S. 66°04'01" E. for a distance of

25.15 feet) to a point of non-tangency, said point is 63.00 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 13.93 feet along a line parallel with said control line to the point of beginning. The above described parcel of land contains 304 square feet in area or 0.007 acres, more or less.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings.)

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

**Parcel No. 0089:13:7C**

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point 75.57 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 91+18.11, which point is 1862.59 feet S. 00°54'28" E. along the section line and 47.27 feet East from the Northwest Corner of said Section 18, and running thence N. 04°02'13" E. 37.41 feet to a point 72.92 feet perpendicularly distant westerly from said control line; thence N. 64°21'57" E. 3.79 feet to a point 69.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 38.95 feet along a line parallel with and 69.50 feet perpendicularly distant westerly from said control line; thence S. 89°58'10" W. 6.07 feet to the point of beginning. The above described parcel of land contains 180 square feet in area or 0.004 acres, more or less.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings.)

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

**Parcel No. 0089:13:8C**

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point 74.44 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 92+29.47, which point is 1751.21 feet S. 00°54'28" E. along the section line and 46.58 feet East from the Northwest Corner of said Section 18, and running thence N. 29°05'50" E. 11.42 feet to a point 68.89 feet perpendicularly distant westerly from said control line; thence S. 02°40'57" W. 12.99 feet to a point 69.50 feet perpendicularly distant westerly from said control line; thence N. 58°49'24" W. 5.78 feet to the point of beginning. The above described parcel of land contains 33 square feet in area or 0.001 acres, more or less.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings.)

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

**Parcel No. 0089:13:9C**

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point 1656.63 feet S. 00°54'28" E. along the section line and 42.28 feet East from the Northwest Corner of said Section 18, said point is approximately 77.19 feet perpendicularly distant westerly from the control line of the existing highway State Route 89 opposite engineer station 93+25.20, and running thence N. 69°04'28" E. 6.00 feet to a point 71.59 feet perpendicularly distant westerly from said control line opposite engineer station 93+26.19; thence N. 89°58'10" E. 6.81 feet to a point 64.78 feet perpendicularly distant westerly from said control line opposite engineer station 96+26.19; thence S. 02°40'57" W. 41.39 feet to a point 66.73 feet perpendicularly distant westerly from said control line opposite engineer station

92+84.85; thence N. 14°58'10" W. 40.57 feet to the point of beginning. The above described parcel of land contains 262 square feet in area or 0.006 acre, more or less.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings.)

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

**Parcel No. 0089:13:10C**

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the NW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point 69.07 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 102+06.42, which point is 715.46 feet S. 00°54'28" E. along the section line and 35.95 feet East from the Northwest Corner of said Section 18, said point is at the beginning of a 25.00-foot radius non-tangent curve to the right (Note: Radius bears S. 27°10'49" W.), and running thence southeasterly 8.22 feet along the arc of said curve through a delta of 18°50'37" (Note: Chord to said curve bears S. 53°23'53" E. for a distance of 8.18 feet) to a point of non-tangency, said point is 62.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 23.53 feet along a line parallel with and 62.50 feet perpendicularly distant westerly from said control line; thence N. 56°26'50" W. 7.88 feet to a point 69.07 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 24.06 feet along a line parallel with said control line to the point of beginning. The above described parcel of land contains 158 square feet in area or 0.004 acres, more or less.

(Note: Rotate all bearings in the above description 0°14'33" clockwise to match highway bearings.)

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

**Parcel No. 0089:13:E**

A perpetual easement, upon part of an entire tract of property, in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M., in Salt Lake County, Utah for the purpose of constructing and maintaining thereon public utilities and appurtenant parts thereof including, but not limited to ATMS fiber optic conduit, electrical service and transmission lines, culinary and irrigation water facilities; and highway appurtenances including, but not limited to, slopes, street and signal lighting facilities, directional and traffic information signs, specifically including 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 incident to the widening of the existing highway State Route 89 known as Project No. SP-0089(88)313. Grantor may use the easement to the extent that such use does not interfere with the purposes for which the easement is being acquired.

The boundaries of said part of an entire tract are described as follows:

Beginning at a point 65.94 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 86+48.98, which point is 2331.77 feet S. 00°54'28" E. along the section line and 64.60 feet East from the Northwest Corner of said Section 18; and running thence S. 89°14'54" E. 1.44 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 5.69 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence N. 89°14'54" W. 1.52 feet to a point 66.02 feet perpendicularly distant westerly from said control line; thence N. 00°45'06" E. 5.69 feet to the point of beginning. The above part of an entire tract of land contains 8 square feet in area, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

**Parcel No. 0089:13:2E**

A perpetual easement, upon part of an entire tract of property, in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M., in Salt Lake County, Utah for the purpose of constructing and maintaining thereon public utilities and appurtenant parts thereof including, but not limited to ATMS fiber optic conduit, electrical service and transmission lines, culinary and irrigation water facilities; and highway appurtenances including, but not limited to, slopes, street and signal

lighting facilities, directional and traffic information signs, specifically including 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 incident to the widening of the existing highway State Route 89 known as Project No. SP-0089(88)313. Grantor may use the easement to the extent that such use does not interfere with the purposes for which the easement is being acquired.

The boundaries of said part of an entire tract of land are described as follows:

Beginning in a northerly boundary line of said entire tract at a point 2,061.98 feet S.  $00^{\circ}54'28''$  E. along the section line and 58.12 feet N.  $89^{\circ}01'10''$  E. from the Northwest corner of said Section 18, said point is approximately 68.00 feet perpendicularly distant westerly from the control line of the existing highway State Route 89 opposite engineer station 89+19.74, and running thence N.  $89^{\circ}01'10''$  E. 5.00 feet along said northerly boundary line to a point 63.00 feet perpendicularly distant westerly from said control line; thence S.  $02^{\circ}15'36''$  W. 23.27 feet to a point 63.93 feet perpendicularly distant westerly from said control line; thence S.  $18^{\circ}19'01''$  W. 8.16 feet to a point 66.50 feet perpendicularly distant westerly from said control line; thence N.  $00^{\circ}01'50''$  W. 25.00 feet along a line parallel with said control line; thence S.  $89^{\circ}58'10''$  W. 1.50 feet; thence N.  $00^{\circ}01'39''$  W. 5.92 feet to the point of beginning. The above described part of an entire tract of land contains 89 square feet in area or 0.002 acre, more or less.

(Note: Rotate all bearings in the above description  $00^{\circ}14'33''$  clockwise to match highway bearings.)

**Parcel No. 0089:13:3E**

A perpetual easement, upon part of an entire tract of property, in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M., in Salt Lake County, Utah for the purpose of constructing and maintaining thereon public utilities and appurtenant parts thereof including, but not limited to ATMS fiber optic conduit, electrical service and transmission lines, culinary and irrigation water facilities; and highway appurtenances including, but not limited to, slopes, street and signal lighting facilities, directional and traffic information signs, specifically including 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 incident to the widening of the existing highway State Route 89 known as Project No. SP-0089(88)313.

Grantor may use the easement to the extent that such use does not interfere with the purposes for which the easement is being acquired.

The boundaries of said part of an entire tract of land are described as follows:

Beginning in a southerly boundary line of said entire tract at a point 66.50 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 89+94.13, which point is 1987.08 feet S. 00°54'28" E. along the section line and 49.49 feet N. 89°30'10" E. from the Northwest Corner of said Section 18, and running thence N. 00°01'50" W. 39.83 feet along a line parallel with and 66.50 feet perpendicularly distant westerly from said control line; thence N. 89°58'10" E. 3.50 feet to a point 63.00 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 39.80 feet along a line parallel with and 63.00 feet perpendicularly distant westerly of said control line to a southerly boundary line of said entire tract; thence S. 89°30'10" W. 3.50 feet along said southerly boundary line to the point of beginning.

The above described part of an entire tract of land contains 139 square feet in area or 0.003 acres, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

**Parcel No. 0089:13:4E**

A perpetual easement, upon part of an entire tract of property, in the SW1/4NW1/4 of Section 18, T.3S., R.1E., and the SE1/4NE1/4 of Section 13, T.3S., R.1W., S.L.B.&M., in Salt Lake County, Utah for the purpose of constructing and maintaining thereon public utilities and appurtenant parts thereof including, but not limited to ATMS fiber optic conduit, electrical service and transmission lines, culinary and irrigation water facilities; and highway appurtenances including, but not limited to, slopes, street and signal lighting facilities, directional and traffic information signs, specifically including 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 incident to the widening of the existing highway State Route 89 known as Project No. SP-0089(88)313. Grantor may use the easement to the extent that such use does not interfere with the purposes for which the easement is being acquired.

The boundaries of said part of an entire tract are described as follows:

Beginning at a point 86.50 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 96+64.04, which point is 1316.60 feet S. 00°54'28" E. along the section line and 27.41 feet East from the Northwest Corner of said Section 18, and running thence S. 89°59'00" E. 5.98 feet to the beginning of a 25.00-foot radius tangent curve to the left at a point 80.52 feet perpendicularly distant westerly from said control line; thence northeasterly 32.19 feet along the arc of said control line through a delta of 73°47'06" (Note: Chord to said curve bears N. 53°07'27" E. for a distance of 30.02 feet) to a point of cusp in the westerly right of way line of said highway, said point is 56.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 92.07 feet along said westerly right of way line to a point of cusp of a 25.00-foot radius curve to the left (Note: Radius bears S. 73°52'31" W.), said point is 56.52 feet perpendicularly distant westerly from said control line; thence northwesterly 32.23 feet along the arc of said curve through a delta of 73°51'31" (Note: Chord to said curve bears N. 53°03'14" W. for a distance of 30.04 feet) to a point of tangency, which point is 80.50 feet perpendicularly distant westerly from said control line; thence N. 89°59'00" W. 6.00 feet to a point 86.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 6.34 feet along a line parallel with and 86.50 feet perpendicularly distant westerly from said control line; thence N. 89°10'27" W. 64.46 feet to a point 150.95 feet perpendicularly distant westerly from said control line; thence N. 00°22'43" W. 29.90 feet to a point 151.13 feet perpendicularly distant westerly from said control line; thence N. 89°37'17" E. 64.64 feet to a point 86.50 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 31.09 feet along a line parallel with said control line to the point of beginning. The above part of an entire tract of land contains 3882 square feet in area or 0.089 acres, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

**Parcel No. 0089:13:5E**

A non-exclusive temporary easement, upon part of an entire tract of property, in the SE1/4NE1/4 of Section 13, T.3S., R.1W., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes incident to the widening of the existing highway State Route 89 known as Project No. SP-0089(88)313. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is



complete, or for three years, whichever first occurs. The said part of an entire tract is described as follows:

The boundaries of said part of an entire tract of land are described as follows:

Beginning in the northerly right of way line of 10600 South Street at a point 62.50 feet radially distant northerly from the centerline of said 10600 South Street opposite engineer station 313+04.81, which point is 2527.96 feet S. 00°54'28" E. along the section line and 255.77 feet West from the Northeast Corner of said Section 13, said point is also the beginning of a 7610.00-foot radius non-tangent curve to the right (Note: Radius bears N. 02°41'00" E.), and running thence westerly 79.29 feet along said northerly right of way line concentric with and 62.50 feet radially distant northerly from said centerline and along the arc of said curve through a delta of 00°35'49" (Note: Chord to said curve bears N. 87°01'05" W. for a distance of 79.27 feet) to a point of reverse curvature of a 7735.00-foot radius curve to the left; thence westerly 29.78 feet along said right of way line concentric with and 62.50 feet radially distant northerly from said centerline and along the arc of said curve through a delta of 00°13'14" (Note: Chord to said curve bears N. 86°49'48" W. for a distance of 29.78 feet) to a point of non-tangency; thence N. 03°03'35" E. 3.00 feet to a point 65.50 feet perpendicularly distant northerly from said centerline; thence S. 86°50'22" E. 27.28 feet to a point 65.50 feet perpendicularly distant northerly from said centerline; thence N. 17°14'48" E. 20.40 feet to a point 85.30 feet perpendicularly distant northerly from said centerline; thence S. 86°56'30" E. 48.13 feet to a point 85.31 feet perpendicularly distant northerly from said centerline; thence S. 19°10'37" E. 21.37 feet to a point 65.51 feet perpendicularly distant northerly from said centerline; thence S. 87°12'43" E. 20.56 feet to a point 65.50 feet perpendicularly distant northerly from said centerline; thence S. 02°41'00" W. 3.00 feet to the point of beginning.

The above described part of an entire tract of land contains 1411 square feet in area or 0.032 acres, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

**Parcel No. 0089:13:6E**

A non-exclusive temporary easement, upon part of an entire tract of property, in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and

blending slopes incident to the widening of the existing highway State Route 89 known as Project No. SP-0089(88)313. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three years, whichever first occurs. The said part of an entire tract is described as follows:

The boundaries of said part of an entire tract of land are described as follows:

Beginning at a point 67.50 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 86+21.30, which point is 2359.45 feet S. 00°54'28" E. along the section line and 63.49 feet East from the Northwest Corner of said Section 18, and running thence N. 89°58'10" E. 3.00 feet to a point 64.50 feet perpendicularly distant westerly from the said control line; thence S. 00°01'50" E. 2.94 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence S. 71°14'13" W. 2.63 feet to a point 66.99 feet perpendicularly distant westerly from said control line; thence S. 18°33'24" E. 7.84 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 18.66 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence S. 15°28'24" W. 8.17 feet to a point 66.69 feet perpendicularly distant westerly from said control line; thence S. 65°12'28" E. 2.41 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 104.20 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence S. 71°07'46" W. 3.39 feet to a point 67.70 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 7.62 feet along a line parallel with and 67.70 feet perpendicularly distant westerly from said control line; thence S. 45°11'14" W. 26.79 feet to a point 68.59 feet perpendicularly distant northerly from the centerline of 10600 South Street opposite engineer station 316+10.17; thence N. 89°35'00" W. 1.82 feet to the beginning of a 7603.91-foot tangent curve to the right at a point 68.59 feet radially distant northerly from said centerline; thence westerly 5.65 feet along the arc of said curve through a delta of 00°02'33" (Note: Chord to said curve bears N. 89°33'43" W. for a distance of 5.64 feet) to a point of non-tangency, which point is 68.59 feet radially distant northerly from said centerline; thence S. 10°31'51" W. 6.18 feet to the northerly right of way line of 10600 South Street at a point 62.50 feet radially northerly from said centerline, which point is the beginning of a 7610.00-foot radius non-tangent curve to the right; thence westerly 3.05 feet along the arc of said curve through a delta of 00°01'22" (Note: chord to said curve bears N. 89°31'16" W. for a distance of 3.03 feet) to a point of non-tangency, which point is 62.50 feet radially distant northerly from said centerline line; thence N. 10°31'51" E. 9.23 feet to a point 71.59 feet perpendicularly distant northerly from the centerline of 10600 South Street; thence

S. 89°35'00" E. 8.73 feet to a point 71.22 feet perpendicularly distant northerly from the centerline of 10600 South Street; thence N. 45°11'14" E. 24.57 feet to a point 70.50 feet perpendicularly distant westerly from said control line opposite engineer station 84+71.08; thence N. 00°01'50" W. 8.39 feet along a line parallel with and 70.50 feet perpendicularly distant westerly from said control line; thence N. 71°07'46" E. 3.17 feet to a point 67.50 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 140.82 feet along a line parallel with said control line to the point of beginning. The above described part of an entire tract of land contains 561 square feet in area or 0.013 acres, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

**Parcel No. 0089:13:7E**

A non-exclusive temporary easement, upon part of an entire tract of property, in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes incident to the widening of the existing highway State Route 89 known as Project No. SP-0089(88)313. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three years, whichever first occurs. The said part of an entire tract is described as follows:

The boundaries of said part of an entire tract of land are described as follows:

Beginning at a point 68.90 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 86+52.02, which point is 2328.73 feet S. 00°54'28" E. along the section line and 61.59 feet East from the Northwest Corner of said Section 18, and running thence S. 89°14'54" E. 4.40 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 3.00 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence N. 89°14'54" W. 1.44 feet to a point 65.94 feet perpendicularly distant westerly from said control line; thence S. 00°45'06" W. 5.69 feet to a point 66.02 feet perpendicularly distant westerly from said control line; thence S. 89°14'54" E. 1.52 feet to a point 64.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 3.00 feet along a line parallel with and 64.50 feet perpendicularly distant westerly from said control line; thence N. 89°14'54" W. 4.56 feet to a point 69.06 feet perpendicularly distant westerly from said control line; thence N. 00°45'06" E.

11.69 feet to the point of beginning. The above part of an entire tract of land contains 44 square feet in area or 0.001 acres, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

**Parcel No. 0089:13:8E**

A non-exclusive temporary easement, upon part of an entire tract of property, in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three years, whichever first occurs. The said part of an entire tract is described as follows:

The boundaries of said part of an entire tract of land are described as follows:

Beginning in a northerly boundary line of said entire tract at a point 2,061.98 feet S. 00°054'28" E. along the section line and 55.12 feet N. 89°01'10" E. from the Northwest corner of said Section 18, said point is approximately 71.00 feet perpendicularly distant westerly from the control line of the existing highway State Route 89 opposite engineer station 89+19.69, and running thence N. 89°01'10" E. 3.00 feet along said northerly boundary line; thence S. 00°01'39" E. 5.92 feet; thence N. 89°58'10" E. 1.50 feet; thence S. 00°01'50" E. 25.00 feet along a line parallel with said control line; thence S. 18°19'01" W. 10.18 feet; thence S. 67°38'09" E. 5.63 feet; thence S. 00°01'50" E. 72.77 feet along a line parallel with said control line; thence S. 89°58'10" W. 3.50 feet; thence N. 00°01'50" W. 70.97 feet along a line parallel with said control line; thence N. 67°38'09" W. 5.88 feet; thence N. 18°19'01" E. 12.49 feet; thence N. 00°01'50" W. 21.52 feet along a line parallel with said control line; thence S. 89°58'10" W. 1.50 feet; thence N. 00°01'39" W. 8.87 feet to the point of beginning. The above described part of an entire tract of land contains 399 square feet in area or 0.010 acre, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

**Parcel No. 0089:13:9E**

A non-exclusive temporary easement, upon part of an entire tract of property, in the SW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three years, whichever first occurs. The said part of an entire tract is described as follows:

The boundaries of said part of an entire tract of land are described as follows:

Beginning in a southerly boundary line of said entire tract at a point 1987.08 feet S. 00°54'28" E. along the section line and 49.49 feet N. 89°30'10" E. from the Northwest Corner of said Section 18, said point is approximately 75.40 feet perpendicularly distant westerly from the control line of the existing highway State Route 89 opposite engineer station 89+94.06, and running thence N. 00°01'50" W. 39.18 feet along a line parallel with said control line; thence N. 53°41'14" W. 31.78 feet; thence N. 00°01'50" W. 33.23 feet along a line parallel with said control line; thence N. 89°58'10" E. 4.24 feet to a point; thence N. 00°01'50" W. 27.81 feet along a line parallel with said control line; thence N. 44°59'05" E. 27.12 feet; thence N. 04°02'13" E. 71.52 feet; thence N. 00°01'50" W. 21.16 feet along a line parallel with said control line; thence N. 58°49'24" W. 6.98 feet; thence N. 29°05'50" E. 13.61 feet; thence N. 02°40'57" E. 44.28 feet; thence N. 14°58'10" W. 42.81 feet; thence N. 69°04'28" E. 9.26 feet; thence N. 89°58'10" E. 7.51 feet; thence S. 02°40'57" W. 3.00 feet; thence S. 89°58'10" W. 6.81 feet; thence S. 69°04'28" W. 6.00 feet; thence S. 14°58'10" E. 40.57 feet; thence S. 02°40'57" W. 45.45 feet; thence S. 29°05'50" W. 11.42 feet; thence S. 58°49'24" E. 5.78 feet; thence S. 00°01'50" E. 69.42 feet along a line parallel with said control line; thence S. 64°21'57" W. 3.79 feet; thence S. 04°02'13" W. 37.41 feet; thence N. 89°58'10" E. 6.07 feet; thence S. 00°01'50" E. 5.01 feet along a line parallel with said control line; thence East 6.50 feet; thence S. 00°01'50" E. 65.20 feet along a line parallel with said control line to the point of cusp of a 31.00-foot radius curve to the left (Note: Radius bears S. 47°51'58" W.); thence northwesterly 25.90 feet along the arc of said curve (Note: Chord to said curve bears N. 66°04'01" W. for a distance of 25.15 feet) to a point of tangency; thence West 11.00 feet; thence South 6.90 feet; thence S. 84°46'58" E. 12.95 feet to the beginning of a 23.00-foot radius tangent curve to the right; thence southeasterly 27.26 feet along the arc of said curve (Note: chord to said curve bears S. 51°19'27" E. for a distance of 25.69 feet) to a point of non-tangency; thence S. 89°58'10" W. 2.45 feet; thence S. 00°01'50" E. 39.83 feet along a line parallel with said control line to a southerly boundary line of said entire tract; thence S. 89°30'10" W. 8.90 feet along said southerly

boundary line to the point of beginning. The above part of an entire tract of land contains 3,698 square feet in area or 0.085 acre, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

**Parcel No. 0089:13:10E**

A non-exclusive temporary easement, upon part of an entire tract of property, in the SW1/4NW1/4 and NW1/4NW1/4 of Section 18, T.3S., R.1E., and the SE1/4NE1/4 of Section 13, T.3S., R.1W., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes incident to the widening of the existing highway State Route 89 known as Project No. SP-0089(88)313. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three years, whichever first occurs. The said part of an entire tract is described as follows:

The boundaries of said part of an entire tract of land are described as follows:

Beginning at a point 62.50 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 97+03.04, which point is 1277.58 feet S. 00°54'28" E. along the section line and 50.77 feet East from the Northwest Corner of said Section 18, and running thence S. 00°01'50" E. 4.28 feet along a line parallel with and 62.50 feet perpendicularly distant westerly from said control line; thence S. 44°31'19" W. 34.21 feet to a point 86.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 41.44 feet along a line parallel with and 86.50 feet perpendicularly distant westerly from said control line; thence S. 89°37'17" W. 64.64 feet to a point 151.13 feet perpendicularly distant westerly from said control line; thence S. 00°22'43" E. 29.90 feet to a point 150.95 feet perpendicularly distant westerly from said control line; thence S. 89°10'27" E. 64.46 feet to a point 86.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 1.00-foot along a line parallel with and 86.50 feet perpendicularly distant westerly from said control line; thence S. 45°00'25" E. 33.96 feet to a point 62.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 4.24 feet along a line parallel with and 62.50 feet perpendicularly distant westerly from said control line; thence N. 45°00'25" W. 37.17 feet to a point 88.77 feet perpendicularly distant westerly from said control line; thence N. 89°10'27" W. 65.17 feet to a point 153.94 feet perpendicularly distant westerly from said control line; thence N. 00°22'43" W. 35.84 feet to a point 154.15 feet perpendicularly distant

westerly from said control line; thence N. 89°37'17" E. 64.65 feet to a point 89.50 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 39.69 feet along a line parallel with and 89.50 feet perpendicularly distant westerly from said control line; thence N. 44°31'19" E. 38.49 feet to the point of beginning. The above described part of an entire tract of land contains 826 square feet in area or 0.019 acres, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

**Parcel No. 0089:13:11E**

A non-exclusive temporary easement, upon part of an entire tract of property, in the NW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof and blending slopes incident to the widening of the existing highway State Route 89 known as Project No. SP-0089(88)313. This easement shall commence upon the beginning of actual construction on the property and shall continue only until project construction on the property is complete, or for three years, whichever first occurs. The said part of an entire tract is described as follows:

The boundaries of said part of an entire tract of land are described as follows:

Beginning in the northerly boundary line of said entire tract at a point 98.53 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 102+65.11, which point is 715.46 feet S. 00°54'28" E. along the section line and 5.53 feet S. 89°59'00" E. from the Northwest Corner of said Section 18, and running thence S. 89°59'00" E. 29.52 feet along said northerly boundary line to a point 69.01 feet perpendicularly distant westerly from said control line, which point is the beginning of a 25.00-foot radius tangent curve to the left; thence along said northerly boundary line northeasterly 6.06 feet along the arc of said curve through a delta of 13°53'57" (Note: chord to said curve bears N. 83°04'01" E. for a distance of 6.05 feet) to a point of cusp, which point is 63.00 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 28.62 feet along a line parallel with and 63.00 feet perpendicularly distant westerly from said control line; thence N. 89°58'10" E. 0.50 feet to a point 62.50 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 35.65 feet along a line parallel with and 62.50 feet perpendicularly distant westerly from said control line to a point of cusp of a 25.00-foot radius non-tangent curve to the left (Note: Radius bears S. 46°01'26" W.); thence northwesterly 8.22 feet along the arc of

said curve through a delta of 18°50'37" (Note: Chord to said curve bears N. 53°23'53" W. for a distance of 8.18 feet) to a point of non-tangency, which point is 69.07 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 24.06 feet along a line parallel with and 69.07 feet perpendicularly distant westerly from said control line; thence S. 56°26'50" E. 7.88 feet to a point 62.05 feet perpendicularly distant westerly from said control line; thence S. 00°01'50" E. 3.60 feet along a line parallel with and 62.50 feet perpendicularly distant westerly from said control line; thence N. 56°26'50" W. 11.49 feet to a point 72.07 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 10.47 feet along a line parallel with and 72.07 feet perpendicularly distant westerly from said control line; thence N. 58°44'28" W. 30.96 feet to a point 98.53 feet perpendicularly distant westerly from said control line; thence N. 00°01'50" W. 57.80 feet along a line parallel with said control line to the point of beginning. The above described part of an entire tract of land contains 2409 feet in area or 0.055 acres, more or less.

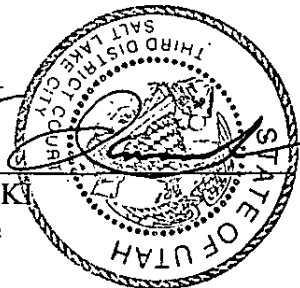
(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

DATED this 27 day of Aug., 2008.

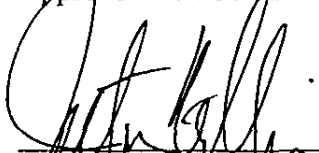
BY THE COURT



GLENN K. IWASAKI  
District Court Judge



Approved As To Form

  
JUSTIN P. MATKIN  
Attorney for Defendants



CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing **FINAL JUDGMENT OF CONDEMNATION** was served by mailing the same, first-class postage prepaid, this 25<sup>th</sup> day of August, 2008, to:

Paul C. Drecksel  
Justin P. Matkin  
PARR WADOUPS BROWN GEE & LOVELESS  
Attorneys for Defendant Macerich South Towne Partnership  
185 South State Street, Suite 1300  
Salt Lake City, Utah 84111

*Stacey K. Calver*

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: Aug 27 2008  
*Stacey K. Calver*  
DEPUTY COURT CLERK

