

FILED
Fourth Judicial District Court
of Utah County, State of Utah

11/29/06 MST Deputy

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ENT 162786:2006 PG 1 of 5
RANDALL H. COVINGTON
UTAH COUNTY RECORDER
2006 Dec 04 3:19 pm FEE 19.00 BY SW
RECORDED FOR PARR WADDOUPS

IN THE FOURTH JUDICIAL DISTRICT COURT OF UTAH COUNTY
STATE OF UTAH

THE BERKSHIRES, L.C., a Utah Limited)
Liability Company,)
)
Plaintiff,)
)
vs.)
)
BRIAN L. WATSON, GMAC MORTGAGE)
CORPORATION, a Pennsylvania)
Corporation, and BACKMAN STEWART)
TITLE SERVICES, LTD., a Utah Limited)
Liability Company, as Trustee under a Deed)
of Trust,)
)
Defendants.)

JUDGMENT AND DECREE

Civil No. 060401980

Judge: Fred D. Howard

Based upon the Stipulation and Motion of the parties, the Court being fully advised in the premises and good cause appearing therefor,

IT IS HEREBY FOUND AND ORDERED as follows:

1. The following definitions shall apply with respect to this Judgment and Decree:
 - (a) "Berkshires Property," as used herein, shall mean and refer to the

following-described tracts of land located in Utah County, State of Utah:

Lot 1, Lot 2, and Lot 3, Plat "J," The Berkshires Subdivision, Orem, Utah County, Utah, according to the official plat thereof on file in the office of the Utah County Recorder.

(b) "Watson Property," as used herein, shall mean and refer to the following-

described tract of land located in Utah County, State of Utah:

PARCEL 1:

Commencing 1.47 chains East and 2.55 chains South of the Southwest corner of the Northeast quarter of the Northwest quarter of Section 25, Township 6 South, Range 2 East of the Salt Lake Base and Meridian, thence East 1.75 chains; thence South 1.87 chains; thence West 1.75 chains; thence North 1.87 chains to the place of beginning.

PARCEL 2:

Commencing 1.47 chains East and 2.55 chains South of the Southwest corner of the Northeast quarter of the Northwest quarter of Section 25, Township 6 South, Range 2 East, Salt Lake Base and Meridian, thence East 5.25 chains; thence South 1.87 chains; thence West 5.25 chains; thence North 1.87 chains to the place of beginning.

Less and excepting:

Commencing 1.47 chains East and 2.55 chains South of the Southwest corner of the Northeast quarter of the Northwest quarter of Section 25, Township 6 South, Range 2 East of the Salt Lake Base and Meridian, thence East 1.75 chains; thence South 1.87 chains; thence West 1.75 chains; thence North 1.87 chains to the place of beginning.

(c) "GMAC Trust Deed," as used herein, shall mean and refer to that certain

Deed of Trust given by Watson as trustor wherein GMAC is the beneficiary which

purports to encumber the Watson Property and was recorded on November 22, 2004 as

Entry No. 131651:2004.

2. By Answer and Disclaimer of Interest of Backman Stewart Title Services, Ltd. dated July 25, 2005 and filed in this action, Backman Stewart Title Services, Ltd. disclaimed any interest that it may have in the Watson Property and Berkshires Property.

3. Plaintiff The Berkshires, L.C. ("Berkshires") and defendants Brian L. Watson ("Watson") and GMAC Mortgage Corporation ("GMAC") have by Stipulation and Motion agreed that this Court may and should enter this Judgment and Decree.

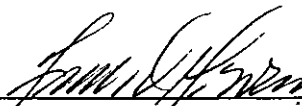
4. Watson and GMAC have quitclaimed unto Berkshires that portion of the Watson Property included within the Berkshires Property.

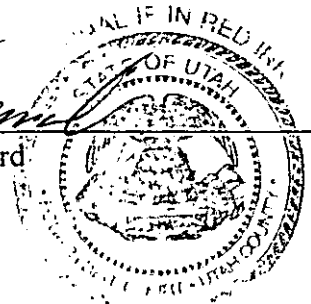
5. Title to the Berkshires Property be and it is hereby quieted in Berkshires free of any claim of Watson and/or GMAC and/or any party claiming by, through, or under them, or either of them.

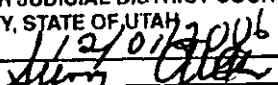
6. Berkshires' Complaint herein and the Counterclaim of Watson herein be and they are hereby dismissed with prejudice and upon their merits, each party to bear its own costs, expenses, and attorney's fees.

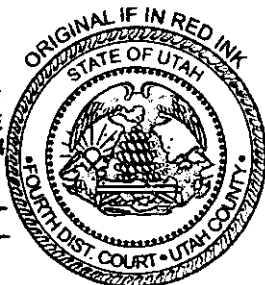
MADE AND ENTERED this 29 day of November, 2006.

BY THE COURT:

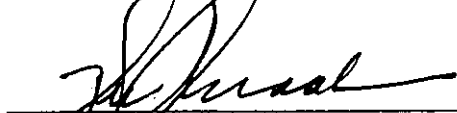

Honorable Fred D. Howard
District Judge



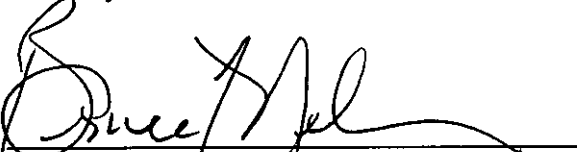
I CERTIFY THAT THIS IS A TRUE COPY OF AN ORIGINAL DOCUMENT ON FILE IN THE FOURTH JUDICIAL DISTRICT COURT, UTAH COUNTY, STATE OF UTAH
DATE: 11/29/2006

DEPUTY COURT CLERK



APPROVED AS TO FORM:



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Attorney for Defendant Brian L. Watson

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