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Salt Lake County Utah

OCT 27 1972

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JUDGMENT
STIPULATIONS
RESOLUTIONS
MAPS

DATE 10-16-72 BY W. Sterling Evans, Clerk 3rd Dist. Court
P.B. Platt
County Clerk

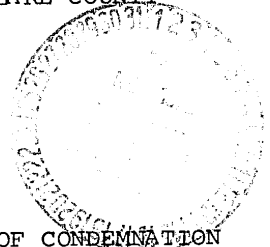
MARK A. MADSEN
Assistant Attorney General
236 State Capitol
Salt Lake City, Utah 84114
Telephone: 328-5261

AGREES YES NO

IN THE THIRD DISTRICT COURT IN AND FOR SALT LAKE COUNTY

2500971

STATE OF UTAH



STATE OF UTAH by and through
its ROAD COMMISSION,

Plaintiff,

FINAL ORDER OF CONDEMNATION

-v-

ELLA FRANK NELSON, a widow;
LAWRENCE EGBERT NELSON and
AMELIA NELSON, his wife,

Defendants

Civil No. 195,449
Project No. US 0132(5)
Parcel Nos., 14:A, 14:E,
14:EQS, 14:2E
Total Payment: \$99,808.43

Recorded at Request of STATE ROAD DEPARTMENT
at 9:11 AM Fee Paid \$ NOF L. JERADIAN MARTIN, Recorder Salt Lake r
By [Signature] Dep. Date NOV 22 1972

It appearing to the court and the court now finds that heretofore, on the 22nd day of September, 1972, this court made and entered its judgment in the above entitled proceeding, and said judgment is hereby referred to; and

It appearing to the court and the court now finds that pursuant to the law and the said judgment, the plaintiff did pay said judgment to the defendants Ella Frank Nelson, a widow; Lawrence Egbert NELSON and Amelia Nelson, his wife, together with all interest required by said judgment to be paid; 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 case 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,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the parcels of land hereinafter described are hereby taken and condemned in fee simple title as to Parcel No. 14:A and for easement rights as to Parcel Nos. 14:E, 14:EQS and 14:2E, for the

purpose described and set forth in the plaintiff's complaint, i.e., for the use of the plaintiff, the State of Utah, 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 fee simple title as to Parcel No. 14:A and for easement rights as to Parcel Nos. 14:E, 14:EQS and 14:2E in the plaintiff. The following is a description of the property so ordered and condemned as hereinabove provided, which is hereby vested in fee simple title as to Parcel No. 14:A and for easement rights as to Parcel Nos. 14:E, 14:EQS, 14:2E in the plaintiff, all of such property being situated in Salt Lake County, State of Utah, and is more particularly described as follows:

Parcel No. 0132:14:A

A parcel of land in fee for an expressway known as Project No. 0132 being part of an entire tract of property, in Lot 1, Lot 2 and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 14, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 7 of Section 11, all in T. 2 S., R. 1 W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a NE. corner of said entire tract, which is approximately 249 ft. north from the SE. corner of Said Section 11; thence South 16.5 ft. along an east boundary line of said entire tract to a property corner; thence S. 74°40' W. 330.0 ft. along a south boundary line of said entire tract; thence S. 58°30' W. 586 ft., more or less, along a southeasterly boundary line of said entire tract to a point 150.0 ft. radially distant southerly from the center line of said project approximately at Engineer Station 80+83; thence Westerly 411 ft. along the arc of a 3014.8-foot radius curve to the right to a point 150.0 ft. radially distant southerly from said center line at Engineer Station 76+92.3 (Note: Tangent to said curve at its point of beginning bears approximately S. 82°11'30" W.); thence N. 90°00' W. 92.3 ft.; thence N. 80°32'15" W. 304.1 ft.; thence N. 90°00' W. 2718 ft., more or less, to the intersection with the east bank of Jordan River; thence Northeasterly

BOOK 3205 PAGE 41

680 ft., more or less, along said east bank to a point 100.0 ft. perpendicularly distant northerly from said center line; thence S. 90°00' E. 2202 ft., more or less, to a point 100.0 ft. perpendicularly distant northerly from said center line at Engineer Station 74+00.0; thence N. 67°05'15" E. 146.3 ft. to a point on a north boundary fence line of said entire tract; thence S. 81° E. 496.2 ft. along said north boundary fence line to a fence corner; thence Northeasterly 187.3 ft. along a northwesterly boundary fence line of said entire tract; thence Easterly 126.5 ft. along the arc of a 2764.8-foot radius curve to the left (Note: Tangent to said curve at its point of beginning bears N. 79°28'00" E.); thence N. 64°31'30" E. 98 ft., more or less, to a point on a north boundary line of said entire tract; thence N. 82° E. 516 ft., more or less, along said north boundary line to the point of beginning as shown on the official map of said project on file in the office of the State Road Commission of Utah. The above described parcel of land contains 17.813 acres, more or less, of which 0.010 acre, more or less, is now occupied by the existing city street, 0.30 acre, more or less, by Riverside Drive, 0.446 acre, more or less, by Joe Marcon as recorded in the office of the Salt Lake County Recorder under instrument No. 869488 in Book 244 on Page 422, and 0.170 acre, more or less, by Violet M. McCleary et al, as recorded in said office under instrument No. 1982080 in Book 2159 on Page 553. Balance 16.887 acres, more or less.

Together with any and all rights or easements appurtenant to the remaining portion of said entire tract of property by reason of the location thereof with reference to said expressway, including without limiting the foregoing, all rights of ingress to or egress from said remaining portion contiguous to the lands hereby conveyed, to or from said expressway. Excepting and reserving to the owners of the abutting lands, their successors and assigns, the right of access to the nearest roadway of said expressway over and across the southerly right of way and limited access line for one 16.0 foot section which said section centers at a point directly opposite Highway Engineer Station 46+00 and also shall have access to said expressway from the northerly and southerly sides by way of Riverside Drive, a public road.

Parcel No. 0132:14:E (Description of Parcel in which State Interest acquired by Order of Occupancy will be retained.)

Beginning at a point 100.0 ft. perpendicularly distant southerly from the center line of 5300 South Street opposite Highway Engineer Station 53+72.9, said point also being approximately 1721 ft. east and 139 ft. south from the NW. corner of said Section 14 (as relocated in June, 1966, by County Surveyors); thence Southerly, Southwesterly and Westerly 587.9 ft. along the arc of a 300-foot radius curve to the right to a point 98.9 ft. perpendicularly distant northwesterly from the center line of the relocated "J-R" Line opposite Highway Engineer Station 13+93.79 (Note: Tangent to said curve at its point of beginning bears S. 5°47'49"W.); thence N. 90°00' W. 1.43 ft. to a point 100.0 ft. perpendicularly distant northwesterly from said center line of said relocated "J-R" Line opposite Highway Engineer Station 13+93.01; thence N. 45°00' E. 77.52 ft. to a point of tangency with a 500-foot radius curve to

BOOK 3265
PAGE
42

the left; thence Northeasterly and Northerly 412.9 ft. along the arc of said curve to a point 100.0 ft. perpendicularly distant southerly from said center line of 5300 South Street; thence S. 90°00' E. 200.31 ft. to the point of beginning.

ALSO:

Beginning at a point 100.0 ft. radially distant easterly from said center line of the "J-R" Line of said project opposite Engineer Station 22+48.24, which is approximately 1748 ft. east along section line and 193 ft. north from said NW. corner; thence N. 72°49' W. 78 ft., more or less, to the southeasterly bank of said Jordan River; thence Southwesterly 179 ft., more or less, along said southeasterly bank to the intersection with the north right of way and limited-access line of said project; thence S. 90°00'00" E. 166 ft., more or less, along said north right of way and limited-access line to a point 100.0 ft. perpendicularly distant east from said center line of said "J-R" Line; thence N. 0°00' E. 65 ft., more or less, to a point of tangency with a 200-foot radius curve to the right; thence Northerly 60 ft., more or less, along the arc of said curve to the point of beginning. The above described parcels of land contain 1.798 acres, more or less.

After said channel change is constructed on the above described part of an entire tract as the expense of said State Road Commission, said State Road Commission is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said channel change and appurtenant parts thereof.

Parcel No. 0132:14:EOS (Description of that portion of Parcel No. 0132:14:E in which state interest acquired by Order of Occupancy will be relinquished.)

Beginning at a point 100.0 ft. radially distant east from the center line of the "J-R" Line of said project at Engineer Station 8+14.76, which point is approximately 948 ft. east and 699 ft. south from the NW. corner of said Section 14 (as relocated in June, 1966, by County Surveyors); thence North, Northeasterly and Easterly 314.2 ft. along the arc of a 200-foot radius curve to the right (Note: Tangent to said curve at its point of beginning bears N. 0°00' E.); thence S. 90°00' E. 174.57 ft.; thence N. 45°00' E. 77.52 ft. to a point of tangency with a 500-foot radius curve to the left; thence Northeasterly and Northerly 412.9 ft. along the arc of said curve to a point 100.0 ft. perpendicularly distant southerly from the center line of 5300 South Street opposite Highway Engineer Station 51+72.6; thence S. 90°00' W. 1.68 ft.; thence Southwesterly and Westerly 274 ft., more or less, along the arc of a 200-foot radius curve to the right to a point 100.0 ft. radially distant north from said J- " Line at Engineer Station 14+62.0 (Note: Tangent to said curve at its point of beginning bears approximately S. 11°18'30" W.); thence N. 90°00' W. 176.0 ft. to a point of tangency with a 400-foot radius curve to the left; thence Westerly and Southwesterly 272 ft., more or less, along the arc of said curve to the intersection with the east bank of said Jordan River; thence Southerly 310 ft., more or less, along said east bank; thence East 68 ft., more or less, to the point of beginning. The above described parcel of land contains 2.793 acres, more or less.

BOOK 3205 PAGE 43

STATE OF UTAH
COUNTY OF SALT
IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the DISTRICT COURT OF SAID COUNTY, at the City of Salt Lake City, Utah, this 27th day of October, 1972.
W. STERLING EVANS, CLERK
BY Joseph J. Jepsen DEPUTY

Parcel No. 0132:14:2E

A perpetual easement, upon part of an entire tract of property, within the meander lines of the Jordan River and Lot 1 and Lot 2 of Section 14, T. 2 S., R. 1 W., S.L.B.&M., in Salt Lake County, Utah, for the purpose of constructing thereon a channel change (relocated "J-R" Line) and appurtenant parts thereof incident to the construction of an expressway known as Project No. 0132.

Said part of an entire tract is described as follows:

Beginning at a point 100.0 ft. perpendicularly distant southerly from the center line of 5300 South Street opposite Highway Engineer Station 53+73.32, said point also being approximately 139 ft. south and 1722 ft. east from the NW. corner of said Section 14 (as relocated in June, 1966, by County Surveyors); thence S. 90°00' W. 0.36 ft.; thence Southerly, Southwesterly and Westerly 587.9 ft. along the arc of a 300-foot radius curve to the right to a point 98.9 ft. perpendicularly distant northwesterly from the center line of relocated "J-R" Line opposite Highway Engineer Station 13+93.79, (Note: Tangent to said curve at its point of beginning bears S. 5°47'49" W.); thence N. 90°00' W. 1.43 ft. to a point 100.0 ft. perpendicularly distant northwesterly from said center line of said relocated "J-R" Line opposite Highway Engineer Station 13+93.01; thence S. 45°00' W. 645.34 ft. to a point of tangency with a 460-foot radius curve to the left; thence Southwesterly 25 ft., more or less, along the arc of said curve to the east bank of the Jordan River; thence Southerly 590 ft., more or less, along said east bank of the Jordan River to the southerly boundary line of said entire tract; thence S. 83°30' E. 50 ft., more or less, along said southerly boundary line to a point 100.0 ft. perpendiculatly distant easterly from said center line of said relocated "J-R" Line; thence N. 16°06'48" W. 65 ft., more or less, to a point of tangency with a 600-foot radius curve to the right; thence Northerly 170.52 ft. along the arc of said curve to a point 100.0 ft. perpendicularly distant easterly from said center line of said relocated "J-R" Line opposite Highway Engineer Station 4+13.9; thence N. 0°10'11" E. 51.97 ft. to a point of tangency with a 260-foot radius curve to the right; thence Northerly 203.43 ft. along the arc of said 260-foot radius curve to a point 100.0 ft. perpendicularly distant southeasterly from said center line of said relocated "J-R" Line opposite Highway Engineer Station 7+47.6; thence N. 45°00' E. 722.86 ft. to a point of tangency with a 700-foot radius curve to the left; thence Northeasterly and Northerly 501.21 ft. along the arc of said curve to the point of beginning. The above described parcel of land contains 5.479 acres, more or less.

After said channel change is constructed on the above described part of an entire tract at the expense of said State Road Commission, said State Road Commission is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said channel change and appurtenant parts thereof.

Dated this 27 day of Oct, 1972.

ATTEST
W. STERLING EVANS
CLERK
BY J. B. Platt

Joseph J. Jepsen
DISTRICT JUDGE
(seal)

89083205 Page 44