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NINA B REID UTAH CO RECORDER BY MB  
1991 OCT 11 2:52 PM FEE 10.50  
RECORDED FOR WILLIAM FLOYD YOUNG

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IN THE FOURTH JUDICIAL DISTRICT COURT OF UTAH COUNTY,  
STATE OF UTAH  
\*\*\*\*\*

RUTH E. GRIFFITHS, :

Plaintiff, :

vs :

WILLIAM FLOYD YOUNG, ET AL, :

Defendant. :

D E C R E E

Civil No. CV88-635

Judge George E. Ballif

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This cause came on for trial before the Court sitting without a Jury on the 11<sup>th</sup> day of October, 1990, with Dave McMullin appearing as attorney for the defendant and the plaintiff not appearing either in person or by council, and it appearing to the Court, each party and their respective attorney have signed a Stipulation, called Exhibit "A", and the Court having admitted said Stipulation into evidence and filed its Findings of Fact and Conclusions of Law and now for good cause appearing, on Motion of Dave McMullin attorney for the defendant.

**DAVE McMULLIN**  
Attorney and Counselor at Law  
439 West Utah Avenue P.O. Box 178  
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IT IS HEREBY ORDERED, ADJUDGED AND DECREED

1. The respective parcels are adjoined along the South Boundry of the plaintiffs parcel and along the North Boundry of the defendants parcel. The two parcels being divided by a fence line which was established more than thirty (30) years ago.

2. The Plaintiff is entitled to a Decree of this Court Quieting Title in herself to the following described real property:

PLAINTIFF'S PARCEL

Commencing 3.16 chains North and 4.78 chains North 79 degrees West and 3.81 chains North 3-1/2 degrees East and 5.76 chains North 65 degrees West and 2 chains North 10-3/4 degrees East and 5.09 chains North 2-1/2 degrees West and 41 links North 76 degrees West of the Southeast Corner of the Northwest Quarter of Section 30, Township 8 South, Range 3 East, Salt Lake Base and Meridian; thence North 45-1/2 degrees West 1/20 chains; thence North 20-1/4 degrees West 7.11 chains; thence South 62-1/4 degrees West 1.87 chains, thence South 9-1/2 degrees West 5.26 chains; thence South 76 degrees East 6.01 chains to beginning. Area = 2.17 Acres.

3. The defendants is entitled to a Decree of this Court Quieting Title in themselves to the following described real property:

DEFENDANT'S PARCEL

Beginning at a Fence Corner, Said point being South 1470.52 feet and East 2000.63 Feet from the Northwest corner of Section 30, Township 8 South, Range 3 East, Salt Lake Meridian; thence along a Fence on all of the following courses: North 76 degrees 04' 28" West 400.60 feet; thence North 80 degrees 02' 26" West 207.58 feet; thence South 06 degrees 10' 10" East 156.79 feet; thence South 79 degrees 22' 50" East 507.14 feet; thence South 03 degrees 18' 03" West 66.02 feet; thence South 79 degrees 31' 33" East 104.63 feet; thence North 05 degrees 57' 58" West 203.06 feet to the point of beginning. Area = 2.14 Acres.

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4. Located at the northeast corner of the defendants parcel is an irrigation ditch headgate. The headgate is utilized by the plaintiff to divert water onto her parcel during the irrigation season. The plaintiff accesses the headgate through a gate in the fence separating the two adjoining parcels, as described above. Neither the defendants nor their agents or tenants shall restrict or otherwise or otherwise interfere with the plaintiffs free and unrestricted access to the headgate at any time.

5. Each party shall cooperate with the other in implementing the terms of the Stipulation. Each party shall be enjoined and restrained from annoying, harassing, or otherwise interfering with the others peaceful, private, and lawful use of his or her property. Each party hereto is hereby enjoined and restrained from making disparaging comments about the other party, whether directly to the other party or to any third person.

6. The established fence line is hereby deemed to be the actual boundary between the two adjoining parcels as described above.

7. For more than 30 years past, the defendant's predecessors in title, and more recently the defendant's tenants, have utilized the Southeast corner of the plaintiff's parcel for parking. The defendants, for themselves and their tenants, hereby abandon and terminate any and all claims of an easement for parking, or any other purposes, over the plaintiffs parcel and any part thereof.

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Dated this 17<sup>th</sup> day of October, 1991.

BY THE COURT:

Dee E. Bold  
JUDGE

APPROVED BY:

Joseph R. Fox  
Joseph R. Fox,  
Attorney for Plaintiff

STATE OF UTAH  
COUNTY OF KANE

I, the undersigned Clerk of the Peace for the County of Kane, do hereby certify that the enclosed is a true and correct copy of what is filed on file as such in my office and that the same is a true and correct copy of said Court's order of this 17<sup>th</sup> day of

CARMA L. SMITH, Clerk

By

**DAVE McMULLIN**

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