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IN THE FOURTH DISTRICT COURT IN AND FOR UTAH COUNTY

STATE OF UTAH

STATE OF UTAH, by and through	:	
its ROAD COMMISSION,	:	
	:	FINAL ORDER OF CONDEMNATION
Plaintiff,	:	
	:	
-vs-	:	Civil No. 28105
	:	
GRANT M. LYMAN and ELIZABETH	:	Project No. I-15-6(30)242
MYERS LYMAN, his wife,	:	Parcel Nos. 117, 117:A, 117:E
	:	117B, 117B:E, 120, 120:A, 120:E,
Defendants.	:	120B:A, and 120B:E
	:	Total Payment: \$10,793.75

It appearing to the court and the court now finds that heretofore, on the 30th day of January, 1967, 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, Grant M. Lyman and Elizabeth Myers Lyman, 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 Nos. 117:A, 117, 117B, 120:A, 120, and 120B:A, and for easement rights as to Parcel

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Nos. 117:E, 117B:E, 120:E, and 120B:E, 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 Utah County, State of Utah, and thereupon the property interests hereinafter referred to and set forth shall vest in fee simple title as to Parcel Nos. 117:A, 117, 117B, 120:A, 120, and 120B:A, and for easement rights as to Parcel Nos. 117:E, 117B:E, 120:E, and 120B:E, 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 Nos. 117:A, 117, 117B, 120:A, 120, and 120B:A, and for easement rights as to Parcel Nos. 117:E, 117B:E, 120:E, and 120B:E, in the plaintiff, all of such property being situated in Utah County, State of Utah, and is more particularly described as follows:

Parcel No. 15-6:117:A

A parcel of land in fee for a freeway known as Project No. 15-6, being part of an entire tract of property in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Lot 3 and Lot 4 of Section 30, T. 9 S., R. 2 E., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at a point 1298.88 ft. west from the NE. corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence West 53 ft., more or less, to a point 120.0 ft. perpendicularly distant westerly from the center line of said project; thence S. 04° 12' 51" W. 2670 ft., more or less, to the south line of said Section 30; thence East 122 ft., more or less, to the SE. corner of said entire tract; thence N. 3° 30' E. 2644.62 ft. to the point of beginning. The above described parcel of land contains 5.09 acres, more or less, of which 0.05 acre, more or less, is now occupied by an existing county road. Balance 5.04 acres, more or less.

Together with any and all rights or easements, exclusive of access, appurtenant to the remaining portion of said entire tract of property by reason of the location thereof with reference to said freeway. Such remaining property shall abut upon and have access to and from an existing county road.

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Parcel No. 15-6:117

A parcel of land in fee for an overpass incident to the construction of a freeway known as Project No. 15-6, being part of an entire tract of property in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Lot 3 and Lot 4 of Section 30, T. 9 S., R. 2E., S.L.M. The boundaries of said parcel of land are described as follows:

Beginning at a point 1628.88 ft. west from the NE. corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence East 277 ft., more or less, to a point 120.0 ft. perpendicularly distant westerly from the center line of said project; thence S. 04° 12' 51" W. 80 ft., more or less, to a point 80.0 ft. perpendicularly distant southerly from the center line of a county road overpass; thence Westerly 280 ft., more or less, along a straight line to a point on the west boundary line of said entire tract, which point is 60.0 ft. perpendicularly distant southerly from the center line of said county road; thence N. 3° 30' E. 60 ft., more or less, to the point of beginning. The above described parcel of land contains 0.45 acre, more or less, of which 0.09 acre, more or less, is now occupied by an existing county road. Balance 0.36 acre, more or less.

Parcel No. 15-6:117:E

An easement upon part of an entire tract of property in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Lot 3 and Lot 4 of Section 30, T. 9 S., R. 2 E., S.L.B. & M., in Utah County, Utah, for the purpose of constructing thereon a temporary detour road and appurtenant parts thereof incident to the construction of a freeway known as Project no. 15-6.

Said part of entire tract is described as follows:

Beginning on the westerly boundary line of said entire tract of property at a point 30.0 ft. perpendicularly distant southerly from the center line of said temporary detour road, which point of beginning is approximately 1629 ft. west and 83 ft. south from the NE. corner of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence S. 76° 18' 25" E. 105 ft., more or less, to a point of tangency with an 849.0 foot radius curve to the left opposite Engineer Station 4+11.19 of the center line of said temporary detour road; thence Easterly 180 ft., more or less, along the arc of said 849 foot radius curve to the left to a point 120.0 ft. perpendicularly distant westerly from the center line of said project; thence N. 04° 12' 51" E. 54 ft., more or less, to a point 80.0 ft. perpendicularly distant southerly from the center line of a county road overpass; thence N. 86° 13' W. 280 ft., more or less, to the westerly boundary line of said entire tract of property; thence S. 3° 30' W. 20 ft., more or less, to the point of beginning.

The Above described easement contains 0.28 acre, more or less. Said easement shall expire upon completion of said project.

Parcel No. 15-6:117B

A parcel of land in fee for a cul-de-sac incident to the construction of a freeway known as Project No. 15-6, being part of an entire tract of property, in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Lot 3 and Lot 4 of Section 30, T. 9 S., R. 2 E., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at a point on the south boundary line of said entire tract 120.0 ft. perpendicularly distant westerly from the center line of said project, which point is approximately 250 ft. West from the SE. corner of said Lot 4; thence North 04° 12' 51" E. 35.0 ft.; thence S. 89° 43' W. 70.0 ft.; thence S. 04° 12' 51"W. 35.0 ft. to said south boundary line; thence East 70 ft., more or less, along said south boundary line to the point of beginning. The above described parcel of land contains 0.06 acre, more or less, of which 0.02 acre, more or less, is now occupied by the existing highway. Balance 0.04 acre, more or less.

Parcel No. 15-6:117B:E

An easement upon part of an entire tract of property in the SW $\frac{1}{4}$ of Section 30, T. 9 S., R. 2 E., S.L.B. & M., in Utah County, Utah, for the purpose of constructing thereon an irrigation facility and appurtenant parts thereof incident to the construction of a freeway known as Project No. 15-6.

Said part of an entire tract is described as follows:

Beginning at a point 120.0 ft. perpendicularly distant westerly from the center line of said project and 80.0 ft. perpendicularly distant southerly from the center line of a county road overpass; thence S. 04° 12' 51" W. 1903 ft., more or less, to a point 120.0 ft. perpendicularly distant westerly from the center line of said project at Engineer Station 264+65; thence N. 85° 47' W. 10.0 ft.; thence N. 04° 12' 51" E. 55.0 ft.; thence N. 85° 47' W. 10.0 ft.; thence N. 04° 12' 51" E. 17 ft., more or less, to the easterly existing railroad right of way line of the Union Pacific Railroad; thence Easterly 18 ft., more or less, along said existing railroad right of way line to a corner on said existing railroad right of way line; thence Northerly 85 ft., more or less, along said railroad right of way line to a point 140.0 ft. perpendicularly distant westerly from the center line of said project; thence N. 04° 12' 51" E. 40.0 ft., thence S. 85° 47' E. 10.0 ft.; thence N. 04° 12' 51" E. 1703 ft., more or less, to the southerly right of way line of said county road overpass; thence S. 86° 13' E. 10 ft., more or less, to the point of beginning.

The above described easement contains 0.44 acre, more or less.

ALSO:

A temporary construction easement to facilitate the construction of said irrigation facility and appurtenant parts thereof, being a strip of land 10.0 ft. wide, approximately 1810 ft. long and adjoining westerly, the westerly side line of the above described easement, containing 0.42 acre, more or less.

The above described temporary construction easement shall expire upon the completion of said construction.

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Parcel No. 15-6:120:A

A parcel of land in fee for a freeway known as Project No. 15-6, being part of an entire tract of property in the NW $\frac{1}{4}$ of Section 30, T. 9 S., R. 2 E., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at a point 1403.16 ft. East from the SW corner of said NW $\frac{1}{4}$; thence West 107 ft., more or less, to a point 120.0 ft. perpendicularly distant westerly from the center line of said project; thence N. 04° 12' 51" E. 505 ft., more or less, to a point of tangency with an 11,339.16 ft. radius curve to the left opposite Engineer Station 289+44.85 of said center line; thence Northerly 490 ft., more or less, along the arc of said 11,339.16 foot radius curve to the left to the southerly existing right of way line of a county road; thence S. 89° E. 35 ft., more or less, to a corner of said entire tract; thence South 997.26 ft. to the point of beginning. The above described parcel of land contains 2.46 acres, more or less, of which 0.09 acre, more or less, is now occupied by the existing highway. Balance 2.37 acres, more or less.

Together with any and all abutters rights of underlying fee to the center of existing rights of way appurtenant to this conveyance.

Together with any and all rights or easements, exclusive of access, appurtenant to the remaining portion of said entire tract of property by reason of the location thereof with reference to said freeway. Such remaining property shall abut upon and have access to and from an existing county road.

Parcel No. 15-6:120

A parcel of land in fee for an overpass road incident to the construction of a freeway known as Project No. 15-6, being part of an entire tract of property in the NW $\frac{1}{4}$ of Section 30, T. 9 S., R. 2 E., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning on the south line of said NW $\frac{1}{4}$ at a point 120.0 ft. perpendicularly distant westerly from the center line of said project, which point of beginning is approximately 1312 ft. east from the SW. corner of said NW $\frac{1}{4}$; thence N. 04° 12' 51" E. 80 ft., more or less, to a point 80.0 ft. perpendicularly distant northerly from the center line of said overpass road; thence Westerly 290 ft., more or less, along a straight line to a point 60.0 ft. perpendicularly distant northerly from the center line of said overpass road at Engineer Station 6+00; thence S. 77° 07' 37" W. 276.6 ft.; thence East 553 ft., more or less, to the point of beginning. The above described parcel of land contains 0.64 acre, more or less, of which 0.18 acre, more or less, is now occupied by the existing highway. Balance 0.46 acre, more or less.

Parcel No. 15-6:120:E

An easement upon part of an entire tract of property in the NW $\frac{1}{4}$ of Section 30, T. 9 S., R. 2 E., S.L.B. & M., in Utah County, Utah, for the purpose of constructing thereon an irrigation facility and appurtenant parts thereof incident to the construction of a freeway known as Project No. 15-6.

Said part of an entire tract is a strip of land 10.0 ft. wide adjoining westerly and northerly, respectively, the following described portions of the westerly no access line of said project and the northerly right of way line of an overpass road incident to the construction of said project.

Beginning on the north boundary line of said entire tract at a point 120.0 ft. radially distant westerly from the center line of said project; thence Southerly 490 ft., more or less, along the arc of an 11,339.16 foot radius curve to the right to a point 120.0 ft. perpendicularly distant westerly from said center line at Engineer Station 289+44.85 (Note: Tangent to said curve at the point of beginning bears S. 01° 44' W.); thence S. 04° 12' 51" W. 423 ft., more or less, to a point 80.0 ft. perpendicularly distant northerly from the center line of said overpass road; thence Westerly 290 ft., more or less, along a straight line to a point 60.0 ft. perpendicularly distant northerly from the center line of said overpass road at Engineer Station 6+00; thence S. 77° 07' 37" W. 205 ft., more or less, to the northerly existing right of way line of a county road, containing 0.32 acre, more or less.

ALSO:

A temporary construction easement to facilitate the construction of said irrigation facility and appurtenant parts thereof, being a strip of land 10.0 ft. wide, approximately 1450 ft. long and adjoining westerly and northerly the westerly and northerly side lines of the above described easement, containing 0.33 acre, more or less.

The above described temporary construction easement shall expire upon the completion of said construction.

Parcel No. 15-6:120B:A

A parcel of land in fee for a freeway known as Project No. 15-6, being part of an entire tract of property, in the NW $\frac{1}{4}$ of Section 30, T. 9 S., R. 2 E., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at the NE. corner of said entire tract, which point is approximately 1233 ft. west from the NE. corner of said NW $\frac{1}{4}$; thence West 92 ft., more or less, to a NW. corner of said entire tract; thence Southerly 160 ft., more or less, along a west boundary line of said entire tract to a south boundary line of said entire tract of property; thence Easterly 20 ft., more or less, along said south boundary line to a corner of said entire tract; thence Southerly 105 ft., more or less, along the westerly boundary line of said entire tract to a point 25.0 ft. perpendicularly distant westerly from the center line of a westerly frontage road incident to the construction of said project; thence S. 01° 00' 04" E. 865 ft., more or less, to a point 25.0 ft. perpendicularly distant westerly from the center line of said frontage road at Engineer Station 5+86.46; thence Southerly 429 ft., more or less, along a straight line to a point 30.0 ft. radially distant northerly from the center line of said frontage road at Engineer Station 1+56.05; thence Southwesterly 109.24 ft. along the arc of a 70.0 ft. radius curve to the right (Note: Tangent to said curve at its point of beginning bears S. 01° 10' 43" W.); thence S. 85° 37' W. 145 ft., more or less, to

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the northerly existing right of way line of a county road; thence Easterly 240 ft., more or less, along said northerly existing right of way line, to the SE. corner of said entire tract of property; thence N. 02° 12' 30" E. 1637 ft., more or less, to the point of beginning. The above described parcel of land contains 2.13 acres, more or less, of which 0.07 acre, more or less, is now occupied by the existing highway. Balance 2.06 acres, more or less.

Together with any and all abutters rights of underlying fee to the center of existing rights of way appurtenant to this conveyance.

Together with any and all rights or easements, exclusive of access, appurtenant to the remaining portion of said entire tract of property by reason of the location thereof with reference to said freeway. Such remaining property shall abut upon and have access to and from a frontage road.

Parcel No. 15-6:120B:E

An easement upon part of an entire tract of property in the NW $\frac{1}{4}$ of Section 30, T. 9 S., R. 2 E., S.L.B. & M., in Utah County, Utah, for the purpose of constructing thereon an irrigation facility and appurtenant parts thereof incident to the construction of a freeway known as Project No. 15-6.

Said part of an entire tract is a strip of land 10.0 ft. wide, 5.0 ft. on each side of the following described center line:

Beginning at a point 35.0 ft. radially distant northerly from the center line of a county road at Engineer Station 0+45.06; thence Northeasterly 101.4 ft. along the arc of a 65.0 ft. radius curve to the left (Note: Tangent to said curve at the point of beginning bears S. 89° 24' E.); thence Northerly 429 ft., more or less, along a straight line to a point 30.0 ft. radially distant northerly from the center line of an easterly frontage road incident to the construction of said project at Engineer Station 5+86.46; thence N. 01° 00' 04" W. 842 ft., more or less, to a westerly boundary line of said entire tract, containing 0.31 acre, more or less.

ALSO:

A temporary construction easement to facilitate the construction of said irrigation facility and appurtenant parts thereof, being a strip of land 10.0 ft. wide, approximately 1285 ft. long and adjoining westerly, the westerly side line of the above described easement, containing 0.29 acre, more or less.

The above described temporary construction easement shall expire upon the completion of said construction.

Dated this 24th day of May, 1967.

STATE OF UTAH) SS
COUNTY OF UTAH)

I, THE UNDERSIGNED, CLERK OF THE DISTRICT COURT OF UTAH COUNTY, UTAH, DO HEREBY CERTIFY THAT THE ANNEXED AND FOREGOING IS A TRUE AND FULL COPY OF AN ORIGINAL DOCUMENT ON FILE IN MY OFFICE AS SUCH CLERK.
WITNESS MY HAND AND SEAL OF SAID COURT THIS 24th

DAY OF May 1967
MARK F. BOYACK, CLERK

BY: H. Bullard DEPUTY

Maurice Harding
DISTRICT JUDGE

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This pleading was prepared by the Office of the Attorney General of the State of Utah.

CHARLES M. PICKETT
Assistant Attorney General
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Salt Lake City, Utah 84114

Plaintiff's Address:

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CLARK COUNTY CLERK
UTAH COUNTY RECORDS
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