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RASHELLE HOBBS
RECORDER, SALT LAKE COUNTY, UTAH
UT ST-DEPT OF TRANSPORTATION
BOX 148420 ATT: MONE WARDLE
SLC UT 84114-8420
BY: STA, DEPUTY - WI 10 P.

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

<p>UTAH DEPARTMENT OF TRANSPORTATION,</p> <p style="text-align: right;">Plaintiff</p>	<p>LIS PENDENS AND REQUEST FOR NOTICE</p>
<p>vs.</p> <p>PARKWOOD ARIZONA, LLC, an Arizona limited liability company; SALT LAKE CITY, a municipal corporation; and JOHN DOES 1- 10,</p> <p style="text-align: right;">Defendants</p>	<p>Project No. F-0172(32)7 Parcel Nos. 105, 105:E, 105:2E, 105:3E, 105:C Affecting Tax ID No. 14-13-100-010</p> <p>Civil Number 200900200</p> <p>Judge Teresa Welch</p>

NOTICE OF PENDENCY OF EMINENT DOMAIN PROCEEDING


PLEASE TAKE NOTICE that an eminent domain proceeding has been commenced in the above-entitled court by the above-named Plaintiff against the above-named Defendants to acquire for public use the real property described in Exhibit A attached hereto.

REQUEST FOR NOTICE

Pursuant to Utah Code section 57-1-26, the Utah Department of Transportation requests that a copy of any notice of default and a copy of notice of sale under any trust deed filed of record regarding the described property, be mailed to James L. Warlaumont, Assistant Attorney General at 160 East 300 South, 5th Floor, P.O. Box 140857, Salt Lake City, Utah 84114-0857.

DATED this 21st day of January 2020.

SEAN D. REYES
Utah Attorney General



JAMES L. WARLAUMONT
Assistant Attorney General
Attorney for Plaintiff

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

The foregoing instrument was acknowledged before me this 21st day of January 2020 by JAMES L. WARLAUMONT.



Notary Public

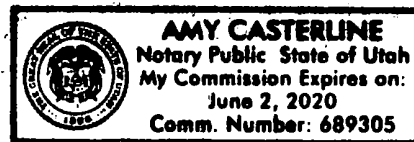


EXHIBIT A

CONDEMNATION RESOLUTION
HIGHWAY PROJECT NO. F-0172(32)7
SR-172; 5600 W. Railroad Crossing

I. The Utah Department of Transportation (UDOT) has determined that the following described property ("Subject Property") is necessary for a state transportation purpose as defined in Utah Code Ann. § 72-5-102. UDOT has been unable to acquire the Subject Property after having made reasonable efforts to negotiate for its purchase. Therefore, pursuant to its duty to provide safe transportation systems, UDOT has determined that it is necessary and in the public interest to acquire the Subject Property by condemnation in accordance with applicable law.

II. The Subject Property is located in Salt Lake County, Utah and described as:

Tax Id No. 14-13-100-010

Parcel No. F-0172:105

A parcel of land in fee for the widening of the existing 5600 West Street (SR-172) known as Project No. F-0172(32)7, being part of an entire tract of property situate in the SW1/4 NW1/4 and the NW1/4 NW1/4 of Section 13, T.1S., R.2W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the intersection of the existing easterly right of way line of 5600 West Street (SR-172) and the existing southerly right of way line of California Avenue, which intersection is 84.04 feet S.00°00'16"E. along the section line and 40.00 feet N.89°59'44"E. from the Northwest Corner of said Section 13, said intersection is also 40.00 feet perpendicularly distant easterly from the 5600 West Street Right of Way Control Line opposite approximate engineer station 62+34.81; and running thence S.89°56'57"E. 77.67 feet along said existing southerly right of way line; thence S.00°03'03"W. 10.00 feet to a point 94.00 feet perpendicularly distant southerly from said the California Avenue Right of Way Control Line opposite engineer station 3008+17.75; thence S.42°02'08"W. 83.12 feet to a point 62.00 feet perpendicularly distant easterly from said 5600 West Street Right of Way Control Line opposite engineer station 61+63.00; thence S.00°00'16"E. 82.42 feet along a line parallel with said control line to the southerly line of the Lee Drain Easement at a point opposite approximate engineer station 60+80.58; thence N.82°46'09"E. 61.49 feet along said southerly easement line to a point 123.00 feet perpendicularly distant easterly from said control line opposite approximate engineer station 60+88.32; thence S.00°00'16"E. 1,173.82 feet along a line parallel with said control line to a point opposite engineer station 49+14.50; thence S.89°59'44"W. 62.50 feet to a point 60.50 feet perpendicularly distant easterly from said control line opposite engineer station 49+14.50; thence S.00°00'16"E. 683.25 feet along a line parallel with said control line to the southerly boundary line of said entire tract at a point opposite approximate engineer station 42+31.25; thence S.89°58'48"W. 20.50 feet along said southerly boundary line to said existing easterly right of way line; thence N.00°00'16"W. 2,003.57 feet along said existing easterly right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

CO*F-0172*105, 105:2E, 105:3E, 105:C, 105:E

CONDEMNATION RESOLUTION
HIGHWAY PROJECT NO. F-0172(32)7
SR-172; 5600 W. Railroad Crossing

The above described parcel of land contains 116,697 square feet in area or 2.679 acres, more or less.

(Note: Rotate all bearings in the above description 00°15'07" clockwise to obtain highway bearings.)

Title to the underlying fee to the center of the existing right of way is acquired by UDOT.

CONDEMNATION RESOLUTION
HIGHWAY PROJECT NO. F-0172(32)7
SR-172; 5600 W. Railroad Crossing

Parcel No. F-0172:105:2E

A perpetual easement, upon part of an entire tract of property, situate in the NW1/4 NW1/4 of Section 13, T.1S., R.2W., S.L.B.& M., in Salt Lake County, Utah, for the purpose of constructing and maintaining a storm drain pipe and appurtenant parts thereof to facilitate the construction of the widening of 5600 West Street (SR-172) known as Project No. F-0172(32)7. This easement includes the right to construct, maintain, and continue the existence of said storm drain pipe as constructed by UDOT. This easement shall run with the Real Property and shall be binding upon the owner, interest holder(s), and their successors, heirs and assigns. The boundaries of said part of an entire tract of property are described as follows:

Beginning at a point 84.04 feet S.00°00'16"E. along the section line and 40.00 feet N.89°59'44"E. and 71.80 feet S.00°00'16"E. and 22.00 feet N.89°59'44"E. from the Northwest Corner of said Section 13, said point is also 62.00 feet perpendicularly distant easterly from said control line opposite engineer station 61+63.00; and running thence N.42°02'08"E. 27.95 feet to the northerly line of the Lee Drain Easement; thence N.82°46'09"E. 11.37 feet along said northerly line; thence S.00°00'16"E. 100.80 feet to the southerly line of the Lee Drain Easement; thence S.82°46'09"W. 30.24 feet along said southerly line to a point 62.00 feet perpendicularly distant easterly from said control line opposite approximate engineer station 60+80.58; thence N.00°00'16"W. 82.42 feet along a line parallel with said control line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described part of an entire tract of property contains 2,852 square feet in area or 0.065 acres, more or less.

(Note: Rotate all bearings in the above description 00°15'07" clockwise to obtain highway bearings.)

CONDEMNATION RESOLUTION
HIGHWAY PROJECT NO. F-0172(32)7
SR-172; 5600 W. Railroad Crossing

Parcel No. F-0172:105:3E

A temporary easement, upon part of an entire tract of property, situate in the NW1/4 NW1/4 of Section 13, T.1S., R.2W., 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 5600 West Street (SR-172) known as Project No. F-0172(32)7. 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 (3) years, whichever first occurs. The easement shall be non-exclusive such that the owner and interest holder(s) may use the property at any time in a manner which does not interfere with construction activities. The boundaries of said part of an entire tract of property are described as follows:

Beginning at a point in the existing southerly right of way line of California Avenue, which is 84.04 feet S.00°00'16"E. along the section line and 40.00 feet N.89°59'44"E. and 183.92 feet S.89°56'57"E. from the Northwest Corner of said Section 13, said point is also 84.00 feet perpendicularly distant southerly from the California Avenue Right of Way Control Line opposite approximate engineer station 3009+24.00; and running thence S.89°56'57"E. 73.00 feet along said existing southerly right of way line; thence S.84°40'25"W. 186.83 feet; thence N.42°02'08"E. 10.10 feet to a point 94.00 feet perpendicularly distant southerly from said control line opposite engineer station 3008+17.75; thence N.84°40'25"E. 106.72 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described part of an entire tract of property contains 1,004 square feet in area or 0.023 acre, more or less.

(Note: Rotate all bearings in the above description 00°15'07" clockwise to obtain highway bearings.)

CONDEMNATION RESOLUTION
HIGHWAY PROJECT NO. F-0172(32)7
SR-172; 5600 W. Railroad Crossing

Parcel No. F-0172:105:C

A parcel of land in fee for the widening of the existing 5600 West Street (SR-172) known as Project No. F-0172(32)7, being part of an entire tract of property situate in the NW1/4 NW1/4 of Section 13, T.1S., R.2W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point in the existing southerly right of way line of California Avenue, which is 84.04 feet S.00°00'16"E. along the section line and 40.00 feet N.89°59'44"E. and 77.67 feet S.89°56'57"E. from the Northwest Corner of said Section 13, said point is also 84.00 feet perpendicularly distant southerly from the California Avenue Right of Way Control Line opposite approximate engineer station 3008+17.75; and running thence S.89°56'57"E. 106.25 feet along said existing southerly right of way line parallel to said control line to a point opposite engineer station 3009+24.00; thence S.84°40'25"W. 106.72 feet to a point 94.00 feet perpendicularly distant southerly from said control line opposite engineer station 3008+17.75; thence N.00°03'03"E. 10.00 feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described parcel of land contains 531 square feet in area or 0.012 acre, more or less.

(Note: Rotate all bearings in the above description 00°15'07" clockwise to obtain highway bearings.)

Title to the underlying fee to the center of the existing right of way is acquired by UDOT.

CONDEMNATION RESOLUTION
HIGHWAY PROJECT NO. F-0172(32)7
SR-172; 5600 W. Railroad Crossing

Parcel No. F-0172:105:E

A perpetual easement, upon part of an entire tract of property, situate in the SW1/4 NW1/4 of Section 13, T.1S., R.2W., S.L.B.&M., in Salt Lake County, Utah, for the purpose of constructing and maintaining a storm drain pipe, drainage facilities and appurtenant parts thereof to facilitate the widening of 5600 West Street (SR-172) known as Project No. F-0172(32)7. This easement shall run with the Real Property and shall be binding upon the owner, interest holder(s), and their successors, heirs and assigns. The boundaries of said part of an entire tract of property are described as follows:

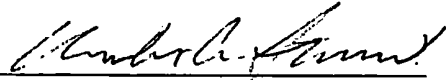
Beginning at a point in the southerly boundary line of said entire tract, which point is 84.04 feet S.00°00'16"E. along the section line and 40.00 feet N.89°59'44"E. and 2,003.56 feet S.00°00'16"E. and 20.50 feet N.89°58'48"E. from the Northwest Corner of said Section 13, said point is also 60.50 feet perpendicularly distant easterly from the 5600 West Street Right of Way Control Line opposite engineer station 42+31.25; and running thence N.00°00'16"W. 683.25 feet along a line parallel with said control line to a point opposite engineer station 49+14.50; thence N.89°59'44"E. 30.00 feet; thence S.00°00'16"E. 683.25 feet to said southerly boundary line; thence S.89°58'48"W. 30.00 feet along said southerly boundary line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

The above described part of an entire tract of property contains 20,497 square feet in area or 0.471 acres, more or less.

(Note: Rotate all bearings in the above description 00°15'07" clockwise to obtain highway bearings.)


CONDEMNATION RESOLUTION
HIGHWAY PROJECT NO. F-0172(32)7
SR-172; 5600 W. Railroad Crossing

The foregoing Condemnation Resolution is hereby approved by the Director of the Utah Department of Transportation, or his designee, the Director of Right of Way for the Utah Department of Transportation pursuant to the provisions of Utah Code Ann. § 72-1-202 and 72-1-207, (1998), on this 31st day of December, 2019.


Director of Right of Way
Utah Department of Transportation

State of Utah
County of Salt Lake

On the 31st day of December, 2019, personally appeared before me Charles A. Stormont who by me duly sworn did say that he is the Director of Right of Way, and he further acknowledged to me that said instrument was signed by him in behalf of said Utah Department of Transportation.


Notary Public

