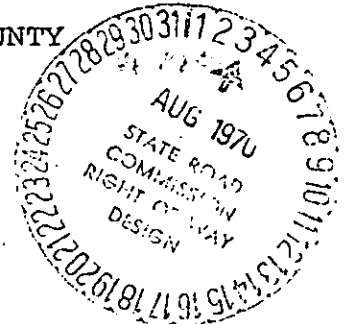


8407

IN THE FOURTH DISTRICT COURT IN AND FOR UTAH COUNTY

STATE OF UTAH



STATE OF UTAH, by and through :  
its ROAD COMMISSION,

Plaintiff, : FINAL ORDER OF CONDEMNATION

-v-

Civil No. 32553

LAWSON O. HAMBLIN and IDA T. :  
HAMBLIN, his wife,

Project No. F-001-6(13)  
Parcel Nos. 33F, 37:A, 37:E  
Total Payment: \$21,122.11

Defendants. :

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It appearing to the court and the court now finds that heretofore, on the 19th day of May, 1970, 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, Lawson O. Hamblin and Ida T. Hamblin, 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. 33F, 37:A and for easement rights as to Parcel No. 37: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.

THIS INSTRUMENT CHECKED WITH  
JUDGMENT   
STIPULATIONS   
RESOLUTIONS   
MAPS

DATE KIA V  
BY 7-17-70

AGREES YES  NO

BOOK 1190 PAGE 05

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. 33F, 37:A and for easement rights as to Parcel No. 37: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. 33F, 37:A and for easement rights as to Parcel No. 37: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. 001-6:33F

A parcel of land in fee for the realignment of a portion of Carterville Road incident to the construction of an expressway known as Project No. 001-6, being part of an entire tract of property, in the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 25, T. 6 S., R. 2 E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning on the south boundary line of said entire tract at a point 50.0 ft. radially distant easterly from the center line of said Carterville Road Realignment at Engineer Station 29+99.67, said point also beginning approximately 1694 ft. south and 1267 ft. west from the NE. corner of the SW $\frac{1}{4}$  of said Section 25; thence West 60 ft., more or less, along said south boundary line to the SW. corner of said entire tract; thence North 263 ft., more or less, along the west boundary line to a point 50.0 ft. perpendicularly distant easterly from said Carterville Road Realignment at Engineer Station 27+39.40; thence S. 15°15'15"E. 142.28 ft. to the point of tangency with a 931.47-foot radius curve to the right; thence Southerly 124.68 ft. along the arc of said curve to the point of beginning. The above described parcel of land contains 0.18 acre, more or less, of which 0.09 acre, more or less, is now occupied by the existing highway. Balance 0.09 acre, more or less.

Parcel No. 001-6:37:A

A parcel of land in fee for an expressway known as Project No. 001-6, being part of an entire tract of property, in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 25, T. 6 S., R. 2 E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning on the south boundary line of said entire tract at a point 80 ft. radially distant southwesterly from the center line of the southbound traffic lanes of said project at Engineer Station 199+37.93, said point also being 295.23 ft. east from the S $\frac{1}{4}$  corner of said Section 25; thence Northwesterly 264 ft., more or less, along the arc of a 17,108.73-foot radius curve to the left

SE-SW  
NE-SW  
E 821-A  
1641-65  
SW-SE  
E 873-A  
10590-49  
3363-68

(Note: Tangent to said curve at its point of beginning bears N. 40°45'00" W.) to a northwesterly boundary line of said entire tract; thence Northeasterly 140.81 ft. along said northwesterly boundary line to a northwesterly corner of said entire tract; thence East 139.07 ft. along the north boundary line of said entire tract; thence Southeasterly 381 ft., more or less, along the arc of an 11,539.16-foot radius curve to the right (Note: Tangent to said curve at its point of beginning bears S. 41°24'45" E.) to the east boundary line of said entire tract; thence South 23.79 ft. to the SE. corner of said entire tract; thence West 282.95 ft. to the point of beginning. The above described parcel of land contains 2.08 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.

Parcel No. 001-6:37:E

An easement upon part of an entire tract of property in the SW¼SE¼ of Section 25, T. 6 S., R. 2 E., S.L.B.&M. in Utah County, Utah, for the purpose of constructing thereon a drainage facility and appurtenant parts thereof incident to the construction of an expressway known as Project No. 001-6.

Said part of an entire tract is a strip of land 20 ft. wide and adjoining northeasterly the following described portion of the northeasterly right of way and limited-access line of said project:

Beginning at the intersection of the north boundary line of said entire tract and said northeasterly limited-access line at a point 80 ft. radially distant northeasterly from the center line of the northbound traffic lanes of said project at Engineer Station 197+09.22, said point also being approximately 292 ft. east and 336 ft. north from the S¼ corner of said Section 25; thence Southeasterly 381 ft., more or less, along the arc of an 11,539.16-foot radius curve to the right (Note: Tangent to said curve at its point of beginning bears S. 41°24'45" E.) to the east boundary line of said entire tract, containing 0.08 acre, more or less.

Also:

A temporary construction easement to facilitate the construction of said drainage facility and appurtenant parts thereof, being a strip of land 20 ft. wide and adjoining northeasterly the northeasterly side line of the above described easement, containing 0.07 acre, more or less.

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

Dated this 14<sup>th</sup> day of July, 1970.

STATE OF UTAH  
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 21<sup>st</sup>

William H. Harding  
DISTRICT JUDGE

DAY OF July, 1970  
MARK F. BOYACK, CLERK  
Luella Charles DEPUTY

E873-A-A  
10590-49  
3363-68  
SW. SW.

8407

RECORDED AT THE REQUEST OF  
*Walter Hite Dept of Highways*

BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

1970 AUG 17 AM 8:36

NINA E. REID  
UTAH COUNTY RECORDER  
DEPUTY *REID*  
PR *REID* ABS *REID* IND *REID*  
PL SCH 5 25 T 6 R 2 E

(2)