



premises belonging to the Defendants above named, which premises are sought for highway purposes, all such property interests or other rights as required by the Plaintiff herein, and the property belonging to the Defendants as affected thereby being particularly set out and described in the Complaint on file in this action, and in the condemnation resolution filed in this action, a copy of which is hereto annexed and the Plaintiff is hereby permitted to take immediate possession of said properties of said Defendants as required and as described in Plaintiff's Complaint and to continue the possession of the same pending further hearing and trial on the issues that may be raised in this action and to do such work thereon as may be required for the purposes for which said premises are sought to be condemned.

IT IS FURTHER ORDERED that during construction of the project and pending the hearing on the issues presented, that prior to the destruction or removal of any fence on or along the property condemned, the Plaintiff shall make adequate provisions for a fence along the right-of-way so as to provide fencing protection to the properties affected hereby at least equal to that now provided for each of such properties.

IT IS FURTHER ORDERED that pending further hearing and trial on the issues that may be presented in this action, and subject to the conditions set forth, the Defendants and their agents, servants

and employees be and they are hereby restrained and enjoined from hindering or interfering with Plaintiff in the occupation of said premises required by Plaintiff as particularly described in the Complaint herein, or in the doing of such work thereon as may be required for the purposes for which it is sought to condemn the said property as set forth in said Complaint.

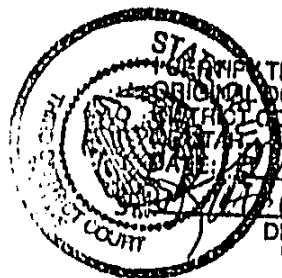
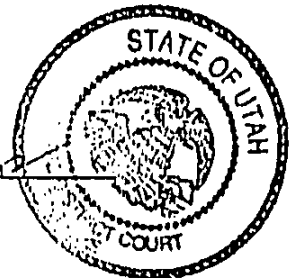
This Order shall not be effective until the Plaintiff herein has deposited with the Clerk of the Court, for the use and benefit of the Defendant parties in interest herein, the full dollar amount of the approved appraisal of the Defendants' property to be acquired in this action.

IT IS FURTHER ORDERED that on receipt of said moneys, the Clerk of this Court shall remit the same to the appropriate Defendants in the percentage and portion to which each is entitled.

DATED this 23<sup>rd</sup> day of May, 1996.

BY THE COURT:

*Kenneth R. Rigtrup*  
Kenneth R. Rigtrup  
District Court Judge



CERTIFY THAT THIS IS A TRUE COPY OF AN ORIGINAL DOCUMENT ON FILE IN THE THIRD DISTRICT COURT, SALT LAKE COUNTY, STATE OF UTAH

*[Signature]*  
DEPUTY COURT CLERK

BK 7417 PG 0113

CONDEMNATION RESOLUTION  
HIGHWAY PROJECT NO. SP-0154(3)6  
Bangerter Highway 9000 South to 12600 South

RESOLVED, by the Utah Department of Transportation, hereinafter referred to as the Department, that it finds and determines and hereby declares that:

The public interest and necessity required the acquisition, construction and completion by the State of Utah acting through the Department, of a public improvement, namely a State Highway. The public interest and necessity require the acquisition and immediate occupancy, for said public improvement, of the real property, or interest in real property, hereinafter described.

Said proposed state highway is planned and located in a manner which will be most compatible with the greatest public good and the least private injury as provided by Title 27, Chapter 12, Section 96, Utah Code Annotated 1953 as amended, and has been heretofore designated as a limited-access facility as provided by Title 27, Chapter 12, Section 114, Utah Code Annotated 1953 as amended.

BE IT FURTHER RESOLVED by said Department that the Attorney General of Utah shall be requested, on behalf of said Department:

To acquire, in the name of the Department, the said hereinafter described real property, or interests in real property, by condemnation in accordance with the provisions of the Statutes and of the Constitution of Utah relating to eminent domain;

To prepare and prosecute such proceeding or proceedings in the proper court having jurisdiction thereof as are necessary for such acquisition;

To obtain, from said court, an order permitting said Department to take immediate possession and use of said real property, or interests in real property, for highway purposes, or purposes incidental thereto.

BE IT FURTHER RESOLVED that the State Finance Director shall be requested, on behalf of said Department:

To prepare State Warrant in the amount of the approved appraisal of each parcel of real property, or interest in real property set forth and described herein; payee to be the Clerk of the District Court of the County wherein the real property is located, for the use and benefit of the landowners and/or lien holder as described herein;

That a tender to the landowners of a sum equal to the fair market value of the property to be acquired for rights of way herein shall be made prior to issuance of Order of Immediate Occupancy.

The real property, or interest in real property, which the Department is by this resolution authorized to acquire for said public use, is situate in the County of Salt Lake, State of Utah, Highway Project No. SP-0154(3)6, and is described as follows:

BK 74 17 PG 01 14

HIGHWAY PROJECT NO. SP-0154(3)6

RECORDED OWNER: Elk Meadows, L.L.C., a Utah  
Limited Liability Company  
ADDRESS: 50 South Main Street #1220  
Salt Lake City, Utah 84144

PARTY IN INTEREST: Serengeti, L.L.C. a Limited Liability Company  
ADDRESS: 50 South Main Street #1220  
Salt Lake City, Utah 84144

LIEN HOLDER: None of record

APPROVED APPRAISAL: \$227,400.00

Parcel No. 0154:7

A parcel of land in fee for the purpose of widening 9800 South Street, incident to the construction of an expressway known as Project No. 0154, being part of an entire tract of property situate in the SE~~1~~NW~~4~~ of Section 8, T.3S., R.1W., S.L.B.& M.

The boundaries of said parcel of land are described as follows:

Beginning at a point in the southerly boundary line of said entire tract and the northerly right of way line of 9800 South Street, which point is 190.241 meters N. 89°37'42" W. along the Quarter Section line and 10.058 meters N. 0°25'15" E. from the monumented Center of said Section 8; thence along said northerly right of way line the following two (2) courses and distances: (1) S. 89°37'42" E. 83.545 meters; thence (2) N. 86°21'27" E. 11.562 meters; thence N. 0°25'15" E. 4.014 meters; thence N. 89°34'45" W. 95.077 meters along a line parallel to the center line of said 9800 South Street; thence S. 0°25'15" W. 4.906 meters to the point of beginning.

The above described parcel of land contains 457.9 square meters in area.

(Note: To obtain distances in feet, divide above distances by 0.3048. Multiply above area by 10.764 to obtain square feet.)

BK 7417 PG 0115

## HIGHWAY PROJECT NO. SP-0154(3)6

Parcel No. 0154:7:A

A parcel of land in fee for the purpose of constructing thereon an expressway known as Project No. 0154, being part of an entire tract of property situate in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 8, T.3S., R.1W., S.L.B.& M.

The boundaries of said parcel of land are described as follows:

Beginning at the Southeast corner of said entire tract, which point is 12.192 meters N. 0°01'10" W. along the Quarter Section line from the monumented Center of said Section 8; thence N. 0°01'10" W. 10.058 meters along said Quarter Section line; thence N. 34°15'22" W. 7.885 meters to a point 22.860 meters perpendicularly distant easterly from the center line of said project; thence N. 0°00'14" W. 21.662 meters along a line parallel to said center line; thence S. 89°59'46" W. 1.860 meters to a point 21.000 meters perpendicularly distant easterly from said center line; thence N. 0°00'14" W. 258.718 meters along a line parallel to said center line to the point of tangency with a 3569.001-meter radius curve to the right; thence Northerly 87.00 meters along the arc of said curve along a line concentric with said center line; thence N. 1°23'34" E. 8.480 meters along a line parallel to said center line to the northerly boundary line of said entire tract; thence N. 89°33'28" W. 43.866 meters along said northerly boundary line to a point 22.860 meters perpendicularly distant westerly from said center line; thence S. 1°23'34" W. 7.753 meters along a line parallel to said center line to the point of tangency with a 3612.861-meter radius curve to the left; thence Southerly 88.069 meters along the arc of said curve along a line concentric with said center line; thence S. 0°00'14" E. 279.872 meters along a line parallel to said center line to a point 22.860 meters perpendicularly distant westerly from said center line; thence S. 43°36'43" W. 19.344 meters to a point 12.495 meters perpendicularly distant northerly from the center line of 9800 South Street; thence N. 89°34'45" W. 31.545 meters; thence S. 0°25'15" W. 4.014 meters to the southerly boundary line of said entire tract and the northerly right of way line of said 9800 South Street; thence along said northerly right of way line the following two (2) courses and distances: (1) N. 86°21'27" E. 18.918 meters; thence (2) S. 89°37'42" E. 76.200 to the point of beginning.

The above described parcel of land contains 17568.2 square meters in area.

(Note: To obtain distances in feet, divide above distances by 0.3048. Multiply above area by 10.764 to obtain square feet.)

BK 7417PG0116

## HIGHWAY PROJECT NO. SP-0154(3)6

To enable the Utah Department of Transportation to construct and maintain a public highway as an expressway, as contemplated by Title 27, Chapter 12, Section 96, Utah Code Annotated, 1953, as amended, the Owners of said entire tract of property hereby release and relinquish to said Utah Department of Transportation any and all rights or easements appurtenant to the remaining property of said Owners by reason of the location thereof with reference to said highway, including, without limiting the foregoing, all rights of ingress to or egress from said Owner's remaining property contiguous to the lands hereby conveyed to or from said highway.

Parcel No. 0154:7:E

A perpetual easement, upon part of an entire tract of property in the SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 8, T.3S., R.1W., SLB&M, in Salt Lake County, Utah, for the purpose of constructing thereon an irrigation facility, and appurtenant parts thereof, to facilitate the construction of an expressway known as Project No. 0154.

The boundaries of said part of an entire tract are described as follows:

Beginning at a point in the northerly right of way line of said project, which point is 63.607 meters N. 89°37'42" W. along the Quarter Section line and 14.855 meters N. 0°22'18" E. from the monumented Center of said Section 8; thence N. 89°34'45" W. 97.482 meters along a line parallel to said center line; thence N. 0°25'15" E. 5.000 meters; thence S. 89°34'45" E. 102.176 meters; thence S. 43°36'43" W. 6.858 meters to the point of beginning.

The above described part of an entire tract contains 499.1 square meters in area.

(Note: To obtain distances in feet, divide above distances by 0.3048. Multiply above area by 10.764 to obtain square feet.)

After said irrigation facility and appurtenant parts thereof are constructed on the above described part of an entire tract, at the expense of said Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said irrigation facility and appurtenant parts thereof.

## HIGHWAY PROJECT NO. SP-0154(3)6

Parcel No. 0154:7:2E

A perpetual easement, upon part of an entire tract of property in the SE~~NW~~ of Section 8, T.3S., R.1W., SLB&M, in Salt Lake County, Utah, for the purpose of constructing thereon an irrigation facility, and appurtenant parts thereof, to facilitate the construction of an expressway known as Project No. 0154.

The boundaries of said part of an entire tract are described as follows:

Beginning at a point in the easterly boundary line of said entire tract, which point is 22.250 meters N.  $0^{\circ}01'10''$  W. along the Quarter Section line from the monumented Center of said Section 8; thence N.  $0^{\circ}01'10''$  W. 3.897 meters along said easterly boundary line; thence N.  $59^{\circ}26'16''$  W. 5.153 meters to the easterly right of way line of said project; thence S.  $34^{\circ}15'22''$  E. 7.885 meters to the point of beginning.

The above described part of an entire tract contains 8.6 square meters in area.

(Note: To obtain distances in feet, divide above distances by 0.3048. Multiply above area by 10.764 to obtain square feet.)

After said irrigation facility and appurtenant parts thereof are constructed on the above described part of an entire tract, at the expense of said Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said irrigation facility and appurtenant parts thereof.



## HIGHWAY PROJECT NO. SP-0154(3)6

Parcel No. 0154:7:S

A tract of land in fee, situate in the SE~~1~~NW~~1~~ of Section 8, T.3S., R.1W., S.L.B.& M.

The boundaries of said tract of land are described as follows:

Beginning at a point in the easterly boundary line of an entire tract, which point is 26.147 meters N. 0°01'10" W. along the Quarter Section line from the monumented Center of said Section 8; thence N. 0°01'10" W. 378.431 meters along said easterly boundary line to the northerly boundary line of said entire tract; thence N. 89°33'28" W. 4.928 meters along said northerly boundary line to the easterly right of way line of said project; thence S. 1°23'34" W. 8.480 meters along said easterly right of way line to the point of tangency with a 3569.001-meter radius curve to the left; thence Southerly 87.000 meters along the arc of said curve along a line concentric with the center line of said project; thence S. 0°00'14" E. 258.718 meters along a line parallel to said center line to a point 21.000 meters perpendicularly distant easterly from said center line; thence N. 89°59'46" E. 1.860 meters; thence S. 0°00'14" E. 21.662 meters along a line parallel to said center line to a point 22.860 meters perpendicularly distant easterly from said center line; thence S. 59°26'16" E. 5.153 meters to the point of beginning.

The above described tract of land contains 2272.3 square meters in area.

(Note: To obtain distances in feet, divide above distances by 0.3048. Multiply above area by 10.764 to obtain square feet.)

Prepared by RJ 4/5/96

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06/06/96 1:16 PM\*\*NO FEE\*\*  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
UTAH ST-DEPT OF TRANSPORTATION  
REC BY: J MORGAN ,DEPUTY - MP

BK 7417 PG 0119