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RECORDER, SALT LAKE COUNTY, UTAH
UT ST-DEPT OF TRANSPORTATION
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SLC UT 84114-8420
BY: ZJM, DEPUTY - WI 12 P.

FILED DISTRICT COURT
Third Judicial District

AUG 27 2008

SALT LAKE COUNTY
Deputy Clerk

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ENTERED IN REGISTRY
OF JUDGMENTS
DATE 08/28/08

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

<p>UTAH DEPARTMENT OF TRANSPORTATION, Plaintiff, vs. MACERICH ST MARKETPLACE LIMITED PARTNERSHIP, a California Limited Partnership; LEHMAN BROTHERS HOLDING, INC., Beneficiary; MERRILL TITLE HOLDING COMPANY, INC., Trustee; JOHN DOES 1 - 20, Defendants.</p>	<p>FINAL JUDGMENT OF CONDEMNATION (Entered Upon Stipulation)</p> <p>Project No. SP-0089(88)313 Parcel Nos. 21B, 21B:C, 21B:2C, 21B:E, 21B:2E, 21B:3E, 21B:4E, 21B:5E, 21B:6E, 21B:7E Tax ID No. 27-13-226-008</p> <p>Civil No. 060918009</p> <p>Judge Anthony Quinn</p>
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The Court, having reviewed the Stipulation and Joint Motion for Final Judgment of
Condemnation entered into by Plaintiff Utah Department of Transportation ("UDOT") and
Defendant Macerich ST Marketplace Limited Partnerships ("Macerich Marketplace") and being
fully advised in the matter, make the following Order:

Final Judgment of Condemnation @J



JD26948419

pages:

060918009 PARCELS OF LAND

ORDER

1. Parcels of land herein described are hereby condemned and acquired by UDOT for highway purposes.

2. The purpose of said condemnation is of public use authorized by law.

3. The Defendants are awarded judgment in the total amount of \$82,500 as just compensation, which includes all recoverable damages and applicable interest, for the taking described in the Complaint.

4. A copy of this Final Judgment of Condemnation shall be filed with the County Recorder of Salt Lake County, State of Utah, and upon the rights and interests of Defendant in and to the following described property, situated in Salt Lake County, State of Utah shall vest in the Plaintiff Utah Department of Transportation, 4501 South 2700 West, Salt Lake City, Utah 84119:

Parcel No. 0089:21B

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the NW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning in the westerly right of way of said existing highway State Route 89 at a point 41.33 feet N. 89°50'56" E. and 583.27 feet S. 00°01'50" E. along said westerly right of way line and continuing along said westerly right of way line 70.31 feet S. 00°50'43" E. from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is

approximately 50.00 feet perpendicularly distant westerly from the control line of said existing highway opposite engineer station 103+30.67, and running thence S. 00°01'50" E. 56.85 feet along said westerly right of way line to the beginning of a 25.00-foot radius non-tangent curve to the right; thence southeasterly 15.52 feet along the arc of said curve (Note: Chord to said curve bears S. 58°20'14" W. for a distance of 15.27 feet) to a point of non-tangency; thence N. 00°01'50" W. 71.92 feet to the northerly boundary line of said entire tract; thence S. 61°30'58" E. 14.79 feet along said northerly boundary line to the point of beginning. The above described parcel of land contains 849 square feet in area or 0.019 acres, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-way appurtenant to this conveyance.

Parcel No. 0089:13:21B:C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the NW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at a point 41.33 feet N. 89°50'56" E. and 583.27 feet S. 00°01'50" E. along the westerly right of way line of the existing highway State Route 89 and continuing along said westerly right of way line 70.31 feet S. 00°50'43" E. and 14.73 feet N. 61°30'58" W. and 53.30 feet S. 00°01'50" E. from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 63.00 feet perpendicularly distant westerly from the control line of said existing highway opposite engineer station 102+84.44, and running thence S. 00°01'50" E. 18.62 feet along a line parallel with and 63.00 feet perpendicularly distant westerly from said control line to the southerly boundary line of said entire tract at the beginning of a non-tangent 25.00-foot radius curve to the right; thence southwesterly along said southerly boundary line 6.06 feet along the arc of said curve (Note: Chord to said curve bears S. 83°04'01" W. for a distance of 6.05 feet) to a point of non-tangency, said point is 69.01 feet perpendicularly distant westerly from said control line; thence N. 89°58'51" W. 26.06 feet along said southerly boundary line to a point 95.06 feet perpendicularly distant westerly from said

control line; thence N. 00°04'58" E. 6.40 feet to a point 95.05 feet perpendicularly distant westerly from said control line; thence S. 89°55'02" E. 11.00 feet to the beginning of a 23.50-foot radius curve to the left at a point 84.05 feet perpendicularly distant westerly from said control line; thence northeasterly 26.02 feet along the arc of said curve (Note: chord to said curve bears N. 58°21'38" E. for a distance of 24.71 feet) to the point of beginning. The above described parcel of land contains 281 square feet in area or 0.006 acres, more or less.

Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

Parcel No. 0089:21B:2C

A parcel of land in fee for the widening and reconstruction of the existing highway State Route 89 known as Project No. SP-0089(88)313, being a part of an entire tract of property, situate in the SW1/4SW1/4 of Section 7, T.3S., R.1E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning in the westerly right of way of said existing highway State Route 89 at a point 41.33 feet N. 89°50'56" E. and 790.97 feet N. 00°07'35" W. along said westerly right of way line from the Southwest Corner of said Section 7 (Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian by record), which said Southwest Corner of said Section 7 is 92.33 feet S. 89°54'01" W. (S. 89°53'20" W. by record) from a monument in the intersection of 10200 South Street and State Street, said point of beginning is approximately 51.00 feet perpendicularly distant westerly from the control line of said highway opposite engineer station 117+71.61, and running thence N. 47°29'15" W. 18.41 feet to a point 64.54 feet perpendicularly distant westerly from said control line opposite engineer station 117+84.08; thence N. 02°11'27" E. 9.34 feet to a point 64.16 feet perpendicularly distant westerly from said control line opposite engineer station 117+93.41; thence N. 89°52'25" E. 13.16 feet to said westerly right of way line at a point 51.00 feet perpendicularly distant westerly from said control line opposite engineer station 117+93.41; thence S. 00°07'35" E. 21.80 feet along said right of way line parallel with said control line to the point of beginning. The above described parcel of land contains 209 square feet in area or 0.005 acres, more or less.

(Note: Rotate all bearings in the above description 00°14'39" clockwise to match highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

Parcel No. 0089:21B:E

A perpetual easement, upon part of an entire tract of property, in the NW1/4NW1/4 of Section 18, T.3S. R.1E. and the NE1/4NE1/4 of Section 13, T.3S., R.1W., S.L.B.&M., in Salt Lake County, Utah, incident to the widening of the existing highway State Route 89 known as Project No. SP-0089(88)313, for the purpose of constructing and maintaining thereon public utilities and appurtenant parts thereof including, but not limited to ATMS fiber optic conduit, electrical service and transmission lines, culinary and irrigation water facilities; and highway appurtenances including, but not limited to, slopes, street and signal lighting facilities, directional and traffic information signs. The easement includes the right to maintain and continue the existence of said cut and/or fill slopes in the same grade and slope ratio as constructed by UDOT. The easement shall run with the Real Property and shall be binding upon the Grantor and the Grantor successors, heirs and assigns, and includes and conveys all rights of grantor to change the vertical distance or grade of said cut and/or fill slopes. Grantor may use the easement to the extent that such use does not interfere with the purposes for which the easement is being acquired.

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

Beginning in the southwesterly line of the Jordan and Salt Lake Canal at a point 41.33 feet N. 89°50'56" E. and 583.27 feet S. 00°01'50" E. and 70.31 feet S. 00°50'43" E. and 37.84 feet N. 61°30'58" W. from the Northeast Corner of said Section 13, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 83.30 feet perpendicularly distant westerly from the control line of said existing highway opposite engineer station 103+48.76, and running thence S. 61°30'58" E. 23.10 feet along said northerly boundary line; thence S. 00°01'50" E. 50.38 feet along a line parallel with said control line; thence S. 89°58'10" W. 4.00 feet; thence N. 00°01'50" W. 8.64 feet along a line parallel with said control line; thence N. 74°55'18" W. 53.93 feet; thence N. 15°04'42" E. 10.00 feet; thence S. 74°55'18" E. 34.35 feet; thence N. 00°01'50" W. 38.01 feet along a line parallel with said

control line to the point of beginning. The above described part of an entire tract of land contains 1,315 square feet in area or 0.030 acres, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Parcel No. 0089:13:21B:2E

A non-exclusive temporary easement, upon part of an entire tract of property, in the NW1/4NW1/4 of Section 18, T.3S., R.1E. and the NE1/4NE1/4 of Section 13, T.3S., R.1W., 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. 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 years, whichever first occurs. The easement shall be non-exclusive such that the Grantor 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 land are described as follows:

Beginning in the southwesterly line of the Jordan and Salt Lake Canal at a point 41.33 feet N. 89°50'56" E. and 583.27 feet S. 00°01'50" E. and 70.31 feet S. 00°50'43" E. and 37.84 feet N. 61°30'58" W. from the Northeast Corner of said Section 13, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 83.30 feet perpendicularly distant westerly from the control line of said existing highway opposite engineer station 103+48.76, and running thence S. 00°01'50" E. 38.01 feet along a line parallel with said control line; thence N. 74°55'18" W. 34.35 feet; thence S. 15°04'42" W. 10.00 feet; thence S. 74°55'18" E. 53.93 feet; thence S. 00°01'50" E. 8.64 feet along a line parallel with said control line; thence N. 89°58'10" E. 4.00 feet; thence S. 00°01'50" E. 2.91 feet along a line parallel with said control line to the beginning of a 23.50-foot radius non-tangent curve to the right; thence southeasterly 26.02 feet along the arc of said curve (Note: Chord to said curve bears S. 58°21'38" W. for a distance of 24.71 feet) to a point of tangency; thence N. 89°55'02" W. 11.00 feet; thence S. 00°04'58" W. 6.40 feet to the southerly boundary line of said entire tract; thence S. 89°59'51" W. 3.47 feet along said southerly boundary line; thence N. 00°01'50" W. 5.28 feet along a line parallel with said control line; thence N. 50°25'27" E. 30.51 feet; thence N. 00°01'50" W. 5.22 feet along a line parallel with said control line; thence N. 74°55'18" W. 49.45 feet; thence N. 15°04'42" E. 16.00 feet; thence S. 74°55'18" E. 33.43 feet; thence

N. 00°01'50" W. 35.73 feet along a line parallel with said control line to the northerly boundary line of said entire tract; thence S. 61°30'58" E. 3.41 feet along said northerly boundary line to the point of beginning. The above described part of an entire tract of land contains 809 square feet in area or 0.019 acre, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Parcel No. 0089:13:21B:3E

A perpetual easement, upon part of an entire tract of property, in the NE1/4NE1/4 of Section 13, T.3S., R.1W., S.L.B.&M., in Salt Lake County, Utah, incident to the widening of the existing highway State Route 89, known as Project No. SP-0089(88)313, for the purpose of constructing and maintaining thereon public utilities and appurtenant parts thereof including, but not limited to ATMS fiber optic conduit, electrical service and transmission lines, culinary and irrigation water facilities; and highway appurtenances including, but not limited to, slopes, street and signal lighting facilities, directional and traffic information signs. The easement includes the right to maintain and continue the existence of said cut and/or fill slopes in the same grade and slope ratio as constructed by UDOT. The easement shall run with the Real Property and shall be binding upon the Grantor and the Grantor successors, heirs and assigns, and includes and conveys all rights of grantor to change the vertical distance or grade of said cut and/or fill slopes. Grantor may use the easement to the extent that such use does not interfere with the purposes for which the easement is being acquired.

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

Beginning in the easterly boundary line of said entire tract at a point 32.66 feet N. 89°50'02" W. and 9.05 feet S. 00°07'29" E. from the Northeast Corner of said Section 13, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 124.99 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 109+71.54, and running thence S. 00°07'29" E. 30.66 feet along said easterly boundary line to a southeast corner of said entire tract; thence S. 89°52'57" W. 7.73 feet along a southerly boundary line of said entire tract; thence N. 00°13'42" W. 30.64 feet; thence N. 89°45'23" E. 7.79 feet to the point of beginning. The above described part of an entire tract of land contains 238 square feet in area or 0.005 acres, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Parcel No. 0089:13:21B:4E

A non-exclusive temporary easement, upon part of an entire tract of property, in the NE1/4NE1/4 of Section 13, T.3S., R.1W., 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 the existing highway State Route 89 known as Project No. SP-0089(88)313. 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 years, whichever first occurs. The easement shall be non-exclusive such that the Grantor 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 land are described as follows:

Beginning in the easterly boundary line of said entire tract at a point 32.66 feet N. 89°50'02" W. and 9.05 feet S. 00°07'29" E. from the Northeast Corner of said Section 13, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 124.99 feet perpendicularly distant westerly from the control line of said existing highway State Route 89 opposite engineer station 109+71.54, and running thence S. 89°45'23" W. 7.79 feet; thence S. 00°13'42" E. 30.64 feet to a southerly boundary line of said entire tract; thence S. 89°52'57" W. 3.00 feet along said southerly boundary line; thence N. 00°13'42" W. 33.63 feet; thence N. 89°45'23" E. 10.79 feet; thence S. 00°07'29" E. 3.00 feet to the point of beginning. The above described part of an entire tract of land contains 124 square feet in area or 0.003 acres, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Parcel No. 0089:13:21B:5E

A non-exclusive temporary easement, upon part of an entire tract of property, in the SW1/4SW1/4 of Section 7, T.3S., R.1E., 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 the existing highway State Route 89 known as Project No. SP-0089(88)313. 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 years, whichever first occurs. The easement shall be non-exclusive such that the Grantor 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 land are described as follows:

Beginning in the westerly right of way of said existing highway State Route 89 at a point 41.33 feet N. 89°50'56" E. and 786.89 feet N. 00°07'35" W. along said westerly right of way line from the Southwest Corner of said Section 7 (Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian by record), which said Southwest Corner of said Section 7 is 92.33 feet S. 89°54'01" W. (S. 89°53'20" W. by record) from a monument in the intersection of 10200 South Street and State Street, said point of beginning is approximately 51.00 feet perpendicularly distant westerly from the control line of said highway opposite engineer station 117+67.53, and running thence N. 47°29'15" W. 22.56 feet; thence N. 02°11'27" E. 45.76 feet to the northerly boundary line of said entire tract; thence S. 89°59'07" E. 14.74 feet along said northerly boundary line of said entire tract to the intersection of said northerly boundary line and said westerly right of way line; thence S. 00°07'35" E. 35.09 feet along said right of way line parallel with said control line; thence S. 89°52'25" W. 13.16 feet; thence S. 02°11'27" W. 9.34 feet; thence S. 47°29'15" E. 18.41 feet to said westerly right of way line; thence S. 00°07'35" E. 4.08 feet along said right of way line parallel with said control line to the point of beginning. The above described part of an entire tract of land contains 634 square feet in area or 0.015 acres, more or less.

(Note: Rotate all bearings in the above description 00°14'39" clockwise to match highway bearings.)

Parcel No. 0089:13:21B:6E

A perpetual easement, upon part of an entire tract of property, in the NW1/4NW1/4 of Section 18, T.3S., R.1E., S.L.B.&M., in Salt Lake County, Utah, incident to the widening of the existing highway State Route 89, known as Project No. SP-0089(88)313, for the purpose of constructing and maintaining thereon public utilities and appurtenant parts thereof including, but not limited to ATMS fiber optic conduit, electrical service and transmission lines, culinary and irrigation water facilities; and highway appurtenances including, but not limited to, slopes, street

and signal lighting facilities, directional and traffic information signs. The easement includes the right to maintain and continue the existence of said cut and/or fill slopes in the same grade and slope ratio as constructed by UDOT. The easement shall run with the Real Property and shall be binding upon the Grantor and the Grantor successors, heirs and assigns, and includes and conveys all rights of grantor to change the vertical distance or grade of said cut and/or fill slopes. Grantor may use the easement to the extent that such use does not interfere with the purposes for which the easement is being acquired.

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

Beginning at a point 41.33 feet N. 89°50'56" E. and 358.97 feet S. 00°01'50" E. and 20.00 feet West from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 71.00 feet perpendicularly distant westerly from the control line of the existing highway State Route 89 opposite engineer station 104+47.60, and running thence S. 00°01'50" E. 30.42 feet along a line parallel with and 71.00 feet perpendicularly distant westerly from said control line to the northeasterly line of the Jordan and Salt Lake Canal; thence N. 61°30'58" W. 14.48 feet along the northeasterly line of said canal; thence N. 00°01'50" W. 23.51 feet along a line parallel with said control line; thence N. 89°58'10" E. 12.72 feet to the point of beginning. The above described part of an entire tract of land contains 343 square feet in area or 0.008 acre, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

Parcel No. 0089:13:21B:7E

A non-exclusive temporary easement, upon part of an entire tract of property, in the NW1/4NW1/4 of Section 18, T.3S., R.1E., 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. 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 years, whichever first occurs. The easement shall be non-exclusive such that the Grantor 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 land are described as follows:

Beginning at a point 41.33 feet N. 89°50'56" E. and 358.97 feet S. 00°01'50" E. and 20.00 feet West from the Northeast Corner of Section 13, Township 3 South, Range 1 West, Salt Lake Base and Meridian, which said Northeast Corner is 92.33 feet S. 89°54'07" W. (S. 89°53'20" W. by record) from the monument at the intersection of 10200 South Street and State Street, said point of beginning is approximately 71.00 feet perpendicularly distant westerly from the control line of the existing highway State Route 89 opposite engineer station 104+47.60, and running thence S. 89°58'10" W. 12.72 feet; thence S. 00°01'50" E. 23.51 feet along a line parallel with said control line to the northeasterly line of the Jordan and Salt Lake Canal; thence N. 61°30'58" W. 3.41 feet along the northeasterly line of said canal; thence N. 00°01'50" W. 24.88 feet along a line parallel with said control line; thence N. 89°58'10" E. 15.72 feet; thence S. 00°01'50" E. 3.00 feet along a line parallel with said control line to the point of beginning. The above described part of an entire tract of land contains 115 square feet in area or 0.003 acre, more or less.

(Note: Rotate all bearings in the above description 00°14'33" clockwise to match highway bearings.)

DATED this 27th day of May, 2008.

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

DATE: December 4, 2008

DEPUTY COURT CLERK

Approved As To Form

Justin P. Matkin
JUSTIN P. MATKIN
Attorneys for Defendants

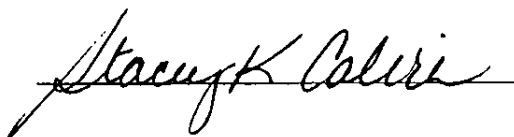
BY THE COURT

Anthony Quinn
District Court Judge

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing **FINAL JUDGMENT OF CONDEMNATION (ENTERED UPON STIPULATION)** was served by mailing the same, first-class, postage prepaid, this 25 day of August, 2008 to:

Paul C. Drecksel
Justin P. Matkin
PARR WADDOUPS BROWN GEE & LOVELESS
185 South State Street, Suite 1300
Salt Lake City, Utah 84111

A handwritten signature in black ink, appearing to read "Stacey K. Coleri", written over a horizontal line.