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FILED DISTRICT COURT
Third Judicial District

APR 03 2013

SALT LAKE COUNTY

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

UTAH DEPARTMENT OF
TRANSPORTATION,
Plaintiff,
vs.
UTAH POWER AND LIGHT COMPANY
nka PACIFICORP, WILLIAM V. DENIRO
and CHADETTE DENIRO,
Defendants.

AMENDED FINAL JUDGMENT
OF CONDEMNATION
(entered upon stipulation)

Parcel Nos. 22:A, 22:E, 22:2E, 22:3E
Project No. SP-15-7(156)293
Tax ID Nos. 27-24-251-003, 27-24-402-001

Civil No. 010901692

Judge L A Dever

The Court, having reviewed the Stipulation and Joint Motion for Entry of Amended Final Judgment of Condemnation entered into by Plaintiff Utah Department of Transportation ("UDOT") and Defendant Utah Power and Light Company nka PacifiCorp ("Owner"), being fully advised and for good cause appearing, hereby ORDERS, ADJUDGES, and DECREES:

1. That the parcels of land hereinafter described at paragraph 5 (the "Property") are hereby condemned and acquired by the Plaintiff for state transportation purposes;
2. That the condemnation is for a public use authorized by law;
3. That Defendant William V. Deniro having been regularly served with process and having failed to appear or otherwise defend this action, and the Default Judgment of said Defendant having been duly entered, has a nominal interest in the Property for which no compensation is due;
4. That the total just compensation to which the above-captioned Defendants are entitled, including attorney fees, costs, and interest, for the Property has been paid by UDOT.
5. That a copy of this Amended Final Judgment of Condemnation shall be filed with the County Recorder of Salt Lake County, State of Utah, and thereupon the rights and interests of the Owner and Defendant William V. Deniro in and to the following described property, situated in Salt Lake County, State of Utah, shall immediately vest in the Plaintiff, Utah Department of Transportation, 4501 South 2700 West, Salt Lake City, Utah 84119:

Parcel No. 15-7:22:A

A parcel of land in fee for the purpose of widening 11400 South Street as part of the construction of a freeway known as Project No. 15-7, being part of an entire tract of property situate in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, T.3 S., R.1 W., SLB&M. The boundaries of said parcel of land are described as follows:

Beginning at a southwest corner of said entire tract, which point is 201.900 meters (662.40 feet) East along the Quarter Section Line from the Center of said Section 24; and running thence East 3.200 meters (10.50 feet) along a southerly boundary line to an inside corner of said entire tract; thence S. 0°10'02" E. 30.234 meters (99.19 feet) along a westerly boundary line of

said entire tract; thence N. $39^{\circ}09'57''$ E. 5.347 meters (17.54 feet) to a point 26.085 meters (85.58 feet) perpendicularly distant southerly from the existing centerline of 11400 South Street, at Engineers Station 9+208.565; thence N. $87^{\circ}08'24''$ E. 32.506 meters (106.65 feet); thence S. $88^{\circ}48'07''$ E. 16.793 meters (55.10 feet) to the westerly right of way line of the Jordan and Salt Lake City Canal; thence northeasterly 6.599 meters (21.65 feet) along said canal right of way line, which is the arc of a 92.573-meter (303.72-foot) radius curve to the right, (Note: Chord to said curve bears N. $32^{\circ}17'42''$ E. for a distance of 6.598 meters (21.65 feet)) to the easterly boundary line of said entire tract; thence N. $0^{\circ}19'02''$ W. 41.113 meters (134.89 feet) along said boundary line; thence S. $88^{\circ}51'16''$ W. 21.122 meters (69.30 feet); thence West 29.250 meters (95.97 feet); thence N. $38^{\circ}09'09''$ W. 14.326 meters (47.00 feet) to the westerly boundary line of said entire tract; thence South 32.715 meters (107.33 feet) along said boundary line to the point of beginning.

The above described parcel of land contains 2733.0 square meters (29418 square feet) of which 1161.5 square meters (12502 square feet) is now occupied by the existing street. Balance 1571.5 square meters (16916 square feet) in area.

(Note: Rotate above bearings $0^{\circ}13'47''$ clockwise to equal highway bearings.)

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

To enable the Utah Department of Transportation to construct and maintain a public highway as a freeway, as contemplated by Title 72, Chapter 6, Section 117, Utah Code Annotated, 1998, as amended, the Owners of said entire tract of property hereby release and relinquish to said Utah Department of Transportation any and all rights 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. 15-7:22:E

A perpetual easement upon part of an entire tract of property in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, T.3 S., R.1 W., SLB&M, in Salt Lake County, Utah, for the purpose of constructing thereon cut and/or fill slopes, and appurtenant parts thereof to facilitate the construction of a freeway known as Project 15-7. The boundaries of said part of an entire tract are described as follows:

Beginning at the intersection of the northerly highway right of way and no-access line of 11400 South Street of said project, and the westerly boundary line of said entire tract, which

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point is 201.900 meters (662.40 feet) East along the Quarter Section Line, and 32.715 meters (107.33 feet) North from the Center of said Section 24; and running thence along said right of way and no-access line the following three (3) courses and distances: (1) thence S. $38^{\circ}09'09''$ E. 14.326 meters (47.00 feet) to a point 21.45 meters (70.37 feet) perpendicularly distant northerly from the existing centerline of said 11400 South Street, opposite Engineers Station 9+210.750; (2) thence East 29.250 meters (95.97 feet); (3) thence N. $88^{\circ}51'16''$ E. 21.122 meters (69.30 feet) to the easterly boundary line of said entire tract; thence N. $0^{\circ}10'57''$ W. 14.128 meters (46.35 feet) along said boundary line; thence S. $86^{\circ}49'24''$ W. 59.266 meters (194.44 feet) to the point of beginning. The above described part of an entire tract contains 709.8 square meters (7640 square feet) in area.

(Note: Rotate above bearings $0^{\circ}13'47''$ clockwise to equal highway bearings.)

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

The owners, by consent of the Utah Department of Transportation, shall have the right to lessen but not increase the vertical distance or grade of said slope. After said cut and/or fill slopes and appurtenant parts thereof are constructed on the above described part of an entire tract at the expense of the 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 cut and/or fill slopes and appurtenant parts thereof.

Parcel No. 15-7:22:2E

A temporary easement upon part of an entire tract of property in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, T.3 S., R.1 W., SLB&M, in Salt Lake County, Utah, for the purpose of constructing thereon an irrigation ditch, and appurtenant parts thereof to facilitate the construction of a freeway known as Project 15-7. The boundaries of said part of an entire tract are described as follows:

Beginning at the intersection of the northerly highway right of way and no-access line of 11400 South Street of said project, and the westerly boundary line of said entire tract, which point is 201.900 meters (662.40 feet) East along the Quarter Section Line, and 32.715 meters (107.33 feet) North from the Center of said Section 24, which point is 32.718 meters (107.33 feet) perpendicularly distant northerly from the existing centerline of said 11400 South Street, opposite Engineers Station 9+201.900; and running thence North 4.001 meters (13.13 feet) along the westerly boundary line of said entire tract; thence N. $86^{\circ}49'24''$ E. 59.254 meters (194.40

feet) to the easterly boundary line of said entire tract; thence S. $0^{\circ}10'20''$ E. 4.000 meters (13.12 feet) along said boundary line to said northerly highway right of way and no-access line; thence S. $86^{\circ}49'24''$ W. 59.266 meters (194.44 feet) along said right of way and no-access line to the point of beginning. The above described part of an entire tract contains 236.7 square meters (2548 square feet) in area.

(Note: Rotate above bearings $0^{\circ}13'47''$ clockwise to equal highway bearings.)

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

The foregoing was effective May 11, 2001 for a period of four years and is now expired.

After said irrigation ditch and appurtenant parts thereof are constructed on the above described part of an entire tract at the expense of the 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 ditch and appurtenant parts thereof.

Parcel No. 15-7:22:3E

A perpetual easement upon part of an entire tract of property in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, T.3 S., R.1 W., SLB&M, in Salt Lake County, Utah, for the purpose of constructing thereon cut and/or fill slopes, and appurtenant parts thereof to facilitate the construction of a freeway known as Project 15-7. The boundaries of said part of an entire tract are described as follows:

Beginning at the intersection of the southerly highway right of way and no-access line of 11400 South Street of said project, and the westerly boundary line of said entire tract, which point is 205.100 meters (672.90 feet) East along the Quarter Section Line, and 30.230 meters (99.18 feet) S. $0^{\circ}10'02''$ E. from the Center of said Section 24, which point is 30.230 meters (99.18 feet) perpendicularly distant southerly from the existing centerline of said 11400 South Street, opposite Engineers Station 9+205.100; and running thence S. $0^{\circ}10'02''$ E. 4.036 meters (13.24 feet) along the westerly boundary line of said entire tract; thence N. $87^{\circ}08'42''$ E. 36.272 meters (119.00 feet); thence S. $88^{\circ}42'12''$ E. 12.275 meters (40.27 feet) to the westerly right of way line of the Jordan and Salt Lake City Canal; thence northeasterly 8.926 meters (29.29 feet) along said canal right of way line which is the arc of a 92.573-meter (303.72-foot) radius curve to the right, (Note: Chord to said curve bears N. $27^{\circ}29'43''$ E. for a distance of 8.923 meters (29.28 feet)) to the southerly highway right of way and no-access line of said 11400 South Street; thence along said right of way and no-access line the following three (3) courses and distances: (1) thence N. $88^{\circ}47'49''$ W. 16.793 meters (55.10 feet); (2) thence S. $87^{\circ}08'42''$ W. 32.506 meters

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(106.65 feet); (3) thence S. $39^{\circ}10'15''$ W. 5.347 meters (17.54 feet) to the point of beginning. The above described part of an entire tract contains 397.4 square meters (4278 square feet) in area.

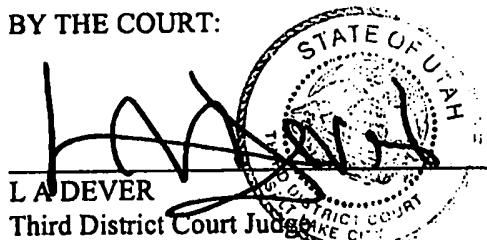
(Note: Rotate above bearings $0^{\circ}13'47''$ clockwise to equal highway bearings.)

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

The owners, by consent of the Utah Department of Transportation, shall have the right to lessen but not increase the vertical distance or grade of said slope. After said cut and/or fill slopes and appurtenant parts thereof are constructed on the above described part of an entire tract at the expense of the 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 cut and/or fill slopes and appurtenant parts thereof.

DATED this 29 day of March, 2013.

BY THE COURT:



L A DEVER
Third District Court Judge

Approved as to form and content:

FABIAN & CLENDENIN

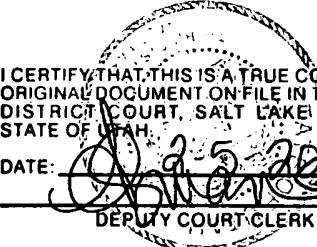

W. CULLEN BATTLE

TIMOTHY K. CLARK

Attorneys for Utah Power and Light Company
nka PacifiCorp

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: 10/25/2014


DEPUTY COURT CLERK

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing AMENDED FINAL JUDGMENT OF CONDEMNATION and the STIPULATION AND JOINT MOTION FOR ENTRY OF AMENDED FINAL JUDGMENT OF CONDEMNATION was mailed, first class, pre-paid postage on the 21st day of March, 2013 to the following:

W. Cullen Battle
R. Jeffrey Richards
Attorneys for PacifiCorp
201 South Main Street, Suite 2300
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Amy Castenline
Legal Secretary