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BOOK 2198 PAGE 530

JUN 5 - 1964

Recorded \_\_\_\_\_ at 11:16 a.m.  
Request of STATE ROAD COMMISSION  
Fee Paid HAZEL JAGGART CHASE  
Recorder, Salt Lake County, Utah  
\$ No Fee By [Signature] Deputy  
Ref. \_\_\_\_\_

IN THE THIRD DISTRICT COURT IN AND FOR SALT LAKE COUNTY

STATE OF UTAH

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STATE OF UTAH, by and through its ROAD COMMISSION,	:	
	:	<u>FINAL ORDER OF CONDEMNATION</u>
Plaintiff,	:	(AS TO DEFENDANTS UTAH POWER
-vs-	:	AND LIGHT COMPANY and MORGAN
	:	GUARANTY TRUST COMPANY OF NEW
POLLY THOMPSON aka POLLY THOMPSON	:	YORK)
BRITTAIN, et al.,	:	
* * * *	:	Civil No. 142354
UTAH POWER AND LIGHT COMPANY; and	:	
MORGAN GUARANTY TRUST COMPANY OF	:	Project No. I-80-3(5)116
NEW YORK,	:	Parcels No. 41B, 47:A, 47B:A,
	:	43D:A, and 43D
Defendants.	:	

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It appearing to the Court and the Court now finds that heretofore, on the 19th day of March, 1964, 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, Utah Power and Light Company and Morgan Guaranty Trust Company of New York, together with 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 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 for the purpose described and set forth in the plaintiff's complaint and amended complaint, i.e., for the use of the plaintiff, the State of Utah, for highway purposes.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said use is a public use and an 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 Salt Lake County, State of Utah, and thereupon the property interests hereinafter referred to and set forth shall vest in fee simple title in the plaintiff, subject to the retention and reservation by the defendant, Utah Power and Light Company, of an easement across said hereinafter described parcels of land for the operation, maintenance, repair and replacement of its Gadsby-Terminal 138 KV line as now constructed as long as such easement does not impair the full use and safety of the highway contemplated to be built on said lands nor otherwise interfere with the free flow of traffic on the interstate highway system. The following is a description of the property so ordered and condemned as hereinabove provided, which is hereby vested in fee simple title in the plaintiff, all of such property being situated in Salt Lake County, State of Utah, and is more particularly described as follows:

Parcel No. 02-3141B

A parcel of land in fee for an overpass incident to the construction of a freeway known as Project No. 80-3, being part of an entire tract of property in Lots 18 to 25 inclusive, Block 5, Irving Park Addition, Salt Lake City Survey. The boundaries of said parcel of land are described as follows:

The west 100.0 ft. of Lots 19, 20, 21, and all of Lots 18, 22, 23, 24 and 25 of said Block 5. Above described parcel of land contains 0.499 acre, more or less, of which 0.048 acre, more or less, is now occupied by the existing highway. Balance 0.45 acre, more or less.

Parcel No. 02-3:47:A

A parcel of land in fee for a freeway known as Project No. 80-3, being part of an entire tract of property in Lots 19 and 20, Block 8, Irving Park Addition, Salt Lake City Survey. The boundaries of said parcel of land are described as follows:

Beginning at the NW. corner of said Lot 19; thence Easterly 123 ft. along the northerly line of said Lot 19; thence Southerly 38.0 ft. along the east line of said Block 8; thence Westerly 123.07 ft. along a straight line to a point on the west line of said Lot 20, which point is 16.0 ft. northerly from the SW. corner of said Lot 20; thence Northerly 34.0 ft. along the west line of said Lots 19 and 20 to the point of beginning. Above described parcel of land contains 0.102 acre, 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 freeway, 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 freeway.

Parcel No. 02-3:47B:A

Two parcels of land in fee for a freeway known as Project No. 80-3, being part of an entire tract of property in Lots 9 to 15 inclusive and Lot 18, Block 9, Irving Park Addition, Salt Lake City Survey. The boundaries of said parcels of land are described as follows:

Beginning on the west line of said Block 9 at a point 136.87 ft. south from the NW. corner of said Block 9; thence North 136.87 ft.; thence East 123 ft.; thence South 161.57 ft.; thence Westerly 125 ft., more or less, along a straight line to the point of beginning.

ALSO:

All of said Lot 18. Above described parcels of land contain 0.492 acre, 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 freeway, 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 freeway.

Parcel No. 02-3:43D:A

A parcel of land in fee for a freeway known as Project No. 80-3, being part of an entire tract of property in Lot 2, Section 3, T. 1 S., R. 1 W., S.L.M. The boundaries of said parcel of land are described as follows:

Beginning at the SW. corner of said entire tract, which point is 375.80 ft. westerly along the southerly lot line from the SE. corner of said Lot 2, said point also being 8.57 ft. perpendicularly distant southerly from the Interstate Control Line at Engineers Station 261+85.19; thence Easterly 225.10 ft. along said southerly lot line to the northwesterly right of way line of the Union Pacific Railroad; thence Northeasterly 154.68 ft. along said right of way line; thence N. 76° 06' 38" W. 171.41 ft.; thence Southwesterly 225 ft., more or less, along a straight line to the point of beginning. Above described parcel of land contains 0.463 acre, 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 freeway, 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 freeway.

Parcel No. 02-3:43D

A parcel of land in fee for the relocation of a railroad incident to the construction of a freeway known as Project No. 80-3, being part of an entire tract of property in Lot 2, Section 3. T. 1 S., R. 1 W., S.L.M. The boundaries of said parcel of land are described as follows:

Beginning on the northwesterly right of way line of the Union Pacific Railroad Company at a point 69.91 ft. north and 0.07 ft. west from the SE. corner of said Lot 2; thence Southwesterly 11.43 ft. along said northwesterly right of way line; thence N. 76° 06' 38" W. 171.41 ft. to a point on the northwesterly boundary line of said entire tract; thence Northeasterly 84.93 ft. along said boundary line; thence S. 75° 59' 16" E. 104.91 ft. to a point on the easterly boundary line of said entire tract; thence Southerly 50.54 ft. along said easterly boundary line to the point of beginning. Above described parcel of land contains 0.185 acre, more or less.

Dated this 27 day of May, 1964.

/s/ Aldon J. Anderson  
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 DISTRICT JUDGE

ATTEST AIVIN KEDDINGTON, CLERK  
 (SEAL) By Byron Stark, Deputy Clerk  
 F I E D May 27, 1964  
 ENDORSED 142354

STATE OF UTAH  
COUNTY OF SALT LAKE

} ss.

BOOK 2198 PAGE 534

I, Alvin Keddington, Clerk in and for the County of Salt Lake and Ex-Officio Clerk of the District Court of the Third Judicial District in and for Salt Lake County, State of Utah, do hereby certify that the foregoing is a full, true and correct copy of the original FINAL ORDER OF CONDEMNATION

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

-vs-

No. 142354

POLLY THOMPSON, ETC., ET AL  
\*\*\*  
UTAH POWER AND LIGHT CO., ET AL

as appears of record in my office.



IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed my official seal, this 28th  
day of May, A. D. 19 64

ALVIN KEDDINGTON

Clerk

By

*Jacob Wiley*

Deputy Clerk