

COUNTY OF MORGAN) ss.

On the 18th day of June A. D. 1956 personally appeared before me Gordon B. Bond and Beverly Jean Francis Bond, his wife, the signers of the within instrument, who duly acknowledged to me that they executed the same.

(SEAL)
My Commission Expires Feb. 5, 1957

F. E. Bray
Notary Public
Residing at Morgan, Utah

U. S. Revenue Stamps in amount of \$13.75 affixed and cancelled.

Filed for record and recorded June 21, 1956 at 1:10 P. M.

Marjain Rogers
Deputy County Recorder

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No. 28198

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT
IN AND FOR MORGAN COUNTY, STATE OF UTAH

WEBER BASIN WATER CONSERVANCY
DISTRICT,
Plaintiff,

CIVIL No. 708

FINAL JUDGMENT

- vs -

OF CONDEMNATION

JOHN R. GAILEY, FRANK BOHMAN
et al.
Defendants.

CLARA C. WHITTIER and
DONALD J. WHITTIER
(Tract No. 19)

IT APPEARING to the court and the court now finds that heretofore, to-wit, on the 12th day of June, 1956, this court made and entered its Judgment of Condemnation in the above cause by which certain lands of the defendants, Clara C. Whittier and Donald J. Whittier, also known as Clara C. Whitear and Donald J. Whitear, were condemned to the use of the plaintiff and the said defendants' damages were assessed which Judgment of Condemnation was duly entered in the records and files of the above court and to which Judgment of Condemnation reference is hereby made, and

IT FURTHER APPEARING to the court and the court now finds that pursuant to law and to the said Judgment the plaintiff did, on the 12th day of June, 1956, and within thirty days after said Judgment pay to the said defendants, Clara C. Whittier and Donald J. Whittier, the sum of \$4,877.01 assessed in said proceedings as the value of the land condemned and the damages accruing to said defendants thereby, including interest and costs, and

IT FURTHER APPEARING to the court that said plaintiff has made all payments that are required by law, or by order, or orders of this court and that this is not a case where any bond for the building of fences or otherwise need be given.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. That the lands hereinafter described are hereby taken and condemned for the uses and purposes described and set forth in plaintiff's complaint. That is to say for the purpose of the construction, operation and maintenance of a portion of the Gateway Canal and appurtenant structures including a maintenance roadway as a part of the Weber Basin Project for the transportation, release and distribution of water for irrigation and municipal and industrial use.
2. That said use is a public use and a use authorized by law.
3. That a copy of this final judgment be filed in the office of the County Recorder of Morgan County, Utah, and thereupon the property hereinafter described and the title thereto shall vest in the plaintiff.
4. The following is a description of said property so ordered taken and condemned as hereinabove provided to-wit:

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A fee simple title to a tract of land in the East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$) of Section One (1), Township Four (4) North, Range One (1) East, Salt Lake Base and Meridian, One Hundred Eighty (180.0) feet wide and included between two lines extended to the property lines and everywhere distant One Hundred (100.0) feet on the right or Easterly side and Eighty (80.0) feet on the left or Westerly side of that portion of the following described centerline of what is known as the Gateway Canal from Station 234/69.5 to Station 243/70.6 measured at right angles or radially thereto; and Two Hundred Twenty (220.0) feet wide and included between two lines extended to the property lines and everywhere distant One Hundred Forty (140.0) feet on the right or Easterly side of that portion of the said centerline from Station 243/70.6 to Station 243/94.0 measured at right angles or radially thereto; said centerline is more particularly described as follows:

Beginning at Station 234/69.5, a point on the South line of the property of the defendants Clara C. Whittier and Donald J. Whittier, from which point the East quarter corner of said Section 1 bears South 21° 11' East Seven Hundred Fourteen and Seven-tenths (714.7) feet, and running thence North 36° 17' West Twenty-nine and Two-tenths (29.2) feet; thence along a regular curve to the right with a radius of 200 feet for an arc distance of Eighty-four and Five-tenths (84.5) feet; thence North 12° 04' West Seven Hundred Eighty-seven and Four-tenths (787.4) feet; thence along a regular curve to the right with a radius of 600 feet for an arc distance of Twenty-three and Four-tenths (23.4) feet to Station 243/94.0 of said Gateway Canal center-line, a point on the North line of the said defendants' property, from which point the Northeast corner of said Section 1 bears North 23° 40' East Eleven Hundred Seventy-seven and Seven-tenths (1177.7) feet, containing 4.2 acres, more or less.

5. Subject to the right of the plaintiff, the United States, their successors and assigns to construct, operate, and maintain the Gateway Canal and other works of the Weber Basin Project across the above described land, the defendants Clara C. Whittier and Donald J. Whittier reserve the following rights, (a) to operate and maintain existing ditches and pipelines across the Gateway Canal right-of-way as they may be replaced or repaired, provided however, that such operation and maintenance by the said defendants shall in no way interfere with the said Canal or the flow of water therein, (b) to cross in his livestock and farming operations, with others, the bridge across said Canal at or near Canal Station 244/82 and the 7' by 7' box type drainage culvert at or near Canal Station 236/00.

6 The plaintiff will (a) realign the fence along the Gateway Canal right-of-way adjacent to the land of the said defendants wherever necessary to eliminate right angled corners, and (b) construct a ramp down to the upper end of the box type drainage culvert described in the paragraph 5 hereof.

Dated this 12th day of June, 1956 /s/ John L. Sevy, Jr.
JUDGE

UNITED STATES OF AMERICA

STATE OF UTAH)
) :ss.
COUNTY OF MORGAN)

I, the undersigned, County Clerk in and for Morgan County, do hereby certify that the annexed and foregoing is a full and correct copy of the Final Judgment of Condemnation Clara C. Whittier and Donald J. Whittier Civil No. 708, as the same appears on my records in my office.

IN WITNESS WHEREFORE, I have hereunto set my hand and affixed my official seal, at my office in Morgan City, State of Utah, County of Morgan, this 20th day of June A. D. 1956.

COURT SEAL W. Richard Thompson
Clerk

Filed for record and recorded June 20, 1956 at 9:30 A.M.

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No. 28199
IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT IN
AND FOR MORGAN COUNTY, STATE OF UTAH

WEBER BASIN WATER CONSERVANCY DISTRICT,
(Plaintiff)

Civil No. 708

-vs-

FINAL JUDGMENT

JOHN R. GAILEY, MILTON BARNUM, ELLA
BARNUM, et al.
Defendants.

OF CONDEMNATION

RALPH A. MADSEN
(Tract No. 39)

IT APPEARING to the court, and the Court now finds, that heretofore, to wit, on the 12th day