

BRENT D. WARD, United States Attorney
JOSEPH W. ANDERSON, Assistant United States Attorney
Attorneys for the United States of America
476 U.S. Courthouse
350 South Main Street
Salt Lake City, Utah 84101
Telephone: (801) 524-5682

MAR 18 1988

MARKUS B. ZIMMER, CLE
BY _____

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA :
 :
 :
 Plaintiff, :
 :
 v. :
 :
 125.344 ACRES OF LAND, MORE :
 OR LESS, LOCATED IN WASATCH :
 AND SUMMIT COUNTIES, STATE OF :
 UTAH, FLORENCE GILLMOR, AND :
 ANY UNKNOWN OWNERS :
 :
 Defendants. :

Civil No. 88-C-230W

DECLARATION OF TAKING

REC'D
ALAN SPRIGGS
SUMMIT COUNTY RECORDER
18

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Pursuant to authority delegated on December 27, 1971, by the Secretary of the Interior, and under subparagraphs (5) and (6) of 209.3.2A Department of the Interior Manual to the Department's Solicitor, and redelegated by Solicitor's Regulations Manual, Part I, 6.1B(1), I do hereby make and cause to be filed this Declaration of Taking under Section 1 of the Act of February 26, 1931 (46 Stat. 1421, 40 U.S.C. 258a (1982)), and declare that:

FIRST: The interests in land hereinafter described are taken under and in accordance with the authority set forth in Schedule "A," annexed hereto and made a part hereof.

SECOND: The public uses for which said interests in land are taken are also set forth in Schedule "A," annexed hereto and made a part hereof.

THIRD: A description of the tracts of land taken, the estate being taken, and the estimated just compensation therefore are set forth in Schedule "B," annexed hereto.

FOURTH: A plat showing the land covering the interests is annexed hereto as Schedule "C" and made a part hereof.


FIFTH: Pursuant to law, the lands selected for acquisition for the purpose set forth herein are described as Parcels Nos. JDR-Hy-40-19:2:A, 19:2:2A, 19:6:A, 19:2:EP, 19:2:2ET, 19:6:EP, 19:6:2EP, 19:6:3EP, 19:6:4EP, JDR-Hy-189-61:5:A and 61:5:2A, comprising 125.344 acres, shown on Schedule "B," annexed hereto and made a part hereof.

SIXTH: The just compensation for said land has been determined to be ONE HUNDRED AND SEVENTY-SIX THOUSAND NINETY-NINE DOLLARS (\$176,099), which sum I cause to be deposited in the registry of the Court for the use and benefit of those entitled thereto. I am of the opinion that the ultimate award

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for said land will be within any limits prescribed by law as the price to be paid therefore.

IN WITNESS WHEREOF, the United States of America has caused this Declaration of Taking to be signed by the Regional Solicitor, Intermountain Region, United States Department of the Interior, this 18th day of February A.D. 1988, in the City of Salt Lake, State of Utah.


DAVID K. GRAYSON
Acting Regional Solicitor
Intermountain Region
United States Department of
the Interior

SCHEDULE A

RELOCATION OF U.S. HIGHWAY 40 AND RELOCATION OF U.S. HIGHWAY 189 JORDANELLE DAM AND RESERVOIR BONNEVILLE UNIT CENTRAL UTAH PROJECT

AUTHORITY FOR THE TAKING

The authority for the taking of the real property described herein is pursuant to and in accordance with the Act of August 1, 1888 (25 Stat. 357, as amended, 40 U.S.C. 257 (1982)); the Act of February 26, 1931 (46 Stat. 1421, 40 U.S.C. 258a-258e (1982)); the Act of June 17, 1902, and all acts amendatory thereof or supplementary thereto (32 Stat. 388, 43 U.S.C. 371 et seq., (1982)); the Act of April 11, 1956 (70 Stat. 105, 43 U.S.C. 620, et seq., (1982)), and all Acts amendatory thereof or supplementary thereto. Also, Public Law 100-202, Fiscal Year 1988 Continuing Resolution.

PUBLIC USES

The public uses for which said real property is taken are in connection with the construction, operation, and maintenance of the Relocated U.S. Highway 40 and the Relocated U.S. Highway 189, Jordanelle Dam and Reservoir, Bonneville Unit, Central Utah Project. The real property has been selected for acquisition by the United States for said purposes, and for such other uses as may be authorized by Congress or Executive Order, and is required for immediate use by the Bureau of Reclamation, United States Department of the Interior.

SCHEDULE B

RELOCATION OF U.S. HIGHWAY 40 AND
RELOCATION OF U.S. HIGHWAY 189
JORDANELLE DAM AND RESERVOIR
BONNEVILLE UNIT
CENTRAL UTAH PROJECT

Parcels Nos. JDR-Hy-40-19:2:A, Estimated Compensation: \$176,099
19:2:2A, 19:6:A; JDR-Hy-189-61:5:A,
61:5:2A; JDR-Hy-40-19:2:EP, 19:6:EP,
19:6:2EP, 19:6:3EP, 19:6:4EP, and
19:2:2ET
(119.404 acres fee title, 4.19
acres perpetual easement and
1.75 acres temporary easement)

Purported Owner

Florence Gillmor, et al.
1235 East Second South
Salt Lake City, Utah 84102

Estate Taken as to Parcels Nos. JDR-Hy-40-19:2:A, 19:2:2A, 19:6:A,
JDR-Hy-189-61:5:A, and 61:5:2A:

The fee simple title to the lands, tenements, hereditaments, and appurtenances thereto belonging, including improvements, but excepting and reserving to the Defendant all water and water rights. Save, excepting and reserving therefrom, subject to the following conditions, the coal, oil, gas, and other subsurface minerals, if any, owned by the Defendant in all of said lands. The right to prospect for and remove the said minerals from all said lands shall be exercised so as not to interfere with the construction, operation, and maintenance of the relocated U.S. Highway 40 and U.S. Highway 189.

Sand and gravel are not reserved to the Defendant.

Save, excepting and reserving therefrom the coal, oil, gas, and other subsurface minerals reserved to or outstanding in third parties.

Also, subject to existing rights-of-way for roads, railroads, telephone lines, transmission lines, ditches, conduits or pipelines.

SCHEDULE B (Continued)

In order 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 Defendant shall be required as follows:

As to Parcel No. JDR-Hy-40-19:2:A: To release and relinquish to the United States, or its assigns, any and all rights of ingress to or egress from Parcel No. JDR-Hy-40-19:2:A, to or from said highway and to or from said relocation of State Route-248 between designated Point "E" and Point "F" and between designated Point "G" and Point "H".

As to Parcel No. JDR-Hy-40-19:2:2A: To release and relinquish to the United States, or its assigns, any and all rights of ingress to or egress from JDR-Hy-40-19:19:2:2A, to or from said highway and to or from said relocation of State Route-248 between designated Point "A" and Point "B" and between designated Point "C" and Point "D".

As to Parcel No. JDR-Hy-40-19:6:A: Said highway to consist of inner through traffic lanes and adjacent frontage road. Vendor agrees to release and relinquish to the United States, or its assigns, any and all rights of ingress to or egress from JDR-Hy-40-19:6:A to or from said inner lanes; PROVIDED, however, that such remaining property of the Vendor shall abut upon and have access to said frontage road which will be connected with said inner through traffic lanes only at such interchange points as may be established by public authority.

As to Parcels Nos. JDR-Hy-189-61:5:A and 61:5:2A: To release and relinquish to the United States, or its assigns, any and all rights of ingress to or egress from the Vendor's remaining property contiguous to said parcels.

Legal Description:

PARCEL NO. JDR-Hy-40-19:2:A (Fee Title)

A parcel of land for the relocation of the existing State Route-248 and an expressway known as Project No. N-19, being part of an entire tract of property, situate in Lot Two (2), Lot Three (3) and the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Two (2), Township Two (2) South, Range Four (4) East, Salt Lake Base and Meridian, Summit County, Utah, more particularly described as follows:

Beginning at the intersection of the north line of said Section 2 and the southeasterly right-of-way line of said State Route-248, which point is approximately Twenty-four

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DESCRIPTION CERTIFIED CORRECT
William L. Davis 11/3/87
Name Date

SCHEDULE B (Continued)

Legal Description (Continued):

Hundred Eleven and Fifty-nine Hundredths (2411.59) feet South 89°53'00" East from the Northwest Corner of said Section 2; thence South 89°53'00" East Ten Hundred Fifty-six and Ninety-five Hundredths (1056.95) feet along said North line to a southeasterly boundary line of said entire tract; thence South 25°13' West (South 25°23'31" West highway bearing) Thirteen Hundred Forty-nine and Nineteen Hundredths (1349.19) feet along said southeasterly boundary line to a point designated as Point "H", Two Hundred Forty (240.0) feet perpendicularly distant westerly from the centerline of said project; thence North 7°04'23" West Sixty-eight and Eighty-five Hundredths (68.85) feet to a point opposite Engineer Station 388+00.00; thence North 23°49'45" West Two Hundred Forty-three and Seventy-one Hundredths (243.71) feet to a point Two Hundred (200.0) feet radially distant westerly from the control line of the South-Bound on Ramp known as "B" Line for said project at "B" Line Engineer Station 385+00.00; thence northerly Five Hundred Thirty-four and Ninety-two Hundredths (534.92) feet along the arc of a Twenty-six Hundred Sixty-four and Seventy-nine Hundredths (2664.79)-foot radius curve to the left. (Note: Tangent to said curve at its point of beginning bears North 13°59'55" West); thence North 25°30'00" West Two Hundred Twenty-three and Seventy-six Hundredths (223.76) feet; thence South 64°30'00" West Fourteen and Sixty-six Hundredths (14.66) feet to a point of tangency with a Six Hundred Thirty-eight and Fifty-one Hundredths (638.51)-foot radius curve to the left; thence southwesterly Two Hundred Sixty and Fifty-five Hundredths (260.55) feet along the arc of said curve to a point designated as Point "G"; thence southwesterly Seventy-eight and One Hundredth (78.01) feet continuing along the arc of said curve to a point designated as Point "F" (Note: Tangent to said curve at its point of beginning bears South 41°07'13" West); thence South 34°07'13" West Five Hundred Forty-four and Sixty-one Hundredths (544.61) feet to a point designated as Point "E", Eighty (80.0) feet perpendicularly distant southeasterly from the centerline of said relocation of State Route-248 known as "J" Line for said project at Engineer Station 17+78.47; thence South 22°01'00" West Ten Hundred Four and Ninety-four Hundredths (1004.94) feet to the South boundary line of said entire tract; thence West (North 89°40'42" West highway bearing) Thirty-two and Twenty-four Hundredths (32.24) feet, more or less, along said South boundary line to

SCHEDULE B (Continued)

Legal Description (Continued):

said southeasterly right-of-way line; thence along said southeasterly right-of-way line the following three (3) courses and distances: North 22°01'00" East Eleven Hundred Thirty-eight and Seventy-six Hundredths (1138.76) feet to a point of tangency with a Twenty-eight Hundred Fourteen and Seventy-nine Hundredths (2814.79)-foot radius curve to the right; thence northeasterly Six Hundred Seventy-seven and Fourteen Hundredths (677.14) feet along the arc of said curve; thence North 35°48'00" East Two Hundred Twenty-seven and Eighty-four Hundredths (227.84) feet, more or less, to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

Parcel No. JDR-Hy-40-19:2:A contains a total of Seventeen and Forty-nine Hundredths (17.49) acres, more or less.

ALSO,

PARCEL NO. JDR-Hy-40-19:2:2A (Fee Title)

A parcel of land for the relocation and the improvement of State Route-248 incident to the construction of an expressway known as Project No. NF-19, being part of an entire tract of property, situate in Lot Three (3) of Section Two (2), Township Two (2) South, Range Four (4) East, Salt Lake Base and Meridian, Summit County, Utah, more particularly described as follows:

Beginning at the intersection of the South line of said Lot 3 and the northwesterly right-of-way line of said State Route-248, which point is approximately Three Hundred Thirteen and Ninety-five Hundredths (313.95) feet East (which equals highway bearing South 89°27'14" East) from the Southwest corner of said Lot 3; thence West (North 89°27'14" West highway bearing) Fifty-three and Seventy-three Hundredths (53.73) feet, more or less, along said South line to a point One Hundred (100.0) feet perpendicularly distant westerly from the centerline of said relocation of State Road-248 known as "J" Line for said project; thence North 22°01'00" East Five Hundred Thirty-one and Twenty-four Hundredths (531.24) feet, more or less, to a point designated as Point "A" opposite Engineer Station 17+78.47; thence North 17°42'46" East Three Hundred Ninety-nine and Seventy-five Hundredths (399.75) feet; thence North 28°04'06" East Two Hundred (200.0) feet to a point designated as Point "B"; thence

SCHEDULE B (Continued)

Legal Description (Continued):

North 37°37'06" East One Hundred Fifteen and Eighty-one Hundredths (115.81) feet to a point designated as Point "C"; thence North 42°52'13" East Fifty-seven and Ninety-three Hundredths (57.93) feet; thence North 46°13'24" East Two Hundred Five and Ten Hundredths (205.10) feet to a point designated as Point "D" at the North line of said Section 2; thence East (South 89°53'00" East highway bearing) Forty-seven and Fifty-nine Hundredths (47.59) feet to said northwesterly right-of-way line; thence along said northwesterly right-of-way line the following three (3) courses and distances: South 35°48'00" West One Hundred Fifty-six and Three Hundredths (156.03) feet to a point of tangency with a Twenty-nine Hundred Fourteen and Seventy-nine Hundredths (2914.79)-foot radius curve to the left; thence southwesterly Seven Hundred One and Nineteen Hundredths (701.19) feet along the arc of said curve; thence South 22°01'00" West Six Hundred Thirty-three and Fifty-nine Hundredths (633.59) feet, more or less, along said northwesterly right-of-way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

Parcel No. JDR-Hy-40-19:2:2A contains a total of Two and Twenty-five Hundredths (2.25) acres, more or less.

ALSO,

PARCEL NO. JDR-Hy-40-19:6:A (Fee Title)

A parcel of land for a frontage road and an expressway known as Project No. NF-19, being part of an entire tract of property, situate in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Two (2) and in the East Half (E $\frac{1}{2}$) of Section Eleven (11), Township Two (2) South, Range Four (4) East, Salt Lake Base and Meridian, Summit County, Utah, more particularly described as follows:

Beginning in the South line of said Section 11 at a point Four Hundred One and Thirty-seven Hundredths (401.37) feet radially distant easterly from the centerline of said project, which point is Three Hundred Twenty-five and Twenty-two Hundredths (325.22) feet North 89°18'13" West (highway bearing) from the Southeast corner of said Section 11; thence North 11°06'13" West Three Hundred Twenty-nine and Fifty-six Hundredths (329.56) feet, more

SCHEDULE B (Continued)

Legal Description (Continued):

or less, to a point Four Hundred (400.0) feet radially distant easterly from said centerline at Engineer Station 480+50.00; thence North 26°26'30" West Three Hundred Sixty and Eighty-six Hundredths (360.86) feet; thence North 9°33'58" West Six Hundred Ninety-four and Forty-nine Hundredths (694.49) feet; thence North 8°35'28" West Five Hundred Ninety-five and Twenty-eight Hundredths (595.28) feet; thence North 19°27'37" West One Hundred One and Twenty-four Hundredths (101.24) feet; thence North 7°31'56" West Six Hundred Seven and Sixty-one Hundredths (607.61) feet to a point Two Hundred Eighty (280.0) feet perpendicularly distant easterly from said centerline at Engineer Station 456+87.89; thence North 7°04'23" West Twelve Hundred Eighty-seven and Eighty-nine Hundredths (1287.89) feet; thence North 22°00'16" West Three Hundred Ten and Forty-eight Hundredths (310.48) feet; thence North 7°04'23" West Twenty-three Hundred Eighty-six and Ninety-four Hundredths (2386.94) feet, more or less, to the North line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence North 89°57'22" West Fifty-seven and Fifty-one Hundredths (57.51) feet, more or less, along said North line to the West boundary line of said entire tract; thence South 0°31'51" West Thirteen Hundred Twenty-eight and Six Hundredths (1328.06) feet, more or less, along said West boundary line to the South line of said Section 2; thence South 42°25' West (which equals highway bearing South 42°19' West) Three Hundred Ninety-one and Forty-nine Hundredths (391.49) feet, more or less, along a north-westerly boundary line of said entire tract to a point Eighty (80.0) feet perpendicularly distant westerly from the centerline of said frontage road known as "D" Line for said project; thence South 7°04'23" East Six and Forty-five Hundredths (6.45) feet, more or less, to a point opposite "D" Line Engineer Station 33+00.00; thence South 1°27'28" West Two Hundred Two and Twenty-four Hundredths (202.24) feet; thence South 7°04'23" East Two Hundred Fifty-eight and Thirty-six Hundredths (258.36) feet to a point of tangency with a Seventeen Hundred Ninety-nine and Eighty-six Hundredths (1799.86)-foot radius curve to the right at a point One Hundred Ten (110.0) feet perpendicularly distant westerly from said "D" Line at Engineer Station 37+58.36; thence southerly Two Hundred Ninety-seven and Twenty-four Hundredths (297.24) feet along the arc of said curve; thence South 2°23'21" West Five Hundred Ninety-two and Thirty Hundredths (592.30) feet; thence South 1°31'43" West Six

SCHEDULE B (Continued)

Legal Description (Continued):

Hundred Forty-three and Forty-six Hundredths (643.46) feet; thence South 4°07'28" West Four Hundred Eighty and Thirty Hundredths (480.30) feet; thence South 23°49'53" East Four Hundred Sixty-nine and Eighty-nine Hundredths (469.89) feet; thence South 11°20'51" East Five Hundred Eighteen and Twenty-three Hundredths (518.23) feet; thence South 15°46'04" East Five Hundred Eighty-seven and Forty-seven Hundredths (587.47) feet; thence South 10°53'07" East Nine Hundred Sixty-three and Ten Hundredths (963.10) feet, more or less, to said South line of Section 11 at a point One Hundred (100.0) feet perpendicularly distant westerly from said "D" Line; thence South 89°18'13" East Eight Hundred Forty-seven and Sixty Hundredths (847.60) feet, more or less, along said South line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

Parcel No. JDR-Hy-40-19:6:A contains a total of Ninety-four and Fifty-six Hundredths (94.56) acres, more or less.

ALSO,

PARCEL NO. JDR-Hy-189-61:5:A (Fee Title)

A parcel of land for an expressway known as Project No. NF-61, being part of an entire tract of property, situate in the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) and the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Six (6), Township Two (2) South, Range Five (5) East, Salt Lake Base and Meridian, Wasatch County, Utah, being more particularly described as follows:

Beginning in the west line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ at a point Two Hundred Ten (210.0) feet perpendicularly distant north-easterly from the centerline of said project, which point is approximately Twelve Hundred Seventy-six and Five Hundredths (1276.05) feet North 89°41'32" East and Seventy-seven and Eleven Hundredths (77.11) feet South 30°11'46" East from the West Quarter corner of said Section 6; thence South 30°11'46" East Nine Hundred Forty-two and Ninety-eight (942.98) feet, more or less, to a point opposite Engineer Station 132+12.61; thence South 49°53'29" East Eight Hundred Twenty-two and Thirty-nine Hundredths (822.39) feet, more or less, to the south-easterly boundary line of said entire tract; thence South 45°00' West (South 44°53'59" West highway bearing) Two

SCHEDULE B (Continued)

Legal Description (Continued):

Hundred Four and Fifty-five Hundredths (204.55) feet along said southeasterly boundary line to the northeasterly no-access line of the existing U.S. Highway 40; thence along said northeasterly no-access line the following five (5) courses and distances: Northwesterly Ninety and Twenty-seven Hundredths (90.27) feet along the arc of a Twenty-seven Hundred Four and Seven Hundred Eighty-nine Thousandths (2704.789)-foot radius curve to the right (Note: Tangent to said curve at its point of beginning bears approximately North 47°59'50" West); thence North 46°01'56" West Five Hundred Seventy-four and Nine Tenths (574.9) feet; thence North 32°09'05" West One Hundred Eighty-seven and Fifty-three Hundredths (187.53) feet; thence North 30°11'46" West Two Hundred Ten and Eighteen Hundredths (210.18) feet; thence North 24°57'53" West Six Hundred Forty-seven and Eighty-three Hundredths (647.83) feet to said west line; thence North (North 0°04'01" West highway bearing) One Hundred One and Thirty-five Hundredths (101.35) feet to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

Parcel No. JDR-Hy-189-61:5:A contains a total of Five and Ten Hundredths (5.10) acres, more or less.

ALSO,

PARCEL NO. JDR-Hy-189-61:5:2A (Fee Title)

A parcel of land for an expressway known as Project No. NF-61, being part of an entire tract of property, situate in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Six (6), Township Two (2) South, Range Five (5) East, Salt Lake Base and Meridian, Wasatch County, Utah, being more particularly described as follows:

Beginning at the intersection of the southeasterly boundary line of said entire tract and the northeasterly right-of-way line of the existing Union Pacific Railroad, which point is approximately Twenty-one Hundred Fourteen and Twenty-four Hundredths (2114.24) feet North 89°00'56" East and Nine Hundred Fifteen and Eighty-three Hundredths (915.83) feet North 0°59'04" West from the Southwest corner of said Section 6; thence North 44°51'04" West One Hundred Forty-nine and Seventy Hundredths (149.70) feet,

SCHEDULE B (Continued)

Legal Description (Continued):

more or less, along said northeasterly railroad right-of-way line to the southwesterly no-access line of the existing U.S. Highway 40; thence Southeasterly One Hundred Forty-nine and Seventy-four Hundredths (149.74) feet along said southwesterly no-access line, which is along the arc of a Twenty-nine Hundred Eighty-four and Seven Hundred Eighty-nine Thousandths (2984.789)-foot radius curve to the left to said southeasterly boundary line (Note: Tangent to said curve at its point of beginning bears approximately South 44°51'04" East); thence South 45°00' West (South 44°53'49" West highway bearing) Three and Seventy-six Hundredths (3.76) feet, more or less, along said southeasterly boundary line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

Parcel No. JDR-Hy-189-61:5:2A contains a total of Four Thousandths (0.004) of an acre, more or less, (187 square feet).

Parcels Nos. JDR-Hy-40:19:2:A, 19:2:2A, 19:6:A, JDR-Hy-189:61:5:A, and 61:5:2A contain a total of One Hundred Nineteen and Four Hundred Four Hundredths (119.404) acres, more or less.

AND, ALSO,

Estate Taken as to Parcels Nos. JDR-Hy-40-19:2:EP, 19:6:EP, 19:6:2EP, 19:6:3EP, and 19:6:4EP:

A perpetual right-of-way easement upon Parcel No. JDR-Hy-40-19:2:EP for the purpose of constructing thereon an access road and appurtenant parts thereof incident to the construction of an expressway known as Project No. NF-19.

A perpetual easement upon JDR-Hy-40-19:6:EP for the purpose of constructing thereon a drainage facility and appurtenant parts thereof incident to the construction of an expressway known as Project No. NF-19.

A perpetual easement upon JDR-Hy-40-19:6:2EP for the purpose of constructing thereon a drainage facility and appurtenant parts thereof incident to the construction of an expressway known as Project No. NF-19.

A perpetual easement upon JDR-Hy-40-19:6:3EP for the purpose of constructing thereon a drainage facility and appurtenant parts

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SCHEDULE B (Continued)

thereof incident to the construction of an expressway known as Project No. NF-19.

A perpetual easement upon JDR-Hy-40-19:6:4EP for the purpose of constructing thereon a drainage facility and appurtenant parts thereof incident to the construction of an expressway known as Project No. NF-19.

Subject to existing rights-of-way for roads, railroads, telephone lines, transmission lines, ditches, conduits, or pipelines. Also, save, excepting and reserving therefrom all coal, oil, gas, and other mineral rights.

Said perpetual easements shall be freely assignable and transferable and shall constitute a covenant running with the land, binding upon the heirs, executors, personal representatives, administrators, successors, and assigns of the Defendant, for the benefit of the United States, its contractors, employees, agents, and assigns.

After said access road, drainage facilities, and appurtenant parts thereof are constructed on the above-described parts of an entire tract at the expense of the United States or its assigns, the United States or its assigns shall thereafter be relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said access road, drainage facilities, and appurtenant parts thereof.

The United States or its assigns, within the perpetual easement areas, will replace or repair with materials of like kind and equal quality any fences, ditches, pipelines, driveways, or roadways, including appurtenances thereto, existing at the time of this taking, that are damaged or destroyed by construction of the relocated U.S. Highway 40 and appurtenant parts thereof.

If damage occurs to agricultural crops or livestock within the perpetual easement areas as a result of construction of the relocated U.S. Highway 40 and appurtenant parts thereof, payment will be made by the United States or its assigns to the owner thereof on the basis of an appraisal approved by the United States or its assigns.

Legal Description:

PARCEL NO. JDR-Hy-40-19:2:EP

A parcel of land upon part of an entire tract of property in Lot Three (3) of Section Two (2), Township Two (2) South, Range Four

SCHEDULE B (Continued)

Legal Description (Continued):

(4) East, Salt Lake Base and Meridian, Summit County, Utah, more particularly described as follows:

Beginning in the north line of said Section 2 at a point Twenty Hundred Forty-eight and Forty-three Hundredths (2048.43) feet South 89°53'00" East from the Northwest corner of said Section 2; thence South 45°02'17" West Two Hundred Two and Ninety-one Hundredths (202.91) feet to a point Eighty (80.0) feet radially distant northwesterly from the centerline of said access road known as "H" Line at Engineer Station 34+65.48; thence South 25°41'05" West Three Hundred Eighty-two and Forty-two Hundredths (382.42) feet; thence South 21°43'39" West Two Hundred Three and Forty-four Hundredths (203.44) feet; thence South 75°00'00" East One Hundred Forty-six and Thirteen Hundredths (146.13) feet; thence North 17°42'46" East Two Hundred Seventy-four and Ninety-one Hundredths (274.91) feet; thence North 28°04'06" East Two Hundred (200.0) feet; thence North 37°37'06" East One Hundred Fifteen and Eighty-one Hundredths (115.81) feet; thence North 42°52'13" East Fifty-seven and Ninety-three Hundredths (57.93) feet; thence North 46°13'24" East Two Hundred Five and Ten Hundredths (205.10) feet to said North line; thence West (North 89°53'00" West highway bearing) One Hundred Ninety-two and Forty-six Hundredths (192.46) feet along said North line to the point of beginning.

Parcel No. JDR-Hy-40-19:2:EP contains a total of Two and Forty-eight Hundredths (2.48) acres, more or less.

ALSO,

PARCEL NO. JDR-Hy-40-19:6:EP

A parcel of land upon part of an entire tract of property in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Eleven (11), Township Two (2) South, Range Four (4) East, Salt Lake Base and Meridian, Summit County, Utah, more particularly described as follows:

Beginning at a point Two Hundred Eighty (280.0) feet perpendicularly distant easterly from the centerline of said project at Engineer Station 454+50.00, said point of beginning is approximately Two Hundred Fifty-four (254.0) feet North and Two Hundred Forty-eight (248.0) feet East from the Southwest corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence North

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SCHEDULE B (Continued)

Legal Description (Continued):

7°04'23" West Two Hundred (200.0) feet; thence North
82°55'37" East One Hundred (100.0) feet; thence South
7°04'23" East Two Hundred (200.0) feet; thence South
82°55'37" West One Hundred (100.0) feet to the point of
beginning.

Parcel No. JDR-Hy-40-19:6:EP contains a total of Forty-six Hun-
dredths (0.46) of an acre, more or less.

ALSO,

PARCEL NO. JDR-Hy-40-19:6:2EP

A parcel of land upon part of an entire tract of property in the
Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section
Eleven (11), Township Two (2) South, Range Four (4) East, Salt Lake
Base and Meridian, Summit County, Utah, more particularly described
as follows:

Beginning at a point Two Hundred Eighty-one and Seven
Hundredths (281.07) feet radially distant easterly from
the centerline of said project at Engineer Station
461+00.00, said point of beginning is approximately Ten
Hundred Eleven and Forty-five Hundredths (1011.45) feet
North 88°50'50" West (highway bearing) and Three Hundred
Eighty-two and Seven Hundredths (382.07) feet South
7°31'56" East from the East Quarter corner of said Sec-
tion 11; thence South 7°31'56" East One Hundred Fifty
(150.0) feet; thence North 82°28'04" East Seventy (70.0)
feet; thence North 7°31'56" West One Hundred Fifty
(150.0) feet; thence South 82°28'04" West Seventy (70.0)
feet to the point of beginning.

Parcel No. JDR-Hy-40-19:6:2EP contains a total of Twenty-four Hun-
dredths (0.24) of an acre, more or less.

ALSO,

PARCEL NO. JDR-Hy-40-19:6:3EP

A parcel of land upon part of an entire tract of property in the
Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section Eleven
(11), Township Two (2) South, Range Four (4) East, Salt Lake Base
and Meridian, Summit County, Utah, more particularly described as
follows:

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SCHEDULE B (Continued)

Legal Description (Continued):

Beginning at a point Three Hundred One and Thirty Hundredths (301.30) feet radially distant easterly from the centerline of said project at Engineer Station 472+00.00; said point of beginning is approximately Seven Hundred Fifty and Forty-eight Hundredths (750.48) feet North 88°50'50" West and Fourteen Hundred Fifty and Thirty-six Hundredths (1450.36) feet South 1°09'10" West from the East Quarter corner of said Section 11; thence South 9°33'58" East Three Hundred (300.0) feet; thence North 80°26'02" East Eighty (80.0) feet; thence North 9°33'58" West Three Hundred (300.0) feet; thence South 80°26'02" West Eighty (80.0) feet to the point of beginning.

Parcel No. JDR-Hy-40-19:6:3EP contains a total of Fifty-five Hundredths (0.55) of an acre, more or less.

ALSO,

PARCEL NO. JDR-Hy-40-19:6:4EP

A parcel of land upon part of an entire tract of property in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Eleven (11), Township Two (2) South, Range Four (4) East, Salt Lake Base and Meridian, Summit County, Utah, more particularly described as follows:

Beginning at a point One Hundred (100.0) feet perpendicularly distant westerly from the centerline of a frontage road known as "D" Line for said project at Engineer Station 75+00.00, said point of beginning is approximately Five Hundred Fifty (550.0) feet South and One Hundred Fifty-three (153.0) feet West from the Northeast corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence South 10°53'07" East Two Hundred (200.0) feet; thence South 79°06'53" West One Hundred (100.0) feet; thence North 10°53'07" West Two Hundred (200.0) feet; thence North 79°06'53" East One Hundred (100.0) feet to the point of beginning.

Parcel No. JDR-Hy-40-19:6:4EP contains a total of Forty-six Hundredths (0.46) of an acre, more or less.

Parcels Nos. JDR-Hy-40-19:2:EP, 19:6:EP, 19:6:2EP, 19:6:3EP, and 19:6:4EP contain a total of Four and Nineteen Hundredths (4.19) acres, more or less.

AND, ALSO,

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SCHEDULE B (Continued)

Estate Taken as to Parcel No. JDR-Hy-40-19:2:2ET:

A temporary easement upon parcel No. JDR-Hy-40-19:2:2ET for the purpose of constructing thereon a detour road and appurtenant parts thereof incident to the construction of an expressway known as Project No. NF-19.

The temporary easement described herein shall expire upon the completion of construction of the relocated U.S. Highway 40 and appurtenant parts thereof.

Subject to existing rights-of-way for roads, railroads, telephone lines, transmission lines, ditches, conduits, or pipelines. Also, save, excepting and reserving therefrom all coal, oil, gas, and other mineral rights.

Said temporary easement shall be freely assignable and transferable and shall constitute a covenant running with the land, binding upon the heirs, executors, personal representatives, administrators, successors, and assigns of the Defendant, for the benefit of the United States, its contractors, employees, agents, and assigns.

The United States or its assigns, within the temporary easement area, will replace or repair with materials of like kind and equal quality any fences, ditches, pipelines, driveways, or roadways, including appurtenances thereto, existing at the time of this taking, that are damaged or destroyed by construction of the relocated U.S. Highway 40 and appurtenant parts thereof.

If damage occurs to agricultural crops or livestock within the temporary easement area as a result of construction of the relocated U.S. Highway 40 and appurtenant parts thereof, payment will be made by the United States or its assigns to the owner thereof on the basis of an appraisal approved by the United States or its assigns.

After said detour road and appurtenant parts thereof are no longer needed and after said detour road and appurtenant parts are obliterated at the expense of the United States or its assigns, the United States or its assigns shall thereafter be relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against the following described part of an entire tract.

Book 470

800-70 PAGE 479

SCHEDULE B (Continued)

Legal Description:

PARCEL NO. JDR-Hy-40-19:2:2ET

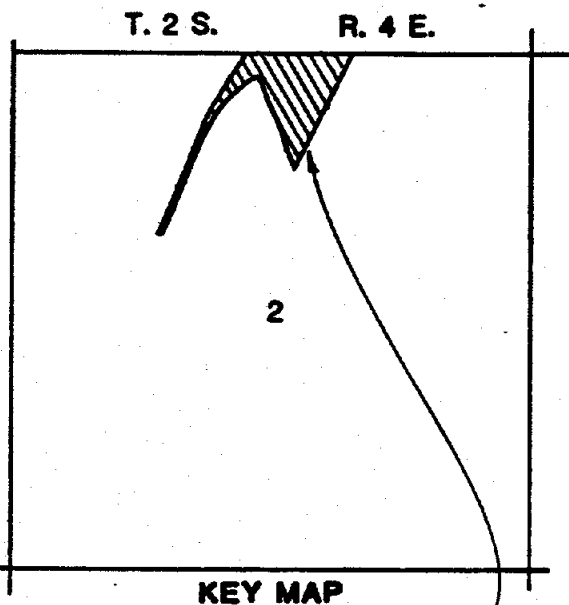
A parcel of land upon part of an entire tract of property in Lot Three (3) of Section Two (2), Township Two (2) South, Range Four (4) East, Salt Lake Base and Meridian, Summit County, Utah, more particularly described as follows:

Beginning in the South line of said Lot 3 at a point One Hundred (100.0) feet perpendicularly distant westerly from the centerline of the improvement of State Route-248 known as "J" Line, which point is approximately Two Hundred Sixty and Twenty-two Hundredths (260.22) feet East (South 89°27'14" East highway bearing) from the Southwest corner of said Lot 3; thence North 22°01'00" East Five Hundred Thirty-one and Twenty-four Hundredths (531.24) feet, more or less, to a point opposite Engineer Station 17+78.47; thence North 17°42'46" East One Hundred Twenty-four and Eighty-four Hundredths (124.84) feet; thence North 75°00'00" West One Hundred Forty-six and Thirteen Hundredths (146.13) feet; thence South 15°00'00" West Five Hundred Four and Sixteen Hundredths (504.16) feet; thence South 17°51'45" West One Hundred Sixty-nine and Sixty-one Hundredths (169.61) feet to said South line; thence East (South 89°27'14" East highway bearing) Eighty-six and Fifty-four Hundredths (86.54) feet along said South line to the point of beginning.

Parcel No. JDR-Hy-40-19:2:2ET contains a total of One and Seventy-five Hundredths (1.75) acres, more or less.

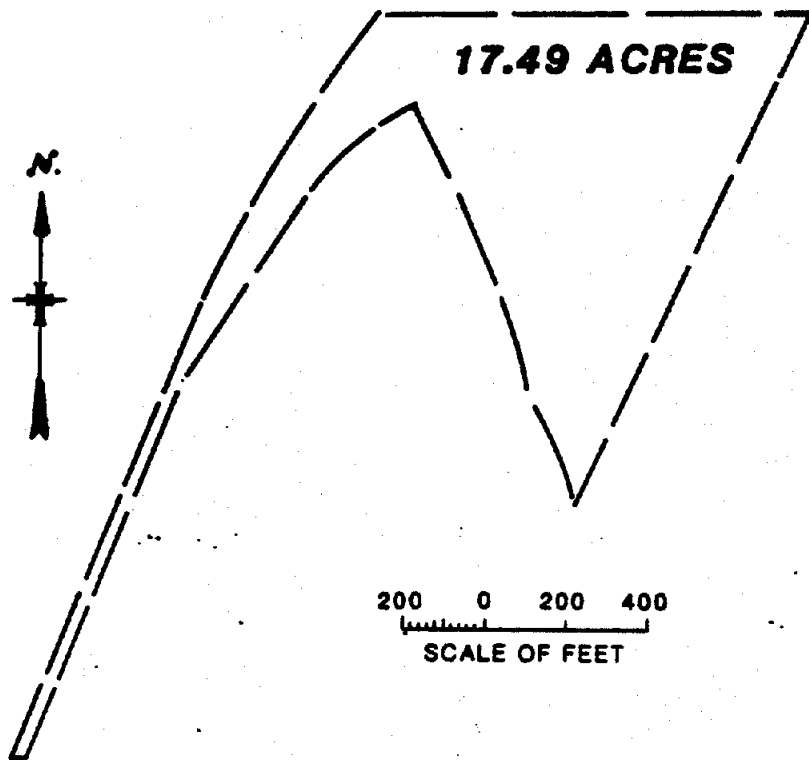
(Note: All highway bearings in the above descriptions are based on the Utah State Plane Coordinate System.)

SCHEDULE C
RELOCATION OF U.S. HIGHWAY 40
JORDANELLE DAM AND RESERVOIR
BONNEVILLE UNIT
CENTRAL UTAH PROJECT



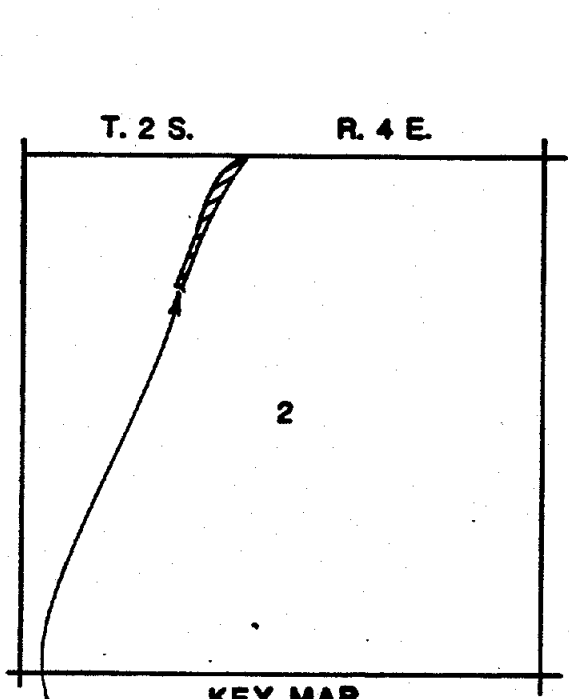
KEY MAP

Map showing Parcel No.
JDR-HY-40-19:2:A in
Section 2 T. 2 S., R. 4 E.,
S.L.B. and M.

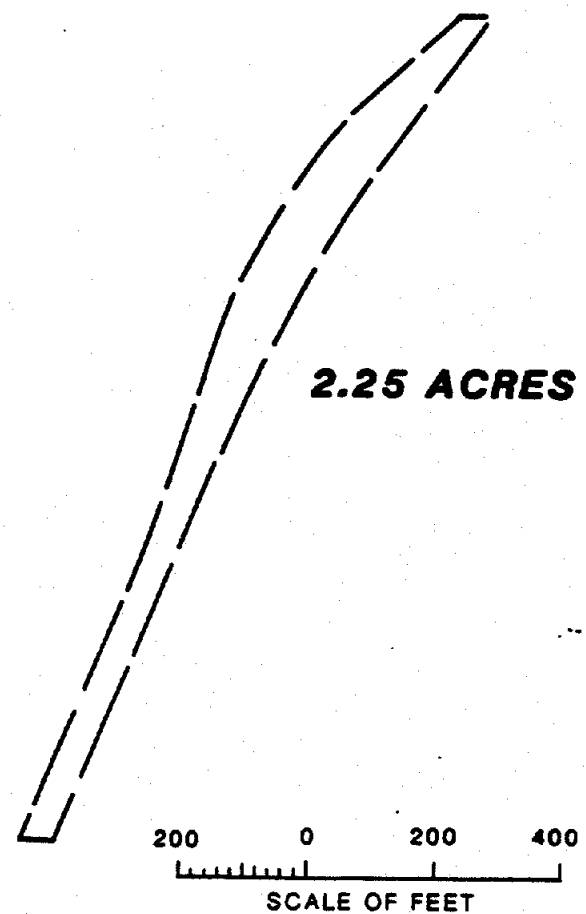


UNITED STATES
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CENTRAL UTAH PROJECT-UTAH
BONNEVILLE UNIT
JORDANELLE DAM AND RESERVOIR
PARCEL NO. JDR-HY-40-19:2:A
FLORENCE GILLMOR, et al.
(17.49 ACRES)

**SCHEDULE C
RELOCATION OF U.S. HIGHWAY 40
JORDANELLE DAM AND RESERVOIR
BONNEVILLE UNIT
CENTRAL UTAH PROJECT**



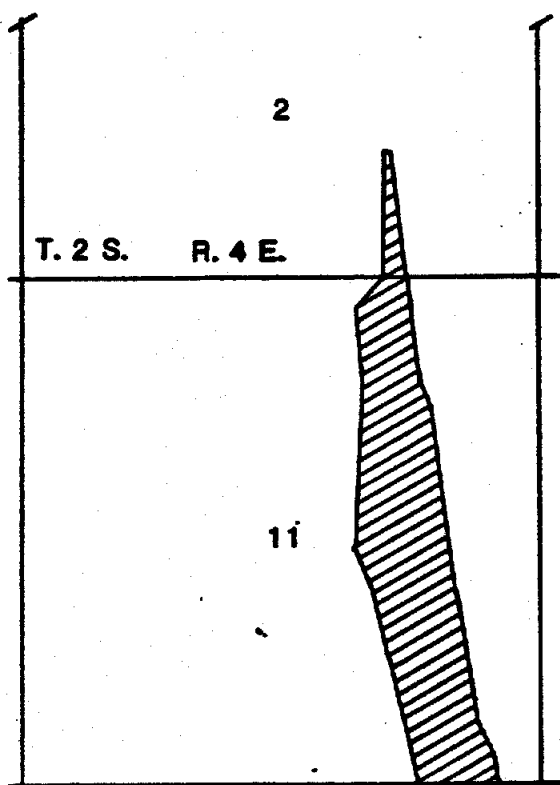
KEY MAP
Map showing Parcel No.
JDR-HY-40-19:2:2A in
Section 2 T. 2 S., R. 4 E.,
S.L.B. and M.



**UNITED STATES
DEPARTMENT OF THE INTERIOR
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BONNEVILLE UNIT
JORDANELLE DAM AND RESERVOIR
PARCEL NO. JDR-HY-40-19:2:2A
FLORENCE GILLMOR, et al.
(2.25 ACRES)**

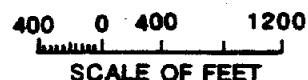
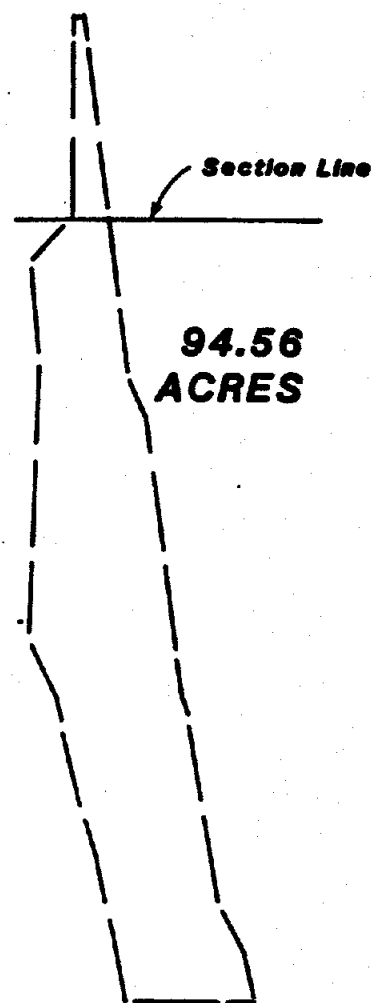
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**SCHEDULE C
RELOCATION OF U.S. HIGHWAY 40
JORDANELLE DAM AND RESERVOIR
BONNEVILLE UNIT
CENTRAL UTAH PROJECT**



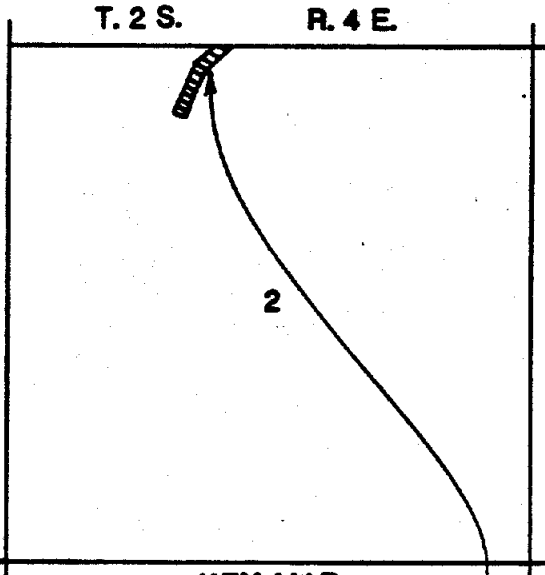
KEY MAP

Map showing Parcel No. JDR-HY-40-19:6:A in Sections 2 and 11, T. 2 S., R. 4 E., S.L.B. and M.

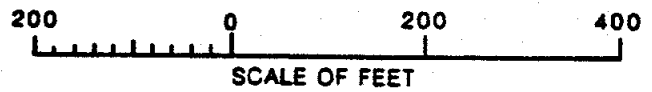
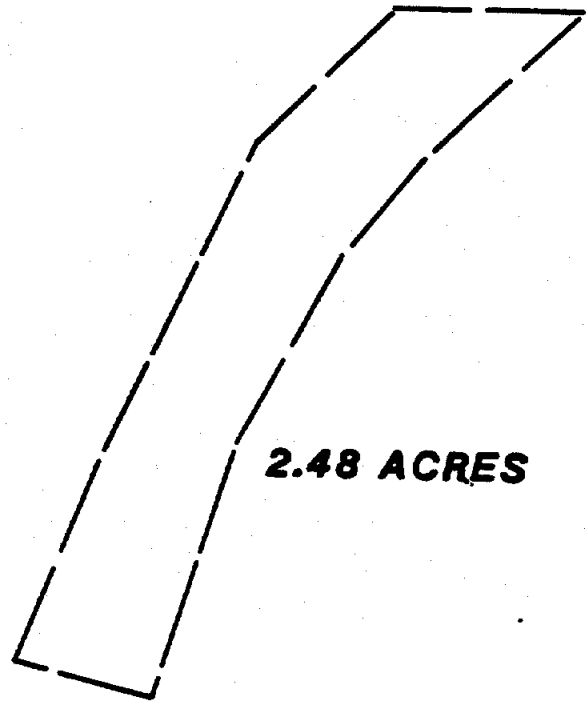


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CENTRAL UTAH PROJECT-UTAH
BONNEVILLE UNIT
JORDANELLE DAM AND RESERVOIR
PARCEL NO. JDR-HY-40-19:6:A
FLORENCE GILLMOR, et al
(94.56 ACRES)**

**SCHEDULE C
RELOCATION OF U.S. HIGHWAY 40
JORDANELLE DAM AND RESERVOIR
BONNEVILLE UNIT
CENTRAL UTAH PROJECT**



KEY MAP
Map showing Parcel No.
JDR-HY-40-19:2:EP in
Section 2 T. 2 S., R. 4 E.,
S.L.B. and M.

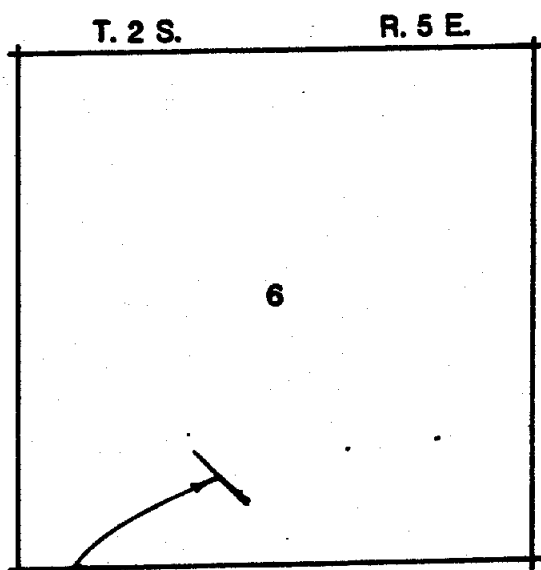


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CENTRAL UTAH PROJECT-UTAH
BONNEVILLE UNIT
JORDANELLE DAM AND RESERVOIR
PARCEL NO. JDR-HY-40-19:2:EP
FLORENCE GILLMOR, et al.
(2.48 ACRES)**

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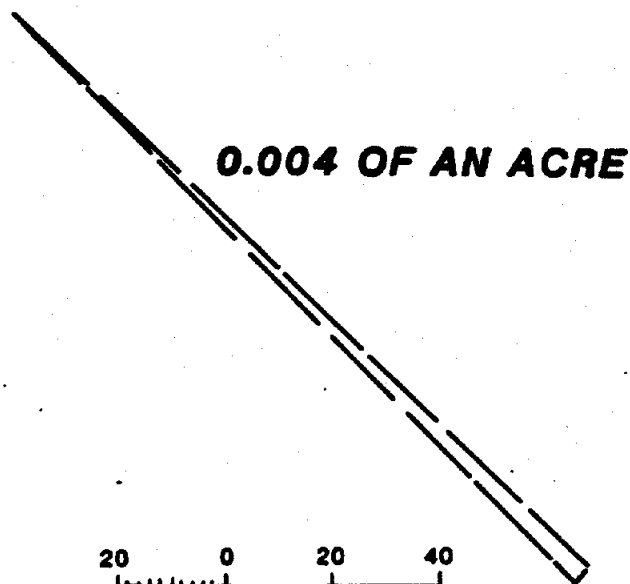
SCHEDULE C
RELOCATION OF U.S. HIGHWAY 189
JORDANELLE DAM AND RESERVOIR
BONNEVILLE UNIT
CENTRAL UTAH PROJECT

PAGE 11 of 11



KEY MAP

Map showing Parcel No.
JDR-HY-189-61:5:2A
Section 6 T. 2 S., R. 5 E.,
S.L.B. and M.



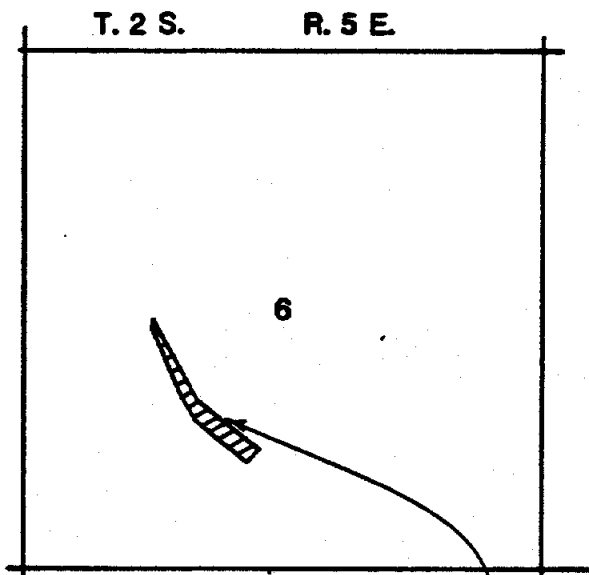
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
CENTRAL UTAH PROJECT-UTAH
BONNEVILLE UNIT
JORDANELLE DAM AND RESERVOIR
PARCEL NO. JDR-HY-189-61:5:2A

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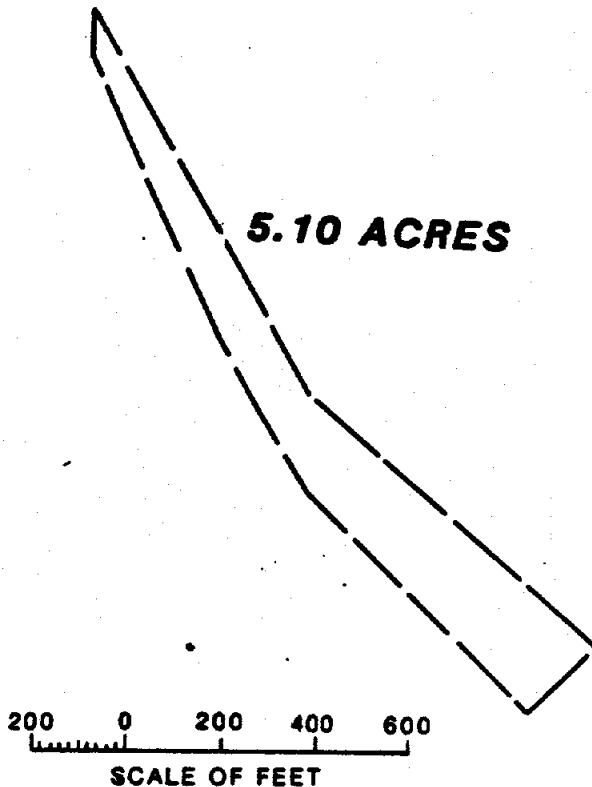
FLORENCE GILLMOR, et al

(0.004 OF AN ACRE)

SCHEDULE C
RELOCATION OF U.S. HIGHWAY 189
JORDANELLE DAM AND RESERVOIR
BONNEVILLE UNIT
CENTRAL UTAH PROJECT



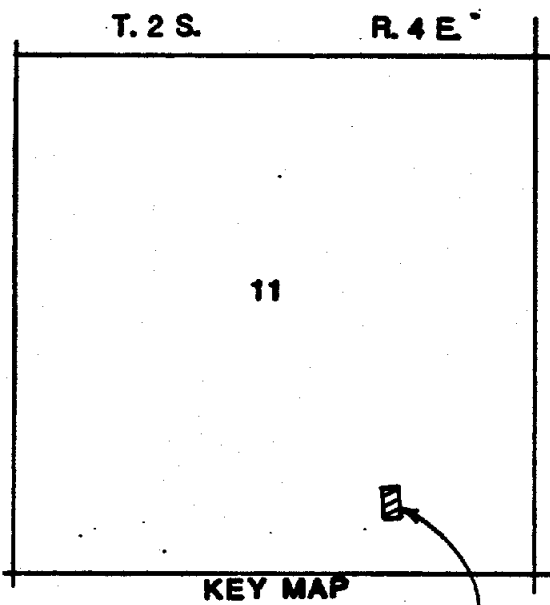
KEY MAP
Map showing Parcel No.
JDR-HY-189-61:5:A in
Section 6 T. 2 S., R. 5 E.,
S.L.B. and M.



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BONNEVILLE UNIT
JORDANELLE DAM AND RESERVOIR
PARCEL NO. JDR-HY-189-61:5:A
FLORENCE GILLMOR, et al.
(5.10 ACRES)

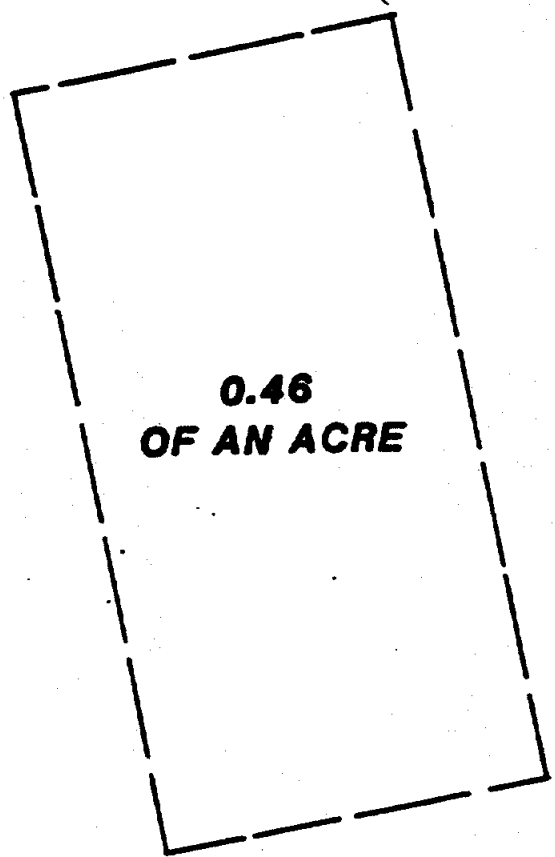
BOOK 470 PAGE 486

**SCHEDULE C
RELOCATION OF U.S. HIGHWAY 40
JORDANELLE DAM AND RESERVOIR
BONNEVILLE UNIT
CENTRAL UTAH PROJECT**



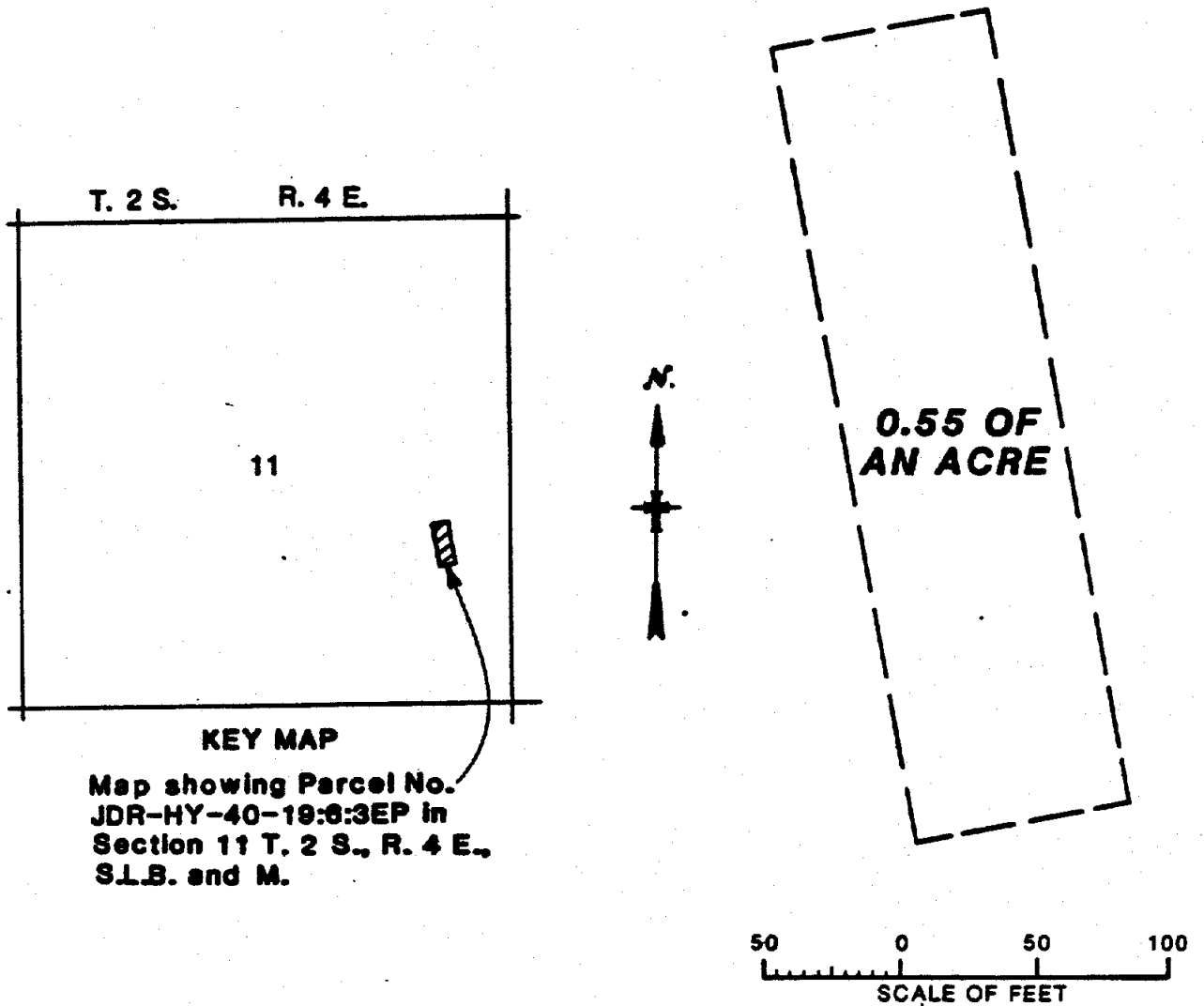
KEY MAP

Map showing Parcel No.
JDR-HY-40-19:6:4EP in
Section 11 T. 2 S., R. 4 E.,
S.L.B. and M.



**UNITED STATES
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CENTRAL UTAH PROJECT-UTAH
BONNEVILLE UNIT
JORDANELLE DAM AND RESERVOIR
PARCEL NO. JDR-HY-40-19:6:4EP
FLORENCE GILLMOR, et al
(0.46 OF AN ACRE)**

SCHEDULE C
RELOCATION OF U.S. HIGHWAY 40
JORDANELLE DAM AND RESERVOIR
BONNEVILLE UNIT
CENTRAL UTAH PROJECT

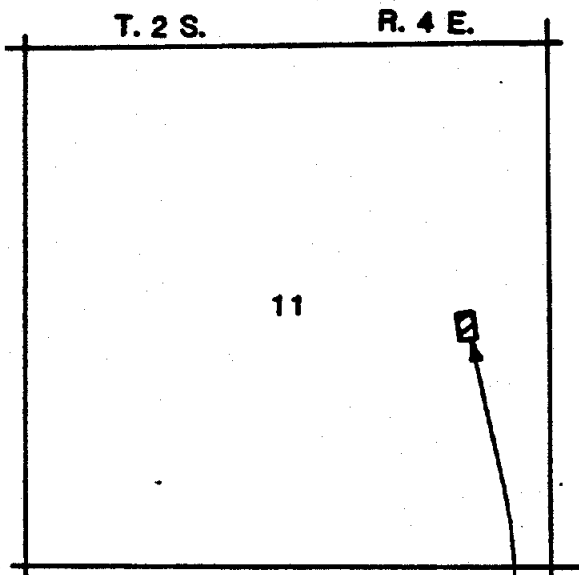


KEY MAP
Map showing Parcel No.
JDR-HY-40-19:6:3EP in
Section 11 T. 2 S., R. 4 E.,
S.L.B. and M.

UNITED STATES
DEPARTMENT OF THE INTERIOR
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CENTRAL UTAH PROJECT-UTAH
BONNEVILLE UNIT
JORDANELLE DAM AND RESERVOIR
PARCEL NO. JDR-HY-40-19:6:3EP
FLORENCE GILLMOR, et al.
(0.55 OF AN ACRE)

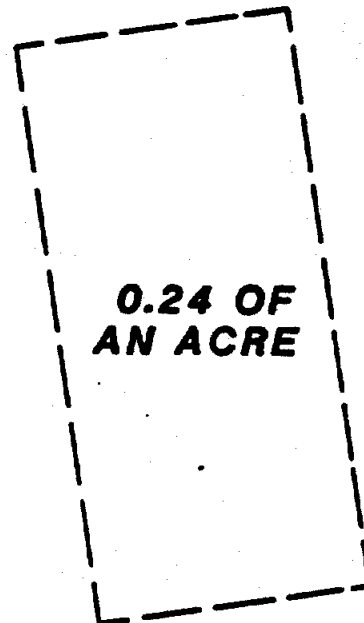
BOOK 470 PAGE 188

**SCHEDULE C
RELOCATION OF U.S. HIGHWAY 40
JORDANELLE DAM AND RESERVOIR
BONNEVILLE UNIT
CENTRAL UTAH PROJECT**



KEY MAP

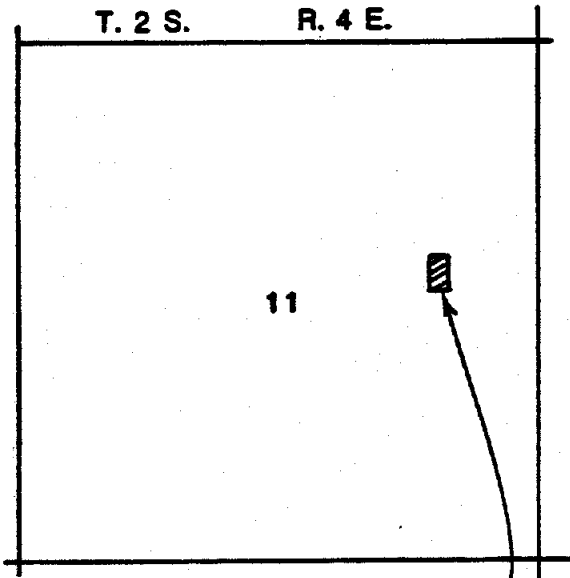
Map showing Parcel No.
JDR-HY-40-19:6:2:EP in
Section 11 T. 2 S., R. 4 E.,
S.L.B. and M.



**UNITED STATES
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BONNEVILLE UNIT
JORDANELLE DAM AND RESERVOIR
PARCEL NO. JDR-HY-40-19:6:2EP
FLORENCE GILLMOR, et al.
(0.24 OF AN ACRE)**

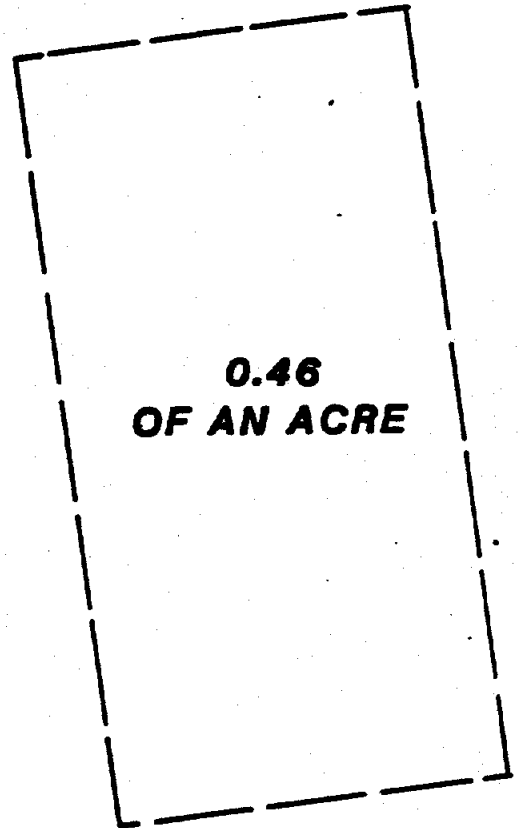
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**SCHEDULE C
RELOCATION OF U.S. HIGHWAY 40
JORDANELLE DAM AND RESERVOIR
BONNEVILLE UNIT
CENTRAL UTAH PROJECT**



KEY MAP

Map showing Parcel No.
JDR-HY-40-19:6:EP in
Section 11 T. 2 S.,
R. 4 E., S.L.B. and M.

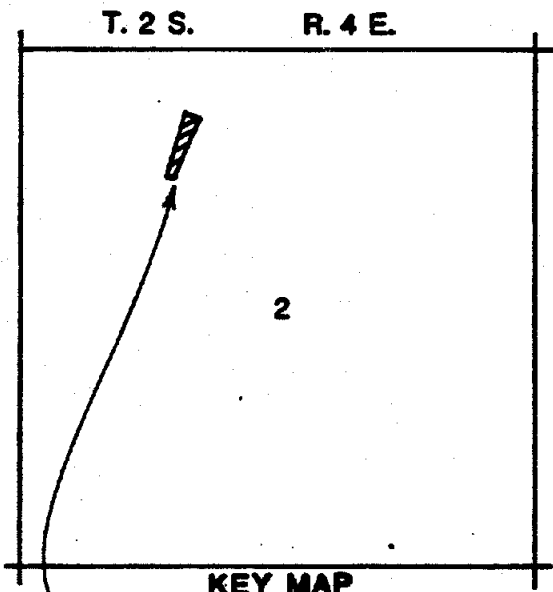


**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
CENTRAL UTAH PROJECT-UTAH
BONNEVILLE UNIT**

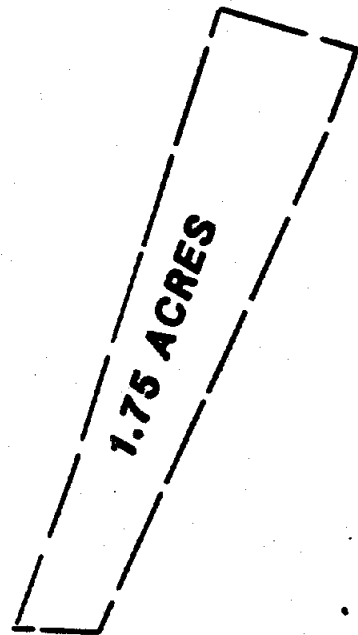
BOOK 470 PAGE 490

**JORDANELLE DAM AND RESERVOIR
PARCEL NO. JDR-HY-40-19:6:EP
FLORENCE GILLMOR, et al.
(0.46 OF AN ACRE)**

**SCHEDULE C
RELOCATION OF U.S. HIGHWAY 40
JORDANELLE DAM AND RESERVOIR
BONNEVILLE UNIT
CENTRAL UTAH PROJECT**



Map showing Parcel No. JDR-HY-40-19:2:2ET in Section 2 T. 2 S., R. 4 E., S.L.B. and M.



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JORDANELLE DAM AND RESERVOIR
PARCEL NO. JDR-HY-40-19:2:2ET**

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**FLORENCE GILLMOR, et al.
(1.75 ACRES)**