

Office of the Davis County Recorder



**Davis**  
C O U N T Y

E 2924268 B 6465 P 449-454  
RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
03/03/2016 02:38 PM  
FEE \$0.00 Page 6  
DEP RTT REC'D FOR UTAH DEPT OF TRANSPORTATION

RETURNED  
MAR 03 2016

Recorder  
Richard T. Maughan  
Chief Deputy  
Laille H. Lomax

THE UNDERLYING DOCUMENT ATTACHED HERETO IS AN ORIGINAL DOCUMENT SUBMITTED FOR RECORDING IN THE OFFICE OF THE COUNTY RECORDER OF DAVIS COUNTY, UTAH. THE DOCUMENT HAS INSUFFICIENT MARGIN SPACE FOR THE REQUIRED RECORDING ENDORSEMENT STAMP. THIS PAGE BECOMES THE FRONT PAGE OF THE DOCUMENT FOR RECORDING PURPOSES.

THE DOCUMENT HEREIN RECORDED IS A

Judgment  
(Document Type)

06-092-0046

Tax Serial Number(s)

The Order of the Court is stated below:

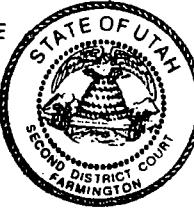
Dated: December 08, 2015 /s/ Thomas L. Kay  
11:48:06 AM District Court Judge



STATE OF UTAH  
COUNTY OF DAVIS } ss.

RANDY S. HUNTER (#9084)  
Assistant Attorney General  
SEAN D. REYES (#7969)  
Utah Attorney General  
160 East 300 South, 5th Floor  
Post Office Box 140857  
Salt Lake City, Utah 84114-0857  
[randyhunter@utah.gov](mailto:randyhunter@utah.gov)

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE  
ORIGINAL ON FILE IN MY OFFICE.  
DATED THIS 21st DAY OF Dec 2015  
ALYSON E. BROWN  
CLERK OF THE COURT  
BY Alyson E. Brown DEPUTY  
PAGE 1 OF 5



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

UTAH DEPARTMENT OF  
TRANSPORTATION,

Plaintiff,

vs.

SALT LAKE TERMINAL COMPANY, a  
Delaware corporation ,

Defendants.

FINAL JUDGMENT OF  
COMPENSATION AND  
CONDEMNATION

Project No. F-I15-7(301)313  
Parcel Nos. I15-7:101:C and  
I15-7:102:E  
Affecting Tax Id. No. 06-092-0046

Civil No. 150700496

Judge Thomas L. Kay

The Court having reviewed the Stipulation and Joint Motion for Final Judgment of  
Condemnation entered into between the Plaintiff Utah Department of Transportation (UDOT)  
and Defendant Salt Lake Terminal Company (Owner) and being fully advised and for good  
cause appearing, and incorporating the terms of the Stipulation;

IT IS HEREBY ORDERED ADJUDGED AND DECREED:

1. That the parcels of land hereinafter described are hereby condemned and acquired  
by UDOT for highway purposes.
2. That the purpose of said condemnation is a public use authorized by law.

3. That the just compensation for the land condemned is as follows:
  - a. Defendant will receive Ninety Five Thousand Three Hundred Fifty Dollars (\$95,350.00). paid directly to Defendant by check delivered to its counsel.
4. That a copy of this Final Judgment of Condemnation shall be recorded with the Davis County Recorder=s Office and thereupon the right and interests of Owner in the following described condemned property shall vest in Plaintiff Utah Department of Transportation, 4501 South 2700 West, Salt Lake City, Utah 84119:

The Subject Property is located in Davis County, Utah and described as:

Tax Id No. 06-092-0046

**Parcel No. I15-7:101:C**

A parcel of land in fee for the widening of the existing 2600 South Street and known as Project No. F-I15-7(301)313, being part of an entire tract of property situate in the NE1/4SW1/4 and the NW1/4SW1/4 of Section 36, T. 2 N., R. 1 W., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at a point in the southerly boundary line of said entire tract in the existing northerly right of way line of said 2600 South Street, which point is 420.13 ft. (415.06 ft. by record) South along the section line and 2435.78 ft. (2439.10 ft. by record) East and 1580.00 ft. West and 379.10 ft. South and 393.19 ft. S. 89°29'06" E. (Easterly by record) from the Northwest Corner of the Southwest Quarter of said Section 36, said corner is also 24.76 ft. perpendicularly distant northerly from the 2600 South Street Control Line opposite approximate engineer station 2599+97.80; and running thence N. 88°27'31" E. 403.49 ft. to a point 40.00 ft. perpendicularly distant northerly from said control line opposite engineer station 2604+01.00; thence N. 86°43'13" E. 107.25 ft. to a point 47.30 ft. perpendicularly distant northerly from said control line opposite engineer station 2605+08.00; thence N. 88°16'57" E. 53.87 ft. to a point 49.50 ft. perpendicularly distant northerly from said control line opposite engineer station 2605+61.82 to the beginning of a 760.25-foot radius non-tangent curve to the left; thence Easterly 47.20 ft. along the arc of said curve (Note: Chord to said curve bears N. 88°50'41" E. for a distance of 47.19 ft.) to a point 49.50 ft. radially distant northerly from said control line opposite engineer station 2606+12.09 to the easterly boundary line of said entire tract; thence S. 00°28=50@ W. 25.05 ft. along said easterly boundary line to the Southeast corner of said entire tract and said

existing northerly right of way line; thence N.  $89^{\circ}29'06''$  W. (Westerly by record) 611.25 ft. along said existing northerly right of way line to the point of beginning. The above described parcel of land contains 7,204 square ft. in area or 0.165 acre, more or less.

(Note: Rotate all bearings in the above description  $00^{\circ}09'09''$  counter-clockwise to obtain highway bearings.)

**Parcel No. I15-7:102:E**

A temporary easement, upon part of an entire tract of property, in the NE1/4SW1/4 and the NW1/4SW1/4 of Section 36, T. 2 N., R. 1 W., S.L.B. & M., in Davis County, Utah, to facilitate the construction of driveway and roadway improvements, side treatments and appurtenant parts thereof and blending slopes, incident to the widening of the existing 2600 South Street known as Project No. F-I15-7(301)313.

Non-exclusive use. The easement acquired herein does not convey any right except as stated herein, nor does it prevent Defendant(s) from the use of the real property within the easement so long as such use does not interfere with the purposes for which the easement is being acquired. This easement does not convey the right to use the easement in a manner that would deny any right the Defendant may possess of reasonable access to property outside of the easement.

Duration of easement. The easement shall begin at the time actual construction of said project is commenced at the location of the easement, and shall continue for a period of three years or until the earlier completion of the project. The easement shall run with the real property and shall be binding on Defendant(s), their successors, heirs and assigns.

Restoration of property. UDOT will restore the real property as nearly as reasonably possible to its condition prior to any material disturbance from construction activities, consistent with project improvements.

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

Beginning at a point in the southerly boundary line of said entire tract in the existing northerly right of way line of said 2600 South Street, which point is 420.13 ft. (415.06 ft. by record) South along the section line and 2435.78 ft. (2439.10 ft. by record) East and 1580.00 ft. West and 379.10 ft. South and 393.19 ft. S.  $89^{\circ}29'06''$  E. (Easterly by record) from the Northwest Corner of the Southwest Quarter of said Section 36, said corner is also 24.76 ft. perpendicularly distant northerly from the 2600 South Street Control Line opposite approximate engineer station 2599+97.80; and running thence N.  $00^{\circ}37'24''$  E. 21.24 ft.; thence S.  $89^{\circ}22'36''$  E. 52.20 ft. along a line parallel with said control line; thence S.  $00^{\circ}37'24''$  W. 9.26 ft.; thence N.  $88^{\circ}27'31''$  E. 347.75 ft.; thence N.  $00^{\circ}37'24''$  E. 30.53 ft.; thence N.  $88^{\circ}18'09''$  E. 113.59 ft.; thence S.  $00^{\circ}37'24''$  W. 27.57 ft.; thence N.  $88^{\circ}16'57''$  E. 50.66 ft. to the beginning of a 750.25-foot

radius non-tangent curve to the left; thence Easterly 42.37 ft. along the arc of said curve (Note: Chord to said curve bears N.  $89^{\circ}01'16''$  E. for a distance of 42.36 ft.); thence N.  $00^{\circ}28'50''$  E. 69.46 ft.; thence N.  $85^{\circ}00'02''$  E. 5.02 ft. to the easterly boundary line of said entire tract; thence S.  $00^{\circ}28'50''$  W. 79.68 ft. along said easterly boundary to the beginning of a 760.25-foot radius non-tangent curve to the right; thence Westerly 47.20 ft. along the arc of said curve (Note: Chord to said curve bears S.  $88^{\circ}50'41''$  W. for a distance of 47.19 ft.); thence S.  $88^{\circ}16'57''$  W. 53.87 ft.; thence S.  $86^{\circ}43'13''$  W. 107.25 ft.; thence S.  $88^{\circ}27'31''$  W. 403.49 ft. to the point of beginning. The above described part of an entire tract of land contains 10,299 square ft. in area or 0.236 acre, more or less.

(Note: Rotate all bearings in the above description  $00^{\circ}09'09''$  counter-clockwise to obtain highway bearings.)

APPROVED AS TO FORM  
(*Signed electronically with permission*  
*From Dawn L. Staggs*)

/s/ Dawn L. Staggs  
Dawn L. Staggs  
Attorney for Defendant

**This Order becomes effective on the date when electronically signed**  
**By the Court on the first page.**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 7<sup>th</sup> day of December, 2015, I filed the foregoing **FINAL JUDGMENT OF COMPENSATION AND CONDEMNATION** with the Court by using the NEF system. The same was also served via U.S. Mail, postage pre-paid to the following:

Dawn L Staggs, Phillips 66 General Counsel  
Legal Claims Center  
252-H Adams Building  
Bartlesville, Oklahoma 74003-6670  
*Attorney for Defendant*

/s/ Stacey K. Baird

Stacey K. Baird  
Legal Secretary