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Salt Lake County, Utah

NOV 16 1977

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Salt Lake City, Utah 84114
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W. Sterling Evans, Clerk 3rd Dist. Court
W. Sterling Evans
Deputy Clerk

THIS INSTRUMENT CHECKED WITH:

JUDGMENT
INDEXED
FILED
SERIALIZED

NOV 17 1977
BY *abc*

ACCEPTED BY *V*

IN THE THIRD DISTRICT COURT IN AND FOR SALT LAKE COUNTY

3036310

STATE OF UTAH

UTAH STATE ROAD COMMISSION,	:	
	:	
Plaintiff,	:	FINAL ORDER OF CONDEMNATION
	:	
-vs-	:	
	:	Civil No. 219253
HOWARD H. HAYNES; EDITH	:	
DANIELS; BEATRICE DANIELS;	:	
ALICE KING; EVALINE HARMON;	:	Project No. F-018-1(5)
ERVIN H. ANDERSEN; GERALDINE	:	Parcels No. 212 and 212:A
KNOTT; DR. HOWARD H. HAYNES;	:	Total Payment: \$35,000
and JOHNSON READY MIX COMPANY,	:	35000 ⁰⁰
	:	
Defendants.	:	

It appearing to the Court and the Court now finds that heretofore, on the 14th day of September, 1977, 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, Howard H. Haynes, Edith Daniels, Beatrice Daniels, Alice King, Evaline Harmon, Ervin H. Andersen, Geraldine Knott, Dr. Howard H. Haynes, Douglas E. Haynes, Shirley H. White, Bonneville Raceways, and Johnson Ready Mix Company, their interest as a Judgment lien creditor having been fully paid, and the lessee, Robert K. Ipson, having entered into his lease dated January 1, 1976, with Bonneville Raceways, Inc., after the date of the service of Summons and Order of Occupancy and therefore has no interest, together with all 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 given by the Court understood and fully considered,

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IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the parcels of land hereinafter described are hereby taken and condemned in fee simple title as to Parcels No. 212 and 212:A, for the purpose described and set forth in the plaintiff's 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 a 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 as to Parcels No. 212 and 212:A in the plaintiff. The following is a description of the property so ordered and condemned as hereinabove provided, which is hereby vested in fee simple title as to Parcels No. 212 and 212:A 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. 018-1:212

A parcel of land in fee for a southerly frontage road incident to the construction of a freeway known as Project No. 018-1, being part of an entire tract of property, in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T. 1 S., R. 2 W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning on the west line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ at a point 25.0 ft. perpendicularly distant southerly from the center line of said frontage road (Frontage Road No. 3) of said project, which point is approximately 879 ft. north from the SW. corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence North 53 ft., more or less, along said west line to the southerly right-of-way line of the existing highway; thence Northeasterly 951 ft., more or less, along said right of way line to a NE. corner of said entire tract; thence Southeasterly 41 ft., more or less, along an easterly boundary line of said entire tract to a point 25.0 ft. perpendicularly distant southerly from said center line; thence S. 57°33' W. 981 ft., more or less, to the point of beginning. The above described parcel of land contains 0.91 acre, more or less.

Together with any and all abutters rights of underlying fee to the existing rights-of way appurtenant to this conveyance.

Parcel No. 018-1:212:A

A parcel of land in fee for a freeway known as Project No. 018-1, being part of an entire tract of property, in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T. 1 S., R. 2 W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the intersection of the east boundary line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ at a point 25.0 ft. radially distant southeasterly from the center line of a southerly frontage road (Frontage Road No. 3) of said project, said point also being approximately 410 ft. northerly from the SE. corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence North 209 ft., more or less, along said east boundary line to the northwesterly right-of-way line of the existing highway; thence Southwesterly 1568 ft., more or less, along said northwesterly right-of-way line to the west boundary line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$; thence South 162 ft., more or less, along said west boundary line to the southeasterly right-of-way line of said highway; thence N. 57°31' E. 951 ft., more or less, along said southeasterly right-of-way line to a SW. inside corner of said entire tract; thence S. 37°38'02" E. 41 ft., more or less, along a southwesterly boundary line of said entire tract to a point 25.0 ft. perpendicularly distant southeasterly from the center line of said frontage road; thence N. 57°33' E. 490 ft., more or less, to a point 121.0 ft. southeasterly from the eastbound control line of said project at Engineer Station 223+05.7 Ahead equals 222+84.5 Back, said point also being a point of tangency with a 5608.58-foot radius curve to the right; thence Northeasterly 95 ft., more or less, along the arc of said curve to the point of beginning. The above described parcel of land contains 5.23 acres, more or less, of which 4.67 acres, more or less, are now occupied by the existing highway. Balance 0.56 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, and with all abutters rights of access in and to the inner through traffic lanes of said freeway, PROVIDED, however, that such remaining property shall abut upon and have access to a frontage road which will be connected with said inner through traffic lanes only at such points as may be established by public authority.

Dated this 16 day of November, 1977.


BY THE COURT:

David B. Roe
DISTRICT COURT

ATTEST
W. STERLING EVANS
CLERK

BY Brad Willis
Deputy Clerk

STATE OF UTAH
COUNTY OF KANE
I, THE CLERK OF THE DISTRICT COURT, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ABOVE MENTIONED INSTRUMENT WAS FILED IN MY OFFICE ON THIS 22 DAY OF NOVEMBER 1977.
W. STERLING EVANS
CLERK
Synda Vaughn



DEC 12 1977
Recorded at 9580 m
Request of Utah Department of Transportation
D.W.C.N., Recorder
C. W. Warrington, Deputy
\$ No Fee
REF.

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