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Date MAY 9 1967 County DAVIS Page 365

308786

IN THE SECOND DISTRICT COURT IN AND FOR DAVIS COUNTY

STATE OF UTAH

STATE OF UTAH, by and through
its ROAD COMMISSION

Plaintiff,

FINAL ORDER OF CONDEMNATION

-VS-

ARMOND PERRI and DOROTHY JANE
PERRI, his wife; BOUNTIFUL
STATE BANK, a Utah corpora-
tion; RONALD L. EDWARDS; and
E. JEX HEPWORTH,

Defendants.

Civil No. 11,387

Project No. 1-15-7(33)314
Parcel Nos. 87:A, 82, 82:E

Total Payment: \$38,501.34

It appearing to the court and the court now finds that heretofore, on the 25th day of January, 1967, 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, Armond Perri and Dorothy Jane Perri, his wife; Bountiful State Bank, a Utah corporation; Ronald L. Edwards; and E. Jex Hepworth, 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,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the parcels of land hereinafter described are hereby taken and

Indexed
Entered
Computed

condemned in fee simple title as to Parcel Nos. 82 and 87:A, and for easement rights as to Parcel No. 82:E 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 Davis County, State of Utah, and thereupon the property interests hereinafter referred to and set forth shall vest in fee simple title as to Parcel Nos. 82 and 87:A and for easement rights as to Parcel No. 82:E 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 Parcel Nos. 82 and 87:A and for easement rights as to Parcel No. 82:E in the plaintiff, all of such property being situated in Davis County, State of Utah and is more particularly described as follows:

Parcel No. 15-7:87:A

A parcel of land in fee incident to the construction of a freeway known as Project No. 15-7, being part of an entire tract of property, in Lot 3, Block 8, North Mill Creek Plat, Bountiful Townsite Survey of Section 19, T. 2 N., R. 1 E., and in Section 24, T. 2 N., R. 1 W., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at the intersection of the easterly right of way line of the existing highway U.S. 91 and the northerly boundary line of said entire tract which point is 26.46 chains west and 150 ft. south of the NE. corner of said Lot 3; thence South 202.5 ft. along said right of way line to the southerly boundary line of said entire tract; thence Easterly 83 ft., more or less, along said southerly boundary line to a point 33.0 ft. radially distant southerly from the center line of the east frontage road of said project; thence Northeasterly 63 ft., more or less, along the arc of a 93.0 ft. radius curve to the left to the easterly boundary line of said entire tract (Note: Tangent to said curve at its point of beginning bears approximately N. 75° 05' E.); thence Northerly 164 ft., more or less, along said easterly boundary line to said northerly boundary line; thence Westerly 48 ft., more or less, along said northerly boundary line to a point 33.0 ft. perpendicularly distant westerly from said center line; thence

S. $0^{\circ} 29'$ W. 109 ft., more or less, to a point of tangency with a 27.0 ft. radius curve to the right opposite said center line at Engineer Station 11+82.25; thence Westerly 42.4 ft. along the arc of said 27.0 ft. radius curve; thence N. $89^{\circ} 31'$ W. 16.0 ft. to a point of tangency with a 20.0 ft. radius curve to the right; thence Northerly 31.4 ft. along the arc of the last mentioned curve to a point designated as "A"; thence N. $0^{\circ} 29'$ E. 117 ft., more or less, to said northerly boundary line at a point designated as "B"; thence Westerly 20.0 ft. along said northerly boundary line to the point of beginning. The above described parcel of land contains 0.41 acre, more or less.

Together with any and all rights or easements, if any, 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 the remaining property contiguous to the lands hereby conveyed, to or from said highway between points designated as "A" and "B". Such remaining property shall have access to and from a frontage road.

Parcel No. 15-7:82

A parcel of land in fee incident to the construction of a freeway known as Project No. 15-7, being part of an entire tract of property in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, T. 2 N., R. 1 W., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at the intersection of the east right of way line of the existing highway and the south boundary line of said entire tract; which point is 1318.7 ft. north and 85 ft. west from the SW corner of the NW $\frac{1}{4}$ of Section 19, T. 2 N., R. 1 E., S.L.M.; thence East 9 ft., more or less, along said south boundary line; thence N. $2^{\circ} 17'$ E. 272 ft., more or less, to a point 60.0 ft. east of the center line of said existing highway at Engineers Station 291+00; thence North 40 ft., more or less, to the north boundary line of said entire tract; thence West 20.0 ft. along said north boundary line; thence South 311.52 ft. along said right of way line to the point of beginning. Above described parcel of land contains 0.11 acre, more or less.

Parcel No. 15-7:82:E

An easement upon part of an entire tract of property in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, T. 2 N., R. 1 W., S.L.B. & M. in Davis County, Utah, for the purpose of constructing and maintaining thereon an irrigation and drainage facility and appurtenant parts thereof incident to the construction of a freeway known as Project No. 15-7.

Said part of an entire tract is a parcel of land adjoining easterly the easterly right of way line of said project. Said parcel of land is described as follows:

Beginning at the intersection of the northerly boundary line of said entire tract and said easterly right of way line at a point 60.0 ft. perpendicularly distant easterly from the center line of said project, which point is 24.70 chains north and approximately 65 ft. west from the SW corner of the NW $\frac{1}{4}$ of Section 19, T. 2 N., R. 1 E., S.L.M.; thence Southerly 40 ft. more or less, along said

easterly right of way line to a point, 60.0 ft. perpendicularly distant easterly from said center line opposite Engineers Station 291+00; thence S. 2° 17' W. 40.03 ft.; thence No. 47° 14' E. 29.19 ft.; thence N. 8° 08' W. 62 ft.; more or less; to said northerly boundary line; thence Westerly 12 ft.; more or less, along said northerly boundary line to the point of beginning. The above described parcel of land contain 0.03 acre, more or less.

Dated this 18th day of April, 1967.

191 Thornley K. Swan
DISTRICT JUDGE

This pleading was prepared by the Office of the Attorney General of the State of Utah.

Charles M. Pickett
CHARLES M. PICKETT
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Salt Lake City, Utah 84114

Plaintiff's Address:

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STATE OF UTAH }
County of Davis }

I, JOHN M. PARR, County Clerk and Ex-officio Clerk of the District Court of the Second Judicial District of the State of Utah, in and for the County of Davis, Court of record, do hereby certify that the foregoing copy of

Charles M. Pickett
has been by me compared with the original thereof now of record in this office and that the same is a full, true and correct transcript therefrom and of the whole of said original as the same appears of record in my office and in my custody.

IN WITNESS WHEREOF I have hereunto set my hand and official seal this 18th day of April.

DAVAD 117

File No. 2887

JOHN M. PARR
Clerk

Thornley K. Swan
Deputy Clerk

Original Filed April 18, 1967