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KATIE L. DIXON  
RECORDER  
SALT LAKE COUNTY  
UTAH

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT  
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH

SALT LAKE COUNTY, a body corporate and politic of the State of Utah	)	
	)	
Plaintiff	)	FINAL JUDGMENT OF CONDEMNATION
vs.	)	
	)	Civil No. 243688
BAMBERGER COMPANY and DAVID KEITH, JR., and MARY O. KEITH, his wife	)	
	)	
Defendants	)	

It appearing to the Court and the Court now finds that heretofore on the 24th day of April, 1979, the above Court made and entered its Judgment of Just Compensation on Stipulation in the above condemnation proceeding and said Judgment is hereby referred to; and,

It appearing to the Court and the Court now finds that pursuant to law and said Judgment, plaintiff paid said Judgment to defendant in full and that a Satisfaction of Judgment therefor has been filed and entered of record herein; and, all and singular the Court understanding and having fully considered the facts and law applicable in said condemnation proceedings:

Now therefore it is Ordered, Adjudged and Decreed that Parcel 5:AC is hereby taken and condemned in fee simple absolute in the name of Salt Lake County for the purpose described and set forth in plaintiff's amended Complaint, i.e., for the construction, completion, and improvement of a public limited access highway designated as the West Valley Highway which said parcel is located in Salt Lake County, Utah, and is more particularly described as:

Parcel 5:AC

A parcel of land in fee for a Limited Access Highway known as Project No. RS-0162(3), being

BOOK 4866 PAGE 710

part of an entire tract of property, in the SE 1/4 of Section 7, T 1 S - R 1 W, S.L.B. & M.. The boundaries of said parcel of land are described as follows:

Beginning at a point on the Centerline of the West Valley Highway, Engineers' Station 1102+79.53 which point is also N. 89°58'00" W. 944.93 ft. along the Section Line from the SE corner Sec. 7 T 1 S R 1 W, S.L.B. & M.; running thence N 89°58'00" W 89.87 ft.; thence N 0°25'41" E, 431.57 ft.; thence Northerly 732.37 ft. along the arc of a 3929.72 ft. radius curve to the right; thence S 89°41'E., 225.31 ft., thence S. 15°55'22" W 367.84 ft; thence Southerly 799.15 ft. along the arc of a 3719.72 ft. radius curve to the left to a point on the South Section Line of Section 7; thence N 89° 58'00" W 100.00 ft. along said Section 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. Also beginning at a point which is North along the Section Line 1363.71 ft. and N. 89°41' W 582.98 ft. from said SE corner of Section 7, and running thence N. 89°41' W 225.77 ft.; thence N. 18°04'58" E 559.56 ft., thence N. 25°40'39" E 151.33 ft., thence N. 18°04'58" E 661.40 ft. to the N. Line of the SE quarter of said Sec. 7, thence N. 89°59'23" E 205.14 ft. along said N. Line, thence S 18°04'48" W. 1365.79 ft. to the point of beginning. Said two parcels contain 11.927 acres more or less.

It is further ordered, adjudged, and decreed that parcels 5:1EC and 5:2EC which plaintiff originally sought to acquire from defendants in the above condemnation proceeding as perpetual easements for the purpose of constructing thereon an irrigation facility and appurtenant parts thereof incident to the said West Valley Highway are not taken or condemned by plaintiff, but are hereby dismissed from this condemnation proceeding. Said parcels not taken or condemned are located in Salt Lake County, Utah, and are more particularly described as:

Parcel 5:1EC

Part of an entire tract beginning at a point 105.0 feet South 71°55'02" East from the Centerline of the West Valley Highway Engineer's Station 1117+09.32 and running thence North 18°04'58" East 190.68 feet; thence South 71°55'02" East 60.0 ft.; thence South 18°04'58" West 171.45 ft.; thence North 89°41'00" West 63.0 ft. to the point of beginning. Containing 0.249 acres.

Parcel 5:2EC

Part of an entire tract beginning at a point 110.0 feet N 71°55'02" W. from the Centerline of the West

BOOK 4866 PAGE 711

Valley Highway Engineer's Station 1118+11.17; running thence No. 71°55'02" W. 147.20 ft.; thence N. 18°04'58" E. 60.0 feet; thence S. 83°00' E. 150.0 feet; thence S. 18°04'58" W. 88.83 ft. to the point of beginning. Containing 0.251 acres.

It is further ORDERED, ADJUDGED and DECREED that the use for which Parcel 5:AC has been taken and condemned in fee simple absolute as above set forth in the name of Salt Lake County, is a public use and a use authorized by law.

It is further ORDERED, ADJUDGED and DECREED that a copy of this Final Judgment of Condemnation be filed with the County Recorder of Salt Lake County, State of Utah, whereupon Parcel 5:AC as above set forth and particularly described shall vest in fee simple absolute in the name of Salt Lake County.

It is further ORDERED, ADJUDGED and DECREED that pursuant to the Stipulation of the parties by which the above condemnation proceeding was amicably resolved, compromised and settled, if either 13th South or California avenue is not extended through the West Valley Highway at some time prior to December, 1985, Defendants Bamberger Company and David Keith, or their successors or assigns, shall have the right to an access opening not less than 50 feet wide from the West Valley Highway for ingress and egress to and from that portion of their remaining property not being taken by plaintiff in the above condemnation proceeding, which lies west of the West Valley Highway. The exact location of said 50-foot access opening shall be subject to the prior written approval of Plaintiff its successors or assigns.

DATED this 22 day of May, 1979.

BY THE COURT:

ATTEST  
W. STERLING EVANS  
CLERK  
BY [Signature] District Judge

Approved as to Form:

[Signature]  
F. S. PRINGE, JR.  
Attorney for David & Mary O. Keith

[Signature]  
GRANT MACFARLANE, JR.  
Attorney for Bamberger Company

STATE OF UTAH  
COUNTY OF SALT LAKE  
I, THE UNDERSIGNED, CLERK OF THE DISTRICT COURT OF SALT LAKE COUNTY, UTAH, DO HEREBY CERTIFY THAT THE ANNEXED AND FOREGOING IS A TRUE AND FULL COPY OF AN ORIGINAL DOCUMENT ON FILE IN MY OFFICE AS SUCH CLERK. WITNESS MY HAND AND SEAL OF SAID COURT THIS 22 DAY OF May, 1979  
W. STERLING EVANS, CLERK  
BY [Signature] DEPUTY

BOOK 4886 PAGE 712