

582

Recorded at request of M. S. Bourne Fee Paid 7.00
Date MAR 6 1968 at 11:00 A. M. MARGUERITE S. BOURNE-Recorder Davis County
By Janet Anderson Page 409 Page 512

329180

LC-14-47-1W

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

-v-

Civil No. 11351

ORSON WILLIS WALTON and
LUCILLE WALTON, his wife,

Project No. F-030-1(2)
Parcel Nos. 79:A and 79:E
Total Payment: \$5,355.84

Defendants.

It appearing to the court and the court now finds that heretofore, on the 20th day of August, 1968, 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, Orson Willis Walton and Lucille Walton, his wife, 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 condemned in fee simple title as to Parcel No. 79:A and for easement rights as to Parcel No. 79: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.

- Abstracted
- Indexed
- Entered
- Platted
- On Margin
- Compared

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 No. 79:A and for easement rights as to Parcel No. 79: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 Numbers 79:A and for easement rights as to Parcel No. 79: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. 030-1:79:A

A parcel of land in fee for an expressway known as Project No. 030-1, being part of an entire tract of property, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 4 N., R. 1W., S.L.B. &M. The boundaries of said parcel of land are described as follows:

Beginning on the northerly boundary line of said entire tract at a point 72.0 ft. perpendicularly distant westerly from the center line of said project, which point is approximately 561 ft. south and 68 ft. west from the E $\frac{1}{4}$ corner of said Section 14, said point being designated as point "A"; thence S. 1° 29' W. 209 ft., more or less, to a point opposite Engineer Station 265+85, said point being designated as point "B"; thence S. 1° 29' W. 50.0 ft. to a point opposite Engineer Station 265+35, said point being designated as point "C"; thence S. 1° 29' W. 101 ft., more or less, to the southerly boundary line of said entire tract; thence Westerly 35.0 ft. along said southerly boundary line to a point designated as point "D"; thence Easterly 45 ft. along said southerly boundary line to the westerly right of way line of the existing highway; thence N. 1° 29' E. 360.1 ft. along said right of way line to said northerly boundary line; thence Westerly 10 ft. along said northerly boundary line to the point of beginning. The above described parcel of land contains 0.08 acre, more or less.

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

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 expressway.

Limited-access from said point "A" to said point "B" and

594

from said point "c" to said point "d".

Parcel No. 030-179:E

An easement, upon part of an entire tract of property, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 4 N., R. 1 W., S.L.B. &M., in Davis County, Utah, for the purpose of constructing thereon an irrigation ditch and appurtenant parts thereof incident to the construction of an expressway known as Project No. 030-1.

Said part of an entire tract is a strip of land adjoining westerly the westerly right of way line of said project. Said strip of land is 6.0 ft. wide, 3.0 ft. on each side of the following described center line:

Beginning in the south boundary line of said entire tract of property, at a point 75.0 ft. perpendicularly distant westerly from the center line of said project at Engineer Station 264+34.0, said point of beginning is approximately '921 ft. souht and 71 ft. west from the E $\frac{1}{4}$ corner of said Section 14; thence N. 1 $\frac{1}{2}$ 29' E. 101 ft. The above described strip of land contains 0.02 acre, more or less.

Dated this 25th day of February 1969.

15/Thomas K. Swan
DISTRICT JUDGE

STATE OF UTAH) ss
County of Davis)
I, JOHN M. PARK, 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 FINAL ORDER OF CONFIRMATION as shown by me compared with the original thereof filed for record in this office and first the same is a full, true and correct transcript of the whole and 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 25 day of February A.D., 1969.
JOHN M. PARK
County Clerk
By Jean [Signature]
Original Filed February 25 1969