

328

Recorded at request of State Road Commission Fee Paid \$ 70.00  
 Date AUG 17 1970 at 11:44 AM MARGUERITE S. BOURNE Recorder Davis County  
 BY Trace The Sweden Deputy Book 439 Page 222

1207-27-18

IN THE SECOND DISTRICT COURT IN AND FOR DAVIS COUNTY

343141

STATE OF UTAH

STATE OF UTAH, by and through :  
 its ROAD COMMISSION,

Plaintiff,

FINAL ORDER OF CONDEMNATION

-v-

CENTERVILLE INVESTMENT  
 CORPORATION,

Defendant :

Civil No. 13700

Project No. I-15-7(19)315  
 Parcel Nos. 13, 13:A, 13:1E,  
 13:2E, and 13:3E  
 Total Payment: \$21,086.20

It appearing to the court and the court now finds that  
 heretofore, on the 16th day of April, 1970, 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 defendant Centerville Investment Corp-  
 oration, 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 con-  
 demned in fee simple title as to Parcel Nos. 13, 13:A and for  
 easement rights as to Parcel Nos. 13:1E, 13:2E and 13:3E, for

THIS INSTRUMENT CHECKED WITH

JUDGMENT ☐STIPULATIONS ☒RESOLUTIONS ☒MAPS ☒

DATE 7-16-70

BY A. H. H.APPROVES YES ☒ NO ☐

☐ Abstracted  
☐ Indexed  
☐ Entered  
☐ Certified  
☐ Recorded

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 No. 13, 13:A and for easement rights as to Parcel Nos. 13:1E, 13:2E and 13:3E 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. 13, 13:A and for easement rights as to Parcel Nos. 13:1E, 13:2E and 13:3E in the plaintiff, all of such property being situated in Davis County, State of Utah, and is more particularly described as follows:

Parcel No. 15-7:13

A parcel of land in fee for a frontage road and the widening of Parrish Lane incident to the construction of a free-way known as Project No. 15-7, being part of an entire tract of property, in Lot 3 of Section 7, T. 2 N., R. 1 E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning on a southerly boundary line of said entire tract at a point 40.0 ft. radially distant northwesterly from the center line of said frontage road, which point is 25.96 chains north and approximately 603 ft. east from the SW. corner of said Section 7; thence Northeasterly 468 ft., more or less, along the arc of a 778.511-foot radius curve to the left to a point opposite frontage road Engineer Station 40+56.84 (Note: Tangent to said curve at its point of beginning bears approximately N. 34°37' E.); thence N. 0°12' E. 70 ft., more or less, to the southerly right of way line of Parrish Lane; thence Easterly 415 ft., more or less, along said southerly right of way line to a point opposite Parrish

Lane Engineer Station 30+00; thence Southerly 15 ft., more or less, along a straight line to a point 50.0 ft. perpendicularly distant southerly from the center line of said Parrish Lane; thence N. 89°48' W. 335.0 ft. to a point 40.0 ft. perpendicularly distant easterly from said center line of said frontage road; thence S. 0°12' W. 55.05 ft. to a point of tangency with an 858.511-foot radius curve to the right opposite frontage road Engineer Station 40+56.84; thence Southwesterly 463 ft., more or less, along the arc of said 858.511-foot radius curve to said southerly boundary line; thence Westerly 98 ft., more or less, along said southerly boundary line to the point of beginning. The above described parcel of land contains 1.09 acres, 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.

Parcel No. 15-7:13:A

A parcel of land in fee for a freeway known as Project No. 15-7, being part of an entire tract of property, in Lot 3 of Section 7, T. 2 N., R. 1 E., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning at the intersection of the easterly limited access line of existing U.S. Highway 91 and the southerly right of way line of existing Parrish Lane, which point is approximately 190 ft. east and 2414.6 ft. north from the SW. corner of said Section 7; thence Southerly 504 ft., more or less, along said easterly limited access line to the south boundary line of said entire tract; thence East 240 ft., more or less, along said south boundary line to a point 50.0 ft. perpendicularly distant easterly from the center line of a north bound ramp road known as "C" line of said project; thence N. 12°00' E. 33 ft., more or less, to a point opposite ramp road Engineer Station 16+00; thence N. 17°00'11" E. 172.0 ft.; thence N. 05°56' E. 256.45 ft.; thence N. 78°34' E. 235.0 ft. to a point 40.0 ft. perpendicularly distant westerly from the center line of a frontage road known as F-1 Line opposite frontage road Engineer Station 41+12.07; thence N. 00°12' E. 15 ft., more or less, to said southerly right of way line; thence Westerly 553 ft., more or less, along said southerly right of way line to the point of beginning. The above described parcel of land contains 3.56 acres, 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 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 said remaining portion, contiguous to the lands hereby conveyed, to or from said freeway.

Parcel No. 15-7:13:1E

An easement upon part of an entire tract of property in Lot 3 of Section 7, T. 2 N., R. 1 E., S.L.B.&M., in Davis County, Utah, for the purpose of constructing thereon an Irrigation 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 20.0 ft. wide adjoining southerly the following described portion of the southerly right of way line of Parrish Lane incident to said project:

Beginning on said right of way line at a point 50.0 ft. perpendicularly distant southerly from the center line of Parrish Lane opposite Parrish Lane Engineer Station 30+00, which point is approximately 2385 ft. north and 1162 ft. east from the SW. corner of said Section 7; thence N. 89°48' W. 335.0 ft. to a point 40.0 ft. perpendicularly distant easterly from the center line of a frontage road known as F-1 Line for said project. The above described parcel of land contains 0.15 acre, more or less.

ALSO:

A temporary work easement to facilitate the construction of said irrigation facility and appurtenant parts thereof, being upon a parcel of land 10.0 ft. wide, adjoining southerly the southerly side line of the above described easement, containing 0.08 acre, more or less.

The above described temporary work easement shall expire upon the completion of said construction.

After said irrigation facility is constructed on the above described part of an entire tract at the expense of said State Road Commission, said State Road Commission is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said irrigation facility and appurtenant parts thereof.

Parcel No. 15-7:13:2E

An easement upon part of an entire tract of property in Lot 3 of Section 7, T. 2 N., R. 1 E., S.L.B.&M., in Davis County, Utah, for the purpose of constructing thereon an Irrigation 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 10.0 ft. wide adjoining southerly the following described portion of the southerly no-access line of Parrish Lane incident to said project:

Beginning on said no-access line at a point 65.0 ft. perpendicularly distant easterly from the center line of a north bound ramp road known as "C" Line of said project opposite ramp road Engineer Station 20+15.00, which point is approximately

2350 ft. north and 515 ft. east from the SW. corner of said Section 7; thence N.  $78^{\circ}34'$  E. 235.0 ft. The above described parcel of land contains 0.05 acre, more or less.

ALSO:

A temporary work easement to facilitate the construction of said irrigation facility and appurtenant parts thereof, being upon a parcel of land 10.0 ft. wide, adjoining southerly the southerly side line of the above described easement, containing 0.05 acre, more or less.

The above described temporary work easement shall expire upon the completion of said construction.

After said irrigation facility is constructed on the above described part of an entire tract at the expense of said State Road Commission, said State Road Commission is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said irrigation facility and appurtenant parts thereof.

Parcel No. 15-7:13:3E

An easement upon part of an entire tract of property in Lot 3 of Section 7, T. 2 N., R. 1 E., S.L.B.&M., in Davis County, Utah, for the purpose of relocating thereon a sewer line 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 20.0 ft. wide, 10.0 ft. on each side of the following described center line:

Beginning on the westerly right of way line of a frontage road known as F-1 line for said project at a point 40.0 ft. radially distant westerly from the center line of said frontage road opposite Engineer Station 37+01.14, which point is also approximately 2020 ft. north and 668 ft. east from the SW. corner of said Section 7; thence N.  $67^{\circ}22'$  W. 201 ft. more or less, to the easterly no-access line of said project. The above described parcel of land contains 0.09 acre, more or less.

ALSO:

A temporary work easement to facilitate the construction of said sewer line and appurtenant parts thereof, being upon two parcels of land, each 20.0 ft. wide, adjoining northerly and southerly the northerly and southerly side lines of the above described easement, containing 0.18 acre, more or less.

The above described temporary work easement shall expire upon the completion of said construction.

After said sewer line is constructed on the above described part of an entire tract at the expense of said State Road Commission, said State Road Commission is thereafter relieved of any further claim or demand for costs, damages or

333

maintenance charges which may accrue against said sewer line and appurtenant parts thereof.

Dated this 21st day of July, 1970.

/s/ Ronald O. Hyde  
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 Landmarkation  
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 21 day of July, A.D., 1970.

File No. 13786

JOHN M. PARK  
Clerk

By Deputy Clerk  
Deputy Clerk

Original Filed July 21 1970