

**Office of the Davis County Recorder**



**Davis**  
COUNTY

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RICHARD T. MAUGHAN  
DAVIS COUNTY, UTAH RECORDER  
03/24/2022 03:45 PM  
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Recorder  
Richard T. Maughan  
Chief Deputy  
Laile H. Lomax

THE UNDERLYING DOCUMENT ATTACHED HERETO IS AN ORIGINAL DOCUMENT SUBMITTED FOR RECORDING IN THE OFFICE OF THE COUNTY RECORDER OF DAVIS COUNTY, UTAH. THE DOCUMENT HAS INSUFFICIENT MARGIN SPACE FOR THE REQUIRED RECORDING ENDORSMENT STAMP. THIS PAGE BECOMES THE FRONT PAGE OF THE DOCUMENT FOR RECORDING PURPOSES.

THE DOCUMENT HEREIN RECORDED IS A Judgment  
(Document Type)

\_\_\_\_\_  
Tax Serial Number(s)

- pt 08-069-0020
- pt 08-427-0147, 0149
- pt 08-066-0006, 0007
- pt 08-083-0005,
- pt 08-067-0018

The Order of the Court is stated below:

Dated: March 09, 2022  
11:58:45 AM

/s/ DAVID  
District



0/7

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STATE OF UTAH }  
COUNTY OF DAVIS } ss.

I HEREBY CERTIFY THAT THIS IS A TRUE  
COPY OF THE ORIGINAL ON FILE IN THE  
UTAH STATE COURTS.



DATED: March 10 20 22  
DISTRICT COURT

BY [Signature] DEPUTY

pt 08-069-0020  
pt 08-427-0147, 0149  
pt 08-066-0006, 0007  
pt 08-083-0005, 08-067-0018

**IN THE SECOND JUDICIAL DISTRICT COURT  
IN AND FOR DAVIS COUNTY, STATE OF UTAH**

UTAH DEPARTMENT OF  
TRANSPORTATION,

Plaintiff,

vs.

FARMINGTON CITY, a municipal  
corporation,

Defendant.

**FINAL JUDGMENT OF CONDEMNATION,  
PARTIAL EXTINGUISHMENT OF  
CONSERVATION EASEMENTS,  
DISTRIBUTION OF FUNDS AND  
SATISFACTION OF JUDGMENT**

Project No. S-R199(299) Parcel Nos.  
139D:RE, 140B:RE, 355B:RE, 911B:RE

Affecting Tax ID Nos.: 08-069-0020,  
~~08-427-0141, 08-427-0144~~, 08-066-0007,  
08-067-0018, 08-066-0006, 08-083-0005

~~08-427-0147~~ pt 08-427-0149  
Civil No. 200700692

Judge David J. Williams

The Court, having reviewed the Stipulation and Motion for Entry of Final Judgment of  
Condemnation, Partial Extinguishment of Conservation Easements Distribution of Funds and  
Satisfaction of Judgment, and being fully advised in the premises and for good cause appearing,

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

1. The interests of Defendant, Farmington City, in the parcels of land hereinafter described in Paragraph No. 4 ("Conservation Easement") are hereby condemned and extinguished by UDOT for transportation purposes.

2. The purpose of said condemnation is a public use authorized by law and the extinguishment of the Conservation Easements described in Paragraph No. 4, is necessary to that public use.

3. Pursuant to Utah Code § 78B-6-511, the Court finds that the Defendant has received just compensation for its interests in the Conservation Easements for purposes of this condemnation proceeding. Said compensation represents the total just compensation, including any and all damages, including severance damages, due for Defendant's interests in the Conservation Easements and extinguishment of the Conservation Easements described in Paragraph No. 4, including all accumulating interest, attorney fees, and costs in full satisfaction of this Final Judgment of Condemnation and Satisfaction of Judgment.

4. A copy of this Final Judgment of Condemnation, Partial Extinguishment of Conservation Easements, Distribution of Funds and Satisfaction of Judgment shall be filed with the County Recorder of Davis County, State of Utah, and thereupon the rights and interests of Defendant in and to the following described property, situated in Davis County, State of Utah, shall be extinguished:

Affecting Tax Id Nos. 08-069-0020, 08-427-<sup>0147</sup>~~0141~~, 08-427-<sup>0149</sup>~~0144~~, 08-066-0007, 08-067-0018, 08-066-0006, 08-083-0005

**Parcel No. S-R199:139D:RE**

A part of the Conservation Easement granted to Farmington City by Boyer Wheeler Farm, LC, a Utah limited liability company, executed on February 6, 2007 and recorded as Entry No. 2243263 in Book No. 4217 at Page No. 108 in the Davis County Recorder's Office, situate in the NW1/4 NE1/4 and the NE1/4 NE1/4 of Section 22 Township 3 North, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point which is 126.48 feet N.89°51'14"E. and 1004.26 feet N.89°51'46"E. along the Section line from the North Quarter corner of said Section 22; and running thence N.89°51'46"E. 275.49 feet along said northerly section line to a point of curvature of a curve to the right with a radius of 2275.00 feet; thence southerly along said curve with an arc length of 629.98 feet, chord bears S.4°35'08"W. 627.97 feet; thence S.54°46'48"W. 282.42 feet; thence S.12°30'22"E. 178.87 feet; thence N.37°16'53"W. 165.93 feet; thence S.54°46'47"W. 79.21 feet; thence N.17°02'30"E. 165.40 feet to a point of curvature of a curve to the left with a radius of 2000.00 feet; thence northerly along said curve with an arc length of 727.15 feet, chord bears N.6°37'34"E. 723.15 feet; 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.

The above described parcel of land contains 214,877 square feet in area or 4.933 acres.

**Parcel No. S-R199:140B:RE**

A part of the Conservation Easement granted to Farmington City by Boyer Farmington Meadows, L.C., a Utah limited liability company, and Pleasant Valley Investments, L.C., a Nevada limited liability company, executed on October 12, 2007, and recorded as Entry No. 2318163 in Book No. 4401 at Page No. 370 in the Davis County Recorder's Office, situate in Parcel D and G, Farmington Meadows Phase 1 Subdivision recorded as Entry No. 2301822 in Book 4356 at Page 443 in the office of the Davis County Recorder, situate in the SW1/4 SE1/4 and the SE1/4 SE1/4 of Section 15 Township 3 North, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point which is 1406.21 feet N.89°51'23"E. along the Section line from the South Quarter corner of said Section 15, being the southwest corner of said Parcel D; and running thence S.89°51'23"W. 275.49 feet along said section line to a point of curvature of a curve to the left with a radius of 2000.00 feet; thence northerly along said curve with an arc length of 1227.05 feet, chord bears N.21°22'04"W. 1207.89 feet; thence N.38°56'38"W. 254.97 feet; thence N.89°56'45"E. 353.31 feet; thence S.38°56'38"E. 33.16 feet to a point of curvature of a curve to the right with a radius of 2275.00 feet; thence southerly along said curve with an arc length of 1413.29 feet, chord bears S.21°08'49"E. 1390.68 feet; 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.

The above described parcel of land contains 402,665 square feet in area or 9.244 acres.

pt 08-066-0006,0007 + 08-067-0018

**Parcel No. S-R199:355B:RE**

A part of the Conservation Easement granted to Farmington City by Woodside Hunters Creek, LLC, executed on November 19, 2013 and recorded as Entry No. 2777950 in Book No. 5899 at Page No. 717 in the Davis County Recorder's Office, situate in the NW1/4 SE1/4 and the NE1/4 SW1/4 of Section 15 Township 3 North, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at the center of said Section 15; and running thence S.89°57'52"E. 205.48 feet along the quarter section line; thence S.0°02'08"W. 136.32 feet; thence S.26°59'53"E. 1027.46 feet; thence S.38°56'58"E. 351.39 feet; more or less to the north boundary line of the Farmington Meadow Phase 1 Subdivision as recorded in the Davis County Recorder's Office; thence S.89°56'45"W. 353.34 feet along said north boundary line; thence N.38°56'58"W. 51.76 feet; thence N.83°56'58"W. 14.14 feet to a point of curvature of a curve to the left with a radius of 3364.00 feet; thence northwesterly along said curve with an arc length of 753.43 feet, chord bears N.45°21'57"W. 751.85 feet to a point of curvature of a curve to the right with a radius of 8086.00 feet; thence northerly along said curve with an arc length of 478.00 feet, chord bears N.50°05'18"W. 477.93 feet; thence N.48°23'42"W. 96.21 feet; thence S.41°36'18"W. 80.00 feet; thence N.48°23'42"W. 178.96 feet; thence N.41°36'18"E. 40.00 feet; thence N.48°23'42"W. 445.97 feet to said quarter section line; thence East 974.62 feet, more or less along said quarter 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.

The above described parcel of land contains 890,760 square feet in area or 20.449 acres.

**Parcel No. S-R199:911B:RE**

pt 08-083-0005

A part of the Conservation Easement granted to Farmington City by Viking Real Estate, L.L.C, a Utah limited liability company, executed on July 2, 2003 and recorded as Entry No. 1893293 in Book No. 3341 at Page No. 1691 in the Davis County Recorder's Office, situate in the West 1/2 East 1/2 and the SE1/4 SE1/4 of Section 22 and the NW1/4 NE1/4, NE1/4 NE1/4 and the SE1/4 NE1/4 of Section 27, Township 3 North, Range 1 West, Salt Lake Base and Meridian. The boundaries of said parcel of land are described as follows:

Beginning at a point which is 126.48 feet North 89°51'14" East along the Section line and 705.67 feet South 37°28'18" East and 442.94 feet South 37°16'21" East and 69.91 feet South 42°23'39" East and 156.25 North 54°46'47" East from the North Quarter corner of said Section 22; and running thence N.54°46'47"E. 79.22 feet; thence S.37°16'53"E. 278.89 feet; thence S.17°02'36"W. 763.96 feet to a point of curvature of a curve to the left with a radius of 2800.00 feet; thence southerly along said curve with an arc length of 1398.64 feet, chord bears S.2°44'00"W. 1384.14 feet; thence S.11°34'36"E. 1406.25 feet to a point of curvature of a curve

to the left with a radius of 2875.00 feet; thence southeasterly along said curve with an arc length of 2492.53 feet, chord bears S.36°24'49"E. 2415.20 feet; thence S.0°14'54"E. 303.97 feet to a point of curvature of a curve to the right with a radius of 3150.00 feet; thence northwesterly along said curve with an arc length of 2874.06 feet, chord bears N.37°49'09"W. 2775.40 feet; thence N.11°40'51"W. 1401.23 feet to a point of curvature of a curve to the right with a radius of 3075.00 feet; thence northerly along said curve with an arc length of 1541.49 feet, chord bears N.2°40'49"E. 1525.40 feet; thence N.17°02'30"E. 864.00 feet 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.

The above-described parcel of land contains 1,749,551 square feet in area or 40.164 acres.

5. This Final Judgment is not intended to extinguish conservation easements beyond the boundaries of the foregoing legal descriptions and that limitation is the reason for referring to the effect of this Final Judgment as a "*partial extinguishment*" of the Conservation Easements. Each party is responsible for its own attorney fees and costs.

6. UDOT has heretofore deposited with the Court the total sum of \$2,490,014.40 for and on behalf of Defendant in connection with UDOT's Motion for Occupancy, none of which amount was withdrawn by the Defendant, Farmington City. All funds on deposit with the Court in this litigation shall be refunded to UDOT in full by the Court. The refund check, payable to the Utah Dept. of Transportation, shall be retrieved from the Clerk of Court by Plaintiff's

counsel or sent by the Court via certified U.S. Mail to:

Utah Department of Transportation  
c/o Charles Stormont, Director of Right of Way  
4501 South 2700 West  
Salt Lake City, Utah 84114-8420

**ENTERED BY THE COURT EFFECTIVE AS OF THE DATE OF THE COURT'S  
STAMP AFFIXED TO THE FIRST PAGE OF THIS DOCUMENT**

Approved as to Form and Content:

**Dated:** March 1, 2022

Sean D. Reyes

UTAH ATTORNEY GENERAL

/s/ Barbara H. Ochoa  
William H. Christensen  
Barbara H. Ochoa  
Assistant Attorneys General  
Attorneys for Plaintiff

Approved as to Form and Content:

**Dated:** March 1, 2022

SNOW CHRISTENSEN & MARTINEAU

/s/ Scott H. Martin  
Shawn E. Draney  
Scott H. Martin  
Dani Cepernich  
Co-Counsel for Defendant Farmington City  
[Signature added with permission confirmed  
by e-mail]

**Dated:** March 1, 2022

HAYES GODFREY BELL, P.C.

/s/ Jayme L. Blakesley  
Todd J. Godfrey  
Jayme L. Blakesley  
Co-Counsel for Defendant Farmington City  
[Signature added with permission confirmed  
by e-mail]

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