

ENT 40677:2016 PG 1 of 4
Jeffery Smith
Utah County Recorder
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The Order of the Court is stated below:

Dated: April 27, 2016
07:49:26 AM

/s/ Lynn W. Davis
District Court Judge



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I CERTIFY THAT THIS IS A TRUE COPY OF
AN ORIGINAL DOCUMENT FILED IN THE
FOURTH JUDICIAL DISTRICT COURT, UTAH
COUNTY, STATE OF UTAH
DATE: _____



Attorneys for Plaintiff

FOURTH DISTRICT COURT, PROVO DEPARTMENT
UTAH COUNTY, STATE OF UTAH

AUGUSTA INVESTMENT
MANAGEMENT, LLC,

Plaintiff,

vs.

JOYCE KAUFER, et al.,

Defendants.

JUDGMENT QUIETING TITLE

Civil No. 150400297 PR

Judge: Lynn W. Davis

Based on the parties' Stipulated Motion for Judgment Quieting title, and there appearing good cause, it is hereby ordered that judgment be entered as follows:

1. The March 7, 2016 Declaration of John Stahl shall be the Findings and Conclusions of the Court as to the determination of the legal descriptions and the locations of the boundaries of the properties/parcels that are the subject of this action.
2. The common point of origin from which the point of beginning for each of the Parties' respective parcels is to be measured is the "Intersection Point" of the

north line of 500 North Street and the east line of 700 West Street which is described as the beginning point of the 1937 right of way deed recorded as Entry 7942:1937 being located on the northerly extension of the east line of 700 West Street according to the 1895 official map of Provo City survey of Building Lots at a point being North 1° East 71.4 feet from the northwest corner of Block 117, Plat A, of said 1895 official map.

3. The Intersection Point has been alternately described in the Parties' respective parcel descriptions by secondary reference to the Northwest corner of Section 1, Township 7 South, Range 2 East of the Salt Lake Meridian using a variety of dimensions and methods of measure, said Intersection Point being currently measured as follows: South 00°46'31" East 2071.33 feet (31.38 chains) along the section line and South 89°37'12" East 1308.31 feet (19.82) from the current position of the 1990 Utah County Surveyor's brass cap marking the Northwest corner of Section 1, Township 7 South, Range 2 East of the Salt Lake Meridian.
4. Each measurement is called for in the Parties' parcel deeds as "along the east line of the extension of 700 West Street" from said Intersection Point. When measured from this Intersection Point, as determined on the ground by physical evidence of the street improvements, all of the original parcel descriptions are in complete harmony with the historical lines of occupation and with each other.
5. Title for the Parties' respective properties is hereby quieted to each party as described in their original parcel descriptions with the point of beginning of each parcel to be measured from the Intersection Point described in paragraph 1.

6. The current description of the Augusta Property, designated as Serial No. 21:003:0077 and described in Entry No. 36504:2014, 14935:2015, and 38708:2015 is hereby corrected as follows:

Commencing at a point in the east line of the extension of 7th West Street, Provo, Utah, which said point of commencement is 31.58 chains South 1° West and 19.30 chains South 89° East more or less, (to the intersection of the north line of 500 North Street and the east line of 700 West Street) and North 1° East 5.25 chains from the Northwest corner of Section 1, Township 7 South, Range 2 East of the Salt Lake Meridian; thence South 89° East 101.07 feet more or less to fence line; thence North 1° East along fence line 3 rods; thence North 89° West 101.07 feet more or less to the east side of the said extension of 7th West Street, Provo, Utah; thence South 1° West along the east line of said extension of 7th West Street, Provo, Utah, a distance of 3 rods to the place of beginning.

7. The current description of the Buckwalter Property, designated as Serial No. 21:003:0027 and described in Entry No. 118083:2007, is hereby corrected as follows:

Commencing at a point in the East line of 7th West Street, Provo City, Utah, said point of beginning being 31.58 chains South 1° West and 19.30 chains South 89° East more or less, (to the intersection of the north line of 500 North Street and the east line of 700 West Street) and North 1° East 6.00 chains from the Northwest corner of Section 1, Township 7 South, Range 2 East of the Salt Lake Base and Meridian; thence South 89° East ~~10 rods~~ 144 feet more or less to fence line; thence North 1° East along fence line 3 rods more or less; thence North 89° West ~~10 rods~~ 144 feet more or less to East line of 7th

West Street, Provo City, Utah; thence South 1° West along the east line of said 7th West Street 3 rods more or less to the place of beginning.

8. The current description of the Barton Property, designated as Serial No. 21:003:0010 and described in Entry No. 85293:2002 and Entry No. 90828:2002, is hereby corrected to harmonize with the original description and east fence as follows:

Commencing at a point in the East line of the extension of 7th West Street, which point of commencement is 31.58 chains South 1° West and 19.50 chains more or less South 89° East (to the intersection of the north line of 500 North Street and the east line of 700 West Street) and North 1° East 6.75 chains from the Northwest corner of Section 1, Township 7 South, Range 2 East of the Salt Lake Meridian; thence South 89° East 144 feet more or less to fence line; thence North 1° East along fence line 3 rods; thence North 89° West 144 feet more or less to east line of the extension of 7th West Street; thence along east line of said extension of 7th West Street 3 rods to the place of beginning.

9. The Kaufer Tax Parcel, currently designated as Serial No. 21:003:0078, and the Barton Tax Parcel, currently designated as Serial No. 21;006:0065, are hereby considered as phantom, non-existent parcels having no valid root of title and that they be stricken from the county tax assessment records.

10. This Judgment resolves all claims and issues in this action between the Parties.

11. Each party shall bear its own attorney fees and costs in this matter.

**** End of Order. The signature of the Court Official Appears at the Top of the First Page**

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