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Attorneys for Plaintiffs

FILED IN CLERK'S OFFICE
Salt Lake County Utah

APR 21 1986

H. Dixon Deputy Clerk
By *[Signature]* Deputy Clerk

REQ OF
DEP
Richard S. Campbell
Richard S. Campbell
MAY 2 11 35 AM '86
Watkiss & Campbell

KATIE L. DIXON
RECORDER
SALT LAKE COUNTY,
UTAH

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

WATKISS & CAMPBELL
ATTORNEYS AT LAW
TWELFTH FLOOR, 310 SOUTH MAIN STREET
SALT LAKE CITY, UTAH 84101-8171

SALT LAKE CITY SUBURBAN SANITARY DISTRICT,	:	
	:	
Plaintiff,	:	<u>FINAL JUDGMENT</u>
	:	
vs.	:	<u>OF CONDEMNATION</u>
	:	
BOHEN INVESTMENT COMPANY, a Utah corporation; UTAH MORTGAGE AND LOAN CORPORATION, a Utah corporation; and METROPOLITAN LIFE INSURANCE COMPANY, a New York corpora- tion,	:	Civil No. C84-3176
	:	(Judge David B. Dee)
Defendants.	:	

GO. RECORDER
COPY.

It appearing to Court, and the Court now finds that
on March 26, 1986, the Court made and entered a judgment on the
verdict of the jury approving just compensation, which judgment
is hereby referred to; and

It appearing to the Court and the Court further finds
that pursuant to law and said judgment, plaintiff paid said judg-

BOOK 5762 PAGE 2775

ment in full, including all accrued interest thereon and allowable costs, and that a satisfaction of judgment therefor has been filed and entered of record herein; and

It appearing to the Court, and the Court further finds that:

1. This Court has jurisdiction of the parties hereto and over the property and property interests of defendants being taken and condemned by plaintiff herein.

2. The plaintiff has the right and power to condemn and acquire the property and property interests of defendants sought by plaintiff in this proceeding for public use.

3. That the use to which the property and property rights of defendants are to be placed by plaintiff, i.e., the right of way and easement 10 feet in width for the purpose of installing, maintaining, operating, repairing, removing or replacing a pipeline for transportation through and under the defendants' land and premises for sewage purposes, is a use public in nature and authorized by law, and said use for which said property and property interests of the defendants are being acquired is designed and located in a manner so as to be compatible with the greatest public good and the least private injury.

4. That the proposed use of the property and property interests of defendants being acquired by plaintiff in this condemnation proceeding is necessary for the said public purpose.

WATKISS & CAMPBELL

ATTORNEYS AT LAW
TWELFTH FLOOR, 340 SOUTH MAIN STREET
SALT LAKE CITY, UTAH 84101-2171

• COPY •
CO. RECORDER

BOOK 2762 PAGE 2776

ASD Division Handled by

4-23-86

5. That the plaintiff has complied with all requirements of the Utah Eminent Domain Code, Utah Code Ann., §78-34-1, et seq.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the parcel of real property hereinafter particularly described is hereby taken and condemned as a permanent right of way and easement as more particularly hereinafter set forth in the name of Salt Lake City Suburban Sanitary District #1 for the use and public purpose for which said parcel is being acquired and condemned by plaintiff, i.e., for the installation and maintenance of an underground sanitary sewer line.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the use and purpose for which said parcel is being taken and condemned is a public use and purpose, and a use and purpose authorized by law.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a copy of this final judgment of condemnation be filed for record with the County Recorder of Salt Lake County, State of Utah, whereupon the parcel of real property hereinafter referred to and set forth shall thereupon vest as a permanent easement in the name of the Salt Lake City Suburban Sanitary District #1. The following is the particular legal description of said real property located in Salt Lake County, State of Utah, so ordered taken and condemned, namely:

WATKISS & CAMPBELL
ATTORNEYS AT LAW
TWELFTH FLOOR, 310 SOUTH MAIN STREET
SALT LAKE CITY, UTAH 84101-2171

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BOOK 5762 PAGE 277

THE SALT LAKE COUNTY CLERK'S OFFICE
4-23-86

A permanent 10 foot wide easement for installing and maintaining a 27 inch diameter sanitary sewer pipeline extending five feet on each side of the following described center line.

Beginning at a point on the West line of Grantor's property, said point being North 0°02'03" East 123.93 feet and South 89°57'57" East 377.66 feet from the Southwest corner of Lot 8, Block 7, Ten Acres Plat "A", Big Field Survey, said point also being North 7.13 feet and East 410.73 feet from the County monument in the intersection of 300 East and 4020 South Street; and running thence North 50°34'58" East 155.15 feet; thence North 72°12'12" East 130.89 feet; thence South 76°14'46" East 104.15 feet; thence North 18°20'02" East 40.62 feet, more or less, to a North line of Grantor's property.

To have and to hold the same unto the Salt Lake City Suburban Sanitary District #1 so long as such sanitary sewer pipeline shall be used and maintained, with the right of ingress and egress to and from said right of way, and to maintain, operate, repair and remove or replace the same. The defendants, their heirs, successors and assigns shall not build thereon any permanent structure or building, nor plant large trees whose root zones would contact or interfere with the pipeline. The easement granted herein may, however, be crossed or covered with sidewalks, curb and gutter, roadways, driveways, fences or similar improvements.

DATED this 21 day of April, 1986.

BY THE COURT:

David B. Dee
DAVID B. DEE
District Judge
H. DIXON HINDLEY
H. Dixon Hindley
Deputy Clerk

WATKISS & CAMPBELL
ATTORNEYS AT LAW
TWELFTH FLOOR, 310 SOUTH MAIN STREET
SALT LAKE CITY, UTAH 84102-2171

STATE OF UTAH)
COUNTY OF SALT LAKE) ss
I, THE UNDERSIGNED, CLERK OF THE COURT OF THE COUNTY OF SALT LAKE COUNTY, UTAH, DO HEREBY CERTIFY THAT THE ANNEXED AND FOREGOING IS A TRUE AND CORRECT COPY OF AN ORIGINAL DOCUMENT ON FILE IN MY OFFICE AS CLERK. WITNESS MY HAND AND SEAL OF SAID COUNTY THIS 21 DAY OF April, 1986.
H. DIXON HINDLEY, CLERK
BY *H. Dixon Hindley* DEPUTY

NO. RECORDER
SEAL

CO. COPY
RECORDER
BOOK 5762 PAGE 2728