

JUDICIAL DISTRICT COURT

FILMED

FILED IN CLERK'S OFFICE
SALT LAKE COUNTY, UTAH

FEB 19 1988

4602805

DAVID L. WILKINSON
Attorney General
DONALD S. COLEMAN -- Bar No. 0695
Chief, Physical Resources Division
ALAN S. BACHMAN -- Bar No. 5026
Assistant Attorney General
124 State Capitol
Salt Lake City, Utah 84114
Telephone: (801) 533-6684

H. Dixon Winslow, District Court
By Katie L. Dixon

No Fee

4602805
29 MARCH 88 09:24 AM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
UTAH DEPT. OF TRANSPORTATION
REC BY: RICHARD BUTLER, DEPUTY

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

UTAH DEPARTMENT OF
TRANSPORTATION,

Plaintiff,

vs.

GERALD V. NIELSEN, et al.,

Defendants

BK 213 No. 8153
3-1-88 3:13 P.M.

FINAL ORDER OF CONDEMNATION

Civil No. C-86-5934

Judge Scott Daniels
Project No. I-415-9(4)297
Parcel No. 142F:E

It appearing to the Court and the Court now finds that heretofore, on the ___ day of _____, 1988, this Court made and entered its Judgment on Stipulation in the above-entitled proceeding; 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, Gerald V. Nielsen and Sharon W.

2004 6014 REC 2673

Nielsen, 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 parcel of land hereinafter described is hereby taken and condemned in fee simple title identified as Parcel No. 142F:E for the purpose described and set forth in the Plaintiff's Complaint, i.e., for the use of the Plaintiff, Utah Department of Transportation, 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 Salt Lake County, State of Utah, and thereupon the property interests hereinafter referred to and set forth shall vest in the Plaintiff, Utah Department of Transportation, 4501 South 2700 West, Salt Lake City, Utah 84119. The following is a description of the property condemned as hereinabove provided, which is hereby vested in the Plaintiff, all of such property

being situated in Salt Lake County, State of Utah, and is particularly described as follows:

Parcel No. 415-9:142E:F

An underground perpetual easement, within part of an entire tract of property in Lot 4, Greenfield Village Plat J, a Subdivision in Section 21, T. 2 S., R. 1 E., S.L.B.&M., in Salt Lake County, Utah, for the purpose of constructing and maintaining therein underground anchor bolts for a retaining wall and appurtenant parts thereof incident to the construction of a freeway known as Project No. 415-9.

Said part of an entire tract is described as the Northerly 15 ft. of said Lot 4, containing 0.03 acre.

By granting this easement, Grantor is restricted from excavating, drilling or piling below a depth of 15 ft. within the boundaries of said described part of an entire tract without written permission from Grantee.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the conditions of the Stipulation for Judgment on file herein are hereby incorporated as conditions of this Order.

DATED this 13 day of Feb, 1988.

BY THE COURT:

Scott Daniels
DISTRICT JUDGE

STATE OF UTAH)
COUNTY OF SALT LAKE) 88
I, THE UNDERSIGNED, CLERK OF THE DISTRICT COURT OF SALT LAKE COUNTY, UTAH, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND FULL COPY OF AN ORIGINAL DOCUMENT ON FILE IN MY OFFICE AS SUCH CLERK. WITNESS MY HAND AND SEAL OF SAID COURT THIS 17 DAY OF March 19 88.
H. DIXON HINDLEY, CLERK
BY Charles R. ... DEPUTY

ATTEST
H. DIXON HINDLEY
Clerk

BY Karen Runk
Deputy Clerk

2025 6014 PAGE 2675