

4751688

H. CRAIG HALL (#1307)
Attorney for Plaintiff
5025 South State Street
P. O. Box 7520
Murray, UT 84107
Telephone: (801) 264-2640

MAR 29 9 17 AM '89

[Signature]
CLERK

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

MURRAY CITY CORPORATION,
a municipal corporation,

Plaintiff,

vs.

RICHARD R. DESPAIN and
ROBERT V. DESPAIN, Trustees,

Defendants.

FINAL ORDER OF CONDEMNATION

Civil No. C82-541
Wilkinson

The above-entitled matter came before the Court, stipulation of the parties was entered, judgment has been entered in favor of the defendants and against the plaintiff, the defendants having heretofore executed their satisfaction of judgment through their attorney, E. Barney Gosas, which satisfaction is by reference incorporated herein and made a part hereof at this time, and it appearing to the Court that said judgment is in all respects fully paid and satisfied and the plaintiff is entitled to final order of condemnation in this matter;

NOW, THEREFORE, upon motion of H. Craig Hall, attorney for plaintiff, and good cause appearing therefor,

IT IS HEREDY ORDERED, ADJUDGED AND DECREED as follows:

BOOK 613 PAGE 1383

1. Plaintiff, Murray City Corporation, shall have and is hereby granted a judgment for the condemnation of real property for a perpetual easement to construct, reconstruct, operate, repair, replace and maintain utilities and appurtenant structures on, over, across, and through a strip of land thirty feet wide, lying fifteen feet on each side of and parallel and adjacent to the below described centerline located in Salt Lake County, State of Utah and more fully described as follows:

The easement referred to lies in those portions of Defendants' land situated in Section 1, Township 3 South, Range 1 East, Salt Lake Base and Meridian, and the centerline of said easement traverses said land in the following manner:

BEGINNING at a point in the Northwest quarter of the Northwest quarter of Section 12, said point being 1195.68 feet North $89^{\circ}53'04''$ East and 183.07 feet South $27^{\circ}36'16''$ East from the Northwest corner of Section 12, thence South $49^{\circ}23'44''$ East 245.48 feet; thence South $49^{\circ}05'51''$ East 162.60 feet; thence Southeasterly along the arc of a 2966.41 foot radius curve 36.00 feet; which chord bears South $48^{\circ}44'59.3''$ East 36.00 feet; thence South $48^{\circ}24'08''$ East 165.05 feet; thence Southeasterly along the arc of a 372.08 foot radius curve 107.25 feet; which chord bears South $40^{\circ}08'40''$ East 106.88 feet; thence South $31^{\circ}53'13''$ East 518.50 feet; thence Southeasterly along the arc of a 573.54 foot radius curve 471.52 feet; which chord bears South $55^{\circ}26'20''$ East 458.35 feet; thence South $78^{\circ}59'28''$ East 150.89 feet; thence Southeasterly along the arc of a 652.81 foot radius curve 18.90 feet, which chord bears south $75^{\circ}50'05''$ East 71.89 feet, containing 1.29 acres, more or less.

2. Said property is condemned to be used for a public purpose.

3. Plaintiff is from this time forward to be the legal owner of said property and the defendants will not have any interest of any kind whatsoever in and to said easements described above which are inconsistent with the purposes of said easements.

NO Fee

4751666
29 MARCH 89 09:45 AM
KATIE L. DIXON
RECORDER, SALT LAKE COUNTY, UTAH
MURRAY CITY
REC BY: D DANGERFIELD , DEPUTY

4. The County Recorder of Salt Lake County shall record a copy of this judgment and the property described herein shall vest in Murray City Corporation for the purpose herein specified.

DONE IN OPEN COURT this 22 day of March, 1989.

BY THE COURT

[Signature]
DISTRICT JUDGE

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon the defendant by mailing the same, postage prepaid, this 29th day of March, 1989, to E. Barney Gesas, Attorney for Defendants, 310 South Main Street, 12th Floor, Salt Lake City, Utah 84101.

[Signature]

I CERTIFY THAT THIS IS A TRUE COPY OF AN ORIGINAL DOCUMENT ON FILE IN THE THIRD DISTRICT COURT, SALT LAKE COUNTY, STATE OF UTAH.
DATE: March 29, 1989
[Signature]
DEPUTY COURT CLERK

BOOK 6113 PAGE 1385