

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

OREGON SHORT LINE RAILROAD COMPANY, a corporation, and UNION PACIFIC RAILROAD COMPANY, its Lessee, a corporation,

Plaintiffs,

-vs-

FINAL ORDER OF CONDEMNATION

Civil No. 53034

EDNA R. WILLSON, in her capacity as Executrix of the Estate of Raymond H. Willson, Deceased; EDNA R. WILLSON, individually; DONALD L. WILLSON and MRS. DONALD L. WILLSON, his wife; LINDA RAE JACKSON; ROBERT H. WILLSON; MARILYN JAMELLE WILLSON; JOHN CRAIG WILLSON; MITCHELL G. WILLSON; and JOAN C. WILLSON,

Defendants

It appearing to the Court and the Court now finding that on March 17, 1972, this Court made and entered its Judgment on the Verdict in the above-entitled action and said Judgment being referred to; and

It appearing to the Court and the Court now finding that pursuant to law and said Judgment plaintiffs have paid said Judgment to defendants together with all interest and costs required by said Judgment to be paid; and

It further appearing to the Court that plaintiffs have made all payments required by law and by order of this Court, and that this is not a case wherein a bond is required and the law in the premises being fully considered and understood by the Court;

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, That the parcels of land hereinafter described are hereby taken and condemned for easements for the purpose described and set forth in plaintiffs' complaint, i.e., for the use of

plaintiffs, Oregon Short Line Railroad Company and Union Pacific Railroad Company, its lessee, for railroad purposes.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the use for which the above-described real property has been condemned is a public use authorized by law and that the taking herein granted is necessary to said public use.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That in addition to the grade crossings identified as Crossings No. 5 and No. 6 in the report and order issued May 10, 1971, in Case No. 6356 by the Public Service Commission of Utah, plaintiffs shall provide and install at their expense two private crossings over said easement to be located at the points where irrigation ditches cross plaintiffs' Little Mountain Branch Line immediately adjacent to the East side of First Salt Creek and immediately adjacent to the West side of First Salt Creek and that said private crossings shall be constructed with 16-foot planks across the tracks at said locations with 16-foot gates in the right of way fence at each such location together with approaches to the tracks constructed in such manner as to allow ditch cleaning equipment to cross said Branch Line.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that a copy of this Final Order of Condemnation be filed with the County Recorder of Weber County, State of Utah, and thereupon an easement for railroad purposes shall vest in plaintiff, Oregon Short Line Railroad Company, over, across, in and to those certain parcels of real property situated in Weber County, Utah, more particularly described as follows:

A strip of land 9 rods wide situate in the SE 1/4 of Section 25, Township 7 North, Range 3 West of the Salt Lake Meridian, in Weber County, Utah, extending southwesterly from the east line of said section to the center of Second Creek, being 74.25 feet in width, measured at right angles, on each side of the following described center line of the proposed branch track of the Oregon Short Line Railroad Company;

Beginning at a point in the east line of said Section 25, 1/4 of 1/4 of 1/4 of a mile north from the southeast corner of said section;

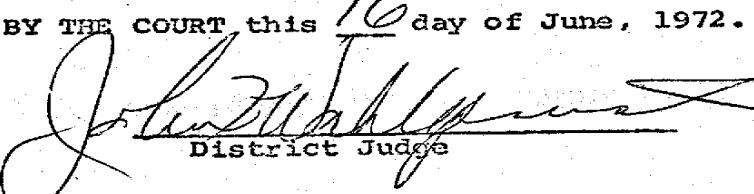
Thence southwesterly along a straight line forming an angle of 64° 14' from south to southwest with said east line of Section 25 a distance of 2085 feet, more or less, to a point in said center of Second Creek.

Containing an area of 7.2 acres, more or less.

Also, a strip of land situate in the SE 1/4, Section 30, T. 7 N., R. 2 W., SLM, in Weber County, Utah, said strip being the east 30.0 feet of the North 9.0 rods of said SE 1/4, Section 30.

Containing an area of 0.102 acres.

BY THE COURT this 16 day of June, 1972.


John W. Hansen
District Judge

STATE OF UTAH
COUNTY OF WEBER

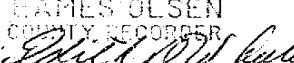
I HEREBY CERTIFY THAT THIS IS A TRUE COPY
OF THE ORIGINAL ON FILE IN MY OFFICE.
DATED THIS 19th DAY OF June 1972
WENDELL HANSEN, COUNTY CLERK &
EX OFFICIO CLERK OF 2nd DIST. COURT
BY Melody R. King DEPUTY

19-028-0003
19-007-0003

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FILED AND RECORDED FOR
E. D. Hansen Trust Account
1972 JUN 26 PM 1:03

RUTH HAMES OLSEN
WEBER COUNTY RECORDER
DEPUTY 

U.P. Railroad Co.
10 So. Main St.
SLC 84101

Attn: S. M. Matheson