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IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT IN AND FOR

SALT LAKE COUNTY STATE OF UTAH

UTAH GRANITE & MARBLE COMPANY,
a corporation,

Plaintiff,

CASE NO. 53,926

vs

J U D G M E N T

A. O. WHITMORE and
JEANNETTA R. WHITMORE,
his wife,

Defendants.

This action came on for trial before the Court, without a jury, on the 23rd day of September, 1940, upon plaintiff's ^{first} amended complaint and the answer thereto of defendants, A. O. WHITMORE and JEANNETTA R. WHITMORE. The plaintiff was represented at the trial by Franklin Riter, Esq., of the firm of Riter and Cowan, its attorneys, and the defendants were represented at the trial by T. D. Lewis, Esq. and David T. Lewis, Esq., their attorneys. Thereupon evidence, both documentary and oral, was submitted to the Court by the plaintiff and the defendants, and the Court, having considered the same and argument of counsel, it has heretofore made, entered and filed its Findings of Fact and Conclusions of Law.

IT IS THEREFORE, upon motion of said Franklin Riter, Esq., one of the attorneys for plaintiff, ORDERED, ADJUDGED AND DECREED as follows:

I

That the several persons, firms, associations and corporations hereinafter specifically named and set forth in Paragraph III of this Judgment were at the time of the commencement of this action and each now is the owner in fee simple absolute of the separate tracts and parcels of land hereinafter described and particularly set forth under

RITER & COWAN
ATTORNEYS AND COUNSELORS
SALT LAKE CITY

See Amended Judgment 9/29/40 in file 210 pg 505

the name of each said person, firm, association and corporation and his, their and its respective rights and interest in and to said several and separate tracts and parcels of land as such owners in fee simple is hereby declared and established.

II

That the defendants, A. O. WHITMORE and JEANNETTA R. WHITMORE, his wife, and all persons claiming under them subsequent to the filing of the notice of pendency of this action, to-wit; May 24, 1939, be and they are hereby forever barred from any and all claim of right or title to said several separate tracts and parcels of land described in Paragraph III of this judgment, or any lien thereon or any part thereof, and the said A. O. WHITMORE and JEANNETTA R. WHITMORE, his wife, be and they are hereby forever and absolutely enjoined and estopped from claiming, asserting or pretending any claim of right or title to said several separate tracts and parcels of land or any part thereof.

III

That the persons, firms, associations and corporations hereinafter mentioned and to whom this judgment refers and their respective tracts and parcels of land situate in Salt Lake County, State of Utah are particularly named and described as follows:

JOHN REEVE

Lot 1, being particularly described as follows: Beginning at and iron bolt set in a granite boulder, whence the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears N. 77° 07' W. 4431.3 ft.; thence N. 7° 55' E. 59.0 ft. to a cross (X) on a granite boulder and 59.0 ft. to left bank of Little Cottonwood Creek; thence westerly along left bank of said creek, 100 ft.; thence S. 7° 55' W. 33.0 ft.; thence So. 45° E. 124.0 ft.; thence N. 7° 55' E. 58.0 ft. to iron bolt, the place of beginning; containing an area of 0.18 acres, more or less.

FRANK LETTIERI

Lot No. 2, being particularly described as follows: Beginning at an iron bolt set in a granite boulder; whence the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears N. 77° 07' W. 4431.3 ft.; thence So. 7° 55' W. 58.0 ft.; thence S. 84° 10' E. 56.5 ft.; thence N. 3° 44' E. 120.0 ft. to left bank of Little Cottonwood creek; thence westerly along said creek 48.5 ft.; thence S. 7° 55' W. 59.0 ft. to iron bolt, the place of beginning, containing 0.15 acres, more or less.

MARGARET B. WRIGHT

Lot 3, being particularly described as follows: Beginning at a point at the southeast corner for Lot No. 3; whence the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears N. 76° 35' 30" W. 4544.9 ft.; thence N. 3° 37' E. 160.0 ft. to left bank of Little Cottonwood Creek; thence southwesterly 68.0 ft. along left bank of said creek; thence So. 3° 44' W. 120.0 ft.; thence So. 87° 38' E. 53.5 ft. to place of beginning, containing 0.18 acres, more or less.

GEORGE S. ASHTON AND LEAH ASHTON, HIS WIFE

Lot 4, being particularly described as follows: Beginning at a point at the southeast corner of the Lot; whence the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears N. 76° 41' 55" W. 4593.6 ft.; thence N. 3° 37' E. 175.0 ft. to left bank of Little Cottonwood Creek; thence westerly 51.0 ft. along left bank of said Creek; thence S. 3° 37' W. 160.0 ft. to southwest corner Lot, identical with southeast corner of Lot No. 3; thence S. 86° 39' E. 49.5 ft. to place of beginning, containing an area of 0.18 acres, more or less.

GEORGE S. ASHTON AND LEAH ASHTON, HIS WIFE

Lot 5, being particularly described as follows: Beginning at a point at the southwest corner of the Lot, whence the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears N. 76° 41' 55" W. 4593.6 ft.; thence S. 84° 29' E. 60.0 ft. to southeast corner of Lot; thence N. 3° 37' E. 192.0 ft. to left bank of Little Cottonwood Creek; thence westerly 62.0 ft. along left bank of said creek; thence S. 3° 37' W. 175.0 ft. to place of beginning, containing an area of 0.25 acres, more or less.

ACEL RICHARDSON AND NORA RICHARDSON, HIS WIFE

Lot 6, being particularly described as follows: Beginning at the northeast corner of the lot, which is East 4644.2 ft. and South 1036.7 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence N. 74° 00' W. 115.1 ft. to northwest corner, identical with the southwest corner of Lot No. 7; thence S. 3° 37' W. 55.8 ft. to southwest corner, identical with the southeast corner of Lot No. 5; thence S. 84° 29' E. 95.9 ft. to southeast corner; thence N. 28° E. 59.8 ft. to the place of beginning, embracing an area of 0.11 acres, more or less.

J. MUANIER

Lot 7, being particularly described as follows: Beginning at a point at the northeast corner of the Lot; whence the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears N. 78° 11' W. 4775.7 ft.; thence N. 74° 00' W. 140.1 ft.; thence S. 3° 37' W. 68.0 ft.; thence S. 74° 00' E. 115.1 ft.; thence No. 28° 00' E. 40.4 ft.; thence N. 20° 18' E. 27.0 ft. to place of beginning; containing an area of 0.19 acres, more or less.

LEO W. ALDOUS

Lot 11, being particularly described as follows: Beginning at the southwest corner which is East 4656.1 ft. and South 1064.9 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M. Said point of beginning is on the northerly boundary line of Lot No. 12; at S. 71° 40' E. 5.0 ft. from the northwest corner of said Lot No. 12; running thence S. 71° 40' E. 142.7 ft. to the southeast corner, identical with the northeast corner of Lot No. 12; thence N. 28° 00' E. 73.7 ft. to northeast corner; thence N. 86° 37' W. 55.8 ft.; thence N. 85° 51' W. 77.7 ft. to northwest corner; thence S. 55° 53' W. 32.2 ft. thence S. 35° 40' W. 35.0 ft. to southwest corner, the place of beginning, enclosing an area of 0.23 acres, more or less.

ANDREW K. SMITH

Lot 12, being particularly described as follows: Beginning at the northwest corner of the lot; whence the 1/4 Section corner on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears N. 77° 07' 20" W. 4771.4 ft.; thence S. 20° 36' W. 40.0 ft.; thence S. 38° 36' E. 79.0 ft.; thence S. 71° 40' E. 55.8 ft.; thence N. 40° 08' E. 89.5 ft.; thence N. 71° 40' W. 153.7 ft. to the place of beginning, containing an area of 0.23 acres, more or less.

ANDREW K. SMITH

Lot 13, being particularly described as follows: Beginning at a point, which is East 4634.9 ft. and South 1107.3 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; thence running S. 20° 36' W. 6.8 ft.; thence S. 6° 16' W. 73.8 ft.; thence South 115.0 ft.; thence East 115.2 ft.; thence North 119.9 ft.; thence N. 71° 40' W. 55.8 ft.; thence N. 38° 36' W. 79.0 ft.; thence S. 20° 36' W. 6.8 ft. to place of beginning, enclosing an area of 0.39 acres, more or less.

DELORES OAKLEY

Lot 14, being particularly described as follows: Beginning at the northeast corner of the lot; whence the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears N. 76° 20' W. 4764.5 ft.; thence N. 68° 20' W. 30.0 ft.; thence S. 49° 10'

W. 62.0 ft. thence South 156.9 ft. to southwest corner; thence East 66.7 ft. to southeast corner, identical with southwest corner of Lot No. 13; thence North 113.0 ft.; thence N. 6° 16' E. 73.8 ft. to place of beginning, containing an area of 0.28 acres, more or less.

AGNES E. WILLIAMS

Lot 15, being particularly described as follows: Beginning at the northeast corner; whence the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears N. 76° 35' 40" W. 4700.4 ft.; thence N. 84° 38' W. 70.0 ft.; thence N. 70° 16' W. 19.0 ft. to northwest corner; thence South 75.0 ft. to southwest corner; thence N. 80° 30' E. 55.0 ft.; thence N. 50° 02' E. 43.5 ft.; thence North 25.0 ft. to place of beginning, containing an area of 0.11 acres, more or less.

ALVIN SMITH

Lot 16, being particularly described as follows: Beginning at the northwest corner, identical with the northeast corner of Lot 17, which is East 4399.3 ft. and South 1065.6 ft. from the 1/4 Sec. Cor. on east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M. running thence South 55.00 ft. to southwest corner; identical with the southeast corner of Lot No. 17; thence S. 69° 59' E. 90.9 ft. to southeast corner, identical with southwest corner of Lot No. 15; thence North 75.0 ft. to northeast corner, identical with northwest corner of Lot No. 15; thence N. 82° 35' W. 86.1 ft. to place of beginning, enclosing an area of 0.13 acres, more or less.

ETHEL B. RICHARDS

Lot 17, being particularly described as follows: Beginning at the northeast corner, which is East 4399.3 ft. and South 1065.6 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence S. 85° 25' W. 73.0 ft. to northwest corner; thence S. 57° 40' W. 21.0 ft.; thence South 10.0 ft.; thence S. 18° 00' E. 10.0 ft.; thence S. 26° 00' E. 10.00 ft.; thence S. 48° 53' E. 13.7 ft. to southwest corner; thence East 73.0 feet to southeast corner; thence North 55.0 ft. to place of beginning, enclosing an area of 0.10 acres, more or less.

J. M. DESPAIN

Lot 18, being particularly described as follows: Beginning at the northwest corner, which is an iron bolt set in a granite boulder, whence the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears N. 76° 55' 10" W. 4317.7 ft.; thence S. 4° 04' W. 71.9 ft. to the northwest corner of Lot No. 19; thence S. 80° 22' E. 24.3 ft. to the northeast corner of Lot No. 19; thence S 5° 23' E. 87.1 ft. to the southwest corner, identical with the southeast corner of Lot No. 19; thence N. 89° 49' E. 12.9 ft.; thence N. 54° 10' E. 40.0 ft.; thence N. 25° 39' E. 38.8 ft.; thence N. 26° 45' W. 65.1 ft.; thence N. 49° 05' W. 62.3 ft.; thence N. 67° 56' W. 13.8 ft. to the place of beginning, enclosing an area of 0.19 acres, more or less.

CHARLES HOWARD

Lot 19, being particularly described as follows: Beginning at the northwest corner of tract whence an iron bolt set in a granite boulder bears N. 4° 04' E. 71.9 ft.; from said iron bolt the 1/4 Sec. Cor. on the E. boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears

N. $76^{\circ} 55' 10''$ W. 4317.7 ft. thence from northwest corner of tract S. $4^{\circ} 04'$ W. 91.1 ft. to southwest corner; thence N. $89^{\circ} 49'$ E. 38.6 ft. to southeast corner; thence N. $5^{\circ} 23'$ W. 57.1 ft. to northeast corner; thence N. $80^{\circ} 22'$ W. 24.3 ft. to place of beginning, containing an area of 0.064 acres, more or less.

JAMES H. SKILLICORN

Lots 20 and 21, being particularly described as follows: Beginning at the northeast corner, identical with the northwest corner of Lot No. 18, which is an iron bolt set in a granite boulder; from which the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears N. $76^{\circ} 55' 10''$ W. 4317.7 ft.; thence N. $77^{\circ} 48'$ W. 64.4 ft. to northwest corner; thence S. $11^{\circ} 10'$ W. 168.3 ft. to southwest corner; thence S. $85^{\circ} 32'$ E. 85.0 ft. to southeast corner; thence N. $4^{\circ} 04'$ E. 163.0 ft. to the place of beginning, enclosing an area of 0.28 acres, more or less.

LUCY A. W. HOLMES

Lot 22, being particularly described as follows: Beginning at the northwest corner, which is East 4082.1 ft. and South 950.5 ft. from the 1/4 Sec. Cor. on the East boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence S. $11^{\circ} 10'$ W. 150.0 ft. to southwest corner; thence S. $61^{\circ} 27'$ E. 65.0 ft. to southeast corner, identical with the southwest corner of Lot No. 20-21; thence N. $11^{\circ} 10'$ E. 168.3 ft. to northeast corner; thence N. $77^{\circ} 48'$ W. 62.0 ft. to place of beginning, enclosing an area of 0.23 acres, more or less.

O. C. DYER

Lot 23, being particularly described as follows: Beginning at the northeast corner, identical with the northwest corner of Lot No. 22, which is East 4082.1 ft. and South 950.5 ft. from the 1/4 Sec. Cor. on the East boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence N. $77^{\circ} 48'$ W. 62.0 ft. to northwest corner; thence S. $11^{\circ} 10'$ W. 120.0 ft. to southwest corner; thence S. $52^{\circ} 11'$ E. 69.4 ft. to southeast corner; thence N. $11^{\circ} 10'$ E. 150.0 ft. to place of beginning, enclosing an area of 0.19 acres, more or less.

JOHN HOWE AND ISABELLE HOWE, HIS WIFE

Lot 24, being particularly described as follows: Beginning at the northwest corner, which is East 3960.9 ft. and South 924.3 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence S. $11^{\circ} 10'$ W. 90.0 ft. to southwest corner; thence S. $52^{\circ} 11'$ E. 69.4 ft. to southeast corner; thence N. $11^{\circ} 10'$ E. 120.0 ft. to northeast corner; thence N. $77^{\circ} 48'$ W. 62.0 ft. to place of beginning, enclosing an area of 0.17 acres, more or less.

REYNOLDS FAMILY ASSOCIATION, A CORPORATION

Lot 25, being particularly described as follows: Beginning at the northeast corner, which is East 3960.9 ft. and South 924.3 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence N. $77^{\circ} 48'$ W. 19.2 ft.; thence West 100.0 ft. to northwest corner; thence South 14.0 ft. to southwest corner; thence S. $52^{\circ} 17'$ E. 128.1 ft. to southeast corner; thence N. $11^{\circ} 10'$ E. 90.0 ft. to the place of beginning, enclosing an area of 0.14 acres, more or less.

G. VERNON HAWK

Lot 26, being particularly described as follows: Beginning at the northwest corner of the Lot, identical with northeast corner of Lot

No. 27-A, which is East 3842.2 ft. and South 966.5 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E. S.L.M.; running thence South 253.3 ft. to southwest corner of the Lot, identical with the southeast corner of Lot No. 27-A; thence East 100.0 ft. to the southeast corner of the Lot, identical with the southwest corner of Lot No. 30; thence North 165.7 ft. to the northeast corner of the Lot, identical with the northwest corner of Lot No. 30; thence N. 48° 48' W. 132.9 ft. to place of beginning, enclosing an area of 0.48 acres, more or less.

SIBYL A. FELT

Lot 27-A: Beginning at the northeast corner, which is south 878.9 ft. and East 3742.2 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence N. 65° 27' W. 55.0 ft. to northwest corner; thence South 276.1 ft. to southwest corner; thence East 50.0 ft. to southeast corner; thence North 253.3 ft. to northeast corner, the place of beginning, enclosing an area of 0.30 acres, more or less.

C. VERNON HAWK

Lot 27, being particularly described as follows: Beginning at the northwest corner, which is South 839.1 ft. and East 3602.2 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., running thence South 293.0 ft. to southwest corner; thence East 90.0 ft. to southeast corner; thence North 276.1 ft. to northeast corner; thence N. 65° 27' W. 54.9 ft. to a point; thence S. 81° 33' W. 40.5 ft. to northwest corner, the place of beginning, enclosing an area of 0.61 acres, more or less.

RICH WHITMORE

West 48.8 feet of Lot 29, being particularly described as follows: Beginning at the northwest corner, and iron bolt set in a granite boulder, which corner bears S. 75° 42' 30" E. 3543.0 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., running thence South 154.2 ft. to southwest corner; thence East 78.8 ft. to southeast corner, identical with southwest corner of Lot 28; thence North 173.7 ft. to Northeast corner; thence S. 76° 08' W. 81.1 ft. to northwest corner, the place of beginning.

J. W. CALDWELL

Lot 30, being particularly described as follows: Beginning at the northwest corner of Lot No. 30, identical with northeast corner of Lot 26, which is East 3842.2 ft. and South 966.5 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence South 165.7 ft. to southwest corner, identical with the southeast corner of Lot No. 26; thence East 77.3 ft. to the southeast corner; thence North 103.2 ft. to the northeast corner; thence N. 51° 00' W. 99.4 ft. to the place of beginning, enclosing an area of 0.24 acres, more or less.

WALLACE BUTTERWORTH AND THERMA BUTTERWORTH, HIS WIFE

Lot 31, being particularly described as follows: Beginning at the northeast corner, which is East 3985.4 ft. and South 1082.5 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence N. 51° 00' W. 84.9 ft. to the northwest corner, identical with the northeast corner of Lot No. 30, thence South 153.2 ft. to the southwest corner; thence East 66.0 ft. to the southeast corner; thence North 99.7 ft. to the place of beginning, enclosing an area of 0.19 acres, more or less.

RICH WHITMORE

Lot 32, being particularly described as follows: Beginning at the northwest corner, identical with the northeast corner of Lot No. 31, which is East 3985.4 ft. and South 1082.5 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence South 149.7 ft. to the southwest corner; thence East 66.0 ft. to the southeast corner; thence North 98.3 ft. to the northeast corner; thence N. 51° 00' W. 84.9 ft. to the place of beginning, enclosing an area of 0.19 acres, more or less.

RICH WHITMORE

Lot 33, being particularly described as follows: Beginning at the northeast corner, which is East 4117.4 ft. and South 1154.2 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence N. 74° 30' W. 68.5 ft. to the northwest corner, identical with the northeast corner of Lot No. 32; thence South 146.3 ft. to the southwest corner; thence East 66.0 ft. to the southeast corner; thence North 128.0 ft. to the place of beginning, enclosing an area of 0.21 acres, more or less.

CHARLES HOWARD

Lot 35, being particularly described as follows: Beginning at the northeast corner, identical with northwest corner of Lot No. 36, which is East 4249.4 ft. and South 1154.2 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence West 66.0 ft. to northwest corner; thence South 128.0 ft. to the southwest corner; thence East 66.0 ft. to the southeast corner, identical with the southwest corner of Lot No. 36; thence North 128.0 ft. to the place of beginning, enclosing an area of 0.19 acres, more or less.

MARY T. SMITH

Lot 36, being particularly described as follows: Beginning at the northeast corner, identical with northwest corner of Lot No. 37; whence the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears N. 75° 08' W. 4458.6 ft.; thence S. 80° 16' W. 60.9 ft.; thence South 128.0 ft.; thence East 60.0 ft. to the southeast corner of the lot; identical with the southwest corner of Lot No. 37; thence North 138.3 ft. to the place of beginning, enclosing an area of 0.18 acres, more or less.

MARY T. SMITH

Lot 37, being particularly described as follows: Beginning at the northwest corner, identical with the northeast corner of Lot No. 38; whence the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., bears N. 75° 08' W. 4458.6 ft.; thence South 138.3 ft. to southwest corner, identical with the southeast corner of Lot No. 38; thence East 60.0 ft. to the southeast corner; thence North 138.3 ft. to the northeast corner; thence West 60.0 ft. to the northwest corner, the place of beginning, enclosing an area of 0.19 acres, more or less.

UTAH STATE NATIONAL BANK

Lot 38, being particularly described as follows: Beginning at the northeast corner, which is East 4431.3 ft. and South 1167.9 ft. from the 1/4 Sec. Cor. on the East boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence N. 88° 50' W. 66.5 ft. to the northwest corner; thence South 138.3 ft. to the southwest corner, identical with the southeast corner of Lot No. 37; thence East 62.0 ft. to southeast corner; thence North 114.3 ft. to the northeast corner, the place of beginning, enclosing an area of 0.18 acres, more or less.

LEO W. ALDOUS

Lot 41, being particularly described as follows: Beginning at the southwest corner, identical with the southeast corner of Lot No. 12, which is East 4739.6 ft. and South 1180.2 ft. from the 1/4 Sec. Cor. on the East boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M. running thence East 247.6 ft. to the southeast corner; thence North 133.5 ft. to the northeast corner; thence West 155.3 ft. to the northwest corner; thence S. 28° 00' W. 73.7 ft. to the northeast corner of Lot No. 12; thence S. 40° 08' W. 89.5 ft. to the southwest corner, the place of beginning, enclosing an area of 0.60 acres, more or less

LEANA SMURR

Lot 42-A, being particularly described as follows: Beginning at the southeast corner, identical with the southwest corner of Lot No. 42-B, which is East 4912.2 ft. and South 1026.9 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence North 138.1 ft. to the northeast corner, identical with the northwest corner of Lot No. 42-B; thence S. 83° 50' W. 75.45 ft. to the northwest corner, identical with the northeast corner of Lot No. 10; thence South 130.0 ft. to the southwest corner, identical with the southeast corner of Lot No. 10; thence East 75.0 ft. to the place of beginning, enclosing an area of 0.23 acres, more or less.

MAYBELLE L. BURTON AND ROBERT H. BURTON, HER HUSBAND

Lot 42-B, being particularly described as follows: Beginning at the southwest corner, identical with the southeast corner of Lot No. 42-A, from which the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M. is West 4912.2 ft. and North 1026.9 ft.; running thence East 75.0 ft.; thence North 146.2 ft.; thence S. 83° 50' W. 75.45 ft. to the northwest corner, identical with the northeast corner of Lot No. 42-A; thence South 138.1 ft. to the place of beginning, enclosing an area of 0.245 acres, more or less.

UTAH GRANITE AND MARBLE COMPANY

Lot 10, being particularly described as follows: Beginning at the southeast corner, identical with the southwest corner of Lot No. 42-A, which is East 4837.2 ft. and South 1026.7 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence North 130.0 ft. to northeast corner, identical with northwest corner of Lot No. 42-A; thence S. 64° 50' 143.1 ft. to northwest corner; thence South 30.0 ft. to southwest corner; thence S. 77° 46' E. 80.1 ft.; thence S. 66° 37' E. 55.8 ft. to southeast corner; the place of beginning, enclosing an area of 0.23 acres, more or less.

Lot 28, being particularly described as follows: Beginning at the northeast corner, identical with northwest corner of Lot No. 27, which is South 839.1 ft. and East 3602.2 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence S. 81° 33' W. 60.6 ft.; thence S. 76° 03' W. 30.9 ft. to northwest corner; thence South 173.7 ft. to southwest corner; thence East 90.0 ft. to southeast corner; thence North 190.0 ft. to northeast corner; the place of beginning, enclosing an area of 0.38 acres, more or less.

East 30 feet of Lot 29, being particularly described as follows: Beginning at the northwest corner, which is an iron bolt set in a granite boulder, which corner bears S. 75° 42' 30" E. 5543.0 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., running thence South 154.2 ft. to southwest corner; thence East 78.8 ft. to southeast corner, identical with southwest corner of Lot 28; thence North 173.7 ft. to northeast corner; thence S. 76° 03' W. 81.1 ft. to northwest corner, the place of beginning.

Lot 34, being particularly described as follows: Beginning at the northwest corner, identical with the northeast corner of Lot No. 33, which is East 4117.4 ft. and South 1154.2 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence South 128.0 ft. to the southwest corner, identical with the southeast corner of Lot No. 33; thence East 66.0 ft. to the southeast corner, identical with the southwest corner of Lot No. 35; thence North 128.0 ft. to the northeast corner, identical with the northwest corner of Lot No. 35; thence West 66.0 ft. to the place of beginning, enclosing an area of 0.19 acres, more or less.

Lot 72, being particularly described as follows: Beginning at the northwest corner, identical with the northeast corner of Lot No. 73, which is South 1046.7 ft. and East 5047.2 ft. from the 1/4 Sec. Cor. on the East boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M.; running thence South 133.5 ft. to the southwest corner, identical with the southeast corner of Lot No. 73; thence East 60.0 ft.; thence North 133.5 ft.; thence West 60.0 ft. to the place of beginning, enclosing an area of 0.18 acres, more or less.

Lot 73, being particularly described as follows: Beginning at the northeast corner, identical with the northwest corner of Lot No. 72, which is South 1046.7 ft. and East 5047.2 ft. from the 1/4 Sec. Cor. on the east boundary of Sec. 12, T. 3 S., R. 1 E., S. L. M., running thence West 60.0 ft. to the northwest corner, identical with the northeast corner of Lot No. 41, thence South 133.5 ft. to the southwest corner, identical with the southeast corner of Lot No. 41; thence East 60.0 ft. to the southeast corner, identical with the southwest corner of Lot No. 72; thence North 133.5 ft. to the place of beginning, enclosing an area of 0.18 acres, more or less.

JOHN R. REEVE

Commencing 5.6 feet East and 30 feet South from stake number 20, Wasatch Resort Plat, and running thence South of East 170 feet to iron rail set on end in ground on South side of D. & R. G. Right of way; thence West along North side of creek bed 166 feet; thence North 83 feet to the place of beginning. Said stake number 20 is South 759.4 feet and East 4217.8 feet from the Quarter Section corner on the East Boundary of Section 12, Township 3 South, Range 1 East, Salt Lake Meridian, as determined by J. R. Winwood, a registered professional engineer and land surveyor of Salt Lake City, Utah.

IV

That the said persons, firms, associations and corporations particularly named in Paragraph III of this judgment and each of them, his, their or its respective heirs, executors, administrators and assigns are the owners of a perpetual and everlasting right of way easement for use by vehicles and pedestrians and as ingress to and egress from the respective tracts and parcels of land described in Paragraph III of this judgment, over and across the premises situate in Salt Lake County, State of Utah, and described as follows:

Beginning at a point known as the northwest corner of Lot No. 29, Wasatch Resort, Little Cottonwood Canyon, Salt Lake County, Utah, from which the 1/4 Section Corner on east boundary of Section 12, T.3 S., R.1 E., Salt Lake Meridian bears N. 75 degrees 42' 30" W. 3543.0 feet, running thence about N. 82 degrees 30' W. 247 feet, more or less to the county road leading to mouth of Little Cottonwood Canyon, thence East 25 feet; thence S. 24 degrees E. 210 feet, more or less, thence N. 80 degrees 30' E. 200 feet; thence S. 65 degrees 27' E. 215 feet; thence East 82 feet; thence S. 77 degrees 48' E. 241 feet; thence N. 51 degrees E. 34 feet; thence S. 84 degrees E. 60 feet; thence S. 7 degrees 55' W. 38 feet, to a point being known as the southwest corner of Lot No. 1; thence S. 46 degrees E. 124.0 feet; thence S. 84 degrees 18' E. 56.5 feet; thence S. 87 degrees 38' E. 53.5 feet; thence S. 86 degrees 39' E. 49.5 feet; thence S. 84 degrees 29' E. 155.9 feet; thence No. 28 degrees E. 80.2 feet; thence N. 20 degrees 18' E. 27 feet to the northeast corner of Lot No. 7; thence S. 74 degrees E. about 36 feet to a point known as the southwest corner of Lot No. 10; thence S. 77 degrees 46' E. 80.1 feet; thence S. 66 degrees 37' E. 55.8 feet; thence East 270 feet; thence South 20 feet to the northeast corner of Lot No. 72; thence West 275.5 feet; thence No. 66 degrees 37' W. 55.8 feet; thence N. 85 degrees 31' W. 77.7 feet; thence S. 55 degrees 53' W. 32.2 feet; thence S. 35 degrees 40' W. 35.0 feet; thence No. 71 degrees 40' W. 5.0 feet; thence S. 20 degrees 36' W. 53.6 feet; thence No. 68 degrees 20' W. 30.0 feet; thence S. 49 degrees 10' W. 52.0 feet to the northwest corner of Lot No. 14; thence South 24.3 feet; thence West 126.2 feet to the northeast corner of Lot No. 38; thence N. 68 degrees 50' W. 66.5 feet; thence West 60.0 feet; thence S. 80 degrees 16' W. 60.9 feet; thence West 132.0 feet; thence N. 74 degrees 30' W. 68.5 feet; thence N. 51 degrees W. 269.2 feet; thence N. 48 degrees 48' W. 132.9 feet; thence N. 63 degrees 27' W. 109.9 feet; thence S. 81 degrees 33' W. 101.1 feet; thence S. 76 degrees 08' W. 112.0 feet to the place of beginning - excepting and excluding therefrom two tracts of land described as follows -

Tract No. 1 - beginning at the northeast corner of Lot No. 20-21, heretofore described in Section VIII of these 'Findings of Facts', running thence N. 77 degrees 48' W. 269.6 feet; thence West 100.0 feet; thence South 14.0 feet; thence S. 52 degrees 17' E. 128.1 feet; thence S. 52 degrees 11' E. 138.6 feet; thence S. 61 degrees 27' E. 65.0 feet; thence S. 83 degrees 32' E. 85.0 feet; thence N. 89 degrees 49' E. 51.5 feet; thence N. 54 degrees 10' E. 40.0 feet; thence N. 25 degrees 39' E. 38.8 feet; thence N. 26 degrees 45' W. 65.1 feet; thence N. 49 degrees 05' W. 62.3 feet; thence N. 67 degrees 56' W. 13.8 feet, to place of beginning - enclosing all the lots known as Numbers 18, 19, 20-21, 22, 23, 24 and 25 - totalling 1.26 acres.

Tract No. 2 - beginning at the northeast corner of Lot No. 15, previously described in 'Findings of Facts', Section VIII, and running thence N. 84 degrees 38' W. 70.0 feet; thence N. 70 degrees 16' W. 19.0 feet; thence N. 82 degrees 35' W. 86.1 feet; thence S. 85 degrees 23' W. 73.0 feet; thence S. 57 degrees 40' W. 21.0 feet; thence South 10.0 feet; thence S. 18 degrees E. 10.0 feet; thence S. 25 degrees E. 10.0 feet; thence S. 46 degrees 52' E. 13.7 feet; thence East 75.0 feet; thence S. 69 degrees 59' E. 90.9 feet; thence N. 80 degrees 50' E. 55.0 feet; thence N. 50 degrees 02' E. 43.5 feet; thence North 25.0 feet to the place of beginning - enclosing all of Lots Nos. 15, 16 and 17 and totalling 0.34 acres.

Said foregoing easement is particularly delineated and set forth upon a map or plat attached hereto and by this reference incorporated herein and made a part hereof. Said map or plat bears date of November 9, 1940, and is identified by the signature of the Honorable P. C. Evans, Judge of the above entitled Court,

and said right of way easement is declared and adjudged to be appurtenant to each of said described tracts and parcels of land, subject however, to (a) The right of the defendants, A. O. WHITMORE and JEANNETTA R. WHITMORE, his wife, and their respective heirs, executors, administrators and assigns for the joint and equal use, benefit and enjoyment of said right of way as appurtenant to all of the tracts and parcels of land owned by said defendants or either of them and adjoining or adjacent to said right of way; (b) The rights of each person, firm, association or corporation named in Paragraph III of this judgment and their respective heirs, executors, administrators and assigns for the joint and equal use, benefit and enjoyment of said right of way as appurtenant to his, their or its tracts and parcels of land owned by them or either of them and adjoining or adjacent to said right of way; and (c) To the duty of all of the owners of tracts, parcels and lots of land using such

right of way to pay an equal and proportional amount of general taxes which may be levied or assessed upon or against said right of way easement or upon or against the land over which said easement exists.

V

That plaintiff have and recover off of and from the defendants, A. O. WHITMORE and JEANNETTA R. WHITMORE, his wife, its costs in this action hereby taxed in the amount of \$_____.

DONE IN OPEN COURT THIS 7th DAY OF February, 1941.

BY THE COURT:

(P. C. EVANS)

 District Judge

ATTEST:
 WILLIAM J. KORTH, CLERK

BY R. A. HOGENSON, DEPUTY CLERK (SEAL)

ENDORSED NO . 63026

FILED IN THE CLERK'S OFFICE
 SALT LAKE COUNTY, UTAH
 FEB. 8, 1941

WILLIAM J. KORTH, CLERK 3rd. DIST. COURT
 BY R. A. HOGENSON, DEPUTY CLERK

STATE OF UTAH

COUNTY OF SALT LAKE

ss.

I, William J. Korth, Clerk in and for the County of Salt Lake and Ex-Officio Clerk of the District Court of the Third Judicial District in and for Salt Lake County, State of Utah, do hereby certify that the foregoing is a full, true and correct copy of the original JUDGMENT

Filed in the case of :-

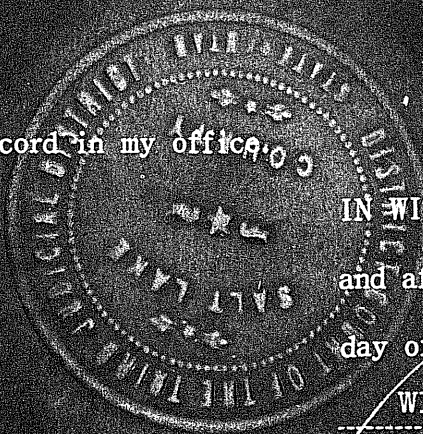
UTAH GRANITE & MARBLE COMPANY, a
corporation, Plaintiff

vs.

A. O. WHITMORE and JEANNETTA R. WHITMORE,
his wife, Defendants.

CASE NO. 63026

as appears of record in my office.



IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my official seal, this 6th

day of March A. D. 19 41

WILLIAM J. KORTH

Clerk

By


Deputy Clerk

899607

Recorded at Request of

L. B. CARDON

By


Quit-Claim Deed

CHRISTINA G. NORMAN, a woman,

Grantor,

of Salt Lake City

County of

Salt Lake

State of Utah, hereby

QUIT CLAIM to NATIONAL INVESTMENT COMPANY, a Utah Corporation

Grantee,

of Salt Lake City, Salt Lake County, State of Utah

for the sum of

Ten and no/100-----
and other good, valuable and sufficient consideration
the following described tract of land in Salt Lake

DOLLARS

County,

State of Utah: