

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the parcels of land hereinafter described as hereby taken and condemned in fee simple title identified as Parcel No. 12 and easement interest as described in Parcel Nos. 12:E and 12:2E 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 the interest acquired and property description is more particularly described as follows:

Parcel No. 0068:12

A parcel of land in fee for the widening of the existing highway State Route 68 known as Project No. SP-0068(24)43, being part of an entire tract of property situate in the SW1/4SE1/4 and NW1/4SE1/4 of Section 22, T.3S., R.1W., S.L.B.&M. The boundaries of said parcel of land are described as follows:

Beginning in the intersection of the existing easterly right of way line of said existing highway State Route 68 and the northerly boundary line of said entire tract at a point 1008.00 feet

S.00°07'35"W. along the quarter section line and 33.00 feet S.89°56'45"E. from the Center of said Section 22, said point is approximately 33.00 feet perpendicularly distant easterly from the centerline of said project opposite engineer station 130+57.35, and running thence S.89°56'45"E. 20.00 feet along said northerly boundary line to a point 53.00 feet perpendicularly distant easterly from the centerline of said project; thence S.00°07'35"W. 391.26 feet along a line parallel with and 53.00 feet perpendicularly distant easterly from the centerline of said project to the southerly boundary line of said entire tract; thence N.89°56'45"W. 20.00 feet along said southerly boundary line to said existing easterly right of way line; thence N.00°07'35"E. 391.26 feet along a line parallel with said centerline to the point of beginning. The above described parcel of land contains 7825 square feet or 0.180 acres in area, more or less.

(Note: Rotate all bearings in the above description 00°14'38" clockwise to obtain highway bearings.)

Together with any and all abutter's rights of underlying fee to the center of the existing right-of-way appurtenant to this conveyance.

Note: The Salt Lake County monument stamped as the South Quarter Corner of Section 22 was removed and replaced by the Salt Lake County Surveyor with a new monument. The old monument is now stamped as a reference monument to said South Quarter Corner. Another monument representing the South Quarter Corner's location according to the Salt Lake County Surveyor was constructed S 00°15'17" W 2.91 feet (highway bearing) from the new reference monument. The bearings and distances contained within this instrument are based on the new South Quarter Corner monument location.

Parcel No. 0068:12:E

A perpetual easement, upon part of an entire tract of property, in the SW1/4SE1/4 and NW1/4SE1/4 of Section 22, T.3S., R.1W., S.L.B.&M., in Salt Lake County, Utah, for the purpose of constructing and maintaining thereon public utilities and appurtenant parts thereof including, but not limited to ATMS fiber optic conduit, electrical service and transmission lines, culinary and irrigation water facilities; and highway appurtenances including, but not limited to slopes, street and signal lighting facilities, directional and traffic information signs, incident to the widening of the existing highway State Route 68 known as Project No. SP-0068(24)43.

The boundaries of said part of an entire tract of land are described as follows:

Beginning in the northerly boundary line of said entire tract at a point 1008.00 feet S.00°07'35"W. along the quarter section line and 59.00 feet S.89°56'45"E. from the Center of said Section 22, said point is approximately 59.00 feet perpendicularly distant easterly from the centerline of said project opposite engineer station 130+57.38, and running thence S.00°07'35"W. 391.26 feet along a line parallel with said centerline to the southerly boundary line of said entire tract; thence N.89°56'45"W. 6.00 feet along said southerly boundary line to a point 53.00 feet perpendicularly distant easterly from the centerline of said project; thence N.00°07'35"E. 391.26 feet along a line parallel with and 53.00 feet perpendicularly distant easterly from the centerline of said project to the northerly boundary line of said entire tract; thence S.89°56'45"E. 6.00 feet along said northerly boundary line to the point of beginning. The above described part of an entire tract of land contains 2348 square feet or 0.054 acres in area, more or less.

(Note: Rotate all bearings in the above description 00°14'38" clockwise to obtain highway bearings.)

The Owners, by consent of the Utah Department of Transportation, shall have the right to lessen but not to increase the vertical distance or grade of said cut and/or fill slopes.

After said public utilities and appurtenant parts thereof are constructed on the above described part of an entire tract at the expense of the Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said public utilities and appurtenant parts thereof.

Note: The Salt Lake County monument stamped as the South Quarter Corner of Section 22 was removed and replaced by the Salt Lake County Surveyor with a new monument. The old monument is now stamped as a reference monument to said South Quarter Corner. Another monument representing the South Quarter Corner's location according to the Salt Lake County Surveyor was constructed S 00°15'17" W 2.91 feet (highway bearing) from the new reference monument. The bearings and distances contained within this instrument are based on the new South Quarter Corner monument location.

Parcel No. 0068:12:2E

A non-exclusive temporary easement, upon part of an entire tract of property, in the SW1/4SE1/4 and NW1/4SE1/4 of Section 22, T.3S., R.1W., S.L.B.&M., in Salt Lake County, Utah, to facilitate the construction of roadway improvements, side treatments and appurtenant parts thereof

and blending slopes incident to the widening of the existing highway State Route 68 known as Project No. SP-0068(24)43. Such construction use shall be limited to the time necessary for the construction of the project, and shall be subject to the contractual limitations of UDOT Standard Specifications for Road and Bridge Construction. Easement use shall not commence until notice has been given and may terminate upon notice of vacation

The boundaries of said part of an entire tract of land are described as follows:

Beginning in the northerly boundary line of said entire tract at a point 1008.00 feet S.00°07'35"W. along the quarter section line and 59.00 feet S.89°56'45"E. from the Center of said Section 22, said point is approximately 59.00 feet perpendicularly distant easterly from the centerline of said project opposite engineer station 130+57.38, and running thence S.89°56'45"E. 6.00 feet along said northerly boundary line; thence S.00°07'35"W. 225.50 feet along a line parallel with said centerline; thence S.89°52'25"E. 23.50 feet; thence S.00°07'35"W. 35.76 feet along a line parallel with said centerline; thence N.89°52'25"W. 23.50 feet; thence S.00°07'35"W. 130.00 feet along a line parallel with said centerline to the southerly boundary line of said entire tract; thence N.89°56'45"W. 6.00 feet along said southerly boundary line; thence N.00°07'35"E. 391.26 feet along a line parallel with said centerline to the point of beginning. The above described part of an entire tract of land contains 3188 square feet or 0.073 acres in area, more or less.

(Note: Rotate all bearings in the above description 00°14'38" clockwise to obtain highway bearings.)

After said roadway improvements, side treatments and appurtenant parts thereof and blending slopes are constructed on the above described part of an entire tract at the expense of the Utah Department of Transportation, said Utah Department of Transportation is thereafter relieved of any further claim or demand for costs, damages or maintenance charges which may accrue against said facilities and appurtenant parts thereof.

Note: The Salt Lake County monument stamped as the South Quarter Corner of Section 22 was removed and replaced by the Salt Lake County Surveyor with a new monument. The old monument is now stamped as a reference monument to said South Quarter Corner. Another monument representing the South Quarter Corner's location according to the Salt Lake County Surveyor was constructed S 00°15'17" W 2.91 feet (highway bearing) from the new reference monument. The bearings and distances contained within this instrument are based on the new South Quarter Corner monument location.

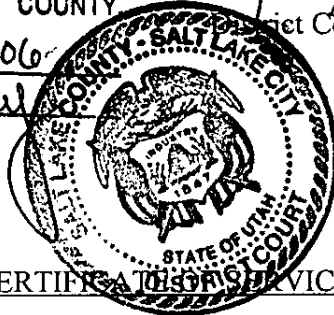
DATED this 24th day of Apr., 2006.

BY THE COURT:

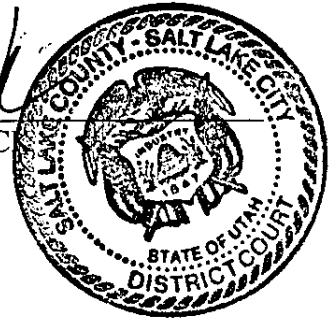
I CERTIFY THAT THIS IS A TRUE COPY OF AN ORIGINAL DOCUMENT ON FILE IN THE THIRD DISTRICT COURT, SALT LAKE COUNTY STATE OF UTAH.

DATE: April 24, 2006

Cindy Beverley
DEPUTY COURT CLERK



J. DENNIS FREDERIC
District Court Judge



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing FINAL ORDER OF CONDEMNATION was served by mailing the same, first-class, postage prepaid, this 5th day of April, 2006, to:

Jordan A. White
Diane H. Banks
FABIAN & CLENDENIN
215 South State Street 12th Floor
P.O. Box 510210
Salt Lake City, UT 84151-0210

Amy Costello
Secretary