
**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF UTAH, CENTRAL DIVISION**

JACK WALKER,

Plaintiff,

vs.

300 SOUTH MAIN, LLC, a Utah limited liability company,

Defendant.

JUDGMENT IN A CIVIL CASE

Civil No. 2:05-CV-442 TS

300 SOUTH MAIN, LLC, a Utah limited liability company,

Counterclaimant,

vs.

JACK WALKER,

Counterdefendant.

This action came before the Court for trial by jury. The issues have been tried and the jury has rendered its verdict. The Court issued a Memorandum Decision and Order on Post-Trial Issues on November 7, 2008. Based upon the jury trial and the Court's Memorandum Decision, it is hereby

ORDERED AND ADJUDGED as follows:

1. Plaintiff Jack Walker holds a non-exclusive easement for ingress and egress through the current entryways and exits and for parking, by express oral agreement, prescription, and estoppel, consistent with the historical parking configuration and current entryways and exists as set forth in Exhibit A, attached hereto, over the following property located in Grand County, State of Utah:

A PORTION OF BLOCK 5, LOT 1, MOAB TOWNSITE, MOAB, UTAH DESCRIBED AS BEGINNING AT A POINT ON THE RIGHT OF WAY LINE OF HIGHWAY 160, 60 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 1 OF SAID BLOCK 5, THENCE NORTH 65 FEET; THENCE WEST 145 FEET; THENCE SOUTH 65 FEET; THENCE EAST 145 FEET TO THE POINT OF BEGINNING.

2. Plaintiff Jack Walker holds a non-exclusive easement for ingress and egress through the current entryways and exits, by express oral agreement, prescription, and estoppel, consistent with the historical parking configuration and current entryways and exists as set forth in Exhibit A, attached hereto, over the following property located in Grand County, State of Utah, over a rectangular piece of property that is approximately bordered by the West side of the existing Bank Building, the East side of Plaintiff's property, 300 South Street on the South side with its Northern side a straight line going west from the Northwest corner of the bank building and running parallel to 300 South Street, which property is more particularly described as follows:

A PORTION OF BLOCK 5, MOAB TOWNSITE, MOAB, UTAH DESCRIBED AS BEGINNING AT A POINT 100 FEET WEST OF THE SOUTHEAST CORNER OF BLOCK 5, THENCE NORTH 60 FEET; THENCE WEST 45 FEET; THENCE SOUTH 60 FEET; THENCE EAST 45 FEET TO THE POINT OF BEGINNING.

3. Defendant 300 South Main, LLC holds a non-exclusive express written easement for ingress and egress and for parking over the following property located in Grand County, State of Utah.

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, BLOCK 5, MOAB TOWNSITE IN GRAND COUNTY, UTAH, THENCE NORTH ALONG STATE HIGHWAY #160 A DISTANCE OF 312 FEET, THENCE WEST 170 FEET, THENCE SOUTH 312 FEET, THENCE EAST 170 FEET TO THE POINT OF BEGINNING, EXCEPT A TRACT OF LAND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 OF BLOCK 5, MOAB TOWNSITE, GRAND COUNTY, UTAH, THENCE NORTH 125 FEET, THENCE WEST 145 FEET, THENCE SOUTH 125 FEET, THENCE EAST 145 FEET TO THE POINT OF BEGINNING.

4. Costs are awarded to Plaintiff.

DATED this ____ day of _____, 2009.

BY THE COURT:

TED STEWART
United States District Judge