

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

234.31 ACRES OF LAND, MORE OR  
LESS, IN THE COUNTY OF WAYNE,  
STATE OF UTAH, RICHARD W.  
SPRANG, ET AL., AND UNKNOWN  
OWNERS,

Defendants.

Civil No. C-95-61

FINAL JUDGMENT IN CONDEMNATION

Filed in United States District  
Court, District of Utah.

NOV 30 1962

Time:

/s/ Wayne Christoffersen  
Clerk

It appearing to the Court, and the Court finds, that the following named persons, including those designated as "Unknown Owners", called Defendants in this cause, have been duly served with notice pertaining to this matter either personally or by publication and have failed to make appearance and the time for so appearing having expired, and the affidavit of Craig T. Vincent, Assistant United States Attorney, respecting the military service of those defendants who were personally served, having been duly filed herein in compliance with Title 50 App., Section 520 U.S.C.A., the default of the said persons is duly entered herein, said persons being:

"Unknown Owners"

Mrs. William Clark, if alive, and if deceased, the unknown heirs of Mrs. William Clark;

Mrs. Jehu Blackburn, if alive, and if deceased, the unknown heirs of Mrs. Jehu Blackburn;

William Johnson and Lilly May Johnson, his wife, if alive, and if deceased, the unknown heirs of William Johnson and Lilly May Johnson;

Dez Hickman and Jane Doe Hickman, his wife;

Dacey Chesnut;

Abey Clark and Martha Kathryn Clark, his wife;

Mary Clifford;

Morgan Thomas and Jane Doe Thomas, his wife;

Naomi Hendrecksen;

Claude Holt;

Leone P. Holt

Wayne Lee Holt;  
Blanche Melba Holt, and  
Ruby Stewart.

And it appearing to the Court, and the Court finds and concludes, that all times covered by this proceeding plaintiff has and has had the full right and authority to take and acquire the lands and property involved in this proceeding, which are more fully and in detail described in the Declaration of Taking and in plaintiff's Complaint filed herein, to which reference is hereby made, by right and power of eminent domain for the use in connection with the administration, protection and development of the Capitol Reef National Monument, administered by the National Park Service of the Department of the Interior of the United States of America, and for such other uses as may be authorized by Congress or by Executive Order, subject to the payment of just compensation to the proper persons for such taking, and that all outstanding right, title, equity and interest of any and all persons claiming any interest in and to the said lands and property should be vested in plaintiff as of June 2, 1961, the date of the filing of the aforesaid Declaration of Taking and Complaint; and

It further appearing to the Court, and the Court finds and concludes, that adjudication has been fully made by this Court as to the ascertainment and proper distribution of just compensation payable on account of the taking by plaintiff of all of the tracts of land and property involved in this action;

WHEREFORE, by reason of the law and in view of the aforesaid findings and conclusions and the premises, it is hereby

ORDERED, ADJUDGED AND DECREED as follows:

1. At all times covered by this action, plaintiff has and has had the full right and authority to take and acquire the lands and property involved in this proceeding, which are more fully and in detail described in the Declaration of Taking and in plaintiff's Complaint duly filed herein, to which reference is hereby made, by right and power of eminent domain for the use of the National Park Service, Department of the Interior of the United States of America, in connection with the administration, protection and development of the Capitol Reef National Monument, administered by the National Park Service of the Department of the Interior of the United States of America, and for such other uses as may be authorized by Congress or by Executive Order, subject to

payment of just compensation to the proper persons for such taking, and the proceedings in this cause are regular and proper in all respects;

2. The fee simple title in and to all of the lands and property involved herein, which are more fully and in detail described in the Declaration of Taking and in plaintiff's Complaint duly filed herein, and to which reference is made, be and is vested in the United States of America as of June 2, 1961;

3. Adjudication is, and has been, fully made as to the ascertainment and proper distribution of just compensation payable on account of the taking by plaintiff of all of the tracts of land and property involved in this action and said compensation constitutes and is just compensation; and

4. All matters involved in this action be and are finally determined.

Dated this 30 day of Nov, 1962.

15 / A. Sherman Christensen  
UNITED STATES DISTRICT JUDGE