

When Recorded, Mail To:
Red Rock Earthmovers, Inc.
1289 N. Overland Trails Circle
Washington, UT 84780
(435) 986-1701

Ent 536719 Bk 893 Pg 813
Date: 29-Jan-2020 08:03 AM
Fee: \$40.00 ACH
Filed By: JAC
JOHN CORTES, Recorder
GRAND COUNTY CORPORATION
For: Assurance Lien Services
Recorded Electronically by Simplifile

NOTICE OF CONSTRUCTION LIEN

TO WHOM IT MAY CONCERN:

The undersigned claimant hereby gives notice of intention to hold and claim a lien and hereby claims a lien upon that certain property and improvements thereon reputed to be owned by **VIEW GATE DEVELOPMENT, LLC., 5442 SOUTH 900 EAST, STE 531, SALT LAKE CITY, UTAH 84117** and located in GRAND County, State of Utah, and more particularly described as follows:

Legal Description 02-0007-0090

BEG AT S¼ COR SEC 7 T26S R22E; TH W ALONG SAID SEC LINE 660 FT; NE¼LY TO A PT 1301.39 FT N AND 1950.55 FT E OF THE SW COR SEC 7; TH N 88°41'E 91.32 FT; TH N 89°45'E 177 FT; N 53°54'E 22.65 FT; N 63.05 FT TO S LINE U.S. HWY 160 R/W; S 65°39'E ALONG SAID R/W TO E LINE SE¼SW¼ SEC 7; TH S ALONG SAID 40 AC LINE TO POB 19.71 AC - SUBJECT TO A STORM DRAINAGE RETENTION BASIN ESMNT BEG AT A PT WHICH BEARS N 33°33'W 129.4 FT S¼COR SEC 7 T26S R22E & PROC TH S 86°00'W 375.0 FT; N 4°00'W 250.0 FT; N 86°00'E 375.0 FT S 4°00'E 250.0 FT TP BEG

The amount demanded hereby is **\$129,533.60** the total amount of material and/or labor + Finance Charges + \$250.00 Lien Filing Fee + Attorney Fees, owing to the undersigned on the above-described property. Red Rock Earthmovers, Inc., demolition, electrical vault and trenchwork, waterline and water feature, and performed the same at the insistence of VIEW GATE DEVELOPMENT, LLC & EDMOND PLAZA CONSTRUCTION, LLC., who entered into a contract with Red Rock Earthmovers, Inc., for which work and/or materials were first provided on 6/11/2018 and finished on 12/31/2019. The unpaid portion of the work and materials is now due and owing to Red Rock Earthmovers, Inc., which entitles the undersigned to payment of \$129,533.60, together with interest, lien filing costs of \$250.00 and attorney fees, if applicable for which demand the undersigned holds and claims a lien by virtue of the provisions of Chapter 1a, Title 38, Utah Code (1953). The Lien Claimant is identified as Red Rock Earthmovers, Inc., 1289 N. Overland Trails Circle Washington, UT 84780 (435) 986-1701

PROTECTION AGAINST LIENS AND CIVIL ACTION. Notice is hereby provided in accordance with Section 38-11-108 of the Utah Code that under Utah law an "owner" may be protected against liens being maintained against an "owner-occupied residence" and from other civil action being maintained to recover monies owed for "qualified services" performed or provided by suppliers and subcontractors as a part of this contract, if either section (1) or (2) is met: (1)(a) the owner entered into a written contract with an original contractor, a factory built housing retailer, or a real estate developer; (b) the original contractor was properly licensed or exempt from licensure under Title 58, Chapter 55, Utah Construction Trades Licensing Act at the time the contract was executed; and (c) the owner paid in full the contracting entity in accordance with the written contract and any written or oral amendments to the contract; or 5 (2) the amount of the general contract between the owner and the original contractor totals no more than \$5,000." (3) An owner who can establish compliance with either section (1) or (2) may perfect the owner's protection by applying for a Certificate of Compliance with the Division of Occupational and Professional Licensing. The application is available at www.dopl.utah.gov/r/rf.

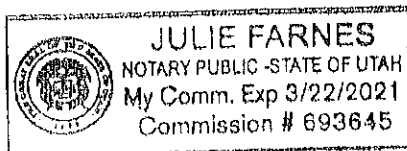
IN WITNESS THEREOF, the Undersigned Corporation has caused the document to be executed by its duly authorized agent the 28 day of JANUARY, 2020

RED ROCK EARTHMOVERS, INC.

By [Signature]
Authorized Agent

STATE OF UTAH)
: SS.
COUNTY OF Davis)

Kelly Silvester being first duly sworn, says that he is the Authorized Agent of RED ROCK EARTHMOVERS, INC., the claimant in the foregoing Notice of Construction Lien, and that he has read said notice and knows the contents thereof, and that the same is true of his own knowledge and executes same on behalf of said company. Subscribed and sworn to before me this 28th day of JANUARY 2020.



[Signature]
NOTARY PUBLIC for the State of Utah
Residing at: Bountiful, Utah
My Commission Expires: 3/22/2021