14169615 B: 11453 P: 7638 Total Pages: 2 10/31/2023 09:17 AM By: tpham Fees: \$40.00 Rashelle Hobbs, Recorder, Salt Lake County, Utah Return To: BABCOCK SCOTT & BABCOCK 370 E. SOUTH TEMPLESALT LAKE CITY, UT 84111

WHEN RECORDED, RETURN TO:

Jason H. Robinson

BABCOCK SCOTT & BABCOCK, P.C.

370 East South Temple, 4th Floor
Salt Lake City, Utah 84111
Telephone: 801-531-7000
jason@babcockscott.com

NOTICE OF CONSTRUCTION LIEN

NOTICE IS HEREBY GIVEN that WHITE CAP, L.P. (FKA HD SUPPLY CONSTRUCTION SUPPLY, LTD) ("Claimant"), located at 297 South Vasco Road, Livermore, CA 94551, and whose telephone number is 925-245-4719, claims and holds a construction lien, pursuant to Utah Code section 38-1a-1, et seq., upon the property and improvements thereon and interests therein described hereinafter. Claimant's lien is based upon the following:

1. Claimant provided services, labor, materials and/or equipment in connection with improvements on certain real property situated at approximately 22 N Chicago Street, Salt Lake City, Salt Lake County, State of Utah (commonly known as Chicago Street Townhomes), being more particularly described as follows:

<u>LEGAL DESCRIPTION</u>: COM 1 FT W & 81 FT N OF SW COR LOT 2 BLK 57 PLAT C

SLC SUR N 86.5 FT E 124 FT S 86.5 FT W 124 FT TO BEG 5551-

1483 5578-2506 5706-2554

PARCEL NUMBER: 08-35-456-012-0000

(the "Property").

- 2. To the best of Claimant's knowledge, CHICAGO ST TOWNHOMES PROPERTY, LLC is the record owner and/or reputed owner of the Property.
- 3. The services, labor, materials and/or equipment for which demand and claim is made was provided to and/or at the request of TITUS SHOTCRETE, LLC.
- 4. Claimant is owed money for the services, labor, materials and/or equipment it provided for improvement to the Property in the amount of at least TWO THOUSAND THREE HUNDRED SIXTY-SIX AND 06/100 U.S. DOLLARS (\$2,366.06), plus interest, attorney fees, and costs, which amount could change should additional credits or charges be discovered.
- 5. Claimant provided the first services, labor, materials and/or equipment on or about March 8, 2023, and provided the last services, labor, materials and/or equipment on or about July 1, 2023.
- 6. PROTECTION AGAINST LIENS AND CIVIL ACTION. If this Notice of Lien is being filed on a residence as defined in Utah Code section 38-11-102(18), notice is hereby provided 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

the contract between a real estate developer or an original contractor and the owner, if the following conditions are satisfied: (1) the owner entered into a written contract with either a real estate developer or an original contractor; (2) 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 (3) the owner paid in full the original contractor or real estate developer or their successors or assigns in accordance with the written contract and any written or oral amendments to the contract.

DATED this 27th day of October, 2023.

WHITE CAP, L.P. (FKA HD SUPPLY CONSTRUCTION SUPPLY, LTD)

By:

Jason H. Robinson

Its: Attorney and Authorized Agent

STATE OF UTAH) :ss.
COUNTY OF SALT LAKE)

On the 27th day of October, 2023, Jason H. Robinson, personally appeared before me and stated and swore under oath that he is the authorized agent to sign for Claimant, that this Notice of Construction Lien was signed on Claimant's behalf, that he is authorized by Claimant to sign on its behalf, and that this Notice of Construction Lien and the information contained herein is true and correct and represents a valid claim to the best of his knowledge.



UTAH NOTARY PUBLI

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF CONSTRUCTION LIEN to be sent by certified mail, postage prepaid thereon, the day of October, 2023, to the following:

CHICAGO ST TOWNHOMES PROPERTY, LLC 537 W 600 S SUITE, 400 SALT LAKE CITY, UT 84101

Cert. Mail No. 9581 0710 5270 0839 9201 32 By: Kylu Gmill