

When Recorded, Mail To:  
BENETT PAVING & CONSTRUCTION, INC.  
P.O. BOX 1326  
Spanish Fork, Utah 84660  
(801) 491-0795

**NOTICE OF CONSTRUCTION LIEN**

TO WHOM IT MAY CONCERN:

The undersigned claimant, through its limited authorized agent, 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 **SHADOW MOUNTAIN IV LTD, 207 N PAINTED HILLS DR IVINS UT 84738-6081** and located in Wasatch County, State of Utah, and more particularly described as follows:

Legal Description: 00-0021-7744, 00-0021-8979, 00-0021-8980, 00-0021-8981, 00-0021-8982, 00-0021-8983, 00-0021-8984, 00-0021-8985, 00-0021-8986

SEE ATTACHMENT A

**The amount demanded hereby is \$34,367.12 the total amount of material and/or labor + Finance Charges + \$300.00 Lien Filing Fee + Attorney Fees**, owing to the undersigned on the above-described property. The undersigned was employed by and did provide site work and asphalt paving, as well as, labor and equipment, at the request of **WASATCH WEST CONTRACTING**, who entered into a contract with Bennett Paving & Construction, Inc., for which work and/or materials were first provided on 10/28/2020 and finished on 12/13/2023. The unpaid portion of the work and materials entitles the undersigned to payment of \$34,367.12, together with interest, costs of \$300.00 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 BENETT PAVING & CONSTRUCTION, INC. P.O. BOX 1326 Spanish Fork, Utah 84660. (801) 491-0795.

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/rlrf.

IN WITNESS THEREOF, the Undersigned Corporation has caused the document to be executed by its duly authorized agent the 3 day of JANUARY, ~~2023~~ 2024

**BENETT PAVING & CONSTRUCTION, INC.**

By [Signature]  
Kelly A. Silvester, Authorized Agent

STATE OF UTAH )  
: SS.  
COUNTY OF DAVIS )

Kelly Silvester being first duly sworn, says that he is the Limited Authorized Agent of **BENETT PAVING & CONSTRUCTION, 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 3rd day of January ~~2023~~ 2024 by Kelly Silvester.



[Signature]  
NOTARY PUBLIC for the State of Utah  
Residing at: Bountiful, Utah  
My Commission Expires: 3/22/2025

**ATTACHMENT A**

00-0021-7744

LOT 1B, HEBER CITY STORAGE SUBDIVISION AMENDED

00-0021-8979, 00-0021-8980, 00-0021-8981, 00-0021-8982, 00-0021-8983, 00-0021-8984, 00-0021-8985, 00-0021-8986

UNITS 9, 10, 11,12,13,14,15, 16, Vacating LOT 1A, HEBER CITY STORAGE SUBDIVISION AMENDED AS RECORDED AS ENTRY #583493 in Book 1458 at Page 150-151, WASATCH COUNTY RECORDS