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**IN THE THRID JUDICIAL DISTRICT COURT  
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH**

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3695 MILLCREEK, LLC, a Utah limited  
liability company,  
Plaintiffs,

v.

EASTWIND CONSTRUCTION, Inc., et al.,  
Defendants.

**LIS PENDENS**

Civil No. 180908107

Judge Vernice Trease

PHAZE CONCRETE, INC.,

Counterclaim, Cross  
Claim Plaintiff,

v.

NOW CONSTRUCTION SERVICES, LLC,  
et al.,

Counterclaim, Cross  
Claim Defendants.

Notice is hereby given of the pendency of the above-titled action, which affects the following described property, located in Salt Lake County, Utah, and seeks to resolve a construction lien and perhaps foreclose upon the property to protect Plaintiff's interest.

The property affected by this action is more particularly described as follows:

**See Exhibit A, Legal Description**

**PARCEL NUMBER: 16-31-379-018-0000**

TOGETHER WITH all improvements and appurtenances thereunto belonging, and SUBJECT TO easements, rights of way, restrictions and reservations of record and those enforceable in law and equity.

DATED this 7<sup>th</sup> day of July, 2020.

JENSENBAYLES, LLP



Robert M. Jensen  
*Counsel for Plaintiff*

STATE OF UTAH                    )  
  : ss.  
County of Washington        )

On this 7<sup>th</sup> day of July, 2020, before me personally appeared Robert M. Jensen, whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that he executed the foregoing document.

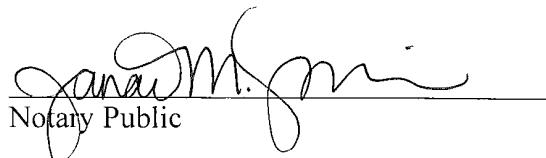
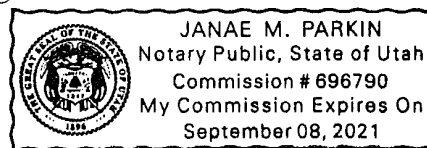
  
Notary Public

Exhibit A  
Legal Description

A CONSOLIDATED PARCEL OF LAND BEING THOSE THREE (3) ENTIRE TRACTS LOCATED IN A PORTION OF LOTS 8 AND 9, BLOCK 7, TEN ACRE PLAT "A" BIG FIELD SURVEY BEING IN THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN. SAID ENTIRE TRACTS WERE CONVEYED TO B.D.B. AND ASSOCIATES, L.L.C. PER THAT WARRANTY DEED (16-31-378-009) RECORDED FEBRUARY 18, 2016 AS ENTRY NO. 12224787 IN BOOK 10404, AT PAGE 16 IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER AND THAT WARRANTY DEED, KNOWN AS PARCELS 1 AND 2 (16-31-378-010 AND 16-31-378-011) RECORDED OCTOBER 13, 2016 AS ENTRY NO. 12149882 IN BOOK 10369, AT PAGE 6915 IN THE OFFICE OF SAID RECORDER AND ALSO SHOWN ON THOSE CERTAIN RECORDS OF SURVEY FILED AS NO'S. S2016-02-0228 AND S2016-05-0472 IN THE OFFICE OF THE SALT LAKE COUNTY SURVEYOR. THE BOUNDARY OF SAID CONSOLIDATED PARCEL OF LAND IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 9, WHICH IS 574.15 FEET SOUTH 00°01'11" WEST (RECORD = SOUTH) FROM THE NORTHWEST CORNER OF LOT 9; THENCE NORTH 00°01 '11" EAST (RECORD = NORTH) 105.00 FEET ALONG THE WESTERLY BOUNDARY LINES OF SAID ENTIRE TRACTS TO THE NORTHWESTERLY CORNER OF PARCEL 16-31-378-009; THENCE SOUTH 89°57'16" EAST (RECORD = EAST) 379.38 FEET ALONG THE NORTHERLY BOUNDARY LINE TO THE NORTHEASTERLY CORNER OF SAID PARCEL 16-31-378-009; THENCE SOUTH 00°10'31" WEST (RECORD = SOUTH) 105.00 FEET ALONG THE EASTERLY BOUNDARY LINES OF SAID ENTIRE TRACTS TO THE SOUTHEASTERLY CORNER OF PARCEL 16-32-378-010; THENCE SOUTH 89°58'00" WEST (RECORD = WEST) 123.64 FEET ALONG THE SOUTHERLY BOUNDARY LINE OF SAID PARCEL TO THE NORTHEASTERLY CORNER OF PARCEL 16-31-378-011; THENCE ALONG THE EASTERLY, SOUTHERLY AND WESTERLY BOUNDARY LINES OF SAID PARCEL 16-31-378-011 THE FOLLOWING FIVE (5) COURSES: 1) SOUTH 00°30'42" WEST (RECORD = SOUTH 56.25 FEET) 55.90 FEET; 2) NORTH 89°59'46" WEST (RECORD = 22.73 FEET) 22.00 FEET; 3) SOUTH 00°00'14" WEST (RECORD = SOUTH 00°01'01" WEST) 1.50 FEET; NORTH 89°59'46" WEST (RECORD = NORTH 89°58'59" WEST) 232.99 FEET; 5) NORTH 00°01'11" EAST (RECORD = NORTH) 57.75 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR MAINTENANCE OF A TWO (2) INCH CONDUIT PIPELINE FOR WATER FROM AN ARTESIAN WELL LOCATED ON THE 5-FOOT STRIP SITUATED 50 FEET NORTH OF THE NORTH LINE OF THE ABOVE DESCRIBED PROPERTY, AS EVIDENCED IN THAT CERTAIN WARRANTY DEED RECORDED OCTOBER 13, 2015, AS ENTRY NO. 12149882, IN BOOK 10369 AT PAGE 6915 AND VARIOUS OTHER INSTRUMENTS OF RECORD.