

When Recorded, Mail To:
Kelly A Silvester ESQ
P.O. Box 1203
Bountiful, Utah 84011

Entry 2009001857
Book 1130 Page 147-148 \$119.00
20-FEB-09 11:40
RANDY SIMMONS
RECORDER, UINTAH COUNTY, UTAH
KELLY A SILVESTER PC
P O BOX 726 CENTERVILLE, UT 84014
Rec By: DEBRA ROOKS , DEPUTY

NOTICE OF 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 **THE ELVA GROUP, LLC., 968 EAST CHAMBERS STREET STE 5, OGDEN, UTAH, 84403**, and located in Uintah County, State of Utah, and more particularly described as follows:

Legal Description:

05-054-0101, 05-054-0102, 05-054-0103, 05-054-0104, 05-054-0105, 05-054-0106, 05-054-0108, 05-054-0109, 05-054-0110, 05-054-0112, 05-054-0113, 05-054-0114, 05-054-0115, 05-054-0119, 05-054-0120, 05-054-0121, 05-054-0122, 05-054-0124, 05-054-0126, 05-054-0127, 05-054-0129, 05-054-0130, 05-054-0132, 05-054-0133, 05-054-0134, 05-054-0135, 05-054-0136, 05-054-0137, 05-054-0138, 05-054-0139, 05-054-0140, 05-054-0141, 05-054-0142, 05-054-0143, 05-054-0144, 05-054-0145, 05-054-0146, 05-054-0147, 05-054-0148, 05-054-0149, 05-054-0150, 05-054-0151, 05-054-0152, 05-054-0154, 05-054-0155, 05-054-0156, 05-054-0157, 05-054-0158, 05-054-0159, 05-054-0160, 05-054-0161, 05-054-0162, 05-054-0163, 05-054-0164, 05-054-0165, 05-054-0166, 05-054-0167, 05-054-0105-054-0168, 05-054-0169, 05-054-0170, 05-054-0171, 05-054-0171, 05-054-0173, 05-054-0174, 05-054-0175, 05-054-0176, 05-054-0177, 05-054-0178, 05-054-0179, 05-054-0180, 05-054-0181, 05-054-0182, 05-054-0183, 05-054-0184, 05-054-0185, 05-054-0186, 05-054-0187, 05-054-0188, 05-054-0189, 05-054-0190, 05-054-0191, 05-054-0192, 05-054-0193, 05-054-0194, 05-054-0195, 05-054-0196, 05-054-0197, 05-054-0198, 05-054-0199, 05-054-0200, 05-054-0201, 05-054-0202, 05-054-0204, 05-054-0205, 05-054-0206, 05-054-0207, 05-054-0208, 05-054-0209, 05-054-0210, 05-054-0211, 05-054-0212, 05-054-0213, 05-054-0214, 05-054-0215, 05-054-0216, 05-054-0218, 05-054-219,

LOT(s) 1, 2, 3, 4,5, 6, 8, 9, 10,12,13 ,14,15, 19, 20,21,22,24, 26, 27, 29,30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43,44, 45,46, 47, 48, 49, 50, 51, 52,54, 55, 56, 57, 58, 59, 60, 61, 62,63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73,74, 75, 76,77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93,94, 95, 96, 97, 98, 99, 100, 101, 102, 104, 105, 106 ,107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 118, 119, HAVEN ESTATES SUBDIVISION LOCATED IN SW/4 NW/4 , SEC 26, T4S, R21E, SLM., ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE UINTAH COUNTY RECORDERS OFFICE.

The amount demanded hereby is \$63,050.68 which is \$588.97 per lot and includes the total amount of material and/or labor + Finance Charges + lien filing fees + Attorney Fees, owing to the undersigned on the above-described property. The undersigned supplied equipment and performed the same at the insistence of STREAMLINE CONSTRUCTION & DESIGN/D & M DEVELOPMENT SERVICES, who entered into a contract with WHEELER MACHINERY CO., for which work and/or materials were first provided on 10/12/2007 and finished on 1/23/2009. The unpaid portion of the work and materials entitled the undersigned to payment of \$62,850.68, for which demand the undersigned holds and claims a lien by virtue of the provisions of Chapter 1, Title 38, Utah Code (1953). The Lien Claimant is identified as WHEELER MACHINERY CO., 4901 WEST 2100 SOUTH, SALT LAKE CITY, UTAH 84120. (801) 978-1304.

PROTECTION AGAINST LIENS AND CIVIL ACTIONS: 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 "qualified services" performed or provided by suppliers and subcontractors as a part of this contract, if and only 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 of the contract; 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.

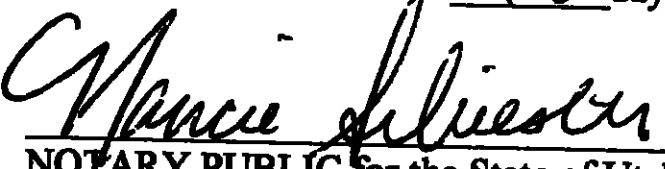
IN WITNESS THEREOF, the Undersigned has caused the document to be executed by its duly authorized agent the 18 day of Feb, 2009.

WHEELER MACHINERY CO.

By  Authorized Agent

STATE OF UTAH)
: SS.
COUNTY Of: DAVIS)

Kelly Silvester being first duly sworn, says that he is the Authorized Agent of WHEELER MACHINERY CO., the claimant in the foregoing Notice of 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 18 day of Feb, 2009


NOTARY PUBLIC for the State of Utah
Residing at: Centerville, Utah
My Commission Expires: 3/15/2009

