

When Recorded, Mail To:
MDA DIRTWORK & EXCAVATION, LLC.
4269 Palmer Road
Erda, Utah 84074
(435) 840-8612

ENT 1208:2023 PG 1 of 1
Andrea Allen
Utah County Recorder
2023 Jan 06 03:20 PM FEE 40.00 BY KR
RECORDED FOR Assurance Lien Services
ELECTRONICALLY RECORDED

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 **EM COMMERCIAL DEVELOPMENT, LLC., 1754 CEDAR TRAILS WAY EAGLE MOUNTAIN, UT 84005**, and located in UTAH County, State of Utah, and more particularly described as follows:

Legal Description: 67:122:0009, 67:144:0203, 67:144:0204, 67:144:0205

LOT 9, MARKETPLACE AT EAGLE MOUNTAIN TOWN CENTER SUB
LOT(s) 203, 204, 205, THE MARKETPLACE AT EAGLE MOUNTAIN TOWN CENTER PHASE 2 SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE UTAH COUNTY RECORDERS

The amount demanded hereby is \$63,565.25, the total amount of material and/or labor + Finance Charges + \$500.00 Lien Filing Fee + Attorney Fees, owing to the undersigned on the above described property. MDA DIRTWORK & EXCAVATION, LLC, supplied main sewer, water and storm drain install and other site work and performed the same at the insistence of KNP CONSTRUCTION, INC., who entered into a contract with MDA DIRTWORK & EXCAVATION, LLC, for which work and/or materials were first provided on 9/17/2022 and still ongoing as of 1/6/2023. The unpaid portion of the work and materials is now due and owing to MDA DIRTWORK & EXCAVATION, LLC, which entitles the undersigned to payment of \$63,565.25, together with interest, lien filing costs of \$500.00 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 MDA DIRTWORK & EXCAVATION, LLC, 4269 Palmer Road, Erda, Utah 84074, (435) 840-8612.

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 6 day of JANUARY, 2023

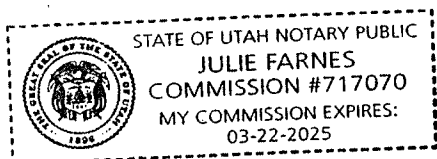
MDA DIRTWORK & EXCAVATION, LLC,

By [Signature]
Kelly Silvester, Authorized Agent

STATE OF UTAH)
: SS.

COUNTY Of Davis)

Kelly Silvester being first duly sworn, says that he is the Authorized Agent of MDA DIRTWORK & EXCAVATION, LLC, 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 6th day of January 2023 by Kelly Silvester



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