

WHEN RECORDED RETURN TO:

Clark B. Fetzer, Esq.  
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50 W. Broadway, Suite 1200  
Salt Lake City, Utah 84101

13883133 B: 11301 P: 7662 Total Pages: 3  
02/02/2022 12:31 PM By: ggasca Fees: \$44.00  
LIEN - LIEN  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: CLARK B FETZER ESQ  
50 W BROADWAY SUITE 1200 SALT LAKE CITY, UT 84101



NOTICE OF CONSTRUCTION LIEN

Western States Rebar Fabrication, Inc., 1525 W. Stone Field Way, Pleasant View, UT 84404, (801) 737-3777, lien claimant ("Claimant"), through its limited agent, Fetzer Booth, P.C., hereby claims a construction lien, pursuant to Section 38-1a-101 et. seq. of the Utah Code, upon the property and improvements owned or reputed to be owned by LUSSO APARTMENTS, LLC and located at 1025 W. North Temple St., Salt Lake City, Utah 84116 and more particularly described as follows:

**LEGAL DESCRIPTION**

See Exhibit A for legal descriptions

**Parcel ID #s: 08-35-377-004-0000, 08-35-377-005-0000, 08-35-377-006-0000,  
08-35-377-011-0000, 08-35-377-015-0000**

Subject to easements, restrictions and rights of way of record.

Claimant claims a lien upon the above-described property for amounts owing for furnishing construction work, including detailing and fabricating reinforcing bar, in connection with the improvement of said real property. Claimant was employed by DG Construction Services Corp and furnished the construction work to DG Construction Services Corp. There is currently believed to be owed \$119,943.74, which principal amount could change should additional credits or charges be discovered. Claimant furnished the first said construction work on or about April 16, 2021, and the last construction work on or about December 7, 2021. If the lien claimant prevails on the enforcement of this lien, the claimant will also seek recovery of its lien filing fees, interest, legal costs, and attorney's fees.

NOTICE: 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 (2) the amount of the general contract between the owner and the original contractor totals no more than \$5,000." 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](http://www.dopl.utah.gov/rlrf)

DATED this 28<sup>th</sup> day of January 2022.

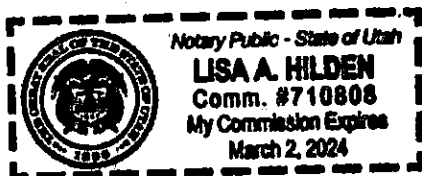
WESTERN STATES REBAR FABRICATION, INC., Claimant  
By its limited agent, Fetzer Booth, P.C.

By: Clark B. Fetzer  
Clark B. Fetzer

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

On January 28<sup>th</sup>, 2022, being duly subscribed and sworn, appeared before me, Clark B. Fetzer, known to me to be an attorney in the law firm of Fetzer Booth, P.C., and acknowledged to me that he executed the above and foregoing instrument for Fetzer Booth, P.C. as limited agent for the Claimant.

IN WITNESS WHEREOF I have herein set my hand and affixed my seal.



Lisa A. Hilden  
NOTARY PUBLIC

**EXHIBIT A**

**ALL OF LOTS 5, 6, 10, 11, 12, 13 AND 14, BLOCK 2, BOTHWELL AND MCCONAUGHY SUBDIVISION OF THE EAST HALF OF BLOCK 56, PLAT "C", ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER.**

**LESS AND EXCEPTING THAT PORTION CONVEYED TO THE UTAH DEPARTMENT OF TRANSPORTATION BY AMENDED FINAL JUDGMENT OF CONDEMNATION, RECORDED FEBRUARY 15, 2011, AS ENTRY NO. 11134391, BOOK 9905, PAGE 4871, DESCRIBED AS FOLLOWS:**

**A PARCEL OF LAND IN FEE, BEING PART OF AN ENTIRE TRACT OF PROPERTY, SITUATE IN LOTS 10 THRU 14, BLOCK 2, OF THE BOTHWELL AND MCCONAUGHY SUBDIVISION, A SUBDIVISION SITUATE IN THE SOUTH EAST ¼ SOUTHWEST ¼ OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, INCIDENT TO THE CONSTRUCTION OF THE "AIRPORT LIGHT RAIL TRANSIT PROJECT", A UTAH TRANSIT AUTHORITY PROJECT, KNOWN AS "ALRT", AND DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE NORTHEAST CORNER OF LOT 10; AND RUNNING THENCE SOUTH 00°00'55" EAST (RECORD SOUTH) 8.80 FEET ALONG THE EASTERLY BOUNDARY LINE OF LOT 10; THENCE SOUTH 89°59'23" WEST, 181.50 FEET; THENCE NORTH 00°00'55" WEST (RECORD NORTH) 8.76 FEET ALONG THE WESTERLY BOUNDARY LINE OF LOT 14; THENCE NORTH 89°58'38" EAST (RECORD EAST) 181.50 FEET ALONG THE NORTHERLY BOUNDARY LINE OF SAID SUBDIVISION TO THE POINT OF BEGINNING.**

**TAX SERIAL NUMBER: 08-35-377-015**

**LOTS 15 AND 16, BLOCK 2, BOTHWELL & MCCONAUGHY SUBDIVISION AND ALSO COMMENCING AT THE SOUTHWEST CORNER OF LOT 15, BLOCK 2, BOTHWELL AND MCCONAUGHY SUBDIVISION, THENCE EAST 2 FEET; THENCE SOUTH 66 FEET; THENCE WEST 2 FEET; THENCE NORTH 66 FEET TO POINT OF COMMENCEMENT.**

**TAX SERIAL NUMBER: 08-35-377-011**

**ALL OF LOT 18, BLOCK 2, BOTHWELL AND MCCONAUGHY'S SUBDIVISION OF THE EAST ONE-HALF OF BLOCK 56, PLAT "C", SALT LAKE CITY SURVEY.**

**TAX SERIAL NUMBER: 08-35-377-005**

**LOT 17, BLOCK 2, BOTHWELL AND MCCONAUGHY SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF AS RECORDED IN THE OFFICE OF THE SALT LAKE COUNTY RECORDER**

**TAX SERIAL NUMBER: 08-35-377-004**

**LOT 19, BLOCK 2, BOTHWELL & MCCONAUGHY SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SALT LAKE COUNTY RECORDER'S OFFICE.**

**TAX ID #:08-353-77-006**