

When Recorded, Return to Claimant as Follows:

PMP Solutions, LLC
PO Box 1416
Riverton, UT 84065

13995788 B: 11362 P: 1042 Total Pages: 4
08/05/2022 09:03 AM By: zjorgensen Fees: \$40.00
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: PMP SOLUTIONS, LLC
PO BOX 1416 RIVERTON, UT 84065



(This space for filing/recording data)

NOTICE OF CLAIM FOR CONSTRUCTION SERVICE LIEN

Owner / Reputed Owner with Address: Lien Claimant and Address:

CW The Birdie, LLC
1222 Legacy Crossing Boulevard #6
Centerville, UT 84020

Precise Mechanical & Plumbing, LLC
DBA PMP Solutions, LLC
PO Box 1416
Riverton, UT 84065

Phone: 801-633-2846
Email: Lehi.PMP@gmail.com

Property Subject to the Lien:

218 South 200 East
Salt Lake City, UT 84111

Parcel ID No 16-06-176-026-0000

See attached legal description.

Name of Project:

The Birdie Apartments (aka The Randi)

Notice is hereby given that the undersigned claims a lien under Utah Code Ann. Section 38-1a-502, on the property above--described.

1. The approximate date claimant's first labor, services, equipment, or materials was: March 17, 2020.
2. The last day labor, services, equipment, and materials were furnished by Claimant was: May 5, 2022 (overall project still ongoing as of this date).

3. The name and address of the person/company whom claimant was employed or to whom construction work was provided: Rimrock Construction, 11635 S. 700 E., Draper, UT 84020.

4. Amount Claimed: As of the date below, the sum of \$47,692.18, itemized:

Total Owed/Billed on Base Contract for Entire Job	\$853,845.00
Extras	\$53,814.04
Less All Payments	\$859,966.86

In addition, the costs for filing/recording this lien and attorney's fees and court costs according to proof.

5. The within described work was not performed upon an owner-occupied residence as defined in section 38-11-102(17) and therefore the statement required under Utah Statute Section 38-11-108 is not required and is accordingly not included herewith.

Notice of Premature Filing of Notice of Completion

The Utah State Construction Registry indicates the subject project was completed on April 21, 2022. This was a result of either the general contractor or owner filing with the Registry a Notice of Completion. Section 38-1a-507 of the Utah Code states in relevant part: "Upon final completion of a construction project, a Notice of Completion may be filed with the Registry". According to *RA McKell Excavating, Inc. v. Wells Fargo Bank*, 2004 UT 48, 100 P.3d 1159 (Utah 2004): "Final completion of the original contract necessarily implies the satisfaction of all obligations contemplated by the initial agreement." (Paragraph 10).

The Notice of Completion was prematurely filed. Lien Claimant was still performing work as of May 5, 2022. Lien Claimant also alleges on information and belief other aspects of the project were still ongoing from and after May 5, 2022, and did not constitute mere warranty or call back work.

As a result, the Notice of Completion was invalid, giving Lien Claimant 180 days as opposed to 90 days, to record its Mechanic's Lien (Section 38-1a-502(1)(a)(i) specifies 180 days if there is no valid Notice of Completion).

DATE: 08/04/2022

Precise Mechanical & Plumbing, LLC
DBA PMP Solutions, LLC

By: Lehi Barlow
(Signature of Lehi Barlow, Owner)

CERTIFICATE OF ACKNOWLEDGMENT--NOTARY

STATE OF UTAH

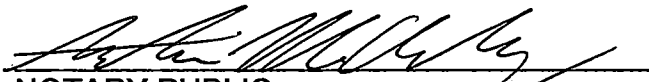
COUNTY OF SALT LAKE)ss.

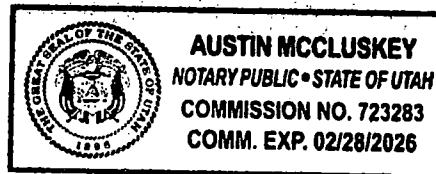
On this date: 8.4.22, personally appeared before me Lehi Barlow, who being duly sworn did say that he is authorized to sign the above and foregoing Notice of Mechanics' Lien and acknowledged to me that he/she executed the same and that the contents are true and accurate to the best of his/her knowledge.

Subscribed and sworn this date: 4th of August 2022

My Commission Expires:

02/28/26


NOTARY PUBLIC



Legal Description

BEG NE COR LOT 8, BLK 56, PLAT A, SLC SUR; S 120 FT, W 90 FT; N 120 FT; E 90 FT TO BEG. ALSO BEG S 120 FT FR SD NE COR; S 45 FT; W 90 FT; N 45 FT; E 90 FT TO BEG. 6710-673 THRU 675 5408-803 5369-1304, 1310 THRU 1320 4863-1363, 1361 06710-0671