

WHEN RECORDED, MAIL TO:

Tyson J. Prisbrey  
SNELL & WILMER, LLP  
15 West South Temple, Suite 1200  
Salt Lake City, UT 84101-1547

Parcel I.D. # 22-06-104-021-0000

**NOTICE OF RELEASE OF LIEN AND  
SUBSTITUTION OF ALTERNATE SECURITY**

KNOW BY THESE PRESENTS:

Pursuant to Utah Code § 38-1a-804 and as evidenced by a surety bond in the amount of Two Hundred Thirty Five Thousand Five Hundred Fifty Seven Dollars and 23/100 (\$235,557.23), attached hereto as Exhibit A, CWP West, LLC, who is affected by, and disputing the validity of, that certain Notice of Construction Lien recorded on June 16, 2023 as entry number 14118589 B: 11426 P: 2878 filed on behalf of Big N Construction, LLC, in the official records of the Salt Lake County Recorder affecting certain real property located in Salt Lake County, Utah, hereby records this Notice of Release of Lien and Substitution of Alternate Security on real property located at Mister Carwash, 4181 South State Street, Millcreek, Salt Lake County, State of Utah, described as follows:

LOT 1, MISTER CARWASH – MILLCREEK SUB.

A copy of the Notice of Construction Lien is attached hereto as Exhibit B.

Made and executed this <sup>14<sup>th</sup></sup> day of May, 2024.

CWP WEST, LLC

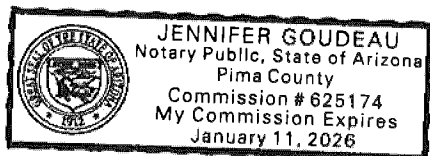
By: Anne C. Graham-Bergin  
Assistant Secretary

STATE OF ARIZONA        )  
  :SS  
COUNTY OF PIMA        )

On the 14<sup>th</sup> day of May, 2024, personally appeared before me Anne Graham-Bergin, an Authorized Signer of CWP WEST, LLC, who being duly sworn, did say that he/she is authorized to sign the above and foregoing instrument and acknowledged to me that he/she executed the same.

Jennifer Goudeau  
Notary Public

Commission Expires:  
1/11/26



# **EXHIBIT A**



# **EXHIBIT B**

**DISCHARGE MECHANICS LIEN BOND**

KNOW ALL MEN BY THESE PRESENTS,

That we, CWP West, LLC as Principal, and Capitol Indemnity Corporation a corporation organized and existing under the laws of the State of Wisconsin and duly authorized to transact business in the State of Utah, as Surety, are held and firmly bound unto Believe Holdings, LLC in the sum of Two Hundred Thirty Five Thousand Five Hundred Fifty Seven Dollars and 23/100 (\$235,557.23) DOLLARS, lawful money of the United States of America, for the payment of which, well and truly to be made, we hereby bind ourselves, our heirs, executors, successors and assigns, jointly and severally firmly by these presents.

WHEREAS, on the 16th day of June, 2023 Big N Construction, LLC filed a lien for the sum of One Hundred Fifty Seven Thousand Thirty Eight Dollars and 15/100 (\$157,038.15) DOLLARS, recorded in the Official Records of the County of Salt Lake County, in the State of Utah against the following described real property (legal description and location): Mister Carwash, 4161 South State St., Millcreek, Salt Lake County, Utah - Lot 1, Parcel ID #22-06-104-021-0000.

WHEREAS, said notice of lien purports to have been made and filed as prescribed in the Lien Law of the State of Utah wherein such lienor claims a lien against the above described real property for and on account of labor and/or materials furnished to said Principal, which labor and/or materials were furnished for the construction or improvement of such property, and

WHEREAS, said Principal disputes the correctness or validity of the lien and desires to execute and record a bond pursuant to the laws of the State of Utah, to enable the real property above described to be freed from the effect of said claim of mechanic's lien.

NOW, THEREFORE, the condition of this obligation is such that if the above bounden CWP West, LLC, as Principal shall well and truly pay any judgment which may be rendered in an action for the enforcement of said lien, not exceeding the sum of One Hundred Fifty Seven Thousand Thirty Eight Dollars and 15/100 (\$157,038.15) DOLLARS then this obligation shall be void, otherwise to remain in full force and effect.

Signed, sealed and dated this 29th day of April, 2024

CWP West, LLC  
Principal Name

By: \_\_\_\_\_

Principal

Capitol Indemnity Corporation  
Surety

By: \_\_\_\_\_

William T. Krumm, Attorney-In-Fact

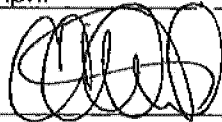
SURETY ACKNOWLEDGMENT (ATTY-IN-FACT)

State of Illinois

County of Cook

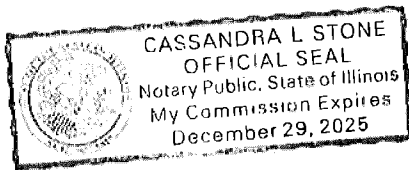
I, Cassandra L. Stone Notary Public, in the State of Illinois, do hereby certify that William T. Krumm Attorney-in-Fact, of the Capitol Indemnity Corporation who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered said instrument, for and on behalf of the Capitol Indemnity Corporation for the uses and purposes therein set forth.

Given under my hand and notarial seal at my office in the City of Rolling Meadows in said County, this 29th day of April 2024



Notary Public Cassandra L Stone

My Commission expires: 12/29/2025



**CAPITOL INDEMNITY CORPORATION  
POWER OF ATTORNEY**

CIC1949889

Bond Number

KNOW ALL MEN BY THESE PRESENTS, That the **CAPITOL INDEMNITY CORPORATION**, a corporation of the State of Wisconsin, having its principal offices in the City of Middleton, Wisconsin, does make, constitute and appoint

----- WILLIAM T. KRUMM; JON A. SCHROEDER; JODIE SELLERS; PATRICK M. GALLAGHER-----  
----- KIM HANSEN; DONNA IRIGOYEN; CASSANDRA STONE-----

its true and lawful Attorney(s)-in-fact, to make, execute, seal and deliver for and on its behalf, as surety, and as its act and deed, any and all bonds, undertakings and contracts of suretyship, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

----- ALL WRITTEN INSTRUMENTS IN AN AMOUNT NOT TO EXCEED: \$20,000,000.00-----

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of **CAPITOL INDEMNITY CORPORATION** at a meeting duly called and held on the 15th day of May, 2002

“RESOLVED, that the President, Executive Vice President, Vice President, Secretary or Treasurer, acting individually or otherwise, be and they hereby are granted the power and authorization to appoint by a Power of Attorney for the purposes only of executing and attesting bonds and undertakings, and other writings obligatory in the nature thereof, one or more resident vice-presidents, assistant secretaries and attorney(s)-in-fact, each appointee to have the powers and duties usual to such offices to the business of this company; the signature of such officers and seal of the Company may be affixed to any such power of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company, and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking or other writing obligatory in the nature thereof to which it is attached. Any such appointment may be revoked, for cause, or without cause, by any of said officers, at any time.”

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner – Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

IN WITNESS WHEREOF, the **CAPITOL INDEMNITY CORPORATION** has caused these presents to be signed by its officer undersigned and its corporate seal to be hereto affixed duly attested, this 1st day of September, 2022

Attest:

Ryan J. Byrnes  
Senior Vice President,  
Chief Financial Officer and Treasurer

Todd Burrick  
Chief Underwriting Officer



CAPITOL INDEMNITY CORPORATION

Adam L. Sills  
Chief Executive Officer and President

STATE OF WISCONSIN }  
COUNTY OF DANE } S.S.:

On the 1st day of September, 2022 before me personally came Adam L. Sills, to me known, who being by me duly sworn, did depose and say: that he resides in the County of New York, State of New York; that he is Chief Executive Officer and President of **CAPITOL INDEMNITY CORPORATION**, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.



David J. Regele  
Notary Public, Dane Co., WI  
My Commission Is Permanent

STATE OF WISCONSIN }  
COUNTY OF DANE } S.S.:

I, the undersigned, duly elected to the office stated below, now the incumbent in **CAPITOL INDEMNITY CORPORATION**, a Wisconsin Corporation, authorized to make this certificate, **DO HEREBY CERTIFY** that the foregoing attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolution of the Board of Directors, set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Middleton, State of Wisconsin this 29th day of April, 2024



Suzanne M. Broadbent  
Secretary