

Lien Page 1 of 4

Gary Christensen Washington County Recorder
11/17/2023 03:48:05 PM Fee \$40.00 By HANDLE,
INC.

When Recorded Return To:

Henriksen Butler Flooring Solutions
882 West 1600 South
St. George, UT 84770

NOTICE OF CONSTRUCTION LIEN

Notice is hereby given that Henriksen Butler Flooring Solutions
(hereinafter referred to as "Claimant"), located at
882 West 1600 South St. George, UT 84770 and whose telephone number is
801-913-1691, hereby claims and holds a construction lien, pursuant to the Preconstruction
and Construction Liens statutes currently found at Utah Code Annotated Sections 38-1a-101 et. Seq.,
upon the property and improvements thereon and interests therein described hereinafter. Claimant's lien
is based upon the following:

1. Claimant provided:
Hardwood Material, tile material and labor

upon and in connection with the improvement of certain realty located in
Washington County, State of Utah, being more particularly described as follows:

Address: 3967 Hillside way Santa Clara, UT 84765

Parcel Nos. SC-HSA-3-300

Legal Description:

Attached as Exhibit A

2. To the best of Claimant's knowledge:
TC SMITH LLC (Brothers Keeper)
PO BOX 2156
SAINT GEORGE, UT 84771

is the owner or reputed owner of the real property described above.

3. Claimant was employed by:
Brother's Keeper
1173 South 250 West #310
St. George, UT 84770

and provided the labor, materials, and/or equipment for which demand and claim is made to or
at the request of this employer.

- 4. Claimant furnished the first labor and/or materials on 2023-06-01, and furnished the last labor and/or materials on 2023-09-28.
- 5. There is due and owing to Claimant the amount of \$44,693.23 for the labor, materials, and/or equipment it provided together with interest, costs, and attorneys' fees. Claimant hereby demands full payment of said total amount. Plus recovery of any interest, legal costs, attorney fees, and lien filing fees.

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 build 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.
- (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/rtrf.

DATED this 17 Day of November, 2023.

Henriksen Butler Flooring Solutions

By: 
 Jeffrey Nadolny
 Authorized Agent

ACKNOWLEDGEMENT

STATE OF Arizona)
) ss.
 COUNTY OF Maricopa)

On this 17th day of November, 2023, before me personally appeared Jeffrey Nadolny, whose identity is personally known to or who proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say he is the Authorized Agent for Henriksen Butler Flooring Solutions. And that the foregoing document was signed by him on behalf of that company.


 NOTARY PUBLIC, residing in Maricopa, Arizona



AFFIDAVIT FOR PROOF OF SERVICE

I, Jeffrey Nadolny, declare that on 2023-11-17, I served a copy of this NOTICE OF CONSTRUCTION LIEN, by certified mail with return receipt requested evidenced by a certificate of mailing, by enclosing the document(s) in a sealed envelope with postage fully prepaid, addressed as follows to the owner(s) or reputed owner(s) of the property:

Company/Person Served: TC SMITH LLC (Brothers Keeper)

Service address: PO BOX 2156 SAINT GEORGE, UT 84771

Said service is the owner's residence, place of business, or address showed by the building permit on file with the permitting authority for the work.

Executed on 2023-11-17 at Phoenix, Maricopa County, Arizona


By: 
Jeffrey Nadolny

Exhibit A - Legal Property Description

Lot 300, THE HILLS AT SANTA CLARA PHASE 3 AMENDED, According to the official plat thereof on file in the Office of The Washington County Recorder.