



\*W3297065\*

**WHEN RECORDED RETURN TO:**  
Colleen Kirk, Attorney-in-Fact  
OLDCASTLE INFRASTRUCTURE, INC.  
c/o P. O. Box 241566  
Cleveland, OH 44124

E# 3297065 PG 1 OF 4  
Leann H. Kilts, WEBER COUNTY RECORDER  
06-Sep-23 1210 PM FEE \$48.00 DEP TH  
REC FOR: NCS  
ELECTRONICALLY RECORDED

**NOTICE OF CONSTRUCTION LIEN**

NOTICE IS HEREBY GIVEN that OLDCASTLE INFRASTRUCTURE, INC. (“**Claimant**”), located at ATTN: CREDIT DEPARTMENT 7000 CENTRAL PARKWAY, SUITE 800, ATLANTA, GA 30328, and whose telephone number is (404) 805 - 9584, claims and holds a construction lien, pursuant to Utah Code Section 38-1a-1, *et seq.*, upon the property and improvements thereon and interests therein described hereinafter. Claimant’s lien is based upon the following:

1. Claimant provided services, labor, materials and/or equipment in connection with improvements on certain real property located at approximately 1285 16TH STREET , OGDEN, WEBER COUNTY, STATE OF UTAH (commonly known as RIVERSIDE 16), being more particularly described as:

LEGAL DESCRIPTION: See Attached Exhibit A

PARCEL/SERIAL NO: 132420013, 132420012, 132420011, 132420010, 132420008,  
132420015, 132420016, 132420017, 132420018, 132420019,  
132420020, 132420021, 132420022, 132420023

(the “**Property**”)

2. To the best of Claimant’s knowledge, OVERLOOK AT 16TH, LLC, THE and/or THE OVERLOOK AT 16TH HOA LLC is the record owner and/or reputed owner of the property.

3. The services, labor, materials and/or equipment for which demand and claim is made was provided to and/or at the request of BEACHWOOD CONSTRUCTION, INC.

4. Claimant is owed money for the services, labor, materials and/or equipment it provided for improvement to the Property in the amount of at least ONE THOUSAND, FIVE HUNDRED EIGHTY SIX AND 23/100 DOLLARS (\$1,586.23), plus interest, attorney fees, and costs, which amount could change, should additional credits or charges be discovered.

5. Claimant provided the first services, labor, materials and/or equipment on or about 02/10/2022, and provided the last services, labor, materials and/or equipment on or about 06/01/2023.

**6. PROTECTION AGAINST LIENS AND CIVIL ACTION.** If this Notice of Construction Lien is being filed on a residence as defined in Utah Code section 38-11-102(18), notice is hereby provided 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 the contract between a real estate developer or an original contractor and the owner, if the following conditions are satisfied: (1) the owner entered into a written contract with either a real estate developer or an original contractor; (2) 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 (3) the owner paid in full the original contractor or real estate developer or their successors or assigns in accordance with the written contract and any written or oral amendments to the contract.

Dated this 6<sup>TH</sup> day of SEPTEMBER, 2023

CLAIMANT:  
OLDCASTLE INFRASTRUCTURE, INC.

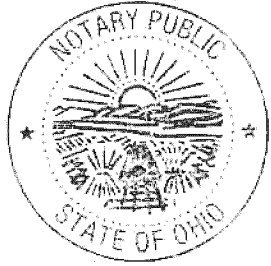
By: Colleen Kirk  
Colleen Kirk, Attorney-in-Fact  
OLDCASTLE INFRASTRUCTURE, INC. under POA dated  
12/01/2022

STATE OF OHIO                    )  
  ) ss.  
COUNTY OF CUYAHOGA        )

On the 6<sup>th</sup> day of SEPTEMBER, 2023 Colleen Kirk personally appeared before me and stated and swore under oath that he/she is the authorized Attorney-in-Fact to sign for Claimant, that this Notice of Construction Lien was signed on Claimant's behalf, that he/she is authorized by Claimant to sign on its behalf, and that this Notice of Construction Lien and the information contained herein is true and correct and represents a valid claim to the best of his/her knowledge.

Cheryl L Tecco  
Notary Public  
My commission expires: 10/19/2027

Reference: N294529 004047-S175471



CHERYL L TECCO  
Notary Public, State of Ohio  
My Commission Expires  
October 19, 2027

**CERTIFICATE OF MAILING**

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF CONSTRUCTION LIEN to be sent by certified mail, postage prepaid thereon, the ~~6<sup>th</sup>~~ day of ~~SEPTEMBER~~, 2023 to the following:

OVERLOOK AT 16TH, LLC, THE  
5503 SKYLINE PARKWAY  
OGDEN, UT 84403

THE OVERLOOK AT 16TH HOA LLC  
5503 SKYLINE PARKWAY  
OGDEN, UT 84403

  
\_\_\_\_\_  
Colleen Kirk, Agent for  
OLDCASTLE INFRASTRUCTURE, INC.

Reference: N294529 004047-S175471

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

A PART OF THE SOUTH WEST QUARTER OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U. S. SURVEY: BEGINNING AT THE NORTHWEST CORNER OF LOT 50, ORCHARD PARK SUBDIVISION NO. 3, OGDEN CITY, WEBER COUNTY, UTAH; RUNNING THENCE FOUR COURSES ALONG THE SOUTH LINE OF 16TH STREET AS FOLLOWS; WESTERLY ALONG THE ARC OF A 247.28 FEET RADIUS CURVE TO THE RIGHT 94.98 FEET ( LONG CURVE BEARS NORTH 56°00'13" WEST 94.40 FEET ) NORTH 45°00' WEST 133.48 FEET, WESTERLY ALONG THE ARC OF A 233.81 FOOT RADIUS CURVE TO THE LEFT 153.74 FEET (LONG CHORD BEARS NORTH 63°50'15" WEST 150.99 FEET ) AND NORTH 82°40'30" WEST 1.70 FEET TO THE EAST LINE OF HARRISON BOULEVARD, THENCE THREE COURSES ALONG SAID EAST LINE AS FOLLOWS: SOUTH 9°50' WEST 108.17 FEET, SOUTH 1°45'30" WEST 92.15 FEET AND SOUTH 11°53' WEST 155.07 FEET TO THE NORTH LINE OF OGDEN CITY PROPERTY, THENCE SOUTH 89°39'24" EAST 304.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 50, THENCE NORTH 22°59'35" EAST 150.28 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING: A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN U.S. SURVEY: BEGINNING AT THE NORTHWEST CORNER OF LOT 50, ORCHARD PARK SUBDIVISION NO. 3, OGDEN CITY, WEBER COUNTY, UTAH; RUNNING THENCE TWO COURSES ALONG THE SOUTH LINE OF 16TH STREET AS FOLLOWS: WESTERLY ALONG THE ARC OF A 247.28 FEET RADIUS CURVE TO THE RIGHT 94.98 FEET (LONG CHORD BEARS NORTH 56°00'13" WEST 94.40 FEET) ; NORTH 45°00'00" WEST 86.40 FEET; THENCE SOUTH 10°00'00" WEST 255.35 FEET; THENCE SOUTH 89°39'24" EAST 125.00 FEET; THENCE NORTH 22°59'35" EAST 150.28 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A RIGHT-OF-WAY OVER AND UPON THE PROPERTY IN WEBER COUNTY, STATE OF UTAH, MORE PARTICULARLY DESCRIBED AS: A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U. S. SURVEY: SAID R.O.W. BEING 13.0 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTER LINE, BEGINNING AT A POINT ON THE SOUTH LINE OF 16TH STREET, SAID POINT BEING NORTH 56°00'13" WEST 94.40 FEET AND NORTH 45°00' WEST 72.40 FEET FROM THE NORTHWEST CORNER OF LOT 50, ORCHARD PARK SUBDIVISION NO. 3, RUNNING THENCE SOUTHERLY ALONG THE ARC OF A 63.42 FOOT RADIUS CURVE TO THE LEFT 38.75 FEET (LONG CHORD BEARS SOUTH 27°30' WEST 38.15 FEET) THENCE SOUTH 10°00' WEST 191.25 FEET.

Serial Number: 13-072-0039