

James T. Dunn #3785
Cole Cannon #12053
CANNON LAW GROUP
124 S 600 E
Salt Lake City UT 84102
801-363-2999

jdutahlaw@gmail.com
cole@cannonlawgroup.com

A lawsuit has been filed against you. You must respond in writing by the deadline for the court to consider your side. The written response is called an Answer.

IN THE FOURTH JUDICIAL DISTRICT COURT, STATE OF UTAH
IN AND FOR UTAH COUNTY, PROVO DEPARTMENT

DPW ENTERPRISES, LLC and CLARITY
AG, LC,

Plaintiffs,

vs.

LAUREN ELIZABETH HUNSINGER aka
LAUREN ELIZABETH REESE,

Defendant.

VERIFIED COMPLAINT

Case No:
Judge

The Plaintiffs complain and allege against the Defendant as follows:

1. The Plaintiff, DPW Enterprises LLC, is a Utah limited liability company operating in the State of Utah.
2. The Plaintiff, Clarity AG, LC, is a Utah limited liability company authorized to do business and operating in the state of Utah.
3. The Defendant, Lauren Elizabeth Hunsinger, is a resident of Utah County, State of Utah, and claims an ownership interest in real property identified as follows:

Lot 16, Plat 1, Ironwood at Saratoga Subdivision
Tax ID #42-080-0016

227 East Sandhill Drive
Saratoga Springs, UT 84045
4. The Defendant Hunsinger acquired title to the subject property with Christopher Brandon Reese by Warranty Deed on or about June 27, 2017. A true and correct copy of the

Warranty Deed whereby Hunsinger obtained title is attached hereto as an exhibit.

5. Subsequent to obtaining title, Christopher Brandon Reese was sued in the Third Judicial District court Salt Lake County, Salt Lake Department, Case number 220905991.

6. A judgment was entered against Christopher B. Reese in the amount of \$99,977.40 on or about January 8, 2022.

7. In reliance upon the judgment, the judgment creditor Direct Push Services LLC, obtained a Writ of Execution to sell all of the interest of Christopher Brandon Reese in the subject real property.

8. That sale occurred and a Certificate of Sale was issued to the Plaintiffs and recorded in the office of the Utah County Recorder on August 14, 2023. A true and correct copy of that Certificate of Sale is attached hereto as an exhibit.

9. No party claiming any right title or interest to the subject property redeemed the property during the 180 day redemption period and a Sheriff's Deed was issued to the Plaintiffs and recorded in the office of the Utah County Recorder on January 31, 2024. A true and correct copy of that Sheriff's Deed is attached hereto as an exhibit.

10. The Defendant Lauren Elizabeth Hunsinger remains on title to the subject property and Plaintiffs are entitled to a Judgment and Order of Partition, ordering the subject property sold with the sale proceeds to be paid to the parties as their equities may appear.

FIRST CAUSE OF ACTION
PARTITION

11. The Plaintiffs incorporate by this reference ¶1-10 above as though fully set forth below.

12. The subject property is a single family residence that cannot be subdivided into equal parts and a sale of the subject property is proper.

13. The Defendant Hunsinger resides in the subject property or is using the same as a rental property and has the benefit of possession and/or rental income without compensating the Plaintiffs therefore, and Plaintiffs are entitled to a partition pursuant to the provisions of Utah Code Ann. 78B-6-1201 et seq.

14. Other than the parties to this matter, the Plaintiffs are unaware of any other person who may claim some right, title, or interest to the subject property. The claims of any other junior interest holders having been sold pursuant to the terms of the Writ of Execution.

15. The parties Plaintiffs and Defendant are tenants in common regarding the subject property.

16. The statute allows for appointment of referees to determine the rights, claims and interests of the parties and this court should appoint a single referee or multiple referees, as authorized by statute, to determine their respective interests and to market the property for sale so their respective claims are paid out of sale proceeds.

17. The expenses of the referee should be apportioned equitably among the parties to this action and paid from sale proceeds.

18. The plaintiff should be awarded attorney's fees and costs of this action as allowed by Utah Code Ann. 78B-6-1243.

SECOND CAUSE OF ACTION
UNJUST ENRICHMENT

19. Plaintiffs incorporate by this reference ¶1-18 above as though fully set for below.

20. The Defendant has been in possession of, and has either occupied the subject property, or has used the same as a rental property without paying rent or other monetary compensation to the Plaintiffs in any amount.

21. The Defendant has been unjustly enriched in the amount of fair market rents for the time period she has been in possession of the subject property and has not paid Plaintiffs for her use after issuance of the Sheriff's Deed on January 31, 2024.

THIRD CAUSE OF ACTION
WASTE

22. Plaintiffs incorporate by this reference ¶1-21 above as though fully set forth below.

23. The Plaintiffs have not seen the interior of the subject property and are informed and believe that the Defendant may have committed waste upon the subject property by failure to maintain the same or by damaging the same and allowing the same to be in a state of disrepair as a result of actions or failures to act.

24. The Defendant should be required to pay for all expenses associated with repairing damages to the property and waste committed thereon so the property brings fair market value in the partition sale.

NOW THEREFORE, Plaintiffs pray the following relief of Defendant.

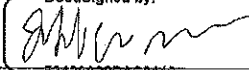
1. For a Judgment in Order of Partition, appointing a single referee to sell the subject property, and removing the Defendant therefrom so she does not impede or hinder the sale of the property.
2. For cost of this action, including court costs and referee costs.
3. For attorney's fees allowed by statute.
4. For damages for unjust enrichment and use of the property.
5. For damages for waste caused by the Defendant.
6. For such other and further relief as the court deems just, equitable and proper.

Pursuant to Utah Code Ann. § 78B-18a-106, Plaintiffs declare under criminal penalty under the law of Utah, that the foregoing is true and correct.

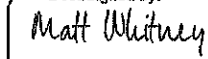
EXECUTED this 27 day of March 2024.

Signed in Salt Lake County, State of Utah

DPW ENTERPRISES, LLC

DocuSigned by:

33128A28DAC8440...
Jeff Wangsgard, Manager/Member

CLARITY AG, LC

DocuSigned by:

D55EC7D704F84D6...
Matt Whitney, Manager/Member


James Dunn, Counsel for Plaintiff

Plaintiffs Address:
10028 S Morgan Grove Way
Sandy UT 84092

Recording Requested by:
First American Title Insurance Company
7730 South Union Park Ave, Ste 110
Midvale, UT 84047
(801)569-3369

AFTER RECORDING RETURN TO:
Christopher Brandon Reese
227 East Sandhill Drive
Saratoga Springs, UT 84045

SPACE ABOVE THIS LINE (3 1/4" X 5") FOR RECORDER'S USE

WARRANTY DEED

(CORPORATE FORM)

Escrow No. **051-5813029** (dem)
A.P.N.: **42-080-0016**

Richmond American Homes of Utah, Inc., a Colorado corporation, a Colorado corporation a corporation organized and existing under the laws of the State of Utah with its principal office at 849 West LeVoy Drive, Suite 220, Salt Lake City, UT 84123 of Utah County, State of UT, Grantor(s) hereby CONVEY(S) AND WARRANT(S) TO

Christopher Brandon Reese, an unmarried man and Lauren Elizabeth Hunsinger, an unmarried woman, as joint tenants, Grantee of Saratoga Springs, UT, for the sum of Ten Dollars and other good and valuable consideration the following described tract(s) of land in Utah County, State of UT:

LOT 16, IRONWOOD AT SARATOGA SUBDIVISION, PLAT 1, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE UTAH COUNTY RECORDER'S OFFICE.

Subject to easements, restrictions and rights of way appearing of record or enforceable in law and equity and general property taxes for the year **2017** and thereafter.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this **June 27, 2017**. A.D.

Richmond American Homes of Utah, Inc., a
Colorado Corporation

By:

Name: Kay Van Wagoner
Title: Vice President

STATE OF UT


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) \$\$.

County of Salt Lake

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This instrument was acknowledged and executed before me this 22nd day of June, 2017 by Kay Van Wagoner who acknowledge to be the Vice President of **Richmond American Homes of Utah, Inc., a Colorado corporation**, and that as such officer, being authorized so to do, signed the name of the corporation as such officer.



 Notary Public
 Stacy Jensen

 (Printed Name)

My Commission expires: 7/22/20

{Seal or Stamp}



Mail Tax Notice to:
DPW ENTERPRISES LLC
10028 S MORGAN GROVE WAY
SANDY UT, 84092

ENT 52832:2023 PG 1 of 1
ANDREA ALLEN
UTAH COUNTY RECORDER
2023 Aug 14 11:22 AM FEE 40.00 BY AR
RECORDED FOR Pioneer Title Insurance Age
ELECTRONICALLY RECORDED

In the Third Judicial District Court

Utah County, State of Utah,
Salt Lake Department

DIRECT PUSH SERVICES, LLC,

Plaintiff,

vs.

GRASS MASTER HYDROSEEDING, LLC, A
UTAH LIMITED LIABILITY COMPANY;
ONYX COMPANIES, LLC, A UTAH LIMITED
LIABILITY COMPANY; ECOLOGYX CORP, A
UTAH CORPORATION; AND CHRISTOPHER
B. REESE, AN INDIVIDUAL,

Defendants.

Certificate of Sale
of Real Estate
Case No. 220905991

State of Utah)ss.
County of Utah)

I, Mike Smith, Sheriff of Utah County, State of Utah, do hereby certify that under and by virtue of the final judgment and decree of the Fourth Judicial District Court heretofore duly made, rendered and entered in the above entitled case, and of an Writ of Execution duly issued therein and to me duly directed and delivered as Sheriff of said Utah County, whereby I was commanded to sell the property hereinafter described, or so much thereof as might be necessary, according to law, and to apply the proceeds of such sale towards the satisfaction of the judgment in said action, amounting to the sum of \$ 99,970.40 with interest, counsel fees, taxes, and costs of suit, amounting in all to the sum of \$ 100,597.43, and on the 6th day of July A.D. 2023, after due and legal notice, I sold at public auction, according to the statute in such cases made and provided to DPW ENTERPRISES LLC, and CLARITY AG, LC, who was the highest and best bidder therefore, for the sum of \$ 102,901.00, which was the highest and best sum bid and which was the whole price paid by DPW ENTERPRISES LLC, and CLARITY AG, LC all the right, title and interest of said defendants, in and to the real estate described in said Writ of Execution, and particularly described as follow, to-wit:

Legal Description: LOT 16, PLAT 1, IRONWOOD AT SARATOGA SUB AREA 0.230 AC.

42-080-2016
and the same is subject to redemption in lawful money of the United States pursuant to the statute in such cases made and provided.

Dated at Provo City, Utah, this 13th day of July, 2023.

Michael L. Smith, Sheriff of Utah County, State of Utah

By [Signature]
C. Rhoades Deputy Sheriff

SUBSCRIBED AND SWORN TO before me on this 13th day of July



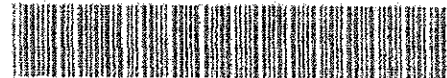
Public

Notary

Residing in Utah

My commission expires 09-22-2026

Tax address
When recorded return to:
Jeff Wangsgard
10028 S Morgan Grove Way
Sandy UT, 84092



ENT 6365:2024 PG 1 of 2
ANDREA ALLEN
UTAH COUNTY RECORDER
2024 Jan 31 04:38 PM FEE 40.00 BY KR
RECORDED FOR WANGSGARD, JEFF



SHERIFF'S DEED

THIS INDENTURE, Made this 22nd day of January, A.D. 2024 between Michael L. Smith Sheriff of Utah County, State of Utah, party of the first part, and DPW ENTERPRISES LLC, AND CLARITY AG, LC, party of the second part.

WITNESSETH, WHEREAS, In and by a certain judgment and decree made and entered by the District Court of the Fourth Judicial District (Utah County) of the State of Utah on the 23rd, day of February, A.D. 2023, in a certain action then pending in said Court, Case Number 220905991, Wherein DIRECT PUSH SERVICES, LLC Plaintiff and GRASS MASTER HYDROSEEDING, LLC, A UTAH LIMITED LIABILITY COMPANY; ONYX COMPANIES, LLC, A UTAH LIMITED LIABILITY COMPANY; ECOLOGYX CORP, A UTAH CORPORATION; AND CHRISTOPHER B. REESE, AN INDIVIDUAL Defendants, it was among other things ordered and adjudged that all and singular the premises in said judgment, and hereinafter described should be sold at public auction, by and under the direction of the Sheriff of Utah County, State of Utah, in the manner required by law; that any of the parties to said action might become purchaser at such sale, and that said Sheriff should execute the usual certificates and deeds to the purchaser as required by law.

AND WHEREAS, The Sheriff did, at the hour of 10:00 o'clock a.m., on the 6th day of July, A.D. 2023, at the east front door of the County Court House in Provo, County of Utah, State of Utah, after due public notice had been given, as required by law and said judgment, duly sell at public auction, agreeable to law and said judgment, the premises and property in said judgment and hereinafter described at which sale said premises and property were fairly struck off and sold to DPW ENTERPRISES LLC, AND CLARITY AG, LC, for the sum of \$ 102,901.00 it being the highest bidder and that being the highest sum bid at said sale.

AND WHEREAS, said DPW ENTERPRISES LLC, AND CLARITY AG, LC, thereupon paid to the said Sheriff said sum of money so bid, and said Sheriff thereupon made and issued the usual certificate in duplicate of such sale in due form, and delivered one thereof to said purchaser, and caused the other to be filed in the office of the County Recorder of the County of Utah, State of Utah.

AND WHEREAS, More than six months have elapsed since the day of said sale, and no redemption of the property so sold has been made.

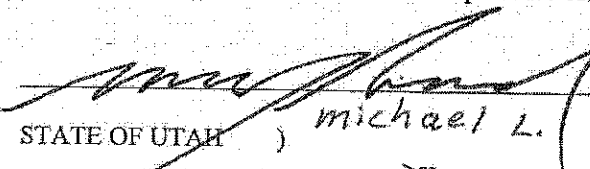
NOW THIS INDENTURE WITNESSES That the said party of the first part, Sheriff as aforesaid, in order to carry into effect said sale in pursuance of said judgment and of the law, and also in consideration of the premises and of the money so bid and paid by the said DPW ENTERPRISES LLC, AND CLARITY AG, LC, the receipt whereof is hereby acknowledged, has granted, sold, conveyed, and by these presents does grant, sell and convey and confirm unto the said party of the second part, its successors and assigns forever, the following described real estate lying and being in the County of Utah, State of Utah, being all the right, title, claim and interest of the above named defendants of, in and to the following described property, to-wit:

Legal Description: LOT 16, PLAT 1, IRONWOOD AT SARATOGA SUB AREA 0.230 AC.

Together with all and singular tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining, to have and to hold the same unto said party of the second part, its successors and assigns forever.

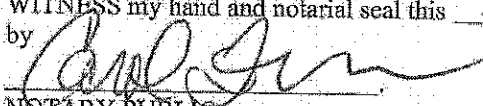
IN WITNESS WHEREOF, said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in presence of:


STATE OF UTAH) Michael L. Smith
County of Utah) >ss.
Sheriff of Utah County, Utah.

On the 30th day of January, 2024 before me Carol Furner

a Notary Public in and for the County of Utah, State of Utah, personally appeared Michael L. Smith Sheriff of Utah County, State of Utah, personally known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he executed the same as such Sheriff, freely and voluntarily, and for the uses and purposes therein mentioned.

WITNESS my hand and notarial seal this 30th day of January, 2024
by 
NOTARY PUBLIC

My Commission Expires: May 19, 2025
Residing in Spanish Fork, Utah

