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IN THE EIGHTH JUDICIAL DISTRICT COURT
OF UINTAH COUNTY, UTAH

DPW ENTERPRISES LLC AND PUSH & PULL HOME BUILDER & CONTRACTORS, LLC, Plaintiff, vs. JOHN DOE. Defendant(s).	COMPLAINT FOR EVICTION Case No. Judge
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Plaintiff, by and through counsel, alleges the following cause of action against Defendant:

1. Defendant(s) is a resident of Salt Lake County, State of Utah. DOES 1 through 10 are persons unknown to Plaintiff, who may be residing at the subject property.
2. Plaintiff is the owner of real property located at 782 East 2910 South, Vernal, Utah 84078 (“Property”).
3. On November 28, 2022 the Plaintiff acquired title following a Trustee’s Sale conducted in accordance with applicable Utah law. By virtue of said Trustee's Sale, a Trustee’s Deed attached hereto as Exhibit “A” was issued to Plaintiff in regard to the Property. Which property is more particularly described as follows:

LOT 64, HIGH COUNTRY ESTATES SUBDIVISION, ACCORDING TO THE

OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE UTAH COUNTY
RECORDER'S OFFICE.

4. There was and is no express or implied arrangement between the Plaintiff as owner of the Property and the Defendant(s) as tenants for a period of rental or for periodic rental payments. The Defendant(s) are all tenants at will.

5. On February 2, 2023, the Plaintiff caused to be served upon the Defendant(s) a Five-Day Notice to Vacate, by posting the Notice on the subject property, notifying said Defendant(s) pursuant to Title 78B, Chapter 6, Section 805, Utah Code Annotated, as amended, that they must vacate the Property within five days from the date of service. A copy of said Five-day Notice and the process server's Affidavit of Service are attached hereto as Exhibit "B" and by this reference made a part hereof.

6. The Defendant(s) have failed to vacate the Property. The Defendants, therefore, have been in unlawful detainer of the Property since November 28, 2022.

7. As a direct and proximate result of the Defendant(s) unlawful detainer, the Plaintiff has and continues to accrue treble damages on a daily basis.

8. The identities of those Defendants other than John Doe occupying the Property are currently unknown to Plaintiff. Plaintiff requests leave to amend its pleadings to reflect the true identity of said Defendant(s) if and when such time their identities become known to Plaintiff.

9. Defendant(s) is not a military service member.

10. Plaintiff is entitled to reasonable attorney's fees and court costs for the necessity of bringing this eviction proceeding before this Court

WHEREFORE, Plaintiff prays for judgment against the Defendants, as follows:

1. For the forthwith issuance of a Writ of Restitution to evict the Defendant(s), and all others claiming by, through or under them, and to restore possession of the Property to the Plaintiff herein:

2. For an Order awarding plaintiff judgment against Defendant(s) for Plaintiff's costs and expenses incurred herein:

3. For such other relief as this Court deems appropriate.

DATED this 8 day of February 2023.

/S/ Timothy S. Deans
TIMOTHY S. DEANS
Attorney for plaintiff

EXHIBIT A

AFTER RECORDING RETURN TO:
Halliday, Watkins & Mann, P.C.
376 East 400 South, Suite 300
Salt Lake City, UT 84111

Entry 2022008882
Book 1803 Pages 552-553 \$40.00
08-Dec-22 03:01
BRENDA MCDONALD
RECORDER, UTAH COUNTY, UTAH
HALLIDAY, WATKINS & MANN, P.C.
376 EAST 400 SOUTH, SUITE 300
SALT LAKE CITY, UT 84111
Rec By: Dana Brown, Deputy Recorder
Electronic Recording

MAIL TAX NOTICE TO:
DPW Enterprises LLC and Push & Pull Home
Builder & Contractors, LLC
10028 South Morgan Grove Way
Sandy, UT 84092

Ent 2022008882
Book 1803 Pg 552

File Number: UT11559

TAX #: 06-022-0164

TRUSTEE'S DEED

This Deed is made by the law firm of Halliday, Watkins & Mann, P.C., Successor Trustee, under the Trust Deed described below, in favor of **DPW Enterprises LLC and Push & Pull Home Builder & Contractors, LLC, 10028 South Morgan Grove Way, Sandy, UT 84092**, as Grantee.

WHEREAS, on January 23, 2008, Henry A. Vigil and Mary Vigil, as Trustors, executed and delivered to Commonwealth Land Title Company, as Trustee, for the benefit of Mortgage Electronic Registration Systems, Inc. as Beneficiary, as nominee for Sun West Mortgage Company Inc. d/b/a Sun West Mortgage USA Company, Inc., its successors and assigns, as Beneficiary, a certain Trust Deed to secure the performance by the Trustors of obligations under a Promissory Note of the same date executed and delivered for a valid consideration to the Beneficiary and the Trust Deed having been recorded in the office of the Uintah County Recorder on February 1, 2008, as Entry No. 2008001001, in Book 1074, at Page 19-27, describing the property set forth below; and

WHEREAS, a breach and default occurred under the terms of the Note and Trust Deed in the particulars set forth in the Notice of Default in this matter; and

WHEREAS, Halliday, Watkins & Mann, P.C., was duly appointed by the Beneficiary as Successor Trustee by a Substitution of Trustee recorded in the Office of the County Recorder of Uintah County, State of Utah, on July 22, 2022, as Entry No. 2022005787, in Book 1787, at Page 427; and

WHEREAS, Halliday, Watkins & Mann, P.C., as Successor Trustee under the Trust Deed, executed and recorded in the Office of the County Recorder of Uintah County, a Notice of Default containing an election to sell the trust property, which was recorded on July 7, 2022, as Entry No. 2022005412, in Book 1785, at Page 746-747; and that no later than ten days after the Notice of Default was filed for record, the Trustee mailed, by certified mail, a copy of the Notice of Default to the Trustors, and to each person whose name and address were set forth in a request for notice filed for record prior to the filing of the Notice of Default; and

WHEREAS, Halliday, Watkins & Mann, P.C., as Successor Trustee, pursuant to the Notice of Default, and in accordance with the Trust Deed, did execute his Notice of Trustee's Sale stating that as Successor Trustee, he would sell at public auction to the highest bidder for cash, in lawful money of the United States of America, the property described, and fixing the time and place of sale as November 28, 2022, at 12:15 PM of said day, at the main entrance of the Uintah County District Court, 920 E. Hwy 40, Vernal, Utah, and did cause copies of the Notice of Sale to be posted for not less than 20 days before the date of the sale in a conspicuous place on the property to be sold and also at the office of the County Recorder of each County in which the trust property, or some part of it, is located; and the Successor Trustee did cause a copy of the Notice of Sale to be published once a week for three consecutive weeks in the Salt Lake Tribune, a newspaper having a general circulation in the county in which the property to be sold is situated, the last publication being at least 10 days but not more than 30 days before the date the sale

is scheduled, and also published on utahlegals.com, the website established by Utah's newspapers for legal notices, for not less than 30 days before the date the sale is scheduled; and that no later than 20 days before the date of the sale, the Trustee also mailed, by certified mail, a copy of the Notice of Sale to the Trustor and to each person whose name and address were set forth in a request for notice filed for record prior to the filing of the Notice of Default; and

WHEREAS, all applicable statutory provisions of the State of Utah and all of the provisions of the Trust Deed have been complied with as to the acts to be performed and the notices to be given; and

WHEREAS, the Successor Trustee did at the time and place of sale by public auction sell, to Grantee, being the highest bidder, the property described for the sum of \$170,290.76 paid in cash in lawful money of the United States of America.

NOW THEREFORE, the Successor Trustee, in consideration of the premises recited and of the sum above mentioned, bid and paid by Grantee, the receipt of which is acknowledged, and by virtue of the authority vested in him by the Trust Deed, does by these presents grant and convey to the Grantee above named, but without any covenant or warranty, express or implied, all of that certain real property situated in Uintah County, State of Utah, described as follows:

Lot 64, High Country Estates Subdivision, according to the Official Plat thereof on file and of record in the Uintah County Recorder's Office. TAX #: 06-022-0164

TOGETHER WITH any and all improvements, fixtures, appurtenances and easements now situated on or pertaining to the property.

DATED: December 8, 2022.

HALLIDAY, WATKINS & MANN, P.C.:

By: [Signature]

Name: Armand J. Howell
Attorney and authorized agent of the law firm of
Halliday, Watkins & Mann, P.C.
Successor Trustee

State of Utah)
:ss.
County of Salt Lake)

The foregoing instrument was acknowledged before me this Dec. 8, 2022, by Armand J. Howell as an attorney and authorized agent of the law firm of Halliday, Watkins & Mann, P.C., the Successor Trustee.



Notary Public - State of Utah
MARGARET LEE
Comm. #710939
My Commission Expires
March 22, 2024

[Signature]
Notary Public

EXHIBIT B

NOTICE TO VACATE TENANT AT WILL

www.uliareviction.com

2-2-25

(Date Served)

To: Toba Doss and any other tenant or occupant.
Address: 713 E 28th St
Detroit MI 48207

BE ADVISED THAT YOU ARE A TENANT AT WILL AND DEMAND IS MADE ON YOU TO VACATE THE PREMISES WITHIN FIVE CALENDAR DAYS OF THIS NOTICE OR BE SERVED WITH A SUMMONS AND COMPLAINT FOR UNLAWFUL DETAINER. COMMUNICATIONS SHALL BE MADE TO:

Name: Paula M. Doss
Phone: 313.265.8772

If you do not comply with this Notice, in accordance with Utah Code 38B-6-111, damages will be pursued against you for (1) costs; (2) attorney fees; and (3) court costs. We will request that judgment be entered against you and thereafter pursue enforcement of that judgment until it is fully satisfied.

Presented to Utah Code 38B-6-705, I declare under criminal penalty of the State of Utah that this copy of this Notice is served on Toba Doss the Tenant, in accordance with Utah Code 38B-6-705 on this 2 day of February, 2025.

- ☐ Personally delivering a copy to the Tenant.
- ☐ Personally delivering a copy to _____ a person of suitable age and discretion at the property because the Tenant was absent and by mailing a second copy to the Tenant at the property.
- ☐ Sending a copy through registered or certified mail to the Tenant at the property.
- ☐ Affixing a copy in a conspicuous place on the property after knocking and failing to find anyone there.

DATED this 2 day of February, 2025

T. Doss

Notice prepared by K. Bradley Carr the Law Office of James H. Woodall, PLLC. Use of this form does not constitute legal representation. If you were a landlord and you need assistance including a tenant please contact Mr. Carr at 916-254-6620.

No Soliciting