

1 128466

2 RELEASE OF MECHANIC'S LIEN

3 FOR AND IN CONSIDERATION of the payment to TRUSTEES OF  
4 NORTHERN NEVADA LABORERS HEALTH AND WELFARE TRUST FUND and  
5 TRUSTEES OF NORTHERN NEVADA LABORERS PENSION TRUST FUND and  
6 LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 169, the  
7 sum of SIX THOUSAND SEVEN HUNDRED NINETY-TWO and 72/100  
8 (\$6,792.72), together with interest thereon at the contract rate  
9 of EIGHTEEN PERCENT (18%) per annum from May 25, 1989, through  
10 June 30, 1989, the undersigned do hereby release, acquit and  
11 forever discharge NEWMONT GOLD COMPANY and BECHTEL CONSTRUCTION  
12 COMPANY, as contractors, of and from any and all liabilities,  
13 obligations, claims, demands, actions, causes of action or  
14 damages with respect to non-payment of fringe benefits which the  
15 TRUSTEES OF NORTHERN NEVADA LABORERS HEALTH AND WELFARE TRUST  
16 FUND and TRUSTEES OF NORTHERN NEVADA LABORERS PENSION TRUST  
17 FUND, and LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL  
18 169 may have had against NEWMONT GOLD COMPANY and BECHTEL CON-  
19 STRUCTION COMPANY, as contractors, resulting from the facts al-  
20 leged in that Mechanic's Lien recorded in Book 198 as Document  
21 No. 127949 in the Office of the County Recorder of Eureka  
22 County, Nevada, June 26, 1989.

23 Notwithstanding anything above to the contrary, this  
24 Release do not cover liquidated damages in accordance with the  
25 applicable trust agreement in the amount of FOUR HUNDRED SIXTY-  
26

27 IBEW#4:LIENREL.4

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Reno, Nevada 89501  
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1 FIVE and 63/100 (\$465.63), by LORD ELECTRIC COMPANY, INC., as  
2 subcontractor, and whose case currently is pending in the United  
3 States Bankruptcy Court, Southern District of New York, Case No.  
4 89-B-10952 PA.

5 As to such liquidated damages this Release is a full  
6 release and waiver as against NEWMONT GOLD COMPANY and BECHTEL  
7 CONSTRUCTION COMPANY.

8 This Release is a release of disputed claims and does  
9 not constitute an admission of liability on the part of any  
10 party to any matters whatsoever.

11 In further consideration of the aforesaid payment, the  
12 undersigned do hereby assign, transfer and set over unto said  
13 NEWMONT GOLD COMPANY and BECHTEL CONSTRUCTION COMPANY, as  
14 contractors, its above-mentioned claim against LORD ELECTRICAL  
15 COMPANY, INC., as subcontractor, and the undersigned constitute  
16 said assignee, its true, lawful and irrevocable attorney to  
17 demand, receipt for and enforce payment of said claim, at its own  
18 expense to sue for said sum so assigned either in the name of  
19 the undersigned or its own name.

20 This Release contains the entire agreement between the  
21 parties hereto and no promise, inducement or representation  
22 other than herein set forth has been made, offered, agreed upon,  
23 and the terms of this Release are contractual and not a mere  
24 recital.

25 The undersigned further state that they have carefully  
26 read the foregoing Release in its entirety, and know and under-

27  
28 IBEW#4:LIENREL.4

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1 stand the contents thereof and sign the name as their own free  
2 act.

3 IN WITNESS WHEREOF, the undersigned have executed this  
4 Release this 30 day of June, 1989.

5  
6 TRUSTEES OF NORTHERN NEVADA  
7 LABORERS HEALTH AND WELFARE  
8 TRUST FUND, and

LABORERS' INTERNATIONAL  
UNION OF NORTH AMERICA,  
LOCAL 169

9 TRUSTEES OF NORTHERN NEVADA  
10 LABORERS PENSION TRUST FUND

11 *John G. Madole*  
12 JOHN MADOLE  
13 Trustee and Co-Chairman

11 *Walter Henderson*  
12 WALTER HENDERSON  
13 Business Manager

14 *Walter Henderson*  
15 WALTER HENDERSON  
16 Trustee and Co-Chairman

17  
18  
19  
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21  
22 RECORDED AT THE REQUEST OF

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*John C. Miller*

89 JUL 19 P2 29

23  
24  
25 OFFICE OF THE CLERK  
26 CLERK OF DISTRICT COURT  
27 MINN. COUNTY, NEVADA  
28 FILE NO. 198-700

128166  
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