

128466

RELEASE OF MECHANIC'S LIEN

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

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

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LAW OFFICES  
LANGTON & KILBURN  
327 South Arlington Ave.  
Reno, Nevada 89501  
(702) 329-1735

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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

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337 South Arlington Ave  
Reno, Nevada 89501  
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stand the contents thereof and sign the name as their own free  
act.

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

TRUSTEES OF NORTHERN NEVADA  
LABORERS HEALTH AND WELFARE  
TRUST FUND, and

LABORERS' INTERNATIONAL  
UNION OF NORTH AMERICA,  
LOCAL 169

TRUSTEES OF NORTHERN NEVADA  
LABORERS PENSION TRUST FUND

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

*Walter Henderson*  
WALTER HENDERSON  
Business Manager

*Walter Henderson*  
WALTER HENDERSON  
Trustee and Co-Chairman

RECORDED AT THE REQUEST OF  
BOOK 199 PAGE 418  
*John C. Miller*  
JUL 19 1989

CLERK OF DISTRICT COURT  
CLERK OF DISTRICT COURT  
FILE NO. 199-700

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