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3 RELEASE OF MECHANIC'S LIEN

4 FOR AND IN CONSIDERATION of the payment to TRUSTEES OF
5 NORTHERN NEVADA CARPENTERS HEALTH AND WELFARE TRUST FUND and
6 TRUSTEES OF NORTHERN NEVADA CARPENTERS PENSION TRUST FUND and
7 UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, LOCAL
8 UNION NO. 971, the sum of TEN THOUSAND FOUR HUNDRED TWENTY-TWO
9 and 16/100 (\$10,422.16), together with interest thereon at the
10 contract rate of EIGHTEEN PERCENT (18%) per annum from April 25,
11 1989, through June 30, 1989, the undersigned do hereby release,
12 acquit and forever discharge NEWMONT GOLD COMPANY and BECHTEL
13 CONSTRUCTION COMPANY, as contractors, of and from any and all
14 liabilities, obligations, claims, demands, actions, causes of
15 action or damages with respect to non-payment of fringe benefits
16 which the TRUSTEES OF NORTHERN NEVADA CARPENTERS HEALTH AND WEL-
17 FARE TRUST FUND and TRUSTEES OF NORTHERN NEVADA CARPENTERS PEN-
18 SION TRUST FUND, and UNITED BROTHERHOOD OF CARPENTERS AND
19 JOINERS OF AMERICA, LOCAL NO. 971 may have had against NEWMONT
20 GOLD COMPANY and BECHTEL CONSTRUCTION COMPANY, as contractors,
21 resulting from the facts alleged in that Mechanic's Lien re-
22 corded in Book 198 as Document No. 127946 in the Office of the
23 County Recorder of Eureka County, Nevada, June 26, 1989.

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

27 IBEW#4:LIENREL.6

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BOOK 199 PAGE 423

1 SIX and 60/100 DOLLARS (\$686.60), by LORD ELECTRIC COMPANY,
2 INC., as subcontractor, and whose case currently is pending in
3 the United States Bankruptcy Court, Southern District of New
4 York, Case No. 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-

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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 CARPENTERS HEALTH AND WELFARE
8 TRUST FUND, and

9 UNITED BROTHERHOOD OF
10 CARPENTERS AND JOINERS
11 OF AMERICA, LOCAL NO.
12 971

13 TRUSTEES OF NORTHERN NEVADA
14 CARPENTERS PENSION TRUST FUND

15 
16 _____
17 ROLAND OAKES
18 Trustee and Co-Chairman

19 
20 _____
21 DON ALFORD
22 Business Manager

23 
24 _____
25 DON ALFORD
26 Trustee and Co-Chairman

27 RECORDED AT THE REQUEST OF
28 BOOK 199 PAGE 423
John C. Miller
'89 JUL 19 P2:29

OFFICE OF THE
CLERK OF THE COUNTY OF WASHINGTON
M.N. REGALATI RECORDER
FILE NO.
128-168 Fee: 700

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