

128469

RELEASE OF MECHANIC'S LIEN

FOR AND IN CONSIDERATION of the payment to TRUSTEES OF
NORTHERN NEVADA CARPENTERS HEALTH AND WELFARE TRUST FUND and
TRUSTEES OF NORTHERN NEVADA CARPENTERS PENSION TRUST FUND and
UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, LOCAL
UNION NO. 971, the sum of TEN THOUSAND EIGHT HUNDRED EIGHTEEN
and 80/100 DOLLARS (\$10,818.80), 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 CARPENTERS
HEALTH AND WELFARE TRUST FUND and TRUSTEES OF NORTHERN NEVADA
CARPENTERS PENSION TRUST FUND, and UNITED BROTHERHOOD OF CARPEN-
TERS AND JOINERS OF AMERICA, LOCAL NO. 971 may have had against
NEWMONT GOLD COMPANY and BECHTEL CONSTRUCTION COMPANY, as
contractors, resulting from the facts alleged in that Mechanic's
Lien recorded in Book 198 as Document No. 127947 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 SEVEN HUNDRED TWELVE

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1

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BOOK 198 PAGE 26

1 and 73/100 DOLLARS (\$712.73), 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-
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2

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BOOK 199 PAGE 27

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
CARPENTERS HEALTH AND WELFARE
TRUST FUND, and

UNITED BROTHERHOOD OF
CARPENTERS AND JOINERS
OF AMERICA, LOCAL NO.
971

TRUSTEES OF NORTHERN NEVADA
CARPENTERS PENSION TRUST FUND

Roland Oakes
ROLAND OAKES
Trustee and Co-Chairman

Don Alford
DON ALFORD
Business Manager

Don Alford
DON ALFORD
Trustee and Co-Chairman

RECORDED AT THE REQUEST OF

301-199-426

John C. Miller

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OFFICIAL RECORDS
CLERK OF THE SUPREME COURT
M. S. REDALETI, RECORDER
FILE NO. 128469

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3

BOOK 188 PAGE 428