

WHEN RECORDED RETURN TO: Lynn B. Larsen/LARSEN & STEWART
10 East South Temple, Suite 500
Salt Lake City, Utah 84101

1 Lynn B. Larsen
2 F. Mark Hansen
3 LARSEN & STEWART
4 10 East South Temple, Suite 500
5 Salt Lake City, Utah 84133
6 Telephone: (801) 355-5775

7 Dennis R. Haney
8 William A. Levy
9 MARQUIS, HANEY & AURBACH
10 228 South 4th Street
11 Las Vegas, Nevada 89101
12 Telephone: (702) 382-0711

13 Attorneys for Plaintiff

130299

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

29 COLUMBIA ENGINEERING CORPORATION,)
30 a Texas corporation,)

31 Plaintiff,)

32 v.)

33 ATLAS PRECIOUS METALS, INC., a)
34 Nevada corporation; ATLAS GOLD)
35 MINING, a Nevada corporation;)
36 KILBORN INTERNATIONAL LTD.,)
37 a Delaware corporation,)

38 Defendants.)

LIS PENDENS

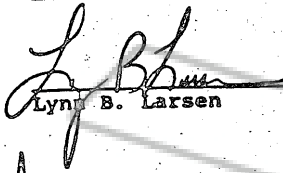
CV-S-89-726-HDM-LRL
Civil No.

29 Notice is here given that an action has been commenced
30 and is pending in the above named Court. The object of the
31 action is to foreclose and enforce a Mechanic's Lien for
32 labor, services and materials furnished in and about the
33 construction of an improvement to the property described in
34 Exhibit "A" hereto. The Mechanic's Lien has attached to the
35 property pursuant to Nev. Rev. Stat. §§ 108.221 et seq.
36 (1965) and is in the amount of \$2,210,283, plus accrued

1 interest, costs and attorney's fees, less partial payments
2 made subsequent to filing of the Notice of Mechanic's Lien.

3 DATED this 5th day of October, 1989.

4 LARSEN & STEWART

5 
6 Lynn B. Larsen

7
8 CERTIFICATE OF SERVICE

9 I hereby certify that on this _____ day of October,
10 1989, I mailed, postage prepaid, true and correct copies of
11 the foregoing LIS PENDENS to the following:

12 ATLAS PRECIOUS METALS, INC.
13 Corporation Trust Company, Registered Agent
1 East First Street
Reno, Nevada 89501

14 ATLAS GOLD MINING, INC.
15 Corporation Trust Company, Registered Agent
1 East First Street
16 Reno, Nevada 89501

17 KILBORN INTERNATIONAL, LTD.
18 Corporation Trust Company, Registered Agent
1 East First Street
19 Reno, Nevada 89501

20
21
22 1021.2

23 10-6-89
24 I do hereby certify that the foregoing document is a full, true and correct
25 copy of the original as filed in my office, and to my
26 knowledge.

27 
28 CLERK, U.S. DISTRICT COURT
DISTRICT OF NEVADA

2

BOOK 204 PAGE 246

When Recorded Mail To:

Terrill M. Dory
Anderson & Pearl
P.O. Box 21150
Reno, Nevada 89515

NOTICE AND CLAIM OF LIEN

NOTICE IS HEREBY GIVEN that COLUMBIA ENGINEERING CORPORATION claims a Mechanic's and Materialman's Lien upon the property hereinafter particularly described: which property is located in Eureka County, Nevada, and which claim is made pursuant to the laws of the State of Nevada, particularly Chapter 108 of the Nevada Revised Statutes, as amended, for the value of work, labor, materials and/or services furnished by lien claimant for the improvement of real property hereinafter particularly described, located in the County of Eureka, State of Nevada.

That the whole or real property hereinafter particularly described has been or is in the process of improvement and is reasonably necessary for the convenient use and occupation of said property.

Claimant further states:

1. That the name of the owners or reputed owners of the premises sought to be charged are ATLAS GOLD MINING and ATLAS PRECIOUS METALS, INC.

2. That the name of the person by whom lien claimant was employed and to whom lien claimant furnished work, labor, materials and/or services in connection with the project is ATLAS PRECIOUS METALS, INC.

3. That the terms, time given and conditions of the contract were: Lien claimant agreed to modify and expand an existing gold processing facility for the contract price of \$3,274,10.78. The scope of the work included demolition, relocation of equipment, structural steelwork, fabricated items, excavation, concrete foundations, civil work, mechanical installation including the drilling of holes for the installation of the equipment, process and service piping, electrical and instrumentation, architectural finishes, building services, testing and pre-commissioning. Lien claimant incurred additional costs of \$1,892,873.00 during the course of construction as a result of loss of productivity, delay, acceleration, and interference. All such costs were incurred in performing the contract, and are justly due lien claimant.

4. That work, labor, materials and/or services have been furnished to and actually used upon the above-described project in the total amount of \$5,067,583.48 Dollars, plus interest accrued on unpaid sums.

BOOK 204 PAGE 247

EXHIBIT A

DEC 1 06 PM 365

5. That a demand for payment has been made by lien claimant. \$2,857,300.68 of the amount due and owing has been paid. There are no further off-sets to the claim and that the sum of \$2,210,283.00 dollars, plus interest, is now due and owing to lien claimant on account of the work, labor, materials and/or services furnished as above specified. The undersigned claims a lien upon the real property particularly described herein for said sum, together with interest and attorney's fees as provided by law.

6. That the real property sought to be charged with this Claim of Lien upon which the above described work of improvement has been made is located in the County of Eureka, State of Nevada, commonly known as the Gold Bar Mine and particularly described on Exhibit "A" attached hereto and incorporated herein by this reference.

DATED: This 21st day of April, 1989.

COLUMBIA ENGINEERING CORPORATION

By [Signature]
PRESIDENT COLUMBIA ENGINEERING CORPORATION
Its AGENT

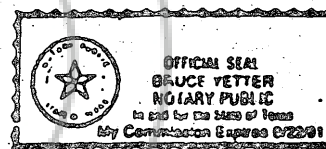
STATE OF TEXAS)
COUNTY OF EL PASO) ss.

PHILIP ROTNSTEIN, being first duly sworn,
deposes and says that:

I am the PRESIDENT of COLUMBIA ENGINEERING CORPORATION, the company named as lien claimant in the foregoing Notice and Claim of Lien. I have read the above and foregoing Notice and Claim of Lien, know the contents thereof and state that the same is true. I further state that it contains, among other things, a correct statement of the demand of said lien claimant, after deducting all just credits and off-sets.

SUBSCRIBED AND SWORN to
before me this 21st day
of APRIL, 1989.

[Signature]



BOOK 04 PAGE 248

REPORT A

Claim No.	Class Name	Section	Twp.	Rge.	Meridian	REC No.	Recorded Book/Page	
WMI	29		26	27N	49E	MON	10C 293277	110 400
WMI	29	Amended						120 304
WMI	31		26	27N	49E	MON	10C 293279	110 400
WMI	31	Amended						120 306
WMI	33		26	27N	49E	MON	10C 293301	110 402
WMI	33	Amended						120 308
WMI	35		26	27N	49E	MON	10C 293283	110 404
WMI	35	Amended						120 310
WMI	37		23	27N	49E	MON	10C 293505	110 406
WMI	37	Amended	26, 27					120 312
WMI	39		22, 23	27N	49E	MON	10C 293507	110 408
WMI	39	Amended	26, 27					120 314
WMI	39	Amended	22, 23	27N	49E	MON	10C 293509	125 127
JASPER	202A		22, 23	27N	49E	MON	10C 296401	135 074
JASPER	202A	Amended	23, 26	27N	49E	MON		120 054
JASPER	203		23	27N	49E	MON	10C 296402	135 076
JASPER	203A	Amended	23	27N	49E	MON	10C 339282	135 078
JASPER	204		23	27N	49E	MON	10C 296402	135 078
JASPER	204	Amended	23, 26	27N	49E	MON	10C 296403	135 078
JASPER	205		23, 26	27N	49E	MON	10C 296404	135 078
JASPER	205	Amended	23	27N	49E	MON	10C 296404	135 078
JASPER	206		23, 26	27N	49E	MON	10C 296405	135 078
JASPER	206	Amended	23, 26	27N	49E	MON	10C 296407	135 078
JASPER	207		23, 26	27N	49E	MON	10C 296407	135 078
JASPER	207	Amended	23, 26	27N	49E	MON	10C 339283	135 078
JASPER	209		23, 26	27N	49E	MON	10C 296409	135 078
JASPER	209A	Amended	23, 26	27N	49E	MON	10C 296411	135 078
JASPER	291		23, 26	27N	49E	MON	10C 296411	135 078
JASPER	291	Amended	23, 26	27N	49E	MON	10C 296439	135 078
JASPER	322		26	27N	49E	MON	10C 296440	135 078
JASPER	322	Amended	26	27N	49E	MON	10C 296440	135 078
JASPER	323		27	27N	49E	MON	10C 339285	135 078
JASPER	323	Amended	27	27N	49E	MON	10C 296441	135 078
JASPER	324		26	27N	49E	MON	10C 296441	135 078
JASPER	324	Amended	26	27N	49E	MON	10C 296443	135 078
JASPER	326		26	27N	49E	MON	10C 296443	135 078

MILLSITE CLAIMS

Claim No.	Class Name	Section	Twp.	Rge.	Meridian	REC No.	Recording Book/Page
MI	65	27	22N	49E	MON	10C 330635	134 400
MI	65	27	22N	49E	MON	10C 330636	134 401
MI	66	27	22N	49E	MON	10C 330637	134 402
MI	66	27	22N	49E	MON	10C 330638	134 403
MI	67	27	22N	49E	MON	10C 330639	134 404
MI	68	27	22N	49E	MON	10C 330640	134 405
MI	69	27	22N	49E	MON	10C 330641	134 406
MI	70	27	22N	49E	MON	10C 330642	134 407
MI	71	27	22N	49E	MON	10C 330643	134 408
MI	72	27	22N	49E	MON	10C 330644	134 409
MI	73	27	22N	49E	MON	10C 330645	134 410
MI	74	27	22N	49E	MON	10C 330646	134 411
MI	75	27	22N	49E	MON	10C 330647	134 412
MI	76	27	22N	49E	MON	10C 330648	134 413
MI	77	27	22N	49E	MON	10C 330649	134 414
MI	78	27	22N	49E	MON	10C 330650	134 415
MI	79	27	22N	49E	MON	10C 330651	134 416
MI	80	27	22N	49E	MON	10C 330652	134 417
MI	81	27	22N	49E	MON	10C 330653	134 418
MI	82	27	22N	49E	MON	10C 330654	134 419
MI	83	27	22N	49E	MON	10C 330655	134 420
MI	84	27	22N	49E	MON	10C 330655	134 420
MI	85	27	22N	49E	MON	10C 330655	134 420

BOOK 04 PAGE 249

BOOK 04 PAGE 249

Class No.	Class No.	Page	Page	Page	Page	Page	Page	Page	Page
		27	270	49C	MDA	MC 118656	134	501	
AM	06	27	270	49E	MDA	MC 118657	134	502	
AM	07	27	270	49E	MDA	MC 118658	134	503	
AM	08	27	270	49E	MDA	MC 118659	134	504	
AM	09	27	270	49E	MDA	MC 118660	134	505	
AM	90	27	270	49E	MDA	MC 118661	134	506	
AM	91	27	270	49E	MDA	MC 118662	134	507	
AM	92	27	270	49E	MDA	MC 118663	134	508	
AM	93	27	270	49E	MDA	MC 118664	134	509	
AM	94	27	270	49E	MDA	MC 118665	134	510	
AM	95	27	270	49E	MDA	MC 118666	134	511	
AM	96	27	270	49E	MDA	MC 118667	134	512	
AM	97	27	270	49E	MDA	MC 118668	134	513	
AM	98	27	270	49E	MDA	MC 118669	134	514	
AM	99	27	270	49E	MDA	MC 118670	134	515	
AM	100	27	270	49E	MDA	MC 118671	134	516	
AM	101	27	270	49E	MDA	MC 118672	134	517	
AM	102	27	270	49E	MDA	MC 118673	134	518	
AM	103	27	270	49E	MDA	MC 118674	134	519	
AM	104	27	270	49E	MDA	MC 118675	134	520	
AM	105	27	270	49E	MDA	MC 118676	134	521	
AM	106	27	270	49E	MDA	MC 118677	134	522	
AM	107	27	270	49E	MDA	MC 118678	134	523	
AM	108	27	270	49E	MDA	MC 118679	134	524	
AM	109	27	270	49E	MDA	MC 118680	134	525	
AM	110	27	270	49E	MDA	MC 118681	134	526	
AM	111	27	270	49E	MDA	MC 118682	134	527	
AM	112	27	270	49E	MDA	MC 118683	134	528	
AM	113	27	270	49E	MDA	MC 118684	134	529	
AM	114	27	270	49E	MDA	MC 118685	134	530	
AM	115	27	270	49E	MDA	MC 118686	134	531	
AM	116	27	270	49E	MDA	MC 118687	134	532	
AM	117	27	270	49E	MDA	MC 118688	134	533	
AM	118	27	270	49E	MDA	MC 118689	134	534	
AM	119	27	270	49E	MDA	MC 118690	134	535	
AM	120	27	270	49E	MDA	MC 118691	134	536	
AM	121	27	270	49E	MDA	MC 118692	134	537	
AM	122	27	270	49E	MDA	MC 118693	134	538	
AM	123	27	270	49E	MDA	MC 118694	134	539	
AM	124	27	270	49E	MDA	MC 118695	134	540	
AM	125	27	270	49E	MDA	MC 118696	134	541	
AM	126	27	270	49E	MDA	MC 118697	134	542	
AM	127	27	270	49E	MDA	MC 118698	134	543	
AM	128	27	270	49E	MDA	MC 118699	134	544	
AM	129	27	270	49E	MDA	MC 118700	134	545	
AM	130	27	270	49E	MDA	MC 118701	134	546	
AM	131	27	270	49E	MDA	MC 118702	134	547	
AM	132	27	270	49E	MDA	MC 118703	134	548	
AM	133	27	270	49E	MDA	MC 118704	134	549	
AM	134	27	270	49E	MDA	MC 118705	134	550	
AM	135	27	270	49E	MDA	MC 118706	134	551	
AM	136	27	270	49E	MDA	MC 118707	134	552	
AM	137	27	270	49E	MDA	MC 118708	134	553	
AM	138	27	270	49E	MDA	MC 118709	134	554	
AM	139	27	270	49E	MDA	MC 118710	134	555	
AM	140	27	270	49E	MDA	MC 118711	134	556	
AM	141	27	270	49E	MDA	MC 118712	134	557	
AM	142	27	270	49E	MDA	MC 118713	134	558	
AM	143	27	270	49E	MDA	MC 118714	134	559	
AM	144	27	270	49E	MDA	MC 118715	134	560	
AM	145	27	270	49E	MDA	MC 118716	134	561	
AM	146	27	270	49E	MDA	MC 118717	134	562	
AM	147	27	270	49E	MDA	MC 118718	134	563	
AM	148	27	270	49E	MDA	MC 118719	134	564	
AM	149	27	270	49E	MDA	MC 118720	134	565	
AM	150	27	270	49E	MDA	MC 118721	134	566	
AM	151	27	270	49E	MDA	MC 118722	134	567	
AM	152	27	270	49E	MDA				

BOOK 1 90 PAGE 368

BOOK 2 04 PAGE 250

Class	Number	Rate	Day	Time	Section	Code	Price	Page
AM	153	27	22M	49E	MDM	MC 340773	136	860
AM	154	27	22M	49E	MDM	MC 340774	136	869
AM	155	28	22M	49E	MDM	MC 340783	136	870
AM	156	20	22M	49E	MDM	MC 340764	136	870
AM	157	20	22M	49E	MDM	MC 340765	136	870
AM	158	20	22M	49E	MDM	MC 340766	136	841
AM	159	20	22M	49E	MDM	MC 340767	136	842
AM	160	20	22M	49E	MDM	MC 340768	136	843
AM	161	27	22M	49E	MDM	MC 340769	136	844
AM	162	27	22M	49E	MDM	MC 340770	136	843
AM	163	27	22M	49E	MDM	MC 340771	136	846
AM	164	27	22M	49E	MDM	MC 340772	136	847
AM	165	27	22M	49E	MDM	MC 340773	136	848
AM	166	20	22M	49E	MDM	MC 340774	136	849
AM	167	20	22M	49E	MDM	MC 340775	136	850
AM	168	20	22M	49E	MDM	MC 340776	136	851
AM	169	27	22M	49E	MDM	MC 340777	136	852
AM	170	27	22M	49E	MDM	MC 340778	136	853
AM	171	27	22M	49E	MDM	MC 340779	136	854
AM	172	27	22M	49E	MDM	MC 340780	136	855
AM	173	27	22M	49E	MDM	MC 340781	136	856
AM	174	27	22M	49E	MDM	MC 340782	136	857
AM	175	27	22M	49E	MDM	MC 340783	136	858
AM	176	27	22M	49E	MDM	MC 340784	136	859
AM	177	28	22M	49E	MDM	MC 340785	136	860
AM	178	28	22M	49E	MDM	MC 340786	136	861
AM	179	27	22M	49E	MDM	MC 340787	136	862
AM	180	27	22M	49E	MDM	MC 340788	136	863
AM	181	27	22M	49E	MDM	MC 340789	136	864
AM	182	27	22M	49E	MDM	MC 340790	136	865
AM	183	27	22M	49E	MDM	MC 340791	136	866
AM	184	27	22M	49E	MDM	MC 340792	136	867
AM	185	27	22M	49E	MDM	MC 340793	136	868
AM	186	27	22M	49E	MDM	MC 340794	136	869
AM	187	24	22M	49E	MDM	MC 340795	136	870
AM	188	24	22M	49E	MDM	MC 340796	136	871
AM	189	27	22M	49E	MDM	MC 340797	136	872
AM	190	27	22M	49E	MDM	MC 340798	136	873
AM	191	27	22M	49E	MDM	MC 340799	136	874
AM	192	27	22M	49E	MDM	MC 340800	136	875
AM	193	27	22M	49E	MDM	MC 340801	136	876
AM	194	27	22M	49E	MDM	MC 340802	136	877
AM	195	27	22M	49E	MDM	MC 340803	136	878
AM	196	27	22M	49E	MDM	MC 340804	136	879
AM	197	24	22M	49E	MDM	MC 340805	136	880
AM	198	24	22M	49E	MDM	MC 340806	136	881
AM	199	24	22M	49E	MDM	MC 340807	136	882
AM	200	27	22M	49E	MDM	MC 340808	136	883
AM	201	27	22M	49E	MDM	MC 340809	136	884
AM	202	27	22M	49E	MDM	MC 340810	136	885
AM	203	27	22M	49E	MDM	MC 340811	136	886
AM	204	27	22M	49E	MDM	MC 340812	136	887
AM	205	24	22M	49E	MDM	MC 340813	136	888
AM	206	24	22M	49E	MDM	MC 340814	136	889
AM	207	24	22M	49E	MDM	MC 340815	136	890
AM	208	24	22M	49E	MDM	MC 340816	136	891
AM	209	28	22M	49E	MDM	MC 340817	136	892
AM	210	23	22M	49E	MDM	MC 340818	143	893
AM	211	27	22M	49E	MDM	MC 340819	139	894
AM	212	26	22M	49E	MDM	MC 340820	143	895
AM	213	26	22M	49E	MDM	MC 340821	143	896
AM	214	26	22M	49E	MDM	MC 340822	143	897
AM	215	27	22M	49E	MDM	MC 340823	143	898
AM	216	27	22M	49E	MDM	MC 340824	143	899
AM	217	27	22M	49E	MDM	MC 340825	143	900
AM	218	27	22M	49E	MDM	MC 340826	143	901
AM	219	27	22M	49E	MDM	MC 340827	143	902
AM	220	27	22M	49E	MDM	MC 340828	143	903
AM	221	27	22M	49E	MDM	MC 340829	143	904
AM	222	27	22M	49E	MDM	MC 340830	143	905

BOOK 04 PAGE 251
BOOK 08 PAGE 360

RECORDED AT THE REQUEST OF
P. 1000 P. 910 C. 0
POLY PAGE
196 365

APR 27 P1:12

OFFICIAL RECORDS
EUREKA COUNTY, NEVADA
P.M. REBALEATI, RECORDER
FILE NO. 127128
FEE \$ 10.00

204:215

RECORDED AT THE REQUEST OF

BOOK 204 PAGE 245

Larsen & Stewart

OCT 12 P221

OFFICIAL RECORDS
EUREKA COUNTY, NEVADA
P.M. REBALEATI, RECORDER
FILE NO. FEE \$ 12.00

130299

BOOK 204 PAGE 252

BOOK 196 PAGE 1870