

130837

NOTICE AND CLAIM OF LIEN

NOTICE IS HEREBY GIVEN that MERIT CONSULTANTS LTD. claims a Mechanic's and Materialman's Lien in the amount of FIVE HUNDRED FORTY-ONE THOUSAND NINE HUNDRED SIX AND 24/100 DOLLARS (\$541,906.24) upon that certain real property located in the County of Eureka, State of Nevada, commonly known as Tonkin Springs Gold Project (Nevada) and more particularly described in Paragraph 6 (the "Property") of this Notice and Claim of Lien. This 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 materials and services (the "work") furnished by Lien Claimant for the improvement of the Property.

Claimant further states:

1. The name of the owner or reputed owner of the Property is U.S. GOLD CORPORATION and TONKIN SPRINGS GOLD MINING COMPANY, a subsidiary of U.S. GOLD CORPORATION, 1600 Stout Street, Suite 1600, Denver, Colorado 80202-3133.
2. The name of the person by whom Lien Claimant was employed and to whom Lien Claimant furnished the Work is U.S. GOLD CORPORATION.
3. The terms, time given and conditions of the contract were that the Lien Claimant would provide material and services necessary for the construction management of Engineers, Contractors, Subcontractors, materialmen and suppliers for the development of the TONKIN SPRINGS GOLD PROJECT, including:

GOICOCHEA & DIGRAZIA, LTD.  
ATTORNEYS AT LAW  
CLARK BUILDING, SUITE 200  
107TH & QUINN STREETS - P. O. BOX 1330  
ELKO, NEVADA 89601  
(702) 732-6091

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See BK. 212, Pg. 585 for  
Second Amended Notice  
& Claim of Lien  
See BK. 221, Pg. 138 for Release

- (a) Preparing pre-construction evaluations of initial needs such as accommodation, location and qualification of parties providing services, availability of Contractors and site accessibility for equipment and personnel;
- (b) Providing supervision, leadership and guidance to and coordination of various Engineers, Contractors and Suppliers engaged by Client for the Project;
- (c) Preparing bid documents, evaluating bids and recommending the award of contracts;
- (d) Critical path and milestone scheduling of the overall Project, field scheduling and allocating priorities for construction work;
- (e) Inspecting and checking quality of materials, work and measuring quantities of work performed as requested by the Client;
- (f) Supervising the purchase or rental of construction supplies, materials, machinery and equipment; including all materials to be supplied by the Client and the obtaining of bids, analysis of bids, preparation and issuance of requisitions, expediting and shipping. The Client shall select the supplier and issue the purchase orders.
- (g) Scheduling the transportation and shipping of materials and supplies;
- (h) Supervising the unloading of equipment, materials and supplies from carriers and the rehandling and/or storage of said equipment, materials and supplies;
- (i) Providing records for accounting and costing of the work, making physical checks of inventory to ensure adequate supplies, stocking and issuing records and maintenance of budgetary controls all in keeping with Client's procedures.

The term of the Contract was for the duration of the construction project.

GOICOCHEA & DIGRAZIA, LTD.  
ATTORNEYS AT LAW  
ELCOM BUILDING, SUITE 200  
107TH & EDSON STREETS - P. O. BOX 1320  
ELKO, NEVADA 89601  
(702) 730-8001

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4. Lien Claimant began furnishing the Work in July, 1988, and the last work performed for the amount claimed herein for the Project occurred within ninety (90) days from the execution of this Notice.

5. The Work was furnished to and actually used upon the Property in an unpaid total amount of FIVE HUNDRED FORTY-ONE THOUSAND NINE HUNDRED SIX AND 24/100 DOLLARS (\$541,906.24) after deducting all just credits and off-sets. To date, NO MONIES have been paid toward this amount now due and owing; and, the sum of FIVE HUNDRED FORTY-ONE THOUSAND NINE HUNDRED SIX AND 24/100 DOLLARS (\$541,906.24) is now due and owing to Lien Claimant for the Work.

6. The description of the Property to be charged is TONKIN SPRINGS GOLD PROJECT located in Eureka County, Nevada, located in a portion of Section 1, T. 23 N., R. 49 E., M.D.B.&M., Eureka County, Nevada.

7. Demand for payment was made by Lien Claimant and no part or portion of the amount due and owing has been paid; there are no further off-sets to the claim; and, the sum of FIVE HUNDRED FORTY-ONE THOUSAND NINE HUNDRED SIX AND 24/100 DOLLARS (\$541,906.24) plus interest at the rate allowed by law is now due and owing to Lien Claimant on account of the Work. Lien Claimant claims a lien upon the Property for FIVE HUNDRED FORTY-ONE THOUSAND NINE HUNDRED SIX AND 24/100 DOLLARS (\$541,906.24), plus interest, costs and attorney fees as provided by law.

GOICOCHEA & DIGRAZIA, LTD.  
ATTORNEYS AT LAW  
ELONH BUILDING, SUITE 200  
70TH & EDWARDS STREETS - P. O. BOX 1200  
ELKO, NEVADA 89601  
(702) 728-0201

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DATED this 8<sup>th</sup> day of December, 1989.

MERIT CONSULTANTS LTD.

By: A. Mochinski  
A. MOCHINSKI, President

STATE OF NEVADA }  
(ss  
County of Elko }

A. MOCHINSKI, being first duly sworn, deposes and says that:

I am the agent for Merit Consultants LTD., 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.

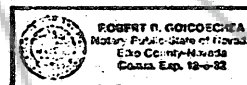
A. Mochinski  
A. MOCHINSKI

SUBSCRIBED and SWORN to before me this 8<sup>th</sup> day of December, 1989.

RECORDED AT THE REQUEST OF  
Gorcochea & D. Grazia  
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89 DEC 12 09:17

OFFICIAL RECORDS  
CLERK OF COUNTY, NEVADA  
P. M. A. BALEAN, RECORDER  
FILE NO. 130837  
FEE \$ 8.00

Robert B. Mochinski  
NOTARY PUBLIC



GORCOECHEA & DICRAZIA, LTD.  
ATTORNEYS AT LAW  
OLDS BUILDING, SUITE 200  
FIFTH & ORMS STREETS - P. O. BOX 1903  
ELKO, NEVADA 89601  
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