

130887

NOTICE OF LIEN

WEYHER BROTHERS COMPANY, a Utah corporation, located at 165 South Main Street, Salt Lake City, Utah 84111, files and records this Notice of Lien pursuant to NRS 108.221-108.246, and alleges as follows:

1. The demand of Weyher Brothers Company is for the unpaid contract amount owing by the Owner or purported Owner of the subject property, Tonkin Springs Gold Mining Company, after all just credits, payments and offsets, in the amount of \$397,345.29, plus interest, costs, and reasonable attorney's fees.

2. The Owner or reputed Owner of the premises subject to this lien is Tonkin Springs Gold Mining Company, a wholly-owned subsidiary of U.S. Gold Corporation, and U.S. Gold Corporation, whose address is 1600 Stout Street, Suite 1600, Denver, Colorado 80202.

3. This indebtedness of the Owner arises out of a written construction Contract wherein Tonkin Springs Gold Mining Company is the Owner and Weyher Brothers Company is the General Contractor under which Weyher Brothers Company furnished labor, materials, and services in the construction and erection of various improvements and buildings.

4. The written Contract under which Weyher Brothers Company furnished materials, services and labor is dated October 24, 1988, and designated as "The Tonkin Springs Gold Project, Structural Steel Supply and Installation, Contract No. T-16." The original amount of said Contract was \$1,042,500, which contract amount was increased with various change orders, both additive and deductive, to \$1,293,919.35. The owner has paid \$896,574.06, but has failed and refused to pay the remaining balance of \$397,345.29. The last of said change orders was issued December 1, 1989, and full and final payment was due on that date.

5. The Owner issued its Certificate of Completion on December 1, 1989, at which time the Owner accepted the buildings and premises as complete.

6. The premises and real property upon which the lien attaches and which is reasonably necessary for the convenient use and occupation of the improvements is thus described: The buildings and improvements known as The Tonkin Springs Gold Project consisting of: The Crusher, Bio Leach Building, Adsorption Building, Reclaim Tunnel, Mill Tower, Conveyor Trestles and Emergency Dump Hopper, all of which are located on the following described real property situate in Eureka County, Nevada, owned or purportedly owned by the Owner:

Sections 1, 2, 4, 5, 6, Township 23 North, Range 49 East;  
and Sections 23, 32, 34, 27, Township 23 1/2 North, Range  
49 East, M.D.B.&M.

DATED this 22nd day of December, 1989.

WEYHER BROTHERS COMPANY

By Robert F. Weyher, Jr.  
Robert F. Weyher, Jr. - President

STATE OF UTAH )  
COUNTY OF SALT LAKE )

On the 22nd day of December, 1989, personally appeared before me Robert F. Weyher, Jr., who being first duly sworn upon oath, did verify, depose and swear that the information set forth above is true pursuant to his own knowledge, and that he did execute the foregoing Notice of Lien by authority duly vested in him as President by the Bylaws of the Corporation.

Mary H.  
NOTARY PUBLIC

My commission expires:  
March 3, 1991

Residing at: Salt Lake County

BOOK 206 PAGE 396

See BK 220 Pg 295  
for Assignment & Transfer

RECORDED AT THE REQUEST OF  
*First American Title*  
BOOK PAGE  
206 396

89 DEC 22 AM 11:39

OFFICIAL RECORDS  
EUREKA COUNTY, CALIFORNIA  
M.M. REBALEATI, RECORDER  
FILE NO. FEES  
130887 6.00

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