

**166293**

**NOTICE OF CLAIM OF LIEN**

NOTICE IS HEREBY GIVEN that CANYON CONSTRUCTION COMPANY, a Nevada corporation, claims its Mechanic's Lien in the amount of TWO HUNDRED EIGHTEEN THOUSAND THREE HUNDRED TWELVE AND 76/100 DOLLARS (\$218,312.76) upon certain property located in Eureka County, Nevada, commonly known as the Tonkin Springs Project JV (Nevada), which is more particularly described in Paragraph 7 of this Notice of Claim of Lien. This Lien is made pursuant to the laws of the State of Nevada, particularly chapter 108 of the Nevada Revised Statutes, as amended, for money owed for labor and material provided by the Claimant pursuant to a contract with the owner for the improvement of the real property located in Eureka County, Nevada, and more particularly described herein.

**Claimant further states:**

1. That the name of the owners or reputed owners of the premises sought to be charged are TONKIN SPRINGS GOLD MINING COMPANY, a Colorado corporation, and GOLD CAPITAL CORPORATION, a Colorado corporation, 5525 Erindale Drive, Suite 201, Colorado Springs, Colorado 80918.

2. That the name of the persons to whom Lien Claimant furnished labor and materials in connection with the project in TONKIN SPRINGS GOLD MINING COMPANY, a Colorado corporation and GOLD CAPITAL CORPORATION, a Colorado corporation.

3. That the terms, time given and conditions of the agreement between CANYON CONSTRUCTION COMPANY and TONKIN SPRINGS GOLD MINING COMPANY were that CANYON CONSTRUCTION COMPANY would furnish, pursuant to the terms of a contract dated August 9, 1996, mining construction work for TONKIN SPRINGS GOLD MINING COMPANY, and to be performed at the Tonkins Springs Project located in Eureka County, Nevada. The full amount currently due to CANYON CONSTRUCTION COMPANY is the sum of TWO HUNDRED EIGHTEEN THOUSAND THREE HUNDRED TWELVE AND 76/100 DOLLARS (\$218,312.76). The contract provides that the contractor invoice the owner on a weekly basis for the estimated percentage of the work completed and that the owner pay the contractor within five (5) days of receipt of payment invoice but not later than eight (8) days.

4. That the labor and materials which have been furnished to and actually used upon the project described herein which have not been paid for amount of TWO HUNDRED EIGHTEEN THOUSAND THREE HUNDRED TWELVE AND 76/100 DOLLARS (\$218,312.76).

5. That the work to be performed by CANYON CONSTRUCTION COMPANY under the terms of the contract dated August 9, 1996 has not yet been completed. This Claim of Lien is timely as within the statutory time frame established by N.R.S. Chapter 108.

6. That a demand for payment has been made by Lien Claimant and that none of the remaining balance has been paid; that there are no further off-sets to the claim and that the sum of TWO HUNDRED EIGHTEEN THOUSAND THREE HUNDRED TWELVE AND 76/100 DOLLARS (\$218,312.76) plus daily accruing interest is now due and owing to Lien Claimant on account of the labor and material furnished and that the undersigned claims a lien upon the real property particularly described herein for said sum, together with interest and attorney fees as provided by law.

7. Upon information and belief, the description of the real property sought to be charged with this Claim of Lien is the Tonkin Springs Project JV (Nevada) in Eureka County located on the Battle Mountain-Cortez trend approximately forty-five (45) miles northwest of Eureka, Nevada and seventy (70) miles south of Carlin, Nevada which includes but may not be limited to the following unpatented mining claims:

Parcel 1.

Those mining claims located in Section 1, T23 R49E of M.D.B.&M., State of Nevada, County of Eureka, including:

Ice 15-17-19-21  
38-40-42-44  
83-85-87-89-91-93  
96-98-100-102-104-106  
95-97-99-101-103-105  
116-118-120-122-124-121-128  
130-132-134

Parcel 2.

Those mining claims located in Section 1, T23.5 R49E of M.D.B.&M., State of Nevada, County of Eureka, including:

Ice 115-117-119-121-123-125  
127-129-131-133  
116-118-120-122-124-126-128-130-132-134  
139-138-136-135-140-142-143  
179-177-175-173-223-222-221  
Rob 410-411-412-413

Parcel 3.

Those mining claims located in Section 2, T23.5 R49E of M.D.B.&M., State of Nevada, County of Eureka, including:

Rob 257-273  
110-126  
183-199  
184-200  
257-273

DATED this 2<sup>th</sup> day of March, 1997.

CANYON CONSTRUCTION COMPANY, a  
Nevada corporation

By: Pamela Lattin  
PAMELA LATTIN, Secretary/Treasurer

VERIFICATION

Under penalties of perjury, the undersigned declares that she is the Secretary/Treasurer of CANYON CONSTRUCTION COMPANY, a Nevada corporation, the above-named Lien Claimant; that she has read the foregoing Notice of Claim of Lien and knows the contents thereof; that the same is true of her own knowledge except for those matters therein contained stated upon information and belief and, as to such matters, she believes them to be true.

Pamela Lattin  
PAMELA LATTIN

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OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF

Goicoechea & Di Grazia Ltd  
97 MAR 10 PM 12:55

EUREKA COUNTY NEVADA  
M.N. REBALEATI, RECORDER  
FILE NO. FEES 9.00

166293

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