

BOOK 398 PAGE 120-123
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
John J. Gezelin
2004 OCT 25 AM 9:00

EUREKA COUNTY, NEVADA
M.N. REBALEATI, RECORDER
FILE NO. FEES 17⁰⁰

**RECORDED AT THE REQUEST OF AND
WHEN RECORDED RETURN TO:**

**JOHN J. GEZELIN
Law Offices of John J. Gezelin
436 Court Street
Reno, NV 89501**

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COPY

UNCONDITIONAL WAIVER AND LIEN RELEASE

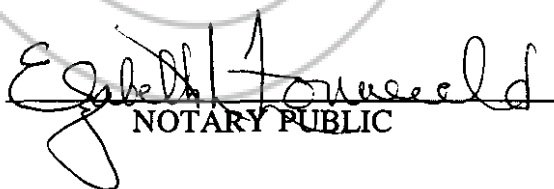
Upon receipt of payment in accordance with the United States Bankruptcy Court for the District of Delaware's Order which approved the Bankruptcy Court's Findings of Fact, Conclusions of Law and Order Under 11 U.S.C. § 1129 (a) and (b) and Fed. R. Bankr. P. 3020 Confirming Debtors' Amended Chapter 11 Liquidating Plan entered October 6, 2004 (the "Confirmation Order"), and that AT&T Corp. funded the \$20 million AT&T Special Lien Escrow Amount on October 19, 2004, in accordance with the Comprehensive Sale, Interpleader and Settlement Agreement by and among AT&T Corp. and the Debtors dated July 12, 2004 (the "AT&T Settlement"), this document becomes effective to release, and the undersigned shall be deemed to waive, any notice of lien, any private bond right, any claim for payment, and any right under any similar ordinance, rule, or statute related to the payment rights that the undersigned has on the property described on Exhibits 'A' and 'B', attached hereto and incorporated herein by reference.

Reference is made to that certain lien filed in Book 362, Page 255, as Document No. 182007 filed for record on June 20, 2003 with the Eureka County Recorder, State of Nevada.

DATED: This 21st day of October, 2004.


JOHN J. GEZELIN

Subscribed and sworn to before me
this 21st day of October, 2004.


NOTARY PUBLIC

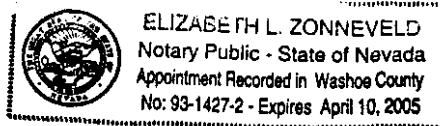


EXHIBIT A

In addition to the easements affecting the lands hereinafter described, the Lien is also claimed for the franchise rights of the easement holder(s), which franchise rights allow the easement holder(s) to install, operate, maintain, replace, and repair cable television lines, cable communication lines in public streets, which public streets are adjacent or appurtenant to the lands described below or which are necessary for said cable television lines and/or cable communication lines to operate on the lands described below.

Spread 3

The Work shall consist of the following:

Construction of a fiber optic cable system, approximately 104.8 miles in distance, beginning on US 50 at the Churchill County/Lander County Line (NDOT Station #0109+50.00), traveling east, crossing the Reese River (NDOT Station #0973+00.00), and continuing to the town of Austin. Upon entry into the town of Austin, construction will travel east on US 50 to Forest Ranger Road (NDOT Station #0999+15), northeast on Forest Ranger Road through a portion of the hills located north of town. From Forest Ranger Road, construction will turn south on 1st Street in a residential area in Austin, southeast on Reese Road, and northeast on US 50. Construction will continue northeast on US 50 for approximately 1300', turning east on a dirt forest service road, which parallels a pole line. Construction will continue east on the dirt forest service road for approximately 1.4 miles. At this point, construction will leave the dirt road and follow the pole line for approximately 1 mile, then begin following another dirt road. Construction will continue following the dirt road until it meets with US 50 (NDOT Station #0294+06). Once at US 50, construction will travel east on US 50 crossing the Lander County/Eureka County Line (NDOT Station #0356+69.00), passing through the town of Eureka, and ending at the Eureka County/White Pine County Line (NDOT Station Equation 0555+86.51 back, 0000+00.00 ahead). All construction will occur within public and private right-of-ways.

The system construction shall consist of placing eight (8) 2" HDPE conduit by means of cat plow, trenching, and boring methods, handhole installations, bridge attachments, assist point installation, installation of innerduct, installation of fiber optic cable into newly placed conduit, and the repair and restoration of all disturbed surfaces.

EXHIBIT B

In addition to the easements affecting the lands hereinafter described, the Lien is also claimed for the franchise rights of the easement holder(s), which franchise rights allow the easement holder(s) to install, operate, maintain, replace, and repair cable television lines, cable communication lines in public streets, which public streets are adjacent or appurtenant to the lands described below or which are necessary for said cable television lines and/or cable communication lines to operate on the lands described below.

Spread 4

The Work shall consist of the following:

Construction of a fiber optic cable system, approximately 132 miles in distance, beginning on US 50 at the Eureka County/White Pine County Line (NDOT Station Equation 0555+86.51 back, 0000+00.00 ahead), continuing east on US 50 traveling over Pancake Summit (NDOT Station #0714+00.00) and Little Antelope Summit (NDOT Station #0618+80.00). Construction will continue east on US 50 to HWY MP 65.22 (NDOT Station #0832+82). At MP 65.22, construction will travel east, paralleling a railroad track south of US 50. Construction will parallel the railroad track for .6 mile to US 50. Construction will continue east on US 50 to HWY MP 65.22 (NDOT Station #0832+82). At MP 65.22, construction will travel east, paralleling a railroad track, south of US 50. Construction will parallel the railroad track for .6 miles to US 50 (NDOT Station #0862+58). At this point, construction will travel east on US 50 entering the town of Ely. Once in Ely, construction will continue east on US 50 to the intersection of US 50 and Mill Street (NDOT Station #0021+13.35), south on Mill Street, south on Murry Street to the intersection of Murry Street and US 6 (NDOT Station #0345+00), east on US 6, south on Bobcat Drive, east on Mineral Drive, and east on US 50/US 6. Construction will continue east on US 50/US 6 to HWY MP 60.3 (NDOT Station #0243+81). At this point, construction will travel east, paralleling Old Hwy 50 for 4.3 miles. At US 50/US 6 HWY MP 64.8 (NDOT Station #0006+13), construction will exit Old Hwy 50 boundaries and begin traveling east, paralleling US 50/US 6. Spread 4 will end on US 50/US 6 at the Nevada/Utah border (NDOT Station #1951+16.89). All construction will occur within public and private right-of-ways.

The system construction shall consist of placing eight (8) 2" HDPE conduit by means of cat plow, trenching, and boring methods, handhole installations, bridge attachments, assist point installation, installation of innerduct, installation of fiber optic cable into newly placed conduit, and the repair and restoration of all disturbed surfaces.

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BOOK 398 PAGE 123