

APN: None

When recorded return to:
James M. Copenhaver, P.C.
950 Idaho Street
Elko, NV 89801

BOOK 400 PAGE 174-176
OFFICIAL RECORDS
RECORDED AT THE REQUEST OF
James M. Copenhaver PC
2004 NOV 24 PM 2: 08

EUREKA COUNTY, NEVADA
H.H. REBALEATI, RECORDER
FILE NO. FEES 16⁰⁰

193925

NOTICE OF LIEN

NOTICE IS HEREBY GIVEN that **MODERN CONCRETE, INC.**, a Nevada corporation whose address is P.O. Box 5711, Elko, Nevada, 89802 claims a lien upon the property hereinafter more particularly described, which property is located in Eureka County, Nevada, on 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 the lien claimant for the improvement of real property hereinafter more particularly described and located in the County of Eureka, State of Nevada.

MODERN CONCRETE, INC. further claims and asserts:

That the name and address of the owners or reputed owners of the premises sought to be charged are:

1. **Owner of the real property**
NEWMONT GOLD COMPANY aka
NEWMONT MINING CORPORATION
P.O. Box 669
Carlin, NV 89822-8967
2. **Owner of the tower**
Florida Power and Light Energy
P.O. Box 14000
Juno Beach, FL 33408-0420
3. **General Contractor**
Adam Smith dba
Echelon Environmental Energy
311 Arcaro Lane
Solana Beach, CA 92075

4. **Primary subcontractor**

FJN WorldNet
2408 Par Court
Bozeman, MT 59715

The name of the person by whom the lien claimant was employed and to whom the lien claimant furnished work, labor, materials and/or services in connection with the project was FJN WorldNet, 2408 Par Court, Bozeman, MT 59715

That the terms, time given and the conditions of the contract were that the lien claimant was to be paid the total sum due as of the date of the billing.

That work, labor, materials and/or services have been furnished to and actually used upon the above described project in the total amount of \$31,350.74. Said sum is now due and owing to the lien claimant in total plus interest at twenty one percent (21%) per annum is due which as of November 1, 2004 was \$1,236.86.

That the first labor and materials furnished by lien claimant to incorporate into the project was on or about August 28, 2004 and that the last labor and materials furnished by lien claimant was also on or about August 28, 2004; that there are no other credits or offsets to be deducted and that the total amount due and owing to the lien claimant is the sum of \$33,587.60 plus interest from November 1, 2004 and \$300.00 attorney fees and costs for preparing, recording and serving this Notice of Claim of Lien estimated to be \$100.00 for a total of \$33,987.60.

Lien claimant is informed and believes that the work of improvement has been completed.

That a demand for payment has been made by lien claimant and no part or portion of the amount due and owing has been paid; that there are no offsets to the claim in the sum of \$33,987.60 is now due and owing to the lien claimant on account of the work, labor, materials and/or services furnished as above specified, and the undersigned claims the lien upon the real property herein described for said sum, together with interest thereon from November 1, 2004 until paid plus and additional attorney fees and costs to be incurred as provided by law.

That the real property sought to be charged with this Claim of Lien and upon which the above described work or improvements has been made and is located is as follows:

That certain tower site located at North 40°58'41.52" and West 116°18'25.44" in Township 36 North, Range 50 East, M.D.B.&M., Eureka County, Nevada.

Together with all improvements located thereon.

DATED this 18th day of November, 2004.

JAMES M. COPENHAVER, P.C.
950 Idaho Street
Elko, Nevada 89801
Telephone: (775) 738-1951

By James M. Copenaver
Attorney for **MODERN CONCRETE, INC.**

STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

JAMES M. COPENHAVER, being first duly sworn, deposes and says: that I am an employee of JAMES M. COPENHAVER, P.C. and one of the attorneys for MODERN CONCRETE, INC., the company named as lien claimant in the foregoing Notice of Claim of Lien. I have read the above and foregoing Notice and Claim of Lien, am familiar with 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.

James M. Copenaver
JAMES M. COPENHAVER

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