

BOOK 408 PAGE 13-14  
OFFICIAL RECORDS  
RECORDED AT THE REQUEST OF  
*James M. Copeland* FILED  
2005 MAR 15 PM 1:37

1 CASE NO. CV-C-05- 205  
2 DEPT NO. 1

EUREKA COUNTY, NEVADA 2005 MAR 14 P 3:37  
M.N. REBALEATI, RECORDER  
FILE NO. FEES \$15.00  
ELKO CO. DISTRICT COURT  
CLERK DEPUTY *CB*

3 **196552**

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6 IN THE FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF ELKO

8  
9 MODERN CONCRETE, INC.,  
10 a Nevada corporation,  
11 Plaintiff,

12 NEWMONT GOLD COMPANY aka NEWMONT  
13 MINING CORPORATION, FLORIDA  
14 POWER AND LIGHT ENERGY, ADAM  
15 SMITH DBA ECHELON ENVIRONMENTAL  
16 ENERGY, FJN WORLDNET, INC. and  
17 DOES 1-10, and any unknown heir  
18 or heirs of any deceased person  
19 named; and all persons,  
20 partnerships, corporations or  
21 other legal entities unknown  
22 having any right, title, estate,  
23 lien, or interest in the real  
24 property described in the  
25 Complaint;  
26 Defendants.

NOTICE OF PENDENCY OF  
ACTION TO FORECLOSE LIEN

27 NOTICE IS GIVEN and an action has been commenced in the  
28 above-entitled Court by the above-named Plaintiff and against the  
above-named Defendants. The suit is in regard to work performed by the  
Plaintiff on lands owned by the Defendants. The premises described  
by the suit are located in Eureka County, Nevada and more particularly  
described 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

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County, Nevada.

TOGETHER WITH all buildings and improvements thereon.

TOGETHER WITH all and singular the tenements, hereditaments, easements, and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof, or of any part thereof.

DATED: February 28, 2001.

DATED this 14th day of March, 2005.

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

By James M. Copenaver  
**JAMES M. COPENHAVER**  
One of Plaintiff's Attorneys  
Nevada State Bar No. 485

CERTIFIED COPY  
DOCUMENT ATTACHED IS A  
TRUE AND CORRECT COPY  
OF THE ORIGINAL ON FILE  
14 day of March, 2005  
*Win Smith*  
CLERK