

When Recorded Mail To: Henderson & Nelson, 164 Hubbard Way, St. B, Reno, NV 89502 (RCV)

AMENDED NOTICE AND CLAIM OF LIEN

NOTICE IS HEREBY GIVEN that BYRON A. KUHL dba CARMICHAEL DOOR & BUILDING SUPPLY claims a Mechanic's and Materialman's Lien upon the property hereinafter particularly described, which property is located in the County of Douglas, State of Nevada, and 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 materials furnished by lien claimant for the improvement of real property hereinafter particularly described, located in the County of Douglas, State of Nevada.

That the whole of real property hereinafter particularly described has been or is in the process of improvement and is reasonably necessary for the convenient use and occupation of said property.

That this Amended Notice and Claim of Lien is filed, pursuant to that certain Order entered on August 22, 1986, in a judicial action proceeding in the Ninth Judicial District Court of the State of Nevada In and For the County of Douglas, No. 15595, in Department No. 1, entitled as follows: C & C S, Inc., a Nevada Corporation, dba Stitser Drywall, Plaintiff, vs. Peter Wilday and David Wilday and George W. Gillemot and Dorothy E. Gillemot, Defendants; Byron A. Kuhl, dba Carmichael Door & Building Supply, Intervenor, vs. George W. Gillemot and Dorothy E. Gillemot,

LAW OFFICES OF
HENDERSON & NELSON
164 HUBBARD WAY
SUITE B
RENO, NEVADA 89502

160664

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husband and wife, Defendants. Further, pursuant to said Order, a copy of which is attached hereto as Exhibit "A" and by this reference incorporated herein, and pursuant to N.R.S. 108.229, this Amended Notice and Claim of Lien shall relate back to the time of the recording of the original Notice and Claim of Lien, which was recorded in the Official Records of Douglas County, Nevada, on November 19, 1984, at Book 1184, Page 1384, as Document No. 110171.

Claimant further states:

1. That the name of the owner or reputed owners of the premises sought to be charged are GEORGE W. GILLEMOT and DOROTHY E. GILLEMOT, husband and wife, who own such premises as community property, and/or GEORGE W. GILLEMOT, Trustee under Declaration of Trust for the George W. Gillemot Family, dated December 14, 1984.

2. That the name of the person by whom lien claimant was employed and to whom lien claimant furnished materials in connection with the project is GEORGE W. GILLEMOT.

3. That the terms, time given, and conditions of the contract were that the lien claimant would supply material only. Such material consisted of prehung doors as well as mirrors, window cases, and door casings. The material was to be delivered to the job site in exchange for a total consideration of \$45,575.00 plus interest at an annual rate of eighteen percent (18%). Payment was to be made ten (10) days after each delivery.

4. That materials have been furnished to and actually used upon the above-described project in the total amount of \$45,575.00, and that to date there is still due and owing monies in the amount of \$24,637.50, plus accrued interest and attorneys' fees.

5. Lien claimant is informed and believes that the work of improvement remained uncompleted at the time the abovesaid original Notice and Claim of Lien was filed.

6. That a demand for payment has been made by lien claimant and that no part or portion of the amount due and owing has been paid; that there are no further off-sets to the claim and that the sum of \$24,637.50 plus interest is now due and owing to lien claimant on account of the materials furnished as above specified and that the undersigned claims a lien upon the real property particularly described herein for said sum, together with interest and attorneys' fees as provided by the Contract and law.

7. That the real property sought to be charged with this Claim of Lien upon which the above-described work of improvement has been made are three contiguous parcels of land, generally described as 2147 The Back Road, Glenbrook, Douglas County, Nevada, and more particularly described as:

All those certain lots, pieces or parcels of land situate in the County of Douglas, State of Nevada, described as follows:

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~~Lot 12, Block A, as shown on the map of GLENBROOK UNIT NO. 3-A, filed in the office of the County Recorder of Douglas County, Nevada, on June 13, 1980;~~

SB gk

~~Lot 13, Block A, as shown on the map of GLENBROOK UNIT NO. 3-A, filed in the office of the County Recorder of Douglas County, Nevada, on June 13, 1980;~~

Beginning at the Southwest corner of Section 2, Township 14 North, Range 18 East, M.D.B. & M., thence along the Section line common to Sections 2 and 3 North 0°01'02" East a distance of 542.28 feet to a point; thence North 88°10'47" East a distance of 319.18 feet to a point; thence South 0°01'02" West a distance of 550.10 feet to the Section line common to Sections 2 and 11; thence along said Section line South 89°35'00" West a distance of 319.01 feet to the point of beginning and being situate in the Southwest quarter of the Southwest quarter of Section 2, Township 14 North, Range 18 East, M.D.B. & M;

TOGETHER WITH a membership in GLENBROOK HOMEOWNERS ASSOCIATION subject to the provisions of the Articles of Incorporation and By-Laws of said association;

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

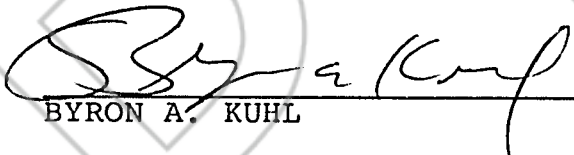
DATED this 30th day of SEPTEMBER, 1986.


BYRON A. KUHL

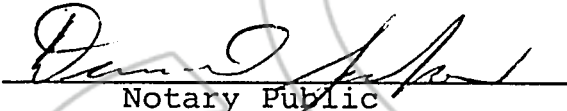
STATE OF CALIFORNIA)
) ss.
COUNTY OF Sacramento)

BYRON A. KUHL, being first duly sworn, deposes and says that:

I am the owner of Carmichael Doors, the company named as lien claimant in the foregoing Amended Notice and Claim of Lien. I have read the above and foregoing Amended Notice and Claim of Lien, know 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, after deducting all just credits and off-sets.


BYRON A. KUHL

SUBSCRIBED and SWORN to before me
this 15 day of Oct,
1986.


Notary Public

1 No. 15595

'86 AUG 22 P3:21

2 Dept. No. 1

3
4 BY J. ZIMM DEPUTY

5
6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF DOUGLAS
8

9 C & C S, INC., a Nevada
10 corporation, dba Stitser Drywall,

11 Plaintiff,

12 v.

ORDER

13 PETER WILDAY and LEONARD H.
14 McINTOSH, personally and doing
15 business as WILMAC, a partnership,
16 and DAVID WILDAY and GEORGE W.
17 GILLEMOT and DOROTHY E. GILLEMOT,

18 Defendants.

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BYRON A. KUHL, dba Carmichael Door
& Building Supply,

Intervenor,

v.

GEORGE W. GILLEMOT and DOROTHY E.
GILLEMOT, husband and wife,

Defendants.

Upon the motion of defendants George W. Gillemot and Dorothy E. Gillemot, filed on or about July 17, 1986, to dismiss the plaintiff's first amended complaint; and as this said motion was orally amended at the hearing in this action of July 29,

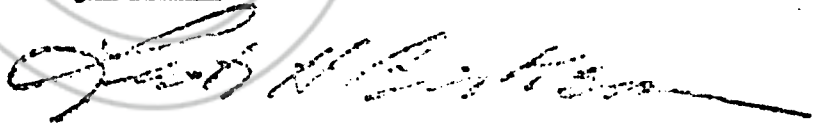
1 1986, by Thomas J. Hall, Esq., attorney for Mr. and Mrs.
2 Gillemot, to include grounds for dismissal of the mechanic's lien
3 claims of the plaintiff and the intervenor, because they had
4 misdescribed the real property on which the residence of Mr. and
5 Mrs. Gillemot was constructed in both their complaints and
6 notices of lien claims as recorded; and upon the points and
7 authorities filed by counsel, and good cause shown;

8 IT IS HEREBY ORDERED:

9 1. That the motion of defendants George W. Gillemot
10 and Dorothy E. Gillemot to dismiss the mechanic's lien claims
11 found in the complaints of the plaintiff C & C S, Inc., and
12 intervenor Byron A. Kuhl, is hereby denied; and,

13 2. That the said plaintiff and intervenor may amend
14 their lien claims as well as their pleadings filed herein to
15 state the correct description of the real property on which the
16 Gillemot residence was constructed in which the plaintiff and
17 intervenor were involved, and such corrected description shall
18 relate back to the time of recording such notice of lien claims,
19 respectively, by the plaintiff and intervenor.

20 DATED: August 22nd, 1986.

21 

22 _____
23 LESTER H. BERKSON
24 District Judge

25 REQUESTED BY
26 Henderson + Nelson
27 IN OFFICIAL RECORDS OF
28 QUEBEC, CANADA

'87 AUG 21 P12:28

SUZANNE BLAHDREAU
RECORDER
\$ 11.00 PAID Bh DEPUTY

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