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Assessor's Parcel Number: **TOPAZ RANCH ESTATES UNIT 4, General Improvement District, Common Streets and Roadways as dedicated, but not accepted by the Douglas County Board of Commissioners on October 20, 1970.**

NOTICE AND CLAIM OF LIEN

NOTICE IS HEREBY GIVEN that **Delta Construction Co., Inc.**, Claimant, claims a Mechanic and Materialman's Lien in the amount of **\$215,496.03** upon that certain real property located in the County of **Douglas** State of Nevada, described herein ("Property"). This 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 the Labor, Materials, Equipment and/or Services furnished by Lien Claimant for the improvement of the Property. The whole of the property has been, or is in the process of improvement and is reasonably necessary for the convenient use and occupation of the property.

Claimant further states:

1. The name(s) of the owner(s) or reputed owner(s) of the Property at the time work was performed are:
 - (a) **Topaz Development Corp. (c/o Steve Sanders)**
4001 Carter Way, Wellington, Nevada 89444
 - (b) **Topaz Ranch Estates General Improvement District (c/o Steve Sanders)**
4001 Carter Way, Wellington, Nevada 89444
2. The name of the person by whom Claimant was employed or to whom Claimant furnished materials is:
Topaz Ranch Estates (General Improvement District)
4001 Carter Way, Wellington, Nevada 89444

3. A statement of the terms, time given and conditions of the contract are:

Lien Claimant commenced furnishing Asphalt & Concrete Paving, Trench Grading, Saw-cutting, Double Chip Seal, Labor, Various Building Materials & Supplies pursuant to a contract with Topaz Ranch Estates General Improvement District. Upon approval and signature of the contract, lien claimant began work on the common roadways of Topaz Ranch Estates Unit No. 4, portions of sections 5, 8, 9, 14, 15 & 16 of Township 10N and Range 22 E in Douglas County. The terms of the contract provided for the Claimant to receive payment 30-days after delivery and presentation of invoices to Topaz Ranch Estates General Improvement District as stated in the contract documents. The labor, materials, equipment and/or services provided by lien Claimant during the period from September 25, 2000 through October 1, 2001, were provided pursuant to the terms of the street repair contract. Lien Claimant has submitted numerous invoices to Topaz Ranch Estates General Improvement District with said invoices due 30-days thereafter. After deducting all just credits and offsets the sum of \$215,496.03 is now due and owing to Lien Claimant for the furnishing of Asphalt & Concrete Paving, Trench Grading, Saw-cutting, Double Chip Seal, Labor, Various Building Materials & Supplies to the work of improvement stated below.

4. The labor, materials, equipment, and/or services furnished to be used upon the property were an approximate total amount of **\$215,496.03**; after deducting all just credits and offsets, to date the sum of **\$0.00** has been paid and/or credited; and the sum of **\$215,496.03** is now due and owing to Lien Claimant for the labor, materials, equipment and/or services; with interest thereon at the rate of **18%** per annum. Interest is due on the principle sum from **October 1, 2001** to date of claim, which equals **\$7,546.74**, Interest thereafter is to be calculated on a per diem rate of **\$107.81**.
5. The description of the property to be charged is: **Topaz Ranch Estates Unit 4, General Improvement District, North of Topaz lake and east of the junction of Highway 395 and Highway 208, common streets and roadways as listed in Exhibit "A", attached hereto and made part by reference hereof, Douglas County, Nevada.**
6. Lien claimant made demand for payment, and no part or portion of the amount due and owing has been paid. There are no further offsets to the claim; and the sum of \$... **215,496.03** ... plus interest at the legal rate is now due and owing to lien claimant on account for Asphalt & Concrete Paving, Trench Grading, Saw-cutting, Double Chip Seal, Labor, Various Building Materials & Supplies so provided.

0530533

NOTICE AND CLAIM OF LIEN

(Continued)

Dated this 17th Day of December, 2001.

Firm name DELTA CONSTRUCTION CO., INC.

By: *Bruce Philipanko*

Bruce Philipanko, authorized agent for
Delta Construction Co., Inc.

VERIFICATION

I, the undersigned, say I am the **Authorized Agent** for the Claimant named in the foregoing Notice and Claim of Lien. I have read the above and foregoing Notice and Claim of Lien and know the contents thereof and state that the same is true of my own knowledge, except those matters stated upon information and belief; and, as to those matters, I believe them to be true. I further state that the Notice and Claim of Lien contains, among other things, a correct statement of the demand of Lien Claimant, after deducting all just credits and offsets.

I declare under penalty of perjury of the laws of California that the foregoing is true and correct.

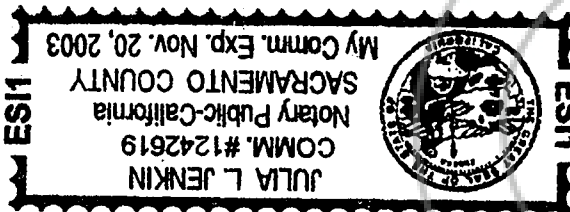
Executed on December 7th, 2001, at Sacramento, California

By: *Bruce Philipanko*

Bruce Philipanko, authorized agent for
Delta Construction Co., Inc.

STATE OF CALIFORNIA

COUNTY OF SACRAMENTO



On this ... 7th.... day of ... December in the year of ... 2001, before me,.....**Julia L. Jenkin**....., a Notary Public in and for said State, personally appeared **Bruce Philipanko**, personally known to me (or proved on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and Official Seal.

Julia L. Jenkin
.....
Notary public in and for said State.

Recorded at the Request of
and
when Recorded Return to:

Name ✓
Address **Delta Construction Co., Inc.**
C/O Construction Lien Service
City & State **575 University Avenue, Suite 100**
Sacramento, CA 95825

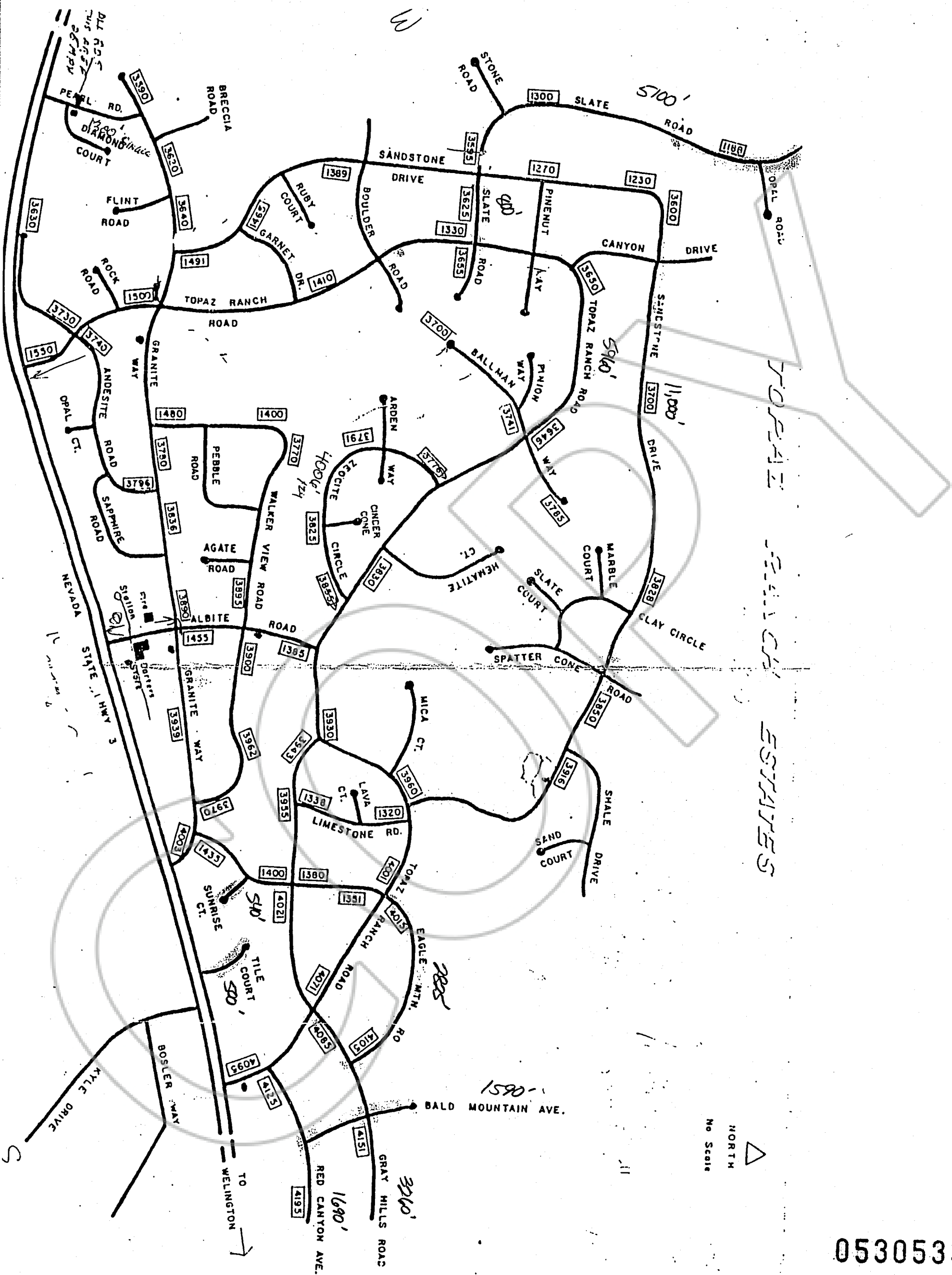
SPACE ABOVE THIS LINE FOR RECORDER'S USE

EXHIBIT "A"

Topaz Ranch Estates Unit 4 Common Streets and Roadways

**Albite Road
Sunrise Court
Tile Court
Red Canyon Avenue
Bald Mountain Avenue
Gray Hills Road
Eagle Mountain Road
Sandstone Drive
Topaz Ranch Road
Slate Road**

0530533



TOPOZ ESTATES

NORTH
No Scale

0530533

BK 1201 PG 6747

COPY

REQUESTED BY
Delta Constructors
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2001 DEC 20 AM 11:42

LINDA SLATER
RECORDER

\$18⁰⁰ PAID Ka DEPUTY

0530533

BK 1201 PG 6748