

93548

Vol. 74 Page 12943

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, has performed labor and furnished materials under a contract between claimant and E.G.S. METRO DEVELOPMENT CONSTRUCTION COMPANY who was the ☒ original contractor, ☐ subcontractor or ☐ other person (indicate which) having charge of the construction of that certain improvement known as K-MART situated upon certain land in the County of Klamath, State of Oregon, described as follows:

In Exhibit A attached hereto and made a part hereof.

Said improvement is also known as located at Avalon and Shasta Way Streets in the City of Klamath Falls, Oregon.

Said labor and materials were furnished to be used and were used in constructing said improvement and were furnished at the instance and request of the original contractor, subcontractor or other person named above who was the agent of the owner of said described land and said improvement, the person by whom claimant was employed and to whom said materials were furnished; at all times herein mentioned, the said owner had knowledge of the construction of said improvement and consented thereto; on the date hereof Eltinge, Graziado & Simpson Development Co., G'Connor Company dba Sixth Avenue Enterprises is the owner or reputed owner of said land and improvement.

The contract price and reasonable value of said labor and materials furnished by claimant for use and used in said construction was and is \$129,945.00 and there is now due and owing claimant for the said materials so furnished and the labor performed, after deducting all just credits and offsets, the sum of \$83,275.06.

The following is a true statement of claimant's demand after the deductions mentioned above, to-wit:

Mr.

In Account with the Undersigned Claimant

	Dr.	Cr.
As set forth in Exhibit B,	\$	\$
Balance	83,275.06	
Costs: Preparation of Lien Notice	5 00	
Balance Due Claimant:	83,280.06	

Claimant claims a lien for the amount last stated upon the said improvement and upon the land upon which said improvement is situated, together with such space about the same as may be required for the convenient use and occupation thereof, to be determined by the court at the time of the foreclosure of this lien.

The time in which claimant has to file this claim of lien for recording with the county clerk of the county in which said improvement is situated has not expired; forty-five days have not elapsed (indicate which)
☐ after _____, 19____, the date on which said construction was completed.
☒ after August 27, 1974, the date on which claimant ceased to labor on and furnish labor and materials for said construction.

In construing this instrument, the masculine pronoun means and includes the feminine and the neuter and the singular includes the plural, as the circumstances may require.

Dated this 3rd day of October, 1974.

GEO. R. STACY CO. dba

STUCKEY ROCK & PAVING

By Paul Stuckey

NOTE: If claimant is an individual, the name of the claimant must be printed in full.

STATE OF OREGON,

County of Klamath } ss.

12944

I, BARBARA WARDELL
and say, That I am the Secretary of GEO. R. STACY CO., being first duly sworn, depose
claimant named in and who signed the foregoing instrument; that I have knowledge of the facts therein set
forth; that said instrument contains a true statement of claimant's demands and the amount due claimant after
deducting all just credits and offsets; that all statements made in said instrument are true and correct.

Subscribed and sworn to before me this 3rd day of October 1974

Barbara L. Wardell
Notary Public for Oregon
My commission expires 9/17/78

(SEAL)

Notice of
Mechanic's Lien
Contractor

(FORM No. 124)

BY THE ENGINEER-LAW FIRM, CO., PORTLAND, ORE.

STATE OF OREGON,

County of Klamath ss.

I certify that the within instru-
ment was received for record in the
day of October 1974

at 11 o'clock M. and recorded

in book on page

or as filing fee number

Record of

of said County.

Witness my hand and seal of
County affixed.

By _____ Title _____ Deputy

AFTER RECORDING RETURN TO

Practice Packer
280 Main St
Klamath Falls, Oregon
97601