

96305

Vol. 75 Page 185

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on the 10th day of November, 1974, enter into a contract direct with the owner of the real estate described below for the furnishing of materials and the performance of labor to be used in the construction of that certain improvement known as Big Bert's Restaurant situated upon certain land in the County of Klamath, State of Oregon, described as follows:

Lots 16 and 16A of Junction Acres; Lots 30, 32, 25, 33, 10 and 13 of Highland Park; Also: Beginning at the SW corner of Lot 1, Section 7, T. 39 S. R. 10 E.W.M.; thence E. along southerly line of said Lot 1 a distance of 231.75 feet; thence N. along a line parallel with the W. line of said Lot 1 a distance of 360 feet; thence W. parallel with the S. line of said Lot 1 a distance of 231.75 feet to a point on the W. line of said Lot 1; thence S. along the West line of said Lot 1 a distance of 360 feet, more or less, to the place of beginning, all excepting portions heretofore conveyed for highway purposes

Said improvement is also known as Building at junction of highways 39 and 140, in the City of Klamath Falls, Oregon. No. Street, 1974, and completed his said contract on November 11, 1974.

At the time claimant entered into said contract and at the time claimant commenced the said work and the furnishing of said materials, Mallory & Mallory, Inc., an Oregon Corporation was the owner of said land and improvements and the person by whom claimant was employed and to whom claimant furnished materials; at all times herein mentioned, the said owner had knowledge of the construction of said improvement; on the date hereof Mallory & Mallory, Inc. is the owner or reputed owner of said land and improvements.

The contract price and reasonable value of said labor and materials furnished for use and used in connection with said construction was and is \$ 617.91 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 \$ 617.91.

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

Owner Mallory & Mallory, Inc.

## In Account with the Undersigned Claimant

		Dr.	Cr.
11-10-74	& Materials	\$481.91	\$
11-11-74	Labor	136.00	
	Costs: Preparation of Lien Notice	5 00	
	Balance Due Claimant:	622.91	

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; sixty days have not elapsed since claimant completed his said contract.

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 6 day of January, 1975.

Quannah Russell Windham  
Claimant

RECEIVED JAN 6 1975

STATE OF OREGON,

County of Klamath

ss.

I, Q. P. Windham, being first duly sworn, depose and say: That I am the above 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

day of

January, 1975.

(SEAL)

Notary Public for Oregon

My commission expires 6-18-78

Notice of  
Mechanics' Lien  
Original Contractor

(FORM No. 123)

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

STATE OF OREGON,

County of Klamath

ss.

I certify that the within instrument was received for record on the 6th day of JANUARY, 1975, at 3:25 o'clock P.M., and recorded in book N 75 on page 185  
Record of MECHANICS' LIENS  
of said County.

Witness my hand and seal of  
County affixed.

M. D. KILNE

County Clerk

By *Raymond L. Drayton*

FEE \$ 4.00 Deputy.

AFTER RECORDING RETURN TO

*Crane & Bailey*  
325 Main Street  
Klamath Falls, Oregon  
97601