

192

12051

0. M76 Page 1451.3

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, has performed labor and/or furnished materials at the special instance and request of Petrehn Construction who at all times herein mentioned was the ☒ original contractor, ☐ subcontractor, ☐ construction agent, ☐ or ☐ other person (indicate which) having charge of the construction of that certain improvement known as J. & M. Produce Building situated upon certain land in the County of Klamath, State of Oregon, which is the site of said improvement, described as follows: A tract of land situated in Farm Unit "C" & Govt. Lot 6, in the SE $\frac{1}{4}$ Sect. 16, T 41S, R 12 E. WM described as: Beginning at the East quarter corner of Sect. 16; thence South 00 14' West 1150.' to the intersection of Broadway and Rosicky Avenue; thence North 89 46' West along the centerline of said Rosicky Avenue and its extension, 2087.16' to a point marking the true point of beginning; thence South 00 14' West 216', more or less, to the Northerly right of way line of Depot Road; thence South 71 23' 40" West along said right of way line 588', more or less, to the West line of the SE $\frac{1}{4}$ of said Sect. 16; thence Northerly along the West line of said SE $\frac{1}{4}$ 406', more or less, to a point which bears North 89 46' West from the true point of beginning; thence South 89 46' East 557' more or less to the true point of beginning.

Address, if known (if unknown, so state) Malin, street address unknown

Number, Street and City

in said county and state.

The name of the owner or reputed owner of said land is Donald G Micka & EZD Farms, Inc.
who, at all times herein mentioned, is

who, at all times herein mentioned had knowledge of the

The name of the person who employed claimant to perform said labor and/or to furnish said materials is Paul Williams

The kind of labor so performed and/or materials so furnished by claimant is:

cement work dealing with construction of building

Materials (if no materials furnished, insert the word "none")

concrete, steel (mesh & rebar), sealer, lumber

Claimant commenced to perform said labor and/or to furnish said materials on approx. May 5 1976, and completed same on August 4, 1976, after which he ceased to provide and/or to furnish materials.

The following is a true statement of claimant's demand after deducting all just credits and offsets, to-wit:

Labor	(5709.84)	Profit	(6065.00)		
Materials				\$11,774.84	
Less- draw	XXXXXX	XXXXXX	XXXXXX	XXXXXX	\$30,441.25
Preparation of this claim of lien (ORS 87.910)					
Recording fees				\$	10.00
Total				\$	6.00
Less all just credits and offsets				\$42,232.09	
Balance due claimant				\$15,394.50	
				\$26,837.59	

14511

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

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.

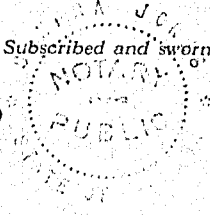
Dated this 15 day of August September, 1976

Daryl W. Mitchell
Claimant

I, Daryl Mitchell, being first duly sworn, depose and say: That I am the claimant named in and who signed the foregoing instrument; that I have knowledge of the facts therein set forth; that all statements made in said instrument are true and correct, as I verily believe.

Subscribed and sworn to before me this 15 day of September, 1976.

(SEAL)



Daryl W. Mitchell
Notary Public for Oregon. My Commission expires 10-30-79

NOTICE TO THE OWNER of the land described in the attached copy of claim of lien:

Please be advised that the original claim of lien of which the attached is a true copy was filed and recorded in the office of the recording officer of _____ County, Oregon, on _____, 19____.

Claimant

Note: Section 14 of Chapter 466, Oregon Laws 1975 provides:

"A person filing a claim for a lien as provided by ORS 87.035 shall deliver to the owner a notice in writing that the claim has been filed. The notice shall be delivered not later than 20 days after the date of filing."

Note: The foregoing lien is created by subsection 1 of ORS 87.010. Section ORS 87.035 provides: "Every person claiming a lien under subsection (1) or (2) of ORS 87.010 shall file the claim not later than 90 days after he has ceased to provide labor, rent equipment or furnish materials or 60 days after completion of construction, whichever is earlier." Also that the lien claim "shall be filed for recording with the recording officer of the county or counties in which the improvement or some part thereof, is situated."

**CLAIM OF
CONSTRUCTION LIEN
LABOR AND/OR MATERIALS**
(FORM No. 126)

Lien Claimant

Owner

AFTER RECORDING RETURN TO

Smith & Lee
210 N. 4th
Klamath Falls

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON

County of _____

SS.

I certify that the within instrument was filed in my office on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book _____ at page _____, or as file/reel No. _____ of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Recording Officer

By _____

Deputy

The itemized amounts below are on the J&M Produce Job

Concrete	\$21,000.00
Steel (wire mesh and rebar)	5,000.00
Zip Strips	125.00
Block Wall	3,600.00
Pit (10' x 10' outside)	200.00
Lumber	200.00
Sealer (Burke Floor Sealer)	300.00
Labor	4,500.00
	<u>\$34,935.00</u>
Profit	<u>+6,065.00</u>
<u>Total</u>	<u>\$41,000.00</u>

Additional Concrete 75½ yds.	3,133.25
Additional Rebar	406.00
Additional Labor	<u>1,059.84</u>
<u>Sub Total</u>	<u>\$45,599.09</u>
Minus Rebar	-3,523.00
" Draw 6/29/76	<u>-15,000.00</u>
<u>Sub Total</u>	<u>\$27,076.09</u>
Additional Labor (for dock)	<u>150.00</u>
<u>Balance Due</u>	<u>\$27,226.09</u>

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Smith & Lee

this 15 th day of September A. D. 1976 at 4:22 o'clock P.M., and

duly recorded in Vol. M76, of Construction Liens on Page 14513

Wm D. MILNE, County Clerk

By Larry D. Carr

fee \$-9.00

Ret: Smith & Lee

OK