

28238

Vol. 77 Page 6515

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on the day of November, 1976, 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 dike repair situated upon certain land in the County of Klamath, State of Oregon, described as follows:

That portion of Lot 3 lying South of the Railroad, Section 13, Township 38 South, Range 8, East of the Willamette Meridian; that portion of Lot 4 lying South of the Railroad, Section 18, Township 38 South, Range 9, East of the Willamette Meridian; and Lot 5, Section 18, Township 38 South, Range 9, East of the Willamette Meridian

Said improvement is also known as _____ in the City of _____, Oregon, No. _____ Street

Claimant commenced his performance of said contract on December 17, 1976, and completed his said contract on January 27, 1977, at which time claimant was terminated by owner prior to the commencement of improvement.

At the time claimant entered into said contract and at the time claimant commenced the said work and the furnishing of said materials, Ellingson Lumber Co., 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 Ellingson Lumber Co. 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 \$ 2,062.00 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 \$ 654.40.

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

Owner Ellingson Lumber Co.

In Account with the Undersigned Claimant

		Dr.	Cr.
January 20 through January 27, 1977		\$	\$
16½ hours at \$18.00 per hour for dump truck	298.00		
December 17, 1976, through January 27, 1977			
63 hours at \$28.00 per hour for cat work	1764.00		
February 1977			
Payment			1407.60
Costs: Preparation of Lien Notice	5.00		
Balance Due Claimant:	659.40		

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 18 day of April, 1977

Glenn Cox Backhoe Service

Glenn J. Cox
Claimant

STATE OF OREGON,

County of Klamath

ss.

6516

I, Glenn Cox

and say: That I am the _____, 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 18 day of April, 19 77.

Patricia C. Trotman

Notary Public for Oregon

My commission expires 10/24/79

Notice of
Mechanics' Lien
Original Contractor

(FORM No. 123)

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

Glenn Cox Backhoe Service

against

Ellingson Lumber Co.

STATE OF OREGON,

County of Klamath

ss.

I certify that the within instru-
ment was received for record on the
18th day of APRIL, 1977.,
at 2:34 o'clock P.M., and recorded
in book M 77 on page 6515
Record of MECHANICS' LIENS
of said County.

Witness my hand and seal of
County affixed.

WM. P. MILNE

County Clerk

By *Patricia C. Trotman*
Deputy.

FEE \$ 6.00

AFTER RECORDING RETURN TO

Beddoe & Hamilton
296 Main Street
Klamath Falls, Oregon 97601