

29069

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KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, has performed labor upon, transported or furnished materials and/or rented equipment (as hereinafter described), actually used in the construction of that certain improvement known as KENO TIMBER SALE, all at the instance of the owner of said improvement or his construction agent; said improvement is situated upon certain land in the County of Klamath, State of Oregon, (which is the site of said improvement) described as follows:

Northeast one-fourth of the Southeast
one-fourth of Section 25, Township 37
South, Range 13 East, Willamette Meri-
dian.

The address of said land is, if known (if unknown, so state) unknown

The name of the owner or reputed owner of said land is United States Forest Service, in said county and state.

The name of the owner or reputed owner of said improvement is and Weyerhaeuser, Inc., the person or persons just named at all times herein mentioned had knowledge of the construction of said improve-
ment.

The name of the person ☒ who employed claimant to perform said labor, to furnish said materials and/or equip-
ment, or ☐ to whom he furnished said materials or rented said equipment (indicate which) is Thomas J. Parker & Associates, Inc.

The kind of labor so performed, materials so transported or furnished and equipment so rented by claimant was:

Labor (if no labor performed, insert word "none") rock drilling, crushing and stockpiling.

Materials (if no materials furnished, insert the word "none") crushed rock obtained from owner's rock pit; powder and caps.

Equipment rented; if none, insert "none." Drillers, two D-8 Cat. Dozers, 980 Loader, Hobgoblin (680 backhoe with air hammer).

Claimant commenced to perform said labor, to furnish said material and/or equipment on October 29, 1976, and completed same on April 26, 1977, after which he ceased to perform labor and/or to furnish materials or equipment. The construction of said improvement ~~was completed~~ is not yet completed.
(If not yet completed, so state).

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

Demolition <u>81,450 cubic yards of rock, crushed at \$3.10</u>	\$	
Materials <u>per cubic yard, plus stockpiling at \$.10 per</u>	\$	
Equipment <u>cubic yard, as per contract</u>	\$	260,640.00
Preparation of this claim of lien (ORS 87.910)	\$	
Recording fees	\$	10.00
Total	\$	6.00
Less all just credits and offsets	\$	260,656.00
Balance due claimant	\$	168,875.87
	\$	91,764.13

For the time and place of recording to make this lien a valid claim, see quotation from ORS 87.035 on next page.

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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 3rd day of May, 1977.

LINCOLN CONSTRUCTION, INC.

by: William D. Link
President Claimant

State of Oregon, County of Douglas ss.

I, William D. Link, being first duly sworn, depose and say: That I am the President of Lincoln Construction, Inc. 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 3rd day of May, 1977.



William D. Link
Notary Public for Oregon. My Commission expires 10/14/79
7-17-80

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 Klamath County, Oregon, on May 19, 1977.

Lincoln Construction, Inc.

by: William D. Link
President Claimant

Note: ORS 87.039 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)

Lincoln Construction, Inc.

Lien Claimant
United States Forest Service and Weyerhaeuser, Inc.
Owner

AFTER RECORDING RETURN TO
HEILING & McINTOSH
Attorneys at Law
752 S.E. Pine Street
Roseburg, Oregon 97470

STATE OF OREGON

State of Oregon, } ss.
County of Klamath }

I hereby certify that the within instrument was

received and filed for record on the 4 day of May, 1977, at 1:02

o'clock P.M. and recorded on Page 7683

in Book M77 Records of Construction Lien of said County.

WM. D. MILNE, County Clerk

By W. D. Milne Deputy
Fee \$6.00