

30297

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, has performed labor upon, transported or furnished materials and/or rented equipment under a contract between claimant and R. E. Tracy who was the ☐ original contractor, ☒ subcontractor, ☐ construction agent or ☒ other person (indicate which) having charge of the construction of that certain improvement known as L D S Stake House situated upon certain land in the County of Klamath, State of Oregon, (which is the site of said improvement) described as follows:

Beginning at a ½ inch iron pin on the Southerly line of Alva Avenue, said point being North 00° 47' 38" West a distance of 646.40 feet and North 89° 39' 15" East a distance of 402.00 feet from the South-west corner of the NW¼ NE¼ of said Section 1; thence South 00° 47' 38" East parallel to the East line of Second Addition to Winema Gardens, a duly recorded subdivision plat, a distance of 400.00 feet; thence North 89° 39' 15" East 431.28 feet to the Westerly line of the Easterly 490 feet of the S½ NW¼ NE¼ of said Section 1, said line being the Easterly line of Deed Volume 323, Page 233, as recorded in the Klamath County Deed Records; thence North 00° 21' 05" West along the Easterly line of said Deed Volume 400.00 feet to the Southerly line of Alva Avenue extended Easterly; thence South 89° 39' 15" West along the Southerly line of Alva Avenue extended Easterly and the Southerly line of said Alva Avenue 434.37 feet to the point of beginning.

The address of said improvement, if known (if unknown, so state) is the Southside of Alva Street near McClellan Drive and Dawn Drive in the City of Klamath Falls, in said county and state.

The name of the owner or reputed owner of said land is Church of Jesus Christ of Saints, the name of the owner of said improvement at whose instance said labor, materials and/or equipment were performed or furnished is Church of Jesus Christ of Latter Day Saints; the person or persons just named, at all times herein mentioned, had knowledge of the construction of said improvement. The name of the person by whom claimant was employed or to whom he furnished said labor, materials and equipment is R. E. Tracy.

Labor, kind (if no labor performed, insert the word "none") applying build up roofing material

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

Equipment rented (if none, insert "none") none

All of said labor, materials and equipment was actually used in the construction of said improvement.

Claimant commenced to perform his said contract on August 12, 1976, and completed same on March 31, 1977, after which he ceased to provide labor and to furnish materials and equipment.

The construction of said improvement was completed on May 6, 1977. (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:

Contract price \$ 3,551.85

Said price includes the reasonable rental value of said equipment which is \$

If no contract price, the reasonable value of claimant's labor, materials and equipment is:

Labor \$

Materials \$

Equipment \$

Preparation of this claim of lien (ORS 87.910) \$ 10.00

Recording fees \$ 6.00

Total \$ 3,567.85

Less all just credits and offsets \$ 1,000.00

Balance due claimant \$ 2,567.85

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

(OVER)

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 the land that 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 May 20, 1977

Harold P. Henris

Claimant

STATE OF OREGON, County of Klamath ss.

I, Harold P. Henris, dba Henris Roofing, being first duly sworn, depose

and say: That I am the Claimant

claimant named in 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.

Harold P. Henris

Subscribed and sworn to before me this 20th day of May, 1977

Michael L. Brant

Notary Public for Oregon. My Commission expires 1-21-81

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

By

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 "Original contractor" means a contractor who has a contractual relationship with the owner"; a subcontractor does not.

ORS 87.005

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
SUB CONTRACTOR**
(Form No. 124)

Lien Claimant

Owner

AFTER RECORDING RETURN TO

Michael L. Brant
325 Main Street
Klamath Falls, OR 97601

(SPACE RESERVED
FOR
RECORDER'S USE.)

STATE OF OREGON

County of Klamath ss.

I certify that the within instrument was filed in my office on the day of MAY, 1977, at 2:37 o'clock P.M., and recorded in book M77 on page 9432 or as file/reel No. 30297 of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

WM. D. MILNE

By Harold Maguire Recording Officer Deputy

FEE \$ 6.00