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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 Church's Fried Chicken, 4650 South 6th, Klamath Falls, Ore. 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:

Lots 5 thru 10, inclusive, Block 1, ST. FRANCIS PARK, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

The address of said land is, if known (if unknown, so state) 4650 South Sixth Street, Klamath Falls, Oregon 97601 in said county and state.

The name of the owner or reputed owner of said land is Merritt N. Van Sickle and Olivia M.

The name of the owner or reputed owner of said improvement is (same as above) /Van Sickle the person or persons just named at all times herein mentioned had knowledge of the construction of said improvement.

The name of the person ☒ who employed claimant to perform said labor, to furnish said materials and/or equipment, or ☐ to whom he furnished said materials or rented said equipment (indicate which) is Jerry Schatz, 3966 South Pacific Highway, Medford, Oregon

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") Asphalt Paving Co.

Materials (if no materials furnished, insert the word "none") rock and AC mix

Equipment rented; if none, insert "none." paving equipment and trucks

Claimant commenced to perform said labor, to furnish said material and/or equipment on Nov. 15, 1977, and completed same on Dec. 2, 1977, after which he ceased to perform labor and/or to furnish materials or equipment. The construction of said improvement was completed on Dec. 2, 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:

Labor	\$ 1,062.32
Materials	\$ 5,682.93
Equipment; its reasonable rental value	\$ 1,140.75
Preparation of this claim of lien (ORS 87.910)	\$ 10.00
Recording fees	\$ 6.00
Total	\$ 7,902.00
Less all just credits and offsets	\$
Balance due claimant	\$ 7,902.00

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 20 day of January, 1978.

Gene R. Byrnes, dba. Asphalt Paving Co.

Gene R. Byrnes
Claimant

State of Oregon, County of Klamath ss.

I, Gene R. Byrnes

, 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.

Gene R. Byrnes

Subscribed and sworn to before me this 20 day of January, 1978.

Ruby Peterson

Notary Public for Oregon. My Commission expires 11-8-81.

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 Klamath County, Oregon, on January 20, 1978.

Gene R. Byrnes

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. 124)

Lien Claimant

Owner

AFTER RECORDING RETURN TO

O. W. Hooley
431 Main
K 7

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 20th day of January, 1978, at 4:51 o'clock P.M., and recorded in book M78 at page 1318, or as file/reel No. 42038 of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Wm. D. Milne

By *Bernetha J. Keloch* Recording Officer

Deputy

Fee \$6.00