

1976 TS

43967

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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 Route 2, Box 721, Olene, OR, 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:

Starting at the quarter section corner which is common to Sections 15 and 22, Township 39 South, Range 10 East of the Willamette Meridian, and running thence North 0°35' West a distance of 562.8 feet along the North-South Center line of Section 15; thence North 57°46' West a distance of 184.7 feet to the point of beginning; which point of beginning is on the Southerly right of way line of the Klamath Falls-Lakeview Highway. From said point of beginning thence North 57°46' West a distance of 187.5 feet along said Southerly right of way line of the Klamath Falls-Lakeview Highway; thence South 0°16' East a distance of 216.6 feet to a point on the Northerly right of way line of the O. C. & E. Railroad; thence South 89°55' East a distance of 157.9 feet along said Northerly right of way line of the O. C. & E. Railroad; thence North 0°16' West a distance of 116.8 feet to the point of beginning.

The address of said land is, if known (if unknown, so state) Route 2, Box 721, Olene, Oregon, in said county and state.

The name of the owner or reputed owner of said land is Herbert W. Waits & Wendolyn S. Waits, in said county and state.

The name of the owner or reputed owner of said improvement is same as above, 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 Herbert W. Waits, III.

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") labor in construction or remodelling of improvements

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

Equipment rented; if none, insert "none." none

Claimant commenced to perform said labor, to furnish said material and/or equipment on January 12, 1978, and completed same on February 20, 1978, after which he ceased to perform labor and/or to furnish materials or equipment. The construction of said improvement was completed on 1978. (If not yet completed, so state). UNCOMPLETED--Owner ordered claimant to stop work.

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

Labor	\$ 2,416.72
Materials	\$
Equipment; its reasonable rental value	\$
Preparation of this claim of lien (ORS 87.910)	\$
Recording fees	\$ 10.00
Total	\$ 2,472.72
Less all just credits and offsets	\$
Balance due claimant	\$ 2,472.72

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 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 1st day of March, 1978.

Timothy R. Hannan
Abba T. H. Remodeling & Building
 Claimant

State of Oregon, County of Klamath ss.
 I, TIMOTHY R. HANNAN

, being first duly sworn, depose and say: That I am the owner of Claimant 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 1st day of March, 1978.

(SEAL)

Conna L. Rogers
 Notary Public for Oregon. My Commission expires 6/28/81

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____.

Claim:

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. 128)

T. & A. Remodeling &
 Building

Lien Claimant

Mr. and Mrs. Herbert W.
 Walts, III

Owner

AFTER RECORDING RETURN TO

PARKS & RATLIFF
 Attorneys at Law
 207 Boivin Building
 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 2nd day of March, 1978, at 3:05 o'clock P. M., and recorded in book M78 at page 3942, or as file/reel No. 43967, of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Wm. D. Milne

By *Benjamin A. Milne* Recording Officer

Fee \$6.00

Deputy