

FORM NO. 12 - CREATION OF LIEN - Original Contractor only.
1974. If it does not conform, use S-N Form No. 124.

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on the 1st day of September, 1977, enter into a contract with the owner of the improvement named below for the performance of labor, transporting or furnishing materials to be used in or renting equipment used in the construction of said improvement known as **Ward Edwards and Bill Jackson dba Keno Food King**.
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:

By at a 5/8" iron pin marking the SW cor of Lot 21 of the Third Add to Klamath River Acres, th S00°16'59" W along the ELY r/w li of Morgan Way, a public road, 191.65' to a 5/8" iron pin on the NLY r/w li of Ore Hy No 66, th N88°57'00" E along said NLY li to a 5/8" iron pin at the beg of a curve to the left, th along the arc of a 378.00' radius curve to the left (delta=20°23'24"; Long Chord=N78°45'17" E 133.81') 134.52' to a PK nail at a point on curve and the SWLY r/w li of vacated Pine St. th N55°53'37" W along said SWLY r/w li of vacated Pine St. 216.47' to a 5/8" iron pin marking the most SE cor of said Lot 21. th S88°47'18" W along the S li of said lot 21 99.54' to the

The address of said land, if known, is (if unknown, so state) **Keno, Oregon** in said county and state.

The name of the owner or reputed owner of said land is **Fidelity Funding & Realization Co., Inc. and Ward Edwards and Bill Jackson**.
The person or persons just named, at all times herein mentioned, had knowledge of the construction of said improvement. Claimant was employed to furnish said labor, materials and equipment and to perform said contract by the said owner of said improvement. Claimant commenced his performance of said contract on **September 1, 1977**, provided and furnished all labor, materials and equipment required by said contract and actually used in the construction of said improvement and fully completed his said contract on **March 15, 1978**, after which he ceased to provide labor, materials or equipment for said improvement.

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

Contract price	\$
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	\$ 10,476.00
Materials	\$ 2,741.07
Equipment	\$
Operation of this claim of lien (ORS 87.910)	\$ 10.00
Recording fees	\$ 6.00
Total	\$ 13,233.07
Less all just credits and offsets	\$
Balance due claimant	\$ 13,233.07

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 the said site, to be determined by the court at the time of the foreclosure of this lien.

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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Any other fee due on this form ORS 87.012 on next page. For the date and basis of recording to make this lien.

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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.

Date: April 11, 1978. This instrument is being recorded on the date of the day of the month of the year 1978.

Ray Greaves, dba Advance Refrigeration & Equipment Co. Claimant

STATE OF OREGON, County of Jackson

I, Ray Greaves, dba Advance Refrigeration & Equipment Co., being first duly sworn, depose and say: That from the 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.

Notary Public for Oregon, My Commission expires 6/3/81

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 this attached is a true copy was filed and recorded in the office of the recording officer of Klamath County, Oregon on 4/11/78.

By: Ray Greaves, Claimant

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."

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."

STATE OF OREGON County of Klamath

CLAIM OF CONSTRUCTION LIEN ORIGINAL CONTRACTOR

LIEN CLAIMANT: STATE OF OREGON

LIEN DEBTOR: Klamath County

FILED IN MY OFFICE ON THE 11th DAY OF APRIL, 1978 AT 10:10 O'CLOCK A.M. AND RECORDED IN BOOK 278 ON PAGE 6911 OR AS FILE/REEL NO. 66072 OF THE CONSTRUCTION LIEN BOOK OF SAID COUNTY.

WITNESSE MY HAND AND SEAL OF SAID COUNTY THIS 11th DAY OF APRIL, 1978.

By: [Signature] Recording Officer

Fee \$6.00

After Recording Return to: Steve R. Pickens, Atty. 521 W. Riverside

RECORDING RETURN TO: Steve R. Pickens, Atty. 521 W. Riverside

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