

1976 TS

1A 244 57083

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 Spaghetti and Co. 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:

CONDITIONAL TO CLAIM

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED  
HEREIN AS FULLY AS IF SET FORTH.

PERSON WHOSE MATERIALS  
CONSTRUCTION LIEN  
CLAIM OF

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 Joseph W. and Sarita B. Green, husband and wife, in said county and state.  
The name of the owner or reputed owner of said improvement is Joseph W. & Sarita B. Green, husband and wife, 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 Joseph W. Green

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") Installation of heating and air conditioning system.

Materials (if no materials furnished, insert the word "none") one 4-ton, two 2-1/2 ton, two 3-ton and one complete make up air system for kitchen, Frazier-Johnston and all duct work and parts for complete system.

Equipment rented; if none, insert "none."

Claimant commenced to perform said labor, to furnish said material and/or equipment on May 31, 1978, and completed same on October 12, 1978, after which he ceased to perform labor and/or to furnish materials or equipment. The construction of said improvement was completed on October 12, 1978. (If not yet completed, so state) Not yet completed.

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

Labor and materials	\$ 21,950.00
Materials	\$
Equipment; its reasonable rental value	\$
Preparation of this claim of lien (ORS 87.910)	\$ 10.00
Recording fees	\$ 9.00
Total	\$ 21,969.00
Less all just credits and offsets	\$ 13,800.00
Balance due claimant	\$ 8,169.00

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 19 day of October, 1978

Robert E. Hagan  
Robert E. Hagan

Claimant

State of Oregon, County of Lane ss.

I, ROBERT E. HAGAN, 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.

Subscribed and sworn to before me this 19 day of October, 1978

(SEAL)

Layne M. American  
Notary Public for Oregon. My Commission expires 9-10-81

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

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. 120)

ROBERT E. HAGAN dba  
HAGAN HEATING & AIR  
CONDITIONING Lien Claimant

VS.

JOSEPH W. & SARITA B.  
GREEN, H & W Owner

AFTER RECORDING RETURN TO

BICK & MONTE, P.C.  
1551 Pearl Street  
Eugene, OR 97401  
Ph. 484-9444

SPACE RESERVED

FOR

RECORDER'S USE

STATE OF OREGON

County of \_\_\_\_\_ ss.

I certify that the within instrument was filed in my office on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in book \_\_\_\_\_ at page \_\_\_\_\_, or as file/reel No. \_\_\_\_\_ of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Recording Officer

By \_\_\_\_\_ Deputy

PARCEL 1: A tract of land situated in the SE1/4 NW1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian.

Beginning at a point on the North right of way line of that portion of the Klamath Falls-Lakeview Highway known as South Sixth Street, which is North 0° 35' West 40 feet from the Southwest corner of the SE1/4 NW1/4; thence North 88° 57' East along the North right of way line of said Highway 35 feet, and the true point of beginning; thence continuing North 88° 57' East along said Highway 100 feet; thence North parallel to the West line of the SE1/4 NW1/4, 111.2 feet to the Southeast corner of that property described in Deed recorded May 28, 1965, in Volume 362, Page 101, Deed Records of Klamath County, Oregon; thence South 38° 57' West 100 feet; thence South parallel to the West line of the SE1/4 NW1/4 111.2 feet to the point of beginning.

PARCEL 2: Beginning at a point which is North 0° 35' West, 30.0 feet, and North 88° 57' East, 135.0 feet, and North 0° 35' West 111.22 feet from the Southwest corner of the Southeast quarter of the Northwest quarter of Section 2, Township 39 South, Range 9 East of the Willamette Meridian; thence continuing North 0° 35' West, a distance of 50.0 feet; thence South 88° 57' West a distance of 100 feet; thence South 0° 35' East a distance of 50.0 feet; thence North 88° 57' East, a distance of 100.0 feet, more or less, to the point of beginning, being a portion of the West one-half of the West one-half of the Southeast quarter of the Northwest quarter of Section 2, Township 39 South, Range 9 East of the Willamette Meridian.

PARCEL 3: Beginning at a point North 0° 35' West 191.2 feet from the Southwest corner of the SE1/4 NW1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian, and thence continuing North 0° 35' West a distance of 100 feet; thence North 88° 57' East a distance of 135 feet; thence South 0° 35' East 100 feet; thence South 88° 57' West a distance of 135 feet to the point of beginning, being a portion of said SE1/4 NW1/4 of Section 2, Township 39 South, Range 9 East of the Willamette Meridian.

## EXHIBIT "A"

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Transamerica Title Co.this 20th day of October A. D. 1978 at 3:43 clock P.M., andfully recorded in Vol. M78, of Construction Liens on Page 23659

Wm D. MILNER, County Clerk

Fee \$9.00

By

*Bernetha H. Ketch*