

1976 TS If claimant is a subcontractor, use S-N Form No. 124.

Vol. 778 Page 24362

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on the 19th day of April, 1978, 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 a personal dwelling for Rex Julian

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:

Southeast quarter, Northeast quarter of
Section 22, Township 36 South, Range 11 East, W.M.

The address of said land, if known, is (if unknown, so state) Star Route 2, Sprague River Road,
Sprague River, OR. 97659 in said county and state.

The name of the owner or reputed owner of said land is Rex Julian;
the name of the owner or reputed owner of said improvement is Rex Julian;
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 April 17, 1978, 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 October 12, 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	\$	
Materials (Cement)	\$	7,502.50
Equipment	\$	2,806.23
Interest	\$	345.90
Preparation of this claim of lien (ORS 87.910)	\$	10.00
Recording fees	\$	6.00
Total	\$	10,670.73
Less all just credits and offsets	\$	(1,692.57)
Balance due claimant	\$	8,978.06

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.

— OVER —

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 October 26, 1978

Don Combs, dba NU MIX CONCRETE

Don Combs DBE The mix concrete
Claimant

STATE OF OREGON, County of Klamath, ss.

I, Don Combs, 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.

Subscribed and sworn to before me this 26th day of October, 1978.

(SEAL)

Don Combs
Carl Musick
Notary Public for Oregon. My Commission expires 4/16/81

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, 1978.

By Don Combs 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." 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."

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."

**CLAIM OF
CONSTRUCTION LIEN
ORIGINAL CONTRACTOR**

(Form No. 133)

Don Combs, dba NU MIX
CONCRETE
Lien Claimant

vs.

REX JULIAN
Lien Debtor

AFTER RECORDING RETURN TO

Richard C. Whitlock, Attorney
296 Main Street
Klamath Falls, OR 97601

STATE OF OREGON

County of Klamath, ss.

I certify that the within instrument was filed in my office on the 30th day of October, 1978, at 9:08 o'clock A.M., and recorded in book M78 on page 24362, or as file/reel No. 57529, of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Wm. D. Millne

Recording Officer

By Richard C. Whitlock

Deputy

Fee \$5.00