

NURSERYMAN'S LIEN

KNOW ALL MEN BY THESE PRESENTS: The undersigned, herein-after called the Claimant, dba ALTAMONT NURSERY CO., a filed assumed business name, did on or about March 15, 1979, enter into an oral contract with MARTIN E. ADAMS and ELIZABETH BETTY ADAMS, husband and wife, to landscape the front yard of Lot 11, Block 2, East Hills Estates Second Addition, Klamath County, Oregon, also known as 2121 Kimberly Drive, Klamath Falls, Oregon, for an agreed price of \$2,690.00 for the furnishing of shrubbery and landscaping materials and the labor required to landscape said real property.

That said landscaping job was completed on April 10, 1979, within the 120 days allowed plaintiff for the filing of its notice of lien pursuant to ORS 87.366.

That on or about April 29, 1979, plaintiff gave defendants a \$390.00 credit on said job reducing the cost for said job to the sum of \$2,300.00, and on April 30, 1979, the defendants paid \$1,500.00 of said debt leaving a balance then due and owing of \$800.00. That the defendants are the owners, or at least the reputed owners, of said land described above and had knowledge at all times that said landscaping was being done to the real property described.

That plaintiff has made demand upon defendants for payment of said \$800.00, and defendants have failed and refused to pay same and continue to fail and refuse to pay same. That there is now due and owing from defendants to plaintiff after credit for all offsets and payments the sum of \$800.00.

That plaintiff claims a lien for said \$800.00 against the above described real property together with land that may be required for the convenient occupation and use of the 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.

15802

DATED this 3rd day of July, 1979.Randall M. Wood
Randall M. WoodOscar E. Cleveland
Oscar E. ClevelandJudith J. Wood
Judith J. WoodJoan M. Cleveland
Joan M. Cleveland

CLAIMANT

STATE OF OREGON)
) ss.
County of Klamath)

WE, RANDALL M. WOOD, JUDITH J. WOOD, OSCAR E. CLEVELAND and JOAN M. CLEVELAND, a co-partnership doing business as ALTAMONT NURSERY CO., a filed assumed business name, being first duly sworn, depose and say that we are the Claimant named in the foregoing instrument, and that we have knowledge of the facts therein set forth; that all statements made in said instrument are true and correct as we verily believe.

Randall M. Wood
Randall M. WoodOscar E. Cleveland
Oscar E. ClevelandJudith J. Wood
Judith J. WoodJoan M. Cleveland
Joan M. Cleveland

SUBSCRIBED and SWORN to before me this 3rd day of July, 1979.

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 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 July 3rd, 1979.

Randall M. Wood
Randall M. WoodOscar E. Cleveland
Oscar E. ClevelandJudith J. Wood
Judith J. WoodJoan M. Cleveland
Joan M. Cleveland

doing business as ALTAMONT NURSERY CO., a filed assumed business name.

by O. W. Goakey
O. W. Goakey
Attorney for plaintiff

NOTE: This lien is filed under the provisions of ORS 87.358 and ORS 87.366 allows 120 days after the lien attaches for the recording of same.

NOTE: ORS 87.039 provides:

A person filing a claim for a lien as provided by statute shall deliver to the owner a notice in writing that the claim has been filed. The notice shall be delivered not less than 20 days after the date of filing.

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Return to
O. W. Goakey
Attorney at Law
431 Main St.
Klamath Falls, Oregon 97601

STATE OF OREGON, COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 3rd day of July A.D., 19 79 at 3:24 o'clock P M., and duly recorded in Vol. 179 of Construction Liens on Page 15802.

FEE \$6.00

WM. D. MILNE, County Clerk
By Bernetha Shleich Deputy