

72265

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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 (see below) 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:

Altamont Acres, Lot 4, Block 6.

The address of said land is, if known (if unknown, so state) 3117 Bisbee, Klamath Falls, Oregon 97601.

The name of the owner or reputed owner of said land is Floyd A. Creach, in said county and state.

The name of the owner or reputed owner of said improvement is (same) 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 Floyd A. Creach

The kind of labor so performed, materials so transported or furnished and equipment so rented by claimant was:

Labor (if no labor performed, insert the word "none") Paving

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

Equipment rented; if none, insert "none." Dump trucks and other paving equipment.

Claimant commenced to perform said labor, to furnish said material and/or equipment on June 12 19 79, and completed same on June 15, 19 79, after which he ceased to perform labor and/or to furnish materials or equipment. The construction of said improvement was completed on June 15, 19 79. (If not yet completed, so state).

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

Labor	\$ 180.00
Materials	\$ 681.00
Equipment; its reasonable rental value	\$ 169.00
Preparation of this claim of lien (ORS 87.910)	\$
Recording fees	\$ 10.00
Total	\$ 7.00
Less all just credits and offsets	\$ -0-
Balance due claimant	\$ 1047.00

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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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 13th day of August, 1979.

BYRNES CONSTRUCTION COMPANY

Gene R. Byrnes
Claimant

State of Oregon, County of Klamath

I, Gene Byrnes, ss.

and say: That I am the claimant, being first duly sworn, depose 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 13th day of August, 1979.

(SEAL)

Notary Public
Notary Public for Oregon. My Commission expires 7-18-82

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 Klamath County, Oregon on August 13, 1979.

Gene R. Byrnes
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. 126)

BYRNES CONSTRUCTION CO.
Lien Claimant

FLOYD A. CREACH
Owner

AFTER RECORDING RETURN TO
BOIVIN, BOIVIN & ASPELL
110 North Sixth Street
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 13th day of August, 1979, at 2:17 o'clock P.M., and recorded in book 1729 at page 1222, or as file/reel No. 72265, of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

By *Suzanne M. Milne* Recording Officer
Fee \$7.00 Deputy