

5176-13 If claimant is a subcontractor, use S-N Form No. 124.

77513

OB 04001

Vol. 179 Page 27841



I KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on the month of September, 19 79, 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 The Shasta Drive-In Theatre

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:

PARCEL 1:

The S 1/2 of the SE 1/4 of the NW 1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, less approximately three acres conveyed to J. N. and Iva E. Stiles by Deed recorded in Book 214, Page 50, Deed Records of Klamath County, Oregon.

ALSO EXCEPTING THEREFROM the following:

Beginning at the Southeast corner of the SE 1/4 of the NW 1/4 of Section 11, Township 39 South, Range 11 East of the Willamette Meridian, Klamath County, Oregon; thence North along the East section line, 660 feet to the North line of the S 1/2 of said SE 1/4 of the NW 1/4; thence West along said line 342 feet; thence South 660.50 feet to the South line of said SE 1/4 of the NW 1/4; thence East 338 feet to the point of beginning.

PARCEL 2:

A parcel of land in the S 1/2 of the SE 1/4 of the NW 1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, more particularly described as follows:

Beginning at a point in said S 1/2 of the SE 1/4 of the NW 1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian (Cont'd. on "Attach. A") The address of said land, if known, is (if unknown, so state) Winter Avenue, Klamath Falls, Oregon

The name of the owner or reputed owner of said land is Klamath Theatres, Inc. in said county and state. the name of the owner or reputed owner of said improvement is Klamath Theatres, Inc. 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 23, 1979, 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 2, 1979, 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 \$ 1,600.00

If no contract price, the reasonable value of claimant's labor, materials and equipment is:

Labor

Materials

Equipment

Preparation of this claim of lien (ORS 87.910)

Recording fees

Total

Less all just credits and offsets

Balance due claimant

\$ 1,600.00

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and claim the deduction from ORS 21,932 on next page.
For the true and correct recording of work this day of

--- DATE ---

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 November 29, 1979

Claimant hereby is filed for the situation just stated above the
Balance due instrument
Cost all last claims and effects
Total
Recording fee

Gregory A. Lara, Jr.

Claimant

STATE OF OREGON, County of Klamath ss.

I, Gregory A. Lara, Jr., being first duly sworn, depose

and say: That I am 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.

Gregory A. Lara, Jr.

Subscribed and sworn to before me this 29th day of November, 1979.

Isabel Rodriguez

Notary Public for Oregon. My Commission expires 4-12-83

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

November 29, 1979, under a copy of the mortgage of Douglas V. Osborne, recorded as a home in 1979 as 1/5 of the

of the work being performed is to be done by the claimant.

By

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
Abbott (Form No. 123)
Gregory A. Lara, Jr.
Lien Claimant
Klamath Theatres, Inc.
Lien Debtor
AFTER RECORDING RETURN TO
Douglas V. Osborne
112 N. Fifth Street
Klamath Falls, OR 97601

STATE OF OREGON
County of
I certify that the within instrument was filed in my office on the
day of
at o'clock M., and recorded
in book on 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

27843

"ATTACHMENT A"

Claim of Construction Lien

Gregory A. Lara, Jr., Claimant

Legal Description Continued

Meridian, which lies North 331.4 feet and North 88° 57' East 394.2 feet from the Southwest corner thereof; thence North 0° 43' West 331.2 feet, more or less to the North line of said S 1/2 of the SE 1/4 of the NW 1/4 of said Section 11; thence South 88° 48' West along the North line of said S 1/2 of the SE 1/4 of the NW 1/4 197.1 feet; thence South 0° 43' East 331.2 feet; thence North 88° 57' East 197.1 feet, more or less to the place of beginning, in the S 1/2 of the SE 1/4 of the NW 1/4 of Section 11, Township 39 South, Range 9 East of the Willamette Meridian. Subject to an easement over and across the South 30 feet of the above-described tract for road purposes.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 30th day of November A.D. 19 79 at 2:57 o'clock P. M., and duly recorded in Vol. M79 of Donstruction Liens on Page 27841.

FEE \$10.50

WM. D. MILNE, County Clerk

By Bernetha M. Helst Deputy