

83458

Vol. M₈₀ Page 746.1

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, has performed labor upon, transported or furnished materials and/or rented equipment under a contract between claimant and Dale Niedermeyer and Joe Jarvis who was the ☒ original contractor, ☐ subcontractor, ☐ construction agent or ☐ other person (indicate which) having charge of the construction of that certain improvement known as High Valley Estates situated upon certain land in the County of Klamath, State of Oregon, (which is the site of said improvement) described as follows:

See attached Exhibit "A" incorporated herein.

The address of said improvement, if known (if unknown, so state) is 1333 Avalon Street in the City of Klamath Falls, in said county and state.

The name of the owner or reputed owner of said land is Dale Niedermeyer & Joe Jarvis; the name of the owner of said improvement at whose instance said labor, materials and/or equipment were performed or furnished is Dale Niedermeyer & Joe Jarvis; the person or persons just named, at all times herein mentioned, had knowledge of the construction of said improvement. The name of the person by whom claimant was employed or to whom he furnished said labor, materials and equipment is Dale Niedermeyer & Joe Jarvis.

Labor: kind (if no labor performed, insert the word "none") framing - carpentry

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

Equipment rented (if none, insert "none") none

All of said labor, materials and equipment was actually used in the construction of said improvement.

Claimant commenced to perform his said contract on November 26, 1979, and completed same on January 27, 1980, after which he ceased to provide labor and to furnish materials and equipment.

The construction of said improvement was completed on not completed, 1979 (If not yet completed, so state). March 27

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

Contract price \$ 3,765.00

Said price includes the reasonable rental value of said equipment which is \$ none

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) \$ 10.00

Recording fees \$ 7.00

Total \$ 3,782.00

Less all just credits and offsets \$ 1,255.00

Balance due claimant \$ 2,527.00

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 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 April 17, 1980.

Chuck L. Schroeder
Claimant

STATE OF OREGON, County of Jackson, ss.

I, Chuck L. Schroeder, 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.

Chuck L. Schroeder

Subscribed and sworn to before me this 17 day of April, 1980.

(SEAL)

Notary Public for Oregon. My Commission expires 8/29/80

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

By

Note: ORS 47.019 provides:

"A person filing a claim for a lien as provided by ORS 47.035 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 "Original contractor" means a contractor who has a contractual relationship with the owner; a subcontractor does not.

ORS 47.005.
The foregoing lien is created by subsection 1 of ORS 47.010. Section ORS 47.035 provides: "Every person claiming a lien under subsection (1) or (2) of ORS 47.010 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

SUB CONTRACTOR

(Form No. 124)

Lien Claimant

Owner

AFTER RECORDING RETURN TO

Sidney E. Ainsworth
515 E. Main St.
Astoria, Or. 97103

(SPACE RESERVED
FOR
RECORDING OFFICE USE.)

STATE OF OREGON

County of

I certify that the within instrument was filed in my office on the day of 19 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

EXHIBIT "A".

A portion of Tract 31 ENTERPRISE TRACTS, in the County of Klamath, State of Oregon, more particularly described as follows:

Commencing at the Northeast corner of Lot 37, ENTERPRISE TRACTS, thence South $00^{\circ} 15' 30''$ East, along the centerline of Avalon Street, 355.75 feet; thence South $56^{\circ} 38' 10''$ East, 36.03 feet to a point on the East boundary of said street for the true point of beginning; thence South $56^{\circ} 38' 10''$ East, 108.05 feet; thence South $73^{\circ} 31' 10''$ East, 41.51 feet; thence North $79^{\circ} 52'$ East, 103.20 feet; thence North $70^{\circ} 29' 20''$ East, 154.58 feet; thence North $89^{\circ} 25' 40''$ East, 92.78 feet; thence North $1^{\circ} 24' 20''$ West, 31.01 feet; thence North $89^{\circ} 25' 40''$ East, 50.00 feet; thence North 134.58 feet to a point on the Southwesterly boundary of the U.S.R.S. "A" Canal; thence along said canal boundary North $81^{\circ} 17'$ West, 23.93 feet; thence 94.98 feet along the arc of a curve right (which arc has a radius of 433.10 feet and a long chord of North $78^{\circ} 00' 07''$ West, 94.79 feet; thence South $00^{\circ} 15' 30''$ East, 59.01 feet; thence South $89^{\circ} 44' 30''$ West, 395.00 feet to a point on the East boundary of Avalon Street; thence along said boundary South $00^{\circ} 15' 30''$ East, 132.87 feet to the true point of beginning.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

and for record at request of ////////////////////

is 21 day of April A. D. 1980 at 3:20 o'clock P. M., and

is recorded in Vol. M-80, of Construction Leinson Page 7464

Wm D. MILNE, County Clerk

By Bernard J. Hetch