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83743

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 KENNETH C. and JUDY A. RUTLEDGE who was the ☒ original contractor, ☐ subcontractor, ☐ construction agent or ☐ other person (indicate which) having charge of the construction of that certain improvement known as Rutledge Residence situated upon certain land in the County of _____, State of Oregon, (which is the site of said improvement) described as follows:

(See Attached Exhibit "A")

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

The name of the owner or reputed owner of said land is Kenneth C. and Judy A. Rutledge; the name of the owner of said improvement at whose instance said labor, materials and/or equipment were performed or furnished is _____; 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 _____

Labor; kind (if no labor performed, insert the word "none") _____

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

Equipment rented (if none, insert "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 January 9, 1980, and completed same on March 6, 1980, after which he ceased to provide labor and to furnish materials and equipment. The construction of said improvement was completed on _____, 19____. (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:

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	\$ _____
Equipment	\$ _____
Preparation of this claim of lien (ORS 87.910)	\$ <u>10.00</u>
Recording fees	\$ <u>10.50</u>
Total	\$ <u>2,620.50</u>
Less all just credits and offsets	\$ <u>1,800.00</u>
Balance due claimant	\$ <u>820.50</u>

For the time and place of recording to make this lien a valid claim, see quotation from ORS 87.035 on next page.

(OVER)

80 MAY 23 PM 4 44

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 May 12, 1980

W.C. Lindmeier

Claimant

STATE OF OREGON, County of Klamath ss.

I, W. C. Lindmeier, being first duly sworn, depose

and say: That I am the sub-contractor 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 12th day of May, 1980

(SEAL)

W.C. Lindmeier

Nymania Redden
Notary Public for Oregon. My Commission expires 10-21-83

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 May 12th, 1980

W.C. Lindmeier

Claimant

By

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 "Original contractor" means a contractor who has a contractual relationship with the owner"; a subcontractor does not. ORS 87.005.

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
SUB CONTRACTOR**
(Form No. 124)

W.C. Lindmeier
5503 Walton Drive
Lien Claimant

Kenneth C. & Judy A. Rutledge
7340 Reeder Rd.
Klamath Falls, OR Owner

AFTER RECORDING RETURN TO

Richard C. Beesley
Attorney at Law
220 Main St., Suite 2A
Klamath Falls, OR 97601

(SPACE RESERVED
FOR
RECORDER'S USE.)

STATE OF OREGON

County of

ss.

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

That portion of the SE 1/4 of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, lying South of USRS Drain referred to in Book 46 at page 4, Deed Records of Klamath County, Oregon, and East of the 40 foot strip lying East of the C Canal right of way mentioned in Book 54 at page 589, Deed Records of Klamath County, Oregon, EXCEPTING THEREFROM a tract of land described as follows:

Beginning at an iron pipe marking the intersection of the West right of way line of the County Road known as Reeder Road and the South right of way line of the USBR #2 drain as constructed. Said iron pipe being 1810 feet North and 30 feet West of the Southeast corner of Section 19, in Township 39 South, Range 10 East of the Willamette Meridian; thence along the said South right of way line of the said USBR #2 drain North 87° 56' West 1105.26 feet; thence South 835.94 feet; thence North 87° 09' East 1105.91 feet, more or less, to the Westerly right of way of Reeder Road; thence North 741.39 feet to the point of beginning.

EXCEPTING THEREFROM a tract of land situated in the SE 1/4 of Section 19, Township 39 South, Range 10 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Beginning at an iron pin which marks the corner common to Sections 19, 20, 29 and 30; thence West 2575 feet to the East line of the 40 foot strip lying East of the C Canal; thence North 1380 feet along the said East line to the North boundary of the SW 1/4 SE 1/4 of Section 19; thence East 1100 feet to the West line of the property described in Book M-69 at page 6053 Microfilm Records; thence South 330 feet to the Southwest corner of the property described in Book M-69 at page 9417 Microfilm Records; thence North 87° 09' East 1105.91 feet to the West line of Reeder Road; thence South 1000 feet, more or less to the point of beginning.

EXHIBIT "A"

STATE OF OREGON; COUNTY OF KLAMATH; ss.

I hereby certify that the within instrument was received and filed for record on the 23rd day of May A.D., 19 80 at 4:44 o'clock P M., and duly recorded in Vol. M80 of Construction Leins on Page 9538.

FEE \$10.50

WM. D. MILNE County Clerk

By Susantha H. Hetch Deputy