

1976 TS

89231

Vol. 178 Page 16811



**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 U-Haul, 2528 Washburn Way, Klamath Falls, all at the instance of the owner of said improvement or his construction agent; said improvement is situated upon OR certain land in the County of Klamath, State of Oregon, (which is the site of said improvement) described as follows:

A parcel of land situated in the NE corner of Lot 1, Block , Tract 1080, WASHBURN PARK, said parcel being more particularly described as follows: The Southerly 115 feet of the following described tract: Beginning at the NE corner of said Lot 1; thence N. 89°55'10" W., along the Southerly right of way line of Crosby Avenue, 250.00 feet; thence S. 00°04'50" W., parallel with Washburn Way, 280.00 feet; thence S. 89°55'10" E., parallel with Crosby Avenue, 250.00 feet to the Westerly right of way line of Washburn Way; thence N. 00°05'50" E., along the said Westerly right of way line of Washburn Way, 280.00 feet to the point of beginning. EXCEPT: Right of way Easement, including the terms and provisions thereof, given by Harry R. Waggoner and Norma E. Waggoner, Husband and Wife, to California-Pacific Utilities Company, dated 11/10/70, recorded 11/30/70, in Vol. M-70, Page 10618, Microfilm Records of Klamath County, Oregon; Reservations and restrictions contained in the dedication of Washburn Park, as follows: "... said plat subject to: Building setback lines as prescribed in present applicable ordinances, all easements and/or as shown on the annexed plat, additional restrictions as provided for in any recorded protective covenants"; Reservations and restrictions contained in deed from Washburn Enterprises, Inc., an Oregon corporation, to Ore-Cal General Wholesale, Inc., an Oregon corporation, dated 9/25/75, recorded 9/25/75, in Deed Volume M75, Page 11671, Microfilm Records of Klamath County, Oregon.

The address of said land is, if known (if unknown, so state) 2528 Washburn Way, Klamath Falls, Oregon, in said county and state.

The name of the owner or reputed owner of said land is U-Haul Co. of Oregon,

The name of the owner or reputed owner of said improvement is U-Haul Co. of Oregon;  
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 R. E. Tracy (contractor), 3242 Crosby, Klamath Falls, OR 97601.

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

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

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

Equipment rented; if none, insert "none."

Claimant commenced to perform said labor, to furnish said material and/or equipment on June 2, 19 80, and completed same on June 13, 19 80, after which he ceased to perform labor and/or to furnish materials or equipment. The construction of said improvement was completed on uncompleted, 19 80.  
(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	\$743.75
Materials	\$109.15
Equipment; its reasonable rental value	\$
Preparation of this claim of lien (ORS 87.910)	\$
Recording fees	\$ 10.00
Total	\$ 7.50
Less all just credits and offsets	\$870.40
Balance due claimant	\$
	\$870.40

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

— OVER —

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 3rd day of September, 1980.

x

Donald Gelhardt

DONALD GELHARDT

Claimant

State of Oregon, County of Klamath, ss.  
I, DONALD GELHARDT

and say: That I am the \_\_\_\_\_, 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.

x

Donald Gelhardt

Subscribed and sworn to before me this 3rd day of September, 1980.

(SEAL)

LIBRARY  
CLERK  
OF  
COUNTY OF KLAMATH

Donna L Rogers

Notary Public for Oregon. My Commission expires 6/28/81

**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

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)

Donald Gelhardt

Lien Claimant

Owner

AFTER RECORDING RETURN TO

Parks & Ratliff, Attys.  
228 N. 7th 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 4th day of September, 1980, at 4:00 o'clock P.M., and recorded in book N80 at page 16811, or as file/reel No. 89231 of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Wm. D. Milne

By Bernetha J. Helton  
Recording Officer  
Deputy

Fee \$7.00