

1974 TS—If claimant is an original contractor, use S-N Form No. 123.

94780

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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 under a contract between claimant and Robert Mallery who was the ☒ original contractor, ☐ subcontractor, ☐ construction agent or ☐ other person (indicate which) having charge of the construction of that certain improvement known as New Home situated upon certain land in the County of Klamath, State of Oregon, (which is the site of said improvement) described as follows:

FOR COMPLIANCE
CONSTRUCTION LIEN
CIVIL OF

STATE OF OREGON

The address of said improvement, if known (if unknown, so state) is General Delivery in the City of Shiloquin, in said county and state. The name of the owner or reputed owner of said land is Robert Mallery; the name of the owner of said improvement at whose instance said labor, materials and/or equipment were performed or furnished is Great Basin Painting 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 Robert Mallery.

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")

CONTRACT

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

Claimant commenced to perform his said contract on Nov. 1, 1980, and completed same on Dec. 23, 1980 after which he ceased to provide labor and to furnish materials and equipment.

The construction of said improvement was completed on Dec. 23, 1980. (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 \$ \$4398.50

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

Labor

Materials

Equipment

Extras

\$ 880.00

Preparation of this claim of lien (ORS 87.910)

Recording fees

\$ 10.00

Total

\$ 7009.58

Less all just credits and offsets

\$ 5025.00

Balance due claimant

\$ 1984.58

\$ 982.00

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

(OVER)

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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 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 fore-closure 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 January 15, 1981

STATE OF OREGON, County of Klamath

ss.

I, Douglas Wayne Bacus and Richard Carel Randal

Claimant

and say that we are 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.

Subscribed and sworn to before me this 15th day of January 1981

(SEAL)

Notary Public for Oregon. My Commission expires 10-24-81

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 Klamath County, Oregon, on January 15, 1981.

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.

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 thereof, is situated

CLAIM OF CONSTRUCTION LIEN
SUB CONTRACTOR
(Form No. 124)

Lien Claimant

(SPACE RESERVED FOR RECORDER'S USE.)

Owner

AFTER RECORDING RETURN TO

1801 W. 6th St.
Klamath Falls, OR
97601

STATE OF OREGON

County of Klamath

ss.

I certify that the within instrument was filed in my office on the 15th day of January, 1981, at 1:50 o'clock P.M., and recorded in book M81 on page 755 or as file/reel No. 94780 of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

By Berntha S. Detach, Deputy

Fee \$7.00